



18<sup>th</sup> September 2017

In accordance with Paragraphs 7 & 10(2) (b) of Schedule 12A of the Local Government Act 1972 I hereby summon you to attend a Meeting of **PETERLEE TOWN COUNCIL** to be held in the Council Chamber, Shotton Hall, Peterlee, SR8 2PH, on **Monday 25<sup>st</sup> September 2017 at 6.30pm**

Ian Morris M.C.I.H.

Town Clerk

(Proper Officer of the Council)

**Members of the Committee and members of the public are reminded that the public part of the meeting may be recorded in both audio and video, and photographs may be taken.**

**MEMBERS ARE REMINDED OF THE NEED TO DISCLOSE ANY INTEREST, PREJUDICIAL OR PERSONAL, IN ACCORDANCE WITH THE CODE OF CONDUCT.**

**BUSINESS TO BE TRANSACTED**

1. APOLOGIES FOR ABSENCE
2. PUBLIC PARTICIPATION SESSION

Will be held to allow Members of the public an opportunity to put questions to the Council. This item of business to last no more than 15 minutes, as per Council Standing Orders.

3. TO APPROVE THE MINUTES OF THE COUNCIL MEETING OF THE 21<sup>ST</sup> AUGUST 2017

Members are asked to agree the attached minutes as a true and correct record of the meeting.

(Minutes of the meeting held on 21 August 2017 attached)

4. TO APPROVE THE MINUTES OF THE RESOURCES COMMITTEE MEETING OF THE 4<sup>TH</sup> SEPTEMBER 2017

Matters Arising

Minute Number 31(3) Application for Funding from Easington School Sport Partnership

To consider further information received to support this application. Verbal update by the Deputy Town Clerk.

Members are asked to agree the attached minutes as a true and correct record of the meeting.

(Minutes of the meeting held on 4 September 2017 attached)

5. TO APPROVE THE MINUTES OF THE COMMUNITY & ENVIRONMENT COMMITTEE OF THE 11<sup>TH</sup> SEPTEMBER 2017

Members are asked to agree the attached minutes as a true and correct record of the meeting.

(Minutes of the meeting held on 11 September 2017 attached)

6. INFORMATION COMMISSIONERS OFFICE (ICO) DATA PROTECTION ACT COMPLAINT

Members are asked to note the contents of the report and that the ICO has found in favour of the Council in its approach to handling personal data.

(Report of the Town Clerk, attached)

7. VACANCY FOR THE EDENHILL WARD, PETERLEE

To advise this vacancy has been called to election, if contested the election will be held on 19 October 2017.

8. APPOINTMENT A REPLACEMENT OF ONE OF THE COUNCIL REPRESENTATIVES ON THE COUNTY DURHAM ASSOCIATION OF LOCAL COUNCILS

9. CODE OF CONDUCT COMPLAINT

Members are asked to note the findings of a recent Code of Conduct complaint investigation by the Monitoring Officer.

(Report of the Town Clerk, attached)

10. SPOKESPERSON OF THE NEP MEMBER'S REPORT

11. SPOKESPERSON OF THE LABOUR POLITICAL PARTY'S REPORT

PETERLEE TOWN COUNCIL

MINUTES OF THE MEETING OF THE TOWN COUNCIL

HELD IN THE COUNCIL CHAMBER, SHOTTON HALL, PETERLEE

ON MONDAY 21<sup>ST</sup> AUGUST 2017 at 6.30PM

PRESENT:- COUN M A CARTWRIGHT(CHAIR)

Mesdames:- K J Duffy, S Simpson, K Liddell, A C Long, S McDonnell, & K Hawley

Messrs:- S Kirkup, T Duffy, A S H Meikle, R Moore, S D McGlen, S Miles, S P Franklin, J Robinson & A Watson

44. Apologies for Absence

Apologies had been submitted from Councillors A Wilkinson, (on holiday) & G L Carne. **RESOLVED the Council approve the reasons submitted for the absences received on the grounds where given above, and the Councillor's apologies for absence be recorded.**

