

COUNCIL

Thursday, 29 January 2026

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

APOLOGIES – Councillors Ali and Mrs Scott

ABSENT – Councillors Robinson

67 MINUTES - TO APPROVE THE MINUTES OF THE MEETING OF THIS COUNCIL HELD ON 2 OCTOBER 2025

Submitted – The Minutes (previously circulated) of the meeting of this Council held on 2 October 2025.

RESOLVED – That the Minutes of the meeting of this Council held on 2 October 2025 be approved as a correct record.

68 DECLARATIONS OF INTEREST.

There were no declarations of interest recorded at this meeting.

69 SEALING.

70 ANNOUNCEMENTS.

Recognition of Allison McKay MBE

The Mayor congratulated Allison McKay, CEO of The Forum Music Studios, on being awarded an MBE in the King's New Year Honours List 2026 for services to music.

Recognition of Troy Williamson

The Mayor congratulated local boxer Troy Williamson on winning the British, Commonwealth and European super-middleweight titles on 20 December.

Holocaust Memorial Day

The Mayor marked Holocaust Memorial Day, reflecting on the theme '*Bridging Generations*' and inviting a 30-second pause in remembrance.

Thanks to Captain John "JJ" Wilson

The Mayor expressed appreciation to Captain JJ Wilson as he steps down as Parade Master, thanking him for decades of military and community service.

Welcoming Councillor Michael Walker

The Mayor formally welcomed Cllr Michael Walker to his first Ordinary Council Meeting following his recent by-election win.

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

72 THE PUBLIC;

There were fourteen questions, received with notice, from Members of the Public.

Thirteen Members of the Public attended the meeting to ask their question in person, and each received an answer thereon.

The Mayor requested that a written response be provided to the Member of the Public who did not attend to ask their question in person.

Members took a vote on whether to refer four of the submitted questions to Cabinet for discussion.

RESOLVED – That two of the questions submitted on notice by members of the Public be referred to Cabinet for discussion.

73 MEMBERS TO CABINET/CHAIRS;

There were five questions, received with notice, submitted by Councillor Walker to Members of the Cabinet.

Councillor Walker attended the meeting to ask the submitted questions and received answers thereon from the relevant Cabinet Members.

74 COUNCIL REPORTS.

75 REVIEW OF POLICY AND CONDITIONS RELATING TO HACKNEY CARRIAGES, PRIVATE HIRE VEHICLES AND THEIR DRIVERS AND OPERATORS FOLLOWING CONSULTATION.

The Executive Director – Economy and Public Protection, submitted a report (previously circulated) which invited all Members to approve the recommendations made by the Licensing Committee to amend Darlington's Private Hire and Hackney Carriage Licensing Policy following public consultation.

The submitted report outlined that Darlington's Private Hire and Hackney Carriage Licensing Policy had last been reviewed in January 2021, with amendments made in 2022 following an interim review. The Licensing Committee had approved the current policy for public consultation, which closed on 10 August 2025. Responses were collated, and a revised draft policy was produced to reflect those submissions.

Following detailed discussion and representations from the taxi and private hire trade, the Licensing Committee formulated recommendations to be considered at this Ordinary Meeting of the Council in relation to any proposed changes to the policy.

The Council noted that the Licensing Committee had identified a number of amendments for inclusion in the revised Private Hire and Hackney Carriage Licensing Policy. The proposed changes were as follows:

- (a) Disability awareness training was to become mandatory, subject to the preparation of appropriate course materials.
- (b) Inward-facing CCTV was not to be made compulsory, but voluntary installation would be encouraged, provided proprietors complied with Information Commissioner's Office requirements.
- (c) Drivers would be required to offer a card payment option to customers.
- (d) Vehicles under three years old would be subject to a single annual mechanical inspection.
- (e) Drivers would be required to maintain daily records of vehicle inspections.
- (f) Amendments would be made to the private hire signage requirements.
- (g) A points-based system for minor breaches would be introduced, subject to further development and subsequent approval by the Licensing Committee.
- (h) The requirement for fire extinguishers to be carried in vehicles would be retained.

RESOLVED – That Full Council approved the recommendations of the Licensing Committee for amendments to be made to Darlington's Private Hire and Hackney Carriage Licensing Policy.

Reasons – This decision ensured that the Council's licensing framework remained up to date, reflected current best practice, and responded to issues raised during consultation with the taxi and private hire trade. The amendments were intended to enhance public safety, improve service standards, and provide clarity and consistency across the policy, while supporting the effective regulation of licensed vehicles, drivers, and operators within the Borough.

76 REVIEW OF POLITICAL BALANCE - CHANGES TO THE COMMITTEE MEMBERSHIP

The Executive Director – Resources and Governance, submitted a report (previously circulated) advising Members of the outcome of the review of the political balance of the Authority following the Red Hall and Lingfield By-Election held on 11 December 2025, and the resulting recalculation of the percentage allocation of seats to political parties and non-aligned Independents.

