

DURHAM COUNTY COUNCIL

At the Annual Meeting of the County Council held in the Council Chamber, County Hall, Durham on **Wednesday 21 May 2014 at 10.00 am**

Present:

Councillors E Adam, B Alderson, J Allen, J Alvey, B Armstrong, J Armstrong, L Armstrong, B Avery, A Batey, A Bell, E Bell, J Bell, R Bell, H Bennett, J Blakey, G Bleasdale, D Boyes, P Brookes, J Brown, J Chaplow, J Clare, J Clark, P Conway, J Cordon, K Corrigan, P Crathorne, R Crute, K Davidson, M Davinson, K Dearden, M Dixon, S Forster, N Foster, 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 Hovvels, E Huntington, S Iveson, I Jewell, O Johnson, C Kay, A Laing, P Lawton, J Lee, J Lethbridge, H Liddle, C Marshall, L Marshall, P May, P McCourt, J Measor, B Moir, S Morrison, A Napier, M Nicholls, H Nicholson, R Ormerod, A Patterson, T Pemberton, M Plews, C Potts, G Richardson, J Robinson, J Rowlandson, A Savory, K Shaw, J Shuttleworth, M Simpson, W Stelling, B Stephens, A Surtees, L Taylor, P Taylor, O Temple, R Todd, E Tomlinson, J Turnbull, A Watson, M Wilkes, M Williams, A Willis, C Wilson and S Wilson

Apologies for absence were received from Councillors D Bell, A Bonner, J Buckham, C Carr, J Charlton, P Charlton, D Freeman, D Hall, B Harrison, D Hicks, R Lumsdon, J Maitland, N Martin, J Maslin, O Milburn, T Nearney, P Oliver, L Pounder, S Robinson, A Shield, M Simmons, T Smith, D Stoker, P Stradling, K Thompson, A Turner, R Yorke, R Young and S Zair

1 Election of Chairman

In the absence of the Chairman, it was **Moved** by Councillor Williams, **Seconded** by Councillor Laing and

Resolved:

That Councillor L Marshall be appointed as Chairman for the meeting.

Councillor L Marshall in the Chair

2 To elect a Chairman for the ensuing year

Moved by Councillor Laing, **Seconded** by Councillor Nicholls and

Resolved:

That Councillor J Robinson be elected Chairman of the Council for the ensuing year.

Councillor J Robinson subscribed the Statutory Declaration accepting the Office,

Councillor L Marshall vacated the Chair.

Councillor J Robinson in the Chair

3 Presentation to Retiring Chairman

Prior to making his acceptance speech, the Chairman formally reported the deaths of:

- Serving Councillor, Eddie Murphy who represented the Crook Electoral Division on the County Council from 2008. Eddie was also a former Wear Valley District Councillor where he served for 14 years from 1995 to 2009. Eddie was also Chairman of the District Council from November 2005 to May 2008.
- Alderman Gordon Tennant, former County Councillor who represented the Peterlee Electoral Division from 1997 to 2013. Gordon had also been Chairman of the Combined Fire Authority.
- Former Durham City Councillor and Mayor Derek Young who was elected to Durham City Council in 1995. Derek was Mayor of Durham in 1988/89 where he raised £24,000 for the Shopmobility scheme at the Prince Bishops shopping centre.
- Social worker Carl Docking, a Senior Practitioner with Durham County Council's Emergency Duty Team who tragically died in a fatal road accident whilst on duty. Carl had helped countless children, families and vulnerable people across County Durham during his many years with the council and was well known for his calm manner, professionalism and expertise.
- Pat McKone, a dedicated and hard working administrator based in the Council's Legal Services Team. Pat's sudden death came as huge shock to all her work colleagues and she would be sorely missed

The Council stood for a moments silence as a mark of respect.

The Chairman thanked the Council for the honour of being elected Chairman for the ensuing year.

