

FULL COUNCIL

WEDNESDAY 20TH SEPTEMBER 2023 – 7.00 p.m.

Minutes of the proceedings of the **ORDINARY MEETING** of the **COUNCIL** held in the Council Chamber, Council Offices, School Aycliffe Lane, Newton Aycliffe, on **WEDNESDAY 20TH SEPTEMBER 2023 at 7.00 p.m.**

PRESENT

Councillor Carl Robinson (Chairman)

Councillors Eddy Adam, Martin Ashcroft, Lindsey Aston, Jim Atkinson, Peter Bergg, Dorothy Bowman, Arun M. Chandran, John Clark, George Gray, Ian Gray, Brian Haigh, Sandra Haigh, Jed Hillary, Simon Hocking, Neville Jones, Sandra Kirby, John Moore, Ken Robson, Michael Stead, Anne Woodward and John Woodward.

OFFICERS

Mr. D. Austin (Town Clerk)

Mrs. S. Stretch (Senior Administration Officer)

58. NOTICE OF MEETING

The notice convening the meeting was taken as read.

59. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors: Tony Armstrong, Neil Collinson, Phillip Hawkins, Andy Hill and Wendy Hillary, Joanne Jones and Anita Sparrow.

60. MEMBERS' DISPENSATIONS

There had been no requests for dispensations under disclosable or non-disclosable interests.

61. DECLARATIONS OF INTEREST

Councillor Eddy Adam had a non-disclosable pecuniary interest on Agenda Item 11 – War Memorial, as a member of Rotary Newton Aycliffe.

62. PUBLIC QUESTIONS

There were no public questions.

63. MINUTES

Councillor Michael Stead wished to have it recorded that he had asked a number of further questions to the PCC Joy Allen under the Guest Speaker agenda item and requested that the minutes be approved 'subject to the inclusion of his request that the number of back-office staff be reduced and that there should be more police on the beat'.

It was proposed by Councillor Jed Hillary, and seconded by Councillor John Clark; and

RESOLVED – that the minutes of the Meeting of the Council Meeting held on the 26th July 2023 be confirmed as a correct record and signed by the Chairman subject to the addition, under the Guest Speaker item, that *“Councillor Michael Stead asked the PCC Joy Allen that the number of back-office staff be reduced and that there should be more police on the beat”*.

64. ANNOUNCEMENTS

The Mayor provided a list of his appointments for the period from the 20th July to the 13th September 2023.

The Town Clerk informed members that application forms to join Newton Aycliffe Scouts Supporters Association (NASSA) had been distributed to all councillors in the event that they wished to apply to join following the consideration of the scout hut issue at the Policy and Resources Committee Meeting last week. This was purely voluntary and the Town Clerk reminded Members that they will need to update their Members' Register of Interest forms if successful in joining NASSA.

RESOLVED – as follows:

- i) that the announcements be received.

65. RESIGNATION OF DEPUTY MAYOR

Following the decision of the current Deputy Mayor to step down from his role, members were asked to consider the appointment of a replacement.

It was proposed by Councillor Arun M. Chandran and seconded by Councillor Martin Ashcroft that Councillor Neil Collinson be appointed to the position.

It was further proposed by Councillor Eddy Adam and seconded by Councillor Jim Atkinson that Councillor John Clark be appointed to the position.

A vote took place with the following results:

Councillor Neil Collinson	10 votes
Councillor John Clark	11 votes

RESOLVED – that Councillor John Clark be appointed Vice Chairman (Deputy Mayor) of the Council for the remainder of the Municipal Year 2023/24.

Councillor Arun M. Chandran proposed that as the Deputy Mayor is an ex-officio member on each committee of the Council, nominations should be made for representatives to fill the now vacant positions created by the new Deputy Mayor who was already a member of these committees.

It was proposed by Councillor Arun M. Chandran and seconded by Councillor Martin Ashcroft that Councillor Sandra Haigh replace Councillor John Clark on the Environment Committee; and that Councillor Wendy Hillary replace Councillor John Clark on the Recreation Committee.

A vote took place with the following results: For: 13 Against: 4

Councillor Michael Stead proposed that Councillor Phillip Hawkins should remain in his current position on the committees which was seconded by Councillor Lindsey Aston.

A vote took place with the following results: For: 6 Against: 13

RESOLVED – that

- i) Councillor Sandra Haigh replace Councillor John Clark on the Environment Committee; and
- ii) Councillor Wendy Hillary replace Councillor John Clark on the Recreation Committee.

66. COMMITTEE MINUTES

(a) Recreation Committee

It was proposed by Councillor John Clark, and seconded by Councillor George Gray; and

RESOLVED – as follows:

- i) that the minutes of the meeting of the Recreation Committee held on the 6th September 2023 be received, and
- ii) that the minutes and recommendations be approved and adopted.

