

FERRYHILL TOWN COUNCIL

Minutes of the **ORDINARY COUNCIL MEETING** of the Council held in the Council Chamber, Town Hall, Ferryhill, on **WEDNESDAY, 20th JUNE 2018** at **7.00 p.m.**

PRESENT: *Councillor:* R. Smith (Chair)

Councillors: C. Atkinson, P. Atkinson, G. Barker, K. Campbell, J. Cansella,
K. Conroy, D. Farry, K. Graham, N. Jones, J. Lindsay, J. Makepeace,
Z. Roddam, M. Seymour, M. Walton

Officials: D. Snowball, Town Clerk
S. Hewitson, Committees and Civic Administrator
K. Younghusband, Grants & Projects Officer
D. Shingleton, Consultant Accountant

37.18-19 APOLOGIES FOR ABSENCE

Apologies were received from Councillors C Woods and L Smith.

38.18-19 MEMBERS DISPENSATION

There were no members' dispensations in relation to any item of business on the agenda.

39.18-19 DECLARATIONS OF INTEREST

There were no declarations of interest.

40.18-19 PUBLIC PARTICIPATION

There were no public questions in relation to any item of business on the agenda.

41.18-19 MINUTES

- | | |
|---------------------------------------|-----------------------------|
| a) Resubmitted Ordinary Council | 18 th April 2018 |
| b) Annual/Ordinary Meeting of Council | 16 th May 2018 |
| c) Extra-ordinary Meeting of Council | 6 th June 2018 |

RESOLVED

That the minutes of the Council meeting held on 18th April 2018, 16th May 2018 and the Extra-ordinary meeting of 6th June 2018 be agreed as a true & accurate record.

42.18-19 COMMITTEE MINUTES

- | | |
|--|---------------------------|
| a) Finance, Planning & General Purpose | 16 th May 2018 |
| b) Community Services | 6 th June 2018 |

RESOLVED

The minutes of the Finance, Planning & General Purpose Committee held on 16th May 2018 and the Community Services Committee held on 6th June 2018 be received and that the said minutes be approved and adopted.

43.18-19 OTHER MINUTES FOR INFORMATION ONLY

- | | |
|--------------------------------------|---------------|
| a) Neighbourhood Plan Steering Group | 23 April 2018 |
| b) 2000 Committee | 16 May 2018 |

- | | |
|---|-------------|
| c) Friends of Mainsforth Sports Complex & SDG | 17 May 2018 |
| d) Friends of Dean Bank Park | 30 May 2018 |
| e) Dean Bank Regeneration Working Group | 5 June 2018 |

Proposed by Councillor D Farry that Council do not receive the minutes of the Neighbourhood Plan Steering Group, due to the defamatory content. **Seconded by** Councillor J Cansella.

Cllr. Cansella requested that the document be removed from the website with immediate effect.

RESOLVED

The minutes be received except the Neighbourhood Plan Steering Group and these be removed from the website with immediate effect.

44.18-19

ANNOUNCEMENTS

a) **MAYOR'S REPORT**

Councillor R. Smith gave a brief report on the functions he had attended as Mayor over the past month, he was honoured to present a bouquet to Mrs Armstrong of Tenlands Nursing Home on her 100th Birthday and had the pleasure of opening the Vintage Car Rally at Mainsforth on Saturday 16 June 2018.

b) **MEMBERS REPORTS**

Councillor G Barker read out a report from the Dean Bank Residents Association meeting.

45.18-19

MOTIONS ON NOTICE

a) **Merge Friends Groups**

Moved by Councillor D Farry, **Seconded by** Councillor J Makepeace that due to the lack of attendance at the individual meetings of these groups, that this Council considers merging its Friends of Groups into one and calls it Friends of Ferryhill.

Moved by Councillor D Farry to amend this motion, by adding to remove **considers merging** and insert **merges**. After the word Ferryhill **add**; the Grants and Projects Officer starts the process of merging the Friends of groups, draws up new terms of reference and delegated powers and writes to all existing members and invites them to the initial meeting of the new group, which will take place during the first week of August or when satisfactory for the Grants and Projects Officer. **Seconded by** Councillor J Cansella

Unanimously agreed.

