

## **DURHAM COUNTY COUNCIL**

At a Ordinary Meeting of the County Council held in the Council Chamber, County Hall, Durham on **Wednesday 11 January 2012 at 10.00 am**

**Present:**

**Councillor D Morgan (Chairman)**

Councillors L Marshall (Vice-Chairman), B Alderson, J Armstrong, B Arthur, J Bailey, A Bainbridge, B Bainbridge, E Bell, J Bell, R Bell, J Blakey, G Bleasdale, D Bowman, D Boyes, D Brown, C Carr, J Chaplow, P Charlton, A Cox, R Crute, K Davidson, M Dixon, J Docherty, D Farry, N Foster, P Gittins, B Graham, J Gray, D Hancock, N Harrison, S Henig, M Hodgson, K Holroyd, A Hopgood, L Hovvells, S Hugill, J Hunter, E Huntington, S Iveson, O Johnson, P Jopling, A Laing, R Liddle, C Magee, C Marshall, D Marshall, N Martin, 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, J Robinson, S Robinson, J Rowlandson, A Savory, J Shiell, J Shuttleworth, M Simmons, B Sloan, W Stelling, B Stephens, D Stoker, P Stradling, P Taylor, O Temple, G Tennant, K Thompson, L Thomson, R Todd, E Tomlinson, J Turnbull, Andy Turner, Allen Turner, C Vasey, C Walker, M Wilkes, M Williams, A Willis, M Wood, C Woods, A Wright, R Yorke, B Young, R Young and S Zair

Apologies for absence were received from Councillors B Avery, A Barker, D Barnett, A Bell, P Brookes, J Brown, B Brunskill, D Burn, M Campbell, J Cordon, R Crooks, D Freeman, B Harrison, G Holland, G Huntington, J Lee, J Lethbridge, D Maddison, J Maslin, E Mavin, C Potts, M Potts, C Robson, A Shield, D J Southwell, T Taylor, J Wilkinson, B Wilson and J Wilson

### **1 To confirm the minutes of the meeting held on 7 December 2011**

The minutes of the meeting held on 7 December 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**

#### **New Years Honours**

The Chairman reported that the following individuals had been recognised in the Queens New Year Honours:-

- Jon Stoddart, Chief Constable of Durham Constabulary had been awarded an OBE for services to the Police;
- Denise Rowland of Peterlee, recently the Head, School of Early Years Health and Social Care, New College Durham received an MBE for services to Further Education;
- Ian Crampton, from Carville received an MBE for services to national and local charities;
- Sally Hancox of Durham, received an MBE for services to reducing carbon emissions and fuel poverty in social housing;

**Resolved:**

That the Council place on record its congratulations to all those recognised in the Queens New Years Honours.

**Made in Durham**

The Chairman informed the Council of the 'Made in Durham' event being held in the Durham Room. The event had been arranged to showcase the best businesses Durham had to offer and bookings had been secured from a number of businesses, from micro to large organisations. The Chairman asked Members to take the time to browse the exhibition and hoped the event could be repeated on an annual basis.

**Flying of the Union Flag at County Hall**

The Chairman informed the Council that he had received a number of representations from Members requesting that the Council fly the Union Flag at County Hall. The Chairman had carefully considered those representations and suggested to the Council that the Union Flag would be flown from the building commencing 6 February 2012 alongside the County Flag in recognition of the Queens Jubilee Year Celebrations.

**Resolved**

That the Council agree the Chairman's course of action.

**4 Leader's Report**

The Leader had no update to provide the Council and wished everyone a Happy New Year.

**5 Questions from the Public**

There were no questions from the public.

**6 Petitions**

There were no petitions to receive

## **7 Report from the Cabinet**

The Council noted a report from the Cabinet which provided information on issues considered by the Cabinet at its meeting held on 14 December 2011 (for copy see file of Minutes).

The Leader summarised some of the main items considered at the recent Cabinet meeting which included the calculation of the council tax base, the decision to match fund the Durham Digital project from current resources, consideration of the stock options appraisal project and blue badge reforms.

The Leader also made reference to the review of indoor sports and leisure facilities and informed the Council that negotiations were ongoing with a local group in Ferryhill with a view to sport and leisure provision in Ferryhill.

