

**COUNCIL**  
29th September 2011

**PRESENT** – The Mayor; Councillors Baldwin, Burton, Carson, Copeland, Cossins, Coultas, Crudass, Curry, Dixon, Donoghue, Francis, Galletley, Grundy, Harker, Harman, Haszeldine, L. Haszeldine, C. L. B. Hughes, L. Hughes, Johnson, B. Jones, Mrs. D. Jones, Kelley, Knowles, Landers, Lawton, Lee, Lewis, Lister, Long, J. M. Lyonette, Macnab, Maddison, McEwan, Newall, Nutt, Regan, A. J. Scott, Mrs. H. Scott, Stenson, C. Taylor, J. Taylor, Thistlethwaite, J. Vasey, Wallis and York. (47)

**APOLOGIES** – Councillors Hutchinson, D. A. Lyonette, E. A. Richmond, S. Richmond, Swainston and Wright. (6)

**20. MINUTES** – Submitted – The Minutes (previously circulated) of the meeting of this Council held on 21st July 2011.

**RESOLVED** – That the Minutes be approved as a correct record.

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

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

**23. ANNOUNCEMENTS – (1) Northumbria in Bloom 2011 and Britain in Bloom 2011** - The Mayor announced that the Council had been awarded the Best Small City Award in the Northumbria in Bloom 2011 competition. It was also reported that Sir E. D. Walker Homes had won a gold medal for its floral displays, and the Barmpton Lane Allotment Association had won a gold medal, and the Sunderland trophy, for Best Allotment. The Mayor stated that Darlington had subsequently received a silver medal as one of the joint runners-up in the Best Small City category in the Britain in Bloom 2011 competition.

**(2) Councillors Mrs. D. Jones and Lewis** – The Mayor extended a welcome to Councillors Mrs. D. Jones and Lewis, who were returning to Council following recent illnesses.

**24. 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.

**25. COUNCIL REPORTS – (1) Implementation of Local Sustainable Transport Fund – Extension of Bus Service 1** - The Director of Place submitted a report (previously circulated)

requesting that Contract Procedure Rules be waived under Rule 18 to enable Officers to use Arriva North East for the extension of Bus Service 1 as part of the implementation of the Local Sustainable Transport Fund project.

The submitted report stated that the Local Sustainable Transport Fund bid had been submitted and approved, with an award of funding from the Department for Transport. The submitted report outlined that the bid included a proposal to extend the existing Bus Service 1, which operated from Tow Law and Crook, via Bishop Auckland, to Darlington, and that the extension to the service would provide a through service from County Durham to Lingfield Point via Haughton Road, to serve Darlington College and Teesside University.

The submitted report stated that the Council was unable to award the contract under the de minimis rules under the Transport Act as it exceeded the financial limits in three of the four years of the contract period. The submitted report advised that procurement and legal advice, and a market testing exercise, had suggested that the most appropriate course of action would be to award the contract to the existing commercial operator on the basis of value for money, risk and achieving the outcomes of the Bid.

**RESOLVED** – That Contract Procedure Rules be waived under Rule 18 to allow for the procurement from Arriva North East of an extension to Bus Service 1.

**REASONS** – (a) To enable the project to continue and achieve the outcomes as previously agreed by Cabinet.

(b) To meet the grant conditions for the funding awarded by the Department for Transport.

(c) To meet the duties set out in the Transport Act (1985).

**(2) Transforming the Council – How We Work** – The Chief Officers Executive submitted a report (previously circulated) which proposed changes to the way the Council worked, and to make changes to the remits of the five Scrutiny Committees.

The submitted report detailed the changing national policy context, proposed a number of ways in which information could be provided to Members to keep them informed about the changes, and outlined support which could be offered to assist them in the work that they undertook within their communities.

The submitted report highlighted that the Council's revised structure was aligned to the Sustainable Community Strategy, 'One Darlington, Perfectly Placed', and that the Executive functions had also been reviewed which resulted in the Cabinet Portfolios also being aligned to the key outcomes of the Sustainable Community Strategy. The submitted report stated that the review of Scrutiny remits followed this continuum, and aimed to align the Scrutiny Committees with the Sustainable Community Strategy key outcomes.

**RESOLVED** – That the remits of the Scrutiny Committees be amended, as outlined in paragraphs 21-41, of the submitted report.

**REASONS** – (a) To align the Committees with the outcomes from the Sustainable Community Strategy and the wider business model.

(b) To enable continued support to Scrutiny with reduced management capacity.

**26. 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) 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.

**27. 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.

**28. MEMBERSHIP CHANGES** – Consideration was given to membership changes of the Committees, Subsidiary Bodies and Other Bodies for the remainder of the Municipal Year 2011/12.

**RESOLVED** - That Councillor Newall, Councillor L. Hughes and Councillor Regan be the named substitutes for Councillor Wallis, Councillor Maddison and Councillor Thistlethwaite respectively, on the County Durham and Darlington Combined Fire Authority.