

City of Durham

At the **ANNUAL MEETING** of the **COUNCIL OF THE CITY OF DURHAM** held in the Town Hall, Durham, on Tuesday, 23rd May, 2007 at 12 noon.

Present: The Right Worshipful the Mayor of Durham, Councillor Lodge (in the Chair) and Councillors Bartle, Bell, Carr, Crooks, Dickie, Guy, Holland, Hopgood, Howarth, Jackson, Kellett, Kinghorn, Laverick, Lightley, McDonnell, Marsden, Martin, Mavin, Mitchell, Moderate, Norman, Pitts, Plews, Rae, Reynolds, Robinson, Simmons, Simpson, D Smith, M.J.A. Smith, Stoddart, Taylor, Thompson, Thomson, Turnbull, van Zwanenberg, Walton, Wilkes, Wilkinson, Wolstenholme, Woods, Wynn and Young.

1. APOLOGIES

Apologies for absence were received from Councillors Colledge, Cowper, Freeman, Kelly, Southwell and Walker.

2. RECORDING OF COUNCIL PROCEEDINGS

Resolved: That in accordance with Council Procedure Rule No. 23, the Council consents to the taking of photographs during the Annual Council Meeting.

3. ELECTION OF MAYOR

Notice having been duly given, Councillor Simpson moved and Councillor Simmons seconded:-

“That Councillor Robert William Wynn, 50 Crossgate, Durham, DH1 4PS, be and is hereby elected Mayor of this City for the ensuing Municipal Year”.

The MOTION on being put, was CARRIED and it was RESOLVED ACCORDINGLY.

4. APPOINTMENT OF DEPUTY MAYOR

Notice having been duly given, Councillor van Zwanenberg moved and Councillor M Smith seconded:-

“That Councillor James Grenville Holland, 23 Albert Street, Western Hill, Durham, DH1 4RL, be and is hereby appointed Deputy Mayor of this City for the ensuing Municipal Year”.

On the Motion being put before the Council, Councillor Holland was declared duly appointed as Deputy Mayor.

THE MEETING ADJOURNED AT 12.25 p.m. AND RESUMED AT 12.45 p.m.

5. DECLARATION OF ACCEPTANCE OF OFFICE

After being robed and invested with the Chain of Office and Seal, Councillor Robert William Wynn made and delivered to the Chief Executive the Declaration of Acceptance of Office as Mayor, occupied the Chair and addressed the Council and indicated that his Charity Appeal was in aid of Bowes Lyon Day Hospital.

6. PAST MAYOR AND MAYORESS JEWELS

The Mayor presented to Councillor Lodge and Mrs. McKenna the past Mayor and Mayoress Jewels as souvenirs to commemorate their year of Office.

7. VOTE OF THANKS TO RETIRING MAYOR

On the Motion of Councillor Dickie, seconded by Councillor Moderate and supported by Councillor Bell it was:

Resolved: That the Council tenders to Councillor Lodge and Mrs. McKenna its sincere thanks for the courteous, efficient and admirable manner in which they have discharged the important and exacting duties of the Office of Mayor and Consort of this City since May, 2006.

8. ADDRESS BY RETIRING MAYOR

Councillor Lodge expressed his appreciation to Members of the Council, the Staff and the Bodyguard for the courtesy they had shown and the assistance which he had been given to make his Year of Office a success.

9. MINUTES

Resolved: That the Minutes of the Meeting of the Council held on 26th February, 2007, be approved as a correct record and signed by the Mayor.

10. MAYOR'S ANNOUNCEMENTS

The Mayor announced that the date for the Civic Dinner was 28th March, 2008. He also announced that Councillor Simpson had agreed to chair the Mayor's Appeal Committee.

11. APPOINTMENT OF LEADER OF THE COUNCIL (MINUTES 9, 20th MAY, 2003, 313, 2nd NOVEMBER, 2004 & 11, 3rd MAY, 2005)

Resolved: That in accordance with Articles 4.2(d) and 7.3(d) of the Constitution, Councillor Reynolds be re-elected Leader of the Council for the municipal years 2007 to 2009.

12. APPOINTMENT OF DEPUTY LEADER OF THE COUNCIL (MINUTES 10, 20th MAY, 2003, 12, 3rd MAY, 2005 & 139, 11th JULY, 2006)

Resolved: That Councillor Woods be appointed Deputy Leader of the Council for the municipal years 2007 to 2009.

13. APPOINTMENT OF OFFICERS

Resolved: That the following Officers be appointed:-

(a)	Pant Master	Executive Director.
(b)	Billet Master	North Area Divisional Commander, Durham Constabulary.
(c)	Macebearer	Mr. B. Petre.
(d)	Swordbearer	Mr. J. Lindsley.
(e)	Deputy Bearer	Mr. J. Fleetham.
(f)	Assistant Deputy Bearer	Mr. D. Baker.

14. APPOINTMENT OF COMMITTEES AND PANELS

Councillor Lodge moved deferral of this item for further consideration of the appointment of opposition members to Chair and Vice-Chair appointments in relation to Scrutiny.

Councillor Bell Seconded.

The AMENDMENT on being put was declared LOST.

(a) Cabinet

Resolved: (i) That, the political representation on the Cabinet be the Leader of the Council, 7 Liberal Democrat Members, 1 Labour Member and 1 Independent Member.

(ii) That the membership be as follows:-

Liberal Democrat Members:

Councillors Jackson, Pitts, Rae, Reynolds, Southwell, Thomson, van Zwanenberg and Woods.

Labour Member:

Councillor Bell.

Independent Member:

Councillor Dickie.

(iii) That Councillor Reynolds be elected Chairman of the Cabinet.

(iv) That Councillor Woods be appointed Vice-Chairman of the Cabinet.

(v) That in accordance with Article 7.4(d) of the Constitution, the Members be appointed for a 2 year period, until the Annual Meeting of the Council in May, 2009.

(b) Scrutiny Committee

Resolved: (i) That the political representation on the Scrutiny Committee be 8 Liberal Democrat Members, 3 Labour Members and 1 Independent Member.

(ii) That the membership be as follows:-

Liberal Democrat Members:

Councillors Colledge, Freeman, Hopgood, Howarth, Simpson, Walton, Wilkes and Wolstenholme.

Labour Members:

Councillors McDonnell, Mitchell and Robinson.

Independent Member:

Councillor Moderate.

(iii) That Councillor Hopgood be elected Chairman of the Scrutiny Committee.

(iv) That Councillor Howarth be appointed Vice-Chairman of the Scrutiny Committee.

(v) That the Members be appointed for a 2 year period, until the Annual Meeting of the Council in May, 2009.

(c) Policy Scrutiny Panel

Resolved: (i) That the political representation on the Policy Scrutiny Panel be 7 Liberal Democrat Members, 4 Labour Members and 1 Independent Member.

(ii) That the membership be as follows:-

Liberal Democrat Members:

Councillors Freeman, Lightley, Martin, Simmons, Walker, Wilkes, and Wolstenholme.

Labour Members:

Councillors Cowper, Kellett, McDonnell and Thompson.

Independent Member:

Councillor Lodge.

(iii) That Councillor Wilkes be elected Chairman of the Policy Scrutiny Panel.

(iv) That Councillor Freeman be appointed Vice-Chairman of the Policy Scrutiny Panel.

(v) That the Members be appointed for a 2 year period, until the Annual Meeting of the Council in May, 2009.

(d) Environment Scrutiny Panel

Resolved: (i) That the political representation on the Environment Scrutiny Panel be 7 Liberal Democrat Members, 4 Labour Members and 1 Independent Member.

(iii) That the membership be as follows:-

Liberal Democrat Members:

Councillors Colledge, Crooks, Martin, Mavin, Simpson, Wilkinson and Wolstenhome.

Labour Members:

Councillors Carr, Kelly, Mitchell and Turnbull.

Independent Member:

Councillor Moderate.

(iii) That Councillor Wolstenholme be elected Chairman of the Environment Scrutiny Panel.

(iv) That Councillor Simpson be appointed Vice-Chairman of the Environment Scrutiny Panel.

(v) That the Members be appointed for a 2 year period, until the Annual Meeting of the Council in May, 2009.

(e) Community Services Review Panel

Resolved: (i) That the political representation on the Community Services Scrutiny Panel be 7 Liberal Democrat Members, 4 Labour Members and 1 Independent Member.

(iii) That the membership be as follows:-

Liberal Democrat Members:

Councillors Crooks, Howarth, Lightley, Mavin, Norman, Walton and Young.

Labour Members:

Councillors Laverick, Robinson, D. Smith and Taylor.

Independent Member:

Councillor Moderate.

(iii) That Councillor Howarth be elected Chairman of the Community Services Scrutiny Panel.

(i) That Councillor Walton be appointed Vice-Chairman of the Community Services Scrutiny Panel.

(v) That the Members be appointed for a 2 year period, until the Annual Meeting of the Council in May, 2009.

(f) Economic Review Panel

Resolved: (i) That the political representation on the Economic Scrutiny Panel be 7 Liberal Democrat Members and 5 Labour Members.

(iii) That the membership be as follows:-

Liberal Democrat Members:

Councillors Colledge, Guy, Hopgood, Lightley, Simmons, Simpson and Wilkes.

Labour Members:

Councillors Carr, Kelly, Mitchell, Stoddart and Turnbull.

(iii) That Councillor Hopgood be elected Chairman of the Economic Scrutiny Panel.

(iv) That Councillor Colledge be appointed Vice-Chairman of the Economic Scrutiny Panel.

(v) That the Members be appointed for a 2 year period, until the Annual Meeting of the Council in May, 2009.

(g) Development Control Committee

Resolved: (i) That the political representation on the Development Control Committee be 14 Liberal Democrat Members, 8 Labour Members and 1 Independent Member.

(ii) That the membership be as follows:-

Liberal Democrat Members:

Councillors Crooks, Freeman, Guy, Holland, Howarth, Kinghorn, Norman, Rae, Simmons, Simpson, Southwell, Walker, Wolstenholme and Young.

Labour Members:

Councillors Bell, Carr, Cowper, Laverick, Marsden, Plews, Stoddart and Taylor.

Independent Members:

Councillor Lodge.

- (iii) That Councillor Norman be elected Chairman of the Development Control Committee.
- (iv) That Councillor Simmons be appointed Vice-Chairman of the Development Control Committee.
- (v) That the Members be appointed for a 2 year period, until the Annual Meeting of the Council in May, 2009.

(h) Licensing Panel

Resolved: (i) That the political representation on the Licensing Panel be 9 Liberal Democrat Members, 5 Labour Members and 1 Independent Member.

- (ii) That the membership be as follows:-

Liberal Democrat Members:

Councillors Kinghorn, Lightley, Smith, Walker, Walton, Wilkinson, Wolstenholme, Wynn and Young.

Labour Members:

Councillors Bartle, Kellett, Marsden, Stoddart and Turnbull.

Independent Member:

Councillor Lodge.

- (iii) That Councillor Smith be elected Chairman of the Licensing Panel.
- (iv) That Councillor Kinghorn be appointed Vice-Chairman of the Licensing Panel.
- (v) That the Members be appointed for a 2 year period, until the Annual Meeting of the Council in May, 2009.

(i) Appeals Panel

Resolved: (i) That the political representation on the Appeals Panel be 3 Liberal Democrat Members, 1 Labour Members and 1 Independent Member.

- (ii) That the membership be as follows:-

Liberal Democrat Members:

Councillors Jackson, Walker and Wynn.

Labour Members:

Councillors Robinson.

Independent Member:

Councillor Dickie.

- (iii) That Councillor Walker be elected Chairman of the Appeals Panel.
- (iv) That Councillor Jackson be appointed Vice-Chairman of the Appeals Panel.
- (v) That the Members be appointed for a 2 year period, until the Annual Meeting of the Council in May, 2009.

(j) Standards Committee

Resolved: (i) That the political representation on the Standards Committee be 2 Liberal Democrat Members, 1 Labour Member and 1 Independent Member, together with 2 Parish Councillors and 3 Independent Members of the Public.

(ii) That the political membership be as follows:-

Liberal Democrat Members:

Councillors Holland and Simpson.

Labour Member:

Councillor Thompson.

Independent Member:

Councillor Moderate.

(iii) That the Members be appointed for a 2 year period, until the Annual Meeting of the Council in May, 2009.

(k) Audit Overview Committee

Resolved: (i) That the political representation on the Audit Overview Committee be 3 Liberal Democrat Members and 1 Labour Member and 1 Independent Member.

(ii) That the membership be as follows:-

Liberal Democrat Members:

Councillors Jackson, Martin and Walker.

Labour Members:

Councillor D. Smith.

Independent Member:

Councillor Dickie.

(iii) That Councillor Walker be elected Chairman of the Audit Overview Committee.

(iv) That Councillor Martin be appointed Vice-Chairman of the Audit Overview Committee.

(v) That the Members be appointed for a 2 year period, until the Annual Meeting of the Council in May, 2009.

**15. APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES –
BIENNIAL& PERIODIC APPOINTMENTS**

Councillor Bell moved and Councillor Mitchell seconded that Councillor Kelly be appointed to the East Durham Groundwork Trust, Councillor Laverick be appointed to the Neil Griffin Opportunities for Youth Trust and Councillor Mitchell be appointed to Durham Heart of the City Ltd.

The AMENDMENT on being put was declared LOST.

Councillor Reynolds moved and Councillor Pitts seconded that the appointments be moved as set out on the agenda.

The AMENDMENT on being put was CARRIED and it was RESOLVED ACCORDINGLY.

Resolved: (I) That the Members named in Appendix 'A' be appointed to represent the City Council on the various Outside Bodies for a two year period, until the Annual Meeting of the Council in May, 2009.

(ii) That the Members named in Appendix 'B' be appointed to represent the City Council on the various Outside Bodies.

Report of the Director of Legal and Administration Services

16. EXECUTIVE PROCEDURE RULES

In accordance with the provisions of Paragraph 1.2 of the Executive Procedure Rules, the Leader was required to present to Annual Council a written record of delegations made by him for inclusion in the Council's Scheme of Delegations, at Part 3 of the Constitution.

A number of changes had been made to the current scheme of delegations and these were circulated.

Resolved: That the Scheme of Delegations, as now amended, be approved and the appropriate amendments be made to the City Council's Constitution.

17. MEMBERS' ALLOWANCES SCHEME

Further to Minute 531, 26th February 2007, Full Council considered the report of the Independent Remuneration Panel on Members' Allowances and had agreed that the Council formally approve and adopt the recommendations contained in the report, subject to one amendment.

Resolved: That the Constitution be amended to reflect the recommendations of the Independent Remuneration Panel and Full Council as set out in the circulated Appendix.

18. SCRUTINY REPORTS

At the Scrutiny Committee held on the 22nd March 2007, the following panel reports were agreed:-

Policy Scrutiny Panel

- Working with Parish Councils
- Telephone Communications Systems – Update Report
- Sickness Absence – Report of Review

Community Services Scrutiny Panel

- Scrutiny of Gypsy/Traveller Sites

Economic Scrutiny Panel

- Scrutiny of Tourism in the City of Durham

Resolved: That the reports be submitted for consideration at the Next Cabinet meeting.

Note: Councillor Lightley declared a personal interest in the undermentioned item and remained in the Meeting during consideration thereof.

19. CONFERMENT OF FREEDOM OF ENTRY TO THE CITY, ON THE RIFLES REGIMENT

Notice having been duly given, Councillor Lodge moved and Councillor Lightley seconded:-

“That in recognition of the long and close association between the City of Durham Council and the Durham Light Infantry, and an acknowledgement of the incorporation of the Durham Light Infantry within The Rifles Regiment, the City Council confer upon The Rifles Regiment, the right, privilege and honour of marching through the streets of Durham on ceremonial occasions with swords drawn, bayonets fixed, drums beating, bands playing and colours flying”.

The MOTION on being put, was CARRIED and it was RESOLVED ACCORDINGLY.