45. Public Participation Session

A public participation session was held to allow members of the public an opportunity to put questions to the Council. Mrs Hewson and Mrs Hughes were in attendance at the meeting and the Chairman welcomes them to the council chamber. Mrs Hewson had attended the last meeting and she thanked the council for action with some of the items she had raised at the meeting. Mrs Hughes explained she was a volunteer at Castle Eden Dene NNR and a member of the Peterlee Walking Club, and she was, along with Mrs Hughes passionate about the problem of littering in the Town. There was discussion of the various types of initiative that could possibly

be used and it was agreed unanimously that the issue of littering needed to be tackled in schools and with young people in trying to educate and instill a sense of pride in their town. The environmental impact of increased litter was also highlighted. It was also felt that the business in the Town had a responsibility in keeping the town tidy and litter free and it was asked they be contacted for their support.

**RESOLVED the information given be noted and this item be placed on the next Community and Environment agenda for further discussion.**

46. To Appoint a Chairman for Peterlee Town Council

Members were asked to appoint a Chairman for the Town Council following the recent resignation of the previous Chairman, (under the powers of the Local Government Act 1972, s15).

**RESOLVED Councillor M A Cartwright be appointed as Chairman for the remainder of the civic year. The Chair thanked Council for their support and assured she would do her best in the role again.**

47. To Elect a Vice Chairman for Peterlee Town Council

Nominations from Councillors S Meikle, S Miles and S Kirkup were received for this position and following a vote it was **RESOLVED Councillor A S Meikle be elected as Vice Chairman for the ensuing year.**

48. The Minutes of the Council Meeting of the 24<sup>th</sup> July 2017 a copy of which had been circulated to each Member, were approved.

49. To consider a motion from Councillors Watson and Hawley regarding the Mayor's budget for the 2017/18 financial year

Following discussion it was **RESOLVED the Town Council incur no further expenditure against the Mayor's budget for 2017/18, with immediate effect. The Chairman's allowance to remain at £1,500.**

It was confirmed the Mayor retained the facility to have six concessionary uses of the Shotton Hall Banqueting Suites for fund raising events for her chosen charity(ies).

50. To consider adopting the General Power of Competence

It was reported the Town Council were now in a position to consider adopting the General Power of Competence (GPC) fulfilling the necessary criteria. **RESOLVED the Town Council approve the use of the General Power of Competence with immediate effect.**

51. Request for Concessionary use of the Pavilion – 29 July 2017 (retrospective), Peterlee Cricket Club, Music/Fundraiser

**RESOLVED free use of the Pavilion be granted retrospectively for this event. FURTHER RESOLVED a summary report be given on what previous uses had been granted to the various sports and community groups.**

52. Request for Funding – Peterlee Pumas ARLFC

Members considered this request for a grant towards the costs associated with the end of Season Awards Evening and were advised that concessionary use had already been granted for this event. Members asked that a schedule of previous concessionary uses granted for individual groups would be useful for reference when considering requests and it was agreed that this be produced.

**RESOLVED a grant of £500.00 from the Town Community Initiative Fund be made towards some of the costs associated with the Peterlee Pumas End of Season Awards Evening.**

53. Purchase and installation of Community Cinema equipment, The Pavilion, Helford Road, Peterlee

Members considered the report of the Town Clerk, a copy of which had been previously circulated to each Member. They felt this was a brilliant initiative for the Town Council to take forward and thanks were given to both officers for progressing this and to Durham County Council Area Action Partnership for their financial support in the form of a £3,000 grant.

**RESOLVED:-**

- (i) The contents of the report be noted;**
- (ii) The creation of a capital budget of £9,000 gross/£6,000 net and a revenue budget of £2,000 net for the community cinema;**
- (iii) The Town Clerk be granted plenary powers for the final negotiation and award of contract for the provision and installation of equipment for the community cinema, as set out in the report.**

54. Shotton Hall Catering Concession – Procurement Options

Members considered the report of the Town Clerk, a copy of which had been previously circulated to each Member.

