



**City of Durham
Charter Trustees for the City of Durham**

Ref: JM

15 October 2019

To: The Mayor and Members of the
CHARTER TRUSTEES FOR THE CITY OF DURHAM
(Councillors D Bell, J Blakey, L Brown, J Chaplow, K Corrigan,
S Dunn, D Freeman, D Hall, A Hopgood, L Hovvels, B Kellett,
J Lethbridge, C Marshall, E Mavin, L Mavin, M McKeon,
R Ormerod, E Scott, M Simmons, A Simpson, D Stoker,
P Taylor, F Tinsley, J Turnbull, M Wilkes and M Wilson).

Dear Sir/Madam

A Meeting of the **CHARTER TRUSTEES FOR THE CITY OF DURHAM** will be held in Committee Room 1B - County Hall, Durham, on Wednesday 23 October 2019 at 11.30 am.

Please Note: In the event that Full Council runs beyond 11.30am, the Charter Trustee meeting will commence immediately following the County Council meeting.

BUSINESS

Part A

Items during which the Press and Public are welcome to attend.

1. Apologies for Absence
2. Minutes of the meeting held on 25 July 2019 (Pages 3 - 6)
3. Declarations of interest, if any

4. Revenue Outturn for the period ending 30 September 2019 and Projected Outturn to 31 March 2020 - Report of the Treasurer (Pages 7 - 12)
5. Appointment of Pant Master - Officer of Dignity Appointments - Report of Clerk to the Charter Trustees (Pages 13 - 14)
6. Variation of Standing Orders - Voting Procedures - Officers of Dignity Appointments - Report of Clerk to the Charter Trustees (Pages 15 - 26)
7. Clerks Update - Report of Clerk to the Charter Trustees (Pages 27 - 28)
8. Such other business as, in the opinion of the Chair of the meeting, is of sufficient urgency to warrant consideration.
9. Any resolution relating to the exclusion of the public during the discussion of items containing exempt information.

Part B

Items during which it is considered the meeting will not be open to the public (consideration of exempt or confidential information)

10. Such other business as, in the opinion of the Chair of the meeting, is of sufficient urgency to warrant consideration.

Yours faithfully
Clerk

CHARTER TRUSTEES FOR THE CITY OF DURHAM

At the **Special Meeting** of the **Charter Trustees for the City of Durham** held in the Committee Room 1B, County Hall, Durham on Thursday 25 July 2019 at 11.00 am.

Present: The Right Worshipful the Mayor of Durham, K Corrigan (in the Chair) and Councillors D Bell, J Blakey, L Brown, K Corrigan, S Dunn, D Freeman, A Hopgood, L Hovvels, J Lethbridge, E Mavin, L Mavin, M Simmons, A Simpson, F Tinsley, J Turnbull and M Wilkes.

Also Present: Councillor O Johnson

1 Apologies for Absence

Apologies for absence were received from Councillors J Chaplow, D Hall, B Kellett, C Marshall, M McKeon, R Ormerod, E Scott, P Taylor and M Wilson.

2 Minutes

The minutes of the meeting held on 19 June 2019 were confirmed as a correct record and signed by the Mayor.

Matters Arising

Referring to item 4 of the minutes of the meeting held on 19 June 2019, the Treasurer advised that the finance team were in the process of changing the bank account for the Charter Trust and would provide an update at the next meeting.

3 Declarations of interest

There were no declarations of interest.

4 Officers of Dignity Appointments

Charter Trustees considered a report of the Clerk detailing recommendations of the working group regarding the criteria for the appointment of Officers of Dignity for the Charter Trustees, and to vary the Standing Orders relating to voting on appointments on appointments of Officer of Dignity (for copy see file of minutes).

The Clerk reported that the working group met on 17 July 2019 to explore options relating to the selection criteria to be applied for future appointments of honorary position and agreed the following criteria:

- Close links to Durham City;
- Contribution to Durham City;
- Support for charitable and/or good causes.

In addition, each honorary role has historic origins and traditional links to certain professions and the working group agreed to the following special criteria:

- Pant Master – Links to technical services such as engineering/water supply;
- Billet Master – Links to the police and/or uniformed services;
- Recorder – Links to the legal profession;
- Judicial Recorder – Links to the Judiciary of Durham.

