

City of Durham

At a Meeting of the **COUNCIL** held in the Gala Theatre, Durham, on Thursday, 27th September, 2007, at 5.30 p.m.

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

251. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Cowper, Simpson and M.J.A Smith.

252. MINUTES

The Minutes of the Meeting held on 24th July, 2007, were confirmed as a true record and signed by the Mayor.

253. PRESENTATION OF LONG SERVICE CERTIFICATE

The Mayor presented Long Service Certificates to Mr Boulton, who had completed twenty five years' service with the City Council. Members and Officers warmly applauded.

254. MAYOR'S ANNOUNCEMENTS

The Mayor announced that the City had recently been voted 'Best UK City' by readers of the prestigious Conde Nast Traveller Magazine, which was a tremendous achievement.

The City had also been voted in the top 20 places to live, taking into account cost of living and quality of live, which again, was a tremendous achievement.

Durham had won the Northumbria in Bloom award for the 'Best Small City', and several of the surrounding Villages had also won certificates. The City also won silver in the 'Best Small City/Large Town category of Britain in Bloom.

255. ANNUAL GOVERNANCE REPORT 2006/2007

Circulated was a copy of the Audit Commission report on Annual Governance covering the audit of the Authority for the year ended 31st March, 2007, which was presented to Council by Mr. J. Dafter, Audit Commission Audit Manager.

Resolved: That the report be noted.

256. QUESTION UNDER COUNCIL PROCEDURE RULE NO. 9.2

(a) The following question was received, by the due date, from Councillor Lodge and was addressed to the Portfolio Holder for Finance.

"What effect has business brief 11/99 had on our Leisure Services? If it has would he explain in layman's terms what it was now that it has been cancelled, have there been any savings?"

The Portfolio Holder for Finance thanked Councillor Lodge for his question and indicated:

“Business Brief 11/99 has in fact been superseded by Revenues & Customs Brief 28/07, which was published on 22nd March 2007. This current and the former brief to which Councillor Lodge refers, relate to the VAT treatment of contracted out local authority leisure services.

As I’m sure Councillor Lodge is aware, the City of Durham does not currently contract out its leisure services and therefore the brief does not apply and is not currently relevant to our authority.

If Councillor Lodge was directing his question towards the profit sharing arrangement that has been put in place with ‘Competition Line’ for when the new pool is opened, then I would inform him that this also does not constitute ‘Contracting Out’ for VAT purposes and again does not apply and is not currently relevant to our authority.

I can assure all Members that our Finance team keeps abreast of changes in VAT regulations and would inform Members that we were recently complimented on our records following a HM Revenues and Customs inspection.”

- (b) The following question was received, by the due date, from Councillor Lodge and was addressed to the Portfolio Holder for Finance.

“When challenged on the 17% rise in the Audit Charges he responded by saying we only paid them peanuts. The Leader did not ask for clarification and we are not at Cabinet. Would he explain where the peanuts are in our annual accounts? His statement has left more questions unanswered than answered.”

The Portfolio Holder for Finance thanked Councillor Lodge for his question and indicated:

“Though I am disappointed that my comments at the meeting of Cabinet on the 5th September have been totally and scandalously taken out of context, for the record, and I’d be extremely disappointed and worried if Councillor Lodge was not already well aware of this, the City Council’s accounts do not contain peanuts – if he really wants to find peanuts I would suggest he purchases some from the counter downstairs.

I would also suggest that Councillor Lodge perhaps pays more attention to the debate at Cabinet, where officers answered detailed questions on this matter, providing all the answers and clarity that was needed at the meeting on 5 September, but I will re-iterate for the sake of completeness again now.

The Council has always challenged, in a constructive way, the work and subsequent charges levied by the Audit Commission in respect of its appointed auditors and inspectors. However, the reality is that we have little or no say over the statutory audit fee set by the Audit Commission. I would also point out that the level of inspection work that is undertaken and subsequently charged for reflects our current CPA rating, again something that is beyond our control at the moment.

