

THE DISTRICT COUNCIL OF CHESTER-LE-STREET

Report of the meeting of Council held in the Council Chamber, Civic Centre, Newcastle Road, Chester-le-Street, Co Durham, DH3 3UT on Thursday, 19 March 2009 at 6.15 pm

PRESENT:

Councillor D Thompson (Chairman)

Councillors

G Armstrong	W Laverick
L Armstrong	M D May
S Barr	P H May
J W Barrett	P B Nathan
L E W Brown	K Potts
G K Davidson	M Potts
L Ebbatson	J M Proud
S Greatwich	D L Robson
T H Harland	M Sekowski
R Harrison	J Shiell
S A Henig	T J Smith
A K Holden	D Thompson
D M Holding	S C L Westrip
C J Jukes	F Wilkinson
	A Turner

Officers: R Templeman (Chief Executive), I Forster (Director of Corporate Services), T Galloway (Director of Development Services), N Tzamarias (Assistant Director of Development Services), I Herberson (Head of Corporate Finance), J Elder (Acting Head of Resources), C Potter (Head of Legal and Democratic Services), L Dawson (Acting Head of Regeneration), J Underwood (Performance, Improvement and Equality Manager), G Clark (ICT Manager), C Etherington (Customer Relationship Manager), S Reed (Development and Building Control Manager), S High (Leisure Services Manager), K Roberts (Principal Internal Auditor), S Pearson (Personal Assistant), C Turnbull (Democratic Services Officer), S Marshall (Democratic Services Assistant) and D Humble (Democratic Services Assistant)

Also in Attendance: Brian Ebbatson, County Councillors C Carr, A Wright, B Bainbridge, A Bainbridge and D Wright. Also Marion Talbot, Cameron Waddell, Rodney Walker from the Audit Commission. Two Members of Public.

103. APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors A Humes, A Willis, R Court and M G Gollan.

104. TO CONFIRM THE MINUTES OF THE COUNCIL MEETING HELD 15 JANUARY 2009

The minutes of the proceedings at the meeting of the District Council held on 15 January 2009, copies of which had previously been circulated, were submitted.

The Council RESOLVED:

“That the minutes be confirmed as a correct record.”

The Chairman proceeded to sign the minutes.

105. TO CONFIRM THE MINUTES OF THE AUDIT COMMITTEE HELD 22 JANUARY 2009

The minutes of the proceedings at the meeting of the Audit Committee held on 22 January 2009, copies of which had previously been circulated, were submitted.

The Council RESOLVED:

“That the minutes be confirmed as a correct record.”

The Chairman proceeded to sign the minutes.

106. TO CONFIRM THE MINUTES OF THE AUDIT COMMITTEE HELD 12 MARCH 2009

The minutes of the proceedings at the meeting of the Audit Committee 12 March 2009, copies of which had previously been circulated, were submitted.

The Council RESOLVED:

“That the minutes be confirmed as a correct record.”

The Chairman proceeded to sign the minutes.

107. TO CONFIRM THE MINUTES OF THE PEOPLE AND PLACE OVERVIEW AND SCRUTINY PANEL HELD 25 FEBRUARY 2009

The minutes of the proceedings at the meeting of the People and Place Overview and Scrutiny Panel held on 25 February 2009, copies of which had previously been circulated, were submitted.

The Council RESOLVED:

“That the minutes be confirmed as a correct record.”

The Chairman proceeded to sign the minutes.

108. TO CONFIRM THE MINUTES OF THE EXECUTIVE COMMITTEE HELD ON 2 MARCH 2009

The minutes of the proceedings at the meeting of the Executive Committee held on 2 March 2009, copies of which had previously been circulated, were submitted.

The Council RESOLVED:

“That the minutes be confirmed as a correct record.”

The Chairman proceeded to sign the minutes.

109. TO CONFIRM THE MINUTES OF THE PLANNING COMMITTEE HELD 9 MARCH 2009

The minutes of the proceedings at the meeting of the Planning Committee held on 9 March 2009, copies of which had previously been circulated, were submitted.

The Council RESOLVED:

“That the minutes be confirmed as a correct record.”

The Chairman proceeded to sign the minutes.