The Clerk advised that the working group discussed voting arrangements when appointing honorary positions and it was preferred that voting takes place by way of paper ballot which would require a motion to be moved and seconded in order to make the variation to the standing orders.

Councillor Wilkes asked if the ballot vote was purely for ceremonial positions and voting for the Deputy Mayor would still be by show of hands. Councillor Hopgood explained that the working group to discuss the appointment of Deputy Mayor would take place later in the year which would then be reported to a future meeting of the Charter Trustees.

Councillor Hopgood referred to paragraph 14 of the report and clarified that the working group agreed that the two candidates that had come forward for the Pant Master position would meet the criteria therefore it would not be necessary to ask for further expressions of interest on this occasion.

Councillor Turnbull had concerns that only two people were aware of the vacant position and there could be other suitable candidates from the former Durham City Council that would be interested. The Clerk advised that it was a matter for Charter Trustees to debate and explained that the report allowed for the possibility that other Charter Trustees may have had expressions of interest from other suitable candidates.

Charter Trustees noted a correction to paragraph 11 of the report, Councillor Hopgood advised that the working group agreed that the general criteria was essential criteria, and the special criteria was desirable.

Seconded by Councillor Dunn, the Mayor proposed to offer the two interested candidates a shared role position.

Charter Trustees discussed the options and it was agreed that the two interested candidates be appointed as primary and secondary Pant Master which would rotate on an annual basis. It was clarified that the shared option was purely for this occasion. The Clerk then advised that determining who would be primary and who would be secondary Pant Master would be by way of paper ballot which would require a variation to the standing orders. The ballot vote would take place at the meeting in October 2019.

Resolved:

- i) That the selection criteria with the amendment that the general criteria would be essential criteria and not desirable and the special criteria would be desirable be approved;
- ii) That it was not thought necessary to invite further expressions of interest;
- iii) That the two candidates who have expressed interest were suitable against the criteria and would be invited to be Primary and Secondary Pant Master on an alternating basis. That is, one would be in post for one year post the Annual Meeting and Mayor making and then the other person in the following year;
- iv) That the Standing Orders be varied to allow for a vote by ballot when considering one or more candidates for an honorary position. This would stand adjourned until the next ordinary meeting.

5 Update on CDALC Abolition of Charter Trustees

Charter Trustees considered a report of the Clerk that provided an update on correspondence from the County Durham Association of Local Councils (CDALC) regarding the abolition of the Charter Trustees (for copy see file of minutes).

Councillor Freeman asked if there was any desire for Charter Trustees to write to government in support of the abolition of Charter Trustees which would ensure that civic traditions return to the City of Durham Parish Council. Councillors Tinsley and Hopgood highlighted that the City of Durham Council does not cover the full Charter Trustee area and it was felt that as long as there were unparished areas within the Charter Trustee boundary, there should still be a Charter Trust.

Resolved:

That the report be noted.

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Charter Trustees for the City of Durham

23 October 2019

Revenue Outturn for the period ending 30 September 2019 and Projected Outturn to 31 March 2020



City of Durham

Report of Jeff Garfoot, Treasurer

Purpose of the Report

- 1 The purpose of this report is to provide information on the:
 - actual expenditure compared to the profiled budget for the period ending 30 September 2019;
 - forecast of expenditure to 31 March 2020 in comparison to the 2019/20 original budget.

Background

- 2 The Charter Trustees for the City of Durham approved the Revenue budget for 2019/20 at its meeting on 5 December 2018.

Comparison of Revenue Outturn with Budget

- 3 At 30 September 2019 actual net expenditure was £45,468; an underspend of £7,127 (or 13.55%) against a profiled budget of £52,595.
- 4 It is anticipated that actual net expenditure at 31 March 2020 will be lower than the original budget of £68,856 by £7,235 (or 10.51%). Taking into account a slight variance in the amount received in respect of the Council Tax Support Grant the sum required to be drawn from reserves to balance the budget is expected to reduce from £13,543 to £6,294.
- 5 An analysis of the expenditure over subjective budget headings is set out in Appendix 2.

6 Explanations regarding the main variances between actual expenditure and the budget are provided below:

Transport

7 Based upon the current activity levels, it is anticipated that actual expenditure on transport will be £10,450 at the financial year end which is £117 (or 1.11%) less than the original budget.

