

**COUNCIL**  
**25th May, 2006**

**PRESENT** – The Mayor; Councillors Armstrong, Baldwin, Bristow, Mrs. Brown, Copeland, Dixon, Flowers, Francis, Galletley, Harker, Mrs. Hart, Hartley, Haszeldine, Holmes, Hughes, Johnson, Mrs. Jones, S.J. Jones, Lawton, Lewis, Long, J.M. Lyonette, Maddison, Maybrey, McEwan, Nutt, Dr. Reynolds, Richmond, Roberts, Ruck, A.J. Scott, Stenson, Mrs. Swift, Vasey-Smith, L. Vasey, Walker, Wallis, Williams and Wilson. (40)

**APOLOGIES** – Councillors Foster, Heaney, B. Jones, Lee, D.A. Lyonette, Newall, F.S. Robson, S. Robson, Swainston, Thistlethwaite, and J.C. Vasey. (11)

**ABSENT** – Councillors Hutchinson and Mrs. Scott (2)

**13. DECLARATIONS OF INTEREST** – Councillor Copeland declared a personal and non-prejudicial interest in Minute 17(1) below, in respect of the Expression of Interest in an Academy for Darlington and Youth Service issues as Chair of Governors at Eastbourne School; Councillor Francis declared a personal and non-prejudicial interest in Minute 17(1) below, in respect of the Children’s Centre at Maidendale House; Councillor McEwan declared a personal and non-prejudicial interest in Minute 17(1) below, in relation to the Education Village; and Councillors Dr. Reynolds and Walker each declared personal and non-prejudicial interests in Minute 19(1) below, in respect of the Expression of Interest in an Academy as Governors at Eastbourne School.

**14. MINUTES** – Submitted – The Minutes (previously circulated) of the meeting of this Council held on 23rd March, 2006.

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

**15. ANNOUNCEMENT – Former COUNCILLOR IAN PATERSON** - The Mayor referred to the sad death on 17th April 2006 of former Councillor Ian Walter Forrestal Paterson O.B.E.

**RESOLVED** – That the deepest sympathy of the Council be conveyed to the family of the late ex-Councillor Paterson for the sad loss they have sustained.

**16. 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.

**17. 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) Questions** – In accordance with notice duly given, Councillor Galletley asked two questions of Councillor McEwan and received responses to his questions.

**(3) Housing Benefit Overpayment Strategy and Policy** – The Director of Community Services submitted a report (previously circulated) seeking approval for the Housing Benefits Overpayments Strategy and Policy (both also previously circulated).

The submitted report stated that Housing and Council Tax Benefit was paid to many thousands of claimants and landlords each year through the Housing and Capital Tax Benefits Schemes with around 10,000 assessments per year; outlined a number of reasons why overpayments might arise; and stated that the Strategy and Policy had been produced in line with National Best Practice and requirements of the Department for Works and Pensions and the Benefit Fraud Inspectorate's Performance Standards.

**RESOLVED** – That Housing Benefit Overpayment Policy and Strategy (both as appended to the submitted report), be approved.

**REASONS** – (a) To enable the Council's accounts to be maintained in accordance with financial procedure rules.

(b) To enhance the Council's overpayment process.

**(4) Cabinet Urgent Decisions** – The Corporate Management Team submitted a report (previously circulated) detailing six decisions taken by the Cabinet as matters of urgency and to which the procedure for call-in could not be applied. One of those decisions had also been taken under the Special Urgency Rule.

The submitted report outlined the procedures, as detailed in the Council's Constitution, 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.

**18. SCRUTINY REPORTS – (1) 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.

**(2) Annual Reports 2005/06** - The five Scrutiny Committees Chairs each gave a report (previously circulated) on the main areas of work undertaken by their relevant Scrutiny Committee during the Municipal Year 2005/06.

The Chair of the Lifelong Learning Scrutiny Committee referred to the support that that Committee had received from Christine Bates, Democratic Support Officer, who had recently retired from the Council and asked that the Council place on record its gratitude to Christine. The Mayor acknowledged the support of Christine and agreed the Council should write a letter of thanks.

**RESOLVED** – That the reports be received.

**19. MEMBERS' ALLOWANCES** – The Director of Corporate Services submitted a report (previously circulated) requesting that consideration be given to the recommendations of the Independent Panel appointed by the Council in relation to the payment of Special Responsibility Allowances for the recently established Audit Committee of the Council.

The submitted report stated that at the last ordinary meeting of Council it was agreed to establish an Audit Committee with effect from the commencement of 2006/07 Municipal Year and that the Independent Panel, as appointed to review the Members' Allowances in 2003, was asked to consider whether the Chair and Vice-Chair of the Audit Committee should be remunerated and, if so, at what level.

**RESOLVED** – (a) That the Members Independent Panel's recommendations, as detailed in Appendix 1 to the submitted report, be approved.

(b) That the payment for the Chair of the Audit Committee be £500, with effect from 19th May, 2006.

(c) That, subject to the deletion of '2005' and the insertion of '2006' in relation to the date on which the previous Member's Allowances Scheme is revoked, the revised Members' Allowances Scheme, as appended to the submitted report, be approved.

**REASON** – To implement the recommendation of the Independent Panel appointed by the Council to enable a Special Responsibility Allowance to be paid to the Chair of the Council's Audit Committee.

**20. MEMBERSHIP CHANGES** – Consideration was given to membership changes of the Committees, Subsidiary Bodies and Other Bodies for the Municipal Year 2006/2007.

**RESOLVED** – (a) That Councillor Lawton be deleted from the membership of the Human Resource Panel (Sitting as a Joint Consultative Committee and an Appeals Committee) and Councillor S.J. Jones be his replacement.

(b) That Councillor S.J. Jones be deleted from the membership of the Darlington Environmental Forum and Councillor Lawton be his replacement.

(c) That Councillor S.J. Jones be deleted from the membership of the Darlington Transport Forum and Councillor Lawton be his replacement.

(d) That Councillor Lawton be deleted from the Representations Sub-Committee and Councillor S.J. Jones be his replacement.

**21. 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.