

**COUNCIL**  
28th January, 2010

**PRESENT** – The Mayor; Councillors Armstrong, Baldwin, Barker, Burton, G. Cartwright, Copeland, Coultas, Curry, Dixon, Dunstone, Francis, Freitag, Galletley, Harker, Hartley, Haszeldine, L. Haszeldine, Hughes, Jenkinson, Johnson, B. Jones, Mrs. D. Jones, Lawton, Lee, Lewis, Lister, Long, D. A. Lyonette, J. M. Lyonette, Maddison, McEwan, Newall, Nicholson, Nutt, Regan, Richmond, Roberts, Robson, A. J. Scott, Mrs. H. Scott, Stenson, Swift, Thistlethwaite, Vasey, Walker, Wallis and Williams. (48)

**APOLOGIES** – Councillors M. Cartwright, Chapman, Davies, Swainston, and York. (5)

**41. MINUTES** – Submitted – The Minutes (previously circulated) of the meetings of this Council held on 26th November 2009 and 5<sup>th</sup> January 2010.

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

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

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

**44. ANNOUNCEMENTS – (1) New Year's Honours List** – The Mayor reported that Alexander Beveridge Anderson DL, Chairman of Governors at Teesside University, and resident of Darlington, had been admitted as an Officer of the British Empire for services to the community in the North East.

It was also reported that Karen Duncan, a Senior Executive Officer for Student Finance Policy, who had worked for the Department for Business, Innovation and Skills at Mowden Hall in Darlington for twenty-two years, and Dr. John Richard England, Director of England and Lyle Chartered Town Planners, which was based in Darlington, had both been admitted as a Members of the British Empire.

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

**(2) Wootton Bassett** – The Mayor informed Members of recent correspondence exchanged between the Mayor of Wootton Bassett and himself, and reported that he had conveyed the support of the Council to the residents of Wootton Bassett, in relation to the repatriation ceremonies which had taken place within the town.

**45. 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** – Councillor Barker asked a question to Councillor D. A. Lyonette, Cabinet Member with Portfolio for Transport, and Councillor D. A. Lyonette replied.

**(3) Members to the Nominated Member of the Police Authority in accordance with Section 20 of the Police Act 1996** – There were no questions to the nominated member of the Police Authority in accordance with Section 20 of the Police Act 1996.

**46. COUNCIL REPORTS – (1) Protocol of Member/Officer Relations** – The Director of Corporate Services submitted a report (previously circulated) to obtain approval for changes to the Protocol of Member/Officer Relations to deal with complaints between Officers and Members.

The submitted report stated that the Protocol of Member/Officer Relations did not outline how a complaint from a Member or Officer in relation to a breach of the Protocol, or any other breach of the requirements set out in the Rules and Protocols, should be resolved, and a revised Protocol of Member/Officer Relations, was appended to the submitted report for consideration.

The submitted report highlighted that the proposed amendment had been discussed with group leaders, considered by the Standards Committee at its meeting in November 2009, and recommended for approval to Council.

**RESOLVED** – That the revised Protocol of Member/Officer Relations be approved.

**REASON** – To provide greater clarity and more flexibility in the way that complaints made by Officers or Members are dealt with.

**(2) Council Tax Calculation of Tax Base 2010/11** – The Director of Corporate Services submitted a report (previously circulated) requesting that consideration be given to determining the Council's Tax Base for 2010/11, 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 report of the Director of Corporate Services for the calculation of the Council's tax base for the year 2010/11, 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 2010/11 shall be 34,535.50 and that the individual tax bases for the following parishes for 2010/11 shall be: -

<b>Parish</b>	<b>Tax Base</b>
Archdeacon Newton	347.46
Bishopton	165.34
Heighington	925.52
High Coniscliffe	111.40
Hurworth	1,227.52
Low Coniscliffe and Merrybent	289.92
Low Dinsdale	291.30
Middleton St. George	1,411.98
Neasham	160.18
Piercebridge	62.45
Sadberge	298.71
Walworth	39.00
Whessoe	569.64

**REASON** – To comply with statutory requirements and to enable the Council Tax for 2010-11 to be set by Council in February 2010.

**47. 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) Prudential Indicators Update and Treasury Management Half-Year Review 2009/10** – The Director of Corporate Services 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 18<sup>th</sup> December 2009, 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 February 2009 of the 2009/10 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 2009/10, which was principally slippage from 2008/09, and increased capital financing and borrowing requirements, as a result of the previously reported shortfall in planned capital receipts.

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

(b) That the updated Prudential Indicators within Tables 1 to 11 contained within the submitted report, be approved.

**REASONS** – (a) In order 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 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) Cabinet Urgent Decisions** – The Corporate Management Team submitted a report (previously circulated) detailing five 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 procedure to be followed if decisions were taken under the Urgency Rule.

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

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

**48. 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.

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