

## City of Durham

At a Special Meeting of the **CABINET** held in the Town Hall, Durham, on Wednesday, 19<sup>th</sup> March, 2008, at 2.00 p.m.

**Present:** Councillor Reynolds (in the Chair)  
and Councillors Bell, Dickie, Jackson, Pitts, Rae, Southwell Thomson and van Zwanenberg.

**Also Present:** Councillors Bartle, Carr, Cowper, Howarth, Kellett, Kelly, Kinghorn, Laverick, Lightley, Lodge, Marsden, Mavin, Mitchell, M.J.A. Smith, Stoddart, Turnbull, Wilkes, Wilkinson and Wolstenholme.

### **556. DECLARATIONS OF INTEREST**

Councillors Bell, Reynolds, Southwell and D. Marrs, Executive Director declared a personal interest in Minute No. 560, Nomination of Director to Durham Villages Regeneration Company Limited and remained in the Meeting during consideration thereof.

### **557. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Plews, Robinson and Woods.

#### **Portfolio Member Recommendations or Items Requiring a Cabinet Decision**

### **558. TENDER OPENING – SUPPLY AND FITTING OF DOORS TO COUNCIL PROPERTIES 2008-2009**

The Portfolio Holder for Communities and the Head of Building Services submitted a comprehensive report to approve selection of a contractor to carry out the above scheme.

**Resolved:** That the contract be awarded to YMC.

### **559. TENDER OPENING – SUPPLY AND FITTING OF WINDOWS TO COUNCIL PROPERTIES 2008-2009**

The Portfolio Holder for Communities and the Head of Building Services submitted a comprehensive report to approve selection of a contractor to carry out the above scheme.

**Resolved:** That the contract be awarded to Sekura.

### **560. NOMINATION OF DIRECTOR TO DURHAM VILLAGES REGENERATION COMPANY LIMITED**

The Leader of the Council and the Director of Strategic Services submitted a comprehensive report to nominate a Director to the Board of Durham Villages Regeneration Company Ltd. following the retirement of the Chief Executive who was a Board Member.

**Resolved:** That David Marrs be appointed as a Director of Durham Villages Regeneration Company Limited.

**Note:** Councillor van Zwanenberg entered the meeting at 2.10 p.m.

### **561. LEGAL CHALLENGE – GOVERNMENT ANNOUNCEMENT – CREATION OF DURHAM COUNTY UNITARY AUTHORITY**

The Leader of the Council and the Executive Director submitted a comprehensive report to update Cabinet on the outcome of the appeal by Congleton Borough Council and Shrewsbury

and Atcham Borough Council in respect of the Secretary of State for Communities and Local Government's decision to impose unitary government on the County of Durham.

**Resolved:** That the application for judicial review on behalf of City of Durham Council against the Secretary of State for Communities and Local Government's decision to impose unitary government on the County of Durham be withdrawn.

#### **562. TRANSITION PLAN**

The Leader of the Council and the Director of Strategic Services submitted a comprehensive report to approve the Transition Plan which was an overarching plan for the Council during the transition period and, as such, set out how services and projects would be facilitated, delivered and resourced.

**Resolved:** That the transition plan be approved.

#### **563. LOCAL GOVERNMENT REVIEW PROGRAMME**

The Leader of the Council and the Executive Director submitted a comprehensive report to inform Members of the governance arrangements in respect of the Local Government Review Programme.

**Resolved:** That the report be noted.

#### **564. LOCAL GOVERNMENT REVIEW – GOVERNMENT DIRECTIONS : CONTROL OF DISPOSALS, CONTRACTS AND RESERVES – “BUSINESS AS USUAL” DECISION MAKING**

The Leader of the Council and the Director of Financial Services submitted a comprehensive report to set out details of 'Directions' issued by the Secretary of State for Communities and Local Government with regards to the control of disposals, contracts and reserves within authorities that were to be abolished under the implementation of Local Government Review structural changes. These 'Directions' supported the Orders which had been agreed by Parliament for the implementation of the new single Council for County Durham.

Specifically, the report set out for members information details of the arrangements approved by the Durham Implementation Executive / G8 in terms of a practical approach to the management / implementation of the controls within these 'Directions' between the period of their issue and vesting day of the new County Durham Council in April 2009.

**Resolved:** (i) That the provisions of the direction issued on 29<sup>th</sup> February – effective from 4<sup>th</sup> March 2008 - and the Business as Usual Decision Making Protocols now in place, as set out in the report be noted.

(ii) That the Executive Director, Director of Financial Services (the Councils s151 Officer), the Head of Legal and Strategic Services (the Councils Monitoring Officer) and Officers Management Team exercise control over the disposal, contracts and use of reserves in accordance with the Business as Usual Decision Making Protocol with the Director of Financial Services liaising with the County Treasurer on any issues falling outside of the protocol.

(iii) That all future reports set out details of compliance with the Business as Usual Decision Making Protocol as detailed in the report.

**565. INTERIM APPOINTMENT ARRANGEMENTS AND TRADE UNION ENGAGEMENT WITHIN THE CONTEXT OF LOCAL GOVERNMENT REVIEW**

The Portfolio Holder for Performance Management and the Director of Corporate Services submitted a comprehensive report to update Members on interim appointment arrangements and Trade Union engagement within the context of Local Government Review.

**Resolved:** That the Appointment Protocol and the Engagement Framework be adopted.

**566. UPDATE ON THE LEGAL PROCESS OF LOCAL GOVERNMENT RE-ORGANISATION**

The Leader of the Council and the Director of Strategic Resources submitted a comprehensive report to update Cabinet on the progress of the Local Government and Public Involvement in Health Act 2007 and the Orders and Directions which had been issued under this Act, as they related to unitary government.

**Resolved:** (i) That it be noted that the City of Durham Council would be abolished with effect from 1<sup>st</sup> April 2009.

(ii) That it be noted that the Council's decision making powers in certain areas were to be subject to consent from either the Secretary of State for Communities and Local Government or Durham County Council and therefore arrangements would need to be made to ensure that consent was sought prior to any matter being referred to Cabinet for a decision.

(iii) That Cabinet ensure that in future Local Government Review implications were considered prior to any decision being made.

**The Chairman had agreed to accept the Supplementary report of the Leader/Director of Strategic Services in relation to the update on the timetable for the laying of Orders and Regulations in respect of Local Government Re-organisation.**

**567. UPDATE ON THE TIMETABLE FOR THE LAYING OF ORDERS AND REGULATIONS IN RESPECT OF LOCAL GOVERNMENT RE-ORGANISATION**

The Leader of the Council and the Director of Strategic Services submitted a comprehensive report to advise Cabinet of the current understanding of the timescales for the laying of orders and regulations in relation to moving towards unitary government for County Durham.

**Resolved:** That the proposed timetable for the regulations which would be required to be effected to ensure that unitary government was in place for 1<sup>st</sup> April 2009 be noted.

**568. LEADER'S BUSINESS**

The Leader of the Council advised Members that a briefing note would be circulated on the new arrangements for the Town Hall.

**Note:** All Members of the Council had been invited to attend the Meeting.

The Meeting terminated at 3.00 p.m.

Chair