

## **DURHAM COUNTY COUNCIL**

**At an Ordinary Meeting of the County Council held at the County Hall, Durham on Wednesday 23 February 2011 at 10.00 a.m.**

### **Present**

**Councillor Williams** in the Chair

Councillors Alderson, Armstrong, Arthur, Avery, Bailey, A Bainbridge, B Bainbridge, Barker, E Bell, J Bell, R Bell, Blakey, Bleasdale, Bowman, Boyes, Brookes, J Brown, Brunskill, Burn, Campbell, Carr, Chaplow, Charlton, Cordon, Cox, Crute, Davidson, Docherty, Farry, Foster, Freeman, Gittins, Graham, Gray, Hancock, B Harrison, N Harrison, Henig, Hodgson, Holland, Holroyd, Hovvels, Hugill, Hunter, E Huntington, G Huntington, Iveson, Johnson, Jopling, Lee, Lethbridge, Liddle, Maddison, Magee, C Marshall, D Marshall, L Marshall, Martin, May, Moran, Morgan, Murphy, B Myers, D Myers, Napier, Naylor, Nicholls, Nicholson, O'Donnell, B Ord, Paylor, Plews, C Potts, Richardson, J Robinson, S Robinson, Robson, Rowlandson, Shield, Shiell, Shuttleworth, Simmons, Southwell, Stelling, Stephens, Stoker, Stradling, P Taylor, Tennant, Thompson, Thomson, Todd, Tomlinson, Turnbull, Allen Turner, Vasey, Walker, Wilkes, Wilkinson, Willis, J Wilson, Wood, Woods, B Young, R Young and Zair.

Apologies for absence were received from Councillors Barnett, A Bell, D Brown, Crooks, Dixon, Hopgood, Laing, Maslin, Mavin, R Ord, M Potts, Savory, Sloan, T Taylor, Temple, Andy Turner, B Wilson, Wright and Yorke.

### **A1 Minutes**

The Minutes of the meeting held on 12 January 2011 were confirmed by the Council and signed by the Chairman as a correct record.

### **A2 Declarations of interest**

Councillor Crute declared a personal and prejudicial interest in Item No. 10 – Monk Hesleden Parish Council as his wife was a Member of the Parish Council.

Councillor Napier declared personal and prejudicial interest in Item No. 11 – Murton Parish Council as his wife was a Member of the Parish Council.

### **A3 Chairman's Announcements**

#### **Chairman's Junior Citizens Medal**

The Chairman provided Council with details of two Chairman's Junior Citizen Medal's he had recently presented to Jack Philips and Christian Spencer.

#### **Chairman's Medal**

The Chairman provided Council with details of three Chairman's Medal's he had recently presented to Jackie Postgate, Janet Blackburn and Joe Anderson.

### **A4 Leaders Report**

Councillor Henig provided the Council with an update report which included the following:

- At the beginning of January 2011 he had attended the launch of the Best Bar None awards. The Awards, which promoted accredited licensed premises, were an excellent example of partnership working and had led to a reduction of anti-social behaviour in the night time economy.
- He had delivered the welcome address at the Holocaust Memorial Day event held at Durham Cathedral. The event was to value all those who were killed and those who risked their lives to protect or rescue victims, and to try to make sure that such an atrocity never happened again.

### **A5 Questions from the Public**

Two questions had been received from two members of the public covering the following issues:-

- Non-statutory redundancy and Early Retirement payments
- Cuts to Carers and Disabled Services

One questioner was in attendance and a response was provided to the question by the relevant Cabinet Member. The Head of Legal and Democratic Services informed the Council that a detailed written response would be provided to each questioner and published on the Council's website.

On behalf of the Council, the Chairman thanked members of the public for taking the time and effort to submit their questions and attend the meeting.

### **A6 Petitions from the Public**

There were no petitions received from the public.

## **A7 Report from the Cabinet**

The Council noted a report from the Cabinet which provided information on issues considered by the Cabinet on 19 and 26 January 2011.

## **A8 Budget 2010/2011 - Report under Section 25 of Local Government Act 2003**

The Council considered a report from the Corporate Director of Resources which provided information on the robustness of the estimates and the adequacy of reserves in accordance with the requirements of Section 25 of the Local Government Act 2003 (for report see file of Minutes).

**Moved** by Councillor Napier, **Seconded** by Councillor Henig and

### **Resolved:**

That the Council have regard to the report when approving the budget and the level of Council tax for 2010/11.

## **A9 (a) Medium Term Financial Plan and 2011/12-2014/15 and Revenue and Capital Budget 2011/12**

The Council considered a report from Cabinet which detailed budget recommendations for 2011/12 and the Medium Term Financial Plan 2011/12 to 2014/15 (for report see files of Minutes).

