

Cabinet

DateWednesday 12 September 2012Time9.30 amVenueCouncil Chamber - Council Offices, Green Lane,
Spennymoor, Co Durham, DL16 6JQ

Public Question and Answer Session

9.30 a.m. to 10.00 a.m.

An opportunity for local people to have a 30 minutes informal question and answer session with Cabinet Members.

Cabinet Business

10.00 a.m. onwards

Part A

Items during which the press and public are welcome to attend. Members of the public can ask questions with the Chairman's agreement.

- 1. Minutes of the meetings held on 11 July 2012 and 24 July 2012 (Pages 1 10)
- 2. Declarations of interest, if any.

Key Decisions:

- 3. Local Council Tax Support Scheme and Review of Discretionary Council Tax Discount on Unoccupied Properties - Report of Corporate Director, Resources [Key Decision: CORP/R/12/01] (Pages 11 - 74)
- 4. Report relating to the Introduction of a County wide Allotment Lettings Policy - Report of Corporate Director, Neighbourhood Services [Key Decision: NS/16/12] (Pages 75 - 128)

Ordinary Decisions:

5. The County Durham Plan: Evidence Base - Report of Corporate Director, Regeneration and Economic Development (Pages 129 - 138)

- 6. Quarter 1 2012/13 Performance Management Report Report of Assistant Chief Executive (Pages 139 200)
- 7. Update on the delivery of the Medium Term Financial Plan 2 Report of Assistant Chief Executive (Pages 201 204)
- 8. Forecast of Revenue and Capital Outturn 2012/13 for General Fund and Housing Revenue Account - Period to 30 June 2012 - Report of Corporate Director, Resources (Pages 205 - 224)
- 9. Social Care Reform Report of Corporate Director, Children and Adults Services (Pages 225 242)
- 10. Report on a Review of County Durham Care and Support Day Services and recommendations on a redesign of these services - Report of Corporate Director, Children and Adults Services (Pages 243 - 292)
- 11. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.
- 12. Any resolution relating to the exclusion of the public during the discussion of items containing exempt information.

Part B

Items during which it is considered the meeting will not be open to the public (consideration of exempt or confidential information).

13. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.

Colette Longbottom

Head of Legal and Democratic Services

County Hall Durham 4 September 2012

To: The Members of the Cabinet

Councillors S Henig and A Napier (Leader and Deputy Leader of the Council) together with Councillors N Foster, L Hovvels, M Nicholls, M Plews, C Robson, B Stephens, C Vasey and B Young

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DURHAM COUNTY COUNCIL

At a Meeting of **Cabinet** held at the County Hall, Durham on **Wednesday 11 July 2012 at 10.00 a.m.**

Present:

Councillor S Henig in the Chair

Cabinet Members:

Councillors Foster, Hovvels, Napier, Nicholls, Plews, Robson, Stephens, Vasey and B Young

Other Members:

Councillors Armstrong, Arthur, Graham, N Harrison, Holroyd, E Huntington, Naylor, R Ord, Shuttleworth, Simmons, D J Southwell, Stradling, Temple, Todd, Tomlinson and Williams

1 Minutes

The Minutes of the Meeting held on 20 June 2012 were agreed as a correct record and signed by the Chairman.

2 Declarations of Interest

There were no declarations of interest.

3 Medium Term Financial Plan (3), Council Plan and Service Plans 2013/14 – 2016/17

The Cabinet considered a joint report of the Corporate Director, Resources and Assistant Chief Executive on the development of the planning frameworks which will enable the Council to develop the 2013/14 Budget, the 2013/14 – 2016/17 Medium Term Financial Plan (MTFP) and Council Plan/Service Plans (for copy see file of Minutes).

Cabinet members spoke at length about the difficulties facing the Authority, and the services it could provide, as a result of the level of cuts in funding from central government and other funding sources.

Resolved:-

4 2011/12 Final Outturn for General Fund and Housing Revenue Account

The Cabinet considered a report of the Corporate Director, Resources that provided details of the Final Outturn for both the General Fund and the Housing Revenue Account (HRA) for 2011/12 including an Annual Treasury Management Review (for copy see file of Minutes).

Cabinet re-iterated the comments made on the scale of the cuts in funding to the authority, and commented that despite this the authority had put in place sound financial management. Officers were to be congratulated on the work they had undertaken in such difficult circumstances.

Resolved:-

That the recommendations contained in the report be approved.

5 Library Strategy Key Decision AWH04/11

The Cabinet considered a report of the Corporate Director, Adults Wellbeing and Health that sought approval for the Library Service strategy "Inspire Include Inform" following consultation, and to make changes to the operation of the library service in order to realise savings in the Medium Term Financial Plan in respect of the library service. Durham County Council agreed its Medium Term Financial Plan in February 2011, setting out savings to be achieved of more than £123million between 2011 and 2015 including £1,457,000 in respect of library services (for copy see file of Minutes).

The Corporate Director, Adults Wellbeing and Health advised of an addendum report that had been circulated to Cabinet, and placed on the Council's website, which provided clarity on the recommendations being proposed (for copy see file of Minutes).

In responding to questions from Councillors Temple, Simmons, and Holroyd clarification was provided on the reasons for having a standard approach to the opening hours of libraries throughout the county.

Councillor J Armstrong, Chair of the Overview and Scrutiny Management Board advised that scrutiny had been fully engaged in the process, and that a review would take place in six months time.

Cabinet members explained the difficult decisions they were having to make due to cuts in funding, and that the current level of service could not be sustained. It was commented on that although the opening hours may reduce, each library would remain open.

The Leader thanked all of those who had been involved in the consultation process.

Resolved:-

That the recommendations contained in the addendum report be approved.

6 Proposed Closure of Plawsworth Road Infant School Key Decision: CYPS/05/12

The Cabinet considered a report of the Corporate Director, Children and Young People's Services that sought approval to close Plawsworth Road Infant School from 31 August 2013 (for copy see file of Minutes).

Councillor Vasey thanked all of those who had worked with the Authority on the closure.

Resolved:-

That the recommendations contained in the report be approved.

7 Establishing the New Organisational Structure in the Children and Adults Services Service Grouping

The Cabinet considered a joint report of the Chief Executive, and Corporate Director, Adults, Wellbeing & Health that advised of the changes that have taken place within the new Service Grouping of Children and Adults Services in line with Medium Term Financial Plan (MTFP) savings, following the appointment of the Corporate Director for the Service on 15 May 2012 (for copy see file of Minutes).

The Heads of Service who were leaving the Authority following the re-structure were thanked for their hard work.

Resolved:-

That the report be noted.

8 Review of the Constitution

The Cabinet considered a report of the Head of Legal and Democratic Services that presented proposals for the revision of the Council's Constitution following the restructure of Corporate Management Team (for copy see file of Minutes).

Resolved:-

9 The County Durham Cycling Strategy and Action Plan 2012-15

The Cabinet considered a report of Corporate Director, Regeneration and Economic Development that sought agreement to adopt the Cycling Strategy and Action Plan 2012-15 (for copy see file of Minutes).

Resolved:-

That the recommendations contained in the report be approved.

10 Update on the Review of the CCTV Service Monitored by Care Connect

The Cabinet considered a joint report of Corporate Director, Regeneration and Economic Development, and Corporate Director, Adult Wellbeing and Health that provided an update on the consolidation of the 24/7 CCTV service to the Chilton control room and reported on the outcome of the consultation regarding the future provision of the public realm/strategic cameras monitored by the Authority (for copy see file of Minutes).

In responding to a question from Councillor Temple, clarification was provided on procurement process and the integration of public and privately owned cameras.

Councillor J Armstrong, Chair of the Overview and Scrutiny Management Board advised that the Safer and Stronger Scrutiny Committee had considered the report on 3 July, and were supportive and noted the review.

Resolved:-

DURHAM COUNTY COUNCIL

At a Special Meeting of **Cabinet** held in the Council Chamber, Council Offices, Chester-le-Street on **Tuesday 24 July 2012 at 10.00 a.m.**

Present:

Councillor S Henig in the Chair

Cabinet Members:

Councillors Foster, Napier, Nicholls, Plews, Robson, Stephens, Vasey and B Young.

Other Members:

Councillors Armstrong, A Bell, Johnson and May.

An apology for absence was received from Councillor Hovvels.

The Leader of the Council, and Councillor Vasey advised that David Williams, the Corporate Director of Children and Young People's Service was leaving the Authority, and they thanked him for his hard work and dedication, and congratulated him on the achievements that his service had made each year. He was wished well by the Cabinet and every success in his future.

1 Declarations of Interest

There were no declarations of interest.

Prior to consideration of items 2 to 5, a presentation was given by the Corporate Director. Regeneration and Economic Development, and Head of Planning which provided background to the Regional statement and County Durham plan preferred options (for copy of slides of presentation see file of Minutes).

2 County Durham Policy Framework

The Cabinet considered a report of the Corporate Director, Regeneration and Economic Development which presented a number of policy documents for approval that sought to outline the shape the approach for Regeneration and Economic Development in County Durham (for copy see file of Minutes).

Resolved:-

3 County Durham Regeneration Statement 2012

The Cabinet considered a report of the Corporate Director, Regeneration and Economic Development which presented for consideration and endorsement the refreshed County Durham Regeneration Statement (for copy see file of Minutes).

Resolved:-

That the recommendations contained in the report be approved.

4 The County Durham Plan Preferred Options (including supporting documents) Key Decision R&ED/O9/12

The Cabinet considered a report of the Corporate Director, Regeneration and Economic Development which sought approval to consult on the Preferred Options, the latest stage in preparing the County Durham Plan, the new Local Plan for County Durham and key means of delivering the Regeneration Statement. It further sought approval to consult on a number of Supplementary Planning Documents that accompany the Plan (for copy see file of Minutes).

Clarification was provided to the questions received from Bearpark Action Group on the plan.

Cabinet members spoke at length about the County Durham Plan, and that they would welcome all being involved in the forthcoming public consultation.

Resolved:-

That the recommendations contained in the report be approved.

5 County Durham Infrastructure Delivery Plan and Community Infrastructure Levy Draft Charging Schedule Key Decision R&ED/10/12

The Cabinet considered a report of the Corporate Director, Regeneration and Economic Development which sought approval for the Council's Infrastructure Delivery Plan and the Community Infrastructure Levy Draft Charging Schedule for consultation alongside the County Durham Plan from 10 September to 2 November 2012 (for copy see file of Minutes).

Resolved:-

That the recommendations contained in the report be approved.

6 Local HealthWatch Transition Plan including NHS Complaints Advocacy Service Key Decision AWH 03/12

The Cabinet received a report of the Corporate Director of Adults, Wellbeing and Health which set out of the proposed procurement process for Local HealthWatch along with providing an update on the progress made with HealthWatch Transition Plan; and set out proposals for the commissioning of an NHS Complaints Advocacy Service (for copy see file of Minutes).

Resolved:-

That the recommendations contained in the report be approved.

7 Community Buildings: Communal Rooms Key Decision CORP/A/05/11/3

The Cabinet considered a report of the Assistant Chief Executive which sought agreement to a new approach for approval for the future of 55 Council owned and managed community buildings (communal rooms), which are strongly associated with neighbourhood housing, and which sought delegated authority to the Assistant Chief Executive to pursue negotiations with local housing providers (for copy see file of Minutes).

Resolved:-

That the recommendations contained in the report be approved.

8 Review of Fixed Play Provision Key Decision NS/14/11

The Cabinet considered a report of the Corporate Director, Neighbourhood Services which proposed an approach to reviewing fixed play provision access across the County. The report further set out a basis for considering the future distribution of fixed play resources in the short, medium and long term, and proposed a range of consultation measures in progressing this work (for copy see file of Minutes). In responding to questions from Ms R Chambers, clarification was provided on the funding processes through AAPs and member imitative fund, and also the consultation process.

Resolved:-

That the recommendations contained in the report be approved.

9 Durham City Business Improvement District

The Cabinet considered a joint report of the Corporate Director, Regeneration and Economic Development, and Corporate Director, Resources which provided an update on the proposal to establish a Business Improvement District for Durham City Centre, which has been led by businesses in the city (for copy see file of Minutes).

Resolved:-

That the recommendations contained in the report be approved.

10 County Durham Partnership Update

The Cabinet considered a report of the Assistant Chief Executive which provided an update on the issues being addressed by the County Durham Partnership (CDP) Board, the five Thematic partnerships and all Area Action Partnerships (AAPs). The report further provided updates on other key initiatives being carried out in partnership across the County (for copy see file of Minutes).

Resolved:-

That the recommendations contained in the report be approved.

11 Transfer of Public Health Functions to Durham County Council

The Cabinet considered a joint report of the Corporate Director of Adults, Wellbeing and Health, Corporate Director of Children and Young People's Services, and Director of Public Health, County Durham that provided an update on recent developments with regard to the transfer of public health functions from NHS County Durham and Darlington to Durham County Council by 1st April 2013 (for copy see file of Minutes). The Leader advised that the Council were continuing to lobby the LGA for their support against the scale of the proposed cuts in funding for public health.

Resolved:-

That the recommendations contained in the report be approved.

12 Commissioning a 2013 Lumiere Festival

The Cabinet considered a joint report of the Corporate Director, Adults, Wellbeing and Health, and Corporate Director, Regeneration and Economic Development which provided further information on the evaluation of the 2011 Lumiere programme. It outlined some of the outcomes from a range of discussions and concluded that there is support and enthusiasm for commissioning a 2013 Lumiere Festival amongst a cross section of individuals and organisations (for copy see file of Minutes).

Resolved:-

That the recommendations contained in the report be approved

13 NHS Reforms

The Cabinet considered a joint report of the Corporate Director of Adults, Wellbeing and Health, and Corporate Director of Children and Young People's Services that provided an update on recent developments in relation to NHS reforms (for copy see file of Minutes).

Resolved:-

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Cabinet

12 September 2012



Local Council Tax Support Scheme and Review of Discretionary Council Tax Discount on Unoccupied Properties

CORP/R/12/01

Report of Corporate Management Team, Don McLure, Corporate Director Resources Councillor Alan Napier, Portfolio Holder, Resources

Purpose of the Report

- 1 To set out a proposed Local Council Tax Support Scheme to be implemented from 1 April 2013.
- 2 To propose a number of technical changes to Council Tax discounts on empty properties in order to generate additional council tax income for the Council with effect from 1 April 2013.

Background

- 3 The Welfare Reform Act 2012 abolished the national council tax benefits system (CTB), paving the way for new Local Council Tax Support Schemes (LCTSS) to be introduced under the auspices of the Local Government Finance Bill. The main proposals are as follows:
 - the Government has stated it has two underlying principles underpinning its approach to the localisation of Council Tax Benefits in England:
 - Localised schemes should provide support for the most vulnerable, including vulnerable pensioners.
 - Localised schemes should assist with lifting the poorest people of working age, off benefits and supporting them into work.
 - (ii) by localising Council Tax Benefits, the Government believes this will provide local authorities with a financial stake in ensuring these two policy aims are successfully supported;
 - (iii) the LCTSS is to be implemented from April 2013, with Councils required to formally approve their local schemes by 31 January 2013;
 - (iv) the Government will introduce a new un-ring fenced grant equal to 90% of forecasted council tax benefit funding levels had the existing benefit system continued into 2013/14. The new grant will be based on the Office of Budget Responsibility's (OBR) forecast of the level of CTB

that would have been awarded in 2013/14 under the current regime, taking into account the forecast for economic growth contained in the March 2012 Budget, plus assumptions on Council Tax increases across this period. The Council will be responsible for the costs of any increase in caseload or costs above the OBR forecasts, as the level of Government support will be fixed for a number of years.

- (v) early indications are that the OBR forecasts are assuming a reduction in caseload going forward. In Durham, our caseload is actually increasing as is the case in other local authorities in the region, reflecting the relatively worse economic conditions in this area compared to most other areas in the country.
- (vi) the loss of benefit subsidy from the Government and replacement with a discount under the new scheme will result in an estimated 20% reduction in the Council's council tax base (currently 157,295.3 band D equivalent properties). The consequential reduction in council tax income will be offset by the receipt of the LCTSS grant funding (less the 10% cut), which is to be included within the new Business Rates Retention funding scheme.
- 4 Cabinet received a report on progress on developing a LCTSS for Durham on 18 April 2012. To achieve a financially neutral position for the Council, the new scheme would need to reduce payments to working age benefit recipients by circa £5.5m in total, taking into account the level of precepts levied by Police, Fire and local Town and Parish Councils.
- 5 Given the Government requirement for pensioners in receipt of CTB are to be fully protected under the new scheme, and taking into account that pensioners account for 50% of current payments in County Durham, working age claimant CTB awards would therefore need to reduce by circa 20% to achieve a cost neutral position – assuming that these council tax sums were all to be fully recoverable. If the cut in grant is passed on via the LCTSS, causing working age benefit claimants to become liable to paying council tax, then estimated non-payment within this cohort would be significantly higher than the current 1.5% non collection estimates and therefore would need to be built into our financial forecasting.
- 6 If the Council were to adopt a cost neutral local scheme, at Band A, a working age council tax payer currently in receipt of full CTB would receive a Council Tax bill of c£250 a year. Transaction costs involved in collecting these relatively modest sums would be comparably significant and disproportionate, with significant provisions for bad debt having to be assumed.
- 7 In addition to the introduction of LCTSS, the Government is proposing to allow Councils to change discount awards relating to three classes of empty property discounts, which are currently subject to statutory limitations. These discretions will be available from 1 April 2013 where the Council would be able to reduce the discount currently awarded to a property where it qualified for a discount under the legislative classifications of Class A, C and L:
 - (i) Class A relates to properties which are empty, unfurnished and undergoing major structural work to make them habitable. Currently,

properties falling within Class A are exempt for a maximum period of 12 months after which time, Council tax is charged at 100%. The Government is proposing to allow discretion over the amount of discount awarded, including the ability to withdraw the discount in full, but no discretion to vary the 12 month qualifying period;

- (ii) Class C relates to properties which are empty and unfurnished. Currently, properties falling within Class C are exempt for a maximum period of 6 months after which Council tax is charged at 100%. The Government is proposing to allow discretion over both the amount of discount awarded, including the ability to withdraw the discount in full, and the ability to vary the level of discount over time;
- (iii) Class L relates to properties which have been repossessed by banks and building societies due to defaults on mortgages and are unoccupied. Currently, properties falling within Class L are permanently exempt until the property is sold or let. The Government is proposing to allow discretion over the amount of discount awarded, including the ability to withdraw the discount in full.
- 8 The Government is also proposing that the Council will be allowed to reduce or remove the current 10% discount awarded to second homes and to charge an empty property premium on properties that are long-term empty (i.e. 2 years or more) of up to 150% of the full council tax.
- 9 These technical reforms of council tax are in line with the Government's policy aims - that all unoccupied properties should be subject to a higher Council Tax charge to encourage the owners of these premises to bring them back into use. They also support the reasons for the previous decision by the Council to reduce the discount awarded to long term empty properties from 50% to 0% with effect 1 April 2012. One of the beneficial effects of implementing these changes in Durham will be for more empty properties to be sold or let more quickly which is in line with the Council's Empty Property Strategy.

Local Council Tax Support Scheme

- 10 The potential implications of the LCTSS are far-reaching and should not be under-estimated:
 - the Council will need to decide which groups of working age, low income households will experience the largest increases in their Council Tax liability. This will inevitably result in increased financial hardship in these households and reputational issues for the Council;
 - Council Tax collection costs would rise and collection rates would fall as the Council attempts to collect council tax from the most disadvantaged, a scenario not dissimilar to that experienced in the collection of the community charge in the early 1990's. This will impact on the Council Tax base thereby potentially increasing council tax charges for all council tax payers or alternatively, leading to a cut in other council services;

- whilst the Government has indicated that the new LCTSS grant may remain unchanged for only 2 years, with the intention of incentivising Councils to influence job creation and getting people back into work, the likelihood is that claimant volumes will change from year to year. Where they increase due to higher unemployment, successful take-up campaigns and increasing incidence of retired population the financial risk of increased council tax support costs will lie solely with the Council, not Government;
- the level of future funding from government is uncertain, particularly when this is subsumed into formula grant from 2014/15 onwards;
- the Council is expected to consider and fund itself, any contingency arrangements for unplanned increases in demand and take-up;
- the extremely tight timescale to introduce a LCTSS, given its importance and complexity that will impact on a very large number of the most vulnerable council tax payers in County Durham will be extremely challenging, with any proposals needing to be consulted upon with local stakeholders. ICT software and other systems and processes need to be redesigned and tested.
- 11 There are currently c64,000 CTB claimants in receipt of c£55m of CTB entitlement in 2012/13. The £55m equates to approximately 20% of the current total council tax liability to be collected in 2012/13. Around 50% of the claimants are pensioners, who must be fully protected under the new legislative changes.
- 12 Of the c31,500 working age claimants c70% relate to 'passported' benefit claimants, that is claimants who automatically qualify for council tax benefit (usually at 100%) due to being on Income Based Jobseekers Allowance; Income Related Employment and Support Allowance and Income Support. Using the current CTB awards, and assuming no change in caseload, it has been possible to calculate the impact of the transfer from a benefit payment to a LCTSS discount which impacts upon the county wide council tax base and therefore the amount of income raised from council tax payers, assuming that the reduction is not passed on to working age benefit claimants through a consequential reduction in their council tax benefit entitlement.

Protection for Parish and Town Councils

- 13 On 28 August, the Government published a new consultation document, amending the proposals published on 17 May. The Government is now proposing to protect parish and town councils from the impact of the introduction of the LCTSS. If adopted, this would mean that town and parish council tax bases would not reduce and the Council would effectively have to maintain two council tax bases.
- 14 The consultation period for this proposed change ends on 9 October and should this late change manifest itself into legislation, there will be a detrimental financial impact on the Council, the Police Authority and Fire Authority budgets from 2013/14.

15 The original proposals would have impacted on Council Tax yield in respect of town and parish councils to the value of c£3m, with the Government providing LCTSS grant to the Council of £2.3m with the expectation that the Council would agreed to pass this onto local town and parish councils. Much of the detail on how this change will work through is still to be clarified at this time, however, it seems likely that the shortfall (c£700k) will now rest within the Collection Fund and have to be made good by the Council and potentially its major precepting bodies, increasing the financial detriment and burdens faced by the Council and the Police / Fire authorities as a result.

Forecasted Benefit Caseload from 2013/14 and Financial Impact

- 16 In modelling the LCTSS it would also be prudent to make provision for an increase in caseload in 2013/14. The Office of Budget Responsibility (OBR) estimates, which will inform the new grant, are based on national trend data and will not be adjusted to reflect local economic circumstances, save for the starting point being adjusted to reflect the outturn 2011/12 subsidised council tax benefits expenditure. The OBR methodology is based on:
 - (i) Forecast national changes in the number and mix of households that would have been claiming CTB in 2013/14. In general the OBR expects there to be a reduction in numbers claiming passported benefits (due to the combined impact of forecasted economic growth and the forecasted reduced worklessness numbers from the new welfare reform agenda) and in pensioner numbers but an increase in numbers of low income earners i.e. fewer people on full council tax benefit but an increase in people on partial benefit;
 - (ii) An underlying assumption that the total number of claimants has already peaked and that local authorities will pass on the 10% grant cut through reducing entitlement to working age claimants;
 - (iii) Provision for assumed council tax increases up to and including 2013/14, though these assumptions have not yet been published; and
 - (iv) Modelling the annual totals of claimant and annual expenditure flows over four separate quarters.
- 17 The current OBR estimates of national council tax benefit expenditure, are set out below:

Year	Assumed Number of Claimants '000	% Change Year on Year	Value of CTB Expend. £m	Ave. Value per Claim £	% Change Year on Year
2010/11	5,805	N/a	4,799	827	N/a
2011/12	5,882	+1.3%	4,802	816	-1.3%
2012/13	5,849	-0.6%	4,761	814	-0.3%
2013/14	5,713	-2.3%	4,235	741	-9.0%
2010/11 to 13/14	N/a	-1.6%	N/a	N/a	-10.4%

18 Clearly, the situation in each region and within each local authority area will be different. For example, the average value per claim in 2011/12 in County Durham was £827 compared to the national average of £816. In addition, the

economic prospects and growth in the County may not be in line with the National forecasts on which the OBR have modelled the grant allocations.

- 19 In order to successfully plan for the implementation of the LCTSS and cover the potential increasing cost of local council tax support, a prudent 5% growth in the number of claimants is suggested for 2013/14 budgeting purposes. This assumption may need to be revisited if a sharp, economic downturn is realised as a result of national or international issues. Some relevant points are illustrated below:
 - Whilst 5% is more than double the current trend growth DCC linear trend projections indicate that the number of claimants in County Durham will grow by 2.2% to the end of 2014 the Council needs to have sufficient provision for increases in demand and take-up, given that that the financial risks inherent in the LCTSS will lie with the Council from 2013/14 onwards;
 - Over the last two years the trend in claimant growth has been relatively flat. The numbers of claimants in March 2012 were the same as they were in March 2010. Numbers did fluctuate month to month and peaked at almost 65,000 in the winter of 2010/11 before declining again. In recent months claimants have risen slightly currently standing at c64,000;
 - It is not possible to accurately predict whether the Council will see an increase in caseload, and therefore costs, as a result of the move to the LCTSS scheme a discount against the council tax bill rather than a benefit payment. DWP research in 2009/10 showed that as many as 3 million people (around 30%) who would be entitled to CTB did not claim. To what extent this is due to the fact that CTB is a benefit or because the claim is means tested and requires the disclosure of personal information including bank statements etc in order to be processed is unknown; and
 - Within the wider Welfare Reforms, one of the policy aims of which is to increase access to benefits, may also have an impact on demand for the Councils LCTSS, given that this will no longer form part of the Universal Credit calculation.

Local Scheme Design

- 20 The Local Council Tax Support Scheme that the Council adopts can vary from passing on the full reduction in Government grant, which will mean working age council tax benefit claimants would have to pay at least 20% of their council tax bills, to adopting the Government's default scheme, where current claimants would receive the same support in 2013/14 as in the current year.
- 21 There are advantages and disadvantages to each approach. Should the Council decide to pass on the reduction, working age claimants could experience significant increases in their Council Tax liability, which in turn could lead to financial hardship and collection issues with potential further financial pressure to claimants where they will be impacted by the welfare reform agenda from October 2013.

- 22 However should the Council decide to adopt the Government's default scheme, which does not pass on the grant reduction to the claimants it would leave the Council a funding gap of £4.6m in 2013/14 budget.
- 23 The extremely tight timetable to introduce a local scheme does not allow for a full understanding of the impact of the forthcoming welfare reform agenda. An option therefore would be for the Council to adopt the default scheme in 2013/14 to allow more time for a full understanding of the impact of localisation of council tax support along with the welfare reform agenda including the introduction of universal credit in October 2013.

Technical Reforms of Council Tax

24 The table below shows the value of discounts awarded under Class A; C and L, plus the 10% second homes discount awarded in 2011/12. The table also includes the number of long term empty properties (over two years) last year and the estimated additional Council Tax that could be generated from applying a 50% premium / additional charge to these. These figures are broadly in line with the levels awarded in previous years and as such can be relied on for modelling purposes at this stage:

Class of Exemption	£000	No. of Awards
Class A	488	1,116
Class C	4,682	24,896
Class L	272	727
Second Homes	224	4,597
Long Term Empty	1,200	1,861
Total	6,866	33,197

- 25 Removing the full discount from Classes A, C, L, the remaining 10% discount on Second Homes and charging an empty property premium on properties that are long-term empty (i.e. 2 years or more) of up to 150% of the full council tax has the potential to generate an additional £6.866m in gross Council Tax income, impacting on c33,200 properties / council tax payers. However, these figures take no account of the additional challenge in collecting Council Tax on these empty properties plus the increased numbers of tax payers who would qualify for hardship relief from the council tax charges on empty properties. The net council tax income after taking into account non collection and additional hardship relief qualifiers would be less than the £6.866m..
- 26 Withdrawing all the discounts awarded at Class A, C and L, plus removing the remaining 10% discount of second homes and charging an empty property premium on properties that are long-term empty (i.e. 2 years or more) of up to 150% of the full council tax would increase the Council Tax Base and generate additional Council Tax, broadly in line with the net impact of the introduction of the Government's default scheme for LCTSS and cover the cost of the proposed changes to funding of parish and town council precepts published on 28 August. This would therefore have a neutral impact on the

2013/14 budget forecasts as part of the Council's medium term financial plan 2013/14 to 2016/17 (MTFP 3), with the cost of one policy decision effectively cancelling out the cost of the other.

