



DARLINGTON
Borough Council

Economy and Resources Scrutiny Committee Agenda

10.00 am

Thursday, 31 October 2024

Council Chamber, Town Hall, Darlington DL1 5QT

Members of the Public are welcome to attend this Meeting.

1. Introductions/Attendance at Meeting
2. Declarations of Interest
3. To approve the Minutes of this Scrutiny held on 5 September 2024 (Pages 3 - 6)
4. Revenue Budget Monitoring 2024/25 - Quarter 2 – Report of the Assistant Director of Resources (Pages 7 - 32)
5. Project Position Statement and Capital Programme Monitoring Quarter 2 2024/25 – Report of the Assistant Director Transport and Capital Projects (Pages 33 - 48)
6. Council Tax Support - Scheme Approval 2025-26 – Report of the Assistant Director Housing and Revenues (Pages 49 - 100)
7. Climate Change Update – Report of the Chief Executive (Pages 101 - 120)
8. Constitution Update – Report of the Assistant Director Law and Governance (Pages 121 - 150)
9. Work Programme – Report of the Assistant Director Law and Governance (Pages 151 - 164)
10. SUPPLEMENTARY ITEMS (if any) which in the opinion of the Chair of this Committee are of an urgent nature and can be discussed at this meeting

11. Questions



Luke Swinhoe
Assistant Director Law and Governance

Wednesday, 23 October 2024

Town Hall
Darlington.

Membership

Councillors Coe, Baker, Dillon, Durham, Haszeldine, Henderson, Marshall, McGill, Ray and Mrs Scott

If you need this information in a different language or format or you have any other queries on this agenda please contact Olivia Hugill, Democratic Officer, Operations Group, during normal office hours 8.30 a.m. to 4.45 p.m. Mondays to Thursdays and 8.30 a.m. to 4.15 p.m. Fridays E-mail: Olivia.hugill@darlington.gov.uk

ECONOMY AND RESOURCES SCRUTINY COMMITTEE

Thursday, 5 September 2024

PRESENT – Councillors , Durham, Haszeldine, Henderson, Marshall, McGill, Ray and Mrs Scott

APOLOGIES – Councillors Baker, Dillon and Coe,

ALSO IN ATTENDANCE – Councillor Porter

OFFICERS IN ATTENDANCE – Mark Ladyman (Assistant Director Economic Growth), Brett Nielsen (Assistant Director Resources), Anthony Hewitt (Assistant Director Highways and Capital Projects), Brian Robson (Head of Capital Projects), Anthony Sandys (Assistant Director - Housing and Revenues) and Olivia Hugill (Democratic Officer)

ER103 DECLARATIONS OF INTEREST

There were no declarations of interest reported at the meeting.

ER104 TO APPROVE THE MINUTES OF THE MEETING OF THIS SCRUTINY HELD ON 27 JUNE 2024

RESOLVED – That the Minutes of the meeting of this Scrutiny Committee held on 27 June 2024 be approved as a correct record.

ER105 PERFORMANCE INDICATORS - QUARTER 4 2023/24

The Assistant Director Community Services, Assistant Director Economic Growth, Assistant Director Law and Governance, Assistant Director Housing and Revenues, and Assistant Director Resources submitted a report (previously circulated) providing Members with an update on performance against key performance indicators at Quarter 4 2023/24.

It was reported that of the 22 indicators reported to this Scrutiny Committee, 18 were reported six monthly.

The submitted report gave the performance position in relation to the 22 indicators, of which 15 had increased when compared to the same period last year or from when last reported, whilst 7 had decreased when compared to the same period last year or from when last reported.

Members wanted to understand why the footfall numbers in the Town Centre have decreased and what plans are in place to help improve this. Conversation ensued onto whether any work had been done around understanding where the public spend their time after purchasing a parking ticket.

Members discussed the sickness improvement and asked whether there was any correlation between sickness and agile working. Discussion was carried out around the average income levels for Darlington and how we compare with the North East.

Members wanted to congratulate the Housing Team for their efforts and hoped that the work continues as it is.

RESOLVED – That Members noted the report.

ER106 REVENUE BUDGET MONITORING 2024/25 - QUARTER 1

The Assistant Director Resources submitted a report (previously circulated) providing an early forecast of the 2024/25 revenue budget outturn as part of the Council's continuous financial management process to be presented at 10 September Cabinet.

Members were provided with the early forecast of the 2024/25 financial position which included current over / underspends in specific departments, MTFP projections and council-wide budget information including upcoming pay increases.

The report included the Council's projects revenue reserves at the end of 2024/25 are £10.967m, £1.376m lower than the initial 2024-28 MTFP position. The position related to the £2.542m of departmental pressures and a contribution of £0.155m from general reserves, offset by £1.321m of additional balances following the 2023/24 outturn.

Members discussed the overspend in Leisure and Cultural Services due to security costs, Members asked if the Police had any special facilities in the Town Centre to help with this issue. Members discussed reviewing this with the Police and Crime Commissioner.

Members scrutinised the cemeteries and crematorium services pressures, Members wanted to understand how this could be resolved. Conversation ensued around the electricity costs for street lighting and car parks, Members asked what rate we pay under the NEPO framework and the overall utility cost changes.

The Committee discussed the MTFP (Medium-Term Financial Plan) process and if there is to be a review prior to the usual MTFP timetable. Members were advised that Officers and Cabinet Members are continuously reviewing the budget.

RESOLVED – That Members noted the report.

ER107 ANNUAL REVIEW OF THE INVESTMENT FUND - UPDATE

The Assistant Director Resources provided an update on progress against the agreed investments being funded through the Investment Fund to be presented at 10 September Cabinet.

Details provided included, a summary of the purpose of the Investment Fund which currently has 10 funded schemes, progress updates on those schemes and projected returns from joint ventures.

Members queried whether it would be possible to quote the profits after tax rather than pre-taxation. Officers advised that due to unverified tax rates it would be appropriate to quote profits pre-tax.

RESOLVED – Members noted the report.

ER108 PROJECT POSITION STATEMENT AND CAPITAL PROGRAMME MONITORING QUARTER 1 2024/25

The Assistant Director Highways & Capital Projects presented the report which is to be presented at 10 September Cabinet.

Members considered the report which provides information on the delivery of the Council's capital programme and a summary of current construction projects. The report included the projected outturn of the Capital Programme is £330.867m against an approved programme of £331.530m.

Members discussed the progression of demolition in Skinnergate and whether residents are kept informed. Clarification was given that the Victoria Road Façade Improvement project is a Towns Fund project to improve shop frontages and is not linked to the Darlington Station project.

RESOLVED – That the report be noted.

ER109 COMPLAINTS MADE TO THE LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN AND THE HOUSING OMBUDSMAN SERVICE

The Complaints & Information Governance Manager attended 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) to be presented 10 September Cabinet.

Members received an explanation of the report and its purpose to provide insight into services with 28 complaints registered for Darlington Borough Council. A summary of each upheld case was provided, and the LGSCO were satisfied that the Council had successfully implemented 100% of their recommendations.

RESOLVED – That the report be noted.

ER110 COMPLAINTS, COMPLIMENTS AND COMMENTS ANNUAL REPORTS 2023 2024

We received the report of the Complaints & Information Governance Manager providing annual reports of Adult Social Care, Children's Social Care, Corporate, Housing and Public Health to be presented at 10 September Cabinet.

The report included that the Council received a total of 746 complaints, 231 compliments and 77 comments during 2023/24.

Members wanted to understand the difference between Stage 1 and Stage 2.

RESOLVED – That the report be noted.

ER111 WORK PROGRAMME

The Assistant Director Law and Governance submitted a report (previously circulated) requesting that consideration be given to this Scrutiny Committee's work programme.

RESOLVED – That the Work Programme be approved.

**ECONOMY AND RESOURCES SCRUTINY COMMITTEE
31 OCTOBER 2024**

REVENUE BUDGET MONITORING 2024/25 – QUARTER 2

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. Attached at **Annex 1** is the Revenue Budget Monitoring 2024/25 Quarter 2 is due to be considered by Cabinet at its meeting on 5 November 2024.

Recommendation

3. It is recommended that Members consider and discuss the Revenue Budget Monitoring 2024/25 – Quarter 2.

**Brett Nielsen
Assistant Director Resources**

Background Papers

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

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**CABINET
5 NOVEMBER 2024**

REVENUE BUDGET MONITORING 2024/25 – QUARTER 2

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

**Responsible Director -
Elizabeth Davison, Executive Director - Resources and Governance**

SUMMARY REPORT

Purpose of the Report

1. To provide a forecast of the 2024/25 revenue budget outturn as part of the Council's continuous financial management process.

Summary

2. This is the second revenue budget management report to Cabinet for 2024/25. The latest projections show an overall decline of £1.364m on the 2024-28 Medium Term Financial Plan (MTFP). This is due to £2.519m of departmental pressures, a decline in corporate resources of £0.166m, offset by £1.321m of additional balances following the 2023/24 outturn.
3. The change in the forecast year end budget position has moved by £0.012m between Quarter 1 and Quarter 2, however a small number of service areas continue to have significant budget pressures that have increased during the year. These increases have been offset by all departments scrutinising their budgets and reducing spend where possible to assist with the overall Council financial position.

Recommendations

4. 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

5. 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
Executive Director - Resources and Governance

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

6. This is the second revenue budget management report to Cabinet for 2024/25 and provides a mid-year forecast of the 2024/25 revenue position as part of the Council's continuous financial management process.
7. The information in this report has been taken from the financial records to August 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 £10.979m, which is £1.364m less than the planned balances in the 2024-28 MTFP. This change relates to £2.519m of departmental pressures, a decline in corporate resources of £0.166m, 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)**.
11. **People** budgets are projected to be overspent by £0.457m at the end of the financial year, an improvement of £0.402m from Quarter 1. The main changes are detailed below:
 - (a) **Children's Services** are projecting an underspend of £0.026m at the year end, which is an improvement on Quarter 1 of £0.301m.
 - (i) The Adoption and Placements and Disabled Children's budgets are projected to have a combined net underspend of £0.056m, an improvement of £0.166m from Quarter 1. Changes in placements within the Adoption and Placements budget have reduced projected expenditure by £0.115m and there has been a decrease in Disabled Children's projected expenditure, due to a reduction in the cost of a complex care package by £0.051m.
 - (ii) The Assessment and Care Planning & LAC teams are projected to be overspent by £0.129m, an improvement of £0.066m from Quarter 1. This is mainly due to less use of agency workers in the remainder of the year and a reduction in projected expenditure to support families to prevent children coming into care.
 - (iii) The First Response and Early Help services are projecting an underspend of £0.117m which is an improvement of £0.077m on Quarter 1. This increased saving is from additional staff turnover, vacant posts and savings in running costs.

- (b) **Education** is projected to have an overspend of £0.024m, an increase of £0.030m from Quarter 1. This overspend is due to additional transport routes for SEND pupils, offset by lower expenditure within Education services due to the use of grant funding.
 - (c) **Development and Commissioning** is projected to be underspent by £0.183m which is an improvement of £0.169m from Quarter 1. This is largely due to the release of one off carry forward monies.
 - (d) **Performance and Transformation** is projected to be underspend by £0.183m an improvement of £0.183m on Quarter 1. This is due to the release of carry forward monies and staffing vacancies.
 - (e) **Adult Social Care & Health** is projected to be overspent by £0.748m, an increase of £0.215m from Quarter 1. External Packages of Care budgets overspend is projected to increase by £0.222m from additional demand for Day Care (£0.127m) and Domiciliary Care (£0.306m), with more complex domiciliary packages at higher cost. These pressures have been offset by reduced Direct Payments and additional attrition.
11. **Services** budgets are projecting an overspend of £0.575m, an increase of £0.315m from Quarter 1. The main changes are detailed below:
- (a) **Community Services** is projected to be overspent by £0.521m, an increase of £0.353m from Quarter 1.
 - (i) The Cemeteries and Crematorium services are projecting a pressure of £0.230m, an increase of £0.120m from Quarter 1. This is due to additional running costs and reduced projected number of cremations to the yearend, driven by increased choice within the market and the increased use of direct cremations impacting on the estimated income.
 - (ii) Overall, Leisure and Cultural Services are projected to be overspent by £0.026m, an improvement of £0.050m from Quarter 1. The improvement is linked to a strong performance at the Dolphin Centre over the 2nd Quarter of the year which saw increased memberships and swimming sessions.
 - (iii) Waste Management has seen significant increases in tonnages in both household waste (10%) and at the civic amenity sight (20%) with an associated increase in cost of £0.300m. The increase at the civic amenity site is linked to changes in legislation that has allowed DIY waste to be disposed at the site from April 2024.
 - (b) **Community Safety** overall is expected to be underspent by £0.210m, an improvement of £0.080m from Quarter 1. This is due to a further improvement in Car Parking and Community Safety Enforcements budgets against the original MTFP estimates.
12. **Resources and Governance** budgets are projecting a year end budget overspend of £1.487m, an increase of £0.064m from Quarter 1. The main changes are detailed below:

- (a) **Law & Governance** is projecting an overspend of £0.488m, an increase from Quarter 1 of £0.090m. This increase is mainly due to increased external audit costs of £0.132m, offset by staffing vacancies and running costs savings.
 - (b) **Head of Strategy, Performance and Communications** – The Communications and Engagement division is reported to be underspent by £0.060m, an improvement of £0.049m from Quarter 1 mainly due to income generation from the digital billboard and the release of one off carry forward budget.
13. The **Chief Executive & Economy Group** is projected to breakeven at the year end, as reported at Quarter 1.
14. The School balances and allocations are shown in **Appendix 2(f)**.

Housing Revenue Account (HRA)

15. HRA projections are shown in **Appendix 3** with an overall projected balanced budget. The contribution from balances has improved by £0.209m from Quarter 1, primarily due to:
- (i) Energy savings following a reduction in utility prices and projected additional income from the NWL commission.
 - (ii) Bad debt provision has been reduced by £0.100m to reflect a reduction in outstanding debt.

Conclusion

16. The Council's projected revenue reserves at the end of 2024/25 are £10.979m, £1.364m lower than the initial 2024-28 MTFP position. This position relates to £2.519m of departmental pressures, a decline in corporate resources of £0.166m, offset by £1.321m of additional balances following the 2023/24 outturn.
17. The significant pressure on homeless accommodation is a national issue across the country due to the shortfall in the housing benefit subsidy received from the Department of Work and Pensions. Work is ongoing within the Council to increase the Council's capacity to provide accommodation for our homeless people which will save costs against external provision.
18. Pressures in social care continue to be a concern in Darlington and nationally, with increased demand and complex, high-cost placements. All social care budgets are being closely monitored, including the implementation of the investment approved in the MTFP for children's social care ensuring placement sufficiency, to ensure all areas of expenditure will be challenged.
19. All services continue to scrutinise their budgets to reduce spend or generate income to assist with the current year budget pressures and to assist with future years budgets.
20. 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

21. No external consultation has been carried out in preparing this report.

REVENUE BUDGET MANAGEMENT 2024/25

<u>Projected General Fund Reserve at 31st March 2025</u>		2024-28 MTFP (Feb 2024)
Medium Term Financial Plan (MTFP) :-		£000
MTFP Planned Opening Balance 01/04/2024		16,384
Approved net contribution from balances		(4,041)
Planned Closing Balance 31/03/2025		12,343
Increase in opening balance from 2023-24 results		1,321
Projected corporate underspends / (overspends) :-		
Council Wide		(11)
Financing Costs		0
Joint Venture - Investment Return		0
Contingencies		0
Additional Income Received		0
Services Rebase		0
People Rebase		0
Contribution from general fund reserves to Housing Benefits		(155)
Pay Award 2024/25		0
Projected General Fund Reserve (excluding Departmental)	at	13,498
31st March 2025		
Planned Balance at 31st March 2025		12,343
Improvement		1,155

<u>Departmental projected year-end balances</u>		Improvement / (decline) compared with 2024-28 MTFP
		£000
People		(457)
Services		(575)
Resources and Governance		(1,487)
Chief Executive & Economy		0
TOTAL		(2,519)

<u>Summary Comparison with :-</u>		2024-28 MTFP
		£000
Corporate Resources - increase in opening balance from 23/24 results		1,321
Corporate Resources - additional in-year Improvement/(Decline)		(166)
Quarter 1 Budget Rebase		0
Departmental - Improvement / (Decline)		(2,519)
Improvement / (Decline) compared with MTFP		(1,364)
Projected General Fund Reserve at 31st March 2025		10,979

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GENERAL FUND REVENUE BUDGET MANAGEMENT 2024/25

	Budget				Expenditure		
	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
Departmental Resources							
People	84,432	1,066	0	85,498	85,955	0	457
Services	25,242	1,775	(52)	26,965	27,540	0	575
Resources and Governance	13,580	775	0	14,355	15,842	0	1,487
Chief Executive & Economy	1,577	403	0	1,980	1,980	0	0
Total Departmental Resources	124,831	4,019	(52)	128,798	131,317	0	2,519
Corporate Resources							
Council Wide	631	240	0	871	882	0	11
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
Contingencies Budget							
Apprentice Levy	202	0	0	202	202	0	0
Total Corporate Resources	2,863	240	0	3,103	3,114	0	11
Net Expenditure	127,694	4,259	(52)	131,901	134,431	0	2,530
Contributions To / (From) Reserves							
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
Already approved Carry Forwards	0	0	52	52	52	0	0
Contribution from general reserves to Housing Benefits	0	(155)	0	(155)	0	0	155
General Fund Total	121,411	0	0	121,411	124,096	0	2,685

Note: Appendix 1 shows an increase in reserves of £1.321m brought forward from 2023/24

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REVENUE BUDGET MANAGEMENT UPDATE 2024/25