**RESOLVED the contents of the report be noted and approval be given to a soft market testing exercise for the future catering concession at Shotton Hall, as detailed in the report of the Town Clerk, to go forward.**

55. Resolution to exclude the press and public

In view of the confidential nature of the following items to be discussed, the committee passed the formal resolution to exclude the press and public from the meeting, pursuant to the Public Bodies (Admissions to Meetings) Act, 1960 & the Local Government (Access to Information) Act 1985, (Schedule 7a, Part 1, paragraph 6).

56. Shotton Hall Catering Concession – Alteration to existing contract

Members considered the report of the Town Clerk, a copy of which had been previously circulated to each Member.

**RESOLVED the contents of the report be noted and the Town Clerk be granted plenary powers to amend the Town Council's current catering concession, as set out in the report, including the payment to Oldfields for additional services received, again as detailed in the report. FURTHER RESOLVED an update report on progress and outcomes from the revised arrangements be presented at the end of two months and then each month thereafter for the remainder of the contract period.**

57. SPOKESPERSON OF THE NEP MEMBER'S REPORT

Councillor A Watson offered a short report commenting this had been a positive meeting and the Council appeared to be heading in the right direction.

58. SPOKESPERSON OF THE LABOUR POLITICAL PARTY'S REPORT

Councillor McGlen congratulated the Chairman and Vice Chairman on the appointment to their respective positions.



THE MINUTES OF THE MEETING OF THE  
RESOURCES COMMITTEE HELD IN THE COUNCIL CHAMBER, SHOTTON HALL,  
PETERLEE ON MONDAY 4<sup>th</sup> SEPTEMBER 2017 AT 6.30PM

PRESENT: COUN A WATSON (CHAIR)

Mesdames:- K Hawley, K Duffy, A C Long, S Simpson, L Fenwick, K Liddell  
M A Cartwright & S McDonnell

Messrs:- S McGlen, R Moore, T Duffy, S Meikle, S Miles, G Carne & R Kyle

**The Chairman advised Members of the committee that part of the meeting may be recorded by both audio and video, and it may be that photographs were taken.**

The Chair also took this opportunity to welcome the newly elected Councillor for the Denehouse Ward, Councillor Louise Fenwick.

25. Apologies for Absence

Apologies had been submitted and accepted from Councillors A Wilkinson, J Robinson, (on holiday), S Kirkup and S Franklin.

**RESOLVED the Council approve the reason submitted for absence received from the Councillors listed, and their apologies for absence be recorded.**

26. To receive declarations of interest

Members were reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise. **RESOLVED the information given, be noted.**

27. The Minutes of the Last Meeting

Members approved the minutes of the last meeting of this Committee and they were signed as a true and correct record.

28. The Reports of the Finance Sub Committee Meetings of the 20<sup>th</sup> July & 24<sup>th</sup> August 2017

Copies of the reports from the meetings held in July and August were circulated to each Member. **RESOLVED the payments listed and made, be noted.**

29. Notes of the Human Resources Sub Committee of the 17 July 2017

**RESOLVED the contents be noted the minutes of the meeting of this Sub Committee held on 17 July 2017 be agreed as a true record, subject to Councillor McGlen being recorded as in attendance. A Local Member asked for progress on a staffing matter detailed in the report and the Town Clerk advised the appropriate action had been taken.**

30. Internal Audit Reports – Shotton Hall & Events & Activities

The report of the Town Clerk providing Members with a summary of the findings and actions from the recent internal audits into Shotton Hall and Events and activities, was considered. Members asked for their thanks to be recorded to Town Council Officers for their work with these audits. **RESOLVED the contents of the report be noted and a further progress report on identified actions from the DCC Internal Audit Manager, be awaited. FURTHER RESOLVED the risk implication as detailed in the report, be noted.**