110. TO CONFIRM THE MINUTES OF THE LICENSING COMMITTEE HELD 5 NOVEMBER 2008

The minutes of the proceedings at the meeting of the Licensing Committee held 5 November 2008, copies of which had previously been circulated, were submitted.

The Council RESOLVED:

“That the minutes be confirmed as a correct record.”

The Chairman proceeded to sign the minutes.

111. TO CONFIRM THE MINUTES OF THE STANDARDS COMMITTEE HELD ON 12 MARCH 2009

The minutes of the proceedings at the meeting of the Standards Committee held on 12 March 2009, copies of which had previously been circulated, were submitted.

The Council RESOLVED:

“That the minutes be confirmed as a correct record.”

The Chairman proceeded to sign the minutes.

112. PUBLIC SPEAKING

No requests had been received from members of the public to speak at the meeting in accordance with the Council’s agreed policy.

113. TO RECEIVE DECLARATIONS OF INTEREST FROM MEMBERS

There were no declarations of interest received from Members.

It was agreed that Item 15 on the Agenda be considered before the other items of business.

114. ANNUAL AUDIT AND INSPECTION LETTER

The Director of Corporate Services introduced Marion Talbot, Cameron Waddell and Rodney Walker from the Audit Commission.

He advised that this was the last Annual Audit Inspection Letter that the Chester-le-Street District would be receiving which includes a direction of travel statement within the report. He advised that this was a well-balanced report on the progress of the Council, which still showed continual improvement. Overall there was a good message on the progress and achievements made by the Council over the last year.

Cameron Waddell introduced the Audit Commission’s Inspection Letter which was a summary of all the work that had been done by Chester-le-Street over the last 12-15 months in the letter it covers the results of the Audit work and the inspection work. He advised that the letter provides some very positive messages of progress over the last couple of years taking into account the impact of Local Government Re-organisation.

The key messages arising from the Commission’s inspection work and audit work were summarised by Marion and Cameron from the Audit Commission.

Cameron conveyed his thanks on behalf of the Audit Commission to Officers for their support and time during this inspection.

The Leader felt that the report was a fair and accurate reflection of the Council and gave thanks and appreciation to the Audit Commission for working constructively with the Council and providing their help when required.

The Chief Executive also thanked the Audit Commission for their support to Officers and Members and for the robust and constructive challenge they had given over the last 5 years, which had helped us improve significantly.

Members proposed and seconded that the recommendations in the report be agreed.

RESOLVED:

- “1 That Members received and welcomed the Annual Audit and Inspection Letter.
- 2 That Members considered the key messages set out within the letter; and
- 3 Agreed to build the key messages into the Handing Over the Baton Report.”

115. REPORT FROM THE LEADER OF THE COUNCIL

The Leader referred to the two key decisions that were taken at Executive on 2 March 2009 and copies of these had been distributed to all Councillors.

She referred to notification that she had received of the first Meeting of Chester-le-Street Area Action Partnership, which would be held on Monday 27 April 2009 between 5.30pm and 8.00pm in the Gloucester Suite, Civic Centre.

This was the final Meeting of Chester-le-Street District Council and that we were entering a new era. She proceeded to read a quote from John Healey (the minister responsible for LGR) as follows:

“The face of Local Government will be transformed bringing Councils and their communities closer together. The unitary councils will serve their public better through being more open, accountable and accessible in providing strong leadership”

O, brave new world, that has such people in it she stated. In her opinion it would be easier to embrace this vision if she was convinced it was for the greater good but in her opinion it was more of the greater convenience, not of people, but of organisations which, by and large appear to have as much idea about how communities work as a fish has of how to ride a bicycle. We shall see and we must rest content that this Council had done its best to further

those closer connections between communities and Councils. Not least in handing over the baton (later in the agenda) and our single priority for this year that we have tried to demonstrate and build on the strengths of the area and its people which will, of course, continue long after we have gone.

Handing over the baton focused on how we had worked with people and places to achieve common goals. It will also she hoped be a point of reference, a source of background information for those who succeeded us.

She advised that time did not allow her to thank each councillor – you will know best in your heart what you have done to represent your wards, the casework you have dealt with, the advocacy you have undertaken. Collectively however she felt that it had been interesting and at times an exciting organisation Chester-le-Street District Council had been to work with and for. Where else would you find 'It's a knockout' and the Annual Pub Rally.

