

## DURHAM COUNTY COUNCIL

At the Annual Meeting of the County Council held in the Council Chamber, County Hall, Durham on **Wednesday 25 May 2016 at 10.00 a.m.**

### Present:

#### **Councillor J Blakey in the Chair**

Councillors E Adam, J Allen, B Armstrong, J Armstrong, L Armstrong, A Batey, D Bell, E Bell (Vice-Chairman), J Bell, R Bell, H Bennett, G Bleasdale, A Bonner, D Boyes, P Brookes, J Brown, J Carr, J Chaplow, J Charlton, J Clare, J Clark, P Conway, K Corrigan, R Crute, M Davinson, M Dixon, S Forster, N Foster, D Freeman, I Geldard, B Graham, J Gray, O Gunn, C Hampson, T Henderson, K Henig, S Henig, J Hillary, G Holland, A Hopgood, K Hopper, L Hovvels, E Huntington, S Iveson, I Jewell, O Johnson, C Kay, B Kellett, A Laing, P Lawton, J Lee, J Lethbridge, H Liddle, J Lindsay, A Liversidge, R Lumsdon, J Maitland, C Marshall, L Marshall, N Martin, P May, B Moir, S Morrison, A Napier, M Nicholls, H Nicholson, A Patterson, T Pemberton, M Plews, C Potts, L Pounder, G Richardson, J Rowlandson, K Shaw, M Simmons, H Smith, B Stephens, D Stoker, P Stradling, A Surtees, L Taylor, O Temple, F Tinsley, E Tomlinson, J Turnbull, A Turner, A Watson, M Williams, A Willis, C Wilson, S Wilson and R Young

Apologies for absence were received from Councillors J Alvey, A Bell, C Carr, J Cordon, P Crathorne, K Davidson, B Glass, D Hall, J Hart, D Hicks, M Hodgson, J Maslin, J Measor, T Nearney, R Ormerod, J Robinson, A Savory, A Shield, J Shuttleworth, W Stelling, P Taylor, M Wilkes and S Zair

### **1 Election of Chairman**

**Moved** by Councillor K Shaw, **Seconded** by Councillor S Morrison and

#### **Resolved:**

That Councillor E Bell be elected to the Office of Chairman of the Council for the ensuing year.

Councillor E Bell subscribed the Statutory Declaration accepting the Office.

Councillor J Blakey vacated the Chair.

#### **Councillor E Bell in the Chair**

In accepting the Office of Chairman of the Council, the Chairman informed Council that while it would be an honour and a privilege to carry out such a role, he was also remembering Councillor Robin Todd who had been elected as Vice-Chairman at the last Annual Meeting.

The Chairman informed Council that he would be supporting two charities during his Term of Office, these being Dementia Durham and the North East District Resource Centre. With reference to Dementia Durham, the Chairman informed Council that Councillor P Brookes would be undertaking 24 hour sponsored cycle ride from County Durham to the Welsh border and return in 3 weeks' time. Members could donate to the fundraising through Councillor Brookes Just Giving web page or through sponsorship sheets which would be available in Member Support.

## **2 Presentation to Retiring Chairman**

The Chairman paid tribute to the services of Councillor Blakey during her term of office and presented a Past Chairman's Badge to Councillor Blakey incorporating the Council's Coat of Arms, as a token of the Council's appreciation of her services during her period of office. The Chairman also paid tribute to Councillor Blakey's husband and consort, Alan, who had continued in his role despite a health issue and wished him well in his continued recovery.

Further tributes to Councillor Blakey's ambassadorial service, the diligent, exceptional, professional and dignified way she had conducted herself during her term of office both locally, regionally, nationally and internationally were given by Councillor Henig (Leader of the Labour Group), Councillor Hopgood (Leader of the Liberal Democrat Group), Councillor R Bell (Leader of the Conservative Group) and Councillor P May (on behalf of the Durham Independent Group).

In response, Councillor Blakey thanked both the incoming Chairman and all Councillors for the presentation and expressed her appreciation to all who had supported and assisted her during the year. Councillor Blakey thanked Councillor Bell for his support as Vice-Chairman throughout the year and expressed her sadness at the death of Councillor Robin Todd soon after his election as Vice-Chairman last year. Councillor Blakey offered her congratulations to Councillor Bell and his consort and wished him well for his year in office. Finally, Councillor Blakey thanked her husband and consort, Alan, for his unwavering support throughout the year.

The Chairman then presented Mr Blakey with a gift in appreciation of his efforts in supporting Councillor Blakey during her term of office.