RESOLVED

That due to the lack of attendance at the individual meetings of these groups, that this Council merges its Friends of Groups into one and calls it Friends of Ferryhill. The Grants and Projects Officer starts the process of merging the

Friends of groups, draws up new terms of reference and delegated powers and writes to all existing members and invites them to the initial meeting of the new group, which will take place during the first week of August or when satisfactory for the Grants and Projects Officer

b) Legal advice provided to the Town Clerk, by NALC

Moved by Councillor D Farry that this Council considers the legal advice provided by the Clerk, by NALC, regarding the legality of setting aside of Standing Order 7(a) and the position of the Events Officer within Ferryhill Town Council's staffing structure. **Seconded by** Councillor N Jones

Councillor D Farry accepted the request for an amendment to his motion from Councillor J Cansella: That Council resolves the Clerk calls the initial meeting of the **Personal Committee** by no later than 6th July 2018, to consider and review its terms of reference and delegated powers and considers the implementation of 2a & 2b of the Clerk's report in respect of agenda item 20 from the 24th January 2018, as resolved by Council. **Seconded by** Councillor J Makepeace

Councillor K Campbell disputed the acceptability of setting aside Standing Orders. The Chair confirmed that this had been a Council resolution and that, as reiterated in the Clerk's advice from NALC, this was legitimate practice.

Councillor K Conroy stated that in accordance with Standing Orders 34 and 36 staffing matters are within the delegated powers of the Clerk. Councillor J Cansella referred to the resolution by Council made on 24 January 2018, which was to implement 2(a) and 2(b) of the January report.

A named vote was requested.

FOR	AGAINST	ABSTAIN	NOT PRESENT
G. Barker	C. Atkinson		L. Smith
J. Cansella	P. Atkinson		C. Woods
D. Farry	K. Campbell		
K. Graham	K. Conroy		
N. Jones	J. Lindsay		
J. Makepeace	Z. Roddam		
M. Seymour	M. Walton		
R. Smith			
8	7	0	2

The substantive motion was carried.

RESOLVED

That the Clerk call a meeting of the Personnel Committee by 6th July 2018.

c) Amend Standing Orders

Moved by Councillor D Farry that this council considers amendments to the wording of Standing Order 9 (d), (e) and (f)

Councillor J Lindsay proposed that this motion be deferred until the next Council meeting when proper proposals can be brought with due consideration to the meeting.

A named vote was requested

FOR	AGAINST	ABSTAIN	NOT PRESENT
C. Atkinson	G. Barker		L. Smith
P. Atkinson	J. Cansella		C. Woods
K. Campbell	D. Farry		
K. Conroy	K. Graham		
J. Lindsay	N. Jones		
Z. Roddam	J. Makepeace		
M. Walton	M. Seymour		
	R. Smith		
7	8	0	2

The motion was defeated.

Councillor J Cansella proposed an amendment to the standing orders 9d), seconded by Councillor J Makepeace to read: 'If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, he should consult with the Chair and/or Vice Chair, if the Chair or the Vice Chair agree that the wording of the motion is unclear then the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least 7 clear days before the meeting'

Councillor J Lindsay proposed that the amendment be amended to read 'Chair or Vice Chair', this was seconded by Councillor P Atkinson.

A named vote was requested on Councillor J Lindsay's amendment

FOR	AGAINST	ABSTAIN	NOT PRESENT
C. Atkinson	G. Barker		L. Smith
P. Atkinson	J. Cansella		C. Woods
K. Campbell	D. Farry		
K. Conroy	K. Graham		
J. Lindsay	N. Jones		
Z. Roddam	J. Makepeace		
M. Walton	M. Seymour		
	R. Smith		
7	8	0	2

Councillor Lindsay's amendment was defeated. Members then voted on Councillor J Cansella's amendment:

FOR	AGAINST	ABSTAIN	NOT PRESENT
G. Barker	C. Atkinson		L. Smith

FOR	AGAINST	ABSTAIN	NOT PRESENT
J. Cansella	P. Atkinson		C. Woods
D. Farry	K. Campbell		
K. Graham	K. Conroy		
N. Jones	J. Lindsay		
J. Makepeace	Z. Roddam		
M. Seymour	M. Walton		
R. Smith			
8	7	0	2

Councillor J Cansella's amendment was agreed.

