



**DARLINGTON**

Borough Council

# Cabinet Agenda

5.00 pm

Tuesday, 10 September 2024

Council Chamber, Town Hall, Darlington DL1 5QT

**Members and Members of the Public are welcome to attend this Meeting.**

1. Introductions/Attendance at Meeting.
2. Declarations of Interest.
3. To hear relevant representation (from Members and the General Public) on items on this Cabinet agenda.
4. To approve the Minutes of the meeting of this Cabinet held on 16 July 2024. (Pages 5 - 12)
5. Matters Referred to Cabinet –  
There are no matters referred back for reconsideration to this meeting
6. Issues Arising from Scrutiny Committee –  
There are no issues referred back from the Scrutiny Committees to this Meeting, other than where they have been specifically consulted on an issue and their comments are included in the contents of the relevant report on this agenda.
7. Key Decisions:- –  
There are no key decisions to be made at this meeting.
8. Public Consultation on Draft Appraisal for the Northgate Conservation Area including Proposed Boundary Extension – Report of the Chief Executive.  
(Pages 13 - 126)

9. Revisions to the Council's Senior Management Structure – Report of the Chief Executive Officer.  
(Pages 127 - 136)
10. Climate Change Progress – Report of the Chief Executive.  
(Pages 137 - 156)
11. Air Quality Strategy 2024/29 – Report of the Chief Executive.  
(Pages 157 - 182)
12. Proposed Amendments to the Schedule of Charges 2024/25 – Report of the Group Director of Services.  
(Pages 183 - 186)
13. Annual Review of the Investment Fund – Report of the Group Director of Operations.  
(Pages 187 - 192)
14. Regulatory Investigatory Powers Act (RIPA) – Report of the Group Director of Operations.  
(Pages 193 - 214)
15. Complaints Made to Local Government and Social Care Ombudsman and the Housing Ombudsman Service – Report of the Chief Officers Executive.  
(Pages 215 - 226)
16. Complaints, Compliments and Comments Annual Reports 2023/24 – Report of the Chief Officers Executive.  
(Pages 227 - 372)
17. Project Position Statement and Capital Programme Monitoring - Quarter 1 2024/25 – Report of the Group Director of Services and the Group Director of Operations.  
(Pages 373 - 384)
18. Revenue Budget Monitoring 2024/25 - Quarter 1 – Report of the Group Director of Operations.  
(Pages 385 - 402)
19. Treasury Management Annual Report and Outturn Prudential Indicators 2023/24 – Report of the Group Director of Operations.  
(Pages 403 - 422)
20. Membership Changes - To consider any Membership Changes to Other Bodies to which Cabinet appoints.
21. SUPPLEMENTARY ITEM(S) (if any) which in the opinion of the Chair of this Committee are of an urgent nature and can be discussed at this meeting.



22. Questions.

A handwritten signature in black ink, appearing to read 'Luke Swinhoe', written in a cursive style.

**Luke Swinhoe**  
**Assistant Director Law and Governance**

**Monday, 2 September 2024**

**Town Hall**  
**Darlington.**

**Membership**

Councillors Curry, Harker, McCollom, McEwan, Porter, Dr. Riley, Roche and Wallis

If you need this information in a different language or format or you have any other queries on this agenda please contact Lynne Wood, Elections Manager, 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 (e-mail [Lynne.Wood@darlington.gov.uk](mailto:Lynne.Wood@darlington.gov.uk) or telephone 01325 405803).

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**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE  
MONDAY 22 JULY 2024**

**CABINET**  
Tuesday, 16 July 2024

**PRESENT** – Councillors Harker (Chair), Curry, McCollom, McEwan, Dr. Riley, Roche and Wallis

**INVITEES** – Councillors Snedker

**APOLOGIES** – Councillors Porter, Dulston and K Nicholson

**C14     DECLARATIONS OF INTEREST.**

There were no declarations of interest reported at the meeting.

**C15     TO HEAR RELEVANT REPRESENTATION (FROM MEMBERS AND THE GENERAL PUBLIC) ON  
ITEMS ON THIS CABINET AGENDA.**

In respect of Minute C20 below, a written representation was received from a member of the public which was read out at the meeting.

**C16     TO APPROVE THE MINUTES OF THE MEETING OF THIS CABINET HELD ON TUESDAY 11 JUNE  
2024**

**Submitted** – The Minutes (previously circulated) of the meeting of Cabinet held on 11 June 2024

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

**REASON** – They represent an accurate record of the meeting.

**C17     MATTERS REFERRED TO CABINET**

There were no matters referred back for re-consideration to this meeting.

**C18     ISSUES ARISING FROM SCRUTINY COMMITTEE**

There were no issues arising from Scrutiny considered at this meeting.

**C19     KEY DECISION - DARLINGTON COUNCIL PLAN 2024/27**

The Leader of the Council introduced the report (previously circulated) of the Chief Officers Executive presenting the outcome of the public consultation undertaken on the Council Plan and a revised Council Plan (also previously circulated) for approval.

The submitted report outlined the background to the production of the Council Plan outlining the Council's long term ambitions, its vision for Darlington and priorities for delivery

over its life time, and providing the strategic direction to the Council and its services.

It was reported that the draft Council Plan was approved by Cabinet for consultation (Minute C113(1)/Mar/24 refers); the consultation ran from 6 March to 25 April 2024; a survey was developed; a communications plan was implemented to raise awareness of the consultation and encourage feedback; and detailed stakeholder engagement was carried out.

Particular reference was made to the outcome of the consultation which included 315 responses to the survey and to the key changes that were made to the final plan, which had been informed by the responses received to the survey and conversations with stakeholders and residents, during the consultation period.

Reference was made at the meeting to the briefings that had been held with Members and Scrutiny Committees and to the fact that the plan was a strong framework for the Council, however, it was the work that flowed from the plan that was important.

**RESOLVED** – (a) That the outcome of the consultation, as detailed at Appendix A to the submitted report, be noted.

(b) That the revised Council Plan 2024/27, as detailed at Appendix B of the submitted report, be approved.

(c) That the Council Plan 2024/27 be submitted to Council for endorsement.

**REASON** - The Council Plan is the strategic document that sets out the Council's long term ambitions for Darlington and shorter-term priorities and actions. Approval of the plan is needed to provide guidance to the organisation, and clarity for the public and partners on the Council's strategic priorities.

## **C20 LAND AT FAVERDALE / BURTREE GARDEN VILLAGE 'CELL CH' FEASIBILITY WORK**

The Cabinet Member with the Economy Portfolio introduced the report (previously circulated) of the Chief Executive requesting that consideration be given to providing feasibility funding to engage the services of Esh Homes Limited to help facilitate an early planning application for the Council owned land, site Cell CH as shown on the plan (also previously circulated), which forms part of Burtree Garden Village, and to incurring the associated costs.

The submitted report outlined the background to the proposal to develop site Cell CH, circa 14.16 hectares (35 acres) of Council land, which formed part of the Burtree Garden Village, which was declared surplus to requirements, as a potential Joint Venture development.

It was reported that planning permission for Phase 1 of the Burtree Garden Village development had been granted and included the strategic infrastructure and spine road which would provide the necessary access to open up site Cell CH; the Council land sat outside of Phase 1; the feasibility works would be procured by Esh Homes Limited and the Council in compliance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015; and stated that the feasibility works were required to support a detailed residential planning application for the site.

A written question from a member of the public was read out at the meeting requesting that a guarantee be given that at least 20 per cent of much needed affordable housing allocation would be delivered on Cell CH. Reference was also made at the meeting to the need for affordable housing in certain areas, as detailed in the Local Plan, and that the public would be concerned if this did not happen. The Cabinet Member with the Economy Portfolio responded thereon.

**RESOLVED** – (a) That the costs identified in Appendix 3 of the submitted report, be approved, and the release of the funding necessary to enable Esh Homes Ltd and the Council to undertake the feasibility work required to submit a planning application, be authorised.

(b) That the Assistant Director for Law and Governance be authorised to execute the necessary documents.

**REASONS** - (a) To provide a site capable of contributing to the delivery of new Housing and other affordable/social homes to satisfy the Borough's housing need.

(b) To achieve a capital receipt for the Council and increased Council Tax receipts from new homes.

## **C21 DISABLED FACILITIES GRANT 2024/25**

The Cabinet Member with the Adults Portfolio introduced the report (previously circulated) of the Group Director of People advising Members of the capital resources available for Disabled Facilities Grants (DFG's) during 2024/25 and requesting that consideration be given to releasing those resources, to be utilised in accordance with this Council's Disabled Facilities Grant and Regulatory Reform Order Policy 2022/25.

The submitted report stated that DFG's assisted people to live independently by helping to fund suitable adaptations to their properties; the grants were means tested and were available to owner-occupiers, tenants of private rented properties and Housing Association tenants; the maximum grant payable was £30,000; and that DFG's were governed by housing legislation and had set conditions for payment, within those regulations.

It was reported that the Council had a shared service agreement in place with Durham County Council to provide a Home Improvement Agency service to provide guidance and practical assistance to people who were older, disabled or on low incomes to claim a DFG to repair, improve or adapt their homes. They also provided support to people until the work was completed and the contractor had been paid.

**RESOLVED** – (a) That the allocation of £1,159,844, as detailed in the submitted report, to the Council to use for Disabled Facilities Grant adaptations in 2024/25, be noted.

(b) That the capital funding, be released, to enable it to be allocated in accordance with this Council's Disabled Facilities Grant and Regulatory Reform Order Policy 2022/25.

**REASON** – To enable the adaptations for those individuals who are eligible to receive a DFG

for 2024/25 to proceed.

## **C22 COUNCIL PLAN PERFORMANCE 2020/23: QUARTER FOUR PERFORMANCE REPORT**

The Leader introduced the report (previously circulated) of the Chief Officers Executive presenting an overview of performance (also previously circulated) against the Council Plan 2020/23, to the end of the last two quarters of the financial year 2023/24.

The submitted report stated that this was the last report linked to the Council Plan 2020/23; a new Council Plan for the period 2024/27 would be considered by Council in July 2024; and stated that the Council Plan outlined the long-term ambitions for Darlington and priorities for the Council, with a focus on addressing inequalities, climate change and efficient use of resources.

**RESOLVED** – That the progress made against performance measures, as set out in the performance management report appended to the submitted report, be noted.

**REASON** - To update Cabinet on the progress in implementing the priorities outlined in the Council Plan 2020/23.

## **C23 HOUSING SERVICES GAS AND ELECTRICAL SAFETY POLICIES 2024/29**

The Cabinet Member with the Health and Housing Portfolio introduced the report (previously circulated) of the Group Director of Operations requesting that consideration be given to the Housing Services Domestic Gas and Heating Safety Policy 2024/29 and the Housing Services Domestic Electrical Safety Policy 2024/29 (both also previously circulated).

The submitted report outlined the background to the proposal to develop the Housing Services Domestic Gas and Heating Safety Policy 2024/29 and the Housing Services Domestic Electrical Safety Policy 2024/29, in order to ensure the safety of the Council's tenants, staff, partners and the wider community who may be affected by gas and electrical installations and appliances, associated flues and pipework in properties that are owned by the Council, or have a responsibility for managing them.

It was reported that the Housing Services Domestic Gas and Heating Safety Policy 2024/29 and the Housing Services Domestic Electrical Safety Policy 2024/29 set out the Council's legal obligations in relation to gas and electrical safety, together with the responsibilities for its staff, contractors and tenants, to ensure they are not put at risk from the effects of gas and electricity.

**RESOLVED** – (a) That the contents of the submitted report be noted.

(b) That the Housing Services Domestic Gas and Heating Safety Policy 2024/29, as detailed at Appendix 1 to the submitted report, and the Housing Services Domestic Electrical Safety Policy 2024/29, as detailed at Appendix 2 to the submitted report, be approved.

**REASONS** – (a) The Housing Services Domestic Gas and Heating, and Electrical Safety Policies ensure the Council has a clear approach to the safety of its tenants, staff, partners and the wider community, who may be affected by gas and electricity in Council homes.

(b) The Regulator of Social Housing's new Consumer Standards from April 2024 places a duty on social housing landlords to take all reasonable steps to ensure the health and safety of its tenants in their homes and associated communal areas.

(c) The adoption of formal gas and electrical safety policies is one of the ways to demonstrate how we will achieve this.

## **C24 HOUSING SERVICES DOMESTIC ABUSE POLICY**

The Cabinet Member with the Health and Housing Portfolio introduced the report (previously circulated) of the Group Director of Operations requesting that consideration be given to the Housing Services Domestic Abuse Policy 2024/29 (also previously circulated).

The submitted report outlined the background to the proposal to develop the Housing Services Domestic Abuse Policy 2024/29, in order to assist the Council in recognising the harm domestic abuse causes within homes and communities and to keep all its tenants and household members safe from the impact of domestic abuse. The policy set out the Council's commitment to tackle domestic abuse in its homes and how it aimed to manage and support any cases.

Particular references were made to the Domestic Abuse Act 2021 which placed new duties on local authorities to ensure that victims of domestic abuse and their children could access the right support in safe accommodation, when they needed it, and the role Housing Services could play in tackling domestic abuse, being well placed to recognise the signs and support victims and survivors.

**RESOLVED** - (a) That the contents of the submitted report, be noted.

(b) That the Housing Services Domestic Abuse Policy 2024/29, as detailed at Appendix 1 to the submitted report, be approved.

**REASONS** – (a) The Housing Services Domestic Abuse Policy ensures the Council has a clear approach to supporting victims of domestic abuse within its homes.

(b) The Regulator of Social Housing's new Consumer Standards from April 2024, places a duty on social housing landlords to work co-operatively with other agencies tackling domestic abuse and enable tenants to access appropriate support and advice.

(c) The adoption of a formal Domestic Abuse Policy is one of the ways to demonstrate how the Council will achieve this.

## **C25 COLLECTION OF COUNCIL TAX, BUSINESS RATES AND RENT 2023/24**

The Leader of the Council introduced the report (previously circulated) of the Group Director of Operations providing Members with an update on the collection of Council Tax, Business Rates and Council rents during 2023/24 and requesting that consideration be given to the writing-off of debts over £500 that are considered to be irrecoverable.

The submitted report stated that the collection of Council Tax, Business Rates and Council rents during 2023/24 had continued to be a significant challenge due to the current economic climate; despite the challenges, a total of £135.61M had been collected in 2023/24; and that approval was being sought to write-off a total of £1,538,782 of debts in respect of individual cases exceeding £500 for the financial year 2023/24, where it had become apparent that no further steps could be taken to recover the sums due.

**RESOLVED** – (a) That the contents of the report, be noted.

(b) That the write-off of £1,538,782 for debts over £500, as detailed in the submitted report, subject to further steps for recovery being taken, wherever possible, if and when contact with the debtor is made, be approved.

**REASONS** – (a) The collection of Council Tax, Business Rates and Council rents underpins the Council's Medium Term Financial Plan.

(b) The write-off of irrecoverable debts enables the Council's accounts to be maintained in accordance with Financial Procedure Rules.

## **C26 PRODUCTIVITY PLAN**

The Leader of the Council introduced the report (previously circulated) of the Group Director of Operations presenting the 2024/25 Productivity Plan for Member oversight and endorsement prior to submission to the Government on the 19 July 2024.

The submitted report outlined the background to the production of the Productivity Plan which was part of the 2024/25 Local Government Finance Settlement whereby all Councils were required to produce a productivity plan.

It was reported that the Minister for Local Government, wrote to Council Chief Executives outlining what the plans should include, noting that Local Government had already done a huge amount in recent years to improve productivity and efficiency and stated that the plans would help the Government understand what was working well across the country; what the common themes were; whether there were any gaps; and what more the government could do to unlock future opportunities.

A Member made particular reference to the money lost through failed bids for funding; the Medium Term Financial Plan; the cost to the Council of underfunding; and to the fact that the under-funding did not allow the Council to undertake its role properly. The Leader of the Council responded thereon.

**RESOLVED** – (a) That the Productivity Plan, as appended to the submitted report, be endorsed.

(b) That the plan be uploaded onto the council's website.

**REASON** - To fulfil the Department for Levelling up Housing and Communities requirements.

## **C27 PROJECT POSITION STATEMENT AND CAPITAL PROGRAMME MONITORING OUTTURN**



## **2023/24**

The Leader of the Council introduced the report (previously circulated) of the Group Director of Operations and the Group Director of Services providing information to Members on the delivery of the Council's Capital Programme; the financial outturn position as at 31st March 2024; proposed financing of the 2023/24 capital expenditure; the current status of all construction projects currently being undertaken by the Council; and requesting that consideration be given to a number of changes to that programme.

The submitted report stated that significant enhancements had been made to the Council's assets in the three major programme areas of schools, housing and transport, mostly using external funding; those investment were delivering a wide range of improvements to the Council's assets and services; capital expenditure in 2023/24 totalled £60.084M; there were 27 live projects currently being managed by the Council with an overall value of £158.405M; the majority of those projects were running to time, cost and quality expectations with no foreseeable issues; and that the projects were managed either by the Council's in-house management team, a Framework Partner or by Consultants sourced via an open/OJEU tender process.

**RESOLVED** - (a) That the delivery and financial outturn of the 2023/24 Capital Programme, as detailed in the submitted report, be noted

(b) That the projected capital expenditure and resources, as detailed in the submitted report, be noted.

(c) That the adjustments to resources, as detailed in paragraph 30 of the submitted report, be approved.

**REASONS** - (a) To enable Members to note the progress of the 2023/24 Capital Programme and to allow the capital spend to be fully financed.

(b) To inform Cabinet of the current status of construction projects.

(c) To maintain effective management of resources.

## **C28 REVENUE OUTTURN 2023/24**

The Leader of the Council introduced the report (previously circulated) of the Group Director of Operations presenting the 2023/24 revenue outturn, to allow Members to consider the results in the light of the Council's Medium Term Financial Plan (MTFP), and the Housing Revenue Account outturn.

The submitted report stated that this was the final revenue budget management report for 2023/24; the year-end projection showed an overall improvement in the 2023/24 financial position of £0.545M; there was an improvement of £1.283M on the 2024/25 MTFP opening balance; outlined the variances from the original budget along with changes since the quarter three projected position; and stated that there were a number of carry forward requests, which would assist with projected slippage and pressures in the coming year.

**RESOLVED** - (a) That the revenue outturn for 2023/24, as detailed in the submitted report, be noted.

(b) That the carry forward of resources referred to in paragraphs 17 to 19, as detailed in the submitted report, be noted and approved.

**REASONS** - (a) To continue effective management of resources.

(b) To continue to deliver services to agreed levels.

**C29 XENTRALL SHARED SERVICES ANNUAL REPORT 2023/24**

The Leader of the Council introduced the report (previously circulated) of the Group Director of Operations requesting that consideration be given to reviewing the progress and performance of Xentrall Shared Services, the Stockton and Darlington Partnership.

The submitted report outlined the background to the establishment of Xentrall Shared Services, the Stockton and Darlington Partnership, which was established in May 2008 and was now in its seventeenth year; stated the agreement covered ICT, Transactional HR, Transactional Finance and Design and Print; the initial savings that were identified were £7.4M over the original ten year period of the partnership; those savings had been achieved plus additional efficiencies and benefits and significant additional savings; quality and performance of services had improved; and that both Councils had benefited both financially and through a continued programme of service improvements.

**RESOLVED** – That the report be noted and the continuing success of Xentrall Shared Services, since it was formed, be acknowledged.

**REASONS** – To allow Members to receive information about the progress of the partnership.

**C30 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO OTHER BODIES TO WHICH CABINET APPOINTS.**

There were no membership changes reported at the meeting.

**DECISIONS DATED –  
TUESDAY 30 JULY 2024**

**CABINET**  
**10 SEPTEMBER 2024**

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**PUBLIC CONSULTATION ON DRAFT APPRAISAL FOR THE NORTHGATE CONSERVATION AREA  
INCLUDING PROPOSED BOUNDARY EXTENSION**

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**Responsible Cabinet Member -  
Councillor Chris McEwan, Economy Portfolio**

**Responsible Director -  
Ian Williams, Chief Executive**

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**SUMMARY REPORT**

**Purpose of the Report**

1. The report seeks Members' approval to go out for public consultation with the new draft appraisal for the Northgate Conservation Area – see **Appendix 1**. The document also includes proposals to significantly extend the conservation area boundary.

**Summary**

2. The report describes the justification for writing a new appraisal for the Northgate Conservation Area including proposals to extend the boundary significantly. It also briefly outlines the contents of the document and the proposed consultation process.

**Recommendations**

3. It is recommended that :-
  - (a) Cabinet authorises public consultation on the new draft appraisal for the Northgate Conservation Area.
  - (b) The draft document is publicised for a period of at least six weeks, to allow members of the public and other stakeholders sufficient time to submit comments.
  - (c) The draft document is amended and finalised in the light of comments received during the public consultation period.
  - (d) The finalised conservation area appraisal is submitted to Members for adoption; this will be subject to another cabinet report.

## Reasons

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

- (a) The Northgate Conservation Area is a designated heritage asset of international significance due to its structures and associations directly linked to the birth/early years of the Stockton & Darlington Railway (S&DR) of 1825. Despite its high importance, it has been on the national Heritage at Risk Register since 2010.
- (b) The bicentennial of the S&DR is next year. There will be many events in Darlington and elsewhere to celebrate the birth of the modern railway. The Council is currently making significant investments in preparation for the 2025 celebrations including the redevelopment of the railway heritage quarter (Hopetown) inside the Northgate Conservation Area.
- (c) The bicentennial of the S&DR is also being promoted by Historic England, the government's statutory adviser on the historic environment. They have provided financial assistance and other support for the Northgate Conservation Area.
- (d) The present appraisal of the Northgate Conservation Area was adopted in January 2007. It is now deemed inadequate and out of date.
- (e) The new draft appraisal picks up some of the 'unfinished' work carried out recently by Durham County Council and Land Use Consultants. It provides a detailed record and analysis of the Northgate Conservation Area which will be of interest to the public and other stakeholders, as well as some of the Council's staff (e.g. planning officers).
- (f) The proposed boundary extension areas often relate to development that was influenced by S&DR. The draft appraisal will draw attention to locally important heritage assets to further public understanding and inform decision making.
- (g) The draft appraisal also includes suggestions to improve the condition of the conservation area so that it may eventually be removed from the Heritage at Risk register.

**Ian Williams**  
**Chief Executive**

## Background Papers

- (i) Darlington Borough Council (2007) *Northgate Conservation Area. Character Appraisal. January 2007*
- (ii) English Heritage (2010) *Heritage at Risk. North East 2010*
- (iii) Historic England (2023) *Heritage at Risk. North East & Yorkshire Register 2023*

David Hand : Extension 6294

Council Plan	LOCAL ENVIRONMENT – The designation of a Conservation Area recognises the historic significance of an area and helps to maintain that quality
Addressing inequalities	No Impact
Tackling Climate Change	Possibly slightly positive impact. The draft appraisal raises some awareness against the use of modern materials that are incompatible with traditional buildings, which often have a high-carbon footprint and adverse effect on the insulating properties of traditional structures.
Efficient and effective use of resources	For the public consultation process, the additional workload will only be temporary and mainly with the Conservation Officer. In the long term, depending on the outcome of the adopted appraisal (subject to a future cabinet meeting), there may be a slight increase in additional officer workload in planning applications and enforcement.
Health and Wellbeing	Possibly slightly positive impact. The information provided in the draft appraisal may lead to wider improvements in the area.
S17 Crime and Disorder	Possibly slightly positive impact. The information provided in the draft appraisal may lead to wider improvements in the area.
Wards Affected	Northgate, Pierremont, North Road, Brinkburn & Faverdale, Stephenson
Groups Affected	No Impact
Budget and Policy Framework	This report does not recommend a change to the Council's budget or policy framework.
Key Decision	No
Urgent Decision	No
Impact on Looked After Children and Care Leavers	There is no impact on the Looked After Children and Care Leavers

## MAIN REPORT

### Information and Analysis

#### Background Information

5. A conservation area is '*an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance*' (Planning (Listed Building and Conservation Areas) Act 1990).
6. Much of the special interest of the Northgate Conservation Area comprises structures and associations linked to the birth/early days of the Stockton and Darlington Railway (S&DR), which is of international significance, being the world's first public railway on which a locomotive hauled passengers. The S&DR opened in September 1825.

7. Initially, a North Road Station Conservation Area was designated on 14 November 1974. On 4 December 1997, this was incorporated into the newly created Northgate Conservation Area. On 21 July 2003, the area was further extended to include additional properties to the east side of Northgate, High Northgate and the Skerne Bridge.
8. An appraisal for the Northgate Conservation Area was first adopted in January 2007.
9. In March 2021, a proposed new daft character appraisal was finalised by Land Use Consultants (LUC) on behalf of Darlington Borough Council, but this was not published or adopted. Moreover, that document did not include an examination of the present conservation area boundary. LUC also produced a Northgate Urban Design Framework and Masterplan in February 2021 for a large part of the Conservation Area which now forms the strategic direction/vision for regeneration under the Towns Fund scheme.
10. In July 2022, Durham County Council (DCC) provided *Conservation Area Assessments – Route of the former Stockton & Darlington Railway. Darlington & Middleton St. George*, of the northern half of the Northgate Conservation Area only, which, at the time, was proposed to be separated from its southern half, extended, and renamed as a new conservation area. However, no appraisal had been provided by DCC to justify their drastic proposal.
11. The Conservation Northgate Area has been on the national Heritage at Risk Register since 2010. Of all the conservation areas in the borough, it is the one that is in worst condition.
12. Darlington Council has been making significant investments inside the Northgate Conservation Area in preparation for the 2025 celebrations, including the redevelopment of the railway heritage quarter and regeneration works under the Towns Fund scheme.

### **Recent Assessment**

13. Darlington's present Conservation Officer joined the Council at the end of February 2023. In April 2023, there was an email from Historic England asking for any Heritage at Risk updates to be included on this year's Register. In June, the Conservation Officer had a site meeting with Jules Brown (Historic Places Adviser for North-East and Yorkshire, Historic England) in the Northgate Conservation Area to discuss the issues with regards to its condition and possible boundary changes, well as the ongoing redevelopment and planned events linked to the S&DR bicentennial in 2025. It was agreed that an updated appraisal of the Northgate Conservation Area should be a priority.
14. The new appraisal was drafted between September 2023 and February 2024 by the Conservation Officer. The finished draft was informally circulated to the members of the affected wards on 2 April 2024.
15. The draft appraisal includes:
  - (a) Information on the planning implications of conservation area designation, including the existing article 4 direction.

- (b) A detailed assessment of the significance of the Northgate Conservation Area based on its historical development, spatial/character analysis and values attributed by the local community and other stakeholders.
- (c) A description of its 'very bad' condition and its causes, which have resulted in social and economic decline, traffic and public realm issues, damage to the historical environment and harmful modern development.
- (d) An assessment of threats/potential future issues as well as opportunities for enhancement.
- (e) Proposed changes to the conservation area boundary comprising the exclusion of a few minor areas that are not of special interest, as well as the proposed extension of larger areas, based on DCC's initial suggestions, but amended where deemed justified.

### **Proposed Public Consultation Process**

- 16. The draft appraisal will be available for consultation for a minimum of six weeks.
- 17. It will be available:
  - (a) On the Council's website, along with a feedback form that can be completed. Additionally, members of the public can email a response to [conservation@darlington.gov.uk](mailto:conservation@darlington.gov.uk)
  - (b) A paper copy will be available at the Town Hall and Libraries. Paper copies of the feedback form will also be provided.
- 18. At the commencement of the public consultation period, the Conservation Officer will directly approach individuals, groups and organisations that are likely to have a particular interest in the Northgate Conservation Area. These include the Council's Members of the affected wards and some of its staff, railway-related heritage groups and organisations, the Friends of North Lodge Park, etc.
- 19. Following the consultation period, the draft will be reviewed in the light of the comments received and finalised before being put to Members for adoption.

### **Financial Implications**

- 20. There are very minor financial implications, ie printing costs of paper copies and Conservation Officer time for evaluating comments received and amending draft.

### **Legal Implications**

- 21. At the time of public consultation there will be none.
- 22. Conservation area designation (or loss of it) would take effect following the adoption of a new boundary, which would be subject to another cabinet meeting.

23. Following adoption of a new boundary (subject to a future cabinet meeting), the existing Article 4 direction would not be automatically applied to any extension areas; it would also remain in place for any areas that have been excluded.

#### **Estates and Property Advice**

24. Proposed boundary changes may affect the Council land.

#### **Carbon Impact and Climate Change**

25. The draft appraisal raises some awareness against the use of modern materials that are incompatible with traditional buildings, which often have a high-carbon footprint and adverse effect on the insulating properties of traditional structures.



Stockton & Darlington Railway:

# Northgate

Conservation Area Appraisal

Public Consultation Draft  
June 2024



**DARLINGTON**  
Borough Council

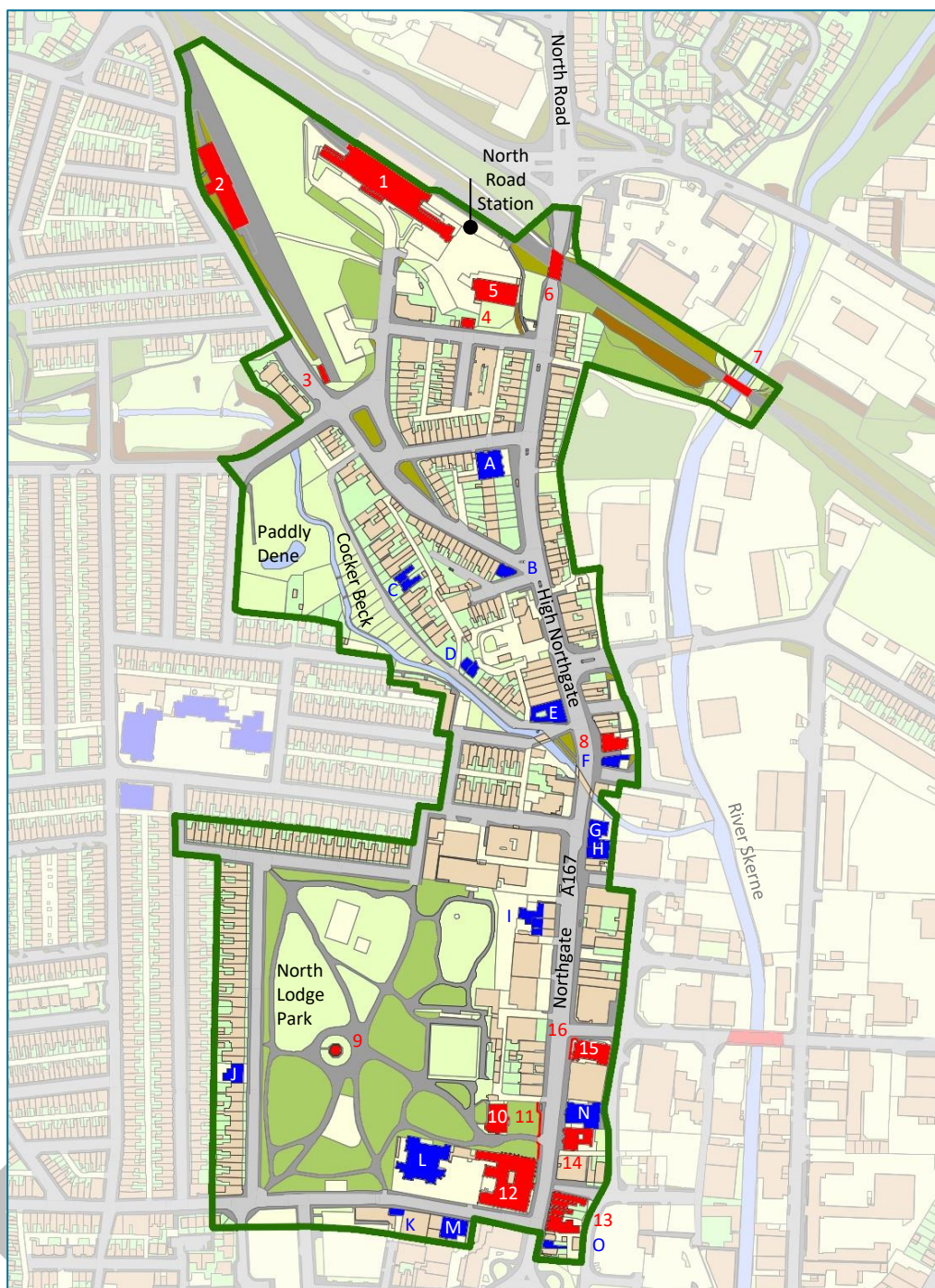


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< Cover image: Detail from the Opening of the Stockton and Darlington Railway, painted by John Dobbin in 1875. Note that the curved wing walls of the bridge did not exist at the time but were added in 1829 to strengthen the embankments.





Northgate Conservation Area boundary (green line) **at the time of review**, as adopted in July 2003 (Map © Crown copyright and database rights 2023 Ordnance Survey 0100023728. Licence Number 100023728 2024. Graphics by Gaby Rose)

Listed buildings: 1. North Road Railway Station, 2. Stockton & Darlington Railway Carriage Works, 3. Lime Cells, 4. 1 & 2 McNay Street, 5. Goods Shed South East of North Road Station, 6. Railway Viaduct, 7. Skerne Bridge, 8. The Railway Tavern, 9. Bandstand to West of Bowling Green, 10. North Lodge, 11. Front Garden Wall to North Lodge, 12. Central School (East Block), 13. 138-148 Northgate, 14. Central School Annex, 15. Northgate United Reformed Church, 16. Forecourt Railings and Gate Piers to Northgate United Reformed Church

Other notable buildings: A. Darlington Working Men's Club, B. Melville House, C. 15 & 16 Westbrook Villas, D. 8 & 18a Westbrook Villas, E. Livingstone Building, F. 1 Leadenhall Street, G. Bridge Hotel, H. Odeon, I. Elmfield House, J. Pentecostal Church, K. Darlington Bottling Company, L. Central Secondary School, M. Temperance Institute, N. Salvation Army Citadel, O. The Half Moon

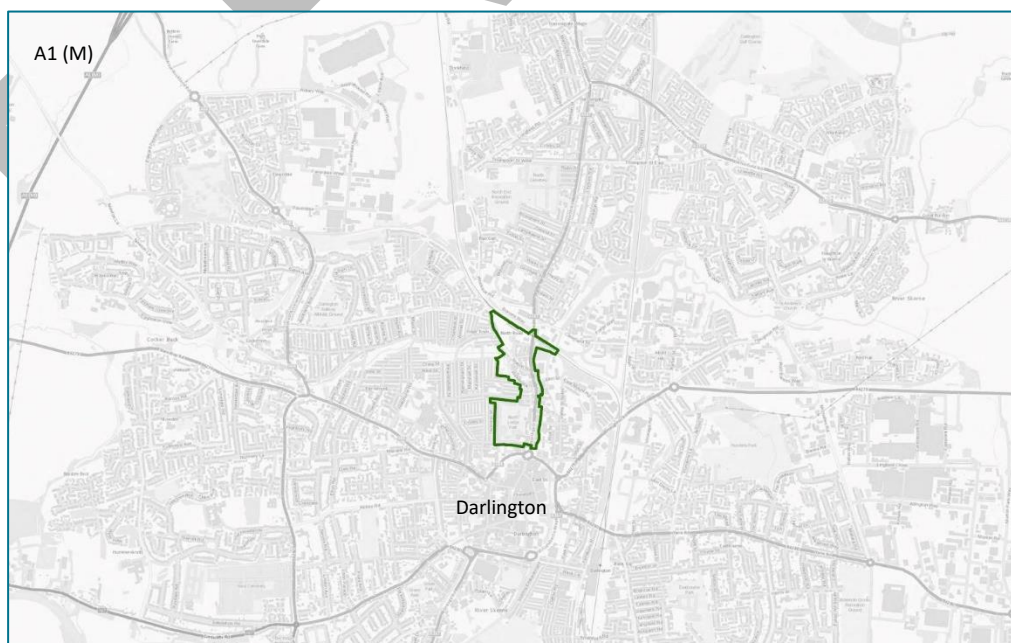
## 1.0 Introduction

A character appraisal assesses the **special interest** of a conservation area that merits its designation. It describes and evaluates the contribution made by the tangible (visible) aspects of its special interest which define the area's **character and appearance**. An appraisal aims to be informative and educational about our cultural inheritance and raise public awareness and support. Adopted documents provide an evidence base for managing change and will be a material consideration in the planning process. They can also identify opportunities for enhancement and assist if funding is sought for larger regeneration schemes, such as heritage action zones.

An appraisal for the Northgate Conservation Area was first adopted in January 2007. In March 2021, a proposed new draft character appraisal was finalised by Land Use Consultants (LUC) on behalf of Darlington Borough Council, but this was not published or adopted. LUC also produced a *Northgate Urban Design Framework and Masterplan* in February 2021 for a large part of the Conservation Area which now forms the strategic direction/vision for regeneration under the Towns Fund scheme (see 3.6). In July 2022, Durham County Council provided *Conservation Area Assessments – Route of the former Stockton & Darlington Railway. Darlington & Middleton St. George*, of the northern half of the Northgate Conservation Area only, which, at the time, was proposed to be separated from its southern half, extended, and renamed as a new conservation area (see 5.2).

### 1.1 The Area

Darlington is a town in County Durham the Northeast of England which lies adjacent to the A1(M). The Northgate Conservation Area is located immediately to the north of the town centre and is of an urban nature. At the time of review, it comprised an area of 21.78 hectares between the northern roundabout of the inner ring road and North Road Station. The Conservation Area lies mainly in the Northgate ward, although two small parts are inside the Pierremont and North Road wards.



Location of Northgate Conservation Area boundary (green line) at the time of review, as adopted in July 2003 (Contains OS data © Crown Copyright and database right 2020. Licence Number 100023728 2024)

Initially, a North Road Station Conservation Area was designated on 14 November 1974. On 4 December 1997, this was incorporated into the newly created Northgate Conservation Area. On 21 July 2003, the area was further extended to include additional properties to the east side of Northgate, High Northgate and the Skerne Bridge. **It is the boundary adopted in 2003 that is being appraised in this document.**

At the time of review, the Northgate Conservation Area was one of seventeen such designations within Darlington Borough. Further information on our conservation areas can be found on the Council's website ([see 7.3](#)).

The Northgate Conservation Area is currently on the *Heritage at Risk (North East & Yorkshire) Register 2023* due to its 'very bad' condition<sup>1</sup>.

## 1.2 The Appraisal

This document was drafted between September 2023 and February 2024 by the new Darlington Conservation Officer, Gaby Rose, and provides a reassessment of the area including suggested boundary changes. The initial proposal of 2022 to split Northgate into two separate conservation areas ([see 1.0](#)) has now been aborted, although a name change to *Stockton & Darlington Railway: Northgate* as well as changes to the boundary are still being proposed. **Throughout the text, the area will be referred to as 'Northgate',** as this was its name at the writing of the appraisal.

This appraisal is an opportunity to reassess the Northgate Conservation Area in accordance with current planning policy and guidance, providing a robust document that can be of greater influence in the planning process ([see 2.0](#)). Whilst it tries to cover the main aspects of the Conservation Area, it cannot be completely comprehensive. Omission of particular buildings, features or spaces does not imply that they are of no interest. The appraisal focusses on the following aspects:

- The special architectural and historic interest of the area ([see 3.0](#))
- The current condition of the area, any problems or threats to it, and opportunities for beneficial change ([see 4.0](#))
- The relevance of the current boundary line, and any suggested changes to it ([see 5.0](#))

**The draft is now available for public consultation until **DATE** on the Council's website, along with a feedback form which we would like completed. Paper copies are available at **ADDRESS**.** We have directly approached individuals, groups and organisations that are likely to have a particular interest in the Northgate Conservation Area. **There will also be a press release.** Following the consultation period, the draft will be reviewed in the light of the comments received and finalised before being adopted by the Council.

The author would like to thank Yvonne Richardson, Ross Chisholm, Peter Bainbridge and Caroline Hardie for their time and providing additional information.

<sup>1</sup> Historic England 2023, page 31



## 2.0 Planning Framework

The National Planning Framework (NPPF) states that the purpose of the planning system is to contribute to the achievement of sustainable development. This includes an environmental objective to protect and enhance the natural, built and historic environment<sup>2</sup>. Some of the policies under *16 Conserving and enhancing the historic environment* specifically refer to conservation areas or ‘**designated heritage assets**’, **which also include all heritage assets inside conservation areas**. A heritage asset is a *building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest*.<sup>3</sup> Paragraph 189 of the NPPF states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, which forms the basis for all plan-making and decision-making.

The Darlington Local Plan<sup>4</sup> is compliant with the NPPF and includes policies to safeguard the historical environment. The following policies apply to the Northgate Conservation Area – please refer to the Local Plan for the full wording:

**Policy TC 3 Additional Site for Town Centre Uses (only for car parks along Gladstone Street).** Development proposals should take their cue from the historic grain of development within the site, with the design, scale and density of development reflecting the distinct character of the Northgate Conservation Area.

**Policy TC 6 Darlington - Town Centre Fringe (only for designated area shown on policy map).** Development and regeneration will be promoted to deliver a range of mixed-use development and environmental improvements. The uses likely to be acceptable include economic, commercial and residential. The development should conserve historic buildings and where appropriate enhance the historic environment in the area, with an emphasis on creating opportunities for the celebration of Darlington’s heritage.

**Policy ENV 1 Protecting, Enhancing and Promoting Darlington's Historic Environment (A) Designated Heritage Assets.** Proposals should conserve those elements which contribute to such asset's significance, including any contribution made by their setting in a manner appropriate to their significance irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm.

**Policy ENV 1 Protecting, Enhancing and Promoting Darlington's Historic Environment (B) Conservation Areas.** Proposals affecting a conservation area should preserve and enhance those elements identified in any conservation area appraisal as making a positive contribution to the significance of that area. Development will not be permitted that would lead to the loss of public or private open spaces within or adjacent to conservation areas where the existing openness makes a positive contribution to the character or appearance of the area or its setting unless the public benefit demonstrably outweighs the harm.

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<sup>2</sup> Department for Levelling Up, Housing & Communities 2023, page 5

<sup>3</sup> Department for Levelling Up, Housing & Communities 2023, page 68

<sup>4</sup> Darlington Borough Council 2022

**Policy ENV 2 Stockton and Darlington Railway.** Proposals that conserve and enhance elements which contribute to the significance of the Stockton and Darlington Railway and its setting will be supported. Proposals will be supported where they include measures that preserve any physical remains along the route, include site interpretation and where appropriate reinstate a legible route where those remains no longer exist.

**Policy ENV 3 Local Landscape Character (C) North Lodge Park.** Retaining and improving the special landscape, heritage and ecological qualities of urban parkland.

**Policy IN 7 Telecommunication Masts.** Development should not have an unacceptable effect on conservation areas or buildings of architectural or historic interest.

## 2.1 Conservation Area Designation

Under section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, “the Act”, conservation areas are ***areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance***. They are **designated heritage assets**. Their boundaries are not the same as any development limits boundaries (policy H3) shown on the Darlington Local Plan Policies Maps<sup>5</sup> and have a different function, although in places they may coincide.

Section 69 of the Act requires the Council to determine which parts of the borough are areas of special interest and designate them as conservation areas. When considering designation, the Council should ensure that an area justifies such status because of its special interest, and that the concept of conservation is not devalued through the designation of areas that lack interest<sup>6</sup>. The courts have held it legitimate to include within a conservation area the setting of buildings that form the heart of that area<sup>7</sup>. Examples of types of special architectural and historic interest which justify designation are areas<sup>8</sup>:

- with a high number of nationally or locally designated heritage assets and a variety of architectural styles and historic associations
- which are linked to a particular individual, industry, custom or pastime with a particular local interest
- where an earlier, historically significant layout is visible in the modern street pattern
- where a particular style of architecture or traditional building materials predominate
- with a quality of the public realm or a spatial element, such as a design form or settlement pattern, green spaces which are an essential component of a wider historic area, and historic parks and gardens and other designed landscapes, including those on the Historic England Register of Parks and Gardens of special historic interest

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<sup>5</sup> Darlington Borough Council 2022

<sup>6</sup> Department for Levelling Up, Housing & Communities 2023, paragraph 191

<sup>7</sup> Historic England 2017b, page 4

<sup>8</sup> Historic England 2019, page 27

Conservation area designation (as well as the reassessment of an existing area) is generally carried out by a providing draft appraisal which will go out to public consultation, although there is no legal requirement to do so. In the light of any comments received, the document will then be amended, finalised and formally adopted by the Council. All adopted appraisals can be found on our website ([see 7.3](#)).

## 2.2 Implications for the Council

Following designation, the Council has a **duty to review** Darlington's conservation area boundaries from time to time and make amendments where necessary<sup>9</sup> ([see 5.0 & 6.0](#)). In addition, section 71 of the Act requires us from time to time to **formulate proposals for the preservation and enhancement of our conservation areas and consult the public on them**. The duty to prepare and review conservation area appraisals and management plans, which may set out a variety of measures to help safeguard and improve a conservation area, is also reflected in the Darlington Local Plan<sup>10</sup>, forming part of our proactive approach towards protecting the borough's heritage assets.

**In the exercise of planning functions, the Council shall pay special attention to the desirability of preserving or enhancing the significance<sup>11</sup> as well as the character or appearance of our conservation areas<sup>12</sup>.** Planning functions include both the formulation of robust conservation policies (Local Plan) and the determination of applications for planning permission or advertisement consent, helping us manage change within an area and its setting. The Council should look for opportunities for new development within conservation areas and their setting to enhance or better reveal their significance<sup>13</sup>. Although character appraisals will inform planning decisions, they alone do not determine whether development would be acceptable or not. The impact of proposed development upon a conservation area, or its setting, will be weighed against other material considerations when reaching a decision.

National planning policy requires us to have up-to-date evidence about our historic environment and assess the significance of heritage assets and the contribution they make to their environment, and make this information publicly available<sup>14</sup>. The Northgate Conservation Area appraisal provides such assessment ([see 3.0](#)), and is published on our website ([see 7.3](#)).

Finally, the Council is also required regularly assess Darlington's conservation areas with regards to their condition ([see 4.1](#)). Reviewed character appraisals or shorter surveys identifying threats and opportunities can be developed into management plans specific to an area's needs<sup>15</sup>. If a conservation area is considered to be 'at risk', the Council will liaise with Historic England. If confirmed to be in poor condition, the area will be put on the national Heritage at Risk Register<sup>16</sup>. We will then work with Historic England to find solutions to remove the conservation area from the register.

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<sup>9</sup> Planning (Listed Buildings and Conservation Areas) Act 1990, section 69

<sup>10</sup> Darlington Borough Council 2022, paragraphs 9.1.14.c & 9.1.19

<sup>11</sup> Darlington Borough Council 2022, paragraph 9.1.18

<sup>12</sup> Planning (Listed Buildings and Conservation Areas) Act 1990, section 72

<sup>13</sup> Department for Levelling Up, Housing & Communities 2023, paragraph 206

<sup>14</sup> Department for Levelling Up, Housing & Communities 2023, paragraphs 192-193

<sup>15</sup> Historic England 2019, page 29

<sup>16</sup> Available on Historic England's website



## 2.3 Implications for the Public

Conservation area status results in additional planning controls:

**Demolition.** Under section 196D of the Town and Country Planning Act 1990, it is an offence to cause, carry out or permit demolition of buildings inside conservation areas without the required planning permission.

**Permitted development rights.** The Town and Country Planning (General Permitted Development) (England) Order 2015, “the Order”, defines conservation areas as article 2(3) land. Schedule 2 of the Order outlines which permitted development rights have been removed from article 2(3) land. This means that planning permission will be required to carry out those types of development within conservation areas. Further permitted development rights can be removed by the Council imposing directions under article 4(1) of the Order. This means that planning permission will be required for the types of development specified in that direction. Article 4 directions can be useful tools, as they can prevent further decline of an area or even revert harm that has already been caused.

**Please note that there is an article 4 direction for the Northgate Conservation Area ([see 3.6](#)) which can be viewed on our website.**

**Works to trees.** Section 211 of the Town and Country Planning Act 1990 requires that anyone intending to carry out works to a tree in a conservation area must give at least six-weeks notice to the Council. This gives us the opportunity to consider whether to make a Tree Preservation Order. The work may go ahead before the end of the six-week period if the Council gives consent. With regard to works to a dead or dangerous tree, unless there is an immediate risk of serious harm, a five-days notice must be given before carrying out the works.

The additional planning controls as well as improvement measures set out in a management plan ([see 2.2](#)) help to ensure that existing and future generations can enjoy the benefits a conservation area can offer. Conservation areas that are well preserved can enhance economic well-being and quality of life, as well as offer a certain amount of continuity and stability. Likewise, conservation-led change based on informed decisions can make a positive contribution enabling communities to regenerate. The value of a conservation area can be beneficial to both property owners/occupiers and developers, and estate agents may put increasing emphasis on such a location when advertising properties.

## 2.4 Listed Buildings within the Conservation Area

Besides its conservation area designation, Northgate also includes 16 listed buildings, which are shown on the map at the beginning of this document. Under section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990, listed buildings are *buildings of special architectural or historic interest* that are included on the **National Heritage List for England** (Historic England website). They are **designated heritage assets** and graded according to their special interest:

- Grade I – of exceptional interest; nationally only 2.5% of all listed buildings are in this category
- Grade II\* – of more than special interest; 5.8% of all listed buildings are in this category
- Grade II – of special interest; 91.7% of all listed buildings are in this category

Please note that not only ‘buildings’ can be listed but also other structures and objects, such as bridges, bandstands and railings.

With regards to the extent of listing, the following applies<sup>17</sup>:

- The list entry on the National Heritage List of England only *identifies* the ‘principal listed building’
- The whole of the exterior and interior of the principal listed building, including any later alterations, are listed
- Any object or structure fixed to the principal listed building at the date of listing are also included
- Any freestanding object (e.g. birdbath or statue) or structure (e.g. outbuilding or wall) within the **curtilage** of the principal listed building which has formed part of the land since before 1st July 1948 is also treated as part of the listed building

The identification of curtilage is ‘quintessentially a matter of fact’. Legal precedent has established three main criteria for the assessment<sup>18</sup>:

- The physical layout of the principal listed building and any other objects/structures
- Its ownership(s), historically and at the time of listing (or 1 January 1969 if listed earlier)
- The functional relationship(s) between the principal listed building and any other objects/structures, historically and at the time of listing (or 1 January 1969 if listed earlier)

The Council determines whether an object or structure is curtilage listed. For any queries about the extent of listing, please contact [conservation@darlington.gov.uk](mailto:conservation@darlington.gov.uk).

Works that affect any parts of the listed building are likely to require **Listed Building Consent**. This includes works to:

- the whole to the exterior and interior of the principal listed building, including any later alterations
- any object or structure fixed to the principal listed building at the date of listing
- any freestanding object or structure within the curtilage of the principal listed building

Moreover, some works may also require planning permission. For further information check our website or the Planning Portal ([see 7.3](#)).

<sup>17</sup> Planning (Listed Buildings and Conservation Areas) Act 1990, section 1(5)

<sup>18</sup> Mynors 2006, page 115ff.

## 3.0 Assessing Significance

Conservation areas are designated for their special architectural and historic interest (see 2.1). Most areas have both, although one may be considered more prominent than the other. Nevertheless, when appraising a conservation area, we also need to look at the wider interests of a place in order to better understand its dynamics. It is therefore helpful to use the cultural and natural heritage values provided in *Conservation Principles. Policies and Guidance for the Sustainable Management of the Historic Environment* for the assessment<sup>19</sup>:

- **Evidential value:** the physical remains of past human activity (e.g. surviving structures and features) (See 3.2 to 3.5)
- **Historical value:** the ways in which past people, events and aspects of life can be connected to a place; this tends to be illustrative or associative (See 3.2 & 3.3)
- **Aesthetic value:** the sensory and intellectual stimulation people draw from a place; it can be the result of the design of a place or its development over time (See 3.4 & 3.5)
- **Communal value:** the meanings of a place for the people who relate to it (e.g. residents and other stakeholders) (See 3.6)

Note that elements can possess more than one heritage value.

**The sum of all heritage values/interests defines the significance of a place.** Only by defining the significance of a conservation area is it possible to assess how its character and appearance is vulnerable to harm or loss. This also helps reduce potential uncertainty for owners and others when investment or development in the area is considered. Moreover, the understanding of significance provides the basis for developing and implementing local policies (see 2.0) and management strategies that will sustain the heritage values of a place in its setting<sup>20</sup>.

### 3.1 Summary

The Northgate Conservation Area comprises the following elements of significance:

The A167 (Northgate and High Northgate) forms the historical linear spine of the area, aligned along the former **Great North Road** between London and Edinburgh. This route used to link the pre-industrial town with its pioneering railway and is still one of the principal gateways into the town.

The oldest surviving feature in the Northgate Conservation Area is probably the **Bulmer Stone** which was left here by the last Ice Age, named after Willy Bulmer who read the news standing on it. At one time it marked the northern boundary of the town. It was also known as the 'Battling Stone' as the town weavers used to beat their flax on it. It was Darlington's flourishing **textile industry** which had attracted representatives of the **Pease and Backhouse families**<sup>21</sup>, who would play such an important role in the nineteenth-century development of the town. Both families owned large areas of countryside inside the present Conservation Area, upon which they constructed **villas**

<sup>19</sup> English Heritage 2008, page 27ff

<sup>20</sup> English Heritage 2008, page 14

<sup>21</sup> Flynn 1992, page 8

**surrounded by parkland or extensive gardens**, which still survive in the form of a designed public park (North Lodge Park) and a more ‘natural’ green oasis (Westbrook). Many of the former villas are also associated with amateur and professional **botanists**.

Darlington is considered to be the **birthplace of the modern public railways** that we know today. The town’s transformation from a compact town to a major industrial centre was largely due to Darlington-born **Edward Pease** investing his time, energy and wealth in pursuing the establishment of the Stockton & Darlington Railway (S&DR)<sup>22</sup>. Following a meeting of Pease with engineer George Stephenson at the former’s home at **138-148 Northgate**, the S&DR was constructed, using steam-powered locomotives on raised tracks. The original 26-mile line is now regarded as the **prototype for all modern railways**. On 27 September 1825, the **world’s first public railway on which a locomotive hauled passengers**<sup>23</sup> made its maiden journey across **Skerne Bridge**, now the oldest railway bridge in the world that is still in use. The ride across the bridge has been immortalised in a painting by John Dobbin (see cover image of this document). Today the viewpoint of the painting along High Northgate is known as **Dobbin’s View**. The bridge also used to grace the back of the **five-pound note**, next to a portrait of Stephenson.

The S&DR quarter at the north end of the Conservation Area comprises a complex of structures associated with the **first (1825-1841), second (1841-1850) and third (1850s-1870s) generation of railway architecture**<sup>24</sup> which have considerable individual and collective significance. They represent a period in which people were learning by trial and error how to operate the railway in an efficient manner<sup>25</sup>, and incorporate **Italianate/classical styles** which were popular in the pioneering days of the railway<sup>26</sup>. Other structures associated with this embryonic phase of railway development, although no longer extant, were also located here, such as Kitching’s Hope Town Foundry which has become **Whessoe Engineering Limited** carrying out operations worldwide, with its headquarters still retained at Darlington. Over 19 kilometres of surviving live track bed make this line the **longest continually operating modern railway in the world**<sup>27</sup>. The significance of the S&DR is promoted by a number of **local heritage groups**, such as the Friends of the Stockton & Darlington Railway.

**Darlington’s industrial expansion** triggered by the arrival of the railway caused a rapid increase in the town’s population and subsequent demand for housing and amenities – the latter also including education and a wide range of leisure facilities – resulting in some of the earliest **railway-led urbanisation** in the world. Throughout the Northgate Conservation Area, much of the **nineteenth-century planform** has survived, with several properties dating from the 1830s and 40s and most of the **scoria-paved back lanes** intact. **Neo-Gothic** buildings and architectural features can be attributed to notable local architects **George Gordon Hoskins** and **Robert Borrowdale**.

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<sup>22</sup> Flynn 1992, page 8

<sup>23</sup> Flynn 1987, page 40

<sup>24</sup> Historic England 2017a, pages 2-3

<sup>25</sup> Clark 2006, page 3

<sup>26</sup> Archaeo-Environment Ltd 2014, page 25

<sup>27</sup> Friends of the Stockton & Darlington Railway 2021, page 31



### 3.2 Layout, Planform and Setting

*This section provides some of the evidential value of the area (i.e. the existing layout, etc.) as well as some of its historical value (i.e. former building locations).*



Layout of the Northgate Conservation Area (boundary line **at the time of review**, as adopted in July 2003, in green). (Graphics by Gaby Rose)

The Northgate Conservation Area lies to the north of Darlington town centre and is separated from it by the dual-carriageway inner ring road. Its underlying bedrock is made of calcareous mudstones and dolomitic limestones<sup>28</sup>.

<sup>28</sup> <https://historicengland.org.uk/advice/technical-advice/buildings/building-stones-england>

The A167, comprising Northgate to the south and High Northgate to the north, forms the linear spine of the area. It is one of the principal gateways into the town and carries a high volume of vehicle traffic, splitting the Conservation Area into a narrow east and a much larger western part. The land rises from a level of 50m at the south end of the A167 to 52m at the north end of High Northgate<sup>29</sup>. Here, the land slopes up noticeably the short distance to the station site, which is the result of human action, not natural topography, due to lowering of the ground levels to allow traffic to pass under the railway bridge where previously there had been a level crossing (see 3.3). There is also a noticeable downwards slope from the A167 towards the river Skerne to the east, which runs almost parallel to the main street just outside the designated boundary.

Roughly at midpoint, the Northgate Conservation Area is further 'dissected' by Cocker Beck, which flows northwest to east into the Skerne. Although the land drops gently towards the beck, this break is not so obvious from the A167 or the land to the east, but it is experienced in the western part of the Conservation Area where the beck is nestled within a lush green corridor that carries on far beyond the boundary. A small park called Paddy Dene including a pond widens the green corridor to the west of the beck. Westbrook follows the curved line of the watercourse along the northeast side of the green corridor, distinctly breaking the layout of the Conservation Area. To the south of Cocker Beck, the roads run strictly in a north-south or east-west direction, perpendicular and parallel to Northgate. This changes slightly as the A167 curves gently after crossing the beck into the northern part of the Conservation Area, and again more significantly where Station Road branches off towards Hope Town in a north-west direction. Throughout the Conservation Area, where there are rows of historical housing, back lanes run parallel to the roads.

At the northern end of the Conservation Area lies North Road Station which serves the line between Bishop Auckland and Saltburn, its facilities now located a short distance to the southeast of the historic station building. There are two railway bridges, one crossing High Northgate and the other the river Skerne. Two road bridges (including Northgate Bridge) and a pedestrian bridge cross Cocker Beck.

Besides the green corridor surrounding Cocker Beck, the Conservation Area also includes North Lodge Park which is a designed green space of roughly rectangular footprint. To the north, there is a large open square where Station Road and Hopetown Lane meet which includes grassed areas and three young trees. Immediately to the north of the square, the historic railway buildings are nestled amongst a number of mature trees which link to another green corridor along the railway line that carries on to the east outside the Conservation Area's boundary.

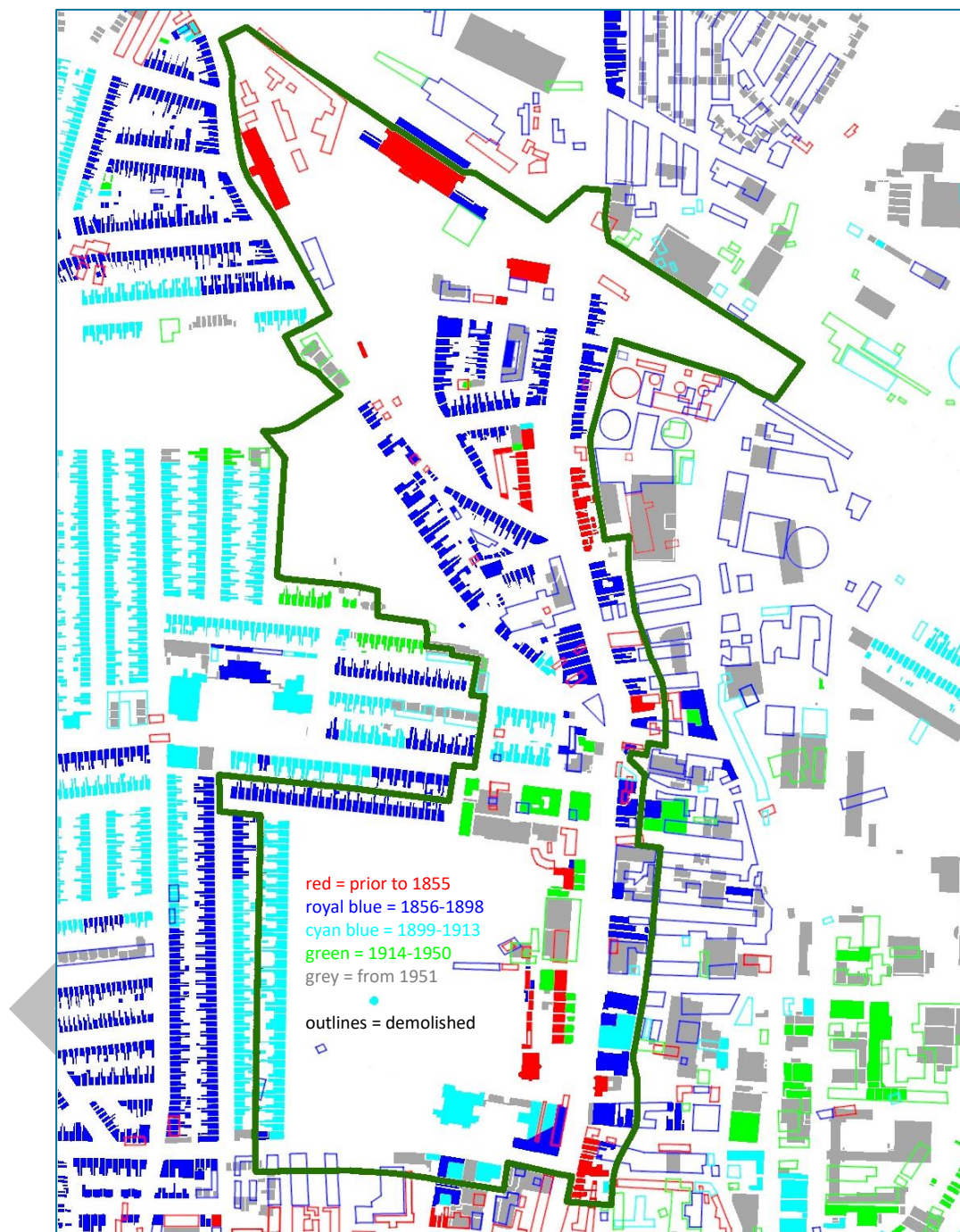
The map regression (below) shows that the planform of the Northgate Conservation Area largely dates to the second half of the nineteenth century (royal blue), with a particular good survival in its northern part. There are also a number of pre-1855 structures (red) dating back to a time when the area was more sparsely settled. Later development around the twentieth century turn (cyan blue) completes the historical planform, largely comprising rows of buildings lining the roads. A notable exception to this is the railway buildings located in the triangular area between the main line and the former branch, which are more generously spaced and follow the directions of the railway lines.

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<sup>29</sup> <https://en-gb.topographic-map.com/map-kb57/England/>



Construction between 1913 to 1950 (green) marks a phase of transition and mainly affects the southern part of the Conservation Area, including a few traditional buildings as well as a large number of roadside extensions to pre-1855 buildings along Northgate (see 3.5).



Planform – map regression of the Northgate Conservation Area (boundary line at the time of review, as adopted in July 2003, in green). (Graphics by Gaby Rose)

Although there has been demolition of old structures (shown as outlines in the map regression) as well as construction of post-1950 buildings (grey) throughout the Northgate Conservation Area, the essence of the historical planform has largely been retained. This is in great contrast to the areas immediately to the north, east and south adjoining the Conservation Area boundary, which had their historical grain erased through large-scale demolition and new construction in a different development pattern.

### 3.3 Historical Development

*This section describes the historical value of the area using information retrieved from secondary sources (see 7.0). The listed buildings are referred to by their designation name and assigned their [NUMBER] given on the map at the beginning of this document. Other notable buildings are assigned their [LETTER].*

The oldest surviving feature of the Conservation Area is probably the Bulmer Stone along Northgate, opposite Garden Street, a boulder of Shap granite from Cumbria that was moved here by a melting glacier at the end of the last Ice Age, c.10,000BC. It was named after Willy Bulmer who, in the early nineteenth century, read out the London news standing on the stone. At one time it marked the northern boundary of the town. It used to be known as the 'Battling Stone' as town weavers beat their flax on it, their homes, a row of vernacular weavers' cottages, behind the boulder. The stone used to be located on the edge of the pavement but was relocated behind the railings of [12] Central School (East Block) in 1923<sup>30</sup>.

Excavations in the current location between Dodds Street and Selbourne Road, c.150m west of the Conservation Area boundary, uncovered a burial site containing skeletons and grave goods from the later-sixth or early-seventh century, suggesting an Anglo-Saxon settlement possibly to the south of the cemetery<sup>31</sup>. The settlement experienced medieval growth due to its position in the Durham bishopric. Its market (charter granted in 1183<sup>32</sup>) flourished to serve the agricultural hinterland and those passing through the town on the Great North Road, the main historical highway between London and Edinburgh, now Northgate and High Northgate (A167), which traverses the Conservation Area. The term 'gate' is a common suffix for road names around the centre of Darlington and derives from the Old Norse ('gat') for 'street', implying Viking presence from the late-ninth century.



**[14] Central School Annex** (photo © Gaby Rose, 2023): Built by the Robson family, who were Quakers, local linen merchants and accomplished botanists, it formed the north end of the town until c.1825. Old photos show a shallow front garden with metal railings. An extensive rear garden originally extended down to the river Skerne. The building later had variety of uses such as hospital, education facility and restaurant<sup>33</sup>.

<sup>30</sup> Lloyd 2001, pages 102-104

<sup>31</sup> Cookson 2005, page 10

<sup>32</sup> <https://www.british-history.ac.uk/list-index-soc/markets-fairs-gazetteer-to-1516/durham>

<sup>33</sup> Archaeo-Environment Ltd 2023, pages 2 & 13



The latter half of the eighteenth century saw the beginning of large-scale industry in the town, resulting in a population increase of approximately thirty percent between 1767 and 1801. The emphasis had shifted from leather processing to textile preparation<sup>34</sup>, which attracted businesspeople into Darlington who were intending to make their wealth in the woollen or textile industry, such as the Robson family. They built a prestigious detached residence at 156 Northgate, now designated under the name of [14] **Central School Annex** (grade II\*)<sup>35</sup>, in around 1800. It is located just a little further north from the Bulmer Stone but on the opposite side of the street and was at the time the most northern building of the town. Beyond it lay agricultural open countryside in the ownership of leading local Quaker families.

In 1818, Edward Pease (1767-1858) and a group of businessmen formed the Stockton & Darlington Railway Company. Pease was a Quaker and retired wool merchant who also owed the weavers' cottages behind the Bulmer Stone<sup>36</sup>. He had realised that there was a need for a railway to transport coal from the collieries of West Durham. Coal was a very important resource at the time both for domestic and industrial purposes, but it was moved from remote locations on poor roads by horse-drawn cart, so a cheaper, more efficient solution needed to be found<sup>37</sup>. On 19 April 1821, the Stockton & Darlington Railway Act was passed to allow the company to build a horse-drawn tramway that would link the Witton Park Colliery via Darlington to the port on the River Tees at Stockton<sup>38</sup>.



[13] **138-148 Northgate** (photo © Gaby Rose, 2023): Originally a pair of later C18 houses, evidence of which is clearly visible on the rear/east elevation along Weaver's Way (i.e. original window openings including a round-arched stair window – not shown). Pease lived here from 1798 until his death in 1858<sup>39</sup>. In 1821 he met Stephenson in his kitchen along Northgate, now the location of 'Best Kebab'. In 1866 the building was remodelled by the division of the Pease house into two shop units, construction of a north extension and reconstruction of the front/ west elevation with stucco, pilasters and a central pediment. In 1909, the second bay was re-fronted including a memorial to the 'first public railway' and Pease's former residence.

<sup>34</sup> Clack, Pearson 1978, pages 16-17 & 19

<sup>35</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1242805>

<sup>36</sup> Flynn 1988, photo 56

<sup>37</sup> Friends of the Stockton & Darlington Railway 2021, page 8

<sup>38</sup> <https://www.sdr1825.org.uk/archives/sd-railway-act-1821/>

<sup>39</sup> Lloyd 2001, pages 106 & 111

George Stephenson (1781-1848), an engineer who had already built successful locomotives and recently designed railways for collieries<sup>40</sup>, met Pease at the latter's home opposite the weavers' cottages, now [13] **138-148 Northgate** (grade II)<sup>41</sup>, on the day the 1821 Act was passed. Here, Stephenson persuaded Pease to use steam-powered locomotives instead of horses. He also convinced him that they should run on rails raised above the ground rather than tram tracks set into the ground. These two factors (especially the first) separated the Stockton & Darlington Railway (S&DR) from the colliery railways and would change the history of Darlington, the North East, and the world. Pease was so impressed with Stephenson that he made him surveyor of the line in 1822, and later Chief Engineer of the company. Construction work on the S&DR started in the same year, supervised by Stephenson's deputies including Thomas Storey. The distance between the rails used became the standard gauge for railways throughout the world<sup>42</sup>. Following intense lobbying, a second Act of Parliament was approved in 1823 to allow the use of locomotives, and, importantly, adding passengers to the long list of goods that the railway would transport<sup>43</sup>.

On 27 September 1825, the S&DR was officially launched, with its initial focus on the general purpose of trade rather than the operation of a passenger rail service<sup>44</sup>. On the opening day, a holiday was declared in Darlington, and people travelled from all over the region selecting different parts of the route to observe from or hitching a ride from the Masons Arms pub in Shildon<sup>45</sup>. Here, 34 caldron waggons carrying coal, flour and approximately 500 passengers<sup>46</sup> and the first purpose-built passenger carriage, called *Experiment*, reserved for members of the S&DR Committee only<sup>47</sup>, were coupled to steam-powered locomotive *Locomotion No. 1*. The train then set off to Darlington with George Stephenson as the engine driver for the day where six wagons of coal were sent down the branch line to the depot – which would become the backbone of the extending town<sup>48</sup> – and be given to the poor.

After the engine had been refuelled and watered, the train continued its journey, now also with a brass band on board<sup>49</sup>, across [7] **Skerne Bridge** (grade I)<sup>50</sup> heading towards Stockton. The ride across the bridge has been immortalised in the 1875 painting by John Dobbin, see cover image of this document, who had witnessed the event at the age of four. Dobbin was born in Weaver's Yard (no longer extant), which ran along the south border of Pease's house and its extensive rear garden. His father had done sketches standing at the bridge on the opening day, which John turned into the famous painting for the 50th anniversary of the railway<sup>51</sup>. The bridge also features in a lithograph of 1856 (depicting the opening day) and an undated but early oil painting (showing the line working after the construction of the Merchandise Station in 1827)<sup>52</sup>. Edward Pease did not attend the opening ceremony but stayed at his home in Northgate as his favourite son, Isaac, had died<sup>53</sup>.

<sup>40</sup> Friends of the Stockton & Darlington Railway 2021, page 10

<sup>41</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1322933>

<sup>42</sup> Flynn 1987, 39

<sup>43</sup> Friends of the Stockton & Darlington Railway 2021, page 11

<sup>44</sup> Purcell Architecture Ltd 2021a, page 10

<sup>45</sup> Friends of the Stockton & Darlington Railway 2021, pages 12-13

<sup>46</sup> Flynn 1987, 39

<sup>47</sup> Purcell Architecture Ltd 2021a, page 10

<sup>48</sup> Archaeo-Environment Ltd 2019a, page 41

<sup>49</sup> Friends of the Stockton & Darlington Railway 2021, pages 13-14

<sup>50</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1475481>

<sup>51</sup> Lloyd 2001, pages 111-112

<sup>52</sup> Friends of the Stockton & Darlington Railway 2021, pages 14 & 19

<sup>53</sup> Lloyd 2001, page 111



**[7] Skerne Bridge** (photo © Gaby Rose, 2023): Railway bridge designed in a classical style by Ignatius Bonomi for the S&DR, 1825; subsequently altered/strengthened. It is the only architect-designed bridge on the S&DR<sup>54</sup> and featured on the company's headed paper. Now the world's oldest railway bridge still in use.

The original line was 26 miles long (rather than just a few miles) and provided the beginning of a national railway network. It ran from the coal mines near Witton Park – where waggons were hauled by horse and stationary engines to Shildon, and from there using steam-powered locomotives when available (there was a shortage in the beginning) or otherwise continued horse-drawn – to the port at Stockton via Darlington and Yarm, where there were branch lines. It was significant that the route did not take minerals straight from the point of extraction to the nearest harbour but diverted via Stockton and Darlington with their growing industries and future source of passenger traffic and local markets<sup>55</sup>. The S&DR was the first railway in the world proving that the new-fangled steam power could work on an industrial basis. It was designed to be a permanent line (many early railways only offered temporary forms of transport) available for anyone to use for a fee at a set rate (early railways were used by mine companies and private industrialists). Moreover, the S&DR was permitted to move a large variety of good types as well as passengers (as opposed to having a single use), which became the successful business model for modern railways. It boosted local industries, changed the landscape, and by promoting the railway as a new form of transport, it helped to trigger a second wave of industrial revolution<sup>56</sup>. The S&DR made possible the rapid expansion of railways in the nineteenth century across the globe, together with attendant huge worldwide social and economic change<sup>57</sup>.

The terraced houses of 69-81 High Northgate were the first railway properties to be built in Darlington, around 1825<sup>58</sup>. In 1826-27, the S&DR passenger traffic flourished beyond initial expectations carrying 30,000 passengers a year resulting in a more than eightfold increase in local traffic<sup>59</sup>. It was at this time that **[8] the Railway Tavern** (grade II)<sup>60</sup> was constructed for the S&DR, one of three public houses built by Heighington-born stonemason John Carter which adapted the concept of a coaching

<sup>54</sup> Archaeo-Environment Ltd 2013, page 77

<sup>55</sup> Archaeo-Environment Ltd 2013, page 27

<sup>56</sup> Friends of the Stockton & Darlington Railway 2021, pages 6-7, 12, 16-17, 22

<sup>57</sup> Archaeo-Environment Ltd 2019a, page 1

<sup>58</sup> Archaeo-Environment Ltd 2013, page 78

<sup>59</sup> Friends of the Stockton & Darlington Railway 2021, page 17

<sup>60</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1486008>



inn to form proto-railway stations. It was also Carter who added the curved wing walls to [7] Skerne Bridge in 1829 (see cover image), to strengthen the embankments; these are now concealed by the present wing walls made of rock-faced stone<sup>61</sup>. The primary purpose of [8] the Railway Tavern was to serve customers of the coal depot terminus of the branch line on the opposite side of the street, and it never developed into a proper passenger station due to its distance to the main line. Tenders to operate the newly built inn were invited in May 1827, but the local magistrates refused to grant a licence. In response, the S&DR built a small retail brewery to the south, on the northern bank of the Cocker Beck, which had also been designed by Carter. This did not require a licence to sell beer for consumption off the premises. The brewery was leased out in May 1828 and initially proved profitable. Following a change in the law which allowed the S&DR to finally obtain a licence for [8] the Railway Tavern in autumn 1829, the brewery was converted into an iron warehouse in 1831 and demolished in 2014<sup>62</sup>.



[8] **The Railway Tavern** (photo © Gaby Rose, 2023): Commissioned in 1826, constructed in 1827, it was built to serve the workers and customers using the S&DR's depot across the road<sup>63</sup>. The ground-floor street frontage was redesigned by notable architect George Gordon Hoskins in 1898, using a distinct 'lozenge' glazing pattern. The heritage-style bollards on the right were provided as part of the 2002-05 Northgate HERS, and the building itself benefitted from restoration works as part of the 2005-09 Northgate PSCA (see 3.6).

Around 1830, town banker and alpine/herbal plant specialist William Backhouse (1779-1844) built [1] **Elmfield House**, on large parkland that he owned, which covered the area between Northgate, Cocker Beck and (now) Gladstone Street. There were woodland walks and a large pond with boathouse to the rear of the mansion. His elder brother Jonathan, the family's head banker, bankrolled the building of the S&DR, whilst William made a subscription of £3,000 for its construction<sup>64</sup>. In 1832, John Beaumont Pease, nephew of Edward Pease, bought the southern end of the

<sup>61</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1475481>

<sup>62</sup> Boyle 2017, pages 13-16, 18 & 21

<sup>63</sup> Friends of the Stockton & Darlington Railway 2021, page 21

<sup>64</sup> Banham 2023, 27

Elmfield estate from Backhouse and built [10] [11] **North Lodge** (grade II)<sup>65 66</sup> on it in 1836, where he lived until his death in 1873<sup>67</sup>. He also took ownership of the neighbouring North Terrace (delisted in 2003) built in the 1820s<sup>68</sup>.



Left: [1] **Elmfield House**: c.1830 for William Bankhouse, now much concealed behind a modern extension in the place of a former front garden. Right: [10] [11] **North Lodge**: Home of John Beaumont Pease. (Photos © Gaby Rose, 2023)

In 1829, the S&DR opened the Croft branch which ran south through the future site of Bank Top Station<sup>69</sup>, outside the present Conservation Area. In 1831, Quaker businessman and S&DR committee member Alfred Kitching (1808-1882) and his brother William relocated their ironmongery and foundry business, which later became the S&DR locomotive works, from the town centre to the northern tip of the present Northgate Conservation Area<sup>70</sup>, and established the Hope Town Foundry in 1832. The company produced castings for the S&DR<sup>71</sup>. It also built the famous engine *Derwent* in 1845, which was displayed until recently at the Head of Steam Museum.



[5] **Goods Shed** (photo © Gaby Rose, 2023): By Thomas Storey, George Stephenson's nephew, in an Italianate classical style, 1833, subsequently altered and extended. It is the oldest single-storey, railway goods shed.

<sup>65</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1121285>

<sup>66</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1322934>

<sup>67</sup> Lawson, Gouldsborough 2010, pages 3-4

<sup>68</sup> Lloyd 2005, pages 142-143

<sup>69</sup> Darsley, Lovett 2023, '5. North Road to Croft via Bank Top'

<sup>70</sup> Friends of the Stockton & Darlington Railway & Archaeo-Environment Ltd 2016, page 5

<sup>71</sup> <https://collection.sciencemuseumgroup.org.uk/people/ap27762/kitching-alfred>

In 1833, the S&DR took passenger transport inhouse (this was initially carried out by private operators using horse-drawn coaches on the line) and now provided a fully steam-hauled service<sup>72</sup>. Also in that year, the [5] **Goods Shed** (grade II\*)<sup>73</sup> was built by S&DR Chief Engineer Thomas Storey replacing the original 1827 Merchandise Station's purpose of handling non-bulk freight transported by rail. In turn, the upper level of the Merchandise Station was converted from a goods into a passenger station<sup>74</sup>. The prominent clock tower of the Goods Shed, which was added by the succeeding S&DR Chief Engineer John Harris in 1839-40 (along with an extension to double the floor area), was an early attempt by the S&DR to establish a 'master clock' at Darlington with there being different time zones throughout the country. Between 1840 and 1848, all train companies gradually moved towards using Greenwich time, although it was not compulsory until 1880<sup>75</sup>.

In 1840 the Railway Goods Agents' Office was built, now known as [4] **1 and 2 McNay Street** (grade II)<sup>76</sup>. It was designed by John Harris and is contemporary with his works to the [5] Goods Shed. Maps show that the Goods Shed's rails merged to the street frontage at the east side of the office building, appearing to be the collection point for local merchants, once they had paid their bills at the offices<sup>77</sup>. Around the same time, the [3] **Lime Cells** (grade II)<sup>78</sup> depot building was constructed along the branch line, replacing or adding to the earlier (1825) coal and (1828) lime facilities located at the terminus of branch. The imported lime was delivered by bottom-opening chaldron wagons on the upper floor and emptied into the four cells below, and made available for purchase from Hopetown Lane<sup>79</sup>. It is assumed that the many workers houses in the surrounding area are held together by lime (mortar) bought here<sup>80</sup>.



Left: [4] **1 and 2 McNay Street**: Former Railway Goods Agents' Office, built in 1840 for the S&DR incorporating Italianate elements. It was later converted into two flats. Right: [3] **Lime Cells**: Constructed shortly after 1839 to store building lime. (Photos © Gaby Rose, 2023)

Passenger services were again relocated in 1842, and this time to the purpose-built [1] **North Road Railway Station** (grade II\*)<sup>81</sup> completed by John Harris. Intervisibility between the goods and passenger stations would have been important for day-to-day management<sup>82</sup>. In the previous year, the Great North of England Railway, having

<sup>72</sup> Darsley, Lovett 2023, 'Whessoe Works' & 'Historical Background'

<sup>73</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1121262>

<sup>74</sup> Purcell Architecture Ltd 2021b, pages 5 & 10

<sup>75</sup> Archaeo-Environment Ltd 2013, page 26

<sup>76</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1121282>

<sup>77</sup> Archaeo-Environment Ltd 2013, pages 18 & 72

<sup>78</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1391819>

<sup>79</sup> Archaeo-Environment Ltd 2020, pages 5, 14, 16 & 30

<sup>80</sup> Archaeo-Environment Ltd 2013, page 75

<sup>81</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1322962>

<sup>82</sup> Archaeo-Environment Ltd 2014, page 35



purchased the Croft branch from the S&DR, had provided the first station at Bank Top, only a short distance to the town centre, to service its new line between York and Darlington<sup>83</sup>. The North Road Station building originally included a station master's house on the west side, with the S&DR ceramic plaque E9 (of 1857) still showing that this end was used for domestic purposes<sup>84</sup>.



**[1] North Road Railway Station** (photo © Gaby Rose, 2023): By S&DR Chief Engineer John Harris in a utilitarian Italianate style, 1842; initially single storey, subsequently altered and extended; the first floor was added in 1876 to house new telegraph equipment. The Neo-Gothic chimney stacks do not fit stylistically. It was at this station where the world's first luggage allowance was introduced in 1846<sup>85</sup>. From 1857 to 1892, the historic steam engine *Locomotion No. 1* was displayed on a plinth outside the station<sup>86</sup>, and from 1974 to 2021 inside the building, after it had been converted to a museum (Head of Steam).

Between 1800 and 1850, Darlington's population had risen from 4,670 to 12,452, an increase of 175%. Immigration can be the only explanation for such a large increase. In that period, totally new industries (e.g. iron works) had come to the town as a result of the arrival of the S&DR and started to replace the traditional ones (e.g. textile manufacturing)<sup>87</sup>.

In 1853 the **[2] Stockton & Darlington Railway Carriage Works** (grade II)<sup>88</sup> was built along the west side of the branch line, which also included a dwelling ('cottage') in the central part to the roadside. It is now the oldest known railway carriage manufactory in the UK. The building mainly served the repair and, later, construction of railway carriages, possibly replacing an original workshop (no longer extant) established by George Stephenson in 1837 to the north of the former Merchandise Station, following an increase in passenger traffic. It was located opposite the Kitching Foundry and surrounded by all manner of light industrial and railway buildings and structures, operating in a busy environment. Originally the carriages, which at that point were still compact and clearly had their design derived from

<sup>83</sup> Darsley, Lovett 2023, map XXXII

<sup>84</sup> Friends of the Stockton & Darlington Railway & Archaeo-Environment Ltd 2016, page 3

<sup>85</sup> Archaeo-Environment Ltd 2014, pages 20 & 27

<sup>86</sup> Archaeo-Environment Ltd 2014, page 35

<sup>87</sup> Clack, Pearson 1978, page 19

<sup>88</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1121229>

horse-drawn stagecoaches, gained access into the building through the central part by the use of a turntable on a single-track spur off the branch<sup>89</sup>.



**[2] Stockton & Darlington Railway Carriage Works:** Workshops, 1853, by architect and Quaker Joseph Sparkes for the S&DR, who also extended the North Road Station in the same year<sup>90</sup>. The appearance to the road is more utilitarian, but the elevation along the depot branch line includes Italianate elements. It is the oldest remaining railway carriage manufactory in Britain<sup>91</sup>.

The 1855 map (see below) shows the former Merchandise Station building (demolished in 1864<sup>92</sup> although parts of the northern wall and probably its foundations still survive) which at the time operated as 'Weardale Lime Office'<sup>93</sup>, opposite the **[5]** Goods Shed on the other side of High Northgate. It also depicts the initial cast-iron railway bridge over the road. The 1840 North Eastern goods station (no longer extant) opposite of the S&DR passenger station (**[1]** North Road Railway Station) across the rail tracks can be seen just outside the present Conservation Area boundary; it was sold to the S&DR in 1857 and from then on their main point of goods handling<sup>94</sup>. The northernmost building complex, between the **[2]** S&DR Carriage Works and passenger station, is the Kitching Foundry. From here, the branch line led to the coal and lime depot at its terminus (no longer extant) at Northgate Bridge. In the southern part of the present Conservation Area, the built-up area had modestly expanded north along Northgate since c1825. There were also green spaces: allotment gardens between the branch line and passenger station, Westbrook Gardens between the branch line and Cocker Beck – these were set out by S&DR director Henry Pease (1807-1881), Edward's son, in 1837<sup>95</sup> including intersecting walks, a pond and temple<sup>96</sup> – and the extensive landscaped grounds behind **[1]** Elmfield House.

<sup>89</sup> Purcell Architecture Ltd 2021a, pages 10-13, 15, 16, 62 & 64

<sup>90</sup> Archaeo-Environment Ltd 2014, page 30

<sup>91</sup> Clark 2009, page 50

<sup>92</sup> Friends of the Stockton & Darlington Railway 2021, pages 19-20

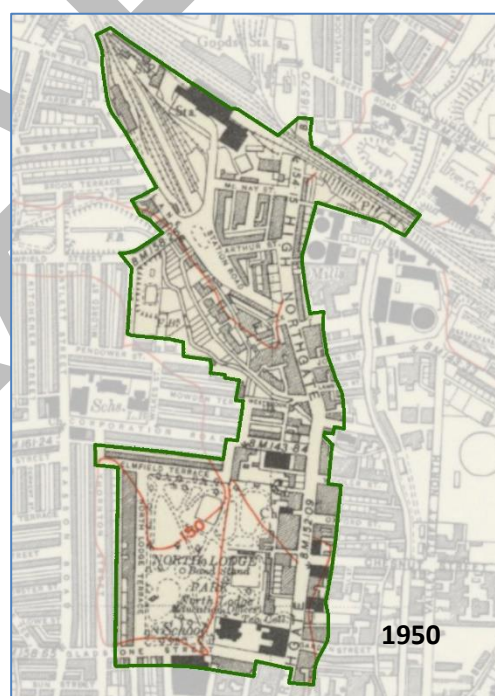
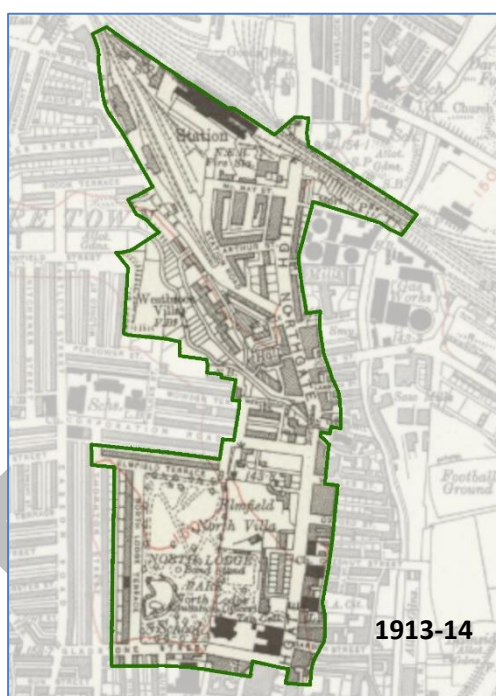
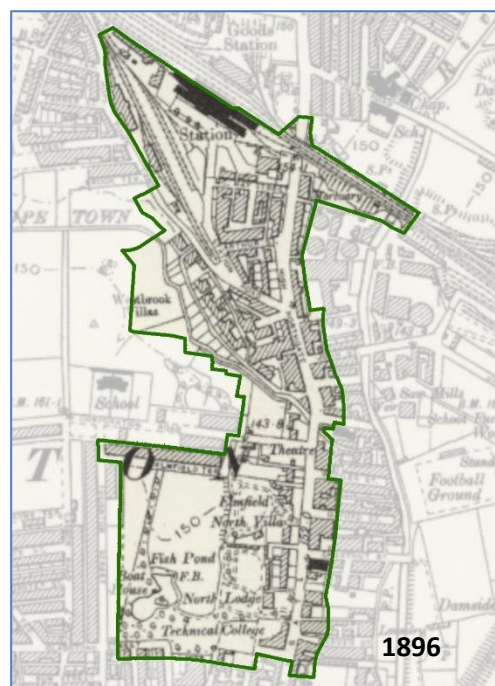
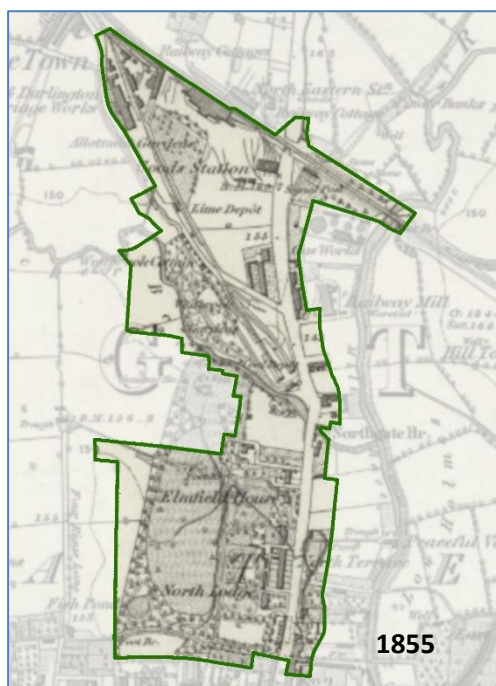
<sup>93</sup> Archaeo-Environment Ltd 2020, page 22

<sup>94</sup> Archaeo-Environment Ltd 2013, page 17

<sup>95</sup> Archaeo-Environment Ltd 2020, page 51

<sup>96</sup> Friends of the Stockton & Darlington Railway & Archaeo-Environment Ltd 2016, page 19





Six-inch OS maps reproduced with the permission of the National Library of Scotland ([maps.nls.uk](https://maps.nls.uk)) and overlaid with Northgate Conservation Area boundary line (green) **at the time of review**, as adopted in July 2003. The map dates provided are at the time of survey.

In 1856 the [6] **Railway Viaduct** (grade II)<sup>97</sup> was constructed when the line was widened to four tracks, replacing a former level crossing and subsequent cast-iron bridge across North Road<sup>98</sup>. The extensive cuttings that took place altered ground levels and removed the original approach to the [5] Goods Shed from High Northgate<sup>99</sup>. In the same year, the Darlington & Barnard Castle Railway opened, which diverged at Hopetown Junction<sup>100</sup>, a short distance to the northwest outside

<sup>97</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1121286>

<sup>98</sup> Archaeo-Environment Ltd 2013, page 76

<sup>99</sup> Archaeo-Environment Ltd 2020, page 54

<sup>100</sup> Darsley, Lovett 2023, point 49

the present Conservation Area; an act of parliament subsumed the company into the S&DR in 1858 <sup>101</sup>.



**[6] Railway Viaduct** (photo © Gaby Rose, 2023): Plans to build a bridge were begun in the 1840s, and the bridge finally built in 1856; altered/rebuilt in 1876, and road level further dropped after 1949 to allow for double-decker busses<sup>102</sup>. An early photograph shows a plaque with the date MDCCCLVI on the side. Altered prior to 1935.

Following his father's death, William Backhouse Jr. (1807 - 1869) sold Emfield to Alfred Kitching in 1856<sup>103</sup>, with the [1] Elmfield House becoming the latter's new home. Besides building locomotives, Kitching was at the time was also one of the directors of the S&DR<sup>104</sup>. He added small piece of land to the north adjoining Cocker Beck to plant trees, perhaps to screen the coal depot<sup>105</sup>. In 1857, Kitching built the S&DR's 118<sup>th</sup> engine and named it *Elm Field*, after his new home. His son John (1854-c.1935) was a keen horticulturist and prettified the grounds further<sup>106</sup>.

In 1860, the Hope Town Foundry was sold to the S&DR to enable them to extend their [2] S&DR Carriage Works. Part of Kitching's general engineering work was transferred to another site (no longer extant) located along the main line to the northwest just outside the present Conservation Area boundary, along with much of the best machinery. This became to be known as the Whessoe Foundry, operated by Charles l'Anson and his son<sup>107</sup>. In 1861, the S&DR built an engine shed which could accommodate twelve locomotives, a short distance to the north along the main line, just outside the present Conservation Area boundary.

In 1863, the S&DR opened a major new Locomotive Works to north of [1] North Road Railway Station which became to be known as the North Road Shops (no longer extant), also outside the present Conservation Area, in order to cope with the demand<sup>108</sup>, relocating its former manufacture at Shildon<sup>109</sup>. These works, along with the now-established rail link between London and Scotland (via Bank Top), made

<sup>101</sup> Allen 1964, page 120

<sup>102</sup> Flynn 1988, photo 135

<sup>103</sup> <https://geneagraphie.com/pedigrees/Pennyghael/Janson.pdf>

<sup>104</sup> <https://collection.sciencemuseumgroup.org.uk/people/ap27762/kitching-alfred>

<sup>105</sup> Lawson, Gouldsbrough 2010, page 4

<sup>106</sup> Lloyd 2005, pages 143-144

<sup>107</sup> [https://www.gracesguide.co.uk/Whessoe\\_Foundry\\_Co](https://www.gracesguide.co.uk/Whessoe_Foundry_Co)

<sup>108</sup> Darsley, Lovett 2023, 'Whessoe Road Engine Shed'

<sup>109</sup> Flynn 1989, page 107



Darlington the centre of a complex railway network and heavy engineering industry, leading to a huge rise in the number of workers in the town engaged in both the operating and maintaining the network. The local engineering works fed off the dramatic increase in work<sup>110</sup>, with the North Road Shops employing 339 workers by 1866, rising to 1,400 by the 1890s<sup>111</sup>. Following the S&DR's merger with the North Eastern Railway (NER) later in 1863, which already had facilities at York, the Northgate railway quarter became something of a backwater<sup>112</sup>. Nevertheless, the Darlington Committee of the NER still controlled the former S&DR routes for the next ten years<sup>113</sup> and held its meetings at [1] North Road Railway Station until 1876<sup>114</sup>.



*Top left: [C] 15 & 16 Westbrook Villas: By GG Hoskins in polychromatic Neo-Gothic design, 1864. Top right: [D] 8 & 8a Westbrook Villas: By Robert Borrowdale in Neo-Gothic design with ecclesiastical elements. Bottom: [B] Melville House: Cocoa palace, a landmark built by local architect Robert Borrowdale in 1879. (Photos © Gaby Rose, 2023)*

In the 1860s-70s, the Westbrook Villas were built on Henry Pease's gardens to accommodate railway management staff<sup>115</sup>; they are the last middle-classes houses to be built inside the present Conservation Area boundary. [C] 15 & 16 Westbrook Villas were probably the first commission of architect GG Hoskins (1837-1911) after

<sup>110</sup> Clack, Pearson 1978, page 21

<sup>111</sup> Emmett 2003, page 8

<sup>112</sup> Purcell Architecture Ltd 2021b, page 5

<sup>113</sup> Flynn 1987, page 40

<sup>114</sup> Archaeo-Environment Ltd 2014, page 29

<sup>115</sup> Archaeo-Environment Ltd 2020, page 51

he set up in Darlington in 1864<sup>116</sup>. The eccentric [D] **8 & 8A Westbrook Villas** are said to have been designed by stonemason and architect Robert Borrowdale (1833-1908)<sup>117</sup>. In 1879, Darlington's first 'cocoa palace' opened in [B] **Melville House** along High Northgate, also built by Borrowdale (his final work in Darlington), providing a place where teetotalers could socialise; it soon went out of fashion and shut before the century turn<sup>118</sup>.

In 1869, St George's Presbyterian Church was built on land along Northgate purchased from John Pease in the southern part of the present Conservation Area. Since its reunion with the Congregational Church Union Street (recently demolished) in 1972<sup>119</sup> it has become the [16] [17] **Northgate United Reformed Church** (grade II)<sup>120 121</sup>. In 1873 the [E] **Livingstone Buildings** were completed along High Northgate, named after the explorer who died in that year<sup>122</sup>.



*Left: [16] [17] Northgate United Reformed Church: 1869; in a severe C13 style in coursed freestone. Right: [E] Livingstone Building: 1873; only the southern complex survives today. Nos. 19 & 29 were part of the 2002-05 Northgate HERS (see 3.6). (Photos © Gaby Rose, 2023)*

Slightly further north and on the same side of the street, the Theatre Royal was erected in 1865, Darlington's first purpose-built theatre, but was closed three years later and demolished in 1873. The new Theatre Royal opened in the same location in 1881. After being burnt down resulting from a stage performance of fireworks two years later, the derelict shell was bought in 1887 by the owner of the [G] **Bridge Hotel** next door (which was rebuilt in 1898, still in the same ownership as the theatre<sup>123</sup>) who restored the theatre, including electric lights for the stage<sup>124</sup>. In the same year, the [N] **Salvation Army Citadel** was constructed further south on the same side of the street, its foundation stone laid by the Citadel's founder General Booth<sup>125</sup>.

<sup>116</sup> <https://web.archive.org/web/20080322011630/http://www.communicate.co.uk/ne/westbrook/page4.phtml>

<sup>117</sup> <https://www.thenorthernecho.co.uk/news/9244082.westbrook-wander/>

<sup>118</sup> Lloyd 2001, pages 148-149 & 159

<sup>119</sup> Flynn 189, page 100

<sup>120</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1258167>

<sup>121</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1258171>

<sup>122</sup> Lloyd 2001, page 145

<sup>123</sup> Flynn 1988, photo 67

<sup>124</sup> <https://www.thenorthernecho.co.uk/culture/film/features/20217334.15-old-pictures-odeon-darlington-luxe-cinema-northgate/>

<sup>125</sup> Flynn 1988, photos 65 & 67



Left: [G] **Bridge Hotel**: Rebuilt in 1898, with the former Theatre Royal to the left, now the [H] Odeon. The building used to extend until fairly recently further to the left/north, which is now an external space with a remaining fireplace. Right: [N] **Salvation Army Citadel**: 1887; to the right of it is [14]. Central School Annex. (Photos © Gaby Rose, 2023)

By 1880, Darlington's textile industry had largely been out of operation<sup>126</sup>. In 1885, the initial workforce of eleven at the [2] S&DR Carriage Works had reached its peak with 150 employees, but NER announced its closure as it was more economical to do all carriage works in York and ceased all works in Darlington site the following year<sup>127</sup>. North Road's location on the edge of Darlington was less from ideal, and once NER controlled all the lines in the area<sup>128</sup>, the new station at Bank Top completed in 1887 took much of the passenger and freight traffic away from [1] North Road Railway Station<sup>129</sup>.

