

**COUNCIL**  
26th January 2012

**PRESENT** – The Mayor; Councillors Baldwin, Carson, Copeland, Cossins, Coultas, Crudass, Curry, Dixon, Donoghue, Galletley, Grundy, Harker, Harman, Haszeldine, L. Haszeldine, C. L. B. Hughes, L. Hughes, Hutchinson, Johnson, B. Jones, Kelley, Knowles, Landers, Lawton, Lee, Lewis, Lister, Long, D. A. Lyonette, J. M. Lyonette, Macnab, Maddison, McEwan, Newall, Nutt, Regan, E. A. Richmond, S. Richmond, A. J. Scott, Mrs. H. Scott, Stenson, C. Taylor, J. Taylor, Thistlethwaite, J. Vasey, Wallis, Wright and York. (49)

**APOLOGIES** – Councillors Francis and Mrs. D. Jones. (2)

**ABSENT** – Councillor Burton. (1)

**40. MINUTES** – Submitted – The Minutes (previously circulated) of the Ordinary and Special meetings of this Council held on 24th November 2011.

**RESOLVED** – That the Minutes be approved as correct records.

**41. DECLARATIONS OF INTEREST** – There were no declarations of interest reported at the meeting.

**42. ORDER OF SEALING DOCUMENTS** – Presented – The Register showing the documents which had been sealed since the last meeting of Council.

**43. ANNOUNCEMENT – (1) New Year Honours** - The Mayor reported that Chief Constable Jon Stoddart from Durham Constabulary had been admitted as an Officer of the British Empire for services to the Police.

It was also reported that Philip John Thickett, the former Area Operations Manager East at Northern Rail, and resident of Darlington, had been admitted as a Member of the British Empire for services to the Rail industry.

**RESOLVED** - That the congratulations of the Council be conveyed to those who received awards.

**(2) National Overview and Scrutiny Forum** – The Mayor announced that Councillor I Haszeldine had been appointed as the Chairman of the National Overview and Scrutiny Forum.

**RESOLVED** – That the congratulations of the Council be extended to Councillor Haszeldine.

**44. QUESTIONS – TO ANSWER QUESTIONS (WHERE NOTICE HAS BEEN GIVEN) FROM – (1) The Public** – There were no questions from members of the public.

**(2) Members to Cabinet/Chairs** – There were no questions from Members, where notice had been given, for the Mayor, Members of the Cabinet, or the Chairs of the Scrutiny Committees.

**(3) Members to the Nominated Member of the Police Authority in accordance with Section 20 of the Police Act 1996** – There were no questions from Members, where notice had been given, to the nominated Member of the Police Authority, in accordance with Section 20 of the Police Act 1996.

**45. COUNCIL REPORTS – (1) Council Tax Calculation of Tax Base 2012/13** - The Director of Resources submitted a report (previously circulated) requesting that consideration be given to determining the Council’s Tax Base for 2012/13, in accordance with Section 33 of the Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) Regulations 1992.

**RESOLVED** – (a) That the calculation of the Council’s tax base for the year 2012/13 be approved.

(b) That, in accordance with the Local Authorities (Calculation of Council Tax Base) Regulations 1992, the amount calculated by Darlington Borough Council as its council tax base for the year 2012/13 shall be 34,845.54 and that the individual tax bases for the following parishes for 2012/13 shall be: -

<b>Parish</b>	<b>Tax Base</b>
Archdeacon Newton	373.67
Bishopton	173.33
Heighington	920.37
High Coniscliffe	107.46
Hurworth	1,314.76
Low Coniscliffe and Merrybent	288.56
Low Dinsdale	297.52
Middleton St. George	1,427.63
Neasham	161.43
Piercebridge	64.11
Sadberge	306.78
Walworth	46.43
Whessoe	566.94

**REASON** – To comply with statutory requirements enabling the Council Tax for 2012/13 to be set by Council in March 2012.

**(2) Alcohol Related Disorder in Darlington Town Centre** – The Director of People submitted a report (previously circulated) requesting approval for the introduction of a Designated Public Place Order (DPPO) within Darlington Town Centre.

The submitted report stated that the requirement for a DPPO to control anti-social drinking in Darlington Town Centre had been jointly recognised by the Police and the Council’s Anti-Social Behaviour Team, following an increase in the number of incidents and concerns raised by the public and local businesses about the adverse impact on the town. The submitted report highlighted that the DPPO had been sponsored by the Anti-Social Behaviour Strategic Theme Group and supported by the Community Safety Partnership.

The submitted report provided data relating to reported incidents, and highlighted that the Police had limited powers to deal with adults who were causing a nuisance or perceived to be acting in

an anti-social manner by consuming alcohol in public places. It was proposed that the introduction of a DPPO covering Darlington town centre would enable the Police to deal with alcohol related anti-social behaviour more effectively. Members were advised that a DPPO was a discretionary power that required a person to stop drinking, and permitted the confiscation of alcohol or alcohol containers in public places, with the failure to comply resulting in arrest and/or a fine.

**RESOLVED** – That the introduction of a Designated Public Place Order for the area identified in the submitted report as Darlington Town Centre be approved.

**REASONS** – (a) There are high levels of anti-social behaviour and nuisance being caused as a result of adults drinking alcohol in public places within Darlington Town Centre.

(b) As Police currently have limited powers in relation to tackling this issue.