It was reported that, since the last review in November 2024, the political composition of the Council had changed due to the resignation of Councillor Dr. Riley and the subsequent election of Councillor Walker. Members were reminded that seats on committees were required to be allocated in accordance with the statutory political balance rules, as outlined within the report.

As a result of the altered political makeup, the Council was required to review and amend the allocation of seats to reflect the revised entitlement of each political group.

RESOLVED –

- (a) That the change to the political balance of the Council be noted.

(b) That it be agreed that the Labour Group lose one seat from each of the following Committees:

- (i) Children and Young People Scrutiny Committee; and
- (ii) LA Governors Appointments Committee.

(c) That it be agreed that Councillor M. Nicholson cease to be a member of the LA Governors Appointments Committee.

(d) That it be agreed that Councillor Walker be appointed to the Children and Young People Scrutiny Committee and the LA Governors Appointments Committee.

(e) That the Labour Group vacancy on the Communities and Local Services Scrutiny Committee be filled by Councillor Beckett.

(f) That it be noted that the Adults Scrutiny Committee and the Health and Housing Scrutiny Committee would continue to have one seat each that remained unallocated at this time.

Reasons – To reflect the changed political balance of the Council following the by-election, and to ensure compliance with the statutory requirements governing the allocation of committee seats.

77 CONSTITUTION UPDATE

The Executive Director- Resources and Governance, submitted a report (previously circulated) seeking approval of a series of updates to the Council's Constitution. Members were advised that the proposed changes were intended to support the effective operation of the Council and to provide additional clarity within the Council Procedure Rules. It was reported that periodic updates to the Constitution were necessary as a matter of good housekeeping to ensure that it remained accurate and fit for purpose.

Council noted the proposed amendment to Paragraph 13 of the Council Procedure Rules concerning questions from members of the public. Members were informed that, although Special and Extraordinary Council meetings were convened for specific purposes and had always accepted public questions only when relating to business on the published agenda, this had not been explicitly stated in the Constitution and had led to confusion. The revised wording therefore clarified that questions submitted for Special or Extraordinary meetings must directly relate to an item on the agenda.

Council also considered a proposal to remove from the Constitution seven administrative forms (ECC1 to ECC7) currently appended to the Code of Conduct for Employees. Members were informed that keeping these operational forms within the Constitution required any future updates to be returned to Council for formal approval, which was not an efficient use of time or resources. The Code itself would remain within the Constitution, but the removal of the forms would allow them to be amended administratively as required.

Council further noted the requirements of the Local Government and Social Care

Ombudsman's Complaint Handling Code, which advised that a Cabinet Member should be designated as the Member responsible for complaints. Members were informed that the role was most appropriately assigned to a Cabinet Member with corporate responsibilities. It was therefore proposed that the Portfolio Holder for Resources be designated as the Member responsible for complaints, with the corresponding update to be made within Part 2 of the Constitution (Responsibility for Functions: Schedule 2 – Cabinet Portfolios).

RESOLVED –

(a) That the updates and changes to the Constitution, as detailed in the report, be approved.

(b) That the Monitoring Officer be delegated to update the Constitution to reflect the agreed changes.

Reasons – To ensure that the Constitution remained clear, accurate, up to date and fit for purpose, and to ensure compliance with the expectations of the Local Government and Social Care Ombudsman in relation to oversight of complaint handling.

78 CLIMATE CHANGE AND NATURE RECOVERY PROGRESS

The Executive Director – Economy and Public Protection, submitted a report (previously circulated) providing an update on progress towards the Council's net zero target and its nature recovery ambition, in line with the Climate and Nature Emergency Declaration which required six-monthly reporting. Members noted that emissions data was only available annually and, as such, no updated figures were yet available for the current year.

It was reported that the increase in emissions recorded for 2024/25 was partly attributed to the opening of Hopetown and ongoing works at the Dolphin Centre. Council also noted that investigations were continuing into the rise in emissions at Allington Way, for which a definitive explanation had not yet been identified.

Members were informed that the Climate Change Officer had been working with services across the Council to revise the climate change action plan. A new tool had been developed to identify potential projects requiring future funding, and the Council continued to work with the North East and Yorkshire Net Zero Hub to explore external funding opportunities.

Council further noted that, following the nature recovery emergency motion approved in May 2025, a combined climate change and nature strategy had been approved by Cabinet in September. The Ecologist was developing a nature recovery action plan aligned with the regional nature recovery strategy being prepared for the Tees Valley. Work was also underway to gather data for the Council's statutory biodiversity duty report, due for submission at the end of March. Members were advised that the Ecologist was additionally reporting to Natural England on the management status of all Council-managed Local Wildlife Sites.