As we have heard earlier, we have a good working relationship with the Audit Commission. I believe we receive value for money in terms of the fees paid to them.”

- (c) The following question was received, by the due date, from Councillor Taylor and was addressed to the Leader of the Council.

“I had thought that this Liberal Democrat administration was in agreement with our MP, in that Durham is in need of more affordable housing.

Could the Leader of the Council inform me as to why the DVRC housing development on the green field site adjacent to St. Agatha's Close in Brandon is not affordable housing.

Also how much profit from the sale of these properties does the Council project hope to receive?

Would the Leader also please tell me how much money did the Council receive from the sale of the land that this development is to be built on? And has the land been checked for contamination, finally how much of the money is the Council going to reinvest in Brandon to regenerate the village."

The Leader of the Council thanked Councillor Taylor for his question and indicated:

"I will reply to each point in turn.

This Council has previously stated its commitment to the provision of affordable housing, of all types, through its partnership with DVRC and RSL's. We can demonstrate a real, tangible track record of achievement. The position has not altered from that already established at the Council meeting in July. Over recent years more than 565 low cost houses and 260 for rent have been provided. Our ability to comply rigidly to national and local policy aims on all sites is constrained by site development costs. However, each site proposal has to provide clear justifications and in the case of the site at Brandon, the Development Control committee accepted that justification. The Council would welcome Government assistance to gap fund schemes whose excessive site development costs restrict fully all options, but at present that is not available.

I cannot comment on the question regarding profit forecasts as at present arrangements for development of the site are only embryonic. They will be reported at the appropriate time.

The land will be subject to a full appraisal and appropriate decontamination measures if needed would be carried out. DVRC would undertake these studies, which is normal practice where appropriate. In respect to your last question, we will be bringing forward a report regarding the Masterplan for Brandon, which will form the core proposal for a number of regeneration schemes for the village, in the next few weeks. I hope you will perform a u-turn, stop obstructing the process and actually support it."

- (d) The following question was received, by the due date, from Councillor Robinson and was addressed to the Leader of the Council.

"Can the Leader of the Council tell me why there were only Chairs and Vice Chairs invited to attend a Scrutiny Venue at "The Stadium of Light" on Thursday, 13th September, 2007, as I understand 10 places were allocated to Durham City Council.

Why was this not politically balanced to Scrutiny Members, as you know very well that we have no Chairs or Vice Chairs on any Committees.

I along with all Scrutiny Members work as a team to be open and transparent and fair, but is it now your Policy (them and us) and are we not included in Scrutiny Venues at all, and will we always be kept in the dark regarding Venues.

Not good enough Councillor Reynolds where is the cross party participation, just one more thing I would like to thank Councillor Wilkes for bringing me back a CD of the Venue, and hope he will not be reprimanded."

The Leader of the Council thanked Councillor Robinson for her question and indicated:

“The Scrutiny Conference was the first of its kind, run by NEREO, and offered 8 free places to each constituent Council. It was not a Scrutiny Training Day although training material was available at the venue.

As, following the May election, there were newly appointed Scrutiny Chairs and Vice Chairs and others taking up new positions (some were indeed new councillors) the Chairs and Vice Chairs of Scrutiny decided that it would be most appropriate, in this instance, for them, as there are 8, to represent the Council at the Conference and feed back relevant material to their Scrutiny Panels.

Two of these Members indicated that they were not available at short notice and so the Officers were requested to fill the vacant places as a charge would have been incurred if the places had not been utilised.”

- (e) The following question was received, by the due date, from Councillor Marsden and was addressed to the Portfolio Holder for Environment.

“On attending a meeting at Bowburn Community Centre at 2.00 p.m. on Wednesday 12th September, the meeting was for open Space Needs Assessment. I noted on the paper hand outs the only area in Cassop was the playing field, may I point out to you the only “ National Nature Reserve” in the Durham City Council Area is in Cassop.