20. PRESENTATION OF MAYORAL SERVICE MEDALS

The Mayor presented Mayoral Services Medals to Mr. Fleetham, Mr. Petre, Mr. Patience and Mr. Philips, Members of the Bodyguard, in recognition of their service to successive Mayors.

Members and Officers warmly applauded.

The Meeting terminated at 1.20 p.m.

Mayor



**BIENNIAL APPOINTMENT OF
REPRESENTATIVES ON OUTSIDE BODIES
2007/2009**

The term of office of the Representatives on the Organisations listed will expire in May, 2007. Members are asked to agree to the Representatives as listed until May, 2009.

Body	Representative
Esh Winning Community Association – Management Committee (6A)	Councillor Wilkinson
Esh Winning Family Care Association – Executive Committee (6B)	Councillor Guy
The Bow Trust (Durham) Ltd. (8)	Councillor Freeman
National Housing & Town Planning Council Northern Regional Committee (15)	Portfolio Member for Housing
Northern Sport (16)	Portfolio Member for Environment & Leisure and Head of Environment & Leisure
Age Concern Durham County (24)	Councillors Kinghorn & Young
National Society for Clean Air (Northern Division) (26)	Portfolio Member for Environment & Leisure together with Councillors Dickie, Kellett and Wolstenholmne and the Head of Environment & Leisure
North Regional Home Safety Council (32)	Portfolio Member for Community Development together with Councillor Lightley and the Head of Environment & Leisure
Durham Community Association - Management Committee (35)	Councillor Simpson
The Business Club (41)	Portfolio Member for Economic Development & Culture together with Chair of Economic Scrutiny and the Head of Community Services
Local Authority Forum of the Arts Council (42B)	Councillor Pitts & the Director of Durham City Arts

2.

Body	Representative
County of Durham Association of Local Authorities (47)	The Leader of the Council and the Deputy Leader of the Council
(a) Durham County Pension Fund (b) Regional Arts Council	Councillor Jackson Portfolio Holder for Economic Development & Culture
(c) Early Years Development	Councillor M. J.A. Smith
Northern Regional Brass Band Trust - General Management Committee (49)	Councillor Kinghorn
City of Durham Sports Forum (50)	Portfolio Member for Environment & Leisure and the Chairman of Community Services Scrutiny Panel and Councillor Simpson
Museums Sub-Committee of the University of Durham <i>(Former Old Fulling Mill Museum Management Committee)</i> (51)	Councillor Norman
Durham County Association for the Disabled Executive Committee (53)	Councillor Crooks
U.K. Athletics (55)	Portfolio Member for Environment & Leisure and the Chairman of Community Services Scrutiny Panel and the Head of Environment & Leisure
Gilesgate Comprehensive School Shared Use Facilities – (a) Joint Shared Use Liaison Committee (b) Community Association Committee (59A)	Pelaw & Gilesgate Ward Councillors Councillors Laverick and Thompson and the Head of Community Services
Laurel Avenue Shared Use Facilities – (a) Joint Shared Use Liaison Committee (b) Community Association Committee (59B)	Pelaw & Gilesgate Ward Councillors Councillors Mitchell & Thompson and the Head of Community Services
Durham Police – Community Group (60)	Councillors Kinghorn & Walton
Association of North East Councils’ (61a)	Leader of the Council Substitute: Deputy Leader of the Council

3.

Body	Representative
North East Regional Assembly (61b)	Deputy Leader of the Council Substitute Leader of the Council
Association for Public Service Excellence & Associated Bodies (Formerly the Association of Direct Labour Organisations) (a) Leisure Management Working Group (65)	Portfolio Member for Housing and the Head of Property Services Portfolio Member for Environment & Leisure and the Head of Environment & Leisure
Durham City Arts Ltd. (71)	No nominations required
Coalfields Communities Campaign (Northern Region) (78)	Leader of the Council and the Portfolio Member for Economic Development & Culture and the Head of Community Services
Durham City Access Group (79)	Portfolio Member for Environment & Leisure and the Head of Property Services
ENCAMS <i>(Formerly Tidy North Regional Consultative Committee)</i> (80)	Portfolio Member for Environment & Leisure and the Chairman of the Environment Scrutiny Panel and the Head of Environment & Leisure
Executive Officers Group for the Chester- le-Street and City of Durham Community Safety Partnership <i>(Formerly the City of Durham Community Safety Steering Group)</i> (84)	Portfolio Member for Community Development together with the Chief Executive and the Community Safety Officer
National Association of Councillors North Region Management Committee and General Management Committee (85)	Councillor Jackson
Sustainable Waste Management Strategy for County Durham - Joint Steering Group (89)	Portfolio Member for Environment & Leisure and the Head of Environment & Leisure



APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES
PERIODIC APPOINTMENTS DUE FOR RENEWAL

The term of office of the undermentioned Representatives on the Organisations listed will expire on the dates indicated in the Report. Members are asked to agree to the Representatives as listed.

Body	Representative
North East Regional Employers' Organisation (12)	Deputy Leader of the Council and the Portfolio Holder for Human Resources Terms of Office ends 30 th June, 2008 <i>(Minute 353, 6th December, 2004)</i>
Durham County Council Valuation & Community Charge Tribunal (17)	Councillor Walker <i>Term of Office ends 31st May, 2010</i>
Durham Citizens Advice Bureau (22)	Councillors Howarth, Southwell & Young <i>Term of Office ends 30th April, 2009</i>
Lord Crew's Apprenticeship Fund & Durham Education Foundation – Representative Trustees (28A)	Councillors Jackson and Lodge <i>Term of Office ends 31st May, 2011</i>
Henry Smith's Charity (28B)	Councillors Cowper, Simpson and Walker <i>Term of Office 31st May 2008</i>
Charities of Jane Finney and Jane Smith (28C)	Councillor Rae <i>Term of Office ends 13th February, 2008</i>
Bishop Cosin's Almshouses Trustees (31A)	Councillors Freeman, Plews, Robinson and Wynn <i>Term of Office ends 30th April, 2008</i>
Sherburn Hospital Representative Govenors (31B)	Councillor Lightley <i>Term of Office ends August 2010</i>
Central Durham Joint Crematorium Committee (33)	Councillors Dickie, Jackson, Pitts, Reynolds, Southwell, Thomson, van Zwanenberg and Woods <i>Term of Office ends 31st May, 2011</i>

2.

Body	Representative
<p>The Local Government Association (47B)</p> <p>(a) General Assembly</p> <p>(b) Rural Commission</p> <p>© Urban Commission</p>	<p>Leader of the Council <i>Term of Office ends July, 2008</i> (Minute 353 6th December, 2004)</p> <p>Councillor Jackson <i>Term of Office ends June, 2008</i></p> <p>Councillor Southwell <i>Term of Office ends June, 2008</i></p>
<p>Durham Rural Community Council (58A)</p>	<p>Councillor Walton <i>No fixed Term of Office</i></p>
<p>Ruth First Educational Trust</p>	<p>Councillor Holland <i>Tern of Office expires 31st July, 2009</i></p>
<p>University, New College, Police & City Liaison Group <i>(formerly City/University Liaison Group)</i> (74)</p>	<p>Chairman & Vice-Chairman of Cabinet ; Elvet Ward Councillors; Nevilles Cross Ward Councillors; St. Nicholas Ward Councillors ; Pelaw & Gilesgate Ward Councillors; together with the Chief Executive <i>No fixed Term of Office</i> (Minute 353 6th December, 2004)</p>
<p>The East Durham Groundwork Trust (83)</p>	<p>Councillors Crooks and Wilkinson <i>Term of Office expires 31st July, 2009</i></p>
<p>Neil Griffin Opportunities for Youth (86)</p>	<p>Councillors Howarth and Norman <i>Term of Office 30th April, 2011</i></p>
<p>Sheraton Park (New College) Liaison Committee (87)</p>	<p>Chairman & Vice-Chairman of Development Control Committee & Nevilles Cross Ward Councillors and the Head of Community Services <i>No fixed Term of Office</i></p>
<p>The South East Durham Concordat (Environmental Services) Joint Best Value Review – Joint Committee (88)</p>	<p>Leader of the Council, Portfolio Members for Corporate Affairs & Procurement & Environment & Leisure. <i>No fixed Term of Office</i> (Minute 353 6th December, 2004)</p>
<p>Durham City Forum</p>	<p>Leader of the Council <i>No Fixed Term of Office</i> (Min 496 21st February, 2005)</p>
<p>Durham Villages Regeneration Ltd</p>	<p>Councillor Reynolds; Councillor Southwell; Councillor Bell and the Chief Executive <i>No Fixed Term of Office</i> (Min 629 8th March, 2004 and Min 426 17th January, 2005)</p>

3.

Body	Representative
Durham Housing Partnership Ltd	Councillor Southwell <i>No Fixed Term of Office</i> (Min 151(c) 21 st July, 2003)
Durham Heart of the City Ltd	Councillor Wynn, Chief Executive and the Director of Strategic Resources <i>No Fixed Term of Office</i> (Min 151(b) 21 st July, 2003 & 563(b) 9 th February, 2004)
Chester-le-Street & City of Durham Enterprise Agency (64)	The Portfolio Member for Economic Development & Culture and Councillor Lightley and the Head of Community Services <i>No Fixed Term of Office</i>

CITY OF DURHAM

COUNCIL
29 JUNE 2007

REPORT OF THE DIRECTOR OF LEGAL AND ADMINISTRATION SERVICES

1. AMENDMENTS TO THE CONSTITUTION

The Leader has delegated authority to decide the allocation of executive responsibilities set out in the City Council's Constitution. A report was submitted to Cabinet on 6 June 2007 setting out the executive functions which the Leader had allocated to portfolio holders and the responsibilities which would be carried out by himself and the Deputy Leader.

As a consequence amendments need to be made to the Constitution to reflect these changes in responsibility.

It is recommended therefore

- (i) That pages 2c to 42c (inclusive) be removed from the Constitution and that these be replaced by the list of Responsibility for Executive Functions set out in Appendix A.
- (ii) That consequent amendments be made to the Cabinet's functions; and also to the delegations to officers and to the approved list of Conferences as set out in Appendix B, and
- (iii) That consequent amendments be made to appointment of representatives on outside bodies agreed at Annual Council on 23 May, as set out in Appendix C.

2. MEMBERSHIP OF ECONOMIC SCRUTINY PANEL

The Leader of the Labour Group has notified me that the Labour Membership of the Economic Scrutiny Panel should be as follows:-

Councillors Bartle, Kelly, Marsden, Plews and Stoddart

Recommended: That the appropriate amendments be made accordingly.

RESPONSIBILITY FOR LOCAL CHOICE FUNCTION

(a) Full Council - 50 Members**Functions**

- 1 Any Function under the Durham City Council Act and other local Acts in so far as they relate to Licensing, Registration and Regulatory Functions. All other Functions under local Acts shall be executive Functions.
- 2 The determination of an Appeal against any decision made by or on behalf of the Authority. Responsibility delegated to the Appeals Panel
- 3 Any Functions relating to contaminated land. Responsibility delegated to Head of Property Services

(b) The Cabinet: - The Leader of the Council & 9 Cabinet Members**Functions**

- 1 All Function under the Durham City Council Act and any other local Acts except those relating to Licensing, Registration and Regulatory Functions delegated to Member with Portfolio for Environment.
- 2 The Function regarding the conduct of Best Value Reviews in accordance with the provisions of any Order for the time being have effect under Section 5 of the Local Government Act 1999. Delegated to the Member with the Portfolio for Performance Management
- 3 The appointment of any individual to any office outside the Council or to a Joint Committee in connection with the discharge of Functions that are the responsibility of the executive or are required to be exercised by the executive under the general law
- 4 The discharge of any Functions relating to the control of pollution or the management of air quality. Delegated to the Head of Environment & Leisure Services.
- 5 The service of an abatement notice in respect of statutory nuisance. Delegated to the Head of Environment & Leisure Services
- 6 The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the Authority's area. Delegated to the Member with the Portfolio for Environment.
- 7 The inspection of the Authority's area to detect any statutory nuisance. Delegated to the Head of Environment & Leisure Services

RESPONSIBILITY FOR LOCAL CHOICE FUNCTION (Cont..)
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(b) The Cabinet - The Leader of the Council & 9 Cabinet Members

- 8 The investigation of any complaint as to the existence of a statutory nuisance. Delegated to the Head of Environment & Leisure Services.
- 9 The obtaining of information under Section 330 of the Town and Country Planning Act 1990 as to interests in land. Delegated to the Head of Planning Services.
- 10 The obtaining of particulars of person interested in land under Section 16 of the Local Government (Miscellaneous Provisions) Act 1976. Delegated to the Head of Planning Services.
- 11 The making of agreements with other Local Authorities for the placing of Staff at the disposal of those other Authorities. Delegated to Chief Executive.

RESPONSIBILITY FOR COUNCIL FUNCTION

Full Council - 50 Members

Functions

- 1 Adoption (with or without modification) of the under mentioned plans and strategies:-
 - Best Value Performance Plan
 - Community Strategy
 - Crime and Disorder Reduction Strategy
 - Plan and Alterations which together comprise the Development Plan
 - Council's Corporate Plan
 - Housing Investment Programme
 - Local Agenda 21 Strategy
 - Licensing Strategy
 - Contaminated Land Strategy
- 2 The giving of instructions requiring the Executive to reconsider any draft plan or strategy submitted by the Executive to the Council for consideration
- 3 The amendment of any draft Plan or Strategy submitted to the Council by the Executive for consideration
- 4 The making of a scheme authorised or required by Regulations under Section 18 of the Local Government Act 1989 (Schemes for Basic Attendance and Special Responsibility Allowances for Local Authority Members) or of amending, revoking or replacing any such scheme
- 5 Determining the amount of any allowance payable in respect of travelling and subsistence allowances, expenses, financial loss allowance and allowances for attending conferences under the Local Government Act 1972
- 6 Making arrangements for the discharge of Functions by a Committee or an Officer under Section 101(5) of the Local Government Act 1972 and the making of appointments under Section 102 of the Act
- 7 Making a calculation under Sections 32 to 37, 43 to 49, 52I, 52T and 52U, of the Local Government Finance Act 1992 (Setting the Budget) except the preparation of such estimates of the amounts and submission for consideration by the Council (which shall be Executive Function)
- 8 The duty to make arrangements for the proper administration of financial affairs etc under Section 151 of the Local Government Act 1972
- 9 To approve the Authority's Statement of Accounts, income and expenditure and balance sheet or record or receipts and payments (as the case may be) in accordance with the Accounts and Audit Regulations 1996 (SI 1996/590)

- 10 The making of Standing Orders with respect to proceedings and business of the Council in accordance with Section 106 of and paragraph 42 of Schedule 12(2) Local Government Act 1972
- 11 The appointment of Officers for particular purposes (appointment of Proper Officers) in accordance with Section 270(3) of the Local Government Act 1972
- 12 The designation of Officers as Head of the Authority's Paid Service and the provision of staff etc., in accordance with Section 4(1) of the Local Government and Housing Act 1969
- 13 The designation of an Officer as the Monitoring Officer and the provision of staff etc., in accordance with Section 5(1) of the Local Government and Housing Act 1969
- 14 The making of Standing Orders with respect to Contracts in accordance with Section 135 of the Local Government Act 1972
- 15 The making of payments or the provision of other benefits in cases of maladministration in accordance with Section 92 of the Local Government Act 2000
- 16 Authorising the Executive to make an application for a programme of disposal under Sub-Section 5 of Section 135 of the Leasehold Reform, Housing and Urban Development Act 1993 and authorising the Executive to apply for consent for disposal of housing land under Sections 32 and 43 of the Housing Act 1985
- 17 To make a determination where the Executive is minded to make a determination which is inconsistent with any plan or strategy required to be approved by the Council. In an emergency the Executive may make the determination provided that the Chairman of the relevant Scrutiny Committee agrees it is urgent and reasonable in all the circumstances [Regulation 5 of the Local Authorities (Function and Responsibilities) (England) Regulations]
- 18 Contracting out Function pursuant to Orders under Section 70 of the Deregulation and Contracting Out Act 1994 and the revocation of those authorisations
- 19 Appointment of an Electoral Registration Officer
- 20 The assignment of Officers in relation to requisitions of the Registration Officer
- 21 Function in relation to Parishes and Parish Councils under Part II of the Local Government and Rating Act 1997
- 22 The power to dissolve small Parish Councils
- 23 The making of Orders for grouping Parishes dissolving groups and separating Parishes from groups
- 24 The appointment of a Returning Officer for Local Government Elections

- 25 The provision of assistance at European Parliamentary Elections
- 26 The division of a Constituency into Polling Districts
- 27 The division of Electoral Divisions in Polling Districts at Local Government Elections
- 28 Power in respect of the holding of Elections
- 29 The payment of expenses properly incurred by Electoral Registration Officers
- 30 The filling of vacancies in the event of insufficient nominations
- 31 The declaration of a vacancy in office under Section 86 of the Local Government Act 1972
- 32 The giving of public notice for casual vacancy under Section 87 of the Local Government Act 1972
- 33 The making of temporary appointments to Parish Councils
- 34 The determination of fees and conditions for the supply of, copies of, or extracts from, elections documents
- 35 The submission of proposals to the Secretary of State for an Order under Section 10 (Pilot Schemes for Local Elections in England and Wales) of the Representation of the People Act 2000
- 36 Changing the name of the District under Section 74 of the Local Government Act 1972
- 37 Changing the name of a Parish
- 38 Conferring the title of Honorary Alderman/Woman or admitting an individual to be an Honorary Freeman/Woman
- 39 The making, amendment, revocation or re-enactment of byelaws
- 40 The promotion of or opposition to local or personal Bills under Section 239 of the Local Government Act 1972
- 41 Function under any of the “relevant statutory provisions” within the meaning of Part I (Health, Safety and Welfare in connection with work, and control of dangerous substances) of the Health and Safety at Work etc Act 1974, to the extent that those Function are discharged otherwise than in the Authority’s capacity as an employer. Delegated to the head of Environment & Leisure Services

RESPONSIBILITY FOR COUNCIL FUNCTION (Cont..)