	<i>Budget</i>			<i>Expenditure</i>			<i>(Under)/ Over Spend £000</i>
	<i>Original Budget £000</i>	<i>Approved Adjustments £000</i>	<i>Amended Approved Budget £000</i>	<i>Expenditure to September £000</i>	<i>Projected Spend £000</i>	<i>Total Projection £000</i>	
	<u>Council Wide</u>						
Corporate Running Costs	28	240	268	0	240	240	(28)
Procurement savings	(24)	0	(24)	26	(76)	(50)	(26)
Pay Award	627	0	627	0	692	692	65
In Year Over/(Under) Spend	631	240	871	26	856	882	11

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REVENUE BUDGET MANAGEMENT UPDATE 2024/25							
	Budget			Expenditure			(Under)/ Over Spend £000
	Original Budget £000	Approved Adjustments £000	Amended Approved Budget £000	Expenditure to September £000	Projected Spend £000	Total Projection £000	
<u>People</u>							
Executive Director - People	611	0	611	313	375	688	77
<u>Adults & Children Services</u>							
Transformation & Performance	793	127	920	316	449	765	(155)
Business Support	1,649	73	1,722	680	1,014	1,694	(28)
	2,442	200	2,642	996	1,463	2,459	(183)
<u>Children's Services</u>							
Children's Services Management & Other Services	681	(22)	659	284	393	677	18
Assessment Care Planning & LAC	4,429	119	4,548	2,212	2,465	4,677	129
First Response & Early Help	3,758	(306)	3,452	1,116	2,219	3,335	(117)
Youth Offending/ASB	307	(13)	294	138	156	294	0
Adoption & Placements	21,263	(77)	21,186	8,172	12,689	20,861	(325)
Disabled Children	1,372	112	1,484	778	975	1,753	269
Quality Assurance & Practice Improvement	138	0	138	(104)	242	138	0
	31,948	(187)	31,761	12,596	19,139	31,735	(26)
<u>Development & Commissioning</u>							
Commissioning	1,967	480	2,447	762	1,501	2,263	(184)
Voluntary Sector	293	0	293	77	217	294	1
	2,260	480	2,740	839	1,718	2,557	(183)
<u>Education</u>							
Education	702	70	772	13,446	(12,715)	731	(41)
Schools	0	0	0	879	(879)	0	0
Transport Unit	3,111	0	3,111	1,227	1,949	3,176	65
	3,813	70	3,883	15,552	(11,645)	3,907	24
<u>Public Health</u>							
Public Health	0	0	0	5,981	(5,981)	0	0
	0	0	0	5,981	(5,981)	0	0
<u>Adult Social Care & Health</u>							
External Purchase of Care	35,886	390	36,276	6,882	30,144	37,026	750
Intake & Enablement	727	0	727	998	(271)	727	0
Older People Long Term Condition	1,832	7	1,839	926	932	1,858	19
Physical Disability Long Term Condition	14	0	14	17	(11)	6	(8)
Learning Disability Long Term Condition	2,253	0	2,253	930	1,265	2,195	(58)
Mental Health Long Term Condition	1,163	64	1,227	433	838	1,271	44
Service Development & Integration	1,068	(19)	1,049	59	991	1,050	1
Workforce Development	415	61	476	38	438	476	0
	43,358	503	43,861	10,283	34,326	44,609	748
In Year Over/(Under) Spend	84,432	1,066	85,498	46,560	39,395	85,955	457

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REVENUE BUDGET MANAGEMENT UPDATE 2024/25

	<i>Budget</i>				<i>Expenditure</i>			<i>(Under)/ Over Spend £000</i>
	Original	Approved	Approved	Amended	Expenditure	Projected	Total	
	Budget	Adjustments	C/fwds	Budget	to September	Spend	Projection	
<u>Services</u>	£000	£000	£000	£000	£000	£000	£000	£000
Executive Director - Environment, Highways & Community Services	184	0	0	184	59	125	184	0
Capital Projects, Transport & Highways								
Planning								
AD Transport & Capital Projects	111	0	0	111	44	67	111	0
Building Design Services	63	0	0	63	112	(49)	63	0
Capital Projects	374	66	0	440	146	294	440	0
Car Parking R&M	612	0	0	612	499	113	612	0
Concessionary Fares	2247	50	0	2,297	(1)	2,625	2,624	327
Flood & Water Act	89	202	0	291	(261)	552	291	0
Highways	4237	224	0	4,461	(361)	4,902	4,541	80
Highways - DLO	-437	0	0	(437)	1,022	(1,459)	(437)	0
Investment & Funding	89	405	0	494	39	455	494	0
Sustainable Transport	96	98	0	194	(349)	543	194	0
	7,481	1,045	0	8,526	890	8,043	8,933	407
Community Services								
AD Community Services	99	0	0	99	28	62	90	(9)
Allotments	19	0	0	19	(1)	20	19	0
Building Cleaning - DLO	33	14	0	47	(504)	551	47	0
Cemeteries & Crematorium	(821)	0	0	(821)	(222)	(369)	(591)	230
Dolphin Centre	973	39	(12)	1,000	266	693	959	(41)
Eastbourne Complex	36	0	0	36	90	(30)	60	24
Hippodrome	222	46	(40)	228	(1,202)	1,430	228	0
Hopetown Darlington	369	11	0	380	461	(81)	380	0
Indoor Bowling Centre	19	12	0	31	4	24	28	(3)
Libraries	946	0	0	946	341	651	992	46
Move More	31	0	0	31	(181)	212	31	0
Outdoor Events	522	0	0	522	32	490	522	0
School Meals - DLO	82	0	0	82	33	23	56	(26)
Culture and Heritage Fund	122	2	0	124	13	111	124	0
Street Scene	6,282	146	0	6,428	1,052	5,376	6,428	0
Transport Unit - Fleet Management	57	0	0	57	112	(55)	57	0
Waste Management	4,109	8	0	4,117	387	4,030	4,417	300
Winter Maintenance	618	0	0	618	152	466	618	0
	13,718	278	(52)	13,944	861	13,604	14,465	521

REVENUE BUDGET MANAGEMENT UPDATE 2024/25

	Budget				Expenditure			(Under)/ Over Spend £000
	Original Budget £000	Approved Adjustments £000	Approved C/fwds £000	Amended Approved Budget £000	Expenditure to September £000	Projected Spend £000	Total Projection £000	
<u>Services</u>								
<u>Community Safety</u>								
CCTV	284	0	0	284	(169)	457	288	4
Community Safety	781	110	0	891	(60)	903	843	(48)
General Licensing	0	0	0	0	(8)	8	0	0
Parking	(2,049)	0	0	(2,049)	(722)	(1,465)	(2,187)	(138)
Parking Enforcement	17	0	0	17	(52)	69	17	0
Private Sector Housing	112	27	0	139	(275)	394	119	(20)
Stray Dogs	53	0	0	53	15	44	59	6
Taxi Licensing	28	8	0	36	(34)	70	36	0
Trading Standards	260	0	0	260	90	156	246	(14)
	(514)	145	0	(369)	(1,215)	636	(579)	(210)
<u>Building Services</u>								
Construction - DLO	(366)	0	0	(366)	(6,044)	5,678	(366)	0
Other - DLO	0	0	0	0	1,152	(1,152)	0	0
	(366)	0	0	(366)	(4,892)	4,526	(366)	0
<u>Corporate Landlord</u>								
Corporate Landlord	4,534	307	0	4,841	1,735	2,966	4,701	(140)
<u>General Support Services</u>								
Works Property & Other	76	0	0	76	0	76	76	0
<u>Joint Levies & Boards</u>								
Environment Agency Levy	129	0	0	129	126	0	126	(3)
In Year Over/(Under) Spend	25,242	1,775	(52)	26,965	(2,436)	29,976	27,540	575

REVENUE BUDGET MANAGEMENT UPDATE 2024/25

	<i>Budget</i>			<i>Expenditure</i>			<i>(Under)/ Over Spend £000</i>
	<i>Original Budget £000</i>	<i>Approved Adjustments £000</i>	<i>Amended Approved Budget £000</i>	<i>Expenditure to September £000</i>	<i>Projected Spend £000</i>	<i>Total Projection £000</i>	
<u>Resources and Governance</u>							
Executive Director - Resources and Governance	136	0	136	70	66	136	0
<u>Resources</u>							
AD Resources	120	0	120	51	71	122	2
Financial Services	1,598	65	1,663	822	840	1,662	(1)
Financial Assessments & Protection	301	35	336	133	169	302	(34)
Xentrall (D&S Partnership)	1,968	60	2,028	769	1,259	2,028	0
Human Resources	680	129	809	186	614	800	(9)
Health & Safety	200	0	200	112	88	200	0
	4,867	289	5,156	2,073	3,041	5,114	(42)
<u>Head of Strategy Performance & Communications</u>							
Communications & Engagement	1,045	132	1,177	473	644	1,117	(60)
Systems	1,132	149	1,281	910	371	1,281	0
	2,177	281	2,458	1,383	1,015	2,398	(60)
<u>Law & Governance</u>							
AD Law & Governance	136	0	136	60	76	136	0
Complaints & FOI	330	50	380	147	241	388	8
Democratic Services	1,381	0	1,381	686	785	1,471	90
Registrars	(26)	0	(26)	(102)	76	(26)	0
Administration	550	0	550	333	234	567	17
Legal Services	1,768	0	1,768	748	1,380	2,128	360
Procurement	195	0	195	82	116	198	3
Coroners	321	0	321	0	331	331	10
	4,655	50	4,705	1,954	3,239	5,193	488
<u>Xentrall Shared Services</u>							
ICT	811	0	811	75	756	831	20
	811	0	811	75	756	831	20
<u>Building Services</u>							
Maintenance - DLO	(684)	0	(684)	3,539	(4,223)	(684)	0
	(684)	0	(684)	3,539	(4,223)	(684)	0
<u>Housing & Revenues</u>							
Local Taxation	473	0	473	370	42	412	(61)
Rent Rebates / Rent Allowances / Council Tax	(132)	0	(132)	6,817	(5,796)	1,021	1,153
Housing Benefits Administration	451	155	606	409	219	628	22
Customer Services	324	0	324	164	107	271	(53)
Homelessness	347	0	347	(888)	1,255	367	20
Service, Strategy & Regulation and General	155	0	155	(2,045)	2,200	155	0
	1,618	155	1,773	4,827	(1,973)	2,854	1,081
In Year Over/(Under) Spend	13,580	775	14,355	13,921	1,921	15,842	1,487

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REVENUE BUDGET MANAGEMENT UPDATE 2024/25

	Budget			Expenditure			(Under)/ Over Spend £000
	Original Budget £000	Approved Adjustments £000	Amended Approved Budget £000	Expenditure to September £000	Projected Spend £000	Total Projection £000	
<i>Chief Executive & Economy</i>							
<i>Chief Executive</i>							
Chief Executive	216	0	216	69	147	216	0
Darlington Partnership	85	16	101	31	70	101	0
	301	16	317	100	217	317	0
<i>Economic Growth</i>							
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
	1,276	387	1,663	(573)	2,236	1,663	0
In Year Over/(Under) Spend	1,577	403	1,980	(473)	2,453	1,980	0

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BUDGET MANAGEMENT 2024/25

SCHOOLS PROJECTED BALANCES 2024/25					
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
	£000	£000	£000	£000	%
<u>Primary</u>					
Federation of Darlington Nursery Schools	34	1,131	948	(70)	(6%)
Harrowgate Hill Primary	43	2,687	2,730	(34)	(1%)
Red Hall Primary	239	1,588	1,827	169	11%
Rise Carr College, Clifton House & Eldon House	305	2,005	2,310	312	16%
Primary Total	621	7,411	7,815	377	

*Federation of Darlington Nursery Schools/Rise Carr College original budget. Actual allocation based on attendance.

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HOUSING REVENUE ACCOUNT 2024/25

	Budget			Total Projection £000	(Under)/ Over Spend £000
	Original Budget £000	Approved Adjustments £000	Amended Approved Budget £000		
<u>Housing Revenue Account</u>					
<u>Income</u>					
Rents Of Dwellings (Gross)	(23,640)	0	(23,640)	(23,320)	320
Sundry Rents (Including Garages & Shops)	(497)	0	(497)	(510)	(13)
Charges For Services & Facilities	(3,377)	0	(3,377)	(3,373)	4
Contribution towards expenditure	(887)	0	(887)	(1,277)	(390)
Interest Receivable	(6)	0	(6)	(450)	(444)
Total Income	(28,407)	0	(28,407)	(28,930)	(523)
<u>Expenditure</u>					
Operational	4,859	0	4,859	5,363	504
Service Charges	3,377	0	3,377	3,373	(4)
Maintenance	6,179	0	6,179	6,265	86
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	150	(100)
In year contribution to/(from) balances	(3,624)	0	(3,624)	(3,587)	37
Total Expenditure	28,407	0	28,407	28,930	523
(Surplus)/Deficit	0	0	0	0	0

HRA Balances	£000
Opening balance 01/04/2024	25,947
Contribution to/(from) balances	(3,587)
Closing balance	22,360

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**ECONOMY AND RESOURCES SCRUTINY COMMITTEE
31 OCTOBER 2024**

**PROJECT POSITION STATEMENT & CAPITAL PROGRAMME MONITORING
QUARTER 2 2024/25**

SUMMARY REPORT

Purpose of the Report

1. To consider the Project Position Statement and Capital Programme Monitoring Q2 2024/25 report.

Summary

2. Attached at **Annex 1** is the Project Position Statement and Capital Programme Monitoring Q2 2024/25 report which is due to be considered by Cabinet at its meeting on 5 November 2024.

Recommendation

3. It is recommended that Members consider and discuss the Project Position Statement and Capital Programme Monitoring 2023/24 Q2 2024/25 report.

**Elizabeth Davison, Group Director of Operations
Dave Winstanley, Group Director of Services**

Background Papers

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

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**CABINET
5 NOVEMBER 2024**

**PROJECT POSITION STATEMENT & CAPITAL PROGRAMME MONITORING
QUARTER 2 2024/25**

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

**Responsible Directors -
Dave Winstanley, Executive Director – Environment, Highways & Community Services
Elizabeth Davison, Executive Director – Resources and Governance**

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 a number of changes to the programme.

Summary

3. The projected outturn of the current Capital Programme is £331.717m against an approved programme of £332.202m. 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 £157.489m. 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.

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
Executive Director – Environment, Highways & Community Services

Elizabeth Davison
Executive Director – Resources and Governance

Background Papers

- (i) Capital Medium Term Financial Plan 2024/25 – 2027/28
- (ii) Project Position Statement and Capital Monitoring Outturn 2023/24

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 report does 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 £151.869m.
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 August 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	53,592,342	53,614,222	0.04	21,880
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
TOTAL	26	157,537,565	157,488,704		(48,861)

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	0	1	3	0	0	4
People	0	0	0	0	0	0	0
Services	0	1	0	3	1	3	8
TOTAL	0	1	4	9	7	5	26

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	1	12	1
Operations	0	3	1
People	0	0	0
Services	2	6	0
TOTAL	3	21	2

- (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 highlighted as Red are as follows:

Project	Reason for Variance	Action
Yards Phase 2	Cost estimates received remain higher than anticipated.	Works are being value engineered to reduce the pressure on budgets whilst still improving the visual aesthetics.
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, and protracted negotiations and agreements with an adjacent building owner.	Phase 1 demolition is now complete. Discussions are ongoing on the Phase 2 stabilisation works and an option to demolish other buildings which will help improve access.
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.	The site has been operational since 16 th July and works to the VR pod continue and will likely complete by mid-October.

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.

	Value £m
Live Projects from Project Position	157.489
Schemes closed or on hold within CP but awaiting PPS post project review.	13.693
Annualised Schemes excluded from PPS - Housing Repairs & Maintenance	35.679
Annualised Schemes excluded from PPS - Highways Maintenance	13.630
Annualised Schemes excluded from PPS - Childrens Services School Maintenance	0.225
Non construction excluded from PPS	12.208
Capital Investment fund excluded from PPS	52.036
Projects under 75k excluded from PPS	3.058
Capital Schemes not yet integrated into PPS reporting	26.494
Included in PPS & CMR	0.000
Funding not yet allocated	17.205
Capital Programme	331.717

19. The table below shows the split of the approved capital programme of £332.202m, 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 £0.485m underspend on the approved capital programme, however £0.434m of this relates to Housing grants and is therefore unavailable for use.

