

COUNCIL
19th July, 2007

PRESENT – The Deputy Mayor; Councillors Baldwin, Barker, Burton, G. Cartwright, M. Cartwright, Copeland, Davies, Dixon, Dunstone, Francis, Harker, Hartley, L. Haszeldine, Hughes, Jenkinson, Johnson, B. Jones, Mrs. Jones, S. Jones, Lawton, Lister, Long, D.A. Lyonette, J.M. Lyonette, Maddison, McEwan, Newall, Nicholson, Nutt, Regan, Richmond, Robson, Ruck, Mrs. Scott, Stenson, Swainston, Thistlethwaite, Vasey, Walker, Wallis and Williams. (42)

APOLOGIES – The Mayor; Councillors Armstrong, Chapman, Coultas, Freitag, Galletley, Lee, Lewis, Roberts, A.J. Scott and York. (11)

20. DECLARATIONS OF INTEREST – Councillor Johnson declared a personal and non-prejudicial interest in Minute 24(1), in relation to the Resource Management Portfolio Report. Councillor McEwan declared personal and non-prejudicial interests in Minute 24(1), in relation to the Children’s Services Portfolio Report, and also in Minute 25, in relation to the Lifelong Learning Scrutiny Committee Overview Report. Councillor Newall declared a personal and non-prejudicial interest in Minute 24(1), in relation to the Highways and Transport Portfolio Report.

21. MINUTES – Submitted – The Minutes (previously circulated) of the meetings of this Council held on 19th April, 17th May, 18th May and 22nd June 2007.

RESOLVED – That, with a correction to the Order of Seniority in relation to Councillor Johnson, at Minute 6 of the meeting of this Council held on 17th May 2007, the Minutes be approved as correct records.

22. ANNOUNCEMENTS – There were no announcements made at the meeting.

23. 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 Deputy Mayor.

24. 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) New Council – New Focus – The Chief Executive submitted a report (previously circulated) to outline a new direction for the Council in a series of interrelated plans, new structures and ways of working, and a method of building capacity within the Council to ensure that the Council remain fit for purpose.

The submitted report summarised the work and reflection conducted by both Officers and Members to determine what the Council would need to do to respond to local needs and external requirements, including a new organisational development strategy, Leading Edge, and the main internal and external stimuli for said change.

The submitted report highlighted the issues that influenced the Officers and Members thought processes including the direction of the new administration, the recent local government bill, Leading Edge, the continual drive for value for money and the preparation for the Corporate Performance Assessment in March 2008.

RESOLVED – That the programme of work to develop a fresh vision for Darlington and to enhance the capacity of Darlington Borough Council to drive delivery of the Community Strategy be endorsed.

REASON – To ensure that the Council develops a new vision and that there is sufficient capacity to deliver the new vision.

(3) Developing a Sustainable Community Strategy, Local Area Agreement and Refreshing Corporate Planning – The Assistant Chief Executive submitted a report (previously circulated) to summarise the planned approach to developing a new Sustainable Community Strategy and Local Area Agreement for Darlington, and to outline a refreshed approach towards Service and Corporate Planning, the Medium Term Financial Plan and to organisational development.

The submitted report informed Members of the key products involved in this project, the proposed approach and provided Members with a summary of the major work streams to be undertaken.

RESOLVED – (a) That the approach and timeline for the development of a new Sustainable Community Strategy be endorsed.

(b) That the changes to corporate planning that will produce a combined Corporate and Medium Term Financial Plan.

REASONS – (a) To ensure compliance with government guidance.

(b) To ensure that our planning arrangements are leading edge.

(4) Community Engagement – Progress Update – The Assistant Chief Executive submitted a report (previously circulated) to advise on the progress of implementing the Community Engagement Strategy and make further recommendations on medium term actions to make this Council a more inclusive and engaging Council.

The submitted report summarised the progress made in relation to becoming a more inclusive and engaging Council, subsequent to agreeing its first Community Engagement Strategy on 17th April 2007, and outlined how this progress had been achieved. A number of proposals were also highlighted within the report in order to define closer working relationships, modernise communication and create new opportunities for the public to interact with this Council.

RESOLVED – (a) That closer working relationships are fostered by:-

- (i) the Cabinet meeting with LSP theme group chairs twice a year to review progress in delivering the community strategy and to consult on emerging council policy;
- (ii) holding a conference once a year to consult with the public, stakeholders and partners on the draft corporate plan and MTFP;
- (iii) making more consistent use of the various bodies such as GOLD, the Youth Parliament etc. to consult different sections of the community on emerging Council policy;
- (iv) holding a quarterly ‘How your Council Works for You’ event, when we invite the public to the Town Hall to see the Chamber, learn the history of the Council, meet the Mayor, and learn how the decision making process works;
- (v) ensuring that the above forms part of a package of measures to increase awareness and engagement in the democratic process. These will include ideas such as “Mayor for the Day” competition for schools, hosting school council meetings in the Town Hall, Council Question Time, and Cabinet in the Community (meetings in neighbourhood venues); and
- (vi) recognising that it is vital to ensure that this work builds on and improves our work to involve minority communities and takes forward the youth engagement strategy.