27 Withdrawing or reducing these discounts will have a beneficial impact on parish and town council precepts through an increase in council tax base in these areas should the proposed changes to funding of parish and town council precepts become enacted in legislation. The impact at an individual parish area will vary significantly, based on the current profile of discounts awarded across each parish area and are still being worked up.

Hardship Relief

- 28 If the decision was made to withdraw or reduce the current policies with regards to Class A, C and L; remove the remaining 10% discount on second homes; and to charge an empty property premium on properties that are long-term empty (i.e. 2 years or more) of up to 150% of the full council tax, the current Hardship Relief Policy, including the arrangements for raising awareness of and access to it, would need to be reviewed to ensure that tax payers facing financial hardship as a result of the proposals set out in this report are afforded support where necessary.
- 29 The Hardship Relief Policy, which is underpinned by a financial assessment of the income of individuals, would be a key mitigation tool for the Council. Any increase in awards would inevitably result in a loss of council tax income and a prudent estimate would need to be built into the forecasts / MTFP in recognition of this.
- 30 During the coming months officers will consider how the existing policy could be revised, extended and promoted, with an updated policy being put in place in advance of the implementation of the new arrangements. Further work will also be undertaken to baseline potential increases in awards and impact on the Council Tax revenues that could be generated from the withdrawal of the discounts.

Financial Implications

- 31 On 17 May 2012, the Government published indicative LCTSS grant allocations for 2013/14, based on the OBR forecasts of what would have been council tax benefit expenditure in 2013/14 had the current scheme continued, less the 10% cut, but factoring in assumed council tax increases up to 2013/14. These indicative grant allocations, will be updated in the Autumn based on 2011/12 subsidised council tax benefit expenditure levels and updated OBR forecasts.
- 32 The Government is proposing to provide the Council with an equivalent grant sum for LCTSS relating to Town and Parish Councils as it does not have the powers to grant fund these bodies direct. This is the main reason for the Government's recent consultation document proposing to protect parish and town councils from the impact of changes included in the LCTSS, where their respective council tax bases are to be excluded from the impact from moving from a benefit to a discount.

- 33 If the parish and town councils are to be protected from the implications of the LCTSS at a detrimental cost to the Council and potentially the Police and Fire authorities of c£700k in total and since they will all benefit by way of increased council tax base from the removal of council tax discounts, the Council could, as part of the consultation process, look to negotiate the removal of the existing 'double taxation' grants to parish and town councils amounting to £250k per annum.
- 34 Introducing the Government's default LCTSS and withdrawing the discounts awarded at Class A, C and L; removing the remaining 10% discount of second homes plus charging an empty property premium on properties that are long-term empty (i.e. 2 years or more) of up to 150% of the full council tax, would give the Council the potential for a cost neutral position for 2013/14. Should this be agreed, the situation would need to be continuously reviewed during 2013/14 as this may not be a sustainable financial position going forward into MTFP (4) and beyond given the uncertainty and financial burdens and risks around potential increased demand for the LCTSS and the future financial outlook in terms of the wider austerity measures facing the Council over the medium term.

Equality and Impact Assessment

- 35 The Equality Act 2010 aims to advance equality of opportunity and provide protection from discrimination for people based on their 'protected characteristics'. We are legally required under the public sector equality duty (PSED) to have due regard to the need to:
 - eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act;
 - advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and
 - foster good relations between those who share a relevant protected characteristic and those who do not.
- 36 In relation to the LCTSS, this means that the Council needs to take account of the available data and broader evidence to actively consider how the scheme might affect people who share a relevant protected characteristic and people who do not share it. The PSED does not prevent public authorities making difficult decisions but we must ensure that the decision making process is fully informed by equality impacts and, where there is potential for negative impact, full consideration is given to mitigating actions and implementation of the final decision can be clearly justified.

Government Equalities Impact Assessment (EIA)

37 The Government EIA was published in January 2012 and is relatively brief. It considered equality impacts in relation to age and disability, concluding that protection for pensioners would be a positive impact and the effects on disabled people would depend on how each local authority responded to the reduction in council tax support. No impacts were identified in relation to gender or ethnicity and no other protected characteristics were considered

and it was left to individual councils to identify full local impacts, based on local implementation.

Durham County Council LCTSS Equalities Impact Assessment: Summary

- 38 An initial equality impact assessment for the local implementation of the national LCTSS proposals was undertaken in February 2012. The equality impact assessment has been updated and refined as part of the modelling work and the latest draft is attached at Appendix 2.
- 39 The equality impact assessment considers:
 - the impact should the council decide to protect the financial position of all claimants by adopting the default scheme in 2013/14;
 - the impact should the council decide to pass on the reduction to working age claimants.
- 40 The assessment does not consider alternative ways of passing on differential reductions to some groups of working age claimants. Protecting council tax support for some working age claimants would require problematic judgements on entitlement and determining which groups were most vulnerable.
- 41 Should the default scheme be adopted as our local scheme, then there will be no negative equalities impact, with the financial position of claimants protected in 2013/14, and the position to be revisited next year once the wider impact of the new council tax support scheme and welfare reform are better understood. On the positive side, the move to a discount rather than a benefits payment may improve take up amongst older people as there is some evidence to suggest some feel a stigma associated with claiming a benefit which reduces take up.
- 42 Should the Cabinet decide against adopting the default scheme in 2013/14, and elect instead to pass on the reduction in funding to working age claimants, there is a range of potential negative equalities impacts. The main impact for working age claimants would be financial as they would need to fund the 20% difference against their current entitlement. For some this may be a significant amount of their household income which could lead to additional negative impacts including:
 - Health / wellbeing as a result of stress or anxiety over financial difficulties;
 - Housing where people are unable to meet other costs as a result of increased council tax contributions or look to move to cheaper alternative accommodation, whilst this is relatively unlikely it is still a potential impact to be considered;
 - Legal action as a result of not paying council tax can have a negative impact both in terms of additional costs and stress but also potentially in relation to employment.

- 43 These impacts are possible across all protected characteristics but are most likely in relation to gender, age and disability with limited potential impacts for race / ethnicity and sexual orientation. There is no evidence available at this stage to show potential impact on transgender status, religion or belief. Further details are provided within the attached full equalities impact assessment.
- 44 There would be a positive impact on older people as a result of protecting pensioners; in County Durham this will benefit older women particularly as there are a greater number of older women in the population than older men. Additionally, there may be positive impacts where working age people are encouraged to find employment, whilst this is the Government's stated aim there is little evidence locally to support it. Some claimants may seek additional income from other benefits or use other services to help deal with the changes; this could have a positive impact where people take up entitlements for which they are eligible but do not already receive them.
- 44 The equality impact assessment does not include cumulative impacts of the Government's other welfare reforms but the combined financial effect could be significant for some people.

Durham County Council Technical Reforms of Council Tax EIA: Summary

- 45 An equality impact assessment of the impact of withdrawing or reducing discounts from Classes A, C, L; the remaining 10% discount on Second Homes; and charging an empty property premium on properties that are long-term empty (i.e. 2 years or more) of up to 150% of the full council tax has been undertaken and is attached at Appendix 3.
- 46 There is potential for financial impact on some individuals who will be required to pay more or are exempt for shorter periods. However there is limited evidence available relating to individuals so it is not possible to specify which equality groups are particularly affected.
- 47 Some empty properties are owned by organisations and landlords with multiple properties but some may be owned by individuals from particular equality groups. No equality data is collected for these exemptions so it is not possible to assess whether some groups are more numerous under the three exemptions than other groups. In respect of Class L exemptions for repossession there are some sources of evidence which can be used to make assumptions, for example national research by Shelter suggests that women who go through divorce, separation or death of a partner are more likely to suffer financial hardship and be at risk of losing their home through repossession than men in the same situation. Local data on homelessness support shows a higher proportion of women receiving help as a result of mortgage arrears or repossession.
- 48 The existing mitigating action of a hardship relief policy will continue whatever the outcome of this proposal, and the policy is to be reviewed to consider how it can be extended and promoted. In cases of demonstrable financial hardship, discounts of up to 100% can be granted where the local authority is satisfied that the liable person of an empty domestic property has made their best efforts to sell or let the property and to levy a council tax charge would

cause exceptional financial hardship. In addition there is a range of other exemptions which will continue to apply and mitigate the financial impact on vulnerable people, including properties where the individual has gone into a hospital or care home, moved away to receive or provide care or where the individual has died.

Consultation

49 When introducing its proposals for the Local Council Tax Support Scheme, the Government published associated guidance setting out the need for consultation. The guidance states:

'If a billing authority actively intends to adopt a reduction scheme, (as it should, in order to comply with the duty in section 13A(2) of the Local Government Act 1992, substituted by clause 8), no matter what the content of that scheme is (and even if it is the same or substantially similar to the default scheme) then it is a local scheme. The billing authority is therefore obliged to consult with major precepting authorities, publish a draft scheme and consult with such other persons it considers are likely to have an interest.'

- 50 Consequently, although the recommendations set out elsewhere in this report are to implement a scheme that would retain the same level of support to Council Tax Benefit recipients as the current Council Tax Benefit Scheme, consultation is required before agreeing and publishing the scheme which the Council will put in place for 2013/14.
- 51 With regard to the proposed technical reforms of Council Tax, normally there is no obligation to consult on a proposal to remove discounts on Council Tax. However, given the direct link in the proposals set out in this report between the need to finance the proposed Local Council Tax Support Scheme in 2013/14 and the removal of currently available Council Tax discounts, for these particular circumstances, a consultation plan has been developed seeking views on both aspects of the overall proposal. When developing this approach, the plan makes it clear that these are exceptional circumstances and consultation on technical changes to Council Tax would not normally be required if these are made in isolation to other policies and service changes.
- 52 A copy of the Consultation Plan is available in the Members' Library and it recommends the key consultation period takes place between 13 September, and 26 October, 2012. This period builds on an earlier phase of consultation, primarily with our precepting authorities, that has helped shape the proposals set out in this report. This phase is also detailed in the plan.
- 53 The consultation will set out the Council's overall approach for establishing and funding a LCTSS scheme as detailed in this report and will provide an opportunity to comment on the proposals and to highlight any potential implications on individuals and agencies of progressing with the scheme. The key elements will include:
 - an online questionnaire;
 - a presentation to the Durham branch of the national Landlords Association and Durham Social Housing Group;

- holding a focus group with a range of current working age Council Tax Benefit recipients; and
- targeted correspondence to the key organisations that offer welfare advice in the County.
- 54 During this period, meetings will also be held with the major precepting authorities to seek their views on the proposals as well as attending the County Durham Association of Local Councils and targeted correspondence to each town and parish council.
- 55 In addition to seeking views on the proposed Local Council Tax Support Scheme and technical reforms to Council Tax, the consultation with town and parish councils will also seek views on:
 - the new consultation document published by the Government on 28 August which proposes to protect parish and town councils from the impact of changes included in the LCTSS where their respective council tax bases are to be excluded from the impact from moving from a benefit to a discount; and
 - the proposal to withdraw the £250,000 "double taxation" grant.
- 56 The findings of this consultation will then be used to help formulate the final proposals for a Local Council Tax Support Scheme and the review of discretionally Council Tax discounts that will be considered by Cabinet in December.

Summary

- 57 The Government is abolishing the national Council Tax Benefits system and introducing the requirement for Councils to develop, publish and consult, then approve (by 31 January 2013) and implement Local Council Tax Support Schemes from 1 April 2013. Government support to the new scheme will be fixed and equate to 90% of the forecast CTB costs in 2013/14, whereas the under the current system as claimant numbers (and cost) increase or decrease so does Government support.
- 58 The new scheme must fully protect pensioners, with any reductions in entitlement being borne by working age claimants. In County Durham c50% of current CTB claimants are pensioners, meaning that working age claimants, face a c20% reduction in entitlement if the grant cut is passed on through a new LCTS scheme.
- 59 As part of its Technical Reforms of Council Tax, the Government is proposing to provide increased discretion to change discount awards relating to three classes of empty property discount, which are currently subject to statutory limitations, plus the ability to charge a premium (up to 50% extra) on long term empty properties and the ability to remove the discount on second homes.
- 60 These discretions would be available from 1 April 2013. In terms of Class C exemptions, the Government is also providing discretion over the qualifying period for the discount.

- 61 The introduction of the new LCTSS will have the effect of reducing the Council's tax base, whereas any reduction or removal of discounts and exemptions will increase the tax base.
- 62 The Government has published proposals to financially protect Parish and Town Councils from the impact of the local council tax support scheme, which will result in a further "cost shunt" to the Council and the police and fire authorities.
- 63 Withdrawing discounts awarded at Class A, C and L; removing the remaining 10% discount of second homes and charging an empty property premium on properties that are long-term empty (i.e. 2 years or more) of up to 150% of the full council tax would increase the Council Tax Base and generate additional Council Tax, broadly in line with the net impact of the introduction of the LCTSS. This would therefore have a neutral impact on the 2013/14 budget, with one policy decision effectively cancelling out the impact of the other.
- 64 The Council and its major precepting authorities (the Police and Fire authorities) are to receive a new un-ringfenced grant in 2013/14, equal to 90% of the Governments forecast of what would have been CTB entitlement in 2013/14 had the current scheme continued. The forecasts are based on national trends and OBR estimates and as such may not reflect local circumstances in County Durham.
- 65 The Council's grant will include a sum relating to 90% of the Town and Parish element of the OBR forecast of current CTB expenditure and the remaining 10% will become a cost to the Council, Police Authority and Fire Authority This cost could be offset in part by the removal of the current £250k "double taxation" grant paid to Town and Parish Councils, who would potentially receive an increase in their taxable capacity as a result of the proposed reductions in discounts set out in the report, and this will be considered as part of the planned consultation process.

Next Steps

66 The proposals set out in this report will be subject to consultation, in accordance with the consultation and communication plan. The outcome of the consultation will be reported to Special Cabinet on 19 December 2012, before the LCTSS is formally considered and approved by Council on 9 January 2013.

Conclusions

- 67 There is a statutory requirement to publish and consult on the Council's proposals with regards to the new LCTSS and the proposal is to publish and adopt the Government's default scheme, which seeks to maintain the current levels of support for 2013/14 only.
- 68 The Government is proposing to allow the Council to withdraw the discounts at Class A; C and L; remove the current 10% discount on second homes; and to charge an empty property premium on properties that are long-term empty (i.e. 2 years or more) of up to 150% of the full council tax.

- 69 There are a number of risks associated with the new LCTSS, not least of which is increased take-up and the consequential transfer of risk to the Council, plus the associated ICT software and systems related costs and issues. The financial risks to the Council have increased as a result of the consultation paper on town and parish protection published on 28 August 2012.
- 70 The proposals set out in this report represent a pragmatic response to the challenges faced by these changes; however, the scheme will be kept under continuous review in terms of affordability and sustainability during 2013/14. Any changes to the LCTSS will need to be consulted on and, should any changes be proposed, a report would need be brought back to Cabinet in September 2013 before embarking on consultation in Autumn 2013.

Recommendations

- 71 It is recommended that Cabinet agrees:
 - To undertake consultation on introducing a Local Council Tax Support Scheme from 1 April 2013, and the associated reforms to council tax, that retains the same level as support to council tax payers as the current Council Tax Benefit Scheme (as set out at Appendix 4);
 - (ii) That the Scheme be initially introduced for one year only and be kept under continuous review with a further decision to be considered by Cabinet in September 2013;
 - (iii) To delegate approval for the Corporate Director of Resources, in consultation with the Portfolio Holder for Resources, to revise and update the Council's Hardship Relief Policy;
 - (iv) To undertake consultation with the Town and Parish Councils on the Government's proposals to financially protect them from the impact of the local council tax support scheme and the potential detrimental financial impact this will have on the Council from 1 April 2013. The potential removal of the current £250k "double taxation" grant paid to Town and Parish Councils will be considered as part of the consultation process.

Contact: Paul Darby Tel : 03000 261 931

Background Papers

- Welfare Reform Act 2012.
- Localising Support for Council Tax & Technical Reforms of Council Tax CLG Consultation Papers & Statements of Intent: <u>http://www.communities.gov.uk/localgovernment/localgovernmentfinance/counciltax</u>
- Localisation of Council Tax Benefit: Introduction of the Local Council Tax Support Scheme Report to Cabinet 18 April 2012.

- Welfare Reforms Report to Cabinet 30 May 2012.
- Localising Support for Council Tax Council Tax Base and Funding for Local

Precepting Authorities: Government consultation dated 28 August 2012

• Local Government Act 2003 and the subsequent regulations; the Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003

Appendix 1: Implications

Finance

The Council needs to adopt a LCTSS scheme by 31 January 2013, effective from 1 April 2013. The Council will receive a 90% un-ring fenced grant based on OBR estimates of what would have been its CTB spend in 2013/14. The grant will be fixed for a number of years. Indicative grant allocations were published on 17 May, 2012, but will not be firmed up until the Autumn.

The Council's budget strategy to date has been to pass on any cuts in Government Grant to council tax payers by reducing services accordingly, to achieve this working age claimants would face a 20% reduction in current entitlement in 2013/14.

The Council needs to develop a local scheme, based on its own policy objectives, but reflective of protections afforded to vulnerable clients such as pensioners, who are to be protected on existing criteria.

The Council will be subject to greater financial risk as a result of the proposed changes.

The Government is also providing increased discretion with regards to a range of discounts, providing the opportunity to amend these to increase taxable capacity through its Technical Reforms of Council Tax.

Forecasts of caseload / take up of the new LCTSS will be crucial to financial modelling, as will any reduction in collection rates. This could impact on the collection fund which would mean an increase in council tax charges or a corresponding further cut in services.

Staffing

An increase in council tax recovery staff may be required as a result of these changes.

Risk

The report outlines a range of financial risks surrounding the implementation of the Governments proposals. The most significant concerns at this stage are with regards to the ability to achieve an implementation date of 1 April 2013, given the associated consultation requirements and systems upgrades in order to implement the changes.

Equality and Diversity / Public Sector Equality Duty

The benefits service provides a service to vulnerable client groups. These include some of the protected characteristics as defined by the Equality Act 2010 such as people with a disability and older persons. Full equality impact assessments have been completed and will be kept under constant review /update.

Accommodation

None

Crime and Disorder

Any reduction in Council Tax support, alongside other welfare changes could see an increase in crime if customers seek to increase their income to make up for the benefits lost. The proposals set out in this seek to protect current entitlement in 2013/14 and as such have no implications, though the impact of the wider welfare reforms agenda will need to be kept under constant review.

Human Rights

None

Consultation

A two phase consultation process has been planned. In Phase 1, which commenced in May and runs up until Cabinet in September, the Council has been working with and sharing information with its precepting bodies, including the Police, the Fire Authorities and the Town and Parish Councils. There will be two consultation objectives; firstly identifying and understanding the potential impacts of the changes on the preceptors and secondly, raising awareness.

This phase has provided information about how and when we will consult and enable early discussions to take place with key stakeholders.

In Phase 2 the consultation will be on the proposed LCTSS and the withdrawal of discounts for Class A, Class C and Class L properties from 1 April 2013, plus removal of the remaining 10% from second homes and introduction of a 150% charge on long term empty properties (empty for more than 2 years), as set out in the report. This phase will run from 13 September 2012 to 26 October 2012 and during this time we will work with those who could be directly impacted upon by the proposed scheme as well as representative organisations.

The consultation objectives will be to:

- Publicise and seeks views on the proposed Local Council Tax Support Scheme for County Durham and the withdrawal of discounts as set out in the report
- Identify impacts on individuals and any particular group or organisation from these policy changes

This public consultation will ensure feedback can influence the scheme, allow sufficient time for feedback to be gathered, impacts to be understood, and a final scheme to be shaped. Cabinet (19 December) will consider the outcome of the consultation and (a) make decisions with regards to the amendment of discounts (b) make recommendations to Council in January 2013 in respect of the LCTSS.

Procurement

None

Disability Discrimination Act

See above.

Legal Implications

The LCTSS will need to be adopted by 31 January each year and will be required to meet the requirements as set out by the legislation. If a Council does not adopt a local scheme then the default position will be that the national default scheme is enforced, whereby entitlement will be in line with the existing scheme. The proposals set out in this report are based on statements of intent and consultation papers published by CLG up to 31 August 2012.

The proposed Technical Reforms of Council Tax are currently subject to ongoing CLG consultation. Final decisions on the withdrawal or amendment of these discounts can only be taken once the CLG publishes its final proposals and regulations / legislation is passed to provide the Council with the necessary powers to amend.

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Durham County Council – Altogether Better equality impact assessment form

NB: Equality impact assessment is a legal requirement for all strategies plans, functions, policies, procedures and services. We are also legally required to publish our assessments.

You can find help and prompts on completing the assessment in the guidance from page 7 onwards.

Section one: Description and initial screening Section overview: this section provides an audit trail.
Service/team or section: Resources
Lead Officer: Ian Ferguson Start date: February 2012 Update July/August 2012
Subject of the Impact Assessment: (please also include a brief description of the aims, outcomes, operational issues as appropriate)
Localisation of Council Tax Support This impact assessment relates to plans for a local council tax support scheme. The scheme must be implemented in 2013 to replace the current national scheme which is operated by the Department for Work and Pensions.
Background: As part of the Spending Review 2010 the Government announced that the current national Council Tax Benefit (CTB) system would be replaced by localised CTB schemes from 2013-14, the current CTB specific grant is also being reduced by 10% which means that savings must be delivered locally.
Council Tax benefit grant in 2011/12 is around £55m; therefore the saving expected to be made from the localised CTB scheme would be approximately £5.5m in County Durham.
 The Government has stated it has two principles in its approach to the localisation of council tax benefits in England: Localised schemes should provide support for the most vulnerable, including vulnerable pensioners. Localised schemes should assist with lifting the poorest off benefits and supporting them into work.
The Government believes localising Council Tax Benefits will provide local authorities with a financial stake in ensuring these principles are successfully supported. The Council's scheme must be approved by 31 January 2013. The Government proposes that low income pensioners should be protected in full from any reduction in support so any savings made can only apply to people of working age.

The Council will undertake consultation ahead of Council as part of budget arrangements.	ation ah ìents.		inal de	cision. Any proposed	schem	ne will need to b	the final decision. Any proposed scheme will need to be agreed by Cabinet and	
The equality impact assessment considers the potential impacts depending on whether Council decide:	insiders	the potent	ial imp	acts depending on w	hether '	Council decide:		
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Is a copy of the subject attached? See Cabinet report If not, where could it be viewed?	See Ca	lbinet report						
Initial screening								
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	Passing on the reduction to working age claimants If the default scheme is not adopted, and reductions in council tax benefit were passed on to working age people, this would affect people in relation to age (older people would be protected through pension status but working age people including younger people could be negatively affected by reductions in council tax support), disability (in relation to lower incomes and higher costs for some as a result of their disability) and gender (for example, lone parents are most likely to be female and may be affected by reduced support but there are also more older women in the population than men so they would be protected through pension status). There are also potential impacts in terms of race, religion or belief and sexual orientation (for example, through links with younger people at risk of homelessness because they've 'come out' about their sexual orientation and therefore may be living alone and reliant on benefits/support).
	 The potential negative impacts include: Financial – direct impacts of reduced council tax benefit could mean less disposable income; increased pressure to find work or other income; increased reliance on other benefits or services to meet any shortfall in income. Wellbeing – stress/anxiety as a result of financial worries. Wousing - eviction (where people on low incomes pay council tax rather than rent through fear of legal action, this is already mitigated through debt and money management advice but may need additional communication) or move to smaller/cheaper property. Legal – legal action against individual may impact on other areas, e.g. employment, financial costs of court action, wellbeing etc.
	 Potential positive impacts: Older people are protected against any reduction in support Increased take up of other entitlements Increased employment – (this is based on Government assessment, no evidence at local level)
Page 33	It is important to note that the changes to council tax benefit are being made alongside wider welfare reforms which will have an impact on benefits and financial inclusion across all protected groups. The overall impact for some could be significant reductions in household income.

What evidence do you have to support your findings?
Under the current system CTB is a means tested benefit that is administered by local authorities on behalf of the Department for Work and Pensions (DWP). Claimants in receipt of means tested out-of-work benefits generally receive full assistance; eligible claimants who work or have other income are likely to get partial relief; around 60% of all pensioners are entitled to CTB, although not all who are entitled actually claim. Some key headline statistics are set out below:
 Nationally over 5.8 million people currently claim CTB, more than any other means tested benefit. Almost half of all claimants are pensioners
 A quarter of claimants have dependent children A tenth are low earners Many, who are currently entitled to claim CTB, do not actually claim the benefit.
Link to the Department for Communities and Local Government (DCLG) EIA: http://www.communities.gov.uk/documents/localgovernment/pdf/2063707.pdf Extract of data from above DCI G FIA:
 48% of CTB recipients aged under 65 have at least one dependant adult or child who is disabled 18% of CTB recipients aged under 65 have caring responsibilities.
If % of CTB recipients aged under op require informal care (Source: Family Resources Survey 2009/10, England)
 Durham has over 63,000 claimants: almost half are pensioners, 72% of working age claimants are on 'passported benefits' currently receiving 100% council tax benefit
 1 % or working age claimants are in employment or are low earners 90% of council tax benefit relates to Band A properties
Further local evidence is included in the full assessment - see Section Two. Decision: Proceed to full impact assessment - Yes/No Yes Date: 15.03.12

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	on of all claimants by adopting the defaul impact, the financial position of claimants v of the new council tax support scheme and ayment may improve take up amongst older people feel a stigma associated with claimir support to vulnerable people in order to clain	It scheme in 2013/14 would be protected in 2013/14 and welfare reform are better underst r people and provide a positive in ng a benefit which reduces take u m entitlements will also continue.	d the position revisited ood. The move to a npact as there is some p. The existing
		if Council decided not to adopt the default scheme and to pass on	e and to pass on
employment opportunities and income are often limited by care responsibilities, for example they are more likely to work part-time or be	t for to and sil tax	National evidence from Equality & Human Rights Commission Triennial Review. Local evidence: Analysis of claims in County Durham shows that 39% of working age claimants were male and 61% female. The proportion of female claimants is significantly higher in age groups aged 18 to 39, this may be linked to the number of claimants with dependant children. Figures show that of total working age claims there were 5,692 with dependants aged under 5 which is around 18% and 13,213 with dependants aged up to 18	Ensure that advice and guidance on financial support and debt management are targeted to reach both genders with specific tailored support where necessary – e.g. through particular services such as Domestic Violence support or Children's Centres.

in one child may																																	
claimants with more than one child may fall into both categories).		0											S,																	e			
more likely to have breaks in employment so may have	lower levels of savings.	 Lone parents are more likely to 	be a female primary carer.	National evidence shows they	are more likely to be	unemployed or work part-time,	have lower incomes and lower	savings.	 Women also experience 	greater financial impacts as a	result of divorce or separation,	national evidence shows that	their employment opportunities,	income and savings levels are	also reduced compared to	men.	 Lone male parents may be 	more likely to have occasional	eligible to child premiums and	therefore receive lower levels	of support. They may be	affected by other national	benefit changes such as the	shared room rate.	 National evidence also shows 	that male employment has	reduced during the recession.	Although female employment	has also been affected women	are more likely to find part-time	or seasonal work as an	alternative.	Transgender – there is no direct

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	evidence of negative impact though national survevs and local anecdotal			
	evidence suggests transgender			
	people may be more likely to be			
	unemployed or self-employed due to			
	concerns about hostile work			
	environments. It is also possible that			
	savings where they have self-tunged			
	surgery.			
	Protection for older people would			
	benefit more women as there is a			
	greater number of older women in the			
	county population than men.			
	Historically older women are less			
	likely to have good pension provision.			
Age	Local evidence shows an increased	Local evidence:		Ensure that advice
I	number of working age claimants	Pension age claimants make up almost	nost	and guidance on
	aged 40 to 59, this may be linked to	50% of the total current caseload.		financial support and
	loss of employment and difficulties			debt management
	finding employment for older	Caseload data shows that 72% of working	vorking	are targeted to
	working age people.	age claimants receive 'passported'		working age
		benefits – DWP holds the information on	no nc	claimants with
	Potential impacts where council tax	these people so we do not have access to	cess to	specific tailored
	support is reduced include:	equality profiles.		support where
	Older people	Of the remainder:		necessary – e.g. in
	Those of pension age would be	 15% have dependent children 	c	partnership with third
	protected from reductions in council	 almost 2% are families with a 	E C	sector advice
	tax support. They are less likely to	disability payment		agencies such as
	have regular income from	 7% are in employment/low earners 	arners	Citizens Advice
	employment and many rely on			Bureau.
	pensions/benefits to meet living costs.	Working		
	In recent years increasing numbers of	Age		
		Claims Male % F		
	financial hardship through reduced	al 31,434 12,15/ 39 19, 260 75 74 24		
	interest from savings.	72 12 C/ 705 - 01	701 12	

	76	67	57	49	st z >	
	5128	4710	4849	3823	Figures show that of total working age claims there were 5,692 with dependants aged under 5 which is around 18% and 13,213 with dependants aged up to 18 years, around 42% - (please note: claimants with more than one child may fall into both categories).	
	24	33	43	51	l worl ound ase r one	
	1664	2354	3684	3914	at of tota e 5,692 ich is ar endants ore than gories).	
	6792	7063	8533	7737	Figures show that of total working age claims there were 5,692 with dependa aged under 5 which is around 18% an 13,213 with dependants aged up to 18 years, around 42% - (please note: claimants with more than one child ma fall into both categories).	
19	20 - 29	30 - 39	40 - 49 -	50 - 59	Figures claims th aged un 13,213 , years, a claiman fall into	
	There is also potential positive impact for older people as a result of the	change to a 'discount' rather than a 'henefit' – anecdotal evidence	suggests this may increase	reluctant to seek benefits.	Working age This group would see a negative impact as a result of reductions in the support they receive. National evidence shows that people in their fifties are more likely to provide care than other age groups, this age group is also more likely to remain unemployed than others of working age. The financial impact for this age group could be significant. Families Those with children aged under 5 are more likely to be unemployed or work part-time hours (mostly female). Families with school-aged children are likely to have lower levels of savings than those without children. Childcare costs are shown in national evidence to be a significant barrier to employment, many rely on family and friends for help (often grandparents or older relatives). Younger people	lower incomes and limited savings.