Where else do you find the constructive problem solving approach, which is the hallmark of this Council. Thanks were conveyed to everyone for that.

In addition and on behalf of the Council there were some individuals that she wished to extend thanks to. Those were the Chairmen and Vice-Chairmen of the Council past and present who had steered us so well through so many Council Meetings. Also to all of the Members of the Executive at various times who had helped her through many demanding and difficult times and two superb, if very different, Deputy Leaders who had worked with her and supported her as Leader over the last six years, Councillors Westrip and Henig.

The successful Improvement Plan could not have been carried through without the support and critical challenge from Scrutiny and thanks went to Councillor G Armstrong in particular for his dedication and commitment.

We have also seen some notable successes in performance in Planning and thanks must go to two excellent Chairman of the Planning Committee in Councillors G K Davidson and R Harrison.

All of our achievements have been underpinned and on occasion designed by a strong and talented Officer core. Under the Leadership and guidance of our Chief Executive Roy Templeman who introduced us all to the 'golden thread' and Action Learning Sets under the One Team banner. In short we have learned about new ways to tackle old problems, how to build bridges, how to break new ground and sometimes how to blaze a trail, and where necessary learn from our mistakes.

This Council is or was far from perfect, there is always room for improvement and I hope the New Unitary will actually build on our experiences here. We have good reason to be proud of our achievements and of the culture change ball we set rolling, of our little green apples, of our carbon footprint (the third smallest in the Country) of our many 'firsts'. First Council to go from Poor to

Good in a CPA assessment in three years, the first Council in the North East to get a Members Charter, the first and only Council in the UK to sign up and act upon the European Charter for Equality, to name but a few.

If you ever need reminding of the people and place of Chester-le-Street they are celebrated in the DVDs, the last District News and Handing Over the Baton report.

If you ever inclined to forget the difference you have made there is a personal memento for each Councillor which is a little black book token of esteem which had a limited edition of pictures taken by a very talented member of staff.

She conveyed personal thanks to the Leader for six very interesting years as Leader of a Local Council that dared to be different.

116. REPORTS FROM PORTFOLIO HOLDERS

a. Neighbourhood Services

Councillor Westrip advised of the tricky and challenging times he had experienced over the last six years but he was proud and pleased of where the Council had arrived at.

He thanked the Officers that he had worked with in a number of Portfolio areas for their great support in relation to these Portfolios. He thanked Tony Galloway for a productive and useful relationship and he had certainly enjoyed his time working with him. He also conveyed thanks to Nick Tzamaras for all his support particularly around the communities for health and the young peoples agenda.

Thanks were given also to the Service Team Managers who had kept the frontline services going brilliantly, particularly Gordon McCallum, Simon High, Liam Howley and Stephen Reed. He felt Mike Keenlyside deserved a special mention as they had a shared passion for the environment and he had been an inspiration to him personally. He also thanked Chris Lonsdale, Operations Manager who he felt had done a great job. Thanks were also conveyed to all Members that he had worked with.

He referred to Member Development that used to be within his Portfolio and advised of the fantastic achievement for us when we were the first District Council to achieve the Members Development Award. He reported on the brilliant level of attendance of Members who were committed to the community and recognised that they wanted to do the best job they could both within the Council and as Community Leaders.

On a personal note, he advised that he had set himself a task in relation to my community that he represented that he would make this community more supportive and work together in a more productive way. Although there was

still a long way to go he felt that this had moved in a very positive direction and he was proud of the part that he had played in that.

He felt that what he did learn and do in the community as community leader and a Councillor was down to the support and the inspiration of Linda Ebbatson the Leader. He advised that it had been a privilege to work with her and other Members of the Executive as well as other Members within the Council. He felt that she had set a fantastic example for him and was an inspiration. Her drive, determination and the importance she placed on being prepared to make the tough decisions he had learnt a lot from and he was a better Councillor for having worked with her. Most notably he felt was her ability to share a vision and inspire and he thanked her for all that she had done.

b. Community Engagement and Partnerships

Councillor Sekowski advised that although he had only been a Member of the District Council since 2007, he had been involved in Local Government all his working life since 1969 where he started in County Hall Health Department. Over the years he advised that he had the experience of several different authorities and it was a great privilege to end his time as a Member of Chester-le-Street District Council.