In moving adoption of the Cabinet report, Councillor Henig made a statement on the Budget and Precept for 2011/12, summarised as follows:

The Budget process for the forthcoming year had been very difficult, given the unprecedented level of Government funding cuts. The cuts, which were front-loaded, affected the north east more than the south and were weighted towards Local Government. The effect of the cuts represented more than £100 less for every resident in County Durham. Various consultation exercises had been carried out including the AAP's, local press and web surveys to assist in the development of the Medium Term Financial Plan that had identified the top areas to be protected as Adult Care Services, Child Protection and Winter Maintenance, and these areas of spending would be protected as far as was possible. As a result of protecting these services, the cuts needed to be passed on to other services, including management and communications. The Medium Term Financial Plan was a reasonable response to the funding cuts, and the County Council would continue to invest in its Capital Programme to stimulate the economy of County Durham.

In seconding the adoption of the Cabinet report, Councillor Napier added his thanks to all involved in the budget process. Updates to the Medium Term Financial Plan would be continually produced, with the Overview and Scrutiny Management Board tracking the future financial direction of the Council.

An Amendment was **Moved** by Councillor Martin and **Seconded** by Councillor G Huntington as follows:

- (a) That the Welfare Rights Service be retained; cost £163,000 (Ref AWH 18);*
- (b) That the Citizens Advice Bureau grant be retained; cost £74,000 (Ref AWH 19);*
- (c) That a subsidised post-16 School Transport be created for students living more than three miles from their school or college at an eventual annual cost of £1M and a cost in 2011-12 of £400,000 relative to the savings identified in CYPS 15(b).*

*The total cost of these actions being £637,000, to be funded by*

- (1) Ceasing publication of the Durham County News thus increasing the entry at ACE 2 so the saving increases by £265,000 to £400,000 from this proposal, and*
- (2) Reducing the Corporate Risk Contingency Budget (Line 8 Appendix 9) to £528,000 thus creating a saving of £372,000.'*

Upon a vote being taken, the Amendment was **lost**.

An Amendment was **Moved** by Councillor Bell and **Seconded** by Councillor A Bainbridge as follows:

*'That post-16 school transport be retained and reference to this as a saving at CYPS 15(b) for 2011/12 be deleted.*

*That the £930,000 of savings which will be required to fund this will be found by:*

- (a) Reducing Prudential Borrowing for funding of new capital projects where the funding has not yet been committed in 2010 and 2011, thus releasing £565,000*
- (b) Ceasing publication of the Durham County News, saving £265,000, thus increasing the entry at ACE2 to £400,000 from this proposal*
- (c) Implementation of harmonisation of car parking charges across the County, raising £100,000.'*

Upon a vote being taken, the Amendment was **lost**.

An Amendment was **Moved** by Councillor Shuttleworth and **Seconded** by Councillor Arthur as follows:

- '1. That £1m additional funding is provided for the highways maintenance budget*

2. *That this funding be provided by:*
- *Making further savings in the Communications Team of £400,000 for 2011/2012 (ref ACE 1)*
  - *Making further savings of £600,000 in the Policy and Performance Team for 2011/2012 (ref ACE 1)'*

Upon a vote being taken, the Amendment was **lost**.

On a further vote being taken it was:

**Resolved:**

That the report of the Cabinet and its recommendations be adopted in full.

**(b) Council Tax Setting in order to meet the County Council's Budget Requirement for 2011/12**

The Council considered a report from Cabinet which detailed the information to set the council tax for the Council's area for 2011/12 (for report see files of Minutes).

**Moved** by Councillor Napier, **Seconded** by Councillor Henig that the report of the Cabinet and its recommendations be adopted, and with it the setting of the Council Tax.

**Resolved:**

That the following be adopted

- (a) That the following amounts be calculated by the County Council for 2011/12 in accordance with sections 32 to 36 of the Act and relevant regulations:
- i) the aggregate amount which the Council estimates for the items set out in Section 32(2) (a) to (e) of the Act: (total expenditure including Parish Precepts): £1,236,529,324.
  - ii) the aggregate amount that the Council estimates for the items set out in Section 32(3) (a) to (c) of the Act : (total income raised in the year plus the movement on revenue balances): £789,269,000.
  - iii) the amount by which the aggregate at (a) i) above exceeds the aggregate at (a) ii) above, calculated by the Council, in accordance with Section 32 (4) of the Act, as its budget requirement for the year: £447,260,324.
  - iv) the aggregate of the sums that the Council estimates will be payable for the year into its General Fund in respect of

redistributed non-domestic rates, revenue support grant and surplus on the Collection Fund: £236,270,808.