Development Control Committee - 23 Members

Functions

1 Planning and Conservation

Power to determine applications for planning permission including power to grant planning permission for development already carried out and power to determine applications to develop land without compliance with conditions previously attached. Subject to delegation

- (A) Head of Planning Services to determine the undermentioned applications which conform to Development Plan Policies and are not the subject of objection:-
- (a) Domestic extensions and alterations
 - (b) Advertisements
 - (c) Shop Front Alterations
 - (d) Listed Building Consents
 - (e) Conservation Area Consents
 - (f) Certain Economic Development Projects of a non-contentious nature where an early decision is essential
 - (g) Changes of use of land or buildings subject to a maximum of 1,000 sq metres floor space or area not exceeding 1.0 hectares
 - (h) Individual new dwellings subject to a maximum of 1,000 sq. metres floor space or area not exceeding 1.0 hectares
 - (i) Substitution of house types
 - (j) Extensions to industrial and commercial properties
 - (k) Renewal and Variations of existing permissions subject to a maximum of 1,000 sq. metres floor space or area not exceeding 1.0 hectares
 - (l) Consultations by the County Council, Government Departments, Statutory Undertakers and neighbouring Authorities
 - (m) Works to trees covered by Tree Preservation Orders
 - (n) Prior notification for agricultural and telecommunications development.
 - (o) Notification of works to trees in Conservation Areas not covered by Tree Preservation Orders
 - (p) Issue of Planning Contravention Notices and requisitions for information
 - (q) Discharge of conditions on planning submissions and approval of minor amendments
- (B) Head of Planning Services in consultation with the Chairman and Vice-Chairman of the Development Control Committee to determine the undermentioned applications which conform with Development Plan Policies and are not subject to material objection:-
- (a) Approval of applications which have attracted objections which would otherwise have fallen to be determined under (A) above
 - (b) Approval of applications for a maximum of 4 dwellings or a site area of 0.25 hectares

- (c) Approval of development for a maximum of 1,000 sq. metres floor space or site area of 1.0 hectares on land specifically designated for industrial commercial or retail use
 - (d) Approval of applications for telecommunications and agricultural development not specified in (A) above not being prior notification applications.
 - (e) Approval of reserved matters applications and approval of full applications for minor development following an outline consent where there is no substantive change in the proposal
 - (f) Approval and refusal of advertisement applications for telecommunications and agricultural developments
 - (g) Approval and refusal of amendments to permissions
 - (h) Approval and refusal of applications to discharge conditions on their Fulfilment
- 2 Power to decline to determine applications for planning permission. Delegated to Head of Planning Services
 - 3 Duties relating to the making of determinations of planning applications. Head of Planning Services to classify and process planning applications, determine appropriate planning application fees, sign and issue planning decision notices, determine applications for minor modifications to approved plans, determine what consultations should take place and institute departure proceedings in appropriate cases.
 - 4 Power to determine applications for planning permission made by a Local Authority, alone or jointly with another person
 - 5 Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights. Delegated to Head of Planning Services.
 - 6 Power to enter into agreement regulating development or use of land
 - 7 Power to issue a certificate of existing or proposed lawful use or development. Delegated to Head of Planning Services
 - 8 Power to serve a Completion Notice
 - 9 Power to grant consent for the display of advertisements. Head of Planning Services to approve non-contentious applications.
 - 10 Power to authorise entry onto land. Delegated to Head of Planning Services
 - 11 Power to require the discontinuance of a use of land.
 - 12 Power to serve a Planning Contravention Notice, Breach of Conditions Notice or Stop Notice. Delegated to the Head of Planning Services in consultation with the Chairman and Vice -Chairman of the Development Control Committee

- 13 Power to issue an Enforcement Notice. Delegated to the Head of Planning Services in consultation with the Chairman and Vice-Chairman of the Development Control Committee.
- 14 Power to apply for an injunction restraining a breach of planning control
- 15 Power to determine applications for hazardous substances consents, and related powers. Delegated to the Head of Planning Services.
- 16 Duty to determine conditions to which old mining permissions, relevant planning permissions relating to dormant sites or active Phase I or II sites or mineral permissions relating to mining sites, as the case may be, are to be subject
- 17 Power to require proper maintenance of land. . Delegated to the Head of Planning Services in consultation with the Chairman and Vice-Chairman of the Development Control Committee.
- 18 Power to determine applications for listed building consent, and related powers. . Delegated to the Head of Planning Services in consultation with the Chairman and Vice-Chairman of the Development Control Committee.
- 19 Power to determine applications for conservation area consent. . Delegated to the Head of Planning Services in consultation with the Chairman and Vice-Chairman of the Development Control Committee.
- 20 Duties relating to applications for listed building consent and conservation area consent. Head of Planning Services to classify and process applications, determine appropriate planning application fees, sign and issue planning decision notices and to determine applications for minor modifications to approved plans.
- 21 Power to serve a Building Preservation Notice, and related powers. . Delegated to the Head of Cultural Services in consultation with the Chairman and Vice-Chairman of the Development Control Committee.
- 22 Power to issue Enforcement Notice in relation to demolition of unlisted building in conservation area. . Delegated to the Head of Cultural Services in consultation with the Chairman and Vice-Chairman of the Development Control Committee.
- 23 Powers to acquire a listed building in need of repair and to serve a Repairs Notice
- 24 Power to apply for an injunction in relation to a listed building
- 25 Power to execute urgent works to a listed building – delegated to the Head of Cultural Services in consultation with Chairman and Vice-Chairman of Development Control Committee
- 26 Power to create footpaths and bridleways – Highways Act 1980

- 27 Power to stop up footpaths and bridleways – Highways Act 1980
- 28 Power to divert footpaths and bridleways – Highways Act 1980
- 29 Duty to assert and protect the rights of the public to use and enjoyment of highways
- 30 Powers relating to the preservation of trees. Head of Cultural Services in consultation with the Chairman and Vice-Chairman of Development Control Committee to prepare and serve Tree Preservation Orders and Provisional Tree Preservation Orders and to instigate prosecution proceedings in relation to illegal tree works.
- 31 Powers relating to the protection of important hedgerows. Delegated to the Head of Cultural Services
- 32 Powers to extinguish public right of way over land acquired for clearance – Housing Act 1981
- 33 Power to authorise stopping-up or diversion of footpaths or bridleways – Town and Country Planning Act 1990
- 34 Power to extinguish public rights of way over land held for planning purposes
- 35 Power to enter into agreements with respect to means of access – Countryside and Rights of Way Act 2000
- 36 Power to provide access in absence of agreement – Countryside and Rights of Way Act 2000

RESPONSIBILITY FOR COUNCIL FUNCTION (Cont..)

Licensing Panel – 15 Members**Functions**

- 1 To deal with all applications under the Licensing Act 2003 and the Gambling Act 2005. Delegated to the Director of Legal and Administration Services [in consultation with the Chairman and Vice-Chairman of the Licensing Panel, in the case of new or controversial applications]
- 2 Power to issue licences authorising the use of land as a caravan site (Site Licences)
- 3 Power to license the use of moveable dwellings and camping sites
- 4 Power to license hackney carriage and private hire vehicles. Delegated to the Director of Legal and Administration Services [in consultation with the Chairman and Vice-Chairman of the Licensing Panel, in the case of new or controversial applications]
- 5 Power to license drivers of hackney carriages and private hire vehicles. Delegated to the Director of Legal and Administration Services [in consultation with the Chairman and Vice-Chairman of the Licensing Panel, in the case of new or controversial applications]
- 6 Power to license operators of hackney carriages and private hire vehicles. Delegated to the Director of Legal and Administration Services [in consultation with the Chairman and Vice-Chairman of the Licensing Panel, in the case of new or controversial applications]
- 7 Power to register pool promoters. Delegated to the Director of Legal and Administration Services [in consultation with the Chairman and Vice-Chairman of the Licensing Panel, in the case of new or controversial applications]
- 8 Power to grant track betting licences
- 9 Power to license inter-track betting schemes
- 10 Power to grant permits in respect of premises with amusement machines
- 11 Power to register societies wishing to promote lotteries. Delegated to the Director of Legal and Administration Services [in consultation with the Chairman and Vice-Chairman of the Licensing Panel, in the case of new or controversial applications]
- 13 Power to issue cinema and cinema club licences. Power to issue theatre licences. Power to issue entertainments licences. Power to issue personal and premises licenses under the Licensing Act 2003. Delegated to the Director of Legal and Administration Services [in consultation with the Chairman and Vice-Chairman

of the Licensing Panel, in the case of new or controversial applications]

- 14 Power to license sex shops and sex cinemas
- 15 Power to license performances of hypnotism. Delegated to Director of Legal and Administration Services.
- 16 Power to license premises for acupuncture, tattooing, ear-piercing and electrolysis
- 17 Power to license pleasure boats and pleasure vessels. Delegated to Director of Legal and Administration Services.
- 18 Power to register door staff. Delegated to Director of Legal and Administration Services.
- 19 Power to license market and street trading. Delegated to Director of Legal and Administration Services.
- 20 Power to license night cafes and take-away food shops. Delegated to Director of Legal and Administration Services.
- 21 Power to license dealers in game and the killing and selling of game. Delegated to Director of Legal and Administration Services.
- 22 Power to register and license premises for the preparation of food. Delegated to Director of Legal and Administration Services.
- 23 Power to register scrap metal dealers. Delegated to Director of Legal and Administration Services.
- 24 Power to license premises for the breeding of dogs. Delegated to Director of Legal and Administration Services.
- 25 Power to license pet shops and other establishments where animals are bred or kept for the purpose of carrying on a business. Delegated to Director of Legal and Administration Services.
- 26 Power to register animal trainers and exhibitors. Delegated to Director of Legal and Administration Services.
- 27 Power to license zoos
- 28 Power to license dangerous wild animals
- 30 Power to license persons to collect for charitable and other causes. Delegated to Director of Legal and Administration Services
- 31 Power to grant consent for the operation of a loudspeaker. Delegated to Head of Environment & Leisure Services

- 32 Power to approve meat product premises. Delegated to Head of Environment & Leisure Services
- 33 Power to approve premises for the production of minced meat or meat preparations. Delegated to Head of Environment & Leisure Services
- 34 Power to approve dairy establishments. Delegated to Head of Environment & Leisure Services
- 35 Power to approve egg product establishments. Delegated to Head of Environment & Leisure Services
- 36 Power to issue licenses to retail butchers' shops carrying out commercial operations in relation to unwrapped raw meat and selling or supplying both raw meat and ready-to-eat foods. Delegated to Head of Environment & Leisure Services
- 37 Duty to keep register of food business premises. Delegated to Head of Environment & Leisure Services
- 38 Power to register food business premises. Delegated to Head of Environment & Leisure Services
- 39 Power to make Closing Order with respect to take-away food shops. . Delegated to Head of Environment & Leisure Services
- 40 That in the event of refusal or cancellation of an application under the provisions of the Motor Salvage Operators Regulations 2002, to hear representations made by the Applicant

RESPONSIBILITY FOR COUNCIL FUNCTION (Cont..)

Appeals Panel - 5 members (to be reviewed)

Functions

- 1 To exercise the Functions of the Council in relation to the hearing and determination of any appeal admission or award in respect of which the Council is vested with the responsibility of deciding the outcome either finally or as part of an appeals mechanism
- 2 To deal with appeals admissions or awards arising in the following circumstances, or in such other cases as may be delegated to it from time to time by the Council:-

(a) Housing

To hear appeals against refusal of admission to/removal from the Housing Waiting Lists by the Housing Panel.

Note: Members of the Appeal Panel are precluded from participating in the decision making in respect of any item of business if the relevant unit(s) of accommodation is within their Ward, or the applicant has his sole or main residence within their Ward.

(b) Grievance & Discipline

To consider and determine appeals made by Employees against Management decisions under the agreed Grievance and Disciplinary Procedure.

(c) Job Share Disputes

To adjudicate upon disputes between a Director and the Trade Union on the placing of any post on the exclusion list and,

To determine any grievance relating to the interpretation and application of these arrangements/conditions.

RESPONSIBILITY FOR COUNCIL FUNCTION (Cont..)