Supplies and Services

8 The total expenditure on supplies and services is £2,125 less than the profiled budget to date. Based upon the activity levels to date and an estimate of future spending, the supplies and services outturn figure at 31 March 2020 is expected to be £20,192; an overspend of £1,432 (or 7.63%) in comparison to the annual budget.

Income

9 It is anticipated that actual income will be £3,592 at the financial year end which is £3,562 more than the original budget. This is mainly due to the recovery of bank charges relating to 2018/19 and 2019/20 from Durham County Council.

Forecast of Outturn

10 The latest forecast of net expenditure to 31 March 2020 is £61,621, an underspend of £7,235 (or 10.51%) against the net expenditure budget of £68,856.

General Reserve

11 The general reserve balance at 1 April 2019 was £63,417. With a projected underspend of £7,249, the amount required to be drawn from reserves would be £6,294, rather than the original budget figure of £13,543. Consequently, the reserve balance would decrease to £57,123 as at 31 March 2020.

VAT

12 As at 30 September 2019 the total VAT paid and reclaimed was £8,760.61.

Recommendation

13 It is recommended that the City of Durham Charter Trustees:

- note the outturn position for the period ended 30 September 2019;
- note the forecast of outturn to 31 March 2020;

Contact: Ian Herberson, Tel. 03000 261861

Appendix 1: Implications

Legal Implications

None.

Finance

The report provides information on the:

- actual expenditure compared to the profiled budget to 30 September 2019
- forecast of expenditure to 31 March 2021 in comparison to the 2019/20 original budget

Consultation

None.

Equality and Diversity / Public Sector Equality Duty

None.

Climate Change

None.

Human Rights

None.

Crime and Disorder

None.

Staffing

None.

Accommodation

None.

Risk

None.

Procurement

None.

**Appendix 2: Actual Outturn Compared to the Profiled Budget to
30 September 2019 and Projected Outturn to 31 March 2020**

Annual Budget 2019/20	Budget Head	Profiled budget to date	Year to date Actual	Projected Outturn	Variance (Projected Outturn v Annual Budget)
£		£	£	£	£
3,500	<u>Employees</u>	3,500	0	0	-3,500
1,500	Mayor's Allowance				
	Deputy Mayor's Allowance	1,500	0	0	-1,500
3,607	<u>Premises</u>				
	Town Hall	0	0	3,607	0
	<u>Transport</u>				
6,801	Civic Car	3,401	2,753	6,500	-301
975	Bus Hire	488	600	1,200	225
2,791	Sergeants at Mace/ Bodyguard	2,791	2,750	2,750	-41
17,068	<u>Supplies and Services</u>				
496	Mayor's Hospitality	8,534	5,280	16,000	-1,068
861	General Office Expenses	248	696	950	454
335	Insurance	861	849	849	-12
0	External Audit	335	0	335	0
	Bank Charges	0	1,028	2,058	2,058
17,936	<u>Support Services</u>				
13,016	Administration	17,936	17,946	17,946	10
	Support Services	13,016	13,018	13,018	2
	<u>Income</u>				
0	Mayor's Civic Dinner	0	558	558	558
-30	Bank Interest	-15	-10	-30	0
0	Bank Charges–DCC Contribution	0	0	-4,120	-4,120
68,856	Net Expenditure	52,595	45,468	61,621	-7,235
-6,121	Council Tax Support Grant Transfer to / -from Reserves	-6,121	-6,135	-6,135	-14
-13,543		0	0	-6,294	7,249
49,192	Net budget	46,474	39,333	49,192	0

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Charter Trustees for the City of Durham

23 October 2019

**Appointment of Pant Master - Officer of
Dignity Appointments**



City of Durham

Report of Bryan Smith, Clerk to the Charter Trustees

Purpose of the Report

1. To consider and approve the appointment of Mr Mac Williams as Pant Master.

Background

2. At the Special Charter Trustee meeting of 25 July 2019, the Clerk reported that, in relation to a vacancy to the office of Pant Master, there were expressions of interest from two candidates.
3. Charter Trustees resolved to appoint both candidates as Primary and Secondary Pant Master on an alternating basis. It was further resolved to adjourn to the next ordinary meeting a consideration of a variation to the Standing Orders to allow for a paper vote as to which candidate would begin as Primary Pant Master.
4. In the interim period one of the candidates has since withdrawn his name from consideration and therefore leaving Mr Mac Williams as the sole candidate.

