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Brian Spears FCIH
Chief Executive

Ref: PN/DW

2nd January 2008

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

Dear Sir/Madam

I hereby summon you to attend a Meeting of the **COUNCIL** to be held in the Studio, Gala Theatre, Durham, on **Tuesday 8th January, 2008, at 5.30 p.m.**

BUSINESS

1. Prayers.
2. Apologies for Absence.
3. To approve as a correct record, the Minutes of the Meeting held on 13th November, 2007.
4. Mayor's Announcements (if any).
5. Previous questions under Council Procedure Rule No. 9.2
[Questions by Members – See Appendix 'A']
6. To answer questions under Council Procedure Rule No. 9.2
[Questions by Members – See Appendix 'B']
7. Notices of Motion.

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

“Durham City Council welcomes the reported intention of the Department of Communities and Local Government to consult on proposals to amend the Town and Country Planning (Use Classes) Order 1987 (as amended) in relation to Houses in Multiple Occupation. Durham City Council supports the creation of a separate Use Class for Houses in Multiple Occupation in England and Wales, as is the case in Northern Ireland, and urges the government to proceed with the consultation and the introduction of such an amendment as speedily as possible.”

Councillor Rae will second.

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

“The City of Durham Council takes very seriously press statements which are based on incorrect information”.

Councillor Moderate will second.

2.

- (c) Notice has been given by Councillor Mitchell of his intention to move the following Motion:

"This Council notes the decision of the Council's Licensing Committee on the 8th August, 2007 at which it granted a licence, despite numerous objections on the 4 licensing objectives, for a lap-dancing club in North Road. This Council further notes the decision of three Magistrates, who after three days of hearings and evidence, upheld an appeal by local residents against the original decision and awarded costs against the City Council. This Council also notes the City's statement after the Magistrates decision was reached.

"This Council believes that the Chair of the Licensing Committee has a special responsibility to be aware of and provide information to Members on the application of the 2004 Licensing Act, Guidance under Section 182 and the City's own Licensing Policy to the consideration of applications and that this responsibility was not exercised at the meeting on the 8th August 2007. It thus feels that this incident has seriously called into question the capacity of the Chair to serve this committee effectively and so calls on the Chair to step down from her position on the Committee."

Councillor Taylor will second.

8. Report of Director of Financial Services
9. Report of Director of Corporate Services

Yours faithfully

A handwritten signature in black ink that reads "Brian Speck". The signature is written in a cursive style with a long horizontal stroke at the end.

Chief Executive

Note: Refreshments for Members will be available in Studio 2 from 5.00 p.m.

COUNCIL
8th January, 2008

COUNCIL PROCEDURE RULE NO. 9.2
PREVIOUS QUESTIONS BY MEMBERS

Council – 13th November, 2007
Minute 343(b)

Question to Councillor Reynolds

“At the last meeting of this Council Councillor Reynolds alleged that I had been unsupportive of the Brandon Masterplan.

I asked the Leader of the Council to substantiate that allegation he declined to do so.

Will he now do so or is he prepared to withdraw his allegation?”

Written Response to Councillor Taylor

“We have now undertaken three masterplanning exercises and the one at Brandon has clearly taken the longest.

I do not see any point in dwelling on the past but would rather look forward to the future. We are now in a position, with the masterplans being agreed, to take forward the process of regeneration and I look forward to this taking place with your full and unqualified support for the regeneration of your local area.”

COUNCIL
8th January, 2008

COUNCIL PROCEDURE RULE NO. 9.2
QUESTIONS BY MEMBERS

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

“He made a statement at Development Control on Thursday 12th December 2007, re: 106 monies.

Would he please furnish us with details and times he phoned Councillors informing them of these facts

Why didn't he write to every Councillor if he thought it was of such importance”

2. The following question was received by the due date from Councillor Mitchell and was addressed to the Leader of the Council.

“Would the Leader confirm that he authorised the statement by the Council on the evening of 10th December in response to the decision by Magistrates to overturn the application for a licence on North Road. The Council's statement seems to blame local residents for the original decision, accuses the police of not doing their job, yet perversely tries to say despite the Council's actions it welcomes the result.

As this Council, under his leadership, seems to have managed to insult everyone one who has been involved in standing up for the local people on this decision, will he now retract this statement and apologise to the people of Durham for letting them down so spectacularly?”

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

“After the Licensing Committee's decision on 8th August, the Deputy Leader, Councillor Woods, was quoted in the Journal on the 10th saying: "The MP should go back and read up on her own government's licensing laws. The Committee had no legal grounds to reject the application.”

As three Magistrates have conclusively found that actually the Committee should have declined it, which shows that Councillor Woods has little legal knowledge on this issue, will she now take her own advice, read up on the Act herself and do the decent thing and retract the statement and apologise to our MP.”