Standards Committee - 4 Members of the Authority other than the Leader of the Council, together with 3 Independent Members and 2 Parish Council Members

Functions

- 1 The promotion and maintenance of high standards of conduct within the Council
- 2 To advise the Council on the adoption or revision of its Code of Conduct.
- 3 To monitor and advise the Council about the operation of its Code of Conduct in the light of best practice, changes in the law, guidance from the Standards Board and recommendations of case tribunals under Section 80 of the Local Government Act 2000.
- 4 To ensure that all Members of the Council including co-opted members, have access to training in all aspects of the Member Code of Conduct, that this training is actively promoted, and that Members are aware of the standards expected from local Councillors under the Code.
- 5 To grant a dispensation to Members and Co-opted Members in accordance with the Relevant Authorities (Standards Committee)(Dispensation) Regulations – subject to delegation, in cases of emergency, when a decision is urgent and there is insufficient time to convene a Meeting of the full Committee, and subject to details being reported to the next available meeting of the Committee, together with the reason for urgency, to the Chairman or Vice-Chairman together with one Member of the Standards Committee.
(Minutes 422, 23rd April, 437, 29th April, 2002)
- 6 Function relating to standard of conduct of Members under any relevant provision of, or regulations made under the Local Government Act 2000

RESPONSIBILITY FOR EXECUTIVE FUNCTION

Cabinet - The Leader of the Council and 9 Cabinet Members

Functions

- 1 To draft the Budget
- 2 To consider the Estimates of expenditure
- 3 To consider the manner in which Capital expenditure shall be financed. Taking into account the advice of the Director of Strategic Resources
- 4 To make recommendations regarding Council Tax levy
- 5 To determine the level of Council housing accommodation rents and charges
- 6 To consider all matters relating to the Council's Administrative Offices. Delegated to Executive Director and subject also to delegation to Head of Cultural Services to deal with applications to hire the Town Hall
- 7 To consider all matters relating to Civic affairs (other than Members' Allowances) subject to delegation to Chief Executive to authorise expenditure within the approved budget for civic hospitality
- 8 To consider the application of general policy on all aspects of financial control
- 9 To monitor and review all matters relating to manpower requirements, policies and procedures and to consider salaries and wages and conditions of service of all employees of the Council. Subject to delegation to:
 - (i) All Heads of Services to:
 - authorise appropriate Officers to attend Parish Council meetings
 - suspend or dismiss employees below Chief Officer level
 - approve attendance of employees at courses and conferences
 - approve staff involvement with relevant external bodies
 - determine applications under the Family Friendly Policy
 - determine car user classification for individual posts
 - approve applications from employees to carry out extraneous duties in accordance with Council policy
 - where necessary on the advice of the Head of Human Resources to grant time off in lieu for Trade Union duties in accordance with Council policy
 - authorise applications for car loans
 - (ii) Chief Executive to:
 - write and send out all disciplinary correspondence under the Council's Disciplinary Procedure
 - determine applications for honoraria under the Scheme of Conditions of Service
 - (iii) Head of Human Resources
 - sanction the implementation of wages and salary awards including car

mileage /subsistence allowances;
take any appropriate action in any case of absence through sickness;
and extend or resume sickness payments

- 10 To consider all matters relating to applications for Early Retirement/ Voluntary Redundancy and any consequential staffing matters
- 11 To appoint all representatives of the Council on Outside Bodies
- 12 To consider and make recommendations on matters of strategic policy or practice; to formulate and prepare plans and strategies and to amend, vary, modify or revoke such plans and strategies to give effect to Government requirements. Subject to the formal adoption by the City Council of such strategic plans and policies as are set out on page 5C of the Constitution
- 13 To agree the approved list of Conferences
(Minute 117, 6th July, 2004)
- 14 To review matters of mutual interest between the City Council and Durham University
- 15 To advise the Council on matters relating to Equal Opportunities issues
- 16 Matters relating to strategic planning policies including the monitoring and revising of all matters relating to the City of Durham Local Plan, the County Structure Plan and any other Development Plan. Subject to the formal adoption by the Council of the City of Durham Local Plan the local development framework and any alterations thereto.
- 17 To authorise the contracting out of Function that are the responsibility of the Executive pursuant to Orders under Section 70 of the Deregulation and Contracting Out Act 1994 and to revoke those authorities
- 18 To make applications for a programme of disposal of land under Section 135(5) of the Leasehold Reform, Housing and Urban Development Act 1993 in accordance with the disposal programme and to apply for consent to the disposal of housing land under Sections 32 and 43 of the Housing Act 1985 other than under the Right to Buy legislation
- 19 To consider writing off debts owed to the Council in excess of £1,000
- 20 Deal with land applications subject to the delegation of the Leader to approve or refuse applications to purchase or lease land, where the land has an estimated value of no more than £11,000, in consultation with the appropriate Ward Councillors and Heads of Service

RESPONSIBILITY FOR EXECUTIVE FUNCTION (Cont....)

Leader of the Council

- Corporate Strategy
- Corporate Governance
- Capital City
- Major Capital Projects
- Public Relations

Responsibilities

1. To Chair meetings of Cabinet and its committees as required
2. To advise the Cabinet on general arrangements for ensuring that value for money is achieved from the Council's assets
3. To represent the Council's views on matters of corporate or strategic policy and any other matters which are within the Leader's terms of reference
4. To request or commission research and other studies on any matters of policy or service provision within these terms of reference
5. To take urgent decisions on matters which fall within the Leader's terms of reference
6. To oversee ongoing Comprehensive Performance Assessment improvements, Best Value Reviews and Corporate Restructure. Subject to the duty of Cabinet to monitor and review all matters relating to manpower requirements and to consider all matters under the ER/VR scheme and consequential staffing matters and duties of the Portfolio Member with responsibility for Performance Management to consider staffing issues arising as a result of organisational changes
(Minute 117, 6th July, 2004)
7. To have responsibility for deciding the allocation of executive responsibilities set out in the Constitution
8. To prepare and publish a Forward Plan of Key Decisions
9. To present to the Council "State of the City" reports
10. To approve the attendance of Members of the Council at Courses and Conferences in conjunction with the Chief Executive
11. To approve applications for copies of archived documents from the County Record Office
[Minutes 116, 17th June, 2002 & 257, 5th August, 2002]

- 12 To approve or refuse applications to purchase or lease land, where the land has an estimated value of no more than £11,000, in consultation with the appropriate Ward Councillors and Heads of Service
(Minute 450, 11th November, 2002)
- 13 To advise the Cabinet and take the leading role in the implementation of the Community Plan and the development of partnership with other bodies with particular regard to the development and maintenance of a local strategic policy/partnership
- 14 To be a member of the Partnership Forum
(Minute 117, 6th July, 2004)
- 15 To promote and help develop the World Heritage Site, the Riverbanks and city streetscapes
- 16 To oversee the Council's Emergency Plan in consultation with the Chief Executive
- 17 To ensure the Council's Corporate Image is maintained and developed, in conjunction with the Portfolio Holder for Performance Management
- 18 To oversee work in relation to the co-ordination of the promotion and marketing of the City and District through the Council's Public Relations section
- 19 To assist in overseeing the delivery of major projects for the city as identified by Cabinet
- 20 To represent the Council on the Accountability Panel of the Local Strategic Partnership
- 21 To determine charges for the Gala Theatre, in consultation with the Chief Executive and Director of Strategic Resources
- 22 To authorise approval of applications to the Flourishing Communities Executive Board of grants for £5000 or less

RESPONSIBILITY FOR EXECUTIVE FUNCTION (Cont...)

Deputy Leader

- Government Initiatives
- Business Partnership Working
- Regional Strategy
- Transport
- Marketing

Responsibilities

1. To advise the Cabinet on Government policies and initiatives
2. To work with other Councils and Agencies to improve and develop new partnerships
3. To lobby other bodies to support our commitments and build and strengthen partnerships eg ONE NorthEast, Durham County Council, English Heritage, the Arts Council, Durham University and the Dean and Chapter
4. To advise the Cabinet on regional strategies and represent the Council on the North East Assembly
5. To advise members on new Government policies and initiatives and work more closely with the Local Government Association and other national bodies
6. To take overall responsibility for coordinating strategic transport issues. To support implementation of the Local Transport Plan within a local and regional framework for integrated transport to develop a more efficient, inclusive, safer and sustainable transport system including cycling, walking and the use of public transport.
7. To monitor new transport proposals and work with the various agencies to improve traffic congestion
8. To oversee and drive forward the Council's vision for Quality Public Services, Flourishing Communities and Capital City.
9. To actively become involved with the business sector, CBI, Rotary Clubs, Durham City Forum, Durham & Chester le Street Enterprise Agency and small business clubs.
10. To advise the Cabinet on marketing, sponsorship and commercial opportunities.
11. To assist the Leader with policy

Cabinet Member for Communities

- Community Development
- Community Safety
- Public Consultation
- Inclusion
- Housing

Responsibilities

- 1 To oversee the Council's arrangements concerning consultation within all relevant sectors of the community and to develop a means by which there can be full public participation in the Council decision making process in consultation with relevant Portfolios
- 2 To ensure that the following principles shall be applied to all forms of consultation/public participation:-
 - Inclusive and open – All sections of the community should have the opportunity to express their views i.e. business, other tiers of Government, voluntary sector, community groups etc
 - Impartial – all those being consulted must be given the opportunity to make up their own minds. Consultation must not lead people to give a preferred response.
 - Informative – As much information on the matter for consultation should be given to enable people to participate in informed debate and make reasoned decisions
 - Understandable – Consultation documents should be written in understandable language
 - Resourced Procedure – There should be sufficient Resources both financial and human in the consultation
 - Reported – There should be feedback on the results of any consultation
 -
- 3 To ensure that Durham is a safe place to live and work, liaising with the police and residents groups to fight crime and anti-social behaviour and to pursue policies likely to reduce anti-social behaviour generally and improve community safety in all areas. To consider and take action on all matters which relate to and influence personal safety and security of the community and to expand the use of CCTV cameras, alcohol bans and dispersal orders.
- 4 To regularly consult residents and develop and promote residents' forums and community groups.
- 5 To make decisions upon and where appropriate advise the Cabinet upon those aspects of home safety and road safety which come within the aegis of the Council

- 6 To actively engage in and advise the Cabinet on the promotion of the welfare of the aged by considering what matters should be pursued by the Council with Government Departments and other outside agencies.
- 7 To advise the Cabinet and carry out the duties and powers or conferred on the Council as a Housing Authority except those in relation to the repair, demolition and closing of unfit houses and the administration of housing benefits.
In accordance with Council policy and subject to specific delegation of certain functions to the Chief Executive, The Director of Legal and Administration, Director of Strategic Resources, Head of Housing Services, Head of Planning Services, Head of Environment and Leisure Services and the Head of Financial Services as detailed on Tables 1 to 13.
- 8 To advise the Cabinet on all aspects of housing policy and the development of housing strategy in terms of all powers and responsibilities conferred on the Council as a Housing Authority.
- 9 To determine applications for house renovation grants
- 10 To determine applications under the Telegraph Acts for the siting of equipment on housing land premises.
- 11 To deal with representations for Council tenants arising from the tenant consultation under the provisions of the Housing Act 1985 and subsequent legislation
- 12 To advise the Cabinet on the determination of the Council's Rolling Programme of New Work, Modernisation and Major Repair Work to its housing stock
- 13 To oversee the Council's Building Services Division
- 14 To make housing allocation decisions and to determine applications for priority housing in accordance with the Council's Allocations Policy and in conjunction with the established Housing Panel after consultation with appropriate Ward Councillors
- 15 To improve the quality of housing for tenants, the quality of repairs and the time taken to allocate properties.
- 16 To provide appropriate housing to meet the needs of all residents, working with partners including registered social landlords to achieve this.
- 17 To provide a variety of housing to meet the needs of all residents including affordable homes for first time buyers, social housing where the need exists and more 2 bed bungalows
- 18 To give tenants more say in how housing is managed
- 19 To pursue the 'Warm Homes for All' policy

- 20 To give positive support to community wardens and campaign for more police on the streets in the city centre and villages.

Cabinet Member for Performance Management

- Best Value Reviews
- Performance Plans
- Business Development
- Human Resources
- Customer Services

Responsibilities

- 1 To oversee the Best Value Review Programme by agreeing the timetable and scope of reviews, determining internal and external consultation processes, attending appropriate meetings with the Audit Commission Best Value Inspectorate and presenting their report and any appropriate action to Cabinet.
- 2 To ensure the production of the Corporate Performance Plan and Annual Action Plans for each service in consultation with the Portfolio Members for Finance
- 3 To manage in conjunction with other Cabinet colleagues the development of Business Plans for each of the Council's services
- 4 To oversee Options Appraisals and Market Testing of All Council Services
- 5 To oversee the Authority's Personnel Functions and consider any staffing issues which may arise as a result of organisational changes
- 6 To be satisfied that indicators included in the Corporate Performance Plan represent challenging targets for the Authority to follow a policy of continuous improvement
- 7 To be responsible for the periodic presentation of appropriate performance management information to Cabinet and chair Performance Clinics
- 8 To ensure that adequate resources are in place to develop the performance culture including the seeking and maintenance of investors in people accreditation
9. To oversee the development of performance appraisal mechanisms and Personal Development Plans for Members of staff
- 10 To be a member of the Partnership Forum
- 11 To oversee the development of member development planning and training for members
- 12 To supervise the production of the Council's programme towards meeting E-

Government targets set by Central Government

- 13 To oversee the development and maintenance of the Council's Corporate Image in conjunction with the Leader.
- 14 To promote increased access to all Council services for all groups
- 15 To promote efficiency
- 16 To oversee the Council's arrangements for risk management

- 17 To take the lead and advise Cabinet on improving customer services as part of the Quality Public Services Agenda
- 18 To work with relevant agencies to develop Local Area Agreement Partnerships

Cabinet Member for Strategic Planning & Regeneration

- Local Development Framework
- Economic Development
- 20/20 Vision
- Durham Villages Regeneration
- Land Management

Responsibilities

1. To advise the Cabinet regarding the acquisition, management and disposal of land held for housing purposes
2. To determine in conjunction with the Cabinet, where appropriate, applications relating to additional land purchases under the Housing Act 1985, Part II
3. To lead the development of the Council's Asset Management Plan, Capital Programme and Housing Business Plan in consultation with the Portfolio Member for Finance
4. To advise the Cabinet on and monitor and review the promotion and attraction of industry, commerce and tourism to the area so as to raise the economic profile throughout the administrative area of the District, to target for an increase in real jobs and the numbers of visitors to the City and in so doing assist in stimulating the local economy. In conjunction with appropriate outside bodies and subject to delegation to the Head of Community Services to prepare the Council's Economic Development Strategy for each financial year pursuant to S34 Housing and Local Government Act 1989 and to carry out all necessary consultations
5. To ensure that suitable sites are available to meet industrial commercial and tourism needs and to consider and advise the Cabinet on any requests for purchase or disposal of land in respect thereof and to develop issues including strategic land use policies, in conjunction with appropriate outside bodies.
6. To deal with matters relating to financial incentives to industry, in conjunction with appropriate outside bodies and subject to delegation to Head of Community Services to agree financial incentives (excluding loans)
7. To advise the Cabinet on such matters where special consideration or support needs to be given by Government Departments or Agencies in order to facilitate the performance of the Council in regard to its economic development and regeneration, in conjunction with appropriate outside bodies.
8. To seek the assistance of other appropriate bodies, both within and without the

District's administrative area, in order to attract an increase in grant aid or other support which may be required in order to fulfil the objectives of the Cabinet. In conjunction with appropriate outside bodies.

9. To monitor and report to Cabinet as considered necessary on those matters which can have a negative or counter-productive effect upon the principal Function of the Council including such matters as the appearance of the District, the facilities and services provided and the activities therein, in conjunction with appropriate outside bodies.
- 10 To be responsible for and advise the Cabinet on all matters affecting the managements of Millennium City Project including the Gala Theatre
- 11 To develop issues including strategic land use policies
- 12 To advise Cabinet on planning aspects of conservation and regeneration of the City and to oversee the 20/20 Vision in conjunction with other Portfolio Members as appropriate
- 13 To promote regeneration and advise on all matters relating to Durham Villages Regeneration Company Limited. To extend the regeneration programme, through the Flourishing Communities Programme and the Durham Villages Regeneration Company, to improve community facilities and to investigate the remodelling of more estates
- 14 To improve shopping facilities and promote commercial opportunities
- 15 To encourage economic regeneration and new investments to Durham
- 16 To develop the knowledge economy
- 17 To bring new jobs to Durham and continue the modern apprenticeship scheme
- 18 To exercise the Function of the Council under the Town and Country Planning Acts including responsibility for co-ordinating issues relating to planning strategy (with the exception of those powers delegated to the Development Control Committee).
- 19 To co-ordinate issues related to strategic brownfield, commercial and industrial land use and integration of planning policies into the corporate context.

