

COUNCIL
26th March 2008.

PRESENT – The Mayor; Councillors Armstrong, Baldwin, Barker, Burton, G. Cartwright, M. Cartwright, Chapman, Copeland, Coultas, Davies, Dixon, Dunstone, Francis, Galletley, Harker, Hartley, I. Haszeldine, L. Haszeldine, Jenkinson, Johnson, Mrs. Jones, S. Jones, Lawton, Lee, Lewis, Lister, Long, D. A. Lyonette, J. M. Lyonette, Maddison, McEwan, Newell, Nicholson, Nutt, Regan, Roberts, Robson, A. J. Scott, Stenson, Swainston, Thistlethwaite, Vasey, Walker, Wallis and Williams. (46)

APOLOGIES – Councillors Freitag, Hughes, B. Jones, Richmond, Ruck, Mrs. Scott and York. (7)

ABSENT – None.

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

81. MINUTES – Submitted – The Minutes (previously circulated) of the meetings of this Council held on 31st January and 28th February 2008.

RESOLVED – That the Minutes be approved as correct records.

82. ANNOUNCEMENTS – (1) Welcome - The Mayor welcomed Councillors Galletley, Lister and Nutt back to the Chamber following their recent illnesses.

(2) Mr. Gordon Scott – The Mayor reported the sad death of the husband of Councillor Mrs. Scott, on Tuesday, 25th March 2008. Mr. Gordon Scott was the Mayor’s Escort during the Municipal Year 1988/89.

RESOLVED - That the deepest sympathy of the Council be conveyed to Councillor Mrs. Scott and her family for the sad loss that they have sustained.

(3) Right Reverend Kevin Dunn - The Mayor referred to the recent death of the Right Reverend Kevin Dunn. Bishop Kevin Dunn was ordained the twelfth Bishop of Hexham and Newcastle on 25th May 2004, at St. Mary’s Cathedral, Newcastle upon Tyne.

As a mark of respect, Members held a short silence for Mr. Gordon Scott and the Right Reverend Kevin Dunn.

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

RESOLVED – That the Register of Documents, which had been sealed since the last meeting of the Council, be signed by the Mayor.

84. CABINET RECOMMENDATIONS AND 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.

Discussion ensued on the content of the reports and Cabinet Members answered questions thereon.

RESOLVED – That the reports be received.

(2) One Darlington: Perfectly Placed – Darlington’s Sustainable Community Strategy 2008-2021 – The Assistant Chief Executive submitted a report (previously circulated) requesting approval of One Darlington: Perfectly Placed, the new Sustainable Community Strategy (SCS) for Darlington.

The submitted report outlined the extensive engagement that had taken place via six Enquiry Groups, and 74 consultation events. The report noted that 44 formal submissions had been received in response to the draft Strategy, in addition to comments, questions and enquiries received at Member briefings, Parish Council meetings and six Talking Together events, and that the Strategy had been substantially reshaped to encapsulate the feedback received.

The submitted report addressed the vision, priorities and the themes embedded in the Strategy, which was appended to the submitted report.

RESOLVED – That the Sustainable Community Strategy, as appended to the submitted report, be approved.

REASONS – (a) The document had previously been approved by the Local Strategic Partnership Board on the 5th March 2008, and endorsed by Cabinet on the 18th March 2008.

(b) To fulfil this Council’s statutory duties to adopt a Sustainable Community Strategy.

(3) Community Safety Plan 2008-2011 - The Assistant Chief Executive submitted a report (previously circulated) requesting approval of the Crime and Disorder Reduction Partnership’s (CDRP) Community Safety Plan 2008-2011 (also previously circulated).

The submitted report highlighted the requirement, under the Police and Justice Act 2006, that the Crime and Disorder Reduction Partnership produce an annual Strategic Assessment of crime, disorder, anti-social behaviour and the harm caused by drugs and alcohol within the Borough. The submitted report stated that this assessment had been used to develop the new Community Safety Plan, which was developed in line with the new legislation and guidance from the Home Office.

The submitted report also outlined the process of the development of the Community Safety Plan, including the priorities of Anti-Social Behaviour (including environmental crime and criminal damage), Reducing Offending, Violent Crime and Disorder in the Night Time Economy, Domestic Abuse and Public Reassurance.

RESOLVED – (a) That the Community Safety Plan 2008-2011 be approved.

(b) That the targets within the Community Safety Plan 2008-2011 be set as part of Darlington's Local Area Agreement.

REASONS – (a) Community Safety is a local priority and a key theme within the Sustainable Community Strategy.

(b) The strategy sets out the Crime and Disorder Reduction Partnership priorities for making Darlington even safer, and fulfils our statutory responsibility as a responsible authority.

(4) Cabinet Urgent Decisions - The Corporate Management Team submitted a report (previously circulated) detailing one decision taken by the 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 decision taken by Cabinet be noted.

REASON - To comply with the Council's Constitution.

85. 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.

RESOLVED – That the reports be received.

86. ANNUAL REPORT OF THE STANDARDS COMMITTEE – The Borough Solicitor submitted a report (previously circulated) summarising the Annual Report of the Standards Committee (also previously circulated) to Members of the Council.

The submitted report stated that the purpose of the submission was based on the need of the Standards Committee to ensure that Members of the Council, and the wider public, could access information about the work of the Committee. The submitted report also highlighted the impending changes to the role of the Standards Committee that would be implemented by the White Paper, Strong and Prosperous Communities. The Annual Report of the Standards Committee was appended to the submitted report.