Councillor J Cansella then proposed an amendment to Standing Order 9e) If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the Chair and/or Vice Chair of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.

Moved by Councillor J Makepeace, **Seconded by** Councillor J Cansella to waive standing orders for 9e & 9f

A named vote was requested:

FOR	AGAINST	ABSTAIN	NOT PRESENT
G. Barker	C. Atkinson		L. Smith
J. Cansella	P. Atkinson		C. Woods
D. Farry	K. Campbell		
K. Graham	K. Conroy		
N. Jones	J. Lindsay		
J. Makepeace	Z. Roddam		
M. Seymour	M. Walton		
R. Smith			
8	7	0	2

Members then voted on the amendment to Standing order 9e), a named vote was requested:

FOR	AGAINST	ABSTAIN	NOT PRESENT
G. Barker	C. Atkinson		L. Smith
J. Cansella	P. Atkinson		C. Woods
D. Farry	K. Campbell		
K. Graham	K. Conroy		
N. Jones	J. Lindsay		
J. Makepeace	Z. Roddam		
M. Seymour	M. Walton		
R. Smith			
8	7	0	2

The amendment was agreed.

FOR	AGAINST	ABSTAIN	NOT PRESENT
G. Barker	C. Atkinson		L. Smith

FOR	AGAINST	ABSTAIN	NOT PRESENT
J. Cansella	P. Atkinson		C. Woods
D. Farry	K. Campbell		
K. Graham	K. Conroy		
N. Jones	J. Lindsay		
J. Makepeace	Z. Roddam		
M. Seymour	M. Walton		
R. Smith			
8	7	0	2

Councillor J Cansella proposed that item 9f be removed from Standing Orders.

Members voted on the removal of 9f) from Standing Orders, a named vote was requested:

It was agreed that 9f) be removed from Standing Orders

RESOLVED

The following amendments be made to the Standing Orders:

- 9d) 'If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, he should consult with the Chair and/or Vice Chair, if the Chair or the Vice Chair agree that the wording of the motion is unclear then the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least 7 clear days before the meeting'
- 9e) If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the Chair and/or Vice Chair of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- 9f) Be removed from Standing Orders.

d) Town Hall Security

Moved by Councillor D Farry, **Seconded by** Councillor J Cansella that this Council reviews the Town Hall security arrangements, with the amendment that the Clerk come back to Council at the July meeting with recommendations on new security arrangements, and having a system in place to monitor, by recognition, members of the public who enter the building together with costing options, with a view to making the building secure for our staff and with immediate effect members of the public and ex-Cllrs are not allowed into the reception or the back offices, without a prior appointment.

A short discussion took place with Members speaking in favour of the proposal.

This was unanimously agreed.

RESOLVED

That the Clerk come back to Council at the July meeting with recommendations on new security arrangements, and having a system in place to monitor, by

recognition, members of the public who enter the building together with costing options, with a view to making the building secure for our staff and with immediate effect members of the public and ex-Cllrs are not allowed into the reception or the back offices, without a prior appointment.

e) 2000 Committee

Moved by Councillor D Farry, **Seconded by** Councillor N Jones that this Council considers the future arrangements for the Ferryhill 2000 Committee

Councillors from both sides of the chamber spoke in favour of the good work that has been done by the Ferryhill 2000 Committee.

Cllr. Farry congratulated the 2000 Committee and the Ferryhill Partnership before and stressed that there is no way he would want to close down a Committee that engages on a regular basis with the residents of Ferryhill and pointed out that within the new committee structure the Events Sub-Committee is in place and that things have to move forwards.