Councillor Robinson paid tribute to the service of Councillor Charlton during her term as Chairman of the County Council and expressed his disappointment that she was unable to attend the meeting due to ill health. The Chairman expressed both the Council's and his personal appreciation for the dignified manner in which Councillor Charlton had carried out the role of Chairman, despite illness. It had been a privilege to serve as Vice-Chairman alongside Councillor Charlton, who had carried out her duties as befitted the Chairman of the County Council. Councillor Robinson also thanked Councillor Charlton's consort, Suzy, for her support during the past year.

The Chairman informed the Council that a Past Chairman's Badge would be presented to Councillor Charlton when she returned home from hospital, as a token of the Council's appreciation of her services during period of office.

Further tributes to Councillor Charlton's service as Chairman of the Council were given by Councillor Henig (Leader of the Labour Group), Councillor Stelling (Leader of the Durham Independent Group), Councillor Hopgood (Leader of the Liberal Democrat Group), Councillor R Bell (Leader of the Conservative Group) and Councillor Shuttleworth (Leader of the Durham County Council Independent Group).

In response, the Chairman read a letter from Councillor Charlton which expressed her appreciation to all those who had supported and assisted her during her term of office. Councillor Charlton expressed her honour to have served as Chairman of the Council and would take away many cherished and fond memories of her time as Chairman. Councillor Charlton paid tribute to her consort Suzy, fellow Members and officers and made special mention of the support provided by her personal assistant and Member Support. During her term of office as Chairman in excess of £18,000 had been raised for Councillor Charlton's nominated charities of Butterwick Hospice and Treetops Children's Ward at University Hospital North Durham.

It was Resolved Unanimously:

That the Council place on record its appreciation of the valuable services rendered by Councillor Charlton during her period of office as a Chairman of the Council.

4 Election of Vice-Chairman

Moved by Councillor Williams, **Seconded** by Councillor Laing and

Resolved:

That Councillor Blakey be elected Vice-Chairman of the County Council for the ensuing year.

Councillor Blakey subscribed the Statutory Declaration accepting the Office.

Councillor Shuttleworth referred to the death of Councillor Murphy and requested that the County Council consider the awarding of a posthumous Honorary Alderman to Councillor Murphy. The Chairman replied that the Leader of the County Council would raise the matter with the Constitution Working Group.

5 Minutes

The minutes of the meeting held on 2 April 2014 were confirmed by the Council as a correct record and signed by the Chairman.

6 Declarations of Interest

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

7 Chairman's Announcements

(a) Chairman's Charity

The Chairman informed the Council that his chosen charities during his term of office would be the Butterwick Hospice and the Great North Air Ambulance.

(b) Photographs

The Chairman informed Members that photographs would be taken during the course of the meeting, and that a photograph of the Council would be taken at the end of the meeting.

(c) Conduct at Meetings

The Chairman requested that, at the conclusion of meetings, all Councillors remain in the Chamber to allow himself, the Vice-Chairman and Officers on the dais to exit the Chamber. Councillors would then be free to leave the Chamber.

(d) St Leonard's School

The Chairman extended a warm welcome to pupils and teachers from St Leonard's School Council who were in attendance to observe the Council proceedings.

(e) Councillor R Todd

The Chairman congratulated Councillor Robin Todd on his 50 years' service to the community as a Councillor.

(f) Awards

The Chairman was pleased to announce the presentation of the following awards to the County Council:

- Durham Park and Ride Scheme – the Scheme had been recognised as best in the country in the British Parking Awards by winning the award for Best Car Park Operation.
- Woodland Trust – the Council had won an award which related to the Council's contribution to a nationwide woodland planting programme to honour the Queens Diamond Jubilee in 2012.

Resolved:

That the Council place on record its appreciation to everyone involved in both projects.

