

CITY OF DURHAM

ANNUAL COUNCIL

6 MAY 2008

REPORT OF THE DIRECTOR OF CORPORATE SERVICES

1. APPOINTMENT OF REPRESENTATIVES TO OUTSIDE BODIES

(a) UNIVERSITY, NEW COLLEGE, POLICE AND CITY LIAISON GROUP

The Leader of the Council has requested that the Portfolio Holder for Communities replace the Chair of Cabinet as one of City of Durham Council representatives on the above mentioned outside body.

Recommended: That the changes in the appointments are approved.

(b) HENRY SMITH'S CHARITY

Due to Councillor Walker resigning from the Liberal Democrat Party a replacement representative is required.

Recommended: That Councillor Lightley be appointed as the City Council's representative on the Henry Smith's Charity to replace Councillor Walker.

(c) CHARITIES OF JANE FINNEY & JANE SMITH

The term of office of Councillor Rae as a Trustee on the abovementioned Charity expired on 13th February, 2008 and instructions were requested as to her replacement.

Recommended: That Councillor Simmons be appointed to serve as the Council's representative on the Charities of Jane Finney and Jane Smith.

(d) DURHAM CITIZENS' ADVICE BUREAU

The term of office of Councillors Howarth, Southwell and Young as City Council representatives on the abovementioned outside body expired on 30th April, 2008 and instructions were requested as to their replacement/reappointment.

Recommended: That Councillors Howarth, Southwell and Young be reappointed to serve as the Council's representatives on the abovementioned outside body.

CITY OF DURHAM

ANNUAL COUNCIL
6 MAY 2008

REPORT OF HEAD OF LEGAL & STRATEGIC SERVICES

1. Executive Procedure Rules

In accordance with provisions of Paragraph 1.2 of the Executive Procedure Rules, the Leader is 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.

The Leader has decided to reduce the number of members on Cabinet to 9, being 7 Liberal Democrats members, 1 Labour member and 1 Independent member. The delegations in the portfolios of the Leader and Deputy Leader have been amended, with a number of minor and consequential amendments being made to other portfolios. A copy of the proposed amended scheme of delegation is set out at Appendix A.

Recommended: that the scheme of delegations be approved and amendments made to the City Council's Constitution as appropriate.

2. Political Balance

In view of the fact that a number of Members have resigned from their political parties, it has been necessary to recalculate the political balance on a number of committees and panels. A copy of the political balance of the council is attached as Appendix B.

As a consequence of the above, membership of the council's various committees is proposed as set out in Appendix C.

Recommended: that the membership of the Councils Panels and Committees be as set out in Appendix c

3. Standards Committee

Council will recall that three independent members of the public sit on the Standards Committee. At Council on the 3 May 2005 (Minute No. 15) it was resolved that Mrs Tina Naples and Mr Doug Hollingworth would sit as independent members with their term of office to expire in May 2008. In view of local government review, it is proposed that all three independent members be reappointed to the Standards Committee until 31 March 2009. This will minimise recruitment costs to the council and ensure that it has a properly constituted Standards Committee.

Recommended: that Mr B Ingleby, Mrs T Naples and Mr D Hollingworth be appointed as independent members to the Standards Committee until 31 March 2009.

4. Annual Report of the Standards Committee

The Standards Committee have prepared an annual report on their activities in the last year, and a copy of the same is attached for information at Appendix D.

Recommended: that the report be noted.

RESPONSIBILITY FOR EXECUTIVE FUNCTION (Cont....)