Mr. M. Airey, the Independent Chair of the Standards Committee, attended the Council meeting and spoke to the submitted report.

RESOLVED – That the Annual Report of the Standards Committee be noted and the Chair of the Standards Committee be thanked for his informative presentation and the work undertaken by the Standards Committee.

REASONS – (a) To enable the Council to receive information about the work of the Standards Committee.

(b) To ensure that the Council can demonstrate that it has a role in monitoring the work of the Committee in preparation of the Local Government and Public Involvement in Health Act 2007.

87. MEMBERS' ALLOWANCES – The Director of Corporate Services submitted a report (previously circulated) requesting consideration of the recommendations of the Independent Remuneration Panel appointed by this Council, in relation to the adoption of a new Scheme of Members' Allowances.

The submitted report outlined this Council's initial request of the Independent Remuneration Panel at its meeting held on 29th November 2007, to hold a review of its Members' allowances, to comply with required legislation. The submitted report summarised the conclusion of the Independent Remuneration Panel (that the scheme was not in need of substantial change), with the final report of the Independent Remuneration Panel appended to the submitted report.

RESOLVED – (a) That the recommendations of the Independent Remuneration Panel, as detailed in Appendix 1 of the submitted report, be approved, with effect from 1st April 2008.

(b) That the new Members' Allowances Scheme, as attached at Appendix 2 of the submitted report, be approved.

REASON – To implement the recommendations of the Independent Remuneration Panel appointed by the Council to adopt a new Members' Allowances Scheme.

88. FINAL REPORT – REPORT OF THE CORPORATE GOVERNANCE WORKING GROUP – The Chair of the Corporate Governance Working Group submitted a report (previously circulated) to present to Members the final recommendations of the Corporate Governance Working Group and to request approval for the appropriate changes to Procedure Rules and the Constitution.

The submitted report summarised the terms of reference of the Corporate Governance Working Group, and the proposed changes recommended by the Corporate Governance Working Group. A copy of the Final Report of the Corporate Governance Working Group was appended to the submitted report.

RESOLVED – (a) That the Final Report of the Corporate Governance Working Group be noted.

(b) That the changes to the Council, Cabinet and Scrutiny Procedure Rules proposed within the report, as detailed in the Appendices to the report, be approved.

REASON – To ensure that the Council functions in a way that is open and inclusive, with processes accessible to residents and stakeholders and with opportunities for wide involvement in its policy and decision making.

89. POST OFFICE NETWORK CHANGE PROGRAMME: BOROUGH COUNCIL RESPONSE TO CONSULTATION – The Chief Executive and the Assistant Chief Executive (Regeneration) submitted a report (previously circulated) seeking endorsement of the response to consultation sent on behalf of the Council to Post Office Limited (POL), in respect of the proposed closure of five post office branches within the Borough, as part of the national network change programme. The submitted report also informed Members of the consultation responses received from members of the public, which the Council had forwarded to POL together with a petition against the closures.

The submitted report outlined the national context, the local proposals for closure, the initial comments of Postwatch, the postal service's independent watchdog, the potential for additional voluntary closures, and an assessment of the impact the proposed compulsory closures would have on their localities. The report also considered the potential for devolved local responsibility.

The following amendment to the recommendations detailed in the submitted report was moved by Councillor Coultas, seconded by Councillor Johnson, and lost.

“To add the following to recommendation (d) as moved by Councillor Williams:-

‘including a submission to Central Government requesting a halt to the closure of Post offices in Darlington’.”

The original motion moved by Councillor Williams was thereupon put to the meeting.

RESOLVED – (a) That the response to consultation sent by officers to Post Office Ltd in respect of the proposed compulsory closure of five post office branches within the Borough, be endorsed.

(b) That the consultation responses of members of the public, which the Council has collected and forwarded to Post Office Ltd together with a petition campaigning against the closures, be noted.

(c) That the action of officers to inform Postwatch of the Council and public responses and request that it pursues the Darlington objections within its own remit with full vigour, be noted.

(d) That Officers be instructed to pursue all other available options to lobby against the proposed closures.

(NOTE: During discussion of the above item, the Council agreed to amend the Council Procedure Rules in order to allow debate on both the Amendment and the Substantive Motion simultaneously).

REASON – To ensure that reasoned responses from the Council, and others objecting to the proposed closures, were made to Post Office Ltd before the deadline for consultation of 26 March 2008.

90. ADDITIONAL STANDARDS COMMITTEE MEMBERS – The Director of Corporate Services submitted a report (previously circulated) requesting that consideration be given to an increase in the membership of the Standards Committee, by the appointment of three additional Borough Council Members.

The submitted report addressed the impending changes to the role of the Standards Committee that will be implemented by the White Paper, Strong and Prosperous Communities. It was reported that the Standards Committee might need to convene at least three separately composed review panels, one to consider a decision whether to investigate an allegation on initial assessment, one to hear an appeal if the allegation was rejected at that stage, and one to determine the matter. The minimum number of members required for a review panel was three, and therefore it was likely that the Standards Committee would require at least nine Members to participate, three at each panel.

RESOLVED – (a) That the increase in the number of Members of the Standards Committee, by three additional Borough Council Members, be approved.

(b) That Councillors Lawton, Lewis and Newall be appointed to the Standards Committee.

REASON – To enable the Standards Committee to increase its size to have sufficient capacity to undertake the greater workload that it will have to perform as a result of the Local Government and Public Involvement in Health Act 2007.

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

92. POLICE AUTHORITY QUESTIONS – There were no questions to the nominated member of the Police Authority in accordance with Section 20 of the Police Act 1996.