

**BARNARD CASTLE TOWN COUNCIL
SPECIAL COUNCIL MEETING**

27TH JUNE, 2011

PRESENT:- Councillor Cooke (Town Mayor)(in the Chair for Minutes 41, 42 and 46 to 49 inclusive); Councillor Harrison (Deputy Town Mayor)(in the Chair for Minutes 43 and 45); Councillors Mrs Bailes, Blissett, Mrs Dixon, Mrs Hamilton, Hinchcliffe (Minutes 41 to 46 inclusive), Peat, Robinson, Watson, Wood and Yarker.

Officers:- Mr Bosworth (Town Clerk) and Mrs Plant (Assistant Clerk).

Also in attendance:- Three members of the public were present for part of the meeting (Minutes 41 to 43 inclusive).

41. APOLOGIES:- None.

42. DECLARATIONS OF INTEREST

In accordance with this Council's adopted Code of Conduct (Minute 20/Jun/07 refers), 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 (Town Mayor) declared interests in respect of Minutes 43 and 45. Councillor Mrs Dixon declared an interest in respect of Minute 46 and took no part in the discussion or voting thereon.

At this point, Councillor Cooke (Town Mayor) left the Chair and Councillor Harrison (Deputy Town Mayor) was requested to chair the meeting for Minutes 43 to 45 inclusive.

Before the matter at Minute 43 was considered, Members were asked whether it would be advantageous for Councillor Cooke to remain in the Council Chamber to take part in the discussion and this was agreed. It was also agreed that the three members of the public (Mr and Mrs Hill and Mrs Lee of The Beaconsfield) be allowed to speak on this matter.

43. TOWN MAYOR – NON-ATTENDANCE AT EVENTS

Submitted – Pursuant to Minute 37/Jun/11, a report providing further information about and arising from the alleged incident at The Beaconsfield on Aviation Day on 7th July, 2010. It was also reported at the meeting that a correction was required to a date quoted in the Appendix to the report, which should have read '2010' and not '2011'.

At this point, a Member challenged the recommendation referred to at agenda item 44 in respect of the press and public being excluded during discussion of item 45 on the agenda. Following discussion, the Clerk stressed that the further advice received in respect of the matter strongly recommended that discussion of the item took place whilst the press and public were excluded from the meeting and this was agreed by a show of hands. However, the recommendation was further challenged by the two members of the press who were present at the meeting. Further discussion ensued and the Clerk repeated the recommended advice received. A further vote by show of hands was taken.

Resolved – That the press and public be allowed to remain in the meeting during consideration of the matter referred to at agenda item 45.

Councillor Cooke read out a statement of his position in the matter. Mr and Mrs Hill also spoke on the matter and re-iterated that an apology was being sought from Councillor Cooke for the incident. Mrs Lee also spoke on the matter. Following discussion, it was
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Resolved – That it be recommended to Councillor Cooke that he should apologise for any perceived slight caused to Mr and Mrs Hill for the Aviation Day alleged incident.

At this point, Councillor Cooke and the Clerk left the Council Chamber for a short period.

Upon returning to the Council Chamber, Councillor Cooke stated to Mr and Mrs Hill that he was sorry for the incident and confirmed that he would also express this in writing. However, he added that he felt he had nothing to be sorry for. Whilst Mr and Mrs Hill had indicated that they were initially prepared to accept the statement, it was considered that Councillor Cooke's additional statement destroyed this intent. Mr and Mrs Hill and Mrs Lee left the meeting at this point.

Further discussion ensued.

Resolved – That, in the interests of the Town Council and the Town of Barnard Castle, Councillor Cooke writes a letter to Mr and Mrs Hill to confirm that he is sorry for any slight or ill-feeling his perceived comments or actions caused on Aviation Day 2010.

44. EXCLUSION OF PRESS AND PUBLIC (in respect of Minute 45 below)

Not considered – see pre-amble to Minute 43.

45. TOWN MAYOR – OPTIONS AVAILABLE TO COUNCIL

In view of the decision at Minute 43 above, this matter was not considered.

46. TEESDALE ACTION PARTNERSHIP – CHARLES DICKENS CELEBRATIONS 2012

Submitted – A report summarising proposals to celebrate the bicentenary of Charles Dickens' birth, emanating from a subsidiary working group of the Tourism Task and Finish Group set up by the Teesdale Action Partnership, to organise a Festival in 2012 in Barnard Castle and the surrounding area. This Council had subsequently been asked whether it wished to be represented on the working group, not only with a view to being generally involved but possibly to lead on certain events.