31. Requests for grant funding:-

Members considered the following requests for grant funding from the Town Council Members Initiative Fund:-

1. Football for Children, Peterlee Helford Utd FC

**RESOLVED a grant of £350.00 be made to this group to help fund children playing football, buying footballs, poles and help pay for the MUGA and fees.**

(power: Local Government (Miscellaneous Provisions) Act 1976, s19 (3))

2. Oakerside Toddlers

**RESOLVED a grant of £250.00 be made to this group to replace old and broken toys; to do an activity like baking (healthy eating), to buy musical instruments and to organize events such as the Christmas Party.**

(power: Local Government (Miscellaneous Provisions) Act 1976, s19 (3))

3. Out of School Hours

**RESOLVED further supporting information be obtained on the request for a contribution towards sports equipment in delivery of out of school hours clubs**

**in local primary school projects and the request be re considered.** (power: Local Government (Miscellaneous Provisions) Act 1976, s19 (3))

**4. GT Group Band**

**RESOLVED a grant of £1,000 be made to the Band to buy music and music stands and help sustain the band.** (power: Local Government Act 1972 s145)

**5. Howlatch Residents Association**

Councillors K Liddell, A C Long and R Moore declared an interest in this item as they attended the Resident's Association meetings.

**RESOLVED a grant of £200.00 be made to enable residents in the Howlatch area to meet for a coffee and get to know each other, also towards a future trip/visit by the Group.** (power: Local Government Act 1972 s137)

**6. MS Active**

**RESOLVED as the application did not meet the requirement of having a minimum of 51% of the organisation's members/users that were Peterlee residents, it be noted a grant could not be made at this time.**

**32. Request for concessionary use of Shotton Hall Banqueting Suites**

Members are asked to consider the following applications for concessionary use of Town Council Facilities:-

- (i) Families First North East, Charity Ball on 23 September 2017, Shotton Hall Banqueting Suites

**RESOLVED concessionary use of the Banqueting Suites be granted for this event.**

(power: Local Government Act 1972, s.144)

- (ii) Durham Deafened Support, Social Event, Out of the Comfort Zones, 15 June 2017, Shotton Hall Banqueting Suites

**RESOLVED concessionary use of the Banqueting Suites be granted for this event.**

(power: Local Government Act 1972, s.144)

- (iii) Cancer Utd, Support and Social Club, 13 September – 13 December, Harry Bennett Room, The Pavilion, 14 weeks

**RESOLVED** concessionary use of a meeting room at The Pavilion be granted for this support/social group from 13 September to 13 December 2017.

(power: Local Government Act 1972, s.144)

- (iv) Peterlee Cricket Club, Presentation Evening, 9 September 2017, The Pavilion

**RESOLVED** concessionary use of The Pavilion be granted to the Cricket Club for their presentation evening. (power: Local Government Act 1972, s.144)

### 33. Expressions of thanks and appreciation

- (i) Peterlee Bowling Club & Cleveland Hedgehog Society

Letters of thanks and appreciation following grants made under the Members' Initiative Fund were circulated for Member's information. **RESOLVED** the information given be noted.

- (ii) Citizens Advice Bureau

An update on how the project, sponsored by the Town Council, was being delivered by CAB was given. From advising clients on benefits, completing benefit checks to look at entitlement and completing appeals on their behalf, approximately £164,000 of expected gained benefit income had been projected. Having both the drop in services for clients that attend on the day and appointments available to those who required it had been very successful with appointments being filled with a small waiting list. **RESOLVED** the information given, be noted.

Prior to the close of the meeting Members expressed their thanks and appreciation to Town Council Officers for their hard work and effort in making this year's Peterlee Show a huge success.