The two gentlemen who were conducting the meeting were taken aback when they were told of this, you as Portfolio Holder should have known this, please could you give me a sound reason why this was not so and make sure that it does not happen again on such an important matter, this is part of our heritage.”

The Portfolio Holder for Environment thanked Councillor Marsden for his question and indicated:

“During the consultation meeting held with Cassop representatives the consultants presented attendants with copies of all the assessment reports that had been conducted in their area. This did not include Cassop Vale NNR as this site is in the wider countryside, and not within a settlement, and PPG17 primarily relates to the assessment of open space needs within settlements. The consultants therefore would not have assessment details of this site. However, it is recognised that Cassop Vale is adjacent Cassop and clearly contributes towards residents open space needs. This meeting allowed residents the opportunity to identify sites that they feel should be included within the survey and the consultant has agreed to include Cassop Vale in the final survey.

The consultant has also confirmed that the contribution of publicly assessable sites in the wider countryside is not to be neglected in this work. However, these sites need to be treated in a different way as their value is often more strategic, rather than to a specific community, and they may have high biodiversity value. The contribution of Countryside Sites will be subject to review by Durham Wildlife Services as part of this OSNA but this work has not been conducted yet.”

- (f) The following question was received, by the due date, from Councillor Taylor and was addressed to the Portfolio Holder for Communities.

“Please inform me of how many CO detectors have been replaced to date and what are the total amounts that need replaced?”

Also, have the Council received the order of carbon monoxide detectors that were coming from China.

At the last meeting of this Council I asked the Leader of the Council to apologise to Council tenants for the appalling mismanagement that meant that the Council had no detectors in stock. Unfortunately Councillor Reynolds chose to ignore what I thought was the right thing to do.

Is the Portfolio Holder prepared to do the decent thing and apologise, for the Council's blunder which without doubt will have caused distress and anxiety to many elderly and vulnerable people? I believe that many of these detectors are battery operated, and no other Authority has had the same problem and if so could he tell me which Authority?"

The Portfolio Holder for Communities thanked Councillor Taylor for his question and indicated:

"Once again can I reiterate that the health and safety of all of our residents on the Council's City Care system is of extreme importance; due to our comprehensive gas servicing and maintenance regime, we have a 100% safety record with regards to escape of carbon monoxide gases. Since the CO detectors were installed approximately seven years ago, there has never been an alarm activation where we have recorded a positive CO sample; and in future, the replacement parts will be held in our central Stores and gas service vans as an impressed stock item.

The database created indicates a total of 2,373 properties with CO alarms fitted. Of this number, and as of Monday 24th September, we have fitted 1,354 detectors with approximately 1,019 outstanding (this is updated daily as some have been disconnected at the tenant's request and therefore are not to be replaced).

From the first delivery of CO replacement cartridges, we have received 50 units per day on average.

The detectors are not battery operated, they are mains operated although they do have a battery back-up."

- (g) The following question was received, by the due date, from Councillor Carr and was addressed to the Portfolio Holder for Leisure and Culture.

"Tell me when asked for an update regarding the new Swimming Pool some months ago , 10 to be exact, we were expecting more than a slide show of a building site, we were expecting to be told if it was on schedule, was it still on budget etc., but not to ask questions on a very important scheme as this I find very unusual, this scheme is costing the villages and rate payers millions of pounds.

Can the Portfolio Holder tell me why was this held at Cabinet usually all presentations are held in the evening so that more Councillors can attend and ask questions?"

The Portfolio Holder for Leisure and Culture thanked Councillor Carr for her question and indicated:

"For a considerable time now, all presentations to Cabinet have been given as part of normal Cabinet business and appear on the agenda, which is circulated beforehand. The request for an update on the Swimming Pool project came from the Chair of Scrutiny directly to myself formally, and in writing, and I made arrangements for the presentation to be made to the next available Cabinet in an efficient and effective manner. The presentation did fully explain the current status in respect of the

programme and budgets in some considerable detail. The accompanying information report also mirrored the information given at the presentation. Also the Leader specifically informed members that the Executive Director would answer any questions if Members made contact directly and copies of the Presentation slides were available.

