

# COUNCIL

Thursday,  
18 December 2008  
11.00 a.m.

Council Chamber,  
Council Offices,  
Spennymoor

# AGENDA and REPORTS



**This document is also available in other languages, large print and audio format upon request**

**العربية (Arabic)**

إذا أردت المعلومات بلغة أخرى أو بطريقة أخرى، نرجو أن تطلب ذلك منا.

**বাংলা (Bengali)**

যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

**(中文 (繁體字)) (Cantonese)**

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

**हिन्दी (Hindi)**

यदि आपको सूचना किसी अन्य भाषा या अन्य रूप में चाहिये तो कृपया हमसे कहे

**polski (Polish)**

Jeżeli chcieliby Państwo uzyskać informacje w innym języku lub w innym formacie, prosimy dać nam znać.

**ਪੰਜਾਬੀ (Punjabi)**

ਜੇ ਇਹ ਜਾਣਕਾਰੀ ਤੁਹਾਨੂੰ ਕਿਸੇ ਹੋਰ ਭਾਸ਼ਾ ਵਿਚ ਜਾਂ ਕਿਸੇ ਹੋਰ ਰੂਪ ਵਿਚ ਚਾਹੀਦੀ, ਤਾਂ ਇਹ ਸਾਥੋਂ ਮੰਗ ਲਓ।

**Español (Spanish)**

Póngase en contacto con nosotros si desea recibir información en otro idioma o formato.

**اردو (Urdu)**

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

## AGENDA

1. **APOLOGIES**
2. **DECLARATIONS OF INTEREST**  
To notify the Mayor of any items that appear later in the agenda in which you may have an interest.
3. **MINUTES**  
To confirm as a correct record the Minutes of the meeting held on 21<sup>st</sup> November 2008 (Pages 1 - 4)
4. **MAYOR'S ANNOUNCEMENTS**
5. **LOCAL GOVERNMENT REVIEW - PROTECTION OF HISTORIC TRADITIONS AND CEREMONIAL ARRANGEMENTS**  
Report of Chief Executive. (Pages 5 - 8)

B.Allen  
Chief Executive

Council Offices  
SPENNYMOOR

Councillor J. Robinson J.P (Mayor) and

All other Members of the Council

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ACCESS TO INFORMATION

Any person wishing to exercise the right of inspection in relation to this Agenda and associated papers should contact  
**Liz North 01388 816166 ext 4237 email:enorth@sedgefield.gov.uk**

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# Item 3

## SEDGEFIELD BOROUGH COUNCIL

Council Chamber,  
Council Offices,  
Spennymoor

Friday,  
21 November 2008

Time: 11.00 a.m.

**Present:** Councillor Mrs. S. J. Iveson (Deputy Mayor) and

Councillors Mrs. A.M. Armstrong, Mrs. D. Bowman, D.R. Brown, V. Chapman, Mrs. K. Conroy, Mrs. P. Crathorne, V. Crosby, Mrs. L. M.G. Cuthbertson, T.F. Forrest, P. Gittins J.P., Mrs. B. Graham, A. Gray, B. Haigh, Mrs. S. Haigh, Mrs. I. Hewitson, J.E. Higgin, A. Hodgson, J.M. Khan, Mrs. E. Maddison, D.A. Newell, B.M. Ord, Mrs. E.M. Paylor, A. Warburton, T. Ward, W. Waters and Mrs E. M. Wood

**Apologies:** Councillors B.F. Avery J.P, W.M. Blenkinsopp, T. Brimm, J. Burton, D. Chaytor, D. Farry, G.C. Gray, Mrs. J. Gray, D.M. Hancock, T. Hogan, Mrs. L. Hovvels, G.M.R. Howe, J.G. Huntington, Mrs. H.J. Hutchinson, Ms. I. Jackson, B. Lamb, C. Nelson, Mrs. C. Potts, J. Robinson J.P, A. Smith, B. Stephens and K. Thompson

### **C.45/08 DECLARATIONS OF INTEREST**

Councillor Mrs E M Paylor indicated that she would be declaring a Personal Interest in the Item relating to LSVT as a member of the Board of Sedgefield Borough Homes.

### **C.46/08 MINUTES**

The Minutes of the meeting held on 26<sup>th</sup> September, 2008 were confirmed as a correct record and signed by the Deputy Mayor.

### **C.47/08 MAYOR'S ANNOUNCEMENTS**

It was explained that in the absence of the Mayor details of the function, events, etc., attended by the Mayor would be given at the next meeting.