He advised that although he was not here when all the improvements to services delivered by the District Council, he had an interesting and informative experience. He had witnessed the reorganisation and birth of District Councils back in 1974 and it had been a privilege to come to the brink of new era.

He thanked all of his colleagues on the elected side of the Council for their valued help and support over the last two years and thanked each and everyone of the Officers that he had dealt with not only in his District Councillor capacity but as 24 years as Clerk to Urpeth Parish Council and 18 years as Clerk to Pelton Parish Council. He felt that there had been a very good working relationship with Officers throughout a variety of Departments throughout the Council.

He intended to continue the good working relationship with those who would be moving on to the new unitary authority. To those Officers who would be retiring from their careers in Local Government he offered his good wishes for the future and his sincere thanks for their help and support.

c). Regeneration and Strategic Planning

Councillor Jukes spoke on his last report as Portfolio holder and as a Councillor and although there were too many people to mention he wished to thank everyone.

He took the opportunity to thank all the Officers within his Portfolio area and spoke on what had been achieved at Sacriston, Pelton Fell, Grange Villa, Mile

House, Town Centre, Regeneration Strategy, Master Plan and other areas that he had responsibility for.

He advised that he had worked with four Regeneration Managers in the last five years and that everyone of them had helped him enormously. He wished to pass on his sincere thanks for their dedication and professionalism in the public service, particularly the way they had responded to the challenges that lay ahead of them. He held these Officers in very high esteem and could not have undertaken many of his duties without their hard work and support. In addition he thanked all Officers he had worked with across the Council and wished them all the best for the future.

To fellow Councillors across the Chamber he offered his sincerest best wishes to them and their families for the future. He advised that he had had the great privilege of working with colleagues within this Executive who had been such a big help to him throughout his time on the Executive and he thanked them sincerely along with all colleagues who he had worked with across the political spectrum within Scrutiny, Licensing, Audit and Planning where there always seemed to be a genuine spirit of co-operation and respect.

Finally he wished a personal thank you to Selby Cottage Nursery who he felt had provided an outstanding service and had looked after his children in a safe, secure and cared for environment. He felt that the staff there demonstrated everything that was good about public service every day of the week and deserved recognition for what they did.

The final thank you was to the Leader Linda Ebbatson whom he had the great privilege to work closely with. He had worked with two excellent Leaders including the former Leader of Northumberland Council Michael Davy who he had immense respect for and Linda Ebbatson whom he met at the Labour group seven years ago who had spoken out and said what needed to be done for the housing service that was failing. He knew then that the Council would turn the corner.

He spoke about the Leader's attributes and how she was willing to challenge people but also that she had the community absolutely at heart. In addition she was someone who you can talk to and know that there is a mutual trust and respect there but also someone who cares about people. He wished the Leader and her family best wishes for the future.

d) Resources and Value for Money

Councillor L Armstrong advised that he was one of the newest Members having only been elected in September 2007. He advised that his last 18 months had been a tremendous experience and gave sincere thanks to all elected Members who had given him support and advice when required.

He gave special thanks in particular to the Leader for actually having the faith and support in him to hand a portfolio over having only been elected a matter

of months. With regards to that Portfolio itself he pointed out three Officers who he advised had made the job a lot easier for him as elected Member and they were Ian Herberson, Jim Elder and Graham Clark.

He advised that a lot of the work under his Portfolio tended to be the unseen work by the members of the public but it was vital. He felt the Annual Audit and Inspection Letter highlighted the work that every single Officer in the Council aspired to achieve.

He wished every Member of staff at Chester-le-Street District Council his very best wishes as they moved on to the new unitary authority and sincerely hoped that everyone got what they wanted both in terms of employment and aspirations in the future.

117. QUESTIONS TO LEADER AND EXECUTIVE MEMBERS

Councillor P May advised that he did not have a question but felt he needed to say a few words. He advised that he had been a District Councillor for 15 years and most of that time he had been the only conservative person in this area until two years ago when his wife joined him as a District Councillor. When he first joined the Council he advised that there were one or two faces amongst the Members who had been here a number of years namely; Councillor Keith Potts 26 years, Councillor Geoff Armstrong 22 years, Councillor Lance Brown 18 years and Councillor T Harland 19 years.