It is not normal practice to hold presentations in the evening. It is the normal and most efficient practice to hold presentations such as this as part of Council business. Pragmatically there is no ideal time when all Councillors can be guaranteed to be able to attend any form of Council gathering. Nevertheless, as the Cabinet is the Council's primary business meeting and is held regularly, this appears the most sensible way to keep Members updated via presentations as they are required."

- (h) The following question was received, by the due date, from Councillor Mitchell and was addressed to the Leader of the Council.

"Did the Leader and Deputy Leader of the Council ask permission of the family of the deceased person whose grave stone they recently used for their publicity stunt?"

Also does he not agree with me that using a deceased person's memorial for a political stunt showed very poor judgement and will he and the Deputy Leader now apologise for it?"

The Leader of the Council thanked Councillor Mitchell for his question and indicated:

"The answer to the first part of your question is yes, and the answer to the second part is no."

- (i) The following question was received, by the due date, from Councillor Turnbull and was addressed to the Portfolio Holder for Finance.

"Will the Portfolio Holder for Finance Councillor Southwell, please tell this Council why over £80,000 of capital investment that would have provided low cost insulation for those in fuel poverty has been scrapped and will he join Labour Councillors in campaigning for the program to be reinstated."

The Portfolio Holder for Finance thanked Councillor Turnbull for his question and indicated:

"The sum of £80,000 was placed in this year's budget as a potential match fund for externally managed initiatives such as Heatstreets which was to be trialled in one area. It was hoped that the trial was successful and lead to other initiatives and we wished to be in a secure position to assist with funding.

However, the Heatstreets initiative was not successful and whilst we remain totally supportive to these schemes, it is not foreseen that any further new schemes will be developed and proposed by partner agencies within this financial year. Therefore it is only right and proper, as prudent financial managers that the funding be diverted towards other priority issues rather than lie dormant.

I will reconsider the matter in readiness for the next budget round if the situation improves over the next few months."

- (j) The following question was received, by the due date, from Councillor Mitchell and was addressed to the Portfolio Holder for Leisure and Culture.

“Could the Portfolio Holder for Leisure and Culture Councillor Pitts please explain why only a handful of Councillors were invited to the recent tour of the new swimming pool project and why these were all Liberal Democrats?”

The Portfolio Holder for Leisure and Culture thanked Councillor Mitchell for his question and indicated:

Yesterday there was an organised tour of the building site that will be our wonderful new swimming and leisure centre. Such a tour must be highly planned and organised, and conducted by the Building Project Team, because Health and Safety issues on a building site and possible disruptions of work are the major considerations.

The handful of Liberal Democrat Councillors who were conducted around the project yesterday was the Leader, Deputy Leader and me as Portfolio Holder for Culture and Leisure. We were accompanied by the Chief Executive and the Executive Director.

I am sure you will be pleased to know that we take our responsibility for this project very seriously, so we keep our eyes on it.

I do not however credit you with any foresight and believe that your question refers to the recent visit of Sir Menzies Campbell to Durham; a visit rudely marked by the disgraceful and loutish behaviour of some Labour Party supporters.

I am surprised that you wish to draw attention to it.

However, I can tell you that there was no tour. Sir Menzies, as a former Olympian athlete is passionate about sport and wanted to look at our brilliant project. A small group of people were allowed into the site so that he could see it better, but there was no tour was arranged on that occasion.

- (k) The following question was received, by the due date, from Councillor Lodge and was addressed to the Deputy Leader of the Council.

“Having presented and had approved the Council’s Draft Transport Plan. I would like to know how many of the 15 creative sustainable transport networks have been implemented during 2007, or will be. I was very surprised to notice there has been no reference to taxis. Has she a reason for not including them in a transport plan?”