Cllr. Farry amended his motion to read: That this Council agrees to withdraw its Officer support from the Ferryhill 2000 committee, as agreed with the Clerk, after its already organised events, i.e. after 11 September 2018. Agree to call the first meeting of the Events Management Sub-Committee on 4th July and to have the Grants and Projects Officer draw up the draft terms of reference and delegated powers, in conjunction with the Reception and Communications Administrator, and I wish the 2000 great success in the future as a stand-alone group.
Seconded by Councillor J Cansella.

Moved by Councillor D Farry, **Seconded by** Councillor J Cansella 'Council agree to withdraw Officer support from the 2000 Committee as agreed with the Clerk after its already organised events after 11th September 2018, agree to call the first meeting of the Events Committee on 4th July and have the Grants & Projects Officer draw up the draft Terms of Reference and Delegated Powers in conjunction with the Reception and Communications Administrator and also with the 2000 Committee great success in the future as a stand alone group.

A named vote was requested:

FOR	AGAINST	ABSTAIN	NOT PRESENT
G. Barker	C. Atkinson		L. Smith
J. Cansella	P. Atkinson		C. Woods
D. Farry	K. Campbell		
K. Graham	K. Conroy		
N. Jones	J. Lindsay		
J. Makepeace	Z. Roddam		
M. Seymour	M. Walton		
R. Smith			
8	7	0	2

RESOLVED

Council agree to withdraw Officer support from the 2000 Committee as agreed with the Clerk after its already organised events after 11th September 2018, agree to call the first meeting of the Events Committee on 4th July and have the Grants & Projects Officer draw up the draft Terms of Reference and Delegated Powers in conjunction with the Reception and Communications Administrator and also with the 2000 Committee great success in the future as a stand alone group.

f) Planning Matters

Moved by Councillor J Cansella, **Seconded by** Councillor N Jones that this council agrees all planning matters are referred, by the Committee & Civic Administrator, to the Chair of the Strategic Development Sub-Committee, within two working days of receipt.

Unanimously agreed.

RESOLVED

That all planning matters are referred, by the Committee & Civic Administrator, to the chair of the Strategic Development Sub-Committee, within two working days of receipt.

g) Partnership Arrangement with Approach Too

Moved by Councillor J Makepeace that this council agrees to a working Partnership arrangement with Approach Too – details to be agreed by the community engagement sub – committee. **Seconded by** Councillor N Jones

Cllr Makepeace explained that he would like to semi-formalise the arrangements that the Clerk has already put in place with Glenys Newby.

Unanimously agreed

RESOLVED

That this council agrees to a working Partnership arrangement with Approach Too – details to be agreed by the community engagement sub – committee

h) Partnership with Kingdom Services Group

Proposed by Cllr. Makepeace and **Seconded by:** Cllr. Farry: That this Council considers engaging in partnership working with town and parish councils within a six mile radius; in connection with using *Kingdom Services Group* to assist with environmental issues such as littering and dog fouling, parking enforcement, anti-social behaviour and residential community safety. All details to be agreed by the Strategic Development Sub-Committee.

Cllr. P. Atkinson raised concerns with considering Kingdom and their reputation, particularly with fining vulnerable people within our community.

Cllr. Makepeace responded that there should be no discrimination between able bodied and disabled people when it comes to littering or allowing dog fouling and that the only thing that seems to work is when a financial penalty is involved and requested viable alternatives. He also informed Councillors that he had originally written to the Clerk on 26 January 2018 about this matter and stated that for the sake of the people of Ferryhill let's move this forward.

Cllr. Jones asked if Kingdom cover car parking. Cllr. Makepeace replied that this too could be a consideration, as could anti-social behaviour and residential community safety.

Cllr. Farry added an amendment: That Council agree to call a meeting of the Strategic Development sub-committee to agree its terms of reference and delegated powers and its response to the motion by no later than 5th July 2018. Seconded by Cllr Cansella.

The Clerk stated that the terms of reference for the Strategic Development Sub-Committee had been agreed. The Chair pointed out that the Strategic Development Sub-Committee had not yet met.