Leader of the Council

- Corporate Strategy
- Corporate Governance
- Capital City
- Major Capital Projects
- Public Relations
- Marketing
- Government Initiatives

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 Executive Director

[Supplement No. 24 – June 2007]

- 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 Executive Director
- 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 advise the Cabinet on marketing, sponsorship and commercial opportunities
- 20 To assist in overseeing the delivery of major projects for the city as identified by Cabinet
- 21 To represent the Council on the Accountability Panel of the Local Strategic Partnership
- 22 To authorise approval of applications to the Flourishing Communities Executive Board of grants for £5000 or less
- 23 To advise the Cabinet on Government policies and initiatives.
- 24 To work with other Councils and Agencies to improve and develop new partnerships
- 25 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

26 To oversee and drive forward the Council's Vision for Quality Public Services,
Flourishing Communities and Capital City

[Supplement No. 24 – June 2007]

RESPONSIBILITY FOR EXECUTIVE FUNCTION (Cont...)

Deputy Leader

- Business Partnership Working
- Regional Strategy
- Transport

Responsibilities

- 1 To advise the Cabinet on regional strategies and represent the Council on the North East Assembly
- 2 To advise members on new Government policies and initiatives and work more closely with the Local Government Association and other national bodies
- 3 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.
- 4 To monitor new transport proposals and work with the various agencies to improve traffic congestion
- 5 To develop more formal links with Durham Tees Valley and Newcastle Airports striving to promote Durham as a truly Capital City
- 6 To actively become involved with the business sector, CBI, Rotary Clubs, Durham City Forum, Durham & Chester le Street Enterprise Agency and small business clubs.
- 7 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 Executive Director, The Director of Strategic Services, the Director of Financial Services, Head of Community Services, Head of Planning Services, Head of Environment and Leisure Services and the Head of Legal & Strategic 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 **facilitate** appropriate housing to meet the needs of all residents, working with partners including registered social landlords to achieve this.
- 17 To give tenants more say in how housing is managed
- 18 To pursue the 'Warm Homes for All' policy

19 To give positive support to **neighbourhood** wardens and **work with the Community Safety Officer** for appropriate policing to provide safer communities

[Supplement No. 24 – June 2007]

RESPONSIBILITY FOR EXECUTIVE FUNCTION (Cont...)

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

RESPONSIBILITY FOR EXECUTIVE FUNCTION (Cont...)

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 encourage 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
- 4 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
- 5 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
- 6 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.
- 7 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)

- 8 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.
- 9 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.
- 10 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.
- 11 To be responsible for and advise on all matters affecting the management of Millennium City Project
- 12 To develop issues including strategic land use policies
- 13 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
- 14 To promote regeneration and through, for example 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
- 15 To promote shopping facilities and promote commercial opportunities
- 16 To encourage economic regeneration and new investments to Durham
- 17 To develop the knowledge economy
- 18 To encourage bringing new jobs to Durham and continuing the modern apprenticeship scheme
- 19 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).
- 20 To co-ordinate issues related to strategic brownfield, commercial and industrial land use and integration of planning policies into the corporate context.

RESPONSIBILITY FOR EXECUTIVE FUNCTION (Cont...)
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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 Strategic 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 **promote** 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 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
- 2 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
- 3 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 Director of Financial Services to sign and serve Notices of Seeking Possession and to take appropriate action to recover possession
- 4 To deal with the Council's responsibilities under the Government's Housing Benefits and Council Tax Regulations including benefit fraud.
- 5 To deal with all applications for subscriptions, donations interest free loans and financial assistance in consultation with the Director of Strategic Resources
- 6 To meet with any organisations seeking an interest free loan and in consultation with the Director of Financial Services to determine loan applications. Subject to delegation of authority to the Director of Financial Services to obtain suitable available security
- 7 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 Executive Director and Director of Financial Services to carry out statutory consultations in accordance with Section 65 of the Local Government Finance Act 1992

- 8 To approve the award of tenders. In conjunction with the relevant Portfolio Member for the particular service
- 9 To authorise the write-offs of any deficiencies revealed in items of stock

[Supplement No. 24 – June 2007]

- 10 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 Director of Financial Services
- 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 Director 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 be responsible for advising Cabinet on all matters relating to the Concessionary Bus Fare Scheme.
- 14 To advise the Cabinet on Council procurement policy within the best value process
- 15 To market test all services to determine the most cost effective way of delivering council services
- 16 To continue council tax consultation