Cabinet Member for Environment

- Energy Efficiency
- LA21
- Environmental Health
- Public Open Space
- Recycling

Responsibilities

- 1 To apply the Council's Environmental Policy to all areas of service activity, ensuring suitable training to promote awareness and ensure employees understand the importance of the Council's environmental responsibilities
- 2 To establish monitor and review environmental objectives and targets to ensure achievement of and compliance with legislative obligations
- 3 To promote energy efficient practices and awareness in relation to the consumption of non renewable resources, building design and transport
- 4 To introduce improved waste management practices and endeavour to achieve Government waste recycling targets. Subject to delegation of authority to the Head of Environment & Leisure Services to carry out duties under Sections 3 to 6 and 8 of the Refuse Disposal (Amenity) Act 1978
- 5 To monitor pollution levels and take measures to minimise or eliminate pollution where possible
- 6 To develop an informative and open relationship with local people, suppliers and other regulatory bodies in an attempt to influence, promote and stimulate sound environmental practice
- 7 To assess and advise the Cabinet on the environmental impact of new developments and land use projects to ensure adequate protection for our heritage and landscape
- 8 To embrace the aims of Local Agenda 21 in all areas of service provision, policy and partnership initiatives, having particular regard to environmental education
- 9 To consider and exercise the functions of the Council and where appropriate advise the Cabinet in respect of strategic licensing issues, environmental health and transportation matters including:- refuse collection, litter, clean air, health education, noise, pollution, land drainage, public conveniences, car parks, bus shelters, the hire of the Council's mobile toilets, street naming and numbering, mandatory and discretionary licensing schemes in the private sector including

houses in multiple occupation.

(Minute 117, 6th July, 2004 & Min 238, 12th September, 2006)

In accordance with Council policy and subject to delegation of authority to:

- (i) The Director of Legal and Administration Services to:
 - inform Durham County Council of the City Council's views arising from bus stop consultative meetings;
 - lodge objections within the statutory grounds available with the licensing authority in respect of applications for HGV Operators Licences.

- (ii) The Head of Environment and Leisure to:
 - maintain a register of litter control areas and street litter control notices;
 - serve notice and enter land for the purposes of inspecting providing maintaining and repairing public sewers and drains;
 - deal with applications from British Telecom for consent to the construction of telegraphs;
 - consider and respond to any consultation received from Durham County Council on any proposed road traffic regulation order; deal with applications prior to the 5th November each year for bonfires

- 10 To approve Temporary Road Closure Orders and footpath and highway stopping up and diversion orders in consultation with Ward Councillors

- 11 Subject to there being no special circumstances, to approve applications received for the temporary closure of the riverside footpaths under the Durham City Council Act 1985.
(Minute 625(ii), 8th March, 2004 & 117, 6th July, 2004)

- 12 To advise the Cabinet on environmental aspects of conservation and regeneration of the City in conjunction with other Portfolio Members as appropriate
(Minute 117, 6th July, 2004)

- 13 To consider and exercise the Function of the Council in respect of maintenance of parks and open spaces including recreational land

- 14 To determine applications for amendments to the Hackney Carriages Fare Scale, in conjunction with the Licensing Manager and to report decisions for Cabinet for information.

- 15 To advise the Cabinet on the Council's green space management strategy

- 16 To upgrade all parks, providing better seating and traditional flower beds with the aim of achieving Green Flag Status where possible and to consider the reintroduction of park keepers to create a safer environment.

- 17 To actively encourage and support the formation of 'friends' groups for parks and open spaces

- 18 To make energy efficiency savings wherever possible and to pursue the Sustainability Agenda in all Council services

- 19 To continue the bio-diversity strategy, increase recycling, work with partners to extend the green waste programme and improve the street scene in all areas
- 20 To extend the crematorium and continue to care and invest in the cemeteries

RESPONSIBILITY FOR EXECUTIVE FUNCTION (Cont...)

Cabinet Member for Finance

- Financial Management
- Budgets
- Asset Management
- Procurement
- HIP

Responsibilities

- 1 To advise Cabinet on the development of the Council's Capital Strategy, Asset Management Plan and Housing Investment Programme, in consultation with the Portfolio Member for Communities
- 2 To oversee the management of tenants in arrears with rent, council tax, business rates and sundry debts and authorise appropriate action, including Court proceedings. Subject to delegation of authority to the Head of Housing to sign and serve Notices of Seeking Possession and to take appropriate action to recover possession
- 3 To deal with the Council's responsibilities under the Government's Housing Benefits and Council Tax Regulations including benefit fraud.
- 4 To deal with all applications for subscriptions, donations interest free loans and financial assistance in consultation with the Director of Strategic Resources
- 5 To meet with any organisations seeking an interest free loan and in consultation with the Director of Strategic Resources to determine loan applications. Subject to delegation of authority to the Head of Financial Services to obtain suitable available security
- 6 To meet with representatives of non domestic rate payers from time to time to discuss matters of general interest and concern. Subject to delegation of authority to the Chief Executive and Director of Strategic Resources to carry out statutory consultations in accordance with Section 65 of the Local Government Finance Act 1992
7. To approve the award of tenders. In conjunction with the relevant Portfolio Member for the particular service
8. To authorise the write-offs of any deficiencies revealed in items of stock
- 9 To monitor and advise the Cabinet regarding any write-off in the Council's records of items of income over £500 which are deemed irrecoverable on the

advice of the Head of Financial Services

- 10 To advise the Cabinet on all matters affecting the financial management and budget of the Council. Subject to delegation of authority to the Head of Property Services to settle third party claims from Council tenants arising from the work of his Department up to a maximum of £500
- 11 To write off arrears of non domestic rates, council tax, former tenants arrears and sundry debtor accounts up to a maximum of £1,000. Subject to the delegation of authority to the Head of Financial Services to write off such debts up to a maximum of £500 in consultation with the Portfolio Member.
- 12 To deal with the requests for the waiving of car park charges in relation to late night Christmas and Sunday shopping facilities.
- 13 To advise the Cabinet on Council procurement policy within the best value process
- 14 To market test all services to determine the most cost effective way of delivering council services
- 15 To continue council tax consultation

Cabinet Member for Leisure & Culture

- Healthy Lifestyles
- Arts
- Tourism & Events
- Sports & Recreation
- Conservation & Heritage

Responsibilities

- 1 To advise the Cabinet on the provision and development of all leisure facilities
- 2 To advise the Cabinet on matters relating to the use of leisure centres
- 3 To be responsible for and advise the Cabinet on all matters affecting the management of the Gala Theatre
- 4 To advise the Cabinet in the development of arts and cultural strategy
- 5 To authorise any action relating to the organisation of recreational Function/promotions
- 6 To consider and exercise the Function of the Council in respect of recreational land amenity matters including parks and open spaces, swimming, bathing and sporting facilities, entertainment and local arts except the making of donations to sporting/arts organisations
- 7 To promote healthy lifestyles for all residents and activities for our young people to enjoy in a safe environment
- 8 To provide high quality leisure facilities across the city and deliver leisure activities for all ages.
- 9 To actively encourage and support the formation of 'Friends' Groups for parks and open spaces
- 10 To work with partners to provide better facilities such as children's play areas and multi-sports area parks so that parks become better place for families to play and enjoy
- 11 To support community associations and groups and give assistance with funding to promote the flourishing communities agenda
- 12 To improve cultural and artistic programmes, continue with a diverse programme for all to enjoy at the Gala Theatre, sponsor flagship events and improve tourist

offers

- 13 To develop more formal links with Durham Tees Valley and Newcastle Airports
. striving to promote Durham as a truly Capital City
- 14 To safeguard Durham's heritage and enhance the beauty of the City, including
. improvements to the riverbanks and upgrading the outdoor markets.
- 15 To develop strategic approaches to key policy objectives including heritage, fair
. trade and healthy living
- 16 To provide vision, leadership, advocacy and support for the development within
. the city and the District in relation to Parks and Open Spaces and Tourism, Arts
and Heritage

Table 3 Delegations to the Director of Legal and Administration Services – cont/

- 3.13 To arrange for the institution or defence of legal proceedings of any nature, including Court action, where he/she is satisfied that there has been a breach of the Civil or Criminal Law in matters affecting the powers and duties of the Council or its governing reputation or that the Council should defend any proceedings of any kind brought against it (including where appropriate, instructing Counsel).
- 3.14 To proceed immediately to the conveyancing stage without further authority in relation to land transactions, subject only to reporting Council's Valuer's reports to the Cabinet or appropriate Cabinet Member, for information.
- 3.15 In consultation with the Portfolio Member for Communities and the Head of Housing Services to institute legal proceedings against offenders following complaints of harassment and/or illegal eviction of tenants in the private rented sector.
- 3.16 In consultation with the Portfolio Member for Finance and the Head of Financial Services to institute Court proceedings to recover miscellaneous debts including sundry debts and those in respect of properties let by the Council.
- 3.17 To act as designated Proper Officer for the following functions under the Local Government Act 1972:
- S.238 The Officer who shall certify a printed copy of a byelaw of the Council.
 - S.248(2) The Officer who shall keep the roll of Freemen (including matters relating to Durham Guilds) see also S8(6) of the Durham City Council Act 1985.
 - S.212(1) & (2) The Officer who shall act as Registrar of Local Land Charges.
 - S.236(9) & (10) The Officer who shall send out copies of byelaws as required by the Act.
- 3.18 To act as designated Proper Officer for the following functions under the Durham City Council Act 1985:
- S.8(5) The Officer who shall be the Clerk of any Guild Meeting.
 - S.8(6) The Officer who shall receive a list of the names and addresses of the Freemen.
- 3.19 In consultation with the Portfolio Member for Environment and appropriate Ward Councillors to inform Durham County Council of the City Council's views arising from Bus Stop Consultative Meetings.

- 3.20 To lodge objections within the statutory grounds available with the Licensing Authority in respect of applications for Heavy Goods Vehicle Operators Licences.
- 3.21 To deal with applications for permits for Street Collections.
- 3.22 To discharge the Council's responsibilities under Data Protection Freedom of Information and Regulation of Investigatory Powers legislation
- 3.23 In consultation with the Chairman and Vice-Chairman of the Licensing Panel, [in the case of new or controversial applications], to deal with all matters relating to the licensing of Hackney Carriage Vehicles, Hackney Carriage Drivers, Private Hire Vehicles, Private Hire Operators and Drivers and in appropriate cases the issue of suspension certificates in relation to the aforementioned licences.
- 3.24 In consultation with the Chairman and Vice-Chairman of the Licensing Panel, [in the case of new or controversial applications], to deal with applications for licences under the Licensing Act 2003, amusements with prizes, small lotteries, Gambling Act 2005
- 3.25 In consultation with the Chairman and Vice-Chairman of the Licensing Panel, [in the case of new or controversial applications], to deal with all matters relating to the licensing of public entertainments/sports, open air public entertainments and private places of entertainment.
- 3.26 To deal with matters relating to Street Trading Licences and consents.
- 3.27 In consultation with the Head of Financial Services, to approve Home Loss and Disturbance Payments.
- 3.28 To sign Exclusive Rights of Burial Certificates
- 3.29 To deal with the issue of the following licences, after consultation with the Head of Environment & Leisure Services:-
 - Pet Shops
 - Animal Boarding Establishments
 - Breeding of Dogs
 - Dangerous Wild Animals
 - Riding Establishments
- 3.30 To consider any requests for garden licences in consultation with the appropriate Ward Councillors.

Table 6 Delegations to the Head of Housing Services
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- 6.1 To carry out all relevant duties under the Housing Acts and to take all necessary action regarding service of Notices of Seeking Possession and subsequent Court action; provision of accommodation for homeless persons; assignment and other disposals of secure tenancies and exercise of the power of entry under Section 54 of the Housing Act 1985.
- 6.2 To make suitable arrangements for the administration of the provisions of the Social Security Act 1986, the Social Security Administration Act 1992 and any associated legislation relating to Housing and Council Tax Benefit.
- 6.3 To determine whether a penalty be imposed or prosecution commenced in individual cases of fraudulent housing and/or Council Tax Benefit claims.
- 6.4 To carry out relevant duties in relation to City Care.
- 6.5 To determine applications for the provision of minor aids and adaptation works up to a maximum of £10,000
- 6.6 In consultation with the Portfolio Holder for Communities to determine applications for adaptation work costing more than £10,000=
- 6.7 To deal with the appointment/dismissal of the Gypsy Site Warden in consultation with appropriate Ward Councillors and to take any other necessary action for the satisfactory operation of the site.
- 6.8 To authorise the provision of bed and breakfast accommodation for homeless persons in the event of temporary housing not being available and to take all necessary action to comply with Part III of the Housing Act 1985
- 6.9 To deal with assignments and other disposals of secure tenancies under Sections 91 to 95 of the Housing Act 1985.

<p>Table 7 Delegations to the Head of Planning Services</p>

- 7.1 In consultation with the Chairman and Vice-Chairman of the Development Control Committee to determine applications for prior notification where these relate to demolition as defined in Part 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995.
- 7.2 To seek any necessary planning and building regulation approval in relation to any proposed scheme undertaken by the City Council.
- 7.3 To discharge the Council's functions under the Building Regulations (or any amendment thereto) including the determination of applications.
- 7.4 In consultation with the Portfolio Member for Strategic Planning & Regeneration to exercise the statutory powers conferred by Sections 35 and 36 of the Building Act 1984 in connection with the removal and alteration of works, or the institution of legal proceedings, for contravention of the Building Regulations.
- 7.5 To serve any notices relating to dangerous structures.
- 7.6 To serve notices and to enter on land for the purposes of inspecting, providing, maintaining and repairing public sewers and drains.
- 7.7 In consultation with appropriate Ward Councillors to deal with applications from British Telecom for consent to the construction of telegraphs. In the event of disagreement the matter to be referred to the Cabinet for determination, due regard being paid to comments made by Ward Councillors and requests for site meetings.
- 7.8 To exercise the undermentioned planning functions:-
- (i) Classify and process planning applications;
 - (ii) Determine appropriate planning application fees;
 - (iii) Sign and issue planning decision notices;
 - (iv) Determine applications for minor modifications to approved plans;
 - (v) Determine whether planning appeals be dealt with by public inquiry or written representations;
 - (vi) Prepare the statement of the Local Planning Authority in relation to all planning appeals and represent the Council at hearings and public inquiries;
 - (vii) Issue Requisitions for Information under Section 330 of the Town and Country Planning Act 1990;

- (viii) Sign and Issue Certificates of Registration as Scrap Metal Dealers;
- (ix) Authorise Members of staff in writing to enter land in accordance with the provision of Section 324 (Rights of Entry) Town and Country Planning Act 1990 and S34 of the Clean Neighbourhoods and Environment Act 2005.
- (x) Determine when and in what circumstances consultations with the County Planning Authority on planning applications shall be made;
- (xi) Determine whether an application is a 'departure' and for instituting appropriate procedures;
- (xii) Determine who are neighbours and consult accordingly in relation to planning applications;
- (xiii) Issue certificates of existing or proposed lawful use or development;
- (xiv) Maintain the Register of Enforcement and Stop Notices under Section 188 of the Town and Country Planning Act 1990.
- (xv) Undertake screening opinions for environmental impact assessment.
(Minute 117, 6th July, 2004)

7.9 In relation to planning appeals to notify those neighbours and businesses adjoining an appeals site and other people and objectors who made representations for or against a proposed development at the planning application stage.

