

**BARNARD CASTLE TOWN COUNCIL
SPECIAL COUNCIL MEETING**

10TH AUGUST, 2009

PRESENT:- Councillor Yarker (Town Mayor)(in the Chair); Councillors Mrs Bailes, Blissett, Cooke, Mrs Hamilton, Harrison, Peat and Watson.

54. APOLOGIES:- Councillors Mrs Dixon, Hinchcliffe and Wood.

55. DECLARATIONS OF INTEREST

In accordance with standard local government procedures, Members were asked whether they had any personal or prejudicial interests in any matter on the agenda and, if so, to declare those interests at this point of the meeting. Members were reminded that a declaration could be given later in the meeting if a need arose during discussion.

Councillor Cooke declared an interest in respect of the matter to be considered at Minute 57 below because of his role as this Council's representative on the NHS County Durham (Primary Care Trust) Rural Ambulance Implementation and Monitoring Group - this enabled Councillor Cooke to comment on the matter at this meeting but not to vote.

56. CHRISTMAS LIGHTING IMPROVEMENTS 2009 AND BEYOND

(1) Christmas Festival Committee Meeting – 31st July, 2009 – Minutes

Resolved – That the Minutes be received.

(2) Finance Committee Meeting – 5th August, 2009 – Minutes

Resolved – That the Minutes be received.

(3) Christmas Festival Committee – Future Budgetary Requirements

Submitted – A report incorporating recommendations from the Christmas Festival Committee (at Minute 14/Jul/09) and the Finance Committee (at Minute 16/Aug/09) relating to a proposed three-year Christmas lighting improvement project. Specific references were made to the 'one-off' component parts of the available budget for 2009/10 and the resultant difficulties created for future years in attempting to increase a budget effectively reduced by 60 per cent and considered largely unworkable in isolation. The alternative options of purchasing or hiring motifs had been fully explored.

Discussion ensued regarding the availability of other funding options and whilst it was acknowledged that other sources would be pursued, none were guaranteed funding streams that could be relied upon to take the improvement programme forward. It was also confirmed that the levels of various associated costs charged by Durham County Council would be challenged in an attempt to keep overall costs down. Consideration was also given to the Market Cross arrangements and to the production (for the second year in succession) of a leaflet/brochure for the whole of Barnard Castle's Christmas festivities.

The Clerk, whilst acknowledging the reasons for a three-year programme approach, stressed to Members that a commitment outside the main budgetary process to Christmas Festival budgetary increases in 2010/11 and 2011/12 was, at the very least, unusual and potentially risky. He put forward an option to amalgamate available expenditure over the three years without increasing the basic budget. However, it was admitted that this gave

little flexibility for unforeseen expenditure. It also included full use of the existing Contingency sum of £4,500 which had been allocated for emergencies. Concerns were also raised as to where the increase of £3,260 in each year could be found, particularly as compensatory savings during the main budgetary process would be extremely difficult to achieve.

Whilst consideration was given to the increase being deferred until the usual budgetary process, it was confirmed that in order to implement any improvement programme for the 2009/10 Christmas period, a decision was required at this meeting as the deadline for ordering new lights was the end of August 2009.

Resolved – (a) That the following recommendations of the Christmas Festival Committee be approved:-

(i) that the following Christmas lighting arrangements be approved:-

(A) the purchase of 15 new motifs and the continuing use of the Council's 30 existing motifs, resulting in a display of 45 motifs;

(B) the installation of new commando boxes where necessary (making use of the separate capital allocation of £3,150);

(C) the necessary street lighting column testing to be carried out; and

(D) the use of a lighting company for the installation, dismantling, maintenance and storage of the 45 motifs; and

(ii) that, to partly offset the costs involved and notwithstanding the decision at Committee Minute 32(ii)/Jan/09 and Council Minute 179(2A(b))/Mar/09, the publication of a leaflet/brochure for the whole of Barnard Castle's Christmas Festival no longer be undertaken by this Council (with a resultant saving of £1,500) and that the Barney Guild be requested to undertake the project.