## **3 Election of Vice-Chairman**

**Moved** by Councillor J Gray, **Seconded** by Councillor J Clare and

**Resolved:**

That Councillor M Dixon be elected Vice-Chairman of the Council for the ensuing year.

Councillor Dixon subscribed the Statutory Declaration accepting the Office.

#### **4 Minutes**

The minutes of the meeting held on 13 April 2016 were confirmed by the Council as a correct record and signed by the Chairman.

#### **5 Declarations of Interest**

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

#### **6 Chairman's Announcements**

##### **Photographs during proceedings**

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

##### **Retirement of Corporate Director, Resources**

The Chairman informed Council that Don McLure, the Council's Corporate Director, Resources was to retire from the Council on 31 May 2016. Don joined the Council in 2010 after an eight-year career with Derby City Council, and prior to that worked for Gateshead Council. Since coming to Durham he had headed the financial, legal and democratic, human resources and ICT teams through one of the most difficult times in local government history. He had managed the finances for the largest council in the region during a period in which it had to make £153m in budget cuts and had played a significant role in helping manage the council during this difficult time.

The Corporate Director, Resources thanked the Chairman for his words and informed Council that he was honoured to be ending his 41 year career in local government at Durham County Council. He thanked his colleagues on the Corporate Management Team and wished the Chief Executive well in building his new Management Team and thanked Resources Management Team and all staff for their support. He thanked all Members for their support and added that it had been a privilege to serve the Cabinet and in particular Councillor Napier, Portfolio Holder for Finance.

Councillor Henig, Leader of the Council, thanked the Corporate Director for his work for the Council, which he had carried out with the utmost integrity and professionalism during a period of huge financial challenge. The robustness of the Council's financial position owed a lot to the work of the Corporate Director.

Councillors Hopgood, May and R Bell all thanked the Corporate Director for his service to the Council during a challenging financial situation and praised his even-handed approach to all Members.

Councillor Napier, Portfolio Holder for Finance informed Council that every plaudit and accolade for the Corporate Director was fully deserved.

## 7 Leaders announcement of Deputy Leader and Cabinet Members

The Leader of the Council reported that no changes were proposed to Cabinet Members, portfolios and Executive Support for 2016/17.

<p><b>Leader of the Council</b></p> <p><b>Cllr Simon Henig</b></p> <p>Cllr Patrick Conway (cross-cutting responsibilities)</p>	<ul style="list-style-type: none"> <li>● Overall co-ordination of policy, including MTFP</li> <li>● Performance framework and monitoring</li> <li>● County Durham Partnership</li> <li>● External Partnerships</li> <li>● Communications</li> <li>● Legal and Democratic Services+</li> </ul>
<p><b>Deputy Leader and Finance</b></p> <p><b>Cllr Alan Napier</b> Cllr Ian Geldard</p> <p><b>Corporate Services</b></p> <p><b>Cllr Jane Brown</b> Cllr Angela Surtees</p>	<ul style="list-style-type: none"> <li>● Finance</li> <li>● Legal and Democratic Services+</li> <li>● Risk Management</li> <li>● Human Resources</li> <li>● ICT</li> <li>● Welfare rights</li> </ul>
<p><b>Children and Young People's Services</b></p> <p><b>Cllr Ossie Johnson</b> Cllr Tracie Smith</p>	<ul style="list-style-type: none"> <li>● Education 0-19</li> <li>● Specialist and Safeguarding Children's Services</li> <li>● Youth Services, including Youth Offending Services</li> <li>● Children Centres</li> <li>● Health and wellbeing board member</li> </ul>
<p><b>Economic Regeneration</b></p> <p><b>Cllr Neil Foster</b> Cllr Trish Pemberton</p>	<ul style="list-style-type: none"> <li>● Spatial Planning / LDF, including Strategic Transport &amp; LTP</li> <li>● Development Control</li> <li>● Economic Development</li> <li>● Town Centres</li> <li>● Regeneration</li> <li>● Tourism, Arts and Culture</li> </ul>
<p><b>Assets, Strategic Housing and Rural Issues</b></p> <p><b>Cllr Eddie Tomlinson</b> Cllr Mike Dixon</p>	<ul style="list-style-type: none"> <li>● Housing strategy</li> <li>● Homelessness</li> <li>● Private sector housing issues</li> <li>● Fuel poverty / Energy efficiency</li> <li>● Links with Housing providers</li> <li>● Assets (land and property)</li> <li>● Rural champion</li> </ul>