	National evidence shows that younger people are less likely to find employment in the current financial climate. There are other financial impacts related to age restrictions on eligibility for other benefits; links to teen pregnancy, homelessness (e.g. due to fleeing domestic abuse, 'coming out', forced marriage).		
Disability	Potential impacts of reduced council tax support could be significant for some disabled people. There are legal requirements to make reasonable adjustments for disabled people which include treating them more favourable than others where necessary.	The current caseload data shows that, where we hold information, those receiving a disability premium/benefit make up 6% of working age claimants.	Tailored support for disabled people to help with financial changes – particularly for people with mental health conditions or learning disability.
	Depending on their disability they are more likely to be unemployed and may be unable to seek employment. Disabled people are often employed in lower paid or part-time jobs which means they have lower levels of savings to meet extra costs. The additional costs relating to some disabilities mean that some people rely heavily on benefits.		
	National evidence shows that couples with a disabled child are less likely to both be in employment. They are also more likely to provide longer hours of care than parents of non-disabled children. Those people requiring adapted		

	accommodation would be less able to find suitable more affordable housing if they could not meet council tax payments.	
	People with a mental health condition or a learning disability may be particularly vulnerable to changes in	
	council tax support. National evidence shows that these two groups are less likely to be employed and may not	
	seek help for financial difficulties. Tailored advice would help to ensure	
	negative financial impacts are minimised. They may also be more	
	vulnerable to impacts on wellbeing	
	due to financial concerns.	
Race/Ethnicity	Potential impacts to consider: National evidence suggests 	Current caseload data does not include ethnicity.
	Traveller communities are less	
	likely to have regular incomes,	
	many are self-employed or	
	reliant on seasonal work.	
	ceruncates so are unable to meet certain elicibility criteria	
	 There is no local evidence from 	
	council tax caseload of	
	significant numbers of larger families	
	 Forced marriage – there may 	
	be a potential link	
	fleeing their family,	
	homelessness and reliance on	
Religion or belief	I here is no evidence at this stage of	Current caseload data does not include
	an impact in relation to religion or	religion or beliet.

	belief	
Sexual orientation	 Potential impacts to consider: Links to homelessness for those fleeing domestic abuse (particularly young people). There is very limited national and local evidence relating to financial inclusion. There is evidence that some lesbian, gay and bisexual people are more likely to live alone which may have an impact on their household income levels. 	Current caseload data does not include sexual orientation.
How will this promote	How will this promote positive relationships between differe	tween different communities?
This will not directly prou Financial inclusion does	This will not directly promote positive relationships between diffe Financial inclusion does promote strong communities but financi	between different communities. ies but financial differences can create tension.
Section three: Review and Conclusion Summary: please provide a brief overviev	and Conclusion de a brief overview, including impact, cha	Section three: Review and Conclusion Summary: please provide a brief overview, including impact, changes, improvements and any gaps in evidence.
This equality impact a support which are sub	This equality impact assessment considers Durham Count support which are subject to a final decision by Council.	This equality impact assessment considers Durham County Council's response to national changes in local council tax support which are subject to a final decision by Council.
If Council decide to pr	otect the financial position of claiman	If Council decide to protect the financial position of claimants by adopting the default scheme in 2013/14:
There is no evidence to claimants by adopting th position revisited next ye The move to a discount increase, there is some reduces take up.	suggest a negative equality impact shouhe default scheme in 2013/14. The financear once the wider impact of the new courther than a benefits payment may also evidence to suggest that some older peopert	There is no evidence to suggest a negative equality impact should the council decide to protect the financial position of all claimants by adopting the default scheme in 2013/14. The financial position of claimants would be protected in 2013/14 and the position revisited next year once the wider impact of the new council tax support scheme and welfare reform are better understood. The move to a discount rather than a benefits payment may also have a positive impact where take up amongst older people may increase, there is some evidence to suggest that some older people feel a stigma associated with claiming a benefit which currently reduces take up.
If Council decide not t	o adopt the default scheme and to pa	If Council decide not to adopt the default scheme and to pass on the reduction in council tax support to working age

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The main impact of the proposed change to reduce council tax support by 20% for working age claimants is financial as they would need to fund the 20% difference against their current entitlement. For some this may be a significant amount of their household income which could lead to additional negative impacts including:

- Health/wellbeing as a result of stress or anxiety over financial difficulties.
- Housing where people are unable to meet other costs as a result of increased council tax contributions or look to move to cheaper alternative accommodation, whilst this is relatively unlikely it is still a potential impact to be considered 0
 - Legal action as a result of not paying council tax can have a negative impact both in terms of additional costs and stress but also potentially in relation to employment. 0

imited potential impacts for race/ethnicity and sexual orientation. There is no evidence available at this stage to show potential These impacts are possible across all protected characteristics but are most likely in relation to gender, age and disability with impact on religion or belief. The key impacts are:

already the case an additional reduction in income may make it more difficult for fathers to cope financially. There is no evidence of Gender – Local evidence shows that of working age claimants 61% were female and 39% male, with a higher proportion of female whilst female employment has been affected women are more likely to find other part-time or seasonal jobs. Evidence shows that specific impact on transgender people but small scale national studies suggest they may be more likely to be unemployed or selfwomen are more likely to have custody of children which means that fathers may not be eligible for child premiums, whilst this is aged up to 18 years. Women are more likely to be primary carers for children or other adults which often limits their employment claimants aged 18 to 39 years. 18% of working age claimants had a dependant child aged under 5 whilst 42% had a dependant options and income, national evidence shows that lone female parents are more likely to be unemployed or work in part-time or lower paid jobs, they are also likely to have lower levels of savings. Male unemployment has increased during the recession employed due to concerns about inclusive workplaces, they may therefore be on limited income.

Age – The main financial impact would be on working age claimants. Local evidence shows that the number of claimants is highest in the age bands of 40 to 59 years which may be linked to employment status. Those at the higher and lower bands of working age are less likely to be employed. National evidence shows that those aged in their fifties are more likely to remain unemployed if they reduced household income against the costs of raising children and childcare for those in employment, this is particularly the case employment in the current climate and are less able to rely on savings to cover financial difficulties. Increased financial demands on working age claimants could lead to increased debt, unpaid council tax and legal action, anxiety and impacts on health if they impact on savings and financial security in later life. There are issues for families and potential impacts on child poverty due to lose their job, they are also the age group most likely to provide care for others - increased financial costs for this group may choose to spend less on food or other essential items – whilst some of this is outside our control the need for effective, easily for families with disabled children who are likely to have greater financial demands. Younger people are less likely to find available advice and support is an essential mitigating factor.

conditions mean that people are unable to find employment or are limited to part-time or lower paid jobs. Living costs for some are **Disability** – The impact on disabled people could be significant depending on the nature of their disability, for example some

also higher due to their disability, this is also true for many families with disabled children where parents are more likely to be unemployed in order to provide full-time care. Disabled people requiring adapted accommodation would also find moving to a affordable home difficult through lack of availability. Impacts on health and wellbeing are also potentially greater for some disabled people, especially those with a mental health condition or a learning disability who may find it more difficult to adapt to changes. In order to meet our legal duties we must make reasonable adjustments to ensure equitable treatment, this includes treating disabled people more favourably where necessary. The decision to not provide protection to disabled people is also open to challenge since this group is potentially the least likely to be able to find employment or increase their income. Racelethnicity – Whilst there is no local evidence of a specific impact on race there may be impacts on Gypsy and Traveller communities as well as those fleeing situations such as forced marriage who could be in financial difficulty. Sexual orientation - The potential impacts on sexual orientation relate to financial difficulties of those fleeing situations such as domestic abuse, including young people who have 'come out' at home and are made homeless as a result. There is limited evidence of this impact.	y families with disabled chil eople requiring adapted ac- cts on health and wellbeing a learning disability who m adjustments to ensure equi to not provide protection to mployment or increase thei becific impact on race there preed marriage who could b entation relate to financial c out' at home and are made	for many families with disabled children where parents are more likely to be cabled people requiring adapted accommodation would also find moving to a more y. Impacts on health and wellbeing are also potentially greater for some disabled dition or a learning disability who may find it more difficult to adapt to changes. In onable adjustments to ensure equitable treatment, this includes treating disabled ecision to not provide protection to disabled people is also open to challenge since o find employment or increase their income. e of a specific impact on race there may be impacts on Gypsy and Traveller ich as forced marriage who could be in financial difficulty. exual orientation relate to financial difficulties of those fleeing situations such as e 'come out' at home and are made homeless as a result. There is limited	to be lg to a more e disabled hanges. In ig disabled llenge since /eller such as ited
There is positive impact on older people as a result of protecting pensioners, in County Durham this will benefit older women particularly as there are a greater number of older women in the population than older men. Equally there may be positive impacts where working age people are encouraged to find employment, whilst this is the Government's stated aim there is little evidence locally to support it. Some claimants may seek additional income from other benefits or use other services to help deal with the changes, this could have a positive impact where people take up entitlements for which they are eligible but do not already receive them. One example of a positive impact could be increased demand for advice on debt or money management, this is already available but changes to people's circumstances and publicising the availability of advice may improve the support people receive.	tecting pensioners, in Cour in the population than olde ment, whilst this is the Gov I income from other benefits take up entitlements for wh ed demand for advice on de dicising the availability of ad	If of protecting pensioners, in County Durham this will benefit older women women in the population than older men. Equally there may be positive im employment, whilst this is the Government's stated aim there is little eviden diltional income from other benefits or use other services to help deal with th people take up entitlements for which they are eligible but do not already rec increased demand for advice on debt or money management, this is already and publicising the availability of advice may improve the support people rec	men ve impacts widence with the idy receive lready le receive.
This assessment does not include cumulative impacts of the Government's other welfare reforms but the combined financial effec could be significant for some people – for example the payment of a single room rate to those aged under 35 is likely to have a negative impact for younger lone fathers who have occasional access to their children, they may need larger accommodation but this may not be reflected in their allowances because they live alone most of the time.	the Government's other we yment of a single room rate ional access to their childre y live alone most of the time	acts of the Government's other welfare reforms but the combined financial effect e the payment of a single room rate to those aged under 35 is likely to have a e occasional access to their children, they may need larger accommodation but use they live alone most of the time.	ncial effect have a lation but
Action to be taken –	Officer responsible	Target In which plan will this action Date appear	is action
If Council decide to protect the financial position of claimants by adopting the default scheme in 2013/14:	laimants by adopting the	default scheme in 2013/14:	
Existing mitigating actions would continue to provide advice and support to vulnerable people claiming entitlements. If Council decide not to adopt the default scheme and to pass on the reduction in council tax support to working age claimants the following mitigating actions would apply:	ce and support to vulnerabl I to pass on the reduction	le people claiming entitlements. I in council tax support to working	g age
Ensure changes are communicated in a timely and effective way, including particular adjustments for disabled people.	TBA	TBA	
Ensure advice and guidance on financial support and	TBA	TBA	

debt management is also communicated and available through a range of sources, including services targeted for different equality groups and third sector advice agencies.		
When will this assessment be reviewed?	Date: December 2012 ahead of Cabinet report.	eport.
Are there any additional assessments that need to be undertaken in relation to this assessment?		
Lead officer - sign off: lan Ferguson		Date:16.8.12
Service equality representative - sign off: Bev Stobbart		Date:16.8.12
Please email your completed Impact Assessment to the Equality team - equalities@durham.gov.uk.	ne Equality team - equalities@durham.go	ov.uk.

Durham County Council – Altogether Better equality impact assessment form

You can find help and prompts on completing the assessment in the guidance from page 7 onwards. NB: Equality impact assessment is a legal requirement for all strategies plans, functions, policies, procedures and services. We are also legally required to publish our assessments.

nitial screening	provides an audit trail.	
Section one: Description and initial screening	Section overview: this section provides an audit tr	

Service/team or section:	Revenues & Benefits Service
Lead Officer: Kevin Coad	Start date: 18 July 2012 Updated August 2012
Subject of the Impact Assessment operational issues as appropriate)	Subject of the Impact Assessment: (please also include a brief description of the aims, outcomes, operational issues as appropriate)
Technical reforms of council tax -	Technical reforms of council tax – Exemptions relating to Empty Unfurnished Properties
Council Tax legislation has given Local A long term empty/unfurnished properties s discount on long term empty/unfurnished Council tax exemptions are governed by responsibility for council tax bills.	Council Tax legislation has given Local Authorities the discretion to reduce/remove the existing 50% discount on long term empty/unfurnished properties since 2004. In October 2011 proposals to remove/reduce the 50% discount on long term empty/unfurnished properties were impact assessed ahead of the decision to implement. Council tax exemptions are governed by specific legislation and any changes apply to all landlords or those with responsibility for council tax bills.
Under new technical reforms to cc discounts for three classes of emp empty properties from April 2013. Class A – empty, unfurnished and	Under new technical reforms to council tax Durham County Council is now considering proposals to change the discounts for three classes of empty property and second homes and apply an additional charge to long term empty properties from April 2013. The changes would apply to properties which are: Class A – empty, unfurnished and undergoing major restructural work to make them habitable. Currently there is

Class C – empty and unfurnished. Currently there is a 6 month exemption from council tax which is then charged a 12 month exemption from council tax which is then charged at 100%. at 100%.

Class L – repossessed and unoccupied. Currently there is an indefinite exemption.
Council tax on second homes which is currently discounted by 10% would be charged at 100%.
Long term empty properties (i.e. empty for two years or more) currently receive no discount on council tax but the proposal is to charge a premium of 150% of the applicable council tax.
Who are the main stakeholders: General public / Employees / Elected Members / Partners/ Specific audiences/Other (please specify)
 Local Authority & LSVT Landlords Social Landlords including RSL & private Landlords individuals
Is a copy of the subject attached? No If not, where could it be viewed? Cabinet report
Initial screening
Is there an actual/potential negative or positive impact on specific groups within these headings? Indicate : $Y = Yes$, $N = No$, ?=Unsure
Gender ? Disability ? Age ? Race/ethnicity ? Religion ? Sexual ? Or belief Or belief Or belief Orientation
There is potential for financial impact on some individuals where they will be required to pay more or are exempt for shorter periods. However there is limited evidence available relating to individuals so it is not possible to specify which equality groups are particularly affected.
duals from particular equality groups but there is no evidence to own properties under these exemptions than other groups. be used to make assumptions, for example in relation to Class I ered in Section Two.
Altogether Better guide to Equality Impact Assessments

	What evidence do you have to support	oort your findings?			
	Figures relating to the number of awards in 2011/12	ds in 2011/12			
		Class of Exemption	£000	No. of Awards	
		Class A	488	1,116	
		Class C	4,682	24,896	
		Class L	272	727	
		Second Homes	224	4,597	
		Long Term Empty	1,200	1,861	
		Total	6,866	33,197	
	Note: The figures for awards in Class	C may include multipl	le awar	ds on th	Note: The figures for awards in Class C may include multiple awards on the same property, for example where a
		ween leungs.			
	Those claiming exemptions will include Registered Social Landlords, other organisations and charities, private	e Registered Social L	andloro	ls, other	r organisations and charities, private
	landlords and individuals.				
	For example, Registered Social Landlords		owing p	roportio	made up the following proportions of the awards made under Classes
	A and C in 2011/12:				
	Class A – 1.97%				
	Class C – 22.13%				
	It is likely that individual owners will make		roportic	n of tho	up a significant proportion of those affected by Class L exemptions, a
	high proportion of those with second h	iomes are also likely t	o be in	dividual	high proportion of those with second homes are also likely to be individual owners whilst those in Classes A and
	C would include private landlords and	developers, as well a	is indivi	dual ow	C would include private landlords and developers, as well as individual owners. Previous information shows that
	private landlords are most likely to own long term empty properties, this could include individuals as well as	n long term empty pro	operties	, this co	ould include individuals as well as
	developers, commercial and absentee landlords but it is not possible to determine this from the data available.	e landlords but it is not	t possib	le to de	stermine this from the data available.
	Equality monitoring information is not	collected from those c	claiming	l exemp	Equality monitoring information is not collected from those claiming exemptions and therefore it is not possible to
	quantify the actual/potential positive or negative impact on specific groups. The proposals will apply to all	r negative impact on s	specific	groups.	. The proposals will apply to all
	landlords, private and social and in some cases can be viewed as increasing a business charge but for some	me cases can be view	ved as	increasi	ing a business charge but for some
	individual owners, particularly in the case	-	and lor	ig term (of repossessions and long term empty properties, may increase
	financial burdens.				
Do	Decision: Proceed to full impact assessment – Yes	sessment – Yes	Õ	Date: 18.7.12	7.12
ge 4	If you have answered 'No' you need to		ted for	m for a	pass the completed form for approval & sign off.
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Interfactor Including What further Identify the impact soors differences relevant evidence and consultation What further init increase differences you have considered. Identify the impact so r does it aim to reduce you have considered. Identify the impact so r does it aim to reduce increase differences graps for particular you have considered. Includie in Sect. Impacts: The likely impacts of the changes are financial through increased costs either directly. In relation to Class L are more likely to affect people who are vulnerable and already experiencing financial hardship. 3 action plan) Increased costs or financial hardship contrast and or are vulnerable and already experiencing financial hardship. Increased costs or financial hardship context and already experiencing financial hardship. Increased costs or financial hardship contrast and stready experiencing financial hardship. Increased costs or financial hardship context and already experiencing financial hardship. Increased costs or financial hardship context and already experiencing financial hardship. Increased costs and already experiencing financial hardship. Increased costs or financial hardship context and already experiencing financial hardship. Increased costs and already experiencing financial hardship. Increased costs or financial hardship context and already experiencing financial hardship. Increlate tonos class and already experincin and definit an	Section two: Ident Section overview: what evidence is a	Section two: Identifying impacts and evidence- Equality and Diversity Section overview: this section identifies whether there are any impact what evidence is available to support the conclusion and what further	Section two: Identifying impacts and evidence- Equality and Diversity Section overview: this section identifies whether there are any impacts on equality/diversity/cohesion, what evidence is available to support the conclusion and what further action is needed	ersity/cohesion,
Or cores rt aim to reduce graps for particular you nave considered. required / (include in Sect. Impacts: The likely impacts of the changes are financial and C or second homes and long term empty properties, or via bank charges in relation to Classs L. Changes to Class L are more likely to affect people who are vulnerable and already experiencing financial hardship. Include in Sect. Increased costs or financial hardship can also affect housing status, health and wellbeing or result in legal proceedings. Include in Sect. Gender There is no evidence to in relation to Class A or C exemptions or second home in relation to Class A or C exemptions or second home in relation to Class A or C exemptions or second home in relation to Class A or C eratelemployment from Equality & in relation to Class A or C exemptions or second home in relation to Class A or C eratelemployment from Equality & in relation to Class A or C eratelemployment from Shelter and in relation to Class A or C eratelemployment from Shelter and in relation to Class A or C eratelemployment from Shelter and in relation to Class A or C eratelemployment from Shelter and in relation to Class A or C eratelemployment from Shelter and in relation to Class A or C eratelemployment from Shelter and in relation to Class A or C eratelemployment from Shelter and in relation to Class A or C eratelemployment from Shelter and in relation to class A or C eratelemployment from Shelter and in relation to class A or C eratelemployment from Shelter and in relation to class A or C eratelemployment from Shelter and in relation to class A or C eratelemployment from Shelter and in relation to class A or C eratelemployment from Shelter and in relation to class A or C eratelemployment from relatin toreceive to morescand more likely to suffer financial		Identify the impact : does this increase differences	Explain your conclusion, including relevant evidence and consultation	
Impacts: The likely impacts of the changes are financial through increased costs either directly, in relation to Classes A and C or second homes and long term empty properties, or via bank charges in relation to Class L. The likely impacts of the changes are financial through increased costs of the changes to Class L are more likely to affect people who are vulnerable and already experiencing financial hardship. There is no evidence to suggest a gender difference in relation to class L are more likely to affect housing status, health and wellbeing or result in legal proceedings. Ensure advice and guidance on allong term empty more allong thrancial human Rights Commission Triennial and debt financial support eview. Gender There is no evidence to suggest a gender difference in relation to suggest a gender difference in relation to class A or C eraelemployment from Equality & financial support eview. Ensure advice and guidance on and guidance on and guidance on the second home review. Changes for long term empty properties. Ensure suggest that women are discounts and increased or resourts and increased more which shares for long term empty to create homelessness in the suggest that women are when in relations: Ensure advice and guidance on and guidance on and guidance on the suggests that women are discounts and increased or repossession. In 2011/2012 almost more likely to suffer financial when their hardship and have their home repossessed as a divice agencies.		or does it aim to reduce gaps for particular groups?	you have considered.	required ? (Include in Sect. 3 action plan)
d costs or financial hardship can also affect housing status, health and wellbeing or reads. There is no evidence to suggest a gender difference in relation to Class A or C exemptions or second home discounts and increased charges for long term empty properties. There is national evidence in relation to reare/employment from Equality & Human Rights Commission Triennial review. Class L exemptions: There is national evidence which suggests women are which suggests women are more likely to receive homelessness support as a result of mortgage arrears or repossession. In 2011/2012 almost 73% of cases were female.	Impacts: The likely impacts o and C or second ho Changes to Class L	of the changes are financial throumes and long term empty properare more likely to affect people	ugh increased costs either directly, in relat arties, or via bank charges in relation to Cl who are vulnerable and already experien	ion to Classes A ass L. cing financial
There is no evidence to suggest a gender difference in relation to Class A or C exemptions or second home discounts and increased discounts and increased charges for long term empty properties.National evidence in relation to repossessions from Shelter and care/employment from Equality & Human Rights Commission Triennial review.There is national evidence to suggest for long term empty properties.National evidence in relation to repossessions from Shelter and care/employment from Equality & Human Rights Commission Triennial review.Class L exemptions: There is national evidence which suggests women are more likely to suffer financial hardship and have their home repossesed as aNational evidence in relation to care/employment from Equality & care/employment from Equality & care/employment from Equality & three is national evidence or repossestion. In 2011//2012 almost 73% of cases were female.	hardship. Increased costs or f proceedings.	inancial hardship can also affec	t housing status, health and wellbeing or r	esult in legal
repossessions from Shelter and care/employment from Equality & Human Rights Commission Triennial review. Local data suggests that women are more likely to receive homelessness support as a result of mortgage arrears or repossession. In 2011/2012 almost 73% of cases were female.	Gender	There is no evidence to	National evidence in relation to	Ensure advice and
care/employment from Equality & Human Rights Commission Triennial review. Local data suggests that women are more likely to receive homelessness support as a result of mortgage arrears or repossession. In 2011/2012 almost 73% of cases were female.		suggest a gender difference	repossessions from Shelter and	guidance on
Human Rights Commission Triennial review. Local data suggests that women are more likely to receive homelessness support as a result of mortgage arrears or repossession. In 2011/2012 almost 73% of cases were female.		in relation to Class A or C	care/employment from Equality &	financial support
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the majority aged 25-44. e		charges:	of cases were aged 25 to 59 years with	with charities and
age be		Whilst there is no local	the majority aged 25-44.	voluntary advice
				agencies.

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	potential impacts for those		
	who inherit property from		
	older deceased relatives		
	and are unable or unwilling		
	to sell or rent, typically this is		
	likely to be those aged over 50.		
	Class L exemptions:		
	National evidence shows		
	that those in their fifties are		
	least likely to find new		
	employment if they lose a		
	job. This may increase the		
	risk of repossessions though		
	local evidence suggests		
	those aged 25-44 are most		
	likely to receive		
	homelessness support as a		
	result of mortgage arrears or		
	repossession.		
Disability	There is no direct evidence	Local homelessness data shows that in	Ensure advice and
	of an impact in relation to	2011/2012 almost 41% of cases were	guidance on
	disability however there may	individuals with a disability, the majority	financial support
	be potential in relation to	stating a mental condition, which could	and debt
	exemption under Class L,	reflect the health impacts of financial	management is
	for example when an	hardship.	available through
	individual has lost their		appropriate
			channels and
	result of disability and is		targeted more
	unable to keep up with		effectively at
	· · · · · · · · · · · · · · · · · · ·		

	ranaymante	disable	disabled neonle
	Ichadillelle.		a people,
		includin	including work
		with che	with charities and
		voluntai	voluntary advice
		agencies.	es.
Race/Ethnicity	No evidence is available at		
	this stage to indicate an		
	impact in relation to race or		
	ethnicity.		
Religion or belief	No evidence is available at		
	this stage to indicate an		
	impact in relation to religion		
	or belief.		
Sexual	No evidence is available at		
orientation	this stage to indicate an		
	impact in relation to sexual		
	orientation.		

Residents often regard empty properties as having a negative effect on communities, where these measures How will this promote positive relationships between different communities? encourage earlier occupancy this may have a positive impact.