(c) The Town Centre business community support the need for a DPPO to stop the number of adults drinking alcohol in public places and detracting from the ambiance of the Town Centre.

(d) Low public perceptions about the effectiveness of the Police and Local Authority to tackle anti-social behaviour. According to the Public Confidence Survey that was carried out by the Police in Darlington from June 2010 to March 2011 the percentage of respondents who agreed that the Police and Local Authority were dealing with the anti-social behaviour and crime issues that matter in their area was 55.8 per cent.

**(3) Review of Conditions and Policies Relating to Hackney Carriages, Private Hire Vehicles and their Drivers and Operators** – The Director of Place submitted a report (previously circulated) requesting that consideration be given to modifications to the Council's current policies and conditions in respect of hackney carriage and private hire vehicles, drivers and operators in the Borough of Darlington and in particular some revisions to the Council's Policy in respect of accessibility for disabled travellers.

The submitted report provided Members with information in relation to current and proposed policies and conditions in respect of hackney carriage and private hire vehicles, drivers and operators. The submitted report also addressed the issue of accessibility of vehicles in respect of disabled travellers following consultation with disabled persons and groups representing such persons.

**RESOLVED** – (a) That the revised policy and conditions, as detailed in Appendices 1 and 3 of the submitted report, be approved.

(b) That all remaining policies and conditions be retained.

**REASON** – To provide a safe, accessible and comfortable taxi service for travellers in the Borough of Darlington.

**46. CABINET REPORTS – (1) Overview Reports of Cabinet Members** – The Leader and Cabinet Members each gave a report (previously circulated) on the main areas of work undertaken under their relevant portfolio during the previous cycle of meetings.

Cabinet Members answered questions on their portfolios.

**(2) Mid Year Prudential Indicators and Treasury Management Monitoring Report** – The Director of Resources submitted a report (previously circulated) on the revised Prudential Indicators, and to provide a half-yearly review of this Council’s Treasury Management borrowing and investment activities.

The submitted report stated that the Prudential Indicators were examined by the Audit Committee on 16<sup>th</sup> December 2011, and it was agreed at that meeting that the updated Prudential Indicators be referred to Council, via Cabinet, for approval. It was also reported that the Audit Committee was satisfied with the Council’s borrowing and investment activities and the reported Prudential Indicators.

The submitted report stated that the Prudential Indicators were set in three statutory annual reports to Council, and that the submitted report followed the Council’s approval in March 2011 of the 2011/12 Prudential Indicators and Treasury Management Strategy. The submitted report stated that the key objectives of the three annual reports were to ensure that governance of the large amounts of public money under the Council’s Treasury Management activities complied with legislation and met the high standards set out in the codes of practice, to ensure that borrowing was affordable, and to report performance of the key activities of borrowing and investments.

The submitted report also outlined revisions to the Prudential Indicators which related to higher capital expenditure in 2011/12 due to increased capital expenditure slippage from 2012/11, and increased borrowing for the Housing Revenue Account (HRA) purposes of £33.800m due to HRA self-financing reforms. It was reported that this had increased both the Operation Boundary and the Authorised Limit on borrowing.

**RESOLVED** – (a) That the Treasury Management half yearly review is noted.

(b) That the updated prudential indicators, as detailed within Tables 2 to 17 of the submitted report, be approved.

**REASONS** – (a) To comply with the Prudential Code for Capital Finance in Local Authorities.

(b) To inform Members of the performance of the Treasury Management function.

(c) To inform Members of the borrowing implications of the Housing Revenue Account self-financing reforms.

(d) To comply with the requirements of the Local Government Act 2003.

(d) To enable further improvements to be made in the Council’s Treasury Management Function.

**(3) Draft Darlington’s Children and Young People Plan 2011-2014** – The Director of People submitted a report (previously circulated) requesting approval for the Children and Young People’s Plan 2011-2014.

The submitted report stated that the Children and Young People’s Plan (CYPP) was the single, overarching plan for all services, which directly affected children and young people in Darlington. The submitted report highlighted that the CYPP demonstrated how the Council and all relevant partners would integrate provision to improve well-being across all five Every Child Matters (ECM) outcomes, and focused on specific challenges and priorities. It was reported that,

whilst that statutory regulations for producing a CYPP had been revoked, Darlington Children's Trust Board had agreed at their September 2010 board meeting to proceed with a new CYPP for the period 2011-2014.

**RESOLVED** – That the draft Children and Young People's Plan 2011-2014 be approved.

**REASON** – The Children and Young People's Plan 2011-2014 is part of the Council's policy framework.

**(4) Cabinet Urgent Decisions** – The Corporate Management Team submitted a report (previously circulated) detailing two decisions taken by Cabinet as a matter of urgency and to which the procedure for call-in could not be applied.

The submitted report outlined the procedures to be followed if decisions were taken under the Urgency Rule and the Special Urgency Rule.

**RESOLVED** – That the urgent decisions taken by Cabinet be noted.

**REASON** – To comply with the Council's Constitution.

**47. SCRUTINY REPORTS – OVERVIEW REPORTS** – The five Scrutiny Committee Chairs each gave a report (previously circulated) on the main areas of work undertaken by their relevant Scrutiny Committee during the last cycle of Committee meetings.

**48. MEMBERSHIP CHANGES** – There were no membership changes reported at the meeting.