RESOLVED – That the report be noted.

Reasons – To support the Council’s declared commitments to act on climate change and nature depletion. Failure to progress this work would risk significant reputational damage and undermine the Council’s stated ambition to address its contribution to climate change and support nature recovery.

79 MID-YEAR PRUDENTIAL INDICATORS AND TREASURY MANAGEMENT MONITORING REPORT 2025/26

The Executive Director – Resources and Governance, submitted a report which sought approval of the revised Treasury Management Strategy and Prudential Indicators, and provided an update on the Council’s borrowing and investment activities for 2025/26. Members were reminded that the Prudential Code required Council approval of prudential controls governing capital spending and borrowing, and that this mid-year report followed Council’s approval of the 2025/26 Prudential Indicators and Treasury Management Strategy in February 2025.

Council noted that the report met the regulatory requirements of the treasury management framework and supported the monitoring of the capital expenditure plans and associated Prudential Indicators. Members were informed that the revised figures related solely to the 2025/26 financial year, with indicators for future years to be updated once the implications of the Medium-Term Financial Plan from 2026/27 onwards were known.

A summary of the revised headline indicators for 2025/26 was presented, reflecting movements in the Capital Medium-Term Financial Plan since February 2025. The capital expenditure plans, together with the prudential indicators for capital spending, were set out as the framework for subsequent treasury management activity. Members noted that these updates supported the expectations of the CIPFA Treasury Management Code and government investment guidance, ensuring appropriate Member scrutiny of treasury activities.

Members were advised that the report provided updates on capital expenditure plans, financing arrangements, the impact of changes on Prudential Indicators and the borrowing requirement, compliance with borrowing controls, investment strategy updates, and the revised financing costs budget.

Council received revised estimates of capital expenditure, reductions in forecast capital programme spending for 2025/26, and updated projections for schemes expected to slip into future years. The revised financing arrangements for the capital programme were presented, with changes to the borrowing requirement highlighted.

The Council’s Capital Financing Requirement (CFR), actual borrowing position, and revisions

to the Operational Boundary were set out, together with confirmation that the statutory requirement for gross borrowing not to exceed the CFR over the medium term continued to be met. Members noted the proposed adjustments to the Authorised Limit for external debt, made in line with the updated CFR.

Council also received an update on treasury activity, interest-rate forecasts, and the broader economic context, noting expected movements in inflation and interest rates. Members were informed that there were no proposed policy changes to the Treasury Management Strategy Statement approved in February 2025.

The report outlined the Council's debt activity during the year, including the use of short-term borrowing, consideration of the early repayment of a loan, and the likelihood of continued under-borrowing at year end. Council also noted updates on property funds, including the merger involving Hermes Federated, the resulting distribution received by the Council and its use to repay short-term debt, and the anticipated further receipts from the Lothbury Fund.

Members were advised that no debt rescheduling had been undertaken due to prevailing market conditions. The Council's investment activity was reported in detail, with £38.699m held in investments as at 31 August 2025, and investment performance exceeding market benchmarks.

Council noted the updated Treasury Management Budget and the forecast overspend for 2025/26, attributed to the loss of returns from the Hermes property fund and borrowing costs remaining higher than originally anticipated.

RESOLVED –

- (a) That the revised prudential indicators and limits set out in Tables 1 to 6, 8, 10 and 12 to 17 of the report be examined.
- (b) That the projected outturn for the Treasury Management Budget (Financing Costs), as shown in Table 11, be noted.
- (c) That the updated Prudential Indicators be approved.

Reasons –

- (a) 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 support continued improvements in the Council's Treasury Management arrangements.

80 COUNCIL TAX CALCULATION OF TAX BASE 2026/27

The Executive Director of Resources and Governance Submitted a report seeking approval of the Council's tax base for 2026/27. Members were reminded 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 tax base was required to be determined by 31 January in the year preceding that to which it applied, and be notified to precepting authorities. The relevant calculations were presented in Appendices 1 and 2.

Members were informed that the tax base represented the number of domestic properties within the Borough expressed as Band D equivalents, adjusted for discounts, exemptions, changes in the housing stock and the estimated collection rate. Members noted that the tax base was a key component in the calculation of Council Tax for the forthcoming financial year.

It was reported that the council tax base reflected the taxable capacity of the area after taking account of dwellings eligible for reductions under the local council tax support scheme, and increases resulting from premiums applied to empty and long-term empty homes. Council noted that, unlike the previous council tax benefit system, local council tax support directly affected the tax base calculation due to the loss of income from dwellings receiving reductions.

Members were advised that the regulations prescribed the methodology for calculating the tax base across all valuation bands, including adjustments for disabled band reductions and anticipated changes up to 31 March 2027. The relevant amounts for each band were then converted into Band D equivalents, with the estimated collection rate and Ministry of Defence contributions applied to produce the final figure.

