

COUNCIL

Thursday, 5 December 2019

PRESENT – The Mayor, Councillors Allen, Bartch, Boddy, Dr. Chou, Clarke, Cossins, Crudass, Crumbie, Mrs Culley, Donoghue, Dulston, Durham, Harker, Haszeldine, Holroyd, Howarth, Howell, C L B Hughes, L Hughes, Johnson, B Jones, Mrs D Jones, Keir, Laing, Layton, Lee, Lister, Lucas, Marshall, McCollom, McEwan, Newall, K Nicholson, M Nicholson, Paley, Preston, Renton, A J Scott, Mrs H Scott, Snedker, Tait, Tostevin and Wright

APOLOGIES – Councillors Ali, Baldwin, Bell, Curry, Heslop and Mills.

32 MINUTES - TO APPROVE THE MINUTES OF THE MEETINGS OF THIS COUNCIL HELD ON 19 SEPTEMBER AND 26 SEPTEMBER 2019

Submitted – The Minutes (previously circulated) of the meetings of this Council held on 19 September 2019 and 26 September 2019.

RESOLVED – That the Minutes be approved as correct records.

33 DECLARATIONS OF INTEREST.

Councillor Snedker declared a non-pecuniary interest in Minute 38 below, as an allotment holder at the West Cemetery Allotments.

34 SEALING.

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

35 ANNOUNCEMENTS.

The Mayor reported on the death of former-Mayoress Carol Johnson, who had sadly passed away on 13 October 2019. The Mayor noted that Mrs. Johnson served as Mayoress alongside Councillor Charles Johnson during his Mayoral Year in 2013/14, and invited Councillor Mrs. H. Scott, Leader of the Council, to address the meeting.

The Mayor also informed Members of the Death in Service of Graham Darlington, and invited the Director of Economic Growth and Neighbourhood Services to address the meeting.

As a mark of respect, Members stood and observed a short silence in memory of former colleagues.

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

(1) THE PUBLIC;

There were three questions, with notice, from members of the public, one in relation to the Skerningham Garden Village proposal; and two in relation to the West

Cemetery Development Proposal; and answers were provided thereon.

(2) MEMBERS TO CABINET/CHAIRS;

There was one question, with notice, from a Member to the Mayor, who received an answer thereon.

(3) MEMBERS TO THE ACTING POLICE, CRIME AND VICTIMS' COMMISSIONER FOR DURHAM AND DARLINGTON.

The Acting Chief Executive, Office of Durham Police, Crime and Victims' Commissioner, attended the meeting on behalf of the Police, Crime and Victims' Commissioner for Durham and Darlington.

The Acting Chief Executive, Office of Durham Police, Crime and Victims' Commissioner, addressed Members and answered questions thereon.

37 COUNCIL REPORTS.

(1) SCRUTINY COMMITTEES - PROPOSED TERMS OF REFERENCE

The Managing Director submitted a report (previously circulated) requesting that Members gave consideration to a number of changes to the names and Terms of Reference for the Council's Scrutiny Committees, and to enable the necessary consequential amendments to the Council's Constitution to be made.

The submitted report stated that following the changes to the Cabinet Portfolios, made by the Leader of the Council with effect from 1 December 2019, Officers had been requested to review the existing Terms of Reference for the Council's Scrutiny Committee's with a view to aligning them more closely with the amended Cabinet Portfolios.

The submitted report advised that the proposed changes to the Scrutiny Committee names and remits had been considered by each of the Council's Scrutiny Committees and no further amendments had been proposed.

RESOLVED – (a) That the proposed changes to the Scrutiny Committee names and remits, as set out in Appendix 2 of the submitted report, be approved.

(b) That the Assistant Director, Law and Governance, be authorised to make the consequential amendments to the Council's Constitution.

REASONS – (a) To align the remit and names of the Scrutiny Committees so that they correlate better to the changes being made to the Cabinet Portfolios.

(b) To ensure the changes are reflected in the Council's Constitution.

(2) JOINT HEALTH SCRUTINY COMMITTEE

The Managing Director submitted a report (previously circulated) requesting that Members gave consideration to the establishment and appointment of Members to a

Joint Health Scrutiny Committee with Durham County Council, to consider the proposed changes to County Durham and Darlington Stroke Rehabilitation Services and General Inpatient Rehabilitation Services (Ward 6) at Bishop Auckland Hospital.

The submitted report stated that the three NHS Clinical Commissioning Groups in County Durham and Darlington (NHS Durham Dales, Easington and Sedgefield CCG (DDES), Darlington CCG and North Durham CCG) had launched two public consultations to ask local people to share their views and ideas on Stroke Rehabilitation Services and Inpatient Rehabilitation (Ward 6) at Bishop Auckland Hospital, and that as the proposals are believed to be of 'significant development or substantial variation' in NHS Services, the establishment of a Joint Health Scrutiny was required in order to provide a formal response to those consultations.

RESOLVED – (a) That, as the proposals relating to the changes to County Durham and Darlington Stroke Rehabilitation Services and General Inpatient Rehabilitation Services (Ward 6) at Bishop Auckland Hospital, are regarded as significant, the establishment of a Joint Health Scrutiny Committee, be supported.

(b) That the Conservative and Labour Groups be requested to nominate two Members each, from their membership of the Health and Housing Scrutiny Committee, to sit on the Joint Committee.