### **C.48/08 CABINET PORTFOLIOS**

Consideration was given to a report of the Chief Executive (for copy see file of Minutes) in relation to portfolio responsibilities to Cabinet Members.

Members were reminded that at the Annual Meeting of Council held on 16<sup>th</sup> May, 2008 the portfolios for Housing and Environmental were allocated to Councillors W. Waters and A. Hodgson respectively.

Following the appointment of Councillor Waters to the Board of Sedgefield Borough Homes, the Leader agreed that to avoid any conflict of interest in relation to housing matters that Councillors Waters and Hodgson should exchange portfolio responsibilities.

Councillor Hodgson was therefore now responsible for Housing portfolio and Councillor Waters for Environment. Membership to outside organisations as representatives of the Council would also be exchanged as appropriate.

Council's confirmation was sought.

*RESOLVED : That the Leaders action in exchanging portfolio responsibilities as identified above be confirmed.*

**C.49/08**

**SEDGEFIELD BOROUGH LOCAL DEVELOPMENT FRAMEWORK - WINDLESTONE HALL - SUPPLEMENTARY PLANNING DOCUMENT**

Consideration was given to a report of the Director of Neighbourhood Services (for copy see file of Minutes) regarding a Supplementary Planning Document which had been prepared to guide the redevelopment of Windlestone Hall respecting the intrinsic value of the Grade II listed building, its setting and other constituent elements currently offered for sale by the Council.

It was explained that under the provisions of the Planning and Compulsory Purchase Act 2004 the Borough Council could bring forward Supplementary Planning Documents in advance of the adoption of its core strategy provided that the document was linked to a "saved" policy in the local plan. In this case the relevant policies were E2 and E18.

The draft Supplementary Planning Document had been subject to consultation between 17<sup>th</sup> March and 28<sup>th</sup> April, 2008. The Council had received 72 responses to the draft document and had prepared an accompanying consultation statement identifying each of those comments and how the Council had responded to them.

*RESOLVED : That the Windlestone Hall Supplementary Planning Document be adopted following a period for legal challenge.*

**C.50/08**

**LSVT TO SEDGEFIELD BOROUGH HOMES**

NB In accordance with Section 81 of the Local Government Act 2000 and the Members Code of Conduct Councillor Mrs E M Paylor declared a Personal Interest in this item and remained in the meeting.

Consideration was given to a report of the Director of Neighbourhood Services (for copy see file of Minutes) covering the main issues and progress associated with the transfer of the Council's housing stock to Sedgfield Borough Homes.

It was noted the completion Transfer of Homes prior to vesting day of the new unitary council represented a major programme of work for the Council and as such the transfer was a key priority within the Council,s Transition Plan.

A programme team of senior officers supported by consultants had been established under the overall direction of the Director of Neighbourhood Services. A similar programme team had been established within the Housing department under the direction of the Director of Housing.

Members were reminded that at the meeting of Council held on 6<sup>th</sup> August, 2008 a recommendation had been agreed to afford the Chief Executive, or his nominated deputy, delegated powers to consider and resolve all matters on behalf of the Council in relation to the proposed transfer to Sedgefield Borough Homes in order to ensure a speedy and smooth transition to tenants.

It was explained that future reports would be presented to Cabinet covering areas such as :-

- Asset Transfer Agreement
- Financial matters
- Housing Benefit
- Service Level Agreements with the successor Council.

A final report would be submitted to Council on 27<sup>th</sup> February 2009 with the completion of the transfer remaining on the track for 30<sup>th</sup> March, 2009.

- RESOLVED :*
1. *That progress towards transfer of the authority's housing stock to Sedgefield Borough Homes be noted.*
  2. *That the operational boundary for 2008/9 be increased to £25m.*

**C.51/08**

### **TRANSITION PLAN 2008-2009- DIRECTION OF TRAVEL SELF ASSESSMENT**

Consideration was given to a report of the Chief Executive (for copy see file of Minutes) summarising the progress to date on the Transition Plan in relation to the Direction of Travel Self-Assessment assessing Council's progress on the plan.

The Direction of Travel Self-Assessment required to be completed to assist the Audit Commission in preparing the annual audit letter and had been submitted to the audit commission on 31<sup>st</sup> October, 2008.

The Council was currently on target to deliver 30 of the 32 key priority initiatives and 9 of the ten key projects set out in the 2008/ 2009 Transition Plan which had been approved by Council on the 30<sup>th</sup> June, 2008.

The Council was maintaining strong performance within corporate and service areas throughout the Transition Plan.

