

COUNCIL

Thursday, 25 January 2024

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

APOLOGIES – Councillors Ali, Allen and Robinson.

50 **MINUTES - TO APPROVE THE MINUTES OF THE MEETING OF THIS COUNCIL HELD ON 30 NOVEMBER 2023**

Submitted – The Minutes (previously circulated) of the meeting of this Council held on 30 November 2023.

RESOLVED – That the Minutes of the meeting of this Council held on 30 November 2023, be approved as a correct record.

51 **DECLARATIONS OF INTEREST.**

Non-Pecuniary interests were recorded for Councillors Dulston, Durham, Harker, Keir, Laing, McCollom, McGill, Porter and Storr, in relation to Minute 57 (c) below, as Members who served on the Management Committee of a community association / organisation, school governing body, parish council or charity or similar body, or who were employed by such a body.

(**NOTE:** The Monitoring Officer issued a general dispensation under Section 33 (2) of the Localism Act 2011, with reference to paragraphs (c) and (e)).

52 **SEALING.**

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

53 **ANNOUNCEMENTS.**

Holocaust Memorial Day 2024 – The Mayor acknowledged Holocaust Memorial Day, which was due to take place on Saturday, 27th January 2024, and would mark the 79th Anniversary of the liberation of Auschwitz-Birkenau.

The Mayor informed Members that this important anniversary had been commemorated in Darlington at memorial service at the Queen Elizabeth Sixth Form College, held on Wednesday, 24th January 2024, and which had been organised by the Celebrating Communities group.

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

(1) THE PUBLIC;

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

(2) MEMBERS TO CABINET/CHAIRS;

There were no questions from Members, where notice had been given, for the Mayor, Members of the Cabinet, or the Chairs of the Scrutiny Committees.

55 COUNCIL REPORTS.

(1) COUNCIL TAX CALCULATION OF TAX BASE 2024/25

The Group Director of Operations submitted a report (previously circulated) to determine the Council's tax base for 2024/25.

The submitted report stated that, in accordance with Section 33 of the Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) Regulations 2012, the Council had to decide its tax base by 31 January in the year preceding that for which the tax base applies.

RESOLVED - (a) That the report for the calculation of the Council's tax base for the year 2024/25 be approved.

(b) That the tax base for the Council of 35,300.8 and the individual tax base for the parishes, as set out in Appendix 2 of the submitted report, be approved.

REASON - To comply with statutory requirements, enabling the Council Tax for 2024/25 to be set by Council in February 2024.

(2) MEMBERS' ALLOWANCES REVIEW

The Chief Executive submitted a report (previously circulated) to enable Members to give consideration to the recommendations of the Independent Remuneration Panel appointed by the Council in relation to the adoption of a new Scheme of Members' Allowances.

The submitted report stated that the Independent Remuneration Panel had produced a report with recommendations in accordance with the Council's terms of reference for the Panel, and that the report covered a wide range of issues and the Panel's reasoning for its recommendations.

It was noted that the Panel had recommended that no changes be made to the current scheme apart from one in relation to the Audit Committee to allow for the possibility of a future appointment of a co-optee. The submitted report advised that Members could accept the Panel's recommendations in full, or part, or reject them.

RESOLVED - (a) That the recommendations be accepted in full with effect from 1 April 2024;

and

(b) That the new Members' Allowances Scheme, as appended at Appendix 2 of the submitted report, be approved.

REASON - To implement a new Members' Allowances Scheme with effect from 1 April 2024.

(3) REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS 2023

The Group Director of Operations submitted a report (previously circulated) to enable Members to give consideration to the outcome of the recent review of Polling Districts, Polling Places and Polling Stations, ahead of the Police and Crime Commissioner Election and the Tees Valley Combined Authority Mayoral Election on 2 May 2024, and prior to the UK Parliamentary (General) Election, which must take place prior to January 2025.

The submitted report stated that the Representation of the People Act 1983 required that local authorities conduct reviews of the Polling Districts, Polling Places and Polling Stations within their local authority area, and that the next compulsory review was due to commence within a sixteen-month period beginning on 1 October 2023. It was stated that at the July 2023 Council meeting a timetable for the next compulsory review had been agreed.

The submitted report set out the process that the review undertook and recommended a small number of changes to the Polling Districts, Polling Places and Polling Stations that had been used in past elections.

RESOLVED – (a) That the consultation responses received be noted.

(b) That the changes proposed to the existing Polling Districts, Polling Places and Polling Stations ahead of the Police and Crime Commissioner Election and the Tees Valley Combined Authority Mayoral Election on 2 May 2024, and prior to the UK Parliamentary (General) Election, which must take place prior to January 2025, be approved, as follows:

- (i) That the Polling Districts within the Brinkburn and Faverdale Ward, be renamed BFA, BFB, BFC and BFD (as opposed to BFA(S), BFA(D), BFB and BFC respectively).
- (ii) That the name of the Polling Place at The Rydal Academy, used in Polling Districts BLB and BLC, reflected the use of the Community Hub in the title.
- (iii) That St. Mary's Church, Piercebridge remain listed as the Polling Place for Polling District HCG, however that the Polling Station be sited at an alternative Polling Place until the works to upgrade the Church to ensure that it is fit for purpose are completed.
- (iv) That an amendment to the North Western boundary between Polling District HUA and HUB be made. The North Western boundary currently follows Snipe Lane, to the right of Blackwell Moor Farm and Snipe Meadows, up to the A66. The amendment would move the boundary further west to follow the railway line, which would result in Blackwell Moor Farm, Snipe Meadows and a few other properties, together with the development comprising of Gill Beck Lane, Ash

Brook Lane, Elder Brook Avenue and Buckthorn Court, moving from Polling District HUA to Polling District HUB. This would have no impact on the number of voters across the Ward, however would mean a change in Polling Station for a small number of voters. The amendment can be viewed at Hurworth Ward and Polling Districts (darlington.gov.uk).