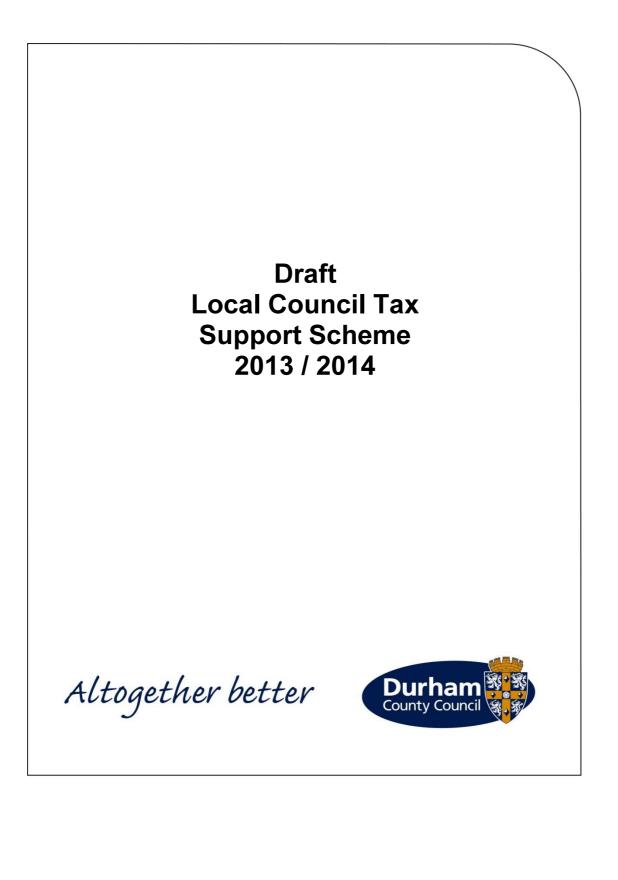
dud and Son ge 52	Impacts: The likely impacts of the changes are financial through increased costs either directly, in relation to Classes A
are Incr proc	and C or second homes and long term empty properties, or via bank charges in relation to Class L. Some of those affected by changes in Classes A and C or through long term empty properties will be organisations and private landlords operating for profit. Changes to Class L are more likely to affect people who are vulnerable and already experiencing financial hardship. Increased costs or financial hardship can also affect housing status, health and wellbeing or result in legal proceedings.
Equ nati- horr	Equality data is not collected in relation to these exemptions and discounts so evidence of impact is limited, national evidence from the Equality & Human Rights Commission and Shelter as well as local data in relation to homelessness were considered during the assessment.
Nati affe evid lose typic cha	National and local evidence suggests that lone women and those in the mid working age ranges may be more affected by changes to Class L as they are potentially at greater risk of repossession. There is no direct evidence of impact in relation to other protected characteristics or exemptions though some disabled people who lose their employment or income may be at risk of repossession as alternative opportunities may be limited and typically those aged over 50 may be affected by Exemption Classes A and C or long term empty property charges where they have inherited a property from an older relative and are unable or unwilling to sell or rent it.
Miti	Mitigating actions:
Har utilis satis prog wou Effe	Hardship support - Legislation gives the Council power to reduce the amount of tax payable. This power can be utilised to offset potential hardship that may be caused by the change in respect of unoccupied and unfurnished properties. In cases of demonstrable financial hardship, discounts can be granted where the local authority is satisfied that the liable person of an empty domestic property has made their best efforts to sell or let the property and to levy a council tax charge would cause exceptional financial hardship. This discretionary power would alleviate any problems in exceptional cases.

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organisations to improve personal financial and debt management would support some individuals with protected characteristics who may be more likely to seek advice from these agencies. Some council services are already providing support to vulnerable people, for example in 2011/2012 18 cases of homelessness were prevented through mortgage arrears intervention or Mortgage Rescue Scheme. Remaining exemptions – There is a range of exemptions which will continue to apply, including properties where the individual has gone into a hospital or care home, has moved to another residence to receive or provide care or has died. These would continue to mitigate the financial impact on vulnerable people.	and debt management would support some individuals with likely to seek advice from these agencies. Some council se people, for example in 2011/2012 18 cases of homelessnes intion or Mortgage Rescue Scheme. of exemptions which will continue to apply, including properti re home, has moved to another residence to receive or prov ite the financial impact on vulnerable people.	d support som ese agencies. /2012 18 case cheme. cheme. inue to apply, her residence Inerable peopl	I and debt management would support some individuals with e likely to seek advice from these agencies. Some council services e people, for example in 2011/2012 18 cases of homelessness were ention or Mortgage Rescue Scheme. of exemptions which will continue to apply, including properties where are home, has moved to another residence to receive or provide care ate the financial impact on vulnerable people.
Action to be taken	Officer responsible	Target Date	In which plan will this action appear
Ensure advice and guidance on financial support and debt management is available through appropriate channels, including work with charities and voluntary advice agencies to target particular groups more effectively including lone women or people with a disability who may be at risk of financial hardship.	TBA	TBA	
Review existing Hardship Relief Policy to identify relevant changes or extensions to support fair and equal access.	Kevin Coad	Start date – Sept.2012 Deadline - TBA	
Develop a communication plan to ensure vulnerable groups and advice agencies are aware of the Hardship Relief Policy	Kevin Coad	TBA	
Monitor applications for Hardship Relief to gather and analyse equality profile data in order to review its effectiveness as a mitigating action.	Kevin Coad	TBA	
When will this assessment be reviewed?	Date: December 2012 ahead of Cabinet report.	2 ahead of Cal	binet report.

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Date: 16.8.12	Date: 16.8.12	am - equalities@durham.gov.uk.		
Are there any additional assessments that need to be undertaken in relation to this assessment? Lead officer - sign off: Kevin Coad	Service equality representative - sign off: Bev Stobbart	Please email your completed Impact Assessment to the Equality team - equalities@durham.gov.uk.		
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Introduction

The Welfare Reform Act 2012 contains provision to abolish the national Council Tax Benefit Scheme and the Local Government Finance Bill will make provision for each individual Council to develop and adopt its own Local Council Tax Support Scheme (LCTS) from April 2013

The Government will prescribe in law how the scheme for pensioners will operate. People who have reached the qualifying age for state pension credit ("Pensioners") will be able to claim help at the same level as they would have done under the present Council Tax Benefit scheme prescribed in the draft regulations published by The Department for Communities and Local Government called Localising Support for Council Tax - Draft Council Tax Reduction Schemes (Prescribed Requirements) Regulations.

This document describes the local Council Tax Support scheme for people of working age in Durham County.

It is proposed that Durham County Council will operate Local Council Tax Support Scheme as defined by the terms of the existing council tax benefit scheme as set out in the Social Security Administration Act 1992, the Council Tax Benefit Regulations 2006 and the Housing Benefit and Council Tax Benefit (Decisions and Appeals) Regulations 2001.

The amounts quoted in this document are based on those currently in force in the Council Tax Benefit scheme. They will be reviewed prior to the adoption of the scheme by the Council in line with the forecast annual uprating of benefits.

Prescribed Requirements for People of Working Age

The government intends to make regulations to tell local Councils how the arrangements for making and deciding claims will work. Durham County's Local Council Tax Support scheme will reflect these regulations when they are approved. The following paragraphs reflect understanding of the intention of these regulations (which are only in draft at present), but this may be subject to change:-

Persons from Abroad

The government intends to apply the same restrictions as exist under the Council Tax Benefit Scheme to exclude foreign nationals with limited immigration status and certain non-economically active EEA individuals from receiving LCTS.

<u>Refugees</u>

Those persons that have recognised refugee status, humanitarian protection, discretionary leave to remain in the country outside of the immigration rules and who are exempt from the habitual residence test will be entitled to apply for LCTS as long as their status has not been revoked.



Date on Which Entitlement is to Begin

Entitlement to Council Tax Support will begin on the Monday following the date the claim, or intention to claim is received by the Council.

If a claim for Council Tax Support is made within the same week (Monday to Sunday) as the claimants liability for Council Tax begins any entitlement shall be awarded from the date of liability.

A claim may be backdated for a period of up to 6 months where the claimant can show continuous good cause for having failed to make a claim at an earlier date.

Date on Which Change of Circumstances is to Take Effect

Changes in circumstances will generally be effective from the Monday following the date of the change, although regulations will prescribe certain circumstances when an earlier date may be used.

(Where a change would increase the amount of Council Tax Support and the Council is informed or learns of the change more than a month after it took place, the Council will change entitlement to Council Tax Support from the date it learned of the change.)

Who May Claim

In the case of couples one partner must make the claim for both members of the couple. A claim may be made by a third party if the claimant is unable to act for themselves.

Time and Manner in which Claims are to be Made

A claim for in Council Tax Support should be made on the appropriate form.

Evidence and Information

The claimant shall supply the Council with the information and evidence it reasonably requires in order to assess entitlement to Council Tax Support. This information must be provided within one month of any request or the claim will be treated as withdrawn. This time limit may be extended on request made in advance.

Amendment and Withdrawal of Claim

A claim for Council Tax Support can be withdrawn at any time.

Duty to Notify Change of Circumstances

Changes can be notified in writing, by telephone or electronically

The claimant or partner is required to notify the Council of any relevant change in their circumstances which may affect their entitlement to Council Tax Support as soon as they become aware of the change. Changes to be reported include changes in family composition, household membership, income, capital and personal details.

Decisions by a Relevant Authority

Once the council has received a complete claim and all the information and evidence it reasonably requires it will reach a decision on the claim within 14 days or as soon as reasonably practicable after that.



Time and Manner of Granting Council Tax Support

Payment of Council Tax Support will be in the form of a credit to the council tax account. The yearly award of Council Tax Support will be shown on the Council Tax bill. A summary explaining how the Council Tax support has been calculated will be sent in writing (whether by post or e-mail).

Person to Whom Support is to be Paid

Council Tax Support will be paid to the taxpayer.

Recovery of Overpayments

All overpayments of Council Tax Support, however they were caused, are recoverable in full. This includes all errors made by the claimant or their partner, family members, appointees, errors by the Council or its agent or other areas of Government. Overpayments will normally be recovered by charging the claimant's council tax account and issuing a new bill.

Decisions

Any document required to be given or sent to the council shall be treated as having been given or sent on the day it is received by the council.

Any notice or other document required to be given or sent by the council shall be sent to the persons last known address and treated as given or sent on the day it was posted.

An original decision may be revised by the council at any time.

A claimant, partner or appointee who is unhappy with a decision can write to the council stating the matter and grounds of the grievance.

On receipt of an appeal the council must reconsider the matter and respond in writing. If the claimant is still aggrieved, or has not received a response within 2 months, an appeal can be made to the valuation tribunal.

Discretionary Reduction

An application can be made for a discretionary reduction under s.13A (1)(c) of the Local Government Finance Act 1992 in writing, or by electronic communication.

Local Provisions for People of Working Age

The following provisions are not currently subject to regulations, although this may change during the period of consultation as further draft regulations or changes are made:-



Who Can Claim

This scheme is open to individuals who, on any day, are liable to pay council tax on a dwelling occupied as their sole or main residence.

The amount of support will by calculated using a means test. This means test will compare income and a "Living Allowance" for the person claiming, their partner and any dependant children (the family).

A claimant (and partner), with capital of £16,000 or more will not be entitled to LCTS.

The income of the claimant and partner will be added together for the purpose of calculating LCTS.

Temporary Absence

LCTS may still be claimed, in certain circumstances, where a person is temporarily absent from the home upon which support is claimed. Periods of temporary absence for up to 13 weeks are not counted, providing that the home is not let or sub let during the time of absence, and the person intends to return, or is in residential accommodation on a trial basis.

Periods of absence which are unlikely to exceed 52 weeks will not be counted in the following circumstances:

- The person is absent providing care which has been approved by a medical practitioner.
- The person is absent caring for the child of a person undergoing medical treatment, medically approved convalescence or is patient in hospital or similar institution.
- The person is absent because they or their partner or dependant child is undergoing medical treatment, medically approved convalescence or is patient in hospital or similar institution.
- The person is a student or following a training course
- The person is detained in custody or required as a condition of bail to reside elsewhere
- The person is absent because of fear of domestic violence
- providing that the property is not let or sub let during the time of absence, and the person intends to return



Classes of People Who Can Claim

The scheme is open to the following classes of people:-

Clas	ss A
 People who are: Working age Liable to pay council tax on their home Have capital under £16,000 Have made a claim for Local Council Tax Support 	 And are receiving: income support Income Related job seekers allowance Income Related Employment and Support allowance or their income is less than their living allowance

Support is calculated:-

Entitled to maximum support of 100% of council tax liability

The amount of support may be adjusted downwards if other adults live in the home

Clas	ss B				
 People who are: Working age Liable to pay council tax on their home Have capital under £16,000 Have made a claim for Local council tax support 		greater	than	the	living

Support is calculated:-

Income will be compared to the living allowance. Maximum support of 100% of council tax liability will be reduced by 20% of the amount by which the income exceeds the living allowance.

This amount of support may be adjusted downwards if other adults live in the home.

Membership of a Family

LCTS is calculated based upon a means test which takes into account the income, capital and "living allowance" for the claimant and where appropriate members of their family.

A person's family includes:-

- their partner
- any child or young person they are responsible for and who is a member of the same household .

Where a child or young person lives in different households or where there is a question as to where the child is living the council will decide which household the child will be treated as residing in for the purposes of calculating LCTS. This may be done by reference to decisions made in relation to other benefits claimed. A child will be treated as residing in only one household for any benefit week.



Foster children or children placed for adoption will not be treated a part of the claimant's household.

Children not living with the claimant and who are in local authority care or placed with another family for adoption will not be treated as part of the claimant's household.

Living Allowances

The Living Allowance will be made up of a number of elements. These may include, depending upon individual circumstances:-

- A personal allowance for the claimant and partner
- An amount for every child or young person who is a member of the family
- A "family addition" where at least one child or young person is part of the family
- Additions which may apply in special circumstances.

The amounts to be included are shown in Appendix 1 and will be reviewed prior to the adoption of the scheme by the Council in line with the forecast annual uprating of benefits

Transitional Protection ESA

A transitional protection will be added to the living allowance for a claimant who has been converted to Contribution based Employment and Support Allowance from another benefit in certain circumstances where the living allowance is reduced because of the conversion. The amount will be calculated in the same manner as in the housing benefit/ council tax benefit regulations.

Income and Capital

The income of the claimant and partner will be added together for the purpose of calculating LCTS.

Income will be calculated on a weekly basis.

The income to be taken into account will be the likely average weekly income of the claimant and partner. This will be calculated over such a period as is likely, in the opinion of the council, to provide the most accurate estimate.

In the case of earnings from employment, where employment is due to commence an estimate of likely earnings will be based upon information available from the employer.

A tariff (a standard rate) income from capital will be calculated and added to other income.

Earnings from Employment

The amount of earnings to be taken into account shall be gross earnings less any amount deducted from those earnings in respect of:-

- Income tax
- Primary Class 1 national Insurance Contributions
- One half of any personal or occupational pension contribution.



Child Care Charges

Child care charges up to a maximum of £175 for one child or £300 for two or more children, will be deducted from earned income plus income from working tax credit and child tax credit where:-

- a single claimant works 16 hours per week or more
- both members of a couple work 16 hours per week or more
- where one member of a couple works 16 hours per week or more and the other member of the couple is disabled, and the disability addition is included in the couples living allowance due to this disability.
- where one member of a couple works 16 hours per week or more and the other member of the couple is on maternity leave and receiving statutory maternity pay or maternity allowance.

The child must be under 15 years of age or 16 if they are disabled, and the care must be provided by one of the following:

- A registered Childminder.
- A registered nursery or play scheme.
- An out of hours scheme run by an approved provider.
- An out of hours club provided by a school on school premises. This applies only if the child is aged 8 or over.

Self Employed Earnings

Earnings from self employment shall be calculated as the net profit of the employment. The calculation of net profit will be based upon that used for housing benefit and the default council tax benefit scheme. Some expenses allowable by HMRC are not allowable in the calculation of Local Council tax support.

Deductions will be made for income tax, national insurance contributions and one half of allowable personal pension contributions.

For childminders, one third of the gross profit will be used to calculate income. A net profit will then be derived by deducting tax, national insurance, 50% of pension contributions and expenses.

In cases where tax and national insurance contributions are not provided, the Council will estimate the figures.

The disregards from earnings which will apply are shown in Appendix 2.

Income other than Earnings

Any income of a claimant or partner other than earnings will be taken into account. Certain amounts will be disregarded in the calculation of income other than earnings, and it is intended that this will replicate the provision in the current council tax benefit regulations except that the current local arrangement to disregard the whole amount of a war widows or war disablement pension will continue.

Welfare Reform changes will introduce two new benefits- Universal Credit and Personal Independence Payments part way through the first year of operation of this scheme. New claimants will be migrated onto these benefits over time so both old



and new benefits will co-exist for a number of years. It is proposed that an equivalent approach for an individual on the new benefit will be incorporated within the Council's LCTS scheme, so for example Personal Independence Payments will be treated in the same way as Disability Living Allowance, and fully disregarded.

The full list of disregarded income can be found at Appendix 3.

Where deductions are being made from income in recovery of overpayments, by public bodies, the gross income amount will be taken into account.

National Income

Where a claimant or partner has deprived himself of income in order to secure entitlement to LCTS the council shall treat the income as though it was still received. The Council shall also treat any income available to the claimant or partner, but not claimed or received, as income.

<u>Capital</u>

All capital held by the claimant and partner will be taken into account. In cases where capital is jointly held with others the council will apportion the capital as considered appropriate.

The capital cut off limit for LCTS is £16,000.

Where capital exceeds £6,000, it shall be treated as equivalent to a weekly income of $\pounds 1$ for each complete $\pounds 250$ in excess of $\pounds 6,000$ but not exceeding $\pounds 16,000$. Where any part of the excess is not a complete $\pounds 250$ that part shall be treated as equivalent to a weekly income of $\pounds 1$.

Some items of capital will not be taken into account in the calculation of LCTS. A full list of disregarded capital can be found at Appendix 4

Notional capital

A claimant shall be treated as possessing capital of which he has deprived himself, in order to secure entitlement to LCTS.

Students

Most full time students are exempt from payment of council tax and also excluded from receiving LCTS.

When considering a claim from a liable student the Council will apply the rules as contained in the default Council tax support scheme which will mirror the current council tax benefit provisions.

Amount of Benefit

Maximum Council Tax Support

The amount of a person's maximum CTS for a day which they are liable to pay Council Tax will be 100% of their liability.



The amount of maximum LCTS will be calculated as A divided by B where:

- a) A is the amount of Council Tax set for the financial year for the dwelling the person resides in and for which they are liable, less any discount which applies
- b) B is the number of days in that financial year

less any non-dependant deductions.

Where a person is jointly and severally liable for Council Tax for a dwelling they reside in, which they are liable with one or more other persons (except students who are not entitled to LCTS), the maximum amount of LCTS will be the amount in A divided by the number of people who are jointly and severally liable. This will not apply if the only person they are jointly and severally liable with is their partner.

Non-Dependant Deductions

A non-dependant is any person who normally resides with the claimant, with the exception of the following:

- a) The claimant's partner
- b) Any child or young person who is a member of the claimant's family.
- c) Foster children
- d) Any person who the claimant is jointly and severally liable to pay Council Tax for the same dwelling
- e) Any person liable to pay rent to occupy the same dwelling, other than close relatives or people with tenancies that are classed as non-commercial
- f) A person who lives with the claimant to provide care for them or their partner, who has been engaged by a voluntary or charitable organisation which makes a charge to the claimant or their partner for the services provided by that person

A deduction from a person's maximum LCTS will be made for non-dependants, as shown in Appendix 3.

In calculating the gross income of a non-dependant, any amounts which would normally be disregarded for a LCTS claimant, will also be disregarded for a nondependant.

Only one non-dependant deduction will be made for a couple, and the amount deducted will be based on their joint income, calculated as above.

Where a person is jointly and severally liable for Council Tax for a dwelling they reside in, which they are liable with one or more other persons, the amount of the non-dependant deduction will be apportioned equally between those liable persons.

Non-dependant deductions will not be made in the following circumstances:

a) Where the claimant or their partner is blind



- b) Where the claimant or their partner receives Attendance Allowance or the care component of Disability Living Allowance
- c) Where the non-dependant normally resides elsewhere
- d) Where the non-dependant receives a training allowance
- e) Where the non-dependant is a full-time student
- Where the non-dependant is not residing with the claimant because they have been an in- patient for more than 52 weeks (without any break exceeding 28 days)
- g) Where the non-dependant receives Income Support, Income Based Jobseekers Allowance, Income Related Employment and Support Allowance, or Pension Credit
- h) Where the non-dependant is aged under 18.

Council Tax Support Taper

The percentage of excess income over the living allowance which will be deducted from the weekly maximum LCTS will be 20%.

Extended Payments

A person who is entitled to LCTS will be entitled to an extended payment where:-

- a) Entitlement to Income Support, Income Based Job Seekers Allowance or Income Related employment and Support Allowance has ceased because the claimant or their partner;
 - i) Commenced employment as an employed or self-employed earner, or
 - ii) Increased their earnings from their employment. or
 - iii) Increased the number of hours in their employment,

And that employment increased earnings or increased number of hours are expected to last five weeks or more:- .

and

- b) Immediately prior to the benefit above ending the claimant or their partner were entitled to any combination of the benefits listed below for a continuous period of 26 weeks :
 - i) Income Support, or
 - ii) Jobseekers Allowance (Income Based or Contributory), or
 - iii) Employment and Support Allowance (Income Related or Contributory), or
 - iv) Incapacity Benefit, or
 - v) Severe Disablement Allowance

Providing that the person remains liable for Council Tax at the dwelling in which they reside during the extended payment period.

Duration of the Extended Payment Period

The extended payment period will start on the day after LCTS would normally have ended after the qualifying benefit has ceased and will last for 4 weeks or up to the day Council Tax liability at the dwelling in which they reside ends, if this is earlier.



Amount of the Extended Payment

The amount of the extended payment will be the higher of:

- a) The amount of CTS which the claimant was entitled to before the qualifying benefit ceased, or
- b) The amount of CTS which the claimant is entitled to after the qualifying benefit ceased.

Extended Payments for People Approaching State Pension Credit Age

An individual who is approaching pension credit age and:

- who is in receipt of LCTS and
- who is not in receipt of income support, income related job seekers allowance or income based employment and support allowance

will continue to receive an extended payment of LCTS for 4 weeks whilst they or their partner apply for the pension age LCTS scheme. They will be paid, for those 4 weeks, whichever award is the greater.



Appendix 1

Single Claimant Aged 18 to 24	£56.2
Single Claimant Aged 25-59	£71.0
Single Alaimant 60-64	£142.7
Lone Parent 18-59	£71.0
Lone Parent 60-64	£142.7
Couple one aged 18-59	£111.4
Couple one or both aged 60 or over	£217.9
Plus for every child or young person until the day before their twentieth birthday	£64.9
Plus for every household which includes a child or young person	£17.4
Special Circumstances Addition – only one of the following can apply	y
 Disability Addition -claimant or partner is in receipt of one or more of the following:- Attendance Allowance Disability Living Allowance Mobility Supplement long term Incapacity Benefit Severe Disablement Allowance disability or severe disability element of working tax credit Personal Independence Payment or is registered blind 	Single £30.4 Couple £43.2
Employment and Support Addition- Claimant or partner in receipt of the work related activity component of Employment and Support Allowance	£28.1
Employment and Support addition - Claimant or partner in receipt of the support component of Employment and Support Allowance	£34.0
Special Circumstances Additions- these additions can apply as we awarded.	ell as any othei
Severe Disability Addition- for a single claimant or lone parent where:- claimant is receiving attendance allowance or the care component of disability living allowance at the higher or middle rate and no non dependant adults reside with him/her and no one is in receipt of a carers allowance for looking after him/her. For a couple, both partners must receive attendance allowance or the care component of disability living allowance at the higher or middle rate and no non dependant adults reside with them and no one receives carers allowance for looking after both partners	Single £58.2 Couple or qualifies £58.2 Couple bo qualify £116.4
Enhanced Disability Addition- where the claimant has limited capability for work related activity or the highest rate care component of disability living allowance is payable in respect of the claimant or any member of the claimants family.	Single £14.8 Couple £21.3 Child £22.8
Disabled Child Addition- where a dependant child receives disability	£56.6
living allowance or is registered blind.	



Appendix 2

Earnings Disregard 2012 / 2013	
The higher of any of the following which apply:	
A standard disregard for a single person	£5 per week
A standard disregard for a couple	£10 per week
A standard disregard for a lone parents	£25 per week
 Where the living allowance includes an amount in respect of: Disability addition Severe disability addition 	£20 per week
 Work related activity component Support component Carers addition 	
Plus an additional earnings disregard where:- The 30 hour premium is paid with Working Tax Credit or Claimant or partner is aged 25 or over and works 30 hours or more per week Or claimant and partner have a dependant child and at least one of them works 24 hours per week The claimant is a lone parent and works 16 hours or more each week The disability addition is included in the living allowance and the disabled partner works 16 hours or more each week.	£17.10



Appendix 3

Non Dependant Deductions 2012 / 2013

A non-dependant aged 18 or over in remunerative work where their normal gross income is

- i) less than £183.00 the deduction will be £3.30 per week
- ii) between £183.00 and £316.00, the deduction will be £6.55 per week
- iii) between £316.00 and £394, the deduction will be £8.25 per week
- iv) £394 or over, the deduction will be £9.90 per week

A non-dependant aged 18 or over not in remunerative work, the deduction will be £3.30 per week.

Local Council Tax Support Scheme 2013 / 2014



Appendix 4

Disregards for Income other than Earnings

The whole amount of income from the following sources:-

- 1. Income support
- 2. Income based job seekers allowance
- 3. Income related employment and support allowance
- 4. Disability living Allowance
- 5. Attendance Allowance
- 6. War Disablement Pension
- 7. War Widows or Widowers Pension
- 8. Child Benefit
- 9. Housing Benefit
- 10. Council tax Benefit/ Local Council Tax Support
- 11. Personal Independence Payments
- 12. Charitable and voluntary payments and 'payments in kind'
- 13. Christmas Bonus
- 14. Bereavement Payment
- 15. Constant Attendance Allowance
- 16. Mobility Supplement
- 17. Exceptionally Severe Disablement Allowance
- 18. any Social Fund payment (including Winter Fuel Payments and Cold Weather Payments)
- 19. Guardian's Allowance
- 20. Child's Special Allowance
- 21. Income received because of a personal injury, including payments from annuities or trust funds set up from compensation payments
- 22. Child Maintenance Payments for children or young people who are members of the family.
- 23. "Board" payments from non dependants
- 24. Income tax payable on income taken into account in the calculation
- 25. Any payment relating to expenses incurred/ to be incurred attending a Mandatory Work Activity Scheme, Employment, Skills and Enterprise Scheme, service user groups or voluntary or charitable work. Participation expenses in respect of 'work for your benefit schemes'
- 26. Payments to the claimant or partner as a holder of the Victoria Cross, George Cross or any analogous payment.
- 27. Insurance payouts in respect of mortgage and loan protection
- 28. Sports awards

Holiday pay paid 4 weeks or more after termination of employment, Tax refunds, lump sum charitable or subsistence payments, tax credit arrears payments will be treated as capital.

Local Council Tax Support Scheme 2013 / 2014



Appendix 5

Capital to be Disregarded

- 1. The dwelling normally occupied by the claimant as their home.
- 2. Any property which is actively being sold.
- 3. Any property acquired by the claimant which they intend to occupy as their home, whilst they are preparing for occupation.
- 4. Any property acquired by the claimant which they intend to occupy as their home, which is undergoing essential repairs or alterations.
- 5. The proceeds of sale of any property formerly occupied by the claimant as their home, which is to be used for the purchase of another property intended for occupation.
- 6. Any property occupied by a partner or relative of the claimant or any member of their family, where that person is a pensioner or disabled.
- 7. Any property occupied by the former partner of the claimant as their home, where the former partner is a lone parent, or where the property is actively being sold.
- 8. The capital of a person in receipt of Income Support, Income Based Jobseekers Allowance or Income Related Employment and Support Allowance.
- 9. Any future interest in property, other than land or premises where the claimant has granted a lease or tenancy.
- 10. The assets of any business owned by the claimant for the purpose of their selfemployment.
- 11. Any arrears of state pensions, benefits or tax credits.
- 12. Any amount paid to the claimant, or acquired by the claimant as a loan, as a result of damage or loss of the home or personal possessions and intended for its repair or replacement.
- 13. Any amount deposited with a Registered Provider, which is to be used for the purchase of another property intended for occupation.
- 14. Any personal possessions.
- 15. The value of the right to receive any income under an annuity or the surrender value of an annuity.
- 16. Where the funds of a trust resulted from a payment for a personal injury to the claimant of their partner, the value of the trust fund and the right to receive any payment under that trust.
- 17. The value of the right to receive any income under a life interest or from a life rent.
- 18. The value of the right to receive any income payable in a country outside the United Kingdom where there is a prohibition against the transfer to the United Kingdom of that income.
- 19. The surrender value of any life insurance policy.
- 20. Where payments of capital are made by instalments, the value of the right to receive any outstanding instalments.
- 21. Any payment made by the local authority under section 17 of the Children Act 1989.
- 22. Any payment made for adoption, fostering, guardianship support or supported lodgings.
- 23. Any social fund payment or its equivalent.