During the late 1880s, after his father had died, John Kitching allowed more of the former Elmfield estate to be built on. Inside the present Conservation Area boundary, Thornton Street soon sprung up, followed by Elmfield Terrace. Kitching lived at [I] Elmfield House until 1920<sup>130</sup>.

The six-inch 1896 map (see above) shows that much of the existing planform within the present Conservation Area had been established by the late-nineteenth century, with a continuous building frontage along Northgate and High Northgate and new roads forking off to either side. The 25-inch edition (not provided) clearly shows the location of [F] **1 Leadenhall Street** built by Robert Borrowdale and [O] **The Half Moon**, although it is likely that the pub is much older, judging from its appearance and location. Since the issue of an 1870 map<sup>131</sup> (not shown), there had been a significant increase in buildings in the area, in particular workers housing, which was required for the expanding workforce of the railway and its associated industries. High Northgate had become a busy shopping centre serving the housing around the station site<sup>132</sup>. New railway lines had been put into place to join with the east coast mainline, with [1] North Road Railway Station becoming a major passenger facility. The former Kitching Foundry had partly been demolished to make way for extra sidings for the Royal Agricultural Show in 1895; the remainder was demolished in 1975<sup>133</sup>. The branch line had also been shortened, its southern stretch and coal

<sup>126</sup> Clack, Pearson 1978, page 21

<sup>127</sup> Purcell Architecture Ltd 2021a, page 39

<sup>128</sup> Darsley, Lovett 2023, 'North Road (Darlington)'

<sup>129</sup> [http://www.disused-stations.org.uk/d/darlington\\_north\\_road/](http://www.disused-stations.org.uk/d/darlington_north_road/)

<sup>130</sup> Lloyd 2005, pages 144 & 146

<sup>131</sup> Clark 2006, page 9

<sup>132</sup> Flynn 1994, photo 47

<sup>133</sup> Clark 2006, pages 11 & 17



depot (the latter closed in 1871<sup>134</sup>) now replaced by urban architecture. By then, a much larger coal depot (no longer extant) had been provided along the main line to the southeast of [7] Skerne Bridge, outside the present Conservation Area boundary. The branch also no longer served the [3] Lime Cells, maybe as waggons had become too large for the building<sup>135</sup>. Moreover, the [5] Goods Shed had been converted into a NER fire station<sup>136</sup>, with an extension added to the south elevation.



*Left: [F] 1 Leadenhall Street: by Robert Borrowdale; the lion at the apex is a later lion replacement. Right: [O] The Half Moon: probably the oldest surviving pub inside the Conservation Area (Photos © Gaby Rose, 2023)*

Following the passing of the 1889 Technical Education Act<sup>137</sup>, Central House, now designated under the name of [12] **Central School (East Block)** (grade II)<sup>138</sup>, was built by the Town Corporation as Darlington's first Technical College in 1896 in the south-eastern corner of present Conservation Area, on land formerly owned by the North Lodge Estate, which had begun to be broken up in 1894<sup>139</sup>. The building was designed by GG Hoskins, and the row of weaver's cottages formerly owned by Edward Pease was demolished in 1895 to make way for its construction. Another school (which is now listed by curtilage) was built in a similar Neo-Gothic style to the west of [12] Central School (East Block), on the site of the former open-air school<sup>140</sup> (see below), opening in 1911; it was initially known as the Higher Grade School and in 1916 renamed to [H] **Central Secondary School**<sup>141</sup>.

<sup>134</sup> Friends of the Stockton & Darlington Railway & Archaeo-Environment Ltd 2016, page 19

<sup>135</sup> Archaeo-Environment Ltd 2020, page 16

<sup>136</sup> Purcell Architecture Ltd 2021b, pages 39

<sup>137</sup> Flynn 1988, photos 56 & 60

<sup>138</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1160912>

<sup>139</sup> Lawson, Gouldsborough 2010, page 4

<sup>140</sup> Flynn 1987, page 84

<sup>141</sup> Flynn 1988, photos 56 & 60



**[12] Central School (East Block)** (photo © Gaby Rose, 2023): 1896 by G.G Hoskins in an elaborate Perpendicular style, with the two female figures on the gable tops representing Art and Science<sup>142</sup>. **[H] Central Secondary School** to far left.

In 1900, a new street named North Lodge Terrace was constructed on the westside of the North Lodge estate in response to the demand in housing. A year later Gladstone Street was extended to meet Northgate<sup>143</sup>. Between 1851 and 1901, Darlington's population had risen by 366% from 12,452 to 45,958 still due to its growth in the railway and heavy engineering<sup>144</sup>.



**[9] Bandstand to West of Bowling Green** (photo © Gaby Rose, 2023): Restored and re-opened in 2010 after long-term dereliction.

In 1901, the North Lodge estate was acquired from the Pease family by the Town Corporation so that the grounds could be turned into a public park – Backhouse's castellated boat house remained beside an enlarged pond<sup>145</sup> – and the building facilitate municipal offices; the Education Department was based in **[10] North Lodge** from 1905 to 1970. In 1903, North Lodge Park officially opened<sup>146</sup>, including an

<sup>142</sup> Flynn 1988, photo 57

<sup>143</sup> Lawson, Gouldsbrough 2010, page 4

<sup>144</sup> Clack, Pearson 1978, page 21

<sup>145</sup> Lloyd 2005, page 144

<sup>146</sup> Lawson, Gouldsbrough 2010, page 4



octagonal [9] **Bandstand** (grade II)<sup>147</sup>. In 1906, the Bowling Green and pavilion opened<sup>148</sup>; it was hoped that the new green would relieve the pressure on South Park<sup>149</sup>. In 1910, Darlington's first open-air (girl) school was constructed in North Lodge Park, consisting of a wooden frame with two canvassed walls; the canvas could be moved depending on the wind direction to shield from. Some of the sickly pupils had been prescribed by their doctors, so hammocks were slung between the trees so that they could take a nap. The school only operated in this location for two months and was then relocated<sup>150</sup>.



Top: [A] **Darlington Working Men's Club**: 1901, re-fronted in the 1920s. The building and boundary walling benefitted from improvement works under the 2005-09 Northgate PSCA (see 3.6). Bottom left: [M] **Temperance Institute**: 1903. Once a handsome building, the ground floor is now disfigured. Bottom right: [K] **Darlington Bottling Company**: 1900, entrance and display windows now blocked. (Photos © Gaby Rose, 2023)

In 1900, the [K] **Darlington Bottling Company** opened along Gladstone Street. In 1901, following a meeting of railwaymen in a cocoa house in the town centre, the newly formed [A] **Darlington Working Men's Club** established itself in a couple of terraced properties at the end of High Terrace along High Northgate, providing reading and leisure facilities for the working man, run by ordinary working men<sup>151</sup>. In 1903, the [M] **Temperance Institute** along Gladstone Street had opened, providing facilities (e.g. meeting rooms for trade unions and friendly societies, billiard room,

<sup>147</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1121287>

<sup>148</sup> Lawson, Gouldsborough 2010, page 4

<sup>149</sup> Flynn 1988, photo 64

<sup>150</sup> Lloyd 2005, pages 145-146

<sup>151</sup> Lloyd 2001, pages 129 & 135



bathroom) away from the temptations of the public houses. Fund raisings and donations from wealthy families such as the Peases and Backhouses had provided the money for its construction<sup>152</sup>. It later included the Picturedrome where movies were shown<sup>153</sup>. The Institute proved so popular that in 1909 an additional Temperance Hall (demolished in 1959) was opened next door<sup>154</sup>.

The 1913-14 map (see above) shows the row of terraced housing including [J] **Pentecostal Church** in a Neo-Gothic style had been completed along North Lodge Terrace. Further terracing had been provided along the northern border of North Lodge Park as well as further west beyond the present Conservation Area boundary. To the north of Cocker Beck, the Assembly Hall (no longer extant) is marked behind the northern complex of the Livingstone Buildings (no longer extant), where movies used to be shown<sup>155</sup>.



[J] **Pentecostal Church** (photo © Gaby Rose, 2023): Unusually located within a row of terraced housing; now a mosque.

In 1920, North Lodge Park was extended to its present size by the inclusion of the Elmfield grounds<sup>156</sup>. In 1932, the lake was filled and re-landscaped. Three years later, the boathouse was converted into a shelter, and finally demolished in 1954<sup>157</sup>. Also in 1932, the area between the [2] S&DR Carriage Works, [1] North Road Railway Station and the former Kitching Foundry began to be used as a railway scrapyards (until the 1960s) for the disassembly of withdrawn locomotives<sup>158</sup>, and was later grassed over to be used for events connected with the museum<sup>159</sup>. In 1938, Theatre Royal had been transformed into the Regal cinema (now [H] **Odeon**). At that time, Darlington had proportionally more cinema seats than any other town<sup>160</sup>.

<sup>152</sup> Flynn 1988, photo 61

<sup>153</sup> Flynn 1987, page 101

<sup>154</sup> Lloyd 2001, pages 101-102

<sup>155</sup> Flynn 1987, page 101

<sup>156</sup> Flynn 1988, photo 63

<sup>157</sup> Lawson, Gouldsborough 2010, page 5

<sup>158</sup> Clark 2006, page 50

<sup>159</sup> [http://www.disused-stations.org.uk/d/darlington\\_north\\_road/](http://www.disused-stations.org.uk/d/darlington_north_road/)

<sup>160</sup> <https://www.thenorthernecho.co.uk/culture/film/features/20217334.15-old-pictures-odeon-darlington-luxe-cinema-northgate/>



[H] Odeon (photo © Gaby Rose, 2023): Art Deco style between Victorian buildings; formerly the site of the Theatre Royal.

The 1950 map (see above) shows that the lake in North Lodge Park had been removed, and a few new buildings as well as extensions to existing buildings been built to the north and east of the park. In 1951, plans were drawn to convert the former fire station ([5] Goods Shed) into a depot for the maintenance of railway-owned road delivery vehicles<sup>161</sup>; by that time, the southern extension had been removed and a complex of buildings been erected between the former [5] Goods Shed and [1] North Road Railway Station.

Train services had decreased after the war. Towards the end of the 1960s, employment in the railway and engineering industries declined, leading to a degree of local degeneration. With Bank Top having become the main station for Darlington, [1] North Road Railway Station was closed to passengers in 1964 and completely closed the following year<sup>162</sup>. Likewise, the Darlington & Barnard Castle branch closed in 1965, with the rails removed soon after<sup>163</sup>. The North Road Shops (Locomotive Works) shut down officially in 1966 after years of uncertainty<sup>164</sup>.

The construction of the dual-carriageway inner ring road between 1969 and 1973 cut a swathe through Northgate, demolishing a large number of buildings to the south of [12] Central School (East Block), just outside the present Conservation Area boundary. This dissected Northgate to such a degree that it has since led to the development of two separate streets, with the northern part (A167) inside the Conservation Area now being 'cut off' from Darlington's bustling town centre and consequently declining further.

On 27 September 1975, exactly 150 years after the first steam-powered passenger train made its historic journey, the Darlington Railway Centre and Museum was opened inside [1] North Road Railway Station. In the same year, the remains of the former Kitching Foundry were demolished<sup>165</sup>.

<sup>161</sup> Purcell Architecture Ltd 2021b, page 54

<sup>162</sup> Archaeo-Environment Ltd 2014, page 21

<sup>163</sup> Darsley, Lovett 2023, point 49

<sup>164</sup> Emmett 2003, pages 13-23

<sup>165</sup> Clark 2006, page 56

### 3.4 Spatial Analysis

Note that planform, road and railway line layouts, watercourses, topography, and buildings are described in the previous sections (see 3.2 & 3.3). Listed buildings are referred to by their designation name and assigned their [NUMBER] given on the map at the beginning of this document; other notable buildings are assigned their [LETTER]



Spatial analysis of the Northgate Conservation Area (boundary line **at the time of review**, as adopted in July 2003, in green) (Map © Crown copyright and database rights 2023 Ordnance Survey 0100023728. Licence Number 100023728 2024. Graphics by Gaby Rose)

The Northgate Conservation Area includes a number of focal points which feature within the key views, see below. Whilst the [9] Bandstand, St George's Hall and the [6] Railway Viaduct are only visible from shorter distances, [12] Central School (East



Block), [15] Northgate United Reform Church, the [5] Goods Shed, [7] Skerne Bridge, [G] Bridge Hotel and [B] Melville House are also visible over longer distances. The area's most prominent focal point, however, is just outside the currently designated boundary. Northgate House, a 1960s office block of nine storeys (plus two more storeys for the stairs tower), overshadows the road junction of Northgate and Gladstone Street. Due to its height, it can even be seen from the north end of the Conservation Area as well as the foot-and-cycle path at [7] Skerne Bridge.

By the late-nineteenth century, much of the built environment of the area had achieved good urban enclosure and cohesion – as typical for a town centre – with rows of two-to-three-storey buildings and prominent boundary walling fronting the roads and back lanes. Whilst much of it is still in place, the loss of old structures has had a negative impact on the spatial experience of the Northgate Conservation Area. Moreover, modern buildings have generally not been in keeping with the development pattern of the area, undermining the sense of enclosure and cohesion to various degrees. A particularly detrimental example would be the filling station replacing the northern Livingstone Building. In addition, a number of historical frontages are now concealed behind single-storey extensions, with those to the western side of Northgate having undermined the spatial experience in those locations. Whilst the new housing types that have been introduced throughout the Conservation Area are out of character (see 3.5), they at least contribute to the enclosure of space. In various locations, mature trees and other vegetation also add a sense of enclosure, albeit more organically.

An area of notably lower building density is the railway site at the northern end of the Conservation Area. This has not been fully accessible to the public but will be once the regeneration works have been completed (see 3.6). Here the buildings are very loosely spaced. The former industrial yard between the [1] North Road Railway Station and [2] S&DR Carriage Works is now grassed over, reminding of the former allotment gardens that were here prior to the full industrialisation of the site (see 3.3). Mature trees prevent views from the street onto the station building and intervisibility between the carriage works and the remainder of the railway buildings.

The Northgate Conservation Area includes three good (open) public spaces, as shown on the map above, which feature in some of the key views. They all include some degree of vegetation. Whilst most of the Conservation Area is accessible to the public, the private green space between Westbrook and Cocker Beck and the green corridor along the railway line are not, but they visible from public viewpoints.

The key views of the Northgate Conservation Area are mostly internal, rather than from outside the boundary into the area, with the exception of views 1 and 14.

**View 1** has been taken from the roundabout of the dual-carriageway ring road, which divides Northgate into two independent sections. Mature trees planted on the sunken traffic island in the centre of the roundabout partially conceal this external view into the south entrance of the Conservation Area. Moreover, the tower block of Northgate House on the left adjoining the designated area overshadows the surrounding buildings, including [12] Central School (East Block), which can be seen projecting behind it. On the opposite side of the street is the row of historical buildings including [13] 138-148 Northgate and [O] The Half Moon, although they cannot be identified from this angle. The spire of [15] Northgate United Reform Church is a distant focal point on the right-hand side of Northgate, and the brick façade of the [N] Salvation Army Citadel can just be glimpsed in front of it; the adjoining [14] Central School Annex is much concealed behind a lamp post.



Crossing the roundabout into the Conservation Area, **View 2a** has been taken from the junction of Northgate with Gladstone Street, looking north. In this location, both sides of the street are well enclosed by building frontages, with the Neo-Gothic design of [12] Central School (East Block) on the left dominating the view, and trees of North Lodge Park just visible behind. On the opposite side, the prominent red brick facades of [14] Central School Annex and the [N] Salvation Army Citadel are much concealed by a lamp post and traffic sign. The spire of [15] Northgate United Reform Church remains the focal point on this side. In the far distance, the trees along the railway corridor can be spotted, to the left of the white façade of the [H] Odeon.



Crossing over to the opposite side of the street, **View 2b** still focusses on [15] Northgate United Reform Church, which has become more clearly visible. In the foreground is the prominent pediment of [13] 138-148 Northgate, with [14] Central School Annex and the [N] Salvation Army Citadel notably continuing the gable-fronting 'theme' closer to the church. On the left, a stone figure on top of the northern gable on [12] Central School (East Block) can be seen above the streetscene.

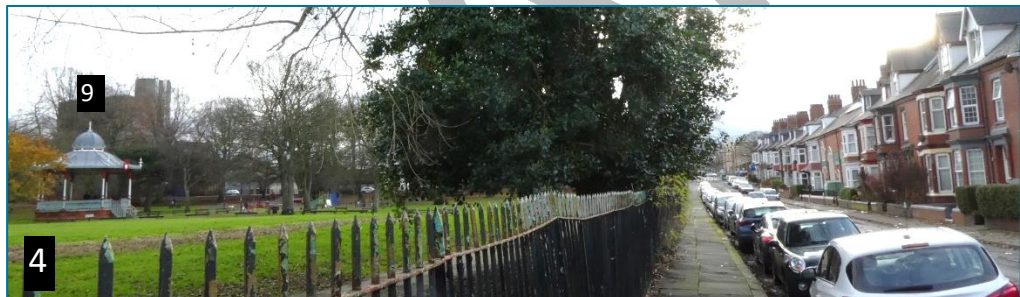




Walking down Gladstone Street, **View 3** has been taken from the junction with North Lodge Terrace, looking north. A long row of traditional brick houses lines the road along the west side of North Lodge Park behind shallow front gardens. Its two-storey bay windows, dormer windows and chimney stacks create a strong rhythm. A line of intermittent trees inside the park helps channel the view down North Lodge Terrace. On the chamfered street corner in the foreground is one of the metal-gated entrances into the park, with the [9] Bandstand just visible behind mature trees.



**View 4** has been taken from the opposite end of North Lodge Terrace looking south, with the row of traditional brick houses lining the street to the right and the line of intermittent trees inside North Lodge Park to the left, the latter behind the original upright metal railings which enclose the public green space. From here, there is a good view onto the [9] Bandstand inside the park, with Northgate House towering above it in the background, just outside the Conservation Area.



Moving to the north side of North Lodge Park, **View 5** has been taken from the junction of North Lodge Terrace with Elmfield Terrace, looking east. Again, the road is lined with mature trees inside the park behind the original metal railings on the right, and a brick terrace on the opposite side. The houses here also have shallow front gardens but only single-storey bay windows; nevertheless, these create a rhythm along with the chimneys. Some of the properties now have modern renders which undermine the originally intended uniformity of this historical row. At the south-eastern end of North Lodge Terrace, St George's Hall with its pyramidal roof provides a local focal point.





Elmfield Terrace then turns north for a short distance until it meets Corporation Street. **View 6** has been taken from the eastern part of Corporation Road focussing on [G] Bridge Hotel at the junction with Northgate. To the left, a terrace including two-storey brick-built bay windows lines the street behind shallow front gardens; here, too, some of the properties now have modern renders which undermine the uniformity of this historical row. Further along there is a modern timber-clad building of unusual shape which is uncharacteristic for the area. On the other side of the street there are two large brick buildings that were constructed between 1913 and 1950, presenting some of the last traditional structures to be built in the area. The one closest to the foreground is in office use and has a scoria-paved back lane to its western elevation, which is just visible in the far right-hand bottom corner.



Returning onto the main street, **View 7a** starts off a sequence of four views along the spinal axis of the Conservation Area, looking south. The first one has been taken from the busy junction of High Northgate with Chestnut Street, the latter visible in the foreground to the left. To the right, the surviving (southern) [E] Livingstone Building prominently lines the junction; it only stands out now as its neighbouring buildings have been demolished. Behind it is a small public green space with benches and trees. As High Northgate gently slopes downhill towards Cocker Beck and curves right, the red brick gable of [G] Bridge Hotel and adjoining white block of the [H] Odeon can be seen on the other side of Northgate Bridge. In the distance, the spire of [15] Northgate United Reform Church provides the focal point.



Moving on, **View 7b** has been taken from the junction of High Northgate with Lambton Street. In front of [8] the Railway Tavern on the left the pavement widens, where there used to be the standage where carts and wagons could await the refreshed return of their drivers. Across the street is the small public green space with benches and trees. It is the location of the former Westbrook Building designed by local stonemason Robert Borrowdale in 1873, which was later named 'the most bizarre building in town'. The detached gable-fronted brick building on the opposite side of the street, to the right of [8] the Railway Tavern, is [F] No. 1 Leadenhall Street,

the only surviving house out of eight or nine that Borrowdale had built in the street<sup>166</sup>. Further on, the red brick gable of [G] Bridge Hotel (facing Cocker Beck) and the adjoining white façade of the [H] Odeon can be seen across Northgate Bridge. In the distance, the spire of [15] Northgate United Reform Church again provides the focal point, with the white-rendered corner of [13] 138-148 Northgate visible behind and [12] Central School (East Block) across the street.



Moving further, **View 7c** has been taken from Northgate Bridge with the street now rising steadily away from Cocker Beck. To the left are [G] Bridge Hotel, with the demolished building part being an external space to the far left, and the adjoining [H] Odeon. Across the street is some traditional brick architecture built in the first half of the twentieth century (see View 6) which still has its original shopfront and windows. Whilst the left side of Northgate is well enclosed by buildings fronting the street, the sense of enclosure on the right-hand side has been undermined by modern extensions and other buildings that are unsympathetic to the historical development pattern. In the distance, there are three landmarks: [15] Northgate United Reform Church remains very prominent, and on the other side of the street [12] Central School (East Block) and Northgate House (just outside the present Conservation Area boundary), with the tree tops of North Lodge Park in front. The trees at the far end of Northgate mark the location of the roundabout of the ring road (see View 1), with the white-rendered corner of [13] 138-148 Northgate just visible to the left.



The final view of this sequence is **View 7d** which has been taken from the junction of Northgate with Chestnut Street. [15] Northgate United Reform Church now features prominently in the foreground to the left and forms a distinct group with the adjoining buildings including the [N] Salvation Army Citadel and [14] Central School Annex, held together by a gable-fronting 'theme'. Further up the road, the pedimented central section of [13] 138-148 Northgate carries this on (see View 2b). On the opposite side of the street, the single-storey extensions in front of North

<sup>166</sup> Lloyd 2001, pages 141, 143-144 & 154



Terrace have weakened the sense of urban enclosure. Behind them, the trees to the entrance of North Lodge Park can be seen in front of [12] Central School (East Block) and Northgate House, the latter just outside the present Conservation Area.



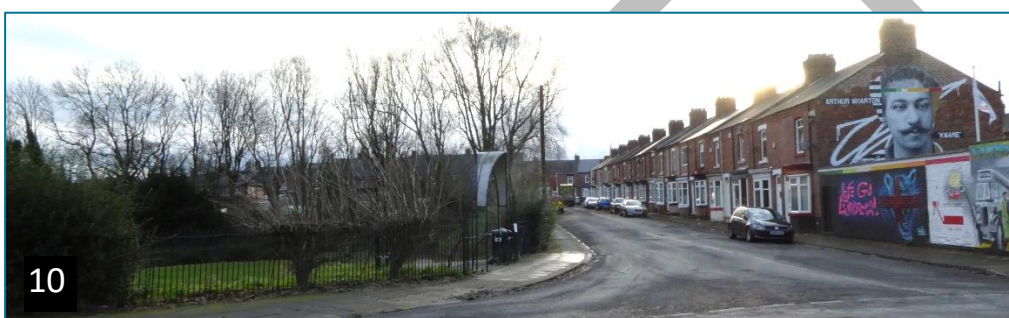
Going back to High Northgate, **View 8** has been taken from next to the filling station's digital price board so that it does not impede the view. The former cocoa palace of [B] Melville House is a quirky local landmark at the junction of High Northgate with Meville Street and Station Road. Galvanised streetlights in its vicinity detract from the building. The A167 gently curves right steadily rising north. On the left is a good-quality terrace with large front gardens, the first houses to be built in c.1825 following the arrival of the railway, with the former [A] Darlington Working Men's Club being the end property, just visible behind the vegetation. The terrace in the distance has smaller front garden so the houses are closer to the street, narrowing the view. On the right side, the street is lined by an early terrace of c.1825 with no front gardens. Some of the properties are now altered quite significantly, although the chimneys have generally been retained and remain prominent. The trees in the far distance mark the railway site and line.



Turning left onto Station Road/Hopetown Lane, **View 9** has been taken from the junction with Widdowfield Street looking southeast onto the triangular public square which used to be the location of the branch line tracks to the coal depot. The open space is well bounded by stone walling to the left containing the railway site (not shown on the photo). Further stone walling to the right (just out of view) is believed to be remnants of the former depot or branch line. On the left, mature trees soften the south end of the railway site, whilst three young trees grow on a large, grassed traffic island in the centre of the square. In the background, rows of terraced housing front the square on gently curved lines. This is overall an attractive public space, although the galvanised streetlights and a modern house do detract.



Going down Widdowfield Street, **View 10** has been taken from the with Drury Street, looking south. The green space to the left is the small park of Paddy Dene along Cocker Beck, its entrance on the curved street corner. A row of traditional brick houses features a painting of first black professional footballer Arthur Wharton on the northern gable wall, outside the present Conservation Area boundary. The terrace lines the western side of this pleasant public space, with mature vegetation along the other sides.



Heading back to High Northgate, **View 11** has been taken from the gap between numbers 84b and 94, known as **Dobbin's View**, the viewpoint of John Dobbin's belated painting of the opening day of the Stockton & Darlington Railway, see cover image of this document. [7] Skerne Bridge is less noticeable from the east side of street due to a tall stone boundary wall blocking the view but is more easily visible from the slightly elevated western roadside. Two terraces frame this view. The far-end property of the left-hand terrace (not shown) is inscribed '1857 – FAITH HOUSE', a former reading room constructed by the Darlington Workmen's Mutual Improvement Society which was later turned into a mortuary caretaker's cottage<sup>167</sup>. Today, the land between High Northgate and the river is a brownfield site which is not part of the present Conservation Area. It detracts from the picturesqueness of the bridge but would have been more unsightly when Dobbin did the painting, being the location of the gasworks (opened in 1830<sup>168</sup>) which possibly blocked the view onto the bridge.

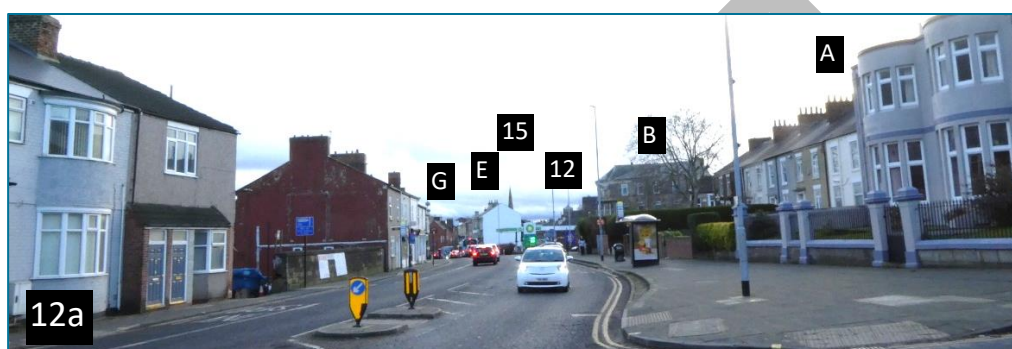


<sup>167</sup> Friends of the Stockton & Darlington Railway & Archaeo-Environment Ltd 2016, page 12

<sup>168</sup> Archaeo-Environment Ltd 2020, page 13



**View 12a** has been taken from the junction with Arthur Street, looking down High Northgate, south. To the left is the gap between the two terraces which frame Dobbin's View (see View 11) with the stone wall in between. To the right is the former [A] Darlington Working Men's Club with its distinct curved bay windows and prominent piers to its front garden, the latter having belonged to the original two houses. Behind it is an adjoining, recessed row of Georgian houses with generous front gardens (see View 8). Well-established vegetation softens the view, partially concealing [B] Melville House. Galvanised streetlights add a rigid element which detracts. The street curves gently to the left with the white gable of the surviving [E] Livingstone Building being in the focus in the distance. As the street dips down to Cocker Beck, the gable of [G] Bridge Hotel becomes visible. In the far background, three landmarks at the other end of the Conservation Area can be spotted: the spire of [15] Northgate United Reform Church, [12] Central School (East Block), and the tower block of Northgate House to the right of it, just outside the boundary.



**View 12b** has been taken from further up High Northgate, from the pedestrian crossing to Skerne Bridge Entrance, still looking south. This view is clearly channelled by the street being lined by some handsome terraced housing. The properties to the right have some high-quality architectural detailing, basements and front gardens bounded by metal fencing on dwarf sandstone walling. The terrace to the left is more basic but also includes basements with railings in front and some detailing which is of interest. The houses with the arched lintels were cohesively improved by the owner inspired by the achievements of the HERS and PSCA schemes in the 2000s (see 3.6). Further on, the space opens up at the former [A] Darlington Working Men's Club revealing [B] Melville House partially concealed by the mature vegetation of the Georgian terrace's end gardens. As the streets curves left out of sight, there is a glimpse of [12] Central School (East Block) in the far distance with Northgate House towering above to the right, outside the present Conservation Area boundary.



Going back to the junction with Arthur Street, **View 12c** has been taken from the opposite direction, looking north. The focal point in the distance is the [6] Railway Viaduct which is flanked by trees to both sides. Again, the view is being channelled by rows of houses lining the street. The trees behind the left terrace with the high-quality architectural detailing (see View 12b) mark the railway site which is currently

being regenerated. The (probably self-seeded) trees behind the more basic, last terrace on the right-hand side are on the embankment of the railway corridor.



**View 13** has been taken from the north end of High Northgate again, at the junction with Skerne Bridge Entrance, looking at the railway site currently under construction, with the clock tower of the [5] Goods Shed being the focal point, as was its design intention. A new entrance to the site has been created on the corner with McNay Street. The open space around the Goods Shed is an important factor as is its intervisibility with the former goods office, now [4] 1 & 2 McNay Street, due to their original functional relationship. The view is framed by the terrace with the high-quality architectural detailing (see Views 12b&c) on the left and the [6] Railway Viaduct on the right.



**View 14** has been taken from the recently created foot-and-cycle path along the Skerne outside the present Conservation Area, focussing on [7] Skerne Bridge. Historically, both riverbanks in this location – which are also outside the currently designated boundary – were heavily industrialised including the gasworks (see View 11) and would have not been accessible to the public. Today, the opened-up foreground still reminds of its industrial past, and whilst this slightly distracts from the picturesque bridge it is an important part of the history of the site. The terrace in the background still reminds of its industrial past, and whilst this slightly distracts from the picturesque bridge it is an important part of the history of the site. The terrace in the background to the right line the eastern side of High Northgate with the tower of the [5] Goods Shed just visible behind. Mature trees line the railway corridor.

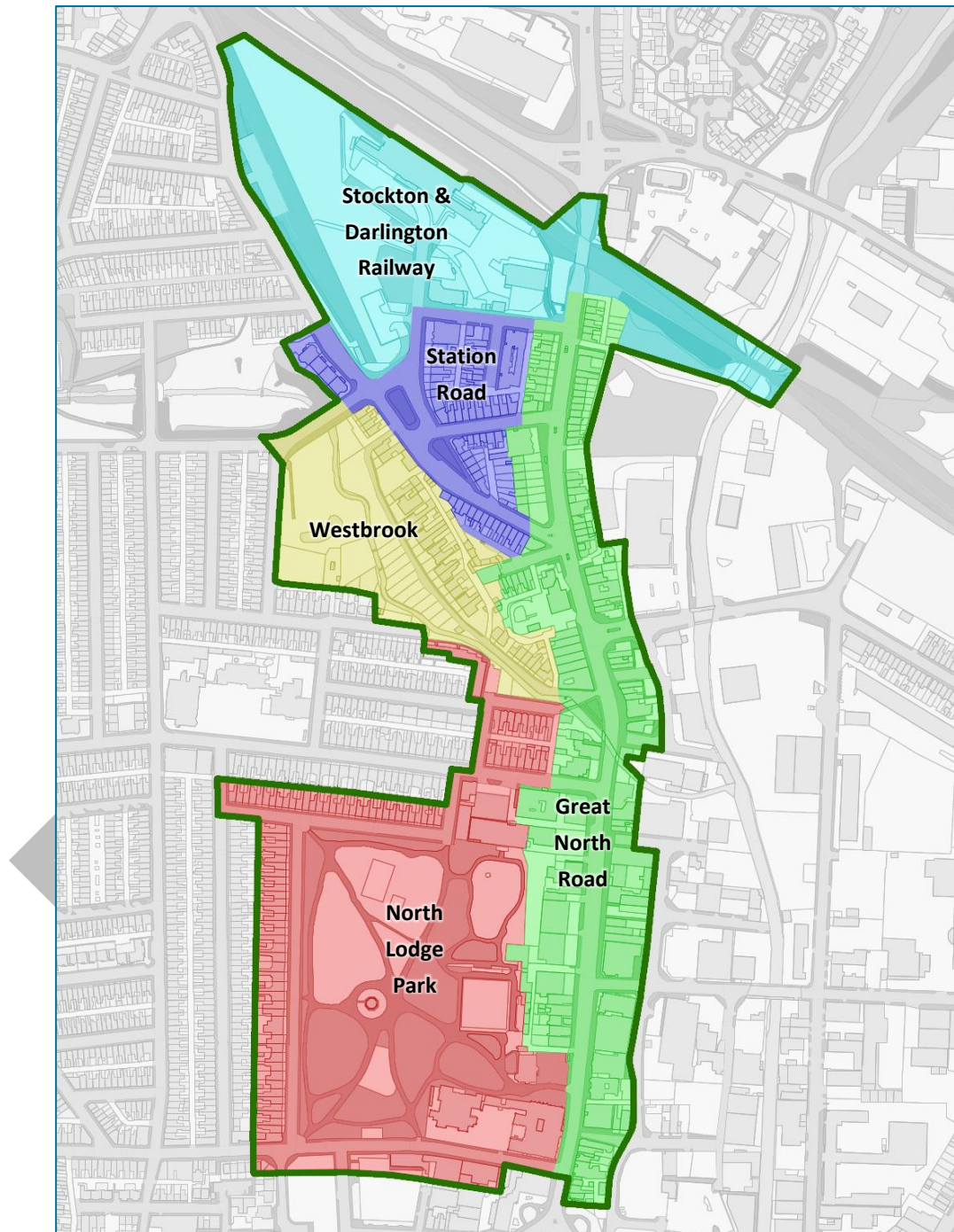




### 3.5 Character Analysis

*This section should be read in conjunction with the historical development (see 3.3) and spatial analysis (see 3.4). Listed buildings are referred to by their designation name and assigned their [NUMBER] given on the map at the beginning of this document; other notable buildings are assigned their [LETTER].*

The Northgate Conservation Area comprises the following character zones:



Character zones of the Northgate Conservation Area (boundary line **at the time of review**, as adopted in July 2003, in green) (Map © Crown copyright and database rights 2023 Ordnance Survey 0100023728. Licence Number 100023728 2024. Graphics by Gaby Rose)

**The Great North Road character zone** is of linear shape, along the north-south axis of the busy A167. Its main architectural and historic significance comprises:

- Part of the main historical highway between London and Edinburgh
- Pre-industrial country estates of wealthy Darlington residents
- Birthplace of the railways and Dobbin's View
- Early railway-related buildings
- Robert Borrowdale buildings and associations

This character zone is the most complex in the Northgate Conservation Area. It is of an urban, mixed-use nature, with two-and-three-storey buildings incorporating a variety of architectural styles (including Italianate and Art Deco) fronting the main street. Intermittent trees and other vegetation soften the channelled views along this enclosed urban space. A small public green space opens up the area to the north of Northgate Bridge (see View 7b). Much of the experience of the character zone is undermined by the high volume of vehicle traffic, which not only has a negative impact on pedestrian movement from one side of the street to the other but also creates an unpleasant atmosphere. Moreover, demolition of old buildings, loss of architectural cohesion, ongoing dilapidation, vacant units, visual clutter and insensitive modern development (sometimes resulting from a change of use) have caused significant harm to the character of the Georgian and Victorian streetscape (see 4.1).

The Great North Road character zone includes the following listed buildings:

- [8] The Railway Tavern
- [13] 138-148 Northgate
- [14] Central School Annex
- [15] [16] Northgate United Reform Church and railings [landmark]

It also has the largest amount of 'other notable' buildings:

- [A] Darlington Working Men's Club
- [B] Melville House [landmark]
- [E] Livingstone Building
- [F] 1 Leadenhall Street
- [G] Bridge Hotel [landmark]
- [H] Odeon
- [I] Elmfield House
- [N] Salvation Army Citadel
- [O] The Half Moon

The historical buildings of this character zone comprise detached and terraced houses as well as commercial/leisure town buildings with some including residential or businesses on the upper floors. A few industrial buildings survive in rear areas. Whilst [14] Central School Annex still portrays the wealth of its former inhabitants, [I] Elmfield House is now much concealed behind modern single-storey extensions of commercial nature. There are a large number of such extensions where there used to be generous front gardens in this character zone, especially in the southern part (see Views 7c&d). With the exception of North Terrace, all other terraced housing is in the northern part of this character zone (see Views 8 & 12a-c), close to the railway site. The houses which are set back behind front gardens and/or include basements and have external stairs leading to the entrances were originally of higher social status

than those without. Many terraces have been adversely affected by modern alterations, although those on the western side of High Northgate have generally retained their historical character. There is a wide range of old commercial and leisure buildings including [13] 138-148 Northgate, [15] Northgate United Reform Church, the former [A] Darlington Working Men's Club, [B] Melville House, [E] Livingstone Building, [G] Bridge Hotel, [H] Odeon, [N] Salvation Army Citadel, and [O] The Half Moon. These buildings have generally fared better than many houses in retaining their historical appearance.



*Left: Former warehouse with hoisting door along Beck Road. Right: The tall (now blocked) entrance suggests a former carpet trade connected with this building at the junction of the A167 with Westbrook (Photos © Gaby Rose, 2023)*

Although the linear building element prevails in this character zone, a few notable detached structures include gable-fronting elevations, namely [F] 1 Leadenhall Street, [14] Central School Annex, [N] Salvation Army Citadel and [13] 138-148 Northgate. Due to the enclosed nature of this character zone, the roofs, which are generally pitched or hipped and slated, are less prominent. The brick chimneys of the houses or pubs contribute to the character of this zone where they have been retained. The different roof shapes of [H] Odeon (although pitched behind a tall parapet wall, the appearance is of a flat roof), [N] Salvation Army Citadel (crenelated towers) and [15] Northgate United Reform Church (very steep pitch with multiple 'dormers') make these buildings stand out in the streetscape.

Whilst the historical buildings are often built in red brick (the earlier ones at the top end of the zone have Flemish bonds), a terrace along Melville Street and the [E] Livingstone Building are constructed in cream/buff brick. The landmark buildings [15] Northgate United Reform Church and [B] Melville House are made of facing sandstone, the former incorporating high-quality ashlar. Stone has also been used for architectural features and window and door surrounds on red-brick buildings. Single-storey bay or oriel windows and decorative stone canopies above windows and door entrances can be found throughout this character zone. Structures with more elaborate detailing include the [E] Livingstone Building, [G] Bridge Hotel, [N] Salvation Army Citadel, [F] 1 Leadenhall Street and [13] 138-148 Northgate. [8] The Railway Tavern, the former [A] Darlington Working Men's Club, [H] Odeon, [O] The Half Moon and the re-fronted [13] 138-148 Northgate would have been designed with a render to make them stand out and attract people. However, a large quantity of the old brick buildings is now rendered or painted which would originally not have been,



which can undermine the intended uniformity of building groups, such as terraces (see Views 8 & 12a-c).



*Left: Brick building with Italianate stone detailing to eaves and canopy above window. Centre: [E] Livingstone Building – All walling and detailing in brick, later painted; decorative bay window constructed in timber. Right: [F] 1 Leadenhall Street – Distinctive stone carvings by Robert Borrowdale (Photos © Gaby Rose, 2023)*

Where traditional sash windows with old glazing and panelled doors survive, they can add significantly to the quality of the historical buildings. There are also examples of examples of casements including coloured and clear glass set in leaded glazing bars. However, old windows and doors have often been replaced with different designs and materials which make them stand out negatively. The same applies to modern shopfronts on old buildings, which can be very intrusive, although some historically inspired designs exist which are in keeping with the architecture. A few old shopfronts do survive (e.g. 14 & 32 High Northgate).



*Left: Traditional windows with slim frames and glazing bars and traditional-style shop front have been provided under provided the 2002-05 Northgate HERS (see 3.6). Right: Coloured glass with lead glazing bars had been restored under the 2005-09 Northgate PSCA (see 3.6). (Photos © Gaby Rose, 2023)*

The modern buildings in this character zone are of commercial, leisure and residential nature and located in the southern part of the character zone with the exception of the filling station. None of these buildings contribute positively with some of them having a very harmful impact on the Conservation Area, due to their orientation, shape, materials or detailing.

The roads are generally surfaced in modern asphalt and the pavements in modern stone flags. Distinct scoria-paved back lanes and alleys do survive; they are an important element of the Conservation Area's character. A few of the back lanes to the east of the A167 also include rare survivors of sandstone block paving. Modern street furniture and traffic signage are to a standard utilitarian design. Surviving historical stone or brick boundary walling, piers and metal railings contribute positively to the public realm. Conversely, the rear yards to North Lodge Terrace have been removed, now presenting a poorly maintained open area used for car parking and dumping refuse. In addition, the large metal flues to the commercial units and raised seating area to the rear of the terrace add further visual harm (see 4.1).



*Top left:* Back lane with scoria and sandstone block surfacing. The **scoria bricks** were produced (possibly from 1899) by the Tees Scoria Brick Co. Ltd of Bank Top, Darlington, and were the by-product of the steelmaking industry in Middlesbrough. Their high mineral content resulted in the distinct blue colouring. Designed to combat disease-ridden back alleys, these bricks were easily washable. *Top right:* Ornate, cast-iron railings on ashlar stone/brick boundary walling between private front garden and public realm. *Bottom:* Rendered garden wall on street corner with stone copings and prominent gate piers; also note the poorly placed signage (Photos © Gaby Rose, 2023)

**The Stockton & Darlington Railway character zone** is of roughly triangular shape and lies at the north end of the Conservation Area. It can only be accessed from the west and south, as the railway line forms a barrier (also visually) to the northeast. Whilst in the nineteenth century this zone was predominantly in industrial, transport and related administrative uses, the industrial functions have ceased to exist. The historic railway site is currently being turned into an enhanced tourist attraction which will operate next to the passenger station. This will have some impact on the character of this zone as well as its pedestrian movement (see View 13); car parking will be provided outside the present Conservation Area boundary. With the exception of the small area along High North Road, this character zone has comparatively little vehicle movement and therefore does not suffer from the implications of high traffic. Moreover, the detached buildings and bridges are spaced generously and interspersed with plenty of mature vegetation, contributing to a relaxed atmosphere.



The main architectural and historic significance of this zone lies in the railway site to the west of High Northgate, which was developed by the Stockton & Darlington Railway Company between 1831 and 1853, including the rail track across [7] Skerne Bridge, which featured in the opening day of the line in 1825, see cover image of this document. This zone was the catalyst for the rapid expansion of Darlington in the nineteenth century and contributed to the birth of the modern railway network across the world. The existing green space to the east of the former branch line reminds of the allotment gardens shown on the 1855 map.

The Stockton & Darlington Railway character zone includes the following listed buildings; there are no other notable buildings:

- [1] North Road Railway Station
- [2] Stockton & Darlington Railway Carriage Works
- [3] Lime Cells
- [4] 1 & 2 McNay Street
- [5] Goods Shed [landmark]
- [6] Railway Viaduct [landmark]
- [7] Skerne Bridge [landmark]

Apart from these structures, there is another, modern building, on the junction of Station Road with McNay Street. It is constructed in a pastiche style which confuses the interpretation of this historic site.

The historic buildings in this zone are detached and of various size, ranging from quite large ([1] North Road Railway Station and [2] Stockton & Darlington Railway Carriage Works) to quite small ([3] Lime Cells). All roofs are hipped and slated, and windows comprise sashes and casements incorporating multiple panes. All of the structures are of a utilitarian character with the exception of [4] 1 & 2 McNay Street, which was built as an office and could visually be mistaken for a dwelling. Whilst the S&DR structures are faced in stone or render and incorporate Italianate styles to various degrees, the [3] Lime Cells have the appearance of an outbuilding and are a rare survival of a once-common and distinctive regional building type, with their upper roadside elevation currently clad in timber boarding. Using a classical design was a marketing move, with the [5] Goods Shed being the most formal and most expensively constructed. In the 1830s, the railway's key customers were prosperous merchants receiving and despatching goods, so the building needed to impress and reassure<sup>169</sup>. The Neo-Gothic elements added later to [1] North Road Railway Station are an anomaly in this zone, although they do indicate the style direction Victorian railway architecture would take throughout the country.

The roads and cycle path to [7] Skerne Bridge are surfaced in modern asphalt and there are no known surviving historical ground finishes. Long stretches of coursed sandstone retaining walls bound the railway site, which were probably part of a landscaping scheme from between 1938 and 1950. A short, curved section abutting the north corner of the [3] Lime Cells may date from the mid-nineteenth century<sup>170</sup>. Modern gabion walls containing loose rubble stones in metal baskets line the embankment to the railway corridor on the approach to [7] Skerne Bridge.

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<sup>169</sup> Clark 2006, pages 18 & 56

<sup>170</sup> Archaeo-Environment Ltd 2020, pages 21 & 43



Coursed sandstone retaining wall along Hopetown Lane enclosing railway site with mature vegetation behind (Photo © Gaby Rose, 2023)

The trees on the railway heritage site include mature sycamore, birch and beech. The railway embankment near [7] Skerne Bridge has (semi-) mature trees and saplings comprising ash, sycamore, buddleia and cypress. [7] Skerne Bridge offers some potential to bats for roosting. Hart's tongue ferns grow around and on the base of the bridge, and there are willows along the Skerne. The river offers habitat for waterfowl, kingfishers, and even otters in this area.

**The Station Road character zone** is the smallest and of irregular shape and lies in the northern part of the Conservation Area. The buildings in this zone are mainly rows of houses fronting the streets. It is a residential area which includes one (now) commercial building dated 1873 and a former factory (now converted and extended); a few of the terraced houses at the south end of Station Road have retail on the ground floors. This zone is a tightly knit built environment of urban character which has been degraded over the years by insensitive alterations to the buildings. In contrast, the generous public open space to the west bounded by rows of houses has a very pleasant atmosphere (see View 9). Vegetation growth is limited around the square area. There is little vehicle movement but a fair amount of roadside parking.

The main architectural and historic significance of this zone is the railway workers' housing built in the second half of the nineteenth century, sparked by the growth of the railway industry and the migration of workers into this area to find work<sup>171</sup>. Moreover, the public square used to be the location of the Stockton & Darlington railway branch line to the coal depot. Evidence of the zone's industrial past can still be found in the stone walling along the southern side of Hopetown Lane/Station Road which is associated with the former depot, as well as the stretch of Station Road coming off High Northgate which formed the northern boundary of the depot.

This zone has no listed or 'other notable' structures.

Although the rows of historical houses include design variations they do work as an ensemble. They are generally built in red brick although many now have modern renders which undermine their group value; properties constructed in facing cream brick feature at the south end of Station Road. The buildings are generally two storeys high, although some are slightly raised with a basement below. Only the houses facing the public square have front gardens. Those at the north end of Station Road were of highest status including two-storey bay windows, dormers and elaborate eaves detailing. Some of the openings have curved stone lintels, and traditional timber sashes including old glazing survive. The houses not facing the square are more basic, although one row includes detailing in cream brick and single-

<sup>171</sup> Archaeo-Environment Ltd 2013, page 78

storey bay windows (Stephenson Street), and those along Arthur Street have moulded canopies above doors and ground-floor windows. In contrast to the houses facing the public open space, many of the more basic terraces have been altered by changing opening patterns, insertion of modern windows, doors, shop fronts and roofing materials, all which has been to the detriment of the area (see 4.1). In the more confined street scenes, roofs are not as visible as across the public square where grey slating (or imitation of) has been retained.



*Top: Stone wall associated with former coal depot which has been repurposed to residential boundary walling along Hopetown Lane<sup>172</sup>, including coal holes and doorways. Bottom left: Higher-status terraced house at the top end of Station Road with basement and front garden with replacement metal railings. Bottom right: Houses along Stephenson Street with prominent chimney stacks including red and cream bricks, although most now have a modern render. (Photos © Gaby Rose, 2023)*

The (now) commercial building at the north end of Station Road is single storey and matches some of the elements of the adjoining houses. It has very elaborate eaves in cream brick and decorative stone mullions. Its historical use is unknown to the author. The former industrial building along Stephen Street is three storeys tall with a large entrance. Its new windows detract significantly.

The modern buildings are all built in red brick with slate (or look-a-like) roofs. Pullman House, an apartment block along Hopetown Lane has uncharacteristic, large entrance porches and Juliet balconies and is three storeys tall (see 5.1). The modern house across the square fails to work with the proportions of the neighbouring properties and has a brick front garden wall instead of metal fencing. The new apartment buildings along Stephenson Street harmonise more reasonably, probably also due to the more confined environment. However, they do detract from the former industrial building which they surround by the introduction of an uncharacteristic gable feature.

<sup>172</sup> Friends of the Stockton & Darlington Railway & Archaeo-Environment Ltd 2016, page 21



The roads are generally surfaced in asphalt and the pavements in modern stone flags. Scoria-paved back lanes survive, although the section off Arthur Street and smaller patches elsewhere have been replaced with asphalt. Rear yard walls have often been altered although evidence of historical openings can be found. All historical cast-iron railings to the front gardens have been lost, but some survive in front of the basements in the southern part of station road. Modern metal replacements also retain the character, but the introduction of timber fencing and brick walling has had a negative impact. The former, large front garden to the commercial building at the north end of Station Road has been lost completely to hardstanding. Modern galvanised streetlights detract from the public open space.



*Left: Scoria-paved back lane off McNay Street lined by original rear-yard walling with openings, the coal holes now blocked. Right: Original metal railings in front of basements along Station Road. (Photos © Gaby Rose, 2023)*

**The Westbrook character zone** is of slightly elongated shape and follows the green corridor of Cocker Beck in the western part of the Northgate Conservation Area. The zone is of more natural character due to its lush vegetation and could be described as a green oasis in the town. The houses all date from the second half of the nineteenth century and are arranged in a linear fashion along the northeast side of Westbrook, which resembles more a lane rather than an urban road. Most of the properties have generous front gardens. There is comparatively very little vehicle and pedestrian movement apart from on Widdowfield Street where there is also access to a small public park to the west of Cocker Beck ([see View 10](#)). On balance, this zone has a very pleasant and peaceful atmosphere, with the exception of the back lanes which appear run down.



*Typical character of Westbrook, looking southeast, with lush vegetation taking the centre stage. (Photo © Gaby Rose, 2023)*



The main architectural and historic significance of this zone is that it used to be the former gardens of Henry Pease, the character of which has been retained in the existing abundant vegetation, prior to creating a high-status residential area for management staff of the Stockton & Darlington Railway in the 1860s-70s; it is the only middle-class area in the north part of the town. Sections of the boundary wall of the former Pease gardens with the former coal depot survive to the rear, including features associated with former structures abutting the gardens wall. Two of the semi-detached villas were designed by notable local architects GG Hoskins and Robert Borrowdale.

There are no listed buildings but the following 'notable' houses:

[C] 15 & 16 Westbrook Villas (Hoskins)

[D] 8 & 8a Westbrook Villas (Borrowdale)

The buildings are mostly semi-detached houses of two to three storeys; a few have a basement with the ground floor entrance accessed by an external staircase. The walls are often built in red brick, although a number are in facing cream/buff brick or rendered. A few of the houses have gable-facing elements, such as [C] 15 & 16 Westbrook Villas and [D] 8 & 8a Westbrook Villas, although generally the ridge lines are parallel with and linear to the lane. Due to the confinement of the space, roofs (mostly slated) and chimneys are less prominent. All buildings feature stone, rendered brick or timber bay windows. Many have ornate door and window surrounds of various designs, with some of them including canopies above. Other architectural elements include decorative ridge tiles and barge boards, which are probably less typical for the area, as well as dormers. Original doors and window frames including old/coloured glass survive, and those that have been replaced with upVC products can stand out negatively. Generally, however, the historical character of the houses has been well retained.



*Left: Elaborate Neo-Gothic door surround in ecclesiastical style of [D] 8 & 8a Westbrook Villas with original panelled doors and old glazing. Right: Decorative barge boards to bay window and entrance door. (Photos © Gaby Rose, 2023)*

Behind the houses there are two back lanes which include a few outbuildings that do not seem to be of ancillary residential use (although those exist as well behind the yard walls). An outbuilding at the end of the shorter lane has a hoisting door possibly suggesting a former commercial (storage) use. The outbuildings along the much longer, winding back lane are built against the stone wall which is thought to be the former boundary between the former coal depot and Henry Pease's gardens. It still retains scarring created by lean-to greenhouses associated with these gardens. Unusually, one of the outbuildings has an incised rendered finish and arched window with Neo-Gothic hood mould over. It is known as Tallyman's Cabin and may have had some purpose in monitoring the waggons as they entered the coal drops<sup>173</sup>. At the north end of the lane, the depot wall includes a similarly shaped window opening which is now blocked; this is thought to date back to Henry Pease's gardens which had cottages and a bath attached to the boundary wall with the depot, all decorated in a Neo-Gothic style.<sup>174</sup>



*Left: Outbuilding with hoisting door. Right: Various brick and rendered outbuildings along the longer back lane, the central one being Tallyman's Cabin, which used to be crenelated and has a Neo-Gothic entrance behind the abutting brick garage (Photos © Gaby Rose, 2023)*

Westbrook and Widdowfield Street are surfaced in asphalt and the pavements in modern stone flags. The back lanes are covered in scoria blocks; the longer one also includes a section of stone surfacing and the small remnant of a brick floor. Rear yard walling to the houses has generally been retained although much altered. The long back lane includes railway-themed display boards which are in poor condition and add to the run-down atmosphere. At its southern end, a short stone wall which adjoins the main depot wall at a right angle incorporates a relocated head of the Green Man carved by stone mason Robert Borrowdale<sup>175</sup>. The front garden walling comprises brick, stone or rendered dwarf walls with stone copings and the original cast-iron railings now all removed, although in some places reinstated with matching metal railings, or less successfully with timber fencing. Some of the gate piers in the front walling feature prominently. Original cast-iron railings do survive between Westbrook (lane) and Cocker Beck near the bridge. North of it is a low brick wall which includes cream bricks inscribed with 'PEASE' as a pattern, behind which there are private gardens. Heritage-style streetlamps contribute very positively.

<sup>173</sup> Friends of the Stockton & Darlington Railway & Archaeo-Environment Ltd 2016, page 20

<sup>174</sup> Archaeo-Environment Ltd 2020 pages 21 & 43

<sup>175</sup> Friends of the Stockton & Darlington Railway & Archaeo-Environment Ltd 2016, page 20

Along Cocker Beck and the Denes, mature and semi-mature trees are present including sycamore, elder, weeping willow, as well as veteran ash and willow. During a site visit on 9 January 2024, robin, blue tit, great tit, long tailed tit, blackbird, song thrush and redwing were observed. Cocker Beck offers opportunities for otter to commute through the landscape almost undetected.

**The North Lodge Park character zone** is in the southwestern part of the Conservation Area. Whilst it is largely a residential area which surrounds a designed public park with mature trees, it currently also includes municipal and commercial functions, as well as a mosque. The zone is of urban character with a small amount of vehicle traffic, although some of the streets are quite affected by roadside parking. Overall, the atmosphere is pleasant and quiet.

The main architectural and historic significance of this zone is that it used to be the former country estate of William Backhouse which was bit by bit sold off due to pressures to make available land for urban development following the arrival of the Stockton & Darlington Railway. A large part was eventually turned into a public town park including the former grounds of the Elmfield Estate which was the home S&DR industrialist Alfred Kitching. Essentially, North Lodge Park demonstrated the aspirations of Darlington to be seen as a modern and ‘caring’ town<sup>176</sup>.

The North Lodge Park character zone includes the following listed buildings:

- [9] Bandstand to West of Bowling Green *[landmark]*
- [10] North Lodge
- [11] Front Garden Wall to North Lodge
- [12] Central School (East Block) *[landmark]*

It also has the following ‘other notable’ buildings:

- [J] Pentecostal Church
- [K] Darlington Bottling Company
- [L] Central Secondary School
- [M] Temperance Institute

Most buildings in this zone are historical and comprise a range of styles. [10] North Lodge is a remnant of the former country estate era and enjoys a secluded location in the park; it is the only Georgian building in this character zone. In contrast, Victorian Neo-Gothic architecture features more boldly in [12] Central School (East Block) – which is the most distinct and prominent building of the Northgate Conservation Area – [L] Central Secondary School and the former [M] Temperance Institute, as well as the former [J] Pentecostal Church. Whilst the former three form a loose group displaying similar terracotta detailing and gabled designs, the latter is unusually part of a red brick terrace. All rows of housing in the zone have shallow front gardens except for those along Westbrook Terrace. Detailing around openings (in brick or stone) and eaves of these properties does exist throughout the zone but is quite basic. North Lodge Terrace includes a groceries store with a partially concealed traditional shop front on the corner with Gladstone Street. The houses in this row have two-storey bay windows and dormers, and some surviving original panelled doors and windows, including old glazing. Whilst these properties have retained their red brick appearance, many in the other streets now have modern renders as well as undergone other notable insensitive alterations (see Views 5 & 6). A building at the

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<sup>176</sup> Lawson, Gouldsborough 2010, page 3



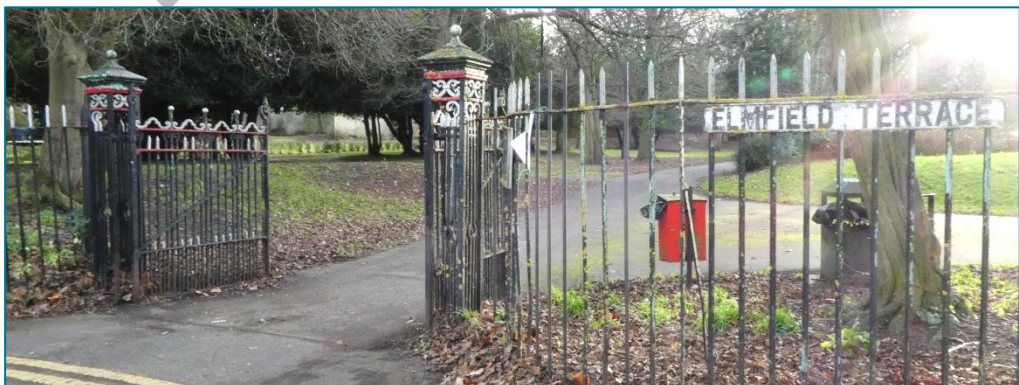
north end of Elmfield Terrace includes an unusual, curved window with leaded glazing. The [K] Darlington Bottling Company is a small but distinct brick building with nice detailing although it is currently covered in a modern paint. Further east along Gladstone Street is a small building in facing cream brick which – like the former [M] Temperance Institute – has been much altered on the ground floor to include retail and is now completely overshadowed by the adjoining Northgate House.



*Left: Original panelled door with stone canopy over and old windows along North Lodge Terrace. Right: Curved first-floor window along Elmfield Terrace (Photos © Gaby Rose, 2023)*

The modern buildings all contribute negatively to the Conservation Area. An apartment block at the north end of this zone does not fit with the development pattern of the area. The same applies to the supermarket to the south of it, which is clad in incongruous, grey metal profiling. The restaurant along Gladstone Street is poorly designed including a variety of styles, whereas a building further to the east has a negative impact by being of 'cubic' shape on the adjoining former [M] Temperance Institute; the latter has been further negatively impacted by losing its original ground-floor facade to poor-quality modern shops.

With regards to the public realm, the park features most strongly, including its original metal railings and the [9] Bandstand (see Views 3 & 4). The roads of this zone are surfaced in asphalt and the pavements in modern stone flags. Scoria-paved back lanes survive behind the terraces. Much of the original brick dwarf walling with stone copings to the front gardens has been replaced with modern brick or blockwork. All of the original cast-iron railings to the houses have been lost, although some have been reinstated using modern railings.



*Original cast-iron railings and gate piers to North Lodge Park. (Photo © Gaby Rose, 2023)*



Within North Lodge Park, there are an assemblage of mature and veteran trees including yew, cherry, beech, broad-leaved lime, pedunculate oak, holly, sycamore, horse chestnut, birch, hornbeam, ash, pine, spruce, cypress, cockspur thorn, as well as lines of poplar to southwestern and northern boundaries. Mature and veteran trees offer valuable roosting space to bats and nesting birds. During a site visit on 9 January 2024, goldfinch, long tailed tit, great tit, blue tit, robin, nuthatch and blackbird were observed inside the park.

### 3.6 Value Attributed by the Local Community and Other Stakeholders

Despite the Northgate Conservation Area being an important designated heritage asset, it is one of the most deprived areas in Darlington. When the inner ring road was built between 1969 and 1973, it cut the area off from the bustling town centre, gradually leading into social and economic decline (see 4.1). Nevertheless, the A167, which passes through the length of the Conservation Area connecting the north of Darlington (and beyond) with the inner-ring-road roundabout, has remained very important locally and regionally with some of the heaviest traffic flows in the town.

From a vehicle-drivers point, the Great North Road character zone (see 3.5) is mainly travelled through rather than being a destination, although this may change to some degree once the visitor attractions on the railway heritage site have (re-) opened to the public, see below. Driving along the A167 can be stressful due to frequent congestion and difficulties crossing the road on some of the junctions. Walking within this character zone is also very unpleasant due to the high volume of traffic (and the resulting noise and pollution), the general run-down appearance of the street scene and low quality of some modern development. Nevertheless, there is a good amount of pedestrian movement along the main street, including people who walk in and out of the nearby town centre. The streets away from the A167 are much quieter. The Harrowgate Hill Cycle Route passes through a very short section of the Stockton & Darlington Railway character zone next to the river where there is no vehicle traffic.

Names of streets which are (partly) within the present Conservation Area boundary commemorate important elements of heritage significance:

- **Weaver's Yard** (shown on the 1855 map), also formerly known as Half Moon Yard as the pub lies on its south side, used to stretch down to Weir Street on the banks of the river. It was largely demolished in the late 1960s, although the scoria-paved alley off Northgate still survives. In the past, mostly carpet makers used to live here, hence the association with the weaving industry which pre-dates the arrival of the railway. It was also the birthplace of John Dobbin (born in 1821).
- **Garden Street** (first shown and named on the 1896 map) is associated with the former extensive garden behind Edward Pease's house (now [13] 138-148 Northgate) which lay along the southern side of the current street. It was full of pagodas, vineries and orchard, stretching down to a boat house on the bank of the river Skerne<sup>177</sup>.
- **McNay Street** was developed in the 1870s and is associated with railway engineer and secretary Thomas McNay (1810-1869).
- **Stephenson Street** was developed at the same time and is associated with George Stephenson (1807-1881) who was a senior manager with the

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<sup>177</sup> Lloyd 2001, pages 106 & 111-112

Stockton & Darlington Railway and later the North Eastern Railway until 1873 (not to be confused with the 'other' George Stephenson!).

- **Arthur Street** (first shown and named on the 1896 map) has been named after Joseph Pease's son<sup>178</sup>.
- **Elmfield Terrace** (first shown and named on the 1896 map) lies behind Elmfield House on land which used to be part of its grounds. In the late 1880s, Alfred Kitching's son John allowed more land of the former Backhouse estate to be built on<sup>179</sup>.

The main residential zones comprising North Lodge Park, Westbrook and Station Road include important, green 'breathing spaces' for the locals. Station Road is the least desirable zone to live in (along with the Great North Road character zone), probably due to the lack of a more substantial green space as well as its proximity to the A167. In contrast, the North Lodge Park and Westbrook zones are far more secluded from the unpleasant environment along the main street and surrounded by mature vegetation, providing desirable places to live within walking distance of the town centre. The Conservation Area includes good green pockets which encourage wildlife, mostly in the Westbrook zone, where the green space has a wilder feel, with mature trees bordering the site and Cocker Beck running through the area. The beck also offers an important corridor for rare and protected species such as otter to move through the landscape almost undetected. The Westbrook zone is particularly good for bird watching, with resident birds such as nuthatch, song thrush, robin, and long tailed tit being frequently observed, and overwintering birds such as redwings and siskins using the area to forage in preparation of migrating to breed in the spring. These habitats provide opportunities for wildlife, which in turn has a positive impact on the wellbeing of the residents.

Facilities for socialising within the Conservation Area are North Lodge Park (which includes a bowling green, playground and sports court), the former [A] Darlington Working Men's Club (which now has both male and female members<sup>180</sup>), the former [J] Pentecostal Church (now a mosque), [15] Northgate United Reform Church, [8] the Railway Tavern, [O] The Half Moon and a small number of further seated food/drink places. Shopping opportunities are mainly around the A167 including [13] 138-148 Northgate and [E] Livingstone Building. Customers visiting these amenities will be mainly local people, from within the Conservation Area and its immediate surroundings.

Whilst North Road Station also provides a destination point (albeit outside the historic building), it is only a secondary railway station for Darlington and inconveniently located outside the town centre. It therefore does not attract the same number of passengers like Bank Top. When in 1965 [1] North Road Railway Station was closed, decay rapidly set in, hastened by vandalism. Its significance had however been recognised by a number of local people, Darlington Borough Council, museum and tourist board staff who grouped together to rescue the building and create a museum, as well as rescue the associated [2] Stockton & Darlington Railway Carriage Works and [5] Goods Shed, all in the nick of time before the 150-year commemorations in 1975<sup>181</sup>.

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<sup>178</sup> Archaeo-Environment Ltd 2020, page 55

<sup>179</sup> Lloyd 2005, page 144

<sup>180</sup> Lloyd 2001, pages 129-132

<sup>181</sup> Archaeo-Environment Ltd 2014, page 21

The communal value of the Stockton & Darlington Railway (S&DR) inside the Northgate Conservation Area is of considerable significance to the heritage sector, and there is a growing interest in early railway infrastructure from specialist societies and the wider public<sup>182</sup>. Darlington Borough Council considers the S&DR pivotal in reinforcing the identity of the town. However, there are also groups of local people who appear not to value it, or perhaps are even unaware of it. Those who appreciate or actively promote it are in effect an international community, as well as the following local groups which are based in and around the heart of the S&DR<sup>183</sup>:

- Darlington Model Railway Club
- Darlington Railway Museum Trust
- Darlington Railway Preservation Society
- Friends of Darlington Railway Centre
- Friends of the Stockton & Darlington Railway
- the A1 Steam Locomotive Trust
- the North Eastern Locomotive Preservation Society
- the North Eastern Railway Association

The Darlington group of the Friends of the Stockton & Darlington Railway meets regularly at [8] the Railway Tavern.

Between 1990 and 2002, the significance of the S&DR within the Northgate Conservation Area received national attention with the Bank of England including an illustration featuring Locomotion No.1's maiden journey across [7] Skerne Bridge in 1825 on the rear of the £5 note, next to a portrait of George Stephenson<sup>184</sup>. From then on, the bridge got the nickname the Five-Pound-Note Bridge.



Specimen of former five-pound note. The locomotive in the foreground is Stephenson's Rocket of 1829 which he built for the Liverpool and Manchester Railway.

In 1992 the collection of Ken Hoole, a renowned railway enthusiast, was transferred from Durham County Council to Darlington Borough Council's Head of Steam Museum at [1] North Road Railway Station so that the museum could open a

<sup>182</sup> Archaeo-Environment Ltd 2021, page 70

<sup>183</sup> Archaeo-Environment Ltd 2013, pages 33-34

<sup>184</sup> <https://drps.synthasite.com/darlington-railway-historic-flashbacks/-3-the-olde-five-pound-note>



research room called the **Ken Hoole Study Centre**<sup>185</sup>. The collection is a unique resource devoted to the railways of North East England. The Study Centre also houses the John Mallon collection, part of the North Eastern Railway Association and the museum archive collections. Prior to the present redevelopment of the railway heritage site (see below), the Study Centre was open to the public on set days via appointment, along with an online enquiry service. The Council is currently working on how the Study Centre will operate on the redeveloped site.

In 2001, the **Friends of North Lodge Park** were formed as a registered charity. They initially focussed on restoring, promoting and using the [9] Bandstand, which was re-opened in September 2010 after long-term dereliction. Over the years, they have run many hundreds of events in North Lodge Park and got involved in local projects (see below). They also look after the park through litter picking and bulb planting.

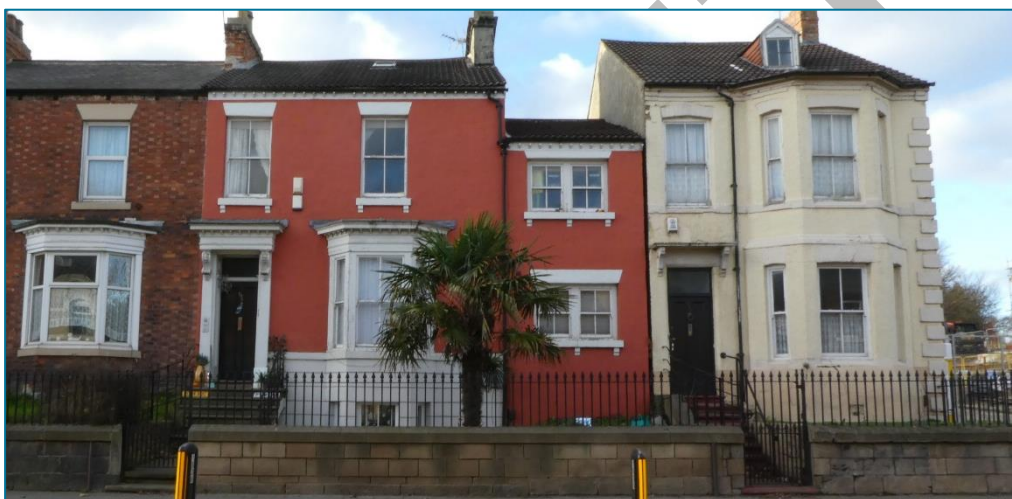
In 2002, Darlington Borough Council received a total of £321,725 funding from One North East and English Heritage (now Historic England) for improvement works to an area which roughly matched the Great North Road character zone, as part of the five-year **Heritage Economic Regeneration Scheme** (HERS). This scheme had been set up by English Heritage to help property owners carry out repairs and reinstatements to their buildings, providing that these would sustain local employment, create new homes and encourage inward investment within conservation areas. Under the Northgate HERS twelve building projects were carried out, as well as environmental enhancement works.

In 2004, Darlington Borough Council secured funding to regenerate Lodge Park under the **Transforming Your Space** scheme, which the Friends of North Lodge Park also engaged in. They were particularly key to the success of a community art project which involved writer in residence Maureen Almond, who worked with a wide range of groups and individuals from the local community, and artist Andrew McKeown. They created a series of cast-iron leaves placed into the grass throughout the park including text from the community. In addition, a book called *Our North Lodge Park: A Dedication by the Community Surrounding North Lodge Park, Darlington* was published featuring the locals' poems about the park, as well as a book of personal poems by Almond, *Tongues in Trees*, about the fourteen trees that had to be felled following the assessment by Houghall College. The project also boarded up and made safe the [9] Bandstand (prior to restoration and re-opening in 2010) including words from the poems on each of the eight boarded sides. Furthermore, path lightning was provided as well as resurfacing of most of the paths, and a quilt comprising patches embroidered by many different members of the community was made and displayed at park events, and later in Corporation Road primary school.

In 2005, Darlington Borough Council secured match funding of £103,631 (total public funding: £207,262) from English Heritage again for improvement works to the same area of the HERS as part of the four-year **Partnership Scheme in Conservation Areas** (PSCA), to help restore business and residential premises. Under this scheme seven properties were improved including a similar range of building works as for the previous HERS. As a result of both the Northgate HERS and PSCA, other owners invested in the area without any grant funding. Overall, the works carried out as a direct or indirect result of the two schemes significantly improved the Northgate Conservation Area.

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<sup>185</sup> <https://www.head-of-steam.co.uk/media/1922/hos-collections-development-policy-2016-2021.pdf>



*Top:* No.s 105 (grey) and 109 (end property) High Northgate **prior to** works. No. 105 including its boundary wall was improved under the 2002-05 HERS, and No. 105 under the 2005-09 PSCA, including new metal railings. (Photo © DBC, before July 2001). *Bottom:* The properties are still standing out positively today. (Photo © Gaby Rose, 2023).

In 2006, Darlington Borough Council imposed an **article 4 direction** on the whole of the Northgate Conservation Area to restrict permitted development rights ([see 2.3](#)), for **dwellinghouses (use class C3)** with regards to works affecting:

- (a) their enlargement, improvement or other alteration
- (b) alteration to their roof slopes
- (c) erection or construction of a porch outside their external doors
- (d) provision of any building or enclosure, swimming or other pool within their curtilage
- (e) provision of hard surfacing incidental to their enjoyment
- (f) installation, alteration or replacement of an antenna on them or within their curtilage
- (g) erection, alteration or removal of their chimneys
- (h) erection, construction, maintenance improvement or alteration of a gate, fence, wall or other means of enclosure within their curtilage
- (i) painting of their exterior or any building/enclosure within their curtilage
- (j) demolition of the whole or any part of any gate, fence, wall or other means of enclosure within their curtilage

The direction had been a condition of obtaining the grant for the PSCA. Its purpose was to protect the investment made by English Heritage and the Council, so that changes made reinstating or restoring historic features under the scheme were not subsequently changed back without the requirement of planning permission.

The next funding opportunity for the Northgate Conservation Area came in 2017 when Historic England accepted the whole of the S&DR as a **Heritage Action Zone** (HAZ), following an application by the Stockton & Darlington Railway Heritage Board which included Darlington Borough Council. The HAZ initiative is working with local people and partners to breathe new life into places that are rich in heritage, to unlock their potential and make them more attractive to residents, businesses, tourists and investors. Launched in May 2018 and running for five years, the S&DR HAZ aimed to better manage, preserve and utilise the heritage assets with a view to stimulating economic growth, especially in the build-up to the railway's bicentenary in 2025<sup>186</sup>. The works inside the Northgate Conservation Area have a project value of £35m and include the refurbishment of the listed buildings on the railway heritage site, a new live engineering shed and an 'immersive experience' which will feature holograms of trains<sup>187</sup>. This major new family attraction in the Stockton & Darlington Railway character zone is expected to draw in over 300,000 visits per year, including 80,000 visitors from outside of the local area<sup>188</sup>.

Environmental works were carried out by **Discover Brightwater**, which was a National Lottery Heritage Fund supported partnership that enabled projects including river habitat improvements, wetland creation, heritage and archaeology involving local communities around the river Skerne, which ran from 2018 to 2021<sup>189</sup>. Under this project access to [7] Skerne Bridge was improved, and pedestrian-and-cyclist route provided from the Northgate Conservation Area (Skerne Bridge Entrance off High Northgate) to the river, joining the Harrowgate Hill route.

In 2020/21, Darlington Borough Council secured £23.3m from the **Towns Fund**, which has been made available by central government for levelling up the UK economy following the impacts of COVID-19. The overarching aim is to drive sustainable regeneration to deliver long-term economic and productivity growth. A large part of the Northgate Conservation Area has been identified as one of three priority areas in Darlington where these funds will be focused to enhance, support and supplement existing schemes. The railway heritage site, which also is part of the S&DR HAZ (see above), and [13] 138-148 Northgate have already been assigned budgets. Further sites within and just outside the Conservation Area that have been allocated grants from the Towns Fund are currently being considered for improvement works.

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<sup>186</sup> Knight 2019, page 4

<sup>187</sup> <https://www.willmott-dixon.co.uk/projects/darlington-railway-heritage-quarter>

<sup>188</sup> <https://www.head-of-steam.co.uk/future-plans/news-and-updates/next-stop-hopetown-darlington/>

<sup>189</sup> <https://www.durhamwt.com/discover-brightwater>



## 4.0 Condition, Threats and Opportunities

This chapter is intended to inform future management plans for the Northgate Conservation Area, which would be subject to public consultation.

### 4.1 Condition and Current Issues

*This section should be read in conjunction with the spatial analysis (see 3.4), character analysis (see 3.5) and value attributed by the community and other stakeholders (see 3.6), which provide further information or examples on most of the issues raised below.*

The Northgate Conservation Area is currently in **‘very bad’ condition**, with deteriorating trajectory<sup>190</sup>; the Westbrook character zone when seen in isolation is considered to be in fair condition. Out of the seventeen conservation areas within Darlington Borough, Northgate is currently the one which is in worst condition. Despite the significant improvement works carried out between 2002 and 2009 and an article 4 direction imposed in 2006 (see 3.6), the Conservation Northgate Area has been on the national Heritage at Risk Register since 2010. The main issues are summarised as follows, with those in bold **detracting the most**:

Social and economic decline:

- Vacant buildings/business units (e.g. [B] Melville House)
- **Lack of building maintenance**
- **Lack of investment from private landlords**
- Anti-social behaviour including vandalism, graffiti, litter and fly-tipping
- Population financially stretched in southern part of Northgate Conservation Area (i.e. less married couples / more single parent, single, separated and divorced people; incomes well below average; lower paid administrative, clerical, semi-skilled and manual jobs; less likely to engage with financial services; use internet socially)
- **Urban adversity** in northern part of Northgate Conservation Area (i.e. rent small homes in deprived area; significant debt/credit issues; high rates of benefit claimants; low qualifications; semi-skilled/unskilled jobs; many single-adult households; health problems)<sup>191</sup>

Traffic and public realm issues:

- **High volume of vehicle traffic along A167 resulting in noise, pollution, congestion, and potentially unsafe environment for pedestrians/cyclists**
- **Clutter of traffic-management measures (e.g. pedestrian barriers, speed bumps) and ill-chosen signage locations, in particular along the A167**
- Roadside car parking in residential streets
- **Galvanised streetlights and other utilitarian street furniture**
- Telegraph poles and overhead wires (back lanes)
- Wheelie bins cluttering back lanes

<sup>190</sup> Historic England 2023, page 31

<sup>191</sup> Darlington Borough Council 2021, pages 15, 17 & 92



The rear yards to North Lodge Terrace have been removed, although the scoria-paved back lane is still in place. The area is now used for ad-hoc parking and rubbish disposal. The tall metal flues against the rear façade belong to the commercial units on the ground floor, with further flues along the main street, all of which detract. Modern replacement windows and a double garage (?) with raised seating area above are not in keeping with the character of the historical environment. (Photo © Gaby Rose, 2023)

#### Damage to historical environment:

- Loss of historical buildings; some of them were of considerable significance
- Loss of original scoria paving
- **Loss of traditional doors and windows including old glazing**
- **Loss of traditional slate roofing**
- **Loss of historical boundary walling/metal fencing (front and rear)**
- Loss of historical front gardens and rear yards
- **Replacement of all of the above with unsympathetic products/designs**
- **Use of unsympathetic/incompatible materials (e.g. cement pointing)**
- Lowering of historical chimney stacks
- **Changes to historical opening patterns to buildings and rear yard walling (including insertion of modern garage doors)**
- **Other unsympathetic alterations to buildings such as modern (front) extensions and loss of historical ground-floor elevations (change of use)**
- **Application of modern renders and paints to traditional brick buildings (which, besides the visual harm, can also cause long-term damp problems)**
- Addition of satellite dishes, burglar alarms (to front walls) and TV aerials (to chimneys) to houses
- Addition of modern dormers, roof lights and solar panels to terraces
- Addition of extractor fans and flues to commercial units

#### Harmful modern development:

- Modern buildings not in keeping with development pattern of the area (building type, scale, planform and massing)
- **Modern development incorporating poor or uncharacteristic/inappropriate designs (e.g. pastiche style), detailing (e.g. Juliet balconies) and materials (e.g. tall timber-boarded fencing)**
- **Modern shopfronts, metal roller shutters (also in back lanes) and signage/advertisement (including digital board at filling station)**
- **Modern development including demolition of historical planform and creation of surface-level car parks just outside the Conservation Area**



*Top:* The right-hand house shows what the other two used to look like, with the exception of its modern windows. The re-fronting works to the left and middle houses have resulted in a complete loss of the historical character and appearance of these properties. Also note the lowered chimney stacks. *Middle left:* A characterful historical arrangement has been spoiled by uPVC windows. *Middle right:* Prior to the application of a modern render, addition of a porch, changes to the windows openings and loss of corbelled canopies in 2023, the left-hand property used to be almost identical to the one next door. Its historical character and appearance as well as the group value with its neighbour have been lost completely. *Bottom:* The Machine Mart building is an eyesore in the Conservation Area due to its bold colouring, the use of vertical profile cladding and 'cubic' shape (industrial character). Whilst the apartment block next door fits in better with regard to the use of brick, its overall elevation design (window proportions, etc.) incl. set-back upper floor undermine the surrounding historical environment. Note the roller shutter to the shopfront. (Photos © Gaby Rose, 2023)



In summary, the positive aspects of the Northgate Conservation Area are heavily undermined by the loss of architectural cohesion and historical character, dilapidation and a high volume of traffic, creating an unpleasant environment, which, naturally, does not inspire significant private investment. Factors which contribute to the issues within the Northgate Conservation Area have often been the result of past Planning decisions, causing cumulative harm in the long term:

- The construction of the inner ring road
- Other harmful or insensitive development in and around the Conservation Area (e.g. Northgate House)
- Lack of enforcement

Concerning the last point, the 2017 Conservation Areas at Risk returns spreadsheet sent to Historic England claims that unauthorised works had been carried out in the previous three years which harmed the special interest, significance and/or character of the Conservation Area and that the Council took no enforcement action against these. In addition, it mentions *[w]idespread use of uPVC windows and doors and satellite dishes in Victorian terraces despite Article 4 Direction (some pre-direction and some as a result of lack of enforcement / unwillingness to implement Article 4)* and that *[m]ost applications as a result of the Article 4 Direction are retrospective and it is difficult to gain support to refuse these. There has been a problem with a lack of enforcement in previous years.*

An investigation into the enforcement inquiries raised in the last five years (since 2019) reveals fifty cases on file. Around 70% of the inquiries turned out not to be of a planning enforcement nature (e.g. advice requests, permitted development). Out of the remaining (i.e. unauthorised) cases five were not resolved in a satisfactory manner from a conservation point-of-view due to lack of enforcement action or approval of the harmful works in retrospective planning applications. Whilst this number seems low, the cumulative impact of such outcomes needs to be considered in the long term, as well as the setting of negative precedents. As the very poor condition of the Conservation Area is largely due to harmful development carried out over the years, any opportunity for undoing harm should be used. This will set positive precedents which can open the door for further beneficial change.

## 4.2 Threats and Potential Future Issues

There is no doubt that the construction of the **inner ring road** between 1969 and 1973 was a key contributor to the decline of the Northgate Conservation Area. Moreover, it will remain a barrier for improvement and financial investment, despite the area being well connected to facilities and transport links in the town centre. Traffic volumes and congestion along the A167 are unlikely to ease in the foreseeable future and present another (east-west) barrier. Consequently, it is challenging to regenerate the Conservation Area as a separate, sustainable entity next to the thriving town centre.

Whilst the HERS and PSCA schemes in the 2000s did valuable work in restoring some of the historical character that has been lost and inspired others to carry out similar works (see 3.6), the initial local enthusiasm to make improvements was short lived, probably as **public funding for homes and small businesses within conservation areas has become very rare**. Although there are currently funding opportunities for various improvement works (see 4.3), their immediate impact and long-term effect

are difficult to foresee. It is possible that without future schemes setting further positive precedents, private investment in the area may stagnate.

**Salespeople and building contractors** often lead property owners to believe that elements of their old buildings need a modern makeover in order to make them more energy efficient, such by replacing traditional windows and doors with uPVC substitutes or applying modern renders to solid walling. However, there are major opportunities for improving the thermal performance of windows by employing relatively simple methods (e.g. heavy curtains, blinds and shutters) as well as further improvement by installing secondary glazing<sup>192</sup>. Moreover, using timber products has the advantage of (re-) using more eco-friendly and sustainable resources. In the long-term, the costs of maintaining them will often be cheaper because they can be repaired – contrary to uPVC products which normally need replacing as a whole – thus reducing the amount of building materials, energy and waste. With regards to impermeable materials such as modern renders, cement pointing and silicon paints, these are incompatible with traditional construction (which relies on moisture movement). Such applications are likely to trap water in solid walling and create long-term damp problems, resulting in cold and mouldy indoor environments. Moreover, the negative visual impact such interventions have can be significant, as evident throughout the Northgate Conservation Area. Removing or concealing traditional features from a historic property can reduce its market value.

**Development pressures** keep presenting a threat to the Conservation Area, in particular for sites to the south and east outside the designated boundary. Northgate House has already set negative precedent for the future development of the site. Any new building on this plot would need to be scaled down significantly in order to harmonise with the Conservation Area, especially in this key/gateway location. Whilst scale may not be so much of an issue for the other potential development sites, planform, massing, materials, detailing as well as loss of historic fabric and features are likely to be, judging from more recent development in the area (see 4.1). Old buildings and other structures (e.g. boundary walling) within the Conservation Area remain at risk of being lost or further disfigured, possibly to make plots more economically viable (e.g. change of use from residential to commercial). All of the above could further deteriorate the Northgate Conservation Area and, in the long run, jeopardise its designation status.

### 4.3 Opportunities for Enhancement

It is hoped that this document will help residents, local businesses, investors, planners and highways/utility authorities understand how heritage significance is embodied in the area and provide them with knowledge to prevent future harm and enable positive change. In addition, based on the appraisal, a **Conservation-Area-specific design guide** could be produced, providing clear guidelines and details for sensitive development within the area, including works within the public realm. The design guide could be adopted as a supplementary planning document and provide a helpful tool for applicants, agents and planners, as well as homeowners, businesses and highways/utility authorities who wish to carry out works under permitted development rights. Whilst the design guide would not create instant change it would enable smaller steps in the right direction at a time and therefore be beneficial long-term tool.

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<sup>192</sup> Wood, Bordass, Baker 2009, page vii

In terms of planning, it would be also useful to provide a **new/revised article 4 direction** (see 2.3) which also restricts permitted development rights for other elements than dwelling houses. Other use classes like houses in multiple ownerships and mixed uses (residential/retail) should be included as well as the public highway, to protect the surviving scoria and stone paved surfaces.

**Grant moneys** have been made available for the regeneration of the railway heritage site, and it is hoped that this new visitor attraction will not only increase public (including local) awareness and interest in the Stockton & Darlington Railway but also be a catalyst for improvements to the wider area. In order to kick-start investment in the southern end of the Conservation Area, Darlington Borough Council is intending to establish a railway-themed 'gateway' in one of the ground-floor units of [13] 138-148 Northgate by 2025, with money made available from the Towns Fund. It is anticipated that further (non-railway-related) properties and larger areas between the two sites can be improved or regenerated in line with the **Northgate Masterplan** drawn up by Land Use Consultants Ltd in 2021, which provides the strategic vision for a large part of the Conservation Area. Moneys to achieve this have already been secured from the Towns Fund. In addition, there are currently (January 2024) talks between Darlington Borough Council and Historic England about a possible Partnership Scheme Grant. This would involve willing third parties taking individual grants provided by Historic England as well as investing their own money in 'cosmetic' external works or structural repairs to homes and small businesses, similar to the HERS and PSCA schemes (see 3.6).

Further grants are currently (April 2024) being applied for the installation of sixteen **interpretation boards** as well as a **digital heritage trail** along the entire length of the Stockton & Darlington Railway, from the Lottery Fund. Two of the interpretation boards would be located in Darlington Borough: one at [7] Skerne Bridge and the other at Middleton St George. The digital heritage trail would be in the form of a mobile app which would incorporate augmented reality, visualising what certain locations looked like in the past, as well as a virtual avatar. It has been suggested that the trail could deviate from the railway line and incorporate other S&DR-related locations, such as [13] 138-148 Northgate by 2025. Further heritage trails (e.g. 'gardens and parklands') could be created in the Northgate Conservation Area using the Council's existing *Darlington Town Centre Trails* app.

There are opportunities to gain further understanding of the heritage significance of the Northgate Conservation Area by **archaeological investigation**, possibly with community involvement. Areas that may yield further information are:

- The high ground to the rear and sides of the [3] Lime Cells and the grassed traffic island on the public open space immediately to the south may contain buried remains of the former sidings in these locations. It is not clear how the landscaping of 1938 affected the original ground levels and to what extent below-ground remains might still survive here<sup>193</sup>.
- The site of the former Kitching Ironworks and Foundry (see 3.3), which is located between [1] North Road Railway Station and [2] Stockton & Darlington Railway Carriage Works and now grassed over, was partially demolished in 1870-1895 to make room for more sidings, possibly for the Royal Agricultural Show of 1895. The remainder of the buildings were removed in 1975<sup>194</sup>.

<sup>193</sup> Archaeo-Environment Ltd 2020, page 55

<sup>194</sup> Archaeo-Environment Ltd 2019b, page 9



- Evidence of the former coal depot opposite [8] the Railway Tavern may survive in any of the subsequent buildings constructed on the site and along the banks of the Cocker Beck.
- The site of the first Merchandise Station, which lies within the enclosed railway corridor, has had relatively little development following its demolition in 1864; the plot therefore is of extremely high archaeological potential. The wider area has been through a number of topographical changes including road lowering and possibly embankment heightening in order to accommodate the 1857 [6] Railway Viaduct. Therefore, evidence from the building footprint and railway embankment elevation may provide data on the functioning of the building and how it was altered.
- The former extensive gardens behind the Edward Pease House, now [13] 138-148 Northgate, are currently under a surface car park, although garden archaeology may well survive below.<sup>195</sup>

There are also opportunities to **improve the public realm**, for example by:

- Carrying out an audit of all street/park furniture and traffic signs with a view of removing those that are no longer needed (de-cluttering) and reconfiguring others in better locations, where applicable, or exchanging them for more sympathetic designs.
- Identifying locations which could be turned into more engaging public spaces; for example, the traffic island in the Station Road character zone could include benches for people to rest on as well as interpretation boards or artwork (sculpture) relating to the historical function of the space (former branch line to coal depot).

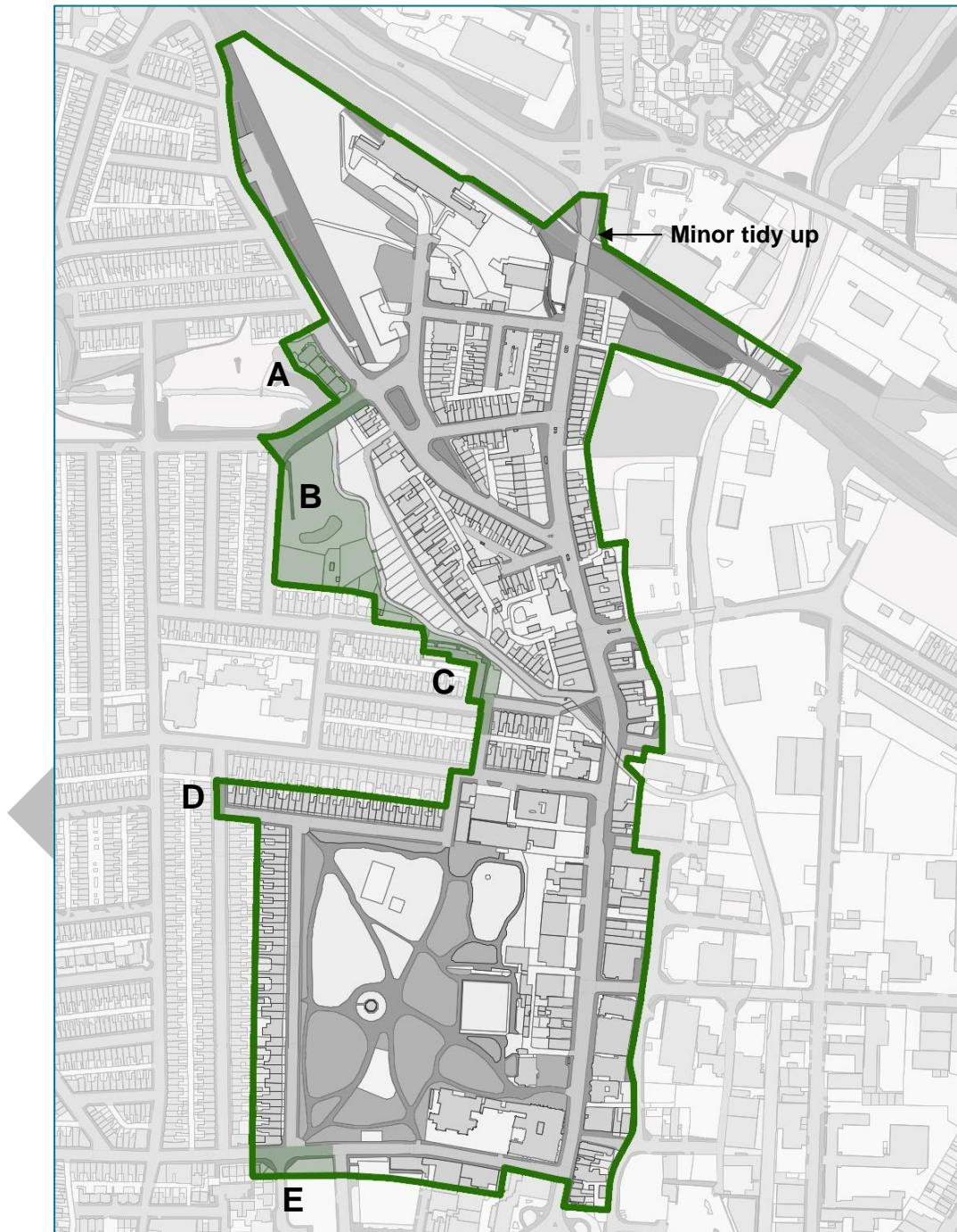
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<sup>195</sup> Archaeo-Environment Ltd 2019a, pages 51 & 54-56

## 5.0 Suggested Boundary Changes

This chapter offers suggestions how the present Northgate Conservation Area boundary could be improved. **Members of the public and other stakeholders are invited to submit their comments on the proposed boundary changes during the public consultation period (see 1.2).** Information on other areas of potential significance/relevance that have not been mentioned here will also be welcome.

### 5.1 Proposed Exclusions



Proposed exclusions from the Northgate Conservation Area shaded in green (boundary line at the time of review, as adopted in July 2003, also in green). (Map © Crown copyright and database rights 2023 Ordnance Survey 0100023728. Licence Number 100023728 2024. Graphics by Gaby Rose)

Conservation areas are designated for their *special architectural and historic interest* (see 2.1). It is considered that the areas marked in red above do not meet those criteria:

- A. **Pullman House:** This apartment block along Hopetown Lane replaces former buildings first shown on the 25" OS map of 1939. It is not clear what these were and what their significance to the area was, but they do not appear to have been of residential types. The existing apartment block is not in keeping with the development pattern in this location by being three stores tall (as opposed to the two-storey old houses to either side of it) and including architectural features (e.g. entrance porches, Juliet balconies) which detract from the historic buildings. Its location opposite [3] Lime Cells is most unfortunate.
- B. **Paddy Dene:** Whilst this small park provides a pleasant public space (see View 10) it seems to be lacking any heritage significance which would tie it in with rest of the Conservation Area. Moreover, geographically, it is separated from the main part of the Conservation Area by Cocker Beck and belongs to 'The Denes', six interconnected green spaces that extend for some 1.5km mostly outside the Conservation Area.
- C. **Deanery Court:** This apartment block at the north end of Mowden Street replaces former buildings first shown on the 25" OS map of 1939. It is not clear what these were and what their significance to the area was, but they do not appear to have been of residential types. The existing apartment block is not in keeping with the development pattern in this location by being three stores tall (as opposed to the two-storey houses on this side of Cocker Beck) and including architectural features (e.g. Juliet balconies, prominent gable-facing element) which detract from the historic buildings.
- D. **Thornton Steet:** This very short stretch of road is not fronted by any of the terraces that are included in the Conservation Area boundary.
- E. **Undefined space at Kendrew Street carpark:** This small patch comprises a street corner, a small area of the Kendrew Street West Car Park and fragments of modern houses.

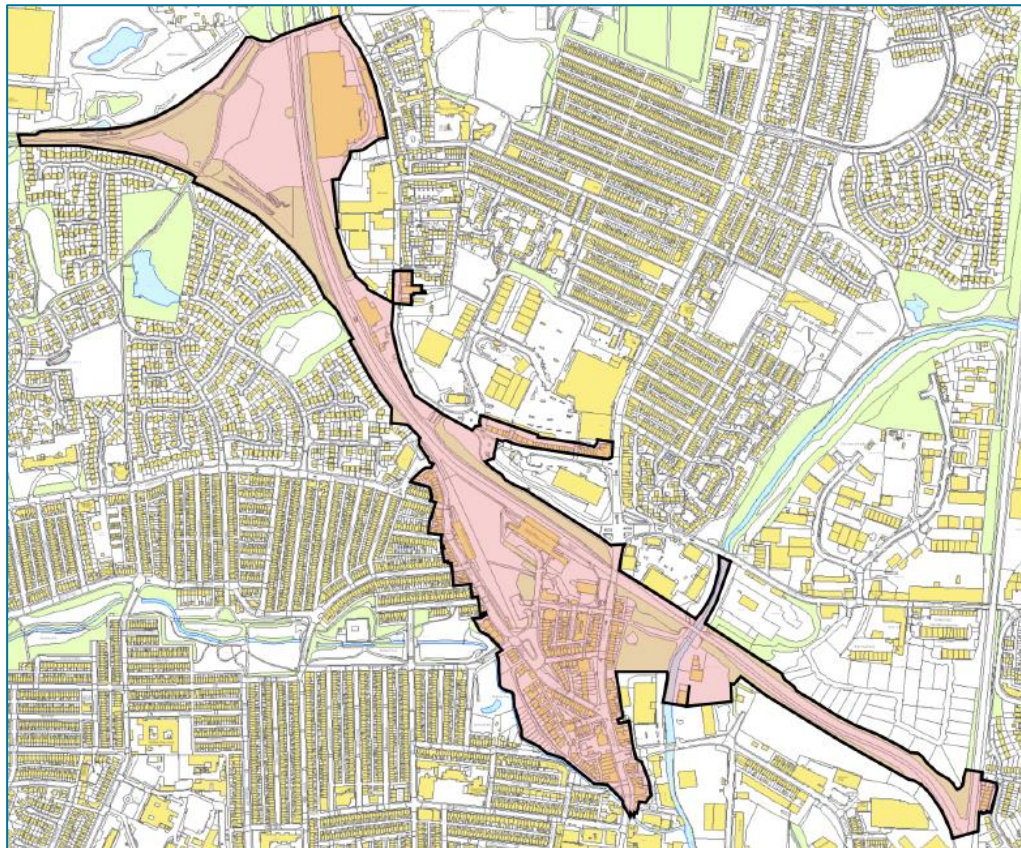


Top: Pullman House three storeys tall, with [3] Lime Cells to far right. Bottom left: Deanery Court, again three storeys in a two-storey residential area. Bottom right: Street corner and modern houses at Kendrew Street West carpark. (Photos © Gaby Rose, 2023)



## 5.2 Proposed Inclusions

In July 2022, Durham County Council (DCC) came up with a proposal to split the Northgate Conservation Area in half (without providing a supporting detailed assessment for justification); the northern part would be a new conservation area and extended, whilst the southern part would remain unchanged and presumably still be called Northgate. **This is no longer proposed.** The detailed analysis provided in this appraisal (see 3.0) should make it clear that subdivision of the present Conservation Area is neither justifiable nor desirable.