Recommendation

5. It is recommended that the Charter Trustees:

- (i) Approve the appointment of Mr Mac Williams as Pant Master.

Contact: Bryan Smith

Tel: 03000 269717

Appendix 1: Implications

Legal Implications

To approve appointment of Pant Master, an Office of dignity.

Finance

None.

Consultation

None.

Equality and Diversity / Public Sector Equality Duty

None.

Climate Change

None.

Human Rights

None.

Crime and Disorder

None.

Staffing

None.

Accommodation

None.

Risk

None.

Procurement

None.

Charter Trustees for the City of Durham

23 October 2019

Variation of Standing Orders – voting procedures - Officers of Dignity Appointments



City of Durham

Report of Bryan Smith, Clerk to the Charter Trustees

Purpose of the Report

1. To consider a recommendation to vary the Standing Orders relating to voting on appointments of Officers of Dignity.

Background

2. At the Special Charter Trustee meeting of 25 July 2019, the Clerk reported that, in relation to a vacancy to the office of Pant Master, there were expressions of interest from two candidates and following a working group consideration of the selection criteria it may be necessary to consider a variation to the voting procedures in the Standing Orders to allow for a paper vote.
3. Charter Trustees agreed a variation to voting procedures would be considered at the next ordinary meeting of 23 October 2019.
4. Whilst one of the candidates has since withdrawn his name from consideration and therefore a paper vote may not be required on this occasion Charter Trustees may still consider it appropriate to consider a variation of voting procedures for future occasions should the need arise.
5. Within the Constitution, the Standing Orders of the Charter Trustees do not specifically refer to voting on honorary appointments. The arrangements for voting on appointments set out section 8 and 9 of the existing standing orders which state:

8. VOTING

The mode of voting at Meetings of the Charter Trustees shall be by show of hands, and on the requisition of any Charter Trustee the voting on any question shall be recorded so as to show whether each Charter Trustee present and voting gave his/her vote for, against or abstained.

9. VOTING ON APPOINTMENTS

Where there are more than two persons nominated for any position to be filled by the Charter Trustees, and of the votes given there is not a majority of the Charter Trustees present in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes of the Charter Trustees present is given in favour of one person.

6. The relevant provision for varying standing orders is set out at paragraph 8 of the Procedure Rules which state:

Any motion to add to, vary or revoke a Standing Order shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Charter Trustees.

7. Should the Trustees wish to vary the Standing Orders in respect of voting on honorary appointments this will require a proposal and second for the variation. The suggested variation to the standing orders is shown in red at appendix 2 of this report.

Recommendation

8. It is recommended that the Charter Trustees:

- (i) consider and approve a variation to Standing Orders in the form attached Appendix 2 for voting by paper ballot for honorary appointments.

Appendix 1: Implications

Legal Implications

To set criteria for selection of Officers of dignity and to vary existing Standing Orders to allow for a paper ballot when necessary.

Finance

None.

Consultation

None.

Equality and Diversity / Public Sector Equality Duty

None.

Climate Change

None.

Human Rights

None.

Crime and Disorder

None.

Staffing

None.

Accommodation

None.

Risk

None.

Procurement

None.

Appendix 2: Standing Orders

THE CHARTER TRUST OF THE CITY OF DURHAM

STANDING ORDERS

- 1. MEETINGS OF THE CHARTER TRUSTEES**
 - (a) The Annual Meeting and all other meetings of the Charter Trustees shall be held at the Town Hall in Durham City, subject to availability.
 - (b) In addition to the Annual Meeting, meetings for the transaction of general business (ordinary meetings) shall be held on four occasions each year on such dates as may be appointed by the Charter Trustees provided that the Annual Meeting takes place within 21 days following the Annual Meeting of Durham County Council.
 - (c) In addition to the Annual Meeting and ordinary meetings, extraordinary meetings may be called by four or more Charter Trustees to discuss items of common interest limited to the discharge of the functions of Mayor, elections thereto, employees, the office bearers, the bodyguard and all property vested in the care of the Trustees.
 - (d) Meetings for the transaction of general business shall normally be held at 2.00 pm provided that the Mayor may in special circumstances vary the hour at which any such Meeting shall be convened and held.
- 2. ELECTION OF MAYOR AND DEPUTY MAYOR**
 - (a) The Charter Trustees shall, at the Annual Meeting, elect the Mayor for the ensuing Municipal Year.
 - (b) The Charter Trustees shall, at the Annual Meeting, elect the Deputy Mayor for the ensuing Municipal Year.
- 3. CHAIRMAN OF MEETING**