Local Council Tax Support Scheme 2013 / 2014

- 24. Any refund of tax deducted on a payment of loan interest for the purpose of acquiring a home or carrying out repairs or improvement to the home.
- 25. Where a payment of capital is made in a currency other than sterling, any banking charge or commission payable in converting that payment into sterling.
- 26. Any payment made under the Eileen Trust, the Independent Living Fund, the Skipton Funds, the London Bombing Relief Charitable Fund, or the Variant Creutzfeldt-Jacob Disease Trust.
- 27. The value of the right to receive any rent.
- 28. Any payment in kind made by a charity.
- 29. Any refund of Council Tax.
- 30. Any payment made by the local authority to the claimant, to be used to purchase a property for occupation as their home, or to carry out repairs or alterations to the home.
- 31. Any payments for:
 - a) travel expenses for hospital visits
 - b) medical supplies and vouchers
 - c) health in pregnancy grants
 - d) Home Office payments for prison visits.
- 32. Any payment made to assist a disabled person to obtain or retain their employment.
- 33. Any payment made by the local authority under the Blind Homeworkers' Scheme.
- 34. Any capital administered on behalf of a person by the High Court, County Court, or the Court of Protection.
- 35. Any payment to the claimant as a holder of the Victoria Cross or George Cross.
- 36. Any payment of child maintenance bonus.
- 37. Any payment made to assist a person under the self-employment route.
- 38. Any payment of a sports award.
- 39. Any payment of an education maintenance allowance.
- 40. Any payment made by a contractor for a person participating in an employment zone programme.
- 41. Any arrears of subsistence allowance.
- 42. Any payment made by the local authority for a service which is provided to develop or sustain the capacity of the claimant or their partner to live independently in their accommodation, including personal budgets.
- 43. Or any other analogous payments.

Durham



Definitions

Working Age	Someone who has not yet attained the qualifying age for state pension credit or a person whose partner has not yet attained the qualifying age for state pension credit except where the claimant is in receipt of income support, income based job seekers allowance or income related employment and support allowance.
Partner	A person's partner is their husband, wife, civil partner or person they live with as if they were married or in a civil partnership with them.
Child	A child is a person under the age of 16.
Young Person	A young person is someone aged 16 up to the age of 20 years normally living with the person claiming and receiving full time education.

Cabinet

12 September 2012



Report relating to the Introduction of a County wide Allotment Lettings Policy

Key Decision NS/16/12

Report of Corporate Management Team Terry Collins, Corporate Director of Neighbourhood Services, Councillor Maria Plews, Portfolio Holder for Leisure Libraries and Lifelong Learning

Purpose of the Report

1 The purpose of this report is to provide an update to members following the consultation exercise undertaken in relation to the introduction of a countywide allotment lettings policy, and to seek authorisation for the updated policy to be formally adopted.

Background

- 2 Members will recall that the report presented to Cabinet on 13 April 2011 outlined the Council's proposals to introduce a countywide allotment lettings policy. Cabinet agreed that before the proposed policy be adopted it should be subject to a public consultation. The policy applies to County Council directly managed allotments and not those managed by Town and Parish Councils or allotment associations.
- 3 The report highlighted that historically the provision of allotments within County Durham had been provided by a mixture of the former County Council, and a number of District, Town or Parish Councils.
- 4 An initial audit of allotments highlighted that in some areas of the County the management of allotment sites had been a low priority due to lack of resources. In particular this had resulted in areas receiving very little inspection of sites or enforcement of rules in line with the defined use of an allotment.
- 5 The Allotment Acts 1908-50 do not provide a comprehensive statutory definition of an "allotment." The Allotment Act of 1922 defines the term "allotment garden" as "an allotment not exceeding 40 poles [1011.72m²] in extent which is wholly or mainly cultivated by the occupier for the production of vegetable or fruit crops for consumption by himself or his family." There is no set standard size but nationally the most common plot size is 250m² which means that most allotments are capable of falling within the definition of "allotment garden."

Consultation

- 6 The results of the consultation exercise undertaken are shown in Appendix 2 however the following is a summary of the approach taken and the key findings.
- 7 The consultation exercise was undertaken via both a postal and an online questionnaire. This was undertaken in the period October to December 2011 to ascertain the opinions of not only DCC allotment holders, those on waiting lists but also those with a vested interest in allotments along with the general public.
- 8 A total of 1,363 postal questionnaires were issued with 526 returns giving a response rate of 38.6%. A total of 290 people also responded online. Consultees included:
 - 1. All Allotment Associations
 - 2. The National Society of Allotment and Leisure Gardeners
 - 3. General Public
 - 4. Allotment holders
 - 5. Individuals on allotment waiting lists
- 9 All consultees where asked to respond to a series of questions that covered the following areas of interest that had been embodied into the proposed policy (Appendix 4).
 - 1. Waiting list arrangements and criteria to apply for an allotment
 - 2. Levels of rent and tenancy agreements
 - 3. Which areas should be classed as allotments
 - 4. Regulation of use
 - 5. Keeping of animals
 - 6. Enforcement of the policy
- 10 In general the proposed policy was received well by all stakeholders and it is apparent that a clearer and more robust policy framework would be welcomed by all those involved with allotments. The detailed findings are set out in Appendix 4 but the key finding of the consultation are set out below:
 - 72% agreed to harmonising rents and 75% think that the plot size approach creates a fairer relationship between plot size and rental charge
 - 86% think County Durham allotments should align with the Allotments Act of 1922
 - 89% agree with a requirement for responsible cultivation
 - 99% want specified standards of behaviour
 - 57% of respondents wished to retain the use of barbed wire

- 89% think that there should be a prohibition of vehicles
- 87% think dogs should not be kept and 74% are against the keeping of horses
- 87% also feel that tenants keeping equine animals should be transferred to new tenancy agreements specific to this activity
- 86% think that the Council should apply the enforcement procedure outlined in the proposed new lettings policy.
- 60% think that there should be an amnesty period of twelve months leading to the enforcement of the policy
- 80% want Allotments to be taken off tenants who leave the county
- 84% thought that water should be supplied, and if not 49% thought that water butts should be provided as an alternative.

Changes to original policy

- 11 Whilst there has clearly been support for the policy, this is not to say that the consultation process has not raised a range of issues that that have influenced thinking around the policy. In particular the following issues have emerged from the consultation process, and as a result a number of changes to the original policy, presented to Cabinet in April 2011, are proposed. Namely changes to:
 - 1. Co-worker and transfer arrangements,
 - 2. Scope of sites to which the policy will apply,
 - 3. Criminal and anti-social behaviour procedures,
 - 4. Use of barbed wire
 - 5. Use and supply of water
 - 6. Allowing the use for large animals on sites (dogs, horses, ponies and donkeys).
- 12 <u>Co-worker and transfer arrangements:</u> The consultation response with regards to co-workers and the transfer of tenancy agreements highlighted a difference of opinion between current tenants and those on a waiting list. Not surprisingly those on waiting lists did not support the transfer of allotments to co-workers and preferred that waiting lists took priority. Current tenants however favoured the option to transfer to a co-worker.
- 13 It is therefore proposed to retain the policy of allowing the transfer to a coworker, however, the policy is amended to state that the co-worker must have been registered with the Council for a period no less than 3 years, or as long as the next person to be offered a plot on the waiting list. This is a significant change from the 6 months stated in the draft policy. Any appeal with regards to the application of this policy will be dealt with by the relevant Head of Service.
- 14 Because of past problems with some tenants having ostensibly "sublet" their allotment without authority from the Council it is also proposed to offer up a period of amnesty, in which those who have sub let allotment plots can disclose the actual occupier of the site. Those who cooperate with the amnesty will have the sites transferred.

- 15 <u>Scope of sites to which the policy will apply:</u> Some sites although designated as allotments are not suitable for the growing of vegetables and therefore would not come within the statutory definition of an allotment garden as shown in paragraph 5. These sites tend to be those where horses and other animals are kept. Or indeed are used for storage by tenants. This, it is suspected is often for business purposes.
- 16 To ensure the lettings policy is applied to the correct type of sites it will be necessary to categorize those sites which fall within the policy, i.e. it would not be fair or indeed practical to attempt to apply this policy to sites which can not be cultivated.
- 17 <u>Criminal and anti-social behaviour procedures:</u> A number of sites can also be described as problem sites where often anti social behaviour and criminal activity takes place either on the site or in close proximity to it. In order to deal with such matters it is proposed that a multi agency approach will be adopted, this will include representation from Police, Fire, Housing Association, Town or Parish Council and include elected members. This approach has proved to be effective in dealing with such issues. The policy has also been updated to reflect concerns relating to crime, violence and intimidation by allotment holders.
- 18 <u>Use of Barbed wire:</u> The original policy banned the use of barbed wire, more than half of the respondents wished to retain its use and the policy has been amended to allow its use. However, it is made clear that this is entirely the responsibility of the tenant and tenant will be made aware of the legislation governing the use of barbed wire.
- 19 <u>Use and supply of water:</u> Although the consultation shows considerable support for the provision of free mains water, there is a need to control the usage. The original policy placed a responsibility on sites with a supply to meet the cost. It is therefore intended to retain a charge for mains water. However, in order to ensure this is done in a fair and consistent manner a further consultation will be undertaken with those sites.
- 20 <u>Allowing the keeping of Dogs, Horses, Ponies and Donkeys on Allotment</u> <u>Sites:</u> As highlighted in Paragraph 15 a number of current sites categorised as allotments are currently used to house large animals. This is in clear conflict to the definition of an allotment garden. Following legal advice it is proposed therefore that the keeping of large animals as highlighted should not be allowed on allotment gardens and any reference to allowing large animals should be removed from the councils letting policy.

Next Steps

- 21 The consultation has demonstrated considerable support for the new policy, it will be important to move forward with the implementation of the policy in a planned and timely manner. This will involve a number of phases to the implementation of the policy and will include the following.
- 22 If the new policy is adopted, all current tenants will be written to advising them of the outcome of the consultation and the planned implementation for the policy including the period and terms of the amnesty. The terms of the

Council's current allotment tenancy agreements will need to be varied. This can either be undertaken by agreement with the tenant or, if such agreement is not forthcoming, in the case of allotment gardens, the Council has the option to terminate the tenancy on giving twelve months notice ending on or before the 6 April or on or after 29 September in accordance with statutory provisions. There are no such restrictions on termination of other allotment tenancies that are not allotment gardens.

- 23 In order to address some of the resource issues around the management of allotments the Sports and Leisure Service will initially carry out a staff restructuring exercise to increase resource in this area. Secondly officers will work with ward members to confirm the sites which come within the definition of allotment garden for the purpose of this policy. See Appendix 3.
- 24 There are currently limited budgets within the Outdoor Sports and Leisure Section to be able to fund all the improvements required to the allotment stock. The identification of non allotment sites will assist in better use of resources to the most appropriate sites. The Sports and Leisure Strategy states that funding will need to be increased for services provided by the Outdoor Sports and Leisure Team. In addition capital bids will need to be made to ensure investment is carried out on allotment sites to ensure they are fit for purpose to transfer to other parties.
- 25 Those that fall outside of the policy (i.e. do not come within the definition of allotment garden) will need to be transferred into the management of the relevant department. This would result in sites used for horses, storage and general garden use being reconsidered. New licences or tenancies (where appropriate) together with fees, rents and charges would be developed for such sites which align with the usage of the site.
- 26 In addition there are twenty one single plot sites, these are often used as garden extensions and these will need to be reviewed together with their legal status as part of the implementation process. If these sites are not required for allotment use then again transfer and or disposal would need to be considered by the relevant service.
- 27 Sports and Leisure Services should only be responsible for the management of allotment gardens (including where small livestock is allowed, ie hens and rabbits only). There is a demand for sites that can be used to stable horses and other animals and it will be necessary to identify these separately to allotments.
- 28 The longer term aim is to have more allotment sites managed at a local level i.e. via Town and Parish Councils or allotment associations. This would lead to improved sites and create greater community ownership of allotments.
- 29 Problem tenants and indeed problem sites will require a clear action plan dependent upon the individual issues surrounding the site. It is intended that this is dealt with using the same multi – agency approach as set out in para.17. Officers will work with the group to agree a plan which may include the eviction of a tenant and or the clearance of a site.

30 With so many sites across the county it is proposed to tackle this work using ward boundaries and to approach each area in alphabetical order, officers would began the task in Annfield Plain, working through all 63 wards to identify a plan of action for each site.

Conclusion

- 31 The consultation has provided positive feedback on the proposed policy. It shows there is support for the implementation of new rules to control the use of allotments. It also demonstrates the need to define which sites are indeed allotment gardens and fall within the policy.
- 32 There is a demand for land across County Durham for the keeping of animals, evicting these occupiers from land that has no other suitable purpose could be detrimental to the local community. This report sets out a process for tackling some of these issues in a controlled approach. It will ensure the policy is applied correctly and that fees for the use of council land are appropriate for use.
- 33 Implementing the policy will require a cross service approach and in particular the support and cooperation of asset management. Enforcement issues also need to be addressed with appropriate officers assigned to assisting the Sports and Leisure Team with the implementation of the policy.
- 34 The longer term aim must be to encourage more local management of sites, this will be either through Town and Parish Councils or Allotment Associations. Well managed site are a community asset, however those that are not controlled are often the focus of crime and anti social behaviour.
- 35 It should be noted that this policy is intended to improve the management of the Council's existing stock of allotments through the introduction of a policy to control lettings and operation. Such a policy will need to be followed in the future with an Allotments Strategy that will attend to issues of distribution; how many sites and where they are. This will be the subject of a future report.

Recommendations and reasons

- 36 It is recommended that
 - 1. Members agree to the formal adoption of a Countywide Allotment Lettings Policy as shown in Appendix 4.
 - 2. Members agree the proposed actions set out in sections 21 -30 'Next Steps'.

Background papers

Cabinet Report 13 April 2011

Contact: Steve Howell Tel: 0191 372 9178

Appendix 1: Implications

Finance

Contained within the main body of the report.

Staffing

It is proposed a staffing restructure will take place to increase resources to be able to deal with the implications of the allotment lettings policy. This will be subject to a further report to Neighbourhood Services Management Team

Risk

A full risk assessment has been carried out and a reportable risk has been identified. If the Allotment Letting Policy is not approved it may result in increased complaints from both Elected Members and residents regarding miss -use of allotments. The potential impact to Durham County Council would be reputational damage and reduced income from allotment plots that cannot be re-let. Measures to mitigate this risk will include managed comments and complaints.

Equality and Diversity/Public Sector Equality Duty

Following consultation a equality and diversity impact assessment screening has been carried out which has identified that the proposed allotment policy will largely create positive changes which will have a positive impact across the protected equality characteristics. Where reasonable, actions will be implemented to mitigate minor negative impacts. Appendix 5

Accommodation

None

Crime and Disorder

Consultation has shown that on some allotment sites instances of crime and anti social behaviour has taken place. The report sets out a procedure for dealing with sites which suffer from such instances

Human Rights

- -

Consultation The policy has been subject to a 12 week consultation process

Procurement None

Disability Issues None

Legal Implications

The legal implications of this policy have been discussed with the legal department and it is agreed that a harmonised Countywide Allotment Letting Policy is required following local government re-organisation.

Purpose of Report

1 This report provides an overview of findings from the survey investigating the public opinion on the harmonisation of allotment letting policy, together with its methodology and tables of results.

Background

- 2 The survey was performed from October to December 2011 to ascertain the opinions of allotment holders, those on waiting lists, those with a vested interest in allotments along with the general public into the policy which should be enforced across the whole of the county.
- 3 Although an on-line consultation with the general public took place concurrently the main indicative results came through letters sent out to all registered allotment holders in County Durham. These were supplemented with questionnaires sent to the various allotment associations.
- 4 Of the questionnaires 290 were returned online and 526 through the post, giving a total of 816 responses. A map showing the spread of respondents across the county is in Appendix 1.
- 5 The survey was unweighted as the relevant larger population dimensions are unknown (i.e. those the questionnaire was targeted at). Throughout this report, where appropriate, cross tabulations are included for age, gender, disability status and sexuality.
- 6 The questionnaire requested the respondent's opinion regarding the various aspects of allotment policy, along with any potential future changes to harmonise those services. The areas of consultation being:
 - Transfer of tenancy
 - Water supply
 - Rent
 - Land use
 - Cultivation
 - Standards of behaviour
 - Vehicles
 - Boundary maintenance
 - Buildings/structures
 - Barbed wire
 - Disposal of refuse
 - Bonfires
 - Animals
 - Enforcement

Key Findings

- 7 Major results emerging from the survey are:
 - Allotments should be taken off tenants who have left the county (74%) or who leave it (80%).
 - There was a similar call for allocation of vacant plots to registered coworkers (57%) and for allocation to people on a waiting list (44%).
 - A large majority thought that water should be supplied (84%), and if not 49% thought that water butts should be supplied as an alternative.
 - A majority think that rent charges should be harmonised (72%) and 75% think that the plot size approach creates a fairer relationship between plot size and rental charge.
 - Nearly nine out of ten (86%) think County Durham allotments should align with the Allotments Act of 1922.
 - A majority think that tenancy agreements should include a requirement for responsible cultivation (89%), specified standards of behaviour (99%) and sensible use of bonfires (89%).
 - A majority of respondents think that there should be a prohibition of vehicles (89%), dogs (87%) and of large animals (74%) being kept on allotments, but a minority thinking the same of barbed wire (41%).
 - A majority of respondents think that the council should authorise work on internal boundaries (52%), regulate buildings and structures on allotments (66%), standards of cleanliness (91%) and the keeping of animals other than hens and rabbits (77%).
 - 70% of respondents support the retention of 'animal free' allotments.
 - A large majority (87%) feel that tenants keeping equine animals should be transferred to new tenancy agreements specific to this activity.
 - Over four fifths (86%) think that the Council should apply the enforcement procedure outlined in the survey, and over half think that there should be an amnesty period of twelve months (60%). Of those against a twelve month period 62% thought the period should be shorter.

Results

Interest in allotments

8 Just short of half the respondents are allotment holders, with the next highest type of respondent being those that live in close proximity to allotments (Fig 1).

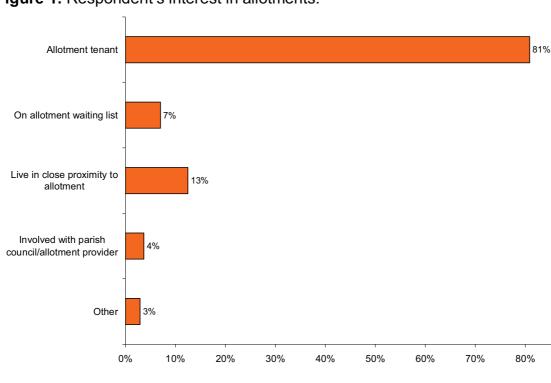


Figure 1. Respondent's interest in allotments.

9 Of those who had another interest in an allotment, the highest in number were waiting to apply for an allotment, with eight responses.

90%

Residency of allotment tenancies

- 10 The majority of respondents believe that tenants already living outside of County Durham should <u>not</u> be allowed to retain their allotment (Fig 2). There was also a majority feeling that tenants should give up their allotment if they move out of the county (Fig 3).
- 11 The responses for the questions were tested for a difference of opinion between those living close to the county border and those living in the centre of the county (see Appendix 1 for details of the areas). This concluded that there were no significant differences between the two groups.

Figure 2. Should tenants retain their allotment if they live outside of County Durham?

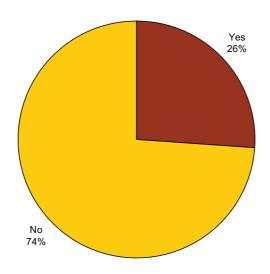
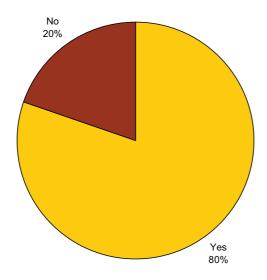


Figure 3. Should tenants give up their allotment if they move outside of County Durham?



Transfer of tenancy

- 12 A similar amount of responses were received that thought that vacant plots should be allocated to people on the waiting list (44%) and that there should be a formal registration of co-workers to inherit the tenancy (57%).
- 13 There were significant differences between allotment holders and nonallotment holders, with allotment holders having a higher percentage thinking they should be passed onto a co-workers. Those on a waiting list had a higher percentage thinking allotments should be allocated via a waiting list. Figure 4 highlights the differences between the two groups, and that due to a lack of consultation with waiting list groups, the overall figure reverts largely back to the opinion of those not on the waiting list.

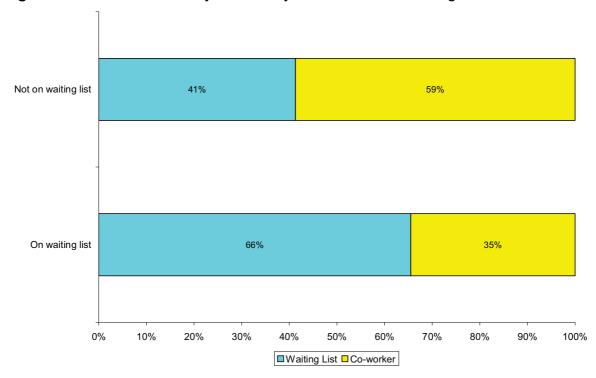


Figure 4. Transfer of tenancy method by whether on the waiting list.

14 The most common comment about the transfer of tenancies is that the council should recognise a family's rights to an allotment, with thirty five responses.

Water

15 84% of respondents felt the council should provide mains water supply to allotments. Failing this, 49% thought water butts should be supplied as an alternative.

Plot size and rent

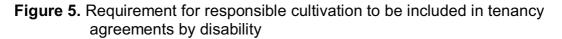
- 16 72% of respondents thought that rent charges should be harmonised. Three quarters of respondents (75%) felt that the council approach brought a fairer relationship between plot size and rental charge.
- 17 The most common comment about the alteration of rental charges is that the banding should depend upon the facilities available such as water/security/accessibility with thirty eight responses.

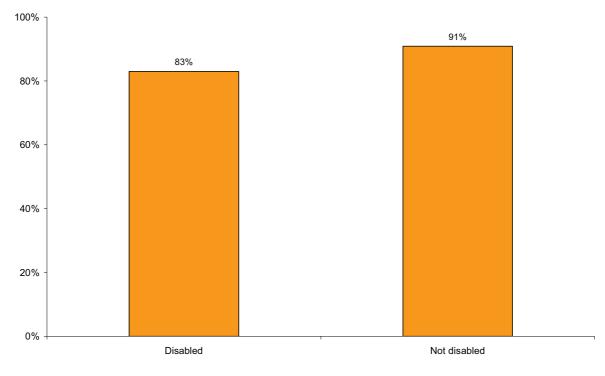
Use of Land

18 Over four fifths of respondents (86%) thought that the use of allotments in County Durham should align with the definition as established by the Allotment Act of 1922.

Cultivation

19 Nearly nine out of ten respondents (89%) thought there should be a requirement for responsible cultivation to be included in tenancy agreements.





- 20 There were significant differences between those over 65 and those under 65, with the elderly having a higher percentage who think there should be a requirement. There were a lower percentage of those with a disability thinking a requirement should be included (Fig 5).
- 21 The most common comment about the requirement for responsible cultivation to be included in tenancy agreements is that this should be enforced at all times, with twenty two responses.

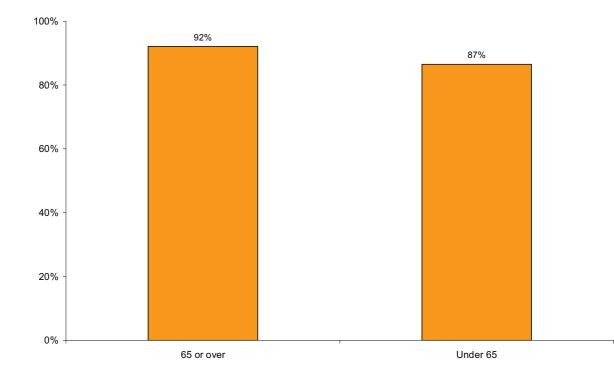
Tenants Standard of Behaviour

22 99% of respondents think that tenancy agreements should specify reasonable standards of behaviour.

Vehicles

- 23 Nearly nine out of ten respondents (89%) thought that the unauthorised storage of vehicles should be prevented on allotment sites.
- 24 There were significant differences between those aged 65 or over and those under 65, with the elderly having a higher percentage who thought unauthorised storage of vehicles should be prevented (Fig 6).

Figure 6. Prevention of unauthorised vehicles by aged over/under 65



Maintenance of Boundaries

25 Just over half of respondents (52%) think that maintenance of internal boundaries should require authorisation from the county council first.

Buildings and Structures

- 26 Nearly two thirds of respondents (66%) thought that buildings and structures should be regulated by the council on allotments sites.
- 27 The most common comments about the regulation of buildings and structures within allotments are that there should be more than two buildings allowed or that there should be more than one allowed of one particular structure with thirty nine responses.

Barbed Wire

28 Over half of respondents (59%) think barbed wire should continue to be allowed to be used. A higher percentage of disabled people think that the use of barbed wire should be allowed, compared to those not disabled (Fig 7).

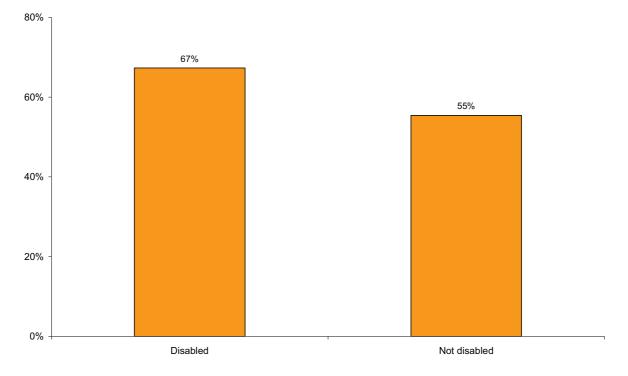


Figure 7. Allow continued use of barbed wire by disability status

Depositing Refuse/Disposal of Rubbish

29 91% of respondents thought the council should use enforcement to improve standards of cleanliness on allotment sites. To help encourage people to keep the allotments tidy, the provision of skips was the most common comment with sixty three responses.

Bonfires

30 Nearly nine in ten respondents (89%) think tenancy agreements should be used to enforce the sensible use of bonfires.

Dogs

- 31 Over four in five of respondents (87%) think that dogs should not be allowed to be kept on allotments.
- 32 There were significant differences between genders, with a higher percentage of males believing dogs should be allowed to be kept on allotments (Fig 8).

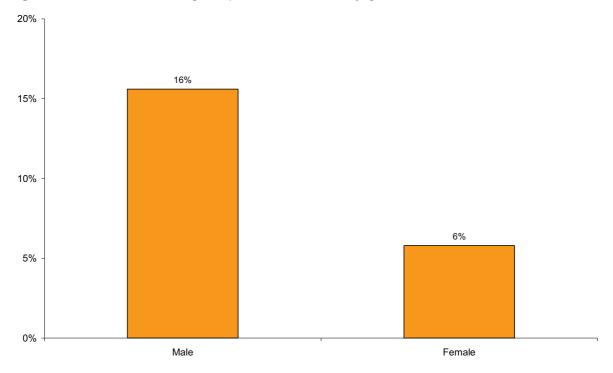


Figure 8. Allowance of dogs kept on allotments by gender

33 The most common comments regarding the keeping of dogs on allotments were that this should be okay if they are well kept with twenty responses.