7.10 To determine planning applications and discharge the Council's Planning functions in relation to the undermentioned matters where there is conformity with Development Plan Policies and which are not the subject of objection:-

- (a) domestic extensions and alternations
- (b) advertisements
- (c) shop front alterations
- (d) listed building consents
- (e) conservation area consents
- (f) certain economic development projects of a non-contentious nature where an early decision is essential
- (g) changes of use of land or buildings subject to a maximum of 1000 sq. metres floor space or area not exceeding 1.0 hectares
- (h) individual new dwellings subject to a maximum of 1000 sq. metres floor space or area not exceeding 1.0 hectares
- (i) substitution of house types
- (j) extensions to industrial and commercial properties
- (k) renewal and variation of existing permissions subject to a maximum of 1000 sq. metres floor space or area not exceeding 1.0 hectares

- (l) consultations by the County Councils, Government Departments, Statutory Undertakers and neighbouring authorities
 - (m) works to trees covered by Tree Preservation Orders (TPOs)
 - (n) prior notification for agricultural and telecommunications development
 - (o) notification of works to trees in Conservation Areas not covered by TPOs
 - (p) Issue of planning contravention notices and requisitions for information
 - (q) Discharge of conditions on planning submissions and approval of minor amendments.
- 7.11 To determine a repeat or similar application as defined by the criteria specified in the Planning and Compulsory Purchase Act 2004.
- 7.12 To provide screening and scoping opinions relative to Environmental Assessment Regulations in order to meet prescribed deadlines
- 7.13 In consultation with the Chairman and Vice-Chairman of Development Control Committee to determine planning applications and discharge the Council's planning functions in relation to the undermentioned matters where there is conformity with Development Plan Policies and which are not the subject of material objection:-
- (a) Approval of applications which have attracted objections and would otherwise have fallen to be determined under 7.11 above;
 - (b) Approval for a maximum of 4 dwellings or a site area of .25 hectares;
 - (c) Approval for a maximum of 1,000 sq. metres floor space or site area of 1.0 hectares on land specifically designated for industrial, commercial or retail use;
 - (d) Approval for telecommunications and agricultural development not specified in 7.11 above (other than prior notification applications);
 - (e) Approval of reserved matters applications and approval of full applications for minor development following an outline consent, where there is no substantive change in the proposal;
 - (f) Approval and refusal for advertisements and prior notification applications for telecommunications and agricultural developments;
 - (g) Approval and refusal of amendments to permissions;
 - (h) Discharging and refusing to discharge conditions on their fulfilment;
 - (i) Preparing and issuing enforcement, breach of condition and stop notices;
 - (j) Preparing and issuing advertisement discontinuation notices;

- (k) Preparing and issuing notices for the proper maintenance of land (Section 215 Town and Country Planning Act 1990);
- (l) Authorisation to instigate prosecution proceedings in relation to illegal display of advertisement;
- (m) Authorisation to instigate prosecution proceedings in relation to failure to comply with statutory notices.

7.14 Authorisation in accordance with existing categories of delegated arrangements to refuse applications:-

- (a) which are clearly contrary to development plan policies, or
- (b) which lack sufficient information to be properly assessed under the relevant timescale.
(Minute 818(ii), 22nd April, 2003)

[Supplement No.11 – July, 2004

Table 8 Delegations to the Head of Property Services

- 8.1 In consultation with the Portfolio Member for Communities to substitute an appropriate house where a house which is the subject of a Right to Buy Application is to be modernised and to vary contracts in relation to new build schemes, modernisations, major repairs or repainting programmes as a result of there being an outstanding RTB application.
- 8.2 In consultation with the appropriate Ward Councillors to erect as necessary notices on Council owned land.
- 8.3 In consultation with appropriate Ward Councillors to determine applications for the erection of huts or garages on Council owned land.
- 8.4 To authorise members of his staff in writing to enter and survey land under Section 15 of the Local Government (Miscellaneous Provisions) Act 1976.
- 8.5 To settle third party claims from Council Tenants arising from the work of his department up to a maximum settlement of £100.00.
- 8.6 To process, under the Secure Tenancies (Right to Repair Scheme) Regulations 1985, the various claim forms and accept the refuse repairs as landlord and sign the necessary forms on behalf of the Council.
- 8.7 The Officer who shall under Section 191 of the Local Government Act 1972, be responsible for certain matters relating to the Ordnance Survey.
- 8.8 In consultation with the Portfolio Member for Environment and appropriate Ward Councillors to consider and respond to any consultation received from Durham County Council on any proposed Road Traffic Regulation Order where such order or amendment appears to be uncontroversial or where it appears any disagreement can be resolved. In the event of any proposal being considered controversial by a Ward Councillor the matter will be referred to Cabinet for consideration.
- 8.9 To determine all appeals against the issue of Standard Charge Notices in the Council's public car parks.

Table 9 Delegations to the Head of Financial Services
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- 9.1 To make any gratuity payments in accordance with the Council's agreed scheme
- 9.2 To determine the grant or refusal of interest free loan applications in consultation with the Portfolio Member for Finance
- 9.3 To determine the amount payable under Section 100H (1a) and 100H (2b) of the Local Government Act 1972 for inspecting and photocopying of documents.
- 9.4 To deal with all new applications for financial assistance in consultation with the Portfolio Member for Finance
- 9.5 To implement the results of the County Council annual review of pitch rents and remuneration of the Site Warden in respect of the Management of the Adventure Lane Gypsy Site and to implement any other necessary administrative decisions consequent upon such annual review.
- 9.6 To determine the most suitable method of recovery of Council Rent, Community Charge, Council Tax or NNDR having regard to the particular circumstances of the charge payer and in accordance with approved debt management strategy and to pursue all appropriate recovery proceedings after consultation with the Portfolio Member for Finance, including the securing of the services of a reputable professional Bailiff or other collection agency.
- 9.7 To make suitable arrangements for the administration of the provisions of the Local Government Finance Act 1992 and any other associated legislation and to take or defend any administrative action in the County or Magistrates' Court or at any Valuation Tribunal or Review Board, to serve completion notices in accordance with Section 17 of the 1992 Act and to make any other determination on behalf of the Council except as may otherwise be specified by the Council or reserved specifically for the Council by Section 67 of the 1992 Act.
- 9.8 To act as Deputy S. 151 Officer and in the absence of the Director of Strategic Resources to exercise all S.151 duties and responsibilities delegated to the Director of Strategic Resources.
- 9.9 To write off, in consultation with the Portfolio Member for Finance, arrears of non domestic rates, council tax, former tenants' arrears and sundry debtor accounts up to a maximum of £500.

<p>Table 10</p> <p>Delegations to the Head of Environment & Leisure Services</p>
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- 10.1 To approve applications for use of recreational facilities, other than seasonal bookings.
- 10.2 To determine midweek functions of the Sports Hall facilities.
- 10.3 To deal with all applications for the hire of the Town Hall.
- 10.4 To carry out duties in connection with Sections 3-6 and 8 of the Refuse Disposal (Amenity) Act 1978.
- 10.5 To maintain a register of Litter Control Area Orders and Street Litter Control Notices under the Environmental Protection Act 1990.
- 10.6 In consultation with the Portfolio Member for Environment and appropriate Ward Councillors to deal with applications for Bonfires prior to the 5th November in each year subject to the proposed site being suitable and to the organisers of the bonfire indemnifying the City Council against any claim whatsoever arising from the granting of the permission.
- 10.7 To administer the scheme of registration of Motor Salvage Operators and to grant, renew, refuse or cancel applications for registration.
(Minute 620, 2nd March, 2004)
- 10.8 To deal with applications for the following licences:-
- | | |
|---------------------------------|---------------------|
| ➤ Slaughterhouses | ➤ Caravan Sites |
| ➤ Slaughtermen | ➤ Cosmetic piercing |
| ➤ Acupuncture | ➤ Electrolysis |
| ➤ Tattooing | ➤ Game Dealers |
| ➤ Houses in Multiple Occupation | |
- 10.9 To be consulted on applications determined by the Director of Legal and Administration Services in relation to the under mentioned licences:-
- Pet Shops
 - Animal Boarding Establishments
 - Breeding of Dogs
 - Dangerous Wild Animals
 - Riding Establishments
- 10.10 If necessary after consultation with the Director of Legal and Administration Services to serve appropriate notices under Section 80 of the Environmental Protection Act 1990 in respect of statutory nuisances and where by virtue of Section 81 (5) of that Act it would be more appropriate to take proceedings for an injunction, to restrain a noise, to take proceedings for an injunction.

- 10.11 To carry out duties in connection with Planning (Hazardous Substances) Act 1990 and all regulations made there under.
- 10.12 To act as designated Proper Officer for the functions contained in Part III (Provisions relating to noise), under the Control of Pollution Act 1974.
- 10.13 To act as designated Proper Officer for the functions contained in Section 20 (Notice requesting person to discontinue work) under the Public Health (Control of Disease) Act 1984.
- 10.14 To determine mandatory Disabled Facilities Grants under Paragraph 21 of Chapter 1, Part 1 of the Housing Grants, Constructions and Regeneration Act 1996 in consultation with the Portfolio Member for Housing.
- 10.15 To determine and demand the proportion (if any) of the amount of any improvement grant to be repaid or any breach of condition.
- 10.16 To act as designated Proper Officer for the following functions under the Environmental Protection Act 1990:
- ❑ S.149 Seizure and detention of stray dogs
 - ❑ S.150 Delivery of stray dogs to Police or Local Authority Officer
 - ❑ S.151 Collar and tag requirements.
- 10.17 To carry out all relevant duties in connection with the Acts listed below and all Orders and Regulations and Circulars etc made there under:-
- Animal Boarding Act 1963
 - Breeding of Dogs Act 1973
 - Building Act 1984
 - Caravan Sites and Control of Development Act 1960
 - Cinemas Act 1985
 - Children and Young Persons Act 1933
 - Chronically Sick and Disabled Persons Act 1970
 - Clean Air Act 1993
 - Clean Neighbourhoods and Environmental Act 2005
 - Control of Pollution Act 1974
 - Criminal Justices and Public Order Act 1994
 - Dangerous Wild Animals Act 1976
 - Dogs (Fouling of Land) Act 1996
 - Environment Act 1995
 - Environmental Protection Act 1990
 - European Communities Act 1972
 - Products of Animal Origin (Third Country Imports)(England)(No. 4) Regulations 2004
 - Factories Act 1961
 - Food Safety Act 1990
 - Health and Safety at Work Act 1974
 - Housing Act 1985
 - Housing Act 2004
 - Housing Act 1996
 - Housing Grants, constructions and Regeneration Act 1996

- Landlord and Tenant Act 1985
- Local Government (Miscellaneous Provisions) Act 1976
- Local Government (Miscellaneous Provisions) Act 1982
- Local Government Planning and Land Act 1980
- Local Government and Housing Act 1989
- Offices, Shops and Railway Premises Act 1963
- Pet Animals 1951
- Prevention of Damage by Pests Act 1949
- Public Health Act 1936
- Public Health Act 1961
- Public Health (Control of Diseases) Act 1984
- Riding Establishments Act 1964
- Riding Establishments Act 1970
- Sunday Trading Act 1994
- Slaughter of Poultry Act 1967 (as amended)
- Slaughterhouses Act 1974
- Transport Act 1968

(Minutes 162, 21st July, 2003 & 188, 28th July, 2003)

- 10.18 In consultation with the Portfolio Member for Finance and the Head of Financial Services to deal with requests for waiving of car parking charges in relation to late night and Sunday Christmas shopping facilities.

Table 11 Delegations to the Head of Community Services

- 11.1 To prepare items for publication in issues of the Durham City News.
- 11.2 In consultation with the Portfolio Member for Strategic Planning & Regeneration to agree financial incentives to industry excluding loans.
- 11.3 In consultation with the Portfolio Member for Finance to obtain any suitable security in connection with applications for loans under the Scheme for Financial Incentives.
- 11.4 In consultation with the Portfolio Member for Strategic Planning & Regeneration to prepare the Council's Economic Development Strategy for each financial year pursuant to Section 34 of the Housing and Local Government Act 1989 and to carry out all necessary consultations in this regard.

<p>Table 12 Delegations to the Head of Cultural Services</p>
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- 12.1 In consultation with the Portfolio Member for Leisure & Culture to approve applications to use the Market Place.
- 12.2 To exercise the undermentioned planning functions:-
- (i) preparing and serving Tree Preservation Orders (TPOs) and emergency TPOs
 - (ii) preparing and issuing building preservation notices
 - (iii) preparing and issuing listed building preservation notices
 - (iv) preparing and serving Article 4 Directions (1995 GDO)
 - (v) authorisation to instigate prosecution proceedings in relation to illegal tree works
- 12.3 To authorise members of staff in writing to enter and survey land under Section 15 Local Government (Miscellaneous Provisions) Act 1976
- 12.4 To authorise members of staff in writing to enter land in accordance with the provisions of S324 (Rights of Entry) Town and Country Planning Act 1990 and S34 Clean Neighbourhoods and Environment Act 2005.
- 12.5 To deal with applications to hire the Town Hall
- 12.6 To carry out all relevant duties in connection with the Acts listed below and all Orders, Regulations, and circulars etc made there under.
- Building Act 1984
 - Children and Young Persons Act 1933
 - Disability Discrimination Act 1995
 - Clean Air Act 1993
 - Clean Neighbourhoods and Environmental Act 2005
 - Criminal Justices and Public Order Act 1994
 - Environment Act 1995
 - Environmental Protection Act 1990
 - European Communities Act 1972
 - Factories Act 1961
 - Food Safety Act 1990
 - Health and Safety at Work Act 1974
 - Landlord and Tenant Act 1985
 - Local Government (Miscellaneous Provisions) Act 1976
 - Local Government (Miscellaneous Provisions) Act 1982
 - Local Government Planning and Land Act 1980
 - Local Government and Housing Act 1989
 - Offices, Shops and Railway Premises Act 1963
 - Planning Act 1990 as amended
 - Planning (Listed Buildings and Conservation Areas) Act 1990
 - Sunday Trading Act 1994
 - Transport Act 1968
 - Theatres Act 1968

Table 13 Delegations to the Executive Director

- 13.1 To act as Deputy Head of the Paid Service under S4 of the Local Government and Housing Act 1989, in the absence of the Chief Executive.
- 13.2 To guide and where appropriate direct Heads of Service in the exercise of their delegated functions in order to achieve the overall corporate aims and objectives of the Council.
- 13.3 To carry out any function which is delegated to a particular Head of Service.
- 13.4 To deputise for the Chief Executive and in the absence of the Chief Executive exercise all powers and duties delegated to the Chief Executive.
- 13.5 To consider all matters relating to the Council's administrative offices subject to the power of the Head of Cultural Services to deal with applications to hire the Town Hall.