Members expressed their appreciation to Management Team and their staff for the commitment and work that they had undertaken to maintain a high standard of service delivery.

*RESOLVED : That progress to date on the Transition Plan and Council's performance be noted.*

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**ACCESS TO INFORMATION**

Any person wishing to exercise the right of inspection, etc., in relation to these Minutes and associated papers should contact Liz North 01388 816166 ext 4237 email:enorth@sedgefield.gov.uk



# Item 5

## REPORT TO COUNCIL

18TH DECEMBER 2008

## REPORT OF SOLICITOR TO THE COUNCIL AND MONITORING OFFICER

### PORTFOLIO: STRATEGIC LEADERSHIP

### LOCAL GOVERNMENT REVIEW: PROTECTION OF HISTORIC TRADITIONS AND CEREMONIAL ARRANGEMENTS

#### 1. SUMMARY AND BACKGROUND

- 1.1 This Report updates the Council following the release of further guidance by the Department of Communities and Local Government (DCLG) containing proposals about ceremonial rights, privileges and related matters.
- 1.2 In particular, and following decisions taken by the Durham County Council Cabinet, at its meeting on the 28th August 2008, this Report informs Members of the decision taken as to “local views”, as to how historic traditions are to be protected following the abolition of Sedgefield Borough Council and the transfer of ceremonial and civic property in advance of Vesting Day.

#### 2. RECOMMENDATIONS

- 2.1 The Council is invited to:
  - (1) note the Report.
  - (2) authorise the Chief Executive to enter into appropriate agreements for the transfer of civic property

#### 3. TRANSFER OF PROPERTY

- 3.1 The County Council has accepted local wishes previously expressed, and have accordingly informed DCLG that Sedgefield Town Council would be a suitable candidate to take over the Charter relating to borough status, granted to the Council on the 24th October 1996.
- 3.2 Members have already been appraised that the Sedgefield Town Council have confirmed their agreement to this proposal.
- 3.3 This Council also retains certain civic regalia and seals, formerly held by Darlington Rural District Council, and it is intended to transfer ownership and possession of these items to the Darlington Borough Council prior to the abolition of this Council.

- 3.4 In order to give effect to the transfers of civic property , it is intended that a formal agreement be entered into with the recipient councils to transfer ownership and possession of those items, and authority is requested by this Report for the Chief Executive to enter into an appropriate form of agreement.

#### **4. ARRANGEMENTS FOR TRANSFER CEREMONY**

- 4.1 It is considered appropriate, given the auspicious nature of the circumstances, that appropriate ceremonial arrangements be held to celebrate and mark the occasion of the transfer of the civic property to the Sedgefield Town Council and Darlington Borough Council respectively.

#### **5. ARTEFACTS: PROTOCOL**

- 5.1 Attention has been drawn to the possibility that it would be useful for Councils, in affected local government review areas, to draw up a protocol to govern arrangements for dealing with artefacts, memorabilia, insignia, etc. currently held by District Councils.
- 5.2 Undoubtedly there will be a wide variety of such items held amongst such Councils. The County Council considered that a protocol could usefully set out some general and practical principles to be adopted for the purposes of settling their future destination and providing some general accountability in that respect.
- 5.3 Members are invited to note therefore that steps are currently being taken to compile records for future reference

#### **6. CONSULTATION**

- 6.1 Both Sedgefield Town Council and Darlington Borough Council have been consulted regarding appropriate aspects of this Report and the steps proposed.
- 6.2 Both Durham County Council and DCLG are aware of local wishes in connection with Sedgefield Borough Council's Charter and the transfer of property envisaged by this Report.

**Contact Officer:** D.A. Hall, Solicitor and Monitoring Officer  
**Telephone No:** (01388) 816166, Ext. 4268  
**Email Address:** dahall@sedgefield.gov.uk

**Ward(s)**

**Key Decision Validation**

## Background Papers

### **Report to Durham County Council Cabinet - 28th August 2008**

Ceremonial Issues arising from Local Government Review

### **Report to Annual Council - 16th May 2008**

Local Government Review Proposals : Implications - Ceremonial Arrangements, etc.

### **Report to Cabinet - 27th September 2007**

Protection of Historic Traditions, etc.

## Examination by Statutory Officers

	Yes	Not Applicable
1. The report has been examined by the Council's Head of the Paid Service or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The content has been examined by the Council's S.151 Officer or his representative	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. The content has been examined by the Council's Monitoring Officer or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. The report has been approved by Management Team	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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