Small Animals and Bee Keeping

34 77% of respondents think the county council should have a procedure for authorising the keeping of animals other than hens or rabbits. However, 70% support the retention of 'animal free' allotments (with the exception of hens or rabbits). There were significant differences between those who are allotment holders and those who are not, with a higher percentage of allotment holders disagreeing with the retention of animal free allotments (Fig 9).

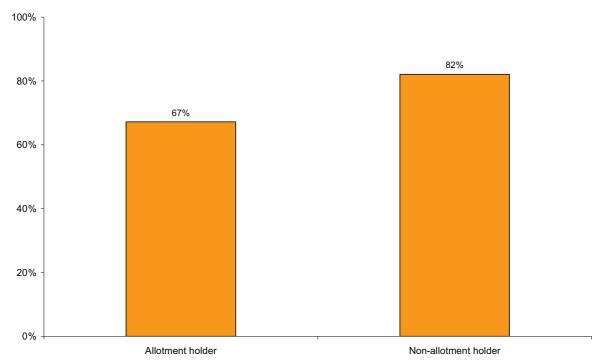
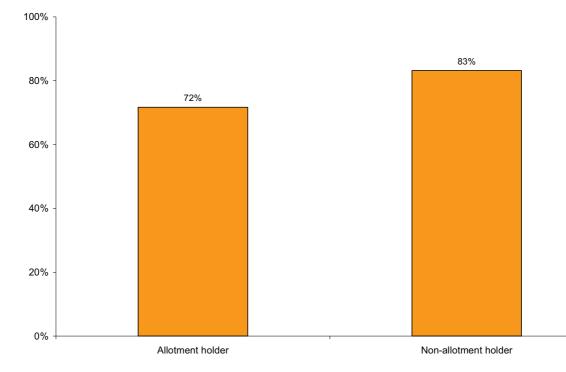


Figure 8. Retention of 'animal free' allotments by holdership

Large Animals

35 Nearly three quarters of respondents (74%) think that the keeping of large animals should be phased out. There were significant differences between those who are allotment holders and those who are not, with a higher percentage of allotment holders disagreeing with the phasing out of large animals on allotment plots (Fig 10). Figure 10. Agreement with phasing out large animals on allotments by holdership



Horses, Donkeys, Ponies and Asses

36 87% of respondents think that the tenancy agreements of allotments keeping equine animals should be transferred to new tenancies agreements specific to this activity that specify animal welfare standards. The most common comments regarding the keeping of equine animals on allotments were that these types of animals are not suitable for allotments with twenty four responses.

Enforcement

37 86% of respondents think that the enforcement policy put forward by the county council should be applied. There was a significantly lower percentage of allotment holders thinking the council should apply the enforcement policy (Fig 11).

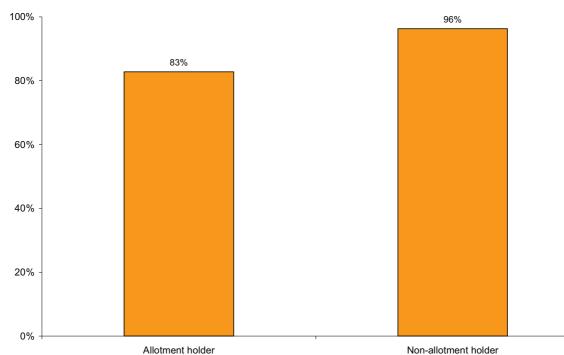


Figure 11. Agreement with the council using the suggested enforcement policy

- 38 Over half of respondents (60%) believe a 12 month amnesty to enable compliance with revised tenancy agreements prior to the instigation of enforcement procedure should be introduced. Of those that think there shouldn't be a 12 month amnesty, 62% think it should be a shorter amnesty.
- 39 A significantly higher percentage of those over 65 believe that the twelve month amnesty should be enforced and a lower percentage feeling the amnesty should be shorter (Fig 12).

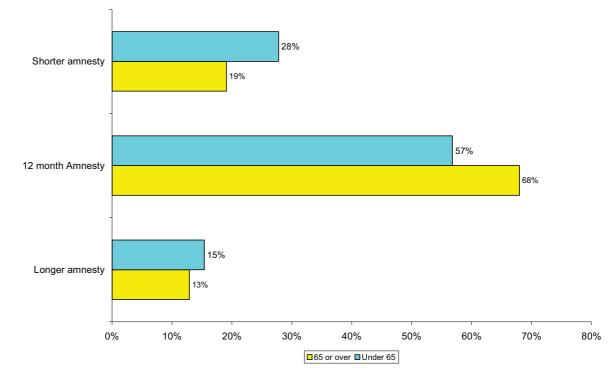
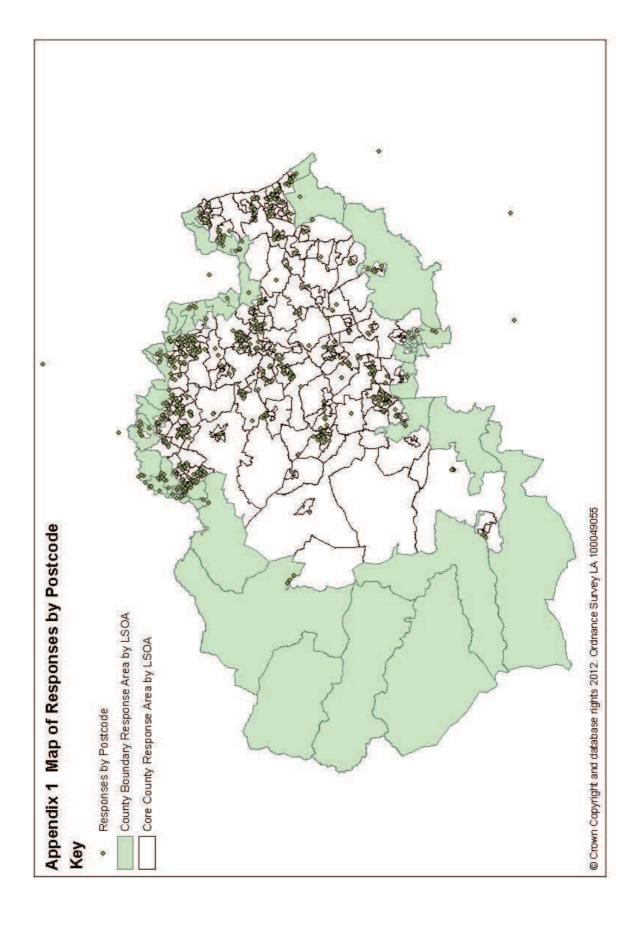


Figure 12. Agreement with the council using the suggested enforcement policy

40 Of those that disagreed that the council should regulate buildings, that they should allow dogs, were against animal free allotments, and thought that barbed wire and large animals should be allowed – *each group* had a higher percentage thinking the amnesty period should be longer and a lower percentage thinking it should be shorter.

Contacts: Mark Lawson & Karen Cook Tel: 0191 372 7693



- 41 The Allotment Survey was distributed to County Durham allotment holders during October through to December 2011. The returns consisted of those that were sent to allotment holders and allotment associations through the post, collection points in public buildings and Internet returns. The survey was widely advertised including in Durham County News and through the County Durham Citizens' Panel.
- 42 Of the questionnaires returned 290 were done so online and 526 through the post, giving a total of 816 responses. The survey was unweighted as the relevant larger population dimensions are unknown (i.e. those the questionnaire was targeted at).
- 43 Throughout this report, where appropriate, cross tabulations were carried out for age, gender, disability status, allotment holdership and sexuality
- 44 The questionnaire is available in PDF format from the Research and Consultation Team on 0191 3727693 or email <u>mark.lawson@durham.gov.uk</u>.

Appendix 3: Frequency Tables

Q1: Why are you interested in allotments?

Interest	Frequency	Percentage
I'm an allotment tenant	634	80.9%
I'm on the waiting list for an allotment	55	7.0%
I live in close proximity to allotments	98	12.5%
I'm involved with a parish/town council or other allotment provider	29	3.7%
Other reason	23	2.9%
TOTAL	784	100.0%

If other, please specify

Interest	Frequency	Percentage
Waiting to apply for an allotment	8	0.9%
Allotment Association	5	0.6%
Chairman/Member/Secretary		
Interested in allotments	4	0.5%
TOTAL	789	100.0%

Q2: Do you think tenants who already live outside of County Durham should be allowed to retain their allotment?

	Frequency	Percentage
Yes	193	26.2%
No	543	73.8%
TOTAL	736	100.0%
Don't know/no opinion	49	

Q3: Do you think tenants who move out of County Durham should give up their allotments?

	Frequency	Percentage
Yes	591	80.3%
No	145	19.7%
TOTAL	736	100.0%
Don't know/no opinion	46	

Q4: Do you think vacant plots should be strictly allocated to people on the waiting list or should there be a formal registration of co-workers?

	Frequency	Percentage
Formal registration of co-workers	421	56.5%
Allocated to people on the waiting list	324	43.5%
TOTAL	745	100.0%
Don't know/no opinion	29	

If you have any comments regarding the transfer of tenancies, please state.

Comment	Frequency	Percentage
Recognise family rights to allotments	35	21.7%
Co-workers efforts should be recognised	33	20.5%
Co-worker policy is open to abuse	13	8.1%
Co-worker should be dependant upon their using the allotment	13	8.1%
TOTAL	161	100.0%

Q5: Do you think we should provide a mains water supply to allotments?

	Frequency	Percentage
Yes	619	84.0%
No	118	16.0%
TOTAL	737	100.0%
Don't know/no opinion	35	

Q6: Do you think we should provide water butts as an alternative to a mains water supply?

	Frequency	Percentage
Yes	344	48.9%
No	359	51.1%
TOTAL	703	100.0%
Don't know/no opinion	57	

Q7: Do you think that rent charges should be harmonised?

	Frequency	Percentage
Yes	507	71.9%
No	198	28.1%
TOTAL	705	100.0%
Don't know/no opinion	69	

Q8: Do you think this approach creates a fairer relationship between plot size and rental charge?

	Frequency	Percentage
Yes	526	74.6%
No	179	25.4%
TOTAL	705	100.0%
Don't know/no opinion	66	

If you have any suggestions for an alternative approach for a fairer relationship between plot size and rental charge, please state.

Comment	Frequency	Percentage
Band depending on facilities/water availability	38	23.2%
Suggested is an excessive rental rise	27	16.5%
Charge by the square metre	21	12.8%
TOTAL	164	100.0%

Q9: Do you think the use of allotments in County Durham should align with the definition as established by the Allotment Act, 1922?

	Frequency	Percentage
Yes	623	86.0%
No	101	14.0%
TOTAL	724	100.0%
Don't know/no opinion	51	

Q10: Do you think a requirement for responsible cultivation should be included within the tenancy agreements?

	Frequency	Percentage
Yes	661	89.0%
No	82	11.0%
TOTAL	743	100.0%
Don't know/no opinion	34	

If you have any comments about the cultivation of allotments, please state.

Comment	Frequency	Percentage
This should be enforced at all times	22	12.7%
Allotment circumstance need to be taken into account	21	12.1%
Should be less than 75%	15	8.7%
TOTAL	173	100.0%

Q11: Do you think tenancy agreements should specify reasonable standards of behaviour?

	Frequency	Percentage
Yes	765	99.2%
No	6	0.8%
TOTAL	771	100.0%
Don't know/no opinion	7	

Q12: Do you think we should prevent unauthorised storage of vehicles on allotment sites?

	Frequency	Percentage
Yes	659	88.5%
No	86	11.5%
TOTAL	745	100.0%
Don't know/no opinion	26	

Q13: Do you think that a system should be introduced where work on internal boundary fencing has to be authorised by the council?

	Frequency	Percentage
Yes	373	51.9%
No	346	48.1%
TOTAL	719	100.0%
Don't know/no opinion	52	

Q14: Do you think we should regulate buildings and structures on allotments?

	Frequency	Percentage
Yes	477	65.5%
No	251	34.5%
TOTAL	728	100.0%
Don't know/no opinion	35	

If you have any comments about buildings and structures, please state.

Comment	Frequency	Percentage
Allow more than two buildings/more than one shed/polytunnel/greenhouse	39	18.2%
Buildings/containers should just be in good condition	22	10.3%
Security issues	16	7.5%
TOTAL	214	100.0%

Q15: Do you think the continued use of barbed wire should be allowed?

	Frequency	Percentage
Yes	430	58.7%
Νο	302	41.3%
TOTAL	732	100.0%
Don't know/no opinion	37	

Q16: Do you think we should use enforcement to improve standards of cleanliness on allotment sites?

	Frequency	Percentage
Yes	672	91.2%
No	65	8.8%
TOTAL	737	100.0%
Don't know/no opinion	28	

If you have any alternative suggestions about how tenants can be encouraged to keep allotments tidy, please state.

Comment	Frequency	Percentage
Skips need to be provided	63	37.5%
Tidy sites should be enforced vigorously	21	12.5%
Incorporate remove of waste with (green) bin collections	16	9.5%
TOTAL	168	100.0%

Q17: Do you think we should use tenancy agreements to enforce the sensible use of bonfires?

	Frequency	Percentage
Yes	658	88.7%
Νο	84	11.3%
TOTAL	742	100.0%
Don't know/no opinion	28	

Q18: Do you think that dogs should be allowed to be kept on allotments?

	Frequency	Percentage
Yes	101	13.4%
No	651	86.6%
TOTAL	752	100.0%
Don't know/no opinion	22	

If you have any other comments regarding dogs on allotments, please state.

Comment	Frequency	Percentage
As long as they are well kept	20	16.1%
Guard dogs are required	17	13.7%
Not under any circumstances	14	11.3%
TOTAL	124	100.0%

Q19: Do you think we should have a procedure for authorising the keeping of animals other than hens and rabbits?

	Frequency	Percentage
Yes	575	77.4%
No	168	22.6%
TOTAL	743	100.0%
Don't know/no opinion	28	

Q20: Do you support the retention of 'animal free' allotments (with the exception of hens and rabbits)?

	Frequency	Percentage
Yes	505	70.2%
No	214	29.8%
TOTAL	719	100.0%
Don't know/no opinion	50	

Q21: Do you think the keeping of large animals on allotment plots should be phased out?

	Frequency	Percentage
Yes	529	73.5%
No	191	26.5%
TOTAL	720	100.0%
Don't know/no opinion	52	

Q22: Should tenants keeping horses, donkeys, ponies and asses on allotment be transferred to new tenancy agreements specific to this activity that specify animal welfare standards?

	Frequency	Percentage
Yes	629	86.5%
No	98	13.5%
TOTAL	727	100.0%
Don't know/no opinion	43	

If you have any other comments regarding equine animals on allotments, please state.

Comment	Frequency	Percentage
Equine animals are not suitable for allotments	24	22.0%
Allotments are for growing food	16	14.7%
If animals are not ill treated/are kept correctly	9	8.3%
TOTAL	109	100.0%

Q23: Do you think we should apply the above mentioned enforcement procedure?

	Frequency	Percentage
Yes	607	85.6%
No	102	14.4%
TOTAL	709	100.0%
Don't know/no opinion	56	

Q24: Should we introduce a 12 month amnesty to enable compliance with revised tenancy agreements prior to the instigation of enforcement procedures?

	Frequency	Percentage
Yes	415	60.4%
No, longer amnesty needed	104	15.1%
No, shorter amnesty needed	168	24.5%
TOTAL	687	100.0%
Don't know/no opinion	72	

What is your gender?

	Frequency	Percentage
Male	571	79.6%
Female	146	20.4%
TOTAL	717	100.0%

What is your age group?

	Frequency	Percentage
16-24	8	1.1%
25-34	30	4.2%
35-44	81	11.2%
45-54	125	17.3%
55-64	219	30.4%
65+	258	35.8%
TOTAL	721	100.0%

What is your religion or belief?

	Frequency	Percentage
Christian	540	81.7%
Hindu	1	0.2%
Sikh	1	0.2%
Jewish	3	0.5%
Buddhist	5	0.8%
None	102	15.4%
Other	9	1.4%
TOTAL	661	100.0%

	Frequency	Percentage
Heterosexual/straight	613	98.2%
Gay woman/lesbian	2	0.3%
Gay man	5	0.8%
Bisexual	4	0.6%
TOTAL		100.0%

What is your ethnicity?

	Frequency	Percentage
White	702	99.2%
Black and Minority Ethnic (BME)	6	0.8%
TOTAL	708	100.0%

Appendix 3: Durham County Council Sport and Leisure Managed Allotments 2012

Allotment Site	No. Plots	Allotment	Other Uses	To be Confirmed
Balmoral Terrace, Number One	11	Yes	0000	
Blanche Terrace, Tantobie	4	Yes		
Bradley Cottages	25	Yes		
Craghead Poultry Scheme	9		Yes	
Crookhall Compounds	14		Yes	
Farbridge Crescent, Ebchester	7	Yes		
Fell Side, Delves Lane (1-28)	28		Yes	
Fell Side, Delves Lane (29-32)	4		Yes	
Fines Park, Annfield Plain	2		Yes	
Fines Road, Medomsley	20			Yes
Fourth Street Stables	7		Yes	
Fourth Street, Quaking Houses	26	Yes		
Garden Crescent, Ebchester	6	Yes		
Greencroft, Loud Hill	8		Yes	
Jubilee, Ebchester	6	Yes		
Knitsley Terrace, Knitsley	1		Yes	
Larch Street, Consett	3	Yes	Mara	
Loud Terrace, Greencroft	15	Maa	Yes	
Mortimer Street, Blackhill	<u>16</u> 12	Yes		Yes
North Terrace, Oxhill			Vaa	res
Oxhill, Stanley Pavilion Terrace, Burnhope	29 23	Yes	Yes	
Percy Terrace, Delves Lane	7	165	Yes	
South View, Burnhope	7	Yes	163	
South View, Tantobie	14	Yes		
St. Ives Road, Leadgate	16	Yes		
Stobbilee, Langley Park	33	Yes		
Sunny Terrace, Stanley	8	Yes		
The Dene, Medomsley	6	Yes		
Thornfield Road, The Grove	3			Yes
West Kyo, Catchgate	3		Yes	
West Terrace, Burnhope	14		Yes	
West View, Medomsley	3		Yes	
West View (Terrace), Medomsley	5		Yes	
White-le-Head, Nos. 2 & 3	2			Yes
Annfield Place, Greencroft	1		Yes	
Bradley Bungalows, Leadgate	1		Yes	
Lambton Terrace, Craghead	1	Yes		
Leybourne Cottage, Medomsley	1		Yes	
Oliver Street, S/Moor. Plot No.1	1		Yes	
Oliver Street, S/Moor. Plot No.2	1		Yes	
Provident Terrace, Craghead	1		Yes	
Selby Gardens, The Grove	1		Yes	
Shotley Bridge Station	1		Yes	
Tinmill Place, Blackhill	1	Yes		

Allotment Site	No. Plots	Allotment	Other Uses	To be Confirmed
White-le-Head, No.1	1			Yes
Black Road, Langley Moor	6		Yes	
Broomside Lane, Carrville	9		Yes	
Burn Street, Bowburn	7	Yes		
Edward Street, Gilesgate	6	Yes		
Fir Terrace, Esh Winning	9	Yes		
Hazel Avenue, Brandon	12	Yes		
Onslow Terrace, Langley Moor	18	Yes		
Rear of Durham Road, Ushaw Moor	3		Yes	
Crichton Avenue, Chester-le-Street	8		Yes	
Little Lumley	7	Yes	100	
New Lambton, Fencehouses	4	103	Yes	
Newcastle Bank, Chester-le-Street	13	Yes	103	
Park Road South, Chester-le-		163		
Street	11	Yes		
Red Rose, Chester-le-Street	11	Yes		
Station View, Chester-le-Street	9	Yes		
Stella Gill	20	Yes		
The Race, Chester-le-Street	16	165	Yes	
	1		Yes	
Broad Road, Blackhall	1			
Cleansing Depot, Shotton	1		Yes	
Corry Close, Blackhall	8		Yes	Yes
Gray Avenue, Hesleden	3	Vee		res
Hillsyde Crescent, Thornley	19	Yes	Yes	
James Street, South Hetton	9			
Moore Terrace, Shotton Colliery		Vee	Yes	
Oak Road, Easington	15	Yes	Vee	
Office Buildings, Deaf Hill	1	Vaa	Yes	
Pithead Baths, Horden	22	Yes	Vaa	
Railway Cottages, Blackhall	1		Yes	
Rear 32 Porter Terrace, Murton	1		Yes	
Salters Lane, Haswell	1	Vaa	Yes	
Station Town, Hutton Henry	0	Yes		
Thompson Street, Horden	8	Yes		
Victoria Street, Shotton Colliery	33	Yes		
'Waverley' Garden Extension,	1		Yes	
Blackhall	45	Vaa		
Coronation Gardens	15 2	Yes		Vaa
The Green, Watery Lane, Cockfield		Vaa		Yes
Canney Hill	23	Yes		
Churchfield	27	Yes		
Grange Hill	14	Yes		
Helmington Row	13	Yes	N/	
Howlish	79		Yes	
Leazes Lane (Part)	33		Yes	
Leeholme	20		Yes	
Middlestone	6			Yes
North Bitchburn	9	Yes		

Allotment Site	No. Plots	Allotment	Other Uses	To be Confirmed
Sunniside	17	Yes		
Tennyson Terrace	35	Yes		
Bowburn, Durham	6	Yes		
Brandon Colliery, Durham	10	Yes		
Chester Moor, Durham	6	Yes		
Cornsay Colliery, Cornsay	6		Yes	
East Hedleyhope, Deerness Valley	1		Yes	
Esh Winning, Durham	11	Yes		
Etherley Lane, Bishop Auckland	2	Yes		
Fishburn School, Fishburn	7		Yes	
Low Hill House Farm, Ferryhill	5		Yes	
New Brancepeth, Durham	12	Yes		
Quebec, Lanchester	18	Yes		
Sherburn Complex, Sherburn	15		Yes	
Thrislington, West Cornforth	33	Yes		
Waldridge Fell, Chester-le-Street	3		Yes	
Waterhouses, Deerness Valley	8			Yes
Totals	1138	51	48	9

Durham County Council Allotment Gardens Lettings Policy

1) Age and Residency for Allotment Tenancies

Durham County Council will only grant new allotment garden tenancies to people living within the administrative boundary of County Durham and who are a minimum of age 18 years or older. The allotment garden can only be held in one name at a time, and joint tenancy agreements will not be allowed. (But see Coworkers heading below).

Once a tenant permanently moves out of the County boundary s/he will be required to give up the tenancy of their allotment garden. Existing tenants who already live outside of County Durham will be allowed to retain their allotment garden until they vacate in the future.

Allocation

Allotments will be offered on a "first come, first served" basis and where required a waiting list will be held by the Council for each site. Applicants may be placed on the list for more than one site.

Individuals will be placed on the list in date order upon receipt of a completed application form.

When a plot becomes vacant it will be offered to the person at the top of the list. Should the person at the top of the list decline more than one offer of a plot they will be removed from the list. Such a person will be entitled to re apply to be placed on the list for that particular site. However it will be the new application date that subsequently determines their position on the list.

It is the responsibility of all applicants to keep the council informed of any change in their personal details. Durham County Council will periodically write to those on waiting lists to ensure details are correct and that an individual wishes to remain on the list. Failure to respond to these requests will result in the applicant being removed from the list.

The Council reserves the right not to grant an allotment garden tenancy where there is evidence of previous plot misuse or a history of enforcement action for such matters as non-payment of rent or cultivation issues.

2) Co-workers / Plot Partners

A co- worker is someone who assists the allotment garden tenant with the maintenance of an allotment garden. However co- workers have no legal tenancy rights and are not responsible for any part of the annual rent. Subletting to co-workers is not permitted and the tenant must still have a regular involvement in the maintenance of the allotment garden. The tenant will always be responsible for the maintenance of the plot even if he or she chooses to nominate a co-worker

The council will allow the tenant of a garden allotment plot to register another County Durham resident as an "allotment garden co-worker" with the Council's allotment service. The tenant is responsible for the co-worker and must inform the Council's allotment service of co-worker arrangements by submitting an Allotment Co-worker Agreement; this must be signed by both the tenant and the co-worker. A tenant may register up to two co-workers.

Co-workers are obliged to abide by the Allotment Rules and Conditions. Any breaches of the Allotment Rules and Conditions will result in a review of the tenancy. The tenant therefore is responsible for the co-worker's actions at all times and both tenant and co-worker would have to vacate the plot if the tenancy was terminated by the Council. It is the responsibility of the co-worker to make themselves aware of, and comply with, the allotment tenancy rules.

Transfer of tenancy to co-workers will only be considered if the co-worker has been registered for a period of no less than three years or longer than the next person to be offered a plot on the waiting list.

A co-worker can only be registered as a co-worker on one Durham County Council allotment garden tenancy.

The tenant is allowed to terminate a co-worker agreement at anytime.

3) Rent

Allotment garden rent is payable in advance to the Council on the first day of April each year without any deduction, (except as provided by law), and throughout the continuation of the allotment garden tenancy. The rent invoice must be paid in full within 40 days of receipt after which period the Council can legally give 30 days notice to quit for non-payment or any shortfall in payment. Allotment garden rents will be reviewed each year and may be adjusted immediately without prior notice.

Allotment garden Rents will be based on a fairer banded system based on the average size of allotment gardens on a site (total area of allotment site ÷ number of allotment garden plots = average plot size per site). The allotment gardens will then fall into six size bands, as listed below.

Allotment Site Band	Average Site Plot Size	Rent Charge £ for 2013/14
1	1m ² – 150m ²	42.00
2	151m ² – 200m ²	44.00
3	201m ² – 250m ²	46.00
4	251m ² – 300m ²	48.00
5	301m ² – 350m ²	50.00
6	351m ² and above	52.00

These charges do not include any extra for water where it is supplied. This will be charged extra at the appropriate rate for a metered water supply.

Pro-rata Rents

Full rent will be payable up to and including June in each year. For plots taken up after June rents will be pro-rata based on the remaining full months left to run to 31 March. (Allotment garden rent \div 12 months x remaining full months to end of March). No charges will apply for plots taken after the 30 November for the final four months of the year.

4) Use of Land

The land is to be used solely as an allotment garden in accordance with the relevant Allotment Acts and this lettings policy. Any business use is strictly prohibited.

5) Cultivation

Tenants must keep their plots clean and tidy and in a reasonable state of cultivation and fertility and in good condition. This is taken to mean that a minimum of 75% of the plot area is either in readiness for growing, well stocked with produce (relevant to the time of the year) or being made ready for crops or being prepared for the following season. The remaining 25% of the allotment area is to be kept tidy. The tenant must take all reasonable steps to eradicate weeds such as thistles, ground elder, nettles, ragwort, and brambles and ensure that they do not spread to other plots. Tenants must not cause a nuisance to other plot holders by allowing weeds to seed. The tenant will be responsible for dealing with any moles which enter their plot. The tenant is also responsible for maintaining the half width of any paths / tracks adjacent to the allotment garden.

6) Use of Chemical Sprays and Fertilisers

The tenant will take proper precautions when using sprays or fertilisers to avoid or minimise any adverse effects on the environment or on neighbouring allotment gardens, and comply at all times with current legislation. Spraying should only take place when conditions are still and calm.

7) Nuisance

The tenant must not cause or permit any nuisance or annoyance to the occupier of any other allotment garden or to the owners or occupiers of any adjoining or neighbouring land nor to obstruct or encroach on any path or roadway used or set out by the Council or used by the owners or occupiers of any adjoining or neighbouring property.

Any allotment garden tenant found guilty in a court of law of offences involving the allotment garden or other tenants will be given immediate notice to quit. The same will apply if in the reasonable opinion of the Council the tenant has threatened, used violence and or intimidation against other allotment garden tenants or the owners or occupiers of adjoining or neighbouring property.