8 Deputy Leader and Cabinet Members

Councillor Henig announced the following Cabinet Members, along with their respective portfolios:

<p>Leader of the Council</p> <p>Cllr Simon Henig</p>	<ul style="list-style-type: none"> ● Overall co-ordination of policy, including MTFP ● Performance framework and monitoring ● County Durham Partnership ● External Partnerships ● Communications ● Legal and Democratic Services+
<p>Deputy Leader and Finance</p> <p>Cllr Alan Napier Cllr Angela Surtees</p>	<ul style="list-style-type: none"> ● Finance ● Legal and Democratic Services+
<p>Corporate Services</p> <p>Cllr Jane Brown Cllr Angela Surtees</p>	<ul style="list-style-type: none"> ● Risk Management ● Human Resources ● ICT
<p>Adult Services</p> <p>Cllr Morris Nicholls Cllr Stephen Guy</p>	<ul style="list-style-type: none"> ● Adult Social Care Services ● Personalisation ● Adult safeguarding ● Carers ● Welfare rights ● Adult Social Care Commissioning
<p>Children and Young People's Services</p> <p>Cllr Ossie Johnson Cllr Olwyn Gunn</p>	<ul style="list-style-type: none"> ● Education 0-19 ● Specialist and Safeguarding Children's Services ● Youth Services, including Youth Offending Services ● Children Centres ● Health and wellbeing board member
<p>Economic Regeneration</p> <p>Cllr Neil Foster Cllr Joy Allen</p>	<ul style="list-style-type: none"> ● Spatial Planning / LDF, including Strategic Transport & LTP ● Development Control ● Economic Development ● Town Centres ● Regeneration ● Assets (land and property) ● Tourism, Arts and Culture
<p>Housing and Rural Issues</p> <p>Cllr Eddie Tomlinson Cllr Mike Dixon</p>	<ul style="list-style-type: none"> ● Housing strategy ● Homelessness ● Links with Housing providers ● Landlord function where applicable ● Rural champion
<p>Leisure, Libraries and lifelong learning</p> <p>Cllr Maria Plews Cllr Rachel Lumsdon</p>	<ul style="list-style-type: none"> ● Leisure services ● Libraries ● Community & Adult Education

<p>Neighbourhoods and local partnerships</p> <p>Cllr Brian Stephens Cllr Rob Yorke</p>	<ul style="list-style-type: none"> ● Area Action Partnerships ● Relationships with Town and Parish Councils ● Community Development ● Community Facilities ● Asset management ● Customer Services ● Neighbourhood Streetscene ● Environment Policy, including sustainability & climate change ● Environment, Health and Consumer Protection ● Local Transport Plan implementation ● Highways ● Waste Management
<p>Safer and Healthier Communities</p> <p>Cllr Lucy Hovvels Cllr Audrey Laing</p>	<ul style="list-style-type: none"> ● Community Safety ● Links with Durham Police ● Travellers liaison service ● Emergency planning ● Health and wellbeing ● Best Bar None

Councillor Henig informed Council that there had been slight changes to the structure of the Cabinet with the Cabinet portfolio holder for Corporate Services having a set of clear responsibilities and being supported by Councillor A Surtees, who would also be Cabinet support to the Deputy Leader and Finance portfolio holder.

The Cabinet portfolio holder for Children and Young People’s Services would be supported by Councillor O Gunn, and Councillor Henig thanked Councillor B Armstrong for her work in this role over the previous year.

9 Annual Review of the Constitution

The Council considered a report of the Head of Legal and Democratic Services which presented proposals for the revision of the Council’s Constitution (for copy see file of Minutes).

The Leader of the Council reported that the proposed revision of the Constitution had been considered by the all-party Constitution Working Group, which would continue to meet and consider future changes to the Constitution.

Resolved:

- (i) That the scheme of delegations as set out in Part 3 of the Constitution be approved.

- (ii) That the proposed revisions to the Constitution, including the delegations to Chief Officers be approved.
- (iii) That the Head of Legal and Democratic Services be authorised, following consultation with the Constitution Working Group, to make future changes to the Constitution to reflect decisions of the Council or a Council body or to comply with legal requirements.