Any power or duty of the Mayor in relation to the conduct of a Meeting may be exercised by the person presiding at the Meeting. In these Standing Orders the expression "Mayor", and as appropriate "Chairman" shall mean the person presiding at a meeting of the Charter Trustees.
- 4. QUORUM**

A quorum shall be ten Charter Trustees and if during any Meeting of the Charter Trustees the Chairman after counting the number of Charter Trustees present declares that there is not a quorum present the Meeting shall stand adjourned.

The consideration of any business not transacted shall be adjourned to a time fixed by the Chairman at the time the meeting is adjourned, or, if he/she does not fix a time, to the next ordinary Meeting of the Charter Trustees.

5. ORDER OF BUSINESS

- (a) Except as otherwise provided by paragraph 1 of this Standing Order, the order of business at every Meeting of the Charter Trustees shall be:-
- (1) To choose a person to preside if the Mayor and the Deputy Mayor is absent.
 - (2) To deal with any business required by statute to be done before any other business.
 - (3) To approve as a correct record and sign the Minutes of the last Meeting of the Charter Trustees.
 - (4) To receive such communications as the Mayor may desire to lay before the Charter Trustees.
 - (5) To dispose of business (if any) remaining from the last Meeting.
 - (6) To receive and consider reports, Minutes and recommendations of committee (if any).
 - (7) To answer questions asked under Standing Order 6, where appropriate.
 - (8) To authorise sealing of documents.
 - (9) To consider motions from one or more Trustees in the order in which notice has been received, in accordance with the Appendix.
 - (10) Other business specified in the summons to the meeting.

Variation of Order of Business

- (b) Business falling under sub paragraphs (1), (2) or (3) of paragraph (a) above shall not be displaced, but subject thereto the foregoing order of business may be varied:-
- (1) by the Mayor at his/her discretion.
 - (2) by a resolution passed on a motion (which need not be in writing) duly moved and seconded, which shall be moved and put without discussion.

6. QUESTIONS

- (a) A Charter Trustee may ask the Mayor any questions upon an item which is under consideration by the Charter Trustees.
- (b) Every question shall be put and answered without discussion. The person to whom a question has been put may decline to answer but shall give an explanation for declining to do so.
- (c) An answer may take the form of:-
- (1) a direct oral answer; or

- (2) where the desired information is contained in a publication of the Charter Trustees, a reference to that publication; or
- (3) where the reply to the question cannot conveniently be given orally, a written answer circulated to Charter Trustees.

7. MINUTES

- (a) The Mayor shall put the question that the Minutes of the previous Meeting of the Charter Trustees be approved as a correct record.
- (b) No discussion shall take place upon the Minutes, except upon their accuracy, and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised, then as soon as it has been disposed of, the Mayor shall sign the Minutes.

8. VOTING

- (a) The mode of voting at Meetings of the Charter Trustees shall be by show of hands **unless section 8(b)** applies, and on the requisition of any Charter Trustee the voting on any question shall be recorded so as to show whether each Charter Trustee present and voting gave his/her vote for, against or abstained.
- (b) **The mode of voting at Meetings of the Charter Trustees when considering persons nominated for an honorary/officer of dignity shall be by paper ballot in accordance with standing order 9.**

9. VOTING ON APPOINTMENTS

Where there are more than two persons nominated for any position to be filled by the Charter Trustees, and of the votes given there is not a majority of the Charter Trustees present in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes of the Charter Trustees present is given in favour of one person.

10. RECORD OF ATTENDANCES

Every Charter Trustee attending a Meeting of the Council shall sign his/her name in the attendance book or sheet provided for that purpose, and every Charter Trustee attending some other Meeting, conference or inspection on approved duty shall sign his/her name in the register for the purpose.