8) **Restriction on Assignment.**

The tenant may not assign, charge, sub-let or part share the possession, occupation or use of the allotment garden or any part or parts thereof or allow any person to occupy the allotment garden or any part or parts thereof as a licensee.

9) Vehicles

The allotment garden tenant must not bring or place any vehicle, caravan, trailer

or vehicle parts onto the allotment garden. Tyres must not be brought onto allotment garden sites.

10) Trees, Shrubs and Materials

The tenant may not, without the written consent of the Council, cut or prune any timber or other trees or take, sell or carry away any mineral, sand, earth or clay. Please contact the allotment garden officer if any mature trees need attention. No ornamental or forest trees or shrubs should be planted on the allotment garden. See restrictions on Cropping below for advice on fruit growing.

11)Hedges, Fences, and Boundary Features

The tenant will keep every hedge on the boundary of the allotment garden properly cut and trimmed to a maximum height of 1½ metres, keep all drainage ditches properly cleansed and maintained and keep in good repair any existing boundary fences and gates on the allotment garden. The tenant must not, without the written consent of the Council, erect any fence whatsoever subdividing any allotment garden. Allotment garden plots are permanent fixed features, so tenants must not alter or move the boundary fences on their plot(s). Rubbish must not be piled against fences as this can cause them to lean or rot, and impedes any maintenance. Any boundary disputes should be referred to the Council to determine

12) Buildings and Structures

Please see attached – Rules for the construction of sheds and other structures.

13) Barbed Wire

The tenant of an allotment garden must not use barbed wire or razor wire for a fence adjoining any path set out by the Council on the Allotment Gardens.

14) Restrictions on Cropping

Tenants may grow any kind of vegetables, flowers, soft fruit, herbs or longer-term edible crops. Fruit trees or bushes may be planted only if they are of dwarf stock, and should be sited where they will not create an obstacle or nuisance to others as they grow. No more than 30% of a plot holder's total land (by area) may be given over to fruit trees and they must ensure that the surrounding areas are kept weed free and neatly mown.

15) Depositing Refuse / Disposal of Rubbish

The tenant is responsible for disposing of all rubbish from the allotment garden. This includes disposing of both green waste and other non-combustible items. The tenant must not deposit, or allow anyone else to deposit, rubbish anywhere on the allotment garden site, (except manure and compost in such quantities as may be reasonably required for use in cultivation), or place any refuse or decaying matter in the hedges or ditches adjoining the land. Tenants must not add to any illegal rubbish dumped on the site. The use of old carpets as a weed suppressant is prohibited on any Council allotment garden. As a temporary measure, polythene sheeting or cardboard may be used. Kitchen waste such as cooked food, meat, cheese or similar will attract vermin and must not be brought onto the allotment garden or put onto an allotment garden compost heap.

16) Bonfires / Burning Rubbish

Under the Environmental Protection Act 1990, it is an offence to emit smoke,

fumes or gases which are a nuisance. Allowing smoke to drift over nearby roads may also lead to prosecution under the Highways Act 1980 if it endangers traffic. Smoke from bonfires can be annoying to neighbours, ruining their enjoyment of their garden. Bonfires can damage the health of children, the elderly and those with asthma and other breathing problems. Causing a nuisance in this way could lead to the termination of a tenancy. Please contact the Allotments Officer for further advice.

17) **Dogs**

The tenant must not permanently keep or kennel any dogs on the land, and any dogs temporarily brought on to the allotment by the tenant must be securely held on a leash. Dog owners must comply with Dog Fouling By-Laws and pick-up and appropriately dispose of dog waste off site.

18) Live Stock

The tenant must not, without the written consent of the Council's Allotments Officer, keep any animals, hive bees or livestock of any kind on the land, except for hens and rabbits to the extent permitted by the Allotments Acts 1908 - 1950. Hens or rabbits must not be kept in such a place or in such a manner as to be prejudicial to health or a nuisance. Tenants must comply with any animal husbandry conditions laid down by the Council and government agencies. Further details are available from the Department of Environment, Food and Rural Affairs (DEFRA) website.

Any part of the allotment garden used for keeping hens or rabbits must be securely and adequately fenced to the satisfaction of the Council's Allotment Officer.

Please see attached – Rules Applicable to the keeping of hens on Allotments Gardens

19) Bee Keeping

Although the keeping of honey bees cannot be granted automatically, the Council will support beekeeping on its allotment sites wherever it is appropriate. Applications must be made in writing using our beekeeping application form and we will then carry out limited consultations on site. Each application will be determined on its own merits. Durham County Council recognises the ecological importance of all bee species and wishes to support initiatives to increase the number of bee colonies.

20)**Not to Display Advertisements** – The tenant is not to display or permit to be displayed on any part of the allotment garden, any sign, notice, placard, advertisement or writing of any kind, other than the plot letter or number.

21) Inspection

The tenant will permit any officer of the Council, or other Council appointed agent, to enter on to the allotment garden at any time to inspect its state and condition.

22) **Termination of Tenancy**

The tenant must hand back to the Council vacant possession of the allotment

garden on the determination of the tenancy, in a condition consistent with the due performance by the tenant of the provisions of these rules.

23) Service of Notices.

Any notice may be served on a tenant either personally or by leaving it at their last known address or by registered letter or by recorded delivery addressed to the tenant.

24) Change in circumstances

The Council must be kept informed of any change of address or other contact details. If the Council is not kept informed of a change of address, any communication sent to a previous or out-of-date address will still be deemed to have been delivered to the tenant. Tenants who are unable to work their plot as a result of illness or have other reason for a long absence are advised to keep the Council informed. Failure to do this may result in an allotment garden appearing to be neglected and so leading to the issuing of non-cultivation letters and potentially a notice to quit.

25)Wells

Tenants who have a well on their allotment garden are responsible for the safe maintenance of it and for providing and maintaining a strong, raised well surround and cover. No new wells may be dug at all.

26) Children

Children are welcome on allotment garden sites but must be carefully supervised by a responsible adult at all times.

27) Failure to Comply

Allotment garden sites and plots will be regularly inspected by the Council, and tenants who fail to comply with this lettings policy will be contacted and requested to address any issues raised with them. Failure to comply with any such notice may result in further warnings and ultimately the Council has the power to give tenants Notice to Quit as per the allotment garden tenancy agreement between the Council and allotment garden tenant

28) Legal Obligations

The tenant of an allotment garden must at all times observe and comply fully with all laws / regulations.

29) Special Conditions

The tenant of an allotment garden must observe and perform any other special conditions the Council considers necessary to preserve it from deterioration of which notice is given to applicants for the allotment garden in accordance with these rules.

30) Enforcement

The following enforcement procedure will apply:

- a) Informal Warning Tenants who fail to comply with their tenancy agreement will be contacted and requested to address issues of non-compliance.
- b) Formal Warning Tenants who fail to respond to an informal warning within 30 days will be issued with a formal written warning.
- c) Notice to Quit Tenants who fail to respond to a formal warning within 30 days will be given notice to quit.

31) Power of eviction

In the event of a serious breach of the Tenancy Agreement, the council reserves the right to serve immediate notice to quit, without progression through stage a and b of the procedure.

32) Amendment of these rules

The County Council of Durham reserves the right to amend these rules at any time.

Rules Applicable to the Erection of Sheds, Greenhouses and other Structures on an Allotment Garden

1) Approved Specification for Sheds, Greenhouses, Temporary Structures and Compost Containers.

2) Sheds, Greenhouses and Polytunnels

A plot holder is allowed to erect a single shed and either a greenhouse or a polytunnel on their plot, but only if they meet the following guidelines. Large wagon bodies or big metal containers are no longer allowed to be brought onto allotment gardens. Where clear evidence can be provided by existing owners that containers have been on an allotment garden for some years previously the Council will consider granting an exemption, but this will be entirely at the Council's discretion based on the location, plot history and any evidence provided. Any existing pigeon lofts may remain, but no new ones may be constructed without seeking prior approval from the Council. Written advice should be sought prior to any planned major refurbishment of existing pigeon lofts. The allotment garden holder will be entirely responsible for seeking planning permission where required and any associated costs involved. Sheds should be used solely for storing materials for use on the allotment garden. Because of the risk of break-ins, it is not advisable to store any valuable items in wooden sheds. Tenants are entirely responsible for the security of sheds and their contents as well as for providing any insurance cover.

3) **Dimensions**

The maximum size of shed (or greenhouse) permitted is $10' \times 8'$ (approx $3m \times 2.5m$) and for polytunnels is $20' \times 10'$ (approx $6m \times 3m$).

Polytunnels may not be erected without the prior written permission of the Council's Allotment Officer.

Allotment holders should apply to the allotment service for permission to erect a shed (or greenhouse) in excess of the permitted size of 10' x 8'. A planning application may be required subject to tenant taking initial planning advice.

4) Construction

- a) Metal Approved manufactured design
- b) **Timber** Approved manufactured design. Self constructed of clean sawn woods. Cladding of planed soft wood, cedarwood, shiplap or weather boarding.
- c) **Glazing** Glazing in greenhouse must be with glass or horticultural P.V.C. materials. Thin polythene sheeting is not permitted.
- d) **Roof** To be laid on purlins. Rigid corrugated plastic is permitted on sheds. Proper guttering may be fitted, leading to a water butt or tank which must be sunk into the ground for stability.
- e) **Finish** To be painted mid-green or treated with a suitable wood preservative at three yearly intervals. The greenhouse may be painted white and aluminium paint may also be used.

5) Siting

- a) Where possible at the rear of the plot or as directed by the Council or allotment association.
- b) No permanent foundations are to be laid. The shed or greenhouse may be supported on temporary foundations not exceeding 9" (0.229 metres) in height and laid dry.
- c) No additions or extensions are permitted without prior approval. The roof, sides and surrounding areas must be kept clear and tidy at all times.
- d) All sheds, greenhouses and water containers must be kept in good condition at all times.
- e) A gap of at least 2' (60cm) should be left between any structure and the boundary fence of any private garden abutting the allotment garden.

6) **Restrictions**

- a) Felt covering on shed sides is not permitted
- b) No chimneys are permitted

7) Temporary Structure (1 June - 31 October)

- a) Maximum Permitted Size 600sq.ft / 55.74 sq metres
- b) Maximum Permitted Height 7 foot / 2.13 metres

8) Construction of Temporary Structures

- a) Framework of clean sawn timber, metal or approved manufactured design
- b) Covering of clean heavy gauge polythene sheeting

9) **Compost Containers**

- a) Maximum permitted area 4' x 6' x 2'6"
- b) Construction Wood or mesh or of an approved manufactured design.
- c) Siting Where possible at the rear of the plot or as directed by the Council

Durham County Council

Rules Applicable to the Keeping of Hens on Allotment Gardens

1) General

Durham County Council Allotment Rules only permit hens and rabbits to be kept on allotment gardens. For the purpose of these guidelines, poultry specifically means hens. However allotment garden holders who currently keep other types of fowl, such as ducks, geese, quail etc., may be allowed to keep them on site if they can provide evidence to the Council that they have been on site for some years without complaint, or they have documentary evidence that they have previously been granted permission from the Council to keep them.

The Allotment Acts 1908 – 1955 only refer to the keeping of hens, (but excluding cockerels), and rabbits. Section 12 of the 1950 Allotment Act states that "it shall be lawful for the occupier of any land to keep, otherwise than by way of trade or business, hens or rabbits in any place on the land and to erect or place and maintain such buildings or structures on the land as are reasonably necessary for that purpose: Provided that nothing in this subsection shall authorise any hens or rabbits to be kept in such a place or in such a manner as to be prejudicial to health or a nuisance or affect the operation of any enactment."

Situations where we may refuse to allow hens to be kept would include within 50m of a dwelling.

Poultry may be kept in a wide variety of conditions ranging from "free-range" to environmentally controlled systems.

Whatever the system, the most important factor is the welfare of the animals themselves;

- Comfort and shelter;
- Readily accessible fresh water and a diet to maintain full health and vigour;
- Freedom of movement;
- The opportunity to exercise normal behavioural patterns;
- Light during the hours of daylight and a means of inspecting the birds at any other time.
- The prevention, diagnosis and treatment of lice, injury, parasitic infection and disease; and
- Emergency arrangements in the event of fire, flood, electrical failure.

2) Allotment Garden Sites

The following conditions will apply;

a) The Allotment garden Tenant

This person will be experienced in the overall keeping and management of poultry. The larger the flock of birds the greater the skills required, particularly in respect of recognising distress or disease and taking appropriate remedial action. The allotment garden tenant is encouraged to read the 'Code of **Recommendations for the Welfare of Livestock – Laying Hens'** from the Department of Environment, Food and Rural Affairs (DEFRA) website.

Animal Welfare Act 2006

Not only is it against the law to be cruel to an animal, you must also ensure that all the welfare needs of your animals are met.

These include the need:

- For a suitable environment (place to live)
- For a suitable diet
- To exhibit normal behaviour patterns
- To be housed with, or apart from, other animals (if applicable)
- To be protected from pain, injury, suffering and disease

Anyone who is cruel to an animal, or does not provide for its welfare needs, may be banned from owning animals, fined up to £20,000 and/or could be sent to prison.

b) Accommodation

This should provide proper shelter from the elements and, as appropriate, a means of exercise which may be extended by the provision of wire fenced well drained runs. A means of access to the shelter must be available to the poultry at all times, except where cleaning and disinfection etc., is being carried out. Any shelter should permit the allotment garden tenant to stand and inspect the birds. The accommodation will require regular cleansing and disinfection and all litter etc., needs to be disposed of in secure containers or located well away from any shelter or run. Nest boxes, roosting areas and perches must be properly located. Floors shall be provided of wooden construction. All exercise runs shall be escape and predator proof.

c) Ventilation

Circulation of fresh air should be provided by means of doors or other apertures. Birds should be protected from draughts and it is recommended that the accommodation/shelter entry faces due south. During hot weather, particularly warm humid conditions, all birds must have access to a well drained exercise area. In certain cases shading may be required.

d) Lighting

Poultry must have access to a minimum of 8 hours daylight during any day.

e) Feeding and Watering

Fresh water must be available at all times and all equipment kept clean and in good order. Feed should be kept in vermin proof containers. Any diet must be properly balanced for the type of bird and given in sufficient amounts to ensure the proper well being of the animals. The risk of drinking water freezing during winter months must be considered.

f) Stocking Rates

All poultry must be able to stand, turn round and stretch their wings, and have sufficient space to perch or sit down without interference from other birds. The stocking rate will not only be dependent upon the ability of the allotment garden tenant, but also the type of poultry kept. The following rate shall apply:-

Hens – not more than 7 birds per single allotment garden.

All poultry must have access to a free draining exercise area.

g) Fire Precautions

Plans for dealing with fire should be made. All inflammable materials i.e. straw, waste litter and empty bags must be stored well away from poultry accommodation and exercise areas. A means of controlling any small fire should be available and the allotment garden tenant's (or deputy) emergency telephone number and contact address known to the Council or Allotment Association.

h) Frequency of Inspection

All birds must be inspected at least twice daily. The allotment garden tenant must allow the Council's animal welfare representative to inspect the poultry at any time.

i) Contact

The name and telephone number of the allotment garden tenant or his/her contact details must be made known and kept up-to-date to the allotment association / Council.

j) Disease Control

Any sick or injured birds must be removed immediately and treatment provided.

The cause of any disease or injury will be identified and appropriate remedial action taken.

Any national disease prevention and/or control programmes must be adhered to.

k) Cleansing and Disinfection

The accommodation and associated equipment should be regularly cleaned and disinfected. It is advisable to de-stock sites and allow a minimum seven days rest period. Only good quality litter originating from premises where poultry are not kept should be used.

I) Transport

Any container used to transport poultry should be clean, in good repair and of a type suitable for the type of bird to be moved. All birds must be handled with due care. **The Welfare of Animals (Transport) (England) Order 2006** lays down provisions with regard to the loading, transport and unloading of poultry.

m) Improvement Notice

Where it is deemed necessary, in the interest of the welfare of any bird kept, to effect improvements to the accommodation or overall management of a site, Notice will be served accordingly. In certain circumstances immediate rectification may be directed.

n) Other General Points

Land on which birds are kept may become 'fowl-sick'. The time this may take will depend upon stocking rates, soil type and drainage. Muddy conditions will lead to ill-health and discomfort for the birds.

In addition;

- precautions to protect against foxes, dogs, cats, rodents and other predators must be taken.
- no poultry may be kept for the purpose of fighting
- no poultry may be kept within 50m of a dwelling
- no poultry shall be a nuisance to residents and others who seek enjoyment from the environment in which they live or work
- dead birds must be disposed of in accordance with the Animal By-Products Regulations 2005.

Advice on the construction of buildings and general management is available from the Community and Animal Health Team, Environment Health and Consumer Protection, Neighbourhood Services, Durham County Council

For further information or queries please contact:

Allotment Letting Officer Sport and Leisure Neighbourhood Services Tel 0191 3729184 Email sportandleisure@durham.gov.uk

Please ask us if you would like this document summarised in another language or format.
العربية (Arabic) (中文 (繁體字)) (Cantonese) العربية (Urdu)
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বাংলা (Bengali) हिन्दी (Hindi) Deutsch (German)
Français (French) Türkçe (Turkish) Melayu (Malay)
Tel 0191 372 9184 sportandleisure@durham.gov.uk
Braille (Audio AAA Large Print

Equalities and Diversity Impact Assessment

Introduction of a County wide Allotment Lettings Policy



Section overview: this section provides an audit trail.	
Service/team or section: Outdoor Facilities - Sport and Leisure Service, Neighbourhood Services	
ort and Leisure Services, Neighbourhood Services	Start date: 14/02/2011
Planning and Policy, Neighbourhood Services	
Lead Officer: Outdoor Facilities Manager , Sport and Leisure Services, Neighbourhood Services	Review date : 8/03/2012
Planning and Policy Team Leader	
Subject of the Impact Assessment: (please also include a brief description of the aims, outcomes, operational issues as appropriate)	ssues as appropriate)
Allotment Lettings Policy	
The Allotment Act of 1922 defines the term "allotment garden" as "an area which is wholly or mainly cultivated by the occupier for	by the occupier for
the production of vegetable or fruit crops for consumption by himself or his family including the keeping of small livestock as agreed	livestock as agreed
by the allotment authority" This description remains important because it defines the permitted use of an allotment plot. Allotments	ent plot. Allotments
across County Durham had been managed previously by a mixture of the former County Council, and a number of District, Town	r of District, Town
and Parish Councils. After the former District Councils and County Council became one unitary authority, responsibility for managing	nsibility for managing
allotments owned by the former County Council and District Councils was passed to the Sports and Leisure Service, Neighbourhood	rvice, Neighbourhood
Services on 1 November 2010. This policy deals with the harmonisation and rationalisation of the numerous procedures and	ocedures and
regulations from the former responsible authorities in County Durham. An allotment is historically defined as a plot of land, rented to	olot of land, rented to
individuals so that they can grow fruit and vegetables for themselves and their families to eat. There is no set standard size but	tandard size but
nationally the most common plot size is approximately 250m ²	
The aims of this policy link to the Corporate priorities:	
 Altogether healthier- improving health and wellbeing 	
 Altogether greener- ensuring an attractive and 'liveable' local environment, and contributing to tackling global environmental 	global environmental
Challenges	
It is generally recognised that allotment gardening is a pursuit that provides wide ranging benefits to local communities and can	nunities and can
make a positive change to the quality of people's lives. In addition to the advantages of producing good quality, low cost food,	low cost food,
gardeners gain the benefit of healthy exercise that is active, socially inclusive and reflects the ideals of sustainability and wellbeing	ability and wellbeing
EqIA Reviewed 8 March 2012	
A report presented to Cabinet on 13 April 2011 outlined the Council's proposals to introduce a new countywide Allotment Lettings Policy.	Allotment Lettings Policy.
Cabinet agreed that before the proposed new policy could be adopted the key issues to be addressed should be subject to a 12 week	d be subject to a 12 week

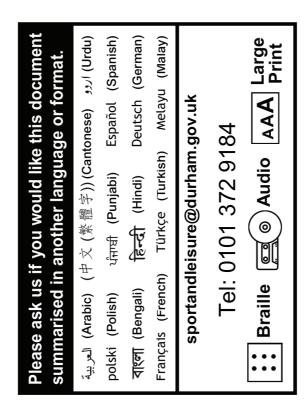
consultation process. The policy now recommended for adoption has been informed by this consultation exercise, and future tenancy adreements will be re-issued to reflect the Allotment Letting Policy. Previous Tenancy Agreements were largely made by the District
Councils prior to Local Government Reorganisation and the policy will enable harmonisation of agreements across the County. Key
changes that will be made to Tenancy Agreements as a result of the proposed harmonised policy include:
 Setting a minimum age for an allotment tenant of 18
Cross county rental bands that relate to the plot size with annual charges ranging from £42 to £52
 Requirements for the maintenance of trees, shrubs, hedges, fences
 Rules relating to buildings and structures on the site
 Restrictions on planting of fruit trees and shrubs
Rules governing the disposal of rubbish
Intention to disallow / regulate keeping of dogs, horses, ponies, donkeys and other large animals on plots
Who are the main stakeholders: General public / Employees / Elected Members / Partners/ Specific audiences/Other (please specify) –
 residents living adjacent to allotment plots,
 direct Council tenants,
 people on waiting lists,
 allotment associations,
parish / town councils and
 other allotment providers.
Is a copy of the subject attached? No
If not, where could it be viewed? Please contact the Outdoor Facilities Manager, Sport and Leisure Services
Initial screening
There are just over 175 allotment sites containing 3630 individual allotment plots spread across the county that are managed by
the County Council. They cover all the former district areas other than Sedgefield where this responsibility sits entirely with the
Town and Parish Councils that operate in that area. In other areas allotments are provided directly by County and Town/Parish
Councils as well as management being delegated to allotment associations. Following an initial audit of allotment sites it has
become apparent, primarily due to a lack of resources, that management of allotment sites in some areas of the County has been a
low priority, hence the need for this new policy. Particular issues that have been highlighted are as follows;
 Lack of inspection of sites and no enforcement of rules
 Non cultivation and misuse of sites
Erection of illegal structures on sites (e.g. storage containers, stable blocks)
Some tenants operating businesses from sites

 Allotments use 	Allotments used to house animals, such as dogs and horses
 Allotments use 	Allotments used to store materials/rubbish
 Water provide 	Water provided on some sites by the Council that is being used by others.
 Mixture of ver 	Mixture of very large and small plot sizes all paying the same rent.
The Allotments Lettir	<u>_</u>
Durnam naving prion overall enforcement (Durham having priority. Criteria used for applicants will not discriminate against any of the equality characteristics and will improve overall enforcement of current rules and regulations or inspection of allotment areas.
All Characteristics	ristics
There will be t	There will be no negative impact as the harmonisation of regulations and the enforcement of the policy across the whole of the sources will benefit all residents workers and visitors by providing a safer environment fairer across to allotments and increased
health benefits.	county win benefit an residents, workers and visitors by providing a safet environment, ranet access to anoments and increased health benefits.
 Disability 	
The Council o	The Council currently do not provide allotments suitable for disabled persons however an applicant who has a disability will not be
discriminated against.	against.
 Age 	
The age limit I	The age limit has been determined because of historical issues with youths on allotments sites; the age of 18 is common practice
in letting allotr	in letting allotments. There is no upper age limit.
Socio Economic	mic
Allotment rent	Allotment rents across the county have been kept historically low; part of the harmonisation work is to review and set rents at a
realistic level.	realistic level. The NS Debt Management Policy will be followed. A 12 week consultation period with present allotment holders will
be carried out	be carried out and the EqIA screening will be reviewed at this time.
Review of EqIA 8 M	Review of EqIA 8 March 2012 (after Consultation period)
Most previous tenar	Most previous tenancy arrangements specified a minimum age of 18 for allotment holders, and therefore it is not considered that
standardisation of thi	standardisation of this requirement significantly affects young people, as it is considered that most young people under the age of 18 are
not at a stage in life	not at a stage in life where they can take sole responsibility for the maintenance of a plot. Rental payments currently vary considerably
across the County ri	across the County ranging through 50p to £40 a year. Results of consultation demonstrated a high level of support for harmonised rental hands in particular by female tenants and tenants over the are of 55. The proposal will introduce a greater degree of fairness into
rental arrangements	rental arrangements with some rents increasing and others reducing. It is recognised that this will result in some tenants paving a higher
rent and that this ma	rent and that this may disproportionately affect older and disabled tenants who may have less financial resources, however the impact is
marginal and not cor	marginal and not considered significant. The proposed requirements for maintenance of trees, shrubs, fences, structures, together with
requirements for clea	requirements for clearance of rubbish and refuse should dramatically reduce the level of clutter and obstruction on the site, and it is

considered th intention to o people.	hat this disallow	s will benefit ter v keeping of d	nants v ogs or	with mobility αllotment ε	difficult ites rea	considered that this will benefit tenants with mobility difficulties and visual impairment. Results of the consultation also showed that the intention to disallow keeping of dogs on allotment sites received very high levels of support, in particular from women and disabled people.	irment. I vels of s	Results of th support, in p	le cons	sultation also sh ar from women	owed that th and disable
Prompts to help you: Who is affected by it'	elp you ted by i	u: it? Who is inter	nded tc) benefit and	- woy	Prompts to help you: Who is affected by it? Who is intended to benefit and how? Could there be a different impact or outcome for some groups? Is it likely to	ferent in	pact or out	some fo	or some groups?	> Is it likely t
affect relation	ns betv s there	affect relations between different communities or groups, for example for others? Is there any specific targeted action to promote equality?	commu	action to pro	ups, for omote €	affect relations between different communities or groups, for example if it is thought to favour one particular group or deny opportunities for others? Is there any specific targeted action to promote equality?	ught to f	avour one p	articula	ar group or deny	opportunitie
Is there an a	ctual p	Is there an actual positive impact on specific groups	t on sp	secific group	s within	within these headings?					
Indicate :Y =	Yes, N	Indicate :Y = Yes, N = No, ?=Unsure	Ire	·	-		-				
Gender	≻	Disability	≻	Age	≻	Race/ethnicity	≻	Religion or belief	≻	Sexual orientation	≻
There may b Indicate :Y =	e a po t Yes, N	There may be a potential negative i Indicate :Y = Yes, N = No, ?=Unsure	re imp: Ire	act on specil	ic grou	There may be a potential negative impact on specific groups within these headings? Indicate :Y = Yes, N = No, ?=Unsure	dings?				
Gender	z	Disability	≻	Age	≻	Race/ethnicity	z	Religion	z	Sexual	z
								or belief		orientation	
How will this	Ioddns	How will this support our commitment to promote equal	ent to	promote equ	ality an	lity and meet our legal responsibilities?	sponsibil	ities?			
Reminder of our legal duties:	our leg	al duties:									
Eliminating u	inlawfu	Eliminating unlawful discrimination & harassment	ı & har	assment							
Promoting et	quality i	Promoting equality of opportunity		م والله من الله من	- (so to						
Promoting go	ood rei seitive	Promoting good relations between people from different groups Promoting positive attitudes towards disabled people and taking	i peopi	e rrom annert ahled neonle	ent grou	Promoting good relations between people from different groups Promoting positive attitudes towards disabled people and taking account of someone's disability, even where that involves treating them	anna's r	licability ev	adw ne	that involves	treating ther
more favoura	ably tha	more favourably than other people			5						
Involving pec	ople, pɛ	articularly disab	led pe	ople, in publi	c life aı	Involving people, particularly disabled people, in public life and decision making					
What eviden	ce do y	What evidence do you have to support your findings?	port y	our findings?							
Audit of allo	tment	Audit of allotments in County Durham	urham								
There is a ne	ed to h	narmonise rule	s/regul	ations and cl	narges	There is a need to harmonise rules/regulations and charges relating to the letting of allotments as previously all former districts	g of allot	ments as pr	eviousl	y all former distr	icts
EdIA review 8 March 2012	otment: 8 Mari	s differently ch 2012									
Results of co	immuni	ity consultation	disage	gregated by	age, ge	Results of community consultation disaggregated by age, gender, disability, race / ethnicity and religion / belief.	ethnic / ف	ity and relig	ion / b€	jlief.	
Decision: Pro	oceed t	Decision: Proceed to full impact assessment – No	sessm	ient – No		Date: 15/02/2011 Reviewed 09/03/2012	eviewed	09/03/2012			
If you have a	Inswere	ee 'No' you nee	sd to p	ass the comp	leted for	If you have answered 'No' you need to pass the completed form for approval & sign off.	ign off.				
,						•	>				