(b) That communications are modernised by:-

- (i) updating and revising the website to make it more user friendly and more engaging, with opportunities for resident consultation and engagement, etc.;
- (ii) giving greater prominence to the existing right of the public to ask questions of a Cabinet member at Council, and developing opportunities to extend this involvement into Cabinet meetings;
- (iii) reviewing and revamping the Town Crier to ensure that it offers more opportunities for public involvement, for news on local communities and community groups, and for information on the outcomes and action taken following consultation;
- (iv) ensuring that revised communications encapsulates channels such as texting;
- (v) ensuring that the opportunity is taken to improve information flows between officers and ward members; and
- (vi) establishing the ‘Talking Together’ roadshows, to be held quarterly at a different venue in the Streetscene areas, with widespread involvement from Members, Council and other public services as a key vehicle to engage with the public at area level.

(c) That this Council reviews the way in which it works by:-

- (i) inviting the Monitoring and Coordinating Group to establish an ad hoc group to undertake a ‘task and finish’ review of governance arrangements for the Council;

- (ii) defining the membership of this group to include the Leader of the Council, a further representative from the Cabinet, and a representative from the Conservative and Liberal Democrat groups, together with the Independent Councillor on the Council;
- (iii) agreeing that there should be scope for nominees in the event of apologies being tendered by the Members; and
- (iv) ensuring that the review examines opportunities to ensure that Darlington Borough 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. The effective use of the scrutiny function would form a part of the review scope.

(d) That it be noted that the ongoing resource implications of the implementation of the Community Engagement Strategy will be examined within the 2008/09 MTFP development.

REASON – To accelerate this Council’s progress on community engagement.

(5) Cabinet Portfolios and Structure for Scrutiny – The Chief Executive submitted a report (previously circulated) to present proposals for revised Cabinet portfolios that reflected the most effective way of ensuring that the Executive was structured to deliver on the new Corporate Plan and in line with Leading Edge.

The submitted report outlined the context for consideration of Member structures, analysis of the existing portfolio and scrutiny structure, and a proposed revised structure.

RESOLVED – (a) That the new Cabinet portfolios, as described within the submitted report, be approved.

(b) That the new Scrutiny Committee titles and remits, as described within the submitted report, be approved.

(c) That cross-cutting issues, such as skills, do not fit neatly into any Scrutiny Committees terms of reference, and that the Monitoring and Co-ordination Group be approved to assign the appropriate Scrutiny Committee for such issues.

REASONS – (a) To ensure effective delivery of the corporate plan.

(b) To ensure that governance arrangements are fit for purpose.

(6) Children and Young People’s Plan Review – The Director of Children’s Services submitted a report (previously circulated) requesting Council’s endorsement of the Review of the Children and Young People’s Plan (CYPP) submitted to the Office for Standards in Education, Children’s Services and Skills (Ofsted) on the 13th June 2007.

The submitted report stated that the Children and Young People’s Plan is an important element in the reform programme Every Child Matters, and an integral part of the Council’s role in supporting school improvement. The report outlined the framework governing the review of the Children and Young People’s Plan and the requirements of the review.

RESOLVED – That the Review of the Children and Young People’s Plan, as appended to the submitted report, be endorsed.

REASON – To comply with the statutory requirements of the Children and Young People’s Plan (England) regulations 2005.

(7) Children’s Services Capital Programme Update – The Director of Children’s Services submitted a report (previously circulated) requesting approval for funding to support recent developments affecting the Children’s Services capital programme.

The submitted report outlined the recommendations made to Cabinet on the 5th June 2007, in relation to three emerging issues that required some amendments to the approved Children’s Services Capital Programme.

RESOLVED – (a) That a contribution of £0.3million to the Hummersknott School and Language College targeted capital project be approved.

(b) That a contribution of £0.2million to the Carmel RC College targeted capital project be approved.

(c) That a £0.2million investment in Dodmire Infant and Nursery School, and Mount Pleasant Primary School to create additional primary school places be approved.

(d) That the above funding to be made available within the existing capital programme for Children’s Services, as outlined in Appendix A of the submitted report.

REASONS – (a) To allow Carmel RC College and Hummersknott School and Language College to direct their resources towards raising educational standards.

(b) To provide Hummersknott School and Language College with a guarantee of future funding support so that they can make a decision to proceed with the scheme at this stage.

(c) To provide sufficient primary school places across the Borough.

(8) Cabinet Urgent Decisions - The Corporate Management Team submitted a report (previously circulated) detailing two decisions 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.

25. 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.