He felt it was a great tribute that these Councillors had been around and been the corner stone of the Council. He advised that in the early days many people had said that it would be lonely coming here and being the only Conservative Member but this had not been the case. He advised that it had been a privilege being here amongst everyone and all the Councillors, the camaraderie here had been good. He thanked everyone past and present for their friendship and wished everyone success for the future.

118. MEMBER APPROVAL OF ANNUAL GOVERNANCE STATEMENT 2008-2009

The Acting Head of Resources gave a background to the District Council's last Annual Governance Statement 2008/09. He advised that it was a statutory requirement to approve the Annual Governance Statement and that good governance had underpinned the Council's improvement journey over the last 5/6 years.

The report sets out the process followed to produce the governance statement, which had been considered by the Audit Committee in two parts; framework of governance and the annual review effectiveness.

He reported that there were no areas of weaknesses and any areas for development would be taken forward to the new unitary authority.

Members proposed and seconded that the recommendation in the report be agreed.

RESOLVED: "That the Annual Governance Statement for 2008-09 be approved."

119. INTERNAL AUDIT ANNUAL REPORT 2008/09

Councillor G Armstrong gave a background to the report that had been considered by the Audit Committee at their meeting on 12 March 2009 and which had been supported by them.

He advised that Internal Audit had continued to maintain high quality work despite staffing issues and the demands of LGR. He thanked the Internal Audit Officers for their hard work and also the Members of the Audit Committee for their support.

Members proposed and seconded that the recommendation in the report be agreed.

RESOLVED: "That the Council notes and receives the Internal Audit Annual Report 2008/09."

120. CUSTODIAN OF THE WHAT WONDERFUL WOMEN ARCHIVE

The Performance Improvement and Equality Manager spoke to the report to seek approval for the transfer of the copyright of the What Wonderful Women archive to Chester-le-Street Heritage Group.

She advised that this project had been developed by the Action Learning Set under the People and Place priority to celebrate the lives and achievements of the Women of Chester-le-Street. She advised that a DVD had been produced, an extract of which had been presented to Members prior to the Meeting. A website to support the archive had also been developed.

Members proposed and seconded that the recommendations in the report be agreed.

RESOLVED:

"1 That the Council approves the transfer of the copyright and custodianship of the What Wonderful Women archive and website to Chester-le-Street Heritage Group, subject to the terms and conditions set out in the Legal Agreement.

- 2 That the Council delegates authority to the Chief Executive to sign the Legal Agreement on behalf of the Council.”

121. 'HANDING OVER THE BATON' REPORT

The Director of Corporate Services gave a background to the Handing over the Baton report, which was a resource of good practice of how the Council and the communities improvement journey had been sustained over the last 5 years. It was aimed at the new authority to help sustain improvements and continue to work with partners and the communities and take forward the existing and planned projects, plans and strategies.

The report was more than a written document and was DVD based with hyperlinks leading to the evidence behind the issues raised which included additional information to help the new unitary sustain the progress made. A short film of this was presented to Councillors prior to the Council Meeting. In addition the final edition of District News had been designed to be a summary, public version of the handing over the baton report.

The Leader reported that she and the Director of Corporate Services would be attending the next Cabinet Meeting of the unitary authority at County Hall on 26 March 2009 to take them through the main elements of this report. She pointed out that this Council was the only District to prepare the background information in this way and which she hoped the new unitary would use.

The Leader conveyed thanks to the Director of Corporate Services and Maxine Watchman Senior Improvement Officer for all the work that they had put into this.

Members proposed and seconded that the recommendations in the report be agreed.

RESOLVED: “That the ‘Handing over the Baton Report’ set out in Appendix 1 be approved.”

The Chief Executive took the opportunity to convey thanks to all Officers and Members of the Council for all their support on the improvement journey the Council had been on for the last 5 years.

He referred to the strong relationship that he had with the Leader and gave particular thanks to her as well as her husband Brian Ebbatson for the support that he had given him through the Local Strategic Partnership.

A small token of appreciation was presented to both Linda and Brian Ebbatson on behalf of the Officers and Managers of the Council for the hard work they had both put in to supporting this Council through its improvement journey.