A named vote was requested:

FOR	AGAINST	ABSTAIN	NOT PRESENT
G. Barker	C. Atkinson		L. Smith
J. Cansella	P. Atkinson		C. Woods
D. Farry	K. Campbell		
K. Graham	K. Conroy		
N. Jones	J. Lindsay		
J. Makepeace	Z. Roddam		
M. Seymour	M. Walton		
R. Smith			
8	7	0	2

RESOLVED

That Council agree to call a meeting of the Strategic Development sub-committee to agree its terms of reference and delegated powers and its response to the motion by no later than 5th July 2018

46.18-19

STATEMENT OF ACCOUNTS & INCOME

Members considered the monthly statement of accounts and income.

RESOLVED

That the Statement of Accounts & Income be approved.

47.18-19

PLANNING MATTERS

Members considered the following planning application:

DM/18/01404/FPA Mr K & L Woods 79 Witton Road Front porch and

RESOLVED

That no objection be made to this application.

48.18-19

ANNUAL ACCOUNTS 2017-2018

Members considered the report and recommendation of the Accountant.

RESOLVED

That Members;

- a) Note the financial performance for the year 2017/2018 and the financial position at 31 March 2018.
- b) That amounts of £6,000 and £27,290 be earmarked for the purposes detailed in paragraphs 3.3 and 3.4 of the Report;
- c) That the Budget Working Group considers the use of General Reserves;
- d) Approve Section 1 of the Annual Governance and Accountability Return (AGAR), the Annual Governance Statement, and note the answers given to each of the questions
- e) Approve Section 2 of the Annual Governance and Accountability Return (AGAR), the Statement of Accounts for Ferryhill Town Council;
- f) Authorise the Chair of the meeting and the Responsible Financial Officer/Town Clerk to sign the AGAR in the appropriate places on pages 2 and 3 and
- g) Approve the placing of the Return on the Council's website on Thursday, 21 June 2018, with the public inspection period to start on Friday, 22 June 2018 and end on Thursday 2 August 2018.

49.18-19

COMMUNITY SERVICES COMMITTEE TERMS OF REFERENCE

Members considered the attached report and recommendation of the Town Clerk.

Moved by Councillor J Cansella, **Seconded by** Councillor D Farry, to agree the recommendations subject to a couple of changes:
Page 1 Paragraph 3 remove the word 'reported' and remove term of reference w y z aa ab and add them to Strategic Development Sub Committee Terms of Reference.

Members agreed unanimously.

RESOLVED

The Terms of Reference be agreed subject to the following changes: the word 'reported' be removed from Page 1 Paragraph 3 and the terms of reference w, y, z, aa & ab be removed and added to the Strategic Development Sub Committee Terms of Reference.

50.18-19

DATES AND TIMES OF STATUTORY MEETINGS OF THE COUNCIL AND ITS COMMITTEES - 2018/2019

The Town Clerk had submitted a report outlining the dates and times of Statutory Meetings of the Council for 2018/19.

RESOLVED

That the dates and times of Statutory Meetings of the Council and its Committees be accepted.

51.18-19

GENERAL DATA PROTECTION POLICY AND PRIVACY STATEMENT

Members considered the attached report and recommendation of the Town Clerk

RESOLVED

That the report be received and page numbers be added to the document.

52.18-19

COUNTY COUNCIL FINAL DETERMINATION ON PROPOSAL TO REMOVE STREET LIGHTS, Pine Road, East Howle

Members considered the report previously circulated regarding the removal of street lights in Pine Road, East Howle.

Moved by Councillor D Farry, **Seconded by** Councillor J Makepeace that Ferryhill Town Council express disappointment at the removal of any street lights.

The Clerk advised members that this was Durham County Councils final decision, Members asked that the Council still submit an objection.

Members agreed unanimously.

RESOLVED

That the Clerk express Ferryhill Town Councils disappointment at the removal of the street lights

53.18-19

NEIGHBOURHOOD PLAN

Members considered the report of the Grants & Projects Officer previously circulated.

Moved by D Farry to accept the recommendations of the report and add an amendment that Ferryhill Town Council remove from it's website all minutes relating to Neighbourhood Plan Steering Group.