The Deputy Leader of the Council thanked Councillor Lodge for his question and indicated:

“The 15 items referred to in Councillor Lodge’s question were presented in the appendices to our Transport Policy. These are not specific actions that the Council would necessarily implement, they are intended to form a best practice check list of issues that should be considered whenever Councillors/Officers are engaged in transport network development work. They are primarily intended to demonstrate how the Transport Policy may be applied to real situations, as the body of the Policy is more 'Strategic' in nature.

As District Council we have no statutory authority over the development of road networks, as this is a function of the Highways Section of the County Council. We are able to bring limited influence over the development of road networks through responding to consultation relating to the development of the Local Transport Plan, produced by the County Highways Section every 5 years. The County are responsible for all road prioritisation measures such as bus lanes, bus stops,

crossing points, taxi ranks, and any road building, junction improvement and road maintenance.”

- (l) The following question was received, by the due date, from Councillor Lodge and was addressed to the Deputy Leader of the Council.

“By now I will have had an answer to why Taxis are not in the Transport Plan.

Could she please advise the Council what she is doing to make sure the taxi ranks in the City are free of other traffic to enable taxis to use ranks, particularly in the area around the Gala Theatre, where the police have stated they will move on any taxis waiting for patrons of the Gala Theatre.”

The Deputy Leader of the Council thanked Councillor Lodge for his question and indicated:

“There is regular liaison between the City Council and the Police regarding City centre issues including those of taxis and parking difficulties. This however is not part of my portfolio and I think it would be wise to ask this question of the Portfolio Holder for Community Safety who I know has been active in trying to solve these problems.”

- (m) The following question was received, by the due date, from Councillor Lodge and was addressed to the Portfolio Holder for Environment.

“Would Councillor Rae please explain how she can justify the extra money to enhance the pink area when the largest part of the City is outside. By their own statements in the past about being one City, it is hard to comprehend what’s good enough for us who live in the non pink area isn’t good enough for those who do. Why?”

The Portfolio Holder for Environment thanked Councillor Lodge for his question and indicated:

“The grounds maintenance budget for 2007/08 was based upon estimated expenditure and income. This included the anticipated income from the county council for grass cutting and weed control maintenance activities within the pink area which covers the major road links into the city. In April 2007, without prior notification, the County Council requested the same level of service as in previous years with a proposed budget reduction. Despite our concerns that environmental standards within the pink zone could suffer as a result of these imposed budget cuts negotiations to improve this offer proved unsuccessful. The extra money to support these grounds maintenance activities, approved by this council, is to ensure that the highest standards of environmental quality are maintained across all areas of the district both inside and outside the pink zone. The extra money will cover the loss of income and ensure the same level of service across the district for grass cutting and weed control as in previous years. The suggestion that enhancements are being targeted towards a specific area are therefore totally incorrect.”

257. NOTICES OF MOTION

- (a) Notice having been duly given Councillor Lodge moved and Councillor Moderate seconded:-

“The City of Durham in its Constitution states that under 2.3 B.4 that a back bench Member has deferred rights.

These are being denied due to the present procedural rules.

I therefore move that a procedure should be put in place where the Portfolio Holders are made to form a panel where Elected Members may ask questions on their Portfolio's on a bi-monthly timetable.”

THE MOTION on being put was declared LOST.

Note: *Councillor Walton left the Meeting at 6.40 p.m.*

- (b) Notice having been duly given Councillor Mitchell moved and Councillor Robinson seconded:-

“This Council welcomes all those who come to live and work in our great City. This Council though is deeply concerned by recent remarks made by the Deputy Leader in which she attacked Durham's MP for her place of birth and made comments about 'outsiders who threaten our jobs and services'.

This Council believes this sort of language is deeply unhelpful and damaging. It believes this kind of language can incite racism, gives the impression that Durham is not a welcoming City and models a politics of personal attacks rather than policy based debate.

Immediate action is therefore required to demonstrate that this Council does not support this kind of language or methods, believing them to be deeply unhelpful to constructive political debate and discussion.