	Construction				Non construction	Capital investment fund	Housing New Build not yet allocated	Total
	Live Schemes 75k & Over	Annualised Schemes	Completed Schemes awaiting review	Live Schemes under 75k				
Area	£m	£m	£m	£m	£m	£m	£m	£m
Housing	43.842	35.633	0.000	0.033	1.705	0.000	11.840	93.053
Economic Growth	49.491	0.080	0.440	1.034	7.010	49.223	3.476	110.754
Highways/Transport	65.912	13.501	10.081	1.347	1.741	1.877	1.512	95.971
Leisure & Culture	25.040	0.125	2.545	0.297	0.000	0.550	0.000	28.557
Education	0.000	0.225	0.000	0.307	0.079	1.124	0.290	2.025
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
Total	184.285	49.564	13.066	3.018	12.377	52.774	17.118	332.202

Capital Programme

20. Paragraph 21 shows the movements in the Capital Programme since the approval of the 2024/25 MTFP.

21. One adjustment to resources has been approved since the last quarter report and is noted below for information.

Department	Scheme	Value £	Reason for adjustment	Resource type adjusted
Chief Executive & Economic Growth	Coniscliffe Road	£49,000	Final works costs now known.	Release of Towns Fund
TOTAL		£49,000		

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 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	£900,000	£739,000	£1,539,000	£1,680,000	9%	£141,000	31-Mar-23	29-Mar-25	29-Mar-25	0	Y	Lee Davill	Prioritisation of properties is currently being undertaken in order to maximise the outputs of the available funding. Existing works are being balanced with the works on the Victoria Road project to best utilise the resources available.	Final properties have been identified within the Yards and Skinnergate projects. The works are currently being value engineered to reduce the pressures on the budget whilst still improving the visual aesthetics.	Circa £860,000 has been expended so far. The projected outcome cost includes properties which have not yet been agreed by the property owners and may be subject to removal.	Costs being received remain higher than anticipated which is resulting in some works being revised to reduce the financial pressure. Close liaison is being maintained with building services to make best use of the resources available whilst maintaining the deliverables of the project.	
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	30-May-25	0	Y	Andrew Burnley	Phase 1 demolition works are ongoing	Phase 1 demolition works are now complete and Party Wall arrangements are being finalised for the Phase 2 subdivision works		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.	
Shebbena 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	08/03/23	19/08/25	19/08/25	0	Y	Neil Wernington	Awaiting re-tender return to assess against estimated figure £3,622,733.01	Revised tender approved by the client team and works commenced on-site on 25 June 2024	Project cost includes updated build cost of £3.6m and 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	£200,000,000	£17,088,350	£37,088,350	£37,451,515	1%	£363,165	30-Sep-24	30-Sep-24	30-Sep-24	0	Y	Space Architects	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 August.	The site has been operational since 16th July, works to the VR pod continue and will likely complete mid-September		As previously reported, remaining risk and disputed sums remain. Depending on the outcome the current forecast is between £30.3k under budget and £36.3k over budget. The PPS is reporting the worst case scenario at this stage.	
Neasham Rd						🟢	Live	Operations	Operations	Anthony Sandys	Ben Waldie	H6745	£0	£31,089,000	£1,008,203	£32,077,203	£31,643,297	-1%	£433,906	02-May-25	30-Nov-25	30-Nov-25	0	Y	Lee Davill	Revised master programme submitted to Housing Board for approval. Phase 1A properties scheduled for handover July 2024.	Phase 1A properties have been completed and the handover process is ongoing	Project still within approved budget. BS valuations now up to date.	Trust Green appointed to maintain site following completion of landscaping amenity areas.	
Chestnut Street Housing Development						🔵	Live	Operations	Operations	Anthony Sandys	Ben Waldie	H6759	£116,118	£116,118	0	£116,118	£116,118	0%	£0	TBA	TBA	TBA	0	Y	Neil Wernington	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. Existing drainage culvert appears to be within DBC limits & 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 limits & planning charge. Construction cost forecast to be reviewed following Stage 2 report. 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.	BREEM Certificate has been received with an overall score of 71.3% and a rating of Excellent. The Deed of Covenant is still outstanding, however, the project closure can now take place.			
Ingenium Parc Masterplan & Infrastructure						🔵	Live	Chief Exec's & Economic Growth	Chief Exec's & Economic Growth	Anthony Hewitt	Joanne Wood	R0144	£0	£911,500	£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.	Some defects have been identified which have been notified to the contractor for remedial work.		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 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.	The items listed below are still outstanding as of the 27/06/24: 1. Handing over of the O&M's / H&S files to the end user. 2. CCTV connection. 3. Landscaping works - Autumn 2024	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-Dec-24	01-Dec-24	365	Y	A & N Consultants	GATEWAY WEST: Pensbury/Victoria road: Pre-construction information provided to TVCA. TVCA will be commissioning the demolition. 1-4 Park Lane & 1 Waverley Terrace (single property): Drainage survey and site investigations completed w/c 17/06/2024 reports due w/c 01/07/2024 and party wall design to follow. DBC & TVCA are meeting fortnightly to review progress and transfer of information	GATEWAY WEST: Site investigation reports issued 01/07/2024 and party wall design to complete w/c 05/08/24. DBC & TVCA are meeting fortnightly to review progress and transfer of information.			
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	21-Sep-22	0	N	N/A	Property 1. Compensation amount agreed with claimant and funds transferred; completing all outstanding actions. Property 2. Still awaiting evidence from former owner's surveyor. Sanderson Western continue to chase.	Property 2. Some information received from former property owner's surveyor and a clarification meeting held between Ian and Sanderson Western. For DBC. Further info requested by Sanderson Western.		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	Works to complete the mast remediation is expected end September 2024.			
Civic Theatre Refurbishment & Theatre Hub/Bar						🔵	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 Exec's & Economic Growth	Chief Exec's & Economic Growth	Mark Ladyman	Joanne Wood	R0186	£0	£1,000,000	£0	£1,000,000	£1,000,000	0%	£0	31/08/24	31/03/26	31/03/26	0	Y	Y	Revised planning and listed building consent has been submitted on 19th July 2024. It is proposed that the tender will be issued in September 24 with an anticipated commencement on site in Jan 2025.	Planning and listed building consent is due 18th September. All design details are prepared and it is proposed that the tender will be issued upon receipt of planning approval.	Once the design is fully agreed the costs will be updated.		
Corncroft Road						🔵	Live	Chief Exec's & Economic Growth	Chief Exec's & Economic Growth	Mark Ladyman	Michael Bowron	R0193	£0	£500,000	£49,000	£549,000	£549,000	0%	£0	01/03/24	01/03/25	01/03/25	0	Yes	Noel Walecki	Planning documentation was submitted on 24th May 2024. CP5 is currently being finalised for signoff and procurement of the works are being looked at whilst planning is in.	Planning has been approved for the works. CP5 is being prepared for approval to enable the works to commence October 2024		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 Exec's & Economic Growth	Chief Exec's & Economic Growth	Ian Thompson	Ben Waldie	D0191	£0	£220,000	£1,635,000	£1,855,000	£1,855,000	0%	£0	14/09/23	16/08/24	16/08/24	-7	Y	Michael Johnson	Barr & Wray install completed, awaiting commissioning. Hippo Leisure works underway to install play features, completion scheduled for August 2024.	Toddler pool reopened to public 19th August 24. Hippo leisure pricing minor additional works. Final structure inspection of basement due September 24 August 2024.			
Feethams House						🔵	Live	Chief Exec's & Economic Growth	Chief Exec's & Economic Growth	Ian Williams	Jenny Dixon & Jane Sutcliffe Project/ Richard Storey PH building delivery	D0161	£246,000	£8,500,000	£0	£8,500,000	£8,460,880	0%	£39,120	30/07/19	31/05/20	15/05/20	-16	Yes	Tim Rainford (Napper)	The CP5 is to be drafted and the full project closure process completed.	The CP5 is to be drafted and the full project closure process completed.	currently 39k underspend but final archaeological report will spend some of that		
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	01/10/25	01/12/25	01/12/25	0	Y	A & N Consultants Andrea Nicholls	Pre Construction Services Agreement to be prepared to employee Willmot Dixon to develop investment opportunities to Outline Business Case and essential M&E refurbishment design.	Willmot Dixon submitted PCSA fee to develop design and conduct site surveys. Procurement Hub assisting with contract preparation.	Scheme approved budget £2,200,000+ £500,000.00 Sport England investment to fund - photovoltaic cells to flat roof footprint & replacement Combined Heat/Power boiler.	Fire Engineering consultant appointed to assist design team develop compliant scheme.	
Northern Echo Building						🔵	Live	Chief Exec's & Economic Growth	Chief Exec's & Economic Growth	Mark Ladyman	Ian Stewart / Rebecca Robson	R0179	£0	£11,400,000	£0	£11,400,000	£11,400,000	0%	£0	31/03/26	31/12/26	31/12/26	0	Y	Mark Black-Adams	Surveys and light soft strip all complete. Key Dates: Planning application - June 2024 Building Regs application - July 2024 Footpath closure - July 2024 - Jan 2025 Ground floor handover - July 2025 Overall completion - December 2026	Key Dates: Building Regs application - September 2024 Footpath closure - July 2024 - Jan 2025 Ground floor handover - July 2025 Overall completion - December 2026			
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	31/03/20	31/07/21	31/07/21	487	N	Noel Walecki	Awaiting closure report.	Awaiting closure report.	Budget comprises £1,367,433 NPF + £172,000 LTP match funding.		
Home Upgrade Grant						🔵	Live	Operations	Operations	Graham Hall	Christine Booth	H6755 supported by 1063	£0	£6,210,000	£4,410,000.00	£1,800,000	£1,800,000	0%	£0	31/05/25	31/05/25	31/05/25	0	Y	TBA	Contracts completed 30.04.24 ESH Construction NEPO framework contract value up to £1,330,000. Storm Tempers 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 Tempers and Classic Plumbing and Heating. Each submission for properties involved in the scheme commenced June 2024.	£1,17,390 (grant funding) received for 2023-24 for HUG2. £61,800 being capital funding. The remainder will be drawn down on approval during the project during batch submissions. MDU for 2024-25 to return with revisions for reduced funding.	Project delivery reduced from 300 to 190 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 Exec's & Economic Growth	Chief Exec's & Economic Growth	Mark Ladyman	Mike Bowron	R0188	£30,000	£588,000	£0	£588,000	£588,000	0%	£0	31/03/24	31/03/26	31/03/26	0	Y	Lee Davill	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.	Value engineering has taken place on the initial properties to reduce the financial pressure. The next block of properties has been identified and being prepared to issue for construction.	£60,968.00 spent so far.		
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			
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	31/03/20	31/07/22	31/07/22	0	Y	Noel Walecki	Awaiting closure report before cost centre can be closed and removed from PPS.	Awaiting closure report before cost centre can be closed and removed from PPS.	Funding is £975,000 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 MSO Yarn Road Mill Lane						🔵	Live	Services	Services	Andy Casey	Noel Walecki	TP241	£0	£325,000	£0	£325,000	£325,000	0%	£0	31/03/22	31/03/25	31/03/25	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 reappointed to complete the RING 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 RING 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	£49,485,649	£157,537,565	£157,468,704		£68,861												

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2024/25 Capital Resources Summary

Row Ref.		Approved Commitments £M	Virement of Resources £M	Variance £M	Total £M
1	Capital Commitments				
2	Brought forward from 2023/24	114.956			
3	2024/25 Capital Programme (released by Cabinet)	36.913			151.869
4	Projected (Under)/Over Spend				
5	Total Commitments	151.869	0.000	0.000	151.869
	To Be Funded By:				
	External and Departmental Resources				
6	External Funding and Departmental Supported Borrowing	15.606	-	-	15.606
7	Departmental Unsupported Borrowing	0.000	-	-	0.000
8	Capital Grants	53.691	-	-	53.691
9	Capital Contributions	0.050	-	-	0.050
10	Revenue Contributions	28.304	-	-	28.304
11	Capital Receipts - HRA	0.606	-	-	0.606
	Total	98.257	0.000	0.000	98.257
	Corporate Resources				
12	Capital Receipts (General Fund)/ Prudential Borrowing	53.612	-	-	53.612
	Total	53.612	0.000	0.000	53.612
13	Total Resources	151.869	0.000	0.000	151.869

Corporate Resources Analysis

	£M	
14	Required Resources to fund 2024/25 expenditure (see above)	53.612
15	Total Planned Use of Corporate Resources	53.612
16	Less: Total Projected net Capital Receipts 24/25 (as per Appendix 3)	(8.364)
17	Add: projects already released and included in the capital commitments above	7.201
18	Corporate Resources required to fund capital programme	52.449

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Capital Receipts Utilisation - latest projection

	2024/25	2025/26	2026/27
	£m	£m	£m
Projected Opening Balance as at 1 April	5.287	0.146	4.541
Projected net Capital Receipts	3.077	5.295	5.315
Total projected Capital Receipts	8.364	5.441	9.856
<u>Less (as per approved capital programme)</u>			
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 reserves	(0.223)	0.000	0.000
Slippage from previous years	(5.695)	0.000	0.000
Projected available Capital Receipts as at 31 March	0.146	4.541	9.606

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**ECONOMY AND RESOURCES SCRUTINY COMMITTEE
31 OCTOBER 2024**

COUNCIL TAX SUPPORT - SCHEME APPROVAL 2025-26

SUMMARY REPORT

Purpose of the Report

1. To consider the draft Council Tax Support (CTS) scheme for 2025-26 before recommendation by Cabinet on 5 November 2024 and approval by Council on 28 November 2024.

Summary

2. On 30 November 2023, Council approved the local CTS scheme for 2024-25 and the scheme became operational on 1 April 2024.
3. Councils are required to set a CTS scheme each year and as part of that exercise:
 - (a) Consider whether any changes should be made to the existing scheme, and
 - (b) Where changes are made, consider what transitional protection, if any, should apply to anyone affected by those changes.
4. This report sets out the details of the CTS scheme for 2025-26. No significant changes are proposed to the existing scheme.

Recommendation

5. It is recommended that members consider the draft CTS scheme for 2025-26 at **Appendix 1** and agree its onward submission to Cabinet.

Anthony Sandys
Assistant Director – Housing and Revenues

Background Papers

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

AnthonySandys: Extension 6926

Council Plan	This report supports the Council Plan's ECONOMY priority to build a strong sustainable economy and highly skilled workforce with opportunities for all
Addressing inequalities	Working aged recipients of CTS are treated differently to pensioners, whose CTS entitlement is decided under a national set of regulations
Tackling Climate Change	There are no issues which this report needs to address
Efficient and effective use of resources	The operation of the local CTS scheme continues to represent a significant financial challenge to the Council and other precepting authorities
Health and Wellbeing	The CTS scheme may have an adverse impact on the health and well-being of low-income groups
S17 Crime and Disorder	There are no issues
Wards Affected	All wards are affected but in particular, those with higher numbers of people claiming CTS
Groups Affected	Working age recipients of CTS are affected by the local scheme. Pensioners are protected under a national set of regulations.
Budget and Policy Framework	This report does not recommend a change to the Council's budget or policy framework
Key Decision	This is not an Executive decision
Urgent Decision	This is not an Executive decision
Impact on Looked After Children and Care Leavers	Care leavers under the age of 25 are exempt from Council Tax and are therefore unaffected by the CTS scheme

MAIN REPORT

Information and Analysis

6. Since 2013, the previous national Council Tax Benefit scheme was replaced with local CTS schemes, designed and administered by local authorities. Grants are paid to local authorities to fund CTS, but the overall amount does not fully meet actual expenditure levels.
7. The Council is required to design and publish a new CTS scheme each year, in time to implement for annual Council Tax billing. A full public consultation exercise and an equality impact assessment were undertaken on the initial scheme in 2013.
8. Each year, the Council must consider whether any changes should be made to the existing scheme and, where changes are made, consider what transitional protection, if any, should apply to anyone affected by those changes.
9. Each year's scheme then must be approved by full Council.
10. The key feature of Darlington's CTS scheme is that working aged people can only receive a maximum of 80% support towards their Council Tax. From April 2023, care leavers under the age of 25 were made exempt from Council Tax, under our discretionary powers. Therefore, they are unaffected by the CTS scheme. Pensioners are protected under a national set of regulations.
11. No other changes are recommended for the 2025-26 CTS scheme however, Members should note the following:
 - (a) The applicable amounts in Table 1 and non-dependant deductions in Table 2 are those amounts currently applied to the 2024-25 CTS scheme and will be updated for 2025-26. The updated amounts will be calculated with reference to the amended Prescribed Requirement regulations. These regulations will be published in January 2025 and the CTS scheme for 2025-26 will therefore be amended before publication.
 - (b) Any other changes to the Prescribed Requirements regulations 2025 will also be incorporated into the CTS scheme for 2025-26 before publication. These changes are for reference only and do not represent a change to the local CTS scheme.

Financial Implications

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

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Council Tax Support Scheme

2025 - 2026

Introduction

1. Council Tax Support (also referred to as Council Tax Reduction) is the means of helping people on low incomes pay their Council Tax. Each Council Tax billing authority is responsible for setting its own local Council Tax Support scheme every year.
2. Pensioners are protected from the effects of local schemes by a national framework of rules and eligibility. Working aged people however are subject to the provisions of the locally defined scheme.
3. On 30 November 2023, Darlington Borough Council approved the Council Tax Support scheme for 2024-2025, which became operational from 1 April 2024.
4. This document sets out Darlington Borough Council's scheme for 2025-2026 and should be read in conjunction with the following regulations.
 - (a) The Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012.
 - (b) The Council Tax Reduction Schemes (Prescribed Requirements and Default Scheme) (England) (Amendment) Regulations 2012.
 - (c) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2013.
 - (d) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2014.
 - (e) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) (No. 2) Regulations 2014.
 - (f) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2015.
 - (g) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2016.
 - (h) The Council Tax Reduction Schemes (Amendment) (England) Regulations 2017.
 - (i) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2018.
 - (j) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2020.
 - (k) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2021.

- (l) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2022.
- (m) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2023.
- (n) The Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2024.

Executive Summary

Prescribed requirements

5. There are a number of prescribed requirements that will apply to all local Council Tax Support schemes and are therefore not included in Darlington's local scheme. These are set out in the regulations referred to in paragraphs 4(a) to 4(n), copies of which can be found at: www.legislation.gov.uk
6. Where the prescribed regulations apply, reference has been made to the relevant parts in the Council Tax Support scheme. For the purpose of this document, "the regulations" are the Council Tax Reduction Schemes (Prescribed Requirements) (England) Regulations 2012, as amended. A summary of the key features of the regulations are as follows:
 - (a) There is a prescribed scheme for persons who have reached the qualifying age for state Pension Credit. 'Working aged' is defined as people who have not yet reached the qualifying age for state Pension Credit.
 - (b) There are restrictions excluding foreign nationals with limited immigration status and non-economically active European Union individuals.
 - (c) Individuals with refugee status, humanitarian protection, discretionary or exceptional leave to remain granted outside the immigration rules and who are exempt from the habitual residence test are entitled to support with their Council Tax.
 - (d) Regulations allow arrangements for a person to act on behalf of another, for example where a person has been granted a power of attorney over a liable Council Tax payer.
 - (e) Formal rights of appeal are set out in the regulations and appeals are heard by Valuation Tribunals.
 - (f) Billing authorities are required to consider whether to revise or replace their Council Tax Support schemes each year and under such circumstances, to consider what transitional arrangements may be required to move from an existing local scheme to a replacement scheme. Schemes cannot be amended within a financial year.

Key features of Darlington's Council Tax Support scheme

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

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

Temporary absence from home

10. There are no temporary absence rules for working aged people in Darlington's Council Tax Support scheme. Anyone who is liable for Council Tax on a dwelling which is their sole or main residence and not subject to a Council Tax exemption is able to claim Council Tax Support. The temporary absence rules for pensioners are set out in Schedule 1, Part 1, paragraph 5 of the regulations.