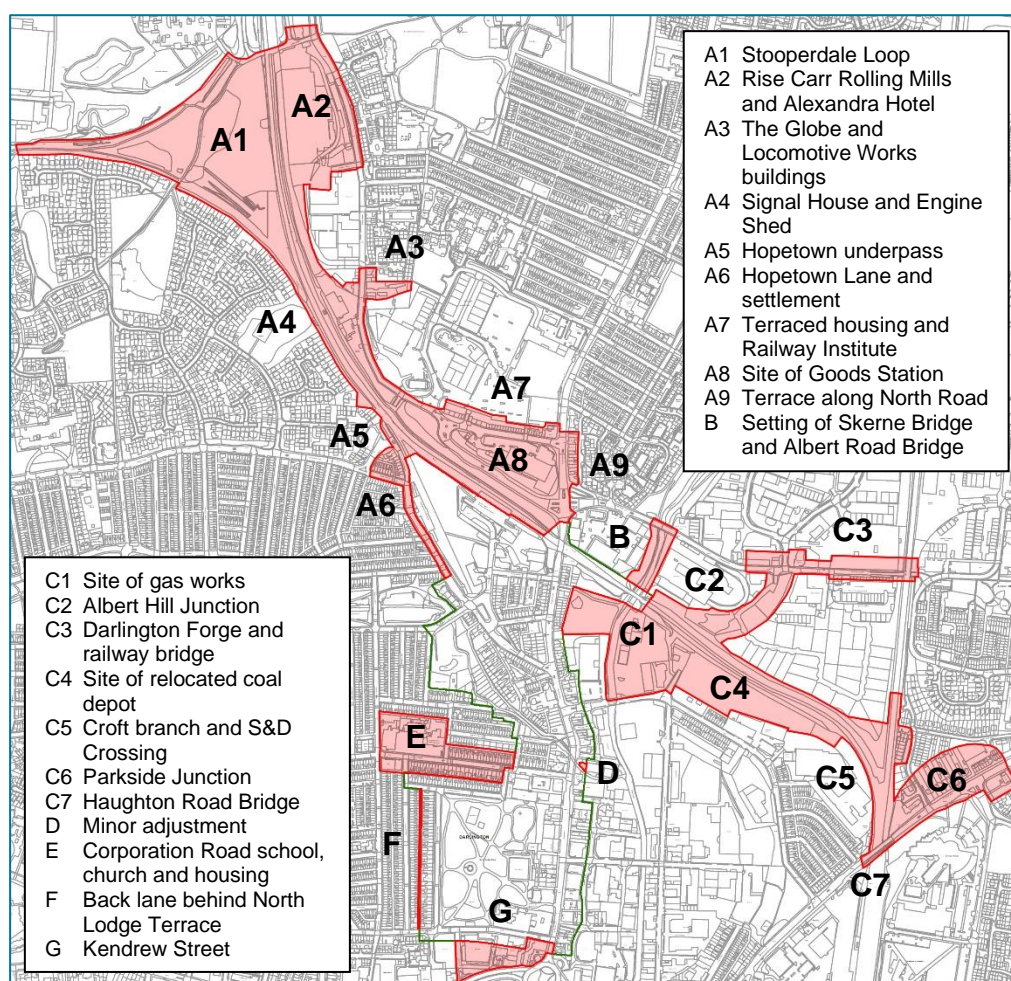
Durham County Council's proposal of 2022 for creating a new conservation. Splitting the present Northgate Conservation Area in half is **no longer proposed**. Moreover, their suggested boundary extensions to the northern part are re-examined in the text below. (Map © Crown Copyright and database right 2022. Ordnance Survey LA 100049055. Landmark Information Group Copyright © 2022)

DCC's suggested boundary extensions (for the northern part) are discussed below and amended where deemed justified. Further boundary extensions elsewhere are also being proposed. In order to qualify for inclusion, the proposed new areas must relate to the elements of significance which define the Northgate Conservation Area (see 3.1). In addition, any proposed new area will have to meet the following tests<sup>196</sup>:

- a) The proposed new area has sufficient architectural or historic interest for it to be considered 'special'.
- b) That special interest is experienced through the proposed new area's character or appearance.
- c) It is desirable for that character or appearance to be preserved or enhanced, also considering any problems that designation may help solve.

<sup>196</sup> Historic England 2019, page 5

The map below shows the currently proposed extensions to the Northgate Conservation Area.



Proposed extensions to the Northgate Conservation Area shaded in red (boundary line at the time of review, as adopted in July 2003, in green). (Map© Crown copyright and database rights 2023 Ordnance Survey 0100023728. Licence Number 100023728 2024. Graphics by Gaby Rose)

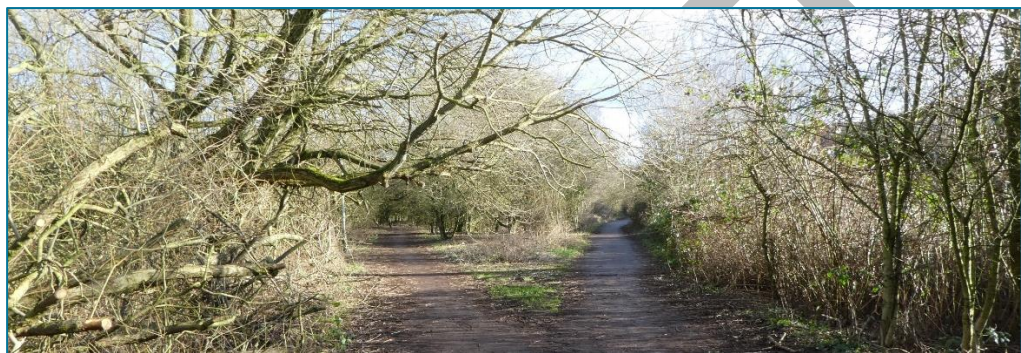
*NB: Areas A1 – A8 and C1 – C5 also include the corresponding railway corridor of the former Stockton & Darlington Railway (S&DR), which is still a live line. Its proposed inclusion will not be further analysed below unless there are certain features within the corridor, which will be discussed.*

**A1 – Stooferdale Loop.** The proposed extension area is identical with DCC’s proposal of 2022. The proposed new boundary follows the directions of the former rail tracks which have been retained as a public foot/cycle-paths and bridleways within this area which is now a nature reserve, as well as the live railway line.

The Stooferdale Loop (named after what appears to have been a farmstead called ‘Stooferdales’ on the 1855 map) was the three-way junction of the S&DR with the Darlington & Barnard Castle Railway; the latter was established in 1856 and subsumed by the S&DR in 1858. The distinct triangular layout is first shown on the 1898 map. Today only the live line of the former S&DR route survives, bordering the area along its eastern side. The tracks of the branch line to Barnard Castle were removed shortly after its closure in 1965 (see 3.3). Nevertheless, the triangular layout is still evident on aerial photographs as well as in the present path arrangement.



Various man-made features survive within the undergrowth, such as brickwork, cast-concrete, substantial timbers (former railway sleepers?) and metal rail tracks. The old (pre-railway) route of Honeypot Lane cuts through this area. From the eastern part there are good views onto the former Rise Carr Rolling Mills across the railway line (see below: A2).



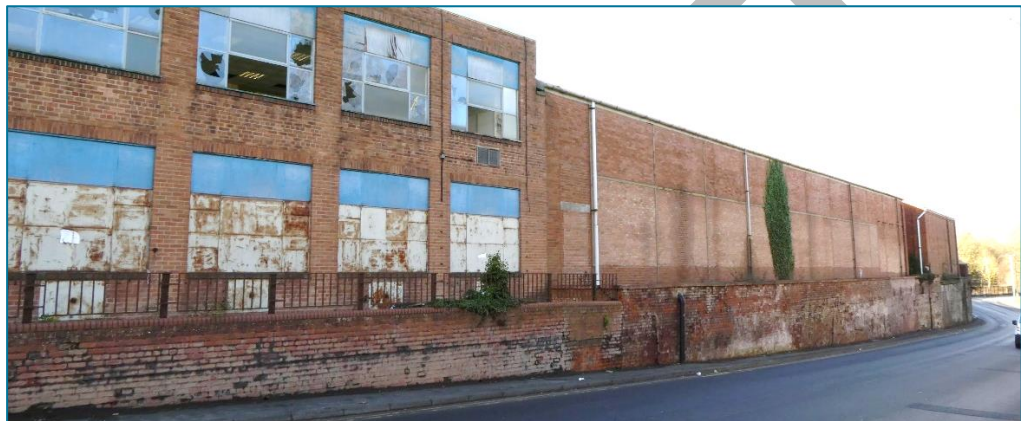
*Top:* View from centre of the Stooperdale Loop onto the former Rise Carr Rolling Mills across the railway line. *Middle:* Location where the Barnard Castle line branched off north (left) and southeast (right) into Darlington. *Bottom left:* Abandoned metal rail tracks at the southern junction of the branch line with the S&DR (not accessible to the public), with the former Engine Shed (see below: A4) visible in the background to the left. *Bottom right:* Remains of brick walling with iron brackets to the rear of the housing plots along Hensfield Grove. (Photos © Gaby Rose, 2024)

This area justifies inclusion as it clearly demonstrates early railway development that was directly linked to the S&DR (historic interest). Its special interest is experienced and enjoyed by the public. Conservation area designation would help protect (or even enhance) the character and appearance of this area.

**A2 – Rise Carr Rolling Mills and Alexandra Hotel.** The proposed extension area includes DCC’s proposal of 2022 as well as further pieces of land to the north and south which appear relevant to the historical site’s context, and part of Whessoe



Road. The new boundary which is being proposed comprises the railway corridor, Elmtree Street (including the railway bridge), the former Alexandra Hotel, the Rise Carr Rolling Mills site, the level car park adjoining to the south, Prospect Place and the corresponding stretch of Whessoe Road.



*Top left:* Stone-and-metal railway bridge over Elmtree Street, west elevation. *Top right:* Former Alexandra Hotel, now the St Georges Bridge Centre. *Middle:* Prominent buildings and retaining wall of Rise Carr Rolling Mills site along Whessoe Road. *Bottom:* Level car park and Prospect Way (left) at entrance to Rolling Mills site. (Photos © Gaby Rose, 2024 & 2023 for top right only)

The Rise Carr Rolling Mills opened in 1868<sup>197</sup> and, over the years, became a major employer in Darlington. In 1998, the complex (by then taken over by British Steel) closed<sup>198</sup>. In 1864, Theodore Fry (newly-married into the Pease family) and Charles l'Anson (founder of the Whessoe foundry (see 3.3)) had bought five acres of land next to the railway line and formed the Rise Carr Rolling Mills. For their workers they built terraces on the opposite side of Whessoe Road, the first ones called Fry Street and l'Anson Street; these no longer exist. The name 'Rise Carr' implies boggy land where brushwood grew. The 1855 map shows a farmstead of the same name some distance to the west of the S&DR. At that time, the later Rolling Mills plot to the east of the line was yet undeveloped, although Honeypot Lane bordering the north of the

<sup>197</sup> Flynn 1987, page 49

<sup>198</sup> <https://www.thenorthernecho.co.uk/history/18590098.day-rolling-mills-labourer-mangled-horrible-manner-roof-blew-off-factory/>

site (now called Elmtree Street in this location) already existed. Before Honeypot Lane turns southwest through the Stooperdale Loop (see above: A1) it used to cross the rail tracks on the same level<sup>199</sup>; by 1896 (OS map), the level crossing had been replaced by the existing railway bridge.

Working in a hot environment is 'thirsty work' so the street outside the gates of Rise Carr Rolling Mills was lined with public houses. The Alexandra Hotel on the corner of Whessoe Road and Elmtree Street must have been built around the same time as the Rolling Mills as it bears the name of Princess Alexandra of Denmark who married the Prince of Wales in 1863 (Denmark Street and Wales Street nearby are also named after the couple). Whilst many of the former pubs along this stretch of Whessoe Road are no longer extant, the Alexandra survives because when the Rolling Mills closed, the bridge club that met in the factory offices took over the building<sup>200</sup>.

This area justifies inclusion as the Rise Carr Rolling Mills were established in this location due to the presence of the railway line (although by that point no longer the S&DR) and had their own rail access (sidings) to the main line. They are one of the few survivors of Darlington's significant industrial expansion in the mid-nineteenth century. The 1896 map suggests that non-rail access to the site was gained from Prospect Place and that the present car park used to be part of the original Rolling Mills site. Elmtree Street experienced development resulting from the railway such as the bridge and resulting lowered road levels. Whilst the former Alexandra Hotel has changed in appearance, the building is clearly connected to the Rolling Mills. Along with the prominent retaining wall and roadside buildings of the Rise Carr site, it has a strong visual presence alongside the road (landmark building). Much of the special architectural and historic interest of this area is experienced by the public from Whessoe Road. Conservation area designation would help protect (or even enhance) the character and appearance of this area, which is vulnerable to harmful future development (as seen elsewhere in the surroundings).

**A3 – The Globe and Locomotive Works buildings.** The proposed extension area includes DCC's proposal of 2022 as well as well as further land to the east which appears relevant to the historical site's context. The new boundary which is being proposed comprises the former Globe pub, buildings believed to be associated with the former Locomotive Works (North Road Shops) – which were opened by the S&DR in 1863 and passed on to the North Eastern Railway later that year (see 3.3) – and the corresponding stretch of Whessoe Road.

Like the Alexandra Hotel (see above: A2), the Globe was another public house which was established due to the presence of the heavy industry in the area, and likewise, located on a street corner. The building seems to be shown on the 25-inch OS maps of 1896 and 1913/14, but unlike the Alexandra, it is not named or identified as a pub. It is first marked 'P.H.' on the 1939 map suggesting it may have had a different use previously. It closed in c.2000 and has been converted into flats<sup>201</sup>. To the south are two brick buildings which feature recessed panelled walling, an architectural style which can be seen on other local railway structures. The southern brick building is first shown on the 25-inch map of 1896 next to the sidings leading from the main line to the Locomotive Works. On the 1913-14 map, it is marked as 'Tank' identifying it as a water tower. It may date from around the 1870s, judging from its detailing. The

<sup>199</sup> <https://www.thenorthernecho.co.uk/history/9982703.getting-bottom-rise-carr/>

<sup>200</sup> <https://www.thenorthernecho.co.uk/history/18514191.day-margaret-thatcher-visited-darlington-pub-renowned-whippet-racing/>

<sup>201</sup> [https://www.closedpubs.co.uk/durham/darlington\\_globe.html](https://www.closedpubs.co.uk/durham/darlington_globe.html)



other surviving brick building and two timber structures (one is attached to the water tower and the other to the east of it) are first shown on the 25-inch map of 1939 and also appear to be part of the Locomotive Works. The Locomotive Works played an important part in the economy of Darlington and in their heyday employed over 2,200 workers<sup>202</sup>.



*Top: The former Globe pub, now flats; the attached building is modern. Bottom: The former water tower is the brick building on the right, the tank now removed and a new roof provided. Attached to it is one of the timber structures shown on the 1939 map. The brick building on the left marks the northwest corner of the former Locomotive Works and, like the water tower, has recessed panelled brick walling. (Photos © Gaby Rose, 2024)*

This area justifies inclusion as it contains surviving structures of the former Locomotive Works, which were largely demolished following their closure in 1966. The southern side of this area is defined by the curved line of the former sidings into the Locomotive Works. Whilst the former Globe pub has changed in appearance, the building is clearly connected to the former heavy industry in this area (Rise Carr Rolling Mills and Locomotive Works). As an ensemble, this area is an isolated survivor along the east side of Whessoe Road with most of the historical buildings and road layouts now lost to modern development. Much of the special architectural and historic interest of this area is experienced by the public from Whessoe Road. Conservation area designation would help protect (or even enhance) the character and appearance of this area, which is vulnerable to harmful future development (as seen elsewhere in the surroundings).

<sup>202</sup> Flynn 1989, page 107



**A4 – Signal House and Engine Shed.** The proposed extension area includes DCC’s proposal of 2022 as well as Signal House. The new boundary which is being proposed comprises the railway corridor, the plots including the former Signal House and Engine Shed buildings, and the corresponding stretch of Whessoe Road.

Signal House is first shown on the 25-inch OS map of 1896 with its angled southern elevation following the sidings from the main railway line to the Locomotive Works, and its eastern elevation along Whessoe Road. Its location suggests that it controlled the railway crossing as well as the switches in the surrounding area. To the southwest is the former S&DR Engine Shed built in 1861, which could accommodate twelve locomotives (see 3.3). Sited in the angle between the main railway line and the sidings serving Locomotive Works, it was soon absorbed into the latter and served a variety of roles<sup>203</sup>.



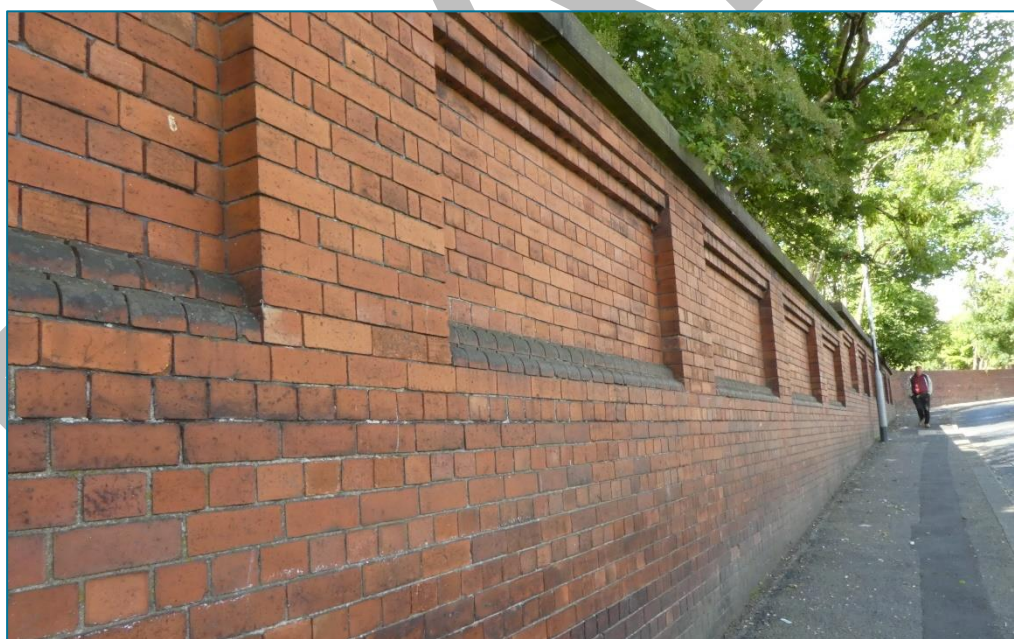
*Top:* The Engine Shed designed by William Peachey, which has just been restored for the 2025 S&DR bicentennial. The live railway line goes past behind the building to the left. *Bottom:* Signal house along Whessoe Road with the line of the former sidings along the left-hand gable wall (Photos © Gaby Rose, 2024)

This area justifies inclusion as it contains the 1861 Engine Shed, which was one of the last major structures built by the S&DR. Whilst Signal House post-dates the S&DR, it portrays clear evidence of a railway building as well as the line of the former sidings

<sup>203</sup> <http://www.railwayarchitecture.org.uk/Location/Darlington/Darlington.htm>

to the Locomotive Works along its southern gable. Much of the special architectural and historic interest of this area is experienced by the public from Whessoe Road, with Signal House being a landmark structure when approaching from the south. Conservation area designation would help protect (or even enhance) the character and appearance of this area, which is vulnerable to harmful future development (as seen elsewhere in the surroundings).

**A5 – Hopetown underpass.** The proposed extension area includes DCC’s proposal of 2022 as well as a stretch of main road. The new boundary which is being proposed comprises the railway corridor, Hopetown underpass including its short approach roads, a plot of land bordering the east of the railway line, and the corresponding stretch of Whessoe Road.



*Top: Hopetown underpass when approaching from Otley Terrace (Hopetown side). The low walling to the left is also traditional brickwork with stone copings. (Photo © Gaby Rose, 2024)*  
*Bottom: Distinct boundary walling along Whessoe Road with typical railway-construction-style recessed panels (Photo © Gaby Rose, 2023)*

The S&DR had originally provided a level crossing across their line at Hopetown for road traffic. However, as seen elsewhere along the main line, increasing use made this inconvenient so an underpass was dug out to connect Hopetown with Whessoe Road. A possibly late-Victorian photo shows a rubblestone retaining and parapet wall along the western side of the railway corridor, lined by a stone pavement, and what



looks to be a narrower underpass opening. These structures no longer exist as the corner was extremely acute and caused problems for traffic<sup>204</sup>. The improved underpass and road widening is first shown on the 25-inch OS map of 1913-14, which had required the demolition of early terraced housing along Alliance Street and at the top end of Hopetown Lane (now Otley Terrace). The date of the rebuilt pub in this location implies that these works had been carried out by 1909 (see below: A6). The plot of land to the east of the railway line, which is currently a salvage yard, belonged historically to the original engine house (1855 map) and then was part of the wider railway sidings complex (1896 map).

Although the surviving fabric and features mainly date from the early-twentieth century, this area justifies inclusion as it is clearly connected to the use of the historic railway and has largely retained its nineteenth-century layout. Much of the special architectural and historic interest of this area is experienced by the public from Whessoe Road, Otley Terrace and South Street. Conservation area designation would help protect (or even enhance) the character and appearance of this area, which is vulnerable to harmful future development (as seen elsewhere in the surroundings).

**A6 – Hopetown Lane and settlement.** The proposed extension area differs from DCC’s proposal of 2022; the omission of buildings along the western side of Hopetown Lane is explained at the end of this section. The new boundary which is being proposed comprises the triangular settlement planform at the top end of Hopetown Lane (now Otley Terrace) as well as the road stretch of Hopetown Lane/Otley Terrace, up to where it meets the existing Conservation Area boundary.



*Top:* Hopetown Lane looking north with [2] Stockton & Darlington Railway Carriage Works being a focal point to centre right. *Bottom left:* Early railway settlement planform along Anns Terrace (right) and Alliance Street with panelled brick boundary walling. The stone outbuilding along the back lane is visible on the left. *Bottom right:* The Railway Hotel of 1909 at the corner of Alliance Street (far right) with Otley Terrace. (Photos © Gaby Rose, 2024)

<sup>204</sup> Flynn 1988, photo 136



The 1855 map shows the origins of the Hope Town settlement at the top end of Hopetown Lane and along what is now Alliance Street. The buildings depicted fell victim to the road widening works in the early-twentieth century and no longer exist (see above: A5). However, the triangular layout formed between Hopetown Lane (Otley Terrace), Alliance Street and Bell Lane (now Brickburn Road) still survives. It is reasonable to assume that this triangular plot had been built up before further development was carried out in the surrounding area, and if so, these houses would be the earliest surviving ones of the Hope Town settlement. Besides the two terraces, the triangle also comprises the Railway Hotel of 1909 (i.e. the rebuilding of the pub shown on the 25-inch OS map of 1896, slightly projecting towards the road), an angled, scoria-paved back lane (pre-1896), brick boundary walling with recessed panelling along the northwestern side (built between 1896 and 1913/14), and, unusually, a two-storey stone outbuilding (built between 1896 and 1913/14).

Although the historical buildings are not of special architectural quality and have been subject to detrimental works, this area justifies inclusion as the triangular planform of the original settlement of Hope Town survives (historic interest). Moreover, the panelled brick boundary walling and rebuilt pub are associated with the improvement works to the railway underpass in c.1909. The full length of Hopetown Lane justifies inclusion as it gave access from Darlington to the early settlement as well as the Hope Town Foundry – all of which are the result of the arrival of the S&DR – and as it provides views onto the [2] Stockton & Darlington Railway Carriage Works. The special (architectural and) historic interest of this area is experienced by the public from Hopetown Lane/Otley Terrace, Alliance Street, Brickburn Road and the back lane behind the terraces. Conservation area designation would help protect and enhance the historical character and appearance of this area, which is vulnerable to further harmful development.

**A7 – Terraced housing and Railway Institute.** The proposed extension area includes DCC's proposal of 2022 as well as additional land to the north and south. The new boundary which is being proposed comprises the terraced properties of no.s 1-27 Whessoe Road as well as the street in front and back lane behind, the sheds to the rear/north (accessible from the retail park), and the Railway Institute on the junction with North Road.

The Railway Institute was designed by local architect John Ross and built by the S&DR in 1861<sup>205</sup>. It provided education and training for the railway workers, as well as a social function. A drawing from 1863 suggests that the terrace adjoining the Institute had existed by then, making it some of the earlier railway housing in Darlington (see 3.3). Today all the houses have been converted into small businesses. To the rear, a long back lane paved in scoria blocks ties the terraces together. The rear yards to the houses have all been demolished. To the north, the back lane is bounded by tall brick walling incorporating structures which are shown on the 25-inch OS map of 1913/14. These belonged to the Locomotive Works established in 1863 (see above: A3). The map suggests that the sheds were mainly accessed from the rail track next to it.

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<sup>205</sup> <http://www.railwayarchitecture.org.uk/Location/Darlington/Darlington.htm>



*Top: Sheds originally belonging to the Locomotive Works, west end. Centre top: Scoria-paved back lane with sheds to the left and terraces to the right; note the loss of the rear yards. Centre bottom: The terraces have all been converted into small businesses, as evident by the use of roller shutters throughout. Bottom: The Railway Institute of 1861 is a landmark building at the corner Whessoe Road with North Road; contemporary terraces are attached to the left. (Photos © Gaby Rose, 2024 & 2023 for centre top)*

This area justifies inclusion as it contains surviving structures of the former Locomotive Works, which were largely demolished following their closure in 1966. Despite harmful modern alterations, the terraces are important representing some of the pre-1870 housing provided for railway workers. The Railway Institute is both of architectural and historic significance, as well as a landmark on a busy road junction. The special interest of this area is experienced by the public from the retail park's car park, Whessoe Road, North Road, the back lane behind the terraces and from inside the Institute, which has retained its social function. Conservation area designation would help protect and enhance the historical character and appearance of this area, which is vulnerable to harmful future development.

**A8 – Site of goods station.** The proposed extension area includes DCC's proposal of 2022 (railway corridor only) as well as further land to the north. The new boundary which is being proposed comprises the railway corridor to north of the station, Bonomi Way, and the triangular plot bounded by North Road, Whessoe Road and Bonomi Way.

The 1896 OS map shows the location of the triangular plot and Bonomi Way (the latter did not exist back then and has been named after the [7] Skerne Bridge's architect) to be the site of the Hopetown Goods Station (see 3.3). There was no railway corridor at the time but a multitude of tracks forming the main line and sidings. The recent construction of the Darlington Locomotive Works along the main line has just been completed and is accessible to the public for free. The new building also houses the A1 Steam Locomotive Trust.



Bonomi Way, looking west, with the new Darlington Locomotive Works to the left. (Photo © Gaby Rose, 2024)

Despite the construction of Bonomi Way, which dissected the historical site, this area justifies inclusion as the shape of the former Goods Station plot has been retained (historic interest). The site, which currently includes a vacant, modern industrial building, may still contain archaeological interest with regards to its former Goods Station use. The railway corridor including the new building are directly linked to the live main line. The special historic interest of this area is experienced by the public from inside the new Darlington Locomotive Works, as well as Bonomi Way, Whessoe Road and North Road. Conservation area designation would help protect (or even enhance) the character and appearance of this area, which is vulnerable to harmful future development (as seen elsewhere in the surroundings).

**A9 – Terrace along North Road.** The proposed extension area is not included in DCC's proposal of 2022. The new boundary which is being proposed comprises nos 38-108 North Road as well as the corresponding stretch of street in front (west side) and the



short lane to the north, and the northern section of the curved stone retaining wall leading to [6] Railway Viaduct on its eastern side (retail park).

No.s 38-108 North Road are first shown on the 1896 maps. There used to be further terraces to the east and south of it which no longer survive; only those to the north of it do. The back lane to no.s 38-108 does not exist anymore either, but a short scoria-paved lane with stone kerbing along the northern gable wall remains. The curved stone retaining wall leading to [6] Railway Viaduct is not shown on the historic maps and post-dates the demolition of the former terraced housing in this location.

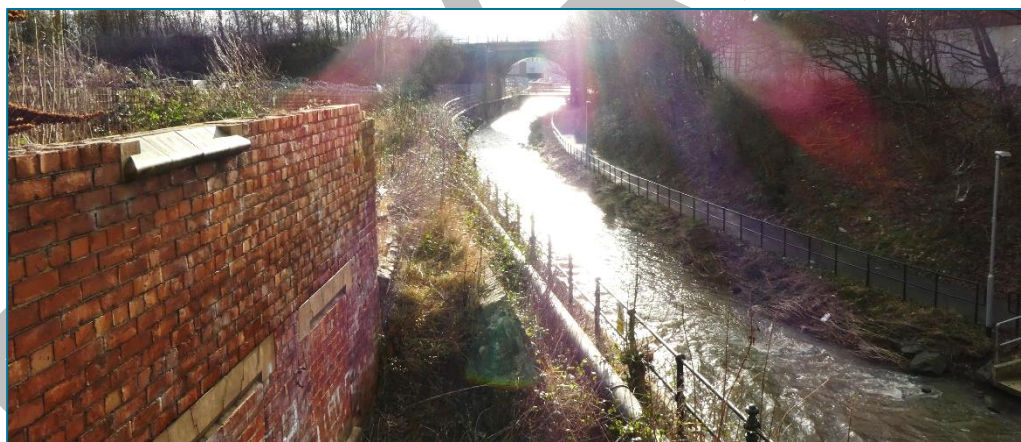


*Top: Terrace along North Road viewed from the south. Centre: Terrace viewed from the north. Bottom: Scoria-paved lane with stone kerbing; also note historical door surround to the right. (Photos © Gaby Rose, 2024)*

Although the terrace is not of special architectural quality and has been subject to detrimental works, this area justifies inclusion due to the spatial relationship that it forms with the row on Whessoe Road (see above: A7) and the former Goods Station site (see above: A8) (historic interest). Some original details do survive on the building as well as the scoria-paved lane to the north. The terrace is one of the few

survivors in the immediate station area in this location, where much of the historical grain has been erased by modern development. Whilst the retaining wall is of no historical merit, most of it is already part of the Northgate Conservation Area. Moreover, it matches the ashlar stonework of the [6] Railway Viaduct and channels the view onto the listed bridge. The special architectural and historic interest of this area is mainly experienced by the public from North Road. Conservation area designation would help protect and enhance the historical character and appearance of this area, which is vulnerable to further harmful development.

**B – Setting of [7] Skerne Bridge and Albert Road Bridge.** The proposed extension area includes DCC’s proposal of 2022 as well as further land to the east and west, and the road bridge to the north. The new boundary which is being proposed comprises the river Skerne and its embankments up to Albert Road, including the ruin of an old building, and the Albert Road Bridge.



*Top: View from footpath along the river Skerne to Albert Road Bridge, with the original structure partially concealed behind the later one. The ruined brick building can be seen on the right. (Photo © Gaby Rose, 2023) Bottom: View from Albert Road Bridge (through mesh panelling) onto the proposed extension area, with the brick building on the left and [7] Skerne Bridge in the background (Photo © Gaby Rose, 2024)*

Albert Road Bridge is first shown on the 1896 OS map, providing an essential link between North Road and the steel and iron works along Cleveland Street (see below: C3). The historical bridge has been extended by the addition of a later structure to the south. To the southeast of the bridge is a small brick building with stone lintels, now ruined, which is first shown on the 1913/14 OS map. It may have had some sort of weighing function, judging from the ‘W.M.’ (Weighing Machine) on the map. A photo of [7] Skerne Bridge taken in August 1948 shows the later bridge and the small building (intact) in the background.



This area justifies inclusion as it contains the immediate setting of [7] Skerne Bridge (already within the Northgate Conservation Area) and the original bridge which connected the heavy industrial area, which settled due to the arrival of the railway, with Darlington town by road. The special architectural and historic interest of this area is experienced by the public from the foot/cycle-path along the west side of the Skerne and Albert Road Bridge. Conservation area designation would help protect (or even enhance) the character and appearance of this area.

**C1 – Site of gas works.** The proposed extension area includes DCC’s proposal of 2022 as well as further land to the south. The new boundary which is being proposed comprises the brownfield site between John Dobbin’s View and the river Skerne (see 3.4: view 14), which is currently under construction for a surface carpark, and sites to the north of John Street: the Skerne, the foot/cycle-path along its western bank and the commercial plot to the east of the river.

On the 1855 OS map, the site between John Dobbin’s View and the Skerne depicts Darlington’s original gas works; the land to the east of the river appears to have been in agricultural use. The 1896 map shows the gas works extending into the current commercial site to the east of the Skerne and north of John Street. Today, besides a large modern industrial shed and office cabin, the site includes a traditionally constructed brick building with round-headed brick arches and is bounded by brick walling with recessed panels. The foot/cycle-path along the west of the Skerne is not shown on any historical maps; it was probably created following the demolition of the terrace along John Street, the Railway Mills and the gas works.



*Top: Stepped brick walling with recessed panels along south (John Street) and east boundaries of the commercial site. Bottom: View from John Street Bridge onto proposed extension area including traditional brick building in the background; [7] Skerne Bridge can just be glimpsed to the left of it. (Photos © Gaby Rose, 2024)*

This area justifies inclusion as it contains the immediate setting of [7] Skerne Bridge (already within the Northgate Conservation Area), including the brownfield site between John Dobbin’s View and the river, which used to be the original gas works location. The southern-most boundary line cutting through the former gas works site as proposed by DCC in 2022 does not exist on the ground or on historic maps and has therefore been discarded; instead, the whole former gas works site should be



included. The special architectural and historic interest of this area is mainly experienced by the public from John Street, the foot/cycle-path along the river, the commercial business, and Skerne Bridge Entrance, which is already inside the Northgate Conservation Area. Designation would help protect (or even enhance) the character and appearance of this area, which is vulnerable to harmful future development (as seen elsewhere in the surroundings). It is important that Dobbin's View ([see 3.4: view 11](#)) is not blocked by future development.

**C2 – Albert Hill Junction.** The proposed extension area includes DCC's proposal of 2022 (railway corridor only) as well as further land to the north. The new boundary which is being proposed comprises the former site of the sidings from the main line to Cleveland Street, which is currently in commercial use.

The 1855 OS map shows curved sidings departing from the S&DR main line to the South Durham Iron Works; at the time, Cleveland Street (originally a farm track) was not yet connected to North Road. The 1896 map shows more extensive sidings in this location serving the Albert Hill Foundry to the south of Cleveland Street and Darlington Forge to the north ([see below: C3](#)), which had taken over the South Durham Iron Works<sup>206</sup>. The term 'Albert Hill Junction' is given on the 1913/14 map.



View from Cleveland Street onto the former site of Albert Hill Junction; many of the sidings would have stopped short of the road, although others did cross it to serve the Darlington Forge. (Photo © Gaby Rose, 2024)

This area justifies inclusion as it is a historical site which is directly linked to the S&DR and the industrial expansion that followed it. On aerial photographs, the curved outline of the sidings is still evident. It is also possible that the site still contains archaeological interest. The special historic interest of this area is experienced by the public from Cleveland Street and the commercial business. Conservation Area designation would help protect (or even enhance) the character and appearance of this area, which is vulnerable to harmful future development.

**C3 – Darlington Forge and railway bridge.** The proposed extension area is not included in DCC's proposal of 2022. The new boundary which is being proposed comprises the buildings lining Cleveland Street to the north, the entrance to York Street, the former house at the street corner (currently a takeaway) and its rear building line (which cuts through the modern building to the east as it does not quite associate with the historical line of the former row), the railway bridge and associated walling, railings and steps, and the corresponding stretch of road.

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<sup>206</sup> Flynn 1989, page 109



*Top: Darlington Forge buildings along Cleveland Street, looking east. Centre left: Former house which was once part of a building row. Centre right: Brick retaining wall with stone copings and original iron railings on western approach to railway bridge. Bottom: Railway bridge looking west, with stone steps and Darlington Forge building in the background. Note the reduced track width of the bridge. (Photos © Gaby Rose, 2024)*

The 25-inch OS map of 1896 indicates that the railway bridge and associated walling, metal railings and steps to the west, and the former house at the corner of Cleveland Street and York Street are now the oldest surviving structures in this area. Prior to the construction of the railway bridge, there used to be a level crossing (as seen elsewhere in Darlington). As the area developed into a heavy iron and steel industrial site and Albert Hill (to the east) became a residential area, a bridge was required. The 1896 map depicts a wider structure than today due to the larger amount of track lines. The now detached house to the south of Cleveland Street is shown on the map

to be part of a building row. It is not quite clear whether these were in residential use due to their location directly opposite the industrial works, but the back lane to the rear (which is no longer extant) suggests so. There used to be further building rows in this area, of which no physical evidence seems to survive.

The 1913/14 map shows what may have been an office building for the Darlington Forge to the north of Cleveland Street, adjacent to the east of the sidings just over the road from Albert Hill Junction (see above: C2). It is constructed in brick and includes fine stone detailing. It is not clear whether the small building shown on the map to the west of the sidings is the current one in this location. All the surviving buildings along the north side Cleveland Street seem to be depicted on the 1939 map and were part of the Darlington Forge complex, which closed in 1963<sup>207</sup>.

This area justifies inclusion as it is clearly a very important remnant of the industrial expansion that followed the arrival of the railway, which was ideally located at a major rail cross junction (see below: C5 & C6). The former office building and large industrial building have additional architectural interest, with the latter also having a significant road-side presence and landmark function. The house to the south is the sole survivor of one of the building rows that used to be in this area and includes original features. The special historic interest of this area is experienced by the public mainly from Cleveland Street. Conservation Area designation would help protect (or even enhance) the character and appearance of this area, which is vulnerable to harmful future development (as seen elsewhere in the surroundings).

**C4 – Site of relocated coal depot.** The proposed extension area includes DCC's proposal of 2022 (railway corridor only) as well as further land to the south. The new boundary which is being proposed comprises a largely empty plot of land to the north of East Mount Road.

By the time the coal and lime depot at Northgate Bridge closed in 1873 (see 3.3), a much larger coal depot had been provided to the north of Upper John Street (now East Mount Street). The 25-inch OS map of 1896 shows extensive sidings from/to the major railway cross junction as well as a weighing machine (W.M.).

This area justifies inclusion as it is the direct successor to the original coal depot at Northgate Bridge, the location of which is already inside the present Conservation area. The distinct boundaries of the historical site are still clearly readable, and there is likely to be some archaeological interest, as the land seems to have been largely undeveloped following the removal of the depot's tracks and buildings in the second half of the twentieth century (only a small part is currently occupied a car wash and valeting centre). The special historic interest of this area is experienced by the public from the north of the junction of John Street and East Mount Road, the car wash and the back lane behind nos 112-126 East Mount Road, which includes a tall brick retaining wall to the former depot site. Conservation Area designation would help protect (or even enhance) the character and appearance of this area, which is vulnerable to harmful future.

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<sup>207</sup> Flynn 1989, page 109





*Top: View from north of junction of John Street and East Mount Road, looking east. Bottom: Retaining wall behind nos 112-126 East Mount Road, with former depot site behind the fence (Photos © Gaby Rose, 2024)*

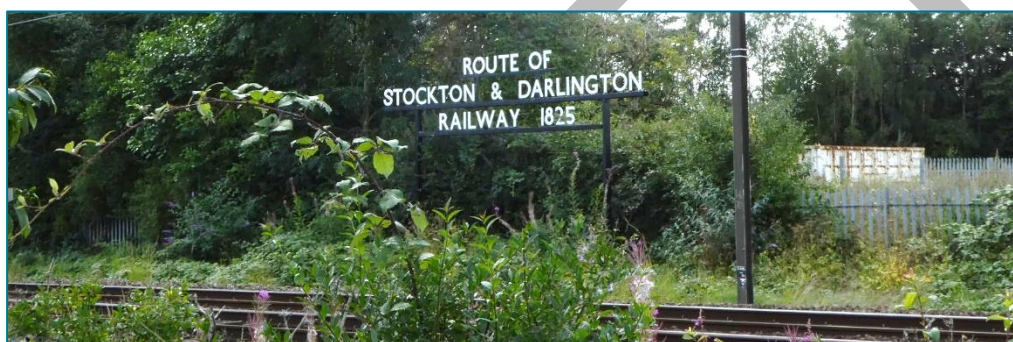
**C5 – Croft branch and S&D Crossing.** The proposed extension area includes DCC's proposal of 2022 as well as further land to the north and south. The new boundary which is being proposed comprises the location of the former track bed of the S&DR immediately to the west of the S&D Crossing (no longer extant), a stretch of railway corridor to the north including the grade-II-listed sign that marks the former crossing, the curved live railway line of the former Croft branch, and the grade-II-listed, now converted engine shed to the southeast of the former crossing.

The Great North of England Railway (GNER) operated the route between York and Darlington between 1841-46; the line included the former Croft branch of 1829 which they had purchased from the S&DR (see 3.3). The opening of the Newcastle & Darlington Joint Railway in 1844 included a level, perpendicular crossing of the S&DR to the north-northeast of Darlington, known as S&D Crossing<sup>208</sup>. The GNER built an engine shed designed by George Townsend Andrews in this location in the same year<sup>209</sup>. The 1855 OS map depicts the building in the southeastern quarter of the crossing, with the curved track of the former Croft branch to the west. It also shows a curved, two-point junction between the York-to-Berwick line (from Bank Top) and the S&DR (heading towards Fighting Cocks), to the east of the engine shed (see below: C6). The 25-inch OS map of 1896 depicts a signal box between the engine shed and the crossing, which is no longer extant. By that time, the crossing had been expanded into a major junction. In 1937, the London North Eastern Railway installed a trackside sign in celebration of their connection to the S&DR to the north of the S&D Crossing, marking the progress for south-bound passengers along their

<sup>208</sup> Darsley, Lovett 2023, 'S&D Crossing'

<sup>209</sup> <http://www.railwayarchitecture.org.uk/Location/Darlington/Darlington.htm>

journeys<sup>210</sup>. By 1988, S&DR line had been completely removed from the crossing<sup>211</sup>. Today, the converted engine shed is surrounded by a more recent housing development, which confuses the interpretation of its historical setting.



*Top:* Former GNER engine shed, now converted into flats and located within a residential area. *Bottom:* 'Route of the Stockton & Darlington Railway' trackside sign next to live tracks of the former Darlington-to-Newcastle line. (Photos © Gaby Rose, 2023)

This area justifies inclusion as it marks – no longer by track lines but by a historical sign – the approximate location of the historic S&D Crossing. It is possible that the land to the west, which seems largely undeveloped, has some archaeological value. The area also includes the former Croft branch where it departed from the main S&DR line, which is still a live railway track. Whilst the engine shed does not form part of the history of the S&DR, it should be included due to its location at the former S&D Crossing. The special architectural and historic interest of this area is experienced by the public from The Sidings and Haughton Road Bridge (see below: C7). Conservation Area designation would help protect (or even enhance) the historical character and appearance of this area, which is vulnerable to harmful future development (as seen elsewhere in the surroundings).

**C6 – Parkside junction.** The proposed extension area is not included in DCC's proposal of 2022. The new boundary which is being proposed comprises nos 123-165 Haughton Road, the former Vicarage to the south of Haughton Road (B6279), a few modern properties in the angle between The Sidings and Haughton Road, and the corresponding road stretch along the B6279.

<sup>210</sup> <https://historicengland.org.uk/listing/the-list/list-entry/1476475>

<sup>211</sup> Darsley, Lovett 2023, 'S&D Crossing'





*Top:* Semi-detached houses possibly dating from the 1930s, with unusual front extensions. *Centre:* The terrace of former railway housing appears little altered. The modern building to the right is of no interest. Note the former higher road level. *Bottom:* Vicarage to St James church now derelict with tall retaining wall due to former lower road levels. Incongruous modern development in its immediate surroundings. (Photos © Gaby Rose, 2024)

The surviving curved line of the housing plot represents the former two-point junction between the York-to-Berwick line (from Bank Top) and the S&DR (heading towards Fighting Cocks) to the east of the former S&D Crossing (see above: C5), as depicted on the 1855 OS map. Haughton Road is shown too and pre-exists the railway. The 25-inch OS map of 1896 shows the terraced properties (now no.s 145-



157) built on the curved piece of land between the railway junction and Haughton Road as well as the Vicarage (to St James to the northeast) across the road. It is understood that these had been built prior to the lowering of the road levels to accommodate an underpass under the railway line to Fighting Cocks (no longer extant). The semi-detached houses, which have unusual front-facing gabled extensions, are first shown on the 1939 map. All other buildings are modern and of no interest. The development along The Sidings has erased the curved boundary of the former railway junction in this location.

This area justifies inclusion as much of the line the former two-point junction between the York-to-Berwick line (from Bank Top) and the S&DR (heading towards Fighting Cocks) still survives. Moreover, the railway terrace and Vicarage are also of architectural interest. The special architectural and historic interest of this area is experienced by the public from The Sidings and Haughton Road. Conservation Area designation would help protect (or even enhance) the historical character and appearance of this area, which is vulnerable to further harmful development.

**C7 – Haughton Road Bridge.** The proposed extension area is not included in DCC's proposal of 2022. The new boundary which is being proposed comprises Haughton Road Bridge.

Haughton Road would have originally crossed the Croft branch of the S&DR in 1829 (see 3.3), probably with a level crossing. It is unknown to the author when a bridge was provided over the railway line. The road levels on the 1855 map suggest that it was already in place by then, at that time crossing the York-to-Berwick line. The parapet is constructed in ashlar sandstone with (later?) triangular copings. The bridge structure was not inspected by the author. A later pedestrian-and-cyclist bridge has been added to the southeast of the historical bridge.



Haughton Road Bridge, looking southwest. The curved metal structure of the later bridge can be seen on the left. (Photo © Gaby Rose, 2023)

This area justifies inclusion as it marks the crossing of Haughton Road over the former Croft branch. The bridge may be an early railway structure and include features of interest. The special architectural and historic interest of this area is experienced by the public mainly from the bridge. There are no views from the old

bridge, and no public views onto it. Conservation Area designation would help protect (or even enhance) the character and appearance of this area.

**D – Minor adjustment.** The proposed extension area is not included in DCC's proposal of 2022. The new boundary which is being proposed comprises a small piece of land to the east of 2 High Northgate (already inside the Northgate Conservation Area) which is part of the property, as shown on the 25-inch OS map of 1896. This area justifies inclusion as it completes the historical plot and tidies up the boundary line in this location. There are generally no public views of this area, which is concealed behind tall gates and a building extension. Conservation Area designation would help protect (or even enhance) the historical character and appearance of this area, which is vulnerable to further harmful development.



The proposed new area is concealed behind the tall timber gates and single-storey extension, and is part of the historical plot of 2 High Northgate, which is the rendered building to the right. (Photo © Gaby Rose, 2024)

**E – Corporation Road school, church and housing.** The proposed extension area is not included in DCC's proposal of 2022. The new boundary which is being proposed comprises the remainder of Corporation Road with the terraced housing to either side and their corresponding back lanes, the school including its outbuildings and back lane, and the Darlington Baptist Church including its side lane.

The 1896 map shows Corporation Road and some of its terraced properties (presumably under construction at the time) and the main/central school building as well as outbuildings to the rear. The foundation stone of the Baptist church was laid in November 1904. The 1913/14 map shows the planform of the area very similar to today, although there have been some new buildings/extensions to the church and school as well as the loss of some smaller buildings since then. When on site, it is apparent that the church and school are fine examples of architecture, with much of their original character and appearance retained, as well as their scoria-paved back/side lanes. The school still has some of its historical brick boundary walling with stone copings and iron fencing to the front and outbuildings along the tall boundary wall to the rear. The two brick terraces have shallow front gardens (although much altered) and scoria-paved back lanes. Although many properties have been negatively impacted by harmful development (e.g. modern renders, uPVC windows and doors), much architectural interest survives, such as the use of polychromatic brickwork, prominent chimney stacks, original dormer windows with finials, elaborate eaves detailing, and moulded stone lintels including hood moulds to the doors.





*Top left:* Darlington Baptist Church of 1904 including polychromatic brickwork and fine architectural detailing. *Top right:* Scoria-paved side lane with church to the right. *Centre top:* Main school building and east wing with distinct curved gable designs and landmark central 'tower'. *Centre bottom:* Scoria-paved back lane to school bounded by brick outbuildings along tall walling; east wing to the left. *Bottom:* Terraced houses with shallow front gardens along Corporation Road, looking west. Note the rhythm created by the bay windows, original dormers and chimney stacks. (Photos © Gaby Rose, 2024)



This area justifies inclusion as it forms part of the nineteenth-century, residential development around Lodge Park (which is already inside the Northgate Conservation Area). Moreover, the church and school buildings are clearly of architectural interest. The terraces also retain elements of interest and complete the remainder of Corporation Road which is already inside the Conservation Area boundary. The special architectural and historic interest of this area is experienced by the public mainly from Corporation Road, Thornton Street, Easson Road, Bartlett Street, Wilkes Street and the back/side lanes. Conservation Area designation would help protect and enhance the historical character and appearance of this area, which is vulnerable to further harmful development.

**F – Back lane behind North Lodge Terrace.** The proposed extension area is not included in DCC’s proposal of 2022. The new boundary which is being proposed comprises the missing western half of the scoria-paved back lane behind North Lodge Terrace. This area justifies inclusion as currently only the eastern part of the lane is included within the Northgate Conservation Area. However, this lane needs to be treated as ‘a whole’ in order to retain its character and appearance. The special architectural and historic interest of this area is experienced by the public from Gladstone Street, Elmfield Terrace and the back lane itself. Conservation Area designation would help protect and enhance the historical character and appearance of this area, which is vulnerable to further harmful development.



Back lane to rear of North Lodge Terrace, looking north; note the original shuttered openings to both sides. The rendered wall further on to the right has a harmful impact on the historic character of this lane. (Photo © Gaby Rose, 2024)

**G – Kendrew Street.** The proposed extension area is not included in DCC’s proposal of 2022. The new boundary which is being proposed comprises land between St Augustines Way (A68, inner ring road), Kendrew Street West carpark, Gladstone Street and Northgate.

John Kendrew (1748-1800), after whom the street was named, was a weaver who had lived around here as a child. He adapted the Spinning Jenny for the spinning of flax for linen. The 1855 OS map shows the land north of Kendrew Street including the open-air swimming baths built in 1851, in the location of the current Kendrew Street East surface carpark. They were roofed over in 1889 and demolished in 1983<sup>212</sup>. To

<sup>212</sup> Flynn 1988, photo 54

the east of the baths is a corner building which still survives (now Holly Street and no.s 8-9 Kendal Street); it is the oldest surviving heritage asset in this area. The map depicts further buildings of similar scale to the east up to Northgate and gardens to the north. By 1896 (25-inch OS map), the gardens had been lost and the area further built up. The (now commercial) building range to the north of the corner building still survives and includes a carved stone plaque 'D.B.Q.C. 1879' of the Darlington Quoit Club (visible from the north end of Holly Street). The inscription may have been relocated here as the map shows a club along Northgate, in the current location of Northgate House. To the west of the public baths, Queen Street had been completed; this is now the access lane into the carpark. The 1913/14 map shows the newly constructed Gladstone Street and further building up of the area. The construction of the dual-carriageway inner ring road in the approximate location of Kendrew Street between 1969 and 1973 (see 3.3), the demolition of the swimming baths and other old buildings, and the construction of Northgate House caused major harm to this historical area and wider surroundings.



View across ring road looking northeast. The corner building (Holly Street and no.s 8-9 Kendal Street) is the oldest surviving heritage asset in this area. The grey building to the left includes the 1879 Quoit Club inscription, in the location of the yellow van. Behind it, [L] Central Secondary School can be glimpsed. Northgate House, to the right, is completely out of scale and not in keeping with the surrounding architectural language. (Photo © Gaby Rose, 2024).

This area justifies inclusion due to its association with the pre-railway textile industry (John Kendrew). It also retains a pre-1855 building and another nineteenth-century complex. The historical road layout is still fairly readable, despite the damage caused by the ring road and car park. The special architectural and historic interest of this area is experienced by the public mainly from St Augustines Way (A68, inner ring road), Kendrew Street West carpark, Gladstone Street and Northgate. Conservation Area designation would help protect and enhance the historical character and appearance of this area, which is very vulnerable to further harmful development.

#### **Areas that had been considered for inclusion but have been omitted for the following reasons:**

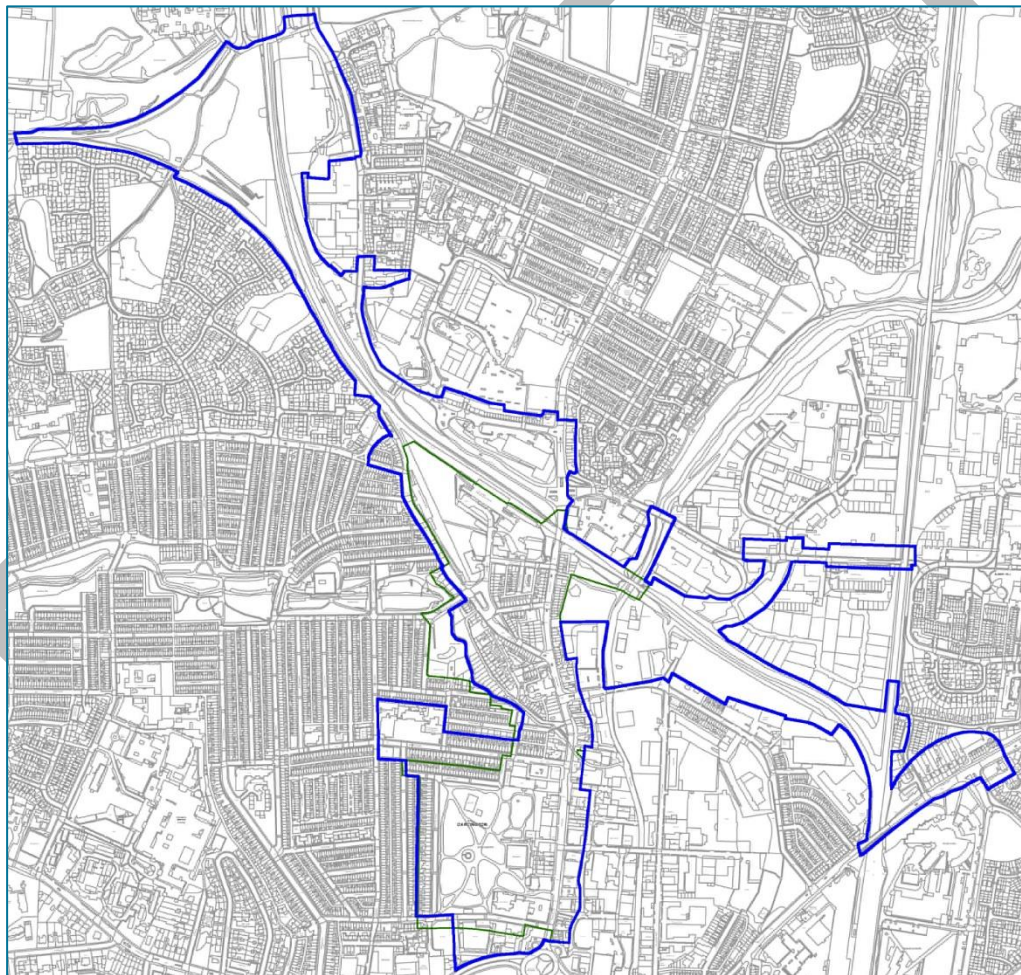
- Buildings along Hopetown Lane to the south of the early triangular settlement (see above: A6), as proposed by DCC: The development pattern along Hopetown Lane is not linear but in blocks, so if any further plots were included, it would need to be the entire blocks (historical grain). However, it has been considered that too much of the architectural interest has been eroded in these parts, and that they are not as historically significant as the triangular plot to the north.



- Weaver's Way and Dobbin John Dobbin Road: Whilst both road names are associated with the artist, the routes are modern and not in keeping with the historical grain in this area. Note that the historical route of Weaver's Yard (to the east of Weaver's Way), where John Dobbin was born, has largely been demolished (see 3.6).
- Garden Street carpark: Garden Street, first shown on the 1896 OS map, was named after the gardens of Edward Pease which were located here, behind [13] 138-148 Northgate. They ran down to the river Skerne where they joined the grounds of East Mount, home of Edward's eldest son John. A rustic bridge led over the watercourse to an orchard, and this valley was nick-named Pease-full Valley<sup>213</sup>. Unfortunately, the historical grain in this area has been largely destroyed by modern development (see 3.2).

### 5.3 Proposed New Boundary

The map shows the proposed new boundary for the Conservation Area, which will be renamed to: **Stockton & Darlington Railway: Northgate Conservation Area**.



Proposed Stockton & Darlington Railway: Northgate Conservation Area boundary in blue (Northgate Conservation Area boundary line **at the time of review**, as adopted in July 2003, in green). (Map© Crown copyright and database rights 2023 Ordnance Survey 0100023728. Licence Number 100023728 2024. Graphics by Gaby Rose)

<sup>213</sup> Friends of the Stockton & Darlington Railway & Archaeo-Environment Ltd 2016, page 16



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## 6.0 Adopted New Boundary

This section will be provided following the public consultation period.

On DATE Darlington Borough Council adopted the amended boundary for the renamed *Stockton & Darlington Railway: Northgate Conservation Area*, as shown below.

Evaluation of feedback from public consultation

DRAFT

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Please note that any information retrieved from Darlington Borough Council 2007 has not been referenced in the text.

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Darlington Borough Council – Planning: <https://www.darlington.gov.uk/environment-and-planning/planning/planning-application-and-permission/>

Darlington Borough Council – Stockton & Darlington Railway:  
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Darlington Borough Council – Towns Fund: <https://www.darlington.gov.uk/business-and-licensing/business/town-centre/the-towns-fund/>

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Friends of Darlington Railway Centre: <https://www.friendsofdrpm.org/>

Friends of North Lodge Park: <https://northlodgeparkdarlington.weebly.com/friends-group.html>

Friends of the Stockton & Darlington Railway: <https://www.sdr1825.org.uk/>

Historic England – National Heritage List for England:  
<https://historicengland.org.uk/listing/the-list>

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North Eastern Locomotive Preservation Group: <https://www.nelpg.org.uk/>

North Eastern Railway Association: <https://ner.org.uk/>

Planning Portal: <https://www.planningportal.co.uk/permission>

The A1 Steam Locomotive Trust: <https://www.a1steam.com/>

The North Eastern Locomotive Preservation Society: <https://nelpg.org/>

The Northern Echo: <https://www.thenorthernecho.co.uk/>

Whessoe Engineering Limited: <https://whessoe.co.uk/>



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**CABINET**  
**10 SEPTEMBER 2024**

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## **REVISION TO THE COUNCIL'S SENIOR MANAGEMENT STRUCTURE**

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**Responsible Cabinet Member -**  
**Councillor Steve Harker, Leader and all Cabinet Members**

**Responsible Director -**  
**Ian Williams, Chief Executive Officer**

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### **SUMMARY REPORT**

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

1. To propose a revised Senior Management Structure for the Council.

#### **Summary**

2. The report presents a revised senior structure which has been developed with input from Cabinet and responds to the recently announced retirement of the Chief Executive Officer and forthcoming planned retirements of the Assistant Director of Community Services, and the Assistant Director of Economic Growth.
3. The proposal is to replace the retiring Chief Executive (CEX), to replace the retiring Assistant Director of Community Services, with an Assistant Director for Environmental Services and Community Safety and to create the role of Executive Director of Economy and Public Protection following deletion of the Assistant Director Economy role. All three posts will be advertised and follow the normal Council approval process. The revised structure aligns to the Council's priorities.
4. It is proposed that the post of Assistant Director (AD) of Economy is to be redesignated Executive Director. Functions include current activity on Economic Growth, and Civil Contingencies along with additional Public Protection functions that had temporarily moved following an interim restructure of Community Safety in July 2024. Those additional functions being Licensing, Trading Standards, and Private Sector Housing. This redesignation reflects that the proposed CEX does not manage the economic portfolio.
5. For clarity with partners and to assist our external engagement work it is proposed that the Group Director titles are amended - for Operations be redesignated as Executive Director – Resources and Governance, for Services redesignated Executive Director – Environment, Highways & Community Services, and for People redesignated Executive Director of People.
6. Whilst the proposal does incur additional cost, it is felt the structure is right to move the Council forward at this juncture.

## Recommendations

7. It is recommended that:

- (a) The Senior Management Structure as set out in **Appendix A** is approved.
- (b) That a report be taken to Council to approve the proposed post of Executive Director of Economy and Public Protection.
- (c) The Assistant Director Law and Governance is delegated to make any consequential changes to the Constitution that are needed.

## Reason

8. The recommendations are supported to amend the structure.

**Ian Williams**  
**Chief Executive Officer**

## Background Papers

September 2024 Cabinet Report- Revision of the Council's Senior Management Structure

IW/TAB

Council Plan	Senior Structure to help deliver Plan
Addressing Inequalities	Increased focus from Senior Team
Tackling Climate Change	No direct impact as a result of this report
Efficient and Effective Use of resources	The structure aims to increase efficiency
Health and Wellbeing	No direct impact as a result of this report
S17 Crime and Disorder	No direct impact as a result of this report
Wards Affected	All wards are affected equally
Groups Affected	All groups are affected equally
Budget and Policy Framework	The recommendations can be accommodated within the existing MTFP
Key Decision	This is not an Executive decision
Urgent Decision	This is not an Executive decision
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

## MAIN REPORT

### Information and Analysis

9. The Council's existing Senior Management Structure was approved by Council in January 2021. Recently the CEX has announced his intended retirement for the spring of 2025 and Members should note the planned retirement of two Assistant Directors - Community Services and Economy. Therefore, the opportunity has been taken to work with Cabinet to review the structure acknowledging Cabinet's priorities for the future.
10. The existing structure is set out at **Appendix B** and Members will see this structure is based around four groups, with one of the Groups led by the CEX:-
  - (a) Head of Paid Service & Economic Growth – Led by the existing CEX.
  - (b) Operations – Led by the Group Director.
  - (c) People – Led by the Group Director.
  - (d) Services – Led by the Group Director.
11. The structure was established following the deletion of the Managing Director role and importantly created a Chief Executive post that combined the Head of Paid Service role with the Economy role. The CEX also leads on Partnerships and Civil Contingencies. All of the Director roles carry significant portfolio responsibility not often seen in other Local Authority (LA) structures. To illustrate:-
  - (a) Operations includes Finance, Law & Governance, Council Housing and Homelessness, Policy, Performance, , Human Resources, ICT and Systems, Communications and Revenues & Benefits;
  - (b) People include social care for Children and Adults, Education and Public Health;
  - (c) Services includes Capital Projects, Environmental Services, Highways & Transport, Leisure, Culture, Community Safety, Corporate Landlord and Building Services.
12. Senior Statutory roles within the structure are allocated as below :-
  - (a) Head of Paid Service – CEX;
  - (b) Monitoring Officer – Assistant Director Law & Governance;
  - (c) Chief Financial Officer – Group Director (Operations);
  - (d) Statutory Director of Children Services and Statutory Director of Adults Services – Group Director (People);
  - (e) Director of Public Health.



13. It is widely acknowledged by the Local Government Association and amongst LA network that Darlington Council has a very lean and lower cost senior management structure having reduced Senior Management costs by circa £2.4m per annum in the last two restructures. Attracting new talent to join the Council is required as set out in this proposal but equally the Council needs to nurture and retaining talent across all levels of the Council. Appropriate succession is always a key component of having a stable and effective wider management team going forward.
14. Further senior management reduction is not recommended, and the review of the existing structure has not therefore sought to deliver savings. It is believed that any further reductions would seriously undermine the ability to manage and deliver for the Council, at a time when demand and pressures have been increasing, and when Government has renewed expectation of delivery. The restructure has therefore concentrated on replacing retirees, provide senior capacity in priority areas, and improving service alignment. Importantly it does free up some capacity at a senior level to drive the MTFP, further efficiencies, new service delivery and more in-depth partnership working.
15. Generally across the board, our salary levels tend to be benchmarked in the lower quartile of equivalents but in the round this needs to be considered along with the positive culture and environment at the Council. This enables us to perform well, delivering good outcomes with the resources at our disposal and has helped us to retain staff at all levels. Attracting the right talent in the competitive marketplace is vital as is getting the balance of new recruitment to seamlessly integrate alongside the retention of our talented people. The embedding and further development of the right culture in the organisation is a key role of the incoming CEX and Executive Team.
16. The Council's recently agreed Council Plan highlights a strong focus on Partnerships and Economic Growth. The efficient use of resources and increasing focus on collaboration to address inequality are the key aspects addressed in the proposed restructure.
17. Set out in the next section of the report is the proposed structure.

### **Proposed Structure**

18. The structure has been developed with Cabinet input and takes into account that Council wants to foster increased collaboration and strengthened partnership working coupled with strong and sustainable economic growth. It is felt that recruitment for a CEX, who will be the Head of Paid Service without a specific portfolio, will give the Council the best opportunity to recruit at the calibre required and expands the field and breadth of potential candidates, but importantly also provides some CEX capacity to concentrate on increasing partnership working to reduce inequality and to support the Council's journey on balancing the MTFP. This approach will enable the postholder to take a strategic lead on ensuring the Council priorities permeate throughout the Council and its partners. The CEX role will also assume the role of Returning Officer and will be the designated Electoral Registration Officer.
19. With the retirement of the existing Assistant Director of Economy, the proposal is to replace with an Executive Director of Economy and Public Protection. This provides Director level capacity to continue Darlington's growth journey, and acknowledges that the new CEX post may not necessarily have a regeneration background. It is proposed the

CEX will not be the designated lead for the Economic Growth portfolio. It is also felt that recruiting someone at Director level to work on economy is appropriate given the above, and importantly that liaising with Tees Valley Combined Authority and Government over future growth strategy for the Tees Valley will play an increasing part in both Darlington and the Government's growth agenda.

20. The existing Assistant Director – Community Services role has responsibility for Environmental Services, Leisure and Culture which has come together based on the experience of the existing postholder, however it is unlikely that there would be a successful recruitment campaign for this heavy mix of areas. In order to have the best opportunity to recruit, the post to be advertised will be Assistant Director – Environmental Services & Community Safety with the Head of Culture and Head of Leisure reporting into the Executive Director.
21. It is also proposed that job titles are amended with the Group Director for Operations be redesignated Executive Director – Resources and Governance and the Group Director for Services be redesignated Executive Director – Environment, Highways & Community Services, and Group Director of People be redesignated Executive Director -People.
22. The revised structure of Joint National Committee Chief Officer roles is set out at Appendix A with the structure showing all direct reportees to Executive Directors at **Appendix C**.

### **Human Resource Implications**

23. It is proposed that adverts go out for the CEX, the Executive Director of Economy and Public Protection and the Assistant Director of Environmental Services and Community Safety roles for a start in the Spring of 2025.
24. The proposals set out in this report have been discussed with the Chief Officers Executive and the Chief Officers Board who are supportive of the proposal.
25. There is a requirement in the constitution that Council will approve the advertising of a new post where the salary package exceeds £100k. This applies to the proposed post of Executive Director of Economy and Public Protection. A report will be taken to Council to approve the recruitment to this role.

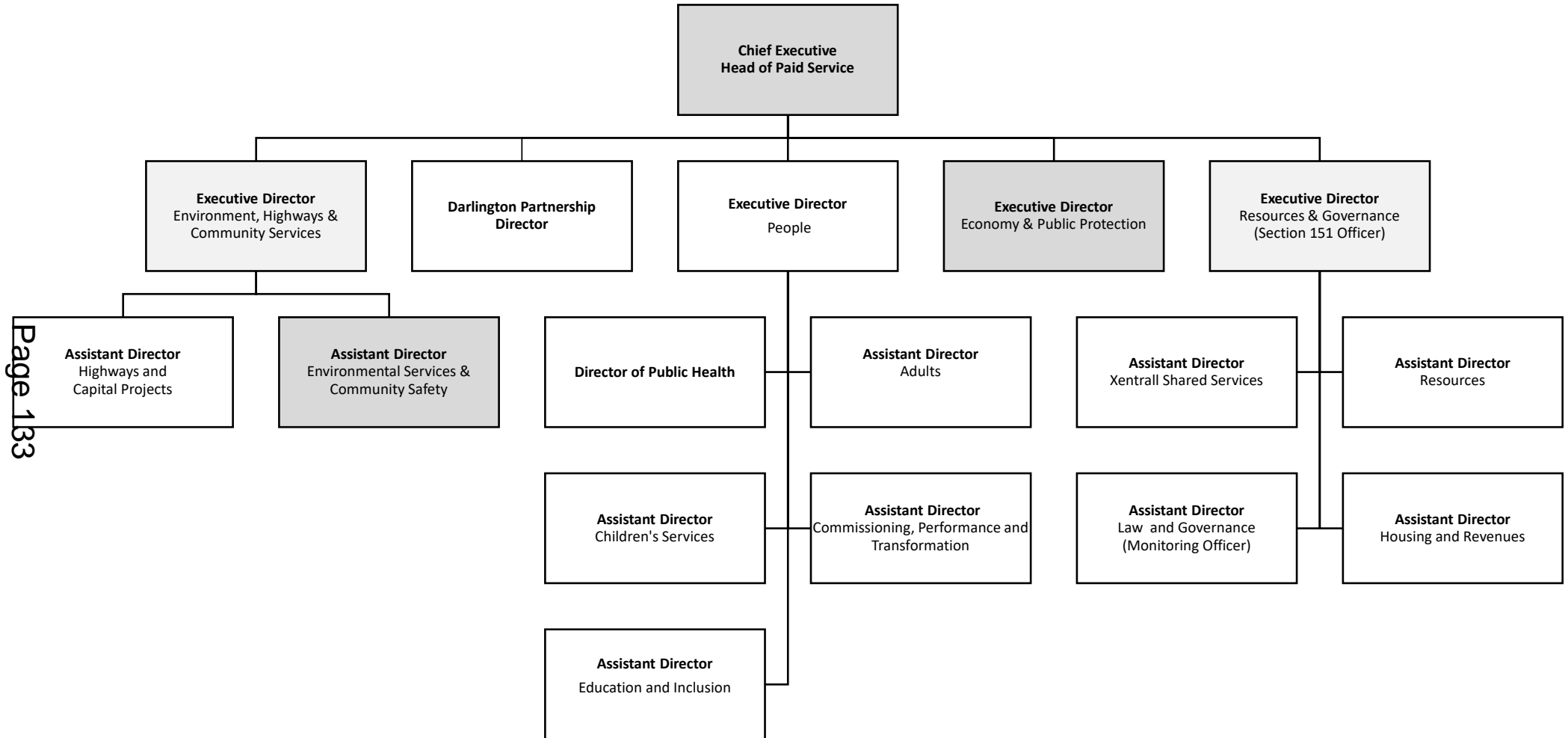
### **Financial Implications**

26. At the maximum of the grade the additional cost for this proposal is £25.6k.

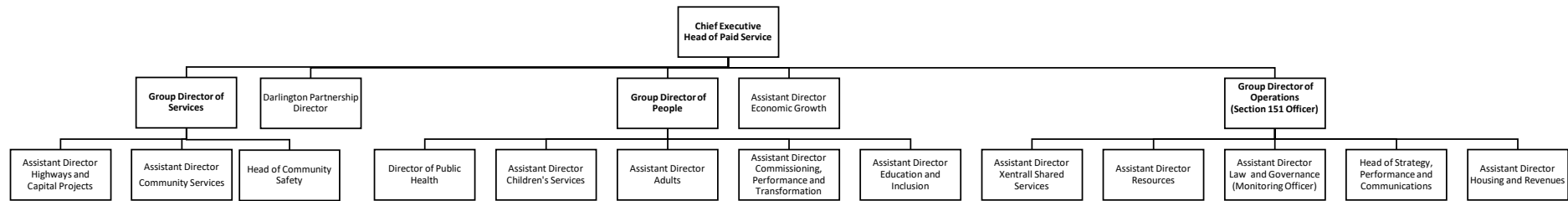
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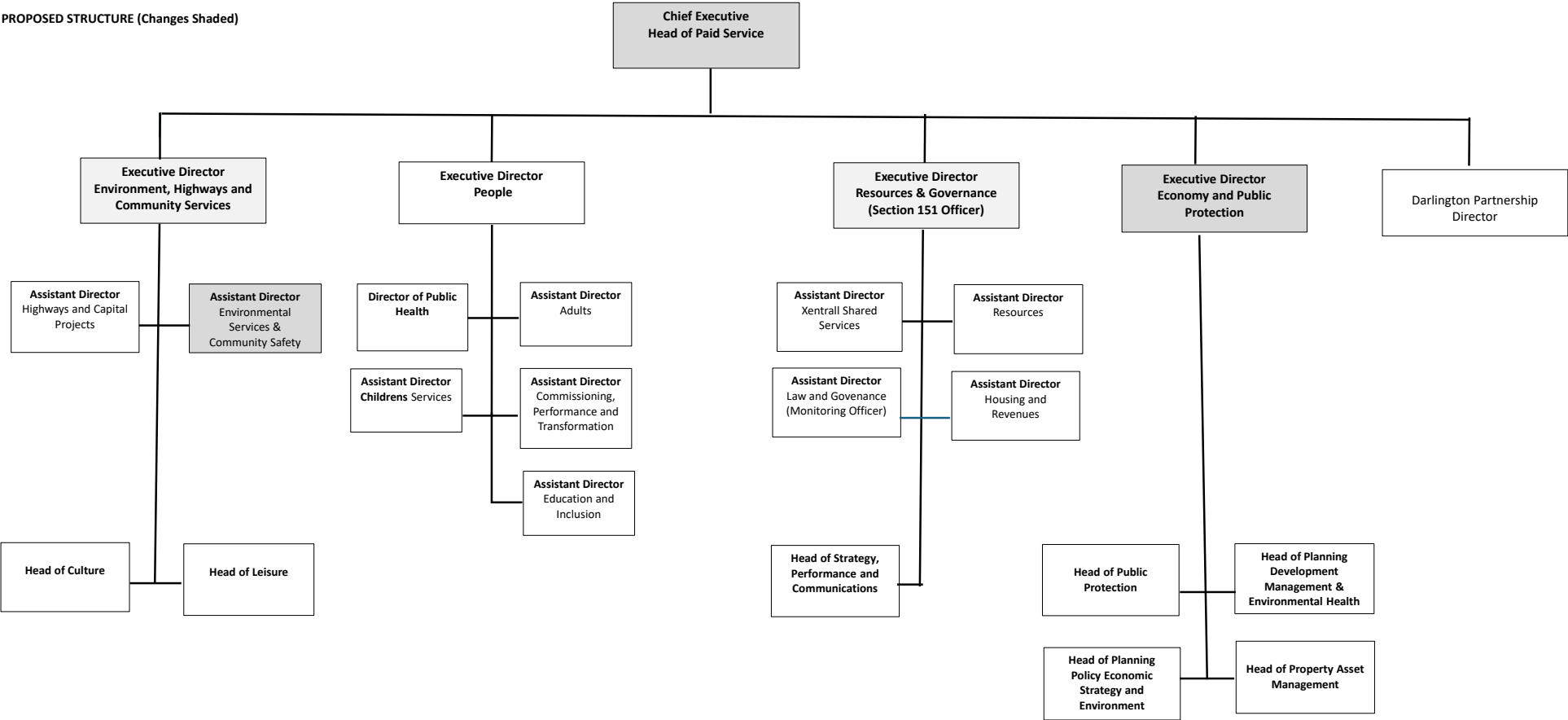
## APPENDIX A



This document was classified as: OFFICIAL



PROPOSED STRUCTURE (Changes Shaded)





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**CABINET**  
**10 SEPTEMBER 2024**

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**CLIMATE CHANGE PROGRESS**

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**Responsible Cabinet Member -  
Councillor Chris McEwan, Economy Portfolio**

**Responsible Director -  
Ian Williams, Chief Executive**

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**SUMMARY REPORT**

**Purpose of the Report**

1. To update Cabinet on progress towards the Council's net zero target.

**Summary**

2. Following Council elections in 2023, the Climate Emergency Declaration was re-affirmed, and the Council's carbon neutral target was brought forward to 2040. Further aims to increase engagement with residents and businesses were included with the intention of reducing wider borough emissions.
3. The Council's emission reduction trajectory has been amended to 40% reduction every five years. Council emissions for 2023/24 were 6,190 tonnes/CO<sub>2</sub>. The emissions we report are made up of the energy use in council buildings; business mileage; fleet emissions, and streetlighting and signs. We do not currently measure emissions from our supply chain or from waste.
4. Our carbon emissions for 2023/24 have reduced by almost 53% compared to our baseline emissions of 2010/11.
5. In 2023, the Sustainability and Climate Change Officer was invited to take part in a project to develop guidance for local authorities to report to Defra on adaptation progress. We are taking part in a subsequent trial for local authorities to report to the Secretary of State under the Climate Change Act's Adaptation Reporting Power.
6. Of the 109 actions reporting at the end of 2023/24, 91 are on track and 5 have been completed (see **Appendix A**).

**Recommendation**

7. It is recommended that Cabinet acknowledges the report.

## **Reason**

8. The recommendation is supported by the 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.

**Ian Williams**  
**Chief Executive**

## **Background Papers**

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

Margaret Enstone: Extension 6229



Council Plan	<p>This report reflects the Council Plan Core Principle in Tackling Climate Change.</p> <p>In turn, actions that we take for climate change impact on our Council priorities. For example, as we improve our council stock, we improve the quality of life for our residents, leading to better health outcomes, which in turns means fewer days of school (or work), improved educational attainment and better work opportunities.</p>
Addressing inequalities	Climate change affects everyone, but it has a disproportionate impact on areas of deprivation. This report demonstrates how we are addressing our own carbon emissions and resilience, giving us the ability to demonstrate through good practice what other people can do themselves
Tackling Climate Change	The Council has recognised the need to consider the carbon impact of the decisions it makes. This report is a progress report of our journey to reducing our carbon emissions and adapting our services to the unavoidable effects of climate change.
Efficient and effective use of resources	Our approach to reducing emissions will mean that resources are used more efficiently.
Health and Wellbeing	According to the WHO, climate change is the greatest threat to global health in the 21st century. This report is a progress report of our journey to becoming a carbon neutral council.
S17 Crime and Disorder	There is no expected impact on Crime and Disorder in Darlington.
Wards Affected	This report covers how the Council is addressing its own carbon emissions and resilience. It will not affect any particular ward.
Groups Affected	This report covers how the Council is addressing its own carbon emissions and resilience. It will not affect any particular group.
Budget and Policy Framework	This report does not recommend a change to the budget and policy framework
Key Decision	No
Urgent Decision	No
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

## MAIN REPORT

### Information and Analysis

- Following Council elections in 2023, the Climate Emergency Declaration was re-affirmed, and the Council's carbon neutral target was brought forward to 2040. Further aims to increase engagement with residents and businesses were included with the intention of reducing wider borough emissions. A further commitment to monitor the Council's supply

chain emissions was also added.

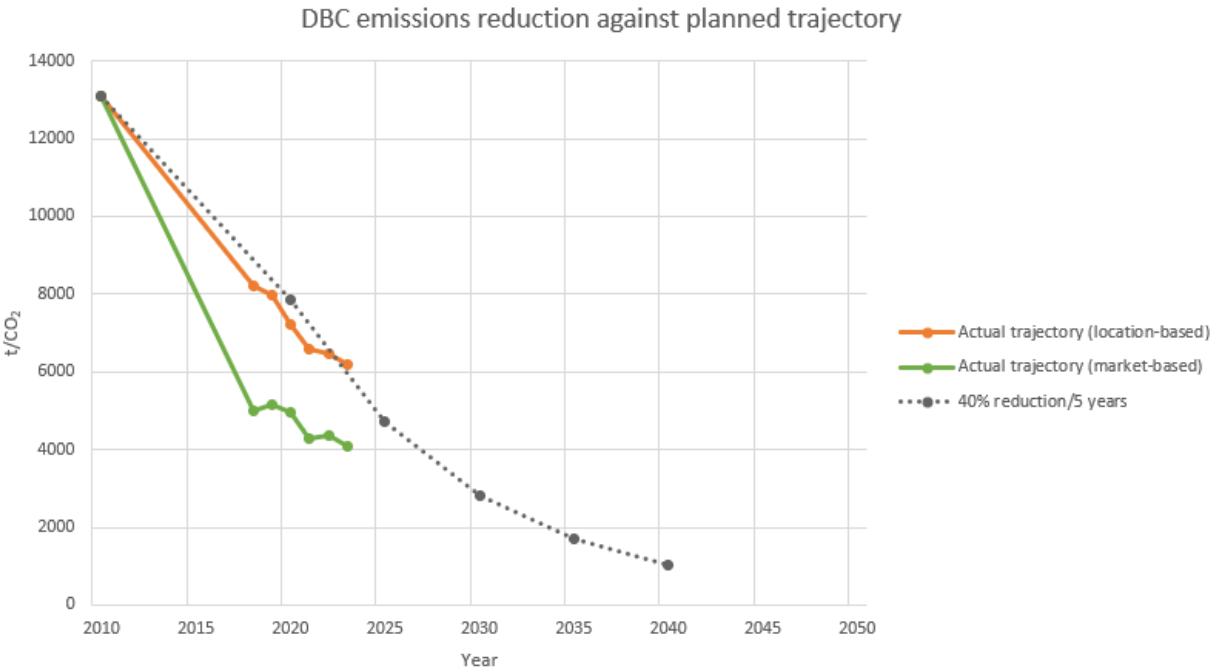
- 10. A new Climate Change Officer was recruited and joined the Council in January 2024. His focus is internal, working with teams to develop new carbon reduction projects and guiding existing actions in the climate change action plan to fruition.
- 11. The Council’s emission reduction trajectory has been amended to 40% reduction every five years. This trajectory will leave approximately 1000 tonnes of emissions to be offset. An offset strategy will be presented to Cabinet in October.
- 12. Emissions to date:

	2010/11	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
	t/CO <sub>2</sub>	t/CO <sub>2</sub>	t/CO <sub>2</sub>	t/CO <sub>2</sub>	t/CO <sub>2</sub>	t/CO <sub>2</sub>	t/CO <sub>2</sub>
Streetlighting	3,487	759	596	515	458	412	418
Corporate Estate	7,564	5,928	5,907	5,014	4,864	4,709	4,579
Business Travel	2,050	1,509	1,482	1,426	1,270	1,328	1,192
Total estimated working from home emissions/tCO <sub>2</sub> e during lockdown				125			
Total	13,101	8,196	7,985	7,080	6,592	6,449	6,190

- 13. Electricity generation from the solar panels on the roof of the Town Hall:

	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
	Generation	Generation	Generation	Generation	Generation	Generation
	kWh*	kWh	kWh	kWh	kWh	kWh
Total	1,008	7,846	8,597	9,015	9,028	12,720

- 14. Trajectory:



- 15. We report emissions as recommended by the Greenhouse Gas Protocol and show both location-based emissions, which use the average grid emissions that reflect the energy that we are using and market-based emissions, which take into account the zero carbon tariff that we have chosen. The emissions we report are made up of the energy use in

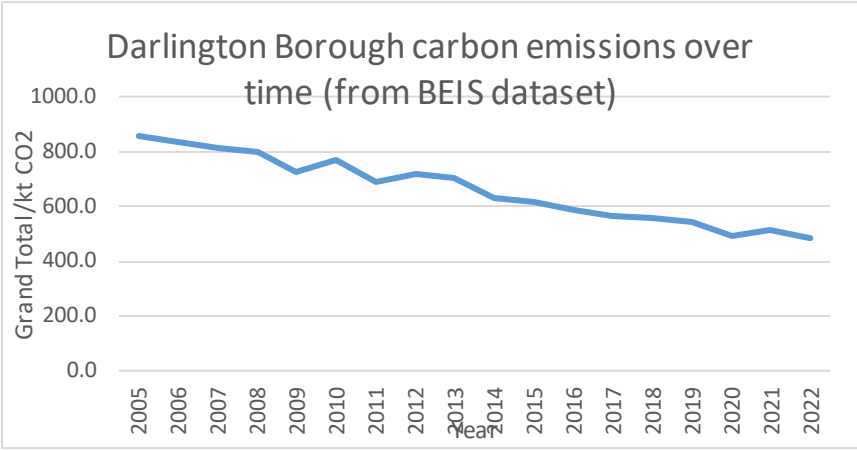
council buildings (not including council homes as we do not control how residents use the energy); business mileage; fleet emissions, and streetlighting and signs.

16. Reporting emissions from our supply chain is optional under the Greenhouse Gas Protocol and we do not currently measure these emissions. However, we have identified the suppliers within the highest carbon intensive industries and will be contacting them to find out what actions they are already taking to reduce their emissions.
17. Our carbon emissions for 2023/24 have gone down by almost 53% compared to our baseline emissions of 2010/11. Our emissions have lowered by 4% in 2023/24 from 2022/23.
18. Electricity consumption of streetlights has gone down by approximately 5%, saving 94,197 kWh and electricity consumption of council's corporate estate has lowered by approximately 4%, saving 289,843 kWh in 2023/24 as compared to 2022/23.
19. In past years, we have benefitted from a favourable conversion factor, converting kWh of electricity to carbon emissions. However, 2023/24 saw a greater proportion of natural gas used to generate electricity, so our electricity emissions (using the average grid emissions) are higher than last year.
20. There has been a 10% decline in our emissions from Business Travel. This is mainly due to an ongoing trial of HVO in some of our corporate fleet which has reduced the diesel consumption in this year, hence lowering the carbon emissions.
21. A 6% decrease in the carbon emissions from gas consumption in the corporate estate has been observed. This may be due to the pool closure at the Dolphin Centre for maintenance work, so we will watch to see if this is a temporary drop.
22. In 2023, the Sustainability and Climate Change Officer was invited to take part in a project to develop guidance for local authorities to report to Defra on adaptation progress. This work has culminated in a trial for local authorities to report to the Secretary of State under the Climate Change Act's Adaptation Reporting Power.
23. The Sustainability and Climate Change Officer is working with teams to complete the required risk assessment, against risks identified by the Climate Change Committee. This risk assessment and report must be submitted to Defra by December 2024.

#### **Borough wide emissions**

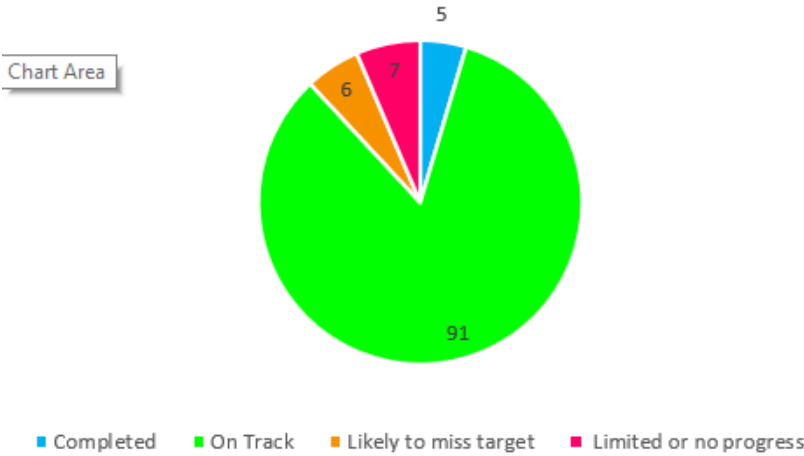
24. We monitor Borough emissions using government published figures. These are two-years in arrears, so the latest data relates to 2022. These show that Darlington is on a par with both the north-east average and the England average.





Climate change action plan

25. The Climate Change Officer has collated information on progress of actions in the climate change action plan.
26. At March 2024, 91 actions were on track, with five completed (see Appendix A). Thirteen actions were either likely to miss the target or have no progress. This is mostly due to capacity issues, with actions for the Dolphin Centre waiting on external assessment.



27. Highlights include:
- (a) A trial project using hydrogenated vegetable oil (HVO) to replace diesel in six of our refuse vehicles. HVO is a direct replacement for diesel, requiring no adjustments to vehicles, but producing significantly lower CO<sub>2</sub> emissions. In 2023/24, 70,640 litres of HVO fuel were purchased, producing carbon emissions of 3 tonnes. If we had used diesel in these trucks, the emissions would have been 175 tonnes.
  - (b) Around £3.3m of funding received across schemes for retrofit projects on council homes. Funding was matched with approximately £2.4m from the Housing Revenue Account. Further funding has been obtained through the Tees Valley Combined Authority to work with private landlords. Declarations have been provided for the government scheme ECO4FLEX for 178 properties.

(c) Measures include:

- (i) Loft Insulation
- (ii) Double Glazing
- (iii) External Wall Insulation
- (iv) Solar PV
- (v) Cavity Wall Insulation
- (vi) ASHP
- (vii) Heating Controls
- (viii) Low Energy Lighting
- (ix) High Retention Storage Heaters
- (x) Solar Thermal

- (d) Climate change adaptation has formally been incorporated in the Health Impact Assessment (HIA) and as mentioned previously, a risk assessment of all services is underway.
- (e) The Housing Services Climate Change Strategy was approved by Cabinet on 9 January 2024.
- (f) A seed swap station was successfully set up in the Crown Street Library, enabling residents to pick up seeds for free.
- (g) We have been invited and are taking part in a government trial for reporting on our actions to adapt to climate change.

**Climate change fund**

- 28. £100k was allocated in the Medium-Term Financial Plan to help fund projects that will help us meet our target. All funds are now spent or committed.
- 29. This year, we have provided and committed funding to:
  - (a) Thermal imaging cameras to aid in maintaining council homes.
  - (b) Supported a schools' competition as part of Northumbria in Bloom.
  - (c) Provided carbon literacy training for a Climate Champion.
  - (d) Supported the sustainability event held in June 2024.
  - (e) Cover the difference in cost between the usual diesel to fuel the refuse vehicles and the HVO for use in an extended trial.
  - (f) Funded a trial using solar panels on refuse trucks to reduce fuel use.
  - (g) Committed funding for an audit of the carbon sequestration potential of Council land.

## **Communications**

- 30. We have changed the name of the web pages from Sustainable Darlington to Climate Change and Sustainability. We have also moved it up the hierarchy so that it appears on the front page of the Council's website.
- 31. We continue to include a sustainability article in every One Darlington.
- 32. Our social media messaging across Facebook, Instagram and LinkedIn has reached more than 500,000.
- 33. Regular blogs are also published on the website.

## **Financial Implications**

- 34. A reserve fund allowing savings from projects to be set aside for investment in climate projects has been set up.

## **Legal Implications**

- 35. There are no legal implications, but with increasing public pressure to act on the threat of climate change, we must demonstrate how we will deliver on the motion commitments and protect the Council from future legal challenge.

## **HR Implications**

- 36. The report does not affect the terms and conditions of any staff or change their duties.

## **Estates & Property Advice**

- 37. The report does not affect the Council's land holdings or involve a lease, or license or any transfer or purchase of land.

## **Procurement Advice**

- 38. The report does not involve any purchase over £100k.

## **Equalities Considerations**

- 39. Climate change affects everyone, but it has a disproportionate impact on areas of deprivation. By ensuring that the Council is resilient to the effects of climate change, we ensure that we will be able to continue providing services to all residents.

## **Consultation**

- 40. This report is a progress report for the Council's commitment to reducing its carbon emissions and increasing its resilience to the impacts of climate change. No public consultation has been carried out.

## APPENDIX A

The tables below show progress on actions to the end of 2024. Of the 109 actions reporting at the end of 2023/24, 91 are on track and 5 have been completed. The remainder are showing limited progress, for the most part due to capacity or resourcing issues or waiting for external assessments. It should also be noted that the action plan is an organic document and actions may need to be amended or removed due to changes in government policy or factors beyond our control.