10 Appointment of Council Bodies and Allocation of Seats to Political Groups under Section 15 of the Local Government and Housing Act 1989

The Council considered a report of the Head of Legal and Democratic Services regarding the appointment of Council Bodies and Allocation of Seats to Political Groups under Section 15 of the Local Government and Housing Act 1989 (for copy see file of Minutes).

Moved by Councillor Laing, **Seconded** by Councillor C Marshall and

Resolved:

That the Council:

- (i) Appoint the Committees and Sub-Committees detailed in Appendix 1 of the report in accordance with the Constitution and with the Terms of Reference set out therein;
- (ii) Determines the total allocation of seats to each political group detailed at Appendix 1 and, subject to any necessary adjustments arising from that determination, agrees the allocation of seats on each Committee and Sub-Committee as shown in Appendix 2;
- (iii) Authorise the Head of Legal and Democratic Services, in consultation with the relevant Group Leader, to determine the adjustments to be made to individual Committee and Sub-Committee allocations in accordance with the provisions of Sections 15 and 16 of the Local Government and Housing Act 1989;
- (iv) Authorise the Head of Legal and Democratic Services to allocate seats to political groups in respect of any further sub-committee which might be established from time to time, in accordance with the provisions of Sections 15 and 16 of the 1989 Act and to make any necessary adjustments in respect of Area Action Partnership representation and Area Planning Committee membership.
- (v) Approve the Council's Corporate Parenting Panel with the allocation of seats as set out in the report and that such seats be filled in accordance with the wishes of the relevant Grpolitical group.
- (vi) Appoint the Health and Wellbeing Board in accordance with the Constitution and with the Terms of Reference set out therein, and agrees the allocation of seats as shown in Appendix 3.

11 Appointment of Chairmen and Vice-Chairmen to Committees

Moved by Councillor Laing, **Seconded** by Councillor C Marshall and

Resolved:

That the following Members be appointed as Chairmen and Vice-Chairmen of the Committees shown in accordance with the provisions of the Constitution:

Non-Executive/Regulatory Committees	Chairman	Vice-Chairman
Appeals and Complaints Committee	Councillor J Cordon	Councillor J Bell
Audit Committee	Councillor E Bell	*Councillor J Rowlandson
Chief Officer Appointments Committee	Councillor S Henig	Councillor A Napier
Highways Committee	Councillor G Bleasdale	Councillor C Kay
Human Resources Committee	Councillor M Williams	Councillor S Iveson
Statutory Licensing Committee	Councillor C Carr	Councillor L Marshall Councillor B Glass
General Licensing and Registration Committee	Councillor C Carr	Councillor E Bell
General Licensing and Registration Sub-Committee's	Councillor C Carr Councillor L Marshall Councillor B Glass	
Standards Committee	Councillor J Armstrong	Councillor M Williams
County Planning Committee	Councillor K Davidson	Councillor B Moir
Area Planning Committee (North)	Councillor C Marshall	Councillor B Armstrong
Area Planning Committee (Central and East)	Councillor P Taylor	Councillor A Laing
Area Planning Committee (South and West)	Councillor M Dixon	Councillor H Nicholson
Pension Fund Committee	Councillor A Turner	*Councillor W Stelling
Corporate Parenting Panel	Councillor P Brookes	Councillor J Clark
Overview and Scrutiny Committee's		
Overview and Scrutiny Management Board	Councillor J Armstrong	Councillor P Stradling
Children and Young People's Scrutiny Committee	Councillor J Blakey	Councillor C Potts
Safer and Stronger Communities Scrutiny Committee	Councillor D Boyes	Councillor T Nearney
Environment and Sustainable Communities Scrutiny Committee	Councillor B Graham	Councillor D Hall
Economy and Enterprise Scrutiny Committee	Councillor R Crute	Councillor A Batey

Adults, Wellbeing and Health Scrutiny Committee	Councillor R Todd	Councillor J Chaplow
Corporate Issues Scrutiny Committee	Councillor J Lethbridge	Councillor K Henig

12 Appointments to Joint and Other Bodies 2014/15

The Council considered a report of the Head of Legal and Democratic Services detailing appointments to Joint and Other Bodies for 2014/15.

