

DURHAM COUNTY COUNCIL

At a Ordinary Meeting of the County Council held in the Council Chamber, County Hall, Durham on **Wednesday 18 September 2013 at 10.00 a.m.**

Present:

Councillor P Charlton in the Chair

Councillors E Adam, B Alderson, J Alvey, B Armstrong, J Armstrong, L Armstrong, B Avery, A Batey, D Bell, E Bell, J Bell, R Bell, H Bennett, J Blakey, A Bonner, D Boyes, P Brookes, J Brown, C Carr, J Chaplow, J Charlton, J Clare, J Clark, P Conway, J Cordon, K Corrigan, P Crathorne, R Crute, K Davidson, M Davinson, K Dearden, M Dixon, N Foster, D Freeman, I Geldard, B Glass, B Graham, J Gray, O Gunn, S Guy, C Hampson, J Hart, K Henig, S Henig, J Hillary, M Hodgson, G Holland, A Hopgood, K Hopper, L Hovvells, E Huntington, S Iveson, I Jewell, O Johnson, C Kay, P Lawton, J Lee, J Lethbridge, R Lumsdon, J Maitland, L Marshall, J Maslin, S Morrison, E Murphy, A Napier, T Nearney, M Nicholls, H Nicholson, P Oliver, T Pemberton, M Plews, L Pounder, G Richardson, J Robinson (Vice-Chairman), J Rowlandson, A Savory, K Shaw, J Shuttleworth, M Simmons, M Simpson, T Smith, B Stephens, D Stoker, P Stradling, L Taylor, P Taylor, R Todd, E Tomlinson, J Turnbull, A Turner, A Watson, M Wilkes, M Williams, A Willis, C Wilson, S Wilson and S Zair

Apologies for absence were received from Councillors A Bell, G Bleasdale, J Buckham, S Forster, D Hall, B Harrison, D Hicks, A Laing, H Liddle, C Marshall, N Martin, P May, P McCourt, J Measor, O Milburn, B Moir, R Ormerod, C Potts, S Robinson, A Shield, W Stelling, A Surtees, O Temple, K Thompson, R Yorke and R Young

1 Death of Councillor Geoff Mowbray

Prior to the commencement of business on the agenda the Chairman reported the death of serving County Councillor, Geoff Mowbray who represented the Crook Electoral Division on the County Council. Geoff had also served on the former Wear Valley District Council for many years and during his time as Chairman of the Regeneration and Housing Committees helped secure millions of pounds of investment in the district's social housing and brought business development to the area. His contribution to Crook and the community would be sorely missed.

The Council recorded their appreciation of Geoff's services to local government and the community and stood for a moments silence as a mark of respect.

2 International Exchange Presentation

The Council received a presentation by two students from Park View School, Chester-le-Street who had travelled to Jordan, with their teacher, to take part in the 33rd International Arab Youth Congress under the patronage of Her Majesty Queen Noor. They were chosen because of close educational links which the Council had

established with schools in Durham and schools in Jordan. The presence of delegates from the UK at this event was almost unheard of and the Council were delighted to have been able to send the only British representatives. The Chairman then introduced the students to address the meeting to share their experiences.

The Chairman commented that this project had only been made possible by the valuable work undertaken by the County Council's small international relations team. An overview of the work carried out by the team in schools across the County had been presented in a brochure and circulated around the Council Chamber. The Chairman encouraged Councillors to meet the International Team and discuss ways in which schools and community groups in their electoral divisions could engage with the County Council's international agenda.

3 Minutes

The minutes of the meeting held on 24 July 2013 were confirmed by the Council as a correct record and signed by the Chairman.

4 Declarations of interest

There were no declarations of interest in relation to any item of business on the agenda.

5 Chairman's Announcements

There were no Chairman's Announcements.

6 Leader's Report

Prior to providing the Council with his update, the Leader of the Council placed on record his congratulations to the International Exchange Team for the fantastic work they carried out, the links they had fostered around the world and the truly outstanding work they carried out with schools across County Durham.

- The Lindisfarne Gospels event would continue for a further two weeks with early indicators being that the event had exceeded all expectations. The County had also hosted the Ashes Test match at Chester-le-Street which had also attracted capacity crowds. There were still many events to look forward to including the Durham Book Festival in October followed by 'Lumiere' in November;
- The government had used the August recess to inform the Council of further spending cuts in 2015/16. Many other Councils found themselves in a similar position, if not worse. The Leader had circulated an e-petition which he urged all Councillors to sign. He would also be writing to Eric Pickles, MP expressing the Council's very serious concerns regarding the impact of the increased savings targets and the effects on County Durham;
- The Council would also be joining with others to lobby that all Councils should be treated equally with discussions taking place with the Association

of North East Councils (ANEC), the Local Government Association (LGA) and the Special Interest Group of Municipal Authorities (SIGOMA) to form a joint response to the Government on the impact of significantly increased savings targets on the public;

- major consultation events would take place through the Area Action Partnerships in mid-October. Further information could be found on the Council's website and other forums;
- changes had been made in relation to the way in which questions were to be taken by the Cabinet. In addition to taking questions from members of the public, Cabinet would also receive questions from the public made through the AAPs. Each AAP would get an opportunity to pose questions to Cabinet throughout the year on a rota basis. The Cabinet would also continue to meet around the County;
- There had been a concerted attack by the Minister for Education on schooling in County Durham which had appeared to be completely at odds with reality. The Leader indicated that achievement at schools and colleges across the County was on the increase year upon year;
- In East Durham, which the Minister had singled out as being too poor for too long, there had been record numbers of students improving each year and A-level students in the County had performed better than the national average and the Leader took the opportunity to thank all teachers and staff for all their extremely hard work.