(b) Environment Committee

It was proposed by Councillor John Clark, and seconded by Councillor Martin Ashcroft; and

RESOLVED – as follows:

- i) that the minutes of the meeting of the Environment Committee held on the 6th September 2023 be received, and
- ii) that the minutes and recommendations be approved and adopted.

(c) Policy and Resources Committee

It was proposed by Councillor Arun M. Chandran and seconded by Councillor Ken Robson; and

RESOLVED – as follows:

- i) that the minutes of the meeting of the Policy and Resources Committee held on the 13th September 2023 be received, and
- ii) that the minutes and recommendations be approved and adopted.

67. MEMBERS' CODE OF CONDUCT COMPLAINT DECISION NOTICE

The Town Clerk submitted a report advising the Council that a Code of Conduct complaint had been made against a Member of the Council.

The Code of Conduct Complaint investigation had been completed by the Durham County Council Governance Lawyer who has determined no further action is required in respect of the complaint.

RESOLVED – as follows:

- i) that the report be received.

68. WAR MEMORIAL OWNERSHIP

The Town Clerk submitted a report to request the Council's consideration of a proposal from Rotary Newton Aycliffe to transfer ownership of the war memorial outside St Clare's Church to the Town Council.

It was proposed by Councillor John Clark, and seconded by Councillor Ian Gray; and

RESOLVED – as follows:

- i) that the report be received; and
- ii) that the request from Rotary Newton Aycliffe for the Council to take on ownership and therefore responsibility for the future replacement of the war memorial outside St Clare's Church is agreed; and
- iii) that there is no requirement at this point to fund or carry out periodic inspection by a competent structural expert, however, internal periodic inspections by Council staff should continue, with financial provision in the Revenue Budget considered only after consulting with Rotary Newton Aycliffe on the possibility of them arranging for a structural expert to carry out a one-off inspection prior to agreement; and
- iv) that any future replacement of the war memorial is undertaken via grant funding or local fundraising.

69. ANTI-SOCIAL BEHAVIOUR ACTION PLAN

The Town Clerk submitted information received via CDALC, outlining how councils could be involved in two strands of the Anti-Social Behaviour Action Plan being implemented by the County Durham and Darlington Police and Crime Commissioner (PCC).

Councillor Eddy Adam suggested that the Town Clerk approach the PCC regarding funding for initiatives for the Aycliffe West hot spot area, and the possible use of the probation service restorative justice scheme to undertake projects on town council land, and report back to the Committee in due course.

The Town Clerk added that an approach had already been received from the probation service and that the Council had previously worked with them on various projects prior to the pandemic.

Councillor Jed Hillary proposed that officers contact the PCC to question the methodology for choosing Aycliffe West as a hot spot area when other areas of the town were suffering high levels of anti-social behaviour particularly the eastern area of town and Neville Parade, and had not been included.

It was proposed by Councillor Eddy Adam and seconded by Councillor John Clark and

RESOLVED – as follows:

- i) that the information be received; and
- ii) officers approach the PCC regarding funding for initiatives in the Aycliffe West area, and the use of the probation service restorative justice scheme to undertake projects on town council land, and report back to the Committee in due course.
- iii) officers gain clarification with the PCC as to why other areas of the town, including Aycliffe East, had not been classified as ‘hot spot’ areas.

70. OUTCOME OF THE ANNUAL EXTERNAL AUDIT

The Finance Manager submitted a report to set out for members approval the external auditor’s report and certificate in respect of the Council’s Annual Governance and Accountability Return for the 2022/23 financial year.

It was reported that the Council had received a clean bill of health on its accounts, financial management and governance.

Councillor Peter Bergg passed on his appreciation for another excellent audit report.

RESOLVED – as follows:

- i) that the external auditor’s Audit Completion Letter, External Audit Report and Certificate in respect of the 2022/23 Annual Governance and Accountability Return be received; and
- ii) the Finance Manager to publish public notice of the completion of the audit and the audited Annual Governance and Accountability Return on the Council website;
- iii) the unqualified external audit opinion highlighting that *“the Annual Governance and Accountability Return is in accordance with Proper Practices and no other matters have come to our attention giving cause for concern that relevant legislative and regulatory requirements have not been met”*; be noted.

71. NOTICE OF MOTION

The following motion was proposed by Councillor Lindsey Aston, and seconded by Councillor Michael Stead:

“This Council agrees that in order to prevent opposing political parties submitting retaliatory motions to a meeting agenda, the following requirements are incorporated into Standing Order 4 – Motions Requiring Written Notice;

a) the deadline for the submission of a motion to the Town Clerk be set at 12 noon, seven clear days before the meeting.

b) no chairman, vice-chairman or other committee member shall be made privy to any details of any submitted motion prior to the submission deadline.

c) Standing Order 4 d) is amended to read: If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman and Vice Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, after the motion submission deadline and in advance of papers being published, to consider whether the motion shall be included or rejected in the agenda.