He advised that he was immensely proud to Lead the Officers of this Council and that there had been some exceptional people at operational and managerial level both past and present.

122. CORRESPONDENCE

There were no items of correspondence.

123. CONFERENCES

There were no invitations to attend conferences.

124. COMMON SEAL

The Council RESOLVED:

“That the action of the Officer in affixing the Common Seal of the Council to the following documents be confirmed:

Transfer of Land at East Parade and South View, Kimblesworth
Form DSI in relation to 17 The Wynd, Pelton
Transfer of Communal Rooms to Cestria
Housing Association relating to Loefield Communal Room in Duplicate
Chester-le-Street District Council and Cestria Community Housing
Association Limited TP3 Plans
To assign in duplicate relating to Unit 7 Stella Gill Industrial Estate,
Chester-le-Street
Deed of Grant relating to Chester-le-Street Magistrates Court, Newcastle
Road, Chester-le-Street
JCT Contract in duplicate relating to the Community Centre at Pelton Fell
Tenancy at will in duplicate relating to Unit 7 Sacriston Industrial Estate
Deed of Grant in duplicate relating to Chester-le-Street Magistrates Court,
Newcastle Road, Chester-le-Street
Deed of dedication relating to Chester-le-Street District Council and the
Trustees of Pelton Community Association

125. EXCLUSION OF PUBLIC AND PRESS. TO RESOLVE:

The Head of Legal and Democratic Services advised that there was an urgent item of business that required consideration at this meeting. A copy of this report had been hand delivered to Members prior to the Meeting.

Under the relevant statutory provision Section 100 (b) (4) of the 1972 Act, if in the opinion of the Chairman that the item is urgent, then the matter can be considered by this Council. Because there were no further scheduled meetings of this Council this item was required to be considered as a matter of urgency.

Members proposed and seconded that the report be considered as a matter of urgency in the excluded part of the agenda.

RESOLVED: "That under Section 100(A) of the Local Government Act 1972, the Public and Press be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1,2 and 3 of Part 1 of Schedule 12A of the Act."

At this point the Director of Corporate Services, Acting Head of Resources and Director of Development Services left the meeting.

126. PROPOSED EARLY RETIREMENT AND VOLUNTARY REDUNDANCY OF THE DIRECTOR OF CORPORATE SERVICES

Consideration was given to a report from the Chief Executive who gave a background to the proposed early retirement and voluntary redundancy of the Director of Corporate Services.

The Chief Executive praised the Director of Corporate Services for being an incredible colleague and an Officer of this Council who even though difficult times had demonstrated that he did not give up.

The Chief Executive praised all that that the Director of Corporate Services had achieved, the ideas he had brought forward, his work on the management framework and work on community engagement that was now being picked up by the new authority. He advised that to list all of his achievements would take too long and conveyed his appreciation to such a valuable Officer who had supported him over the last 5 years.

Members proposed and seconded that the recommendation in the report be agreed.

RESOLVED:

"That approval be granted to the voluntary redundancy and associated early retirement of the Director of Corporate Services on 27 March 2009 as set out in Appendix 2."

127. ALLOCATION OF FUNDS AND DELEGATED AUTHORITY: EARLY RETIREMENT/VOLUNTARY REDUNDANCY

The Chief Executive gave a background to the report on proposed early retirement/voluntary redundancy for the three Officers that were listed in the report.

He explained the background to the report and the financial implications relating to the ER/VR applications that concurred with District and County Council policy. These ER/VRs were supported by Head of the County Treasurer and the Head of Human Resources from a policy and value for money point of view. Including our Head of Legal and Democratic Services, 151 Officer and District Auditor.

Members proposed and seconded that the recommendations in the report be agreed.

- “1 That the Council hereby allocates the funds from the said VAT refunds for use in Early Retirement/Voluntary Redundancy applications should any such applications be granted.

- 2 That the Council delegates power under section 101 of the Local Government Act 1972 to the Chief Executive to determine applications for Early Retirement/Voluntary Redundancy in accordance with the Council’s agreed policy on Early Retirement/Voluntary Redundancy provided that such delegated power be only exercised in any case after first obtaining the prior consent of Councillor L Ebbatson, G Armstrong and D Thompson or their deputies/vice-chairs.”

The meeting terminated at 7.40 pm