### PRINCIPLE 1: REDUCE ENERGY CONSUMPTION

Ref	Actions	Owner	Timescale	Status
E01	Continue to utilise sustainable road maintenance materials	Highway Asset Management	Ongoing	On track
E02	New build- Ensure that the prioritisation of carbon reduction is maintained throughout the design and build process.	Capital Projects	Ongoing	On track
E03	New build - Ensure new corporate buildings reflect and deliver the processes within the climate change strategy.	Capital Projects	Ongoing	On track
E04	New build - Reduce use of brick and blockwork in designs for our house building and increase the use of more sustainable processes and materials.	Capital Projects	Ongoing	On track
E05	New build - Require and analyse whole life costing during the building design process.	Capital Projects	Ongoing	Limited or no progress
E06	New build - Investigate the implementation of a set carbon intensity parameters for construction of new council buildings (e.g. KgCO <sub>2</sub> e/m <sup>2</sup> ).	Capital Projects	Apr-24	Limited or no progress
E07	Global initiatives - Review how building fabric air tightness could be improved through sealing, draught stripping and closing off unused ventilation openings.	Corporate Landlord	Ongoing	On track
E08	Global initiatives - Consider introducing and improving loft insulation.	Corporate Landlord	Mar-25	Not due to be reported
E09	Global initiatives - Review hot water wastage.	Corporate Landlord	Ongoing	On track
E10	Global initiatives- Insulate all pipework, valves and fittings throughout.	Corporate Landlord	Ongoing	On track
E11	Global initiatives- Review opportunities for solar panels.	Corporate Landlord	Ongoing	On track
E12	Global initiatives- Review combined heat and power opportunity.	Corporate Landlord	Ongoing	On track
E13	Global initiatives- Review solar water heating.	Corporate Landlord	Ongoing	On Track
E14	Global initiatives- Introduce draught lobbies to reduce unwanted air infiltration.	Corporate Landlord	Ongoing	On track



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Ref	Actions	Owner	Timescale	Status
E15	Global initiatives- Review building lighting strategies with particular focus to luminaires, control systems and daylighting provision. Install occupancy sensor controls to lighting in all rooms, wc's and corridors. Setting time delays to minimum practical levels.	Corporate Landlord	Ongoing	On track
E16	Corporate Buildings - Undertake a rationalisation of the office portfolio to reflect the reduced occupancy levels following the COVID-19 pandemic and the numbers of staff working from home.	Corporate Landlord	Dec-24	Not due to be reported
E17	Town Hall - Consider introducing or improving wall insulation (internal lining) to solid single skin structures.	Corporate Landlord	Mar-25	Not due to be reported
E18	Town Hall- Consider replacing or improving glazing (single glazed integral windows).	Corporate Landlord	Ongoing	On track
E19	Town Hall- Consider introducing or improving insulation of flat roofs.	Corporate Landlord	Ongoing	On track
E20	Dolphin Centre - Consider variable speed drives for fans, pumps, and compressors.	Corporate Landlord	Mar-24	Progress made but likely to miss target
E21	Dolphin Centre - Review BMS installation and submetering monitoring.	Corporate Landlord	Mar-24	Progress made but likely to miss target
E22	Dolphin Centre - Consider fitting secondary glazing and under glaze sky lights where appropriate.	Corporate Landlord	Ongoing	On track
E23	Dolphin Centre - Consider how the pool complex air tightness can be improved and sealed better.	Corporate Landlord	Mar-24	Progress made but likely to miss target
E24	Dolphin Centre - Review condition of fabric for measures to improve energy performance i.e. building pressure tests for air tightness and thermography tests for insulation continuity.	Corporate Landlord	Ongoing	On track
E25	Dolphin Centre - Consider replacing any legacy sodium-based lighting with LED.	Corporate Landlord	Mar-24	Progress made but likely to miss target
E27	Deliver on Housing Services Climate Change Strategy	Housing Services	Ongoing	On track
E28	Dolphin Centre- Review use of pool covers.	Leisure Services	Mar-24	On Track
E29	Dolphin centre - investigate solar panel options	Leisure Services	Sep-24	On Track
E30	Dolphin centre - New Windows for front of house - plans to be in place Sept 2024	Leisure Services	Mar-25	Not due to be reported
E31	Dolphin Centre - triple glazed windows around pool hall	Leisure Services	Jan-24	On Track

APPENDIX A

Ref	Actions	Owner	Timescale	Status
E32	M&E phase 3 works	Leisure Services	Jul-25	Not due to be reported
E33	Hippodrome - Introduce expandable entrance collars to connect the rear of the delivery vehicles to loading areas to reduce heat losses.	Corporate Landlord	Mar-24	Progress made but likely to miss target
E33	New CHP plant	Leisure Services	Jul-25	Not due to be reported
E34	Variable speed fan for AHU1	Leisure Services	Jul-25	Not due to be reported
E35	Enforce private rented and non-domestic Minimum Energy Efficiency Standards regulations.	Private Sector Housing	ongoing	On track
E36	Develop pipeline of projects ready for future funding streams	Sustainability & Climate Change Lead Officer	Dec-24	Not due to be reported
E37	Developing the net zero business sector.	Business Growth & Investment	Ongoing	On track
E38	Planning- Include a request in planning applications for expected carbon impact of developments.	Development Management	Sep-24	Not due to be reported
E39	Council maintained school premises - ensure all maintenance, upgrades and refurbishment consider environmentally friendly options and adhere to the new guidance	Skills and Employability	Ongoing	On track
E40	Reduce paper across both site, digitalising historical information and promoting this with staff.	Library Service	Ongoing	On track
E41	To evaluate how efficient the heating system is at Cockerton and explore the option of more efficient fans.	Library Service	Sep-24	On track
E42	Food & beverage will be locally sourced where possible.	Hopetown Darlington	Ongoing	On track
E43	No single use plastic will be used. Food and drink packaging will be from sustainable materials.	Hopetown Darlington	Ongoing	On track
E44	Leftover packaged food will be offered to the local food bank	Hopetown Darlington	Ongoing	On track
E45	Left over fresh food will be offered to the Too Good to Go scheme	Hopetown Darlington	Ongoing	On track
E46	Waste packaging to landfill will be reduced through recycling & composting	Hopetown Darlington	Ongoing	On track
E47	Where possible retail stock will be locally sourced	Hopetown Darlington	Ongoing	On track
E48	Toys & other items sold will not be made from plastic unless it has been recycled first	Hopetown Darlington	Ongoing	On track

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Ref	Actions	Owner	Timescale	Status
E49	Events will recycle and reuse material as much as possible	Hopetown Darlington	Ongoing	On track
E50	Hire equipment will be from local companies to reduce road mileage	Hopetown Darlington	Ongoing	On track
E51	Event retail, food & beverage will be from sustainable sources	Hopetown Darlington	Ongoing	On track
E52	Exhibitions will recycle and reuse material as much as possible	Hopetown Darlington	Ongoing	On track
E53	Hire equipment will be from local companies to reduce road mileage	Hopetown Darlington	Ongoing	On track
E54	When hiring in exhibitions the mode of transport and distance travelled will be taken into consideration	Hopetown Darlington	Ongoing	On track
E55	Retail sold will be from sustainable sources	Hopetown Darlington	Ongoing	On track
E56	Single use presentation materials such as foamboard will be avoided.	Hopetown Darlington	Ongoing	On track
E57	For collections management, a clean hand policy will be introduced to reduce amount of single use gloves	Hopetown Darlington	Ongoing	On track
E58	Nitrile gloves and acid free paper will be recycled when they can no longer be used	Hopetown Darlington	Ongoing	On track
E59	Climate control methods such as dehumidifiers will only be used when essential	Hopetown Darlington	Ongoing	On track
E60	Digital marketing rather than paper will be used wherever possible	Hopetown Darlington	Ongoing	On track
E61	Local photographers, videographers and drone operators will be used for professional footage to reduce mileage	Hopetown Darlington	Ongoing	On track
E62	All internal advertising screens, donation points etc will be switched off during closing hours	Hopetown Darlington	Ongoing	On track
E63	Colouring sheets or trails will not be printed unless for a specific purpose or need	Hopetown Darlington	Ongoing	On track
E64	Materials for workshops will be sourced locally where possible	Hopetown Darlington	Ongoing	On track
E65	The sustainability of materials used in formal and informal workshops/activities will be considered	Hopetown Darlington	Ongoing	On track
E66	Delivery of the Social Housing Decarbonisation (wave 2) project by March 2025	Housing Services	Mar-25	Not due to be reported
E67	All Council Homes to achieve EPC band C by 2030	Housing Services	Apr-25	Not due to be reported

**PRINCIPLE 2: REDUCE DEMAND FOR FOSSIL FUELS**

Ref	Actions	Owner	Timescale	Status
F01	DBC to assist with TVCA's Bus Service Improvement Plan (BSIP), which seeks to decarbonise the Tees Valley bus fleet. Reinforce Darlington voluntary agreement of switching off bus engines after 2 minutes in the town centre (if bus is not fitted with automatic cut off.	Transport Planning	Ongoing	On track
F02	Staff travel- Include questions in staff survey to establish travel habits pre, during and post lockdown.	Transport Planning	Ongoing	Limited or no progress
F03	Staff travel- Include questions in staff survey regarding current and potential cycling incentives schemes.	Transport Planning	Ongoing	Limited or no progress
F04	Staff travel- Have a pool of low emission/hybrid/electric cars for staff to use for work related travel to try and encourage staff members to travel to and from work more sustainably.	Transport Planning	Ongoing	Limited or no progress
F05	Staff travel- Investigate setting up a car club for travel to, from and during work.	Transport Planning	Ongoing	Limited or no progress
F06	Staff travel - Following survey; support Active Travel Hub in Darlington, delivered by Sustrans through TVCA contract.	Transport Planning	Ongoing	On track
F07	Active Travel - Local Cycle and Walking Infrastructure Plans (LCWIPs)	Transport Planning	Ongoing	On track
F08	Rollout of additional Electric Vehicle Charging Points (EVCPs)	Transport Planning	Ongoing	On track
F09	Implementation of a package of safety measures around schools including - 20mph zones / safe routes to school / waiting restrictions / schools streets / school crossing patrol service / pedestrian and cycle training	Transport Planning	Ongoing	On track
F10	Council fleet- Identify infrastructure needs for fleet transition.	Waste & Transport Services	Ongoing	On Track
F11	Council fleet- Identify sources of funding for fleet transition.	Waste & Transport Services	Ongoing	On Track
F12	Continue to encourage taxi drivers to switch to electric by offering reduced licence fee as part of taxi policy	Licensing	ongoing	On Track
F14	New build- Incorporate low carbon heating system considerations into developments.	Development Management	Ongoing	On track
F15	Sustainable travel options will be promoted to visitors	Hopetown Darlington	Ongoing	On track
F16	Sustainable travel options will be promoted to schools	Hopetown Darlington	Ongoing	On track



**PRINCIPLE 3: CONTRIBUTE TO A GREENER GRID**

Ref	Actions	Owner	Timescale	Status
G01	We adopt a presumption in favour of renewables and batteries across our whole estate, integrating these technologies as standard in all capital projects.	Capital Projects	Ongoing	On track
G02	Our building design process takes a whole system approach to low carbon technologies, exploring all options for energy standards, such as Passivhaus standards.	Capital Projects	Ongoing	On track
G03	Public Transport - CRSTS infrastructure schemes	Transport Planning	Ongoing	On track
G03	Revisit heat network feasibility	Sustainability & Climate Change Lead Officer	Mar-25	Not due to be reported

**PRINCIPLE 4: SEQUESTER CARBON**

Ref	Actions	Owner	Timescale	Status
S01	Explore opportunities for enhancing roadside verges and open space.	Countryside Services	ongoing	On Track
S02	Plant 20,000 new trees.	Countryside Services	Mar-24	Completed
S03	Food waste collection - Implement food waste collection service	Waste & Transport Services	Mar-26	Not due to be reported
S04	Council in joint project to develop a carbon neutral waste to energy plant	Waste & Transport Services	Mar-28	Not due to be reported
S05	Develop plan for offsetting emissions, including how it would be funded.	Sustainability & Climate Change Lead Officer	Mar-25	Not due to be reported

**GOVERNANCE**

Ref	Actions	Owner	Timescale	Status
Go01	All cabinet reports, scrutiny reports, plans and policies will include a climate change impact assessment.	Democratic Services	Mar-24	Limited Progress

**PROCUREMENT**

Ref	Actions	Owner	Timescale	Status
P01	Work with procurement to reduce our supply chain emissions and influence suppliers' climate change practices	Sustainability & Climate Change Lead Officer	Dec-24	Not due to be reported

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Ref	Actions	Owner	Timescale	Status
P02	Review the current criteria and encourage school transport drivers to switch off engines when stationary and move to electric vehicles.	Procurement	Ongoing	On track

## FINANCING

Ref	Actions	Owner	Timescale	Status
Fi01	Lobby government for funding to be available, for example, the long-awaited UK Shared Prosperity Fund, and allocated on a fair basis.	Finance	Ongoing	On track
Fi02	Investigate the practicality of issuing bonds.	Finance	Dec-24	
Fi03	Explore risk/scrutiny of using financing from specialist climate/carbon reduction schemes offering interest free loans (i.e. Salix Finance, etc.)	Finance	Ongoing	On track
Fi04	Investigate a system to ring-fence (all or proportion of) savings achieved as a direct result of council climate change policies which can be used to support further investment.	Finance	Mar-24	Completed
Fi05	Use of S106 to fund transport & infrastructure linked to climate change objectives.	Finance	Dec-24	Not due to be reported
Fi07	Explore legal and practicality of building in environmental goals into relevant procurement and if not achieved supplier to pay a climate rebate which can be retained to fund future climate change actions.	Procurement	Mar-30	Not due to be reported
Fi07	Explore legal/statutory powers to add a climate levy to schemes/projects.	Legal	Mar-30	Not due to be reported

## ADAPTATION

Ref	Actions	Owner	Timescale	Status
A01	Monitor impact of climate change on rivers and potential water safety issues	Community Resilience	ongoing	On Track
A02	Maintain links with voluntary and community sectors to ensure continued service delivery with changing weather patterns	Adult Social Care	ongoing	On track

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Ref	Actions	Owner	Timescale	Status
A03	Adjust rotas if changing climate affects staff ability to safely work	Adult Social Care	ongoing	On track
A04	Consider flexible hours for staff during extreme weather periods	Adult Social Care	ongoing	On track
A05	Ensure staff recognise and deal with signs of heat exhaustion/heat stroke	Adult Social Care	ongoing	On track
A06	Review ability to deal with increased numbers of vulnerable people through risk management.	Adult Social Care	ongoing	Completed
A07	Review contingency plans to ensure they take account of climate change	Adult Social Care	ongoing	On track
A08	Identify and understand critical and local infrastructure.	Sustainability & Climate Change Lead Officer	Mar-25	Not due to be reported
A09	Embed climate change in local flood risk management strategies.	Sustainability & Climate Change Lead Officer	Mar-25	Not due to be reported
A10	Work with local resilience forums to collect and share data on resource impacts of severe weather events.	Sustainability & Climate Change Lead Officer	Mar-25	Not due to be reported
A11	Include possible health impacts from weather events and future climate risks in the Joint Strategic Needs Assessment.	Sustainability & Climate Change Lead Officer	Mar-25	Not due to be reported
A12	Use local data on population and health to consider social vulnerability to climate change impacts.	Sustainability & Climate Change Lead Officer	Mar-25	Not due to be reported
A13	Include adaptation in health and wellbeing plans.	Sustainability & Climate Change Lead Officer	Mar-24	Completed
A14	Assess the range of social care assets and key routes used by staff at risk of flooding.	Sustainability & Climate Change Lead Officer	Mar-25	Not due to be reported
A15	Support commissioners to embed consideration of future climate change into the commissioning processes of care providers.	Sustainability & Climate Change Lead Officer	Dec-24	Not due to be reported
A16	Assess flood risk of residents (particularly vulnerable adults and children) who have care provided at home.	Sustainability & Climate Change Lead Officer	Mar-24	Completed
A17	Ensure biodiversity net-gain proposals in new development are screened to ensure they are suitable under future climate scenarios.	Ecologist	Ongoing	On track
A18	Use green infrastructure to providing shading and cooling for buildings or to protect walking and cycling routes.	Sustainability & Climate Change Lead Officer/Ecologist	Ongoing	On track

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Ref	Actions	Owner	Timescale	Status
A19	Undertake a local climate change risk assessment for most vulnerable services (eg education and social care).	Sustainability & Climate Change Lead Officer	Dec-24	Not due to be reported
A20	Integrate adaptation measures in statutory plans, strategies and functions.	Sustainability & Climate Change Lead Officer	Mar-26	Not due to be reported
A21	Map longer-term decisions and investments across service areas to determine opportunities to build in resilience.	Sustainability & Climate Change Lead Officer	Mar-26	Not due to be reported
A22	Embed contractual requirements for climate resilience or adaptation into key contracts and services.	Sustainability & Climate Change Lead Officer	Mar-26	Not due to be reported
A23	Engage with infrastructure providers to understand impact on local authority infrastructure assets and develop plans to reduce risks.	Sustainability & Climate Change Lead Officer	Mar-26	Not due to be reported
A24	Work across infrastructure providers and agencies to understand interdependent risks.	Sustainability & Climate Change Lead Officer	Mar-25	Not due to be reported
A25	Investigate requirement of the BREEAM adaptation credit in new build and refurbishments.	Sustainability & Climate Change Lead Officer	Mar-25	Not due to be reported
A26	Implement local responses to the Heatwave Plan for England.	Sustainability & Climate Change Lead Officer	Mar-25	Not due to be reported
A27	Identify the most vulnerable groups to climate change risks.	Sustainability & Climate Change Lead Officer	Jun-24	Not due to be reported
A28	Identify critical at-risk businesses and infrastructure.	Sustainability & Climate Change Lead Officer	Mar-25	Not due to be reported
A29	Review Adaptation Reporting Power reports of local organisations to understand key infrastructure issues.	Sustainability & Climate Change Lead Officer	Mar-25	Not due to be reported
A30	Engage key partners such as the Environment Agency, Natural England, neighbouring authorities and Tees Valley Nature Partnership to develop adaptation actions for natural capital.	Sustainability & Climate Change Lead Officer	Mar-25	Not due to be reported
A31	Use green infrastructure and other nature-based solutions to provide resilience.	Sustainability & Climate Change Lead Officer	Mar-25	Not due to be reported
A32	Strategy and action plan formally reviewed every three years, with an ongoing watching brief.	Sustainability & Climate Change Lead Officer	Mar-26	Not due to be reported



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Ref	Actions	Owner	Timescale	Status
A34	Use the ADEPT guidance to determine next steps needed to reach 'maturing adaptation' level.	Sustainability & Climate Change Lead Officer	Mar-26	Not due to be reported
A35	Identify key contacts in other organisations and to understand shared priorities for climate resilience in key statutory areas.	Sustainability & Climate Change Lead Officer	Ongoing	On track
A36	Collaborative working through local government networks and other key partners to increase efforts to embed adaptation.	Sustainability & Climate Change Lead Officer	Ongoing	On track
A37	Promote sign up to the Environment Agency's flood warning service.	Sustainability & Climate Change Lead Officer	Ongoing	On track
A38	Promote water, energy efficiency and flood resistance and resilience measures.	Sustainability & Climate Change Lead Officer	Ongoing	On track
A39	Raise awareness of relevant climate risks with local businesses	Business Growth & Investment	Ongoing	On track
A40	Review local biodiversity action plans and species action plans to develop actions for particular species vulnerable to future climate	Ecologist	Ongoing	On track

## INFLUENCING

Ref	Actions	Owner	Timescale	Status
I01	Form a climate change working group with young people	Youth Participation	Mar-26	Not due to be reported
I02	Use existing meetings with young people to look at climate change actions	Youth Participation	Mar-25	Not due to be reported
I03	Work with Climate Change team to develop appropriate tools for sharing with vulnerable customers	Adult Social Care	ongoing	Progress made but likely to miss target
I04	Continue to support and encourage staff to consider reducing carbon footprint e.g electric cars take up, walking, cycling, personal and professional responsibilities (energy efficiency etc)	Adult Social Care	ongoing	On track
I05	Promote Good "carbon-neutral" practice to local businesses – supporting awareness raising, promoting smarter working and resource efficiency and encouraging better understanding of carbon footprints	Business Growth & Investment	Ongoing	On track
I06	Promoting sustainable inward investment	Business Growth & Investment	Ongoing	On track

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Ref	Actions	Owner	Timescale	Status
I07	To hold quarterly events about sustainability, recycling, climate change etc. at both Libraries	Library Service	Ongoing	On track
I08	To work with the sustainability and climate change lead officer to develop a school climate change conference.	Library Service	Dec-24	On track
I09	Customers will be encouraged to join in with actions both on and off site	Hopetown Darlington	Ongoing	On track
I10	Visitors will be encouraged to take photographs of trails and activities or to download resources	Hopetown Darlington	Ongoing	On track
I11	Participants will be encouraged to recycle materials they do not wish to take home	Hopetown Darlington	Ongoing	On track

## COMMUNICATIONS

Ref	Actions	Owner	Timescale	Status
C01	Internal communications plan delivered	Communications Team	Ongoing	On track
C02	External communications plan delivered	Communications Team	Ongoing	On track

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**CABINET**  
**10 SEPTEMBER 2024**

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**AIR QUALITY STRATEGY 2024-2029**

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**Responsible Cabinet Member -  
Councillor Chris McEwan, Economy Portfolio**

**Responsible Director - Ian Williams, Chief Executive**

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**SUMMARY REPORT**

**Purpose of the Report**

1. To seek Cabinet approval of the Air Quality Strategy 2024 -2029.

**Summary**

2. Due to changes in national policy the Council is now required to produce an Air Quality Strategy for the Borough.
3. Darlington Borough Council's Air Quality Strategy 2024 – 2029 (**Appendix 1**) aims to improve air quality, raise the profile and importance of air quality, provide information about local air quality and outline the vision, aims and key priorities going forward.
4. The Strategy includes the following six aims:
  - (a) Reduce emissions and protect public health
  - (b) Raise awareness and influence change
  - (c) Lead by example
  - (d) Decrease exposure to air pollutants
  - (e) Consider the impact of development on air quality
  - (f) Ensure compliance with legislation
5. The Strategy outlines work that has been done so far in relation to each aim and future actions going forward.
6. The Strategy was considered by Health and Housing Scrutiny Committee on 19 June 2024.

**Recommendation**

7. It is recommended that Cabinet approves the adoption of the Air Quality Strategy 2024 - 2029.



## **Reasons**

8. The recommendation is supported by the following reasons :-
- (a) The Strategy demonstrates a commitment to improving air quality within the Borough.
  - (b) The Strategy includes objectives and actions aimed at reducing emissions which will have positive effects on public health.

**Ian Williams**  
**Chief Executive**

## **Background Papers**

Darlington Borough Council 2024 Air Quality Annual Status Report (ASR)

Carol Whelan : Extension 6437

Council Plan	<p>The Air Quality Strategy will contribute to improving air quality and to the aspirations of the Council Plan of Darlington being one of the best places in the UK to live, learn, work and invest – with a strong and sustainable economy; healthy thriving communities and opportunities for all. It links in particular with the following priority of the Council Plan:</p> <p>LOCAL ENVIRONMENT – a well-connected, clean and sustainable borough</p>
Addressing inequalities	Air Quality affects everyone, health inequalities do exist in that some people are more affected, for example, because they live in a more polluted area, are exposed to higher levels of air pollution in their day-to-day lives or are more susceptible to health problems linked to air pollution such as children, the elderly and those with pre-existing conditions. The Air Quality Strategy seeks to bring about improvements in air quality across the Borough as a whole.
Tackling Climate Change	The Air Quality Strategy contributes to our commitment to reducing Darlington Borough Council's carbon emissions to net zero (carbon-neutral) by 2040. Actions within the Climate Change Strategy and Action Plan to reduce carbon emissions will see co-benefits such as cleaner air.
Efficient and effective use of resources	The delivery of the strategy will be undertaken with existing staffing and financial resources, the extent of delivery of the educational and pro-active work by Environmental Health will be determined by staff resources and the demands of other statutory work.
Health and Wellbeing	The Council has identified the health of the people of the Borough as a key priority. The Air Quality Strategy includes a section explaining both the short term and long terms health impacts of exposure to air pollution and the first aim of the Strategy is to reduce emissions and protect public health.
S17 Crime and Disorder	There is expected to be no impact on crime and disorder in Darlington.
Wards Affected	The Air Quality Strategy is applicable to all wards, but certain wards which have main arterial road networks will be greater impacted by road traffic emissions and currently only Darlington urban area is covered by smoke control areas and not the surrounding villages.
Groups Affected	The Air Quality Strategy is applicable to all groups.
Budget and Policy Framework	This report does not recommend a change to the Council's budget or policy framework.
Key Decision	This is not a key decision.
Urgent Decision	This is not an urgent decision.
Impact on Looked After Children and Care Leavers	This report does not impact on Looked After Children or Care Leavers.

## MAIN REPORT

### Information and Analysis

9. The Local Air Quality Framework was established by Part IV of the Environment Act 1995 Local Air Quality Management (LAQM), and more recently amended by the Environment Act 2021 and includes the relevant Policy and Technical Guidance documents. The LAQM process places an obligation on all local authorities to regularly review and assess air quality in their areas, and to determine whether the air quality objectives are likely to be achieved.
10. Monitoring of air quality by the Council is carried out using diffusion tubes at several locations throughout the borough to measure levels of nitrogen dioxide (NO<sub>2</sub>). In Darlington air quality monitoring results has shown that air quality objectives are being achieved and there is no need to declare any air quality management areas. The Strategy acknowledges the Council cannot be complacent in this and need to ensure that as the borough continues to grow and develop, we maintain good air quality and strive to bring about further improvements.
11. The main pollutants of concern in Darlington are nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>2.5</sub> and PM<sub>10</sub>) arising from road traffic emissions and PM<sub>2.5</sub> associated with wood burners which have increased in popularity recently.
12. The Local Air Quality Management Technical Guidance which was updated in August 2022 states that from 2023 in England where a local authority does not have an air quality management area declared which is the case for Darlington Borough Council, they are now required to create a local Air Quality Strategy.
13. The Air Quality Strategy is not a replacement for the Air Quality Annual Status Report (ASR) which is produced by the Council summarising air quality data, comparing data with air quality objectives, outlining steps taken to improve air quality and to report on significant new developments. The reports are submitted to Defra for approval on an annual basis. Defra have stated they will monitor whether Local Authorities have or are developing a local Air Quality Strategy through the ASR appraisal process.
14. There is no set format for local Air Quality Strategies, but the Government expectation is that all local authorities will take proactive measures to improve air quality regardless of whether they have air quality management areas and encourage the prevention and reduction of polluting activities.
15. Darlington Borough Council's Air Quality Strategy aims to improve air quality, raise the profile and importance of air quality, provide information about local air quality and outline the vision, aims and key priorities going forward.
16. The strategy provides a framework for work carried out by the Council going forward in relation to air pollution and improving air quality which builds on work that has already been undertaken by various section of the Council and complements objectives within existing Transport Plans, Climate Change Action Plan and the Local Plan.

17. The Strategy includes the following six aims:

- (a) Reduce emissions and protect public health – Minimise emissions from road traffic and domestic burning.
- (b) Raise awareness and influence change – Educational campaigns to encourage and enable behavioural changes on issues such as unnecessary idling of engines, wood burning.
- (c) Lead by example – Ensure we lead the way as a Council for example with the use of electric vehicles. The Council has an electric fleet of vehicles currently consisting of 16 Building Services, three Highways, two Building Cleaning, two Street Scene, one Cemeteries, one Pest Control, one South Park Gardener, one Occupational Therapy, one Library Service.
- (d) Decrease exposure to air pollutants – To increase awareness of the effects of poor air quality and how to minimise exposure.
- (e) Consider the impact of development on air quality – Ensure the air quality impact of development is assessed and wherever possible, secure improvements to mitigate impacts on air quality via the planning process.
- (f) Ensure compliance with legislation – Fulfil our statutory obligations to report on air quality within the Borough, enforce smoke control legislation, regulate Part B activities under the environmental permitting regulations.

18. The Strategy outlines work that has been done so far in relation to each aim and future actions going forward. Some of this work is linked to existing priorities such as providing sustainable transport and the good work already undertaken by the Council to promote cleaner vehicles in the Taxi Licensing Policy.

19. The future actions are summarised within the Strategy and include the following:

- (a) Work to continue to expand the active travel network and encourage shift to more sustainable transport modes as well as improving awareness of traffic free walking/cycling routes.
- (b) Provision of information and education campaigns to educate and raise awareness of the public, businesses etc. on how to reduce emissions. Work will continue with regard to the education interventions in relation to idling and wood burning and to raise awareness on how to improve indoor air quality.
- (c) Promote and encourage the uptake of cleaner energy.
- (d) Expansion of electric vehicle infrastructure and continue to reduce emissions from the Council fleet and buildings.
- (e) To review and consider expanding the extent of the Smoke Control Areas in Darlington.



20. It is proposed that the strategy will be reviewed every five years and progress will be reported in the Annual Status Report submitted to Defra and published on the Council's website.

### **Financial Implications**

21. The delivery of the priorities and future actions contained within the Air Quality Strategy will be delivered by the Environmental Health team working collaboratively with other sections of the Council such as Transport, Climate Change, Development Management and in terms of campaign work the Council's Communication and Marketing teams.
22. There are no plans for any additional staff resources and funding will be provided from existing Environmental Health Budget and government funding as and when available.

### **Legal Implications**

23. Part IV of the Environment Act 1995 Local Air Quality Management, as amended by the Environment Act 2021, and the relevant Policy and Technical Guidance documents. The LAQM process places an obligation on all local authorities to regularly review and assess air quality in their areas, and to determine whether or not the air quality objectives are likely to be achieved.
24. The Council submits an Annual Status Report to Defra on an annual basis detailing the actions taken to improve air quality, air quality monitoring data and comparison with air quality objectives.
25. There is no statutory requirement for Local Authorities to produce an Air Quality Strategy, but the requirement is included in Government Policy.

### **Carbon Impact and Climate Change**

26. The Air Quality Strategy contributes to our commitment to reducing Darlington Borough Council's carbon emissions to net zero (carbon-neutral) by 2040. Actions within the Climate Change Strategy and Action Plan to reduce carbon emissions will see co-benefits such as cleaner air.

### **Consultation**

27. Consultation has taken place with other Sections of the Council. There is no requirement to consult, and no public consultation has been carried out.
28. The draft Air Quality Strategy was considered by the Health and Housing Scrutiny Committee on the 19 June 2024. The Strategy was well received by members of the committee and feedback was received on focusing further work on wood burning stoves including health impacts and emissions from idling school buses.



**DARLINGTON**  
Borough Council



# Air Quality Strategy

## 2024 – 2029

June 2024

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# Foreword

*“Clean air is essential to the quality of life and health of everyone who lives, works in or visits our Borough and we are committed to protecting and improving air quality for the benefit of current and future generations.*

*Minimising air pollution levels will bring lasting benefits, with positive effects on public health, economic growth, and population wellbeing. Only by working collaboratively including across the Council, with external partners and our community can we bring about meaningful improvements in air quality.*

*This air quality strategy will contribute to improving air quality and Darlington becoming a healthier, more sustainable, well-planned place where people want to live, and businesses want to locate and where the economy continues to grow.”*



Cllr Chris McEwan



Cllr Matthew Roche



# Executive Summary

Improving air quality is important to Darlington Borough Council. This is our first air quality strategy produced by Environmental Health, which sets out plans for 2024 – 2029 on how we aim to do this.

The quality of the air around us should not be taken for granted and councils need to ensure they are doing all they can to safeguard areas of good air quality and bring about improvements in other areas to protect public health and the environment.

The mortality burden of air pollution within the UK is equivalent to 29,000 to 43,000 deaths at typical ages<sup>1</sup>, with a total estimated healthcare cost to the NHS and social care of £157 million in 2017<sup>2</sup>.

Darlington takes air quality seriously and we are fortunate in that the air quality in our area meets national air quality objectives. We continue to monitor air quality across the borough and always strive to make further improvements where possible. In Darlington the principal pollutants of concern are particulates (PM<sub>2.5</sub> and PM<sub>10</sub>) and nitrogen dioxide (NO<sub>2</sub>) arising predominantly from road traffic emissions.

The Environmental Health team of Darlington Borough Council is responsible for monitoring air quality, promoting and educating on air quality matters, helping to maintain the good air quality in the borough by commenting on planning applications, and producing reports for DEFRA to fulfil our statutory obligations under the Environment Act 1995, as amended by the Environment Act 2021, as well as regulating certain industrial processes under the provisions of the Environmental Permitting (England and Wales) Regulations 2016 (as amended). We also have enforcement powers under the Environmental Protection Act 1990 relating to statutory nuisance associated with smoke, dust and fumes from premises (chimneys and garden bonfires) and the Clean Air Act 1993 (as amended by the Environment Act 2021) relating to dark smoke offences and smoke control area requirements.

This strategy will look at the actions and interventions Darlington Borough Council currently undertake and identify new areas which can be explored to make further improvements. Further information on local air quality management including monitoring data and actions to improve air quality can be found in the Air Quality Annual Status Report which is available on the Council's website.

It also contributes to our commitment to reducing Darlington Borough Council's carbon emissions to net zero (carbon-neutral) by 2040, following the Council's recognition of the existence of the climate emergency declared in July 2019. The Strategy links to wider National policies including Defra's Environmental Improvement Plan 2023, the Clean Air Strategy 2019, The Road to Zero 2018 and the National Air Quality Strategy 2023.

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<sup>1</sup>Defra. Air quality appraisal: damage cost guidance, March 2023.

<sup>2</sup>Public Health England. Estimation of costs to the NHS and social care due to the health impacts of air pollution: summary report, May 2018.

# Introduction

Darlington is a great place to live, work and visit. Good air quality is an important factor in making sure this continues to be the case and to protect our health and the environment. While we have not been required to produce an air quality strategy before, since no air quality management areas exist, measures have been implemented or are ongoing which do have a bearing on improving air quality.

It is important to continually work towards reducing exposure to pollutants, even where air quality objectives are met. This is particularly important for fine particulate matter (PM<sub>2.5</sub>) where there are no safe levels of exposure.

Air quality in Darlington is generally good and monitoring shows compliance with national air quality objectives. Our Annual Status Reports (ASRs) provide a yearly update on monitoring data; measures to improve air quality; new identified sources and issues; and progress made, which is submitted to Defra for approval, in line with the statutory local air quality management framework responsibilities under Part IV of the Environment Act 1995, as amended by the Environment Act 2021.

This Air Quality Strategy (AQS) will support the measures highlighted in the annual status report and outlines how we plan to continue to work towards improving air quality within our borough.

In July 2019, the Council acknowledged the threat of climate change and passed a motion committing the Council to reach net zero carbon emissions by 2050. In July 2023, a new motion reaffirming the climate emergency declaration and bringing the date forward to 2040, was passed. As part of the commitment, a strategy and action plan has been developed to set out the baseline of our own carbon emissions, to identify the key actions and intervention measures required to meet this commitment and what measures we will take to deal with unavoidable impacts of climate change, recognising that the actions will see co-benefits such as cleaner air.

The Air Quality Strategy integrates with the existing measures being taken to reduce carbon emissions. It also complements objectives in the Strategic Transport Plan 2020-2030 (covering the five Tees Valley Local Authorities) and Darlington's Transport Plan 2022-2030 in looking to reduce transport's impact on the environment to improve air quality and support health and wellbeing. The Darlington Borough Council Local Plan 2016-2036 Policy DC 3 Health and Wellbeing – requires all new development that may cause air pollution to incorporate measures to prevent or reduce their pollution so as not to cause unacceptable impacts on the living conditions of all existing and potential future occupants of land and buildings.

# Air Pollution, Sources and Health

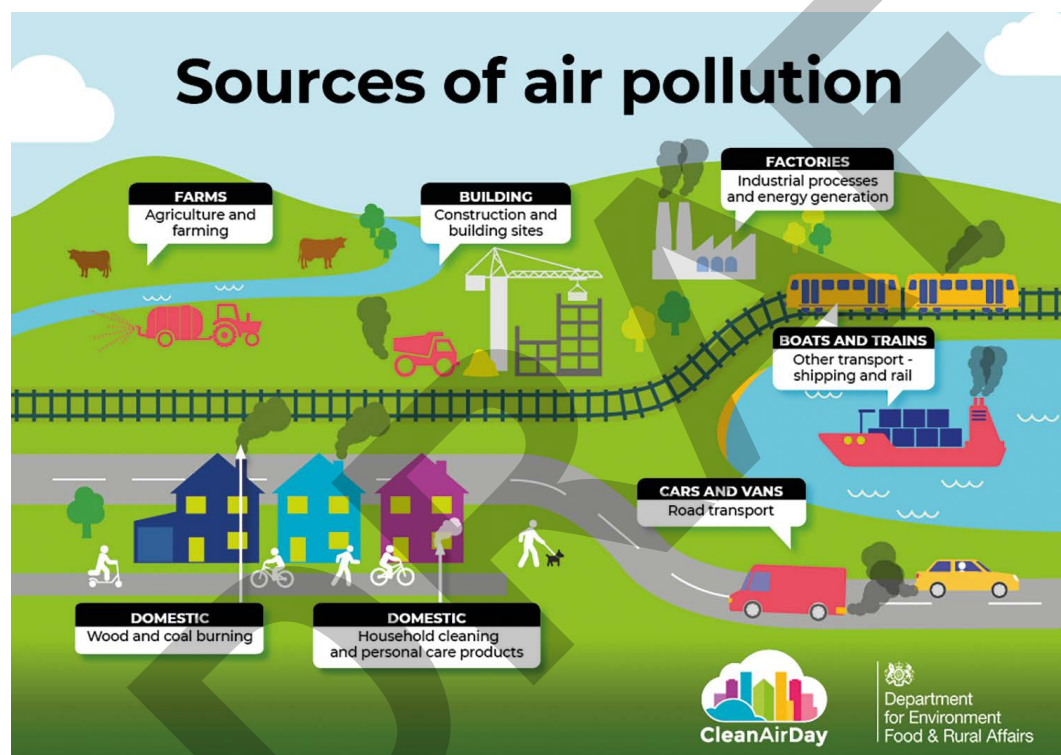
## What is air pollution?

Air pollution is a substance or complex mixture of particles and gases in the air that cause harm to people's health (Defra, Air Pollution: applying All Our Health, 2022), as well as the environment. It affects both the indoor and outdoor environment.

Pollutants include nitrogen oxides, particulate matter, volatile organic compounds, ozone and sulphur dioxide. While carbon dioxide is not considered an air pollutant as such as it occurs naturally in the air, its concentration in the atmosphere has significantly increased due to human activity.

## Sources

Air pollutants are emitted from both natural and human sources. Everyday activities such as driving, heating our homes, manufacturing goods and agricultural activities can all impact air quality.

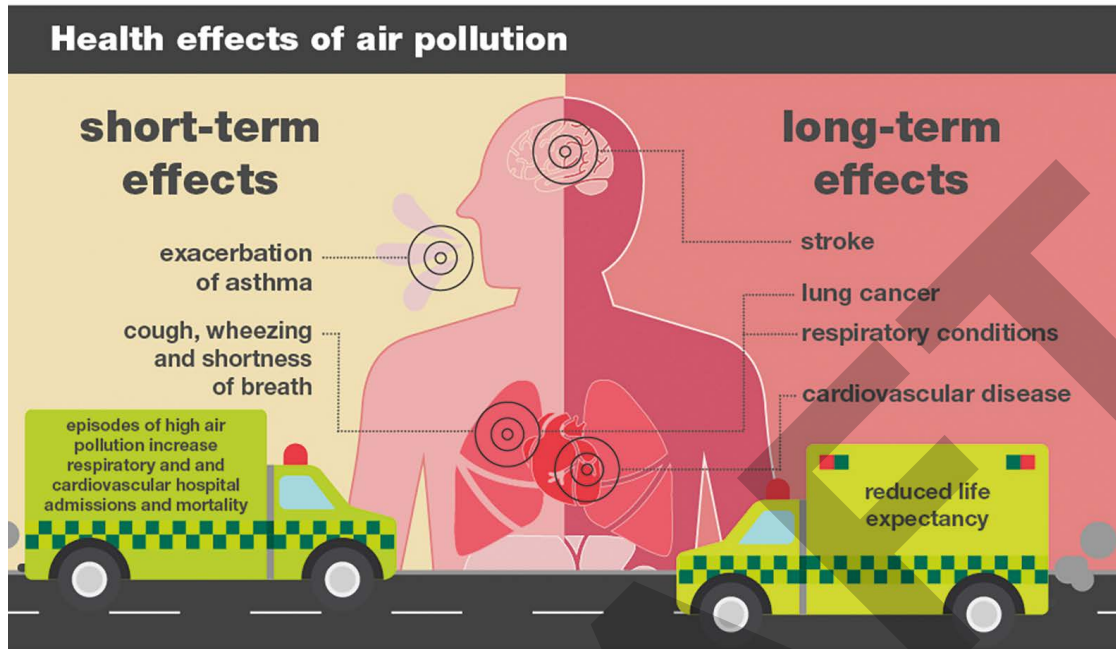


(Defra, *Where does air pollution come from?*)

Some pollutants can also travel large distances with the prevailing winds i.e., transboundary. This is particularly true for fine particulate matter ( $PM_{2.5}$ ) which due to its extremely small size can travel long distances in the air. This also includes natural sources of transboundary  $PM_{2.5}$  such as desert dust from the Sahara.

# Health Impacts

Air pollution can cause both short term and long-term effects on health and can exacerbate existing conditions such as asthma. Poor air quality can affect health at all stages of life.



(UK Health Security Agency, 2018)

Although air pollution can be harmful to everyone, health inequalities do exist in that some people are more affected, for example, because they live in a more polluted area, are exposed to higher levels of air pollution in their day-to-day lives or are more susceptible to health problems linked to air pollution such as children, the elderly and those with pre-existing conditions.

The Government air quality objectives relate to the protection of human health at areas of relevant exposure, with examples of areas of relevant exposure given in the Local Air Quality Management Technical Guidance (TG22)<sup>3</sup>.

PM<sub>2.5</sub> is the pollutant which is considered most harmful to human health and targeted for future action.

<sup>3</sup>Defra, Local Air Quality Management Technical Guidance (TG22) August 2022.



# Air Quality in Darlington

In the borough, the main pollutants of concern are nitrogen dioxide ( $\text{NO}_2$ ) and particulate matter ( $\text{PM}_{2.5}$  and  $\text{PM}_{10}$ ) which primarily arises from road traffic emissions from the main arterial road network, which connects the relatively densely populated centre of Darlington out to its more rural surroundings. Other sources include from domestic and commercial heating (combustion) including wood burning which has increased in popularity recently.

The majority of the Darlington urban area is within a smoke control area, subject to Smoke Control Orders.

Darlington does not have any large industrial areas, and of the industry we do have certain installations are covered by the environmental permitting regime to control emissions to air.

Monitoring of air quality by the Council is carried out using diffusion tubes at a number of locations throughout the borough to measure levels of  $\text{NO}_2$ .

The monitoring of  $\text{NO}_2$  shows air quality in Darlington is generally good and government objectives are being met. However, we cannot be complacent in this and need to ensure that as the borough continues to grow and develop, we maintain good air quality and strive to bring about further improvements.

At the time of publication of this Strategy a  $\text{PM}_{2.5}$  monitor is being considered for a site in Darlington as part of the Automatic Urban and Rural Network (AURN) and Darlington is committed to playing our part in helping to achieve the government targets for  $\text{PM}_{2.5}$ .



# The vision for Darlington

This air quality strategy will contribute to improving air quality and Darlington becoming a healthier, more sustainable, well-planned place where people want to live, and businesses want to locate and where the economy continues to grow.

## Aims of the Strategy

The main aims of our Air Quality Strategy are as follows:

<b>1. Reduce emissions and protect public health</b>	<p>Minimise emissions from road traffic as well as from industrial and other sources, to lower NO<sub>2</sub> and particulate matter emissions while reducing greenhouse gases.</p> <p>Minimise emissions associated with domestic burning while helping to improve indoor and outdoor air quality.</p>
<b>2. Raise awareness and influence change</b>	<p>Raise awareness through education to encourage and enable behaviour changes.</p>
<b>3. Lead by example</b>	<p>Ensure we lead the way as a Council and working with stakeholders/ partners by minimising the environmental impact of Council activities.</p>
<b>4. Decrease exposure to air pollutants</b>	<p>Provide information to residents, employers, workers, and visitors, especially those who are more susceptible to the effects of poor air quality, to increase understanding of the effects of exposure to poor air quality and how to minimise exposure.</p>
<b>5. Consider the impact of development on air quality</b>	<p>Ensure the air quality impact of development within the borough is assessed and, wherever possible, to secure improvements to or mitigate impacts on local air quality in accordance with the National Planning Policy Framework.</p>
<b>6. Ensure compliance with legislation</b>	<p>Fulfil statutory obligations such as:</p> <ul style="list-style-type: none"><li>• Environment Act 1995 (as amended by the Environment Act 2021) (Local air quality management - monitoring and reporting requirements).</li><li>• Environmental Protection Act 1990 (statutory nuisance provisions).</li><li>• Clean Air Act 1993 (as amended by the Environment Act 2021) (dark smoke and smoke control area requirements).</li><li>• The Air Quality (Domestic Solid Fuels Standards) (England) Regulations 2020 (sale/certification of domestic solid fuel).</li><li>• Environmental Permitting Regulations (England &amp; Wales) 2016 (as amended) (regulation of 'Part B' activities).</li></ul>



# Who will we work with?

Air pollution is everyone's problem. Improvements to air quality cannot be undertaken as a standalone factor, and collaborative working between Local Authority departments including Public Health and Transport, organisations, businesses, and residents is essential, and opportunities must be considered on an ongoing basis as they arise. Darlington Borough Council will also continue to work with the other Tees Valley Local Authorities.

Most people will be aware of air pollution caused by large industrial sites or major urban road networks. Yet many will be unaware that emissions in their own homes not only increases their personal exposure to pollutants but contributes significantly to our national emissions.

One of the main focuses of the intervention work by the Environmental Health team is around education of the public on the action they can take e.g. unnecessary idling of vehicle engines, heating of homes, to raise awareness and influence change.



# What we have achieved so far and Key Priorities going forward

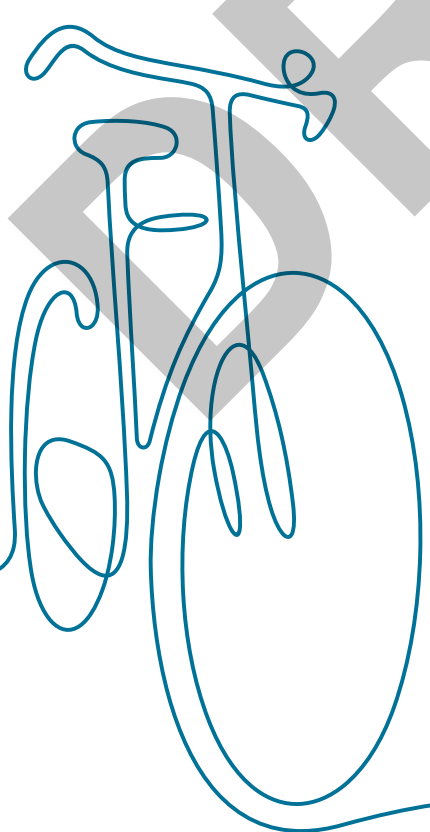
Aim	Implemented Measure	Future action(s)
1. Reduce emissions and protect public health	<p><b>Taxi licensing policy (2021)</b></p> <ul style="list-style-type: none"> <li>Requirement for all vehicles to be Euro 6 compliant or emission free from 1 April 2023.</li> <li>Incentive – 25% reduction in fees for cleaner fuels.</li> </ul> <p><b>Sustainable transport</b></p> <ul style="list-style-type: none"> <li>Arriva who operates most bus services in Darlington: <ul style="list-style-type: none"> <li>Number of buses with stop start technology.</li> <li>All buses have engine cut offs 4/5 minutes.</li> <li>All vehicles are Euro 5 or Euro 6 compliant.</li> </ul> </li> <li>The Tees Flex bus service was launched in February 2020, providing an on-demand bus service to areas of the region (including Darlington) previously not well served by public transport. The three-year trial has been extended for a further 18 months from February 2023. This is part of the work carried out by the Tees Valley Combined Authority (TVCA).</li> </ul> <p><b>Cleaner energy</b></p> <ul style="list-style-type: none"> <li>Supporting households/businesses to undertake energy efficiency works, using available grant funding, including through the work done by the Council's Private Sector Housing and Invest in Darlington Team.</li> <li>A six-figure investment saw the transformation of Coniscliffe House, office space which now benefits from electric charging points, LED lighting, air source heat pumps, A++ rated air conditioning, a bike store and roof mounted solar panels.</li> </ul>	<p><b>Taxi licensing policy (2021)</b></p> <ul style="list-style-type: none"> <li>Deadline extended - all vehicles to be Euro 6 compliant no later than 31 March 2024.</li> <li>Continue to explore ways to encourage uptake of less polluting vehicles among the private hire and hackney carriage taxi trade.</li> </ul> <p><b>Sustainable Transport</b></p> <ul style="list-style-type: none"> <li>Work set to continue to expand the active travel network.</li> </ul> <p><b>Educational Campaigns</b></p> <ul style="list-style-type: none"> <li>Continue to educate people and raise awareness on how to reduce emissions, protect health and bring about air quality improvements through campaign work.</li> <li>To investigate correlation between air quality and health inequalities local to Darlington to help target future work.</li> </ul> <p><b>Cleaner energy</b></p> <ul style="list-style-type: none"> <li>Continue to work with and support householders/businesses in the uptake of low-emission energy technologies and improvements in efficiencies and reduce the reliance on the consumption of fossil and solid fuels, as opportunities arise.</li> </ul> <p><b>Lead by example</b></p> <ul style="list-style-type: none"> <li>See Aim 3.</li> </ul>



Aim	Implemented Measure	Future action(s)
<p>2. Raise awareness and influence change</p>	<p><b>Educational Campaigns</b></p> <ul style="list-style-type: none"> <li>Woodburning campaign (2023/24) 'Burn Right' - aimed at educating people on smoke control area requirements and burning suitable fuel. <ul style="list-style-type: none"> <li>Social media messages, press releases, website updates, billboard graphics.</li> </ul> </li> <li>School idling campaign (2023) 'Care for Clean Air' - aimed at reducing unnecessary idling of vehicle engines when parked outside schools. <ul style="list-style-type: none"> <li>Social media messages, press releases, website updates, information provided to schools, lamppost signs, banners.</li> </ul> </li> <li>Taxi idling campaign (2022). <ul style="list-style-type: none"> <li>Leaflets distributed to hackney taxi drivers to raise awareness on idling.</li> </ul> </li> <li>One Darlington Magazine Article (2019) on air pollution and health.</li> <li>Woodburning article One Darlington Magazine (2018).</li> <li>Safe Routes to School Programme. <ul style="list-style-type: none"> <li>Road improvement schemes to increase safety and encourage more to walk and cycle.</li> </ul> </li> </ul> <p><b>Infrastructure</b></p> <ul style="list-style-type: none"> <li>Provision of electric vehicle charging points in Town Centre car parks.</li> <li>Introduction of a Local Cycling and Walking Infrastructure Plan (LCWIP) which sets out the ambition to provide approximately 92 kilometres of new and improved cycling and walking routes over coming years across the Tees Valley (including Darlington).</li> </ul> <p><b>Information</b></p> <ul style="list-style-type: none"> <li>Provision of reliable, up to date information and advice/signposting in relation to: <ul style="list-style-type: none"> <li>Advice given by Healthy Darlington/ Move More and Darlington Travel Advisors to residents, businesses and educational establishments on sustainable/greener travel choices/travel planning/routes.</li> </ul> </li> </ul>	<p><b>Educational Campaigns</b></p> <ul style="list-style-type: none"> <li>Further educational inventions proposed including in relation to wood burning, and smoke control area requirements.</li> <li>Expansion of the idling campaign to target the general public, delivery drivers as well as bus companies and other businesses.</li> <li>Take part in National Clean Air Day.</li> <li>Consideration of a 'No idling' action day.</li> <li>Indoor air quality.</li> <li>Analyse data trends/information to be able to target future campaigns where appropriate, and consider the use of newer monitoring technologies and equipment to support campaign work particularly around woodburning and engine idling.</li> </ul> <p><b>Infrastructure</b></p> <ul style="list-style-type: none"> <li>Aim to expand the electric vehicle charging infrastructure/provision/ use of alternative cleaner fuels.</li> </ul> <p><b>Information</b></p> <ul style="list-style-type: none"> <li>Continue to provide information to allow people to make informed choices, including in relation to: <ul style="list-style-type: none"> <li>Improving awareness of traffic free walking/cycling routes.</li> <li>Promotion of works undertaken to encourage a shift to more sustainable modes of transport, including cycling and walking, as well as the electric vehicle charging infrastructure available.</li> <li>Smoke control area requirements.</li> <li>Health impacts linked to air quality.</li> </ul> </li> </ul>

Aim	Implemented Measure	Future action(s)
	<ul style="list-style-type: none"> <li>• Smoke control area requirements.</li> <li>• Air Quality Annual Status Report including monitoring data.</li> <li>• Climate Change.</li> <li>• Energy saving, cleaner energy and energy efficiency (including improvement schemes and funding opportunities).</li> </ul>	<ul style="list-style-type: none"> <li>• Air Quality Annual Status Reports including monitoring data.</li> <li>• Climate Change.</li> <li>• Energy saving, cleaner energy and energy efficiency.</li> </ul>
<b>3. Lead by example</b>	<p><b>Council fleet</b></p> <ul style="list-style-type: none"> <li>• Electric vehicles</li> <li>• Currently used by Building services, Highways, Building cleaning, Street Scene, Cemeteries, Pest Control, South Park Gardener.</li> <li>• Use of 'Green-Link' couriers which is Darlington's first and only zero-emission delivery and distribution company.</li> </ul> <p><b>Council buildings</b></p> <ul style="list-style-type: none"> <li>• Solar panels installed on the Town Hall roof.</li> </ul> <p><b>Council infrastructure</b></p> <ul style="list-style-type: none"> <li>• Electric vehicle charging points installed at depot to support current electric vehicle fleet.</li> </ul> <p><b>Council housing</b></p> <ul style="list-style-type: none"> <li>• Solar panels.</li> <li>• Around 300 Council properties have solar panels installed.</li> <li>• Other property upgrades carried out including installation of air source heat pumps.</li> </ul> <p><b>Council employees</b></p> <ul style="list-style-type: none"> <li>• Sustainable transport incentives.</li> <li>• Arriva Employee Travel Club – offers savings on local Arriva bus travel to employees.</li> <li>• Cycle 2 Work Scheme (Vivup) – salary sacrifice initiative allowing employees to hire a bike and accessories up to the value of £1,500.</li> <li>• Green Car Leasing Scheme – the Council has teamed up with NHS Fleet Solutions to offer opportunities to lease a brand new electric car.</li> </ul>	<p><b>Council fleet</b></p> <ul style="list-style-type: none"> <li>• Continue to reduce emissions from our fleet by replacing petrol/ diesel vehicles with electric/ alternatively fuelled vehicles, as they are due to be renewed.</li> <li>• The use of HVO (hydrotreated vegetable oil) fuel in Council HGVs (heavy goods vehicles) is being trialled.</li> </ul> <p><b>Council buildings</b></p> <ul style="list-style-type: none"> <li>• Continue to look at ways/ opportunities to reduce emissions from our buildings.</li> </ul> <p><b>Council housing</b></p> <ul style="list-style-type: none"> <li>• Darlington Borough Council's Housing Services Climate Change Strategy 2024-2029 sets out actions proposed going forward.</li> </ul> <p><b>Procurement</b></p> <ul style="list-style-type: none"> <li>• Look at the Council's procurement policy to ensure it aims to select products and services that minimise negative and promote positive environmental impacts.</li> <li>• Continue to look at ways/ opportunities to reduce emissions to air through our contracts.</li> </ul> <p><b>Training</b></p> <ul style="list-style-type: none"> <li>• Implementation of an 'Air Quality/ Green Driver Training' module as part of the essential skills training for all staff on Academy 10 (the Council's training platform).</li> </ul>

Aim	Implemented Measure	Future action(s)
	<ul style="list-style-type: none"> <li>• Blended working policy.</li> <li>• Home working option – reduced staff travel.</li> </ul> <p><b>Climate Emergency</b></p> <ul style="list-style-type: none"> <li>• Pledge to reduce the Councils carbon emissions to net zero by 2040.</li> </ul>	<p><b>Travel</b></p> <ul style="list-style-type: none"> <li>• Implementation of an updated Staff Travel Plan.</li> </ul>
<p><b>4. Decrease exposure to air pollutants</b></p>	<p><b>Sustainable transport</b></p> <ul style="list-style-type: none"> <li>• Work on cycling and walking routes including those away from major roads.</li> </ul> <p><b>Infrastructure</b></p> <ul style="list-style-type: none"> <li>• Pedestrianisation of the Town Centre (2007).</li> </ul>	<p><b>Sustainable transport</b></p> <ul style="list-style-type: none"> <li>• Work set to continue to expand the active travel network as part of the Tees Valley Local Cycling and Walking Infrastructure Plan (LCWIP), including options away from main roads etc.</li> </ul> <p><b>Reducing Emissions in the Home</b></p> <ul style="list-style-type: none"> <li>• Continue to educate people and raise awareness on how to bring about air quality improvements in relation to indoor air quality, in particular around the subject of wood burning.</li> </ul>



Aim	Implemented Measure	Future action(s)
<p>5. Consider the impact of development on air quality</p>	<p><b>Development Management</b></p> <ul style="list-style-type: none"> <li>Air quality is a material planning consideration. Air quality assessments are required for certain planning applications, for example where a development is a source of air pollutants itself, or where it is proposed to introduce sensitive receptors to areas with existing sources of air pollutants.</li> </ul> <p><b>Planning Policy</b></p> <ul style="list-style-type: none"> <li>Darlington Borough Council's Local Plan 2016 – 2036 (adopted February 2022) <ul style="list-style-type: none"> <li>Policy DC 1 Sustainable Design Principles and Climate Change (Strategic Policy) – to help reduce carbon emissions and increase the resilience of developments to the effects of climate change.</li> <li>Policy DC 3 Health and Wellbeing – All new development that may cause air pollution required to incorporate measures to prevent and reduce their pollution so as not to cause unacceptable impacts on the living conditions of all existing and potential future occupants of land and buildings. Submission of Health Impact Assessments for certain developments to explain how health considerations have informed the design.</li> <li>Policy IN 3 Transport Assessments and Travel Plans – to promote and encourage the use of sustainable transport.</li> <li>Policy IN 4 Parking Provision including Electric Vehicle Charging – includes requirements for electric charging at certain residential and non-residential developments.</li> </ul> </li> </ul>	<p><b>Development Management</b></p> <ul style="list-style-type: none"> <li>Continue to assess planning applications for air quality impacts, to ensure developments, wherever possible, secure improvements to or mitigate impacts on local air quality.</li> </ul> <p><b>Planning Policy</b></p> <ul style="list-style-type: none"> <li>Continue to ensure development accords with the Local Plan.</li> </ul> <p><b>Council Policy</b></p> <ul style="list-style-type: none"> <li>Look to establish a strategic framework which brings air quality considerations to the heart of Council policies, procedures, and decisions, to ensure we are well placed to secure improvements across the Borough going forward. Alongside 'Carbon impact and Climate Change'.</li> </ul>



Aim	Implemented Measure	Future action(s)
6. Ensure compliance with legislation	<p><b>Local Air Quality Monitoring</b></p> <ul style="list-style-type: none"> <li>Formal review and assessment of local air quality compiled into the Air Quality Annual Status Report submitted to Defra on an annual basis. The latest reports are available at: <a href="http://www.darlington.gov.uk/environmental-health/pollution/air-quality/">www.darlington.gov.uk/environmental-health/pollution/air-quality/</a></li> </ul> <p><b>Domestic combustion</b></p> <ul style="list-style-type: none"> <li>Enforcement of the Environmental Protection Act 1990 in relation to statutory nuisance i.e., smoke from premises, includes smoke from chimneys and garden bonfires.</li> <li>Enforcement of the Clean Air Act 1993 in relation to smoke control area requirements.</li> <li>Enforcement of The Air Quality (Domestic Solid Fuels Standards) (England) Regulations 2020 in relation to the sale/certification of fuel sold at retailers in the Darlington area.</li> </ul> <p><b>Industrial processes</b></p> <ul style="list-style-type: none"> <li>Environmental Permitting – regulation of Part B installations. Permits include conditions relating to controlling emissions to air and the installations are subject to routine inspections based on risk.</li> <li>Dark smoke offences under the Clean Air Act 1993.</li> </ul>	<ul style="list-style-type: none"> <li>To continue to fulfil our duties under relevant legislation and take action as appropriate in line with our Enforcement Policy and legislation.</li> <li>To review and consider expanding the extent of the Smoke Control Area in Darlington.</li> </ul>

The above table is not exhaustive but focuses on key measures/priorities.

# What can you do to help?

There are steps we can all take to help bring about air quality improvements in the Borough. Below are some examples and links to further information:

## Travel

- Leave the car at home.
- Don't idle when stationary – turn off your vehicle engine.
- Use public transport.
- Walk or cycle.
- Choose quieter/cleaner routes.

For further information visit: <https://teesvalley-ca.gov.uk/travel/> and [www.darlington.gov.uk/media/18126/care-about-your-air.pdf](http://www.darlington.gov.uk/media/18126/care-about-your-air.pdf)



## Domestic burning

- Comply with smoke control requirements - Burn Right.
- Make an informed decision when choosing whether to install a wood burner or multi-fuel stove.

For further information visit: [www.darlington.gov.uk/burnright](http://www.darlington.gov.uk/burnright)

# Monitoring Progress

The main indicator that will be used to review the effectiveness of the strategy relates to monitored pollutants and downward trends being shown in monitoring results. Continued effort will be made to maintain and expand our monitoring network as necessary.

While air quality data is one aspect, the growth of the electric charge point network, use of public transport and implementation of cycle routes are other examples which demonstrate how the Borough is changing and making improvements for the better.

The Government is committed to drive down emissions and has adopted reduction targets for five of the most damaging pollutants including nitrogen oxides and PM<sub>2.5</sub><sup>4</sup>. The work outlined by this Strategy will contribute to this by taking action at a local level. Success can only however be measured on a national level, with the main influences likely to come from wider government policy decisions. Notwithstanding this, Darlington Borough Council is committed to playing their part and improving air quality.

Further consideration will be given to how we can monitor the impact of our air quality campaign work going forward, including consideration of newer technologies and equipment such as mobile sensors.

The progress made with the priorities and actions identified within the strategy will be reported in the Air Quality Annual Status Report's.

## Review of the Strategy

The AQS will be kept under review, with the proposal to update the publication after five years, and will take into account the following:

- Changes to relevant air quality legislation, regulations, including National Strategies/Policies/guidance,
- Introduction of new legislation or regulations,
- Changes in local circumstances, such as the introduction of any Air Quality Management Areas, changes to Smoke Control Area boundaries,
- Introduction of new sources of emissions,
- Updates or changes to existing Council policy or guidance impacting upon air quality,
- Updates on progress concerning key priorities,
- Changes to key priorities including identification of any new priorities,
- Review of future actions.

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<sup>4</sup>Defra, Environmental Improvement Plan 2023

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# Contacts



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DRAFT



**CABINET**  
**10 SEPTEMBER 2024**

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**PROPOSED AMENDMENTS TO THE SCHEDULE OF CHARGES 2024/25**

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

**Responsible Director –  
Dave Winstanley, Group Director of Services**

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**SUMMARY REPORT**

**Purpose of the Report**

1. To consider a proposed amendment to the Schedule of Charges 2024/25 before consideration by Council on 26 September 2024.

**Summary**

2. Reviews have been undertaken in relation to the fees and charges that are associated with Highway Agreement charges between the Council and developers.
3. A number of amendments are proposed to the Schedule of Charges and these are set out in **Appendix 1**. The rationale and reasons for the proposed changes are outlined in the main report. The increases proposed are based on the cost of providing the services and take account of inflation and market conditions and are anticipated to support the provision of the services.

**Recommendations**

4. It is recommended that Cabinet:-
  - (a) Agrees the changes to the Schedule of Charges as set out in Appendix 1 of this report.
  - (b) Forward the report to Council for a decision.

**Reason**

5. The recommendations support the financial costs of providing the services.

**Dave Winstanley**  
**Group Director of Services**

## Background Papers

No background papers were used in the preparation of this report

Dave Winstanley: Extension 6618

Council Plan	Highway Agreements with developers contribute to the Local Environment priority of ensuring development provides a well-connected, clean and sustainable Borough.
Addressing inequalities	There are no implications.
Tackling Climate Change	There are no implications.
Efficient and effective use of resources	The reviews undertaken seek to consider best value principles and the Council Plan principle of efficient and effective use of monies by ensuring the financial cost of providing the services are supported by the appropriate level of charges.
Health and Wellbeing	There are no implications.
S17 Crime and Disorder	There are no implications.
Wards Affected	All Wards.
Groups Affected	Developers undertaking developments and projects within the Borough.
Budget and Policy Framework	This report proposes changes to the Schedule of Charges approved with the Medium-Term Financial Plan.
Key Decision	This is not an Executive decision.
Urgent Decision	This is not an Executive decision.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers.

## MAIN REPORT

### Information and Analysis

#### Highway Agreement Charges

6. When new houses are built the developer will enter into agreements with the Council either to amend the existing highway arrangements (by a Section 278 Agreement) or enter into an agreement that the Council adopt highways once they are built to an agreed standard and arrangement (a Section 38 agreement).
7. The Council presently charges a fee of 6% of the estimated cost of the work to review and inspect Section 38 and Section 278 agreements with developers.
8. The increase in house building across the Borough has resulted in more schemes being put forward for review, inspection and ultimate adoption by the Council, with some that are larger and more complex than normal.

9. The roles involved in reviewing designs and inspecting the works are difficult to recruit and agency support and specialist advice on some of the more complex schemes has been required, which has increased the costs of this service.
10. The 6% rate has not changed for numerous years and in that time staff salary costs have also increased, more significantly in recent years with inflation. Staff and specialist advice cost increases for our work necessitated the need to review the costs and charges for these services.
11. A review has been undertaken of the market rates across a number of local authorities and some have already increased rates to address the change in market conditions, and some are reviewing the current charges. Darlington is presently at the lower end of the charging range when compared across the region as outlined in the table below. This report seeks to increase the charge from 6% to 8% for both Section 278 agreements and Section 38 Agreements to reflect market conditions and support the costs of providing the services.

	Section 278 Agreement	Section 38 Agreement
Northumberland	10%	7.50%
Sunderland	10%	7.50%
Gateshead	9%	9%
Redcar	8%	8%
Middlesbrough	8%	8%
Stockton	8%	At cost
Durham	8%	8%
North Tyneside	7.50%	7.50%
Newcastle	7.50%	7.50%
Hartlepool	6%	6%
<b>Darlington</b>	<b>6%</b>	<b>6%</b>

### Financial Implications

12. The proposed fees and charges of the Council are set out in Appendix 1. The increases proposed are based on the cost of providing the services and take account of inflation and market conditions. Overall, the proposed increases are anticipated to support the provision of the services.

### Legal Implications

13. The Schedule of Charges requires approval by Council. The highway legal agreements will need to be amended to reflect the new charges if approved.



## PROPOSED AMENDMENTS TO THE SCHEDULE OF CHARGES

## APPENDIX 1

SCHEDULE OF CHARGES 2024/25				
Description	Type	Existing Charge £	New Charge £	Financial Effect £
<b>Highways</b>				
Section 278 Highway Works Agreement	L	6% of estimated works cost plus legal fees if delivered by developer.	8% of estimated works cost plus any relevant fees.	It is difficult to predict the financial impact given the projects and developments originate from the private sector on a sporadic basis. However, the increased percentage will support the increased costs of providing the service to developers.
Section 38 Road Adoption Agreement	L	6% of estimated works cost plus legal fees if delivered by developer	8% of estimated works cost plus any relevant fees.	

**CABINET**  
**10 SEPTEMBER 2024**

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## **ANNUAL REVIEW OF THE INVESTMENT FUND**

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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 update Cabinet on progress against the agreed investments being funded through the Investment Fund.

### **Summary**

2. In November 2016 the Council established an Investment Fund to be used for innovative investment opportunities beyond the traditional Treasury Management Strategy in order to achieve greater returns given the low returns on investment.
3. The fund provision of £50m is being utilised as envisaged in the original reports to Council to include Joint Venture (JV) vehicles and economic regeneration initiatives. Returns on JV's are anticipated to be over £7.5m and three of the JV schemes have completed with the investment fully repaid and recycled back into the fund.
4. The Investment Fund is currently funding 10 schemes as detailed in the report.

### **Recommendation**

5. It is recommended that Cabinet note the use of the Investment Fund and the returns achieved through the joint venture vehicles.

### **Reasons**

6. The recommendation is supported by the following reasons:-
  - (a) To keep Cabinet informed of progress made on opportunities undertaken and investment returns.
  - (b) To increase development opportunities and income for the Council.

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

## Background Papers

- (i) Council report – 24 November 2016 – Investment opportunities
- (ii) Council report – 29 November 2018 – Investment opportunities update and request to increase the fund.

Brett Nielsen : Extension 5403

Council Plan	<p>The use of the Investment Fund contributes to economic development, regeneration and activity therefore contributing to the Council Plan priority.</p> <p>ECONOMY - building a strong sustainable economy and highly skilled workforce with opportunities for all.</p>
Addressing inequalities	This report is providing an update on the financing of schemes therefore there is no impact as a result of this report.
Tackling Climate Change	This report is providing an update on the financing of schemes therefore there is no impact as a result of this report.
Efficient and effective use of resources	The utilisation of the Investment Fund is likely to increase Council income in this and future years.
Health and Wellbeing	This report is providing an update on the financing of schemes therefore there is no impact as a result of this report.
S17 Crime and Disorder	This report has no implications for crime and disorder
Wards Affected	No anticipated impact on an individual area as a result of this report
Groups Affected	No anticipated impact on specific groups as a result of this report
Budget and Policy Framework	This report does not recommend a change to the Council's budget or policy framework
Key Decision	This is not a key decision
Urgent Decision	This is not an urgent decision
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

## MAIN REPORT

### Background

7. In November 2016 Council agreed to the establishment of an Investment Fund and following the successful implementation agreed to increase the fund to £50m on 29 November 2018.
8. It has been agreed the fund is recyclable, so as the life of an investment comes to an end and repayment is made, it will be recycled back into the Investment Fund for further utilisation. Any future scheme would still require a full detailed business case report to Cabinet for approval.
9. The Economic Growth and Finance Teams continue to look for new opportunities to provide development and financial returns to the Council using the Investment Fund.
10. Since the establishment of the fund, Cabinet have agreed to 16 uses, six of which have completed with the investment recycled back into the fund. At the end of the first quarter 2024/25 there are 10 remaining schemes as summarised below:

Investment	Cabinet Agreement Date	Agreed Amount £m's	Repaid	Balance £m's
Markets (MAMDL Ltd)	20/09/17	1.80	0	1.80
Neasham Road – Relocation of Cattle Mart	06/03/18	3.14	0.64	2.50
JV - West Park	03/04/18	12.00	12.00	0.00
JV - ESH/DBC North East	03/12/19	9.50	0	9.50
Land Acquisition – Faverdale	03/03/20	1.30	0	1.30
JV - Neasham Road – Elder Brook Park	15/09/20	8.50	3.75	4.75
Burtree Lane Garden Village	05/10/21	0.73	0	0.73
Feethams House	11/01/22	1.71	1.04	0.67
JV – Neasham Road – Hurworth Gardens	03/07/23	6.70	0	6.70
JV – Blackwell Grange	09/01/24	8.48	0	8.48
<b>TOTAL</b>		<b>53.86</b>	<b>17.43</b>	<b>36.43</b>

11. The eight JV schemes approved to date are projected to provide a pre-tax return on investment of over £7.5m once all houses have been completed and sold. Receipts from the three schemes that have already completed have provided post tax dividends of £1.575m.

### Investment update

12. The following paragraphs provide an update on the individual schemes committed against the Investment Fund since the last report to Cabinet in September 2023.



## **Market Asset Management**

13. In 2017 the Council entered into a lease with Market Asset Management Ltd (MAM) for the management and refurbishment of the Victorian Indoor Market and the management and improvement of Darlington's outdoor market.
14. The first phase of development included the construction of six street food stalls, new toilets, enhanced entrance areas, a new bar facility, full mechanical and electrical improvements, the installation of a bio-mass boiler and repairs to the market roof.
15. Additional works to the market funded from outside of the Investment Fund include phase two of the redevelopment which commenced in August 2022 and includes additional new toilets, improvements to the entrance area to the traditional trading area, general enhancement of the market, two new hospitality venues and a new bar facility in the vaults area of the market. These works were completed in March 2023. A further phase which included a full refurbishment of the retail area was completed in August 2024. This now provides an additional 10 stalls of which four are currently occupied by new traders and heads of terms have been agreed for three more traders.
16. With the completion of Phase 3, detailed discussions with MAM on the terms for the repayment of the loan facility have commenced and will be reported back to members when complete.

## **Neasham Road: Linked to Relocation of Cattle Mart**

17. In March 2018 Cabinet agreed to purchase the land at Neasham Road from the Darlington Farmers Auction Mart and others to help facilitate the move out of the town centre. The acquisition of the land at Neasham Road not only assisted with this priority but enables the Council to bring forward a significant additional development of new houses for sale and social housing to meet an identified need within the borough.
18. £3.14m was allocated from the investment fund being the balance of funding required for the move. The funding will be repaid from Section 106 receipts from affordable housing along with any capital receipts received from the Cattle Mart and Neasham Road sites. To date £0.64m has been repaid. This scheme is progressing with the construction underway at Elder Brook Park and Hurworth Gardens sites. (see below).

## **JV West Park**

19. The Council entered a JV company with our framework partners to build and sell houses at West Park and agreed funding of £12m to facilitate this, to date £6.42m of funding has been drawn down against this allocation and all of this has been repaid. As this scheme is now in the later phases it is not expected that any further draw down of funding will be required and therefore the balance outstanding on the Investment Fund is shown as fully repaid.
20. The current projection is that this scheme will provide a higher return than the originally anticipated pre-tax profit of £2.1m, once the scheme is completed. To date £1.0m of post-tax dividend has been received.

21. The site continues to see high levels of interest and at the time of writing 26 of the 32 properties available for sale in 2024 have been sold or reserved.

#### **JV Esh/DBC North East**

22. Cabinet approved the establishment of a JV company in December 2019 to provide the infrastructure, build and sell homes under an investment programme within the North East under the company name Esh/DBC JV Limited.
23. This company takes a longer-term view and is not site specific which enables funds to be reinvested over a longer term. A number of sites are under consideration and two have commenced construction at Gateshead and Trimdon.
24. Good progress with sales is being made at the Gateshead site, with nine of the 13 properties made available in 2024 either sold or reserved.
25. The new site at Trimdon (Bluebell Gardens) has recently commenced construction with one of the four properties available in 2024 sold to date.

#### **Land Purchase – Land at Faverdale**

26. The Council acquired 74 acres of land for employment use to the east of Faverdale East Business Park following approval in March 2020. Cabinet agreed in October 2021 to seek expressions of interest for a preferred developer of the site. The site was marketed through informal tender but due to changes in the economic climate in late 2022 the submitted expressions of interest did not reflect best value for the Council to proceed.
27. Developer interest remains in the site and the Council is continuing to explore development uses for the site.

#### **JV Neasham Road – Elder Brook Park**

28. The Council entered into a JV company with our framework partners to build and sell houses at Neasham Road and agreed funding of £8.50m to facilitate this, to date £3.75m of this has been repaid to the Council.
29. Pre-tax profits from the site are anticipated at £1.1m.
30. The site continues to provide high levels of interest, with all of the 32 properties initially made available in 2024 either sold or reserved.

#### **Burtree Lane Garden Village**

31. The Council have engaged the services of Homes by Esh the Council's JV partner to help facilitate an early planning application for Council owned land at Faverdale. This forms part of Phase 1 of the Burtree Garden Village site, which subject to planning will provide approximately 188 new homes and provide a capital receipt to the Council as the site is developed. This receipt will be used to repay the Investment Fund.

32. Work has progressed with the sale of the site, however planning and infrastructure tendering delays have pushed back the anticipated sale completion date to the first quarter of 2025.

### **Feethams House**

33. Cabinet agreed to the repayment of £1.7m of European Regional Development Funding (ERDF) to the Government, received for the construction of Feethams House, to facilitate the use of the building by the Treasury and other government departments. This repayment was required as the change in use no longer met the ERDF funding criteria to provide high quality office accommodation to small and medium enterprises.
34. The grant is to be repaid over a three-year term and will be reimbursed through rental income received from the Darlington Economic Campus occupants. To date £1.04m has been repaid to the Investment Fund.

### **JV Neasham Road - Hurworth Gardens**

35. Cabinet approved the establishment of the Joint Venture Company between the Council and Esh Homes to acquire the land, deliver infrastructure and build and sell new homes at Neasham Cell C in July 2023 and agreed funding of £6.7m to facilitate this.
36. The estimated pre-tax profit share for the Council is £0.694m on completion of the scheme.
37. Sales at the site are progressing very well with 17 of the 26 properties made available in 2024 either sold or reserved.

### **JV Blackwell Grange**

38. Cabinet approved the creation of a new Joint Venture Company between the Council and Esh Homes to acquire land and undertake associated works to deliver housing and landscape restoration works to parkland at Blackwell in January 2024. Funding of £8.48m was agreed to facilitate the works, with an expected pre-tax profit share of £0.871m for the Council once works and all properties are sold.

### **Summary**

39. The Investment Fund has been used for 16 schemes to date, six of which have been recycled back into the fund.
40. The agreed Investment Fund of £50m has a commitment against it of £36.43, leaving a balance of £13.57m uncommitted.
41. The JV schemes are anticipated to generate over £7.5m in pre-tax profit dividend to assist the Medium Term Financial Plan, along with a further surplus on loan repayments.
42. The Investment Fund is being utilised as envisaged facilitating wide economic benefits as well as a direct positive impact on the Councils financial position.

**CABINET  
10 SEPTEMBER 2024**

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**REGULATORY INVESTIGATORY POWERS ACT (RIPA)**

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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. This report informs and update Members about issues relevant to the use of the Regulation of Investigatory Powers Act 2000 and developments that have taken place since the last report to Cabinet in March 2024. Members are also asked to consider and approve the RIPA Policy.

**Summary**

2. The Regulation of Investigatory Powers Act 2000 ("RIPA") enables local authorities to carry out certain types of surveillance activity, as long as specified procedures are followed. The information obtained as a result of surveillance operations can be relied upon in court proceedings providing RIPA is complied with.
3. The Investigatory Powers Act 2016 ("IPA") is the main legislation governing the acquisition of communications data. The information obtained as a result of these acquisitions can also be relied upon in court proceedings providing IPA is complied with.
4. This report updates members on issues relevant to this area of work and gives details of RIPA directed surveillance applications and IPA communications data applications that have been authorised since the last report to Cabinet.
5. The RIPA Policy is also attached for Members to consider and approve. This is in line with the Home Office Code of Practice which recommends an annual approval process.

**Recommendations**

6. It is recommended that Members:-
  - (a) Note the issues raised in the report
  - (b) Approve the RIPA Policy at **Appendix 1** to this report.



- (c) Receive further reports on the Council's use of RIPA and IPA and other associated issues.

### **Reasons**

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

- (a) As stated in the Home Office Code of Practice, the RIPA Policy should be approved by Members on an annual basis.
- (b) In order to ensure that the Council complies with the legal obligations under RIPA, IPA and national guidance.
- (c) To help in raising awareness and giving transparency about the use of RIPA and IPA in this Council.

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

### **Background Papers**

General Information: Investigatory Powers Commissioners Office website: [Home page - IPCO](#)

Luke Swinhoe : Extension 5490

Council Plan	The appropriate use of powers can help improve the quality of lives, local communities and the environment.
Addressing inequalities	The RIPA Policy treats all groups equally
Tackling Climate Change	There are no issues that this report needs to address
Efficient and effective use of resources	Clarity about the lawful use of RIPA and IPA will help in understanding their efficient and effective use
Health and Wellbeing	There are no specific implications for Health and Wellbeing
S17 Crime and Disorder	The appropriate use of and oversight of RIPA and IPA powers can help the Council to provide evidence to support prosecutions and tackle crime.
Wards Affected	All wards
Groups Affected	All groups
Budget and Policy Framework	This does not represent a change to the Council's budget and policy framework.
Key Decision	This is not a key decision.
Urgent Decision	This is not an urgent decision.
	The appropriate use of powers is a legislative requirement
Efficiency	
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

## MAIN REPORT

### Information and Analysis

#### Annual Approval of this Council's RIPA Policy

8. Paragraph 4.47 of the Home Office, Covert Surveillance and Property Interference, Revised Code of Practice, August 2018, states that elected members of a local authority should set the RIPA policy at least once a year. The policy is therefore due for approval again having last been reviewed by Cabinet on 5 September 2023.
9. The policy has been reviewed and it is not considered that any amendments are needed at this time.

#### The Investigatory Powers Commissioner's Annual Report

10. On 26 March 2024 the Investigatory Powers Commissioner ("IPC"), Sir Brian Leveson, published his Annual Report on the use of covert investigatory powers by public authorities. These reports are submitted to the Prime Minister annually. The IPC has a statutory obligation to publish his findings and activities to the Prime Minister each year before it is laid in Parliament.
11. The Investigatory Powers Commissioner's Officer ("IPCO") independently oversees the use of investigatory powers, ensuring they are used in accordance with the law and in the

public interest. The Report outlines IPCO's oversight of the use of these covert powers by more than 600 public bodies, including UK intelligence agencies, police forces and local councils. Inspection findings and recommendations are documented in the report, alongside errors and breaches.

12. The report also includes details of activities conducted by the Office for Communications Data Authorisations (OCDA), also under the authority of the Investigatory Powers Commissioner.
13. The IPC keeps under regular review the information that is provided in the Annual Report to ensure that the work of IPCO and OCDA is as transparent as possible.
14. The report covers work undertaken in 2022 by the IPCO and its sister organisation, the OCDA. In 2022, most authorisations for the use of the investigatory powers were for the purpose of preventing or detecting crime. For communications data authorisations, the most common crime type under the "prevent and detect" statutory purpose related to drug offences. IPCO staff undertook a total of 380 inspections in 2022, overseeing the use of powers including the interception of communications, the acquisition of communications data, and the use of covert human intelligence sources.
15. The Investigatory Powers Commissioner, Sir Brian Leveson said:

"Once again, our findings reveal high levels of compliance with the relevant legislation and codes of practice across the many organisations we oversee. There are areas of concern that need to be addressed, but it is reassuring that public authorities are reporting only a very low number of serious errors.

"I am confident that IPCO continues to provide robust oversight and scrutiny to ensure public authorities in the UK are using investigatory powers in a manner that is compliant with the law, including their human rights obligations."

### **Changes to the remit of the Investigatory Powers Commission**

16. On 1 March 2024, the Investigatory Powers Commissioner's Office (IPCO) and the Office for Communications Data Authorisations (OCDA) merged, achieving administrative savings and creating a single body dealing with regulation in this area. The name chosen for the merged organisation is the Investigatory Powers Commissioner's Office with the IPCO taking on the responsibility for oversight of coms data authorisations. The IPCO now has a new strapline "Ensuring lawful compliance through independent authorisation and oversight."

### **Bi-Annual Report Regarding this Council's RIPA and IPA usage**

#### **Directed Surveillance Authorisations**

17. There have been no authorisations granted since the last Cabinet Report.

#### **Communications Data Authorisations**

18. There have been no authorisations granted since the last Cabinet Report.

# **REGULATION OF INVESTIGATORY POWERS ACT 2000**



**DARLINGTON**  
Borough Council

# **RIPA POLICY**

REVIEWED BY CABINET ON 10 September 2024



## REGULATION OF INVESTIGATORY POWERS

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## THE REGULATION OF INVESTIGATORY POWERS ACT 2000

### Policy Statement

1. Darlington Borough Council will apply the principles of the Regulation of Investigatory Powers Act 2000 (RIPA) to all activities where covert surveillance or covert human intelligence sources are used. In doing so the Council will also take into account their duties under other legislation, in particular the Human Rights Act 1998 and Data Protection Act 2018, and its common law obligations.

### Overview of the Act

2. The Act came into force on the 24th September 2000, and aims to balance, in accordance with the European Convention of Human Rights, the rights of individuals with the need for law enforcement and security agencies to have powers to perform their roles effectively. The Act and amending legislation allow local authorities to collect evidence of criminal activity lawfully where the investigation requires covert surveillance even where that may lead to them obtaining private information about individuals.

## **Purpose of the Act**

3. RIPA provides a statutory basis for local authorities to authorise the use of directed surveillance and covert human intelligence sources (undercover officers, agents, informants) and accessing communications data.
4. The Human Rights Act 1998 requires that all actions which may potentially breach an individual's human rights are: -
  - (a) proportionate
  - (b) necessary
  - (c) non-discriminatory
  - (d) lawful
5. RIPA provides lawful authority to carry out certain types of surveillance, the carrying out of which could potentially breach an individual's human rights, provided that specified procedures are followed.
6. Failure to comply with RIPA does not mean that an authority's actions in relation to surveillance will be unlawful however it does mean that evidence obtained from surveillance could be inadmissible in court proceedings and jeopardise a successful outcome. Such action could also be open to challenge as a breach of the Human Rights Act and a successful claim for damages could be made against the Council.

## **Definitions**

### Private Information

7. Should be taken generally to include any aspect of a person's private or personal relationship with others, including family and professional or business relationships.

### Confidential Information

8. Confidential information consists of matters subject to legal privilege, confidential journalistic material, constituent information and confidential personal information which is held in confidence about the physical or mental health or spiritual counselling of a person [whether living or dead] who can be identified from it. Where it is believed that knowledge of confidential information is likely to be acquired, authorisation can only come from the Group Director of Operations or, in their absence, the Group Director of People would deputise for them.

### Surveillance

9. Monitoring, observing, or listening to persons, their movements, conversations or other activities and communications.

10. Recording anything monitored, observed, or listened to in the course of surveillance.
11. Surveillance by or with the assistance of a surveillance device.

#### Covert Surveillance

12. Surveillance carried out in a manner which is calculated to ensure that any persons who are subject to the surveillance are unaware that it is or may be taking place.

#### Intrusive Surveillance

13. Local Authorities have no power to grant authorisations for intrusive surveillance but it is included here to alert Officers to be aware of inadvertently breaching this rule.
14. Intrusive Surveillance is covered by Section 26(3) of RIPA. Surveillance is intrusive for the purposes of RIPA if, and only if, it is covert surveillance that (a) is carried out in relation to anything taking place on any residential premises or in any private vehicle; and (b) involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device.

#### Residential Premises

15. Any premises as is for the time being occupied or used by any person, however temporarily, for residential purposes or otherwise as living accommodation.
16. The definition does not include communal areas, front gardens, or driveways readily visible to the public.

#### Private Vehicles

17. Used primarily for the private purposes of the person who owns it or a person otherwise having the right to use it e.g. a company car.

#### Directed surveillance

18. Surveillance is “directed” if it is covert, but not intrusive, and is undertaken: -
  - (a) for the purposes of a specific investigation or operation
  - (b) in such a manner as is likely to result in the obtaining of private information about a person (whether or not one specifically identified for the purposes of the investigation).
19. Surveillance will not be directed, and therefore will not require authorisation, if it is done by way of an immediate response to events or circumstances the nature of which is such that it would not be reasonably practicable for an authorisation to be

sought for carrying out the surveillance.

#### Covert Human Intelligence Source

20. A person is identified as a CHIS if he establishes or maintains a personal or other relationship with a person for the covert purpose of facilitating the doing of anything falling within the following two categories: -
  - (a) he covertly uses such a relationship to obtain information or to provide access to any information to another person: or,
  - (b) he covertly discloses information obtained by the use of such a relationship or as a consequence of the existence of such a relationship.
21. It is possible that persons undertaking test purchases may fall into this category especially if they enter into a prolonged conversation with retail staff. If the purchaser simply enters a shop and purchases an item with the minimum of conversation it is arguable that they are not acting as a CHIS. Such an operation may still require an authorisation for directed surveillance.
22. In cases where members of the public contact Council Departments to provide information, consideration will need to be given about whether this person could be a CHIS. The provision of unsolicited historic information (for instance via a fraud hotline) would not be regarded as coming from a CHIS. However, if ongoing contact was maintained with an individual who continued to pass information on, consideration must be given about how the information has been obtained (for instance by establishing or maintaining a relationship) and whether the individual should be considered a potential CHIS
23. The Code of Practice relating to Covert Human Intelligence Sources can be found at <https://www.gov.uk/government/collections/ripa-codes>

#### Revised Code of Practice 2018

24. The Home Office have produced a Code of Practice for Covert Surveillance and Property Interference, this has been revised recently and this Policy has been updated in accordance with the Revised Code. The Revised Code of Practice 2018 provides guidance on the use by public authorities to authorise covert surveillance that is likely to result in obtaining private information about a person.
25. A copy of the Revised Code of Practice 2018 can also be found at <https://www.gov.uk/government/collections/ripa-codes>

#### Collateral Intrusion

26. Collateral intrusion is the interference with the privacy of people not connected with your investigation. The risk and proportionality of such intrusion must be weighed up and steps taken to mitigate it, where possible.



## **Does RIPA apply?**

27. Before any authorisation takes place officers must consider whether the surveillance falls under RIPA. Consideration needs to be given to the changes introduced by the Protection of Freedoms Act 2012 (see paragraphs 31 and 32 below) and also to circumstances when guidance suggests that RIPA does not apply.
28. The Revised Code of Practice 2018 at pages 24 to 29 outlines various circumstances when a RIPA authorisation is not required or not appropriate.
29. If the type of surveillance being considered does not fall under RIPA, it cannot be authorised. The Council will therefore not be afforded the legal protection that RIPA provides. For this reason, such operations should not be undertaken without the advice of Legal Officers. Please refer to paragraphs 97 to 100 at pages 16 to 17 of this Policy.
30. Even if RIPA does not apply, use of surveillance will still have to be in accordance with the Human Rights Act 1998 and will therefore need to be:
  - (a) Proportionate
  - (b) Necessary
  - (c) Non-discriminatory
  - (d) Lawful.

## **Restrictions on the use of RIPA**

31. The Protection of Freedoms Act 2012 (in particular a statutory instrument made under the Act) restricts the use of RIPA to conduct that would constitute a criminal offence which is punishable by a maximum custodial sentence of 6 months or more. This effectively restricts the use of RIPA to circumstances when the conduct is considered to be serious criminal conduct, by reference to sentencing powers.
32. There are some limited exceptions to the 6 month rule, set out in the statutory instrument. These are:
  - (a) The sale of alcohol to children (s.146 of the Licensing Act 2003)
  - (b) Allowing the sale of alcohol to children (s.147 of the Licensing Act 2003)
  - (c) Persistently selling alcohol to children (s.147A of the Licensing Act 2003)
  - (d) The sale of tobacco to persons under 18 years of age (s.7 Children and Young Persons Act 1933)
  - (e) Purchase of tobacco or nicotine products on behalf of persons under 18 years of age (s.91 of the Children and Families Act 2014)
  - (f) The sale of nicotine products to persons under 18 years of age (s.92 of the Children and Families Act 2014)
33. If RIPA does apply then the investigation will only be lawful if the authorisation procedures set out below are followed.

## Authorisation Procedures

34. Each covert surveillance operation involving directed surveillance and/or covert human intelligence sources must be authorised internally in writing, using the standard forms provided. In addition to the internal authorisation process an application must also be externally approved by a Magistrate. **No investigation can commence until it has been both internally authorised and externally approved by the Court.**

## Written Authorisations

35. The application forms are available from the intranet (the forms portal). Each application will have a Unique Reference Number (URN). The URN is obtained from Legal Services, which holds the centrally retrievable recording system of all RIPA authorisations. This URN will be recorded on the application for all the forms completed in respect of a particular authorisation for identification and retrieval purposes.
36. The application will be made in writing (or can be typed) by completing the application form and forwarding this to the relevant authorising officer. Authorising officers are those officers listed on page 17. Authorising officers can only authorise the use of RIPA if they have completed the SRO approved mandatory training and attended the mandatory training updates. Authorisations, unlike applications, should be handwritten and not typed. This is best practice as, in a typed form, an authorising officer is open to the assertion that they received the authorisation form already completed and merely signed it or that it had been changed retrospectively.
37. Guidance and support in completing the application and authorisation process can be obtained from Legal Services.
38. Immediately after internal authorisation is granted an electronic copy of the form must be sent to the Assistant Director, Law and Governance with the original (with wet signatures) being sent in a confidential envelope via the internal post. This will be retained on the central record. A copy must also be retained by the applicant on the department file.
39. The application for judicial approval by a Magistrate will be made by Legal Services on receipt of the completed internal authorisation. The Authorising Officer should however make themselves available to attend court with the Legal Services' Officer.
40. For urgent applications Legal Services should be contacted at the earliest opportunity in order to make urgent arrangements to see a Magistrate. The application form and internal authorisation will still be needed but the time in which to get judicial approval should be reduced.

### Time Limits

41. Authorisations only remain valid for specific periods and will require either renewal or cancellation if these periods are to be either increased or reduced. Written authorisations for directed surveillance last for a fixed duration of 3 months and for CHIS they last for a fixed duration of 12 months (or 4 months in the case of a juvenile CHIS) from the date of the Magistrate's approval.
42. Authorisations MUST be cancelled if the conditions are no longer met. Authorisations do not expire when the conditions are no longer met and therefore cancellations are to be made at the earliest opportunity. Authorisations must also be cancelled when the fixed duration comes to an end (and renewal is not requested) as authorisations cannot simply expire.

### Reviews

43. Reviews of Authorisations should take place every four weeks or sooner if the risk of obtaining private information or of collateral intrusion is high and in accordance with the circumstances of the case.
44. A Review will take place by an applicant completing a Review Form which is located on the forms portal of the intranet before the date for review and forward the form to the Authorising Officer for consideration.
45. A copy of the review form should be forwarded electronically [immediately after the review is completed] to the Assistant Director, Law and Governance for inclusion onto the central file. The original form (wet signature) must also be forwarded to the Assistant Director, Law and Governance in the internal post. A copy of the review form should also be kept on the departmental file.

### Renewals

46. If your authorisation time period is about to end, it will be necessary to complete a renewal form and forward this to the relevant authorising officer who will then consider whether the grounds for authorisation still exist. An application for judicial approval by a Magistrate of the internal renewal decision will also be needed. The time in which to get judicial approval will need to be factored in when seeking to get an extension of authorisation. If in the meanwhile the original approval has lapsed no further surveillance should be carried out.
47. A copy of the renewal form should be forwarded electronically [immediately after completion] to the Assistant Director, Law and Governance for inclusion onto the central file. The original form (wet signature) must also be forwarded to the Assistant Director, Law and Governance in the internal post. A copy of the renewal form should also be kept on the departmental file.
48. Subject to internal authorisation and judicial approval, the surveillance can be extended for a further 3 months and a CHIS can be extended for a further 12

months, starting on the date of the day the old authorisation ended.

### Cancellations

49. If the conditions for surveillance being carried out are no longer satisfied, and the authorisation period has not ended, a cancellation form must be completed and all those involved in the surveillance should receive notification of the cancellation, which must be confirmed in writing at the earliest opportunity.
50. Copies of all completed cancellation forms must be forwarded electronically [immediately after cancellation] to the Assistant Director, Law and Governance for retention in the central record within 48 hours from the time of signing the cancellation form. The original (with wet signatures) should be sent to Legal Services in the internal post for the central record. A copy must also be retained by the applicant on the department file.
51. Authorisations must also be cancelled when the fixed duration expires (if renewal is not requested) as authorisations do not expire despite the fixed duration coming to an end.

### **Records**

52. The centrally retrievable record of authorisations, renewals and cancellations is held in a locked cabinet in Legal Services and overseen by the Assistant Director, Law and Governance. The record for each RIPA application contains the following information:-
  - (a) the URN of the investigation or operation
  - (b) the title of the investigation or operation
  - (c) the type of authorisation
  - (d) the date the authorisation was given
  - (e) name and rank and grade of the authorising officer
  - (f) the application for judicial approval and order made
  - (g) if the authorisation has been renewed, when it was renewed and who authorised the renewal
  - (h) whether the investigation or operation is likely to result in obtaining confidential information
  - (i) whether the authorisation was granted by an individual directly involved in the investigation
  - (j) the date the authorisation was cancelled
53. To ensure that the centrally retrievable record is up to date, and to allow proper central oversight, it is important that all applications approved and any subsequent renewals, extensions or cancellations are sent electronically to the Assistant Director, Law and Governance as soon as those decisions are made. Hard copy original application, extension and cancellation forms (i.e. with wet signatures) must also be forwarded to the Assistant Director, Law and Governance in the internal post. All documents sent by internal post must be marked confidential.



54. The documents in the centrally retrievable record are kept until such time as they have been made available for an OSC inspection and, in any event, for a period of at least three years from the date of the end of the authorisation.
55. All original and copy documents shall be destroyed after a period of three years from the date the authorisation comes to an end. Regular reviews should take place to ensure that retention and destruction take place appropriately.
56. Departments should also keep copies of all application forms (whether the application is granted or not), including renewal and cancellation forms on an accessible record. All records should be kept in a secure place, preferably a locked cabinet or drawer with limited key holders. All authorisations, renewals, cancellations and records of reviews shall be retained for a period of three years commencing on the date the authorisation comes to an end.
57. In relation to the use of covert human intelligence sources additional records must be maintained (see pages 14 to 16 below).

#### **Monitoring and Review**

58. Officers who made applications for Authorisations and Authorising Officers should monitor any Authorisation and keep them under review. Consideration should also be given by applicant officers and authorising officers as to whether Authorisations should be cancelled or renewed. Decisions should be recorded in addition to the reasons for those decisions.
59. In addition to the above review mechanism the Senior Responsible Officer (SRO) or their designated officer will review the authorisations held on the central file on a quarterly basis to ensure that the Act is being used consistently with the policy and the policy remains fit for purpose and that authorisation forms are being correctly completed.
60. The Group Director of Operations is appointed by the Council as the SRO for the purpose of RIPA within the Council. The SRO is responsible for:-
  - (a) the integrity of the process in place within the Council to authorise directed surveillance and the use of CHIS
  - (b) Compliance with RIPA and its Codes
  - (c) Engagement with the Commissioners and Inspectors when conducting their inspections
  - (d) Where necessary overseeing the implementation of any post-inspection action plans recommended or approved by a Commissioner
  - (e) Ensuring that all authorising officers are of an appropriate standard

61. The Assistant Director, Law and Governance is the Co-Ordinating Officer for RIPA. They are responsible for record-keeping; oversight of the applications, authorisations, reviews, renewals and cancellations; organising training; and raising RIPA awareness within the Council.
62. Elected members will review the RIPA policy annually and will consider internal reports on the use of RIPA bi-annually. These reports will be completed by the Senior Responsible Officer (SRO) or their designated officer and update members about RIPA usage (or non-usage if there has been no covert surveillance undertaken in that half of a year), compliance reviews and other matters of general relevance concerning RIPA including proposals for legislative change and guidance updates.
63. Elected members should not be involved in making decisions on specific authorisations.
64. The Investigatory Powers Commissioner's Office has set up an Inspectorate to monitor the various authorities' compliance with the Act. For local authorities the first point of contact for the Inspectors will be the Assistant Director, Law and Governance, however potentially any of the Councils' employees and records could be subject to inspection.

#### **Granting Authorisations - Guidance for Authorising Officers**

65. Where an application for authorisation is received, it should only be approved where the authorising officer believes the surveillance :-
  - (a) Relates to criminal conduct, and is
  - (b) Necessary
  - (c) Proportionate to what it aims to do
  - (d) Non-discriminatory.
66. The authorisation forms contain various sections for completion and, when completed fully, they address all considerations to be taken into account when deciding whether an authorisation can be granted or not. Use the notes below to assist you when applying for authorisations or when asked to authorise applications. Only if all these conditions are satisfied should an application for authorisation be granted.
67. The authorisation form must always be completed and copied. The copy will be held on a file within the Department. Authorising Officers should also retain their own separate copy. Immediately after an authorisation is granted the form should be forwarded electronically to the Assistant Director, Law and Governance with the original form (with wet signatures) sent in the internal post to the Assistant Director, Law and Governance for retention on the central file.

## **Criminal Conduct**

68. The use of RIPA is limited to circumstances when the conduct being investigated is criminal conduct of a certain level of seriousness. Subject to the exceptions set out in the paragraph below, the conduct being investigated must constitute a criminal offence that is punishable by a maximum custodial sentence of 6 months or more.
69. There are some limited exceptions to the 6 month rule. These are:
- (a) The sale of alcohol to children (S.146 of the Licensing Act 2003).
  - (b) Allowing the sale of alcohol to children (S.147 of the Licensing Act 2003).
  - (c) Persistently selling alcohol to children (S.147A of the Licensing Act 2003).
  - (d) The sale of tobacco to persons under 18 years of age (S.7 Children and Young Persons Act 1933).
  - (e) Purchase of tobacco or nicotine products on behalf of persons under 18 years of age (s.91 of the Children and Families Act 2014)
  - (f) The sale of nicotine products to persons under 18 years of age (s.92 of the Children and Families Act 2014)

## **Necessity**

70. Local authorities are only permitted to obtain such information where it is necessary for the purpose of preventing or detecting crime or of preventing disorder:-

When completing the application form the applicant should set out:

- (a) The nature of the enquiry or investigation.
- (b) What offences are being investigated?
- (c) When was the complaint received/investigation started?
- (d) Where relevant, outline the intelligence case indicating how the intended surveillance will further the enquiry. This should indicate what steps have already been taken in the investigation to identify any suspects and the evidential value to the investigation of obtaining the information (in other words what will it give you?).
- (e) Where relevant, give the exact date/time/place of the incident under investigation.
- (f) Date of the offence being investigated for which the information is required (or period if relevant). This will demonstrate how collateral intrusion is being minimised by focusing on the offence or search for supporting evidence.
- (g) In long-term or complex investigations it may be appropriate to have an opening paragraph in this section that briefly sets the scene and background which then leads into the specific applicants investigative requirements (in other words;

what do you actually want on this occasion).

- (h) In the case of applications for directed surveillance authorisations, both the applicant and the authorising officer MUST explain why covert surveillance is a necessary activity for the investigation.

### **Proportionality**

- 71. The applicant and authorising officer must also believe that the obtaining of the data is proportionate to what is sought to be achieved by ensuring that the conduct is no more than is required in the circumstances. There must be evidence that consideration has been given by both the applicant and the authorising officer to the issue of proportionality on the written authorisation.
- 72. This involves balancing the seriousness of the intrusion into the privacy of the subject of the operation (or any other person who may be affected) against the need for the activity in investigative and operational terms.
- 73. The following elements of proportionality should therefore be considered:-
  - (a) Balancing the size and scope of the proposed activity against the gravity and extent of the perceived crime or offence
  - (b) Explaining how and why the methods to be adopted will cause the least possible intrusion on the subject and others
  - (c) Considering whether the activity is an appropriate use of the legislation and a reasonable way, having considered all reasonable alternatives, of obtaining the necessary result
  - (d) Evidencing, as far as reasonably practicable, what other methods had been considered and why they were not implemented

### **Equipment**

- 74. Each department shall keep a record of equipment held and to be used for the purposes of RIPA. A copy of the list of equipment should be forwarded to the Assistant Director, Law and Governance in order for the central record of all equipment held by the Council to be maintained and kept up to date.
- 75. The equipment is to be held by the individual departments but should be accessible by other departments within the Council in order to carry out the functions under RIPA. Appropriate training must be given to the individual installing and using the equipment to ensure that the equipment is correctly installed and that data recorded is fit for purpose and meets the objectives of the investigation.
- 76. The impact on necessity and/or proportionality will be directed related to the type of equipment used. Any equipment used must be fit for purpose in meeting the



objectives of the investigation. It is therefore important for the authorising officer to be informed of what equipment is being used and its capabilities [i.e. range, how its turned on manually or remotely] on the application form so that due consideration can be given when considering whether or not to grant the authorisation. The authorising officer will also need to give consideration and advise how images will be managed, for example images will not be disclosed without first speaking with the data controller to ensure compliance with the appropriate data protection requirements under the Data Protection Act 2018 and any relevant codes of practice produced by the Council.

77. When equipment has been installed a check should be undertaken at least every 48 hours if not daily in order to ensure it remains operational.
78. The Criminal Procedure and Investigations Act 1996 Code of Practice makes provision for the storage and retention of the product of the surveillance. Retention of the investigation data, such as images etc, are to be kept by the relevant department in accordance with both the Code of Practice and any relevant policy of that Department. The investigator must retain material obtained in a criminal investigation which may be relevant to the investigation. Material may be photographed, video-recorded, captured digitally or otherwise retained in the form of a copy rather than the original at any time, if the original is perishable; the original was supplied to the investigator rather than generated by him and is to be returned to its owner; or the retention of a copy rather than the original is reasonable in all the circumstances. All original and copy documents shall be destroyed after a period of three years from the date the authorisation comes to an end. Regular reviews should take place to ensure that retention and destruction take place appropriately.