7 Questions from the Public

Questions had been received from members of the public as follows:

- Creation of a Combined Authority
- Sale of Land at Quarrington Hill Nature Reserve

For the questioner in attendance, a response was provided to the question by the Leader of the Council. The Head of Legal and Democratic Services informed the Council that detailed written responses would be provided to the questioners and published on the Council's website.

8 Petitions

There were no petitions for consideration.

9 Report from the Cabinet

The Leader of the Council provided details of the issues discussed at Cabinet during July 2013, which included the Medium Term Financial Plan, Final Outturn, Housing Revenue Account and the restoration of Wharton Park.

Councillor Stoker referred to the Wharton Park restoration project and spoke of the impressive cross-working between service directorates and cross-party cooperation throughout the entire project and in bringing the project to fruition.

10 Treasury Management Outturn 2012/13

The Council considered the annual treasury report for the year ended 31 March 2013 from the Corporate Director, Resources (for copy see file of Minutes).

The report detailed the needs of the prudential code which was regarded as best operational practice to ensure adequate monitoring of the Council's capital expenditure plans and prudential indicators. The Corporate Director, Resources informed the Council that there was a robust regulatory framework which the County Council had to comply with and that all investment and borrowing complied with the Council's strategy and followed CIPFA and government guidelines.

The Corporate Director also provided an update on the monies deposited in Icelandic Banks prior to them going into administration in 2008. It was likely that the County Council would recoup nearly all of the money invested within the Icelandic banks prior to their collapse, which would provide a better outcome than was initially envisaged.

In relation to a question from Councillor Watson about the level of debt on the revenue and capital budget, the Corporate Director informed the Council that borrowing tended to follow the scale and size of the capital programme and all decisions would be taken in the round of affordability and through Cabinet.

11 Annual Report of the Standards Committee

The Council noted a report from the Chairman of the Standards Committee which provided a summary of the work of the Committee for the 2012/13.

Councillor J Armstrong, Chairman of the Standards Committee informed the Council of the significant changes made to the standards and Code of Conduct regime as a result of the Localism Act which had been introduced in 2011. During the last 12-18 months the Standards Committee had overseen the introduction of a new Code of Conduct for County Councillors. A new procedure had also been introduced to deal with the handling of Code of Conduct complaints.

Councillor Armstrong was pleased to report that the new system had been operating efficiently and effectively, as had the Standards Committee which had also undergone some changes to its overall composition. The Committee were committed to the promotion of the principles and values of good governance.

12 Motions on Notice

In accordance with a Notice of Motion, it was **Moved** by Councillor A Watson and **Seconded** by Councillor B Alderson:

That Durham County Council supports and lobbies Central Government to implement the Robin Hood Tax.

An Amendment was **Moved** by Councillor Napier, **Seconded** by Councillor J Brown:

That Durham County Council supports the principle of the introduction of 'Financial Transaction Taxes' (also known as the 'Robin Hood Tax') and should lobby Central Government directly as well as seeking the support of the Association of North East Councils (ANEC) to also lobby Central Government on behalf of the 12 regional local authorities to implement the tax.

Councillor Watson confirmed that he accepted the amendment proposed by Councillor Napier and subsequently the motion was amended accordingly.

Resolved

That Durham County Council supports the principle of the introduction of 'Financial Transaction Taxes' (also known as the 'Robin Hood Tax') and should lobby Central Government directly as well as seeking the support of the Association of North East Councils (ANEC) to also lobby Central Government on behalf of the 12 regional local authorities to implement the tax.

Councillor Clare stated that recent figures had proved that the under-occupation penalty (the 'bedroom tax') was having severe consequences for many social housing tenants. Hardship was particularly unjust where affected tenants were unable to downsize because there was no suitable accommodation available.

In accordance with a Notice of Motion, it was **Moved** by Councillor J Clare and **Seconded** by Councillor J Armstrong:

The Sustainable Communities Act 2007 allows Councils (provided that interested parties have been consulted) to submit proposals to the Secretary of State for Communities and Local Government where the proposal would increase social inclusion.

Council therefore resolves to consult with interested parties and thereafter prepare a report to Council seeking authority to make a submission to the Secretary of State proposing that, for a period of two years, where suitable alternative accommodation is not available, tenants liable to the under-occupation penalty should be exempted, until suitable alternative accommodation can be found for them, in order to allow registered providers time to implement adjustments and strategies necessary to find/create alternative accommodation.

Following a period of debate, the Head of Legal and Democratic Services advised the Council that the time allowed for consideration of motions which stood at 30 minutes had elapsed.

Councillor Hopgood asked if the Council could agree to extend the session, however, the Head of Legal and Democratic Services advised the session could have been extended if requested and agreed within the 30 minutes allotted to

Motions on Notice. As the 30 minutes had elapsed the time period could not be extended.

The Chairman informed the Council that she had made it clear prior to the consideration of motions on the agenda that the time allowed for consideration would be 30 minutes.

Councillor Wilkes stated that at some point during the allotted time he should have had the opportunity to speak and thus move his amendment which had been circulated in the Chamber prior to the meeting.

The Head of Legal and Democratic Services advised that the Council had not agreed to exceed the 30 minute time allotted for motions and in accordance with the Council's Constitution the Chairman should put the motion to the vote, without further discussion.

Upon a vote being taken the Motion was **carried**.

Resolved

Council therefore resolves to consult with interested parties and thereafter prepare a report to Council seeking authority to make a submission to the Secretary of State proposing that, for a period of two years, where suitable alternative accommodation is not available, tenants liable to the under-occupation penalty should be exempted, until suitable alternative accommodation can be found for them, in order to allow registered providers time to implement adjustments and strategies necessary to find/create alternative accommodation.

13 Questions from Members

There were no questions from Members.