Students

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

Extended payments

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

Backdating

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

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

Discretionary discounts

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

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

People who can claim Council Tax Support

Who can claim

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

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

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

People in receipt of a qualifying benefit

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

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

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

People with income equal to or less than their applicable amount

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

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

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

People with income more than their applicable amount

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

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

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

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

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

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

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

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

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

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

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

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

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

Pensioners with income equal to or less than their applicable amount

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

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

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

Pensioners with income more than their applicable amount

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

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

33. Having claimed Council Tax Support, this class of people will have their income compared to their applicable amount. The amount of Council Tax Support will be reduced by 20% of the amount the income exceeds the applicable amount. Entitlement will be up to a maximum

of 100% of their eligible Council Tax, less any deductions for non-dependants.

Alternative maximum Council Tax Support

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

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

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

Pensioners with war pensions

36. Pensioners with war pensions are classed as:

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

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

Pensioners

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

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

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

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

Membership of a family

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

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

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

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

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

- (a) A couple
- (b) A couple and a member of the same household for whom one of them is or both are responsible and who is a child or a young person
- (c) A person who is not a member of a couple and a member of the same household for whom that person is responsible and who is a child or a young person

- (d) A child or young person includes those in respect of whom section 145A of the Social Security Child Benefit Act 2005 applies for the purposes of entitlement to Child Benefit
 - (e) A young person does not include those who are in receipt of Income Support, income-based Jobseekers Allowance, income related Employment and Support Allowance, Universal Credit; or a person to whom section 6 of the Children (Leaving Care) Act 2000 applies.
43. The rules for circumstances in which a person is to be treated as responsible or not responsible for another are set out in paragraph 7 of the regulations. These state:
- (a) A person is to be treated as responsible for a child or young person who is normally living with them
 - (b) Where a child or young person spends equal amounts of time in different households, or where there is a question as to which household they are living in, they will be treated as normally living with;
 - i. the person who receives Child Benefit in respect of that child or young person, or
 - ii. if there is no such person, the person who has claimed Child Benefit, or the person who has the primary responsibility for them.
44. The rules for membership of a household are set out in paragraph 8 of the regulations. These state:
- (a) The claimant and any partner who are treated as responsible for a child or young person, that child or young person and any child of that child or young person, are to be treated as members of the same household
 - (b) A child or young person is not treated as a member of the claimant's household where they are;
 - i. placed with the claimant or their partner by a local authority under section 22C or 23(2)(a) of the Children Act 2002 or by a voluntary organisation under section 59(1)(a) of that Act, or
 - ii. placed with the claimant or their partner prior to adoption, or
 - iii. placed with the claimant or their partner in accordance with the Adoption and Children Act 2002
 - (c) A child or young person is not treated as a member of the claimant's household where they are not living with the claimant as they are;
 - i. being looked after by a local authority under a relevant enactment, unless they live with the claimant for part or all of a relevant week or the authority

considers it reasonable to do so taking into account the nature and frequency of that child's or young person's visits, or

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

Non-dependants

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

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

Persons from Abroad

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

- (a) Persons treated as not being in Great Britain are a class of person prescribed for the purposes of paragraph 2(9)(b) of Schedule 1A to the 1992 Act and which must not be included in the Council's scheme
- (b) Except where a person falls within paragraph (e) below, a person is to be treated as not being in Great Britain if the person is not habitually resident in the United

Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland

- (c) A person must not be treated as habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland unless the person has a right to reside in one of those places
- (d) A right to reside does not include a right which exists by virtue of, or in accordance with;
 - i. regulation 13 of the EEA regulations 2016,
 - ii. regulation 14 of the EEA regulations 2016, but only in a case where the rights exist under that regulation because the person, or a family member, is a jobseeker for the purpose of the definition of a 'qualified person' in regulation 6(1) of those regulations,
 - iii. regulation 16 of the EEA regulations 2016, but only in a case where the right exists under that regulation because the claimant satisfies the criteria in paragraph (5) of that regulation,
 - iv. a person having been granted limited leave to enter, or remain in the United Kingdom under the Immigration Act 1971 by virtue of;
 - 1. Appendix EU to the immigration rules made under section 3(2) of that Act (except a person who has a right to reside granted by virtue of being a family member of a relevant person of Northern Ireland and would have a right to reside under EEA Regulations 2016 if the relevant person of Northern Ireland were an EEA national),
 - 2. being a person with a 'Zambrano' right to reside as defined in Annex 1 and Appendix EU to the immigration rules made under section 3(2) of that Act;
 - 3. having arrived in the United Kingdom with an entry clearance that was granted under Appendix EU (Family Permit) to the immigration rules made under section 3(2) of that Act.
- (e) A person is to be treated as not being in Great Britain if the person is not habitually resident in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland, except;
 - i. a person granted leave in accordance with the immigration rules made under section 3(2) of the Immigration Act 1971, where such leave is granted by virtue of the Afghan Relocations and Assistance Policy, or the previous scheme for locally-employed staff in Afghanistan,

- ii. a person in Great Britain who left Afghanistan in connection with the collapse of the Afghan government that took place on 15 August 2021,
- iii. a person in Great Britain who was residing in Ukraine immediately before 1 January 2022, left Ukraine in connection with the Russian invasion, which took place on 24 February 2022 and has been granted leave in accordance with immigration rules under section 3(2) of the Immigration Act 1971, or has a right to abode in the United Kingdom within the meaning given in section 2 of that Act, or does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act,
- iv. a person who was residing in Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights or Lebanon immediately before 7 October 2023, left Israel, the West Bank, the Gaza Strip, East Jerusalem, the Golan Heights or Lebanon in connection with the Hamas terrorist attack in Israel on 7 October 2023 or the violence which rapidly escalated in the region following the attack and;
 - 1. has been granted leave in accordance with immigration rules made under section 3(2) of the Immigration Act 1971,
 - 2. has a right of abode in the United Kingdom within the meaning given in section 2 of that Act, or
 - 3. does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act,
- v. a person who was residing in Sudan before 15 April 2023, left Sudan in connection with the violence which rapidly escalated on 15 April 2023 in Khartoum and across Sudan and;
 - 1. has been granted leave in accordance with immigration rules made under section 3(2) of the Immigration Act 1971,
 - 2. has a right of abode in the United Kingdom within the meaning given in section 2 of that Act, or
 - 3. does not require leave to enter or remain in the United Kingdom in accordance with section 3ZA of that Act,
- vi. a qualified person (or their family member), for the purposes of regulation 6 of the EEA regulations 2016 as a worker or self-employed person,
- vii. a person who has a right to reside permanently in the United Kingdom by virtue of regulation 15(1)(c), (d) or (e) of the EEA regulations 2016,
- viii. a family member of a relevant person of Northern Ireland, with a right to reside, provided that the relevant person of Northern Ireland is a qualified person, or would do so but for the fact they are not an EEA national,

- ix. a frontier worker within the meaning of regulation 3 of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020,
- x. a family member of a frontier worker, who has been granted limited leave to enter, or remain in, the United Kingdom by virtue of Appendix EU to the immigration rules made under section 3(2) of the Immigration Act 1971,
- xi. a person recorded by the Secretary of State as a refugee within the definition in Article 1 of the Convention relating to the Status of Refugees, as extended by Article 1(2) of the Protocol relating to the Status of Refugees,
- xii. a person who has been granted leave outside of the rules under section 3(2) of the Immigration Act 1971,
- xiii. a person who has humanitarian protection granted under those rules,
- xiv. a person who is not subject to immigration control within the meaning of section 115(9) of the Immigration and Asylum Act 1999 and who is in the United Kingdom as a result of their deportation, expulsion or other removal by compulsion of law from another country to the United Kingdom,
- xv. a person in receipt of Income Support or income related Employment and Support Allowance,
- xvi. a person in receipt of income based Jobseekers Allowance and has a right to reside in the United Kingdom, the Channel Islands, the Isle of Man or the Republic of Ireland,
- xvii. a Crown servant or member of HM forces posted overseas and the person is performing overseas the duties of a Crown servant or member of Her Majesty's forces and was, immediately before the posting or the first of consecutive postings, habitually resident in the United Kingdom.

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

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

Applicable amounts

48. The applicable amount will be made up of a number of elements. These may include, depending upon individual circumstances:
- (a) A personal allowance for the claimant and their partner
 - (b) An amount for every child or young person who is a member of the family
 - (c) A family premium where at least one child or young person is part of the household
 - (d) Premiums for people in receipt of Employment and Support Allowance
 - (e) Premiums which may apply in special circumstances.
49. The weekly amounts to be included in the applicable amount are detailed below. The qualifying conditions for each of these personal allowances and premiums are set out in Schedule 3 of The Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012. These are summarised in **Table 1**. The applicable amounts for pensioners are set out in Schedule 2 of the regulations.
50. The amounts detailed below in Table 1 are those stated within the 2024-2025 scheme and will be updated for 2025-2026. The updated amounts will be calculated with reference to the amended regulations.
51. People in receipt of Universal Credit will have their Council Tax Support calculated based on their Universal Credit maximum award.
52. The Family Premium does not apply from 1 May 2016, unless the conditions in paragraph 53 apply.
53. Claims for Council Tax Support where the Family Premium applied at 30 April 2016 will continue to be entitled to the Family Premium from 1 May 2016 until their claim for Council Tax Support ends or their household no longer includes at least one child or young person.

Table 1: Applicable Amounts

Personal allowances	Weekly amount 2024-2025	Weekly amount 2025-2026
Single claimant aged 18 to 24	£71.70	
Working aged single claimant aged 25 or over	£90.50	
Single claimant entitled to main phase Employment and Support Allowance	£90.50	
Working aged lone parent	£90.50	
Working aged couple	£142.25	
Couple entitled to main phase Employment and Support Allowance	£142.25	
Single claimant or lone parent who has attained pensionable age before 1 April 2021	£235.20	
Couple where one or both members have attained pensionable age before 1 April 2021	£352.00	
Single claimant or lone parent who has attained pensionable age on or after 1 April 2021	£218.15	
Couple where one or both members have attained pensionable age on or after 1 April 2021	£332.95	
A child or young person until the day before their twentieth birthday	£83.24	
Family premium	Weekly amount 2024-2025	Weekly amount 2025-2026
A household which includes at least one child or young person (but see paragraphs 52 and 53)	£19.15	
Employment and Support Allowance premiums	Weekly amount 2024-2025	Weekly amount 2025-2026
The claimant or their partner are in receipt of the work related activity component of Employment and Support Allowance	£35.95	
The claimant or their partner are in receipt of the support component of Employment and Support Allowance	£47.70	
Special circumstances premiums (entitlement limited to only one of the premiums below)	Weekly amount 2024-2025	Weekly amount 2025-2026

<p>Disability premium (single) – the claimant is registered blind, or in receipt of one or more of the following:</p> <ul style="list-style-type: none"> • Attendance Allowance • Disability Living Allowance • Mobility Supplement • Long term Incapacity Benefit • Severe Disablement Allowance • The disability or severe disability element of Working Tax Credit • Personal Independence Payment • Adult Disability Payment • Armed Forces Independence Payment 	£42.50	
<p>Disability premium (couple) – the claimant or partner is registered blind, or in receipt of one or more of the following:</p> <ul style="list-style-type: none"> • Attendance Allowance • Disability Living Allowance • Mobility Supplement • Long term Incapacity Benefit • Severe Disablement Allowance • The disability or severe disability element of Working Tax Credit • Personal Independence Payment • Adult Disability Payment • Armed Forces Independence Payment 	£60.60	
<p>Carers premium – the claimant or partner is entitled to Carers Allowance, the carers element in Universal Credit, or the carers addition in Pension Credit</p>	£45.60	
<p>Special circumstances premiums (entitlement can be applied on top of any other premiums awarded)</p>	Weekly amount 2024-2025	Weekly amount 2025-2026
<p>Severe disability premium (single rate) - for a single claimant, lone parent or couple where:</p> <ul style="list-style-type: none"> • The claimant or partner is receiving Attendance Allowance, or the care component of Disability Living Allowance at the higher or middle rate, or the daily living component of Personal Independence Payment, or the daily living component of Adult Disability Payment at the standard or enhanced rate, or Armed Forces Independence Payment, and 	£81.50	

<ul style="list-style-type: none"> • No non-dependants aged 18 or over reside with them, and • No one is in receipt of a Carers Allowance, carers element, or carers addition for looking after them. 		
<p>Severe disability premium (double rate) – for a couple where:</p> <ul style="list-style-type: none"> • Both the claimant and partner are receiving Attendance Allowance, or the care component of Disability Living Allowance at the higher or middle rate, or the daily living component of Personal Independence Payment, or the daily living component of Adult Disability Payment at the standard or enhanced rate, or Armed Forces Independence Payment, and • No non-dependants aged 18 or over reside with them, and • No one is in receipt of a Carers Allowance, carers element, or carers addition for looking after both of them. 	<p>£163.00</p>	
<p>Enhanced disability premium (single) – where:</p> <ul style="list-style-type: none"> • The claimant has limited capability for work related activity, or • The highest rate care component of Disability Living Allowance is payable for the claimant or any member of the claimant’s family, or • The daily living component of Personal Independence Payment is payable for the claimant or any member of the claimant’s family, • The daily living component of Adult Disability Payment is payable at the enhanced rate for the claimant or any member of the claimant’s family, or • Armed Forces Independence Payment is payable for the claimant or any member of the claimant’s family. 	<p>£20.85</p>	

<p>Enhanced disability premium (couple) – where:</p> <ul style="list-style-type: none"> • The claimant or partner has limited capability for work related activity, or • The highest rate care component of Disability Living Allowance is payable for the claimant or any member of the claimant’s family, or • The daily living component of Personal Independence Payment is payable for the claimant or any member of the claimant’s family, • The daily living component of Adult Disability Payment is payable at the enhanced rate for the claimant or any member of the claimant’s family, or • Armed Forces Independence Payment is payable for the claimant or any member of the claimant’s family. 	<p>£29.75</p>	
<p>Enhanced disability premium (disabled child) – where:</p> <ul style="list-style-type: none"> • The highest rate care component of Disability Living Allowance is payable for a child or young person, or • The daily living component of Personal Independence Payment is payable for a child or young person, or • The daily living component of Adult Disability Payment is payable at the enhanced rate for a young person, or • Armed Forces Independence Payment is payable for a young person. 	<p>£32.20</p>	
<p>Disabled child premium – where a child or young person:</p> <ul style="list-style-type: none"> • Receives Disability Living Allowance, or • Receives Personal Independence Payment, or • Receives the daily living component of Adult Disability Payment, or • Receives Armed Forces Independence Payment, or • Is registered blind. 	<p>£80.01</p>	

Making a claim

54. The rules by which a person may apply for a reduction under an authority's scheme are set out in Schedule 7, Part 1 of the regulations. These state that:
- (a) The claim may be made in writing, by electronic communication means or by telephone
 - (b) A claim made in writing must be made to the Council on a properly completed form
 - (c) A claim is considered properly completed if it has been completed in accordance with the instructions on the form, including any instructions to provide information and evidence in connection with the claim
 - (d) Where a claim is defective because it has not been made on a form approved for the purpose, the Council may request the claimant to complete an approved form
 - (e) Where a claim is defective because it is not accepted as being properly completed, the Council may allow the claimant sufficient time to provide information and evidence in connection with the claim, or request further information and evidence
 - (f) If a claim made by electronic communication is defective, the Council must provide the claimant with an opportunity to correct the defect. A claim made by electronic communication is defective if the claimant does not provide all the information the Council requires.

Time and manner of making a claim

55. A claim for Council Tax Support may be made with the Council by completing the on-line claim form on the 'Council Tax Support' page of the Darlington Borough Council website. Where the Council holds sufficient information to decide entitlement to Council Tax Support, the claim may be made by telephone.
56. Where the Council becomes aware that a person may be entitled to Council Tax Support, or where a claim form has been requested, they will invite a claim by asking them to complete the on-line claim form or by contacting them by telephone.
57. Where a claim is made for Housing Benefit and the claimant or their partner is liable for Council Tax in respect of that dwelling, the claim for Housing Benefit will be deemed to be a claim for Council Tax Support.
58. Where a claimant notifies the Department for Work and Pensions of their intention to apply for Council Tax Support and as a consequence of this notification, the Department for Work and Pensions share details of the claimant's Department for Work and Pensions benefit with the Council, this data share will constitute an application for Council Tax Support.
59. The Council will offer assistance to the claimant to make their claim for Council Tax Support, where this is required.

Information and evidence

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

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

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

Amendment and withdrawal of claim

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

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

Income and capital

Treatment of income

63. The income of the claimant and their partner will be added together, for the purpose of calculating entitlement to Council Tax Support. Where the person is receiving Universal Credit, the income will be the assessment of income provided by Universal Credit, plus the award of Universal Credit.
64. 'Income' includes any of the following:
- (a) Earnings
 - (b) Social Security Benefits
 - (c) Tax credits
 - (d) Pensions
 - (e) Maintenance
 - (f) Income from rent / board and lodgings
 - (g) Royalties
 - (h) Student grants
 - (i) Compensation payments.
65. Income will be calculated on a weekly basis. Any income paid for a period other than on a weekly basis, will be converted to a weekly figure. All income will be taken into account in full, unless a disregard applies.
66. The income to be taken into account will be the actual weekly income or likely average weekly income of the claimant and partner. This will be calculated over such a period as is likely, in the opinion of the Council, to provide the most accurate estimate.
67. In the case of earnings from employment, the earnings will be taken into account for the period they relate to, even if the person does not actually receive the earnings from their employer during that period.
68. In the case of earnings from employment, where employment is due to commence, an estimate of likely earnings will be based on whatever information is available from the person or the person's employer.
69. The treatment of income for pensioners is set out in Schedule 1, Part 6 of the regulations.