11. INTEREST OF OFFICERS IN CONTRACTS

The Clerk to the Charter Trustees shall record in a book to be kept for the purposes particulars of any notice given by an officer of the Charter Trustees of any pecuniary or non-pecuniary interest in a contract, and the book shall be open during office hours to the inspection of any Charter Trustee.

12. CANVASSING OF AND RECOMMENDATIONS BY CHARTER TRUSTEES

- (a) Canvassing of Charter Trustees directly or indirectly for any appointment under them shall disqualify the candidate concerned for that appointment. The purpose of this paragraph and Standing Order 13 shall be notified to all applicants for such appointment.

(b) A Charter Trustee shall not solicit for any person any appointment under the Charter Trustees, but this shall not preclude a Charter Trustee from giving a written testimonial of a candidate's ability, experience, or character for submission to the Charter Trustees with an application for appointment.

13. RELATIVES OF CHARTER TRUSTEES OR OFFICERS

- (a) A candidate for any appointment under the Charter Trustees who knows that he/she is related to any Charter Trustee or officer of the Charter Trustees shall when making application disclose that relationship to the Clerk to the Charter Trustees. A candidate who fails to disclose such a relationship shall be disqualified for the appointment and if appointed shall be liable for dismissal without notice. Every Charter Trustee and officer of the Charter Trustees shall disclose to the Clerk to the Charter Trustees any relationship known to him/her to exist between himself/herself and any person whom he/she knows is a candidate for an appointment under the Charter Trustees. The Clerk to the Charter Trustees shall report to the Charter Trustees or to the appropriate Committee any such disclose made to him.
- (b) For the purposes of this Standing Order 13 persons shall be deemed to be related if they are husband and wife and if either of them or the spouse of either of them is the son or daughter or grandson or granddaughter or brother or sister or nephew or niece of the other, or of the spouse of the other.

14. CUSTODY OF SEAL

The Common Seal of the Charter Trustees shall be kept by the Clerk to the Charter Trustees in a safe place in the Town Hall.

15. SEALING OF DOCUMENTS

The Common Seal of the Charter Trustees shall not be affixed to any document unless the sealing has been authorised by a resolution of the Charter Trustees, but a resolution of the Charter Trustees authorising the acceptance of any tender, the purchase, sale, letting, or taking of any property, the issue of any stock, the presentation of any petition, memorial, or address the making of any contract, or the doing of any other thing, shall be sufficient authority for sealing any document necessary to give effect to the resolution.

16. AUTHENTICATION OF DOCUMENTS

Where any document will be a necessary step in legal proceedings on behalf of the Charter Trustees it shall, unless any enactment otherwise requires or authorises, or the Charter Trustees give the necessary authority to some person for the purpose of such proceedings, be signed by the (Honorary) Legal Advisor to the Charter Trustees.

17. INSPECTION OF DOCUMENTS

- (a) A Charter Trustee may, for the purposes of his/her duty as such Charter Trustee but not otherwise, on application to the Clerk to the Charter Trustees inspect any document which has been considered by the Charter Trustees

and if copies are available shall on request be supplied for the like purposes with a copy of such document.

- (b) Provided that a Charter Trustee shall not knowingly inspect and shall not call for a copy relating to a matter in which he/she has directly or indirectly any pecuniary interest and that this Standing Order 17 shall not preclude the Clerk to the Charter Trustees from declining to allow inspection of any document which is or in the event of legal proceedings would be protected by privilege arising from the relationship of solicitor and client.
- (c) All reports made or minutes kept by any committee shall, as soon as the committee has concluded action of the matter to which such reports or minutes relate, be open for the inspection of any Charter Trustee.
- (d) The rights of the public under the Freedom of Information Act will apply to the Charter Trustees of the City of Durham.

18. ISSUING OF ORDERS ETC

Unless specifically authorised to do so by the Charter Trustees or by a Committee, a Charter Trustee shall not issue any order respecting any works which are being carried out or on behalf of the Charter Trustees or claim by virtue of his/her position any right to inspect or to enter upon any lands, offices or premises which the Charter Trustees have the power or duty to inspect or enter.