<p><b>Leisure, Libraries and lifelong learning</b></p> <p><b>Cllr Maria Plews</b> Cllr Rachel Lumsdon</p>	<ul style="list-style-type: none"> <li>● Leisure services</li> <li>● Parks</li> <li>● Allotments</li> <li>● Bereavement services</li> <li>● Libraries</li> <li>● Community &amp; Adult Education</li> </ul>
<p><b>Neighbourhoods and local partnerships</b></p> <p><b>Cllr Brian Stephens</b> Cllr Rob Yorke</p>	<ul style="list-style-type: none"> <li>● Area Action Partnerships</li> <li>● Relationships with Town and Parish Councils</li> <li>● Community Development</li> <li>● Community Facilities</li> <li>● Customer Services</li> <li>● Neighbourhood Streetscene</li> <li>● Environment Policy, including sustainability &amp; climate change</li> <li>● Environment, Health and Consumer Protection</li> <li>● Local Transport Plan implementation</li> <li>● Highways</li> <li>● Waste Management</li> <li>● Direct Services</li> </ul>
<p><b>Adult and Health Services</b></p> <p><b>Cllr Lucy Hovvels</b> Cllr Audrey Laing</p>	<ul style="list-style-type: none"> <li>● Adult Social Care Services</li> <li>● Personalisation</li> <li>● Adult Safeguarding</li> <li>● Carers</li> <li>● Adult Social Care Commissioning</li> <li>● Health and Wellbeing</li> </ul>
<p><b>Safer Communities</b></p> <p><b>Cllr Joy Allen</b> Cllr Anne Bonner</p>	<ul style="list-style-type: none"> <li>● Community Safety</li> <li>● Links with Durham Police</li> <li>● Travellers liaison service</li> <li>● Emergency planning</li> <li>● Health and wellbeing board member</li> </ul>

+ Shared responsibility

## **8 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 the allocation of seats to political groups under Section 15 to the Local Government and Housing Act 1989 (for copy see file of Minutes).

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

**Resolved:**

That the recommendations in the report be agreed.

**9 Appointment of Chairmen and Vice-Chairmen of Committees and Sub-Committees**

**Moved** by Councillor Laing, **Seconded** by Councillor Marshall that the circulated list of Chairmen and Vice-Chairmen of Committees and Sub-Committees be approved.

Councillor Hopgood informed Council that the recent Ofsted report on Children and Young People’s Services in Durham had stated that arrangements for scrutiny by political and senior leaders were not sufficiently robust and **moved** that Councillor M Simmons be appointed as Vice-Chairman of Children and Young People’s Overview and Scrutiny Committee. **Seconded** by Councillor N Martin.

Councillor J Armstrong, Chairman of the Overview and Scrutiny Management Board informed the Council he could not support the appointment of Councillor Simmons as Vice-Chairman of the Children and Young People’s Overview and Scrutiny Committee.

Councillor C Marshall informed Council that Cabinet had taken action to address issues raised in the Ofsted report and moved that the Amendment be put to the vote.

Upon a vote being taken the Amendment was **Lost**.

**Resolved:**

That the following list of Chairmen and Vice-Chairmen of Committees and Sub-Committees be approved.

<b>Non-Executive/Regulatory Committees</b>	<b>Chairman</b>	<b>Vice-Chairman</b>
Appeals and Complaints Committee	Councillor J Cordon	Councillor J Bell
<b>Audit Committee</b>	<b>Councillor E Bell</b>	<b>*Councillor J Rowlandson</b>
Chief Officer Appointments Committee	Councillor S Henig	Councillor A Napier
Highways Committee	Councillor G Bleasdale	Councillor C Kay
Human Resources Committee	Councillor J Hillary	Councillor S Iveson
General Licensing and Registration Committee	Councillor C Carr	Councillor J Maitland
Statutory Licensing Committee	Councillor C Carr	Councillor L Marshall Councillor B Glass
General Licensing and Registration Sub-Committee’s	Councillor L Marshall (1) Councillor C Carr (2) Councillor B Glass (3)	