ANNUAL CONFERENCES – APPROVED LIST 2007/8

<u>CONFERENCE</u>	<u>OFFICER</u>	<u>MEMBER</u>
LGA Annual Conference	Chief Executive	3 Members – 1 nomination from each Political Party
LGA Economic Regeneration Conference	Policy & Regeneration Manager/ Economic & Community Dev Manager	PH for Strategic Planning & Regeneration
CIPFA	Director of Strategic Resources	PH for Finance
Institute of EHOS	Environmental Protection Manager/ Environmental Health Manager	PH for Environment
Institute of Housing	Head of Housing	PH for Communities
ILAM	Head of Environment & Leisure	PH for Leisure & Culture
LGA Housing Conference	Head of Housing	PH for Communities
RTPI	Head of Planning	Chair of Development Control



APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES

Body	Representative
North East Regional Employers' Organisation (12)	Deputy Leader of the Council and the Portfolio Holder for Performance Management Terms of Office ends 30 th June, 2008 <i>(Minute 353, 6th December, 2004)</i>
Durham County Council Valuation & Community Charge Tribunal (17)	Councillor Walker <i>Term of Office ends 31st May, 2010</i>
Durham Citizens Advice Bureau (22)	Councillors Howarth, Southwell & Young <i>Term of Office ends 30th April, 2009</i>
Lord Crew's Apprenticeship Fund & Durham Education Foundation – Representative Trustees (28A)	Councillors Jackson and Lodge <i>Term of Office ends 31st May, 2011</i>
Henry Smith's Charity (28B)	Councillors Cowper, Simpson and Walker <i>Term of Office 31st May 2008</i>
Charities of Jane Finney and Jane Smith (28C)	Councillor Rae <i>Term of Office ends 13th February, 2008</i>
Sherburn Hospital Representative Govenors (31B)	Councillor Lightley <i>Term of Office ends August 2010</i>
Central Durham Joint Crematorium Committee (33)	Councillors Dickie, Jackson, Pitts, Reynolds, Southwell, Thomson, van Zwanenberg and Woods <i>Term of Office ends 31st May, 2011</i>

<p>The Local Government Association (47B)</p> <p>(a) General Assembly</p> <p>(b) Rural Commission</p> <p>© Urban Commission</p>	<p>Leader of the Council or Deputy Leader ? <i>Term of Office ends July, 2008</i> (Minute 353 6th December, 2004)</p> <p>Councillor Jackson <i>Term of Office ends June, 2008</i></p> <p>Councillor Southwell <i>Term of Office ends June, 2008</i></p>
<p>Durham Rural Community Council (58A)</p>	<p>Councillor Walton <i>No fixed Term of Office</i></p>
<p>Ruth First Educational Trust</p>	<p>Councillor Holland <i>Term of Office expires 31st July, 2009</i></p>
<p>University, New College, Police & City Liaison Group <i>(formerly City/University Liaison Group)</i> (74)</p>	<p>Chairman & Vice-Chairman of Cabinet ; Elvet Ward Councillors; Nevilles Cross Ward Councillors; St. Nicholas Ward Councillors ; Pelaw & Gilesgate Ward Councillors; together with the Chief Executive <i>No fixed Term of Office</i> (Minute 353 6th December, 2004)</p>
<p>The East Durham Groundwork Trust (83)</p>	<p>Councillors Crooks and Wilkinson <i>Term of Office expires 31st July, 2009</i></p>
<p>Neil Griffin Opportunities for Youth (86)</p>	<p>Councillors Howarth and Norman <i>Term of Office 30th April, 2011</i></p>
<p>Sheraton Park (New College) Liaison Committee (87)</p>	<p>Chairman & Vice-Chairman of Development Control Committee & Nevilles Cross Ward Councillors and the Head of Community Services <i>No fixed Term of Office</i></p>
<p>The South East Durham Concordat (Environmental Services) Joint Best Value Review – Joint Committee (88)</p>	<p>Leader of the Council, Portfolio Members for Performance Management and Environment. <i>No fixed Term of Office</i> (Minute 353 6th December, 2004)</p>
<p>Durham City Forum</p>	<p>Leader of the Council <i>No Fixed Term of Office</i> (Min 496 21st February, 2005)</p>
<p>Durham Villages Regeneration Ltd</p>	<p>Councillor Reynolds; Councillor Southwell; Councillor Bell and the Chief Executive <i>No Fixed Term of Office</i></p> <p>(Min 629 8th March, 2004 and Min 426 17th January, 2005)</p>

Durham Housing Partnership Ltd	Councillor Southwell <i>No Fixed Term of Office</i> (Min 151(c) 21 st July, 2003)
Durham Heart of the City Ltd	Councillor Wynn, Chief Executive and the Director of Strategic Resources <i>No Fixed Term of Office</i> (Min 151(b) 21 st July, 2003 & 563(b) 9 th February, 2004)
Chester-le-Street & City of Durham Enterprise Agency (64)	The Portfolio Member for Strategic Planning & Regeneration and Councillor Lightley and the Head of Community Services <i>No Fixed Term of Office</i>
Esh Winning Community Association – Management Committee (6A)	Councillor Wilkinson
Esh Winning Family Care Association – Executive Committee (6B)	Councillor Guy
The Bow Trust (Durham) Ltd. (8)	Councillor Freeman
National Housing & Town Planning Council Northern Regional Committee (15)	Portfolio Member for Communities
Northern Sport (16)	Portfolio Member for Environment and Head of Environment & Leisure
Age Concern Durham County (24)	Councillors Kinghorn & Young
National Society for Clean Air (Northern Division) (26)	Portfolio Member for Environment together with Councillors Dickie, Kellett and Wolstenholme and the Head of Environment & Leisure
North Regional Home Safety Council (32)	Portfolio Member for Communities together with Councillor Lightley and the Head of Environment & Leisure
Durham Community Association - Management Committee (35)	Councillor Simpson
The Business Club (41)	Portfolio Member for Strategic Planning & Regeneration together with Chair of Economic Scrutiny and the Head of Community Services
Local Authority Forum of the Arts Council (42B)	Councillor Pitts & the Director of Durham City Arts

<p>County of Durham Association of Local Authorities (47)</p> <p>(a) Durham County Pension Fund (b) Regional Arts Council</p> <p>(c) Early Years Development</p>	<p>The Leader of the Council and the Deputy Leader of the Council</p> <p>Councillor Jackson Portfolio Holder for Leisure & Culture</p> <p>Councillor M. J.A. Smith</p>
<p>Northern Regional Brass Band Trust - General Management Committee (49)</p>	<p>Councillor Kinghorn</p>
<p>City of Durham Sports Forum (50)</p>	<p>Portfolio Member for Environment and the Chairman of Community Services Scrutiny Panel and Councillor Simpson</p>
<p>Museums Sub-Committee of the University of Durham <i>(Former Old Fulling Mill Museum Management Committee)</i> (51)</p>	<p>Councillor Norman</p>
<p>Durham County Association for the Disabled Executive Committee (53)</p>	<p>Councillor Crooks</p>
<p>U.K. Athletics (55)</p>	<p>Portfolio Member for Environment and the Chairman of Community Services Scrutiny Panel and the Head of Environment & Leisure</p>
<p>Gilesgate Comprehensive School Shared Use Facilities –</p> <p>(a) Joint Shared Use Liaison Committee</p> <p>(b) Community Association Committee (59A)</p>	<p>Pelaw & Gilesgate Ward Councillors</p> <p>Councillors Laverick and Thompson and the Head of Community Services</p>
<p>Laurel Avenue Shared Use Facilities –</p> <p>(a) Joint Shared Use Liaison Committee</p> <p>(b) Community Association Committee (59B)</p>	<p>Pelaw & Gilesgate Ward Councillors</p> <p>Councillors Mitchell & Thompson and the Head of Community Services</p>
<p>Durham Police – Community Group (60)</p>	<p>Councillors Kinghorn & Walton</p>
<p>Association of North East Councils’ (61a)</p>	<p>Leader of the Council Substitute: Deputy Leader of the Council</p>

North East Regional Assembly (61b)	Deputy Leader of the Council Substitute Leader of the Council
Association for Public Service Excellence & Associated Bodies (Formerly the Association of Direct Labour Organisations)	Portfolio Member for Communities and the Head of Property Services
(a) Leisure Management Working Group (65)	Portfolio Member for Environment and the Head of Environment & Leisure
Coalfields Communities Campaign (Northern Region) (78)	Leader of the Council and the Portfolio Member for Strategic Planning & Regeneration and the Head of Community Services
Durham City Access Group (79)	Portfolio Member for Environment and the Head of Property Services
ENCAMS <i>(Formerly Tidy North Regional Consultative Committee)</i> (80)	Portfolio Member for Environment & Leisure and the Chairman of the Environment Scrutiny Panel and the Head of Environment & Leisure
Executive Officers Group for the Chester- le-Street and City of Durham Community Safety Partnership <i>(Formerly the City of Durham Community Safety Steering Group)</i> (84)	Portfolio Member for Communities together with the Chief Executive and the Community Safety Officer
National Association of Councillors North Region Management Committee and General Management Committee (85)	Councillor Jackson
Sustainable Waste Management Strategy for County Durham - Joint Steering Group (89)	Portfolio Member for Environment and the Head of Environment & Leisure

CITY OF DURHAM COUNCIL**COUNCIL****29th JUNE, 2007****REPORT OF THE DIRECTOR OF STRATEGIC RESOURCES****STATEMENT OF INTERNAL CONTROL AND
(DRAFT) STATEMENT OF ACCOUNTS 2006-07****A) STATEMENT OF INTERNAL CONTROL****Background Information**

At the end of 2002 the Office of the Deputy Prime Minister consulted on amendments to the Accounts and Audit Regulations 1996. Statutory instrument 2003/533, the Accounts and Audit Regulations 2003, came into effect on the 1st April 2003 and the 1996 regulations were revoked.

With the introduction of the Accounts and Audit Regulations 2003, local authorities are now obliged to review the effectiveness of its system of internal control each year and are required to publish, alongside the statement of accounts a signed statement on internal control. The main purpose of the Statement of Internal Control is to improve local authority corporate governance and accountability.

In terms of internal control, the most significant changes brought about by the Accounts and Audit Regulations 2003 were:

- ◆ An explicit recognition that authorities have a corporate responsibility for their financial management and system of internal control including risk management, whilst not affecting the specific duties and responsibilities of the section 151 officer
- ◆ The need for the authority to review each year the effectiveness of its system of internal control and the requirement to publish alongside the accounts a statement on internal control
- ◆ A requirement for authorities to follow proper internal audit practices
- ◆ Bringing forward the deadlines for approval and publication of accounts in a phased way
- ◆ Extend the period for the exercise of inspection rights

The statement itself (Attached at Appendix I) is broken down into a number of categories outlining the specific evidence required to support and comply.

Further changes introduced as a result of the Accounts and Audit Regulations 2006 required that Internal Audit and the Audit Overview Committee should be subject to an annual independent review, with the results of the review becoming part of the Statement.

Statement of Internal Control Working Group

The Council's response to the requirements set out above was twofold. Firstly, a Statement of Internal Control Working Group (SOICWG) was established, consisting of representatives of all services, including the Council's Monitoring Officer, Section 151 Officer and the Head of Internal Audit.

The main function of the Group is to:-

- ◆ Establish protocols to examine and collate evidence in support of the requirements of the Act;
- ◆ Ensure that all Heads of Service and Senior Managers are aware of the need to ensure that the evidence requirements are communicated and understood by their own staff in respect of their service areas;
- ◆ Embed the need to constantly review systems of internal control within their areas of responsibility which had not been subject to audit or external inspection during the year
- ◆ Develop appropriate methods of assurance; and
- ◆ Ensure that the evidence requirements were met and that a draft statement of Internal Control is prepared in accordance with the SORP.

The Group meets on a regular basis during the year and monitors progress against an action plan developed to improve internal control and corporate / financial governance - updating the available evidence where appropriate. The Group also agrees the draft Statement of Internal Control before it is submitted to Officers Management Team and then to the Audit Overview Committee for approval.

Statement of Internal Control Software

Secondly, a functional database has been procured, which allows the Head of Internal Audit and members of the SOICWG to measure adherence to the standards by reviewing the evidence available. The software is used to produce reports and monitor action plans, showing the current situation for all standards and the level of compliance, together with linked evidence.

The Statement of Internal Control

The format and structure of the statement is prescribed in guidance contained within the Statement of Recommended Practice (SORP) and is broken down into a number of different sections. The terminology used is therefore consistent across all authorities. These are:-

- ◆ Scope of Responsibility – what the Council is responsible for;
- ◆ The purpose of the system of internal control;
- ◆ The internal control environment – the system by which the Council directs and controls its functions, including the formulation of strategy, its objectives and how it delivers services to meet those objectives;
- ◆ Review of Effectiveness – this is informed by the work of internal audit, managers, external auditors and other review agencies and inspectorates; and
- ◆ Significant Internal Control issues. – the Council must identify any areas of significant internal control, including what action is being taken to address them

The statement is compiled by the Head of Internal Audit based on a number of different criteria. The statement reflects the current position within the Council at a given time, however, should any major concerns arise between the production of the Statement and the date that the Statement is approved then this must be brought to the attention of the Head of Internal Audit and the statement amended to reflect the new position.

The statement is evidence based and relies on written assurances from managers who prepare a standardised comprehensive assurance statement on an annual basis; Internal audit's views, having carried out a number of audit assignments during the year and commented on the assurance given by each; external auditors and other review agencies and inspectorates and the assurances contained within their reports to the Council.

The draft statement is then discussed and agreed by the Statement of Internal Control Group, where some minor amendments may be carried out. The statement is then submitted to the Officers Management Team for discussion and then to Audit Overview Committee with the Statement of Accounts for approval before submission to full Council.

RECOMMENDATION

That Council approve the 2006/07 Statement of Internal Control (as set out at Appendix I).

B) (DRAFT) STATEMENT OF ACCOUNTS 2006/07

Background Information

The Council's accounts are prepared on an annual basis and in accordance with recommended accounting practice, as specified in the Best Value Code of Practice on Local Authority Accounting (BVACOP) and accompanying Guidance Notes for Practitioners, issued by the Chartered Institute of Public Finance and Accountancy (C.I.P.F.A.). The Institute's guidance note on the application of Statements of Standard Accounting Practice (S.S.A.Ps.) and Financial Reporting Standards (F.R.Ss.) – set out annually in the Statement of Recommended Practice (S.O.R.P.) - dictates the mandatory form and structure of the Council's accounts, together with accounting treatment that (must) should be applied.

It is against this guidance that the Audit Commissions appointed auditor externally and independently assess the statements prepared and approved by members each year. The external audit officially starts in July each year, however, some mid-closure work on significant items is undertaken prior to approval by members in order to maximise resource availability and minimise any risk of any potential significant errors making their way into the Statements presented to members in late June.

The Audit Commission deadline for expressing an opinion on the Accounts is 30 September and within this the external auditor is required to express an opinion as to whether the accounting policies the Council has applied are appropriate to the Authority's circumstances (i.e. consistent with the S.O.R.P.) and that these have been consistently applied and adequately disclosed. A significant departure from the requirements of the S.O.R.P. could result in a qualified opinion being expressed on the accounts and even if this were to be avoided, the authority would be required to amend its accounts to reflect / adjust for the errors in the original disclosure – as was the case with the 2004/05 Accounts in relation to the bank reconciliation – prior to issue of the auditors certification / opinion on the Accounts.

Members should note that material errors in the Accounts would result in an automatic maximum score of 1 against the Use of Resources Criteria for Financial Statements. This in turn would inhibit the overall maximum score that could be obtained in that years Use of Resources Assessment and as members are aware, the Use of Resources Scores have a significant and increasing bearing on an authorities overall corporate assessment by the Audit Commission. Put simply, without an overall Use of Resources Score of 3 or more the Council has little chance of improving its overall corporate assessment of being a Fair Authority.

Changes in 2006/07 – S.O.R.P. 2006

Members will note with interest that the form and structure of local authority accounts has been subject to constant change in recent years – with more and more information having to be disclosed in the accounts every year and authorities being required to prepare Group Accounts where they have relationships with external bodies that satisfies the definitions of a Group. The City Council must statutorily prepare Group Accounts relating to its relationship with Durham Villages Regeneration Company and has done so since 2004/05.

2006/07, however, sees a considerable change in the style, format and (in some instances) the content / structure of the financial statements that must be prepared. The changes are brought about by a desire to converge local authority accounting arrangements more in line that of the private sector and for them to be “UK GAAP compliant”. That is that the accounting practices in local authorities are in line with / comparable to the Generally Accepted Accounting Practices in the private sector.

In addition to bringing the form and structure of the accounts into more of a UK GAAP compliant context, the whole aim of these changes is to try and make the statements more accessible and better understood. Members should note that, whilst these changes are applicable from 2006/07 onwards, there is a requirement to re-cast (for comparison and consistency purposes) the 2005/06 figures as part of the closedown process.

(Draft) Statement of Accounts 2006/07

The (Draft) Statement of Accounts (Attached at Appendix II) has been prepared in accordance with SORP 2006.

The content and purpose of each statement and the main changes in structure and format (from the Statement of Accounts 2005/06) are fully explained within the Foreword (pages 3 to 7) and Statement of Accounting Policies (pages 34 to 35 specifically).

The Directors Report (pages 8 to 22 of the Statement of Accounts) sets out in detail the initial spending plans and influencing factors in 2006/07 and contrasts this with the outturn position, providing explanation of any variances and covers the Council's General Fund; Housing Revenue Account and its Capital Programme expenditure. This section of the report also provides details of the financial strategy in terms of earmarked funds and reserves and changes to the budget framework control totals for 2007/08 where appropriate.

RECOMMENDATION

That Council approve the Statement of Accounts 2006/07 (Appendix II) and the changes to the budget framework control totals for 2007/08 (as detailed in the Report of the Director of Strategic Resources).

