

Questions submitted on Notice for the Ordinary Meeting of the Council – Thursday, 26 March 2026

Question No.	Question received from	Respondent	Question
1.	Mr. David Abbott	Councillor Harker	The northern Echo has done a few articles lately about these amazing flags on lamp posts. There's been a lot of angry residence as the flags have been took down. The residence in Darlington who support the flags are Saying get them back up? Are you going to listen and support the residence in Darlington? In the simple act of raising these flags? How many complaints has there been from residence reporting flags on lamp posts? Compared to How many complaints have there been from residence reporting flag removals?
2.	Dr. Chris Pickering	Councillor Harker	In light of the Auditor's Annual Report issued on February 23 2026 which gave a Disclaimer of Opinion because auditors were unable to obtain sufficient appropriate evidence for the council's figures and completed only 65 percent of their planned work how can this Cabinet legally or morally justify the recent maximum 4.99 percent tax hike and a spike in borrowing to 263 million pounds when you lack the verified financial transparency to prove these funds are rectifying legacy issues rather than simply subsidizing current unverified overspends on projects like the Skinnergate delays and the Hopetown deficit?
3.	Mrs. Leigh Taylor	Councillor Harker	Cllr Harker you told me [1]: <i>'The Supreme Court judgement is very clear that spaces signed as single sex relate to biological sex. This applies to all single sex council provision. Staff have been made aware of the judgement and had the Equality and Human Rights Commission guidance circulated.'</i> However, in January's meeting, it seemed the council had shifted its stance, with Cllr Garner mistakenly claiming, <i>"it's not clear in the law."</i> The Supreme Court stated <i>'sex'</i> can only refer to <i>'biological sex'</i> and possessing a Gender Recognition Certificate does not alter this. The judgement highlighted that the protected characteristics of Pregnancy & Maternity and Sexual Orientation would be compromised if they included men 'identifying as women' in contexts like breastfeeding or as a <i>'lesbian with a penis'</i> at lesbian-only events. Moreover, the ruling made it clear it has never been the situation that single sex provisions can be provided on a case-by-case basis (either by venue or a person or both) because that would be incoherent for users and providers: <i>"It must be possible for sex to be interpreted in a way that is predictable, workable and capable of</i>

		<i>being consistently understood and applied in practice by this wide range of duty-bearers.” [2]</i> The judgement did not remove legal protections against discrimination. <i>“If a man says he’s a woman, he has the protected characteristic of gender reassignment, and he’s entitled not to suffer discrimination or harassment because of that. But if he’s told he’s not allowed to use women’s facilities, that’s not because of his gender reassignment: it’s because of his sex.” [3] “It is not the man himself but the fact he is a man.” [4]</i> Supreme Court rulings are retroactive. They have immediate effect. However, some service providers claim they’re waiting for the Equality & Human Rights Commission (EHRC) new Code of Practice to be published. But the EHRC made it clear. Duty-bearers must seek specialist legal advice if they are uncertain about complying rather than waiting for a new code. Indeed, it could be seen as foolish to wait for a new code as the EHRC have admitted their 2011 and 2022 codes misunderstood ‘sex’. Likewise, it took several iterations of Darlington Council’s own Equality Policy until ‘Sex’ was just defined as <i>“A man or a woman”</i> (2024). What all service providers have at their disposal is the EHRC Interim Update (issued 24/04/2025) – It <i>‘said that people should not use facilities provided for the other biological sex “as this will mean they are no longer single-sex facilities and must be open to all users of the opposite sex”</i>. [5] The ‘Good Law Project’ comprehensively failed in their recent High Court challenge of claiming the Interim Update [6] was unlawful. We all know that for a person to claim to be the opposite sex they obviously know their sex. Even (rare) individuals with a diagnosed Difference of Sexual Development [sometimes erroneously called ‘intersex’ or ‘hermaphrodite’] have either a male DSD or a female DSD. None of them represent an additional sex class. <u>Can the council guarantee residents that female sex designated provision is exclusively for the use of biological females? I’d like you to answer Yes or No and, with explicit reference to the following example, explain how staff maintain lawful provision.</u> Single sex designated services have already been set up as a <i>‘proportionate means of achieving a legitimate aim’</i> but, for example, Crown Street library recently explained that a person whose ‘legal sex’ is female (a girl, woman as well as a male with a gender recognition certificate in the ‘reassigned gender of female’) can use the ‘Ladies toilet’. [1] via email (May 2025)
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4	Mrs. Helen Rondo	Councillor Harker	I came here last month with a question about the perceived lack of awareness of public opinion within the council and concern over the perceived lack of impartiality of some of its employees and Councillors. I received an exemplary example of a response which said a lot whilst saying very little. I am back today to ask Councillor Harker what evidence he can give me that demonstrates that the council is fairly run and fulfilling its role in responding to the voices and opinions of the residents of Darlington.
5.	Ren Bell	Councillor Harker	"In regards to motion 10c, how does the Councillor intend to enforce the use of single sex spaces? how will you ensure that intersex people, and gender non conforming women, including those with conditions such as PCOS remain free from harassment when using these spaces. How does the Councillor intend to ensure the enforcement of single sex spaces does not breach residents right to privacy."
6.	Leanne Carroll	Councillor	Last week, at a Tees Valley Mayor Q&A event in Darlington, Lord Houchen said that this Council is not being