REASONS - (a) To ensure that this Council can participate in the review of proposals for the County Durham and Darlington Stroke Rehabilitation Services and General Inpatient Rehabilitation Services (Ward 6) at Bishop Auckland Hospital

(b) To ensure that this Council is represented on the Joint Overview and Scrutiny Committee.

38 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.

(1) COUNCIL TAX SUPPORT - SCHEME APPROVAL 2020-21

The Managing Director submitted a report (previously circulated) which requested that the Council Tax Support (CTS) Scheme be approved.

The submitted report stated that Councils are required to set a CTS scheme each year, and as part of that exercise they must consider whether any changes should be made to any existing scheme, and, where changes are made, consider what transitional protection, if any, should apply to anyone affected by those changes. The submitted report outlined the details of the proposed CTS scheme for 2020/21.

RESOLVED - (a) That the CTS scheme for 2020/21, as appended at Appendix 1 of the submitted report, which is to:-

- (i) Continue providing up to 100% CTS for care leavers under the age of 25;
and

- (ii) Continue providing up to 80% CTS for all other working aged people, be approved.

REASONS - (a) The Council is required to publish a local CTS scheme for 2020-21 by 11 March 2020.

(b) The CTS schemes since 2013 have all been implemented successfully without any major challenges.

(c) The continued application of a reduced entitlement for working aged people is still appropriate, given the current financial position of the Council.

(2) COUNCIL TAX EMPTY PROPERTY PREMIUM

The Managing Director submitted a report (previously circulated) requesting approval of changes to the Council Tax empty property premium.

The submitted report stated that a 50% Council Tax premium (additional charge) had been introduced in April 2013 for all unoccupied and unfurnished domestic properties which had been empty for two years or more, which was the maximum the Council was permitted to charge at that time.

The submitted report informed Members that new legislation had been introduced in November 2018, which allowed Councils to increase the Council Tax premium for properties empty for 2 years or more to 100% (double the Council Tax normally charged), increase the Council Tax premium for properties empty for 5 years or more to 200% (treble the Council Tax normally charged), and increase the Council Tax premium for properties empty for 10 years or more to 300% (quadruple the Council Tax normally charged).

The submitted report advised that consultation had been undertaken with the owners of long-term empty properties, and the submitted report outlined the proposed changes to the Council Tax empty property premium from April 2020. These proposals were considered by the Efficiency and Resources Scrutiny Committee on 12 September 2019, and the Committee confirmed support of the proposed changes, and the proposals were also considered by Cabinet on 5 November 2019, who agreed its onward submission for consideration by Council.

RESOLVED - That the changes to the Council Tax empty property premium, as outlined in the submitted report, be approved, which are to:-

- (i) Increase the Council Tax premium for properties empty for 2 years or more to 100% from April 2020;
- (ii) Increase the Council Tax premium for properties empty for 5 years or more to 200% from April 2020;
- (iii) Increase the Council Tax premium for properties empty for 10 years or more to 300% from April 2021; and

- (iv) Provide protection for those owners who are making genuine efforts to bring their long-term empty properties back into use.

REASONS - (a) To further encourage landlords and property owners to bring their empty homes back into use as soon as possible.

(b) To reduce the detrimental impact long-term empty properties can have on other nearby properties and local communities.

(c) To increase the supply of much needed housing in Darlington, as most long-term empty properties could be brought back into use as affordable homes.

(d) To penalise those owners who deliberately leave their properties empty for years.

39 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.

40 NOTICE OF MOTION - TO CONSIDER A MOTION SUBMITTED BY COUNCILLOR HARKER, AND SECONDED BY COUNCILLOR PALEY

The following Motion was moved by Councillor Harker, and seconded by Councillor Paley:

This Council agrees:

‘To urge the Executive to make immediately available to all Darlington Borough Councillors a written copy of the presentation given on Thursday, 31st October 2019, regarding traffic modelling associated with the draft Local Plan, on the understanding that councillors can share the information with the public.’

In accordance with Council Procedure Rules, a request was made by five Members for a named vote on the Substantive Motion. A named vote was taken of those Members present at the meeting and there appeared:-

For the Motion – The Mayor, Councillors Cossins, Crumbie, Harker, Haszeldine, Holroyd, Howarth, C. L. B. Hughes, L. Hughes, Layton, Lister, Lucas, McCollom, McEwan, Newall, M. Nicholson, Paley, A. J. Scott and Snedker (19)

Against the Motion – Councillors Allen, Bartch, Boddy, Dr. Chou, Clarke, Crudass, Mrs. Culley, Donoghue, Dulston, Durham, Howell, Johnson, B. Jones, Mrs. D. Jones, Keir, Laing, Lee, Marshall, K. Nicholson, Preston, Renton, Mrs. H. Scott, Tait, Tostevin and Wright (25)

The Motion was Lost.

41 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 2019/20.

RESOLVED – (a) That that Councillors Bell, Clarke, Heslop and Newall be appointed to the Joint Health Scrutiny Committee;

(b) That Councillor McEwan replace Councillor Cossins on the Economy and Resources Scrutiny Committee;

(c) That Councillor Cossins replace Councillor McEwan on the Communities and Local Services Scrutiny Committee; and

(d) That Councillor Wright replace Councillor K. Nicholson on the Health and Housing Scrutiny Committee.