26. REFERENDUM – The Director of Corporate Services submitted a report (previously circulated) advising of the results of the consultation, requesting consideration of the mayoral arrangement to be put to the referendum, requesting approval of the proposals which are to be submitted to the Secretary of State, and requesting consideration on the programme of awareness raising and the arrangements for the conduct of the referendum.

The submitted report outlined the key outcomes from the consultation, the requirements of the proposal to the Secretary of State, the forms of mayoral arrangements to put to the referendum and the Officers recommendation, the role of a Ceremonial Mayor and alternative titles, the process of awareness raising and the conduct of the referendum.

RESOLVED – (a) That the Proposals to be submitted to the Secretary of State, including the statement on the consultation, be approved.

(b) That the programme of awareness raising for the next stage of the preparations for the referendum be approved.

(c) That the arrangements proposed for the conduct of the referendum be approved.

REASONS – (a) To assist in securing continuous improvement in the way in which the authority's functions are exercised, having regard to a combination of economy, efficiency and effectiveness.

(b) To ensure that all those who vote in the referendum have a balanced understanding of the choices available to them.

(c) To achieve, within the legislative restrictions imposed upon the Council in relation to postal voting, a high turnout in the referendum.

27. TEES VALLEY SUB REGIONAL HOUSING ACTION PLAN 2008-11 – The Director of Community Services submitted a report (previously circulated) requesting approval for the content and delivery of the Tees Valley Sub Regional Housing Strategy Action Plan.

The submitted report outlined the increased importance and relevance of Regional and Sub-Regional housing markets and how these impact, and are influenced, by local housing markets. The report highlighted this Council's engagement at a Regional and Sub-Regional Level, this Council's previous record in partnership working with Tees Valley partners, the processes and drivers considered in developing the Action Plan and the outlined the consultation undertaken.

RESOLVED – That the adoption and implementation of the Tees Valley Sub-Regional Action Plan, be approved.

REASONS – (a) Darlington is not likely to secure significant inward investment to support housing initiatives if they do not engage and support sub-regional initiatives.

(b) The Regional Housing Board allocate funding on the basis of Regional and Sub-Regional housing priorities.

(c) The Tees Valley sub-regional partnership has a successful track record of delivering results against expected outputs.

(d) The Housing Corporation are likely to examine Tees Valley authorities performance against SHIP programmes as a means of distributing funding for the National Affordable Housing Programme (NAHP) 2008-11.

(e) Darlington has a growing demand for affordable housing and the SHIP3 programme can assist the authority to make best use of its existing housing stock as well as securing and accessing new affordable housing.

(f) Darlington is required to achieve 'Decent Homes' standards for vulnerable households across the Borough by 2010.

28. GAMBLING ACT 2005 DELEGATION OF POWERS – The Director of Development and Environment submitted a report (previously circulated) requesting delegation of powers to the Licensing Committee in relation to small lotteries and gaming machines and/or gaming in alcohol licensed premises.

The submitted report outlined the responsibility given under the Gambling Act 2005 to the Gambling Commission for the issue of Operating Licences in respect of businesses offering gambling and also for the issue of Personal Licences for those employed in the business of gambling. The report stated that Councils are to be given responsibility for the licensing of premises used for gambling and the issue of permits for gaming.

The submitted report proposed that authority be delegated to the Licensing Committee set up to deal with the Licensing Act 2003 to grant, refuse, revoke or cancel small society lottery registrations, and to remove the right to two gaming machines and/or the right to have gaming on alcohol-licensed premises.

RESOLVED – (a) That the authority to grant, refuse, revoke or cancel small society lottery registrations be delegated to the Licensing Committee set up to deal with the Licensing Act 2003.

(b) That the authority to remove the right to two gaming machines and/or the right to have gaming on alcohol-licensed premises be delegated to the Licensing Committee set up to deal with the Licensing Act 2003.

REASONS – (a) To ensure effective and timely decision-making in relation to the statutory requirement to grant, refuse, revoke or cancel small society lotteries.

(b) To ensure effective and timely decision-making in relation to the power to remove the automatic right to two gaming machines and/or gaming on alcohol licensed premises.

29. HONORARY ALDERMAN – The Director of Corporate Services submitted a report (previously circulated) requesting consideration of the feasibility of recognising the service of former Councillors Mrs. Brown and Hutchinson by bestowing the title of 'Honorary Alderman' on each of the two former Members.

The submitted report detailed the long service of former Councillors Mrs. Brown and Hutchinson, the previous recognition given to former Councillor Jim Skinner, the criteria required to appoint an 'Honorary Alderman', the role of an 'Honorary Alderman' and the

proposed arrangements for a ceremony to convey ‘Honorary Alderman’ status to both former Members.

RESOLVED – That the title of ‘Honorary Alderman’ be bestowed on former Councillors Mrs. Brown and Hutchinson.

(NOTE: This decision was unanimously supported by the Council).

REASON – To recognise the long service of two former Councillors.

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

31. 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.