A named vote was requested:

FOR	AGAINST	ABSTAIN	NOT PRESENT
G. Barker	C. Atkinson		L. Smith
J. Cansella	P. Atkinson		C. Woods
D. Farry	K. Campbell		
K. Graham	K. Conroy		
N. Jones	J. Lindsay		
J. Makepeace	Z. Roddam		
M. Seymour	M. Walton		
R. Smith			
8	7	0	2

RESOLVED

That Members agree to dissolve the Neighbourhood Plan Steering Group and the Grants and Projects Officer should contact resident members of the Steering Group inviting them to join the Neighbourhood Plan Working Group, and continue being involved in the Neighbourhood Plan process. Also, all minutes relating to the Neighbourhood Plan Steering group be removed from the Ferryhill

Town Council website.

54.18-19 **COMMUNITY SERVICES SUB COMMITTEES AND WORKING GROUPS**
TERMS OF REFERENCE

Members considered the attached report and recommendation of the Town Clerk.

Councillor J Cansella advised the meeting that at the Community Services meeting on 6th June, minute number CS08.17-18 Council already resolved that the Terms of Reference and delegated powers be considered at the initial meetings of the sub committees, working groups, panels and friends of groups before being agreed by Council.

Moved by Councillor J Cansella, **Seconded by** Councillor J Makepeace to remove this item from the agenda for this meeting, the meetings for those sub committees and panels be arranged so the Members of those groups can consider and review Terms of Reference and delegated powers that they will be dealing with to move forward and then they be brought back to Council for ratification and for those meetings to be called by, if possible, no later than Friday 6th July 2018 and as far as the Neighbourhood Plan Working Group and the Dean Bank Regeneration Group Meetings they be called by the Grants and Projects Officer as and when needed.

The Clerk stated that it is ok Members saying 'they want it done by' he cannot guarantee he can have all of this done by 6th July or 4th July, he would need to look at his diary time, the information would need to be prepared and also has his normal job to do and cant guarantee as the deadlines are too tight.

A named vote was requested

FOR	AGAINST	ABSTAIN	NOT PRESENT
G. Barker	C. Atkinson		L. Smith
J. Cansella	P. Atkinson		C. Woods
D. Farry	K. Campbell		
K. Graham	K. Conroy		
N. Jones	J. Lindsay		
J. Makepeace	Z. Roddam		
M. Seymour	M. Walton		
R. Smith			
8	7	0	2

RESOLVED

That the meetings for the sub committees and panels be arranged so the Members of those groups can consider and review Terms of Reference and delegated powers that they will be dealing with to move forward and then they be brought back to Council for ratification and for those meetings to be called by no later than, if possible, Friday 6th July 2018 and as far as the Neighbourhood Plan Working Group and the Dean Bank Regeneration Group Meetings they be called by the Grants and Projects Officer as and when needed.

55.18-19 **RELEVANT CORRESPONDENCE (for information)**

Councillor P Atkinson advised Members that the Banner Group had also submitted a letter of thanks for their donation but it hadn't been included on the agenda. The Clerk advised he would locate this letter and it be brought to the next meeting.

- 1. Great North Air Ambulance - Letter of thanks for Donation

RESOLVED

That this be received.

Councillor J Cansella asked if copies of any relevant correspondence could be left in the Council Chamber for Members to look at. The Clerk advised this could be done.

56.18-19

EXCLUDE PRESS AND PUBLIC (21)

Members are requested to move the following motion:

“That in accordance with the provision of Section 1 of the Public Bodies (Admission to Meetings) Act 1960, as amended by Section 100 of the Local Government Act 1972, the Council do now exclude the public and press **for item 21** of the Agenda by reason of the confidential nature of the business to be transacted since publicity would be prejudicial to public interest.”

There were no members of the public present at this meeting.

The next item 57.18-19 is recorded in the Confidential – Part 2 section of these minutes.

There being no further business the meeting was closed at 9.10pm.

CERTIFIED AS A TRUE RECORD

CHAIR.....

DATE.....