[Supplement No. 24 – June 2007]

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 determine charges for the Gala Theatre, in consultation with the Executive Director and Director of Financial Services.**
- 5 To advise the Cabinet in the development of arts and cultural strategy
- 6 To authorise any action relating to the organisation of recreational Function/promotions
- 7 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
- 8 To promote healthy lifestyles for all residents and activities for our young people to enjoy in a safe environment
- 9 To **promote** high quality leisure facilities across the city and deliver leisure activities for all ages.
- 10 To actively encourage and support the formation of 'Friends' Groups for parks and open spaces
- 11 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

- 12 To support community associations and groups and give assistance with funding to promote the flourishing communities agenda
- 13 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
- 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, **Leisure and Sport**

ALLOCATION OF SEATS TO POLITICAL GROUPS 2008/2009 - Effective 6th May, 2008

Appendix B

In accordance with Section 15(1)(b) of the Local Government Act 1989, the allocation of seats to political groups on various Standing Committees, Sub-Committees and Working Parties be as follows:-

Committee	Lib/Dem	%	Labour	%	Ind	%
Council	50	54.00	15	30.00	8	16.00
Cabinet - minimum 3 / maximum 10	9	77.78	1	11.11	1	11.11
Regulatory Committees:						
Development Control Committee	23	52.17	7	30.43	4	17.39
Licensing Panel (Min. 213. 01.09.03)	15	53.33	5	33.33	2	13.33
Appeals Panel	5	60.00	1	20.00	1	20.00
Scrutiny (Advisory):						
Scrutiny Committee	15	53.33	5	33.33	2	13.33
Policy Review Panel	13	53.85	4	30.77	2	15.38
Environment Scrutiny Panel	13	53.85	4	30.77	2	15.38
Community Services Scrutiny Panel	13	53.85	4	30.77	2	15.38
Economic Scrutiny Panel	13	53.85	4	30.77	2	15.38
Audit Overview Committee	5	60.00	1	20.00	1	20.00
Standards Committee (Advisory)	4	50.00	1	25.00	1	25.00
[plus 3 Independent Member & 2 Parish Members]						
TOTALS	119	53.78	36	30.25	19	15.97
Consultation (Advisory):						

**RECOMMENDED REPRESENTATIONS
ON COMMITTEES AND PANELS 2008/2009**

CABINET

Comprising 9 Members – Leader of Council, plus 6 Liberal Democrat Members,
1 Labour Member
1 Independent Member

Chairman – Councillor Reynolds
Vice Chairman – Councillor Woods

Liberal Democrat Members

Councillors Jackson, Pitts, Reynolds, Southwell, Thomson, Van Zwanenberg and
Woods

Labour Member

Councillor Bell

Independent Member

Councillor Moderate

SCRUTINY COMMITTEE

Comprising 15 Members – 8 Liberal Democrat Members
5 Labour Members
1 Independent Member

Chairman – Councillor Hopgood
Vice Chair – Councillor Howarth

Liberal Democrat Members

Councillors Colledge, Freeman, Hogood, Howarth, Simpson, Walton, Wilkes and
Wilkinson

Labour Members

To be confirmed

Independent Members

Councillors Rae and Robinson

POLICY SCRUTINY

Comprising 13 Members – 7 Liberal Democrat Members
4 Labour Members
2 Independent Members

Chairman – Councillor Wilkes
Vice Chair - Councillor Freeman

Liberal Democrat Members

Councillors Freeman, Lightley, Martin, Simmons, Simpson, Wilkes and Wynn.