It was confirmed that the Christmas Festival Committee, at the meeting on 22nd June, 2011, had agreed the concept of a Dickensian/Victorian theme being included in this Council's 2012 Christmas Festival event and for a 'tester' to be included in the 2011 Christmas Festival event.

Resolved – That the Clerk be authorised to represent the Council on the body organising the Charles Dickens Celebrations during 2012.

47. TOWN'S COAT-OF-ARMS – USAGE

Submitted - Pursuant to Minute 123/Dec/10, a report summarising the Town's Coat-of-Arms situation, including the fact that the College of Arms had confirmed that the transfer of the Armorial Bearings to this Council was complete. A copy of the Certificate signed by the Kings of Arms, specifying the heraldic details of the Coat of Arms, had been circulated.

It was also confirmed that, whilst it was understood that five organisations currently used the Town's Coat-of-Arms, under the rules applied by the College of Arms, this Council had no right to grant permission for other bodies to use it as it was solely the property of this Council and could not be used by others.

Resolved – (a) That no further action be taken on the permissions previously given to organisations to use the Coat-of-Arms.

(b) That, in accordance with the rules applied by the College of Arms, no further permissions be granted.

48. CONSULTATION MATTERS

There were four consultation documents submitted for consideration which were as follows:-

(1) The County Durham Plan

Submitted – Pursuant to Minute 65/Aug/10, a report outlining three consultation documents issued by Durham County Council, namely ‘Core Strategy Policy Directions Paper’, ‘Towards a Strategy for Low Carbon Energy in County Durham’ and ‘Towards a Waste Delivery Strategy for County Durham’. The deadline for comments was 8th July, 2011. The submitted report combined the three documents as they were intrinsically interlinked.

The ‘Core Strategy Policy Directions Paper’ would be the principal document in The County Durham Plan. It contained the County Council’s overarching strategy for future development of the County, to which all subsequent planning documents must conform. The Core Strategy would cover the period up to 2030 and would include a vision and strategic objectives, a spatial strategy, core policies, strategic development sites and a framework for monitoring and implementation.

‘Towards a Strategy for Low Carbon Energy in County Durham’ would bring together the various issues that needed to be addressed to ensure that the County Council met its contribution of achieving a 40% reduction in carbon emissions across the whole County by 2020.

‘Towards a Waste Delivery Strategy for County Durham’ would allow the County Council to plan for future waste development in a way which would take into account local circumstances and distinctiveness.

Resolved – That, due to time constraints, Members are to submit their responses in respect of the consultation documents ‘Core Strategy Policy Directions Paper’, ‘Towards a Strategy for Low Carbon Energy in County Durham’ and ‘Towards a Waste Delivery Strategy for County Durham’ to the office so that an overall response can be formulated.

(2) Area Action Partnerships – Overview and Scrutiny Review

Submitted – A report summarising details of Durham County Council’s Area Action Partnership Review Working Group’s review of the Partnership arrangements, including whether those bodies were ‘fit for purpose’ and ‘fit for the future’. Views were requested on key themes including Governance arrangements, resources, community involvement and engagement and impact and performance management. The deadline for responses was 30th June, 2011.

Resolved – That, due to time constraints, Members are to submit their responses, in respect of the Area Action Partnership review, to the office so that an overall response can be formulated.

(3) The Future of Local Public Audit

Submitted – Following the previously announced plans to disband the Audit Commission, a report summarising a consultation document issued by the Government setting out proposals for a new audit framework based on four design principles. The aim was to replace the current centralised audit systems managed by the Audit Commission with a new decentralised regime which would support local democratic accountability and that
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would also cut bureaucracy and costs, whilst ensuring that there continued to be robust local public audit. It was highlighted that, whilst local councils had been invited to submit their views in respect of the Future of Local Public Audit, the consultation document was comprehensive and complex. It was confirmed that the National Association of Local Councils would be carrying out a full scrutiny of the document and would submit an overall response.

Resolved – That the information be noted.

(4) The Boundary Committee's Further Draft Recommendations

At this point of the meeting, it was determined that, due to time constraints, consideration of this item would be deferred to the Council meeting scheduled for 18th July, 2011.

49. SUSTAINABLE COMMUNITIES ACT – PROPOSED USE

Submitted – A report summarising a request from Leiston Town Council in Suffolk to support a proposed use of the Sustainable Communities Act that had emanated from a major planning application for a development in Leiston that would have a significant impact on the town. The proposal was to request that the Department for Communities and Local Government used the provisions of the Act to introduce specific planning policy/guidance to apply to any large planning application in the area of a local council.

Resolved – That this Council supports Leiston Town Council's efforts in respect of the above proposed use of the Sustainable Communities Act.