Council noted that the calculations for 2026/27, set out in Appendix 1, resulted in a total of 36,489.4 Band D equivalents, which, after applying the 99.0% collection rate and contributions in lieu, produced an overall tax base of 36,141.55, representing a 0.66% increase on 2025/26. Council further noted that equivalent calculations had been completed for each parish, shown in Appendix 2, using the same collection rate.

RESOLVED –

(a) That the report for the calculation of the Council's tax base for 2026/27 be approved.

(b) That the tax base for the Council of 36,141.55, and the individual parish tax bases set out in Appendix 2, be approved.

Reasons – To comply with statutory requirements and to enable the Council Tax for 2026/27 to be set by Council in February 2026.

(1) COUNCIL TAX SUPPORT - SCHEME APPROVAL 2026/27

The Executive Director – Resources and Governance, submitted a report (previously circulated) seeking approval of the Council Tax Support (CTS) scheme for 2026/27. Members were reminded that Council had approved the local CTS scheme for 2025/26 on 28 November 2024, with the scheme becoming operational on 1 April 2025.

It was reported that Councils were required to set a CTS scheme annually and, as part of that process, to consider whether any changes should be made to the existing scheme and whether transitional protection should be applied to those affected by any such changes. Council noted that the report set out the details of the CTS scheme for 2026/27 and that no significant changes were proposed. Members were advised that the report had been considered by Cabinet on 4 November 2025, who had agreed its onward submission to Council for approval.

Council was informed that local CTS schemes had replaced Council Tax Benefit in 2013 and were funded through the Council's general resources and Council Tax income. The estimated cost of the CTS scheme for 2025/26 had been £9.7m. Members were reminded that a full public consultation and equality impact assessment had been undertaken when the scheme was first introduced in 2013.

Council noted that the key feature of Darlington's CTS scheme continued to be that working-aged people were eligible for a maximum of 80% support towards their Council Tax liability, while care leavers under the age of 25 were exempt from Council Tax and therefore unaffected by the scheme. Pensioners remained protected under national regulations.

It was reported that no changes were recommended to the local scheme for 2026/27; however, Members were advised that applicable amounts and non-dependant deductions had been uprated for 2026/27 in accordance with the Council Tax Reduction Schemes (Prescribed Requirements) (England) (Amendment) Regulations 2026, and that other technical amendments required by those regulations had been incorporated. These changes did not constitute alterations to the local CTS scheme. Council also noted that the recommendations had no significant financial implications for the Medium-Term Financial Plan.

RESOLVED –

(a) That the contents of the report be considered.

(b) That the Council Tax Support scheme for 2026/27, as set out at Appendix 1, be approved.

Reasons –

(a) To comply with the requirement to publish a local CTS scheme for 2026/27 by 11 March 2026.

(b) Because the Council's CTS schemes since 2013 had been implemented successfully without major challenge.

(c) Because retaining a reduced entitlement for working-aged people remained appropriate given the current financial position of the Council.

81 CABINET REPORTS.

Council noted that, due to the lateness of the hour, a motion was moved and carried to note all remaining Cabinet reports without further debate.

RESOLVED – That the Cabinet reports be noted.

Reasons – To enable the timely conclusion of the meeting while ensuring that Cabinet business scheduled for consideration was formally received.

82 SCRUTINY REPORTS - TO CONSIDER SCRUTINY OVERVIEW REPORTS:-

Council further noted that a motion was moved and carried to note all Scrutiny Committee reports without discussion, in view of the time.

RESOLVED – That the Scrutiny Committee reports be noted.

Reasons – To acknowledge receipt of the Scrutiny Committee updates and to allow the meeting to conclude within practical time limits.

83 NOTICE OF MOTIONS

(2) TO CONSIDER A MOTION SUBMITTED BY COUNCILLOR TOMS AND SECONDED BY COUNCILLOR ROCHE

Council considered a motion submitted by Councillor Toms and seconded by Councillor Roche. During the meeting, Councillor Toms withdrew the motion and requested that it be deferred to the next Ordinary Meeting of the Council.

RESOLVED – That the motion submitted by Councillor Toms and seconded by Councillor Roche be withdrawn and deferred to the next Ordinary Meeting of the Council.

Reasons – To allow further consideration of the motion prior to its resubmission at the next scheduled Ordinary Meeting.

84 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 2025/26 that:

(a) That it be agreed that Councillor M. Nicholson cease to be a member of the LA Governors Appointments Committee.

(b) That it be agreed that Councillor Walker be appointed to the Children and Young People Scrutiny Committee and the LA Governors Appointments Committee.

(c) That the Labour Group vacancy on the Communities and Local Services Scrutiny Committee be filled by Councillor Beckett.