### **Covert Human Intelligence Sources (CHIS)**

79. If a CHIS is to be used, there are detailed requirements regarding management of their activities. The use of a CHIS who is an adult and not a vulnerable person can be authorised by any of the authorising officers. In a case where the proposed CHIS is a juvenile or a vulnerable person, only the Chief Executive can grant an authorisation or, in their absence, the Group Director of People would deputise for them and can grant the authorisation instead.
80. Because of the particular requirements when using a CHIS you should seek advice from the Assistant Director, Law and Governance when considering the use of a CHIS and before any decisions are made.
81. It is of primary importance when using a CHIS that the Local Authority officers involved comply with the statutory risk assessment requirements specified in section 29 of the Act which are designed for the safety of the individual acting as a CHIS and the protection of the Human Rights of those who may be directly or indirectly involved in the operation. The CHIS must be made aware of any potential risks associated with the role of CHIS.
82. The Code of Practice relating to Covert Human Intelligence Sources can be found

at [www.gov.uk/government/collections/ripa-codes](http://www.gov.uk/government/collections/ripa-codes) and provides:-

- (a) There will at all times be an officer who has day to day responsibility for dealing with the source and the sources safety and welfare.
  - (b) Another officer will have general oversight of the use made of the source.
  - (c) An officer will have responsibility for maintaining a record of the use made of the source.
  - (d) The records must contain all matters specified by the Secretary of State.
  - (e) Records which disclose the identity of the source are not available to persons other than those who need access to them.
83. There are special provisions relating to the use of juveniles as a CHIS
- (a) A CHIS under the age of 16 years old should never be authorised to give information against his parents or anyone with parental responsibility for him.
  - (b) The local authority must ensure that an appropriate adult is present at meetings with the CHIS
  - (c) Use of a CHIS under the age of eighteen must not be authorised, granted or renewed unless the Local Authority has carried out or updated a risk assessment sufficient to demonstrate that any risk has been identified and evaluated, that the risk is justified, that the risks have been properly explained and understood by the potential CHIS
  - (d) Only the Chief Executive or, in their absence, the Group Director of People who would deputise for them, can authorise the use of a juvenile CHIS.
84. A vulnerable individual is a person who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of himself, or unable to protect himself against significant harm or exploitation. Such a person should only be used as a CHIS in the most exceptional circumstances and only the Chief Executive may authorise use of a vulnerable adult as a CHIS or, in the absence of the Chief Executive, only the Group Director of People when deputising for them can grant the authorisation instead.
85. The Code of Practice details the records which must be kept when using a CHIS. Originals must be hand delivered to the Litigation Team, Legal Services.
86. Each department or section shall nominate an officer who will have responsibility for ensuring that such records are kept and retained and the Assistant Director, Law and Governance informed of the identity of the designated officer.

87. It should be noted that the Code of Practice states that an officer must not grant authorisation for use of a CHIS unless he believes that there are arrangements in place for ensuring that there is at all times a person with the responsibility for maintaining a record made of the use of the source.
88. Procedures, codes of conduct etc., developed by individual Departments in respect of their operations, which involve the use of a CHIS, must incorporate the requirements of this Policy.

### **Social Networking Sites and Internet Sites**

89. Although social networking and internet sites are easily accessible, if they are going to be used during the course of an investigation, consideration must be given as to whether RIPA authorisation should be obtained.
90. Care must be taken to understand how the social media site being used works. Officers must not be tempted to assume that one service provider is the same as another or that the services provided by a single provider are the same.
91. Officers are also reminded that they must not use personal devices or their personal social media profiles in the course of an investigation. All such investigation must take place using Council devices and generic Council profiles.
92. Paragraphs 3.10 through to 3.17 of the Covert Surveillance and Property Interference Revised Code of Practice (August 2018), which can be accessed at <https://www.gov.uk/government/collections/ripa-codes> sets out in detail the considerations to be worked through in order to establish whether a RIPA authorisation is necessary for any covert online investigation.

### **Lawful Business Practice**

93. The Investigatory Powers (Interception by Businesses etc. for Monitoring and Record-keeping Purposes) Regulations 2018 deals with the lawful interception of communications and the restrictions on such interception. This statutory instrument can be found by accessing the link below:  
<https://www.legislation.gov.uk/uksi/2018/356/contents/made>
94. Such interceptions are only allowed if the controller of the telecommunications system on which they are affected has made all reasonable efforts to inform potential users that interceptions may be made. This Council's Internet and E- mail Usage policy does inform employees that internet and e-mail usage is monitored. Please note however that the telephone system is not subject to such monitoring therefore these regulations cannot be used as authorisation to intercept telephone calls.
95. Telephone calls may be intercepted with the consent of one of the parties to the call. However, an authorisation for directed surveillance or for the use of a Covert Human Intelligence Source must first be granted.

96. Local Authorities may not intercept communications where neither party has been made aware that the communication is being monitored.

### **Surveillance outside of RIPA**

97. RIPA provides a lawful means of carrying out directed surveillance and using CHIS. There is case law that suggests that RIPA only applies to circumstances when the local authority is carrying out a core function (these are the specific public functions undertaken by the local authority, for instance a regulatory function). This means that if a matter relates to an ordinary function RIPA does not apply. Accordingly, any surveillance activity will be undertaken outside of RIPA (but without the statutory protection afforded by RIPA compliance). In such circumstances the activity will only be lawful if it can be shown that the requirements of the Human Rights Act 1998 have been complied with.
98. Under Article 8 of the European Convention on Human Rights an individual has the right to respect for their private and family life. This is a qualified right, which means that in certain circumstances public authorities can interfere with the private and family life of an individual. Such interference must be proportionate, in accordance with law and necessary to protect national security, public safety or the economic wellbeing of the country; to prevent disorder or crime, protect health or morals, or to protect the rights and freedoms of others.
99. This is a highly technical area. Specific legal advice must be obtained from the Assistant Director, Law and Governance if it is considered that surveillance being contemplated relates to an ordinary function and on any occasion when any surveillance in this category is contemplated.
100. If it is agreed with Legal Services that such surveillance is permissible then there are relevant forms to be completed for audit and record keeping purposes that will be provided for completion, after that discussion with the Assistant Director, Law and Governance has taken place.

### **Darlington Borough Council Designated Authorising Officers**

101. The following persons are Authorising Officers:-

Ian Williams – Chief Executive  
Dave Winstanley – Group Director of Services  
Elizabeth Davison – Group Director of Operations  
James Stroyan – Group Director of People

**No officer with direct involvement in an operation should authorise the use of RIPA unless it is unavoidable. If considered to be unavoidable the centrally retrievable record should record that an officer with direct involvement in the operation has authorised the use of RIPA and this authorisation and reasons for it should be highlighted to the commissioner's inspector**

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**CABINET**  
**10 SEPTEMBER 2024**

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**COMPLAINTS MADE TO THE LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN  
AND THE HOUSING OMBUDSMAN SERVICE**

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**Responsible Cabinet Member –  
Councillor Stephen Harker, Leader and all Cabinet Members**

**Responsible Director -  
Chief Officers Executive**

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**SUMMARY REPORT**

**Purpose of the Report**

1. To provide Members with an update of the outcome of cases which have been determined by the Local Government and Social Care Ombudsman (LGSCO) and the Housing Ombudsman Service (HOS) since the preparation of the previous report to Cabinet on 5 December 2023.
2. To provide Members with the Annual Review Letter of the LGSCO (**Appendix 1**).
3. To agree a change to the frequency information is provided to Members.

**Summary**

4. This report sets out in abbreviated form the decisions reached by the LGSCO and the HOS between 1 April 2023 and 31 March 2024 and outlines actions taken as a result. It seeks to identify trends and any further organisational learning to improve services provision.
5. This report also provides Members with a copy of the Annual Letter of the LGSCO, which contains information on the Council's performance in relation to complaints.
6. It is proposed this report be considered annually by Members, in conjunction with the Local Government and Social Care Ombudsman's Annual Letter and annual complaints reports. It is also proposed that upheld decisions are circulated to the relevant portfolio holder at the point the decision is received by the Council.

**Recommendations**

7. It is recommended that:-
  - (a) The contents of the report be noted.
  - (b) The revised frequency be agreed.

## Reasons

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

- (a) It is important that Members are aware of the outcome of complaints made to the LGSCO and the HOS in respect of the Council's activities.
- (b) The revised frequency will both enable Members to retain proper oversight of the outcome of complaints made to the LGSCO and the HOS at a strategic level, while providing more timely information about issues affecting services within their portfolio.

## Chief Officers Executive

### Background Papers

Correspondence with the LGSCO and HOS is treated as confidential to preserve anonymity of complainants.

Lee Downey : Extension 5451

Council Plan	Learning from complaints enables the Council to improve the services it provides. This will help in progressing the delivery of the priorities that are set out in the Council Plan for the economy, homes, living well, children and young people communities and the local environment
Addressing inequalities	Complaint investigations have identified the need to complete an equality impact assessment, to ensure the Council has given due regard to protected characteristics when providing services. Regular information is also provided to the Equalities Advisors Group and the Chief Officer's Board.
Tackling Climate Change	There are no specific recommendations contained within the attached reports concerning Carbon Reduction.
Efficient and effective use of resources	This report has no impact on the Council's Efficiency Programme.
Health and Wellbeing	Learning from complaints enables the Council to improve the services it provides in relation to Public Health, Leisure and Adult Services, including commissioned services.
S17 Crime and Disorder	This report is for information to members and requires no decision. Therefore there are no issues in relation to Crime and Disorder
Wards Affected	This report affects all wards equally.
Groups Affected	This report is for information to members and requires no decision. Therefore there is no impact on any particular group.
Budget and Policy Framework	This report does not recommend any changes to the Budget or Policy Framework.
Key Decision	This is not a Key Decision.
Urgent Decision	This is not an Urgent Decision.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

## MAIN REPORT

### Background

9. The opportunity is normally taken to analyse the areas of the Council's functions where complaints have arisen. It is appropriate to do that in order to establish whether there is any pattern to complaints received or whether there is a particular Directorate affected or a type of complaint which is prevalent. If there were a significant number of cases in any one particular area, that might indicate a problem which the Council would seek to address.
10. The LGSCO encourages officers to share the annual letter with colleagues and elected members as the information can provide valuable insights into service areas, early warning signs of problems and is a key source of information for governance, audit, risk and scrutiny functions.
11. The current timetable means the six monthly report is considered at December's Cabinet, just two months after the annual report. We are proposing moving to annual reporting of LGSCO and HOS decisions, to bring this report in line with the reporting of the Local Government and Social Care Ombudsman's Annual Review letter and the Complaints, Compliments and Comments Annual Reports for Adult Social Care, Children's Social Care, Corporate, Housing and Public Health complaints which are considered at September's Cabinet each year. We are also proposing providing copies of upheld decisions to the relevant portfolio holder in real time. We believe this approach will both enable Members to retain proper oversight of the outcome of complaints made to the LGSCO and the HOS at a strategic level, while providing more timely information about issues affecting services within their portfolio.

### Information and Analysis

12. Between 1 April 2023 and 31 March 2024, the LGSCO notified the Council it had determined 26 complaints.
13. Between 1 April 2023 and 31 March 2024, the HOS notified the Council it had determined two complaints.
14. The LGSCO has updated the decisions they use. As a result it is not possible to make a direct comparison with previous years. However, the new decisions in ***bold/italics*** in the table below are broadly comparable to those previous decisions in *italics* in the table below.

15. The outcome of cases on which the LGSCO reached a decision is shown in the table below:

<b>LGSCO Findings</b>	<b>No. of cases 2023/24</b>	<b>No. of cases 2022/23</b>	<b>No. of cases 2021/22</b>	<b>No. of cases 2020/21</b>
Closed after initial enquiries: no further action	11	9	9	4
Closed after initial enquiries: out of jurisdiction	5	4	1	1
<b><i>Not upheld: no fault</i></b>	<b>0</b>	<b>1</b>	<b>N/A</b>	<b>N/A</b>
<b><i>Not upheld: No further action</i></b>	<b>1</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<i>Not upheld: no maladministration</i>	0	1	1	2
Premature	1	N/A	N/A	N/A
<b><i>Upheld: fault and injustice</i></b>	<b>3</b>	<b>4</b>	<b>N/A</b>	<b>N/A</b>
<i>Upheld: Maladministration and Injustice</i>	0	0	4	2
Upheld: Maladministration, No Injustice	0	0	0	1
<b><i>Upheld: fault and injustice – no further action, organisation already remedied</i></b>	<b>2</b>	<b>1</b>	<b>N/A</b>	<b>N/A</b>
<i>Upheld: maladministration and injustice - no further action, satisfactory remedy provided by the org</i>	0	0	1	0
<b><i>Upheld: no further action, organisation already remedied</i></b>	<b>3</b>	<b>1</b>	<b>N/A</b>	<b>N/A</b>
<i>Upheld: not investigated - injustice remedied during Body in Jurisdiction's complaint process</i>	0	0	0	1

16. The outcome of cases on which the HOS reached a decision is shown in the table below:

<b>HOS Findings</b>	<b>No. of cases 2023/24</b>	<b>No. of cases 2022/23</b>	<b>No. of cases 2021/22</b>	<b>No. of cases 2020/21</b>
Maladministration	2	0	0	0
No Maladministration	0	0	0	0
Service Failure	0	0	2	1

17. A summary of the findings in relation to those cases which were upheld is provided below.

#### **Local Government and Social Care Ombudsman (LGSCO)**

##### ***Upheld: fault and injustice***

18. Mrs X complained about how the Council dealt with her adult child's, Mr Y, financial assessment and its consideration of his disability related expenditure request. She also complained about the Council's poor communication with her and how it dealt with her complaint. Mrs X says the Council's failings caused injustice to her and Mr Y. There were faults by the Council which caused Mr Y and Mrs X injustice. The Council agreed to apologise in writing; pay Mrs X an additional £100 to acknowledge the distress, frustration and uncertainty caused to her by the Council's delay in dealing with and making a decision

about Mr Y's disability related expenditure request and the delay in dealing with her complaint; pay Mr Y £150 to acknowledge the uncertainty caused to him by the Council's delay and its failure to properly consider his DRE request; review Mr Y's DRE request for the cost of the support worker hotel accommodation and the top up cost for his Day Care provision or consider if these should be met by an increase to Mr Y's direct payments and ensure the assessment includes a detailed explanation of the reasoning behind any decision taken; review and provide clear information about Mr Y's direct payments in his support plan and clearly set out the agreed direct payment for his Day Care provision. The Council also agreed by training or other means to remind relevant staff of the importance of properly considering disability related expenditure requests in line with statutory guidance and legislation; remind staff of the importance of adhering to its Customer Standards when communicating with service users or those who support them; and by training or other means remind staff of the importance of adhering to the Council's complaints handling process.

19. Ms M complains the Council refused to provide school transport for her son, B, for the 2021/2022 school year. The LGSCO concluded the third appeal panel to consider her request did not appear to have considered Ms M's appeal properly. To remedy the complaint the Council agreed to reconsider Ms M's application for transport for 2021/2022, paying particular attention to its power to provide transport in those cases that do not meet the criteria in legislation, government guidance and its policy. If the Council decided not to provide transport for 2021/2022, to offer Ms M a fresh appeal. The Council, and any appeal panel, agreed to give reasons for their decision to explain how the Council applied its policy and how it exercised its discretion. The Council also agreed to consider whether it was necessary to produce guidance for transport officers and appeal panels to explain the concept of 'discretion' and to ensure future decisions are sound and properly recorded. In a previous complaint, the Council agreed to make a substantial payment to acknowledge Ms M's time and trouble in pursuing her complaint and the avoidable uncertainty, anxiety and distress she had suffered. The LGSCO recognised the Council was quick to arrange the last appeal, however, recommend the Council make a further payment of £250 to recognise Ms M's time and trouble pursuing another complaint after once again receiving an inadequate decision.
20. Miss B says the Council delayed providing her son with school transport, failed to reimburse her for transport costs; delayed issuing her son's education; health and care plan; failed to commission the necessary reports; failed to offer her a personal budget; failed to ensure her son's special educational needs provision was implemented; failed to provide alternative education when her son was out of school; and delayed responding to her complaint. The LGSCO found there were delays in the transport and education; health and care plan processes; delays dealing with the complaint; failure to provide alternative education; and failure to discuss personal budgets at reviews. To resolve the complaint the Council agreed to apologise; provide Miss B with mileage forms to complete to claim back her transport costs for taking her son to and from school between September and November 2021 and for the two weeks the passenger assistant was absent; complete a risk assessment for the school transport for Miss B's son to make sure it is suitable; pay Miss B £1,000 to reflect the missing provision from her son's EHCP as a result of the delay issuing a final plan in February 2022; provide a refund of the complainant's costs in educating her son between mid-June 2022 and the end of term in July 2022; pay Miss B £500 to reflect her distress and time and trouble; send a reminder to officers dealing with reviews of EHCPs to remind them of the need to discuss the option of a personal budget at the review



meeting; and send a reminder to complaints officers of the need to adhere to the timescales set out in the Council's complaints procedure and to keep those who have complained up-to-date when delays occur.

***Upheld: fault and injustice – no further action, organisation already remedied***

21. Ms X complained about an invoice she has received for care for her father Mr Y. The LGSCO concluded their investigation having made a finding of fault by the Council. Although Mr Y was liable for the care fees, the LGSCO found the Council failed in its duty to appropriately inform Ms X about the liability. The Council had already made a satisfactory award to Ms X to acknowledge the impact this had on her, and had made service improvements to prevent similar occurrences. The LGSCO therefore did not make any further recommendations to the Council.
22. Miss X complained the Council failed to properly reply to her children services complaint. The Council agreed to investigate the complaint at Stage 2 of the Children Act statutory complaints procedure and provide a response within 65 working days of the date of the LGSCO's final decision. The LGSCO upheld the complaint, as the Council had agreed to resolve the complaint early by providing a proportionate remedy for the injustice caused to Miss X.

***Upheld: no further action, organisation already remedied***

23. The LGSCO decided they would not investigate this complaint about poor care provided to Mr X's mother by her care home. This is because the Council agreed to resolve the complaint early by providing a proportionate remedy for the injustice caused. The Council had already found there was fault in relation to care provided to Mrs A following a fall. It also found there was poor record keeping and a failure by the care home to notify Mrs A's family of the fall immediately. While that was the case, the LGSCO considered there still remained a significant injustice to Mrs A's family which had not been remedied. This was because the situation with Mrs A's fall and inadequate care provided following the fall would undoubtedly have caused them distress. The LGSCO therefore asked the Council to consider remedying the injustice, by making a symbolic financial payment of £300. The Council agreed and the LGSCO concluded, to its credit, the Council had agreed to resolve the complaint by providing a proportionate remedy for the injustice caused.
24. They LGSCO concluded they would not investigate a complaint regarding the Council sharing incorrect information with another Local Authority. The Council had already accepted fault, apologised, offered Mr X £250 for the distress caused by its actions and £250 for any delay in responding to Mr X's complaints. It also reviewed how it shares information with other areas. The LGSCO concluded, further investigation would not lead to a different outcome.
25. In determining this complaint, the LGSCO said they would not investigate the matter of the Council charging Mrs X's friend for the care and support services she received. The friend said the Council did not provide clear information about the services being chargeable. The Council had already upheld the complaint and offered to waive some of the charges, which amounted to just over £400. The LGSCO said the Council's remedy was in line with their guidance and an investigation by them would not lead to a different outcome.

## **Housing Ombudsman Services (HOS)**

### **Maladministration**

26. In relation to a complaint about the landlord's handling of an application for help with water rates, including its communication and the associated complaint, the HOS concluded, in accordance with paragraph 52 of the Housing Ombudsman Scheme, there was maladministration in the landlord's handling of the application to the water company for help with water rates and service failure in the landlord's handling of the resident's associated complaint. The HOS concluded the landlord should pay the resident £150 for the distress and inconvenience caused by the landlord's handling of the application for assistance, including poor communication and £100 for the time and trouble caused to the resident in pursuing this complaint and the landlord's failures in complaint handling.
27. This complaint concerned the landlord's handling of the resident's reports of anti-social behaviour and harassment; the landlord's handling of repairs in readiness for, and after, letting; and the landlord's associated complaint handling. The HOS concluded that in accordance with paragraph 52 of the Housing Ombudsman Scheme, there was maladministration in the landlord's handling of the resident's reports of anti-social behaviour and harassment and the way it handled the complaint. The HOS also concluded that in accordance with paragraph 53(b) of the Housing Ombudsman Scheme, the landlord had already offered redress to the resident prior to investigation which, in the Ombudsman's opinion, resolved satisfactorily the complaint about its handling of repairs in readiness for, and after, letting. The HOS ordered the Council to apologise, pay the resident £1,050 compensation and carry out a review of its handling of the resident's anti-social behaviour and harassment reports to determine what action it should take to prevent a reoccurrence of the failings identified. The HOS also recommended the Council pay the resident the compensation it offered through its complaints process related to the property condition aspects of this complaint, if it had not done so already; review the internal training it delivers on its obligations in accordance with the Equality Act 2010 to ensure staff are clear about their responsibilities to vulnerable residents; review any potential Equality Act 2010 considerations as a matter of standard procedure when considering a resident's complaint; and assess its internal recording procedures against the recommendations of the HOS's Spotlight report on Knowledge and Information Management.

### **Analysis**

28. During 2023/24 the Council received three Upheld: Fault and Injustice decisions, compared to four Upheld: Fault and Injustice decisions in 2022/23.
29. No trends have been identified that would lead the Council to implement additional measures to those identified by the Ombudsman, and the organisational learning identified as a result of these complaints should be sufficient to assist in ensuring there is not a re-occurrence.
30. The LGSCO upheld more complaints about the Council (89%), than they did on average about similar organisations (79%).

31. The LGSCO were satisfied the Council had successfully implemented 100% of their recommendations.
32. The LGSCO also found the Council had provided a satisfactory remedy in more upheld cases (38%) than similar organisations (13%), before the complaint reached the Ombudsman.

### **Outcome of Consultation**

33. The issues contained within this report do not require formal consultation.

17 July 2024

*By email*

Mr Williams  
Chief Executive  
Darlington Borough Council

Dear Mr Williams

### **Annual Review letter 2023-24**

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2024. The information offers valuable insight about your organisation's approach to complaints, and I know you will consider it as part of your corporate governance processes. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to ensure effective ownership and oversight of complaint outcomes, which offer valuable opportunities to learn and improve. In addition, this year, we have encouraged Monitoring Officers to register to receive the letter directly, supporting their role to report the decisions we uphold to their council.

For most of the reporting year, Paul Najsarek steered the organisation during his tenure as interim Ombudsman, and I was delighted to take up the role of Ombudsman in February 2024. I look forward to working with you and colleagues across the local government sector to ensure we continue to harness the value of individual complaints and drive and promote systemic change and improvement across the local government landscape.

While I know this ambition will align with your own, I am aware of the difficult financial circumstances and service demands that make continuous improvement a challenging focus for the sector. However, we will continue to hold organisations to account through our investigations and recommend proportionate actions to remedy injustice. Despite the challenges, I have great confidence that you recognise the valuable contribution and insight complaints, and their swift resolution, offer to improve services for the public.

### **Complaint statistics**

Our statistics focus on three key areas that help to assess your organisation's commitment to putting things right when they go wrong:

**Complaints upheld** - We uphold complaints when we find fault in an organisation's actions, including where the organisation accepted fault before we investigated. We include the total number of investigations completed to provide important context for the statistic. This year, we also provide the number of upheld complaints per 100,000 population.

**Compliance with recommendations** - We recommend ways for organisations to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

**Satisfactory remedy provided by the authority** - In these cases, the organisation upheld the complaint and we agreed with how it offered to put things right. We encourage the early resolution of complaints and give credit to organisations that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your organisation with similar authorities to provide an average marker of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data, and a copy of this letter, will be uploaded to our interactive map, [Your council's performance](#), on 24 July 2024. This useful tool places all our data and information about councils in one place. You can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

### **Supporting complaint and service improvement**

In February, following a period of consultation, we launched the [Complaint Handling Code](#) for councils, setting out a clear process for responding to complaints effectively and fairly. It is aligned with the Code issued to housing authorities and landlords by the Housing Ombudsman Service and we encourage you to adopt the Code without undue delay. Twenty councils have volunteered to take part in an implementation pilot over the next two years that will develop further guidance and best practice.

The Code is issued to councils under our powers to provide guidance about good administrative practice. We expect councils to carefully consider the Code when developing policies and procedures and will begin considering it as part of our processes from April 2026 at the earliest.

The Code is considered good practice for all organisations we investigate (except where there are statutory complaint handling processes in place), and we may decide to issue it as guidance to other organisations in future.

Our successful complaint handling training programme continues to develop with new modules in Adult Social Care and Children's Services complaint handling available soon. All our courses include practical interactive workshops that help participants develop their complaint handling skills. We delivered 126 online workshops during the year, reaching more than 1,700 people. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training) or get in touch at [training@lgo.org.uk](mailto:training@lgo.org.uk).


We were pleased to deliver two online complaint handling courses to your staff during the year. I welcome your Council's investment in good complaint handling training and trust the courses were useful to you.

Returning to the theme of continuous improvement, we recognise the importance of reflecting on our own performance. With that in mind I encourage you to share your view of our organisation via this survey: <https://www.smartsurvey.co.uk/s/ombudsman/>. Your responses will help us to assess our impact



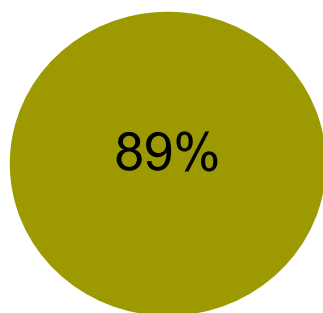
and improve our offer to you. We want to gather a range of views and welcome multiple responses from organisations, so please do share the link with relevant colleagues.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Amerdeep Somal', followed by a horizontal line.

Amerdeep Somal  
Local Government and Social Care Ombudsman  
Chair, Commission for Local Administration in England

### Complaints upheld



**89%** of complaints we investigated were upheld.

This compares to an average of **79%** in similar organisations.

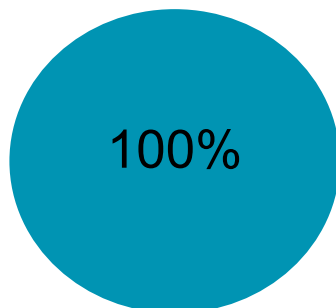
**8**  
upheld decisions

This is 7.3 upheld decisions per 100,000 residents.

The average for authorities of this type is 4.6 upheld decisions per 100,000 residents.

Statistics are based on a total of **9** investigations for the period between 1 April 2023 to 31 March 2024

### Compliance with Ombudsman recommendations



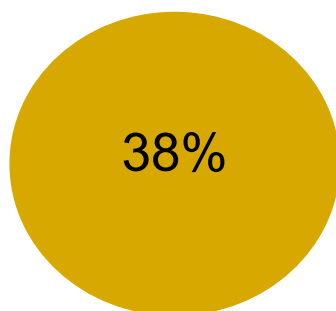
In **100%** of cases we were satisfied the organisation had successfully implemented our recommendations.

This compares to an average of **100%** in similar organisations.

Statistics are based on a total of **5** compliance outcomes for the period between 1 April 2023 to 31 March 2024

- Failure to comply with our recommendations is rare. An organisation with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

### Satisfactory remedy provided by the organisation



In **38%** of upheld cases we found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **13%** in similar organisations.

**3**  
satisfactory remedy decisions

Statistics are based on a total of **8** upheld decisions for the period between 1 April 2023 to 31 March 2024

**CABINET**  
**10 SEPTEMBER 2024**

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**COMPLAINTS, COMPLIMENTS AND COMMENTS ANNUAL REPORTS 2023/24**

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**Responsible Cabinet Member –**  
**Councillor Stephen Harker, Leader and all Cabinet Members**

**Responsible Director -**  
**Chief Officers Executive**

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**SUMMARY REPORT**

**Purpose of the Report**

1. To provide Cabinet with the 2023/24 Complaints, Compliments and Comments Annual Reports for:
  - (a) Adult Social Care (**Appendix 2**).
  - (b) Children's Social Care (**Appendix 3**).
  - (c) Corporate (**Appendix 4**).
  - (d) Housing (**Appendix 5**); and
  - (e) Public Health (**Appendix 6**).

**Summary**

2. It is important that the Council's complaints, compliments and comments procedures are accessible so people can tell us what they think about the services we provide. The Council constantly strives to ensure an organisational culture in which complaints are accepted, owned and resolved as quickly as possible and one in which learning from complaints is used to improve services.
3. The Council received a total of 746 complaints during 2023/24, an increase from 709 in 2022/23, 739 complaints in 2021/22 and 629 in 2020/21. While complaint numbers have risen post-pandemic, they remain lower than pre-pandemic levels, with the Council receiving 838 complaints in 2019/20.
4. The Council received a total of 231 compliments during 2023/24, an increase from 202 in 2022/23, 217 in 2021/22, although a decrease from 309 in 2020/21 and 292 in 2019/20.
5. The Council received a total of 77 comments during 2023/24, a decrease from 112 in 2022/23, 127 in 2021/22, 178 in 2020/21 and 168 in 2019/20.
6. A summary table is provided at **Appendix 1**.
7. The production of an annual report in respect of representations received under the Adult Social Care Complaints, Compliments and Comments Procedure is a requirement of the

Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.

8. The production of an annual report in respect of representations received under the Children's Social Care Complaints, Compliments and Comments Procedure is a requirement of the Children Act 1989 Representation Procedure (England) Regulations 2006.
9. The production of an annual report in respect of representations received under the Public Health Complaints, Compliments and Comments Procedure is a requirement of the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.
10. The production of an annual report in respect of representations received under the Housing Complaints, Compliments and Comments Procedure is a requirement of the new Housing Ombudsman's Complaint Handling Code, which became statutory on 1 April 2024.
11. The production of an annual report in respect of representations received under the Corporate Complaints, Compliments and Comments Procedure is a requirement of the new Local Government and Social Care Ombudsman's Complaint Handling Code, which the Ombudsman issued as 'advice and guidance' for all local councils in England under section 23(12A) of the Local Government Act 1974.

**Recommendations**

12. It is recommended that:-
  - (a) Cabinet notes the content of the attached reports.
  - (b) Cabinet endorses the further recommendations made in the Corporate, Children's and Housing Complaints, Compliments and Comments Annual Reports.

**Reasons**

13. The recommendations are supported by the following reasons:-
  - (a) To make Cabinet aware of the number and nature of the complaints, compliments and comments received by the Council and the resulting organisational learning.
  - (b) To ensure the Council is:
    - (i) Complying with the Children Act 1989 Representation Procedure (England) Regulations 2006.
    - (ii) Complying with the Housing Ombudsman's Complaint Handling Code.
    - (iii) Complying with the Local Government and Social Care Ombudsman's Complaint Handling Code.

- (iv) Complying with the Council's Complaints, Compliments and Comments Procedures; and
- (v) To improve satisfaction with complaints handling.

### **Chief Officers Executive**

#### **Background Papers**

- (i) 2023/24 Complaints, Compliments and Comments Annual Reports for:
  - (1) Adult Social Care (Appendix 2).
  - (2) Children's Social Care (Appendix 3).
  - (3) Corporate (Appendix 4).
  - (4) Housing (Appendix 5); and
  - (5) Public Health (Appendix 6).
- (ii) The Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.
- (iii) The Children Act 1989 Representation Procedure (England) Regulations 2006.
- (iv) The NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.
- (v) The Local Government and Social Care Ombudsman Complaint Handling Code.
- (vi) The Housing Ombudsman Complaint Handling Code.

Lee Downey : Extension 5451



Council Plan	Learning from complaints enables the Council to improve the services it provides. This will help in progressing the delivery of the priorities that are set out in the Council Plan for the economy, homes, living well, children and young people communities and the local environment
Addressing inequalities	Complaint investigations have identified the need to complete an equality impact assessment, to ensure the Council has given due regard to protected characteristics when providing services. Regular information is also provided to the Equalities Advisors Group and the Chief Officer's Board.
Tackling Climate Change	There are no specific recommendations contained within the attached reports concerning Carbon Reduction.
Efficient and effective use of resources	This report has no impact on the Council's Efficiency Programme.
Health and Wellbeing	Learning from complaints enables the Council to improve the services it provides in relation to Public Health, Leisure and Adult Services, including commissioned services.
S17 Crime and Disorder	There is no specific impact on Crime and Disorder.
Wards Affected	All wards are affected.
Groups Affected	The proposals do not affect any particular groups within the community.
Budget and Policy Framework	This report does not have a direct impact on the Budget and Policy Framework.
Key Decision	This is not a key decision.
Urgent Decision	This is not an urgent decision.
Impact on Looked After Children and Care Leavers	The purpose of the Children's Social Care Complaints, Compliments and Comments Annual Report is, in part, to improve the service we provide to Looked After Children and Care Leavers.

## MAIN REPORT

### Information and Analysis

14. Our aim is to put people first and provide them with the best possible service. To make this aim a reality it is important people have the opportunity to tell us what they think about the services we provide. The Council's Complaints, Compliments and Comments Procedures are one way they can do this. They can tell us when we get things wrong so we can put them right. They can also tell us when we get things right, make comments about the things we do and suggest new ways of doing things.
15. We understand that sometimes it is difficult to complain and work hard to ensure an organisational culture in which complaints are seen as a positive means of engagement and an opportunity for the Council to learn and improve services. If people do need to complain we always take their concerns seriously, treat them fairly and with respect and assure them they will not receive a poorer service as a result.
16. There was an increase in the overall number of representations made under the Adult Social Care Complaints, Compliments and Comments Procedure during 2023/24. While there was an increase in the number of complaints received, complaint numbers remained slightly lower than pre-pandemic levels. There was an increase in the number of compliments received, while no comments were received. Full details are attached at Appendix 2. There was an increase in the overall number of representations made under the Children's Social Care Complaints, Compliments and Comments Procedure during 2023/24. There was an increase in the number of complaints received at Stage 1 of the procedure, higher than pre-pandemic levels, however there was a decrease in the number of complaints received at Stage 2 with an increase of 2 in the number of complaints received at Stage 3. There was a decrease in the number of compliments received, while no comments were received. Full details are attached at Appendix 3.
18. There was a decrease in the overall number of representations made under the Corporate Complaints, Compliments and Comments Procedure during 2023/24. While there was a decrease in the number of complaints received, and Stage 1 complaint numbers remained significantly lower than pre-pandemic levels, there was an increase in the number of complaints received at Stage 2. The number of compliments received was the same as in 2022/23 and there was a decrease in the number of comments received. Both compliments and comment remained lower than pre-pandemic levels. Full details are attached at Appendix 4.
19. There was an increase in the number of representations made under the Housing Complaints, Compliments and Comments Procedure during 2023/24. There was an increase in the number of Stage 1 and Stage 2 complaints received, which were higher than pre-pandemic levels. There was also an increase in the number of compliments received, which surpassed pre-pandemic levels. No comments were received. Full details are attached at Appendix 5.
20. The number of representations made under the Public Health Complaints, Compliments and Comments Procedure during 2023/24 remained low. The Council received the same number of complaints as in 2022/23. There was a slight increase in the number of

compliments received, while no comments were received. Full details are attached at Appendix 6.

21. Some examples of organisational learning resulting from complaints have been extracted from the appended reports and are provided below:

*Adult Social Care Complaints:*

- (a) The Council agreed to ensure that written advice and guidance outlining the implications of the cost of care is always provided to service users at the time of undertaking a care and support needs assessment, and that a written record is made that the information has been provided.
- (b) It was also recommended that the Council considers what action is necessary to remedy the delay in financial assessments as a priority, as this is causing worry and distress to people at an already difficult time.
- (c) The Council agreed to consider conducting regular audits and inspections to assess compliance with regulatory standards in a care home, including record-keeping practices, falls protocol adherence, and communication procedures to address any identified deficiencies promptly and implement corrective actions to ensure ongoing quality improvement. The Council also considered reviewing the care home's training requirements, to ensure staff feel confident in their approach to end-of-life planning.
- (d) The Council agreed that, in conjunction with another care home it would review existing safeguarding protocols to ensure that incidents are promptly reported and addressed.
- (e) The Council also agreed to consider how it could implement focused medication audits with a home care provider, similar to those undertaken by the NHS in care homes, to allow for a more effective, informed deep dive of the repeated issues resulting in medication errors and to satisfy itself the issues are not more prevalent across the provision.

*Children's Social Care Complaints:*

- (a) The Council agreed to review its process for responding, when other local authorities make requests for information.
- (b) The Council agreed to reinforce to social workers the importance of accurate record keeping.
- (c) The Council reminded staff of importance of ensuring core group meetings are held every 20 days in Child Protection Cases and that all those with parental responsibility are kept up to date.
- (d) The Council agreed to ensure that all those with parental responsibility are updated regarding any changes to planned meetings, and that communication is recorded accurately. Also that Child in Need (CIN) meetings are held within the statutory

timeframe, and appropriately recorded, either by the allocated worker, or a duty worker.

- (e) Strengths based case recording training was also delivered. Learning was also taken forward to ensure recording is balanced and made in line with our policies. The need for cultural diversity training was also identified.

*Corporate Complaints:*

- (a) Following a complaint for Development Management, the Council made explicit reference to the factors which can impact on the timeliness of planning enforcement matters in section 3 of A Charter for Development Management.
- (b) Following another complaint for Development Management, learning from the complaint was shared with officers to ensure any future applications for works to trees are properly considered in accordance with the Town and Country Planning Act 1990.
- (c) Following a complaint for the Complaints and Information Governance Team about the Council's response to a Subject Access Request (SAR), Children's Services were reminded of the importance of undertaking thorough searches to ensure all information held is provided and of the importance of providing records in a timely manner.
- (d) Following a complaint for Housing Options, officers were advised that during investigations around someone's suitability for a tenancy or when issues are raised about unacceptable behaviours, they should update the applicant/tenant every 20 working days with progress, and they should inform an applicant/tenant in writing of any decision made within five working days, including setting out clearly what procedures have been considered, how and why the decision was reached, any actions the applicant/tenant can consider and next steps.
- (e) Following a further complaint for Housing Options, training was provided to ensure the team advise people applying for housing they will be carrying out a home visit to anyone who is awarded a priority banding.
- (f) Following a complaint for Lifeline, it was agreed Lifeline would review the telecare agreement and include that there are limitations to care provided when personal equipment (such as hoists) are required.
- (g) Following a complaint for SEND, officers were reminded of the need to keep accurate records in relation to the discharge of the Council's statutory duties.
- (h) Following a complaint for School Admissions and Transport the team decided to review how sensitive information is shared with personal assistants, how sharing is documented/measured and if the use of IT equipment would improve service delivery.
- (i) Following a complaint for Early Help, the Building Stronger Families Service agreed to review their response process when concerns are raised and investigated further.

Officers were also reminded of the importance of adhering to the timescales in the Council's Corporate Complaints Procedure.

- (j) Following a complaint for Arboriculture, officers were made aware of the fact cancer is a disability as defined by the Equalities Act 2010.

#### *Housing Complaints:*

- (a) Staff were reminded to ensure they adhering to the Councils Customer Service Standards. They were also reminded to follow the follow liquid disposal guidance.
  - (b) It was agreed that an equality and diversity course would be arranged for all Tenancy Management staff.
  - (c) An issue with the Council's IT system, which allowed appointments to be booked on bank holidays, was identified and fixed.
  - (d) Staff were reminded to show their ID when attending a property to undertake repairs and the information on the Council's website regarding who to contact in relation to an Emergency Repair was updated.
  - (e) In response to a complaint, the process for alternative heating sources when someone's heating is broken was reviewed.
22. The further recommendations set out in the Children's, Corporate and Housing Complaints, Compliments and Comments Annual Reports are.

#### *Children's Social Care Complaints*

- (a) While there has been an improvement in performance against the Stage 1 and Stage 2 timescales, Children's Services and the Complaints & Information Governance Team should continue to work to improve performance.

#### *Corporate Complaints*

- (a) Stage 1 Responding Officers should familiarise themselves with the new Stage 1 timescales in the complaints procedure (introduced by the Local Government and Social Care Ombudsman's Complaint Handling Code on 1 April 2024), and ensure they are complying with them prior to the Council's performance against them being monitored by the Local Government and Social Care Ombudsman from 1 April 2026.
- (b) The Complaints & Information Governance Team should ensure they are complying with the new Stage 2 timescales (introduced by the Local Government and Social Care Ombudsman's Complaint Handling Code on 1 April 2024), prior to the Council's performance against them being monitored by the Local Government and Social Care Ombudsman from 1 April 2026.



### *Housing Complaints*

- (a) Housing Services and the Complaints & Information Governance Team should establish why there has been an increase in the number of complaints escalated to Stage 2 and work to reduce this in during 2024/25.
- (b) The Complaints & Information Governance Team experienced issues in terms of the resource available to investigate Stage 2 complaints during 2023/24. Housing Services and the Complaints & Information Governance Team should continue working to improve performance against the Stage 2 response target during 2024/25.

### **Consultation**

- 23. The Housing Services Tenants Panel were consulted in preparing this report.

## Appendix 1

## Total Representations by Year

Type of representation	2023/24	2022/23	2021/22	2020/21	2019/20
<b>Complaints</b>					
<b>Corporate</b>					
Stage 1 complaints	463	478	532	457	632
Direct to Stage 2 complaints	14	21	17	24	15
Direct to Ombudsman	0	0	0	1	0
<i>Total complaints</i>	<i>477</i>	<i>499</i>	<i>549</i>	<i>483</i>	<i>647</i>
Stage 1 escalated to Stage 2	70	49	53	26	44
<i>Total Stage 2 complaints</i>	<i>84</i>	<i>70</i>	<i>70</i>	<i>50</i>	<i>59</i>
<b>Adult Social Care</b>	61	54	48	46	67
<b>Children's Social Care</b>					
Stage 1 complaints	65	56	49	37	57
Direct to Stage 2 complaints	1	0	4	0	0
<i>Total complaints</i>	<i>66</i>	<i>56</i>	<i>53</i>	<i>37</i>	<i>57</i>
Stage 1 escalated to Stage 2	14	20	8	7	10
<i>Total Stage 2 complaints</i>	<i>15</i>	<i>20</i>	<i>12</i>	<i>7</i>	<i>10</i>
Stage 3 complaints	4	2	1	2	3
<b>Housing</b>					
Stage 1 complaints	140	98	88	60	65
Direct to Stage 2 complaints	0	0	0	1	1
<i>Total complaints</i>	<i>140</i>	<i>98</i>	<i>88</i>	<i>61</i>	<i>66</i>
Stage 1 escalated to Stage 2	30	17	16	12	6
<i>Total Stage 2 complaints</i>	<i>30</i>	<i>17</i>	<i>16</i>	<i>13</i>	<i>7</i>
<b>Public Health</b>	2	2	1	2	1
<b>Total Complaints</b>	<b>746</b>	<b>709</b>	<b>739</b>	<b>629</b>	<b>838</b>
<b>Compliments</b>					
Corporate	130	130	154	209	170
Adult Social Care	39	31	33	38	62
Children's Social Care	6	8	8	15	7
Housing	55	33	21	47	49
Public Health	1	0	1	0	4
<b>Total Compliments</b>	<b>231</b>	<b>202</b>	<b>217</b>	<b>309</b>	<b>292</b>
<b>Comments</b>					
Corporate	77	110	123	171	166
Adult Social Care	0	0	2	1	0
Children's Social Care	0	0	1	0	0
Housing	0	2	1	4	2
Public Health	0	0	0	2	0
<b>Total Comments</b>	<b>77</b>	<b>112</b>	<b>127</b>	<b>178</b>	<b>168</b>



# **DARLINGTON**

## Borough Council

### Adult Social Care

### Complaints, Compliments and Comment

### Annual Report

### 2023/24

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## Introduction

1. The purpose of this annual report is to inform service users, carers, the public, Council Members and staff of the effectiveness of the Adult Social Care Complaints, Compliments and Comments Procedure (the procedure).
2. On 1 April 2009 the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 (the regulations) came into force following the consultation 'Making Experiences Count' by the Department of Health. The consultation found that the complaints processes for people receiving both health and social care services were overly complex and inflexible.
3. As a result, the legislation introduced altered the way in which complaints are handled introducing a single joint complaints process for both social care and health services, with one stage as opposed to the previous three stage process used in relation to adult social care services. The regulations also introduced a duty for health and social care services to cooperate.
4. The Council implemented a new procedure on the 1 April 2010 providing a local framework to ensure complaints are handled effectively and in line with the regulations. This procedure was reviewed on 1 April 2024.
5. The procedure aims to:
  - (a) Make it as easy and accessible as possible for service users and their carers to raise complaints;
  - (b) Foster an organisational culture in which complaints are accepted, owned and resolved as efficiently as possible;
  - (c) Ensure high levels of customer satisfaction with complaints handling;
  - (d) Resolve individual issues when they arise and reduce the number of complaints referred to the Local Government and Social Care Ombudsman; and
  - (e) Enable the Council to identify topics and trends in relation to adult social care complaints and improve services as a result.
6. The Assistant Director Adult Services is the responsible person for ensuring that the Council complies with the arrangements made under the regulations. They act as the 'Adjudicating Officer', which means they make decisions on complaints and decide what action should be taken in light of the outcome of a complaint.
7. The Complaints and Information Governance Manager (Complaints Manager) is the responsible person for managing the procedure for handling and considering complaints in accordance with the agreements made under the regulations.



## **Local Government and Social Care Ombudsman (Health Services Ombudsman)**

8. Although complainants can refer their complaints to the Local Government and Social Care Ombudsman (LGSCO) from the outset, the LGSCO will not normally investigate until the Council has conducted its own investigation and provided a response. Where it has not been possible for the complaint to be resolved to the satisfaction of the complainant they may refer the matter to the LGSCO (and the Health Services Ombudsman for some joint complaints).

## **Information and Accessibility**

9. We are committed to making sure that everyone has equal access to all our services, including the complaints procedure. To help make sure the Council's complaints procedures are easily accessible we have produced two leaflets (one for children and young people and one for adults) covering all Council services, to reflect the single point of access for complainants within the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.
10. Information is available on the Council's website. There is also an electronic form which people can use to make a complaint, pay someone a compliment or pass comment on Council services. People may make a complaint in any format they wish. This can be in writing, by email, via the web, over the phone, in person or by any other reasonable means.
11. The Complaints Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

## **Advocacy**

12. During 2023/24 the Council commissioned an advocacy service which provides RPRs (Relevant Persons Representatives), IMCAs (Independent Mental Capacity Advocates), IMHAs (Independent Mental Health Act Advocates), Care Act Advocates, Representative Deprivation of Liberty authorised by the Court of Protection (COP10DOLS), general advocacy and advocacy for people with a hearing impairment. This was provided by Darlington association on Disability (DAD).

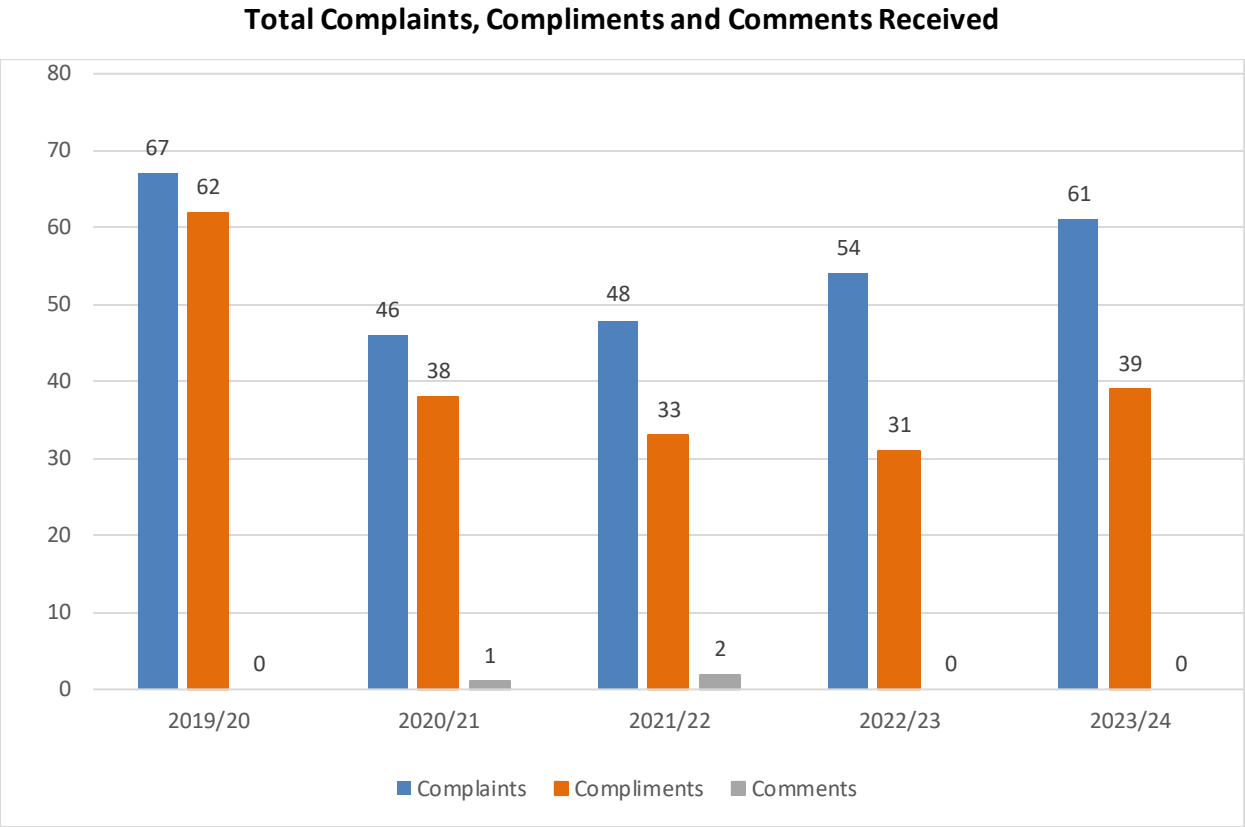
## Summary

13. There has been an increase in overall feedback, 101 representations in 2023/24, compared to 86 in 2022/23, 83 representations in 2021/22 and 85 in 2020/21. While the overall number of representations continued to rise, they remain lower than pre-pandemic levels, with the Council receiving 134 representations in 2019/20.
14. The Council received 61 complaints during 2023/24, an increase from 54 in 2022/23 and 48 in 2021/22 and 46 in 2020/21. While complaint number have continued to rise, they remain lower than pre-pandemic levels, with the Council receiving 67 complaints in 2019/20.
15. The Council received 39 compliments under the procedure during 2023/24, an increase from 31 in 2022/23, 33 in 2021/22 and 38 in 2020/21 and 62 in 2019/20. Similarly compliment number remain lower than pre-pandemic levels, with the Council receiving 62 compliments in 2019/20.
16. The Council did not receive any comments under the procedure during 2023/24, 2022/23, a decrease from two in 2021/22, one in 2020/21. The Council did not receive any comments 2019/20.
17. The Council received one complaint which did not qualify for investigation under the procedure during 2023/24, the same as in 2022/23, an increase from zero in 2021/22, a decrease from six in 2020/21 and five in 2019/20.
18. 10 adult social care complaints were progressed to the LGSCO during 2023/24, an increase from nine in 2022/23, three in 2021/22, six in 2020/21 and two in 2019/2020.
19. The LGSCO reached a decision on nine complaints during 2023/24, the same number as in 2022/23, an increase from four in 2021/22 and 2020/21 and three in 2019/20.

Review of the Year

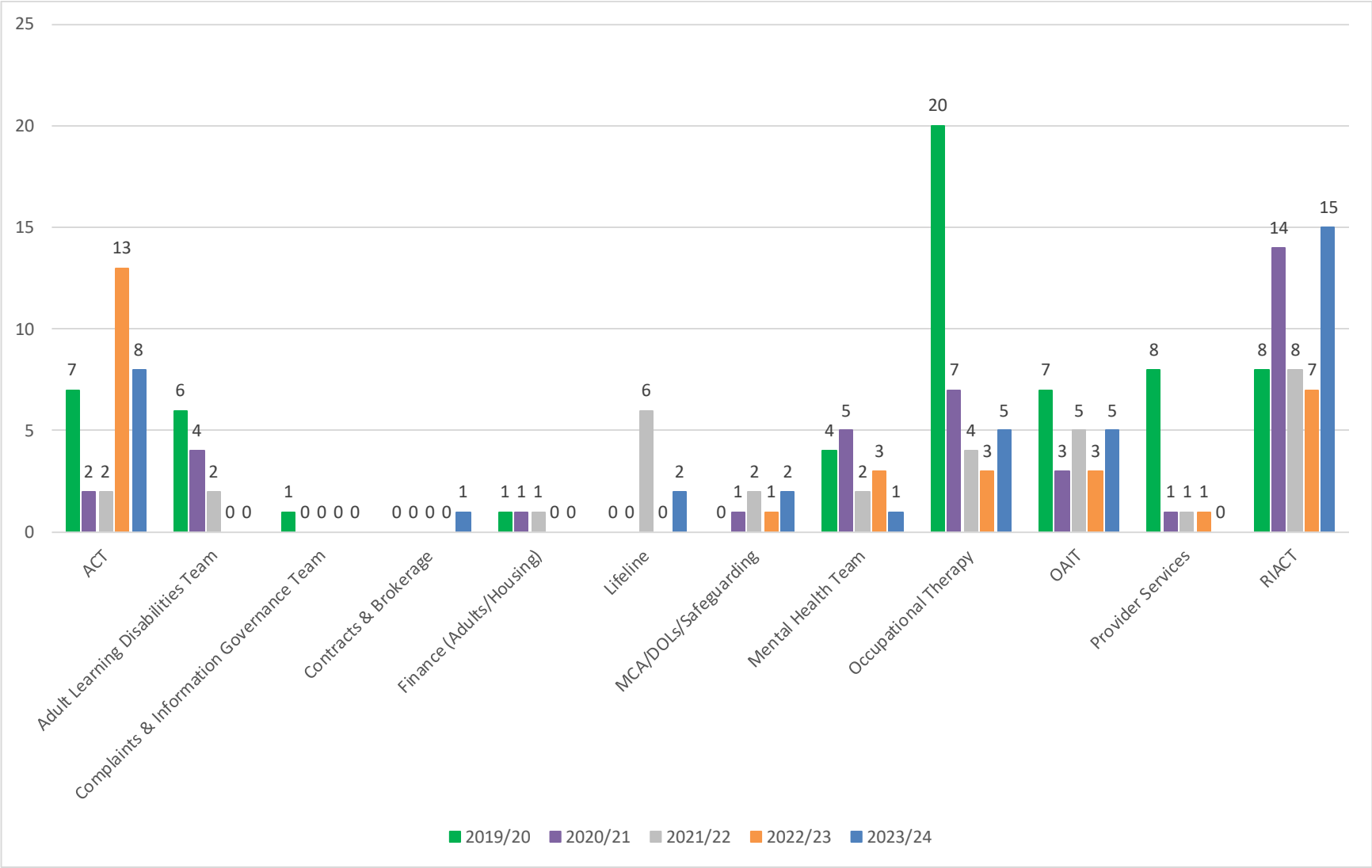
Breakdown of all Representations

20. A total of 101 representations (including one non-qualifying complaint) were handled under the procedure during 2023/24. This does not include those representations responded to directly by social care providers i.e. care homes and home (domiciliary) care providers.



21. There was an increase in the number of complaints investigated, 61 compared to 54 in 2022/23, 48 in 2021/22 and 46 in 2020/21. Complaints remain lower than in 2019/20.
22. There was an increase in the number of compliments received, 39 compared to 31 in 2022/23, 33 in 2021/22 and 38 in 2020/21. Compliments remain significantly lower than in 2019/20.
23. No comments were received in 2023/24 or 2022/23, a decrease from two 2021/22 and one in 2020/21. The number of comments received has historically remained low. The Council did not receive any comments in 2019/20.

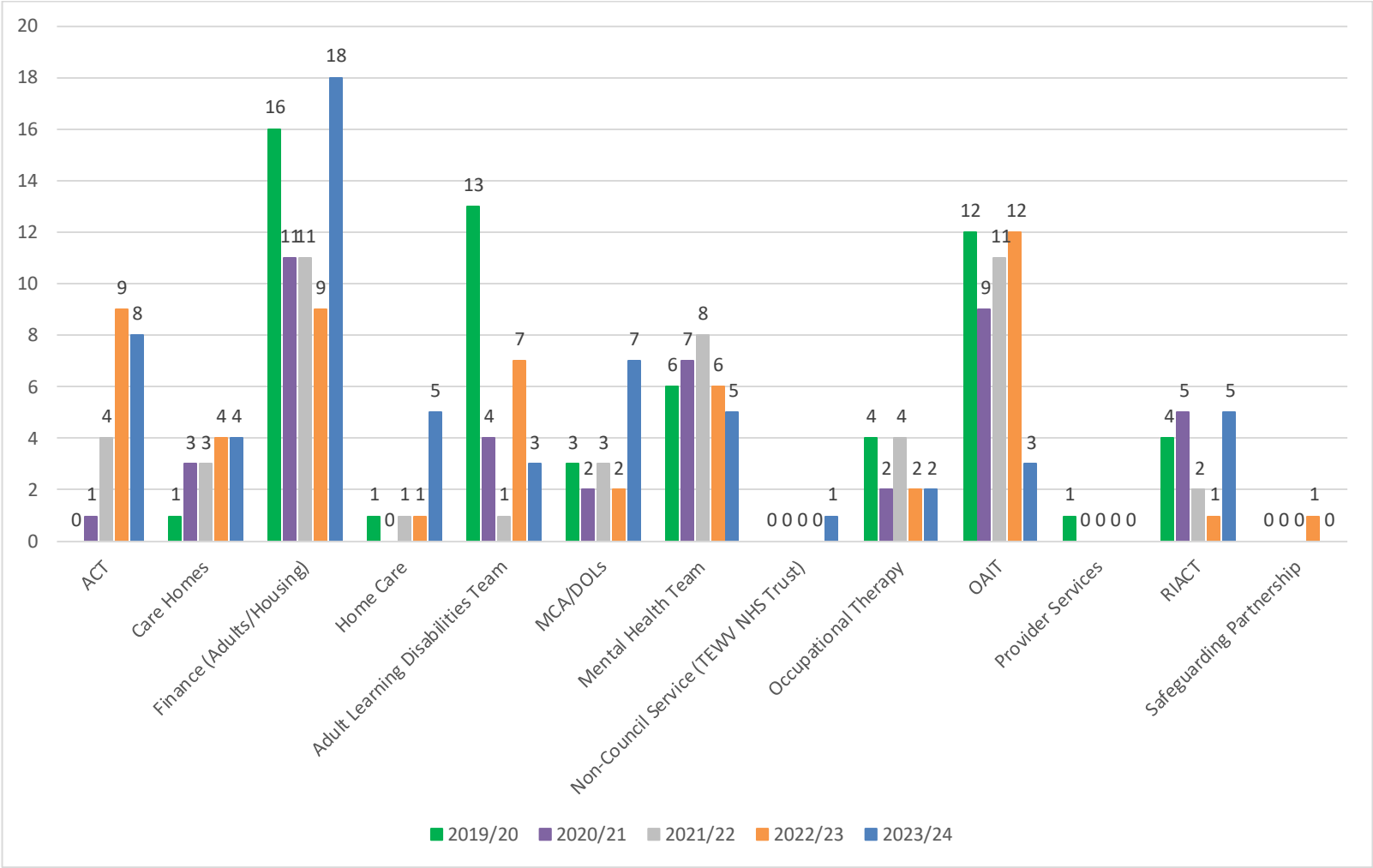
Breakdown of Compliments Received by Service Area/Team



\*ACT = Adult Contact Team, MCA/DOLS = Mental Capacity Act/Deprivation of Liberty Safeguards, OAIT = Ongoing Assessment and Intervention Team, RIACT = Responsive Integrated Assessment Care Team, STAR = Short Term Assessment and Review

N.B. Those teams that do not appear in the graph did not receive any compliments

Breakdown of Complaints Received by Service Area/Team



\*ACT = Adult Contact Team, MCA/DOLS = Mental Capacity Act/Deprivation of Liberty Safeguards, OAIT = Ongoing Assessment and Intervention Team, RIACT = Responsive Integrated Assessment Care Team.

*N.B. Those teams that are not listed did not receive any complaints.*

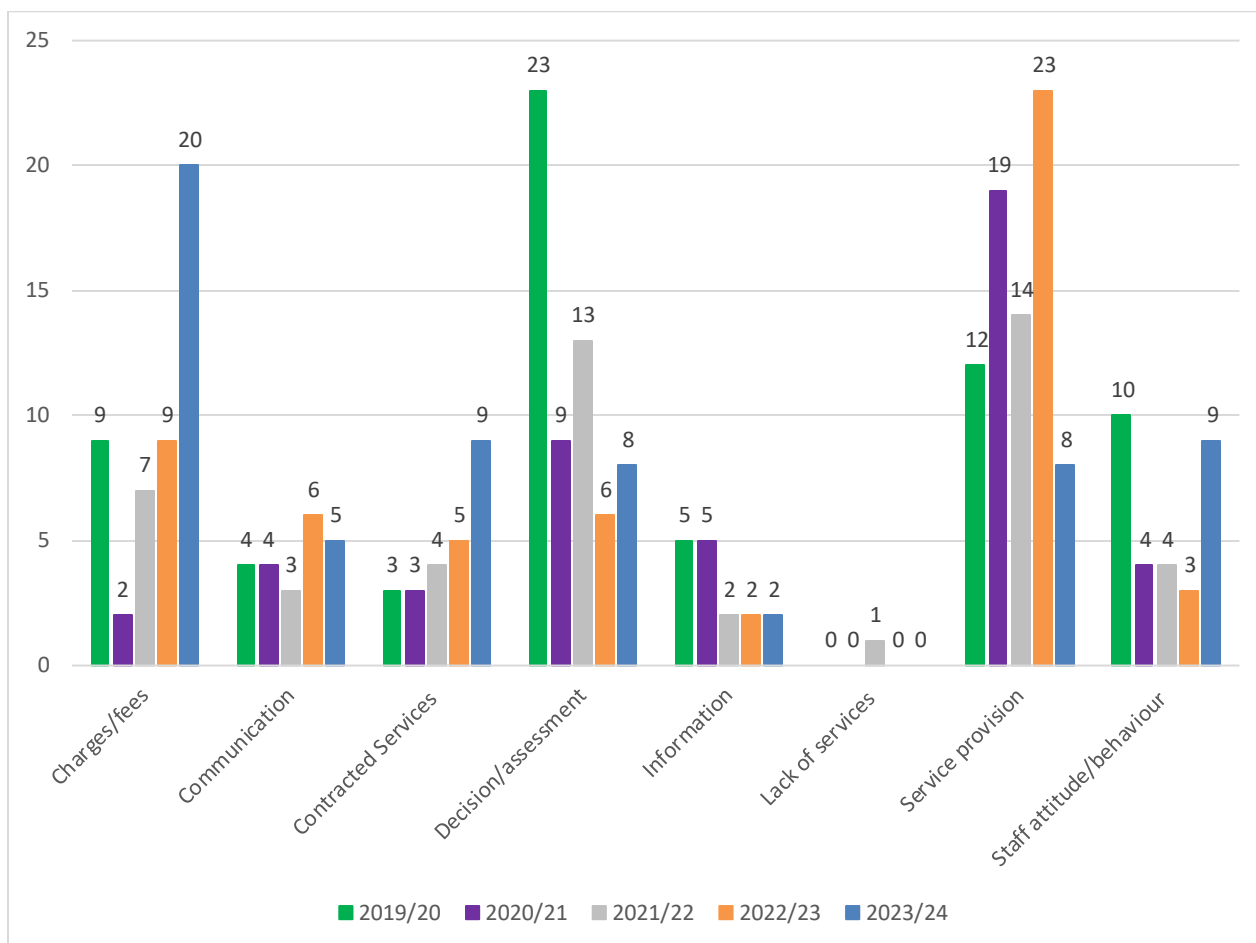


24. The Council investigated eight complaints about ACT, a decrease from nine in 2022/23, an increase from four in 2021/22, one in 2020/21 and zero in 2019/20. The identifiable themes arising from these complaints were communication and issues surrounding care charges.
25. The Council investigated four complaints about care homes (contracted service), the same number as in 2022/23, an increase from three in 2021/22 and 2020/21 and one in 2019/20. These complaints primarily concerned the standard of care provided. Communication was also an issue.
26. The Council investigated 18 complaints about Finance (Adults/Housing), an increase from nine in 2022/23, 11 in 2021/22 and 2020/21 and 16 in 2019/20. Complaints concerned delays, poor communication, inaccurate information and dissatisfaction with decisions.
27. The Council investigated five complaints about a home (domiciliary) care provider (contracted service), an increase from one in 2022/23 and 2021/22, zero in 2020/21 and one in 2019/20. The most common theme was dissatisfaction with the standard of care provided.
28. The Council investigated three complaints about the Adult Learning Disabilities Team, a decrease from seven in 2022/23, an increase from one in 2021/22, a decrease from four in 2020/21 and a decrease from 13 in 2019/20. Two complaints concerned care charges and one the outcome of an assessment.
29. The Council investigated seven complaints about MCA/DOLS (Mental Capacity Act/Deprivation of Liberty Safeguards), an increase from two in 2022/23, three in 2021/22, two in 2020/21 and three in 2019/20. Six complaints related to the handling of safeguarding investigations, while one concerned a DoLS decision and capacity assessment.
30. The Council investigated five complaints about the Mental Health Team, a reduction from six in 2022/23, eight in 2021/22, seven 2020/21 six in 2019/20. Complaints primarily concerned the outcome of decisions/assessments.
31. Occupational Therapy received two complaints, the same number as in 2022/23, a decrease from four in 2021/22, the same number as in 2020/21 and a decrease from four in 2019/20. Both complaints concerned the attitude of the Occupational Therapist.
32. Ongoing Assessment & Intervention Team (OAIT) received three complaints, a significant decrease from 12 in 202/23, 11 in 2021/22 and nine in 2020/21 and 2019/20. There were no identifiable themes.
33. Provider Services did not receive any complaints in 2023/24, 2022/23, 2021/22 or 2020/21, a decrease from one in 2019/20.
34. Responsive Integrated Assessment Care Team (RIACT) received five complaints, an increase from one in 2022/23, two in 2021/22, the same number as in 2020/21 and an increase from four in 2019/20. Three complaints concerned care charges.

**Breakdown of Comments Received by Service Area/Team**

35. Adult Services did not receive any comments, as was the case in 2022/23. This was a decrease from two in 2021/22 and one in 2020/21. Adult Services did not receive any comments in 2019/20.

### Breakdown of Complaints Received by Issue



36. The most common cause of complaint was charges/fees, overtaking service provision. The Council received 20 complaints about this issue, an increase from nine in 2022/23, seven in 2021/22, two in 2020/21 and nine in 2019/20.
37. The joint second most common cause of complaints were contracted services and staff attitude/behaviour, both also overtaking service provision. Contracted services received nine complaints, an increase from five in 2022/23, four in 2021/22 and three in 2020/21 and 2019/20. Staff attitude/behaviour also received nine complaints, an increase from three in 2022/23, four in 2021/22 and 2020/21, although a decrease from nine in 2019/20.
38. The joint third most common cause of complaints were dissatisfaction with the outcome of a decision/assessment and service provision. The Council received eight complaints about dissatisfaction with the outcome of a decision/assessment, an increase from six in 2022/23, a decrease from 13 in 2021/22, nine in 2020/21 and a significant decrease from 23 in 2019/20. The Council also received eight complaints about service provision, a significant decrease from 23 in 2022/23, 14 in 2021/22, 19 in 2020/21 and 12 in 2019/20.
39. Adult Services received five complaints about communication, a decrease from six in 2022/23, an increase from three in 2021/22 and four in 2020/21 and 2019/20.

40. Information was again the least complained about issue. The Council received two complaints about this issue during 2023/24, as was the case in 2022/23 and 2021/22. This was a decrease from five in both 2020/21 and 2019/20.

### Complaint Outcomes

41. 56 complaint investigations were concluded during 2023/24. The outcomes of these complaints are detailed in the chart below.

Service Area/Team	Upheld	Partly Upheld	Not Upheld	Inconclusive	Withdrawn	Total
Adult Contact Team (ACT)	3	3	1	0	3	10
Adult Learning Disabilities Team	1	2	0	0	0	3
Care Homes (contracted service)	2	4	0	0	0	6
Finance (Adults)	4	8	2	0	0	14
Home Care (contracted service)	0	4	1	0	0	5
MCA/DOLS	1	1	1	0	0	3
Mental Health	0	1	4	0	0	5
Non-Council Service	0	0	0	0	1	1
Occupational Therapy	0	0	1	0	0	1
Ongoing Assessment & Intervention Team (OAIT)	0	2	2	0	1	5
Responsive Integrated Assessment Care Team (RIACT)	0	2	1	0	0	3
<b>Total</b>	<b>11</b>	<b>27</b>	<b>13</b>	<b>0</b>	<b>5</b>	<b>56</b>

### Local Government and Social Care Ombudsman (LGSCO) Complaints Received 2023/24

42. 10 adult social care complaints were progressed to the LGSCO during 2023/24, an increase from nine in 2022/23, three in 2021/22 and five in 2020/21 and 2019/20.

### Local Government and Social Care Ombudsman (LGSCO) Complaint Outcomes 2023/24

43. Nine adult social care complaints were determined by the LGSCO during 2023/24, the same number as in 2022/23, an increase from four 2021/22 and 2020/21 and five in 2019/20.



44. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 5 December 2023 and 10 September 2024 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

### **Organisational Learning**

45. All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints, a number of service improvements were made following complaint investigations during 2023/24, some of which are detailed below.

### **Adult Contact Team (ACT)**

46. ACT ensured the level of knowledge around DoLS within the team was adequate to ensure that service users are provided with the correct advice at the point of contact.
47. Social workers were reminded that assessments should be shared with the service user at the point of completion of the assessment
48. ACT agreed to undertake a review of communications and record keeping within the team.
49. Social workers were given additional training in hospital discharge procedures.

### **Adult Learning Disabilities 18+**

50. Consideration was given to reviewing the process to ensure service users are advised at the earliest opportunity of changes in cost to their care package. These costs do not have to be an accurate or precise calculation but should be offered in line with Care Act expectations that financial costs are calculated and communicated with service users in an open and clear way.
51. The Council agreed to ensure that where a service user has assessed needs requiring support of a PA to assist with finances and correspondence, that any kind of financial assessment is only undertaken with the required support in place.
52. The Council agreed to consider making appropriate literature available in a variety of formats, in relation to financial assessments and contributions.
53. It was recommended a social worker attend direct payment training and update their knowledge of Darlington Borough Council charging policies.

### **Care homes (Contracted Services)**

54. The Council agreed to consider conducting regular audits and inspections to assess compliance with regulatory standards in a care home, including record-keeping practices, falls protocol adherence, and communication procedures in order to address any

identified deficiencies promptly and implement corrective actions to ensure ongoing quality improvement.

55. The Council also considered reviewing the care home's training requirements, to ensure staff feel confident in their approach to end-of-life planning.
56. The Council agreed to remind social workers that support plans should be specific to the individual's needs.
57. The Council agreed that, in conjunction with another care home it would review existing safeguarding protocols to ensure that incidents are promptly reported and addressed.
58. The Council also agreed to consider partnering with the home to thoroughly review their medication management protocols, to identify the root causes of the repeated missed medication incidents and promptly take remedial actions to address any systemic issues contributing to medication lapses.
59. Furthermore, the Council agreed to consider working with the home to ensure the continuous availability of prescribed medications, by working with reliable suppliers, maintaining an adequate inventory of essential drugs and ensuring a robust system for monitoring medication stock levels was in place.

## **Finance**

60. The Financial Assessment Team were reminded of the importance of answering telephone calls and responding in a timely manner to emails.
61. It was recommended the contracts section should review the wording of the contract around the backdating of the actuals when the contract is to be retendered.
62. The Council agreed to review the Direct Payments system to ensure there is a robust process and prevents young adults, parents and their carers accruing large levels of debt in unpaid financial contributions.
63. The Council agreed to make explicit reference to Disability Related Expenditure as a potential allowance within any annual financial assessment process.
64. The Council agreed to look to improve people's experience of the use of Direct Payments by Survey/Feedback/User groups to receive feedback, understand peoples experience and actions to improve/learn.
65. The Council agreed to providing basic written details of the potential costs linked to proposed residential care and have service users sign to confirm they understand, to support individuals to make informed decisions about the type of support they receive, who might provide this support, what the costs may be and how that support might be delivered.
66. The Council agreed to ensure the residential and non residential charging policies and the deferred payment policy are reviewed annually or sooner where necessary.

### **Home Care (Contracted Service)**

67. The Council agreed to ensure that written advice and guidance outlining the implications of the cost of care is always provided to service users at the time of undertaking a care and support needs assessment and that a written record is made that the information has been provided.
68. The Council agreed to ensure there is a process in place, which ensures that service users are informed of the contractual requirements of any care package i.e. 24 hours' notice to cancel a care call as part of their pre-service assessment/service agreement.
69. The Council agreed to consider how it could implement focused medication audits with a home care provider, similar to those undertaken by the NHS in care homes, to allow for a more effective, informed deep dive of the repeated issues resulting in medication errors and to satisfy itself the issues are not more prevalent across the provision.

### **MCA/DOLS/Safeguarding**

70. It was recommended that all written correspondence shared with CQC, is shared via the central e-mail address, not directly to an inspector in isolation.
71. The Council considered developing processes to ensure that any future audits and dip sampling of Safeguarding Strategy Meetings outcomes/progress are used to inform annual contracts monitoring and quality assurance arrangements pertaining to specific nursing homes.

### **Occupational Therapy**

72. It was recommended occupational therapists discuss the expectations of a home visit in their pre-visit phone call.
73. It was also recommended the Council consider how adult occupational therapy assessments are recorded and give consideration to when and how they should be shared with individuals.

### **Ongoing Assessment & Intervention Team (OAIT)**

74. It was agreed the Council would ensure steps are taken to assess team capacity at the earliest opportunity, particularly at handover between teams, to avoid delays.

### **Responsive Integrated Assessment Care Team (RIACT)**

75. It was recommended the Brokerage team email the allocated worker to advise when a care plan has been sent out, and that the allocated worker record this information on the electronic record for clarity.

76. It was recommended all service users be given the financial leaflet and link to the online predictive financial tool verbally and in writing at the first visit by the RIACT and Community Teams.
77. It was also recommended that the Council considers what action is necessary to remedy the delay in financial assessments as a priority, as this is causing worry and distress to people at an already difficult time.
78. Furthermore, it was recommended the information as stated in the Care Act 2014 below is added to the care and support needs assessments as this is provided to the service users.  
*'That only people with assets of less than £23,250 and low incomes receive any help from the State with their care and support costs. To decide what a person can afford to pay, a local authority will carry out a financial assessment. The local authority will consider the person's income and any assets they own, like a house or other investments. The local authority will then calculate how much the person can afford to pay towards their care and support costs'.*

### **Performance against the Procedure**

79. The target for acknowledging receipt of complaints under the procedure is 3 working days.
80. 80% of complaints received during 2023/24 were acknowledged within the 3 working day timescale, a decrease from 81.13% in 2022/23.
81. There are no longer any statutory timescales for complaint responses, except that complainants should receive a response within the 'relevant period' i.e. six months or longer where an extension is agreed in advance. Where the Local Authority is unable to respond within the relevant period it must write to the complainant explaining why and respond as soon as reasonably practicable after the relevant period. The procedure sets out a 30 working days timescale for dealing with complaints solely about the Council's services, although there are circumstances in which the investigator may agree an extension with the complainant up to a maximum of six months. It also states that for joint health and social care complaints, the complaints managers from the different organisations will work together to decide a reasonable timescale and agree this with the complainant. This is to ensure investigations are completed in a timely manner and within the maximum time allowed in the regulations.
82. 7.14% of complaints were responded to within 30 working days, a decrease from 8.2% in 2022/23.
83. 10.7% of complaints exceeded the maximum six month time limit set in the procedure, a decrease from 12.9% in 2022/23.

### **Performance Indicator for 2023/24**

84. In relation to Adult Social Care complaints the Council's key performance indicator is the number of upheld decisions received from the Local Government and Social Care Ombudsman. Adult Services received four upheld decisions during 2023/24, an increase

from two in 2022/23, the same number as in 2021/22, an increase from one in 2020/21 and a decrease from five in 2019/20.

85. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 5 December 2023 and 10 September 2024 entitled [Review of Outcome of Complaints Made to Ombudsman](#).





# **DARLINGTON**

## Borough Council

### **Children's Social Care Complaints, Compliments and Comments Annual Report 2023/24**

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## **Introduction**

1. Darlington Children's Social Care welcomes complaints, compliments and comments as a way of improving service delivery to children, young people and their families. The purpose of this report is to inform the service users, carers, the public, Council Members and Children's Social Care staff of the effectiveness of the Children's Social Care Complaints, Compliments and Comments Procedure (the Procedure). The report identifies topics and trends in relation to complaints information, makes suggestions for service improvements, where appropriate and identifies areas of organisational learning that have taken place in relation to people, policy and process.

## **The Law**

2. The Council is required by law to have management arrangements in place for considering children's social care representations, including complaints, under the Children Act 1989. National legislative procedures for social care were amended in September 2006 with the introduction of the Children Act 1989 Representation Procedure (England) Regulations 2006 (the Regulations). It is a requirement of the Regulations that the Council publishes an annual report. In addition to the Regulations the Department for Education and Skills produced some comprehensive guidance for local authorities on managing complaints, called 'Getting the Best from Complaints'.
3. Key features of the Regulations include:
  - (a) A requirement for local authorities to appoint a Complaints Manager;
  - (b) A requirement for review panels to be retained by local authorities but with more robust arrangements for constituting and running them; and
  - (c) A 12 month time limit to make complaints.

## **Complaints and Information Governance Team**

4. The Complaints and Information Governance Manager is appointed as the 'Complaints Manager' in accordance with the requirements of the Regulations. The Complaints and Information Governance (CIG) Team is independent of Children's Social Care operational line management. This ensures a high level of independence in the way children's social care complaints are managed within the Council.

## **Public Information**

5. We are committed to making sure that everyone has equal access to all our services, including the Procedure. To help make the Procedure easily accessible we have produced two leaflets (one for children and young people and one for adults) covering all Council services to reflect the single point of access for complainants within the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.

6. Information is available on the Council's website. There is also an electronic form which people can use to make a complaint, pay someone a compliment or pass comment on Council services. People may make a complaint in any format they wish.
7. This can be in writing, by email, via the web, over the phone, in person or by any other reasonable means.
8. The Complaints Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

## **Children's Services Social Care Complaints Process**

### **Stage 1 – Local Resolution**

9. This initial stage allows children's social care managers the opportunity to try and resolve complaints locally, usually within the team being complained about.

### **Stage 2 – Investigation**

10. Stage 2 involves a full and formal investigation. An 'Independent Person' must also be appointed to oversee the investigation and report independently to Children's Social Care Services. Both the Investigating Officer and Independent Person produce reports, which are submitted to a senior manager who writes the final response to the complainant.

### **Stage 3 – Review Panel**

11. A review panel is convened when the complainant is dissatisfied with the Stage 2 response. The panel consists of an independent chairperson and two individuals who are independent of the Council.

### **The Local Government and Social Care Ombudsman**

12. Although complainants can refer complaints at any stage to the Local Government and Social Care Ombudsman (LGSCO) they will not normally investigate until the Council has conducted its own investigation and provided a response.

### **External Support to the Complaints Process**

#### **Advocacy**

13. The Council commissions an advocacy service for children and young people who make a complaint. This is an independent service provided by NYAS.

#### **Investigating Officers**

14. While the Regulations do not require investigating officers to be independent of the Council, we have signed up to a contract for the provision of Independent Investigating Officers.

#### **Independent Persons**

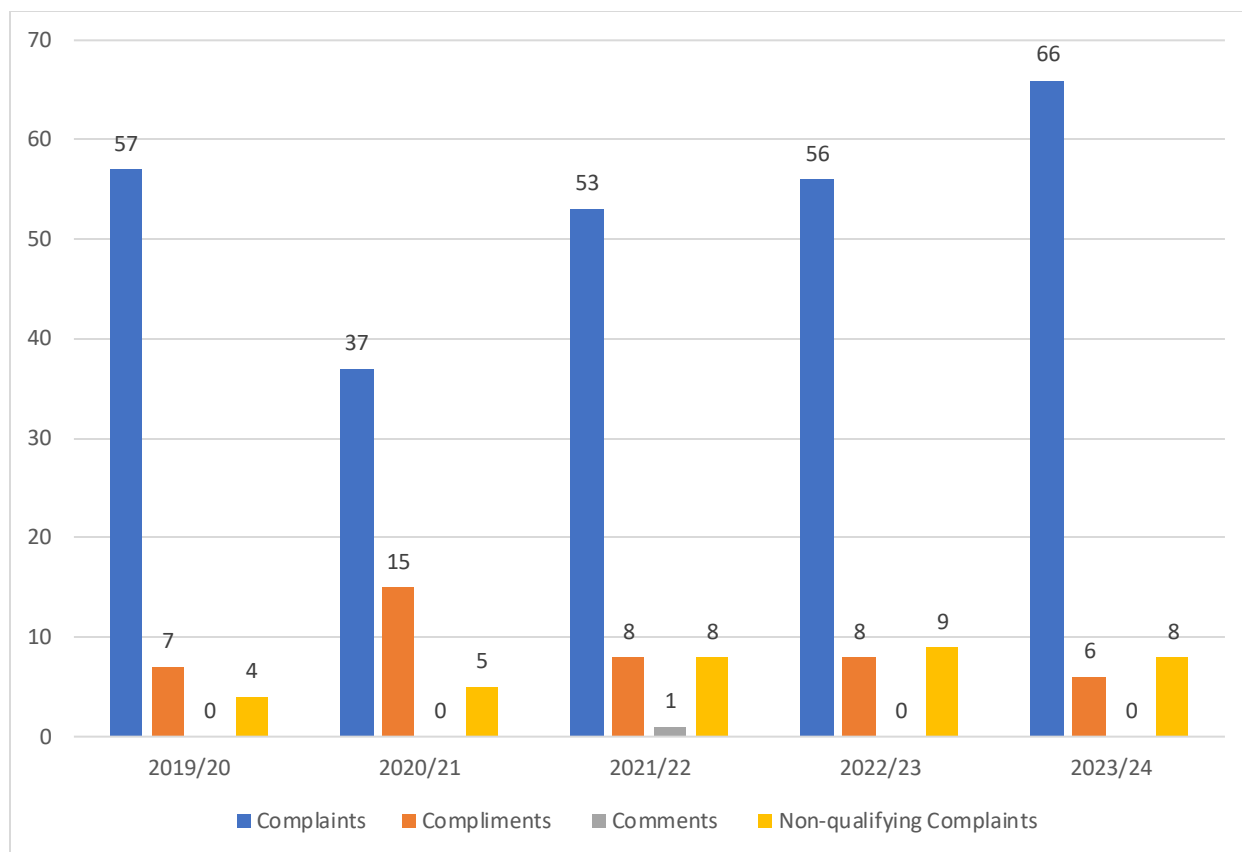
15. The Council has signed up to a contract for the provision of independent persons.

#### **Review Panels**

16. The Council has also signed up to a contract for the provision of an independent chair and independent panellist service.

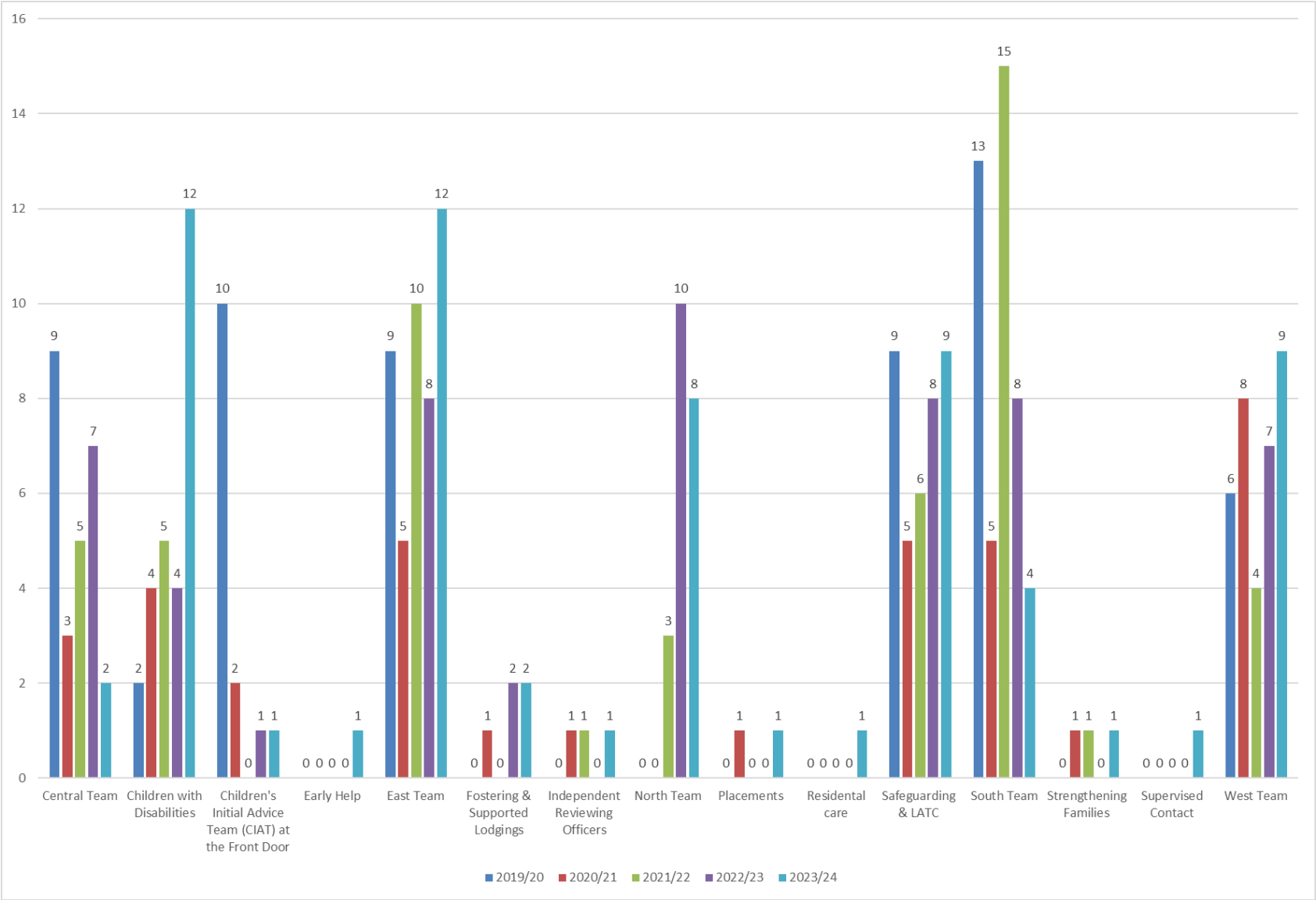


### Total Complaints, Compliments and Comments received



17. The Council saw a significant increase in the number of complaints received, investigating 66 complaints, an increase from 56 in 2022/23, 53 in 2021/22, 37 in 2020/21 and 57 in 2019/20. 65 were investigated at Stage 1, while one was escalated directly to Stage 2.
18. The Council received six compliments, a decrease from eight in 2022/23 and 2021/22, 15 in 2020/21 and seven in 2019/20.
19. The Council did not receive any comments in 2023/24 or 2022/23, compared to one in 2021/22, and zero in 2020/21 and 2019/20.
20. The Council received eight non-qualifying complaints, a decrease from nine in 2022/23, the same number as in 2021/22 and an increase from five in 2020/21 and four in 2019/20.

Breakdown of Stage 1 Complaints by Service Area/Team



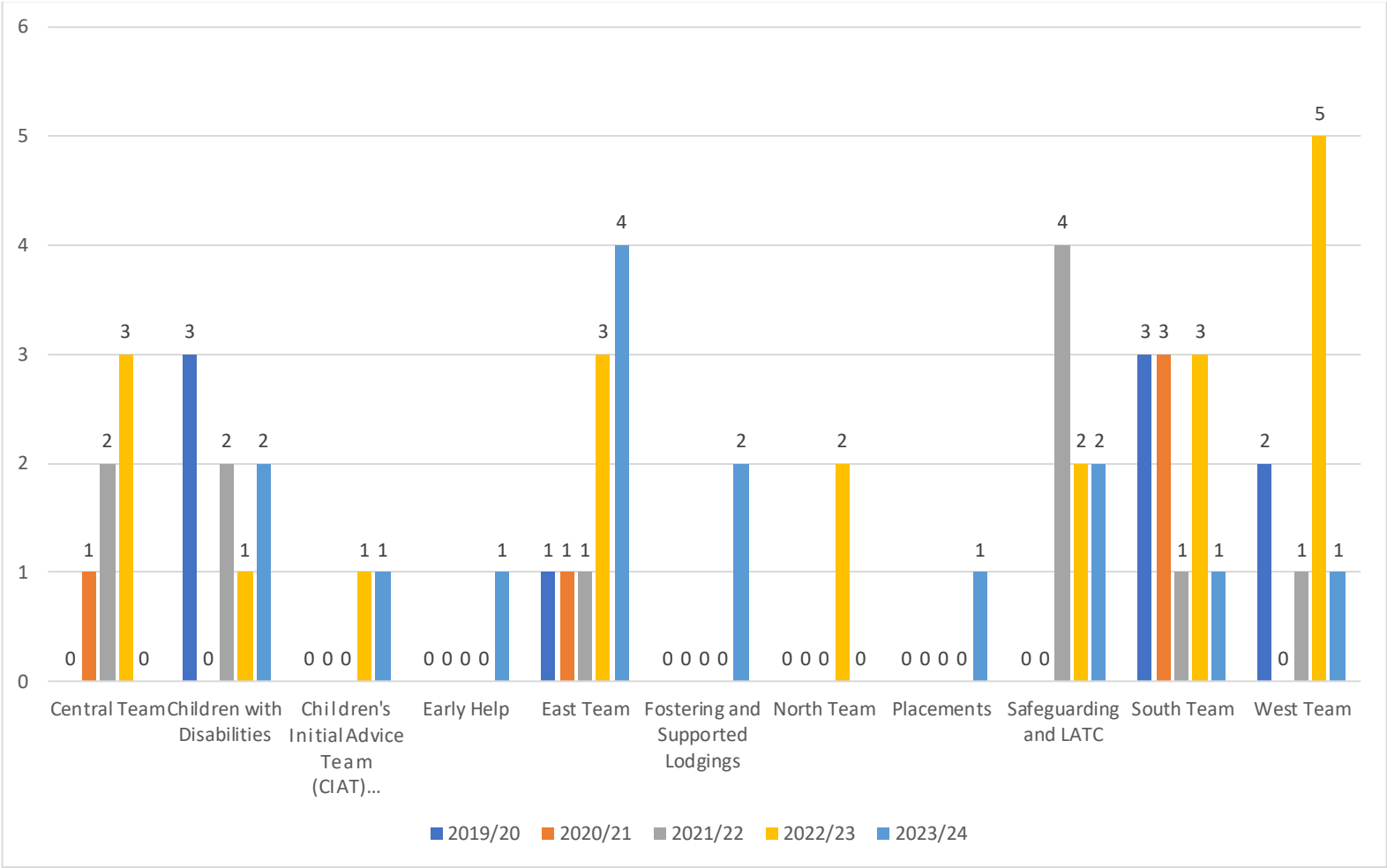
*N.B. Those teams that are not listed did not receive any complaints during 2023/24.  
Direct comparison data may not available for all teams due to changes in the Council’s organisational structure.*

21. Central Team (formerly Team C) received two complaints, a reduction from seven in 2022/23, five in 2021/22, three in 2020/21 and nine 2019/20. There were no identifiable themes.
22. Children with Disabilities (formerly Life Stages 0 -25) received 12 complaints, an increase from four in 2022/23, five in 2021/22, four in 2020/21 and two in 2019/20. Issues with communication was the most common cause of complaint, followed by people's dissatisfaction with the outcome of their assessment and the attitude of their child's social worker.
23. Children's Initial Advice Team (CIAT) at the Front Door received one complaint, the same as in 2023/23, this was an increase from zero in 2021/22 and a decrease from two in 2020/21 and 10 in 2019/20\* (*\*Children's Access Point (CAP) and First Response Team*).
24. Early Help received one complaint, an increase from zero in 2022/23, 2021/22, 2020/21 and 2019/20.
25. East Team (formerly Team B) received 12 complaints, an increase from eight in 2022/23, 10 complaints in 2021/22, five in 2020/21 and nine in 2019/20. The most common cause of complaint was people's dissatisfaction with the behaviour of, treatment by and their relationship with their child's social worker.
26. Fostering and Supported Lodgings received two complaints, the same number as in 2022/23, an increase from zero in 2021/22, one in 2020/21 and zero in 2019/20. There were no identifiable themes.
27. Independent Reviewing Officers received one complaint, an increase from zero in 2022/23, the same number as in 2021/22 and 2020/21 and an increase from zero in 2019/20.
28. North Team (formerly Team E) received eight complaints, a decrease from 10 in 2022/23, an increase from three complaints during 2021/22 and zero in 2020/21 and 2019/20. The most common cause of complaint was poor communication. Other issues included dissatisfaction with the accuracy of recorded information and contact arrangements.
29. Placements received one complaint, an increase from zero in 2022/23 and 2021/22, the same number as in 2020/21 and an increase from zero in 2019/20.
30. Residential Care received one complaint, an increase from zero in 2022/23, 2021/22, 2020/21 and 2019/20.
31. Safeguarding and LATC (formerly Looked After Through Care (LATC) Team) received nine complaints, an increase from eight in 2022/23, six in 2021/22, five in 2020/21 and the same number as in 2019/20. The most common cause of complaint was dissatisfaction with the attitude/behaviour of the child's social worker.
32. South Team (formerly Team D) received four complaints, a decrease from eight in 2022/23, 15 in 2021/22, five in 2020/21 and 13 in 2019/20. The only identifiable theme was dissatisfaction with the attitude/behaviour of social workers.

33. Strengthening Families received one complaint, an increase from zero in 2022/23, the same number as in 2021/22 and 2020/21 and an increase from zero in 2019/20.
34. Supervised Contact received one complaint, an increase from zero in 2022/23, 2021/22, 2020/21 and 2019/20.
35. West Team (formerly Team A) received nine complaints, an increase from seven in 2022/23, four in 2021/22, eight in 2020/21 and six in 2019/20. The most common theme was general dissatisfaction with the service provided by the social worker, followed by communication issues.

Breakdown of Stage 2 Complaints by Service Area/Team

36. 15 complaints were investigated at Stage 2, a decrease from 20 in 2022/23, an increase from 12 in 2021/22, seven in 2020/21 and 10 in 2019/20. Two were subsequently suspended under Regulation 8, as a result of concurrent court proceedings.



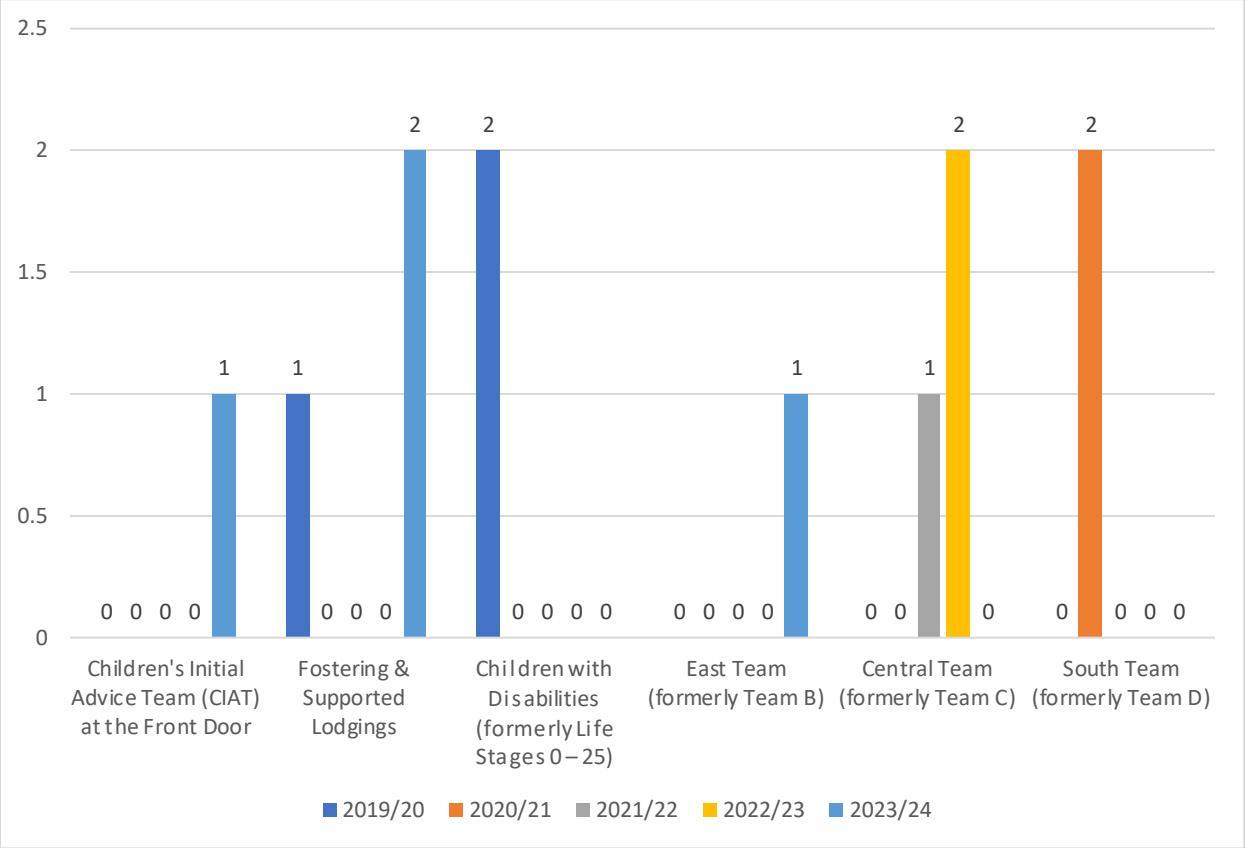
*N.B. Those teams that are not listed did not receive any complaints during 2023/24.  
Direct comparison data is not available for all teams due to changes in the Council's organisational structure.*



37. Central Team (formerly Team C) did not receive any stage 2 complaints, a decrease from three in 2022/23, two in 2021/22, one in 2020/21 and the same number as in 2019/20.
38. Children with Disabilities (formerly Life Stages 0 – 25) received two stage 2 complaints, an increase from one in 2022/23, the same number as in 2021/22, an increase from zero in 2020/21 and a decrease from three in 2019/20.
39. Children’s Initial Advice Team (CIAT) at the Front Door received one stage 2 complaint, the same number as in 2022/23, an increase from zero in 2021/22, 2020/21 and 2019/20.
40. Early Help received one stage 2 complaint, an increase from zero in 2022/23, 2021/22, 2020/21 and 2019/20.
41. East Team (formerly Team B) received four stage 2 complaints, an increase from three in 2022/23, one in 2021/22, 2020/21 and 2019/20. Two complaints concerned dissatisfaction with contact arrangements.
42. Fostering and Supported Lodgings received two stage 2 complaints, an increase from zero in 2022/23, 2021/22, 2020/21 and 2019/20.
43. North Team (formerly Team E) did not receive any stage 2 complaints, a decrease from two in 2022/23 and the same number as in 2021/22, 2020/21 and 2019/20.
44. Placements received one stage 2 complaint, an increase from zero in 2022/23, 2021/22, 2020/21 and 2019/20.
45. Safeguarding and LATC (formerly Looked After Through Care (LATC) Team) received two stage 2 complaints, the same number as in 2022/23, a decrease from four in 2021/22 and an increase from zero in 2020/21 and 2019/20.
46. South Team (formerly Team D) received one stage 2 complaint, a decrease from three in 2022/23, the same number as in 2021/22 and a decrease from three in 2020/21 and 2019/20.
47. West Team (formerly Team A) received one stage 2 complaint, a decrease from five in 2022/23, the same number as in 2021/22, an increase from zero in 2020/21 and a decrease from two in 2019/20.