THE MINUTES OF THE MEETING OF THE  
COMMUNITY & ENVIRONMENT COMMITTEE HELD IN THE COUNCIL CHAMBER, SHOTTON HALL,  
PETERLEE ON MONDAY 11<sup>TH</sup> SEPTEMBER 2017 AT 6.30PM

PRESENT: COUN A WATSON (CHAIR)

Mesdames:- L Fenwick, S Simpson, K Duffy, K Hawley, K Liddell,  
S McDonnell & V Watson

Messrs:- G L Carne, R Moore, S Miles, R Kyle, T Duffy, S McGlen  
& J Robinson

In the absence of both the Chair and Vice Chair Councillor A Watson was nominated to Chair the meeting.

**The Chairman advised Members of the committee that part of the meeting may be recorded by both audio and video, and it may be that photographs were taken.**

18. APOLOGIES FOR ABSENCE

Apologies had been submitted and accepted from Councillors A S Meikle & A C Long, (on holiday). **RESOLVED the Council approve the reason submitted for absence received from the Councillors listed, and their apologies for absence be recorded.**

19. To receive declarations of interest

Members were reminded of the need to disclose any interests in items on this agenda, whether pecuniary or otherwise.

20. Peterlee & Horden Rugby Club, Eden Lane – Update/Presentation

Mr John Groves, (President) and Mr John Fenwick, (Treasurer) were welcomed to the meeting. Mr Groves gave a brief background of the Club and then went on to give details of how the Club were developing and progressing one year on from them moving into the Eden Lane Ground. He explained their goal was to further develop facilities in partnership with the Town Council and working in the community. This also included applying for grant funding from various sources. A question and answer session was held and it was agreed that further details of the community use and work with the community be provided to the Council by the Club. Mr Groves and Mr Fenwick were thanked for their attendance and informative presentation. **RESOLVED the information given, be noted.**

21. Minutes of the Last Meeting of the 10 July 2017, a copy of which had been circulated, were approved and signed as a true and correct record.

22. Minutes of the Events Sub Committees of the 12<sup>th</sup> July, 2<sup>nd</sup> August and 16<sup>th</sup> August 2017, a copies of which had been circulated, were approved and signed as a true and correct record, subject to an amendment being made relating to the route of the Remembrance Day Parade and the ordering of a council wreath.

23. Minutes of the Play Area Strategy Working Party held on 4 August 2017 a copy of which had been circulated, were approved.

24. Update report from the Sports Development Officer

A copy of the report of the Sports Development Officer providing Members with an update on new and existing sport development activities, club development and issues raised by sports users were considered. In considering the progress report several items were raised, one was the problem of litter at the football pitches, Lowhills Road and progress with the proposed cricket fence was given for Members. It was **RESOLVED:-**

- (i) the information given in the report, be noted;**
- (ii) a letter be sent to all of the Teams using Lowhills Road with a reminder about clearing up litter after their games;**
- (iii) a letter of congratulations be sent the first junior runner to complete the 5k Fun Run, (Peterlee Show).**

25. Opening and closing of the Park, play areas and cemetery

Members considered the report of the Town Clerk providing a number of options for future arrangements for the opening and closing of the Town Council's Parks, play areas and cemetery. There was considerable discussion on the item and the Town Clerk answered the questions posed and assured that if agreed this would be carried out in a phased, fully managed and controlled programme. **RESOLVED:-**

- (i) the contents of this report be noted;**
- (ii) approval be given to the removal of the blanket 'dawn to dusk' opening policy for the Town Council's park and play areas;**
- (iii) the managed opening of the park and play areas, subject to the completion of risk assessments and appropriate remedial works for each site, be agreed;**
- (iv) the work on the proposal for supporting increased levels of community engagement be endorsed and participation in the management of the park and play areas, to be developed in conjunction with the Park and Play Area Strategy Working Group and report back to this committee in due course.**

26. Parks Progress Report

In the Horticultural Supervisor's absence, the Town Clerk gave a verbal update on works in the Parks Department which included works at Eden Lane Cemetery, rugby league

(Helford Road), Rugby Union, (Eden Lane), bowls, tennis, cricket, play areas, Eden Lane Quarry Project, Dene Parks & open areas and the Leisure Gardens. The Town Clerk also gave brief details of the Skill Mill Initiative which he hoped the Council would become involved in. **RESOLVED the information given, be noted.**

