

**COUNCIL**

30th January 2014

**PRESENT** – The Mayor; Councillors Carson, Copeland, Cossins, Crudass, Crumbie, Curry, Dixon, Donoghue, Francis, Galletley, Grundy, Harker, Harman, I. Haszeldine, L. Haszeldine, C. L. B. Hughes, L. Hughes, B. Jones, Mrs. D. Jones, Kelley, Lawton, Lister, Long, D. A. Lyonette, Macnab, McEwan, Newall, Nutt, Regan, A. J. Scott, Mrs. H. Scott, Stenson, Swainston, C. Taylor, J. Taylor, Thistlethwaite, J. Vasey, L. Vasey, Wallis, Wright and York. (42)

**APOLOGIES** – Councillors Baldwin, Cartwright, Coultas, Hutchinson, Knowles, Landers, Lee, J. M. Lyonette, E. A. Richmond and S. Richmond. (10)

**OTHER APOLOGIES RECEIVED** – Mr. Ron Hogg, Police and Crime Commissioner for Durham and Darlington.

**39. MINUTES** – Submitted – The Minutes (previously circulated) of the meetings of this Council held on 28<sup>th</sup> November 2013, and Wednesday, 11th December 2013.

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

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

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

**42. ANNOUNCEMENTS – (1) Councillor Lewis** - The Mayor reported on the death of Councillor Ron Lewis, who had sadly passed away on 9th January 2014, and referred to Councillor Lewis' years of service, and roles on the Council.

**(2) Alderman Hutchinson** - The Mayor also reported on the death of Alderman Clifford Hutchinson, who had sadly passed away on 24th January 2014, and referred to Alderman Hutchinson's years of service.

As a mark of respect, Members held a short silence for Councillor Lewis and Alderman Hutchinson.

**(3) New Year Honours** - The Mayor reported that Mrs. Holly Turner, a resident of Darlington, had been admitted as a member of the Order of the British Empire for services to education, and voluntary service to the Girl Guides in Darlington.

The Mayor also reported that Mr. Peter Andrew Barron, Editor of the Northern Echo, and a resident of Darlington, had been admitted as a Member of the British Empire for services to journalism and the community in the North East.

Members were informed that Mr. Christopher Laurence Foster, a former Higher Executive Officer with the Department for Education, and a resident of Darlington, had been admitted as a Member of the British Empire for services to education and the community in County Durham.

The Mayor also advised Members that Mr. Kevin Nicholson, Chairman of the Firthmoor and District Community Association, and a resident of Darlington, had been awarded the British Empire Medal for services to the community in Darlington.

Finally, the Mayor reported that Mr. Peter David Stemmer, Sub-Postmaster at Mowden Park Post Office, and Darlington's official Town Crier, had been awarded the British Empire Medal for services to the postal service and to the community in Darlington.

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

**(4) Councillors Coultas and E. A. Richmond** - The Mayor also advised Members that Councillors Coultas and E. A. Richmond had recently been unwell, however were now recuperating following time in hospital.

**RESOLVED** - That the best wishes of the Council be conveyed to both Councillors Coultas and E. A. Richmond for speedy recoveries to good health.

**43. 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.

**44. COUNCIL REPORTS – (1) Renewal of Residential Contracts** – The Director of People submitted a report (previously circulated) seeking agreement to waive Council Procedure Rules using Clause 18 to renew two spot purchase residential contracts for up to six months to ensure the procurement process is completed in line with procurement rules and that a number of existing contracts can be aligned.

The submitted report stated that the Council had three separate spot purchase contracts used to commission residential care for disabled working age adults, with the contracts providing services for adults with a learning disability, adults with a physical and/or sensory impairment, and adults with early on-set dementia and/or mental health problems. It was highlighted that a single framework agreement for working age disabled adults would ensure consistency across adult social care.

The submitted report highlighted that the current contractual arrangements were robust and effective, and were well regulated by both the Care Quality Commission (CQC), and locally by the Council's Services for People Commissioning and Contracting Team. It was stated that the development of a framework agreement of residential care contractors would ensure quality and value for money when this provision is required to meet assessed social care need.

**RESOLVED** – (a) That the existing residential contracts for people with a learning disability, and people with a physical and sensory impairment, be renewed for a period of six months.

**REASONS** – (a) The renewal will support the alignment of a number of existing contracts into a single contract.

(b) The renewal will allow time to procure a framework agreement that will look to ensure value for money for the Council in its future purchasing of residential care for this group of people.

**(2) Council Tax Calculation of Tax Base 2014/15** - The Director of Resources submitted a report (previously circulated) requesting that consideration be given to determining the Council's Tax Base for 2014/15, in accordance with Section 33 of the Local Government Finance Act 1992 and the Local Authorities (Calculation of Council Tax Base) Regulations 2012.

**RESOLVED** – (a) That the calculation of the Council's tax base for the year 2014/15 be approved.

(b) That the tax base for the Council and the individual tax base for the parishes, as set out in Appendix 1 of the submitted report, be approved.

**REASON** – To comply with statutory requirements, enabling the Council Tax for 2014/15 to be set by the Council in February 2014.

**45. CABINET REPORTS – (1) Overview Reports of Cabinet Members** – The 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 2013/14** – The Director of Resources submitted a report (previously circulated) on the revised Treasury Management Strategy, Prudential Indicators, and to provide a half-yearly review of this Council's borrowing and investment activities.

The submitted report stated that the Prudential Indicators were examined by the Audit Committee on 13th December 2013, and it was agreed at that meeting that the updated Prudential Indicators and revised Operational Boundary and Authorised Limit for borrowing 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, the reported Prudential Indicators, and the revised borrowing limits.

The Prudential Indicators were set in three statutory annual reports to Council, and the submitted report followed the Council's approval in February 2013 of the 2013/14 Prudential Indicators and Treasury Management Strategy. 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 2013/14 due to increased capital expenditure slippage from 2012/13. It was reported that both the Operation Boundary and the Authorised Limit increased to £137.000m and £173.840m respectively.

**RESOLVED** – (a) That the revised prudential indicators and limits within the report, in Tables 1 to 6, 8 and 14 to 17, be approved.

(b) That the reduction in the Treasury Management Budget (Financing Costs) of £0.105m shown in Table 11 within the submitted report, be noted.

**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 comply with 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 Chief Officer Executive submitted a report (previously circulated) detailing one decision 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 a decision was taken under the Urgency Rule and the Special Urgency Rule.

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

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

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

**47. MEMBERSHIP CHANGES** – Consideration was given to membership changes of the Committees, Subsidiary Bodies and Other Bodies for the remainder of the Municipal Year 2013/14.

**RESOLVED** – That Councillor B. Jones be appointed to the Conservative vacancy on the Combined Fire Authority, and that Councillor Mrs. H. Scott be nominated as Councillor B. Jones' named substitute.