Earnings

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

- (a) A person must be treated as in remunerative work if they are engaged on average, for not less than 16 hours a week, in work for which payment is made or expected
- (b) Where a person's working hours fluctuate, regard must be had to the normal cycle of work, the number of hours they are expected to work, or the 5 weeks immediately prior to the date of claim or such other length of time that may allow the person's weekly average hours of work to be determined
- (c) Where a person works at a school or other educational establishment, any vacation periods or holidays where they are not required to work will be disregarded for establishing the average hours for which they are working
- (d) Where no recognisable cycle can be established in respect of a person's work, regard must be had to the number of hours or average hours where these fluctuate, which they are expected to work in a week
- (e) Any periods of absence from work, such as holiday, will be disregarded for establishing the average hours for which the person is working
- (f) A person must not be treated as engaged in remunerative work if they are on maternity leave, paternity leave, adoption leave, shared parental leave, parental bereavement leave, or if they are absent from work because they are ill.

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

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

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

- (a) Income Tax

(b) National Insurance contributions

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

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

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

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

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

(b) Payments relating to former employment paid after retirement

(c) Compensation payments for loss of employment

(d) Guarantee payments on medical or maternity grounds

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

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

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

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

(i) For people in receipt of contribution-based Employment and Support Allowance, Incapacity Benefit or Severe Disablement Allowance, where a permitted earnings disregard applies, the first £183.50 each week of any earnings

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

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

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

i. Part-time fire-fighters

ii. Auxiliary coastguards

- iii. Part-time life-boat workers
 - iv. Members of the Territorial Army or similar reserve force
- (m) For people in receipt of the additional earnings disregard in Working Tax Credit, an additional disregard of £17.10 each week of any earnings. If the additional disregard would result in a negative earned income figure, the disregard will be made from their Working Tax Credit
- (n) Disguised remuneration lump sum payments
- (o) Child care charges (see below).

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

Child care charges

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

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

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

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

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

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

Self-employed earnings

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

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

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

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

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

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

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

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

Student grants

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

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

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

Student covenant income

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

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

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

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

- (b) Any covenant income over the amount of the standard maintenance grant will be apportioned over the whole calendar year and an amount of £5.00 each week will be disregarded.

Student loans

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

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

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

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

Payments from access funds

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

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

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

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

Student income treated as capital

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

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

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

Notional income

- 98. A claimant will be treated as possessing income of which they or their partner have deliberately deprived themselves of, to qualify for Council Tax Support.
- 99. The treatment of notional income for pensioners is set out in Schedule 1, Part 6 of the regulations.

Tariff income from capital

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

Other income

- 102. Any other income of the claimant or partner will be taken fully into account, with the exception of 'income disregarded' below.
- 103. Where deductions are being made from income in the recovery of overpayments or taxes, by public bodies, the gross income amount will be taken into account.

Income disregarded

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

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

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

- vii. The London Emergencies Trust
- viii. The We Love Manchester Emergency Fund
- ix. The Variant Creutzfeldt-Jacob Disease Trust
- x. An approved infected blood support scheme
- xi. The Thalidomide Health Grant or other Thalidomide Trust
- xii. Any Windrush Compensation Scheme payment
- xiii. Any historical child abuse payment
- xiv. The National Emergencies Trust
- xv. The Child Migrants Trust
- xvi. The Homes for Ukraine scheme
- xvii. The Victims of Overseas Terrorism Compensation Scheme
- xviii. Any Post Office compensation payment
- xix. Any vaccine damage payment

(z) Any payment of expenses for jurors, witnesses or prison visitors

(aa) Any refund of Council Tax

(bb) Any payment of child maintenance

(cc) The first £15.00 each week of any maintenance, other than child maintenance

(dd) Sports awards

(ee) Any victims' payments under the Victims' Payments Regulations 2020.

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

Capital

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

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

108. All capital of the claimant or partner will be taken fully into account, with the exception of 'capital disregarded' below.
109. Where capital is jointly held by the claimant or partner and one or more other persons, the Council will apportion the capital to decide what share is held by the claimant or partner.
110. Where the value of the capital item is not known, the Council will calculate the value of the capital item using the information available to provide the most accurate estimate, including:
- (a) The current market or surrender value of the capital item
 - (b) Less any costs for selling the capital item
 - (c) Less any debt or charge secured against the capital item.
111. The treatment and calculation of capital for pensioners is set out in Schedule 1, Part 6 of the regulations.

Income treated as capital

112. The following payments will be treated as capital:
- (a) Holiday pay, paid 4 weeks or more after termination of employment
 - (b) Tax refunds
 - (c) Lump sum charitable or subsistence payments
 - (d) Arrears of Tax Credits.

Notional capital

113. A claimant will be treated as possessing capital of which they or their partner have deliberately deprived themselves of, to qualify for Council Tax Support.
114. The treatment of notional capital for pensioners is set out in Schedule 1, Part 6 of the regulations.

Capital disregarded

115. The following capital held by the claimant or partner will be disregarded in full, unless otherwise stated:
- (a) The dwelling normally occupied by the claimant as their home
 - (b) Any property which is actively being sold

- (c) Any property acquired by the claimant which they intend to occupy as their home, whilst they are preparing for occupation
- (d) Any property acquired by the claimant, which they intend to occupy as their home, which is undergoing essential repairs or alterations
- (e) The proceeds of sale of any property formerly occupied by the claimant as their home, which is to be used for the purchase of another property intended for their occupation
- (f) Any property occupied by a partner or relative of the claimant or any member of their family, where that person is a pensioner or is disabled
- (g) Any property occupied by the former partner of the claimant as their home, where the former partner is a lone parent, or where the property is actively being sold
- (h) The capital of a person in receipt of Income Support, income based Jobseekers Allowance or income related Employment and Support Allowance
- (i) Any future interest in property, other than land or premises where the claimant has granted a lease or tenancy
- (j) The assets of any business owned by the claimant for the purpose of their self-employment
- (k) Any arrears of state pensions, benefits or tax credits
- (l) Any amount paid to the claimant, or acquired by the claimant as a loan, as a result of damage or loss of the home or personal possessions and intended for its repair or replacement
- (m) Any amount deposited with a Registered Provider, which is to be used for the purchase of another property intended for occupation
- (n) Any personal possessions
- (o) The value of the right to receive any income under an annuity or the surrender value of an annuity
- (p) Where the funds of a trust resulted from a payment for a personal injury to the claimant or their partner, the value of the trust fund and the right to receive any payment under that trust
- (q) The value of the right to receive any income under a life interest or from a life rent
- (r) The value of the right to receive any income payable in a country outside the United Kingdom where there is a prohibition against the transfer to the United Kingdom of that income
- (s) The surrender value of any life insurance policy

- (t) Where payments of capital are made by instalments, the value of the right to receive any outstanding instalments
- (u) Any payment made by a local authority under section 17 of the Children Act 1989
- (v) Any payment made for adoption, fostering, guardianship support or supported lodgings
- (w) Any social fund payment, Local Welfare Assistance award or any equivalent scheme
- (x) Any refund of tax deducted on a payment of loan interest for the purpose of acquiring a home or carrying out repairs or improvement to the home
- (y) Where a payment of capital is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling
- (z) Any payment made under the following:
 - i. The Macfarlane Trust
 - ii. The Eileen Trust
 - iii. The Independent Living Fund
 - iv. The Skipton Fund
 - v. The Caxton Foundation
 - vi. The London Bombing Relief Charitable Fund
 - vii. The London Emergencies Trust
 - viii. The We Love Manchester Emergency Fund
 - ix. The Variant Creutzfeldt-Jacob Disease Trust
 - x. An approved infected blood support scheme
 - xi. The Thalidomide Health Grant or other Thalidomide Trust
 - xii. Any Windrush Compensation Scheme payment
 - xiii. Any historical child abuse payment
 - xiv. The National Emergencies Trust
 - xv. The Child Migrants Trust

- xvi. The Homes for Ukraine scheme
- xvii. The Victims of Overseas Terrorism Compensation Scheme
- xviii. Any Post Office compensation payment
- xix. Any vaccine damage payment
- (aa) The value of the right to receive any rent
- (bb) Any payment in kind made by a charity
- (cc) Any refund of Council Tax
- (dd) Any payment made by a local authority to the claimant, to be used to purchase a property for occupation as their home, or to carry out repairs or alterations to the home
- (ee) Any payments for:
 - i. travel expenses for hospital visits
 - ii. medical supplies and vouchers
 - iii. health in pregnancy grants
- (ff) Home Office payments for prison visits
- (gg) Any payment made to assist a disabled person to obtain or retain their employment
- (hh) Any payment made by a local authority under the Blind Homeworkers' Scheme
- (ii) Any capital administered on behalf of a person by the High Court, County Court, or the Court of Protection
- (jj) Any payment to the claimant as a holder of the Victoria Cross or George Cross
- (kk) Any payment made to assist a person under the self-employment route
- (ll) Any payment of a sports award
- (mm) Any payment of an education maintenance allowance
- (nn) Any payment made by a contractor for a person participating in an employment zone programme
- (oo) Any arrears of subsistence allowance

(pp) Any payment made by a local authority for a service which is provided to develop or sustain the capacity of the claimant or their partner to live independently in their accommodation, including personal budgets

(qq) Any victims' payments under the Victims' Payments Regulations 2020.

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

Calculation of entitlement

Maximum Council Tax Support

117. The amount of a person's maximum Council Tax Support for a day which they are liable to pay Council Tax will be 80%.
118. The amount of Council Tax Support will be calculated as A divided by B and multiplied by 80% where:
- (a) A is the amount of Council Tax set for the financial year for the dwelling the person resides in and for which they are liable, less any discount which applies
 - (b) B is the number of days in that financial year
 - (c) Less any non-dependant deductions.
119. Where a person is jointly and severally liable for Council Tax, which they are liable with one or more other persons, the maximum amount of Council Tax Support will be the amount in A divided by the number of people who are jointly and severally liable. This will not apply if the only person they are jointly and severally liable with is their partner.
120. The maximum Council Tax Support for pensioners is set out in Schedule 1, Part 5 of the regulations.

Council Tax Support taper

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

Non-dependant deductions

122. A deduction from a person's maximum Council Tax Support will be made for non-dependants, as follows. The amounts detailed below are those stated within the 2024-2025 scheme (**Table 2**) and will be uprated for 2025-2026. The uprated amounts will be calculated with reference to the amended regulations.

Table 2: Non-dependant deductions 2024-2025

Non-dependant type	Weekly amount
A non-dependant aged 18 or over in remunerative work where their normal gross weekly income is:	
Less than £256.00	£4.90
Not less than £256.00 and less than £455.00	£10.05
Not less than £455.00 and less than £554.00	£12.60
Not less than £554.00	£15.10
A non-dependant aged 18 or over not in remunerative work	£4.90

123. In calculating the gross income of a non-dependant, any amounts which would normally be disregarded for a Council Tax Support claimant, will also be disregarded for a non-dependant.
124. Only one non-dependant deduction will be made for a couple, and the amount deducted will be based on their joint income, calculated as above.
125. Where a person is jointly and severally liable for Council Tax for a dwelling they reside in, which they are liable with one or more other persons, the amount of the non-dependant deduction will be apportioned equally between those liable persons.
126. Non-dependant deductions will not be made in the following circumstances:
 - (a) Where the claimant or their partner is blind
 - (b) Where the claimant or their partner receives Attendance Allowance, or the care component of Disability Living Allowance, or the daily living component of Personal Independence Payment, or Armed Forces Independence Payment, or the daily living component of Adult Disability Payment
 - (c) Where the non-dependant normally resides elsewhere
 - (d) Where the non-dependant receives a training allowance
 - (e) Where the non-dependant is a full-time student
 - (f) Where the non-dependant is not residing with the claimant because they have been an in-patient for more than 52 weeks (without any break exceeding 28 days)
 - (g) Where the non-dependant receives Income Support, income based Jobseekers Allowance, income related Employment and Support Allowance, or Pension Credit
 - (h) Where the non-dependant receives Universal Credit, where the award has been calculated on the basis that they do not have any earned income
 - (i) Where the non-dependant is aged under 18
 - (j) Where the non-dependant is not residing with the claimant because they are a member of the armed forces and they are absent, while on operations, from the dwelling usually occupied as their home.
127. Where the income of the non-dependant is not known or has not been provided, the Council will assume that the maximum deduction will apply.
128. The rules for non-dependant deductions for pensioners are set out in Schedule 1, Part 3 of the regulations.

Date on which a claim is made and entitlement begins

129. The rules for the date on which a claim is made are set out in Schedule 8, Part 2, paragraph 5 of the regulations. These state:

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

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

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

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

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

Duration of award and reviews

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

- (a) Council Tax liability ends

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

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

Extended reductions

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

- (a) The claimant or their partner were entitled to a qualifying benefit or any combination of those benefits of either;
 - i. Income Support, or
 - ii. Jobseekers Allowance (income based or contributory), or
 - iii. Employment and Support Allowance (income related or contributory), or
 - iv. Universal Credit, or
 - v. Incapacity Benefit, or
 - vi. Severe Disablement Allowance.
- (b) Entitlement to a qualifying benefit ceased because the claimant or their partner;
 - i. Commenced employment as an employed or self-employed earner, or
 - ii. Increased their earnings from their employment, or
 - iii. Increased the number of hours in their employment.
- (c) Providing that the claimant remains liable for Council Tax at the dwelling in which they reside during the extended reduction period.

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

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

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

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

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

Extended reductions – movers into Darlington

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

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

Decision making and notifications

Decisions and notification

140. The rules by which the Council must make and notify decisions for Council Tax Support are set out in Schedule 8, Part 3 of the regulations. These state:
- (a) The Council must make a decision on a Council Tax Support claim within 14 days of receiving all the information and evidence for that claim, or as soon as reasonably practicable after that date
 - (b) The Council must notify the claimant in writing of any decision relating to a Council Tax Support claim within 14 days of making the decision, or as soon as reasonably practicable after that date
 - (c) The decision notice must include a statement informing the claimant of their duty to notify changes of circumstances, explaining the consequences of failing to comply with that duty, and setting out the changes which may affect entitlement to Council Tax Support
 - (d) Where the decision is to award Council Tax Support, the notice must include a statement as to how it will be paid
 - (e) The decision notice must include the procedure by which an appeal may be made
 - (f) The claimant may request a statement of reasons about the notification, within one month of the date of the notification. The statement of reasons must then be sent to the claimant within 14 days of the request, or as soon as reasonably practicable after that date
 - (g) A person affected by a decision relating to Council Tax Support will be the claimant, or where the person who is liable for Council Tax is unable to act, the accepted or appointed person who has made an application on their behalf.

Payment of Council Tax Support

141. The rules for the payment of Council Tax Support are set out in Schedule 8, Part 4 of the regulations. These state:
- (a) Payment of Council Tax Support will be made to the person entitled to the reduction of their Council Tax liability
 - (b) Where a person is jointly and severally liable for Council Tax, payment of Council Tax Support will be paid to the person entitled to the reduction of an appropriate amount of their Council Tax liability, rounded to the nearest penny
142. Payment of Council Tax Support will be made by reducing the Council Tax liability of the person entitled to the reduction.

Electronic communications

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

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

Changes in decisions

Duty to notify changes of circumstances

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

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

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

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

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

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

Ending Council Tax Support

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

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

Revisions

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

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

Appeals

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

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

Downward adjustments of Council Tax Support

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

Discretionary reductions

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

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

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**ECONOMY AND RESOURCES SCRUTINY COMMITTEE
31 OCTOBER 2024**

CLIMATE CHANGE UPDATE

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

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

SUMMARY REPORT

Purpose of the Report

1. To update Scrutiny 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/CO₂. 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 Council 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 producing 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	<p>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</p>
Tackling Climate Change	<p>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.</p>
Efficient and effective use of resources	<p>Our approach to reducing emissions will mean that resources are used more efficiently.</p>
Health and Wellbeing	<p>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.</p>
S17 Crime and Disorder	<p>There is no expected impact on Crime and Disorder in Darlington.</p>
Wards Affected	<p>This report covers how the Council is addressing its own carbon emissions and resilience. It will not affect any particular ward.</p>
Groups Affected	<p>This report covers how the Council is addressing its own carbon emissions and resilience. It will not affect any particular group.</p>
Budget and Policy Framework	<p>This report does not recommend a change to the budget and policy framework</p>
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
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MAIN REPORT

Information and Analysis

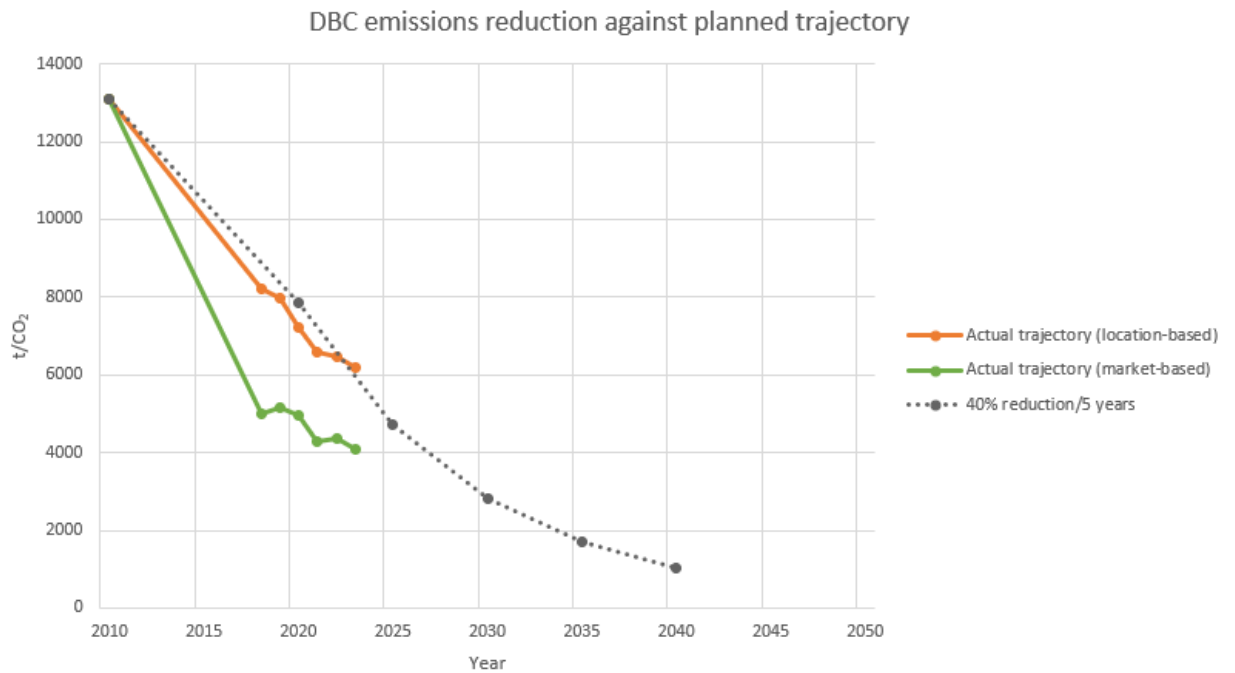
9. Following Council elections in 2023, the Climate Emergency Declaration was re-affirmed, and the Council’s carbon neutral target was brought forward to 2040. Further aims to increase engagement with residents and businesses were included with the intention of reducing wider borough emissions. A further 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 ₂	t/CO ₂	t/CO ₂	t/CO ₂	t/CO ₂	t/CO ₂	t/CO ₂
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 ₂ 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:

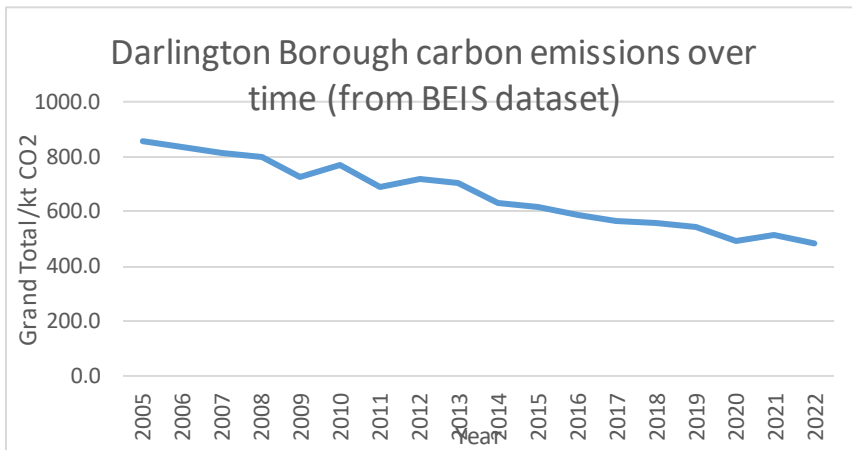


15. We report emissions as recommended by the Greenhouse Gas Protocol and show both location-based emissions, which use the average grid emissions that reflect the energy that we are using and market-based emissions, which take into account the zero carbon tariff that we have chosen. The emissions we 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 CO₂ 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 improved 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 ₂ e/m ²).	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

APPENDIX A

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

APPENDIX A

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

APPENDIX A

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

APPENDIX A

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

APPENDIX A

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

APPENDIX A

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

APPENDIX A

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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**ECONOMY AND RESOURCES SCRUTINY COMMITTEE
31 OCTOBER 2024**

CONSTITUTION UPDATE

SUMMARY REPORT

Purpose of the Report

1. To consider the Constitution Update report.

Summary

2. Attached at **Annex 1** is a report setting out the changes that are being proposed to the Constitution. The final report will go forward to be considered by Council at its meeting on 28 November 2024.

Recommendation

3. It is recommended that Members consider and discuss the proposed amendments to the Constitution.

**Luke Swinhoe
Assistant Director Law and Governance**

Background Papers

No background papers used in the preparation of this report.

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**COUNCIL
28 NOVEMBER 2024**

CONSTITUTION UPDATE

Responsible Cabinet Member – Councillor Stephen Harker, Leader

**Responsible Director – Elizabeth Davison,
Executive Director of Resources and Governance**

SUMMARY REPORT

Purpose of the Report

1. To approve changes to the Council’s Constitution with effect from 1 January 2025.

Summary

2. The process for reviewing the constitution started earlier in the year and a number of proposed amendments which are mostly what might be described as general housekeeping and updating rather than fundamental change are proposed.
3. The proposed changes are set out in the **Appendix**.
4. There is also commentary and explanation in the main body of this report on matters requiring additional detail and consideration.
5. The updates and amendments, detailed in the report and appendix will ensure that the Constitution remains up-to-date and fit for purpose.

Recommendations

6. It is recommended that:
 - (a) The changes to the Constitution as detailed in this report are approved to take effect from 1 January 2025.
 - (b) The Monitoring Officer is delegated to update the Constitution to reflect the changes identified.

Reasons

7. The recommendations are supported by the following reasons:
 - (a) To ensure that the Constitution is clear, accurate and up-to-date; and

- (b) To give effect to legislative changes.

**Elizabeth Davison,
Executive Director of Resources and Governance**

Background Papers

The Constitution of the Council

<https://democracy.darlington.gov.uk/eListDocuments.aspx?Cid=202&Mid=284&Info=1>

Legislation and guidance as referenced in the Report.

Luke Swinhoe: Extension 5490

Council Plan	An up to date and clear Constitution should contribute to the decision making and governance arrangements and help members and officers to deliver the Council plan
Addressing inequalities	There is no direct impact on inequality.
Tackling Climate Change	There is no impacts on climate change.
Efficient and effective use of resources	Improving the clarity of the Constitution will with help with efficiency
Health and Wellbeing	There are no direct issues relating to Health & Wellbeing.
S17 Crime and Disorder	There is no direct impact on Crime and Disorder.
Wards Affected	There will be no direct impact on any particular ward.
Groups Affected	There will be no direct impact on any particular group.
Budget and Policy Framework	Amendments to the Constitution need to be approved by Council.
Key Decision	This is not a 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

8. The Council’s Constitution prescribes the framework for Council decision making and the procedures that are followed.
9. Some updating of the Constitution will be needed from time to time and there are also a number of updates and changes proposed to ensure that the overall Constitution remains up-to-date and fit for purpose.
10. All of the proposed changes are set out in the **Appendix**. Further additional information and detail about particular areas of change is set out below:

Additional information

11. The headings below correspond to the headings in the Appendix.

SUMMARY AND EXPLANATION

Code of Conduct - Criminal Records Checks for Councillors

12. The Council does not currently have a requirement that members should undergo criminal records checks upon being elected to office.
13. Candidates standing for election as a councillor are required at the nomination stage to declare that they are not disqualified from standing for office. Making a false statement on a nomination form is a criminal offence. A candidate is disqualified if on the day of nomination and polling day, if
 - (a) They had been sentenced to three months or more imprisonment (including a suspended sentence), without the option of a fine, during the five years before polling day (and the period allowed for appeal of the conviction has passed. They are not disqualified while appeal against conviction is underway);
 - (b) They are subject to the notification requirement or order under the Sexual Offences Act 2003, and the ordinary period allowed for making an appeal or application in respect of the order or notification has passed (they are not disqualified while appeal against disqualification is underway). This applies to a person who is subject to any relevant notification requirements or relevant order made on or after 28 June 2022;¹
 - (c) They are subject to bankruptcy restrictions order or interim order;
 - (d) They have been disqualified under the Representation of the People Act 1983 for an illegal practice (three years from conviction) or for a corrupt practice (five years from conviction);
 - (e) They have been convicted of an intimidatory criminal offence motivated by hostility towards a candidate, future candidate or campaigner or holder of a relevant elective office under the Elections Act 2022 (five years from conviction);
 - (f) There are also disqualifications for staff employed by the local authority they intend to stand for and for people working in politically restricted posts.
14. In January 2024, the Minister for Local Government, wrote to local authorities urging that enhanced Disclosure and Barring Service (DBS) check are undertaken for all councillors being considered for appointment to any committee which discharges education or social services functions. This was one of the suggestions that had been made by an Independent Review of the Disclosure and Barring Regime carried out by Simon Bailey in April 2023. [Criminal record checks for councillors: letters to local authorities and the Local Government Association - GOV.UK](#)
15. This suggestion has been considered. While all Councillors are eligible to have a basic DBS check, the ability to have enhanced checks is more limited. The Safeguarding Vulnerable Groups Act 2006, Schedule 4, Part 1, 1 sets out a number of roles that people may perform (regulated activity) that brings them into contact with children that would enable an

¹ S.81A Local Government Act 1972, as amended by the Local Government Disqualification Act 2022

enhanced DBS to be carried out Safeguarding Vulnerable Groups Act 2006 (legislation.gov.uk). Essentially this is about working with children. [Safeguarding Vulnerable Groups Act 2006 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2006/16/schedule/4/part/1/section/4). The Safeguarding Vulnerable Groups Act 2006, Schedule 4, Part 1, 4 used to specify that some councillors who are members of an executive or committee discharging any education functions, or social services functions, will be eligible for Enhanced DBS checks. However Schedule 4, Part 1, 4 of the Safeguarding Vulnerable Groups Act 2006, was repealed by the Protection of Freedoms Act 2012. The eligibility of local authority members to have enhanced DBS checks based on their involvement in decision making functions would appear to be not currently available.

16. On the understanding that members are wanting to move forward with DBS checks, as matters currently stand it is suggested that all members are asked to undergo a basic check (rather than reference enhanced DBS checks). A basic DBS check costs £18, so the cost for all members would be £900. It is suggested that this is carried out following election to office (if a DBS check was undertaken this annually, there is an annual update service of £13 per application). Consideration of the frequency of DBS checks is not just about the application fee but will also involve resource implications for officers and members involved in the DBS process. Given that no DBS checks were undertaken following the 2023 elections, the suggestion is that following agreement to adopt this change we will then proceed with DBS checks for all current members.
17. Consideration is also needed about how any material that arises from a DBS check is dealt with. This will depend on precisely what is disclosed. In the first instance it is suggested that the Monitoring Officer should evaluate the material to consider what action is necessary. This might be disclosure to the police (for instance, if the information revealed would have meant the member was ineligible to stand as a candidate) or if there are safeguarding concerns for a risk assessment to be carried out and appropriate safeguarding measures put in place.

Rights and Responsibilities of the Public

18. Members of the public are entitled to photograph, film, record, broadcast meetings of the Council. This right is set out in the Openness of Local Government Bodies Regulations 2014. Details of this entitlement are included in the constitution. The constitution also has provisions that regulate conduct at meetings. It has been thought helpful to clarify matters for persons who photograph or film meetings. This is not to stop them from carrying out this activity but just to ensure that there is no misunderstanding about the role of the person chairing the meeting, to ensure that the meeting proceeds without being disrupted by the conduct of persons attending.
19. A Protocol has also been drafted to provide some additional guidance to persons attending meetings who intend to film, photograph or record during the meetings. This should make it easier for people who want to do this, to understand the expectations but also to members and officers to ensure that expectations are clear and that proceedings run smoothly. There are particular considerations concerning the removal of recording equipment should a meeting move into private session and about the public and young persons being filmed or photographed. The Protocol is referenced under the 'Access to Information Procedure Rules' heading in the Appendix and is set out in 4.12 of the Codes and Protocols section of the Appendix.

Financial Implications

20. There will be limited financial impacts arising from the revisions to the Constitution concerning the additional costs associated with all councillors undergoing a DBS check. For all members to have a basic DBS check the cost will be £900.

Legal Implications

21. The Local Government Act 2000 requires that the adoption of a local authority's Constitution is exercised by the Council.

Consultation

22. The Constitution update has been raised with Chief Officers and Senior Managers as part of the review.
23. An all member briefing about the proposed changes was held on Wednesday 30 October 2024.
24. On the 28 October 2024 the proposals were considered by the Efficiency and Resources Scrutiny Committee.
25. On the 4 November 2024 the Audit Committee was consulted on a proposals relevant to the Committee.

Summary

26. Members are asked to consider and approve the proposed changes detailed in the **Appendix** to this report for inclusion in the Constitution to take effect from 1 January 2025.

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CONSTITUTION REVIEW 2024
SCHEDULE OF PROPOSED CHANGES

PART 1 - SUMMARY AND EXPLANATION

SUMMARY AND EXPLANATION

Section	Existing Wording	Proposed Wording	Reason/Comments
Elections and Councillors' Length of Office	6. The last Elections in Darlington were held in May 2015 and the next ones will be held in May 2019	6. The last Elections in Darlington were held in May 2023 and the next ones will be held in May 2027	Dates need updating
The Mayor	11. Further details on the role and responsibilities of The Mayor are available on the Council's website	11. Further details about The Mayor is available on the Council's website	Simpler wording
Roles and Functions of Councillors	15. Further details on the role and responsibilities of Members are available on the Council's website	15. Further details about Members is available on the Council's website	Simpler wording
Code of Conduct	n/a	New 18. Following their election to office, all Councillors are required to have a basic Disclosure and Barring check 50 members x £18 = £900	Response to Ministerial advice Criminal record checks for councillors: letters to local authorities and the Local Government Association - GOV.UK (www.gov.uk)
Rights and Responsibilities of the Public	46. The public can photograph, film, record and blog at meetings. Further details are set out in the Access to Information Procedure Rules.	46. The public can photograph, film record and blog at meetings so long as it does not disrupt the meeting. Further details are set out in the Access to Information	Clarification

		Procedure Rules.	
Rights and Responsibilities of the Public	53 In summary, citizens have the right to :-and submit a petition to the Council and to receive a response to the issues raised in that petition. Should the petition contain enough signatures (1,000 or more) it could trigger a debate at a Cabinet meeting.	Insert (1,000 or more)	Clarification

PART 2 - RESPONSIBILITY FOR FUNCTIONS

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Section	Existing Wording	Proposed Wording	Reasons/Comments
Functions of the Full Council	<p>12. The Policy Framework comprises the following Plans and Strategies</p> <p>Mandatory Children and Young People Plan Corporate Plan Community Safety Plan Library Plan Licensing Authority Policy Statement Local Plan Core Strategy - plans and strategies that comprise the Development Plan Local Transport Pan Medium Term Financial Plan Youth Justice Plan</p> <p>Discretionary Child Poverty Strategy Economic Strategy</p>	<p>12. The Policy Framework comprises the following Plans and Strategies</p> <p>Mandatory Children and Young People Plan Council Plan Community Safety Plan Licensing Authority Policy Statement Local Plan Core Strategy - plans and strategies that comprise the Development Plan Local Transport Pan Medium Term Financial Plan Youth Justice Plan</p> <p>Discretionary Child Poverty Strategy Economic Strategy</p>	<p>Corporate Plan is now the Council Plan</p> <p>The Library Plan is no longer mandatory, so moved to Discretionary.</p>

	<p>Environment Strategy Health and Well Being Strategy Housing Strategy Leisure Strategy (Sport and Physical Recreation) Organisational Development Strategy Transport Strategy Treasury Management Strategy</p>	<p>Environment Strategy Health and Well Being Strategy Housing Strategy Leisure Strategy (Sport and Physical Recreation) Organisational Development Strategy Transport Strategy Treasury Management Strategy Library Plan</p>	
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SCHEDULE 1 – COUNCIL COMMITTEES

Section	Existing Wording	Proposed Wording	Reasons/Comments
<p>8. Audit Committee</p>	<p>Delete existing wording</p>	<p>AUDIT COMMITTEE PROTOCOLS The membership of the Audit Committee shall be restricted to two Members from the Executive (Cabinet). The Chair shall not be a Member of the Executive (Cabinet)</p> <p>The purpose of the Audit Committee is to provide independent assurance to the members of the adequacy of the risk management framework and to the internal control environment. It provides independent review of governance, risk management and control framework, oversees the financial reporting and annual governance processes. It oversees internal audit and external audit, helping to ensure efficient and effective assurance arrangements are in place.</p> <p>TERMS OF REFERENCE (a) To review the Council’s corporate governance arrangements against the good governance</p>	<p>To simplify text and align with format of other committees</p> <p>Based on Stockton on Tees Borough Council (the internal audit service is shared with Stockton BC)</p>

		<p>framework and consider annual governance reports and assurances</p> <ul style="list-style-type: none"> (b) monitor the integrity of the Council's financial statements and review the Annual Statement of Accounts; (c) To review the Annual Governance Statement; (d) To oversee risk management and the Council's risk registers; (e) To review any proposed changes to accounting policies and procedure rules; (f) To review the performance of the Treasury Management Strategy and forward any comments to Cabinet and Council; (g) To approve the role and responsibilities of the Internal Audit Service (the Services' functions, aims and objectives); (h) To receive and consider the Council's External Auditor's Audit Results Report; (i) To approve the internal audit plans; (j) To receive external audit plans; (k) To review Internal Audit work on a quarterly basis; internal and external annual reports together with any management response and receive details of specific significant issues highlighted via audit work and refer Cabinet or Council, as appropriate, any issues arising which are key in nature; and 	
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		(l) To consider the arrangements for the promotion of high standards of conduct and wider corporate governance.	
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SCHEDULE 2 - CABINET

Section	Existing Wording	Proposed Wording	Agreed/Comments
Resources Portfolio	Communication and One Darlington Magazine	Corporate Communications and marketing	A broader definition is preferable (One Darlington is just one of a number of channels).

SCHEDULE 3 – SCRUTINY COMMITTEES

Section	Existing Wording	Proposed Wording	Reason/Comments
Economy and Resources Scrutiny Committee	Communication and One Darlington Magazine	Corporate Communications and marketing	A broader definition is preferable (One Darlington is just one of a number of channels).