		McEwan	honest about the road through Skerningham. He told the audience that the £250m the Tees Valley Combined Authority has for the Darlington Northern Link Road would have to be used to fund the road through Skerningham because a Route A scenario is dead in the water, the Department for Transport would not allow it. This is the second time he has stated this at his Q&A events in recent months. The Options Assessment Report looking at route options is due to be published this spring. Houchen's comments however show a clear bias and pre-determined outcome. Does Darlington Borough Council believe that funds intended for one road project are being used instead to support the developers' road through Skerningham, which their garden village bid indicated they would finance?
7.	River Dunkley	Councillor Harker	"Can you specify exactly which groups were consulted on all the threats against women & girls in our community, and when these occurred? Given the aim of the motion, were the trans and intersex communities of the town directly consulted, or are they being spoken about without being included in that process, If so how can the impact of that group be fairly assessed and supported against the clear evidenced violence they face."
8.	George Whiteside	Councillor Harker	The motion states that it will "implement the Supreme Court ruling", a judgement which still maintains that exclusion from spaces can be made on a case-by-case basis. The guidance following the judgement has been withdrawn and is under intense scrutiny legally and publicly. How does the councillor see the Council enforcing a policy that as of yet has no official guidance and how will the council determine proportionate means to achieve a legitimate aim with this motion?
9.	John Coleman	Councillor Harker	Taken account of the context provided, are Members satisfied that in the case of land off Sparrowhall Drive they have sufficient reason to accept the upcoming Motion 10b put forward by Councillor Dulston? And why it would ever seem a good idea for them to undermine the democratic process they have already been involved in to establish that the land is suitable for, and should continue to be allocated for development.
10.	Jack James	Councillor McEwan	Wandsworth Council, ran by the Labour Party has been warned by the UK Statistics Authority that their claim to have frozen council tax for four years in a row has the potential to mislead taxpayers. During the most recent elections to this Council in May 2023, the Labour Group sent out a piece of election material claiming that their

			council tax bill would be frozen. During said campaign the then leader of the Labour Party said that through the use of extended windfall tax the council tax bill would be frozen. He said: "Labour would freeze council tax, yes you heard that right, not a penny more on your council tax, not a penny more on your bill you paid last year" The local group supported this pledge on social media and sent out election leaflets across this town with this slogan. But this did not happen following Labour taking control of our Borough. In 2024 council tax was increased by the maximum amount without a referendum (4.99%), one of the greatest betrayals that could be made by people in power. This pledge was also reiterated in the 2024 General Election. So I'd like to ask - why was this promise made and not kept? At a time were families are struggling this administration decided to deceive them rather than to support them. At such desperate times residents of Darlington who voted for the Labour Party were under the impression that their lives would get easier, that the financial burden would be somewhat relieved and that they would have more of their own money to spend, but this was not the case. At a time when trust in politicians is at an all time low, it is key that when parties of all colours and sizes make promises they are deliverable and will be kept regardless of circumstances. This isn't unreasonable, it's the right and decent thing to do. I would appreciate a serious and respectful reply which attempts to convey your respect to the residents of Darlington.
11.	David James	Councillor McCollom	Is there a process currently in place for local residents to be able to claim a form of compensation for car repairs due to well below standard of road surfaces? If there is a particular scheme in place how much has this cost the taxpayer since May 2023?