

**BARNARD CASTLE TOWN COUNCIL
SPECIAL COUNCIL MEETING
(Convened in accordance with Council Minute 65/Sep/12)**

10TH SEPTEMBER, 2012

PRESENT:- Councillor Harrison (Town Mayor)(in the Chair); Councillors Mrs Bailes, Blissett, Cooke, Mrs Grady, Mrs Hamilton, Hinchcliffe (Minutes 69 to part of 72), Peat, Robinson (Minutes part of 71 to 73 inclusive), Wood and Yarker.

Also in attendance:- Mr O. Clough and Mr C. Rudman (Durham County Council).

Officers:- Mr Bosworth (Outgoing Town Clerk), Mr King (Incoming Town Clerk) and Mrs Plant (Assistant Clerk).

69. APOLOGIES:- Councillor Watson.

70. 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. There were no declarations of interest at this juncture.

71. MARKETS AND STREET TRADING CONSULTATION

In accordance with the arrangements agreed at Minute 65/Sep/12, Mr O. Clough and Mr C. Rudman from Durham County Council attended the meeting to give a presentation in respect of the Markets and Street Trading consultation and 'soft marketing testing exercise' and answered relevant questions from Members. An associated report and, as agreed at Minute 65(b)/Sep/12, a report by Council Watson were also submitted. The deadline for comments was 20th September, 2012.

Resolved – (a) That this Council's response, as discussed, in respect of Durham County Council's Markets and Street Trading consultation and 'soft marketing testing exercise' be submitted.

(b) That a Special Council meeting be scheduled to consider this Council's potential expression of interest to operate Barnard Castle's Wednesday market.

(c) That Mr O. Clough and Mr C. Rudman be thanked for their attendance.

(d) That Councillor Watson be thanked for submitting an associated report.

72. NEW CODE OF CONDUCT, ETC.

Submitted – Following the introduction of the Localism Act 2011 and the subsequent abolition of the Standards Board for England from 1st April, 2012, a report summarising the new arrangements, which came into force on 1st July, 2012, to regulate the conduct of Members of local authorities, the registration and disclosure of their interests and how complaints about their conduct would be handled, with specific reference made to new criminal offences in respect of a Member's failure to register and disclose certain interests, including the fact that Members were now required to register any interest falling within the categories on the form which might affect a Member's spouse or civil partner.

Resolved – (a) That the new Code of Conduct, as submitted, be approved for implementation with immediate effect.

(b) That the new Code of Conduct be further examined in due course, with a view to making it more relevant to the local situation.

- (c) That all Members of the Council are to complete the new Register of Interests form by 8th October, 2012.
- (d) That full support be provided by the Clerk and the Assistant Clerk to ensure that the individual Register of Interest forms are completed correctly.
- (e) That the relevant information regarding the Code of Conduct and the Register of Interest details be included on the Council's website and be made available for inspection by members of the public.
- (f) That the information regarding the new Declaration of Acceptance of Office form be noted.
- (g) That the new Standards Committee arrangements be noted.
- (h) That the Standards Event scheduled for 11th October, 2012 be acknowledged.

73. ISSUES ARISING FROM COUNCIL MEETING ON 3RD SEPTEMBER, 2012

Submitted – A report in respect of two interlinking matters that were raised at the Council meeting on 3rd September, 2012, namely a three-part question raised during the meeting's public participation 'slot' and a report submitted by Councillor Wood on a statement made by the Town Mayor at the Council meeting on 23rd July, 2012. It was stressed that consideration of the matters were affected by the decision made at Minute 58(ii)/Sep/12, when it was agreed that the problems which exist between certain Councillors should be no longer discussed at Council meetings and that attempts should be made to address those problems 'outside the Council Chamber'.

Whilst a vote was taken on a proposal to adhere to Minute 58(ii)/Sep/12, this was not supported and discussion ensued in respect of the issues arising, with particular reference made to the three-part question raised during the meeting's public participation 'slot' and the considered opinion that the question did not meet this Council's Public Participation procedure. Whilst the outgoing Town Clerk acknowledged that a mistake had been made, the debate continued to centre on the matter.

At this point, Mr Bosworth (Outgoing Town Clerk) left the meeting and Mr King (Incoming Town Clerk) continued to clerk the meeting.

The discussion continued.

Resolved – That the submitted question be withdrawn from consideration, on the grounds that it did not meet the Council's Public Participation procedure and that a letter be sent to the member of the public who submitted the question to invite the re-submission of the question for consideration at a future meeting, in a form which complies with the procedure.