SCHEDULE 4 – SCHEME OF DELEGATION TO OFFICERS

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Section	Existing Wording	Proposed Wording	Reason/Comments
Introduction Paragraph 1	The Council has adopted a vision expressed in the phrase One Darlington: Perfectly Placed Council Plan which aspires to provide fairness and prosperity for the people of Darlington To enable that vision managerial and operational decisions are taken, within a framework of democratic accountability, at the most appropriate level, which is usually the closest point of contact to the citizen. This scheme is to be interpreted widely to give effect to this overall purpose by empowering staff to carry out their functions and deliver the Council’s services within the budget and policy framework set by the Council, and subject to the guidelines set by the Executive and the Council’s management team.	The most important decisions will be taken by members, but on a day to day basis many decisions will need to be made by officers under delegated powers. This scheme of delegation is to be interpreted widely to enable staff to carry out their functions and deliver the Council’s services within the budget and policy framework set by the Council, and subject to the guidelines set by the Executive and the Council’s management team.	Simplification and clarity
Permissions (a) Powers in relation to staffdetermination and application of conditions of service, including but not limited to allocation of leave, honorariums, ill health retirement and determination of establishment except as detailed in the Staff and Employment Exceptions chart.determination and application of all conditions of service, (including but not limited to allocation of leave, honorariums, ill health retirement) and determination of establishment except as detailed in the Staff and Employment Exceptions chart.	Clarification

<p>Areas of Responsibility</p> <p>Assistant Director of Resources</p>	<p>Insurance and Treasury Management</p>	<p>VAT, insurance and Treasury Management</p>	<p>Omission</p>
<p>Assistant Director (Housing and Revenues)</p>	<p>Council Housing Management</p>	<p>Council Housing Management, including day to day repairs and maintenance</p>	<p>Movement of division</p>
<p>Head of Strategy, Performance and Communications</p>	<ul style="list-style-type: none"> • Systems Development and Support • Corporate Communications • Media Relations • Internal Communication • Web and Social Media • Design and Print • Marketing and Advertising • Council Plan • Corporate Performance 	<ul style="list-style-type: none"> • Council Plan • Corporate Communications and marketing • Equality and Inclusion • Corporate Strategy and policy • Corporate Performance • Corporate systems development, support and processes • Corporate web development and content 	<p>To reflect changed responsibilities.</p>
<p>Assistant Director Highways and Capital Projects</p>		<ul style="list-style-type: none"> • Delivery of Highways Construction and Maintenance Programme • Highways Maintenance Projects, Transport, Planning and Asset Management • Bridges and Highway Structures, Private Sector Works, Street Works, Highway Inspections, Insurance Claims, Asset Management and Street Lighting • Highway Network Management, Highway Development, Intelligent Transport System, Traffic Data Collection, Casualty Reduction Analysis, Traffic Management Projects, Traffic Signals, Highways Technical Support, School Crossing Patrol, 	<p>To reflect changed responsibilities.</p>

		<p>Highway/Transport Design, Road Safety Education, Sustainable Transport and Rights of Way</p> <ul style="list-style-type: none"> • Capital Project management, Capital Process Methodology, Capital Projects Technical Support and advice, Architectural Consultancy, Building Services Consultancy, Framework Consultancy Commissions, Cost Consultancy Services and Estimating and Tendering, Investment and Funding • Project/Programme Management and Development • Flood Risk Management • Council Property Services Management 	
Assistant Director Community Services		<ul style="list-style-type: none"> • Street Scene, Crematorium and Cemeteries, Arboriculture, Countryside, Allotments, Parks and Open Spaces and Play Area Ranger Service/Friends Groups, Waste Management, Fleet Management and Maintenance, Winter Maintenance Call Out, Environmental Campaigns, Nursery and Building Cleaning • Libraries, Dolphin Centre, Eastbourne Sports Complex, Hopetown, Hippodrome and Theatre Hullabaloo, Events and Programming, Town Centre Management, Sports and Physical Activity Programme, Schools and Community Catering • Rail Heritage 2025 	To reflect changed responsibilities.
Exceptions - Contracting			
Exceptions - Contracting	<p>Heading</p> <p>EU Threshold</p>	<p>Replace with:</p> <p>Procurement Act Threshold</p>	To reflect post Brexit arrangements

Exceptions – Contracting Waive Contract Procedure Rules	Strategic Procurement Council and the Procurement Board in accordance with Contract Procedure Rules	Strategic Procurement The Procurement Board in accordance with Contract Procedure Rules	Clarification – this role is not undertaken by Council
Exceptions – Contracting Waive Contract Procedure Rules	Over £100K Council and the Procurement Board in accordance with Contract Procedure Rules	Over £100K The Procurement Board in accordance with Contract Procedure Rules	Clarification – this role is not undertaken by Council
Exceptions – Contracting Extension of Fixed Term Contracts	Reference to Cabinet	Replace with Procurement Board	To reflect the Contract Procedure Rules
Exceptions – Finance			
Exceptions – Finance – Capital Expenditure	Director in consultation with the Group Director of Operations	Change across all headings to Assistant Director Resources	Current practice
Exceptions – Finance – Other	Write off Debts	Change from £500 to £1,000	Inflationary increase
Exceptions – Finance – Other	Submit bids for funding to the relevant body where the deadline occurs prior to the next meeting of Cabinet	Submit bids for funding to the relevant body	The requirement to get Cabinet approval before submitting a funding bid is an unnecessary step.

	Negotiate and manage leasing arrangements Group Director of Operations	Change across all headings to Assistant Director Resources	Current Practice
Include new	n/a	Agree the distribution and allocation of government grant funding as per the grant conditions when the Council is acting as the intermediary party Up to £100k Assistant Director in Consultation with the Assistant Director Resources Over £100k Group Director of Operations	Expediency of delivery of funding
	Write off any surplus or efficiencies in respect of one stock item	delete	No stores anymore
Exceptions – Staff and Employment			
Exceptions – Staff and Employment Dismissal of the S151 Officer (Group Director of Operations) and the Monitoring Officer (Assistant Director, Law and Governance)	Member Decision Human Resources Chief Officers Appointment Panel. An Independent report must be prepared before a decision can be made Council Decision Can be taken by Full Council	Member Decision Human Resources Committee. A report from the Human Resources Advisory Panel made by the Independent Person must be prepared before a decision can be made Council Decision Must be taken by Full Council	Clarification Ties up with Appendix 4 in the Officer Employment procedure rules

Determine Appeals against final written warnings	Group Director of Operations	All Directors	Clarification
	Directors Implement immediate action to ensure the safety of staff up to £1,000 from the existing revenue budget	Change to £2,000	Inflationary increase
To carry out the powers and duties under the Health and Safety at Work etc Act	As an employer – All Directors and otherwise than as an employer – Group Director of Services	As an employer – All Directors	Clarification
To carry out the powers and duties under the Health and Safety at Work etc Act		Add additional box Otherwise than as an employer, the Assistant Director Economic Growth	Clarification
Exceptions – Legal			
Exceptions – Legal	Institute criminal proceedings....., or which any of the Queen’s subjects may prosecute; and offences of common assault on behalf of an employee, if so required	Change to King’s	Update

PART 3 – PROCEDURE RULES

3.1 - COUNCIL PROCEDURE RULES

Section	Existing Wording	Proposed Wording	Reason/Comments
Timing and Business	1(f) appoint the Cabinet , Scrutiny Committees, Quasi-Judicial Committees....	Delete	The Leader has sole responsibility to appoint members to Cabinet
Order of Business	4(p) Questions to the Police, Crime and Victims Commissioner in accordance with the Police Reform and Social Responsibility Act 2011	Delete Add (p) Membership Changes	Dealt with at a separate meeting
Notice of and Summons to Meetings	10. The Council will give at least five days notice	add Notice will also be posted on the Council’s Website	To reflect current practice
Scope of Questions	16(b) is defamatory, frivolous or offensive;	16(b) is defamatory (or potentially so), frivolous or offensive;	Clarification
Record of Questions	17. The Assistant Director Law and Governance will keep a record of questions asked (available for public inspection) and will immediately send a copy of the question to the Member to whom it is to be put. Rejected questions will include reasons for rejection. Copies of all questions will be circulated to all Members and will be made available to the public attending the meeting	17. The Assistant Director Law and Governance will keep a record of all questions received (available for public inspection) other than those rejected under rule 16 and will immediately send a copy of the question to the Member to whom it is to be put. Rejected questions will include reasons for rejection. Copies of all questions to be asked , will be circulated to all Members and will be made available to the public attending the meeting and on the Council’s Website.	Clarification

3.2 - ACCESS TO INFORMATION PROCEDURE RULES

Section	Existing Wording	Proposed Wording	Reason/Comments
Rights to Photograph, Film, Record, Blog etc at Meetings	n/a	After para 8 insert: a new paragraph 9 and renumber subsequently 9. Your attention is drawn to the Council's Protocol on photography, filming, recording and broadcasting at the Council meeting	Clarification It is suggested that the Protocol is included in the Protocols section of the Constitution. See 4.12 below
Access to Agenda and Reports at the Meeting	13. Unless the Proper Officer (Assistant Director Law and Governance), decides otherwise, all Members of the Council shall be provided with full copies of the agenda and reports to be presented to meetings, including those containing exempt and/or confidential information. The Council will make copies of the agenda and reports open to the public available for inspection at the public office of the Council (Town Hall, Darlington) at least five clear days before the meeting.	13. Unless the Proper Officer (Assistant Director Law and Governance), decides otherwise, all Members of the Council shall be provided with full copies of the agenda and reports to be presented to meetings, including those containing exempt and/or confidential information. The Council will make copies of the agenda and reports open to the public available for inspection at the public office of the Council (Town Hall, Darlington) at least five clear days before the meeting and on and on its website www.darlington.gov.uk .	

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3.3 - BUDGET AND POLICY FRAMEWORK PROCEDURE RULES

Section	Existing Wording	Proposed Wording	Reason/Comments
Process for Developing	2(a) Details of Cabinet's consultation process shall be included in relation to each of these	2(a) Details of Cabinet's consultation process shall be included in relation to each of these	Updating

Policy Framework	matters in the Forward Plan and published at the Town Hall, Darlington.	matters in the Forward Plan and published on the Council's website.	
Process for Developing Policy Framework (Brett)	2(q) In approving the budget and policy framework, the Council will also specify the extent of virement within the budget and degree of in-year changes to the policy framework which may be undertaken by Cabinet, in accordance with these Rules (virement and in-year adjustments). Any other changes to the Budget and Policy Framework are reserved to the Council	2q. In approving the budget and policy framework, the Council will also specify the extent of variation within the budget and degree of in-year changes to the policy framework which may be undertaken by Cabinet, in accordance with these Rules (virement and in-year adjustments). Any other changes to the Budget and Policy Framework are reserved to the Council	

3.6 - FINANCIAL PROCEDURE RULES

Section	Existing Wording	Proposed Wording	Agreed/Comments
Budgets - Capital	39(a) the actual or projected final costs of a scheme increase by the lesser of 10 % or £100,000 and the increase in costs is required to be met from the Council's own capital resources or have an impact on the availability of resources for other schemes	39(a) the actual or projected final costs of a scheme increase by the lesser of 10 % or £150,000 and the increase in costs is required to be met from the Council's own capital resources or have an impact on the availability of resources for other schemes	Inflationary increase
Control of Income	74. The Group Director of Operations shall write off sums up to £500 on debts which he/she considers that further action would be inappropriate after all appropriate recovery procedures have been attempted. Any other sums shall not be written off	74. The Group Director of Operations shall write off sums up to £1,000 on debts which he/she considers that further action would be inappropriate after all appropriate recovery procedures have been attempted. Any other sums shall not be written off	Inflationary increase

	in the Council's records without the authority of Cabinet	in the Council's records without the authority of Cabinet	
Certification and Payments of Accounts	81. Any amendment to an account shall be made in ink and initialled by the Officer making it, stating briefly the reasons where they are not self evident	delete	All electronic now
Stores and Accounts	89 - 94	Delete	We no longer have stores.
Inventories	95. Inventories of furniture, equipment, computer hardware, plant and machinery shall be maintained by the Director of the department concerned and kept up to date. The form and extent of such inventories shall be approved by the Assistant Director Resources	Change to 95. Inventories of plant and machinery shall be maintained by the Director of the department concerned. The form and extent of such inventories shall be approved by the Assistant Director Resources	Update ICT devices are maintained by Xentrall and logged automatically when in use.

3.7 - CONTRACT PROCEDURE RULES

Section	Existing Wording	Proposed Wording	Reason/Comments
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Throughout - where referenced	European Union, EU Rules ED Procedure EU Threshold Official Journal of the European Union (OJEU)	Delete reference and replace with reference to UK legislation/arrangements, as appropriate. Reference further changes awaiting the implementation of the Procurement Act 2023	To reflect post Brexit position
138.	Where contracts are completed by each side adding their formal seal, such contracts shall be signed by the Assistant Director Law and Governance or Authorised Signatory i.e. person authorised by Assistant Director Law and Governance together with the fixing of Council's seal.	Include at the end: The seals and the signature may be electronic.	Flexibility and efficiency
139	Every Council sealing will be consecutively numbered, recorded and signed by the person witnessing the seal.	Include at the end: The seals and the signature may be electronic.	Flexibility and efficiency

3.9 - OFFICER EMPLOYMENT PROCEDURE RULES

Section	Existing Wording	Proposed Wording	Reasons/Comments
Appointment of Head of Paid Service	2(1). A shortlist of applicants qualified for the post shall be selected by the Group Director of Operations in consultation with	A shortlist of applicants qualified for the post shall be selected by the Group Director of Operations (or their representative) in consultation with	
Appendix 1	12. Whenever provision is made for a notice to be sent, such notice must be in writing and may be sent by post, by e-mail or fax but in any event must be received by the recipient within the relevant period specified	12. Whenever provision is made for a notice to be sent, such notice must be in writing and may be sent by post or by e-mail but in any event must be received by the recipient within the relevant period specified	Reference to fax omitted

Appendix 2	7. A Cabinet Member objects to the appointment of a prospective Director on the grounds that he/she has a conviction for an offence involving dishonesty. The objection, would, clearly, be material and well-founded.	7. A Cabinet Member objects to the appointment of a prospective Assistant Director on the grounds that he/she has a conviction for an offence involving dishonesty. The objection, would, clearly, be material and well-founded.	
Appendix 4	2. A special meeting of Full Council will be summoned by the Assistant Director Law and Governance giving five clear working days notice, unless the matter can conveniently be dealt with at an ordinary meeting of the Full Council.	2. A special meeting of Full Council will be summoned by the Assistant Director Law and Governance (or their representative) , giving five clear working days notice, unless the matter can conveniently be dealt with at an ordinary meeting of the Full Council.	
	10. However, that is not enough in itself. It must also be material, i.e., it must be relevant to the process and the post and sufficient to warrant a decision not to make the offer of appointment. This is seen as being very much an exceptional circumstance.	10.However, that is not enough in itself. It must also be material, i.e., it must be relevant to the process and the post and sufficient to warrant dismissal . This is seen as being very much an exceptional circumstance.	
Appendix 5	6. However, that is not enough in itself. It must also be material, i.e., it must be relevant to the process and the post and sufficient to warrant a decision not to make the offer of appointment. This is seen as being very much an exceptional circumstance.	6.However, that is not enough in itself. It must also be material, i.e., it must be relevant to the process and the post and sufficient to warrant dismissal . This is seen as being very much an exceptional circumstance.	
Appendix 6	Protocol for Dismissal of Head of Service	Protocol for the Dismissal of Deputy Chief Officers	
	6. However, that is not enough in itself. It must also be material, i.e., it must be relevant to	6.However, that is not enough in itself. It must also be material, i.e., it must be relevant to	

	<p>the process and the post and sufficient to warrant a decision not to make the offer of appointment. This is seen as being very much an exceptional circumstance.</p>	<p>the process and the post and sufficient to warrant dismissal. This is seen as being very much an exceptional circumstance.</p>	
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PART 4 – CODES AND PROTOCOLS

4.4 - WHISTLEBLOWING POLICY

Section	Existing Wording	Proposed Wording	Reasons/Comments
46.	<p>You may at any stage want to obtain help or advice from outside the Council and this can be obtained from a charitable organisation called ‘Public Concern at Work’. They can be contacted through their website www.pcaw.co.uk or via their helpline at: helpline@pcaw.co.uk</p>	<p>You may at any stage want to obtain help or advice from outside the Council and this can be obtained from a charitable organisation called ‘Protect, speak up, stop harm’. They can be contacted through their website Protect - Speak up stop harm - Whistleblowing Homepage (protect-advice.org.uk) or via their helpline at: 020 3117 2520</p>	<p>Change of name and contact details clarification</p>

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4.6 - PROTOCOL FOR COUNCILLORS AND OFFICER DEALING WITH PLANNING MATTERS

Section	Existing Wording	Proposed Wording	Reasons/Comments
Conduct of Officers	<p>9(c) in all their professional activities, Officers shall not discriminate for any reason, but particularly on the grounds of age, gender, sexual orientation, disability, race, ethnicity, religion, or belief and</p>	<p>9(c) in all their professional activities, Officers shall not discriminate for any reason, but particularly legally recognised protected characteristics along with locally agreed protected characteristics and</p>	<p>Language used in relation to the types of protected characteristics can change (e.g. gender and sex). Suggested we</p>

	shall seek to eliminate such discriminations by others and to promote equality of opportunity	shall seek to eliminate such discriminations by others and to promote equality of opportunity	don't list each characteristic.
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4.7 - PROTOCOL FOR COUNCILLORS AND OFFICERS DEALING WITH LICENSING MATTERS

Section	Existing Wording	Proposed Wording	Reasons/Comments
Conduct of Officers	14(a) not discriminate in all their professional activities on the grounds of race, sex, creed, religion, disability or age and shall seek to eliminate such discriminations by others and to promote equality of opportunity	14(a) not discriminate in all their professional activities, particularly in terms of legally recognised protected characteristics along with locally agreed protected characteristics and shall seek to eliminate such discriminations by others and to promote equality of opportunity	Language used in relation to the types of protected characteristics can change (e.g. gender and sex). Suggested we don't list each characteristic.