Labour Members

To be confirmed

Independent Members

Councillor Walker and Wolstenholme

ENVIRONMENT SCRUTINY PANEL

Comprising 13 Members – 7 Liberal Democrat Members
4 Labour Members
2 Independent Members

Chair – Councillor Simpson
Vice Chair – Councillor Wilkinson

Liberal Democrat Members

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

Labour Members

To be confirmed

Independent Members

Councillors Rae and Wolstenholme

COMMUNITY SERVICES SCRUTINY PANEL

Comprising 13 Members – 7 Liberal Democratic Members
4 Labour Members
2 Independent Members

Chair – Councillor Howarth
Vice Chair – Councillor Walton

Liberal Democrat Members

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

Labour Members

To be confirmed

Independent Members

Councillors Robinson and Smith

ECONOMIC SCRUTINY PANEL

Comprising 13 Members – 7 Liberal Democratic Members
4 Labour Members
2 Independent Members

Chair – Councillor Hopgood
Vice Chair – Councillor Colledge

Liberal Democrat Members

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

Labour Members

To be confirmed

Independent Members

Councillors Smith and Walker

DEVELOPMENT CONTROL COMMITTEE

Comprising 23 Members – 12 Liberal Democrat Members
7 Labour Members
4 Independent Members

Chair – Councillor Norman

Vice Chair – Councillor Simmons

Liberal Democrat Members

Councillors Crooks, Freeman, Guy, Holland, Howarth, Kinghorn, Norman, Pitts, Simmons, Simpson, Southwell and Young

Labour Members

To be confirmed

Independent Members

Councillors Dickie, Rae, Smith and Walker

LICENSING PANEL

Comprising 15 Members – 8 Liberal Democrat Members
5 Labour Members
2 Independent Members

Chair – Councillors Mrs Smith

Vice Chair – Councillor Kinghorn

Liberal Democrat Members

Councillors Crooks, Kinghorn, Lightley, Smith, Walton, Wilkinson, Wynn and Young

Labour Members

To be confirmed

Independent Members

Councillors Lodge and Wolstenholme

APPEALS PANEL

Comprising 5 Members – 3 Liberal Democrat Members
1 Labour Member
1 Independent Member

Chair – Councillor Wynn

Vice Chair – Councillor Jackson

Liberal Democrat Members

Councillors Jackson, Wynn and Young

Labour Members

To be confirmed

Independent Members

Councillor Robinson

STANDARDS COMMITTEE

Comprising 4 City Council Members – 2 Liberal Democrat Members

1 Labour Member

1 Independent Member

Chair – Mr B Ingleby

Vice Chair – Mrs T Naples

Liberal Democrat Members

Councillors Holland, Simpson

Labour Member

To be confirmed

Independent Member

Councillor Lodge

Parish Councillors – Councillor Anderson and Councillor Mrs Hudson

Independent Members – Mr Ingleby, Mr Hollingworth, Mrs Naples

AUDIT OVERVIEW

Comprising 5 Members – 3 Liberal Democrat members

1 Labour Member

1 Independent Member

Chair – Councillor Lightley

Vice Chair – Councillor Martin

Liberal Democrat Members

Councillors Jackson, Martin and Lightley

Labour Member

To be confirmed

Independent Member

Councillor Dickie



CITY OF DURHAM STANDARDS COMMITTEE

ANNUAL REPORT 2007/2008

1. Introduction

It is probably true to say that very few people had heard of the Standards Board for England until the national media broke the news of the judgement of three months suspension imposed on Ken Livingstone, the Mayor of London. Luckily, we on the Durham City Standards Committee have not had a case that has attracted that level of publicity although we have had our share of the contentious and difficult cases that can arise locally. We do, nevertheless, work to the same rules as the Standards Board for England and indeed may be described as its local arm and partner.

2. Our Purpose and Work

- 2.1 The Durham City Standards Committee is comprised of both political nominees (parish and city) and independent members and is chaired by an independent member. The City Council can feel very proud that the Standards Committee operates in an entirely non-political manner and puts the maintenance of the good name of the City above any factional interest. The whole Committee feels strongly that our major purpose is the support of the Code of Conduct that is binding on all elected councillors. In that regard, we have both promulgated the new code that came into effect last April but have also encouraged the provision of training for both new and existing councillors. The message that we want to get across most strongly is that we regard the highest standards of behaviour and compliance as paramount.
- 2.2 Unfortunately, sometimes the behaviour of some councillors has been called into question and the Standards Committee has been called upon to deal with the matter where a complaint has been deemed worthy of investigation by the Standards Board for England. What is very evident is that most of the complaints concern Parish Councillors and generally speaking, involve a very few Parish Councils. Evidence to substantiate an alleged breach can be difficult to obtain particularly when it is dependant on the statements of witnesses. This is illustrated in the following case study.