So, this Council resolves to:

Call on the Deputy Leader to publicly apologise to the MP for her comments and to write to all those who received the leaflet apologising and retracting the statement and;

Publicly distance itself from the Deputy Leader's statement and widely publish the fact that these comments by the Deputy Leader in no way reflect the views of the Council, its employees or Members.”

In accordance with Council Procedure Rule 17.5, before the vote was taken, a Member of the Council requisitioned, and was supported by four other Members, that the vote be by role call and recorded so as to show how each Member present and voting gave his/her vote.

For Motion	Against Motion	Against Motion	Abstained
Bartle	Colledge	Southwell	Dickie
Bell	Crooks	Thomson	Holland
Carr	Freeman	van Zwanenberg	Lodge
Kellett	Guy	Walker	Moderate
Kelly	Hopgood	Wilkes	Wynn
Laverick	Howarth	Wilkinson	
McDonnell	Jackson	Woods	
Marsden	Kinghorn	Wolstenholme	
Mitchell	Lightley	Young	

Plews	Martin		
Robinson	Mavin		
D. Smith	Norman		
Stoddart	Pitts		
Taylor	Rae		
Thompson	Reynolds		
Turnbull	Simmons		

THE MOTION on being put was declared LOST.

- (c) Notice having been duly given Councillor Pitts moved and Councillor Reynolds seconded:

“This Council congratulates all of the agencies, Councils, and staff involved in helping Durham City to win several recent prestigious travel and environmental awards and calls on local Councillors and MPs to promote the positive things about our wonderful City and District.”

Councillor Thompson moved and Councillor Mitchell seconded:

“This Council congratulates all of the agencies, Councils, and staff involved in helping Durham City to win several recent prestigious travel and environmental awards and calls on local Councillors and the MP to continue to promote the positive things about our wonderful City and District.”

The AMENDMENT on being put was declared LOST and the ORIGINAL MOTION on being put was CARRIED and it was RESOLVED ACCORDINGLY.

Note: Councillors Freeman, Martin, Simmons and Southwell declared a personal interest in the undermentioned Motion and remained in the Meeting during consideration thereof.

- (d) Notice having been duly given Councillor Woods moved and Councillor Reynolds seconded:

“This Council calls on the Government and our MP Roberta Blackman-Woods to guarantee that if legal action fails and a Unitary Council is imposed on County Durham it will be a New Authority and not a Continuing one.”

Councillor Bell moved and Councillor Mitchell seconded:

“This Council calls on the Government and our MP Roberta Blackman-Woods to guarantee that if legal action fails and a Unitary Council is introduced for County Durham it will be a New Authority and not a Continuing one.”

In accordance with Council Procedure Rule 17.5, before the vote was taken, a Member of the Council requisitioned, and was supported by four other Members, that the vote be by role call and recorded so as to show how each Member present and voting gave his/her vote.

For Motion	For Motion	Against Motion	Abstained
Colledge	Walker		Bartle
Crooks	Wilkes		Bell
Freeman	Wilkinson		Carr
Guy	Wolstenholme		Dickie

Hopgood	Woods		Holland
Howarth	Young		Kellett
Jackson			Kelly
Kinghorn			Laverick
Lightley			McDonnell
Lodge			Marsden
Martin			Mitchell
Mavin			Moderate
Norman			Plews
Pitts			Robinson
Rae			D. Smith
Reynolds			Stoddart
Simmons			Taylor
Southwell			Thompson
Thomson			Turnbull
van Zwanenberg			Wynn

The AMENDMENT on being put was declared LOST and the ORIGINAL MOTION on being put was CARRIED and it was RESOLVED ACCORDINGLY.

Report of Officers Management Team

258. POLICY ON RESERVES AND BALANCES

The Council adopted its current broad risk-based policy on reserves and balances on 27th February, 2006. This was reviewed and endorsed by Council in February, 2007, when considering the 2007/2008 budgets and council tax, however it was now opportune for this Policy to be reviewed. (See Report File).