Statement of Internal Control

1. Scope of Responsibility

The City Council is responsible for ensuring that its business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for, and used economically, efficiently and effectively. The City Council also has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

In discharging this overall responsibility, the City Council is also responsible for ensuring that there is a sound system of internal control which facilitates the effective exercise of the City Council's functions and includes arrangements for the management of risk.

2. The purpose of the system of internal control

The system of internal control is designed to manage risk to a reasonable or acceptable level rather than to eliminate all risk of failure to achieve policies, aims and objectives; it can therefore only provide reasonable and not absolute assurance of effectiveness. The system of internal control is based on an ongoing process designed to identify and prioritise the risks to the achievement of the City Council's policies, aims and objectives, to evaluate the likelihood of those risks being realised and the impact should they be realised, and to manage them efficiently, effectively and economically.

3. The internal control environment.

The system of internal control refers to the system by which the City Council directs and controls its functions and relates to the community it serves. It is therefore the totality of the policies, management systems, procedures, and structures that together determine and control the way in which the City Council manages its business, formulates its strategies and objectives and sets about delivering its services to meet those objectives.

The system of internal control is based on a framework of regular management information, financial regulations, administrative procedures (including segregation of duties), management supervision, and a system of delegation and accountability. Development and maintenance of the system is undertaken by managers within the Council to facilitate its effective and efficient operation by enabling it to respond appropriately to significant business, operational, financial, compliance and other risks to achieve the authority's objectives.

The City Council's system of internal control reflects its control environment which encompasses its organisational structure.

In particular, the system includes control activities, information and communication processes and processes for monitoring the continuing effectiveness of the system of internal control, specifically these are:-

- ◆ The Council's Constitution, which sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable. A copy of the Constitution can be found on the Council's website at www.durhamcity.gov.uk

- ◆ The Community Strategy and Local Strategic Partnerships.
- ◆ The Corporate Performance Plan, which sets out and focuses attention on corporate priorities, and in particular, the authorities “Vision”. The plan is not intended to be a comprehensive statement of everything that the Council hopes to achieve over the next three years. It outlines the significant issues and challenges affecting the district, describes the vision of the Council and sets out its main priorities for the following year and the longer term. It sets out how these important priority issues will be addressed under the City Council's aim to bring about real change through the corporate efforts of the Authority, working on its own and in partnership. The plan matches the Council's activities to the environment in which it operates and to the resources it expects to have available over the three years. It provides a focus and a framework for the planning and management of services and sets out the main aims and actions that need to be taken to achieve quality services. A copy of the Corporate Performance Plan can be found on the Council's website at www.durhamcity.gov.uk
- ◆ Supporting and underpinning the Corporate Performance Plan, is the City Council's Medium Term Financial Plan and Corporate Capital Strategy / Asset Management Plans, which set out in financial terms how resources will be allocated and used to address corporate priorities and stakeholder needs within the District. A copy of the Medium Term Financial Plan and Corporate Capital Strategy / Asset Management Plans can be found on the Council's website at www.durhamcity.gov.uk
- ◆ The Council's policy and decision making is facilitated by the establishment of a Cabinet system, supported by a scrutiny function and a standards committee. Meetings are open to the public except where personal or confidential matters are being disclosed. Senior members and officers can also make decisions under delegated powers. The Constitution contains details of decisions to be made by the Council, its committees and contains details of those powers delegated to members and officers.
- ◆ The Council has adopted a “Local Code of Corporate Governance” in accordance with the CIPFA/SOLACE Framework for Corporate Governance. The code contains appropriate reporting and monitoring procedures. A copy of the Code can be found on the Council's website at www.durhamcity.gov.uk. A Standards Committee, consisting of nine persons, including four Council members (excluding the Leader of the Council); three independent, persons who are neither councillors or officers of the Council and two Parish Council members mainly in the Council's area exists to ensure compliance with the code.
- ◆ The Council has an effective performance management framework that is driven by the Corporate Plan which focuses attention on corporate priorities. This is linked to section service plans, employee's performance development reviews (PDR) and action plans. The Council's Scrutiny Committee monitors progress against targets and performance in priority areas affecting the main service areas, and considers and approves corrective action where necessary. Performance clinics, consisting of Cabinet Members and Senior Officers, meet regularly to monitor overall performance and to review key performance indicators on a quarterly basis with regard to service and national targets.
- ◆ The Council has an inclusive culture. Weekly management team meetings are held, where the Chief Executive (Head of the Paid Service) chairs meetings of all Chief Officers and Heads of Service (including the nominated Monitoring Officer and Section 151 Officer). Corporate and service issues are disseminated from this meeting via team briefings, in accordance with the City Council's Internal Communications Strategy. Legislative updates are standing items on the Agenda and all draft Cabinet reports are considered at this meeting.

- ◆ In response to the Civil Contingencies Act 2004, the Council has undertaken a Business Impact Analysis to identify and prioritise the functions that it performs when delivering its business and services. This has allowed the Council to identify its business critical functions, which would need to be prioritised in an emergency or business disruption situation. From this the Council, with the support of the County Durham and Darlington Civil Contingencies Unit has developed a Business Continuity Plan outlining a number of strategy options aimed at reducing the impact of a business interruption. The Plan clearly sets out, on a building by building basis, the services and critical functions that operate within that building and the key resources required to carry out the critical functions should access to that building be denied. The City Council is in a better position to effectively respond to a business interruption as a result of this work. The Risk Management Working group has reviewed this Plan and has improved the supporting arrangements. The Council has also strengthened its Emergency Planning arrangements through participation in a series of workshops and incident response exercises, facilitated by the County Durham and Darlington Civil Contingencies Unit.
- ◆ The City Council has established a number of inter-departmental working groups to support the delivery of its strategic aims; including Corporate Strategy, Risk Management, Children and Families, Flourishing Communities, Customer Services, Community Services, Human Resources, Equalities, Internal Communication, Efficiency, Information Technology, Performance, Asset management and Capital Works.
- ◆ The City Council has designated the Director of Legal and Administration Services as Monitoring Officer. It is the function of the Monitoring Officer to ensure compliance with established policies, procedures, legislation and regulations.
- ◆ The financial management of the authority is conducted in accordance with the financial rules set out in the constitution, and in accordance with financial procedure rules and financial regulations and the SORP 2006. The Council has designated the Director of Strategic Resources as the Responsible Financial Officer in accordance with section 151 of the Local Government Act 1972. The financial governance arrangements in place are considered robust and are underpinned by the preparation of regular financial reports which indicate actual expenditure against the budgets, together with key Balance Sheet items.
- ◆ Through reviews by internal audit, external agencies, external audit, performance review and Best Value, the Council constantly seeks ways to ensure the economical, effective and efficient use of resources and for securing continuous improvement in the way in which its functions are exercised.
- ◆ The Council has developed robust systems for identifying and evaluating all significant strategic and operational risks – the Council maintains up to date strategic and operational risk registers. The Council reviewed and updated its Risk Management Strategy in 2006/07. A cross-department Risk Management Working Group, chaired by the Director of Strategic Resources, and attended by Heads of Service, senior managers and leading members, exists and operates in accordance with best practice. The management of risks has been allocated to appropriate individual officers and risks are constantly reviewed. Extensive risk management training has been carried out for all appropriate officers and members. The use of control risk self assessment forms to highlight and review business risks continue to be utilised as part of the audit process.
- ◆ The Council maintains an Internal Audit section, which operates to the standards set out in the ‘Code of Practice for Internal Audit in Local Government in the UK’.
- ◆ The Head of Internal Audit prepares an annual audit strategy and risk based audit plan. This is underpinned by the Internal Audit Service Plan and Internal Audit Protocols.

- ◆ The Council has also set up an Audit Overview Committee to independently monitor and review the work of internal audit, the council's risk management processes, the council's corporate governance arrangements, and the council's arrangements for seeking assurance and evidence in support of the statement of internal control. Terms of reference for the Audit Overview committee meet the standards laid down by CIPFA.
- ◆ The Council has an objective and professional relationship with their External Auditors and other statutory inspectors, as evidenced by the Annual Audit letter.
- ◆ Services are delivered by trained and experienced personnel. All posts have a detailed job description, person specification and list of competencies. Training needs are identified through personal development reviews and are corporately addressed.
- ◆ Details of key controls for all of the authorities systems have been distributed to Heads of Service. This will assist managers in determining the level of internal controls for systems under their responsibility that have not been subject to an internal audit review during the relevant period.

4. Review of Effectiveness

The City Council has responsibility for conducting, at least annually, a review of the effectiveness of its system of internal control. The review of the effectiveness of the system of internal control is informed by the work of the internal auditors and the executive managers within the authority who have responsibility for the development and maintenance of the internal control environment, and also by comments made by the external auditors and other review agencies and inspectorates.

The Council has established the following processes to achieve this aim

- ◆ Committee structure based on the Leader Cabinet model, which meets regularly to consider the plans and strategic direction of the Council. Ruling and opposition members are represented on each committee according to the rules laid down in the Council's agreed Constitution.
- ◆ The Director of Legal and Administration Services (the 'Monitoring Officer') has a duty to monitor and review the operation of the Constitution to ensure that its aims and principles are given full effect. The Constitution is regularly reviewed throughout the year, and amendments agreed by Council.
- ◆ The Council reviews the local Code of Corporate Governance on an annual basis and adopts an action plan to deal with any issues.
- ◆ Scrutiny committees review the decision making process to consider whether a decision is appropriate.
- ◆ The Standards committee promotes and maintains high standards of conduct of Councillors and co-opted Members; assisting the Councillors and co-opted Members to observe the Members' Code of Conduct;
- ◆ The Audit Overview Committee reviews the adequacy of internal controls, monitors the performance of Internal Audit, agrees the internal and external audit plan, reviews risk management arrangements, oversees corporate governance requirements, and approves the statement of internal control prior to formal consideration by Council.

- ◆ Internal audit, are responsible for monitoring the quality and effectiveness of internal control. The audit plan is developed in line with current modern best practice using a robust risk model, informed by the annual audit strategy and is approved by the Audit Overview Committee. The audit methodology is contained within the Audit manual which is largely based on the CIPFA model, and reflects the standards defined by the Code of Practice for Internal Audit in Local Government in the United Kingdom 2006, and meets the requirements of the Accounts and Audit Regulations 2003. Reports for each audit are submitted to relevant line managers and Heads of Service where appropriate. Reports include the Head of Internal Audit's independent opinion on the adequacy and effectiveness of the relevant Service's system of internal control, together with recommendations for improvements that are contained within an action plan and require agreement or rejection by line managers. Recommendations are prioritised according to risk. The process is subject to escalation where agreement cannot be reached, and includes quarterly reviews of recommendations to ensure that they are acted upon.
- ◆ The Internal audit section is subject to regular inspection by the Council's external auditors who report annually to the Council. The external auditors place great reliance on the work carried out by the section.
- ◆ The Internal audit section and the Audit Overview committee is also subject to an independent review of its activities and performance by nominated officers from the Statement of Internal Control working Group in order to meet the requirements of the Accounts and Audit Regulations 2003 (amended). A formal report has been considered by the Audit Overview Committee in this respect with the committee concluding that suitable arrangements are in place.
- ◆ Performance clinics meet quarterly to review progress on PI's. Annually internal audit reviews key performance indicators in accordance with guidance provided by the audit commission to ensure the use of the correct definition and calculation before publication of the authority's annual performance plan.
- ◆ An annual review of the Councils Corporate Governance arrangements, together with the arrangements that the Council has in place to detect and deter fraud and corruption is carried out by Internal Audit.
- ◆ Heads of Service and Directors are expected to keep under continual review the internal control processes of systems under their responsibility, particularly where such systems have not been reviewed by Internal Audit in that year. This is to ensure continued adherence to 'key' internal controls identified for all major systems and communicated to Heads of Service by Internal Audit.
- ◆ As part of this continual review, Heads of Service and Directors are also required to complete and sign an annual assurance statement outlining the key features of the systems of internal control, within their area of responsibility. This allows them to identify whether the arrangements set out are in place and operating effectively, identify problems encountered and set out action that has been taken or is proposed to address those issues.
- ◆ The risk management group annually review the risk management strategy, to ensure continued relevance to the Council. With the development of the Strategic and Operational risk registers and nomination of risks to individual officers risks are continually monitored.
- ◆ The risk management group reports on a quarterly basis to Audit Overview Committee bringing their attention to significant risks.
- ◆ The Council annually reviews its Financial Procedure rules, Contract Procedure rules and Financial Regulations.

- ◆ The Council has effective governance arrangements in place for its joint venture company Durham Villages Regeneration Company (DVRC). There is cross-party "Executive" membership of the DVRC board drawn from the Cabinet. The Chief Executive is also appointed to the DVRC Board and Board meetings are held on a quarterly basis. The DVRC Board approves an annual business plan and receives regular monitoring reports, which includes financial performance information. The Council receives an audited copy of the Companies annual accounts, which is incorporated in the Council's Statement of Accounts as part of the Group Accounts statement. Council Officers are signatories to the Companies bank account with all payments being approved by them. As part of the articles of association the Company has an open book arrangement. This gives the Council's internal and external auditors the ability to inspect the company's records at any time.

In summary, the system of internal control in place at the City Council for the year ended 31st March 2007 and up to the date of approval of the annual report and accounts and, except for the details of internal control issues at section 5 accords with proper practice.

We have been advised on the implications of the result of the review of the effectiveness of the system of internal control by the Authority, the executive, the Audit Overview Committee, the Councils Scrutiny Committees and the risk management group, and a plan to address weaknesses and ensure continuous improvement of the system is in place.

5. Significant Internal Control Issues

The City Council has not identified any significant internal control issues in its 2006/07 Statement of Internal Control.

The following actions have been taken during 2006/07 to strengthen and improve the Councils systems of internal control in meeting this challenge. The Council has also strengthened and embedded policies, procedures and systems (many introduced in 2005/06) including:-

- ◆ The development of a partnership toolkit and a partnership register. The Council will continue to develop its governance arrangements for partnerships during 2007/08
- ◆ The further development of procurement arrangements including the establishment of an options appraisal/market testing framework.
- ◆ The standardisation and improvements to the Corporate Report format in terms of Cabinet Reports
- ◆ The further embedding of the business planning framework, including improvements in the clarification of the links between Service and Corporate aims
- ◆ The development and embedding of operational Risk Registers for all services via a Corporate Database of all risks
- ◆ The development of internal communication arrangements, via regular staff newsletters and the SharePoint Intranet System;
- ◆ The strengthening of Internal Audit arrangements so that it continues to meet best practice
- ◆ The review of the Debt management Strategy and the introduction of a comprehensive set of performance indicators to manage the effectiveness of the recovery action taken.

- ◆ The development and implementation of new computer systems in many services such as Customer Services and Housing
- ◆ The introduction of new governance arrangements for the management of the Council's Housing stock.
- ◆ The introduction of Business Improvement and Business process re-engineering techniques such as "Lean Review"
- ◆ Further improvements in financial systems and processes such as the preparation of Revenue and Capital Budgets and the production of the Statement of Accounts (including working papers)– as recognised in the Use of Resources assessment scores
- ◆ The continual development, improvement and embedding of equality and diversity.
- ◆ The strengthening of arrangements to promote value for money, including the creation of the efficiency register.
- ◆ The further development of measures to embed environmental sustainability within the Council.

However, the Council will continue to effectively monitor its systems of internal control and will take all of the necessary action required to maintain and further improve these standards.

We are satisfied that these actions will address the need for improvements that have been identified and will review their implementation and operation as part of our next annual review.

Signature of the Leader of City of Durham Council	Date
	29 th June 2007

Signature of the Mayor of City of Durham Council	Date
	29 th June 2007

Signature of the Chief Executive	Date
	29 th June 2007

Signature of the Director of Strategic Resources	Date
	29 th June 2007