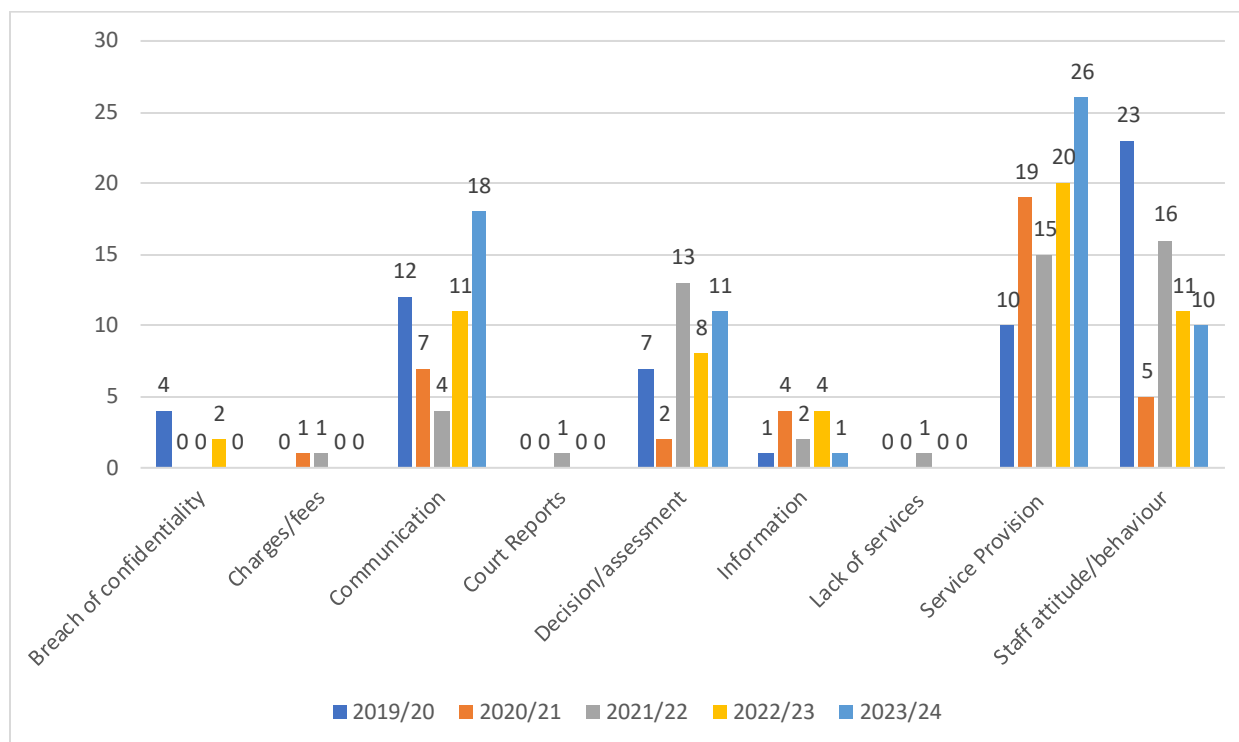
Breakdown of Stage 3 complaints by Service Area/Team

48. Four complaints were escalated to Stage 3, an increase from two in 2022/23, one in 2021/22, two in 2020/21 and three in 2019/20. One was subsequently suspended under Regulation 8, as a result of concurrent Court proceedings, and ultimately did not progress to a Stage 3 Panel hearing.



*N.B. Those teams that are not listed did not receive any complaints during 2023/24. Direct comparison data is not available for all teams due to changes in the Council's organisational structure.*

**Breakdown of complaints by Issue**



49. Service/provision was the most commonly complained about issue in 2023/24. The Council received 26 complaints about this issue, an increase from 20 in 2022/23, 15 in 2021/22, 19 in 2020/21 and 10 in 2019/20.

50. Communication was the second most commonly complained about issue in 2023/24. The Council received 18 complaints about this issue, an increase from 11 in 2022/23, 4 in 2021/22, 7 in 2020/21 and 12 in 2019/20.

51. Decision/assessment was the third most complained about issues in 2023/24. The Council received 11 complaints about this issue, an increase from 8 in 2022/23, a decrease from 13 in 2021/22, and an increase from two 2020/21 and seven in 2019/20.

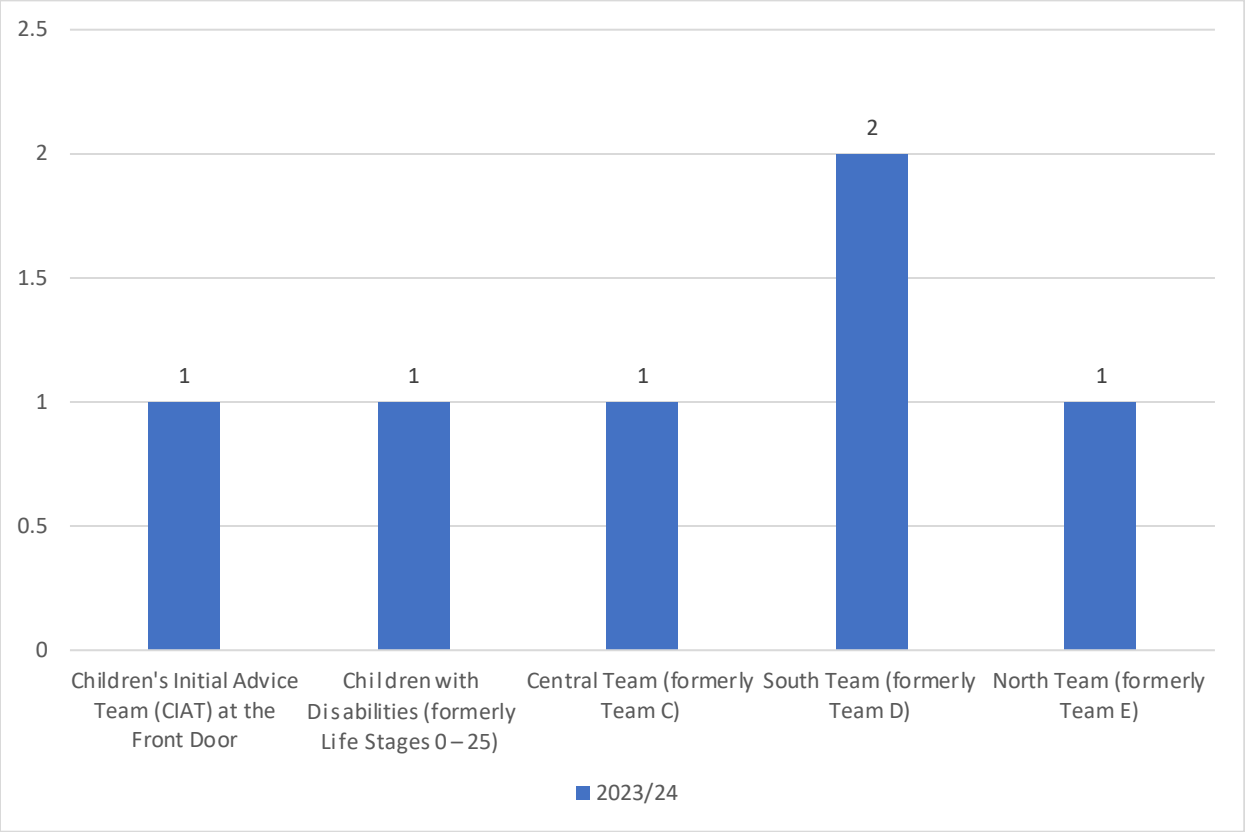
52. Staff attitude/behaviour was the fourth most commonly complaints about issue in 2023/24. The Council received 10 complaints about this issue, a decrease from 11 in 2022/23, 16 in 2021/22, an increase from five 2020/21 and a decrease from 23 in 2019/20.

53. The Council also received one complaint about information, a decrease from four in 2022/23, an increase from two in 2021/22, a decrease from four in 2020/21, and the same number as in 2019/20.

**Breakdown of Comments by Service Area/Team**

54. The Council did not receive any comments during 2023/24 or 2022/23, a decrease from one during 2021/22, and the same number as in 2020/21 and 2019/20.

**Breakdown of Compliments by Service Area/Team**



55. The Council received six compliments, a decrease from eight in 2022/23 and 2021/22, 15 in 2020/21, although an increase from the four received in 2019/20.

### Complaint Outcomes

**Stage 1** - The below table shows the decisions reached on Stage 1 complaints during 2023/24.

Service Area/Team	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Central Team (Formerly Team C)	0	0	1	1	1	0	3
Children's Initial Advice Team (CIAT) at the Front Door	0	0	0	1	0	0	1
Children with Disabilities (formerly Life Stages 0 -25)	0	0	4	4	2	0	10
Early Help	0	0	0	1	0	0	1
East Team (formerly Team B)	0	0	3	3	1	1	8
Fostering & Supported Lodgings	0	0	0	1	1	0	2
Independent Reviewing Officers	0	0	1	0	0	0	1
North Team (formerly Team E)	0	0	4	2	2	0	8
Placements	1	0	0	0	0	0	1
Residential Care	0	1	0	0	0	0	1
Safeguarding & LATC (Formerly Looked After Through Care (LATC) Team)	0	0	1	2	2	2	7
South Team (formerly Team D)	0	0	1	1	0	1	3
Strengthening Families	0	0	1	0	0	0	1
Supervised Contact	0	0	0	1	0	0	1
West Team (formerly Team A)	0	0	2	1	0	3	6
<b>Totals</b>	<b>1</b>	<b>1</b>	<b>18</b>	<b>18</b>	<b>9</b>	<b>7</b>	<b>54</b>



**Stage 2** - The below table shows the decisions reached on Stage 2 complaints during 2023/24.

<b>Service Area/Team</b>	<b>Inconclusive</b>	<b>Not Upheld</b>	<b>Partially Upheld</b>	<b>Upheld</b>	<b>Withdrawn</b>	<b>Total</b>
Children's Initial Advice Team (CIAT) at the Front Door	0	0	2	0	0	2
Children with Disabilities (formerly Life Stages 0 -25)	0	1	1	0	0	2
Early Help	0	0	0	0	1	1
East Team (formerly Team B)	0	1	2	1	0	4
Fostering & Supported Lodgings	0	0	2	0	0	2
South Team (formerly Team D)	0	0	1	0	0	1
West Team (formerly Team A)	0	0	2	0	0	2
<b>Totals</b>	<b>0</b>	<b>2</b>	<b>10</b>	<b>1</b>	<b>1</b>	<b>14</b>

**Stage 3** - The below table shows the decisions reached on Stage 3 complaints during 2023/24.

<b>Service Area/Team</b>	<b>Inconclusive</b>	<b>Not Upheld</b>	<b>Partially Upheld</b>	<b>Upheld</b>	<b>Withdrawn</b>	<b>Total</b>
Children's Initial Advice Team (CIAT) at the Front Door	1	0	0	0	0	1
East Team (formerly Team B)	0	0	0	0	1	1
Fostering & Supported Lodgings	0	2	0	0	0	2
<b>Totals</b>	<b>1</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>4</b>

### **Local Government and Social Care Ombudsman (LGSCO) Complaints**

56. Three complaints were referred to the LGSCO during 2023/24, and increase from one in 2022/23 and 2022/23, two in 2020/21 and one in 2019/20.
57. Four complaints were determined by the LGSCO during 2023/24, an increase from zero in 2022/23, one 2021/22, two in 2020/21 and one in 2019/20.

### **Organisational Learning**

58. All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints several service improvements were made following complaint investigations during 2023/24. Some examples of these are detailed below.

### **Children's Initial Advice Team (CIAT) at the Front Door**

59. The Council agreed to review its process for responding, when other local authorities make requests for information.
60. Following another complaint, the Council agreed to reinforce to social workers the importance of accurate record keeping.

### **Children with Disabilities**

61. It was agreed the Council would review its current procedures regarding parent carer assessments to ensure this is communicated to families, so they understand their rights and support is provided where this is needed. The Council also agreed to review its rationale for not sharing Child in Need Plan (CNP) paperwork with families, to ensure it is complying with the principles of being open and transparent with families as well as sharing updated assessments and plans with them in a timely way.

### **East Team (formerly Team B)**

62. The Council reminded staff of importance of ensuring core group meetings are held every 20 days in Child Protection Cases and that all those with parental responsibility are kept up to date.
63. Following another complaint, the Council agreed to ensure social workers are aware of the procedures around sharing minutes to meetings, specifically where a decision has been made to exclude parents from meetings.
64. As a result of a further complaint, the Council agreed to ensure that all those with parental responsibility are updated regarding any changes to planned meetings, and that communication is recorded accurately. Also that CIN meetings are held within the statutory timeframe, and appropriately recorded, either by the allocated worker, or a duty worker.

### **Fostering and Supported Lodgings**

65. It was agreed a policy would be developed regarding re-allocation/support from a Supervising Social Worker when the usually allocated worker is on sick leave. Staff were also reminded of the need to maintain a professional manner in any written correspondence.
66. Following a further complaint, strengths based case recording training was delivered to the team. Learning was also taken forward to ensure recording is balanced and made in line with our policies. The need for cultural diversity training was also identified.

### **South Team (formerly Team D)**

67. It was agreed the Complaints Team to develop an automated weekly report within their complaints management system to enable team and service managers to track open complaints.

## **Performance against the Children's Social Care Complaints, Compliments and Comments Procedure**

68. The below performance measures are in relation to those complaints responded to during 2023/24.

### **Timescales**

#### **Stage 1**

69. The target for responding to a complaint at Stage 1 is 10 working days, with a possible extension of up to 20 working days if the complaint is complex.

- (a) 50.98% of Stage 1 complaint responses were sent within 10 working days. This was an increase in performance from 26% in 2022/23.
- (b) A further 25.49% of Stage 1 complaint responses were sent within 20 working days.
- (c) In total 76.47% of Stage 1 complaint responses were sent within the maximum 20 working day timescale, an increase in performance from 60% % in 2022/23.

#### **Stage 2**

70. The target for responding to a complaint at Stage 2 is 25 working days, extendable up to a maximum of 65 working days.

- (a) 6.25% of Stage 2 complaint responses were sent within 25 working days during 2023/24, an increase from 0% 2022/23.
- (b) 12.50% of Stage 2 complaint responses were sent within the maximum timescale allowed (65 working days), an increase in performance from 7.14% % in 2022/23.
- (c) 87.50% of Stage 2 complaint responses were sent after 65 working days, an increase in performance from 92.86% in 2022/23.

#### **Stage 3**

71. At Stage 3 the Review Panel should be held within 30 working days of the request. 100% of Review Panels were held within 30 working days.

72. The Review Panel should write to the Director within 5 working days of the panel. They did so in 100% of cases.

73. The Director should write to the complainant within 15 working days of receiving the Panel's response. The Director wrote to the complainants within 15 working days in 100% of cases, as was the case in 2022/23.

### **Performance against key performance indicators**

74. In relation to children's social care complaints the Council's key performance indicator is the number of upheld decisions received from the Local Government and Social Care Ombudsman (LGSCO). Children's Services received two upheld decisions during 2023/24, an increase from zero in 2022/23 and 2021/22, one in 2020/21 and zero in 2019/20.
75. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 5 December 2023 and 10 September 2024 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

### **Further recommendations**

76. While there has been an improvement in performance against the Stage 1 and Stage 2 timescales, Children's Services and the Complaints & Information Governance Team should continue to work to improve performance.





# **DARLINGTON**

## Borough Council

### **Corporate Complaints, Compliments and Comments Annual Report 2023/24**

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## **Introduction**

1. This report provides an analysis of the complaints, compliments and comments received by the Council during 2023/24 under the Corporate Complaints, Compliments and Comments Procedure (the corporate procedure). The purpose of the report is to identify topics and trends in relation to complaints; identify areas of organisational learning that have taken place over the past year as a result of the complaints received and make further recommendations based on trend and performance data to improve services. The report also highlights those areas of good practice within the Council and seeks to identify topics and trends in relation to comments made by members of the public, so the Council can also take action where appropriate to improve services.
2. In addition to the statistical information presented in this report, it is important to recognise the work of the Complaints and Information Governance (CIG) Team that underpins this in terms of promoting an organisational culture in which complaints are recognised, accepted, owned and resolved as efficiently and as close to the point of service delivery as possible.

## **Corporate Complaints, Compliments and Comments Procedure**

3. The corporate procedure sets out how the Council will deal with all complaints, compliments and comments received with the exception of those received in relation to adult and children's social care services, public health, some social housing complaints and Members which will be dealt with under separate procedures.
4. The corporate procedure has two stages. Stage 1 is a local resolution stage where we try to resolve those complaints that cannot be resolved immediately as part of our day to day business. Stage 1 complaints are dealt with locally, that is within the service being complained about. We aim to resolve the majority of complaints at Stage 1 of the corporate procedure.
5. Stage 2 is a formal investigation stage where complaints will usually be investigated by the Council's Complaints Investigator, the Complaints and Information Governance Manager or another officer independent of the service being complained about.
6. If the complainant remains dissatisfied following a Stage 2 investigation they may refer the matter to the Local Government and Social Care Ombudsman.

## **Public Information and Accessibility**

7. We are committed to making sure that everyone has equal access to all our services. To help make sure the Council's complaints procedures are easily accessible, information is available on the Council's website which contains an electronic form people can use to make a complaint, pay someone a compliment or pass comment on Council services. People may make a complaint in any format they wish. This can be in writing, email, via the web, over the phone, in person or by any other reasonable means.
8. We have also produced two leaflets (one for children and young people and one for adults) covering all Council services to reflect the single point of access for complainants within

the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.

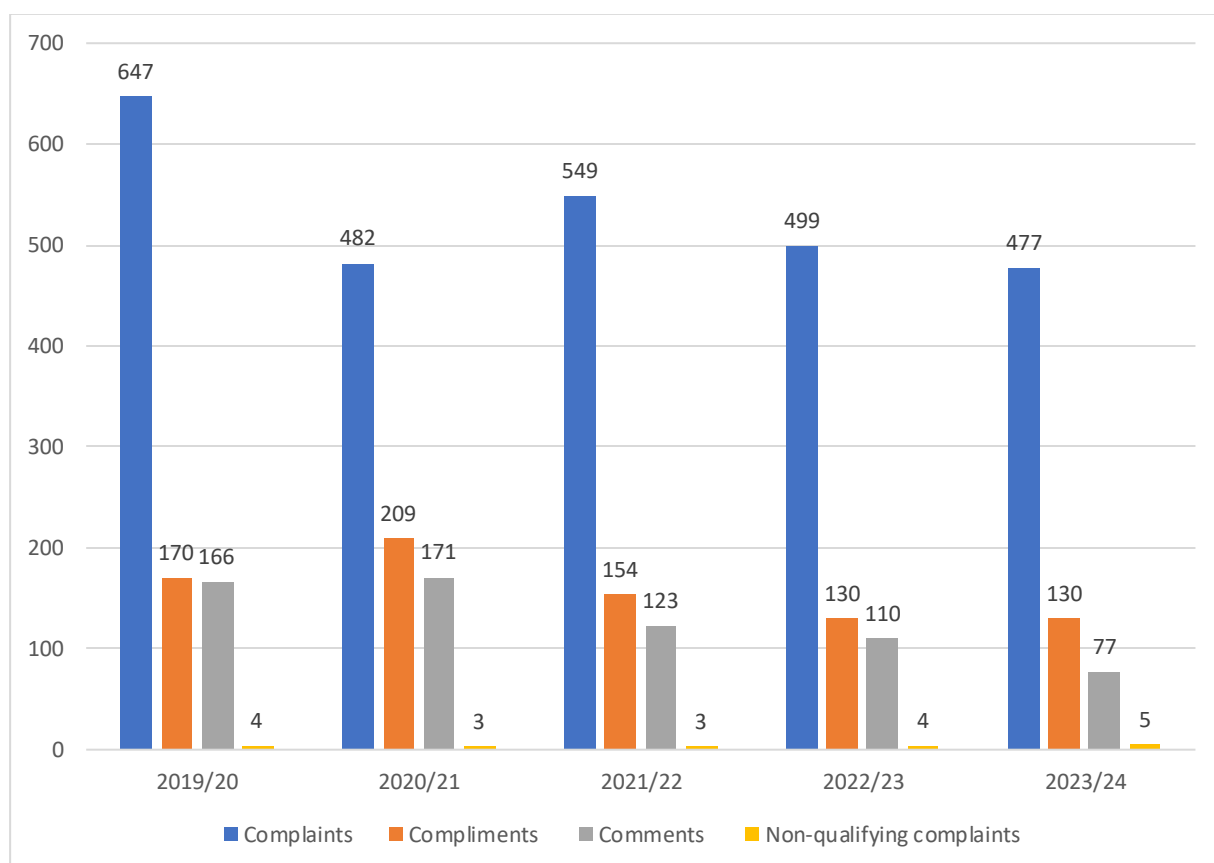
9. The Complaints and Information Governance Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

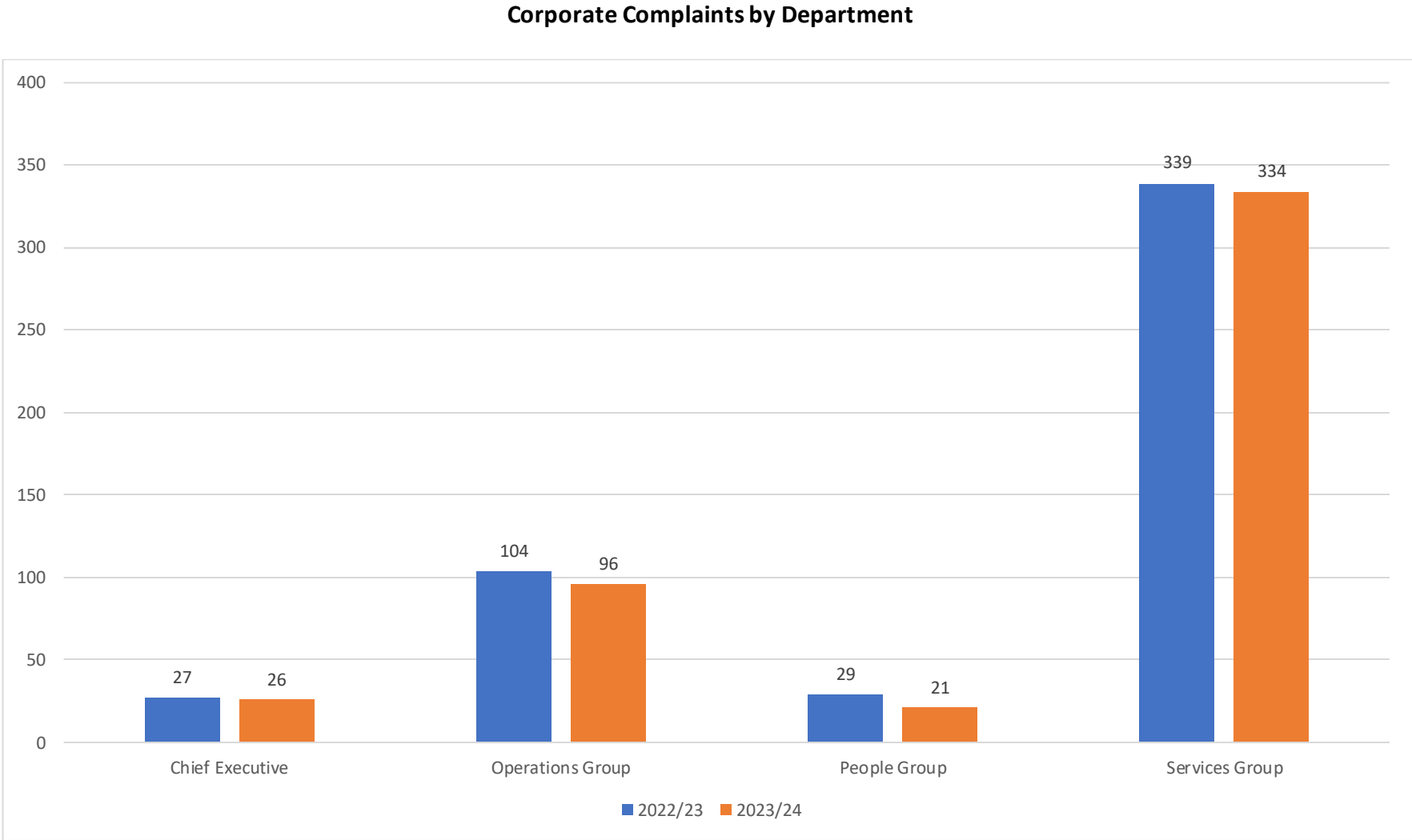
## Complaints Information and Organisational Learning

### Overview of Corporate Complaints, Compliments and Comments

10. Between 1 April 2023 and 31 March 2024 the Council received a total of 689 representations under the corporate procedure, a significant decrease from 743 in 2022/23, 829 in 2021/22, 865 in 2020/21 and 987 in 2019/20.
11. The Council received 477 corporate complaints in 2023/24, which was a decrease from 499 in 2022/23, 549 in 2021/22, 482 in 2020/21 and 647 in 2019/20. 463 complaints were initially dealt with at Stage 1 of the corporate procedure, whilst 14 were escalated directly to Stage 2. 70 Stage 1 complaints were escalated to Stage 2 following a Stage 1 investigation. In total 84 complaints were investigated at Stage 2, a significant increase from 70 in 202/23 and 2021/22, 50 in 2020/21 and 59 in 2019/20.
12. The Council received 130 corporate compliments in 2023/24, the same number as in 2022/23, and a significant decrease from 154 in 2021/22, 209 in 2020/21 and 170 in 2019/20.
13. The Council received 77 corporate comments in 2023/24, a significant decrease from 110 in 2022/23, 123 in 2021/22, 171 in 2020/21 and 166 in 2019/20.
14. The Council also received five non-qualifying corporate complaints in 2023/24, an increase from four in 2022/23, three in 2021/22 and 2020/21 and four in 2019/20.

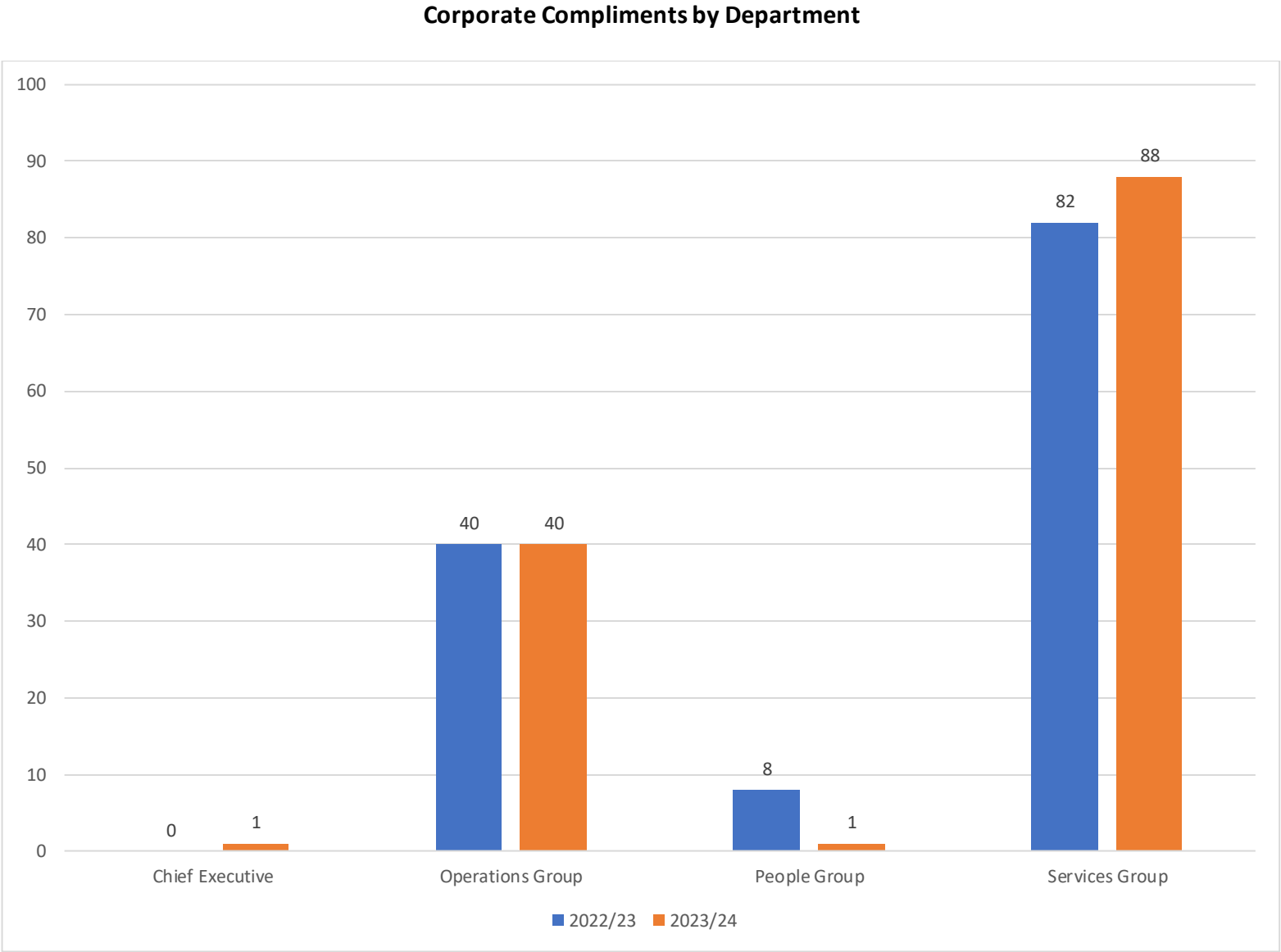
### Total Corporate Complaints, Compliments and Comments



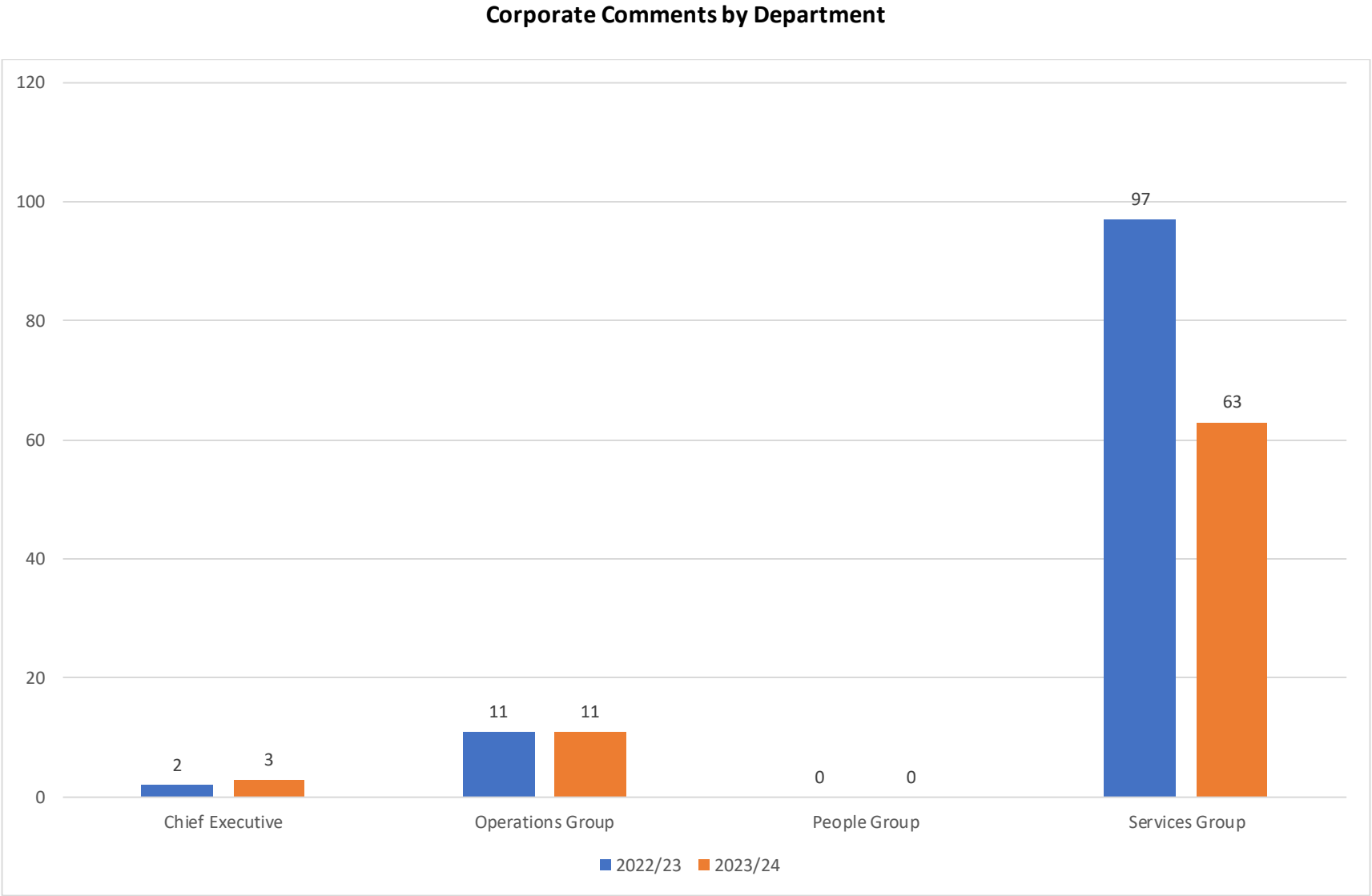


*N.B. Direct comparison data is not available prior to 2022/23 due to the change in the Council’s organisational structure.*





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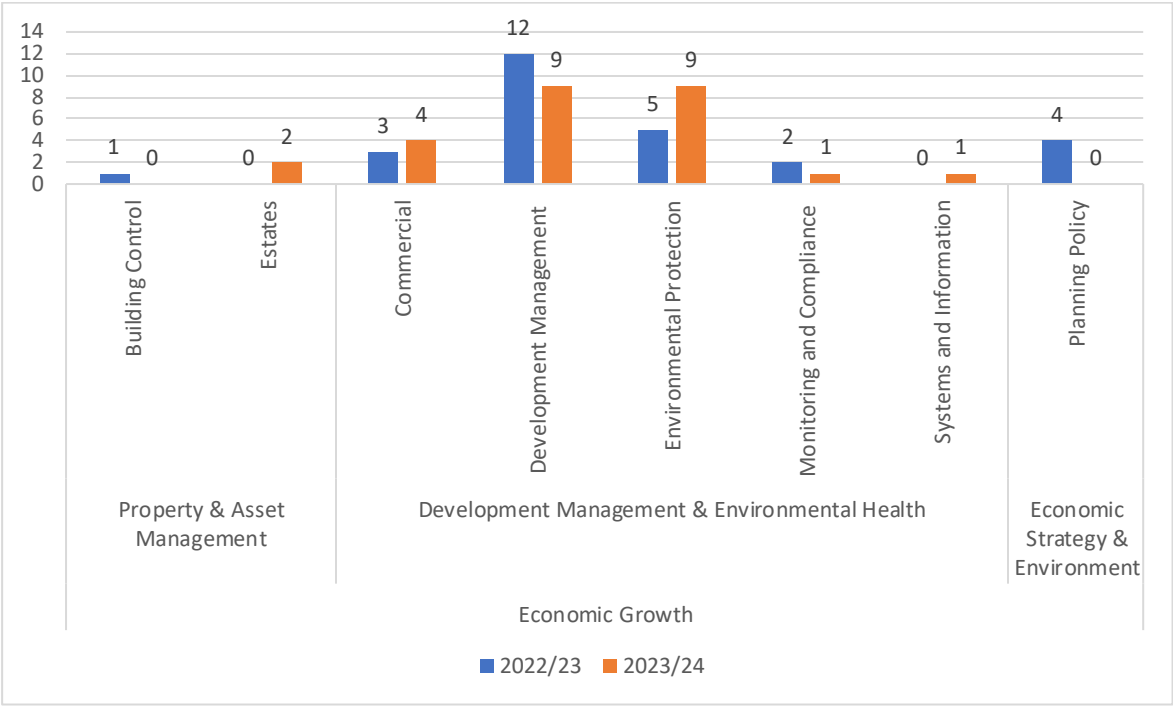


*N.B. Direct comparison data is not available prior to 2022/23 due to the change in the Council’s organisational structure.*

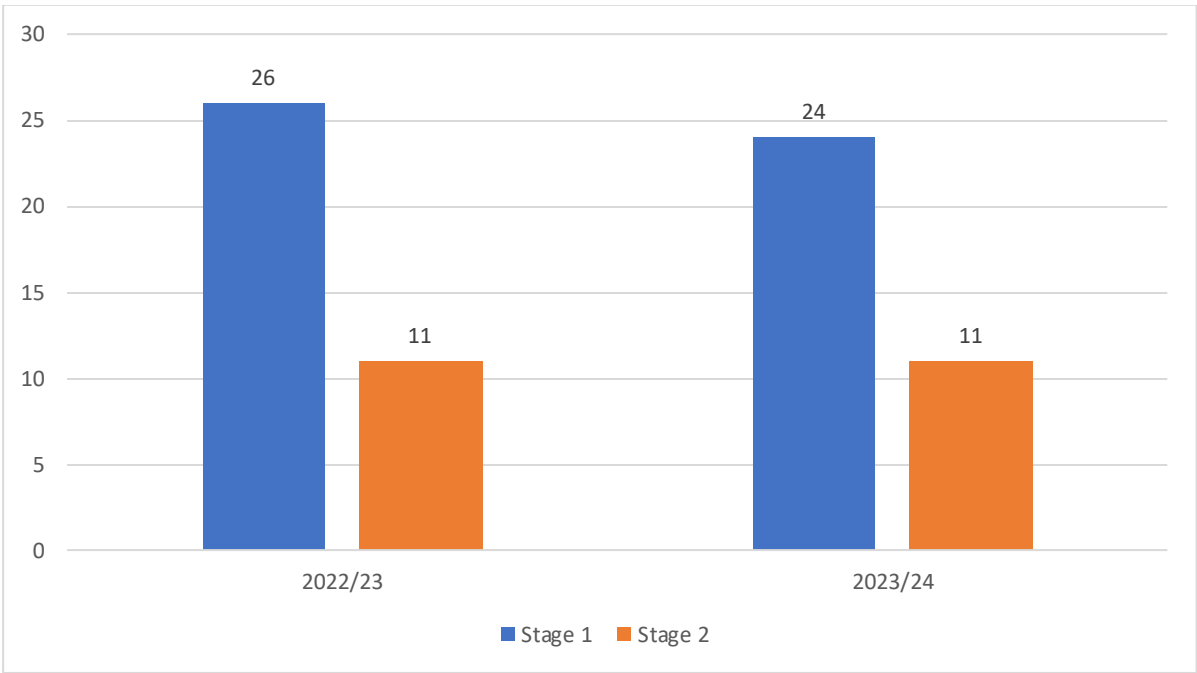
Complaints, Compliments and Comments by Department

Chief Executive  
Complaints by Service Area/Team

15. Chief Executive received 26 corporate complaints during 2023/24.



Complaints by Stage



N.B. Two complaints were escalated directly to Stage 2

### Compliments by Service Area/Team

16. Chief Executive received one compliment for Building Control in 2023/24, an increase from zero in 2022/23.

### Comments by Service Area/Team

17. Chief Executive received three comments in 2023/24, an increase from two in 2022/23. One for Development Management, one for Environmental Protection and one for Estates.

### Complaints by Outcome

18. The below tables show the decisions reached on complaints during 2023/24.

#### Stage 1 Outcomes

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Planning Policy	0	2	0	0	0	2
Development Management	0	3	1	0	0	4
Commercial	0	1	0	2	0	3
Environmental Protection	0	2	2	2	0	6
Systems and Information	0	0	1	0	0	1
<b>Totals</b>	<b>0</b>	<b>8</b>	<b>4</b>	<b>4</b>	<b>0</b>	<b>16</b>

#### Stage 2 Outcomes

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Planning Policy	0	1	0	0	0	1
Development Management	0	3	3	0	0	6
Commercial	0	3	0	0	0	3
Environmental Protection	0	1	1	1	1	4
Systems and Information	0	0	0	1	0	1
Monitoring and Compliance	0	1	0	0	0	1
<b>Totals</b>	<b>0</b>	<b>9</b>	<b>4</b>	<b>2</b>	<b>1</b>	<b>16</b>

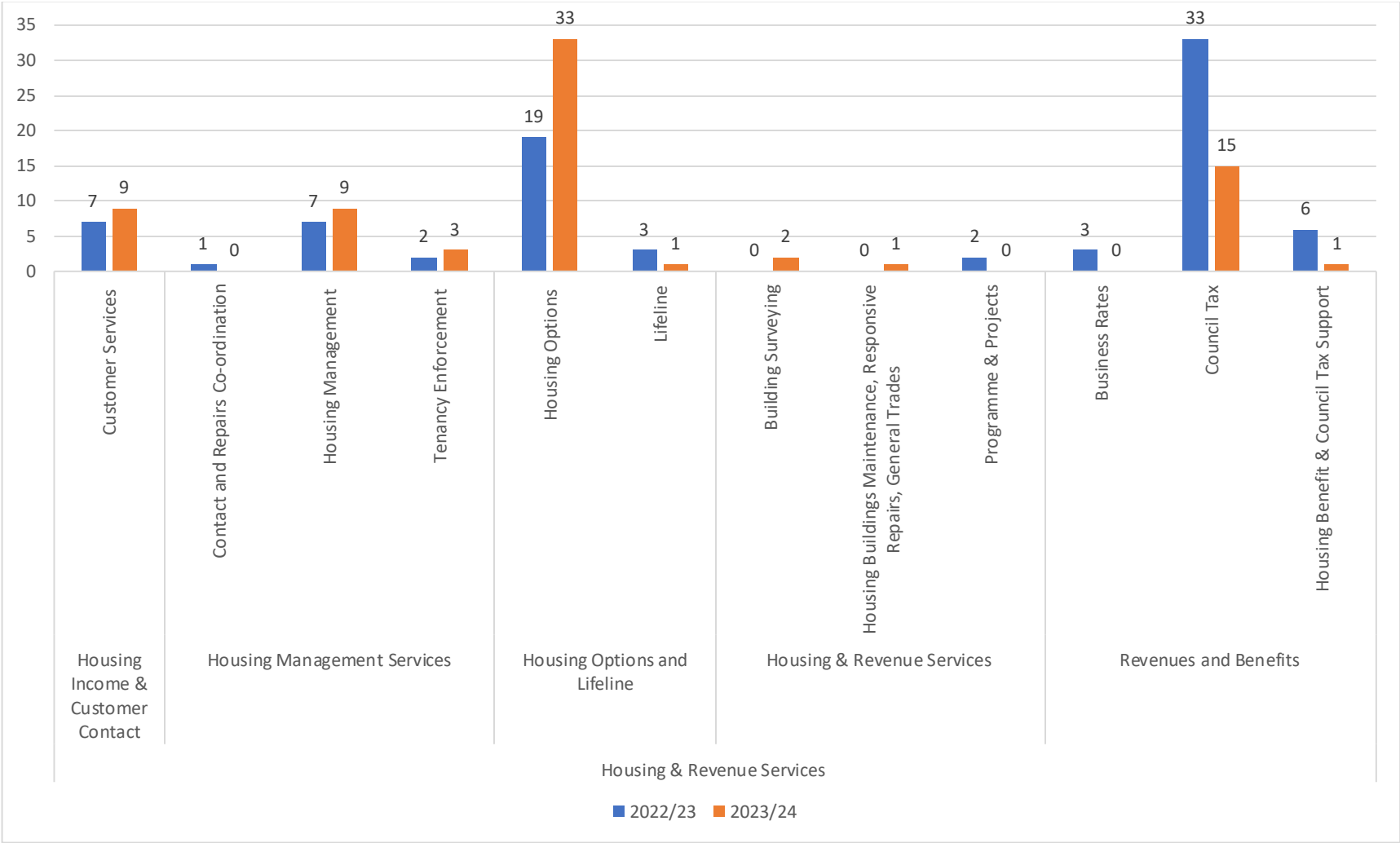
### Organisational Learning

19. All resolution and organisational learning actions identified as a result of corporate complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints, the following organisational learning resulted from the complaint investigations concluded during 2023/24.
20. Following a complaint for Development Management, the Council made explicit reference to the factors which can impact on the timeliness of planning enforcement matters in section 3 of A Charter for Development Management.
21. Following another complaint for Development Management, learning from the complaint was shared with officers to ensure any future applications for works to trees are properly considered in accordance with the Town and Country Planning Act 1990.
22. Following a further complaint for Development Management, officers were reminded of the importance of responding to complaints in accordance with the Council's complaints procedure.

Operations Group

Complaints by Service Area/Team

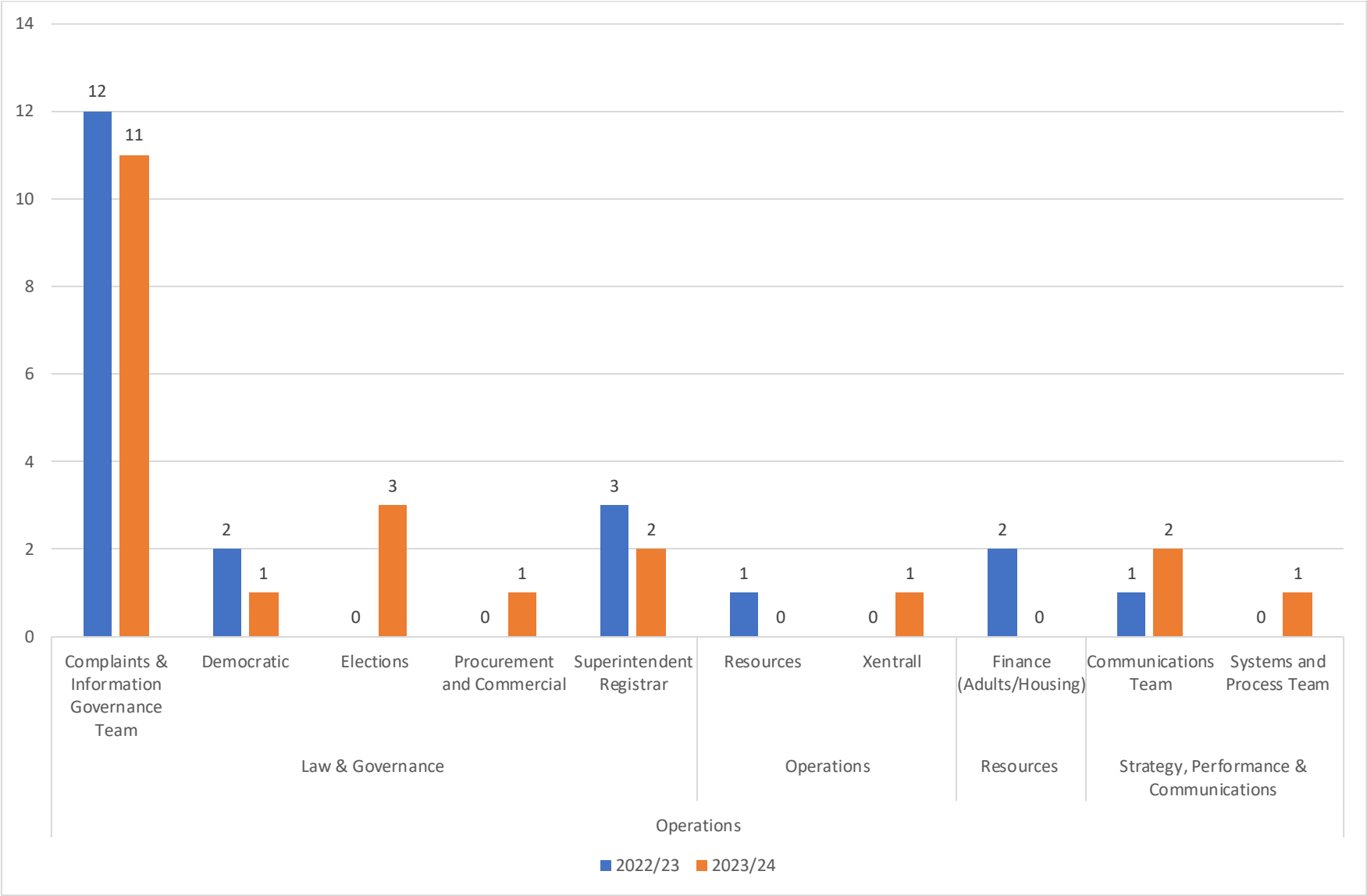
32. Operations received 96 corporate complaints during 2023/24.





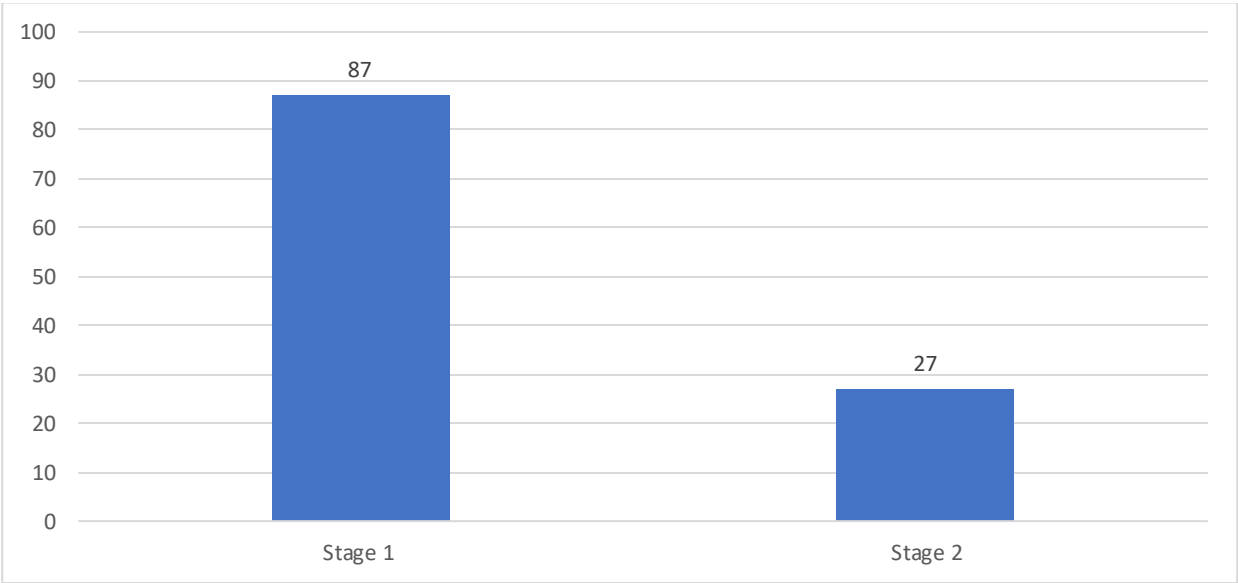
33. Customer Services received nine corporate complaints during 2023/24, an increase from seven in 2022/23. Seven complaints concerned the application process for Blue Badges.
34. Housing Management received nine corporate complaints during 2023/24, an increase from seven in 2022/23. Complaints concerned various issues including delays in moving into properties, the service provided by officers, a delay in replacing a fence, and lack of action in relation to an overgrown hedge, lack of action in relation to a neighbour nuisance issue and not being advised the housing application process had changed. There were no identifiable themes.
35. Tenancy Enforcement received three corporate complaints during 2023/24, an increase from two in 2022/23. Two complaints concerned a lack of action in relation to neighbour nuisance issues.
36. Housing Options received 33 corporate complaints during 2023/24, a significant increase from 19 in 2022/23. The most common cause of complaint was level of support provided in progressing housing applications/finding suitable accommodation and dissatisfaction with the band applicants were placed in.
37. Lifeline receive one corporate complaint during 2023/24, a decrease from three in 2022/23.
38. Building Surveying received two corporate complaints during 2023/24, an increase from zero in 2022/23.
39. General Trades received one corporate complaint during 2023/24, an increase from zero in 2022/23.
40. Council Tax received 15 corporate complaints during 2023/24, a significant decrease from 33 in 2022/23. The most common theme was communication, followed by dissatisfaction with the administration of Council Tax matters.
41. Housing Benefit & Council Tax Support received one corporate complaint during 2023/24, a decrease from six in 2022/23.

Operations continued...



- 42. Complaints and Information Governance Team received 11 corporate complaints during 2023/24, a decrease from 12 in 2022/23. The most common theme was people’s dissatisfaction with the timeliness and/or content of the response to their Subject Access Request (SAR).
- 43. Democratic received one corporate complaint during 2023/24, a decrease from two in 2022/23.
- 44. Elections received three corporate complaints during 2023/24, an increase from zero in 2022/23.
- 45. Procurement and Commercial received one corporate complaint during 2023/24, an increase from zero in 2022/23.
- 46. Superintendent Registrar received two corporate complaints during 2023/24, a decrease from three in 2022/23.
- 47. Xentrall received one complaint in 2023/24, an increase from zero in 2022/23.
- 48. Communications Team received two corporate complaints during 2023/24, an increase from one in 2022/23.
- 49. Systems and Process Team received one corporate complaint during 2023/24, an increase from zero in 2022/23.

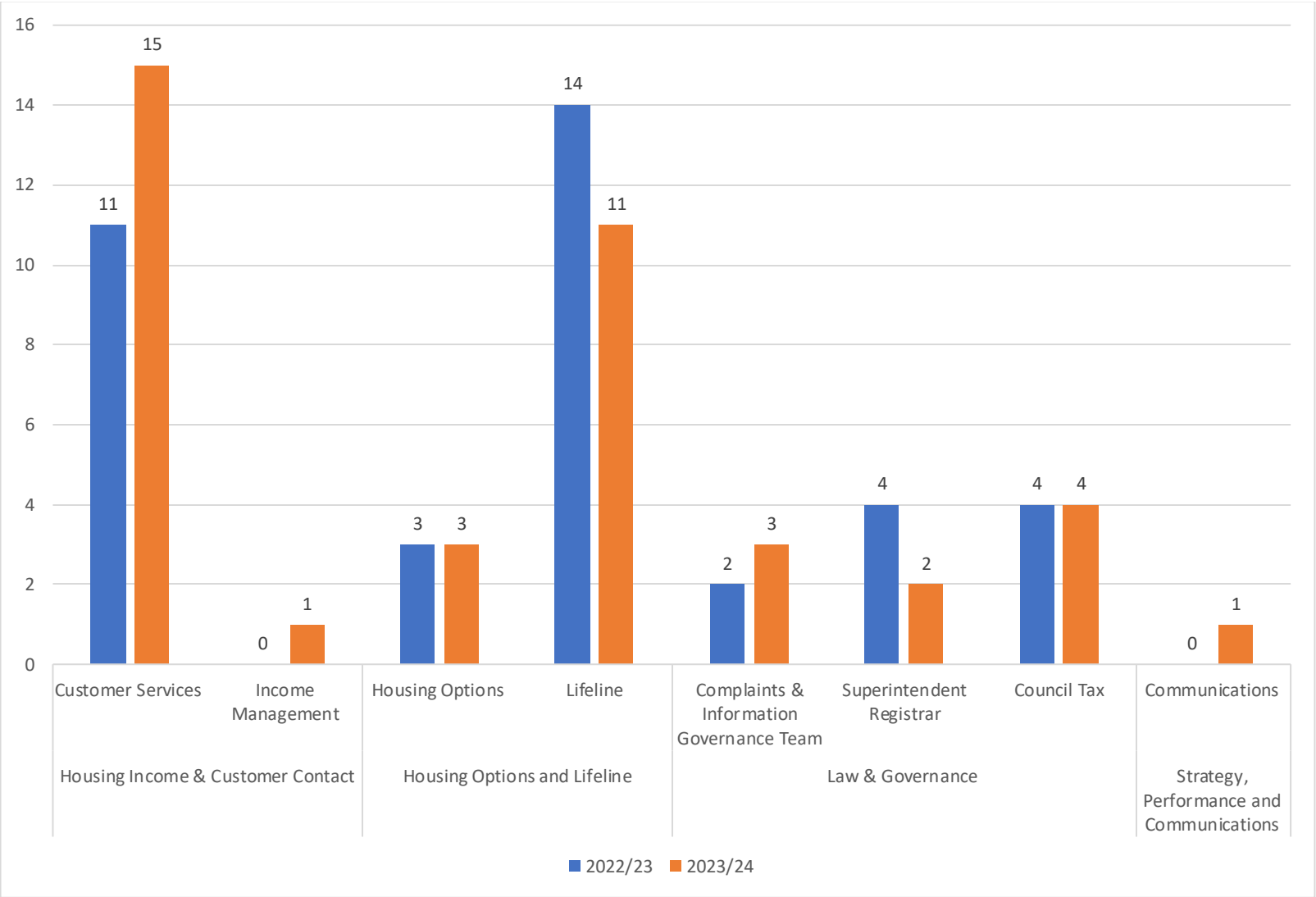
Complaints by Stage



*N.B. nine complaints were escalated directly to Stage 2*

Compliments by Service Area/Team

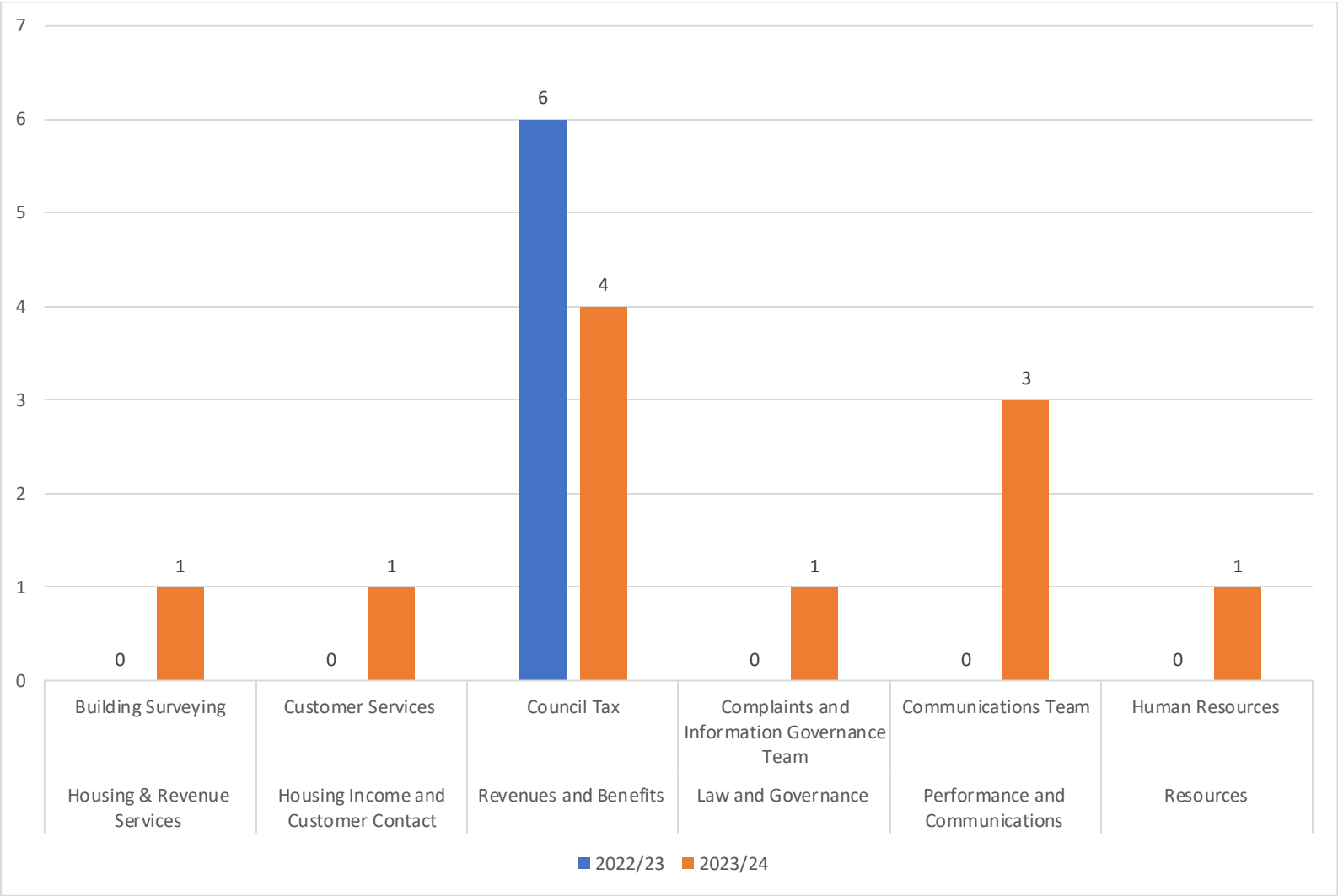
50. Operations received 40 corporate compliments during 2023/24.



51. Customer Services received 15 corporate compliments during 2023/24, an increase from 11 in 2022/23. The main theme was peoples satisfaction with the service provided in relation to a range of issues, including recycling, bulky waste collection and blue badges.
52. Housing Income Management received one corporate compliment during 2023/24, an increase from zero in 2022/23.
53. Housing Options received three corporate compliments during 2023/24, the same as in 2022/23.
54. Lifeline received 11 corporate compliments during 2023/24, a decrease from 14 in 2022/23. The main theme was peoples satisfaction with the service provided, particularly in relation to staff responding to falls and other incidents.
55. Complaints and Information Governance Team received three corporate compliments during 2023/24, an increase from two in 2022/23.
56. Superintendent Registrar received two corporate compliments during 2023/24, a decrease from four in 2022/23.
57. Council Tax received four corporate compliments in 2023/24, the same number as in 2022/23.
58. Communications received one corporate compliment in 2023/24, an increase from zero in 2022/23.

Comments by Service Area/Team

59. Operations received 11 corporate comments during 2023/24.





60. Building Surveying received one corporate comment during 2023/24, an increase from zero in 2022/23.
61. Customer Services received one corporate comment during 2023/24, an increase from zero in 2022/23.
62. Council Tax received four corporate comments during 2023/24, a decrease from six in 2022/23. There were no identifiable themes.
63. Complaint and Information Governance Team received one corporate comment during 2023/24, an increase from zero in 2022/23.
64. Communications Team received three corporate comments during 2023/24, an increase from zero in 2022/23. They all related to dissatisfaction with an article in the One Darlington magazine.
65. Human Resources received one corporate comment during 2023/24, an increase from zero in 2022/23.

## Complaints by Outcome

66. The below tables show the decisions reached on complaints during 2023/24.

### Stage 1 Outcomes

Service Area/Team	Escalated to Stage 2 no Stage 1 Response	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Systems and Process Team	0	0	0	1	0	0	1
Complaints and Information Governance Team	0	0	0	1	0	0	1
Democratic	0	0	0	1	0	0	1
Elections	0	0	1	2	0	0	3
Superintendent Registrar	0	0	1	0	1	0	2
Finance (Adults/Housing)	0	0	0	0	1	0	1
Xentrall	0	0	0	0	1	0	1
Customer Services	0	0	1	1	0	6	8
Housing Management	0	0	3	4	0	2	9
Tenancy Enforcement	0	0	2	1	0	0	3
Housing Options	0	0	23	4	0	5	32
Lifeline	0	0	1	1	0	0	2
Council Tax	0	0	5	2	5	5	17
General trades	0	0	0	0	1	0	1
Building Surveying	0	0	0	0	1	0	1
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>37</b>	<b>18</b>	<b>10</b>	<b>18</b>	<b>83</b>

## Stage 2 Outcomes

Service Area/Team	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Complaints and Information Governance Team	2	0	8	0	10
Housing Management	2	0	0	0	2
Tenancy Enforcement	1	0	0	0	1
Housing Options	4	3	1	1	9
Lifeline	0	1	0	0	1
Business Rates	1	0	0	0	1
Council Tax	4	0	0	0	4
<b>Totals</b>	<b>14</b>	<b>4</b>	<b>9</b>	<b>1</b>	<b>28</b>

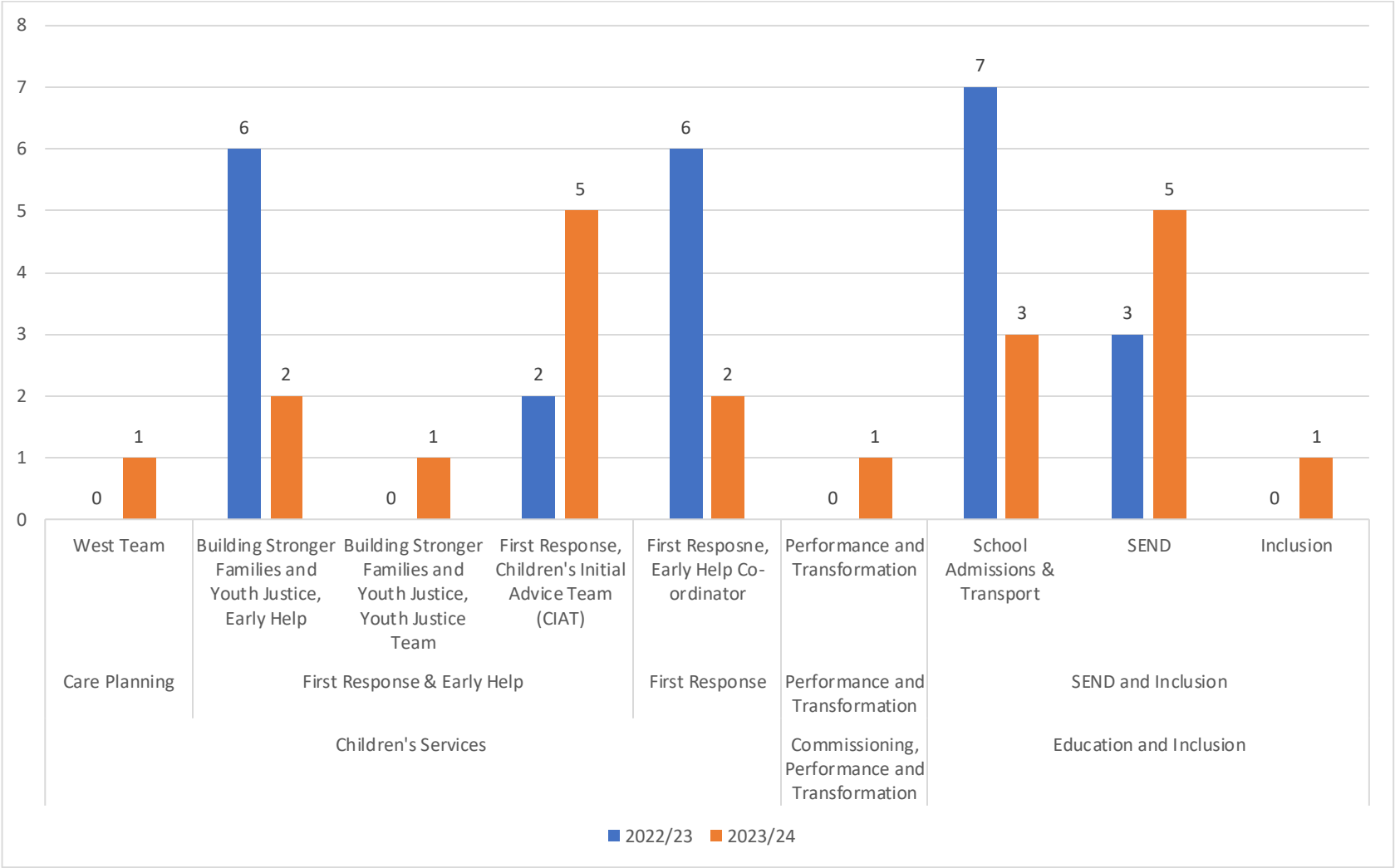
## Organisational learning

67. All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints, the following organisational learning resulted from the complaint investigations concluded during 2023/24.
68. Following a complaint for the Complaints and Information Governance Team about the Council's response to a Subject Access Request (SAR), Children's Services were reminded of the importance of undertaking thorough searches to ensure all information held is provided and of the importance of providing records in a timely manner.
69. Following a complaint for Housing Options, officers were advised that during investigations around someone's suitability for a tenancy or when issues are raised about unacceptable behaviours, they should update the applicant/tenant every 20 working days with progress, and they should inform an applicant/tenant in writing of any decision made within 5 working days, including setting out clearly what procedures have been considered, how and why the decision was reached, any actions the applicant/tenant can consider and next steps.
70. Following another complaint for Housing Options, the officer who made the decision was given further training regarding supporting evidence provided with applications and appropriate banding.
71. Following a further complaint for Housing Options, training was provided to ensure the team advise people applying for housing they will be carrying out a home visit to anyone who is awarded a priority banding.

72. Following a complaint for Lifeline, it was agreed Lifeline would review the telecare agreement and include that there are limitations to care provided when personal equipment (such as hoists) are required.

People Group  
Complaints by Service Area/Team

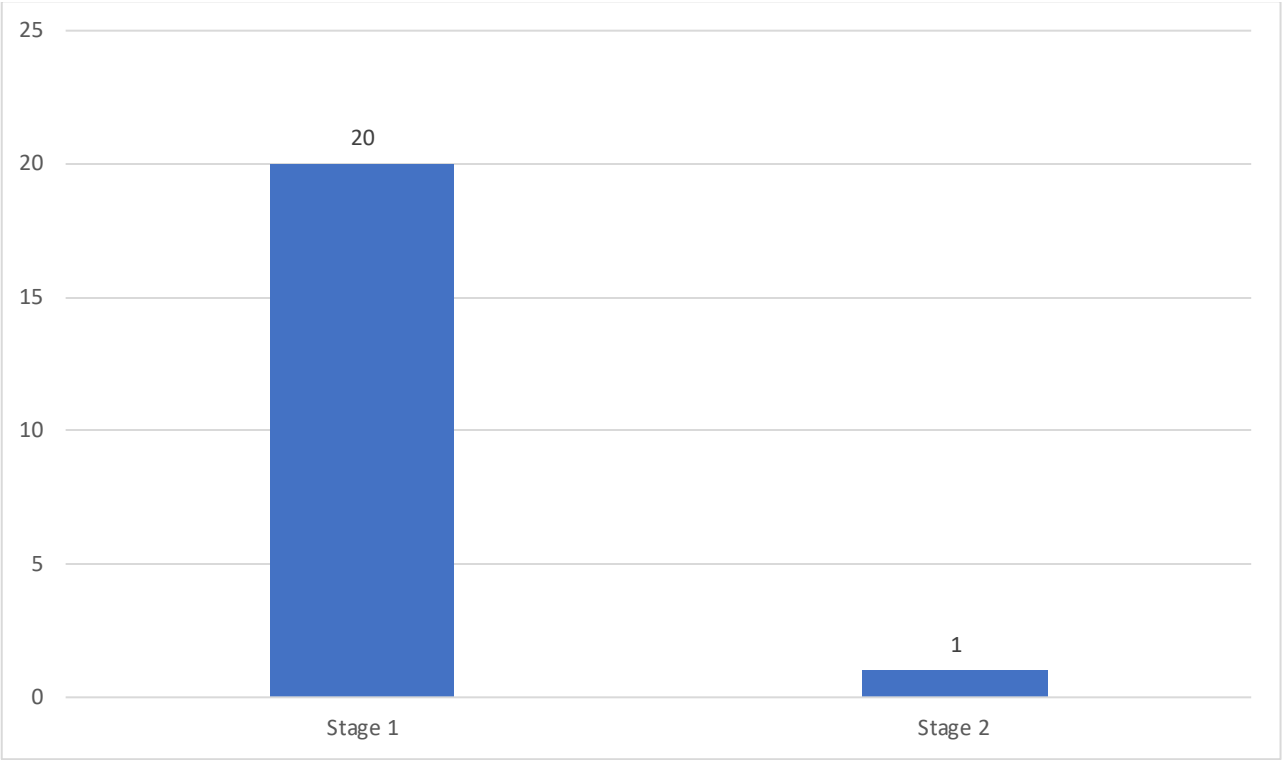
73. People received 21 corporate complaints during 2023/24.



74. West Team received one corporate complaint during 2023/24, an increase from zero in 2022/23.
75. Early Help received two complaints during 2023/24, a decrease from six in 2022/23.
76. Youth Justice Team received one corporate complaint during 2023/24, an increase from zero in 2022/23.
77. Children's Initial Advice Team (CIAT) received five corporate complaints during 2023/24, an increase from two in 2022/23. There were no identifiable themes in the complaints received.
78. Early Help Co-ordinator received two corporate complaints in 2023/24, a decrease from six during 2022/23.
79. Performance and Transformation received one corporate complaint during 2023/24, an increase from zero in 2022/23.
80. School Admissions and Transport received three corporate complaints during 2023/24, a decrease from seven in 2022/23.
81. Special Educational Needs and Disability (SEND) received five corporate complaints during 2023/24, an increase from three in 2022/23. Complaints primarily concerned dissatisfaction with the service provided, delays in issuing Education, health and Care (EHC) Plans and delays in securing the provision outlined in EHC Plans.
82. Inclusion received one corporate complaint during 2023/24, an increase from zero in 2022/23.



Complaints by Stage



*N.B. One complaints was escalated directly to Stage 2*

**Compliments by Service Area/Team**

83. Adult Contact Team received one compliment during 2023/24, an increase from zero in 2022/23.

**Comments by Service Area/Team**

84. People did not receive any corporate comments during 2023/24, as was the case in 2022/23.

### Complaints by Outcome

85. The below tables show the decisions reached on complaints during 2023/24.

#### Stage 1 Outcomes

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Looked After Through Care (LATC) Team	0	0	0	1	0	1
Children's Initial Advice Team (CIAT) at the Front Door	0	0	0	1	0	1
Early Help	1	0	0	3	0	4
Early Help Co-ordinator	0	1	0	0	1	2
Children's Initial Advice Team	0	1	0	0	0	1
Youth Justice Team	0	0	1	0	0	1
West Team	0	1	0	0	0	1
Performance and Transformation	0	0	0	1	0	1
SEND	0	2	3	0	0	5
School Admissions & Transport	0	2	2	1	0	5
<b>Totals</b>	<b>1</b>	<b>7</b>	<b>6</b>	<b>7</b>	<b>1</b>	<b>22</b>

## Stage 2 Outcomes

<b>Service Area/Team</b>	<b>Inconclusive</b>	<b>Not Upheld</b>	<b>Partially Upheld</b>	<b>Upheld</b>	<b>Withdrawn</b>	<b>Total</b>
Early Help	0	0	1	0	0	1
Children's Initial Advice Team	0	0	0	0	1	1
West Team	0	1	0	0	0	1
SEND	0	1	1	0	0	2
School Admissions & Transport	0	0	1	1	0	2
<b>Totals</b>	<b>0</b>	<b>2</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>7</b>

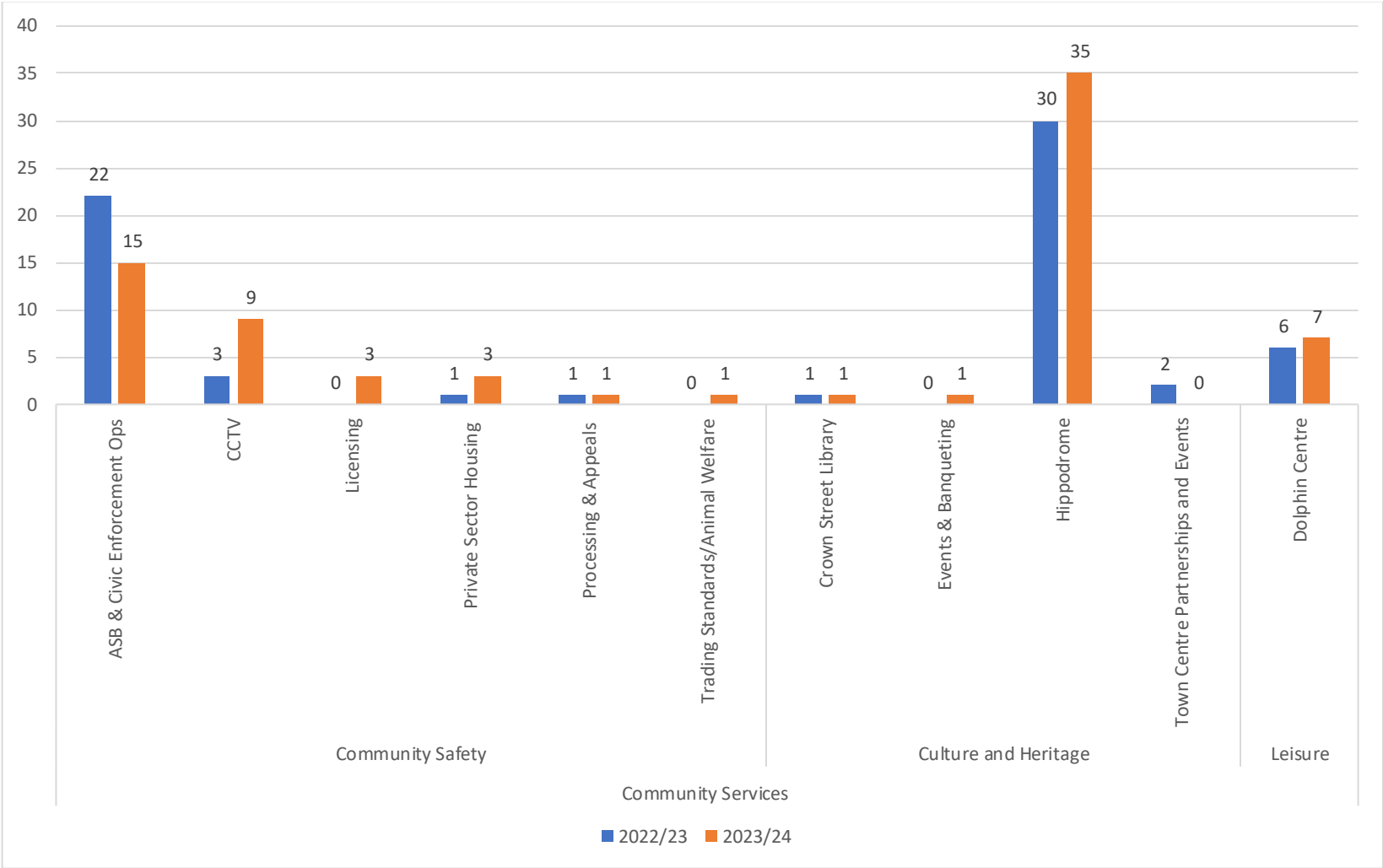
## Organisational learning

86. All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints, the following organisational learning resulted from the complaint investigations concluded during 2023/24.
87. Following a complaint for Early Help, the Building Stronger Families Service agreed to review their response process when concerns are raised and investigated further. Officers were also reminded of the importance of adhering to the timescales in the Council's Corporate Complaints Procedure.
88. Following a complaint for School Admissions and Transport the team decided to review how sensitive information is shared with PA's, how sharing is documented/measured and if the use of IT equipment would improve service delivery.
89. Following a complaint for SEND, officers were reminded of the need to keep accurate records in relation to the discharge of the Council's statutory duties.
90. Following another complaint for SEND, officers were reminded of the need to take into account the parents disabilities when communicating with them.

Services Group

Complaints by Service Area/Team - Community Services

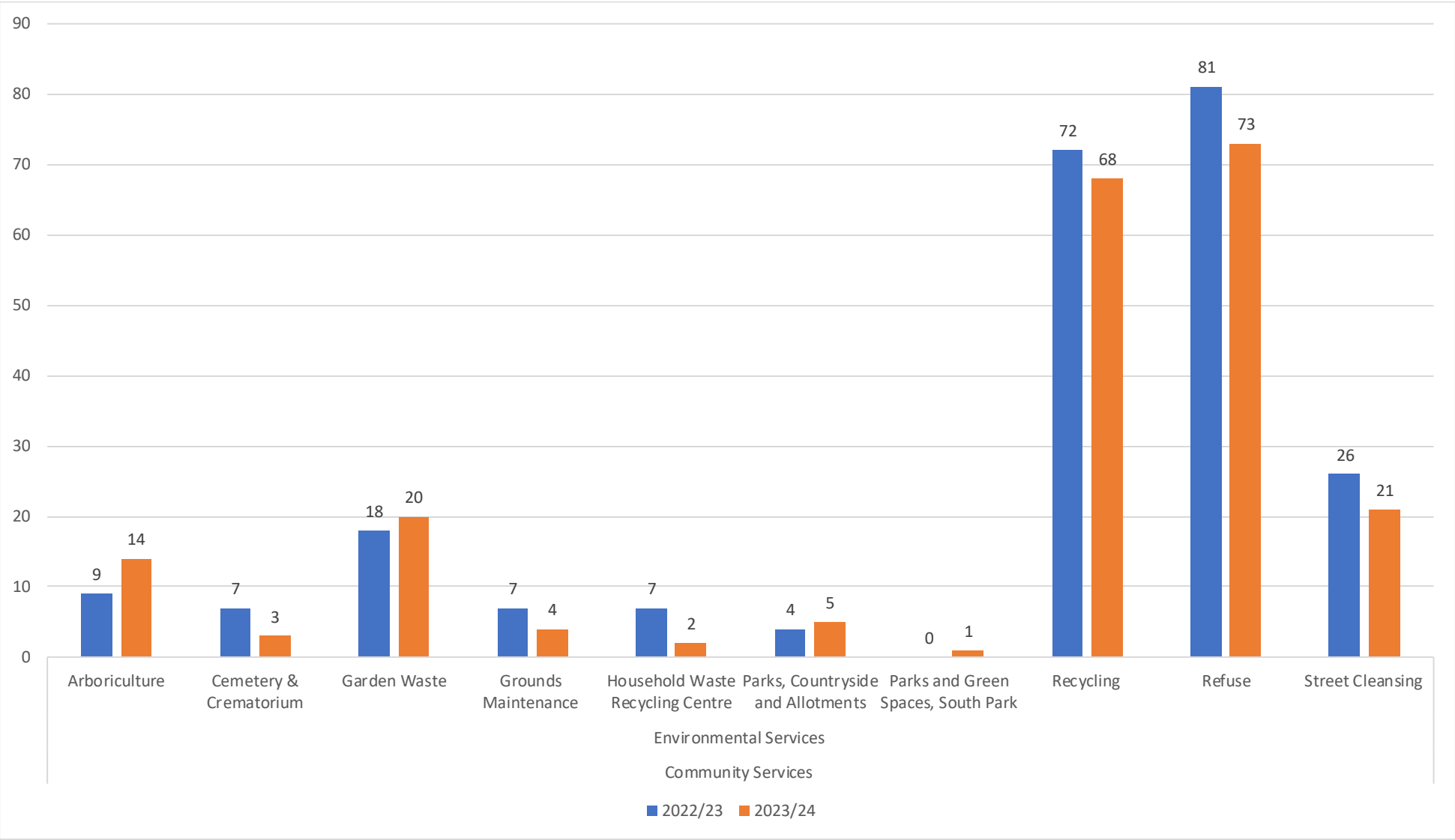
91. Services received 334 corporate complaints during 2023/24.



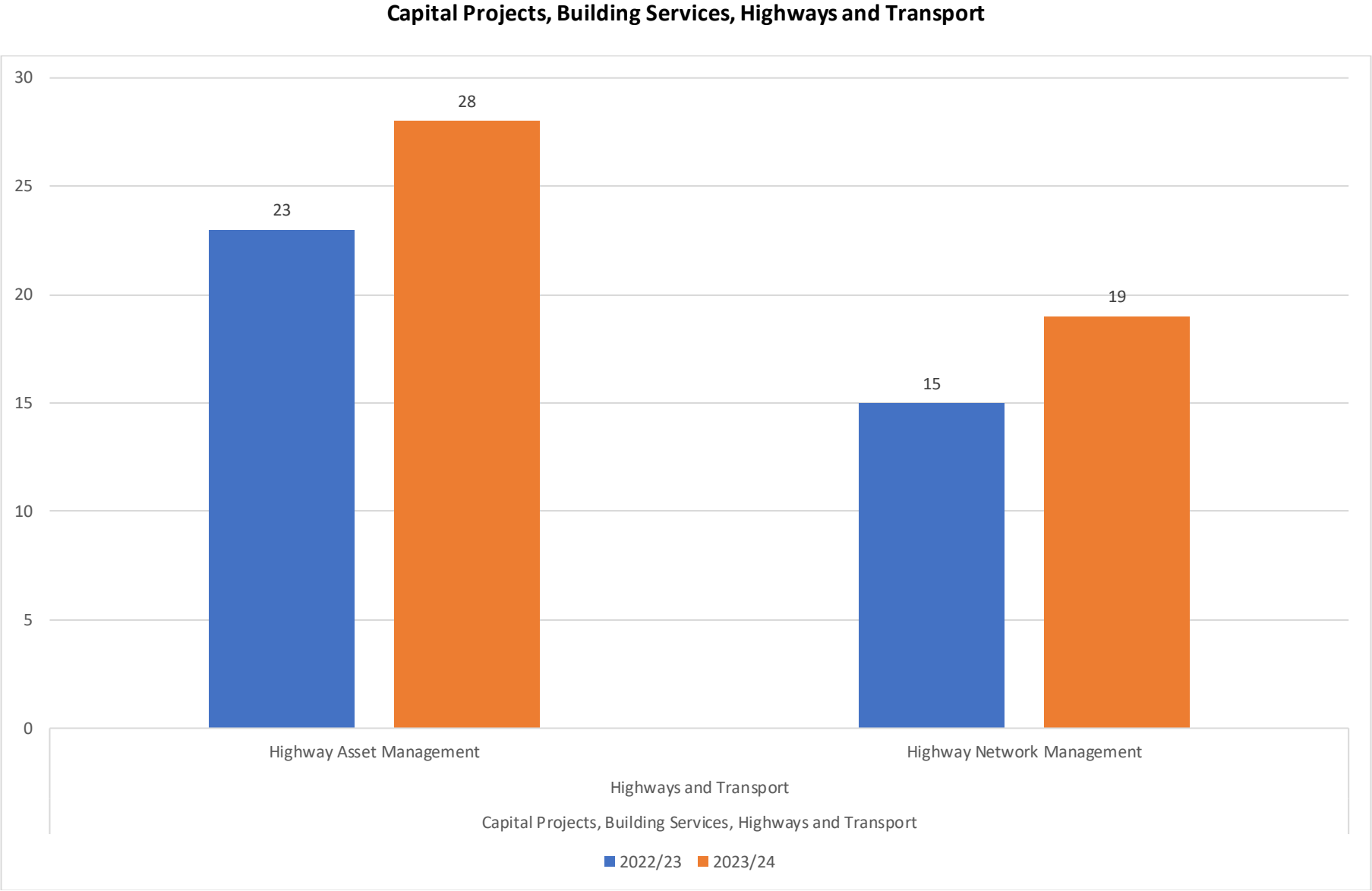
92. Anti-Social Behaviour & Civic Enforcement Ops received 15 corporate complaints during 2023/24, a decrease from 22 in 2022/23. The most common themes were dissatisfaction with a perceived lack of action in relation to requests for enforcement and dissatisfaction with the attitude and actions of enforcement officers.
93. CCTV received nine corporate complaints during 2023/24, an increase from three in 2022/23. The most common theme was staff attitude when contacting CCTV.
94. Licensing received three corporate complaints 2023/24, an increase from zero in 2022/23. Two of the complaints concerned staff attitude/behaviour.
95. Private Sector Housing received three corporate complaints during 2023/24, an increase from one in 2022/23. Two of the complaints concerned a lack of communication.
96. Processing & Appeals received one corporate complaint during 2023/24, the same number as in 2022/23.
97. Trading Standards/Animal Welfare received one corporate complaint during 2023/24, an increase from zero in 2022/23.
98. Crown Street Library received one corporate complaint during 2023/24, the same number as in 2022/23.
99. Events and Banqueting received one corporate complaint during 2023/24, an increase from zero in 2022/23.
100. Hippodrome received 35 corporate complaints during 2023/24, an increase from 30 in 2022/23. The main cause of complaints was that Hippodrome staff did not address inappropriate behaviour by other audience members during shows. Other issues concerned the venue including, restricted visibility and the toilets.
101. Dolphin Centre received seven corporate complaints during 2023/24, an increase from six in 2022/23. Three complaints concerned swimming and two related to bowling.



Community Services continued...

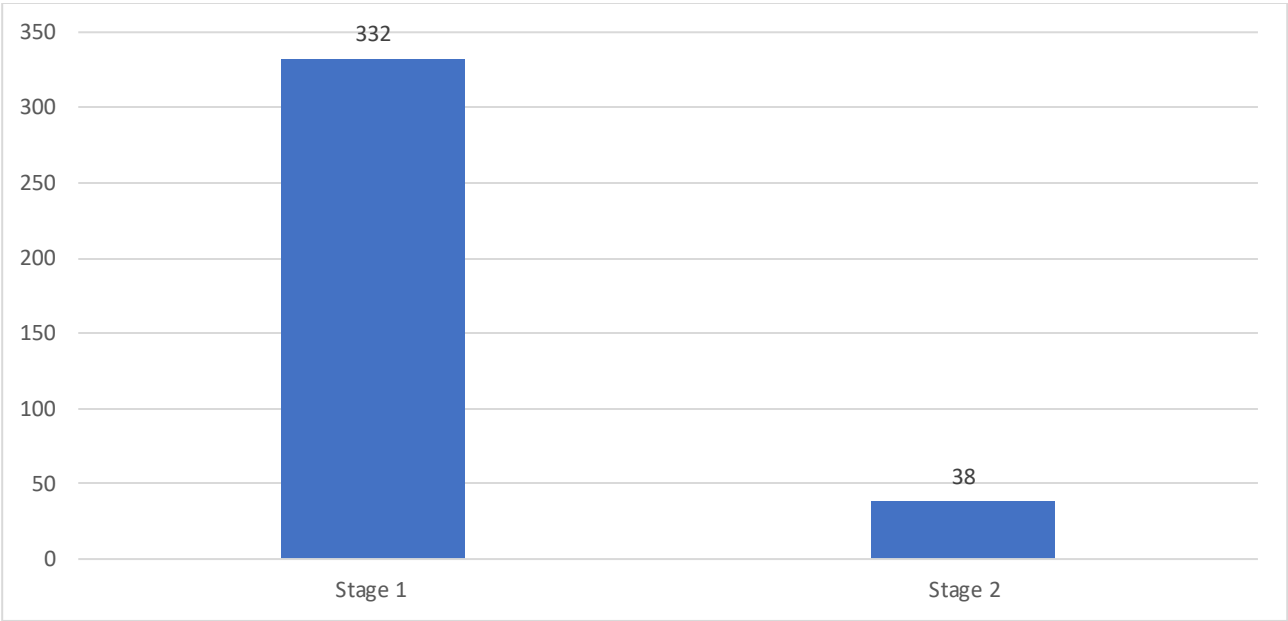


102. Arboriculture received 14 corporate complaints during 2023/24, an increase from nine in 2022/23. These complaints generally resulted from a lack of response to initial enquiries and/or dissatisfaction with a decision not to undertake works to a tree for the reasons requested.
103. Cemetery & Crematorium received three corporate complaints during 2023/24, a decrease from seven in 2022/23. There were no identifiable themes.
104. Garden Waste received 20 corporate complaints during 2023/24, an increase from 18 in 2022/23. Complaints primarily concerned missed collections.
105. Grounds Maintenance received four corporate complaints during 2023/24, a decrease from seven in 2022/23. There were no identifiable themes.
106. Household Waste Recycling Centre (HWRC) received two corporate complaints during 2023/24, a decrease from seven in 2022/23.
107. Parks, Countryside and Allotments received five corporate complaints during 2023/24, an increase from four in 2022/23. Poor communication was the most common cause of complaint.
108. South Park received one corporate complaint during 2023/24, an increase from zero in 2022/23.
109. Recycling received 68 corporate complaints during 2023/24, a decrease from 72 in 2022/23. The most common cause of complaint was recycling not being collected and bins and boxes either being broken or not returned to the position they were put out for collection.
110. Refuse received 73 corporate complaints during 2023/24, a decrease from 81 in 2022/23. Complaints primarily related to refuse collections, including assisted collections being missed on one or more occasion. Other complaints concerned bulky waste collections and bins not being returned to the position they were put out for collection.
111. Street Cleansing received 21 corporate complaints during 2023/24, a decrease from 26 in 2022/23. Complaints primarily related to the lack of response to requests for service.



- 112. Highway Asset Management received 28 corporate complaints during 2023/24, an increase from 23 in 2022/23. Themes included delays in responding to requests for service and dissatisfaction with the impact of highway works on individuals and their property.
- 113. Highway Network Management received 19 corporate complaints during 2023/24, an increase from 15 in 2022/23. Themes included delays in responding to requests for service and dissatisfaction with decisions in relation to variety of highways issues.

Complaints by Stage

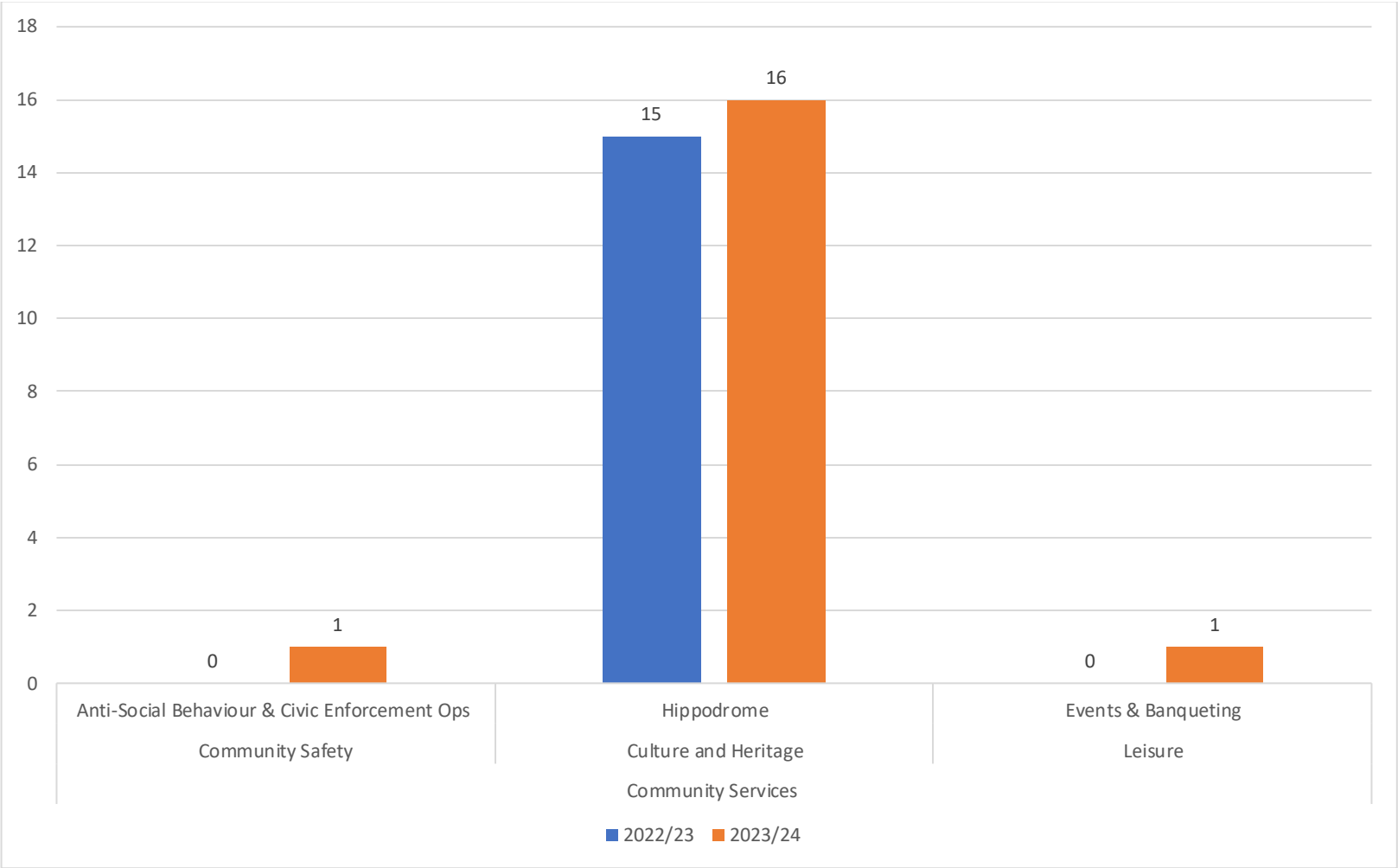


*N.B. Two complaints were escalated directly to Stage 2*

Compliments by Service Area/Team

Community Services

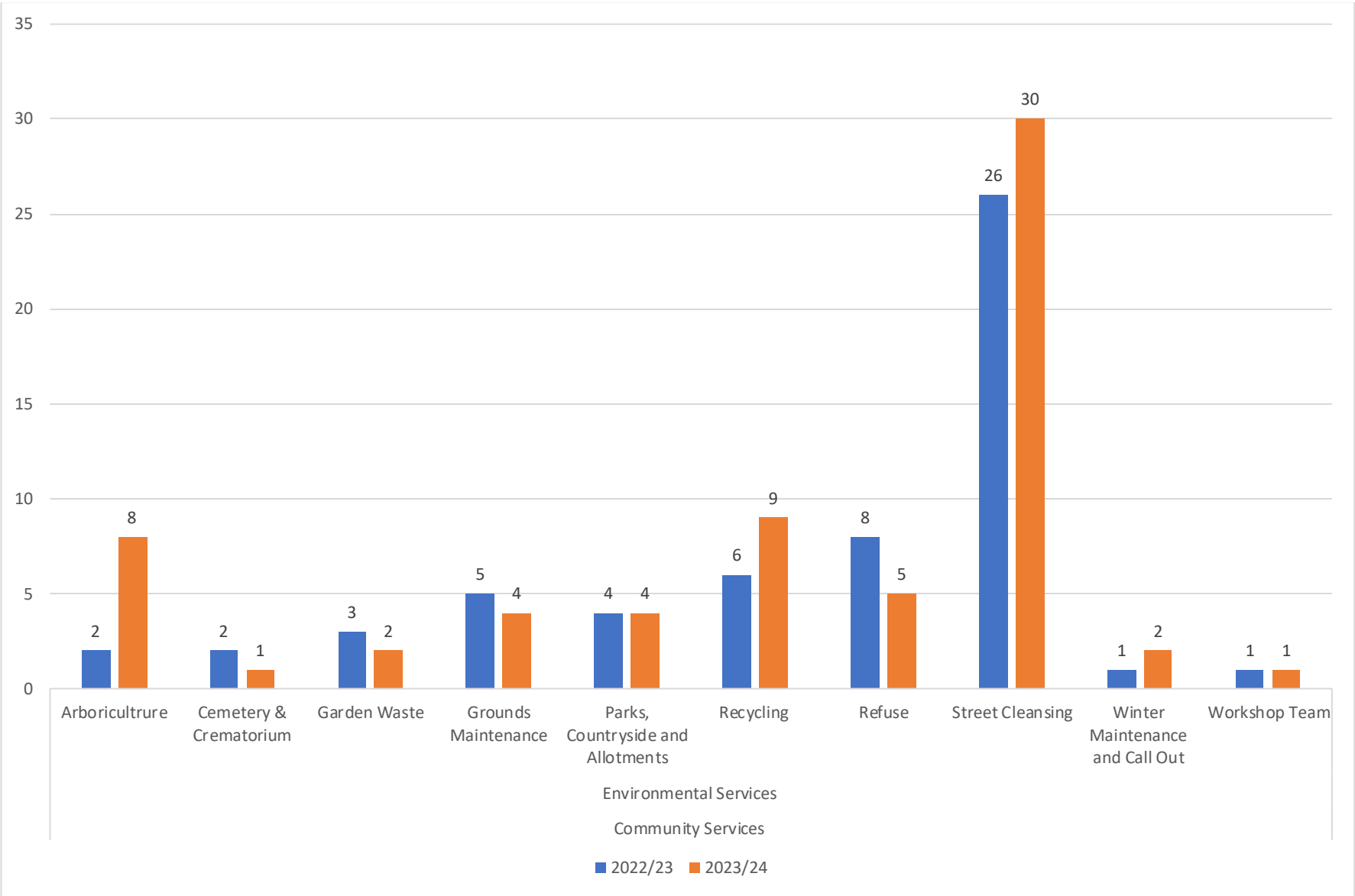
114. Services received 88 corporate compliments during 2023/24.