(d) all councillors must follow the correct protocol of the Standing Orders by proposing an amendment during the debate on the original motion to ensure that the Proper Officer is protecting the Standing Orders, ensuring confidentiality and remaining an unbiased impartial authority”.

Councillor Eddy Adam stated that whilst he accepted the sentiment of the motion he disagreed with the methods suggested in the motion to resolve the issue of retaliatory motions. The Labour Group were therefore proposing an amendment to improve clarity and confidence, and to ensure that fairness is seen to be done within Council Standing Orders.

An amendment to the motion was proposed by Councillor Eddy Adam and seconded by Councillor Simon Hocking to change the wording of the motion as follows:

“This Council agrees the following requirements are incorporated into Standing Order 4 - Motions Requiring Written Notice:

a) Standing Order 4(a)(i) is amended to read:

“In accordance with Standing Order 3(b)(ii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council’s Proper Officer, the deadline for the submission of a motion is set at 12 noon, seven clear days before the meeting”.

b) Standing Order 4(d) is amended to read:

“If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman and Vice Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, after the motion submission deadline and in advance of papers being published, this will be to consider whether the motion shall be included or rejected in the agenda”.

c) Standing Order 4(c) is amended to read:

“If the Proper Officer considers the wording of a motion received in accordance with Standing Order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion re-submits it in writing to the Proper Officer in clear and certain language, *the deadline for the re-submission of the motion is in accordance with Standing Order 4(a)(i) or 4(d)*”.

d) Standing Order 4(e) is amended to read:

“Having consulted with Chairman *and Vice Chairman* or Councillors pursuant to Standing Order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final”.

A discussion took place regarding the proposed motion and amendment.

A vote then took place on the amendment resulting in a majority decision in favour of the amendment.

The amendment was carried and became the substantive motion.

Councillor Michael Stead added that he listened to the experience and advice of the Town Clerk in and agreed that motions needed to be reviewed and edited where necessary but felt that the Chairman of Policy and Resources had taken advantage of his position to submit a counter motion on the Policy and Resources Committee Agenda.

He further proposed a further amendment that the following wording be added to Standing Order 4:-

“Details of a motion shall remain private and confidential between the Proper Officer and submitter until the motion submission deadline has passed”

This was seconded by Councillor Lindsey Aston

The Chairman and Town Clerk clarified that under the changes to Standing Order 4 put forward in the substantive motion, no motion would be disclosed to anyone until after the 12-noon deadline had passed, therefore preventing the possibility of a counter motion being presented. It was further clarified that beyond this deadline the Town Clerk would consult the Chairman and Vice Chairman as to whether the motion was lawful and proper and included on the agenda, with the Town Clerk’s having the final decision in all cases.

In light of the clarification provided, Councillor Michael Stead and Councillor Lindsey Aston agreed to withdraw the amendment.

A vote then took place for the substantive motion with the result of a majority decision, with one abstention from Councillor Jim Atkinson.

RESOLVED – as follows:

- i) that the substantive motion be agreed; and
- ii) following the changes agreed to Standing Order 4 the amended Standing Order would read as follows:

(a)(i): In accordance with Standing Order 3(b)(ii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer. The deadline for the submission of a motion is set at 12 noon, seven clear days before the meeting.

(b) The Proper Officer may, before including a motion in the agenda received in accordance with Standing Order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.

(c) If the Proper Officer considers the wording of a motion received in accordance with Standing Order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion re-submits it in writing to the Proper Officer in clear and certain language the deadline for the re-submission of the motion is in accordance with Standing Order 4(a)(i) or 4(d).

(d): If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman and Vice Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, after the motion submission deadline and in advance of papers being published, this will be to consider whether the motion shall be included or rejected in the agenda.

(e) Having consulted with Chairman and Vice Chairman or Councillors pursuant to Standing Order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final".

72. OUTSIDE BODIES

Reports were given by representatives on the undermentioned Outside Bodies:-

(a) Youth Council

There had been no meeting. The Town Clerk reported an update that the Town Wide Survey to include options for the youth of the parish to become more involved and this would come to the Council for approval in advance of publication.

(b) County Durham Association of Local Councils

Councillor Arun Chandran had been unable to attend the meeting due to another commitment.

(c) Aycliffe Village Community Association

There is no Council representative on this organisation at the present time.

(d) Woodham Village Community Association

There had been no meeting.

(e) Great Aycliffe and Middridge Local Councils' Committee

There had been no meeting.

(f) Larger Local Councils' Forum

There had been no meeting.

(g) Aycliffe and District Bus Preservation Society

Councillor Ian Gray gave a verbal update.

(h) Friends of Stockton and Darlington Railway

Councillor Jim Atkinson gave a verbal update.

(i) Western Area Partnership

Councillors Ken Robson and Eddy Adam both gave a verbal update. Councillor George Gray was not receiving meeting invitations to these meetings and it was requested that officers chase this up.

CHAIRMAN.