Case Study

A complaint was made by Councillor A that Councillor B had used foul and abusive language specifically directed at Councillor A and had behaved in a threatening and bullying manner. The allegation was vigorously denied. The alleged incident took place when several other people were present. Without exception the potential witnesses either claimed not to have heard or not to remember what was said. Without corroboration the Committee felt unable to do anything other than to find the allegation not proven or indeed to conclude whether the complaint had itself been mischievous in nature. Such a situation with so many witnesses failing to co-operate is unusual but does illustrate the difficulties in reaching the truth of a situation.

- 2.3 At present decisions on whether to proceed to investigation of a complaint are taken by the Standards Board for England but this is set to change as outlined later on. The current year's statistics are as follows:

Extract of Complaints Statistics for 2007-2008
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No. of cases received by the Standards Board for England	33	
No. of cases referred for investigation	5	4 cases investigated locally 1 case investigated centrally by the Standards Board for England
No. of allegations found to have been proven	2	Note that a case may contain more than one allegation
No. of allegations dismissed	31	
No. of cases involving District Councillors	10	
No. of cases involving Parish Councillors	23	

- 2.4 We do have concerns at the way some parish councils appear to operate and wherever possible encourage councillors to undertake training in order to raise standards generally. It is a source of some frustration to us that the training commitment of councils is patchy and that we have very limited powers to enforce such training.

3. Looking to the Future

- 3.1 One of the major considerations of 2007 has been the decision by Department of Communities and Local Government to devolve most activity from the Standards Board for England down to local level. From April 2008, apart from a very few cases, we will be responsible for everything from receipt to resolution. The final quarter of the year will see new arrangements for publicity, training and administration being put in place. This will involve additional work for officers as well as for Committee members on a continuing basis. The Council should be under no illusions that this will not be resource free although predictably, there are no additional resources flowing down from the centre. Nevertheless, the Committee will be closely monitoring the situation to see that we are able to discharge our obligations in accordance with the requirements that will be placed upon us.

- 3.2 For the Standards Committee to continue to operate successfully, it needs the active support of the Executive Director and the leaders of all the political parties and groupings that make up the council. This is particularly so in what may be a year of transition to a new unitary authority. We are determined that we will not take our eye off the ball. Indeed it is even more important in such circumstances to ensure that whatever happens does so with absolute propriety.

4. Conclusion

We could not operate without the help and support of the Monitoring Officer and her staff. Our thanks therefore, go to Clare Greenlay and her predecessor, Lesley Blackie, not only for their hard work and assistance but for their unfailing good humour in what have been sometimes challenging and difficult circumstances.

Addendum

Attendance Statistics for Standards Committee Members

Name	*Possible May 07 to Apr 08		*Actual May 07 to Apr 08		Comments
	Scheduled	Hearings	Scheduled	Hearings	
Mr B Ingleby (Chair) Independent Member	7	4	7	3	
Mrs T Naples (Vice Chair) Independent Member	7	4	7	4	
Mr D Hollingworth Independent Member	7	4	4	2	
Councillor J Anderson Parish Council Member	7	4	6	4	
Councillor Mrs P Hudson Parish Council Member	4	2	4	2	Joined Nov 2007
Councillor Holland District Councillor	7	4	6	4	
Councillor Moderate District Councillor	7	4	4	2	
Councillor Simpson District Councillor	7	4	4	4	
Councillor Thompson District Councillor	7	4	2	1	

* Figures are up to March 2008