115. Anti-Social Behaviour and Civic Enforcement Ops received one corporate compliment during 2023/24, an increase from zero in 2022/23.
116. Hippodrome received 16 corporate compliments during 2023/24, an increase from 15 in 2022/23. The most common themes were satisfaction with the level of customer service and support from staff and the quality of performances.
117. Events and Banqueting received one corporate compliment during 2023/24, an increase from zero in 2022/23.

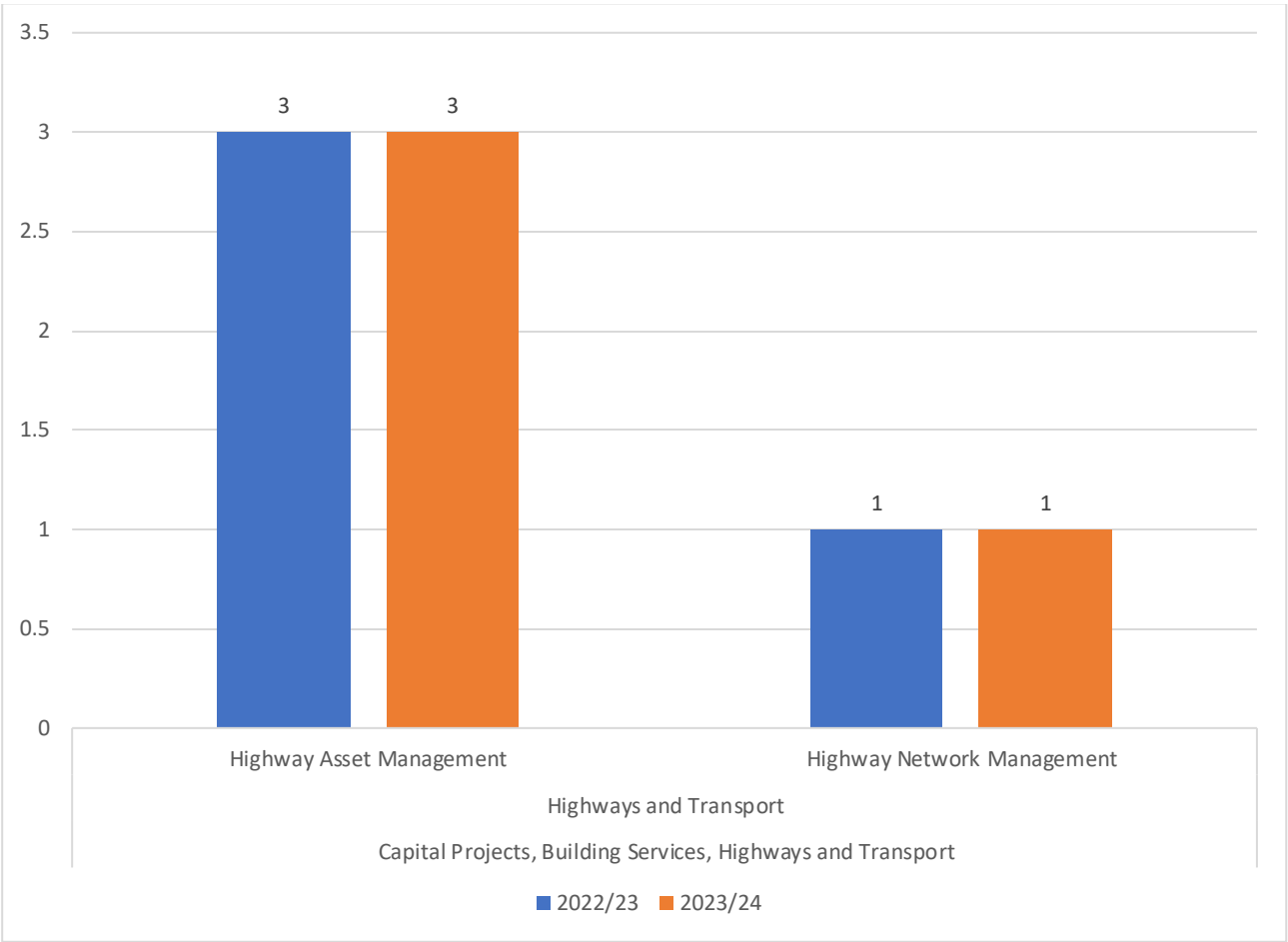


Community Services continued...



118. Arboriculture received eight corporate compliments during 2023/24, an increase from two in 2022/23. The most common theme was satisfaction with tree works.
119. Cemetery & Crematorium received one corporate compliment during 2023/24, a decrease from two in 2022/23.
120. Garden Waste received two corporate compliments during 2023/24, a decrease from three in 2022/23.
121. Grounds Maintenance received four corporate compliments during 2023/24, a decrease from five in 2022/23.
122. Parks, Countryside and Allotments received four corporate compliments during 2023/24, the same number as in 2022/23.
123. Recycling received nine corporate compliments during 2023/24, an increase from six in 2022/23. Themes included satisfaction with the service provided and the attitude of staff.
124. Refuse received five corporate compliments during 2023/24, a decrease from eight in 2022/23. They all concerned the excellent service provided, including two in relation to assisted collections.
125. Street Cleansing received 30 corporate compliments during 2023/24, an increase from 26 in 2022/23. Themes included general satisfaction with the cleanliness of streets and satisfaction with the team's response to specific requests for service.
126. Winter Maintenance and Call Out received two corporate compliments during 2023/24, an increase from one in 2022/23.
127. Workshop Team received one corporate compliment during 2023/24, the same number as in 2022/23.

Capital Projects, Building Services, Highways and Transport

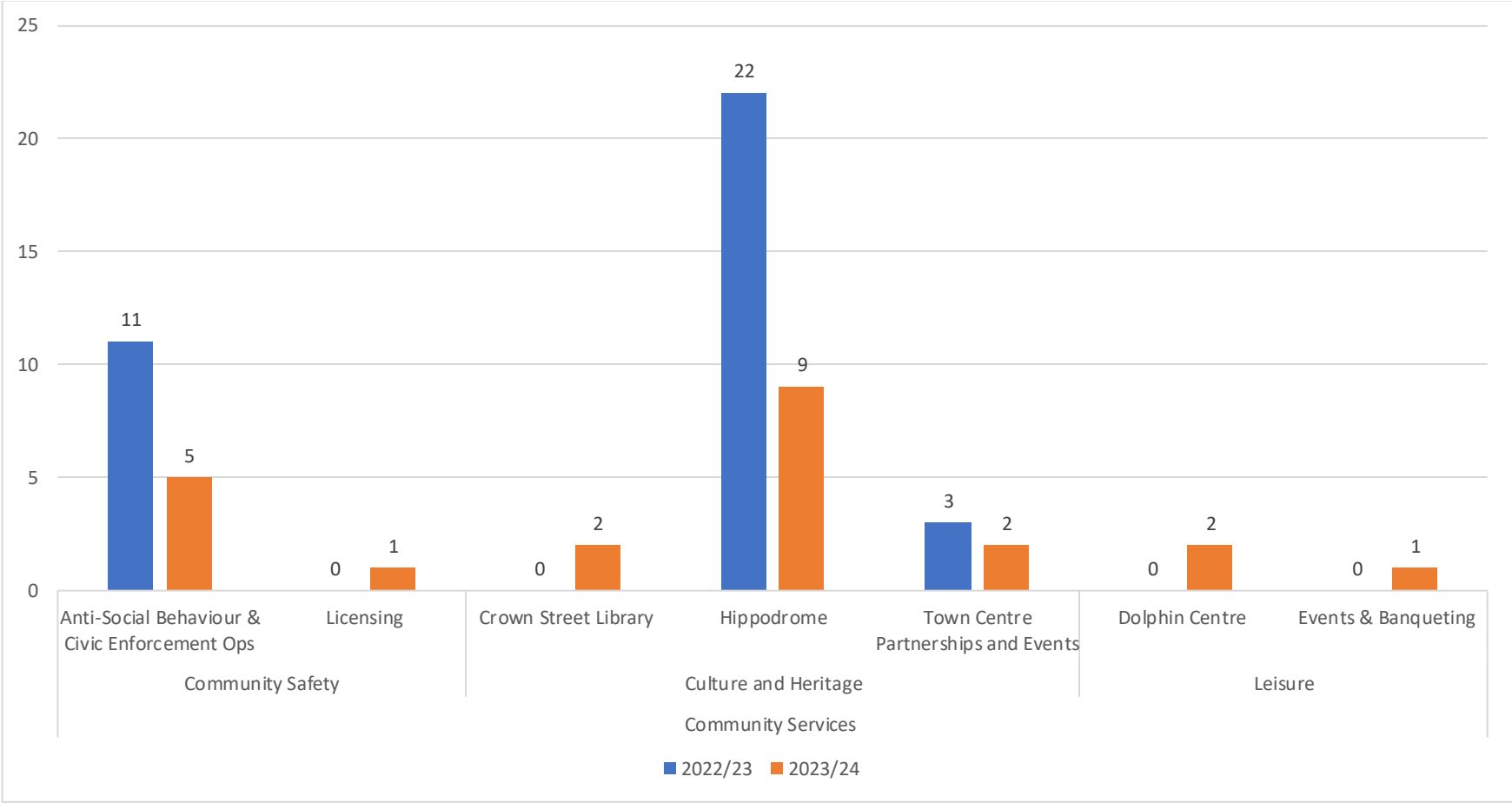


- 128. Highway Asset Management received three corporate compliments during 2023/24, the same number as in 2022/23.
- 129. Highway Network Management received one corporate compliment during 2023/24, the same number as in 2022/23.

Comments by Service Area/Team

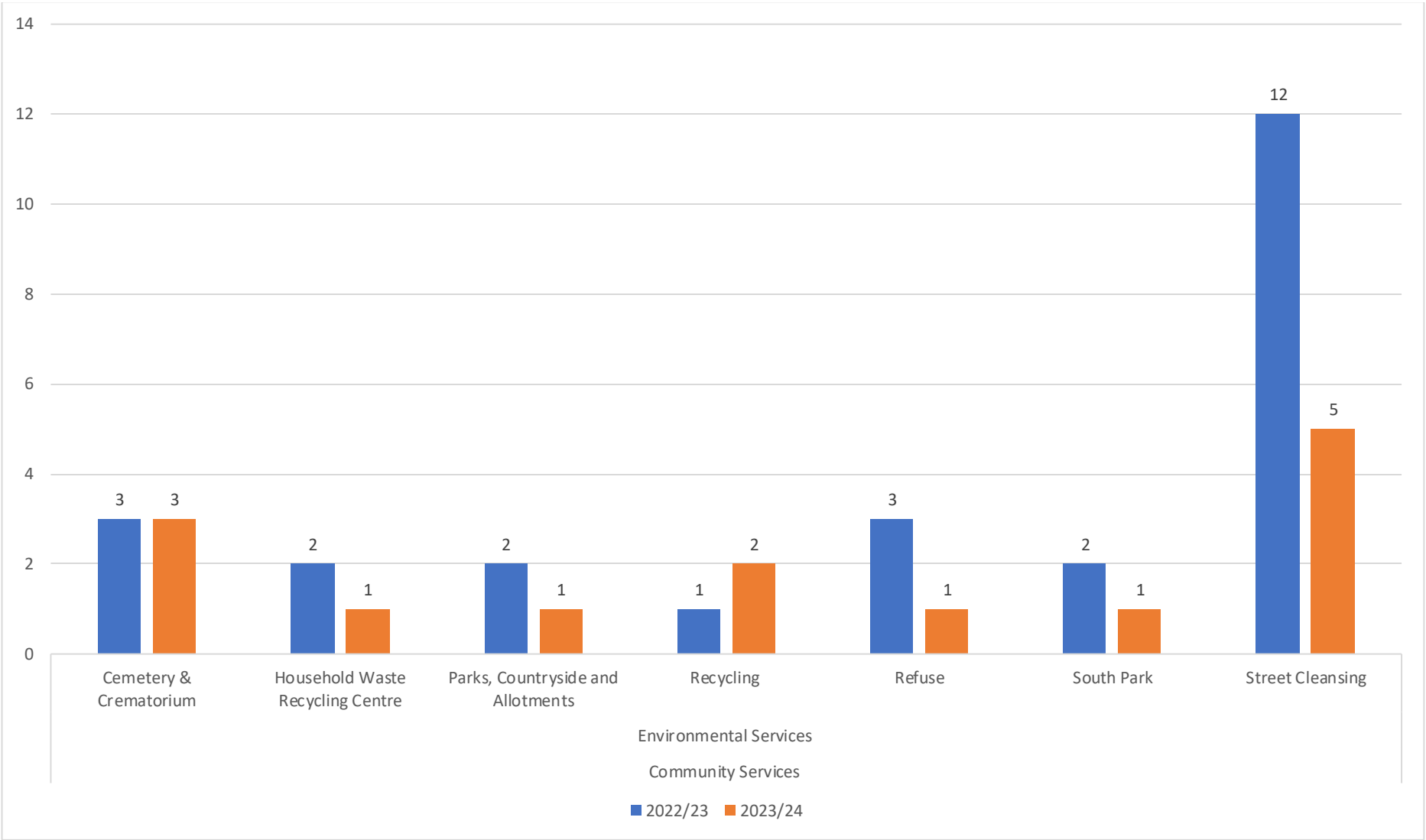
Community Services

130. Services received 63 corporate comments during 2023/24.



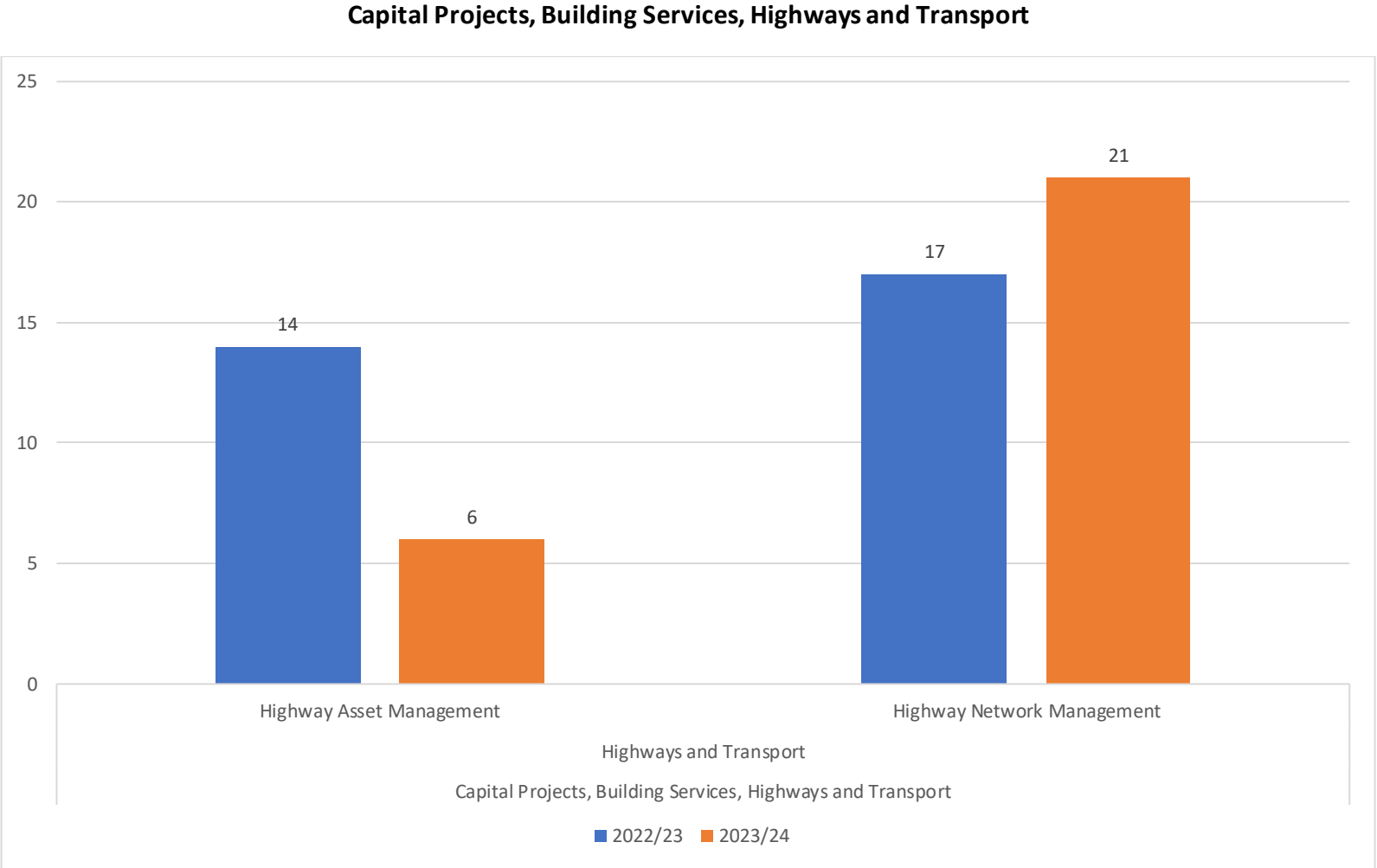
131. Anti-Social Behaviour & Civic Enforcement Ops received five corporate comments during 2023/24, a decrease from 11 in 2022/23. There were no identifiable themes.
132. Licensing received one corporate comment during 2023/24, an increase from zero in 2022/23.
133. Crown Street Library received two corporate comments during 2023/24, an increase from zero in 2022/23.
134. Hippodrome received nine corporate comments during 2023/24, a significant decrease from 22 in 2022/23. Dissatisfaction with quality of shows was the most common theme.
135. Town Centre Partnerships and Events received two corporate comments during 2023/24, a decrease from three in 2022/23.
136. The Dolphin Centre two corporate comments during 2023/24, an increase from zero in 2022/23.
137. Events and Banqueting received one corporate comment during 2023/24, an increase from zero in 2022/23.

Community Services continued...





138. Cemetery & Crematorium received three corporate comments during 2022/23, the same number as in 2022/23. There were no identifiable themes.
139. HWRC received one corporate comment during 2023/24, a decrease from two in 2023/24.
140. Parks, Countryside and Allotments received one corporate comment during 2023/24, a decrease from two in 2023/24.
141. Recycling received two corporate comments during 2023/24, an increase from one in 2022/23.
142. Refuse received one corporate comment during 2023/24, a decrease from three in 2023/24.
143. South Park received one corporate comment during 2023/24, a decrease from two in 2023/24.
144. Street Cleansing received five corporate comments during 2023/24, a decrease from 12 in 2022/23. There were no identifiable themes.



32. Highway Asset Management received six corporate comments during 2023/24, a decrease from 14 in 2022/23. The most common theme was people's dissatisfaction with road works.
33. Highway Network Management received 21 corporate comments during 2023/24, an increase from 17 in 2022/23. Common themes included people's dissatisfaction with the removal of the two hours free parking and changes to bus services.

### Complaints by Outcome

34. The below tables show the decisions reached on complaints during 2023/24.

#### Stage 1 Outcomes

Service Area/Team	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
CCTV	0	1	4	3	0	1	9
Anti-Social Behaviour & Civic Enforcement Ops	0	0	4	2	0	0	6
Licensing	0	0	2	0	0	0	2
Private Sector Housing	0	0	0	0	1	0	1
Trading Standards/Animal Welfare	0	0	0	0	1	0	1
Hippodrome	0	0	17	2	18	0	37
Arboriculture	0	0	8	1	1	0	10
Cemetery & Crematorium	0	0	1	1	1	0	3
Parks, Countryside and Allotments	0	0	1	1	2	0	4
South Park	0	0	0	1	0	0	1
Grounds Maintenance	0	0	1	0	3	0	4
Street Cleansing	0	0	13	0	10	0	23
Garden Waste	0	2	2	0	15	1	20
Recycling	0	9	19	3	33	1	65
Refuse	0	9	24	0	29	2	64
Winter Maintenance and Call Out	0	1	1	1	0	0	3
HWRC	0	0	2	0	2	0	4
Dolphin Centre	0	0	0	2	0	0	2
Events & Banqueting	0	0	1	0	0	0	1
Highway Asset Management	0	1	15	2	7	1	26
Highway Network Management	1	0	12	0	4	0	17
Building Surveying	0	0	0	0	1	0	1
<b>Totals</b>	<b>1</b>	<b>23</b>	<b>127</b>	<b>19</b>	<b>128</b>	<b>6</b>	<b>304</b>

## Stage 2 Outcomes

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
CCTV	0	1	1	0	0	2
Anti-Social Behaviour & Civic Enforcement Ops	0	0	3	0	0	3
Licensing	0	1	0	0	0	1
Hippodrome	0	3	0	0	0	3
Arboriculture	0	2	1	2	0	5
Cemetery & Crematorium	0	1	0	0	0	1
Parks, Countryside and Allotments	0	1	0	0	0	1
Grounds Maintenance	0	0	0	1	0	1
Street Cleansing	0	5	1	0	1	7
Garden Waste	0	1	0	0	1	2
Recycling	0	0	0	2	0	2
Refuse	1	0	0	3	0	4
Winter Maintenance and Call Out	0	0	0	1	0	1
Events & Banqueting	1	0	0	0	0	1
Highway Asset Management	0	3	0	1	0	4
Highway Network Management	0	4	2	1	1	8
<b>Totals</b>	<b>2</b>	<b>22</b>	<b>8</b>	<b>11</b>	<b>3</b>	<b>46</b>

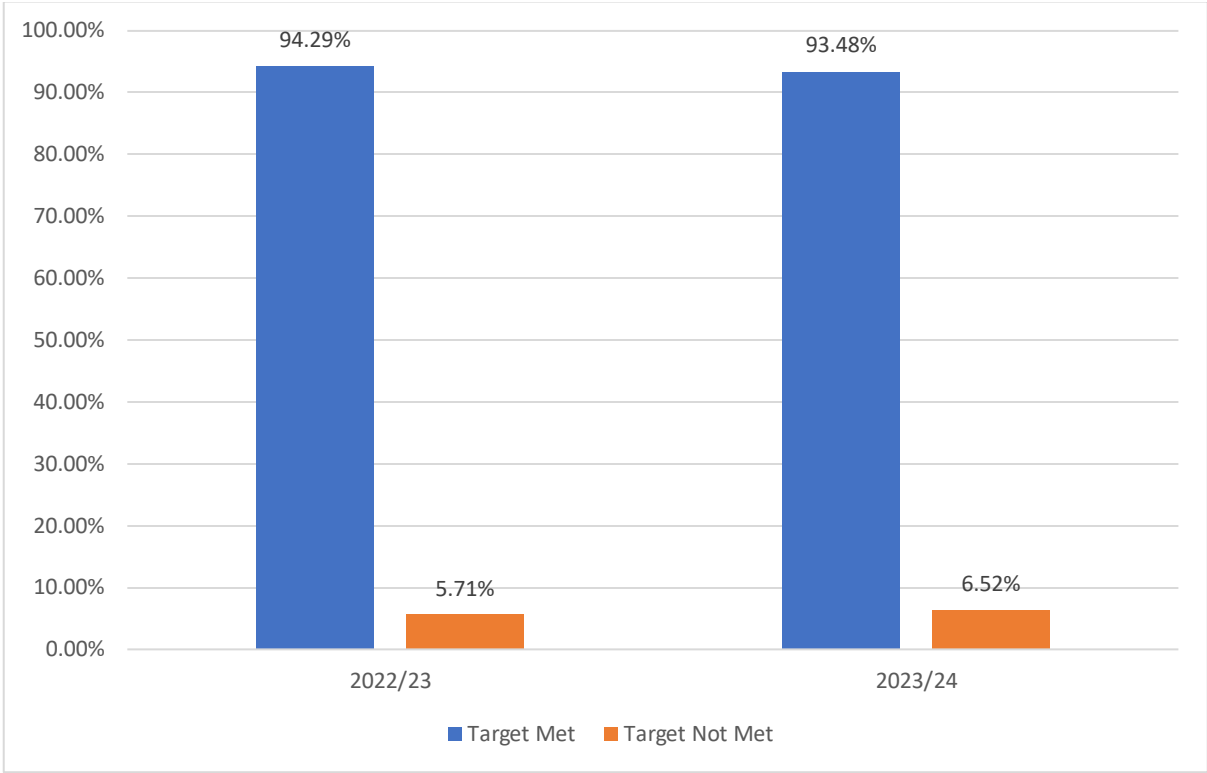
## Organisational Learning

35. All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints, the following organisational learning resulted from the complaint investigations concluded during 2023/24.
36. Following a complaint for Anti-Social Behaviour & Civic Enforcement Operations, the team divert phone calls to someone who was available to answer.
37. Following a complaint for Arboriculture, officers were made aware of the fact cancer is a disability as defined by the Equalities Act 2010.
38. Following a complaint for Recycling regarding an assisted collection, both the refuse and recycling teams were reminded them of the standards expected by both the Council and the general public when carrying out there duties.
39. Following a complaint for Refuse the crews were reminded to return bins to the location they were placed out for collection.

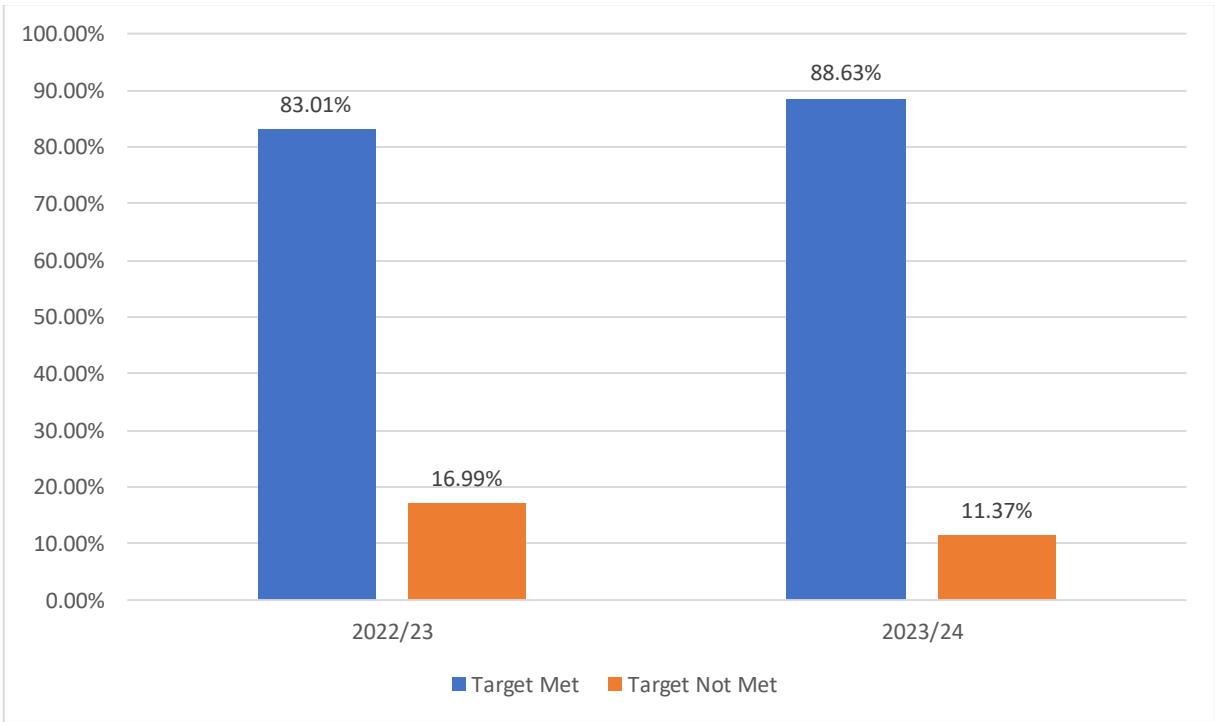
Performance against the Corporate Complaints, Compliments and Comments Procedure

Stage 1

Performance against Stage 1 complaint acknowledgement target (3 working days)



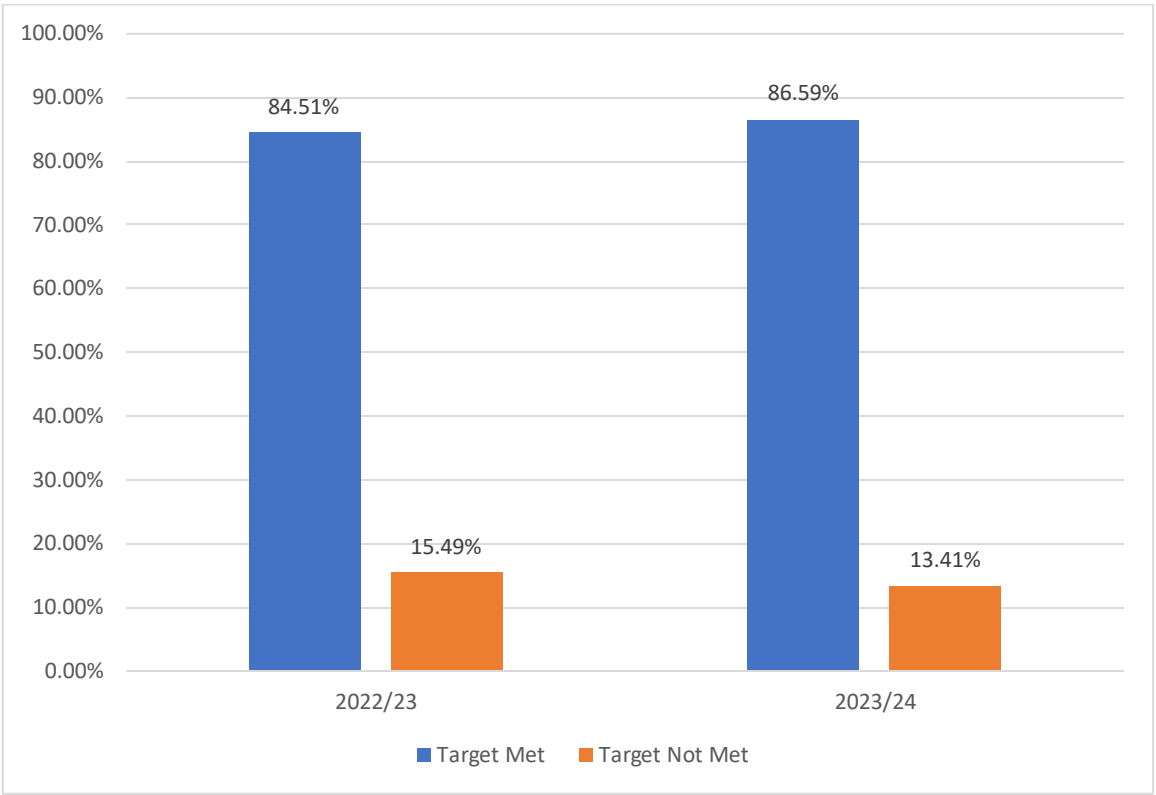
Performance against Stage 1 complaint response target (25 working days)



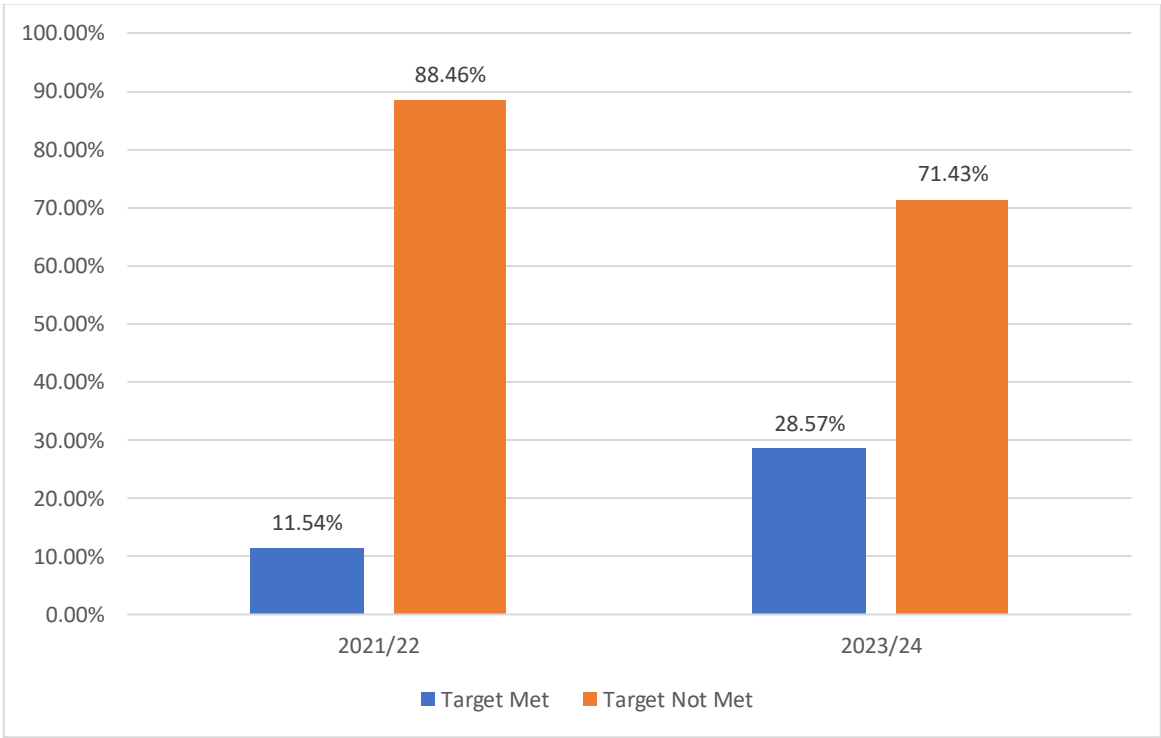


Stage 2

Performance against Stage 2 complaint acknowledgement target (3 working days)



Performance against Stage 2 complaint response target (30 working days)



### **Further Recommendations**

40. Stage 1 Responding Officers should familiarise themselves with the new Stage 1 timescales in the complaints procedure (introduced by the Local Government and Social Care Ombudsman's Complaint Handling Code on 1 April 2024), and ensure they are complying with them prior to the Council's performance against them being monitored by the Local Government and Social Care Ombudsman from 1 April 2026.
41. The Complaints & Information Governance Team should ensure they are complying with the new Stage 2 timescales (introduced by the Local Government and Social Care Ombudsman's Complaint Handling Code on 1 April 2024), prior to the Council's performance against them being monitored by the Local Government and Social Care Ombudsman from 1 April 2026.

### **Performance against Local Performance Indicators**

42. In relation to corporate complaints the Council's key performance indicator is the number of upheld decisions received from the Local Government and Social Care Ombudsman. The Council received two upheld decisions during 2023/24, and increase from one in 2022/23.
43. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 5 December 2023 and 10 September 2024 entitled [Review of Outcome of Complaints Made to Ombudsman](#).



# **DARLINGTON**

## Borough Council

### **Housing Complaints, Compliments and Comments Annual Report 2023/24**

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## Introduction

1. While the Council has produced an annual report, relating to its function as a social landlord for over a decade, this is now a requirement of the Housing Ombudsman's [Complaint Handling Code](#) which became statutory on 1 April 2024. It is also a requirement to submit a self-assessment to the Housing Ombudsman and publish a copy publish the self-assessment as part of the annual complaints performance and service improvement report on our website. The governing body's response to the report must be published alongside this. A copy of the self-assessment is contained in the final section of this report.
2. This report provides an analysis of the complaints, compliments and comments received by the Council during 2023/24 under the Housing Complaints, Compliments and Comments Procedure (the procedure) / The Housing Ombudsman's Complaint Handling Code. The purpose of the report is to identify topics and trends in relation to complaints; identify areas of organisational learning that have taken place over the past year as a result of the complaints received and make further recommendations based on trend data to improve services. The report also seeks to highlight any areas of good practice and identify topics and trends in relation to comments made by members of the public so the Council can take action where appropriate to improve services.
3. In addition to the statistical information presented in this report it is important to recognise the work of the Complaints and Information Governance (CIG) Team that underpins this in terms of promoting an organisational culture in which complaints are recognised, accepted, owned and resolved as efficiently and as close to the point of service delivery as possible. This also enables the Council to collect accurate information on complaints in order to identify topics and trends and improve services accordingly.

## Housing Complaints, Compliments and Comments Procedure

4. The procedure sets out how the Council will deal with complaints, compliments and comments received about the Council as a social landlord (as well as in respect of its ownership and management of leasehold housing).
5. The procedure has 2 stages. Stage 1 is a local resolution stage where we try to resolve those complaints that cannot be resolved immediately as part of our day to day business. Stage 1 complaints are dealt with locally, that is within the service being complained about. We aim to resolve the majority of complaints at Stage 1 of the procedure. Housing Services have employed a Housing Complaints Officer to assist with meeting the Ombudsman Complaint Handling Code timescales during 2023/24.
6. Stage 2 is a formal investigation stage where complaints will usually be investigated by the Complaints Investigator or Complaints and Information Governance Manager.

7. The Council has appointed the Complaints and Information Governance Manager in line with the Code to be accountable for complaint handling. The Complaints and Information Governance Manager will assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.
8. In addition to this, as required by the Code, the Council has appointed the Assistant Director, Housing and Revenues as a member of the governing body (or equivalent) to have lead responsibility for complaints to support a positive complaint handling culture. This person is referred to as the Member Responsible for Complaints ('the MRC').

### **Public Information and Accessibility**

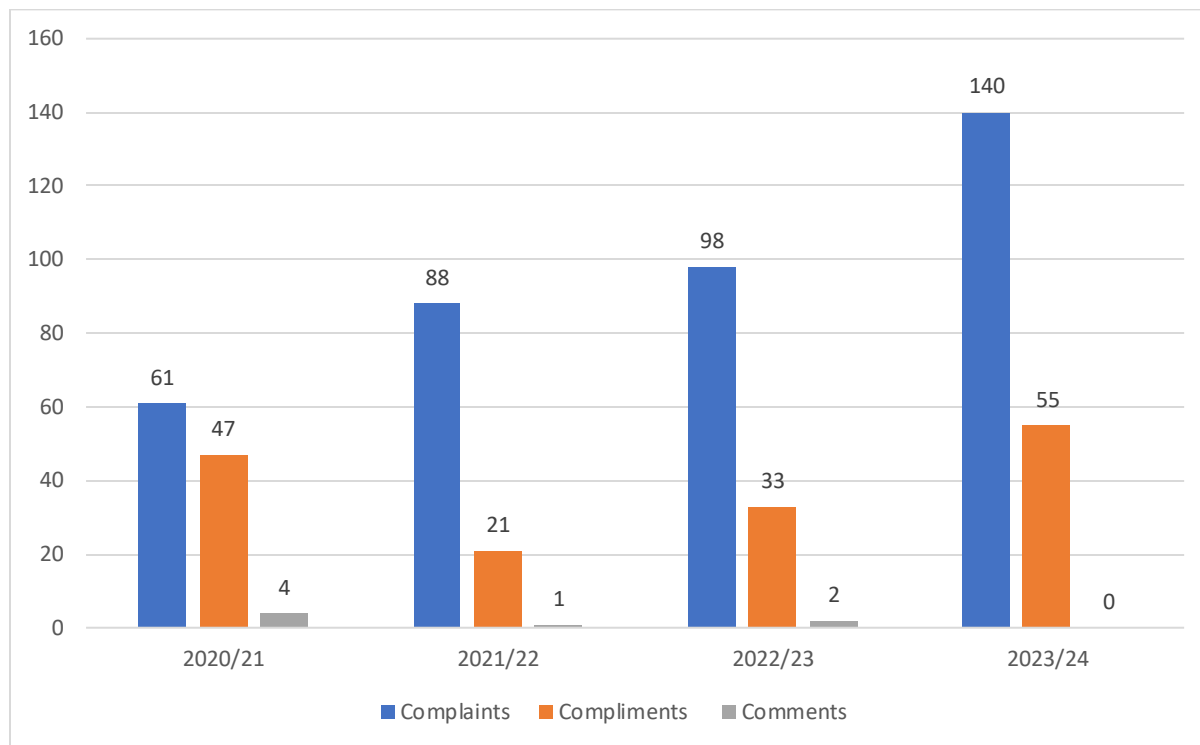
9. We are committed to making sure that everyone has equal access to all our services. To help make sure the Council's complaints procedures are easily accessible we have produced two leaflets (one for children and young people and one for adults) covering all Council services to reflect the single point of access for complainants within the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.
10. Information is available on the Council's website which contains an electronic form people can use to make a complaint, pay someone a compliment or pass comment on Council services. People may make a complaint in any format they wish. This can be in writing, email, via the web, over the phone, in person or by any other reasonable means.
11. The Council can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.



## Complaints Information and Organisational Learning

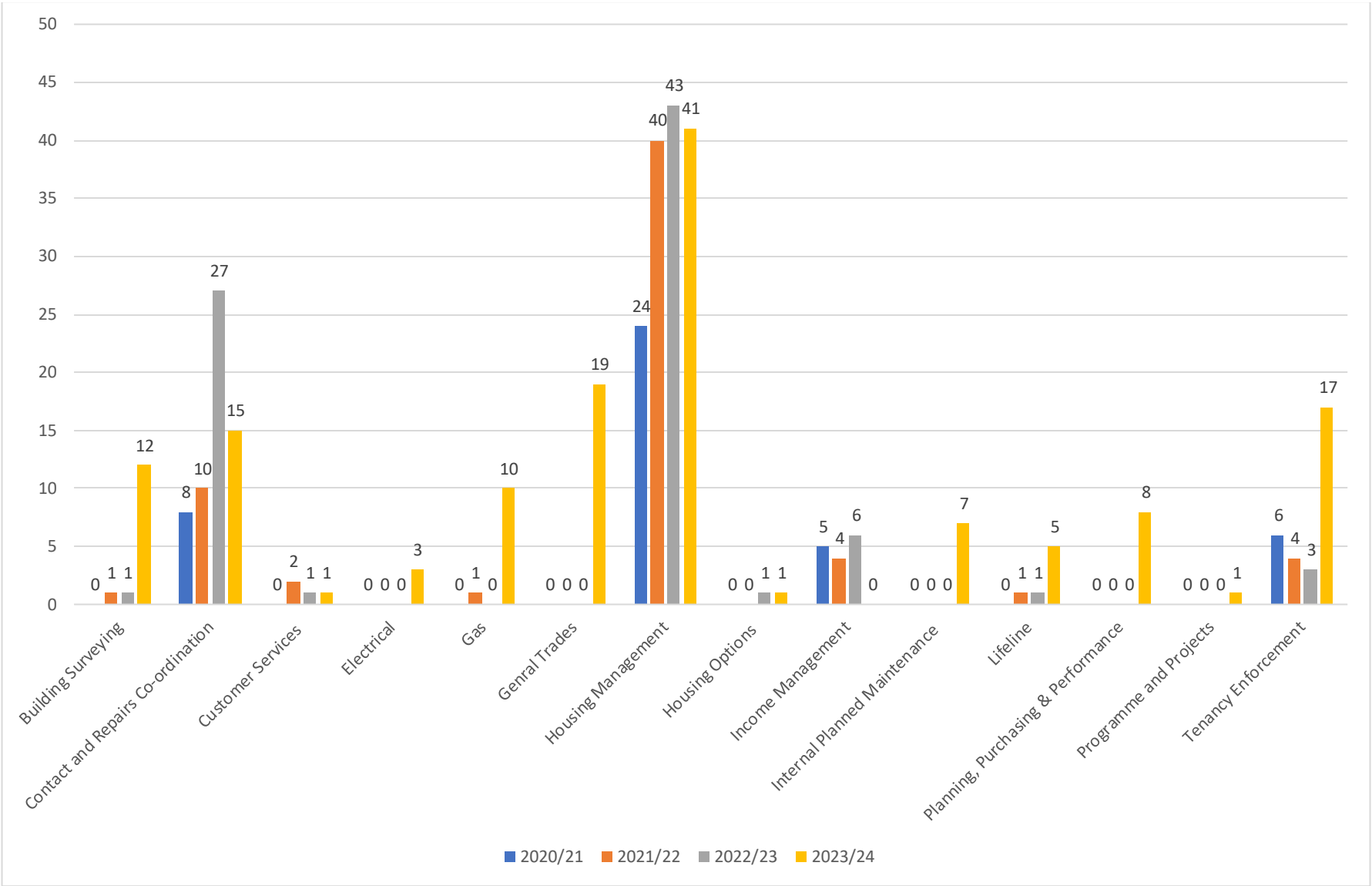
### Overview of Complaints, Compliments and Comments

#### Total Complaints, Compliments and Comments



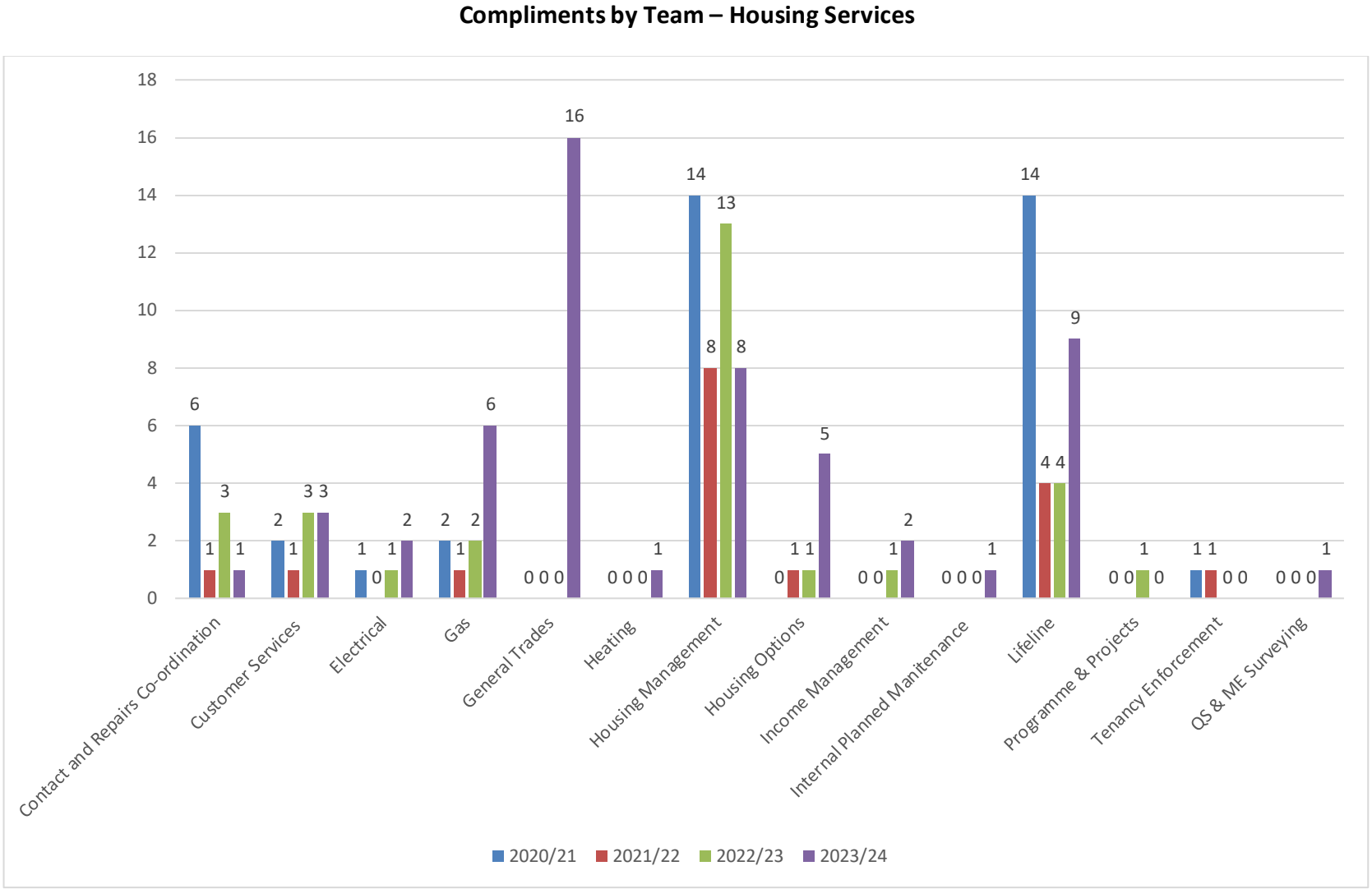
12. Between 1 April 2023 and 31 March 2024 the Council received a total of 140 complaints under the procedure, a significant increase from 98 in 2022/23, 88 in 2021/22 and 61 in 2020/21. This increase can in part be attributed to the additional promotional work undertaken by Housing Services to highlight the complaints procedure.
13. A total of 30 complaints were considered at Stage 2, which again was a significant increase from 17 in 2022/23, 16 in 2021/22 and 13 in 2020/21.
14. The Council received 55 compliments under the procedure, a significant increase an increase from 33 in 2022/23, 21 in 2021/22, and an increase from 47 in 2020/21.
15. The Council did not receive any comments under the procedure, a decrease from two in 2022/23, one in 2021/22 and four in 2020/21.
16. The Council did not receive any non-qualifying complaints during 2023/24.

Complaints by Team – Housing Services



17. Building Surveying received 12 complaints, a significant increase from one in 2022/23 and 2021/22 and zero in 2020/21. Themes included people's dissatisfaction with delays in completing repairs and with the decision that they would not be getting new windows.
18. Contact & Repairs Co-ordination received 15 complaints, a significant decrease from 27 in 2022/23, although an increase from 10 in 2021/22 and eight in 2020/21. Complaints concerned communication, appointments not being kept and delays in undertaking repairs.
19. Customer Services received one complaint, the same as in 2022/23, a decrease from two in 2021/22 and an increase from zero in 2020/21.
20. Electrical Services received three complaints, an increase from zero in 2022/23, 2021/22 and 2020/21. There were no identifiable themes.
21. Gas received 10 complaints, an increase from zero in 2022/23, one in 2021/22 and zero in 2020/21. The most common cause of complaint was people's dissatisfaction with the time taken to repair boilers. Issues with appointment and the attitude/behaviour of the gas engineer were also matters of complaint.
22. General Trades received 19 complaints, an increase from zero in 2022/23, 2021/22 and 2020/21. The most common causes of complaint were dissatisfaction with quality of repairs, the time take to complete repairs.
23. Housing Management received 41 complaints in 2023/24, a decrease from 43 in 2022/23 and an increase from 40 in 2021/22 and 24 in 2020/21. Complaints concerned dissatisfaction with support in relation to neighbour nuisance issues and the attitude/behaviour and general level of support from Housing Management Officer(s) in relation to a variety of housing matters.
24. Housing Options received one complaint during 2023/24, the same number as in 2022/23, an increase from zero in 2021/22 and 2020/21.
25. Housing Income Management received zero complaints during 2023/24, a decrease from six in 2022/23, four in 2021/22 and five in 2020/21.
26. Internal Planned Maintenance received seven complaints, an increase from zero in 2022/23, 2021/22 and 2020/21. The most common causes of complaint were peoples dissatisfaction with the quality of the completed works and issues experienced while the works were being undertaken.
27. Lifeline received five complaints during 2023/24, an increase from one in 2022/23 and 2021/22, and zero in 2020/21. There were no identifiable themes.

28. Planning, Purchasing and Performance received eight complaints in 2023/24, an increase from zero in 2022/23, 2021/22 and 2020/21. Complaints concerned communication and delays in undertaking repairs.
29. Programme and Projects received one complaint in 2023/24, and increase from zero in 2022/23, 2021/22 and 2020/21.
30. Tenancy Enforcement received 17 complaints during 2023/24, a significant increase from three in 2022/23, four in 2021/22 and six in 2020/21. The majority of complaints concerned peoples dissatisfaction with the perceived lack of action in relation to reports of anti social behaviour.

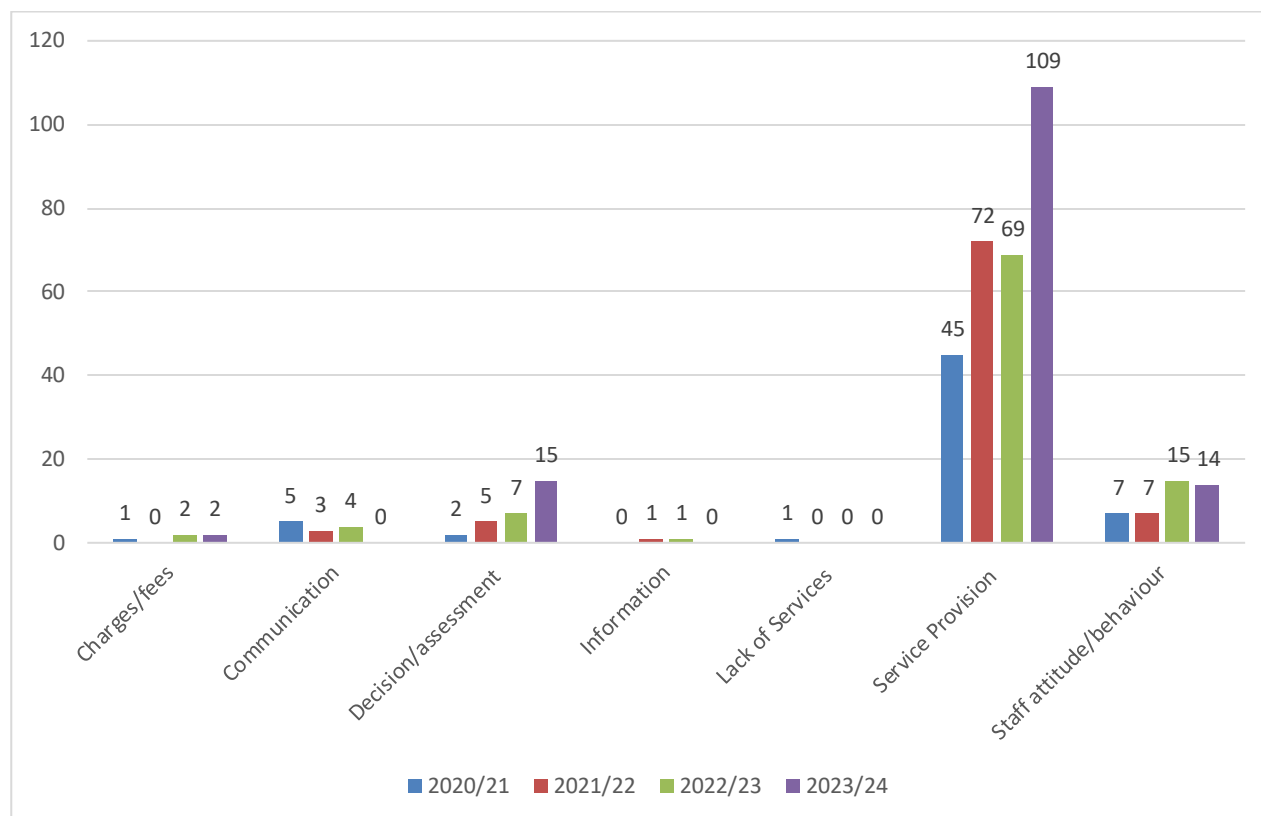


31. Housing Services received 55 compliments in 2023/24, a significant increase from 26 compliments in 2022/23, 16 in 2021/22 and 37 in 2020/21.

### Comments by Team - Housing

32. The Council received zero comments during 2023/24, a decrease from two in 2022/23, one in 2021/22 and four 2020/21.

### Complaints by Issue



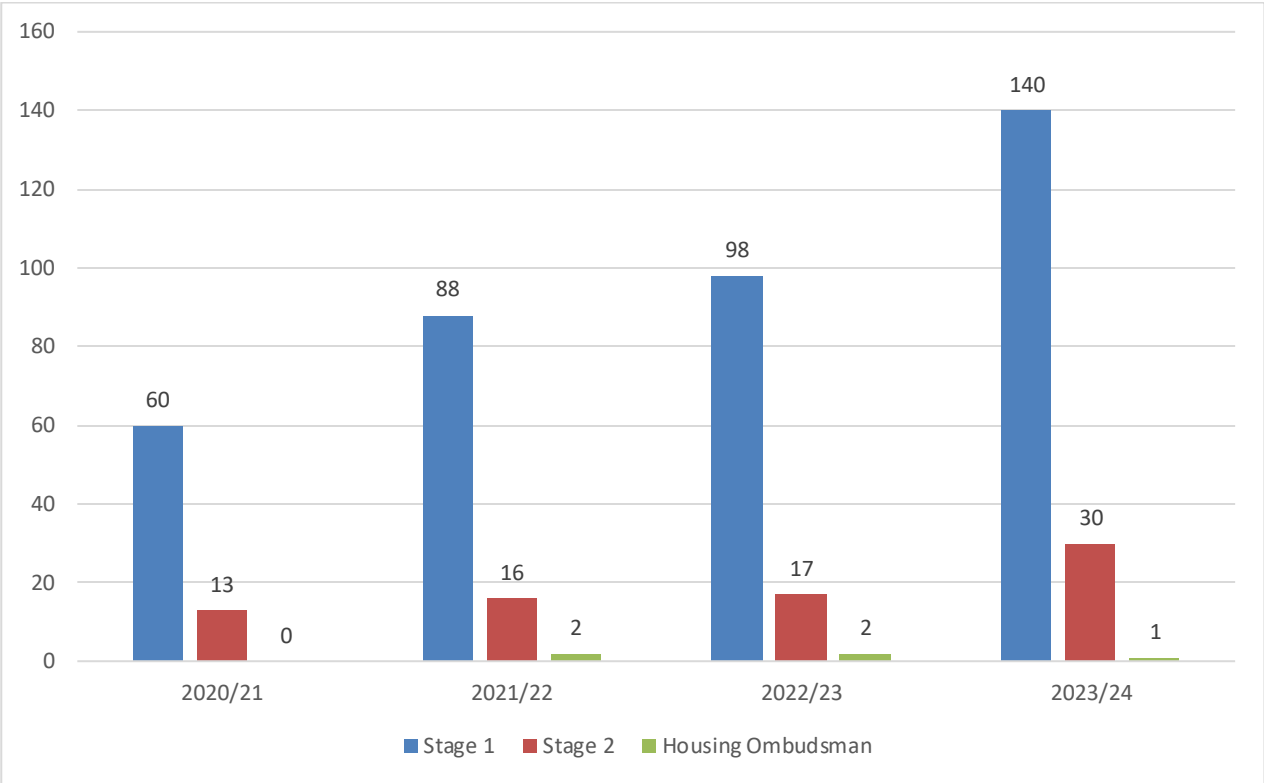
33. Two complaints related to charges/fees in 2023/24, the same as in 2022/23, an increase from zero in 2021/22 and one in 2020/21.
34. Zero complaints related to communication during 2023/24, a decrease from four in 2022/23, three in 2021/22 and five in 2020/21.
35. 15 complaints related to decision/assessment in 2023/24, an increase from seven in 2022/23, five in 2021/22 and two in 2020/21.
36. Zero complaints related to information in 2023/24, a decrease from one in 2022/23 and 2021/22 and the same number as in 2020/21.
37. There were no complaints about lack of services in 2023/24, 2022/23 or 2021/22, a decrease from one in 2020/21.
38. There were 109 complaints about service provision in 2023/24, a significant increase from 69 2022/23, 72 in 2021/22 and 45 in 2020/21.



39. 14 complaints related to staff attitude/behaviour in 2023/24, a decrease from 15 in 2022/23 and an increase from seven in 2021/22 and 2020/21.

**Complaints by Stage**

40. The below graph shows the number of complaints received at each stage of the procedure during.



41. The Council received 140 Stage 1 complaints in 2023/24, a significant increase from 98 in 2022/23, 88 in 2021/22 and 60 in 2020/21.
42. 30 were investigated at Stage 2, a significant increase from 17 in 2022/23, 16 in 2021/22 and 13 in 2020/21.
43. One complaint was escalated to the Housing Ombudsman in 2023/24, a decrease from two in 2022/23 and 2021/22 and an increase from zero in 2020/21.

### Complaints Outcomes

44. The below tables show the decisions reached on complaints received during 2023/24.

#### Stage 1

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Customer Services	0	0	0	1	0	1
Housing Management	0	16	15	1	8	40
Tenancy Enforcement	0	12	4	0	1	17
Contact and Repairs Co-ordination	1	3	7	3	0	14
Housing Options	0	0	0	0	1	1
Lifeline	0	1	3	0	1	5
Programme and Projects	0	0	1	0	0	1
Gas	1	4	3	2	1	11
General trades	0	3	8	4	3	18
Electrical	0	0	0	0	3	3
Planning, Purchasing & Performance	0	1	2	1	1	5
Internal Planned Maintenance	0	2	5	0	0	7
Building Surveying	0	1	4	9	1	15
Building Cleaning and Compliance	0	0	1	0	0	1
Property Services	0	0	1	0	0	1
<b>Totals</b>	<b>2</b>	<b>43</b>	<b>54</b>	<b>21</b>	<b>20</b>	<b>140</b>
<b>Percentage</b>	<b>1.4%</b>	<b>30.7%</b>	<b>38.6%</b>	<b>15%</b>	<b>14.3%</b>	<b>100%</b>

**Stage 2**

<b>Service Area/Team</b>	<b>Inconclusive</b>	<b>Not Upheld</b>	<b>Partially Upheld</b>	<b>Upheld</b>	<b>Withdrawn</b>	<b>Total</b>
Housing Management	1	6	1	2	1	<b>11</b>
Tenancy Enforcement	0	5	2	0	1	<b>8</b>
Contact and Repairs Co-ordination	0	0	3	1	0	<b>4</b>
Gas	0	1	0	0	0	<b>1</b>
General trades	0	1	1	0	0	<b>2</b>
Internal Planned Maintenance	0	0	1	0	0	<b>1</b>
<b>Totals</b>	<b>1</b>	<b>13</b>	<b>8</b>	<b>3</b>	<b>2</b>	<b>27</b>
<b>Percentage</b>	<b>3.7%</b>	<b>48.1%</b>	<b>29.6%</b>	<b>11.1%</b>	<b>7.4%</b>	<b>100%</b>

***N.B. Three stage 2 complaints remained open at the time of writing.***

**Housing Ombudsman**

45. The Housing Ombudsman commenced one investigation during 2023/24.
46. The Housing Ombudsman has not determined the complaint investigation it commenced during 2023/24. Similarly the Housing Ombudsman did not determine any complaints during 2022/23, a decrease from two in 2021/22 and one in 2020/21 and 2019/20.
47. Full details of any complaints determined by the Housing Ombudsman are included in the Cabinet reports of 5 December 2023 and 10 September 2024 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

## **Organisational Learning**

48. All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints and Information Governance Manager. In addition to those actions taken to resolve individual complaints, a number of service improvements were made following complaint investigations during 2023/24, some of which are detailed below:

## **Building Surveying**

49. It was agreed that responsive work lists would be checked weekly by the Building Surveying to ensure the contractor was initiating work within the 5 week timescale set.
50. Surveyors were reminded that when booking in plastering works to include in their report what items will need to be moved by workers/what will be left in the room e.g. sofas/TV stands, so the correct time can be booked in by the Planning Team.
51. Feedback was given to the contractor for improvements to be made going forward, such as ensuring notices are being left in the event a repair is being completed and ensuring they are calling tenants to provide an update if requested by Customer Services.
52. Staff were reminded of the need to comply with the timescales in the Councils Customer Service Standards.
53. All trades were reminded to offer to wear shoe coverings when going into tenants properties.

## **Contact and Repairs Co-ordination**

54. It was agreed that an equality and diversity course would be arranged for all Tenancy Management staff.
55. An issue with the Council's IT system, that allowed appointments to be booked on bank holidays, was identified and fixed.
56. Staff were reminded to show their ID when attending a property to undertake repairs and the information on the Council's website regarding who to contact in relation to an Emergency Repair was updated.
57. There was a review of the escalation process for repairs, to ensure that any delays in follow on work are minimised. Staff were also provided training around the importance of updating notes and completing visit forms, so where a member of staff is absent other staff can continue the process.

## **Gas**

- 58. The process for alternative heating sources when someone's heating is broken was reviewed.
- 59. The approach to take when a tenant reports a gas leak was discussed in a team meeting and staff were advised to give clear advice to the tenant on what will happen next.

## **General Trades**

- 60. The team were reminded of the importance of contacting the tenant immediately if an appointment is unable to go ahead.
- 61. Trades were reminded to advise tenants when facilities would be available to be used and talk them through how to use the new shower facilities, etc.

## **Housing Management**

- 62. Building Cleaning and Compliance staff were reminded to ensure they adhering to the Councils Customer Service Standards. They were also reminded to follow the follow liquid disposal guidance.
- 63. Housing Management Officers were reminded to ensure they upload emails received from tenants with regards to repair work into the Council's IT system, to ensure we have a record of any images sent of disrepair.
- 64. Officers were reminded of the importance of using the conversation cycle to avoid confrontational conversations and ensuring that following untidy garden appointments, appropriate records are made on the Council's IT system, including uploading any supporting images/action plan.
- 65. Consideration was given to amending warning letters which are sent to tenants who live in communal flats to reflect that we are contacting all residents who are affected by anti social behaviour (ASB) and to further encourage whistleblowing.

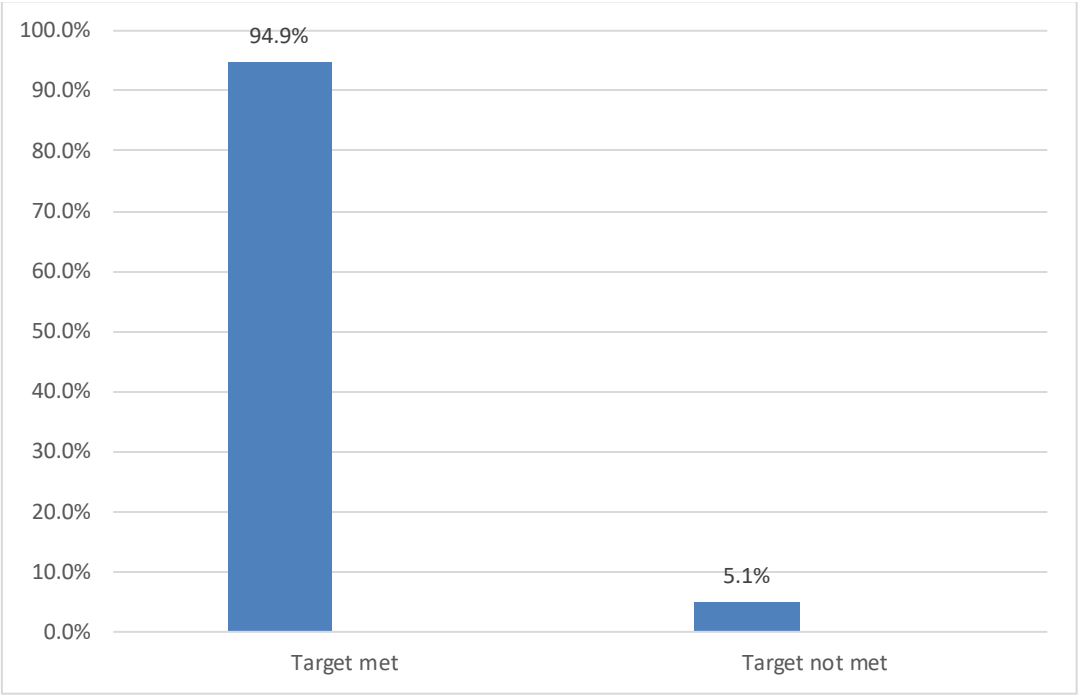
## **Internal Planned Maintenance**

- 66. The IPM alterations letter was amended to advise that boilers will be left turned on following safety checks unless stated otherwise.

Performance against the Housing Complaints, Compliments and Comments Procedure

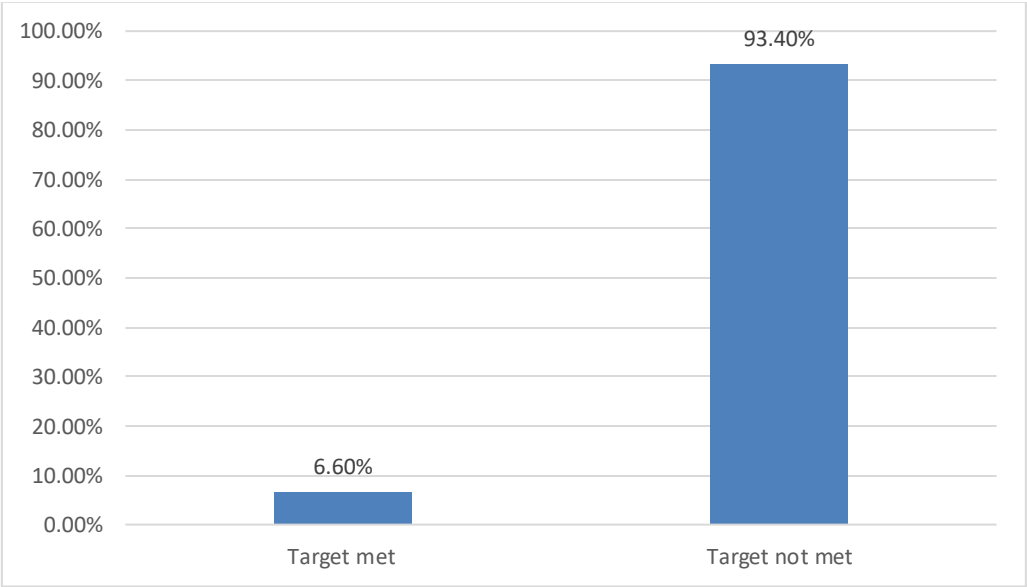
Stage 1

Proportion of stage one complaints responded to within the Housing Ombudsman’s Complaint Handling Code timescales.



Stage 2

Proportion of stage two complaints responded to within the Housing Ombudsman’s Complaint Handling Code timescales.





67. The Regulator of Social Housing has issued guidance on how to calculate the above, which means the methodology used now differs from that previously used and that currently used in relation to all other Council complaints. We have applied this same methodology to the reporting of Housing Ombudsman decisions in this report, however, we do not intend to adopt it elsewhere.
68. The methodology identifies the percentage of complaints ***made by tenants during the reporting*** year that were responded to within timescale, as opposed to the overall percentage of complaints responded to during the reporting year within timescale. Consequently, any complaints received in 2022/23 and responded to in 2023/24 are excluded from the calculation.

### **Further recommendations**

69. Housing Servies/the Complaints & Information Governance Team should establish why there has been an increase in the number of complaints escalated to Stage 2 and work to reduce this in during 2024/25.
70. The Complaints & Information Governance Team experienced issues in terms of the resource available to investigate Stage 2 complaints during 2023/24. Housing Servies/the Complaints & Information Governance Team should continue working to improve performance against the Stage 2 response target during 2024/25.

## Housing Ombudsman Code Self-Assessment

71. This self-assessment form should be completed by the complaints officer and it must be reviewed and approved by the landlord's governing body at least annually.
72. Once approved, landlords must publish the self-assessment as part of the annual complaints performance and service improvement report on their website. The governing body's response to the report must be published alongside this.
73. Landlords are required to complete the self-assessment in full and support all statements with evidence, with additional commentary as necessary.
74. We recognise that there may be a small number of circumstances where landlords are unable to meet the requirements, for example, if they do not have a website. In these circumstances, we expect landlords to deliver the intentions of the Code in an alternative way, for example by publishing information in a public area so that it is easily accessible.

### Section 1: Definition of a complaint

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
1.2	A complaint must be defined as:  <i>'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.'</i>	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 3
1.3	A resident does not have to use the word 'complaint' for it to be treated as such. Whenever a resident expresses dissatisfaction landlords must give them the choice to make complaint. A complaint	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	The Council has adopted the definition in 1.2 which does not require a resident to use the complaint. Nor did our previous definition. This is

	that is submitted via a third party or representative must be handled in line with the landlord's complaints policy.			covered in our training.
1.4	Landlords must recognise the difference between a service request and a complaint. This must be set out in their complaints policy. A service request is a request from a resident to the landlord requiring action to be taken to put something right. Service requests are not complaints, but must be recorded, monitored and reviewed regularly.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	The Council has separate and robust processes in place to consider requests for service and complaints.
1.5	A complaint must be raised when the resident expresses dissatisfaction with the response to their service request, even if the handling of the service request remains ongoing. Landlords must not stop their efforts to address the service request if the resident complains.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	This happens as a result of the afore mentioned process and is covered in our training.
1.6	An expression of dissatisfaction with services made through a survey is not defined as a complaint, though wherever possible, the person completing the survey should be made aware of how they can pursue a complaint if they wish to. Where landlords	Yes		Details of how to complain are included in our Satisfaction Surveys.

	ask for wider feedback about their services, they also must provide details of how residents can complain.			
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## Section 2: Exclusions

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
2.1	Landlords must accept a complaint unless there is a valid reason not to do so. If landlords decide not to accept a complaint they must be able to evidence their reasoning. Each complaint must be considered on its own merits	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	The Council's approach has always been based on best practice and we look for every reason to accept a complaint, before deciding it does not qualify for investigating. Where we decide a complaint is non-qualifying we explain our reasons and advised the individual of their right to refer the matter to the HOS.
2.2	A complaints policy must set out the circumstances in which a matter will not be considered as a complaint or escalated, and these circumstances must be fair and reasonable to residents. Acceptable exclusions include: <ul style="list-style-type: none"> <li>The issue giving rise to the complaint</li> </ul>	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 7

	<p>occurred over twelve months ago.</p> <ul style="list-style-type: none"> <li>• Legal proceedings have started. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.</li> <li>• Matters that have previously been considered under the complaints policy.</li> </ul>			
2.3	<p>Landlords must accept complaints referred to them within 12 months of the issue occurring or the resident becoming aware of the issue, unless they are excluded on other grounds. Landlords must consider whether to apply discretion to accept complaints made outside this time limit where there are good reasons to do so.</p>		<p><a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a></p>	See Section 7
2.4	<p>If a landlord decides not to accept a complaint, an explanation must be provided to the resident setting out the reasons why the matter is not suitable for the complaints process and the right to take that decision to the Ombudsman. If the Ombudsman does not agree that the exclusion</p>	Yes	<p><a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a></p>	<p>Where we decide a complaint is non-qualifying we explain our reasons and advised the individual of their right to refer the matter to the HOS.</p>

	has been fairly applied, the Ombudsman may tell the landlord to take on the complaint.			
2.5	Landlords must not take a blanket approach to excluding complaints; they must consider the individual circumstances of each complaint.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 7

### Section 3: Accessibility and Awareness

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
3.1	Landlords must make it easy for residents to complain by providing different channels through which they can make a complaint. Landlords must consider their duties under the Equality Act 2010 and anticipate the needs and reasonable adjustments of residents who may need to access the complaints process.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>  <a href="#">Darlington BC - Complaints compliments and comments</a>	
3.2	Residents must be able to raise their complaints in any way and with any member of staff. All staff must be aware of the complaints process and be able to pass details of the complaint to the	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	Training provided to officers.

	appropriate person within the landlord.			
3.3	High volumes of complaints must not be seen as a negative, as they can be indicative of a well-publicised and accessible complaints process. Low complaint volumes are potentially a sign that residents are unable to complain.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	
3.4	Landlords must make their complaint policy available in a clear and accessible format for all residents. This will detail the two stage process, what will happen at each stage, and the timeframes for responding. The policy must also be published on the landlord's website.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	
3.5	The policy must explain how the landlord will publicise details of the complaints policy, including information about the Ombudsman and this Code.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 1
3.6	Landlords must give residents the opportunity to have a representative deal with their complaint on their behalf, and to	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 8



	be represented or accompanied at any meeting with the landlord.			
3.7	Landlords must provide residents with information on their right to access the Ombudsman service and how the individual can engage with the Ombudsman about their complaint.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a> <a href="#">Darlington BC - Housing complaints</a>	See Section 12. This is also included response and extension letters

#### Section 4: Complaint Handling Staff

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
4.1	Landlords must have a person or team assigned to take responsibility for complaint handling, including liaison with the Ombudsman and ensuring complaints are reported to the governing body (or equivalent). This Code will refer to that person or team as the 'complaints officer'. This role may be in addition to other duties.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 2.
4.2	The complaints officer must have access to staff at all levels to facilitate the prompt resolution of complaints. They must also have the authority and autonomy to act	Yes		The Council's Complaints Manager, Complaints Investigator and the Housing Complaints Officer have access to

	to resolve disputes promptly and fairly.			staff at all levels to facilitate the prompt resolution of complaints and have the authority and autonomy to act to resolve disputes promptly and fairly.
4.3	Landlords are expected to prioritise complaint handling and a culture of learning from complaints. All relevant staff must be suitably trained in the importance of complaint handling. It is important that complaints are seen as a core service and must be resourced to handle complaints effectively	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a> <a href="#">Darlington BC - Annual reports</a>	See Section 1 of the Complaints Procedure. The Council's culture in respect of complaints handling is detailed in its procedures, <a href="#">annual reports</a> and its reports to its Scrutiny Committees and <a href="#">Cabinet</a> . All staff are suitably trained. The sufficiency of resources is subject to the budget constraints of the Local Authority.

### Section 5: The Complaint Handling Process

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
5.1	Landlords must have a single policy in place for dealing with complaints covered by this Code. Residents must not be treated differently if they complain.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a> <a href="#">Darlington BC - Complaints compliments and comments</a>	See Section 1.2

5.2	The early and local resolution of issues between landlords and residents is key to effective complaint handling. It is not appropriate to have extra named stages (such as 'stage 0' or 'informal complaint') as this causes unnecessary confusion.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	
5.3	A process with more than two stages is not acceptable under any circumstances as this will make the complaint process unduly long and delay access to the Ombudsman.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	
5.4	Where a landlord's complaint response is handled by a third party (e.g. a contractor or independent adjudicator) at any stage, it must form part of the two stage complaints process set out in this Code. Residents must not be expected to go through two complaints processes.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 6.5
5.5	Landlords are responsible for ensuring that any third parties handle complaints in line with the Code.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 6.5
5.6	When a complaint is logged at Stage 1 or	Yes	<a href="#">Housing Complaints, Compliments and Comments</a>	See Section 11

	escalated to Stage 2, landlords must set out their understanding of the complaint and the outcomes the resident is seeking. The Code will refer to this as “the complaint definition”. If any aspect of the complaint is unclear, the resident must be asked for clarification.		<a href="#">Procedure; April 2024 (darlington.gov.uk)</a>	
5.7	When a complaint is acknowledged at either stage, landlords must be clear which aspects of the complaint they are, and are not, responsible for and clarify any areas where this is not clear.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	We set this out in our acknowledgment letters
5.8	At each stage of the complaints process, complaint handlers must: <ul style="list-style-type: none"> <li>a. deal with complaints on their merits, act independently, and have an open mind;</li> <li>b. give the resident a fair chance to set out their position;</li> <li>c. take measures to address any actual or perceived conflict of interest; and</li> <li>d. consider all relevant information and evidence carefully.</li> </ul>	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	All complaint handlers are appropriately trained to ensure complaints are handled in this manner.

5.9	Where a response to a complaint will fall outside the timescales set out in this Code, the landlord must agree with the resident suitable intervals for keeping them informed about their complaint.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	The Council informs the resident the date by which they can expect a response in the extension letter/email. Where the resident requires more frequent updates we agree this on an individual basis.
5.10	Landlords must make reasonable adjustments for residents where appropriate under the Equality Act 2010. Landlords must keep a record of any reasonable adjustments agreed, as well as a record of any disabilities a resident has disclosed. Any agreed reasonable adjustments must be kept under active review.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 10
5.11	Landlords must not refuse to escalate a complaint through all stages of the complaints procedure unless it has valid reasons to do so. Landlords must clearly set out these reasons, and they must comply with the provisions set out in section 2 of this Code.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	On the rare occasion we may refuse to escalate a complaint, for example where the resident or the Council has commenced legal proceedings in relation to the matter being complained about, we would explain this to the resident in writing and advise them of their right to refer

				the matter to the HOS.
5.12	A full record must be kept of the complaint, and the outcomes at each stage. This must include the original complaint and the date received, all correspondence with the resident, correspondence with other parties, and any relevant supporting documentation such as reports or surveys.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 17 of the Complaints Procedure. This information is held in the Council's Complaints Management Database. Some information is also held on the tenancy record.
5.13	Landlords must have processes in place to ensure a complaint can be remedied at any stage of its complaints process. Landlords must ensure appropriate remedies can be provided at any stage of the complaints process without the need for escalation.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 13
5.14	Landlords must have policies and procedures in place for managing unacceptable behaviour from residents and/or their representatives. Landlords must be able to evidence reasons for putting any restrictions in place and must keep restrictions under regular review.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 16 of the Complaints Procedure. The Council operates an Unreasonably Persistent Complainants Procedure and an Employee Protection Register to manage unacceptable behaviour from residents and/or their representatives.
5.15	Any restrictions placed on contact due to	Yes	<a href="#">Housing Complaints, Compliments and</a>	

	unacceptable behaviour must be proportionate and demonstrate regard for the provisions of the Equality Act 2010.		<a href="#">Comments Procedure; April 2024 (darlington.gov.uk)</a>  <a href="#">Darlington BC - Equality information</a>	
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## Section 6: Complaints Stages

### Stage 1

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
6.1	Landlords must have processes in place to consider which complaints can be responded to as early as possible, and which require further investigation. Landlords must consider factors such as the complexity of the complaint and whether the resident is vulnerable or at risk. Most stage 1 complaints can be resolved promptly, and an explanation, apology or resolution provided to the resident	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 11
6.2	Complaints must be acknowledged, defined and logged at stage 1 of the complaints procedure <b><u>within five working days of the complaint being received.</u></b>	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>  <a href="#">Darlington BC - Annual reports</a>	
6.3	Landlords must issue a full response to stage 1 complaints <b><u>within 10 working days</u></b> of the	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure;</a>	



	complaint being acknowledged.		<a href="#">April 2024 (darlington.gov.uk)</a> <a href="#">Darlington BC - Annual reports</a>	
6.4	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 10 working days without good reason, and the reason(s) must be clearly explained to the resident.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	
6.5	When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	This is included in our extension letter/email.
6.6	A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	Response are issued when the answer to the complaint is known. All actions are allocated to a responsible officer and tracked via the Council's complaint management system.

	provided to the resident.			
6.7	Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	We have template response letters and investigation reports which assist complaints officers in ensuring they address all points raised in the complaint definition.
6.8	Where residents raise additional complaints during the investigation, these must be incorporated into the stage 1 response if they are related and the stage 1 response has not been issued. Where the stage 1 response has been issued, the new issues are unrelated to the issues already being investigated or it would unreasonably delay the response, the new issues must be logged as a new complaint.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	This is something we have always done and will continue to do.
6.9	Landlords must confirm the following in writing to the resident at the completion of stage 1 in clear, plain language: a. the complaint stage; b. the complaint definition; c. the decision on the complaint;	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	We have template response letters and investigation reports which ensure this information is provided in the response.

	<p>d. the reasons for any decisions made;</p> <p>e. the details of any remedy offered to put things right;</p> <p>f. details of any outstanding actions; and</p> <p>g. details of how to escalate the matter to stage 2 if the individual is not satisfied with the response.</p>			
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Stage 2

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
6.10	If all or part of the complaint is not resolved to the resident's satisfaction at stage 1, it must be progressed to stage 2 of the landlord's procedure. Stage 2 is the landlord's final response.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 11
6.11	Requests for stage 2 must be acknowledged, defined and logged at stage 2 of the complaints procedure within five working days of the escalation request being received.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 11
6.12	Residents must not be required to explain their reasons for requesting a stage 2 consideration. Landlords are expected to make reasonable efforts to understand	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 11

	why a resident remains unhappy as part of its stage 2 response.			
6.13	The person considering the complaint at stage 2 must not be the same person that considered the complaint at stage 1.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 11
6.14	Landlords must issue a final response to the stage 2 <b>within 20 working days</b> of the complaint being acknowledged.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 11
6.15	Landlords must decide whether an extension to this timescale is needed when considering the complexity of the complaint and then inform the resident of the expected timescale for response. Any extension must be no more than 20 working days without good reason, and the reason(s) must be clearly explained to the resident.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 11
6.16	When an organisation informs a resident about an extension to these timescales, they must be provided with the contact details of the Ombudsman.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	This is included in our extension letter/email.
6.17	A complaint response must be provided to the resident when the answer to the complaint is known, not when the outstanding actions required to address the	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	Complaint responses are issued when the answer to the complaint is known. All actions are allocated to a responsible officer

	issue are completed. Outstanding actions must still be tracked and actioned promptly with appropriate updates provided to the resident.			and tracked via the Council's complaint management system.
6.18	Landlords must address all points raised in the complaint definition and provide clear reasons for any decisions, referencing the relevant policy, law and good practice where appropriate.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	This is standard investigative practice and something we do in all cases. We have template response letter and investigation report templates and good investigative practice guidance for complaints officers to ensure this happens. Complaints Officers also receive training on good investigative practice.
6.19	Landlords must confirm the following in writing to the resident at the completion of stage 2 in clear, plain language: a. the complaint stage; b. the complaint definition; c. the decision on the complaint; d. the reasons for any decisions made; e. the details of any remedy offered to put things right;	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	We have template response letters and investigation reports which ensure this information is provided in the response.

	<p>f. details of any outstanding actions; and</p> <p>g. details of how to escalate the matter to the Ombudsman Service if the individual remains dissatisfied.</p>			
6.20	<p>Stage 2 is the landlord's final response and must involve all suitable staff members needed to issue such a response.</p>	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	<p>All officers involved are consulted and the Assistant Director are given the opportunity to comment on the response/provide any further evidence that may lead the complaints office to a different conclusion prior to the response being sent.</p>

## Section 7: Putting things right

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
7.1	<p>Where something has gone wrong a landlord must acknowledge this and set out the actions it has already taken, or intends to take, to put things right. These can include:</p> <ul style="list-style-type: none"> <li>• Apologising;</li> <li>• Acknowledging where things have gone wrong;</li> <li>• Providing an explanation, assistance or reasons;</li> <li>• Taking action if there has been delay;</li> </ul>	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 13

	<ul style="list-style-type: none"> <li>• Reconsidering or changing a decision;</li> <li>• Amending a record or adding a correction or addendum;</li> <li>• Providing a financial remedy;</li> <li>• Changing policies, procedures or practices.</li> </ul>			
7.2	Any remedy offered must reflect the impact on the resident as a result of any fault identified.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 13
7.3	The remedy offer must clearly set out what will happen and by when, in agreement with the resident where appropriate. Any remedy proposed must be followed through to completion.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 13 of the complaints procedure. All remedy actions are allocated to a responsible officer and tracked via the Council's complaint management system.
7.4	Landlords must take account of the guidance issued by the Ombudsman when deciding on appropriate remedies.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	Complaints officers use the HOS Guidance on Remedies.



**Section 8: Self-assessment, reporting and compliance**

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
8.1	Landlords must produce an annual complaints performance and service improvement report for scrutiny and challenge, which must include: a. the annual self-assessment against this Code to ensure their complaint handling policy remains in line with its requirements. b. a qualitative and quantitative analysis of the landlord's complaint handling performance. This must also include a summary of the types of complaints the landlord has refused to accept; c. any findings of non-compliance with this Code by the Ombudsman; d. the service improvements made as a result of the learning from complaints; e. any annual report about the landlord's performance from the Ombudsman; and f. any other relevant reports or publications produced by the Ombudsman in relation to the work of the landlord.	Yes	<a href="#">Darlington BC - Annual reports</a>  <a href="#">Agenda for Cabinet on Tuesday, 10th September, 2024, 5.00 pm Darlington Borough Council</a>	
8.2	The annual complaints performance and service improvement report must be reported to the		<a href="#">Darlington BC - Annual reports</a>	The annual report is also considered by Council Officers

	landlord's governing body (or equivalent) and published on the on the section of its website relating to complaints. The governing body's response to the report must be published alongside this.		<a href="#">Agenda for Economy and Resources Scrutiny Committee on Thursday, 5th September, 2024, 10.00 am Darlington Borough Council</a>  <a href="#">Agenda for Cabinet on Tuesday, 10th September, 2024, 5.00 pm Darlington Borough Council</a>	at the Chief Officers Board.
8.3	Landlords must also carry out a self-assessment following a significant restructure, merger and/or change in procedures.	Yes	See this document	This is our annual return and is being completed shortly after the recently restructure of Housing Services
8.4	Landlords may be asked to review and update the self-assessment following an Ombudsman investigation.	Yes		
8.5	If a landlord is unable to comply with the Code due to exceptional circumstances, such as a cyber incident, they must inform the Ombudsman, provide information to residents who may be affected, and publish this on their website Landlords must provide a timescale for returning to compliance with the Code.	Yes		

### Section 9: Scrutiny & oversight: continuous learning and improvement

Code provision	Code requirement	Comply: Yes / No	Evidence	Commentary / explanation
9.1	Landlords must look beyond the circumstances of the	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure;</a>	See Section 13 of the complaints procedure.

	individual complaint and consider whether service improvements can be made as a result of any learning from the complaint.		<a href="#">April 2024 (darlington.gov.uk)</a>	Regular reports to the MRC and the annual report enable the Council to ensure this happens.
9.2	A positive complaint handling culture is integral to the effectiveness with which landlords resolve disputes. Landlords must use complaints as a source of intelligence to identify issues and introduce positive changes in service delivery.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 13 of the complaints procedure. Regular reports to the MRC and the annual report enable the Council to ensure this happens.
9.3	Accountability and transparency are also integral to a positive complaint handling culture. Landlords must report back on wider learning and improvements from complaints to stakeholders, such as residents' panels, staff and relevant committees.	Yes	<a href="#">Darlington BC - Annual reports</a> <a href="#">Agenda for Economy and Resources Scrutiny Committee on Thursday, 5th September, 2024, 10.00 am Darlington Borough Council</a> <a href="#">Agenda for Cabinet on Tuesday, 10th September, 2024, 5.00 pm Darlington Borough Council</a>	See Section 14 of the complaints procedure. The report is also considered by the Chief Officer's Board and the Tenant's panel.
9.4	Landlords must appoint a suitably senior lead person as accountable for their complaint handling. This person must assess any themes or trends to identify potential systemic issues, serious risks, or policies and procedures that require revision.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 1. This is the Complaints and Information Governance Manager

9.5	In addition to this a member of the governing body (or equivalent) must be appointed to have lead responsibility for complaints to support a positive complaint handling culture. This person is referred to as the Member Responsible for Complaints ('the MRC').	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	See Section 1. This is the Assistant Director, Housing and Revenues Services
9.6	The MRC will be responsible for ensuring the governing body receives regular information on complaints that provides insight on the landlord's complaint handling performance. This person must have access to suitable information and staff to perform this role and report on their findings.	Yes	<a href="#">Darlington BC - Annual reports</a>  <a href="#">Agenda for Economy and Resources Scrutiny Committee on Thursday, 5th September, 2024, 10.00 am Darlington Borough Council</a>  <a href="#">Agenda for Cabinet on Tuesday, 10th September, 2024, 5.00 pm Darlington Borough Council</a>	Regular information is also provided to the MRC and they have regular contact with the Complaints and Information Governance Manager.
9.7	As a minimum, the MRC and the governing body (or equivalent) must receive: a. regular updates on the volume, categories and outcomes of complaints, alongside complaint handling performance; b. regular reviews of issues and trends arising from complaint handling; c. regular updates on the outcomes of the Ombudsman's investigations and	Yes	<a href="#">Darlington BC - Annual reports</a>  <a href="#">Agenda for Economy and Resources Scrutiny Committee on Thursday, 5th September, 2024, 10.00 am Darlington Borough Council</a>  <a href="#">Agenda for Cabinet on Tuesday, 10th September, 2024, 5.00 pm Darlington Borough Council</a>	The MRC receives all of the items listed and has direct access to all officers as the relevant Assistant Director.

	progress made in complying with orders related to severe maladministration findings; and d. annual complaints performance and service improvement report.			
9.8	Landlords must have a standard objective in relation to complaint handling for all relevant employees or third parties that reflects the need to: a. have a collaborative and co-operative approach towards resolving complaints, working with colleagues across teams and departments; b. take collective responsibility for any shortfalls identified through complaints, rather than blaming others; and c. act within the professional standards for engaging with complaints as set by any relevant professional body.	Yes	<a href="#">Housing Complaints, Compliments and Comments Procedure; April 2024 (darlington.gov.uk)</a>	



# **DARLINGTON**

## Borough Council

### **Public Health Complaints, Compliments and Comments Annual Report 2023/24**

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## Introduction

1. The purpose of this annual report is to inform service users, carers, the public, Council Members and staff of the effectiveness of the Public Health Complaints, Compliments and Comments Procedure (the Procedure).
2. On the 1 April 2013 the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012 (the Regulations) came into force. Part five of the Regulations deals with Complaints about Public Health Functions of Local Authorities.
3. The Council implemented a new procedure providing a local framework to ensure complaints are handled effectively and in line with the regulations.
4. The procedure aims to:
  - (a) Make it as easy and accessible as possible for service users and their carers to raise complaints;
  - (b) Foster an organisational culture in which complaints are accepted, owned and resolved as efficiently as possible;
  - (c) Ensure high levels of customer satisfaction with complaints handling;
  - (d) Resolve individual issues when they arise and reduce the number of complaints referred to the Ombudsman; and
  - (e) Enable the Council to identify topics and trends in relation to Public Health complaints and improve services as a result.
5. The Chief Executive is designated as the 'Responsible Person' for ensuring compliance with the arrangements made under the Regulations, and in particular ensuring that action is taken if necessary in the light of the outcome of a complaint. The functions of the responsible person will usually be performed by the Director of Public Health.
6. The Complaints and Information Governance Manager is designated the 'Complaints Manager' in accordance with the regulations and is responsible for managing the procedures for handling and considering complaints in accordance with the arrangements made under the Regulations.

## **Local Government and Social Care Ombudsman**

7. Although complainants can refer their complaints to the Local Government and Social Care Ombudsman (LGSCO) from the outset, the LGSCO will not normally investigate until the Council or service provider has conducted its own investigation and provided a response. Where it has not been possible for the complaint to be resolved to the satisfaction of the complainant they may refer the matter to the LGSCO.

## **Information and Accessibility**

8. We are committed to making sure that everyone has equal access to all our services, including the complaints procedure. To help make sure the Council's complaints procedures are easily accessible we have produced two leaflets (one for children and young people and one for adults) covering all Council services to reflect the single point of access for complainants within the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.
9. Information is available on the Council's website. There is also an electronic form which people can use to make a complaint, pay someone a compliment or pass comment on Council services. People may make a complaint in any format they wish. This can be in writing, by email, via the web, over the phone, in person or by any other reasonable means.
10. The Complaints Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

Summary

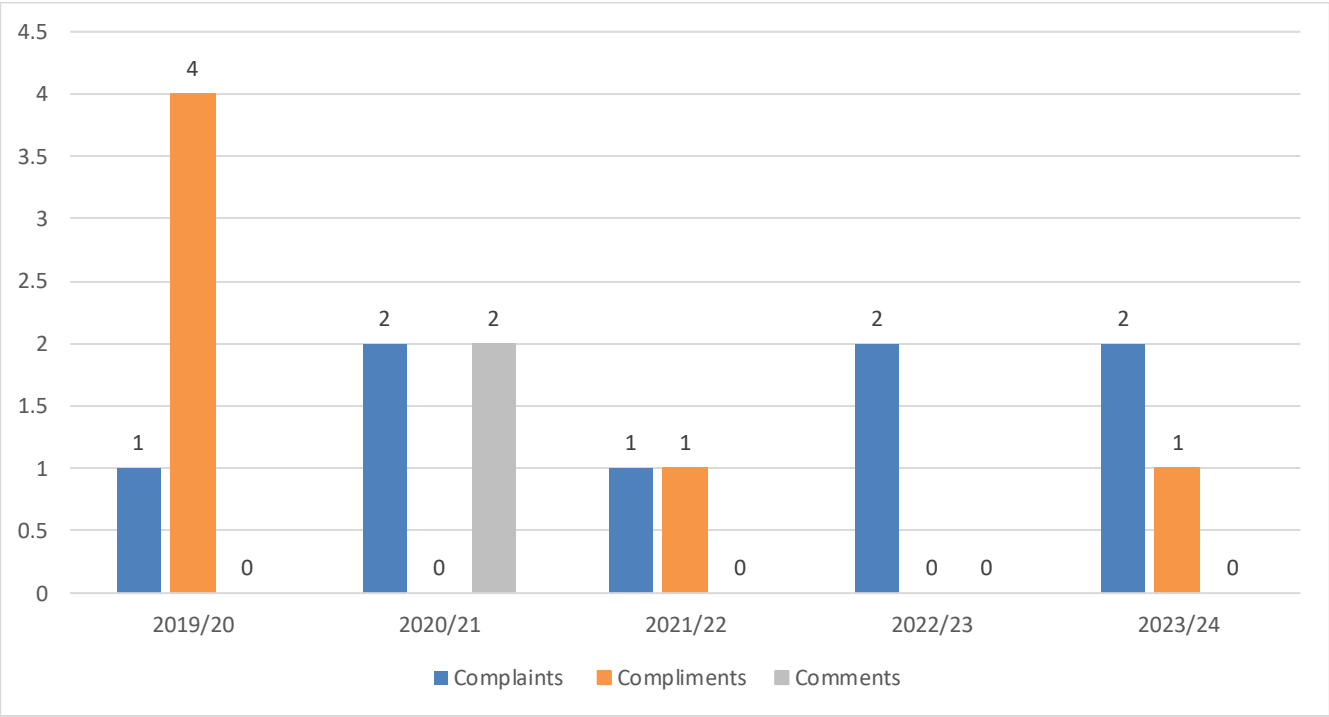
- 11. The Council received two complaints about Public Health services in 2023/24, the same number as in 2022/23, an increase from one in 2021/22, the same number as in 2020/21 and an increase from one in 2019/20.
- 12. The Council received one compliment during 2023/24, an increase from zero in 2022/23, the same number as in 2021/22, an increase from zero in 2020/21 and a decrease from four in 2019/20.
- 13. The Council did not receive any comments about Public Health services in 2023/24, 2022/23, or 2021/22, a decrease from two in 2020/21 and the same number as in 2019/20.