Resolved: (i) That the establishment of the following 3 Reserves from the existing General Reserve be approved:-

- a Strategic Emergency Reserve of £700,000
- a General Reserve of £500,000
- a Capital Fund – Revenue Contributions of £2,005,000

(ii) That the risk based policy on reserves and balances, as detailed in the report, be approved.

Report of Legal and Democratic Services Manager

259. CONFERMENT OF THE TITLE OF HONORARY ALDERMEN

In accordance with Section 249 of the Local Government Act 1972, the City Council could, by a resolution passed by not less than two thirds of the Members voting thereon, confer the title of Honorary Alderman on persons who have, in the opinion of the Council, rendered eminent service to the Council as past Members.

The City Council had previously decided that the conferment of such an honour would only be given to those past Members who had served on the Council for a period of 15 years or more.

Whilst Honorary Aldermen had no legal, social or royal precedents, they could be used to support the office of the Mayor and the work of the Mayor's charity and may attend and take part in such civic ceremonies as the Council may from time to time decide. Honorary Aldermen had no right to attend the Meeting of the Council or any committees or to receive any allowance payable to Members of the Council under the Local Authorities (Members Allowances)(England) Regulations 2003.

By custom, they would generally be invited to attend on civic occasions.

No Honorary Alderman could act as such if he/she were to be re-elected to the City Council.

Details of the service of the qualifying past Members had been set out for consideration.

Resolved: That in pursuance of Section 249(1) of the Local Government Act 1972, the title of Honorary Alderman be conferred on the following Past Members of the Council, in recognition of the eminent service they rendered to the City Council during the period they were Members of the City Council:

- Mr R. Gibbon, Delalay, Witton Gilbert, Durham
- Mr T.S. Gill, 33 Briar Avenue, Brandon, Durham
- Mrs M.R. Hawgood, 2 St Anne's Court, Castle Chare, Durham

260. AMENDMENTS TO THE CITY COUNCIL'S CONSTITUTION

Cabinet on 18th July, 2007, had considered a report on proposals for the redesign of City Council Services. On 5th September, 2007, Cabinet considered a second report which provided substantial further information as to the design and population of the management structure of the City Council. Cabinet resolved to adopt the proposals presented, but in order to implement the resolution, amendments were required to the Constitution. A summary of these amendments had been circulated, and a copy of the amended Constitution had been placed in the Members Room.

In addition, Council was also requested to adopt and add to the Constitution a Code of Corporate Governance. Governance was about how Local Government bodies ensured that they were doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner. The proposed Code of Corporate Governance had been drafted taking into account the guidance issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives and Senior Managers (SOLACE) in their framework document 'Delivering Good Governance in Local Government' and its accompanying guidance note. A copy of the Code of Good Governance had been circulated.

Resolved: That the proposed amendments to the Constitution be adopted forthwith.

261. AMENDMENTS TO THE CITY COUNCIL'S CONSTITUTION

Following the decision to amend the Constitution forthwith, the new management structure had not yet been populated in its entirety, and would be subject to a further report to Cabinet.

Resolved: (i) That the functions of the Monitoring Officer (as set out in Article 12 of the Constitution) and Head of Legal Services (as set out in Table 13 of Part 3 of the Constitution) be exercised by the Legal and Democratic Services Manager until such time as the management structure has been populated and a Head of Legal Services appointed.

(ii) That the functions of the Head of Community Services which relate to housing be exercised on a temporary basis by the Head of Housing until such time as he retires, whereupon they will revert to the Head of Community Services.

(iii) That the functions of the Head of Accountancy Services be exercised by the Director of Financial Services until such time as the Cabinet approves the creation and population of this post.

(iv) That the functions of the Head of Information and Technology Services be exercised by the Director of Corporate Services until such time as the Cabinet approves the creation and population of this post.

262. ANNUAL SCRUTINY REPORT

In accordance with the terms of reference of the Scrutiny Committee, the fifth annual report on the work of the Scrutiny Committee had been presented to Council.

Resolved: That the report be approved and adopted.

The Meeting terminated at 7.45 p.m.

Mayor