19. APPOINTMENT OF AD HOC-COMMITTEES

The Charter Trustees may at any time appoint such committees as they may deem necessary to carry out the work of the Charter Trustees but, subject to any statutory provision in that behalf:-

- (a) shall not appoint any member of a committee so as to hold office later than the Annual Meeting of the Charter Trustees;
- (b) may at any time dissolve a committee or alter its membership.
- (c) all committees shall be proportionally representative of the recognised political groups of the Charter Trustees, unless any such group wishes to forgo places on these committees.

20. ELECTION OF CHAIRMAN OF AN AD HOC-COMMITTEE

Every committee shall, at its first meeting before proceeding to any other business, elect a Chairman for the year, and a Vice-Chairman. In the absence from a meeting of a committee of the Chairman (and the Vice-Chairman) a Chairman for that Meeting shall be appointed.

21. QUORUM OF AD HOC-COMMITTEES

- (a) Except where authorised by a statute or ordered by the Charter Trustees business shall not be transacted at a Meeting of any committee unless at least one third of the whole number of the committee is present.
- (b) Provided that in no case shall the quorum of a committee be less than three Members.

22. VOTING IN AD HOC-COMMITTEES

Voting at a Meeting of a committee shall be by a show of hands.

23. STANDING ORDERS TO APPLY TO AD HOC-COMMITTEES

Standing Order 3 (Appendix) headed "Rules of Debate" (except those parts which relate to speaking more than once) and Standing Order 11 headed "Interest of Charter Trustees in Contracts and Other Matters" shall, with any necessary modification, apply to committee Meetings.

24. MOVER OF MOTION MAY ATTEND AD HOC-COMMITTEE

A Charter Trustee who has moved a motion which has been referred to any committee shall have notice of the meeting of the committee at which it is proposed to consider the motion. He/she shall have the right to attend the meeting and if he/she attends shall have the opportunity of explaining the motion.

25. ATTENDANCE OF CHARTER TRUSTEES AT MEETINGS OF AN AD HOC-COMMITTEE

Any Charter Trustee may be present and take part in any meeting of a committee notwithstanding that he/she is not a member of such committee, but he/she shall not be permitted to vote.

26. ITEMS FROM THE PUBLIC

- (a) Public Involvement. The Charter Trustees, as a public body will adopt an 'open government' approach to the conduct of its business. It values the views of the public, community groups and local organisations. At the beginning of each full meeting of the Charter Trustees (except the Annual Meeting) time will be made available for submissions from the public.

(b) Types of Submission.

- (1) A member of the public may present a petition (minimum 25 signatures from residents of the area within which the Charter Trust operates);
- (2) A member of the public may ask a question of the Chairman of the Charter Trust, and after the reply may ask one supplementary question;
- (3) A member of the public may make a statement;
- (4) A community group, a local organisation or members of the public may make a deputation (of not more than 4 persons – but only one will be allowed to speak).

- (c) Deadlines. Anyone wishing to have something included on the agenda for a meeting of the Charter Trust must give the following notice to the Clerk to the Charter Trustees **7** working days prior to the Meeting.

- (e) Meeting of the Charter Trust. The Clerk to the Charter Trustees will announce whether any members of the public have given notice that they wish to address the Charter Trustees on a matter for which the Trust has responsibility.

(f) Petitions.

- (1) Petitions must be about a matter for which the Trust has a responsibility.
- (2) The person named in the written notice to the Clerk to the Charter Trustees will be invited by the Mayor to speak on the petition for no longer than 5 minutes unless at the discretion of the Mayor more time is allowed.
- (3) When the speaker has finished, the Mayor will invite Charter Trustees and the Clerk to the Charter Trustees to question the petitioner. Only one question each will be allowed.
- (4) Questions will only be allowed if they seek to clarify a factual point made by the petitioner, or stated in the petition itself.
- (5) Questions will not be allowed if they are of a technical nature or address issues not mentioned in the petition or by the speaker.
- (6) Charter Trustees must not make speeches when asking questions.
- (7) After questions, the petitioner will hand the petition to the Clerk to the Charter Trustees.

Action by the Charter Trustees.

- (8) The Charter Trustees will ask the Standing Committee to consider the petition.
- (9) If the petition is about an item that is already on the agenda for the meeting, the Charter Trustees will consider it when that item is reached.