4.9 - CORPORATE GOVERNANCE

Section	Existing Wording	Proposed Wording	Reasons/Comments
10. Arrangements for Ensuring On-going Application and Effectiveness	The Corporate Group of officers will consist of the: - Chief Executive Group Director of Operations (S151 Officer) Assistant Director Law and Governance (Monitoring Officer) Head of Strategy, Performance and Communications	The Corporate Group of officers will consist of the: - Chief Executive Group Director of Operations (S151 Officer) Assistant Director Law and Governance (Monitoring Officer) Head of Strategy, Performance and Communications Complaints and Information Governance Manager	Updating

11. Further Information	(c) External Auditor Ernst & Young LLP Citygate, St James' Boulevard, Newcastle-upon-Tyne. NE1 4JD Tel. (0191) 2694887	(b) Forvis Mazars LLP. The Corner, Bank Chambers 26 Mosley Street Newcastle Upon Tyne, NE1 1DF www.mazars.co.uk	Updating
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4.12 – PROTOCOL ON PHOTOGRAPHY, FILMING, RECORDING AND BROADCASTING AT THE COUNCIL MEETINGS

Section	Existing Wording	Proposed Wording	Reasons/Comments
4.12	n/a – this is a new protocol	See the below text	Clarification

Protocol on photography, filming, recording and broadcasting at the Council meetings

1. Darlington Borough Council supports the principles of openness and transparency.
2. The purpose of this protocol is to provide guidance to Chairs of council meetings, Committees, Cabinet and elected Members and to the press or public on the taking of photographs, filming, recording and broadcasting of any of the Council's public meetings, including by digital and social media.

NOTE – Film Crews with more complex equipment should contact the Communications Team at least one working day prior to the meeting to allow appropriate arrangements to be made

3. If the press or a member of the public proposes to film, photograph or record a meeting, it is advisable that they contact the Democratic Services Officer before the start of the meeting to ensure the necessary arrangements can be made and those participating in the meeting can be advised accordingly.
4. When appropriate, the Chair of the Committee will make an announcement that the meeting is being filmed, photographed or recorded at the start of the meeting. They will also advise members of the public that they will not be filmed, photographed or recorded unless they have a role in the meeting, such as asking a question or making a representation, in which case they will be deemed to have given their consent.
5. Filming, recording or photographing of any public meeting must take place from a designated fixed position in the meeting room. Equipment must not block access routes, no trailing cables are allowed and equipment cannot be plugged into mains sockets.
6. Filming, recording or photographing must not include the public gallery/public seating area to avoid members of the public being filmed, photographed or recorded without their consent. No person under the age of 16 can be filmed, photographed or recorded without written permissions given by parent or guardian in advance.
7. Filming, recording or photographing will only commence at the beginning of the meeting when the Chair opens the meeting and will finish when the meeting closes (or goes into private session). Anything that is outside the scope of the meeting itself cannot be filmed.
8. No exempt or confidential agenda items will be filmed, recorded or photographed and equipment cannot be left in any room where a private meeting is held.
9. Audible commentary cannot be made during the meetings.
10. The use of flash photography or additional lighting is not permitted.

Appendix

11. If the Chair of the meeting considers that the filming, recording or photographing is disrupting the meeting, or if the person conducting it does not abide by the protocol, the operator of the equipment will be required to stop filming, recording or photographing the meeting for the remainder of the session.

**ECONOMY AND RESOURCES SCRUTINY COMMITTEE
31 OCTOBER 2024**

**ECONOMY AND RESOURCES SCRUTINY COMMITTEE –
WORK PROGRAMME**

SUMMARY REPORT

Purpose of the Report

1. To consider the work programme items scheduled to be considered by this Scrutiny Committee during the next Municipal Year and to consider any additional areas which Members would like to suggest should be included.

Summary

2. Members are requested to consider the attached draft work programme (**Appendix 1**) for the next Municipal Year which has been prepared based on Officers recommendations and recommendations previously agreed by this Scrutiny Committee.
3. Once the work programme has been approved by this Scrutiny Committee, any additional areas of work which Members wish to add to the agreed work programme will require the completion of a quad of aims in accordance with the previously approved procedure (**Appendix 3**)

Recommendation

4. Members are requested to consider and approve the attached draft work programme as the agreed work programme and consider any additional items which they might wish to include.

Luke Swinhoe
Assistant Director Law and Governance

Background Papers

There were no background papers used in the preparation of this report.

Olivia Hugill, Extension: 5363

Council Plan	The report contributes to the Council Plan in a number of ways through the involvement of Members in contributing to the delivery of the Plan.
Addressing inequalities	There are no issues relating to diversity which this report needs to address.
Tackling Climate Change	There are no issues which this report needs to address.
Efficient and effective use of resources	The Work Programmes are integral to scrutinising and monitoring services efficiently (and effectively), however this report does not identify specific efficiency savings.
Health and Wellbeing	This report has no direct implications to the Health and Well Being of residents of Darlington.
S17 Crime and Disorder	This report has no implications for Crime and Disorder
Wards Affected	The impact of the report on any individual Ward is considered to be minimal.
Groups Affected	The impact of the report on any individual Group is considered to be minimal.
Budget and Policy Framework	This report does not represent a change to the budget and policy framework.
Key Decision	This is not a key decision.
Urgent Decision	This is not an urgent decision.
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. The format of the proposed work programme has been reviewed to enable Members of this Scrutiny Committee to provide a rigorous and informed challenge to the areas for discussion.

Forward Plan and Additional Items

6. Once the Work Programme has been agreed by this Scrutiny Committee, any Member seeking to add a new item to the work programme will need to complete a quad of aims. A revised process for adding an item to a previously approved work programme, has been agreed by the Monitoring and Co-ordination Group.
7. Details of the items included on the Forward Plan has been attached at **Appendix 2** for information.

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ECONOMY AND RESOURCES SCRUTINY COMMITTEE WORK PROGRAMME 2024/25

	Topic	Timescale	Lead Officer	Scrutiny's Role
RESOURCES				
	Performance Management Framework	Work to be undertaken to look at relevant PI's. Informal meeting to be arranged 9 January 2025	Relevant Assistant Directors	To understand/monitor and challenge the indicators
	Sickness Absence Year-end turn out	To be circulated to Members of the Scrutiny Committee as a briefing note	Brett Nielsen	N/A
	Health and Safety Year-end turn out	To be circulated to Members of the Scrutiny Committee as a briefing note	Brett Nielsen	N/A
	Medium-Term Financial Plan - Monitoring	Quarterly monitoring reports to be submitted to meetings of this Scrutiny Committee 31 October 2024 30 January 2025	Brett Nielsen	To contribute and challenge the Medium-Term Financial Plan and assist with the implementation and development of the required savings
	Medium-Term Financial Plan	9 January 2025	Brett Nielsen	To provide a response to Cabinet on the proposals in relation to the Medium-Term Financial Plan

		Special Meeting (response to Cabinet) 20 January 2025		
	Capital Programme and Project Position Statement	Quarterly monitoring reports to be submitted to meetings of this Scrutiny Committee 31 October 2024 30 January 2025	Anthony Hewitt	To look at the position
	Investment Fund	5 September 2024 Last considered: 31 August 2023	Brett Nielsen	To consider progress against the agreed investments being funded through the Investment Fund.
	Complaints, Compliments and Comments - Annual Report	5 September 2024 Last considered: 31 August 2023	Lee Downey	To look at the position
	Complaints Made to Local Government Ombudsman	5 September 2025 Last considered: 31 August 2023	Lee Downey	To consider the outcome of cases which have been determined by the Local Government and Social Care Ombudsman (LGSCO) and the Housing Ombudsman (HO) and forward any view to Cabinet
	Customer Services and Digital Strategy	30 January 2025 Last considered: 31 August 2023	Anthony Sandys	To review and provide a response to Cabinet.

	Council Tax Support – Scheme Approval 2025/26	31 October 2024	Anthony Sandys	To update Members of Scrutiny
ECONOMY				
	Economic Strategy	3 April 2025	Mark Ladyman	Development of Strategy
	Housing Strategy	3 April 2025	David Hand	Development of the Strategy and Actions
	Climate Change	31 October 2024	Cabinet Member	To update on the work of the Review Group
	Markets Update	9 January 2025 Last considered: 2 November 2023	Mark Ladyman	To update Scrutiny on compliance with the contract
	Towns Fund	9 January 2025 Last considered: 11 April 2024	Mark Ladyman	To update Members of Scrutiny
	Footfall Causes and Impacts Study	9 January 2025	Alex Nicholson	To update Members of Scrutiny
	Section 106 Funding	9 January 2025	Michael Chandler	To update Members of Scrutiny
	Office Demand Study (Council Assets)	30 January 2025	Mark Ladyman	To update Members of Scrutiny

	Agile Working	30 January 2025	Brett Nielsen	To update Members of Scrutiny
	Artificial Intelligence Usage	30 January 2025	Neil Bowerbank	To update Members of Scrutiny

**DARLINGTON BOROUGH COUNCIL
FORWARD PLAN**



DARLINGTON

Borough Council

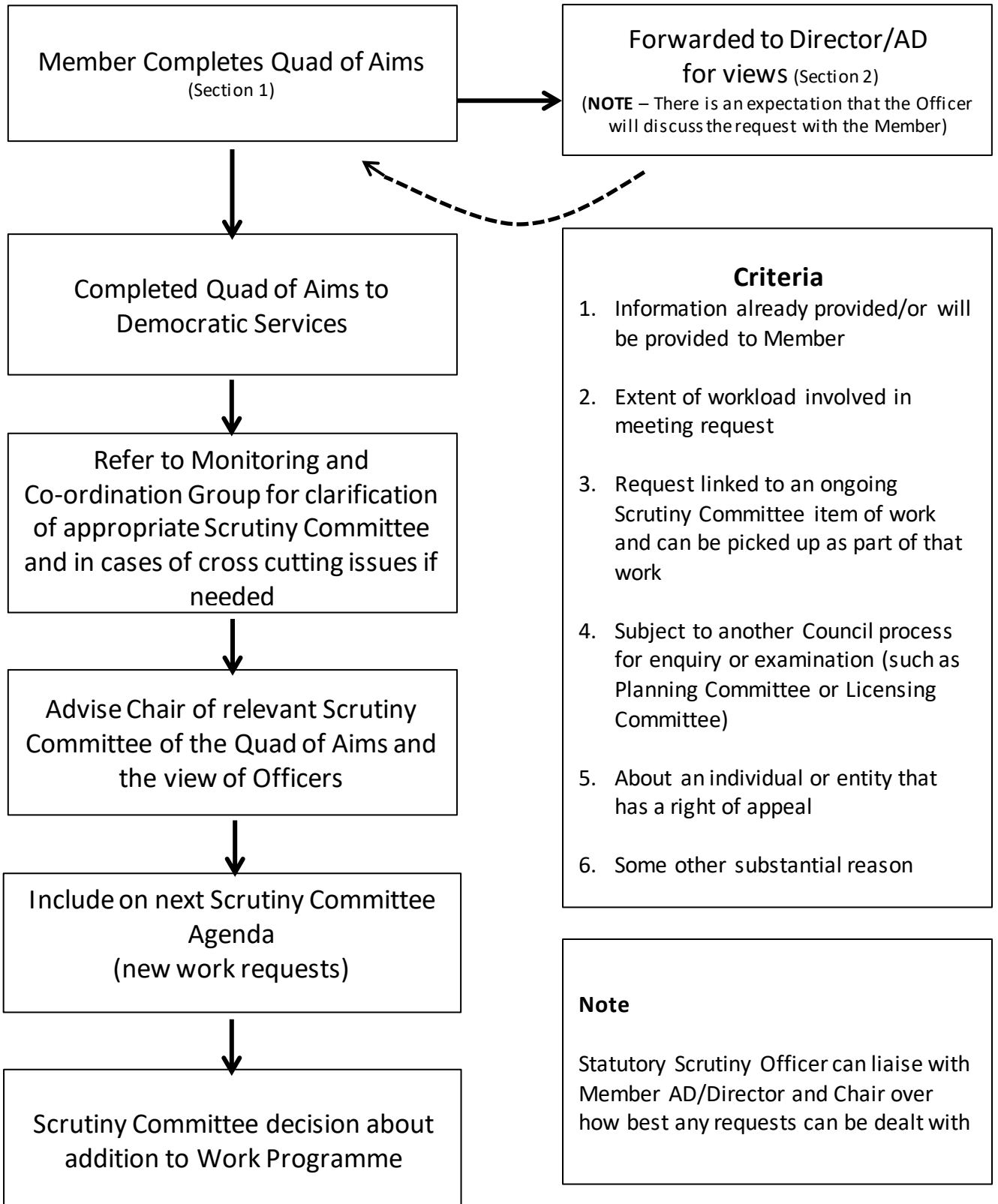
**FORWARD PLAN
FOR THE PERIOD: 2 OCTOBER 2024 - 28 FEBRUARY 2025**

Title	Decision Maker and Date	Page
Offset Strategy	Cabinet 8 Oct 2024	5
Special Educational Needs and Disabilities (SEND) Strategy 2025/29	Cabinet 8 Oct 2024	6
Schedule of Transactions	Cabinet 8 Oct 2024	7
Annual Procurement Plan Update	Cabinet 5 Nov 2024	8
Children and Young People's Plan	Cabinet 5 Nov 2024	9
Council Tax Support - Scheme Approval 2025/26	Cabinet 5 Nov 2024	10
Environment Act 2021 - Waste Management Arrangements	Council 28 Nov 2024 Cabinet 5 Nov 2024	11
Household Support Fund 2025	Cabinet 5 Nov 2024	12
Housing Services Tenant Engagement and Involvement Strategy 2024/29	Cabinet 5 Nov 2024	13
Project Position Statement and Capital Programme Monitoring - Quarter 2	Cabinet 5 Nov 2024	14
Revenue Budget Monitoring - Quarter 2	Cabinet 5 Nov 2024	15
Skerningham Masterplan Consideration	Cabinet 5 Nov 2024	16
Updated Local Development Scheme (LDS) 2024/27	Cabinet 5 Nov 2024	17
Council Plan Performance Reporting Update	Cabinet 3 Dec 2024	18
Housing Revenue Account - Medium Term Financial Plan 2025/27 to 2028/29	Cabinet 3 Dec 2024	19
Land at Coniscliffe Road, Darlington	Cabinet 3 Dec 2024	20
Land at Faverdale - Burtree	Cabinet 3 Dec 2024	21

**DARLINGTON BOROUGH COUNCIL
FORWARD PLAN**

Garden Village - Proposed Infrastructure Development Agreement (IDA)		
Mid Year Prudential Indicators and Treasury Management Monitoring Report 2024/25	Cabinet 3 Dec 2024	22
Proposed Middleton St George Conservation Area - Consultation	Cabinet 3 Dec 2024	23
Review of the Medium Term Financial Plan (MTFP)	Cabinet 3 Dec 2024	24
Strategic Asset Plan	Cabinet 3 Dec 2024	25
Maintained Schools Capital Programme - Summer 2025	Cabinet 7 Jan 2025	26
Woodland Road Waiting Restrictions	Cabinet 7 Jan 2025	27
Capital Strategy	Cabinet 4 Feb 2025	28
Customer Services Strategy 2025/30	Cabinet 4 Feb 2025	29
Digital Darlington Strategy 2025-30	Cabinet 4 Feb 2025	30
Housing Revenue Account - Medium Term Financial Plan 2025/27 to 2028/29	Cabinet 4 Feb 2025	31
Review of the Medium Term Financial Plan (MTFP)	Council 27 Mar 2025 Cabinet 4 Feb 2025	32
Preventing Homelessness and Rough Sleeping Strategy 2025/30	Cabinet 4 Feb 2025	33
Project Position Statement and Capital Programme Monitoring - Quarter 3	Cabinet 4 Feb 2025	34
Prudential Indicators and Treasury Management Strategy 2025/26	Cabinet 4 Feb 2025	35
Revenue Budget Monitoring - Quarter 3	Cabinet 4 Feb 2025	36
Schools Admissions 2025/26	Cabinet 4 Feb 2025	37
Adult Social Care Transport Policy 2024	Cabinet	38
Annual Statement of Accounts 2022/23	Cabinet	39

PROCESS FOR ADDING AN ITEM TO SCRUTINY COMMITTEE'S PREVIOUSLY APPROVED WORK PROGRAMME



PLEASE RETURN TO DEMOCRATIC SERVICES

QUAD OF AIMS (MEMBERS' REQUEST FOR ITEM TO BE CONSIDERED BY SCRUTINY)

SECTION 1 TO BE COMPLETED BY MEMBERS

NOTE – This document should only be completed if there is a clearly defined and significant outcome from any potential further work. This document should **not** be completed as a request for or understanding of information.

REASON FOR REQUEST?	RESOURCE (WHAT OFFICER SUPPORT WOULD YOU REQUIRE?)
PROCESS (HOW CAN SCRUTINY ACHIEVE THE ANTICIPATED OUTCOME?)	HOW WILL THE OUTCOME MAKE A DIFFERENCE?

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Signed Councillor

Date

SECTION 2 TO BE COMPLETED BY DIRECTORS/ASSISTANT DIRECTORS
(NOTE – There is an expectation that Officers will discuss the request with the Member)

	Criteria
1. (a) Is the information available elsewhere? Yes No If yes, please indicate where the information can be found (attach if possible and return with this document to Democratic Services)	1. Information already provided/or will be provided to Member
(b) Have you already provided the information to the Member or will you shortly be doing so?	2. Extent of workload involved in meeting request
2. If the request is included in the Scrutiny Committee work programme what are the likely workload implications for you/your staff?	3. Request linked to an ongoing Scrutiny Committee item of work and can be picked up as part of that work
3. Can the request be included in an ongoing Scrutiny Committee item of work and picked up as part of that?	4. Subject to another Council process for enquiry or examination (such as Planning Committee or Licensing Committee)
4. Is there another Council process for enquiry or examination about the matter currently underway?	5. About an individual or entity that has a right of appeal
5. Has the individual or entity some other right of appeal?	6. Some other substantial reason
6. Is there any substantial reason (other than the above) why you feel it should not be included on the work programme?	

Signed **Position** **Date**

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