- v) the basic amount of council tax for the year, calculated by the Council in accordance with Section 33 of the Act: £1,361.04.
  - vi) the aggregate amount of all special items referred to in Section 34 (1) of the Act: (total of all Parish precepts including Charter Trustees): £12,119,148.
  - vii) the basic amount of council tax for those parts of the area that have no parish precepts or other special items calculated in accordance with Section 34 (2) of the Act: £1,282.86.
  - viii) the basic council tax for 2011/12 calculated in accordance with Section 34 (3) of the Act for dwellings in those areas with parish precepts be as set out in Appendix 3, column 6.
  - ix) The amounts of council tax at items (a) vii) and viii) multiplied by the proportion set out in paragraph 35 which is applicable to each category of dwelling in its area, in accordance with Section 36 of the Act be as set out in Appendix 4.
- (b) That it be noted for 2011/12 County Durham and Darlington Fire and Rescue Authority had recommended the following amounts would be in the precept issued to the County Council, in accordance with Section 40 of the Act, as shown:

Band	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Fire Authority	58.56	68.32	78.08	87.84	107.36	126.88	146.40	175.68

- (c) That it be noted for 2011/12 Durham Police Authority had recommended the following amounts would be in the precept issued to the County Council, in accordance with Section 40 of the Act, as shown:

Band	A	B	C	D	E	F	G	H
	£	£	£	£	£	£	£	£
Police Authority	102.27	119.32	136.36	153.41	187.50	221.59	255.68	306.82

- (d) That the County Council, in accordance with Section 30 (2) of the Act sets the amounts set out in Appendix 5 as the amounts of council tax for 2011/12 for each of the categories of dwellings.
- (e) That the Corporate Director, Resources be authorised to incorporate any necessary adjustments for publication of the Budget Book.

- (f) That the Chief Executive be instructed to publish a notice in accordance with Section 38 (2) of the Act, relating to the amounts of council tax set.

**(c) Housing Revenue Account Medium Term Financial Plan 2011/12 to 2014/15 and 2011/12 Budget**

The Council considered a report from Cabinet which detailed recommendations for the 2011/12 Housing Revenue Account (HRA) budget and rent levels and also provided an update on the development of the HRA Medium Term Financial Plan (for report see files of Minutes).

**Moved** by Councillor C Robson, **Seconded** by Councillor Napier and

**Resolved:**

That the report of the Cabinet and its recommendations be adopted in full.

Councillor Crute left the meeting

**A10 Request for Reduction of Council Size – Monk Hesleden Parish Council**

The Council considered a report of the Head of Legal and Democratic Services regarding a request from Monk Helseden Parish Council to reduce the number of Parish Councillors on the Parish Council from 21 to 15 (for copy see file of Minutes)

**Resolved:**

That an order be made to reduce the number of Councillors on Monk Hesleden Parish Council from 21 to 15.

**A11 Request for Reduction of Council Size – Murton Parish Council**

The Council considered a report of the Head of Legal and Democratic Services regarding a request from Murton Parish Council to reduce the number of Parish Councillors on the Parish Council from 21 to 16 (for copy see file of Minutes)

**Resolved:**

That an order be made to reduce the number of Councillors on Murton Parish Council from 21 to 16.

## **A12 Composition of Standards Committee**

The Council considered a report of the Head of Legal and Democratic Services regarding the composition of the Council's Standards Committee (for copy see file of Minutes)

The Head of Legal Services informed Council that since the report had been written the resignation of a further Independent Member of the Standards Committee had been received.

### **Resolved:**

- (i) that the Head of Legal and Democratic Services be authorised to temporarily appoint independent standards committee members from one of the affiliated authority's to Durham County Councils Standards Committee, in consultation with the Chair of the Standards Committee;
- (ii) that such appointments be until such time as the Decentralisation and Localism Bill comes into force.

## **A13 Motions on Notice**

No Motions had been received.

## **A14 Questions from Members**

In accordance with the Council Procedure Rules, the following question was asked:

### **Councillor J Shuttleworth**

When we need to have good relations with the media, and get good news, and useful information, out to the people, of our County, why are we evicting the BBC radio and studio facility from this building?

Councillor Napier replied as follows:

The Office Accommodation strategy approved at Cabinet on 2nd November 2010 detailed how the Council proposed to maximise the use of its office portfolio and retain a continued presence in the Civic Centre which would be County Hall until the implementation of the Aykley Heads Masterplan was approved.

The project team had identified that this building was not being utilised to its' maximum capacity and staff who require to be based in the centre of the County for service alignment and operational delivery purposes were unable to be properly accommodated. It had sought to minimise the space allocated to external organisations to enable the Council to fully utilise this building over the next 4 to 5 years. The BBC was just one of those organisations.

Upon speaking to Andrew Robson from BBC Radio Newcastle, he freely expressed the opinion that the facilities offered were not fit for purpose and that they would prefer to use more modern technologies for their media operations. He requested that he be given a few weeks grace from issue of notice to seek alternative accommodation. The Council believed this to be a reasonable request and would work alongside the BBC to ensure their business continuity was not compromised. The Council remained committed to offering the same access, support and communication to both the BBC and independent media. The County Council enjoyed excellent relations with the media.

A feasibility study had been carried out relating to premium use of the building and this information would be reported back in due course.