## **8 Review of Polling Districts and Polling Places - Final Recommendations - Report of Constitution Working Group**

The Council noted a report of the Constitution Working Group which detailed the final recommendations arising from a review of polling districts and place (for copy see file of Minutes).

The Head of Legal and Democratic Services informed the Council that the review had been carried out in accordance with the Representation of the People Act 1983 between 1 July and 31 August 2011.

The Council's Constitution Working Group, delegated to oversee the review, had made some suggested changes at a meeting held on 2 October 2011 following the public consultation. This culminated in a final set of recommendations being agreed by the group on 2 December 2011.

## **9 Request for Increase of Council Size - Greater Willington Town Council - Report of Head of Legal and Democratic Services**

The Council considered a report of the Head of Legal and Democratic Services regarding a request from Greater Willington Town Council to increase the number of Town Councillors on the Parish Council from 9 to 11 (for copy see file of Minutes)

### **Resolved**

That an order be made to increase the number of Councillors on Greater Willington Town Council from 9 to 11, effective from the 2013 local elections.

## **10 Motions on Notice**

There were no Motions on Notice for consideration.

## **11 Questions from Members**

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

### **Councillor R Bell**

Would the Leader agree that the understanding and scrutiny of the budget proposals by non-Cabinet members of this Council will be made more difficult by the unusually short time between the Cabinet Budget Meeting on the 8<sup>th</sup> February and the Full Council Budget Meeting on 22 February?

The Leader of the Council thanked Councillor Bell for his question and replied as follows:

Cabinet published the timetable for the Medium Term Financial Plan, Budget and Council Plan process in July 2011. This information was shared then with both the Overview and Scrutiny Management Board at its meeting held on 26 July 2011 and Corporate Issues Overview and Scrutiny Committee on 22 September 2011. Cllr Bell had been involved in both meetings. Overview and Scrutiny members had been directly involved in the process from the outset this year as they had been last year.

A robust timetable was disseminated as early as possible to ensure Members have at least 6 to 7 months to consider how the Council could make the savings that had to be made. Every Cabinet report at each stage of the process had been subject to scrutiny, which would culminate in the joint scrutiny meeting scheduled for 10 February 2012 to consider the final recommendations from Cabinet. The Leader was strongly of the opinion that there had been ample opportunity for understanding and scrutiny of the budget and Medium Term Financial Plan.

In response, Councillor Bell acknowledged the Leaders comments but felt that the central point was not being addressed in terms of the tightness of the timetable, which as it stood at present, would provide very little time for alternative budget proposals.

The Leader of the Council commented that he would be willing to look at the timetable for future years but reminded the Council that the budget process was not an issue conducted over two months of the year. The budget process was looked at over the whole year and made a plea for all Members to engage in the process over that time. He added that budget seminars had been held in September 2011, a strategy paper had been considered by Cabinet in December with a view to freezing Council tax. A large proportion of the budget proposals had been agreed with some specific area remaining.

### **Councillor J Shuttleworth**

There appears to be a Policy of denial of information to Council Members in relation to a recent high profile senior officer's dismissal from this Council. Would the

Leader of the Council advise all Members today of the policy in place with regards to high profile dismissals which have been reported in the local media, and where Members are asked questions by constituents, and are unable to answer those questions?

The Leader of the Council thanked Councillor Shuttleworth for his question as responded as follows:

Any officer dismissed by the authority would have had their employment terminated within the framework of the Disciplinary Policy & Procedure of the Council. This policy contained a confidentiality clause at Section 1.6 on page 4 which states that "it is essential that all parties concerned have a duty of confidentiality regarding matters dealt with under this procedure".

The Data Protection Act places certain responsibilities upon the Council as an employer relating to the release of personal data. For example, Schedule 1, Part 2 of the Data Protection Act 1998 set out a requirement for the employer not to use data in ways that could have an unjustified adverse effect on the individual concerned.

The Council constitution entrusts appeal hearings to panels drawn from a committee of 21 members of this council. Panels are confidentially provided with disciplinary information in relation to officers who are dismissed and appeal against the decision and it would be incorrect to divulge any confidential information of this nature.