(g) Questions.

- (1) Questions must be about a matter for which the Trust has a responsibility.
- (2) The person named in the written notice to the Clerk to the Charter Trustees will be invited by the Mayor to ask the question. No further comment from the questioner will be allowed.
- (3) When the question has been asked, the Mayor will invite the Chairman of the Standing Committee to answer. The Chairman may:
 - i. Answer the question;
 - ii. Ask the Clerk to the Charter Trustees to answer the question;
 - iii. Inform the questioner that a written answer will be sent;
 - iv. Decline to answer and may give reasons.
- (4) The questioner may then ask a follow-up question on the same matter. The Chairman may deal with the follow-up question in any of the ways described above.

(h) Statements.

- (1) The person named in the written notice to the Clerk to the Charter Trustees will be invited by the Mayor to speak to the Charter Trustees on the matter(s) for which they have responsibility, for not more than 5 minutes.
- (2) When the speaker has finished, the Mayor will ask the Charter Trustees to decide what action, if any, it wishes to take on the statement made.

Action by the Charter Trustees. The only action allowed will be:

- (3) To ask the Trustees to consider a report from the Clerk to the Charter Trust on the issues raised in the statement; or
 - (4) To note the content of the statement; or
 - (5) (If the statement is about an item already on the agenda for the meeting) to consider the points raised in the statement when that agenda item is reached.
- (i) Deputations.
 - (1) The person named in the written notice to the Clerk to the Charter Trustees will be invited by the Mayor to speak to the Charter Trustees on the matter(s) for which they have responsibility, for not more than 5 minutes.
 - (2) When the speaker has finished, the Mayor will ask the Charter Trustees to decide what action, if any, it wishes to take on the deputation presented.

Action by the Charter Trustees. The only action allowed will be:

- (3) To ask the Standing Committee to consider a report from the Clerk to the Charter Trustees on the issues raised by the deputation; or
- (4) To note the content of the deputation; or
- (5) (If the deputation is about an item already on the agenda for the meeting) to consider the points raised by the deputation when that agenda item is reached.

27. STANDING ORDERS TO BE GIVEN TO CHARTER TRUSTEES

A printed copy of these Standing Orders, and of such statutory provisions as regulate the proceedings and business of Charter Trustees, shall be given to each Charter Trustee by the Clerk to the Charter Trustees.

28. INTERPRETATION OF STANDING ORDERS

The ruling of the Chairman as to the constructions or application of any of these Standing Orders, or as to any proceedings of the Charter Trustees, shall not be challenged at any meeting of the Charter Trustees. Provided always that nothing herein shall prejudice the provisions of the Charter Trustees Regulations 2009 and other applicable legislation.

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Charter Trustees for the City of Durham

23 October 2019

Clerks Update Report



City of Durham

Report of Bryan Smith, Clerk to the Charter Trustees

Purpose of the Report

1. To advise Charter Trustees of administrative arrangements.

Background

2. Charter Trustees are asked to note the following matters

- Members of the Bodyguard sadly reported the death of Mr Frank Bilton on 2nd August 2019. Mr Bilton had served in the Bodyguard since May 2003.
- Member of the Bodyguard recorded the resignation due to ill health of Mr Bill Gray and thanked him for his service since August 1993.
- There are three new Members of the Bodyguard to be sworn in at the next Charter Trustee meeting due on 22 January 2020. It is proposed to move the meeting to around 5.00pm at the Town Hall Durham to allow for such swearing in and the ordinary business of the meeting.
- The occasion of the Cathedral Service for the Courts is to be moved from July 2020 to 15 March 2020 to allow for the installation of the new High Sheriff.
- The proposed date for next years' annual meeting and Mayor making is 3 June 2020 at the Town Hall Durham.

Recommendation

3. It is recommended that the Charter Trustees note this report:

Contact: Bryan Smith

Tel: 03000 269717

Appendix 1: Implications

Legal Implications

None.

Finance

None.

Consultation

None.

Equality and Diversity / Public Sector Equality Duty

None.

Climate Change

None.

Human Rights

None.

Crime and Disorder

None.

Staffing

None.

Accommodation

None.

Risk

None.

Procurement

None.