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Brian Spears FCIH
Chief Executive

Ref: PN

5 September 2006

To: The Mayor and Members of the **COUNCIL**

Dear Sir/Madam

I hereby summon you to attend a Meeting of the **COUNCIL** to be held in the Town Hall, Durham, on **Tuesday 12 September 2006, at 5.30 pm.**

BUSINESS

1. Prayers.
2. Apologies for Absence.
3. To approve as a correct record, the Minutes of the Meetings held on 11 July 2006 and 3 August 2006.
4. Mayor's Announcements (if any).
5. Previous Questions under Council Procedure Rule No. 9.2
[Questions by Members – See Appendix 'A']
6. To answer questions under Council Procedure Rule No. 9.2
[Questions by Members – See Appendix 'B']
7. Notices of Motion.

- (a) Notice has been given by Councillor Rochford of her intention to move the following Motion:

"This Council resolves to establish a special Scrutiny Committee to scrutinise the development and operation of the Swimming Pool and Leisure Facility in Durham City Centre, with particular reference, in the first place, to the Swimming Pool Business Plan and the Swimming Pool Risk Register."

Councillor Syer will second.

- (b) Notice has been given by Councillor van Zwanenberg of his intention to move the following Motion:

"This council supports the principles underlying the 'Protection of Private Gardens Bill' and requests those who represent us in the House of Commons to support this Bill when it is considered by Parliament on 20th October 2006"

Councillor Freeman will second.

2.

8. Report of Director of Legal and Administration Services.
9. Report of Director of Strategic Resources.
10. Joint Report of the Director of Legal and Administration Services and Director of Strategic Resources.
11. Scrutiny Annual Report 2005-2006.

Yours faithfully

Chief Executive

Note: Refreshments for Members will be available in the Small Hall from 4.30 pm.

COUNCIL
12th September, 2006

COUNCIL PROCEDURE RULE NO. 9.2
PREVIOUS QUESTIONS BY MEMBERS

Council – 11th July, 2006
Min 134 (a)

Question to Councillor Smith

“Will the Chairman of the Licensing Panel please say, firstly, whether the new licensing regime has had an impact on crime figures in the City of Durham District, and if so what this has been, and secondly whether she believes the doubling of the allowance paid to herself and her vice-chairperson reflects a doubling of the time they have spent on being responsible for this new regime?”

Written Response to Councillor Marsden

“The new licensing regime has only been in force since Nov 2005. It is too early to say whether the regime has had any impact on crime figures but we are liaising with the police to obtain this information for a future meeting of the licensing committee.

The issue of special responsibility allowance for myself and my Vice Chair was I understand, the subject of a report to the Independent Remuneration Panel at the end of 2004. The Remuneration Panel accepted that there would be a significant increase in the number of meetings of the licensing panel and the workload of the Chairman and Vice Chairman with the introduction of the Licensing Act 2003 on 7 February 2005. At that point in time it was difficult exactly to say how significant the impact would be although with in excess of 400 licensed premises to be considered it was clear the impact would not be insignificant. The Remuneration Panel agreed that the allowances should be increased in line with the allowances paid to the Chairman and Vice Chairman of Development Control Committee as these seemed the most appropriate comparator.

The Remuneration Panel were minded to ask that the workload be revisited when the Act had been brought into force and its impact could be better assessed.

The Remuneration Panel met again at the end of 2005 and I understand revisited the issue of special responsibility allowances. No changes were made because of the substantial workload which the introduction of the Act had brought about. Members will be aware that all premises caught by the legislation were required to submit an application by 6 August 2005 to ensure their grandfather rights. Many premises took the opportunity to seek a variation in their hours of operation or to add for e.g. the provision for entertainment to their existing liquor licence and all of these applications where representations were received had to be considered by the licensing committee. The licensing committee met for 41 hearings (on 14 different dates) between 1 June 2005 and 10 May 2006 and further hearings are pending and the full licensing panel has met on seven occasions since 1 April 2005. In addition, together with the Vice Chairman I have been consulted by officers on numerous applications and we have attended numerous meetings with officers outside the formal panel and committee meetings.

I understand that the Independent Remuneration Panel is proposing at the end of this year when it meets again to look at the workload of all Chairs and Vice Chairs to ensure that there are no anomalies in the allocation of special responsibility allowance.”

2.

Council – 11th July, 2006

Min 134 (b)

Question to Councillor Woods

“Will the Portfolio Holder responsible for leisure provision please list what new play equipment has been installed in the district since May 2003 and where, and at what cost in each case?”

Written Response to Councillor Robinson

“Meadowfield Sports Centre Play Area Relocation – 23K
Meadowfield ATP Football .Hockey Pitch – S106
Cassop Play Area – Funded by Members
Sherburn Oak – External Funding
Abbey Leisure Centre Skatepark – External Funding
Loves Barn Park – 5K
Loves Barn Kickwall – External Funding
Ludworth Play Area – External Funding (to be installed)
Coxhoe Leisure Chat Room – 12K
Wharton Park Multi Games Area – 22K
Sherburn Leisure Multi Games Area – 35K
Belmont Park Multi Games Area 35K (14K S106)
Ushaw Moor Park Multi Games Area – 20K
Chevely Park Multi Games Area – 35K
Witton Gilbert Multi Games Area – 25K
Coxhoe Skidzone / BMX / Road Safety Area – External Funding
Meadowfield Multi Games Area – 35K
Coxhoe Multi Games Area – 25K (12K External Funding)
Bearpark Community Centre – additional play equipment – external funding
Parkhill BMX Track – Parish Council installation – external funding”

COUNCIL
12 September 2006

COUNCIL PROCEDURE RULE NO. 9.2
QUESTIONS BY MEMBERS

1. The following question was received, by the due date, from Councillor Taylor and was addressed to the Deputy Leader of the Council.

“At the last meeting of this council, in response to a Labour motion asking that this council concentrate on debating matters for which we have responsibility. The Deputy Leader stated that members should not be gagged.

At a meeting of this Council's Cabinet earlier this year, I asked the Leader of the Council's permission to ask a question, as requested by a Brandon resident that I am elected to represent. The Leader refused to allow me to ask this question.

Could the Deputy Leader tell me which is worse? Being asked to concentrate on matters that this council has responsibility for? Or being gagged from asking a question at Cabinet on a matter that this council has responsibility for, on behalf of a member of the public that I am elected to represent.”

2. The following question was received, by the due date, from Councillor Marsden and was addressed to the Portfolio Holder for Environment and Leisure Services.

“Will the Portfolio Holder for Environment and Leisure Services please say how many Town Hall hire bookings have been made since 1st April 2006, and how much income has been received for these bookings during this period?”