Statutory Licensing Sub-Committee	Councillor L Marshall (1) Councillor C Carr (2) Councillor B Glass (3)	
Standards Committee	Councillor K Shaw	Councillor B Kellett
County Planning Committee	Councillor K Davidson	Councillor B Moir
Area Planning Committee (North)	Councillor C Marshall	Councillor I Jewell
Area Planning Committee (Central and East)	Councillor P Taylor	Councillor A Laing
Area Planning Committee (South and West)	Councillor H Nicholson	Councillor M Dixon
Pension Fund Committee	Councillor A Turner	*Councillor W Stelling
Corporate Parenting Panel	Councillor P Brookes	Councillor J Clark
<b>Overview and Scrutiny Committees</b>		
Overview and Scrutiny Management Board	Councillor J Armstrong	Councillor P Stradling
Children and Young People's Scrutiny Committee	Councillor C Potts	Councillor M Nicholls
Safer and Stronger Communities Scrutiny Committee	Councillor D Boyes	Councillor T Nearney
Environment and Sustainable Communities Scrutiny Committee	Councillor B Graham	Councillor E Adam
Economy and Enterprise Scrutiny Committee	Councillor R Crute	Councillor A Batey
Adults, Wellbeing and Health Scrutiny Committee	Councillor J Robinson	Councillor J Blakey
Corporate Issues Scrutiny Committee	Councillor J Lethbridge	Councillor K Henig

**\*Minority Group**

## 10 Appointments to Joint Bodies and Other Bodies 2016/2017

The Council considered a report of the Head of Legal and Democratic Services detailing appointments to joint and other bodies for 2016/17 (for copy see file of Minutes).

**Moved** by Councillor Henig, **Seconded** by Councillor Napier

### **Resolved:**

- (a) That the Council agrees the allocation of seats on the joint body detailed in Appendix 1.
- (b) That the Council agrees the allocation of the memberships of the bodies detailed in Appendix 2.
- (c) That the Head of Legal and Democratic Services, in consultation with the appropriate Group Leader(s), be authorised to make appointments to the other outside bodies to which the Council are invited to nominate, in accordance with the following criteria:-

- (i) identify those organisations whose purpose is aligned to a specific Cabinet Portfolio, and nominate Members accordingly.
- (ii) 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.

- (iii) the remaining 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 County Durham Housing Group Board.
- (d) That a similar delegated authority be granted 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 2016/17, again in consultation with the appropriate Group Leader(s).
- (e) That the allocation of seats on the Chartered Trust be agreed as detailed in Appendix 3.
- (f) That Councillor N Foster be appointed as the Cabinet Member to serve on the Charter Trustees.
- (g) That the allocation of seats on the Police and Crime Panel be agreed as detailed in Appendix 4.
- (h) That Councillor E Bell be appointed to serve on the Joint Audit Committee to assist the Police and Crime Commissioner and Chief Constable, noting the nomination would be subject to approval of the Police and Crime Commissioner.

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

**Resolved:**

Appointments be made to the positions on the North East Combined Authority as follows:



- (a) The Council Representative of the North East Leadership Board (NELB) – Councillor S Henig
- (b) Substitute member to the NELB – Councillor A Napier
- (c) Two members to the Transport North East Committee (TNEC) – Councillors N Foster and E Tomlinson
- (d) Substitute member to the TNEC – Councillor J Allen
- (e) One member to the Governance Committee – Councillor E Bell
- (f) Substitute member to the Governance Committee – Councillor K Shaw
- (g) Two members to be representatives on the Overview and Scrutiny Committee – Councillors J Armstrong and R Crute
- (h) One member to the Economic Development and Regeneration Advisory Board – Councillor N Foster
- (i) Substitute member to the Economic Development and Regeneration Advisory Board – Councillor E Tomlinson

It was further **Moved** by Councillor C Marshall, **Seconded** by Councillor A Laing

**Resolved:**

1. That Councillors D Boyes and E Tomlinson be the two members nominated to serve on the County Durham Housing Group Board.
2. That the Head of Legal and Democratic Services, in consultation with the appropriate Group Leader(s) be authorised to make appointments to the County Durham Housing Group Board during the course of 2016/17, if necessary once the outcome of the governance review of the Board is clear.

## 11 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).

**Moved** by Councillor Henig, **Seconded** by Councillor Napier

**Resolved:**

That the Council:

- (a) Approves the scheme of delegations as set out in Part 3 of the Constitution
- (b) Agrees the proposed revisions to the Constitution, including the delegations to Chief Officers as set out above
- (c) Authorises the Head of Legal and Democratic Services, 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

- (d) Authorises the Head of Legal and Democratic Services to make amendments to the officer scheme of delegation to reflect the new structure of the Corporate Management Team when implemented

## **12 Dates of Council Meetings 2016/17**

### **Resolved:**

That the dates of meetings of the County Council for 2016/17 be as follows:

Wednesday 22 June 2016

Wednesday 20 July 2016

Wednesday 21 September 2016

Wednesday 26 October 2016

Wednesday 7 December 2016

Wednesday 25 January 2017

Wednesday 22 February (Budget and Council Tax setting) 2017

Wednesday 22 March 2017

Wednesday 24 May 2017