- (v) That the use of the Skerne Park Youth and Community Centre as a Polling Place in Polling District PEE be discontinued, and that the electors resident in Polling District PEE vote in the Polling Place at The Coleridge Centre, Coleridge Gardens, Darlington.
- (vi) That the electors from Polling Districts SME, SMG and SMH now vote at Sadberge Village Hall, Sadberge, as opposed to St. Anne's Church Hall on Welbeck Avenue, Darlington.

(c) That the publication of the proposals for Polling Places, as set out in Appendix D of the submitted report, be authorised.

REASONS - (a) To ensure that polling places and polling stations are accessible to voters and have reasonable facilities for voting.

(b) To comply with the requirements of the Representation of the People Act 1983, the Equality Act 2010 and the Elections Act 2022.

(c) To enable the decisions to be made, publicised and implemented in good time for the elections scheduled for May 2024.

56 MID YEAR PRUDENTIAL INDICATORS AND TREASURY MANAGEMENT MONITORING REPORT 2023/24

The Group Director of Operations submitted a report (previously circulated) which sought approval of the revised Treasury Management Strategy, Prudential Indicators and to provide a mid-yearly review of the Council's borrowing and investment activities.

The submitted report stated that the mandatory Prudential Code, which governs Council borrowing, required Council approval of controls, called Prudential Indicators, relating to capital spending and borrowing. It was reported that the Prudential Indicators were set in three statutory annual reports to Council, and the submitted report followed the Council's approval in February 2023 of the 2023/24 Prudential Indicators and Treasury Management Strategy.

The submitted report highlighted that the key objectives of the three annual reports were to ensure that governance of the large amounts of public money under the Council's Treasury Management activities complied with legislation and met the high standards set out in the codes of practice, to ensure that borrowing was affordable, and to report performance of the key activities of borrowing and investments.

The submitted report also outlined revisions to the Prudential Indicators in terms of a reduction to Operational Boundary to £148.025M, and the Authorised Limit to £245.331M to

allow for any additional cashflow requirement.

RESOLVED - (a) That the revised Prudential Indicators and limits in Tables 1 to 6, 8, 10 and 12 to 17 of the submitted report be examined.

(b) That the Treasury Management Budget (Financing Costs) projected outturn, shown in Table 11, be noted.

(c) That the updated Prudential Indicators be approved.

REASONS - (a) In order to comply with the Prudential Code for Capital Finance in Local Authorities;

(b) To inform Members of the performance of the Treasury Management function;

(c) To comply with the Local Government Act 2003;

(d) To enable further improvements to be made in the Council's Treasury Management function.

57 CABINET REPORTS.

The Cabinet Members each gave a report (previously circulated) on the main areas of work undertaken under their relevant portfolio during the previous cycle of meetings. Cabinet Members answered questions on their portfolios.

58 SCRUTINY REPORTS - TO CONSIDER SCRUTINY OVERVIEW REPORTS:-

The Scrutiny Committee Chairs each submitted a report (previously circulated) on the main areas of work undertaken by their relevant Scrutiny Committee during the last cycle of Committee meetings, and responded to any questions thereon.

59 NOTICE OF MOTION

(1) TO CONSIDER A MOTION SUBMITTED BY COUNCILLOR DURHAM AND SECONDED BY COUNCILLOR BARTCH

The following Motion was moved by Councillor Durham, and seconded by Councillor Bartch:

Constitutional Amendment

Preamble

1. This Council has often found itself debating issues which it has no operational responsibility for, or influence over, most recently, in respect of the conflict in the Middle East.

2. As Councillors, we are elected to represent residents within the Borough on matters which this Council has control over, we are not elected to protest,

champion a cause or political ideology.

3. The lack of focus hasn't gone unnoticed by residents, who, quite rightly, expect those they elect to focus on Darlington and nothing else.

4. This very simple Motion provides residents with comfort that is all we are focused on and I hope all Members see no need for a prolonged debate on this and support this Motion.

Proposed Motion

This Council resolves to amend paragraph 22 of Council Procedure Rules, contained within this Council's Constitution to include:-

'Any motion submitted to the Council shall be about matters for which the Council has statutory powers, duties or functions or address the built or natural environment of the Borough of Darlington or address a matter of local, regional or national policy that affects the lives of people in the Borough of Darlington. The ruling of the Monitoring Officer in consultation with the Mayor shall be final as to the relevance of the motion.'

The Motion was Lost.

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

Consideration was given to membership changes of the Committees, Subsidiary Bodies and Other Bodies for the remainder of the Municipal Year 2023/24 that:

- (a) That Councillor Kane replace Councillor Dillon on the Children and Young People Scrutiny Committee;
- (b) That Councillor Beckett replace Councillor Dillon on the Health and Housing Scrutiny Committee; and
- (c) That Councillor Curry replace Councillor Allen on the Standing Advisory Council of Religious Education (SACRE).