27. Litter in the Town

This item had been referred for further discussion and consideration by this Committee. Members discussed the role of education, enforcement, neighborhood champions and what role the Town Council may play in tackling the problems with littering in the Town. **RESOLVED a member(s) of the Civic Pride Team, (DCC) be invite to a future meeting to consider this matter further.**

## **Item 6: ICO Data Protection Complaint**

**Report to:** Peterlee Town Council

**Date:** 25<sup>th</sup> September 2017

**Report title:** Information Commissioner's Office investigation into potential Data Protection Act breach – finding in favour of Town Council

**Report of:** Ian Morris, Town Clerk

**Report Purpose:** To inform members on the result of an Information Commissioners Office (ICO) investigation into a complaint from a member of the public about an alleged breach of the Data Protection Act by the Town Council, as required by the Council's Standing Orders.

**Background:** In June 2017 the ICO contacted the Town Clerk to inform him that a Peterlee resident had made a complaint to the ICO about the Council's handling of her personal data. The complaint involved information which the Town Council had allegedly provided to Durham County Council (DCC) as part of a Members Code of Conduct investigation by DCC.

The Town Clerk conducted an initial review of the information contained in the complaint to ascertain the facts of the case. He subsequently confirmed that a number of the documents referred to by the complainant had indeed been shared by the Town Council with the DCC investigating officer as part of a Code of Conduct complaint, and explained to the ICO that the Town Council was under a duty under section 62(3) of the Local Government Act 2000 to provide the investigating officer with the information they reasonably require in order to conduct their investigation into that complaint.

The ICO has concluded their investigation and has confirmed that Peterlee Town Council has not breached the DPA in this case. This is because the Town Council was able to legitimately provide copies of the complainant's information to DCC in compliance with the first principle of the DPA because the council was under a duty to provide the letters to DCC in order for it to investigate a code of conduct complaint.

The ICO have concluded that they do not intend to take any further action in this matter.

**Recommendation:** Members are asked to note the contents of this report and that the ICO has found in favour of the Council in its approach to handling personal data and information.



## **Appendix 1: Implications**

**Finance** – none

**Staffing** – none

**Risk** – none

**Equality and Diversity, Cohesion and Integration** – none

**Crime and Disorder** – none

**Consultation & Communication** – none

**Procurement** – none

**Legal** – the ICO report concludes that the Town Council does not appear to have breached the Data Protection Act and that no further action is to be taken in this matter.

## **Item 9 : Code of Conduct Complaint**

**Report to:** Peterlee Town Council

**Date:** 25<sup>th</sup> September 2017

**Report title:** Code of Conduct Complaint

**Report of:** Ian Morris, Town Clerk

**Report Purpose:** To inform members on the result of an investigation by the Monitoring Officer into a Code of Conduct complaint against a Town Councillor. The investigation has concluded that no further action is to be taken by the Monitoring Officer.

**Background:** The Town Council's Standing Orders require that all Code of Conduct investigations by the Monitoring Officer relating to Town Council Members be reported to the Council for information.

On 24<sup>th</sup> August 2017 the Town Clerk was notified by the Monitoring Officer that a complaint had been made by a member of the public about the conduct of a Peterlee Town Councillor. On 6<sup>th</sup> September 2017 the Monitoring Officer issued a decision notice of 'no further action' following her investigation into the complaint.

The Monitoring Officer concluded that as the alleged behaviour by the Councillor does not come within the remit of council business or appear to represent the Council then it is unnecessary to consider whether or not the Code of Conduct was breached and that no further action is appropriate.

**Recommendation:** Members are asked to note the contents of this report.

## **Appendix 1: Implications**

**Finance** – none

**Staffing** – none

**Risk** – none

**Equality and Diversity, Cohesion and Integration** – none

**Crime and Disorder** – none

**Consultation & Communication** – none

**Procurement** – none

**Legal** – none.