

## Durham County Council

**At a meeting of the County Council held at the County Hall, Durham on Wednesday 1 August 2007 at 10.00 a.m.**

**Present:**

**Councillor Hunter** in the Chair

**Present:-**

Councillors Armstrong, Barker, Bell, Bowman, C Carr, R Carr, Carroll, Chaplow, Chapman, Coates, Cordon, Cox, Douthwaite, Ebbatson, Fergus, Forster, E Foster, N C Foster, Freeman, Graham, Gray, Henderson, Hodgson, Holroyd, Iveson, Knox, Maddison, Magee, Manton, Marshall, Martin, Mason, Morgan, Nugent, O'Donnell, Ord, Pendlebury, Porter, Priestley, Pye, Robinson, Robson, Shuttleworth, Simmons, Southwell, Stelling, Stradling, Tennant, Vasey, Walker, Williams and Wright.

Apologies for absence were received from Councillors Burlison, Davies, Myers and Young.

### **A1. Minutes**

The Minutes of the meetings held on 2 and 21 May 2007 and 19 and 28 June 2007 were confirmed by the Council as a correct record and signed by the Chairman.

### **A2. Declarations of Interest**

Councillors Bell, Bowman, Chapman, Fergus, Freeman, Gray, Henderson, Martin, Ord, Priestley, Robinson, Shuttleworth, Simmons, Southwell, Stelling and Stradling each declared a personal interest in relation to the urgent item regarding Unitary Local Government in their capacity as a Member of a Borough/District Council.

Councillors Douthwaite, Ebbatson, Iveson, Nugent and Mason each declared a personal interest in relation to the same item because of their spouse's position as a Member of a District Council.

### **A3. Chairman's Announcements**

#### **(a) Achievements**

The Chairman reported that the County Council's Fostering Service had been assessed as 'excellent' for the second year running by the Commission for

Social Care Inspection. Councillor Vasey praised the commitment and dedication of all levels of the fostering service and their achievements in maintaining the level of service.

The Chairman also reported that the County Council had been successful in retaining its Investors in People Award. Councillor Coates thanked all of the staff involved in the assessment process for their hard work and enthusiasm.

**Resolved:**

That the Council place on record its appreciation for everyone's efforts with both assessments.

**(b) Questions from Members**

The Chairman advised Members that two questions had been received from Councillor Freeman and these would be taken following the Standards Committee Annual Report.

**(c) Unitary Local Government**

The Chairman advised Members that she had agreed to take a report from the Chief Executive about Unitary Local Government as an urgent item at the end of the meeting.

**(d) Risk Management Training**

The Chairman reminded Members about the Risk Management awareness training for Members which was taking place later that morning.

**A4. Overview and Scrutiny Annual Reports 2006/2007**

The Council considered the County Council Overview and Scrutiny and Joint Health Overview and Scrutiny Annual Reports for 2006/2007 (for copies see file of minutes). In presenting the reports, Councillor Armstrong made reference to the added value Overview and Scrutiny provided and spoke of the challenging times ahead. Councillor Armstrong also gave his personal thanks to the two previous Chairmen and to Members and staff in general for making the reports a reality.

**Moved** by Councillor Armstrong, **Seconded** by Councillor Stradling and

**Resolved:**

That the Annual Reports of the County Council Overview and Scrutiny Committee and the Joint Health Overview and Scrutiny Sub-Committee for 2006/07 be noted and the Council place on record its appreciation of the Committee's/Sub-Committee's progress and efforts.

## **A5. Standards Committee Annual Report 2006/07**

The Council considered the third annual report from the Independent Chairman of the Standards Committee which reflected on the main aspects of its work during 2006/07 (for copy see file of Minutes).

Mr Marchant made particular reference to the recent Audit Commission survey of ethical standards whose early indications showed a positive awareness of the ethical standards agenda within the Authority. Details would be reported to Members in due course.

The implementation of the Local Government and Public Involvement in Health Bill would present further challenges for local Standards Committees, not least with the introduction of the local filter for complaints about Member conduct.

In conclusion, Mr Marchant commented that the report once again presented both a positive and pleasing picture on the Council's performance, although as ever it was important to guard against complacency in the future.

It was **Moved** by Councillor Nugent, **Seconded** by Councillor Robson and

### **Resolved:**

That the Standards Committee Annual Report be noted and that the Council express its satisfaction with the performance as reported, and its appreciation to the Committee for its efforts.

## **A6. Questions from Councillor Freeman**

In accordance with the Council Procedure Rules, the following questions were asked by Councillor Freeman:

1.) *Small class sizes have a significant benefit in improving children's educational achievements and success. Can the Cabinet Portfolio Holder for Young Peoples Services say how many children in the Council's primary and secondary schools are in class sizes of over 30 and how the Council plans to reduce this number?*

2) *Can the Cabinet member for Young Peoples Services say whether any of our schools are using fingerprint systems on children to monitor attendance and for the use of libraries and canteens and if such systems are in use what is the County Council doing to prevent identity theft?*

Councillor Vasey replied to the questions as Cabinet Member for Children and Young People's Services, summarised as follows:

1. The pattern in Durham was close to the national average in both primary and secondary sectors (86% of 30 and below (primary), 89% in secondary). Overall, average class size in Durham was 25.3 in primary schools (26.2 nationally) and 20.8 in secondary schools (21.3 nationally). The Infant figures reflected the implementation of the Government's Infant Class Size Grant.

The appointment and deployment of staff was the responsibility of Locally Managed Schools and the County Council supported them in seeking to reduce class size by ensuring the maximum possible delegation of funding.

2. The County Council was aware that a small number of schools had started to use thumbprint recognition systems in the administration of libraries and school meals. The approach was based on a photograph of a thumbprint stored on a computer system. Decisions on the purchase of such software systems were made at school level as part of their locally managed status. The County Council provided clear advice and guidance to schools on data security and this applied equally to thumbprint identification as it was to more traditional language based information.

In relation to Councillor Freeman's supplementary question as to whether schools sought parental consent, Councillor Vasey advised Members that seeking parental consent was a condition stipulated in the guidance provided to schools.

#### **A7. Questions from the Public**

There were no questions received from the public for the meeting.

#### **A8. Unitary Local Government**

The Council considered a report of the Chief Executive advising that the Secretary of State for Communities and Local Government had announced on 25 July, 2007 that the County Council's submission for a single unitary authority had been confirmed as one of those earmarked for implementation subject to the enactment of the necessary legislation and recommending the Council to accept the Government's invitation to establish a Unitary Council for County Durham (for copy see file of Minutes).

It was **Moved** by Councillor Nugent and **Seconded** by Councillor Robson that the report's recommendations be adopted.

In response to a comment about the importance of staff reassurances at this present time, the Chief Executive explained that he had made publicly available his recent message to local government employees about the future.

An **Amendment** was **Moved** by Councillor Southwell and **Seconded** by Councillor Freeman that:-

1. The Council defer consideration of the recommendations contained within the report until a further poll had been undertaken where the County Council in partnership with the Borough/District Councils asked the people for a mandate for the future of Local Government in the County.

On a vote being taken the amendment was **lost**.

On a further vote being taken it was:

**Resolved:**

1. That the Council accept the Government's decision to implement a single unitary proposal for County Durham and write to the Secretary of State to accept her invitation to implement that decision, and

2. That the Council authorise the Chief Executive with the Leader and Deputy Leader to put the necessary arrangements in place and invite the Borough/District Councils and other stakeholders to participate in the implementation arrangements, such detailed arrangements and resource implications to be the subject of future reports to Cabinet.