

DURHAM COUNTY COUNCIL

At a Ordinary Meeting of the County Council held in the Council Chamber, County Hall, Durham on **Wednesday 21 September 2011 at 10.00 am**

Present:

Councillor D Morgan (Chairman)

Councillors L Marshall (Vice-Chairman), J Armstrong, B Arthur, A Bainbridge, B Bainbridge, E Bell, J Bell, J Blakey, G Bleasdale, D Bowman, D Boyes, P Brookes, J Brown, B Brunskill, D Burn, M Campbell, C Carr, J Chaplow, P Charlton, J Cordon, A Cox, R Crooks, R Crute, K Davidson, M Dixon, J Docherty, N Foster, D Freeman, P Gittins, B Graham, J Gray, N Harrison, S Henig, M Hodgson, K Holroyd, A Hopgood, L Hovvels, S Hugill, J Hunter, G Huntington, S Iveson, O Johnson, P Jopling, A Laing, J Lee, J Lethbridge, R Liddle, D Maddison, C Marshall, D Marshall, P May, J Moran, E Murphy, B Myers, D Myers, A Napier, A Naylor, M Nicholls, J Nicholson, L O'Donnell, B Ord, R Ord, E Paylor, M Plews, G Richardson, S Robinson, C Robson, A Savory, J Shiell, J Shuttleworth, B Sloan, D J Southwell, W Stelling, B Stephens, D Stoker, P Stradling, P Taylor, T Taylor, K Thompson, L Thomson, R Todd, E Tomlinson, J Turnbull, Andy Turner, Allen Turner, C Vasey, C Walker, M Wilkes, J Wilkinson, A Willis, J Wilson, A Wright and B Young

Apologies for absence were received from Councillors B Alderson, J Bailey, A Bell, R Bell, D Brown, D Farry, C Magee, N Martin, E Mavin, J Robinson, J Rowlandson, M Simmons, O Temple, M Williams, B Wilson, M Wood, C Woods, R Yorke, R Young and S Zair

1 To confirm the minutes of the meeting held on 27 July 2011

The Minutes of the meeting held on 27 July 2011 were confirmed by the Council and signed as a correct record by the Chairman.

2 To receive any declarations of interest from Members

There were no declarations of interest from Members in relation to the business on the agenda.

3 Chairman's Announcements

The Chairman announced that Brian Stobie, International Officer for the County Council had been awarded the title of 'Chevalier in the Ordre des Palmes Academiques' for his services to promote French culture. The award had been received from the French Prime Minister, M Fillon.

The Council placed on record their congratulations to Brian on his achievement.

4 Leader's Report

The Leader of the Council provided an update following August recess which updated the Council of the following:

- The Council had received a number of awards at this years 'Northumbria in Bloom' competition. Durham City which had been awarded 'gold' in the best large town category. Chester-le-Street won 'silver' in the same category. A number of other awards and commendations had been received including the Durham Riverbanks Project. The Leader placed on record his congratulations to everyone involved including council officers, Members, residents groups and the Durham in Bloom group and members of the public who all contributed toward the successful achievements;
- Following the Council meeting in July, the North East Local Enterprise Partnership (LEP) had finalised its decision on an enterprise zone along the A19, which would start with sites on the north bank of the Tyne and around Nissan in Washington. Further sites would be added at a later stage including Hawthorn, off the A19 at Murton;
- Localisation of business rates continued to be a complex issue following the receipt of several technical papers released by the government. The Leader informed the Council that he continued to lead with the Association of North East Council's and would soon be meeting with officers representing municipal authorities nationally, in an attempt to obtain some common lines of interest between the North East and other Council's elsewhere;
- The Council was meeting its overall savings targets in the current year which had been due to the hard work carried out throughout the County Council;
- The industrial communities alliance had been hosting their Annual Conference at Durham Town Hall which was a great honour for Durham to host. Delegates to the city have been impressed with the facilities on offer and the Leader placed on record his thanks to all officers who had assisted with the conference organisation.

Councillor Henig agreed to provide the Council with an update on staffing issues following the meeting in response to a request from Councillor Southwell.

5 Questions from the Public

There were no questions from the public.

6 Petitions

There were no petitions to receive

7 Audit Committee Annual Report 2010/11 - Report of Chairman of the Audit Committee

The Chairman of the Audit Committee informed the Council that the Committee had been focused on ensuring that improvements identified throughout the previous year, given the difficulties encountered in the preparation and approval of the final accounts for 2009/10, had been addressed. The Committee had received specific updates in relation to improvements being made to improve the effectiveness of the Oracle financial system.

Whilst consideration of the draft 2010/11 accounts was outside of the dates covered within the annual report, it had been pleasing to note that the draft accounts had been completed by the statutory deadline, which was testament to the improvements the Committee had helped support during the year.

Councillor Bell informed the Council that there had been major revisions to the Accounts and Audit Regulations which came into effect from 1 April 2011. The Council were advised that there was no longer a statutory role for Members to consider or approve draft, un-audited accounts under the new regulations, however, the Audit Committee felt it necessary to continue the practice of reviewing the draft accounts in order to gain assurances that everything was as it should be and to enable the Committee to ask any questions of officers and the external auditor which may require consideration prior to the accounts being finalised. This took place at a meeting of the Audit Committee in July 2011 and allowed for challenge and ensured that officers could take full advantage of having some additional time to finalise the accounts.

Councillor E Bell also highlighted the role the Committee had played through the improvement of the Council's corporate governance arrangements, including consideration of proposals to revise the Council's Local Code of Corporate Governance prior to consideration by the Constitution Working Group and approval by full Council. In addition to this the Committee had provided increased scrutiny of the Council's governance arrangements and considered how the annual review of effectiveness was conducted. This had resulted in a much better Annual Governance Statement for the year.

The Committee had assisted in improving the management of those risks which could prevent the Council achieving its objectives and increased accountability to the public for the effective use of public funds.

Representations had been made to the Audit Committee to assist members improve their understanding of how the Committee can gain assurance from the work carried out by other functions within the Council, examples included Overview and Scrutiny and performance management functions.

In accordance with recommended best practice, the Audit Committee had continued to review its own effectiveness and work had been ongoing to identify areas where improvements could be made.

Work would continue to assist the Audit Committee to gain a better understanding of the Council's overall assurance framework which would enable the Committee to place reliance on the work of all key assurance sources wherever possible, internal or external, to avoid any duplication or highlight any gaps.

8 Extension of Delegated Powers

The Council considered a report from the Head of Legal and Democratic Services which sought to extend the delegated powers of the Corporate Director, Regeneration and Economic Development to include entering into agreements under the provisions of section 38 of the Highways Act 1980. The report also sought approval to remedy two omissions in the powers delegated to the Corporate Director, Neighbourhood Services.

It was **Moved** by Councillor N Foster, **Seconded** by Councillor E Tomlinson and

Resolved:

- (i) That the Corporate Director, Regeneration and Economic Development be given delegated authority to enter into agreements under Section 38 of the Highways Act 1980, in relation to the adoption of highways, outlined in paragraph 3 of the report and that the necessary revisions be made in table five of the delegations to the Corporate Director, Regeneration and Economic Development;
- (ii) That the Food Act 1984 and the House to House Collections Act 1939 be added to Appendix 1, Table 6 of the Constitution (delegations to the Corporate Director, Neighbourhood Services).

9 Motions on Notice

There were no motions for consideration.

10 Questions from Members

There were no Member Questions.