The Leader of the Council **Moved** the recommendations in the report, together with the following:

- (i) Councillors J Robinson and N Foster as additional Trustees to the Charter Trust referred to at Paragraph 11

Seconded by Councillor Laing and

Resolved:

That the Council:

- (i) agree the allocation of seats on the joint body detailed in Appendix 1.
- (ii) allocate the memberships of the bodies and local authority associations detailed in Appendix 2 for 2014/15.
- (iii) authorise the Head of Legal and Democratic Services, in consultation with the appropriate Group Leader(s), to make appointments to the other outside bodies to which the Council are invited to nominate, in accordance with the following criteria:-
 - (a) Identify those organisations whose purpose is aligned to a specific Cabinet Portfolio, and nominate Members accordingly.
 - (b) Identify local outside bodies from each electoral division and allocate those to local members. If there are more seats on an outside body than local members then the political balance would be applied. For those local bodies which are strategic in nature representation by a specific Cabinet Portfolio would be appropriate.

If a consensus on the allocation of seats to Members within the electoral division could not be reached, should the division be represented by Members from different parties and agreement could not be reached, the party with the largest proportion of seats on the Council would be allocated the seat.

- (c) The remaining outside bodies, which are not local to a particular electoral division, for example, those with a County or Regional remit, appointments be made in accordance with the overall political

proportionality of the Council, except in the case of Housing Associations and bodies providing services in one particular locality, in such circumstances the membership would be from that locality. This does not include appointments to the Shadow County Durham Housing Group Board.

- (iv) agree the allocation of seats on the Police and Crime Panel as detailed in Appendix 3.
- (v) grant a similar delegated authority to allow any changes to be made to memberships of the main outside bodies/ joint bodies approved by Council, which may become necessary during the course of 2014/15, again in consultation with the appropriate Group Leader(s).
- (vi) confirm the appointment for the ensuing year of Councillor E Bell to serve on the Joint Audit Committee to assist the Police and Crime Commissioner and Chief Constable, noting the nomination is be subject to approval of the Police and Crime Commissioner.
- (vii) nominate Councillors J Robinson and N Foster as additional Trustees to the Charter Trust.

Moved by Councillor C Marshall, **Seconded** by Councillor Laing and

Resolved:

That the Council

- (i) nominate Councillors D Boyes, M Plews and E Tomlinson to the Shadow County Durham Housing Group Board.
- (ii) agree the appointments to the following positions on the North East Combined Authority:-

North East Leadership Board – Councillor S Henig;

North East Leadership Board substitute Member – Councillor A Napier;

Transport for North East Committee – Councillor N Foster (Portfolio with responsibility for transport);
Councillor J Allen

Overview and Scrutiny Committee – Councillor J Armstrong
Councillor P Stradling

Governance Committee – Councillor E Bell

13 Approval of Non-Attendance at Meetings

The Chairman informed Council that this agenda item had been withdrawn.

14 Licensing (Policy) Fee Setting for Sex Establishments and Sexual Entertainment Venues

The Council considered a report of the Corporate Director Neighbourhood Services which proposed new fees in relation to the licensing of sex establishments and sexual entertainment venues (for copy see file of Minutes).

Moved by Councillor Stephens, **Seconded** by Councillor Hovvels and

Resolved:

That the recommendation contained in the report be approved.

15 Dates of Council Meetings

Resolved:

That the dates of meetings of the County Council for 2014/15 be as follows:

Wednesday 18 June 2014

Wednesday 23 July 2014

Wednesday 17 September 2014

Wednesday 29 October 2014

Wednesday 3 December 2014

Wednesday 21 January 2015

Wednesday 25 February 2015 (Budget and Council Tax)

Wednesday 1 April 2015

Wednesday 20 May 2015 (Annual)