Review of the Year

Breakdown of all Representations

- 14. A total of three representations were handled under the procedure during 2023/24.

Total Complaints, Compliments and Comments Received



- 15. One complaint related to the NHS Health Check in relation to cardiovascular risk (QRISK), the other related to the Stop Smoking Clinic also provided by the NHS. Both of these services are commissioned by the Local Authority.

### **Complaint Outcomes**

16. One complaints was determined during 2023/24. The complaint was withdrawn.

### **Local Government and Social Care Ombudsman Complaints (LGSCO) Received 2023/24**

17. No Public Health complaints were progressed to the LGSCO during 2023/24, the same as in 2022/23.

### **Local Government Ombudsman Complaint Outcomes (LGSCO) 2023/24**

18. No Public Health complaints were determined by the LGSCO during 2023/24, the same as in 2022/23.

### **Organisational Learning**

19. There was no organisational learning resulting from the complaint investigation that was concluded during 2023/24.

### **Further recommendations**

20. There are no further recommendations.

### **Performance against the Procedure**

21. While the Regulations allow a maximum of six months to respond to a complaint, we aim to respond to complaints within 30 working days.
22. The complaint determined during 2023/24, was concluded within 30 working days.

### **Performance Indicator for 2023/24**

23. In relation to Public Health complaints the Council's key performance indicator is, the number of maladministration decisions received from the Local Government and Social Care Ombudsman. The Council received zero maladministration decisions during 2023/24.
24. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 5 December 2023 and 10 September 2024 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

**CABINET**  
**10 SEPTEMBER 2024**

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**PROJECT POSITION STATEMENT & CAPITAL PROGRAMME MONITORING**  
**QUARTER 1 2024/25**

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

**Responsible Director -**  
**Dave Winstanley, Group Director of Services**  
**Elizabeth Davison, Group Director of Operations**

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**SUMMARY REPORT**

**Purpose of the Report**

1. This report provides:
  - (a) A summary of the latest Capital resource and commitment position, to inform monitoring of the affordability and funding of the Council's capital programme.
  - (b) An update on the current status of all construction projects currently being undertaken by the Council.
2. It also seeks approval for changes to the programme.

**Summary**

3. The projected outturn of the current Capital Programme is £330.867m against an approved programme of £331.530m. The investment is delivering a wide range of improvements to the Council's assets and more critically, to Council services. Refurbishment of council homes, improved learning environments in schools, better traffic flows and opportunities for sustainable travel have been achieved and are detailed within the report. The programme, including commitments, remains affordable within the Medium Term Financial Plan (MTFP) for 2024/25 – 2027/28.
4. The Council has a substantial annual construction programme of work. The current project position statement (PPS) shows there are 26 live projects currently being managed by the Council with an overall projected outturn value of £157.308m. 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.
5. The projects are managed either by the Council's in-house management team, a Framework Partner or by Consultants sourced via an open/OJEU tender process.

## **Recommendations**

6. It is recommended that Cabinet:
- (a) Note the attached status position on construction projects.
  - (b) Note projected capital expenditure and resources.
  - (c) Approve the adjustments to resources as detailed in paragraph 21.

## **Reasons**

7. The recommendations are supported by the following reasons:
- (a) To inform Cabinet of the current status of construction projects.
  - (b) To make Cabinet aware of the latest financial position of the Council.
  - (c) To maintain effective management of resources.

**Dave Winstanley**  
**Group Director of Services**

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

## **Background Papers**

- (i) Capital Medium Term Financial Plan 2024/25 – 2027/28
- (ii) Project Position Statement and Capital Monitoring Outturn 2024/25

Brian Robson : Extension 6608  
Steve Wake : Extension 5424

Council Plan	The Capital Programme referred to in the report supports delivery of the Council plan.
Addressing inequalities	There are no specific implications for Addressing Inequalities.
Tackling Climate Change	Tackling Climate Change issues are assessed and reported in individual projects.
Efficient and effective use of resources	The recommendations support the effective and efficient use of resources.
Health and Wellbeing	There are no issues relating to Health and Wellbeing which the report needs to address.
S17 Crime and Disorder	This report has no implications for crime and disorder.
Wards Affected	All wards are affected.
Groups Affected	The proposals do not affect any particular groups within the community.
Budget and Policy Framework	This report does not represent a change to the budget and policy framework.
Key Decision	The report does not represent a key decision.
Urgent Decision	For the purpose of the 'call-in' procedure this does not represent an urgent matter.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers.

## MAIN REPORT

### Information and Analysis

#### 2024/25 Capital Spend and Resources

8. **Appendix 1** is for information and lists all live construction projects and provides details on numbers, type and details of the key individuals responsible for the delivery of the projects. It also provides a statement on the current status position on each project, details of actions being taken, where required and any current issues.
9. **Appendix 2** summarises the Council's capital commitments which are yet to be financed and also shows how it is intended for them to be financed. The total value of commitments, including available resources brought forward from previous years and 2024-25 schemes previously released by Cabinet, is £142.800m.



10. **Appendix 3** shows the Council's projected capital receipts and how they are going to be utilised to help finance the capital programme over the life of the MTFP.

### Project Position Statement

11. Project management procedures require the production by project managers of a Project Position Statement (PPS) for all projects over £75,000. This report brings together the pertinent data from the current PPS with financial information from the Financial Management System (FMS) and approvals by Cabinet.
12. The Project Position Statement (Appendix 1) details the current live construction projects, up to the end of June 2024, by delivery area, and provides details on numbers, type and details of the key individuals responsible for the delivery of the projects. It also provides a statement on the current status position on each project, details of actions being taken, where required and any current issues. The statement excludes any completed projects or those on hold.
13. The overview of live construction projects is as follows:

	Projects	Current Approved Budget £ / p	Projected Outturn £ / p	Variance %	Variance (Value) £ / p
Chief Executive & Economic Growth	14	53,543,342	53,433,533	(0.2)	(109,809)
Operations	4	38,601,739	38,167,833	(1.1)	(433,906)
People	0	0	0	0.0	0
Services	8	65,343,484	65,706,649	0.6	363,165
<b>TOTAL</b>	<b>26</b>	<b>157,488,565</b>	<b>157,308,015</b>		<b>(180,550)</b>

14. The table shown above includes a column for current approved budget. In certain cases this budget figure may be different from the original approved budget. This could be as a result of variances identified during construction or other variables not known at the initiation stage. The original budget and all subsequent changes have been reported to and approved by Cabinet.

15. The live projects are at the following stages:

Department	Brief	CP1	CP2	CP3	CP4	CP5	Total
Chief Executive & Economic Growth	0	0	3	3	6	2	14
Operations	0	1	0	3	0	0	4
People	0	0	0	0	0	0	0
Services	0	1	0	3	1	3	8
<b>TOTAL</b>	<b>0</b>	<b>2</b>	<b>3</b>	<b>9</b>	<b>7</b>	<b>5</b>	<b>26</b>

**Control Point 1 (CP1) – Start Up:** is used to define the position of a project at its conception stage.

- (a) **Control Point 2 (CP2) – Initiate:** defines a project at feasibility stage and will likely include a desktop assessment of a project and the use of informed estimates.
- (b) **Control Point 3 (CP3) – Define:** the point that the project is progressed to RIBA Stage F, i.e. detailed design.
- (c) **Control Point 4 (CP4) – Construction Phase:** is the stage at which work begins on the project, i.e. for a construction project on site through to build completion.
- (d) **Control Point 5 (CP5) – Evaluate:** is the stage post completion of the project at which time the project is reviewed and lessons learned are discussed in order that they can be taken to the next or similar projects.

16. The status on live projects is as follows:

Department	Red	Blue	Green
Chief Executive & Economic Growth	0	13	1
Operations	0	3	1
People	0	0	0
Services	2	6	0
<b>TOTAL</b>	<b>2</b>	<b>22</b>	<b>2</b>

- (a) Colours (Green better Red worse than) are used to identify projects that have variances which are:
  - (i) More than £5,000, if the variance is also more than 5% of the approved budget for the project, or
  - (ii) More than £50,000 regardless of the percentage variance
- (b) Projects that are within these margins are symbolised with the colour Blue.

- (c) In addition to cost, the same colours are used to indicate similar levels of variances in time and quality/outputs/outcomes.

17. Current projects with the Red colour are as follows:

<b>Project</b>	<b>Reason for Variance</b>	<b>Action</b>
Skinnergate Re-development Housing	A delay was encountered following the production of a revised design to satisfy concerns raised by English Heritage at the planning application stage. It has also been impacted by Nutrient Neutrality further delaying the start on site date.	Phase 1 demolition is now underway.
Hopetown	As previously reported, remaining risk and disputed sums remain. Depending on the outcome the current forecast is between £603k under budget and £363k over budget. The PPS is reporting the worst case scenario at this stage.	Remaining risk is being managed by the project team as the project approaches completion.

#### Reconciliation of Project Position Statement to Capital Programme

18. The table shown below reconciles the differences between the Capital Programme (CP) and the Project Position Statement (PPS). Differences occur because the Project Position Statement includes all construction projects over £75,000 in value funded from Capital and Revenue sources. Spending within the Capital Programme is not always of a construction nature, can be of any value and excludes Revenue funded schemes.

	<b>Value £m</b>
<b>Live Projects from Project Position</b>	<b>157.308</b>
Schemes closed or on hold within CP but awaiting PPS post project review.	13.693
Annualised Schemes excluded from PPS - Housing Repairs & Maintenance	41.277
Annualised Schemes excluded from PPS - Highways Maintenance	13.366
Annualised Schemes excluded from PPS - Childrens Services School Maintenance	0.207
Non construction excluded from PPS	12.164
Capital Investment fund excluded from PPS	42.995
Projects under 75k excluded from PPS	2.288
Capital Schemes not yet integrated into PPS reporting	26.532
Included in PPS & CMR	0.000
Funding not yet allocated	21.037
<b>Capital Programme</b>	<b>330.867</b>

19. The table below shows the split of the approved capital programme of £331.530m, between the different service areas and also the various categories of spend. When compared to the table above it shows that there is a projected £0.663m underspend on the approved capital programme.

	Construction							
	Live Schemes 75k & Over	Annualised Schemes	Completed Schemes awaiting review	Live Schemes under 75k	Non construction	Capital investment fund	Housing New Build - not yet allocated	Total
Area	£m	£m	£m	£m	£m	£m	£m	£m
Housing	43.842	41.264	0.000	0.033	1.705	0.000	15.673	102.517
Economic Growth	49.532	0.080	0.440	0.274	6.966	40.181	3.476	100.949
Highways/Transport	65.911	13.219	10.083	1.392	1.741	1.877	1.512	95.735
Leisure & Culture	25.040	0.104	2.545	0.274	0.000	0.551	0.000	28.514
Education	0.000	0.207	0.000	0.273	0.079	1.124	0.290	1.973
Adult Social Care	0.000	0.000	0.000	0.000	0.071	0.000	0.000	0.071
Other	0.000	0.000	0.000	0.000	1.771	0.000	0.000	1.771
<b>Total</b>	<b>184.325</b>	<b>54.874</b>	<b>13.068</b>	<b>2.246</b>	<b>12.333</b>	<b>43.733</b>	<b>20.951</b>	<b>331.530</b>

### Capital Programme

20. Paragraph 21 shows the movements in the Capital Programme since the approval of the 2024/25 Capital MTFP, some of which have not yet been approved by Members.

21. Adjustment to resources requested by departments:

### Adjustments needing approval release

Department	Scheme	Value £	Reason for adjustment	Resource type adjusted
Operations	Sherbourne Close Phase 2	£325,000	Additional Homes England Grant for new build scheme	Release
Operations	Sherbourne Close Phase 2	£1,533,399	Release of HRA funding for new build scheme	Release
<b>TOTAL</b>		<b>£1,858,399</b>		

### Outcome of Consultation

22. There has been no consultation in the preparation of this report.

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Project	CP1 Start Up	CP2 Initiate	CP3 Design	CP4 Delivery	CP5 Review	Status Symbol	Status	Client Dept	Delivery Dept	Internal Project Sponsor	Internal Project Manager	Cost Centre	Feasibility Budget	Original Approved Budget	Increase To Initial Approved Budget	Current Approved Budget	Project Expected Out Turn Cost	Variance (%)	Variance (value)	Original Planned Project Completion Date	Revised Approved Project Completion Date	Anticipated Project Completion Date	Schedule Variation (Days)	CDM Notifiable Project	Principal Designer	Previous Plan Progress	Plan Progress	Budget Progress Report	Issue Status Report
Yards Phase 2							Live	Chief Exec's & Economic Growth	Chief Exec's & Economic Growth	Mark Ladyman	Mike Bowron	R0180	£0	£800,000	£739,000	£1,539,000	£1,548,311	1%	£9,311	31-Mar-23	29-Mar-25	29-Mar-25	0	Y	Lee Darvill	Additional properties identified and listed within the action tracker still need initial designs approved by the business, however some of the businesses are proving difficult to contact. Some of the businesses are requesting works that are deemed to be maintenance rather than improvements and these are proving challenging as the funding is for improvement works only.	Work is progressing on the properties on the Yards and Skinnergate project through the balancing of resources with this project and Victoria Road. Certain key high profile properties are being prioritised to meet owner programme. Designs are being detailed for the remaining properties on the project and these will be programmed in as resources allow from Building Services and availability of the businesses.	May Valuation is currently being processed	Procurement of subcontractors and obtaining estimates and quotes from other suppliers continues to be challenging on this project. As this issue has a time impact on the delivery of the project, the Project Manager, Contract Administrator and Client are looking at the scope of works which may enable a speedier process through the sole use of Darlington Building Services.
Skinnergate Re-development Housing							Live	Services	Services	Anthony Sandys	Brian Robson	H6748	£0	£4,950,000	£1,515,000	£6,465,000	£6,465,000	0%	£0	30-May-25		30-May-25	0	Y	Andrew Burnfrey	A temporary works design to support the method statement for the partial demolition works required to No.12 has been finalised and issued. Phase 1 demolition works are due to commence in May. Discussions are still ongoing to seek an agreement	Initial surveys undertaken, which reveal major loss of structure to heritage building and adjacent property. 2. Historic England opposition to designs are now addressed but significant delays have ensued.		
Sherborne Close Phase 2							Live	Operations	Operations	Anthony Sandys	Ben Waldie	H6749	£0	£2,375,962	£2,232,456	£4,608,418	£4,608,418	0%	£0	08/03/2023	19/08/2025	19/08/2025	0	Y	Neil Wennington	Awaiting re-tender return to assess against estimated figure £3,622,733.01	Revised tender approved at the pre-start meeting with Housing Services and works commenced on-site on 25 June 2024	Project cost includes updated build cost of £3.6m and also additional legacy costs incurred prior to the scheme being frozen due to national planning policy change	Contractor held open evening with residents and provided letter drop communicating works planned and contact details for any queries. Works commenced 25/6/24
Hopetown Darlington							Live	Services	Services	Ian Thompson	Brian Robson	R0155	£210,000	£20,000,000	£17,088,350	£37,088,350	£37,451,515	1%	£363,165	30-Sep-24		30-Sep-24	0	Y	Space Architects	Works on the Carriage works, Goods Shed and Head of Steam are ongoing. The new entrance works from McNay Street are nearly complete and the car park construction is ongoing. The play area installation has commenced and is progressing well	Works on the Carriage works, Goods Shed and Head of Steam are nearing completion as is the car park and new pedestrian crossing. The site is due to open on 16th July. Works to VR pod will continue in to August		
Neasham Rd							Live	Operations	Operations	Anthony Sandys	Ben Waldie	H6745	£0	£31,069,000	£1,008,203	£32,077,203	£31,643,297	-1%	-£433,906	02-May-25		02-May-25	0	Y	Lee Darvill	Awaiting revised Master programme to be submitted for client approval to close out revised phasing dates and handover delay.	Revised master programme submitted to Housing Board for approval. Phase 1A properties scheduled for handover July 2024.	Project still within approved budget. BS valuations now up to date.	Trust Green appointed to maintain site following completion of landscaping amenity areas.
Chesnut Street Housing Development							Live	Operations	Operations	Anthony Sandys	Ben Waldie	H6759	£116,118	£116,118	0	£116,118	£116,118	0%	£0	TBA		TBA	0	Y	Neil Wennington	CP2 drafted for client approval, outlining design budget, design programme and initial specification for development.	Design commissioned for traditional build to apartment blocks. RIBA Stage 2 due Q3 2024.	CP2 budget of £116,118.00 covers internal design costs, external consultant input, PM fees & planning charge. Construction cost forecast to be reviewed following Stage 2 report.	Public RoW and brownfield site provide significant constraints on design. Existing drainage culvert appears to be within DBC adoptions, site investigations underway to confirm Decision due summer 24 on Homes England Brownfield site funding- if successful works to be underway prior to Apr 25.
Innovation Central							Live	Chief Exec's & Economic Growth	Chief Exec's & Economic Growth	Anthony Hewitt	Joanne Wood	R0157	£50,000	£500,000	£8,287,854	£8,787,854	£8,787,854	0%	£0	31-Dec-21	31-Aug-22	31-Aug-22	0	Y	Napper Architects	The mast is now operational. The Deed of Covenant and BREEM certificate are awaited. The project closure will be undertaken in July 2024, subject to these issues being resolved.	The mast is now operational. The Deed of Covenant and BREEM certificate are awaited. The project closure will be undertaken in July 2024, subject to these issues being resolved.		
Ingenium Parc Masterplan + Infrastructure							Live	Chief Exec's & Economic Growth	Chief Exec's & Economic Growth	Anthony Hewitt	Joanne Wood	R0144	£0	£611,500	£4,265,593	£4,877,093	£4,877,093	0%	£0	31-Aug-18	23-Dec-22	31-Jul-24	577	Y	Y	Closure of the project will be undertaken from July 2024 with the responsibility for the site falling to Estates for the development land and StreetScene for the surrounding managed habitats.	Closure of the project will be undertaken from July 2024 with the responsibility for the site falling to Estates for the development land and StreetScene for the surrounding managed habitats.		End of the drainage defect is due 24th July 2024 and the project closure can commence after this date.
Eastbourne Sports Pitches & Drainage							Live	Chief Exec's & Economic Growth	Chief Exec's & Economic Growth	Ian Thompson	Rebecca Robson	L0154	£0	£1,610,000	£941,843	£2,551,843	£2,551,843	0%	£0	31-Jul-23	31-Aug-23	07-Jun-24	241	Y	SPACE	The items listed below are still outstanding as of the 24/05/24.  1. Swale regrading and landscaping as per the design – works arranged for 03/06/24. 2. CCTV pad, column and camera installation / connection – works arranged for 03/06/24. 3. Issuing of electrical certificates to Building Control for sign off. 4. Handing over of the O&M's / H&S files to the end user. 5. Electricity switch form temporary supply to	The items listed below are still outstanding as of the 26/06/24.  1. Issuing of electrical certificates to Building Control for sign off. 2. Handing over of the O&M's / H&S files to the end user. 3. Electricity switch form temporary supply to mains.	Final account to be agreed.	Lesson Learnt and CP5 to be done once all works have been completed, final account agreed and files received.
Darlington Station Demolitions							Live	Chief Exec's & Economic Growth	Chief Exec's & Economic Growth	Dave Winstanley	Julia McCabe	R0165	£1,322,940	£1,322,940	£0	£1,322,940	£1,322,940	0%	£0	01-Mar-23		01-Apr-24	365	Y	A & N Consultants	<b>GATEWAY WEST:</b> Pensbury/Victoria road: Pre-construction Information provided to TVCA. TVCA will be commissioning the demolition. 1-4 Park Property 1. Compensation amount agreed with claimant and funds transferred; completing all outstanding action. Property 2. Still awaiting evidence from former owner's surveyor. Sanderson Weatherall continue to chase.	<b>GATEWAY WEST:</b> Pensbury/Victoria road: Pre-construction Information provided to TVCA. TVCA will be commissioning the demolition. 1-4 Park Property 1. Compensation amount agreed with claimant and funds transferred; completing all outstanding action. Property 2. Still awaiting evidence from former owner's surveyor. Sanderson Weatherall continue to chase.		
Darlington Station CPO & Acquisitions							Live	Chief Exec's & Economic Growth	Chief Exec's & Economic Growth	Dave Winstanley	Julia McCabe	R0170	£0	£8,077,262	-£655,650	£7,421,612	£7,421,612	0%	£0	21-Sep-22		21-Sep-22	0	N	N/A				The Council continues to negotiate with the interest who are yet to agree a compensation amount. This process could continue until c. 2027.
Central Park Mound Removal & Transformation							Live	Chief Exec's & Economic Growth	Chief Exec's & Economic Growth	Dave Winstanley	Michael Bowron	R0172	£2,350,000	£2,650,000	£250,000	£2,900,000	£2,900,000	0%	£0	31-Mar-22	30-Apr-24	30-Apr-24	0	Y	WDC	Handover of site to estates is being arranged	Final Confirmation of Road Adoptions and remedial works following the removal of the old BT mast is ongoing (outside the original project) Handover to Estates will then take place.		Mast removal commencing w/c 1st July 2024
Civic Theatre Refurbishment & Theatre Hullabaloo							Live	Services	Services	Ian Thompson	Brian Robson	L0115	£50,000	£50,000	£16,019,000	£16,069,000	£16,069,000	0%	£0	01-Aug-13	06-Nov-17	06-Nov-17	0	Y	Todd Milburn	Works Complete. Following some remedial works on the Parkgate Elevation Demolition works now complete, perimeter fencing to be installed defects certificate has now been issued.	Works Complete. Following some remedial works on the Parkgate Elevation Demolition works now complete, perimeter fencing to be installed defects certificate has now been issued.		
156 Northgate							Live	Chief Execs & Economic Growth	Chief Execs & Economic Growth	Mark Ladyman	Joanne Wood	R0186	£0	£1,000,000	£0	£1,000,000	£1,000,000	0%	£0	31/08/2024	31/03/2026	31/03/2026	0	Y	Y	Tender documentation is largely collated and it is expected that it will be issued for tender in July 2024, subject to securing the full agreement of the client department.	The client has revisited the design and now would like to amend the accessible entrance from a platform lift to a ramp. This will now require planning and building control approval so will delay the tender documentation submission until with Planning documentation was submitted on 24th May 2024. CP3 is currently being finalised for signoff and procurement of the works are being looked at whilst Planning is in.	Once the design is fully agreed the costs will be updated.	
Coniscliffe Road							Live	Chief Execs & Economic Growth	Chief Execs & Economic Growth	Mark Ladyman	Michael Bowron	R0193	£0	£500,000	£0	£500,000	£500,000	0%	£0	01/03/2024	01/03/2025	01/03/2025	0	Yes	Noel Walecki	Planning documentation was submitted on 24th May 2024. CP3 is currently being finalised for signoff and procurement of the works are being looked at whilst Planning is in.	Planning documentation was submitted on 24th May 2024. CP3 is currently being finalised for signoff and procurement of the works are being looked at whilst The planning application has been submitted.	As the project has been considerably reduced since the first iteration The Control Point 2(CP2) document reflects the current agreed available budget of circa £500K plus the identified aborted costs.	Vehicle mitigation measures are being costed up for the project however the additional cost is expected to be minimal and this will be looked at when known.
Dolphin Centre - Pool Repairs							Live	Chief Execs & Economic Growth	Chief Execs & Economic Growth	Ian Thompson	Ben Waldie	D0191	£0	£220,000	£1,635,000	£1,855,000	£1,855,000	0%	£0	14/09/2023	16/08/2024	09/08/2024	-7	Y	Michael Johnson	Toddler Pool drainage improvement and tiling underway.	Pool tiling underway. Barr & Wray commenced work on plantroom supply pipe alterations.	Budget updated to £1.85m covering all 3 phases of essential works.	Barr & Wray confirmed July 24 install for new supply pump and pipework. Hippo advised on 10 week lead time to supply replacement main pool step treads.
Feethams House							Live	Chief Exec's & Economic Growth	Chief Exec's & Economic Growth	Ian Williams	Jenny Dixon & Jane Sutcliffe Project/ Richard Storey PM- building delivery	D0161	£246,000	£8,500,000	£0	£8,500,000	£8,460,880	0%	-£39,120	30/07/2019	31/05/2020	15/05/2020	-16	Yes	Tim Rainford (Nappers)	The CP5 is to be drafted and the full project closure process is anticipated to be completed in May 2025	The CP5 is to be drafted and the full project closure process completed.	currently 39k underspend.	
Dolphin Centre M and E Refurb							Live	Services	Services	Lisa Soderman	Ben Waldie	D0197	£230,000	£2,200,000	£500,000	£2,700,000	£2,700,000	0%	£0	01/10/2025	01/12/2025	01/12/2025	0	Y	A & N Consultants Andrea Nicholls	Pre Construction Services Agreement to be prepared to employee Willmott Dixon to develop investment opportunities to Outline Business Case and essential M&E refurbishment design.	Willmott Dixon submitted PCSA fee to develop design and conduct site surveys. Procurement Hub assisting with contract preparation	Scheme approved budget £2,220,000.00+ £500,000.00 Sport England investment to fund - photovoltaic cells to flat roof footprint & replacement Combined Heat/Power boiler. PO raised to Adavo for £8.9m construction works.	Fire Engineering consultant appointed to assist design team develop compliant scheme.
Northern Echo Building							Live	Chief Execs & Economic Growth	Chief Execs & Economic Growth	Mark Ladyman	Ian Stewart / Rebecca Robson	R0179	£0	£11,400,000	£0	£11,400,000	£11,400,000	0%	£0	31/03/2026	31/12/2026	31/12/2026	0	Y	Mark Black - Adavo	The design build and operators 'contract has now been signed by Adavo Workspace and sealed on 24/05/24.	The design build and operator's contract has now been signed by Adavo Workspace and sealed on 24/05/24.		PM - to draft CP3 for signing.
Haughton Road - Tornado Way							Live	Services	Services	Andy Casey	Noel Walecki	TP722	£0	£1,539,433	£0	£1,539,433	£1,539,433	0%	£0	31/03/2020		31/07/2021	487	N	Noel Walecki	Key Dates : Still awaiting closure report. Head of Capital Projects to chase	Key Dates : Still awaiting closure report. Head of Capital Projects to chase	Budget comprises £1,367,433 NPIF + £172,000 LTP match funding.	



Home Upgrade Grant							Live	Operations	Operations	Graham Hall	Christine Booth	H6755 supported by 16063	£0	£6,210,000	£-4,410,000.00	£1,800,000	£1,800,000	0%	£0	31/05/2025		31/05/2025	0	Y	TBA	Contracts completed 30.04.24 ESH Construction NEPO framework contract value up to £1,530,000. Storm Tempest for Retrofit Co-ordination, Assessment and Design. Direct Award for works up to £175,000 value. Classic Plumbing and Heating (Retrofit Coordinators) for Retrofit Co-ordination, Assessment and Design. Direct Award for works up to £175,000 value.	81 of the initial 100 properties signed up for works to process. Variations agreed to include design works for Storm Tempest and Classic Plumbing and Heating. Batch submissions for properties involved in the scheme commenced June 2024.	£1,117,800 upfront funding received for 2023-24 for HUG2. £631,800 being capital funding. The remainder will be drawn down on approval during the project during batch submissions. MOU for 2024-25 to return with revisions for reduced funding.	Project delivery reduced from 300 to 100 properties following mid-term review - Project value changed to £1,800,000 as of 01.04.24. Informal Change request submitted 18.06.24 to revert to 120 properties £2,160,000 capital funding.	
Victoria Road Facade Improvements							Live	Chief Execs & Economic Growth	Chief Execs & Economic Growth	Mark Ladyman	Mike Bowron	R0188	£30,000	£588,000	£0	£588,000	£588,000	0%	£0	31/03/2024	31/03/2025	31/03/2025	0	Y	Lee Darvil	Following a re tender exercise, limited responses were received for the proposed works. This has prevented progress as those responses not received are necessary to allow other trades to continue. Close liaison is being maintained with the main contractor to look to expedite the process.	Initial tender prices have been returned exceptionally higher than expected. A detailed Value Engineering exercise is currently being carried out to maximise the impact of the works whilst reducing the reliance of sub contractors where the costs are high	£60,968.00 spent so far.	Resources from Building Service continue to pose a challenge for the Victoria Façade project. Ongoing fortnightly meetings are taking place to explore the more cost-effective way to progress within the scope of the resources whilst maximising the visual impact and deliverability of the project.	
Rowan East Extension							Live	Services	Services	Guy Metcalfe	Julia McCabe	D0192	£10,000	£10,000	£0	£10,000	£10,000	0%	£0	TBC	TBC	TBC		Yes	TBC	An agreement to proceed with site investigations has been made with the DBC client and site manager and these are currently being planned.	Site investigations and surveys ongoing w/c 01/07/2024.			
Victoria Road Access to Station							Live	Services	Services	Andy Casey	Noel Walecki	TP818	£0	£1,146,701	£0	£1,146,701	£1,146,701	0%	£0	31/03/2020	31/07/2022	31/07/2022	0	Y	Noel Walecki	Still awaiting closure report before cost centre can be closed and removed from PPS. Head of Capital Projects to chase. No further progress.	Still awaiting closure report before cost centre can be closed and removed from PPS. Head of Capital Projects to chase. No further progress.	Funding is £675,000 LGF + £300,000 LTP. Additional LTP funding of £171,701 supplied to cover increased costs.		
Demolition Sports Direct Building							Live	Chief Exec's & Economic Growth	Chief Exec's & Economic Growth	Guy Metcalfe	Brian Robson	R0177	£0	£300,000	£0	£300,000	£220,000	-27%	£-80,000	30-Jun-22	30-Jun-22	30-Jun-22	0	Y	A & N Consultants	Perimeter fencing work now complete	Perimeter fencing work now complete			
Walking Cycling Route MSG Yarm Road Mill Lane							Live	Services	Services	Andy Casey	Noel Walecki	TP241	£0	£325,000	£0	£325,000	£325,000	0%	£0	31/03/2022	31/03/2025	31/03/2025	0	Y	Noel Walecki	Jacobs (structural engineer for the bridge) are engaged to write the construction management plan, which considers ecological constraints highlighted by the EA. Ecologists have been reengaged to complete the BNG assessment. Still looking at April 2025 for construction to commence.	Jacobs have completed the construction management plan, updated to accommodate comments from the Environment Agency. Ecologists are ongoing with the BDNG assessment. Start of construction delayed until April 2025 to reduce risk of inclement weather delays.	LTP (£180,000) plus Section 106 developer contributions (£155,000)		
Total													Sum of Feasibility Project Budget	Sum of Original Approved Budget	Sum of Increase to Original Approved Budget	Sum of Current Approved Budget	Sum of Project Expected Outturn Cost		Sum of Variance Value											
Total													£4,615,058	£108,071,916	£49,416,649	£157,488,565	£157,308,015		£-180,550											



2024/25 Capital Resources Summary					
Row Ref.		Approved Commitments £M	Virement of Resources £M	Variance £M	Total £M
1	<b>Capital Commitments</b>				
2	Brought forward from 2023/24	120.642			
3	2024/25 Capital Programme (released by Cabinet)	22.158			142.800
4	Projected (Under)/Over Spend				
5	<b>Total Commitments</b>	142.800	0.000	0.000	142.800
	<b>To Be Funded By:</b>				
	<b>External and Departmental Resources</b>				
6	External Funding and Departmental Supported Borrowing	11.173	-	-	11.173
7	Departmental Unsupported Borrowing	0.000	-	-	0.000
8	Capital Grants	57.790	-	-	57.790
9	Capital Contributions	0.050	-	-	0.050
10	Revenue Contributions	29.952	-	-	29.952
11	Capital Receipts - HRA	0.303	-	-	0.303
	<b>Total</b>	99.268	0.000	0.000	99.268
	<b>Corporate Resources</b>				
12	Capital Receipts (General Fund)/ Prudential Borrowing	43.532	-	-	43.532
	<b>Total</b>	43.532	0.000	0.000	43.532
13	<b>Total Resources</b>	142.800	0.000	0.000	142.800

Corporate Resources Analysis			
			£M
14	Required Resources to fund 2024/25 expenditure (see above)		43.532
15	<b>Total Planned Use of Corporate Resources</b>		43.532
16	Less: Total Projected net Capital Receipts 24/25 (as per Appendix 3)		(8.789)
17	Add: projects already released and included in the capital commitments above		7.201
18	<b>Corporate Resources required to fund capital programme</b>		41.944

**Capital Receipts Utilisation - latest projection**

	2024/25	2025/26	2026/27
	£m	£m	£m
Projected Opening Balance as at 1 April	5.287	0.571	4.966
Projected net Capital Receipts	3.502	5.295	5.315
Total projected Capital Receipts	8.789	5.866	10.281
<b><u>Less (as per approved capital programme)</u></b>			
Capitalisation utilisation as per MTFP	(1.400)	0.000	0.000
Council funded schemes	(0.400)	(0.400)	(0.250)
Economic Growth Investment Fund	(0.500)	(0.500)	0.000
Earmarked receipts	(0.223)	0.000	0.000
Slippage from previous years	(5.695)	0.000	0.000
Projected available Capital Receipts as at 31 March	0.571	4.966	10.031

**CABINET  
10 SEPTEMBER 2024**

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## **REVENUE BUDGET MONITORING 2024/25 – QUARTER 1**

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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 provide an early forecast of the 2024/25 revenue budget outturn as part of the Council's continuous financial management process.

#### **Summary**

2. This is the first revenue budget management report to Cabinet for 2024/25. The latest projections show an overall decline of £1.376m on the 2024-28 Medium Term Financial Plan (MTFP). This is due to £2.542m of departmental pressures, a reserves contribution of £0.155m, offset by £1.321m of additional balances following the 2023/24 outturn.

#### **Recommendations**

3. It is recommended that:-
  - (a) The forecast revenue outturn for 2024/25 be noted.
  - (b) Further regular reports be made to monitor progress and take prompt action if necessary.

#### **Reasons**

4. The recommendations are supported by the following reasons:-
  - (a) To continue effective management of resources.
  - (b) To continue to deliver services to agreed levels.

**Elizabeth Davison  
Group Director Operations**

## Background Papers

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

Brett Nielsen : Extension 5403

Council Plan	The Council's revenue budget contributes to all priorities outlined within the Council Plan.
Addressing inequalities	This report is providing an update on the revenue budget position therefore there is no impact as a result of this report.
Tackling Climate Change	This report is providing an update on the revenue budget position therefore there is no impact as a result of this report.
Efficient and effective use of resources	This report contains updated information regarding efficiency savings contained within the MTFP.
Health and Wellbeing	This report is providing an update on the revenue budget position therefore there is no impact as a result of this report.
S17 Crime and Disorder	This report has no implications for crime and disorder.
Wards Affected	No specific impact on an individual area as a result of this report.
Groups Affected	No specific impact on an individual area as a result of this report.
Budget and Policy Framework	This report does not recommend a change to the Council's budget or policy framework.
Key Decision	This is not a key decision.
Urgent Decision	This is not an urgent decision.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers.

## MAIN REPORT

### Information and Analysis

5. This is the first revenue budget management report to Cabinet for 2024/25 and provides an early forecast of the 2024/25 revenue position as part of the Council's continuous financial management process.
6. As this report is early in the financial year, the focus is on budget areas where there are known pressures and potential savings from the final 2023/24 outturn position and budget managers knowledge of events affecting the services they manage, therefore several budget lines are shown as on target or with a small variance at this stage of the year.
7. The information in this report has been taken from the financial records to June and managers' projections for the remainder of the year. Assumptions have been made concerning future demand for services particularly in social care, therefore changes in

projected outturn are inevitable as demand materialises and as the Council is a large and complex organisation.

8. The Council operates frequent, regular and predictive budget management processes, including quarterly reports to Cabinet, changes in projected outturn, will be reported to future meetings.
9. Overall, the projected General Fund reserves position as at the 31 March 2025 is £10.967m, which is £1.376m less than the planned balances in the 2024-28 MTFP. This change relates to £2.542m of departmental pressures, a general reserves contribution of £0.155m, offset by £1.321m of additional balances following the 2023/24 outturn.

### Departmental Resources

10. Departmental resource projections are summarised in **Appendix 2** and detailed in **Appendices 2(a) to 2(e)**. It is difficult to exactly predict year end positions at this early stage of the year, therefore many management projections indicate budgets to be online in this report. Budgets with identified significant early variances are detailed in the following paragraphs.
11. The **People Group** budget is projected to be overspent by £0.859m at the end of the financial year. The main changes to the MTFP position are detailed below:
  - (a) **The Group Director of People** budgets are showing a projected year end overspend of £0.071m due to ongoing increased demand falling on the Child Protection and Review service, with the use of additional agency workers.
  - (b) **Children's Services** are projecting an overspend of £0.275m at the year end.
    - (i) The Assessment and Care Planning & LAC budgets are projected to be overspent by £0.195m due to additional staffing requirements across the teams to accommodate the increase in children's referrals, additional costs of supporting families to prevent children coming into care and providing support for young people who are leaving care. These increased costs have in part been offset by additional DfE and Home Office grant funding.
    - (ii) The Adoption and Placements and Disabled Children's budgets are projected to have a combined net budget pressure of £0.110m due to increased and more complexed packages of care. There is one new complex high-cost domiciliary package and an increase over budgeted places of 23 Special Guardianship Orders, which have been offset by lower growth in other placements to date. Further placements have been forecast in the current projection, however this budget area is very volatile and demand for further places and more complex places could materialise during the remainder of the year. This budget area is closely monitored and further updates will be provided in future budget management reports.
  - (c) **Adult Social Care & Health** is projected to be overspent by £0.533m.

- (i) This pressure is mainly in the External Purchase of Care budgets due to increased projected spend in domiciliary care through additional high costs packages and increased direct payments.
12. The **Services Group** is projecting an overspend of £0.260m. The main changes to the MTFP position are detailed below:
- (a) **Capital Projects, Transport & Highways Planning** is projecting an overall overspend of £0.405m.
    - (i) Concessionary Fares are projected to be overspent by £0.327m. TVCA have calculated the expected cost based on the most recent passenger numbers which are higher than estimated by TVCA at budget setting. Bus patronage will be monitored monthly throughout the year and the actual cost of the scheme will be dependent on actual patronage.
    - (ii) Highways, there is a projected net overspend of £0.080m for electricity within street lighting & car parks. Figures are based on projections calculated by NEPO and are subject to change given the volatility of the energy market.
  - (b) **Community Services** is projected to be overspent by £0.168m.
    - (i) The Cemeteries and Crematorium services are projecting a pressure of £0.040m on burials and a shortfall on cremation income of £0.070m. While projected cremation numbers have increased to 1,360 per year there has been an increase in direct cremations which are charged at a lower fee and therefore result in lower income. Whilst income is below target, the income shortfall would have been more had direct cremations not been offered.
    - (ii) Overall, Leisure and Cultural Services are projected to be overspent by £0.076m. The most significant element of this overspend is linked to increased security costs required at the Dolphin Centre, Crown Street Library and Hippodrome. This security is required due to a general increase in anti-social behaviour arising in the proximity of these venues.
  - (c) **Community Safety** overall is expected to be perform better by £0.130m. This is mainly from Car Parking and Enforcement budgets, which are expected to be in a better position by £0.100m as patronage at the council's car parks remains positive and continues to perform better than levels projected in the MTFP.
  - (d) **Corporate Landlord** is projected to be underspend by £0.180m as rises in energy prices built into the MTFP for 2024/25 are not expected to be as high based on the latest information supplied by NEPO. Any such estimates are subject to change given the volatility of the energy market. Electricity is expected to underspend by £0.080m while gas is expected to be £0.100m.
13. The **Operations Group** is projecting a year end budget overspend of £1.423m. The main changes to the MTFP position are detailed below:

- (a) **Law & Governance** is projecting an overspend of £0.398m. This is due to ongoing pressures carried over from 2023/24 of specialist legal costs (£0.237m) and additional locum staffing (£0.126m) required to due to current demand for services and increased complexity of cases within children's services.
  - (b) **Housing & Revenues** is projecting an overall overspend of £1.040m.
    - (i) The main movement in this area is due to a shortfall in the housing benefit subsidy income of £1.176m. Due to an increase in homelessness and the lack of move on accommodation in Darlington, there has been a significant increase in the nights spent in emergency and temporary accommodation. In the first quarter this year, the nights spend have increased by 137%. Consequently our contracted temporary provision is fully utilised, and we have needed to place people in alternative hotels and bed and breakfast provision.
    - (ii) The housing benefit subsidy received from the Department of Work and Pensions only covers a basic rental value, which has not been uplifted since 2011, and not the actual cost of accommodation with the shortfall being paid by the council. This pressure is being seen across the country with Newham Council as an example predicting a £40m pressure this year. The issue is being raised with the government as the housing benefit subsidy levels are wholly inadequate.
    - (iii) The Local Taxation budget is anticipated to achieve additional income of £0.081m from additional legal charges.
    - (iv) Customer Services are projecting an underspend of £0.050m due to staff turnover and changes.
14. The **Chief Executive & Economy Group** is projected to breakeven at the year end. However, there are variances within **Economic Growth** as follows:
- (a) Development Management faces challenging market conditions driven by several factors, including the impact of nutrient neutrality, bio-diversity net gain and market saturation, continue to suppress the level of new planning applications coming from large developers which will see a projected under recovery on fees by £0.110m.
  - (b) Environmental Health is projected to be underspent by £0.047m due to staff turnover.
  - (c) Place Strategy is projected to underspend by £0.040m due to savings in staffing from turnover and additional funding to support service delivery.

15. The School balances and allocations are shown in **Appendix 2(f)**.

#### **Council Wide and Corporately Managed Resources**

16. Council Wide and Corporate Resources budgets are currently forecast to be on target. However within the Council Wide budget this assumes that the current pay offer is



approved. At the time of writing no agreement has been made regarding this year's pay award, with the exception of Chief Officers.

17. A contribution from reserves of £0.155m has been made into Housing Benefits budget to provide for grant income that will no longer be received directly by the service.

### **Housing Revenue Account**

18. HRA projections are shown in **Appendix 3** with an overall projected balanced budget. There is an increase in contribution from balances of £0.172m.
  - (a) There is a projected shortfall of £0.297m in the rent account as the handover of some new build properties was later than initially anticipated at budget setting time.
  - (b) Projected additional income of £0.139m on the contribution towards expenditure budget areas, from additional recovery for rechargeable works and NWL commission.
  - (c) Additional interest income of £0.444m, due to the continuing high interest rate being received on the HRA balances.
  - (d) A projected pressure of £0.390m in the operational budgets, from additional running costs, including premises insurance, subscriptions and professional fees and IT costs.
  - (e) Repairs and maintenance budgets are projected to overspend by £0.078m due to increase prices and additional works.

### **Conclusion**

19. The Council's projected revenue reserves at the end of 2024/25 are £10.967m, £1.376m lower than the initial 2024-28 MTFP position. This position relates to £2.542m of departmental pressures, a contribution of £0.155m from general reserves, offset by £1.321m of additional balances following the 2023/24 outturn.
20. The Council is facing a significant pressure from the shortfall in the housing benefit subsidy received from the Department of Work and Pensions. This is not only impacting on Darlington but is a national issue across the country.
21. The increase in Children's Services demand and cost pressures continue to be significant concern in Darlington and nationally. Within the MTFP, Council approved investment in children's social care through ensuring placement sufficiency, which is being implemented and monitored closely. It is early days for the project, but early signs have provided some promising outcomes.
22. All services continue to scrutinise their budgets to reduce spend or generate income to assist with the in-year budget and future years budget positions.
23. As a Council and a region we continue to lobby government to highlight the pressures that councils are facing to delivery statutory services.

## **Outcome of Consultation**

24. No external consultation has been carried out in preparing this report.

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**REVENUE BUDGET MANAGEMENT 2024/25****Projected General Fund Reserve at 31st March 2025**

	2024-28 MTFP (Feb 2024)
<b>Medium Term Financial Plan (MTFP) :-</b>	£000
MTFP Planned Opening Balance 01/04/2024	16,384
Approved net contribution from balances	(4,041)
<b>Planned Closing Balance 31/03/2025</b>	<b>12,343</b>
Increase in opening balance from 2023-24 results	1,321
Projected corporate underspends / (overspends) :-	
Contribution from general fund reserves to Housing Benefits	(155)
<b>Projected General Fund Reserve (excluding Departmental)</b>	<b>at 13,509</b>
<b>31st March 2025</b>	
<b>Planned Balance at 31st March 2025</b>	<b>12,343</b>
<b>Improvement</b>	<b>1,166</b>

**Departmental projected year-end balances**

	Improvement / (decline) compared with 2024-28 MTFP £000
People Group	(859)
Services Group	(260)
Operations Group	(1,423)
Chief Executive & Economy	0
<b>TOTAL</b>	<b>(2,542)</b>

**Summary Comparison with :-**

	2024-28 MTFP £000
Corporate Resources - increase in opening balance from 23/24 results	1,321
Corporate Resources - additional in-year Improvement/(Decline)	(155)
Quarter 1 Budget Rebase	0
Departmental - Improvement / (Decline)	(2,542)
Improvement / (Decline) compared with MTFP	<b>(1,376)</b>
<b>Projected General Fund Reserve at 31st March 2025</b>	<b>10,967</b>

**GENERAL FUND REVENUE BUDGET MANAGEMENT 2024/25**

	<b>Budget</b>				<b>Expenditure</b>		
	Original 2024/25	Approved Adjustments	Approved C/fwds	Amended Approved Budget	Projected Outturn	C/fwds to approve	Variance
	£000	£000	£000	£000	£000	£000	£000
<b>Departmental Resources</b>							
People Group	84,432	1,066	0	85,498	86,357	0	859
Services Group	25,242	1,775	0	27,017	27,277	0	260
Operations Group	13,580	775	0	14,355	15,778	0	1,423
Chief Executive & Economy	1,577	403	0	1,980	1,980	0	0
<b>Total Departmental Resources</b>	<b>124,831</b>	<b>4,019</b>	<b>0</b>	<b>128,850</b>	<b>131,392</b>	<b>0</b>	<b>2,542</b>
<b>Corporate Resources</b>							
Council Wide	631	240	0	871	871	0	0
Financing Costs	3,547	0	0	3,547	3,547	0	0
Joint Venture - Investment Return	(1,517)	0	0	(1,517)	(1,517)	0	0
<b>Contingencies Budget</b>							
Apprentice Levy	202	0	0	202	202	0	0
<b>Total Corporate Resources</b>	<b>2,863</b>	<b>240</b>	<b>0</b>	<b>3,103</b>	<b>3,103</b>	<b>0</b>	<b>0</b>
<b>Net Expenditure</b>	<b>127,694</b>	<b>4,259</b>	<b>0</b>	<b>131,953</b>	<b>134,495</b>	<b>0</b>	<b>2,542</b>
<b>Contributions To / (From) Reserves</b>							
Planned Contribution to General Fund Reserves (MTFP)	(6,283)	0	0	(6,283)	(6,283)	0	0
Departmental Brought Forwards from 2023/24	0	(4,104)	0	(4,104)	(4,104)	0	0
Contribution from general reserves to Housing benefits	0	(155)	0	(155)	0	0	155
<b>General Fund Total</b>	<b>121,411</b>	<b>0</b>	<b>0</b>	<b>121,411</b>	<b>124,108</b>	<b>0</b>	<b>2,697</b>

**Note:** Appendix 1 shows an increase in reserves of £1.321m brought forward from 2023/24

**REVENUE BUDGET MANAGEMENT UPDATE 2024/25**

	<b>Budget</b>			<b>Expenditure</b>			<b>(Under)/ Over Spend £000</b>
	Original Budget £000	Approved Adjustments £000	Amended Approved Budget £000	Expenditure to June £000	Projected Spend £000	Total Projection £000	
<b><u>Council Wide</u></b>							
Corporate Running Costs	28	240	268	0	268	268	0
Procurement savings	(24)	0	(24)	(12)	(12)	(24)	0
Pay Award	627	0	627	0	627	627	0
<b>In Year Over/(Under) Spend</b>	<b>631</b>	<b>240</b>	<b>871</b>	<b>(12)</b>	<b>883</b>	<b>871</b>	<b>0</b>

## REVENUE BUDGET MANAGEMENT UPDATE 2024/25

	<i>Budget</i>			<i>Expenditure</i>			(Under)/ Over Spend £000
	Original Budget £000	Approved Adjustments £000	Amended Approved Budget £000	Expenditure to June £000	Projected Spend £000	Total Projection £000	
<b><u>People Group</u></b>							
<b>Group Director of People</b>	611	0	611	175	507	682	71
<b><u>Adults &amp; Children Services</u></b>							
Transformation & Performance	793	134	927	195	732	927	0
Business Support	1,649	74	1,723	407	1,316	1,723	0
	<b>2,442</b>	<b>208</b>	<b>2,650</b>	<b>602</b>	<b>2,048</b>	<b>2,650</b>	<b>0</b>
<b><u>Children's Services</u></b>							
Children's Services Management & Other Services	681	(22)	659	178	491	669	10
Assessment Care Planning & LAC	4,429	119	4,548	1,281	3,462	4,743	195
First Response & Early Help	3,758	(323)	3,435	788	2,607	3,395	(40)
Youth Offending/ASB	307	0	307	15	292	307	0
Adoption & Placements	21,263	(77)	21,186	5,038	15,938	20,976	(210)
Disabled Children	1,372	112	1,484	208	1,596	1,804	320
Quality Assurance & Practice Improvement	138	0	138	(142)	280	138	0
	<b>31,948</b>	<b>(191)</b>	<b>31,757</b>	<b>7,366</b>	<b>24,666</b>	<b>32,032</b>	<b>275</b>
<b><u>Development &amp; Commissioning</u></b>							
Commissioning	1,967	472	2,439	475	1,936	2,411	(28)
Voluntary Sector	293	0	293	35	272	307	14
	<b>2,260</b>	<b>472</b>	<b>2,732</b>	<b>510</b>	<b>2,208</b>	<b>2,718</b>	<b>(14)</b>
<b><u>Education</u></b>							
Education	702	74	776	5,946	(5,176)	770	(6)
Schools	0	0	0	754	(754)	0	0
Transport Unit	3,111	0	3,111	332	2,779	3,111	0
	<b>3,813</b>	<b>74</b>	<b>3,887</b>	<b>7,032</b>	<b>(3,151)</b>	<b>3,881</b>	<b>(6)</b>
<b><u>Public Health</u></b>							
Public Health	0	0	0	(2,156)	2,156	0	0
	<b>0</b>	<b>0</b>	<b>0</b>	<b>(2,156)</b>	<b>2,156</b>	<b>0</b>	<b>0</b>
<b><u>Adult Social Care &amp; Health</u></b>							
External Purchase of Care	35,886	442	36,328	3,979	32,875	36,856	528
Intake & Enablement	727	0	727	552	175	727	0
Older People Long Term Condition	1,832	3	1,835	556	1,279	1,835	0
Physical Disability Long Term Condition	14	0	14	13	1	14	0
Learning Disability Long Term Condition	2,253	0	2,253	564	1,662	2,226	(27)
Mental Health Long Term Condition	1,163	0	1,163	353	842	1,195	32
Service Development & Integration	1,068	(3)	1,065	(116)	1,181	1,065	0
Workforce Development	415	61	476	19	457	476	0
	<b>43,358</b>	<b>503</b>	<b>43,861</b>	<b>5,920</b>	<b>38,472</b>	<b>44,394</b>	<b>533</b>
<b>In Year Over/(Under) Spend</b>	<b>84,432</b>	<b>1,066</b>	<b>85,498</b>	<b>19,449</b>	<b>66,906</b>	<b>86,357</b>	<b>859</b>



**REVENUE BUDGET MANAGEMENT UPDATE 2024/25**

	<b>Budget</b>			<b>Expenditure</b>			<b>(Under)/ Over Spend £000</b>
	<b>Original Budget £000</b>	<b>Approved Adjustments £000</b>	<b>Amended Approved Budget £000</b>	<b>Expenditure to June £000</b>	<b>Projected Spend £000</b>	<b>Total Projection £000</b>	
<b><u>Services Group</u></b>							
<b>Group Director of Services</b>	184	0	184	59	125	184	0
<b><u>Capital Projects, Transport &amp; Highways</u></b>							
<b><u>Planning</u></b>							
AD Transport & Capital Projects	111	0	111	44	67	111	0
Building Design Services	63	0	63	112	(50)	62	(1)
Capital Projects	374	66	440	146	294	440	0
Car Parking R&M	612	0	612	499	113	612	0
Concessionary Fares	2247	50	2,297	(1)	2,625	2,624	327
Flood & Water Act	89	202	291	(261)	552	291	0
Highways	4237	224	4,461	(361)	4,902	4,541	80
Highways - DLO	-437	0	(437)	1,022	(1,459)	(437)	0
Investment & Funding	89	405	494	39	455	494	0
Sustainable Transport	96	98	194	(349)	542	193	(1)
	<b>7,481</b>	<b>1,045</b>	<b>8,526</b>	<b>890</b>	<b>8,041</b>	<b>8,931</b>	<b>405</b>
<b><u>Community Services</u></b>							
AD Community Services	99	0	99	28	61	89	(10)
Allotments	19	0	19	(1)	20	19	0
Building Cleaning - DLO	33	14	47	(504)	551	47	0
Cemeteries & Crematorium	(821)	0	(821)	(222)	(489)	(711)	110
Dolphin Centre	973	39	1,012	266	761	1,027	15
Eastbourne Complex	36	0	36	90	(34)	56	20
Emergency Planning	0	0	0	0	0	0	0
Hippodrome	222	46	268	(1,202)	1,479	277	9
Hopetown Darlington	369	11	380	580	(200)	380	0
Indoor Bowling Centre	19	12	31	4	19	23	(8)
Libraries	946	0	946	341	645	986	40
Move More	31	0	31	(181)	212	31	0
Outdoor Events	522	0	522	32	490	522	0
School Meals - DLO	82	0	82	33	38	71	(11)
Culture and Heritage Fund	122	2	124	13	111	124	0
Street Scene	6,282	146	6,428	1,052	5,379	6,431	3
Transport Unit - Fleet Management	57	0	57	112	(55)	57	0
Waste Management	4,109	8	4,117	387	3,731	4,117	0
Winter Maintenance	618	0	618	152	467	618	0
	<b>13,718</b>	<b>278</b>	<b>13,996</b>	<b>980</b>	<b>13,186</b>	<b>14,164</b>	<b>168</b>

**REVENUE BUDGET MANAGEMENT UPDATE 2024/25**

	<b>Budget</b>			<b>Expenditure</b>			<b>(Under)/ Over Spend £000</b>
	<b>Original Budget £000</b>	<b>Approved Adjustments £000</b>	<b>Amended Approved Budget £000</b>	<b>Expenditure to June £000</b>	<b>Projected Spend £000</b>	<b>Total Projection £000</b>	
<b><u>Services Group</u></b>							
<b><u>Community Safety</u></b>							
CCTV	284	0	284	(169)	453	284	0
Community Safety	781	110	891	(60)	945	885	(6)
General Licensing	0	0	0	(8)	8	0	0
Parking	(2,049)	0	(2,049)	(722)	(1,427)	(2,149)	(100)
Parking Enforcement	17	0	17	(52)	69	17	0
Private Sector Housing	112	27	139	(275)	394	119	(20)
Stray Dogs	53	0	53	15	44	59	6
Taxi Licensing	28	8	36	(34)	70	36	0
Trading Standards	260	0	260	90	160	250	(10)
	<b>(514)</b>	<b>145</b>	<b>(369)</b>	<b>(1,215)</b>	<b>716</b>	<b>(499)</b>	<b>(130)</b>
<b><u>Building Services</u></b>							
Construction - DLO	(366)	0	(366)	(6,044)	5,678	(366)	0
Other - DLO	0	0	0	1,152	(1,152)	0	0
	<b>(366)</b>	<b>0</b>	<b>(366)</b>	<b>(4,892)</b>	<b>4,526</b>	<b>(366)</b>	<b>0</b>
<b><u>Corporate Landlord</u></b>							
Corporate Landlord	4,534	307	4,841	1,735	2,926	4,661	(180)
<b><u>General Support Services</u></b>							
Works Property & Other	76	0	76	0	76	76	0
<b><u>Joint Levies &amp; Boards</u></b>							
Environment Agency Levy	129	0	129	126	0	126	(3)
<b>In Year Over/(Under) Spend</b>	<b>25,242</b>	<b>1,775</b>	<b>27,017</b>	<b>(2,317)</b>	<b>29,596</b>	<b>27,277</b>	<b>260</b>

**REVENUE BUDGET MANAGEMENT UPDATE 2024/25**

	<b>Budget</b>			<b>Expenditure</b>			<b>(Under)/ Over Spend £000</b>
	<b>Original Budget £000</b>	<b>Approved Adjustments £000</b>	<b>Amended Approved Budget £000</b>	<b>Expenditure to June £000</b>	<b>Projected Spend £000</b>	<b>Total Projection £000</b>	
<b><u>Operations Group</u></b>							
<b>Group Director of Operations</b>	136	0	136	33	103	136	0
<b><u>Resources</u></b>							
AD Resources	120	0	120	30	92	122	2
Financial Services	1,598	65	1,663	(50)	1,712	1,662	(1)
Financial Assessments & Protection	301	35	336	74	262	336	0
Xentrall (D&S Partnership)	1,968	60	2,028	210	1,818	2,028	0
Human Resources	680	129	809	153	651	804	(5)
Health & Safety	200	0	200	50	150	200	0
	<b>4,867</b>	<b>289</b>	<b>5,156</b>	<b>467</b>	<b>4,685</b>	<b>5,152</b>	<b>(4)</b>
<b><u>Head of Strategy Performance &amp; Communications</u></b>							
Communications & Engagement	1,045	132	1,177	223	943	1,166	(11)
Systems	1,132	149	1,281	508	773	1,281	0
	<b>2,177</b>	<b>281</b>	<b>2,458</b>	<b>731</b>	<b>1,716</b>	<b>2,447</b>	<b>(11)</b>
<b><u>Law &amp; Governance</u></b>							
AD Law & Governance	136	0	136	33	103	136	0
Complaints & FOI	330	50	380	81	319	400	20
Democratic Services	1,381	0	1,381	298	1,083	1,381	0
Registrars	(26)	0	(26)	(104)	78	(26)	0
Administration	550	0	550	156	400	556	6
Legal Services	1,768	0	1,768	449	1,679	2,128	360
Procurement	195	0	195	43	154	197	2
Coroners	321	0	321	0	331	331	10
	<b>4,655</b>	<b>50</b>	<b>4,705</b>	<b>956</b>	<b>4,147</b>	<b>5,103</b>	<b>398</b>
<b><u>Xentrall Shared Services</u></b>							
ICT	811	0	811	(10)	821	811	0
	<b>811</b>	<b>0</b>	<b>811</b>	<b>(10)</b>	<b>821</b>	<b>811</b>	<b>0</b>
<b><u>Building Services</u></b>							
Maintenance - DLO	(684)	0	(684)	3,539	(4,223)	(684)	0
	<b>(684)</b>	<b>0</b>	<b>(684)</b>	<b>3,539</b>	<b>(4,223)</b>	<b>(684)</b>	<b>0</b>
<b><u>Housing &amp; Revenues</u></b>							
Local Taxation	473	0	473	242	150	392	(81)
Rent Rebates / Rent Allowances / Council Tax	(132)	0	(132)	4,569	(3,525)	1,044	1,176
Housing Benefits Administration	451	155	606	261	336	597	(9)
Customer Services	324	0	324	102	172	274	(50)
Homelessness	347	0	347	(928)	1,278	350	3
Service, Strategy & Regulation and General	155	0	155	(2,099)	2,255	156	1
	<b>1,618</b>	<b>155</b>	<b>1,773</b>	<b>2,147</b>	<b>666</b>	<b>2,813</b>	<b>1,040</b>
<b>In Year Over/(Under) Spend</b>	<b>13,580</b>	<b>775</b>	<b>14,355</b>	<b>7,863</b>	<b>7,915</b>	<b>15,778</b>	<b>1,423</b>

**REVENUE BUDGET MANAGEMENT UPDATE 2024/25**

	<b>Budget</b>			<b>Expenditure</b>			
	Original Budget £000	Approved Adjustments £000	Amended Approved Budget £000	Expenditure to June £000	Projected Spend £000	Total Projection £000	(Under)/ Over Spend £000
<b><u>Chief Executive &amp; Economy</u></b>							
<b><u>Chief Executive</u></b>							
Chief Executive	216	0	216	69	147	216	0
Darlington Partnership	85	16	101	31	70	101	0
	<b>301</b>	<b>16</b>	<b>317</b>	<b>100</b>	<b>217</b>	<b>317</b>	<b>0</b>
<b><u>Economic Growth</u></b>							
AD - Economic Growth	155	0	155	48	105	153	(2)
Emergency Planning	105	0	105	9	85	94	(11)
Building Control	192	0	192	42	140	182	(10)
Consolidated Budgets	46	148	194	(100)	294	194	0
Development Management	52	0	52	151	11	162	110
Economy	259	58	317	(83)	400	317	0
Environmental Health	351	0	351	118	186	304	(47)
Place Strategy	603	121	724	(87)	771	684	(40)
Property Management & Estates	(487)	60	(427)	(671)	244	(427)	0
	<b>1,276</b>	<b>387</b>	<b>1,663</b>	<b>(573)</b>	<b>2,236</b>	<b>1,663</b>	<b>0</b>
<b>In Year Over/(Under) Spend</b>	<b>1,577</b>	<b>403</b>	<b>1,980</b>	<b>(473)</b>	<b>2,453</b>	<b>1,980</b>	<b>0</b>

**BUDGET MANAGEMENT 2024/25**

<b>SCHOOLS PROJECTED BALANCES 2024/25</b>					
School Name	Opening Balance at 1st April 2024	Formula Budget Allocation*	Total Available	Closing Balance at 31st March 2025	Projected Closing Balance as proportion of Formula Budget Allocation
<b>Primary</b>	£000	£000	£000	£000	%
Federation of Darlington Nursery Schools	34	1,131	948	(70)	(6%)
Harrowgate Hill Primary	43	2,687	2,730	24	1%
Red Hall Primary	239	1,588	1,827	169	11%
Rise Carr College, Clifton House & Eldon House	305	2,005	2,310	289	14%
Whinfield Primary					
<b>Primary Total</b>	<b>621</b>	<b>7,411</b>	<b>7,815</b>	<b>412</b>	

\*Federation of Darlington Nursery Schools/Rise Carr College original budget. Actual allocation based on attendance.

**HOUSING REVENUE ACCOUNT 2024/25**

	<b><i>Budget</i></b>				
	Original Budget £000	Approved Adjustments £000	Amended Approved Budget £000	Total Projection £000	(Under)/ Over Spend £000
<b><u>Housing Revenue Account</u></b>					
<b><u>Income</u></b>					
Rents Of Dwellings (Gross)	(23,640)	0	(23,640)	(23,343)	297
Sundry Rents (Including Garages & Shops)	(497)	0	(497)	(507)	(10)
Charges For Services & Facilities	(3,377)	0	(3,377)	(3,384)	(7)
Contribution towards expenditure	(887)	(205)	(1,092)	(1,231)	(139)
Interest Receivable	(6)	0	(6)	(450)	(444)
<b>Total Income</b>	<b>(28,407)</b>	<b>(205)</b>	<b>(28,612)</b>	<b>(28,915)</b>	<b>(303)</b>
<b><u>Expenditure</u></b>					
Operational	4,859	205	5,064	5,454	390
Service Charges	3,377	0	3,377	3,384	7
Maintenance	6,179	0	6,179	6,257	78
Capital Financing Costs	3,911	0	3,911	3,911	0
Revenue Contribution to Capital Outlay	13,455	0	13,455	13,455	0
Increase in Bad Debt Provision	250	0	250	250	0
In year contribution to/(from) balances	(3,624)	0	(3,624)	(3,796)	(172)
<b>Total Expenditure</b>	<b>28,407</b>	<b>205</b>	<b>28,612</b>	<b>28,915</b>	<b>303</b>
<b>(Surplus)/Deficit</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

<b>HRA Balances</b>	<b>£000</b>
Opening balance 01/04/2024	25,947
Contribution to/(from) balances	(3,796)
<b>Closing balance</b>	<b>22,151</b>

**CABINET**  
**10 SEPTEMBER 2024**

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## **TREASURY MANAGEMENT ANNUAL REPORT AND OUTTURN PRUDENTIAL INDICATORS 2023/24**

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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. This report provides 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 2023/24. The report also seeks approval of the Prudential Indicators results for 2023/24 in accordance with the Prudential Code.

#### **Summary**

2. The financial year 2023/24 was yet another unprecedented year with regards to treasury management. With the Ukraine conflict continuing, events in the Middle East, cost of living increases and inflation taking time to recover, the markets have been quite cautious. The bank rate continued to rise steadily throughout the early part of the year starting the year at 4.25% before stabilising and finishing at 5.25%. This has led to borrowing rates increasing and to some significant financial challenges throughout the year. These challenges are expected to continue into 2024/25 with the cost of borrowing expected to remain high until at least September, possibly even later. Although the returns for cash investments have also increased due to higher interest rates they still remain below the cost of borrowing and these are declining at a much faster rate than the cost of borrowing.
3. During 2023/24 the Council complied with its legislative and regulatory requirements. The borrowing need (**Table 1**) was only increased for capital purposes.
4. At 31 March 2024 the Council's external debt was £152.878m which is £14.864m more than the previous year. This increase relates to the progression of various capital schemes and the rise in the costs of these schemes due to inflationary pressures. The average interest rate for borrowing increased from 2.41% in 2022/23 to 2.61% in 2023/24. Investments totalled £36.369m at 31 March 2024 (£40.044m at 31st March 2023) earning interest of 5.09% on short term cash investments and 0.72% on Property Fund units net of costs. As per table 7, the budgeted return on Property Funds was 0.54% so this is better than forecast.



5. Financing costs have been reduced during the year and a reduction of £0.735m has been achieved from the original MTFP and transferred to an IFRS9 reserve to manage any future fluctuations arising from the capital values of property funds. The reduction in budget is a mixture of reduced interest charges on debt as well as increased investment income.

### **Recommendations**

6. It is recommended that:
  - (a) The outturn 2023/24 Prudential Indicators within this report and those in **Appendix 1** be noted.
  - (b) The Treasury Management Annual Report for 2023/24 be noted.
  - (c) This report to be forwarded to Council, in order for the 2023/24 Prudential Indicators to be noted.

### **Reasons**

7. The recommendations are supported by the following 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.

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

### **Background Papers**

- (i) Accounting Records
- (ii) Annual Investment Strategy 2023/24
- (iii) Prudential Indicators and Treasury Management Strategy Report 2023/24

Judith Murray: Extension 5204

Council Plan	The Council's Treasury Management and Prudential Indicators activities contribute to all priorities outlined within the Council Plan.
Addressing inequalities	This report provides an update on the Council's Treasury Management and Prudential Indicators for 2023/24 therefore there is no impact as a result of this report.
Tackling Climate Change	This report provides an update on the Council's Treasury Management and Prudential Indicators for 2023/24 therefore there is no impact as a result of this report.
Efficient and effective use of resources	The report outlines movements in the national economic outlook that have enabled officers to take advantage of different types of Investments and changing interest rates to benefit the Revenue MTFP.
Health and Wellbeing	This report provides an update on the Council's Treasury Management and Prudential Indicators for 2023/24 therefore there is no impact as a result of this report.
S17 Crime and Disorder	This report has no implications for crime and disorder.
Wards Affected	There is no anticipated impact on any one ward as a result of this report.
Groups Affected	There is no anticipated impact on any group as a result of this report.
Budget and Policy Framework	The report does not change the Council's budget or Policy framework but needs to be considered by Council.
Key Decision	This is not a key decision.
Urgent Decision	This is not an urgent decision.
Impact on Looked After Children and Care Leavers	This report does not impact on Looked After Children or Care Leavers.

## MAIN REPORT

### Information and Analysis

8. This report summarises:
  - (a) Capital expenditure and financing for 2023/24
  - (b) The Council's overall borrowing need
  - (c) Treasury position at 31st March 2024
  - (d) Prudential indicators and compliance issues
  - (e) The economic background for 2023/24
  - (f) A summary of the Treasury Management Strategy agreed for 2023/24
  - (g) Treasury Management activity during 2023/24
  - (h) Performance and risk benchmarking
9. Throughout this report a number of technical terms are used, a glossary of terms can be found at the end of this report.

### The Council's Capital Expenditure and Financing 2023/24

10. The Council undertakes capital expenditure on long term assets, which is financed either:
  - (a) Immediately through capital receipts, capital grants, contributions and from revenue; or
  - (b) If insufficient financing is available, by borrowing.
11. Part of the Council's treasury activities is to address this borrowing need, either through borrowing from external bodies, or utilising temporary cash resources within the Council. The wider treasury activities also include managing the Council's cash flow, its previous borrowing activities and the investment of surplus funds. These activities are structured to manage risk foremost and then optimise performance.
12. Capital Expenditure forms one of the prudential indicators that are used to regulate treasury activity. Table 1 shows total capital expenditure and how this was financed, compared with what was expected to be spent and how this would have been financed. Actual expenditure was £20.732m less than planned, mostly down to slippage in the HRA, Station redevelopment, Railway Heritage and some Towns Fund initiatives. However, the mix of funding differs from that which was expected as some schemes progressed quicker than others. This impacted on the borrowing needed to fund expenditure which was £9.808m higher than initially anticipated.

**Table 1 – Capital Expenditure and Financing**

	2022/23	2023/24		
	Outturn £m	Revised Estimate £m	Outturn £m	Variance £m
General Fund Capital Expenditure	40.984	56.727	39.361	(17.366)
HRA Capital Expenditure	14.708	24.535	13.753	(10.782)
Loans to Joint Ventures etc	4.944	0.034	7.450	7.416
<b>Total Capital Expenditure</b>	<b>60.636</b>	<b>81.296</b>	<b>60.564</b>	<b>(20.732)</b>
Resourced by:				
Capital Receipts GF	0.623	5.158	2.491	(2.667)
Capital receipts Housing	0.433	0.433	0.00	(0.433)
JV Loans Repaid	5.073	1.000	0.500	(0.500)
Capital Grants	34.466	32.851	29.045	(3.806)
Capital Contributions	0.407	0.000	0.261	0.261
Revenue Contributions - GF	0.187	0.403	1.167	0.764
Investment Fund - Housing	0.000	0.000	0.000	0.000
Revenue Contributions - HRA	13.289	24.077	8.003	(16.074)
Self-Financing - GF	0.000	16.036	7.951	(8.085)
<b>Total Resources</b>	<b>54.478</b>	<b>79.958</b>	<b>49.418</b>	<b>(30.540)</b>
<b>Borrowing needed to finance expenditure</b>	<b>6.158</b>	<b>1.338</b>	<b>11.146</b>	<b>9.808</b>

**The Council's Overall Borrowing Need**

13. The Council's underlying need to borrow is called the Capital Financing Requirement (CFR). The figure is a gauge for the Council's debt position. The CFR results from the capital activity of the Council and resources used to pay for the capital spend. It represents 2023/24 and prior years' net capital expenditure which has not yet been paid for by revenue or other resources.
14. Part of the Council's treasury activities is to address the funding requirements for this borrowing need. Depending on the capital expenditure programme, the treasury service organises the Council's cash position to ensure that sufficient cash is available to meet the capital plans and cash flow requirements. This may be sourced through borrowing from external bodies (such as the government, through Public Works Loan Board (PWLb), or the money markets) or utilising temporary cash resources within the Council.
15. The Council's (non HRA) underlying borrowing need (CFR) is not allowed to rise indefinitely. Statutory controls are in place to ensure that capital assets are broadly charged to revenue over the life of the asset. The Council is required to make an annual revenue charge, called the Minimum Revenue Provision (MRP), to reduce the CFR. This is effectively a repayment of the non-Housing Revenue Account borrowing need, (there is no statutory requirement to reduce the HRA CFR). This differs from the treasury management arrangements which ensure that cash is available to meet capital commitments. External debt can also be borrowed or repaid at any time, but this does not change the CFR.

16. The total CFR can be reduced each year through a Voluntary Revenue Provision (VRP) or by the application of additional capital financing resources (such as unapplied capital receipts).
17. The Council's CFR for the year is shown in Table 2 and represents a key prudential indicator. The CFR outturn for 2023/24 is £233.974m which is £0.325m higher than approved due to a decrease in estimated JV loan repayment and a decreased borrowing requirement for HRA resulting in less MRP being charged than originally anticipated.

**Table 2 - Capital Financing Requirement**

	2022/23	2023/24		
	Outturn £m	Approved Indicator £m	31 March Actual £m	Variance £m
Opening Balance	224.285	228.660	228.660	0.000
Add Capital Expenditure financed by borrowing	13.232	11.987	11.645	(0.342)
Less repayment of JV loans	(5.073)	(1.000)	(0.500)	0.500
Less MRP/VRP GF	(0.000)	(4.299)	(4.299)	(0.000)
Less MRP/VRP Housing	(2.669)	(0.593)	(0.426)	0.167
Less MRP/VRP PFI	(1.115)	(1.106)	(1.106)	0.000
Closing balance	<b>228.660</b>	<b>233.649</b>	<b>233.974</b>	<b>0.325</b>

#### **Treasury Position at 31 March 2024**

18. Whilst the measure of the Council's underlying need to borrow is the CFR, the Group Director of Operations can manage the Council's actual borrowing position by:
  - (a) Borrowing to the CFR level; or
  - (b) Choosing to utilise some temporary cash flows instead of borrowing ("under borrowing"); or
  - (c) Borrowing for future increases in CFR (borrowing in advance of need, the "over borrowed" amount can be invested).
19. The Council's treasury management debt and investment position is organised by the treasury management service in order to ensure adequate liquidity for revenue and capital activities, security for investments and to manage risks within all treasury management activities. Procedures and controls to achieve these objectives are well established both through member reporting and through officer activity detailed in the Council's Treasury Management Practices.
20. The Council's total debt outstanding at 31 March 2024 was £152.878m. In addition to this, a liability of £7.011m relating to the PFI scheme and Finance Leases brings the total to £159.889m. The Council's revised CFR position was estimated to be £233.649m, however, the actual out turn position was £233.974m. When comparing this to our actual

borrowing of £159.889m this meant that the Council was “under borrowed” by £74.085m. This “under borrowed” amount was financed by internal borrowing which means that the amount that could have been invested externally was reduced to cover this. The reduced under borrowed position still has the dual effect of reducing costs to the MTFP because borrowing costs are generally greater than investment returns and it reduces counterparty risk by reducing our exposure to banks and other financial institutions.

21. The treasury position at 31 March 2024, including investments compared with the previous year, is shown in table 3 below.

**Table 3 – Summary of Borrowing and Investments**

Treasury Position	31 March 2023		31 March 2024	
	Principal £m	Average Rate %	Principal £m	Net Annualised Average Rate %
General Debt - Fixed Rate Debt, Market and Public Works Loan Board (PWLb)	113.014	2.53%	127.878	2.65%
Property Fund Borrowing	25.000	1.65%	25.000	2.60%
<b>Total Debt</b>	<b>138.014</b>	<b>2.41%</b>	<b>152.878</b>	<b>2.61%</b>
Cashflow Investments up to 6 months	10.045	2.88%	6.370	5.09%
Capital Investments over 6 months	0.000	0.00%	0.000	0.00%
Property Fund Investment - net of costs	29.999	1.99%	29.999	0.72%
<b>Total Investments</b>	<b>40.044</b>		<b>36.369</b>	
<b>Net borrowing position</b>	<b>97.970</b>		<b>116.509</b>	

### Prudential Indicators and Compliance Issues

22. Some prudential indicators provide an overview while others are specific limits on treasury activity, as detailed below.
23. **Gross Borrowing and the CFR** – in order to ensure that borrowing levels are prudent over the medium term and only for a capital purpose, the Council should ensure that its gross external borrowing does not, except in the short term, exceed the total of the capital financing requirement in the preceding year (2022/23) plus the estimates of any additional capital financing requirement for the current (2023/24) and next two financial years. This essentially means that the Council is not borrowing to support revenue expenditure. This indicator allowed the Council some flexibility to borrow in advance of its immediate capital needs in 2023/24. The table below highlights the Council’s gross borrowing position against the CFR. The Council has complied with this prudential indicator.

**Table 4 – Gross Borrowing Compared with CFR**

	<b>31 March 2023 Actual £m</b>	<b>31 March 2024 Approved Indicator £m</b>	<b>31 March 2024 Actual £m</b>
<b>Gross Borrowing Position</b>	<b>138.014</b>	<b>141.014</b>	<b>152.878</b>
<b>PFI and Finance Lease Liability</b>	<b>8.117</b>	<b>7.011</b>	<b>7.011</b>
<b>Total</b>	<b>146.131</b>	<b>148.025</b>	<b>159.889</b>
<b>CFR</b>	<b>228.660</b>	<b>233.649</b>	<b>233.974</b>
<b>(Under)/over funding of CFR</b>	<b>(82.529)</b>	<b>(85.624)</b>	<b>(74.085)</b>

24. **The Authorised Limit** – The Authorised Limit is the “Affordable Borrowing Limit” required by section 3 of the Local Government Act 2003. The Council does not have power to borrow above this level.
25. **The Operational Boundary** – The Operational Boundary is the expected borrowing position of the Council during the year. Periods where the actual position is either below or over the Boundary are both acceptable, subject to the Authorised Limit not being breached.
26. **Actual financing costs as a proportion of net revenue expenditure** - This indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue expenditure. The actual for this indicator has risen from the previous year due to an increase in the Financing costs outturn.

**Table 5 – Key Prudential Indicators**

	<b>Actual 2022/23 £m</b>	<b>Original Approved Limits 2023/24 £m</b>	<b>Revised Approved Limits 2023/24 £m</b>	<b>Actual Total Liabilities Borrowing + PFI/ leases 2023/24 Maximum £m</b>
<b>Approved Indicator – Authorised Limit</b>	<b>240.093</b>	<b>247.730</b>	<b>245.331</b>	<b>245.675</b>
<b>Approved Indicator – Operational Boundary</b>	<b>146.131</b>	<b>183.077</b>	<b>148.025</b>	<b>159.889</b>
<b>Financing costs as a percentage of net revenue expenditure</b>	<b>1.69%</b>	<b>3.82%</b>	<b>4.47%</b>	<b>4.47%</b>

27. At 31 March 2023 the total liabilities were £152.878m which is below both the approved Authorised Limit and the approved Operational Boundary. The Operational Boundary is the point at which we expect borrowing to be, but it can be lower or higher. Borrowing cannot exceed the Authorised Limit.



28. A further four prudential indicators are detailed in Appendix 1.

### **Economic Background for 2023/24**

29. A summary of the general economic conditions that have prevailed through 2023/24 provided by Link Asset Services, the Council's treasury management advisors is attached at **Appendix 2.**

### **Summary of the Treasury Management Strategy agreed for 2023/24**

30. The revised Prudential Indicators anticipated that during 2023/24 the Council would need to borrow £1.338m to finance part of its capital programme, whereas the actual outturn figure was £9.808m. The main reason for the outturn variance is at the time of writing the revised (2023/24 mid-year) Prudential Indicator report, the Council had not received updated cashflows for the Joint Ventures confirming when further development was due to commence.
31. The Annual Investment Strategy stated that the use of specified (usually less than one year) and non-specified (usually more than one year) investments would be carefully balanced to ensure that the Council has appropriate liquidity for its operational needs. In the normal course of the Council's business it is expected that both specified and non-specified investments will be utilised for the control of liquidity as both categories allow for short term investments.
32. Longer term instruments (greater than one year from inception to repayment) will only be used where the Council's liquidity requirements are safeguarded. An estimate of long term investments (over 1 year) were included in the report on the Prudential Indicators update these were as follows £50m for 2022/23 and £50m for 2023/24. No other investments of over one year duration have been made during 2023/24.

### **Treasury Management Activity during 2023/24**

#### **Borrowing Strategy**

33. During 2023/24, the Council maintained an under-borrowed position. This meant that the capital borrowing need, (the CFR), was not fully funded with loan debt as cash supporting the Council's reserves, balances and cash flow was used as an interim measure. This strategy was prudent as investment returns were very low and minimising counterparty risk on placing investments also needed to be considered.
34. A cost of carry remained during the year on any new long-term borrowing that was not immediately used to finance capital expenditure, as it would have caused a temporary increase in cash balances; this would have incurred a revenue cost – the difference between (higher) borrowing costs and (lower) investment returns.
35. The policy of avoiding new borrowing by running down spare cash balances has served well over the last few years (see table 6 below). However, this was kept under review to avoid incurring higher borrowing costs in the future when this authority may not be able to avoid new borrowing to finance capital expenditure and/or the refinancing of maturing debt.

**Table 6 – net borrowing**

	Market Loans (incl. other Local Authorities)			Total
	Amount £m	Length of Loan	Interest Rate %	£m
New Loans Taken				
	5.000	2 months	4.60%	
	5.000	4 months	4.85%	
	5.000	1 year	5.25%	
	5.000	1 year	4.40%	
	2.000	3 months	5.65%	
	3.000	3 months	5.70%	
	5.000	1 month	4.65%	
	2.000	3 months	6.00%	
	2.000	3 months	6.50%	
	3.000	4 months	6.00%	
	5.000	3 months	6.75%	
	5.000	3 months	6.50%	
Total New Loans				47.000
Loans Repaid				
	(5.000)	1 year	1.25%	
	(5.000)	2 months	4.85%	
	(5.000)	5 years	1.82%	
	(5.000)	1 year	2.30%	
	(2.000)	1 year	3.00%	
	(5.000)	4 months	4.85%	
	(2.000)	3 months	5.65%	
	(3.000)	3 months	5.70%	
				(32.000)
Total New Borrowing				15.000

36. **Summary of Debt Transactions** – The consolidated rate of interest increased from 2.41% to 2.61% due to increased interest rates in the market.

### Investment Position

37. **Investment Policy** – the Council's investment policy for 2023/24 is governed by the DLUHC Guidance which has been implemented in the annual investment strategy for 2023/24 approved by Special Council on 16 February 2023. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies, supplemented by additional market data, (such as rating outlooks, credit default swaps, bank share prices etc.).

38. The investment activity during the year conformed to the approved Strategy and the Council had no liquidity difficulties.
39. Investment returns picked up throughout the course of 2023/24 as central banks, including the Bank of England, realised that inflationary pressures were not transitory, and that tighter monetary policy was called for. Starting April at 4.25%, Bank Rate moved up in stepped increases of either 0.25% or 0.5%, reaching 5.25% by the end of the financial year. It has remained at this level and is unlikely to decrease until later in 2024/25.
40. With bond markets selling off, equity valuations struggling to make progress as did property funds, although there have been some spirited, if temporary, market rallies from time to time, the more traditional investment options, such as specified investments (simple to understand, and less than a year in duration) became more actively used and Money Market Funds have also provided decent returns in close proximity to Bank Rate for liquidity purposes.
41. Throughout 2023/24 the Bank of England has maintained various monetary policy easing measures as required to ensure specific markets, the banking system and the economy had appropriate levels of liquidity at times of stress
42. While the Council has taken a cautious approach to investing, it is also fully appreciative of changes to regulatory requirements for financial institutions in terms of additional capital and liquidity that came about in the aftermath of the financial crisis. These requirements have provided a far stronger basis for financial institutions, with annual stress tests by regulators evidencing how institutions are now far more able to cope with extreme stressed market and economic conditions.
43. Investment balances have been kept to a minimum through the agreed strategy of using reserves and balances to support internal borrowing, rather than borrowing externally from the financial markets. External borrowing would have incurred an additional cost, due to the differential between borrowing and investment rates. Such an approach has also provided benefits in terms of reducing counterparty risk exposure, by having fewer investments placed in the financial markets.
44. Investments held by the Council consist of temporary surplus balances, capital receipts and other funds. Cash balances are invested on a daily basis to maximise the benefit of temporary surplus funds. These include investments in Money Market Funds, the Government's Debt Management Office, other local authorities and bank short term notice accounts. Short term investments of up to a year earned interest of £602k on an average balance of £11.832m which equated to an annual average interest rate of 5.09%.
45. The Council also has longer term investments which consist of the property funds and the returns are shown below in **Table 7**.
46. Further to the 2024/25 Treasury Management Strategy report, where it was noted that the Lothbury Property Fund was exploring a potential merger with the UBS Triton Property Fund, unfortunately this proposal did not receive sufficient support from the membership and therefore the Lothbury Property Fund was terminated in the first quarter of 2024/25. The Council will receive its share of the distributions of funds from Lothbury as and when assets are sold. An initial distribution was received in June 2024 which the Council has

invested in the UBS Triton Property fund. The investment of future distributions will be decided as and when they are received, in consideration of the best investment opportunities and the Council's financial position at the date of receipt.

**Table 7 – Longer Term 6 months to 5 years - Property Funds**

	<b>Original Budget 2023/24</b>	<b>Actual 2023/24</b>
Daily average level of Investments	<b>£29.999m</b>	<b>£29.999m</b>
Interest earned (gross)	<b>1.038m</b>	<b>1.093m</b>
Average Rate of Return on Investment Interest earned (gross)	<b>3.46%</b>	<b>3.64%</b>
Average Rate of Return on Investment (net of costs)	<b>0.54%</b>	<b>0.72%</b>

### **Performance and Risk Benchmarking**

47. A regulatory development is the consideration and approval of security and liquidity benchmarks. Yield benchmarks are currently widely used to assess investment performance.
48. The following reports the current position against the benchmarks originally approved.
49. Security – The Council's maximum security risk benchmarks for the current portfolio of investments, when compared to historic default tables was set as follows:

#### **0.077% historic risk of default when compared to the whole portfolio**

50. **Table 8** shows that there has been a fluctuation in the historic levels of default over the year although still well below the benchmark. This is mainly due to some longer term investments actually being made for shorter terms, i.e. up to six months rather than one year as these investments were better value than longer term investments and were also a better fit with how the Council was expecting to utilise investments. It also shows more emphasis being placed on counterparties with a higher credit rating.
51. The investment portfolio was maintained within this overall benchmark during this year as shown in **Table 8**.

**Table 8**

<b>Maximum</b>	<b>Benchmark 2023/24</b>	<b>Actual June 2023</b>	<b>Actual October 2023</b>	<b>Actual December 2023</b>	<b>Actual March 2024</b>
Year 1	0.077%	0.001%	0.000%	0.000%	0.000%

52. The counterparties that we use are all high rated therefore our actual risk of default based on the ratings attached to counterparties is virtually nil.
53. Liquidity – In respect of this area the Council set liquidity facilities/benchmark to maintain:
- (a) Bank Overdraft £0.100M.
  - (b) Liquid short term deposits of at least £3.000M available within a week's notice.
  - (c) Weighted Average Life benchmark is expected to be 146 days with a maximum of one year.
54. Liquidity arrangements have been adequate for the year to date as shown in **Table 9**.

**Table 9**

	<b>Benchmark</b>	<b>Actual June 2023</b>	<b>Actual October 2023</b>	<b>Actual December 2023</b>	<b>Actual March 2024</b>
<b>Weighted Average life</b>	<b>146 days to 1 year</b>	<b>113 days</b>	<b>118 days</b>	<b>0 days</b>	<b>0 days</b>

55. The figures are for the whole portfolio of cash flow investments deposited with Money Market funds on a call basis, (i.e. can be drawn on without notice) as well as call accounts that include a certain amount of notice required to recall the funds.
56. Money Market Funds do not have a Weighted Average Life as they are on a call basis. During the latter part of the year the Council held its surplus cash in Money Market Funds as the rates for these were on par (sometimes even better) than short term investments, hence there is no Weighted Average Life in December 2023 and March 2024.
57. Yield - In respect of this area performance indicators relating to interest rates for borrowing and investments were set with reference to comparative interest rates. For borrowing, the indicator is the average rate paid during the year compared with the previous year. Investment rates are compared with a representative set of comparative rates.

## **Risk**

58. The Council's treasury management activities are regulated by a variety of professional codes, statutes and guidance:-
- (a) The Local Government Act 2003(the Act), which provides the powers to borrow and invest as well as providing controls and limits on this activity.
  - (b) The Act permits the Secretary of State to set limits either on the Council or nationally on all local authorities restricting the amount of borrowing which may be undertaken (although no restrictions were made in 2023/24).
  - (c) Statutory Instrument (SI) 3146 2003, as amended, develops the controls and powers within the Act.

- (d) The SI requires the Council to undertake any borrowing activity with regard to the CIPFA Prudential Code for Capital Finance in Local Authorities.
  - (e) The SI also requires the Council to operate the overall treasury function with regard to the CIPFA code of Practice for Treasury Management in Public Services.
  - (f) Under the Act the Department of Levelling Up, Housing & Communities has issued Investment Guidance to structure and regulate the Council's investment activities.
  - (g) Under section 238(2) of the Local Government and Public Involvement in Health Act 2007 the Secretary of State has taken powers to issue guidance on accounting practices. Guidance on Minimum Revenue Provision was issued under this section on 8 November 2007.
59. The Council's Treasury Management function has complied with all of the relevant statutory and regulatory requirements, which limit the levels of risk associated with its treasury management activities. In particular its adoption and implementation of both the Prudential Code and the code of Practice for Treasury Management means both that its capital expenditure is prudent, affordable and sustainable and its treasury practices demonstrate a low risk approach.
60. Officers of the Council are aware of the risks of passive management of the treasury portfolio and, with the support of Link Group, the Council's advisers, have proactively managed the debt and investments over the year.

### **Treasury Management Budget**

61. There are three main elements within the Treasury Management Budget:-
- (a) Long Term capital investments including Property Funds which earns interest and dividends, this comprises of the Council's revenue and capital balances, unused capital receipts, reserves and provisions.
  - (b) Cash flow interest earned – The authority has consistently had positive cash flow. Unlike long term capital investments it does not represent any particular sum but it is the consequence of many different influences such as receipts of grants, the relationship between debtors and creditors, cashing of cheques and payments to suppliers.
  - (c) Debt servicing costs – This is the principal and interest costs on the Council's long term debt to finance the capital programme.

**Table 10 - Changes to the Treasury Management Budget 2023/24**

	£m	£m
<b>Original Treasury Management Budget</b>		<b>3.477</b>
<b>Debt</b>		
Reduced interest payable on debt	<b>(0.428)</b>	
<b>Investments</b>		
Increase in investment income including property funds etc	<b>(0.320)</b>	
<b>Other Costs</b>		
Increased brokerage charges	<b>0.013</b>	
<b>Transfer to IFRS 9 Reserve</b>	<b>0.735</b>	
<b>Outturn Treasury Management Budget 2023/24</b>		<b>3.477</b>

62. There has been a reduction in the interest payable on debt due to reduced debt levels as well as an increase in the interest received on investments due to the cashflow levels. An MRP charge was also necessary to correct previous years under-provision.

63. These reductions in interest payable and additional interest income have been transferred into the IFRS9 reserve to manage any future fluctuations within the capital values of the property funds.

### Conclusion

64. The Council's treasury management activity during 2023/24 has been carried out in accordance with Council Policy and within legal limits. Financing costs have been reduced during the year and the reduction achieved from the original MTFP has been added to the existing IFRS9 reserve to manage any future fluctuation in the capital values of property funds.

### Outcome of Consultation

65. No formal consultation has been undertaken regarding this report.



## Appendix 1

**Additional Prudential Indicators not reported in the body of the report.**

		<b>2022/23 Actual</b>	<b>2023/24 Approved Indicator</b>	<b>2023/24 Outturn</b>
<b>1</b>	<b>limits on fixed interest rates</b>	<b>88%</b>	<b>100%</b>	<b>79%</b>
<b>2</b>	<b>limits on variable interest rates</b>	<b>12%</b>	<b>40%</b>	<b>21%</b>
<b>3</b>	<b>Maturity structure of fixed interest rate borrowing (upper Limit)</b>			
	Under 12 months	<b>12%</b>	<b>40%</b>	<b>21%</b>
	12 months to 2 years	<b>12%</b>	<b>50%</b>	<b>21%</b>
	2 years to 5 years	<b>20%</b>	<b>60%</b>	<b>26%</b>
	5 years to 10 years	<b>27%</b>	<b>80%</b>	<b>31%</b>
	10 years and above	<b>100%</b>	<b>100%</b>	<b>100%</b>
<b>4</b>	<b>Maximum Principal funds invested greater than 364 days</b>	<b>£50m</b>	<b>£50m</b>	<b>£50m</b>

## The Economy and Interest Rates

### UK. Economy.

Against a backdrop of stubborn inflationary pressures, the Russian invasion of Ukraine, and war in the Middle East, UK interest rates have continued to be volatile right across the curve, from Bank Rate through to 50-year gilt yields, for all of 2023/24.

Markets have sought an end to central banks' on-going phase of keeping restrictive monetary policy in place on at least one occasion during 2023/24 but to date only the Swiss National Bank has cut rates and that was at the end of March 2024.

UK, EZ and US 10-year yields have all stayed stubbornly high throughout 2023/24. The table below provides a snapshot of the conundrum facing central banks: inflation is easing, albeit gradually, but labour markets remain very tight by historical comparisons, making it an issue of fine judgment as to when rates can be cut.

The Bank of England sprung no surprises in their March meeting, leaving interest rates at 5.25% for the fifth time in a row and, despite no MPC members no longer voting to raise interest rates, it retained its relatively hawkish guidance. The Bank's communications suggest the MPC is gaining confidence that inflation will fall sustainably back to the 2.0% target. However, although the MPC noted that "the restrictive stance of monetary policy is weighing on activity in the real economy, is leading to a looser labour market and is bearing down on inflationary pressures", conversely it noted that key indicators of inflation persistence remain elevated and policy will be "restrictive for sufficiently long" and "restrictive for an extended period".

Of course, the UK economy has started to perform a little better in Q1 2024 but is still recovering from a shallow recession through the second half of 2023. Indeed, Q4 2023 saw negative GDP growth of -0.3% while y/y growth was also negative at -0.2%.

But it was a strange recession. Unemployment is currently sub 4%, against a backdrop of still over 900k of job vacancies, and annual wage inflation is running at above 5%. With gas and electricity price caps falling in April 2024, the CPI measure of inflation - which peaked at 11.1% in October 2022 - is now due to slide below the 2% target rate in April and to remain below that Bank of England benchmark for the next couple of years, according to Capital Economics. The Bank of England still needs some convincing on that score, but upcoming inflation and employment releases will settle that argument shortly. It is noted that core CPI was still a heady 4.5% in February and, ideally, needs to fall further.

Shoppers largely shrugged off the unusually wet weather in February, whilst rising real household incomes should support retail activity throughout 2024. Furthermore, the impact of higher interest rates on household interest payments is getting close to its peak, even though fixed rate mortgage rates on new loans have shifted up a little since falling close to 4.5% in early 2024.

From a fiscal perspective, the further cuts to national insurance tax (from April) announced in the March Budget will boost real household disposable income by 0.5 - 1.0%. After real household disposable income rose by 1.9% in 2023, Capital Economics forecast it will rise by 1.7% in 2024 and by 2.4% in 2025. These rises in real household disposable income, combined with the earlier fading of the drag from previous rises in interest rates, means GDP growth of 0.5% is envisaged in 2024 and 1.5% in 2025. The Bank of England is less optimistic than that, seeing growth struggling to get near 1% over the next two to three years.

As for equity markets, the FTSE 100 has risen to nearly 8,000 and is now only 1% below the all-time high it reached in February 2023. The modest rise in UK equities in February was driven by

strong performances in the cyclical industrials and consumer discretionary sectors, whilst communications and basic materials have fared poorly.

Despite its performance, the FTSE 100 is still lagging behind the S&P 500, which has been at an all-time high for several weeks.

**USA.** Despite the markets willing the FOMC to cut rates as soon as June 2024, the continued resilience of the economy, married to sticky inflation, is providing a significant headwind to a change in monetary policy. Markets currently anticipate three rate cuts this calendar year, but two or less would not be out of the question. Currently, policy remains flexible but primarily data driven.

In addition, the Fed will want to shrink its swollen \$16 trillion balance sheet at some point. Just because the \$ is the world's foremost reserve currency (China owns over \$1 trillion) does not mean the US can continually run a budget deficit. The mix of stubborn inflation and significant treasury issuance is keeping treasury yields high. The 10 year stands at 4.4%.

As for inflation, it is currently a little above 3%. The market is not expecting a recession, but whether rates staying high for longer is conducive to a soft landing for the economy is uncertain, hence why the consensus is for rate cuts this year and into 2025...but how many and when?

**EU.** Although the Euro-zone inflation rate has fallen to 2.4%, the ECB will still be mindful that it has further work to do to dampen inflation expectations. However, with growth steadfastly in the slow lane (GDP flatlined in 2023) a June rate cut from the current 4% looks probable.

#### Glossary of Terms

Capital Financing Requirement (CFR)	This is the Councils underlying need to borrow which can be traced back to the Councils Balance Sheet and the value of the Councils assets which have yet to be paid for.
Minimum Revenue Provision (MRP)	Monies set aside from the revenue budget to repay accumulated debt.
Call	Investments that can be returned without a period of notice
Counterparty	Institutions, Banks etc. that with make investments or take out loans with.
Specified Investments	Investments in Banks and Building Societies with a high credit rating for periods of less than 1 year
Non-Specified Investments	Investments in un-rated Building Societies and any investments in Banks and Building Societies for more than 1 year.
Operational Liquidity	Working Cash flow
Authorised Limit	Maximum amount of borrowing that could be taken in total.
Operational Boundary	The expected amount of borrowing assumed in total.
PWLB	Public Works Loan Board. The Governments lending body to Local Authorities

Discount	Amount payable by the PWLB when loans are repaid if the current loan rate is less than the rate borne by the original debt
Yield Curve	Is a graph that shows the relationship between the interest rate paid and length of time to repayment of a loan.
Gilts	Government Borrowing Bonds
SONIA	The Sterling Overnight Index Average – generally a replacement set of indices (for LIBID) for those benchmarking their investments.
Spreads	The difference between the highest rate of interest and the lowest rate of interest earned/charged on any one particular maturity period i.e. 1 year, 2 year 5 year etc.
LIBID	London Interbank Bid Rate. The average rate at which a bank is willing to borrow from another bank.
LIBOR	London Interbank Offer Rate. The average rate at which a bank is willing to lend to another bank. LIBOR is always higher than the corresponding bid rate and the difference between the two rates is known as the spread.

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