(b) That the following recommendation of the Finance Committee be approved:-

that the request of the Christmas Festival Committee to increase its budget to £10,000 in each of the years 2010/11 and 2011/12 (with the existing Contingency sum of £4,500 to remain as such and only to be used in emergency situations) be approved and that, at this stage, the increase of £3,260 in each year be met by increasing the Precept accordingly.

57. CONSULTATIVE DOCUMENT - NORTH EAST AMBULANCE SERVICE – FOUNDATION TRUST STATUS

Following the deferment of this matter at the Council meeting on 20th July, 2009 (Minute 50(1)/Jul/09 refers), a report was resubmitted outlining a prospective application for the Service to become a Foundation Trust and Members were supplied with relevant pages of the consultative document to aid their deliberations. The closing date for replies was 28th August, 2009.

Resolved – That the North East Ambulance Service NHS Trust be informed of the following views of this Council:-

- (a) that it is generally supportive of the North East Ambulance Service seeking Foundation status;
- (b) that consideration must be given to rural areas being adequately represented within the Foundation Trust membership, Council of Governors and Board of Directors;
- (c) that the Foundation Trust should work closely with local communities whose views should be taken seriously; and
- (d) that any payments made to Directors of the Board should be kept within reason and without compromising services.

58. NAMING OF CARE HOME DEVELOPMENT AT JOHN STREET

It was confirmed that a letter had been received from Durham County Council seeking this Council's views on a suggestion from the developer (Hadrian Healthcare) that the care home currently being constructed on the former site of the Richardson Hospital in John Street should be named 'Orchard Manor'. As the deadline for comments was 31st July, 2009, individual Members' views had been consequently sought, with the consensus view reported back to the County Council and with retrospective approval being sought at this meeting. Members were reminded of an outstanding issue of naming a development after ex-Councillor A. Wilkinson but it was considered inappropriate in this particular case.

The consensus view was that 'Orchard Manor' was inappropriate as there were already a number of developments in Barnard Castle with the word 'Orchard' as part of their names. The word 'Manor' was also considered an improper use of that word. Accordingly, references to 'The Starlings' and, alternatively, Mr Richardson were submitted to the County Council.

It was reported that following the submission of this Council's view, Councillor Watson had been given the opportunity to meet with representatives from Durham County Council and Hadrian Healthcare to discuss the matter further. A decision on the name was pressing as the developer required promotional sale brochures to be printed. The developer was unhappy with this Council's suggestions and had asked for reconsideration of the matter.

Resolved – That, notwithstanding the concerns of the developer, the following alternative suggestions be resubmitted for consideration by Durham County Council:-

- (a) 'The Starlings' – the original name of the private house on the site; or
- (b) a reference to Mr Richardson (who bequeathed 'The Starlings' to provide hospital facilities in the Town) to be retained within the name.

59. EXCLUSION OF PRESS AND PUBLIC (in respect of Minute 60 below)

Resolved – That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the matter referred to at Minute 60 below on the grounds that it may involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the said Act.

60. APPLICATION OF MEMBERS' CODE OF CONDUCT

Submitted – Following a request from Councillor Cooke, a report on this Council's application of its Members' Code of Conduct, particularly at meetings, and the need for a review of the procedures currently adopted. It was generally felt that consideration of the issue was an important preliminary to the Modernisation Committee's prospective investigation of the Council's future role and a number of associated matters. It was also considered particularly relevant and urgent in view of a number of specific comments and views expressed at the Council meeting on 20th July, 2009, about which a number of Councillors had concerns. This Council's Members' Code of Conduct was attached to the submitted report to aid Members in considering the matter.

Resolved – (a) That, in future, this Council's Members' Code of Conduct be applied more rigorously and consistently at all of its meetings and that all Councillors be reminded that they should abide by its contents.

(b) That, in respect of the comments made at the Council meeting on 20th July, 2009:-

- (i) the course of action now put forward be approved; and
- (ii) following the assimilation of further information and specific response(s), the matter be further discussed at the full Council meeting scheduled for 7th September, 2009.