Section two: Identifying Section overview: this : support the conclusion a	Section two: Identifying impacts and evidence- Equality and Diversity Section overview: this section identifies whether there are any impacts on equality/diversity/cohesion, what evidence is available to support the conclusion and what further action is needed.	and Diversity are any impacts d.	on equality/diversity/cof	nesion, wh	at evidence is availa	ole to
	Identify the impact : does this increase differences or does it	Explain evidence	your conclusion, including relevant and consultation you have	relevant u have	What further action required?	n si
	aim to reduce gaps for particular groups?	considered.			(Include in Sect. 3 action plan)	action
Gender						
Age						
Disability						
Race/Ethnicity						
Religion or belief						
Sexual Orientation						
How will this promote positive relations Section three: Review and Conclusion	ships between dift	ferent communities? N/A	s? N/A			
Summary: please provic	Summary: please provide a brief overview. including impact. changes. improvements and any gaps in evidence.	act. changes. im	provements and any daps	s in evidence		
EqIA Review 8 March 2012	2012					
The harmonisation of a	ient lettings regulations an	d the enforcemer	d the enforcement of the policy across the whole of the county will benefit all	e whole o	f the county will ben	efit all
residents, workers and	residents, workers and visitors by providing a safer	environment, fai	environment, fairer access to allotments and increased health benefits.	and incr	eased health benefit	s. In
conclusion, it is conside	conclusion, it is considered that the changes that will be made to Tenancy Agreements as a result of this policy will be largely beneficial	made to Tenanc	y Agreements as a result	of this pol	icy will be largely ben	eficial
to the equality groups.	to the equality groups. It is recognised that changes to	pricing structure:	pricing structures will result in some tenants paying a higher rent and that this	nts paying	a higher rent and th	at this
may disproportionately ¿	may disproportionately affect older and disabled tenants who may have less financial resources, however the impact is marginal and not	who may have le	ess financial resources, h	owever the	impact is marginal a	nd not
considered significant.	considered significant. None-the-less, allotment officer	s will monitor the	rs will monitor the impact of this change following implementation of the revised	llowing im	olementation of the re	vised
pricing structure.						
Action to be taken	Of	Officer responsible	Target Date	In which	In which plan will this action appear	pear
Monitor the impact of ch	anges to pricing structures	Outdoor Facilities	August 2013	NS Equa	NS Equalities Monitoring	
following implementation		Manager				
When will this assessment be reviewed?	ent be reviewed?			Date: Aug	Date: August 2013	
Are there any additional This EalA screening will	Are there any additional assessments that need to be undertaken in relation to this assessment? This EalA screening will be reviewed at the end of the consultation Period	ndertaken in relati onsultation Period	on to this assessment?	Reviewe	Reviewed 8/03/2012	

Lead officer - sign off: Head of Sport and Leisure Service	Date: 15/02/2011
	Reviewed 08/03/2012
	Signed: 25/05/2012
Service equality representative - sign off: Customer Relations, Policy and Performance Manager	Date: 15/02/2011
Neighbourhood Services	Reviewed: 08/03/2012
	Signed: 25/05/2012



Cabinet

12 September 2012



The County Durham Plan: Evidence Base

Report of Corporate Management Team Ian Thompson, Corporate Director, Regeneration and Economic Development Councillor Neil Foster, Cabinet Portfolio Member for Economic Regeneration

Purpose of the Report

- 1. This report seeks approval for a number of evidence base documents that support the preparation of the County Durham Plan. In order that this evidence has sufficient weight to support the Plan and to allow them to be referred to in planning decisions they must be approved by Cabinet. The documents concerned are:
 - Settlement Study;
 - Strategic Housing Market Assessment;
 - Durham Green Belt Phase 3;
 - Affordable Housing and CIL Development Viability Study;
 - Water Cycle Study; and
 - Green Infrastructure Strategy.
- 2. Copies of all of these documents will be made available in the Members' Resource Centre.

Background

3. A robust and credible evidence base is integral to preparing a sound Local Plan. Members will recall previous reports concerning other evidence documents such as the Strategic Housing Land Availability Assessment and the Employment Land Review.

Settlement Study

- 4. The Settlement Study assesses each settlement in County Durham's access to services and facilities including; public transport, education, shops and employment. This information has been used to understand the existing role and relationships of settlements.
- 5. This information is then used to devise a Settlement Hierarchy of settlements with six different tiers: Main Towns; Smaller Towns and Larger

Villages; Local Service Centres; Large Villages; Small Villages; and Hamlets.

- 6. The settlement hierarchy underpins the Spatial Strategy in the Plan and ensures development is directed to the most sustainable locations in proximity to services and facilities. It makes sense for most of our new housing to be built in larger settlements which have a better range of facilities and services. However, we also recognise that smaller settlements need new development to ensure they have a sustainable future.
- 7. The Study also helps us to identify those settlements with fewer amenities, so we can ensure that existing facilities are protected and new ones encouraged.
- 8. This final Study also takes into account responses to two previous rounds of consultation undertaken in July and December 2012.

Strategic Housing Market Assessment

- 9. The 2012 County Durham Strategic Housing Market Assessment (SHMA) underpins policies in the County Durham Plan and will inform other housing policies and strategies. This document provides an up-to-date analysis of the social, economic, housing and demographic situation across the County. The Study has been informed by a major household survey as well as interviews with stakeholders and a review of existing data.
- 10. The findings from the study will provide a robust and defensible evidence base for the Plan and which conforms to the Government's SHMA guidance. The modelling of primary and secondary data is combined to produce information on four core areas: a review of housing markets; an assessment of housing need and affordable housing requirements; a review of general housing requirements.
- 11. The scale of affordable requirements has been assessed by taking into account the annual need from existing and newly-forming households within County Durham and comparing this with the supply of affordable (social/affordable rent and intermediate tenure dwellings). The overall net shortfall is **968 affordable dwellings** across County Durham each year. This figure is a measure of the extent to which the requirement for affordable housing is greater than the current supply.
- 12. The Homes and Communities Agency (HCA) Affordable Homes Programme is likely to deliver around 235 affordable rented homes per annum in the next three years through our partner housing associations. Added to this the HCA's empty homes programme should deliver an additional 50 units each year and the FirstBuy scheme another 50 units of shared equity properties (via private builders).

- 13. We therefore anticipate an overall total of around 335 units per annum. The previous two years have averaged around 350 units per annum.
- 14. The gap between the SHMA requirements and our affordable homes programme may be further narrowed by an anticipated supply of 25 units of affordable housing per annum being delivered through s106 agreements with private developers.
- 15. A full programme of affordable housing provision needs to be devised to demonstrate the extent to which the net affordable housing requirements identified in the SHMA can be delivered. This will be the subject of a further report.
- 16. In terms of the split between social rented and intermediate tenure products, the household survey identified tenure preferences of existing and newly-forming households. This suggests a tenure split of 73.3% affordable (social) rented and 26.7% intermediate tenure.
- 17. These figures have been translated into Policy 31 (Addressing Housing Need) although the affordable housing requirements from the SHMA have been amended to reflect the viability evidence in the Affordable Housing and CIL Development Viability Study.
- 18. The SHMA also identifies that addressing the accommodation requirements of older people is a major strategic challenge for the Council and will only become more so over the next few decades, as the number of residents aged 65 or over is projected to increase dramatically. The evidence suggests a need to continue to diversify the range of older persons' housing provision. Additionally, providing a wider range of older persons' accommodation has the potential to free-up larger family accommodation. These conclusions have been reflected in the policies of the Plan.
- 19. It should be noted that the copy of the SHMA referred to is being finalised and may be subject to some changes before it goes to Cabinet. These changes will not however affect the conclusions that have informed the County Durham Plan.

Durham Green Belt Phase 3

- 20. This is the third phase of a study to determine the most appropriate sites to accommodate housing development in the Green Belt immediately adjoining Durham City needed to deliver the Spatial Strategy of the Plan.
- 21. There have been two previous stages to the Study:
 - Stage 1: Green Belt Assessment Scoping Paper: June 2010. This described the methodology for identifying potential development sites by eliminating areas of environmental constraint, i.e. areas with valuable characteristics relating to ecology, landscape, history and

archaeology; and areas of flood risk. The conclusion was a long list of eight sites for further consideration.

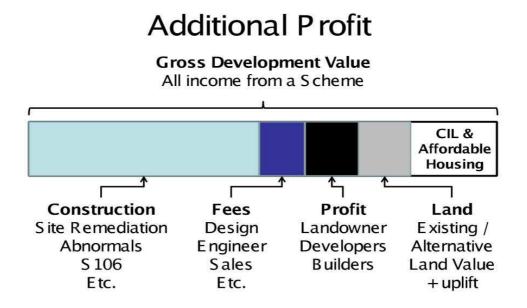
- Stage 2: Green Belt Sites Assessment: December 2010. This paper contained a detailed assessment of the seven sites identified in the Scoping Report. It looked in detail at the likely environmental impacts of development on each site, and whether these could be mitigated; discussed the sustainability of sites, in terms of access to services and facilities; and discussed the likely effect upon traffic levels. It identified a shortlist of five sites and eliminated three others (and some parts of those that were shortlisted) from further consideration.
- 22. The Stage 3 report brings together the work in the other two assessments including Sustainability Appraisal. As we now know the quantum of development required in Durham City it then identifies the preferred strategic sites that are needed to meet this requirement. The preferred sites, which we believe are the most suitable for development are:
 - Sniperley Park
 - North of the Arnison Centre
 - Sherburn Road
- 23. The following sites are not required to meet the housing requirement for Durham City:
 - Sherburn Grange: Although this site is relatively close to the existing urban area and facilities and services it would be relatively self contained and not relate well to adjoin housing and facilities primarily due to the severance affect of the A1. Because of the size of the site, its development would lead to a significant increase in traffic on already congested routes with no easy means of mitigation. Unless carefully considered, development here could also lead to the coalescence of Durham City and Sherburn Village.
 - Merryoaks: Although relatively close to existing urban area there are currently few local facilities in the immediate area. Its development would also lead to transport impacts without a new junction onto the A167. Now that the site is being considered separately to the Mount Oswald site it is now too small to be considered as a strategic site and has therefore been removed from the Green Belt assessment process and instead considered as a potential housing allocation.

Affordable Housing and CIL Development Viability Study (AH&CIL VS)

24. This Study provides evidence on the financial viability implications of introducing a Community Infrastructure Levy (CIL) and Affordable Housing targets as part of the County Durham Plan. Proposed CIL rates are set out in the CIL Rationale & Preliminary Charging Schedule that was approved by Cabinet in July and the Affordable Housing Targets are set

out in Policy 31 of the County Durham Plan that was also approved at Cabinet.

- 25. The amount of CIL or affordable housing requested from developers is justified by the viability evidence contained in the AH&CIL VS, principally using site appraisals for different types of development such as housing or retail. The viability work is based on a number of modelled test sites based around County Durham for both residential and commercial uses. The test sites have had a number of assumptions on costs and revenues applied to them.
- 26. The viability analysis is based on a residual land valuation methodology that is commonly used by developers to work out how much they can afford to pay for a plot of land before developing the land. Once the land value is calculated, the AH&CIL VS sets out how much 'Additional (or super) Profit' is left over once land price, construction, fees, finance and developers profit have been deducted from the Gross Development Value of the site. This is illustrated in the figure below.



- 27. The detailed evidence in the AH&CIL VS shows that there is sufficient Additional Profit in the test sites for the following affordable housing targets in the following areas:
 - North Durham 15%
 - South Durham 15%
 - West Durham 25%
 - Central Durham 20%
 - East Durham 10%
- 28. The viability evidence also indicates that there is enough additional profit to justify a CIL charge. The three areas that will carry a CIL charge are; a Strategic Zone to the north west of Durham City which includes the

proposed strategic housing sites of Sniperley Park and North of Arnison; a zone for Durham City area and Chester-le-Street; and a zone of the rest of the County.

29. The different charging rates for each type of development in each zone relate to the viability in that area and are shown in the table below. These rates were approved by Cabinet in July.

Type of development	Durham City Strategic Zone	CIL rate Durham and Chester-le- Street	Rest of County Durham
Residential Development	£250/m ²	£80/m ²	£15/m ²
Large food retail - 1000 m ² or above	£200/m ²	£200/m ²	£200/m ²
All other A class development (shops and similar establishments; financial and professional services; food and drink (classes A3-5)	£O	£O	£O
All B class development (business, industry, storage and distribution)	£0	£0	£0
Hotels	£200/m ²	£200/m ²	£200/m ²
Student Accommodation	£50/m ²	£50/m ²	£50/m ²

30. Before the County Durham Plan and the Draft charging Schedule is submitted for Examination, the viability work will need to be altered to take account of representations received in the forthcoming consultation and extended to cover the housing allocations and other policies in the County Durham Plan that place a financial burden on development.

Water Cycle Study

- 31. A key component of the Infrastructure Delivery Plan (IDP) is the evidence contained in the Water Cycle Study (WCS). The WCS assesses the potential impacts of growth on:
 - Water supply;
 - Sewerage Treatment Works (STW's);
 - Water quality; and
 - Surface water flooding (Surface Water Management Plan).
- 32. There are three key organisations involved in water management in County Durham, Northumbria Water Ltd, DCC and the Environment Agency. The WCS is the process that brings the partners together to combine all the available knowledge and information. This partnership has helped identify potential issues between growth proposals, existing infrastructure and environmental requirements as well as identifying potential solutions to address them.

33. The Study concludes that flood risk, water supply and water quality are not likely to present an insurmountable barrier to future development. However, they all need to be taken into consideration prior to development. The key issue relating to strategic planning is the timing of investment in Sewage Treatment Works (STWs). The Water Cycle Study identifies 17 STW's in County Durham that are close to capacity and will require investment in the plan period. Of particular importance to our growth aspirations, is the timely investment in STW's in Durham City and Newton Aycliffe. This information has been used to inform the phasing of housing allocations in the Plan.

Green Infrastructure Strategy

- 34. The term 'green infrastructure' is used to refer to green spaces in and around towns and villages and in the open countryside. It fulfils a range of functions: providing venues for access and recreation; producing food; supporting biodiversity; supporting the economy; producing energy; supporting healthy lifestyles; helping to define the character of the landscape; improving the environment of our towns and villages; and managing water resources.
- 35. It is important to emphasise that the purpose of green infrastructure is to enhance development and not to impose an undue burden on developers thereby acting as a barrier to development. As a result the Green Infrastructure Strategy:
 - Allows for more effective co-ordination in the planning of settlements, ensuring that new development can come forward and deliver benefits where they are needed, ensuring that GI does not act as a barrier to new development;
 - Identifies which elements of green infrastructure are significant and should be protected
 - Identifies where there are shortages in particular types of green infrastructure – for example, which settlements have insufficient parks and play areas;
 - Identifies the best opportunities for green infrastructure and creation where investment could have the greatest beneficial effect or where resources should be focused;
 - Acts as a basis for planning policy on green infrastructure in the context of new development – showing how new development can include sufficient good-quality green spaces and other GI features; and
 - Provides a framework to access funding.
- 36. The Strategy's findings are arranged thematically and spatially. Thematic priorities include, as an example, ensuring that all residents have access to adequate good-quality public open space. Spatial priorities include, for example, ensuring that the Strategic Housing Sites proposed around Durham City include adequate green infrastructure.

37. The GI strategy's main priorities have been translated into planning policies, within the County Durham Plan, which protect existing GI and require new GI to be created in association with new development. It will also give rise to a series of locally-specific GI Implementation Plans, one for each AAP area. These Plans will take into account the work and aspirations of the Council and its partner organisations, together with the priorities identified in the Strategy, and will set out suites of projects to deliver the recommendations of the GI Strategy at a local level.

Consultation

38. Although not subject to specific consultation these documents support specific aspects of the County Durham Plan and the CIL Preliminary Charging Schedule and can therefore be commented on as part of the consultation being undertaken between 10 September and 2 November 2012. In addition, copies of the SHMA and the Affordable Housing and CIL Development Viability Study have been circulated to stakeholders for specific comment during August.

Recommendation

- 39. Cabinet is recommended to agree the following evidence based documents:
 - Settlement Study;
 - Strategic Housing Market Assessment
 - Durham Green Belt Phase 3;
 - Affordable Housing and CIL Development Viability Study;
 - Water Cycle Study; and
 - Green Infrastructure Strategy.

Background Papers:

Strategic Housing Market Assessment (2012) Durham Green Belt Phase 3 (2012) Affordable Housing and CIL Development Viability Study (2012) Water Cycle Study (2012) Settlement Study (2012) Green Infrastructure Strategy (2012)

Contact: Mike Allum Tel: 03000261906

Appendix 1: Implications

Finance – None.

Staffing – None.

Equality and Diversity – Equality and Diversity has been an integral part of policy development in the County Durham Plan and its evidence.

Risk - None.

Accommodation – None.

Crime and Disorder – None.

Human Rights - None.

Consultation – Although not subject to specific consultation these documents support specific aspects of the County Durham Plan and the CIL Preliminary Charging Schedule and can therefore be commented on as part of the consultation being undertaken between 10 September and 2 November 2012.

Procurement – None.

Disability Discrimination Act – None.

Legal Implications – None.

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12 September 2012



Quarter 1 2012/13 Performance Management Report

Report of Corporate Management Team Lorraine O'Donnell, Assistant Chief Executive Councillor Simon Henig, Leader

Purpose of the Report

1. To present progress against the council's corporate basket of performance indicators (PIs) and report other significant performance issues for the first quarter of 2012/13.

Background

- 2. This is the first quarterly corporate performance report of 2012/13 for the council highlighting performance for the period April to June 2012. The report contains information on key performance indicators, risks and Council Plan progress.
- 3. The report sets out an overview of performance and progress by Altogether priority theme. Key performance indicator progress is reported against two indicator types which comprise of:
 - a. Key target indicators targets are set for indicators where improvements can be measured regularly and where improvement can be actively influenced by the council and its partners; and
 - b. Key tracker indicators performance will be tracked but no targets are set for indicators which are long-term and/or which the council and its partners only partially influence.
- 4. A summary of key performance indicators is provided at Appendix 3. More detailed performance information and Altogether theme analyses are available on request from <u>performance@durham.gov.uk</u>.

Developments since last quarter

- 5. Extensive work has been undertaken by all services to develop a new 2012/13 corporate set of indicators as set out in Appendix 3. This set of indicators is based around our six 'Altogether' priority themes and will be used to measure the performance of both the council and the County Durham Partnership.
- 6. Changes have also been made to the way service plans are monitored. For 2012/13 all actions within each service plan will be monitored corporately instead of the set of key actions identified last year. Monitoring will be undertaken on an exception basis using the following system:
 - **Red** Not on track (i.e. the deadline has passed and the action has not been achieved or the deadline is in the future but it is known that it will not be achieved by that date)
 - Green On target to be completed by the deadline

• White - Completed by or prior to the deadline

Executive Summary

- 7. Quarter 1 has been dominated yet again by the poor performance of the UK economy. The country is still in recession with the UK's Gross Domestic Product (GDP) shrinking by 0.7% in the three months to June 2012 compared to the previous quarter. This is a much bigger fall than expected and follows a 0.3% drop in the first three months of the calendar year.
- 8. The employment rate continues to decline. Only 66.5% of people aged 16-64 in County Durham are in employment compared to the national figure of 70.2%. The proportion of the working age population currently not in work who want a job stands at 15.7%.
- Long-term unemployment measured as the number of people claiming Jobseeker's Allowance (JSA) for one year or more has risen considerably compared to the previous quarter (2,855) and the same time last year (785). This means that 25.2% of all JSA claimants have been claiming for one year or more.
- 10. Looking at the age profile of the people claiming JSA shows that youth unemployment as measured by the number of 18-24 year old claimants continues to rise. The number of claimants in this age group stands at 5,165 compared with 4,360 at the same time last year. A third of all JSA claimants are now aged 18-24.
- 11. However, the positive news this quarter is that the Department for Transport has signed the deal with Hitachi Rail Europe which will bring a high tech rail assembly plant to Newton Aycliffe creating 730 skilled jobs and a further 200 jobs during construction of the plant. It is expected to secure thousands more jobs in the UK supply chain. The council played a significant role in bringing Hitachi to Newton Aycliffe.
- 12. Despite the financial constraints, the council also continues to support the development of young people by offering a range of apprenticeship opportunities at the council and have supported a further 56 new apprenticeships this period bringing the total to 110 since the current scheme commenced in November 2011.
- 13.A key indicator of the health of the economy is the number of housing completions across the county. Disappointingly, this has fallen from 193 to 159 (-17.6%) when compared with the same period last year. The proportion completed in major settlements has also fallen from 73.86% at quarter 4 to 54.08% this period.
- 14. A barometer of future performance in the construction sector is the level of planning applications received. Of positive note are that the total number received (874) has increased from the previous period (814) and 12 months earlier (835). Major planning applications have also seen an increase from 25 in the previous quarter to 32 this period.
- 15. Other housing indicators show that a high proportion of new housing supply is being delivered through affordable housing (52% in quarter 1). Levels of non-decency in council owned housing stock shows a positive trend in the priority area of East Durham Homes with a reduction of 5 percentage points since the previous quarter. Housing stock in Dale and Valley Homes and Durham City Homes are on target to reach decency levels by the end of the financial year. However, the number of empty properties brought back into use through local authority intervention remains below target.

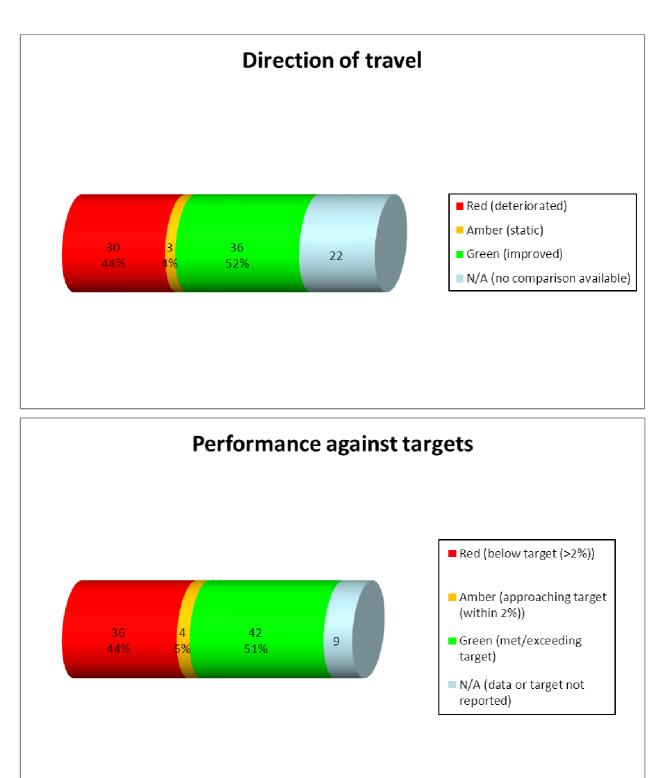
- 16. Highlights for performance areas affecting children and young people show that the rate for first time entrants to the youth justice system is well within target and is showing an improvement since last year. Levels of re-offending by young people have also reduced.
- 17. Performance against key safeguarding targets is showing cause for concern. The percentage of children who became subject to a child protection plan for a second or subsequent time (13.1%) is showing a decline in performance compared with 12 months previously (10.3%) and is worse than the period target of 11%. Child protection cases reviewed within timescales is 96.4% (161 out of 169) which is worse than the previous quarter (98.7%), 12 months earlier (100%) and target (100%).
- 18. The teenage conception rate has reduced by 11% from the previous year and now stands at the lowest number of conceptions during a quarter since monitoring of this indicator commenced in March 1998. The rate compares favourably with both the North East region and statistical neighbours but at 42.1 per 1,000 15-17 year olds, is worse than the national figure (34.1).
- 19. Smoking is the biggest single contributor to shorter life expectancy in County Durham and contributes substantially to the cancer burden. The Stop Smoking Service has helped 5,523 people to stop smoking. This is an increasing trend and is currently exceeding the target. Screening for bowel cancers has also seen an increase from the previous quarter and is now well above the target which is to screen 60% of the eligible population.
- 20. There is significant reliable evidence that breastfeeding is a major contributor to public health and has an important role to play in reducing health inequalities. County Durham has lower than average levels of breastfeeding initiation. Latest figures disappointingly show that the prevalence of breastfeeding 6-8 weeks after birth (26.1%) has reduced from the same period last year (27.6%) and is below the annual target (30.3%). Performance is also significantly below the average national performance of 46.9%.
- 21. The joint commissioning strategy for older people is to support people to maintain their independence wherever possible. The number of permanent admissions to residential or nursing care is therefore measured as a key performance indicator. It is pleasing to note that this has reduced in the first quarter of 2012/13 to 162 compared with 12 months previously (210).
- 22. The council also measures the impact of hospital services (acute and non-acute) and community based care in facilitating timely and appropriate discharge from all hospitals for all adults. This measure of delayed transfers of care from hospital measures the whole system to ensure appropriate discharge from hospital for the entire population. The rate of 12 delays per 100,000 during the period represents a significant deterioration in performance from 1.89 in the same period last year and from the final outturn for 2011/12 (4.9).
- 23. County Durham remains a safe place to live as shown by our key performance indicators for this area. The headline indicator of overall crime has reduced. Between April and June 2012 there were 6,025 crimes, a 12% reduction from the same period last year. Reductions in crimes categorised as stealing have also been evident with offences falling by 10%, including successfully tackling metal thefts which have reduced by 48%.

- 24. Public perception that the police and local council are dealing with concerns of anti-social behaviour (ASB) and crime continues to improve. Confidence levels have increased from 53.1% in 2010/11 to 58.9% in 2011/12. The number of reported incidents of ASB has also continued to reduce. Between April and June 2012 there were 5,881 incidents across County Durham which is a 40% reduction compared to the same period last year.
- 25. Repeat referrals of domestic abuse to the Multi Agency Risk Assessment Conference (MARAC) have continued to improve. Of 46 referrals received by the MARAC between April and June 2012, 6 were repeat referrals, which equates to 13%.
- 26. However, there has been a slight increase in offenders who re-offend. In the rolling year covering July 2009 to June 2010, 28.8% of offenders in County Durham re-offended compared to 28% in the previous rolling year and 26.4% nationally.
- 27. An examination of key environmental performance indicators covering the council's Altogether Greener priority theme highlights a number of improvements. A major change to the way in which refuse collection and recycling services are delivered in County Durham commenced within the first quarter of the year. The level of household waste that is reused, recycled or composted showed an improving trend during the period (43.3%). Although performance falls short of the period target (45%) this is better than national and North East benchmarks. Municipal waste sent to landfill this period is estimated as 33.6% which has increased from the previous quarter (32.9%) but remains better than the period target (35%) and 12 months previously (51.7%). Early indications are that concerns that the introduction of alternate weekly collection would lead to an increase in fly tipping appear to be unfounded as there were 6,791 fly tipping incidents in the county for the 12 month period to June 2012, a reduction from the 7,516 recorded in the previous period.
- 28. The number of registered and approved feed in tariff installations continues to increase with 296 installations for the period April to June 2012, exceeding performance at the same period last year (236).
- 29. The council's Altogether Better Council priority theme continues to be an area of concern with several of the corporate health indicators in this area performing poorly in terms of trend, comparison with target or comparison with other providers.
- 30. The number of days lost to sickness absence in a rolling year (9.34 days) has deteriorated when compared to the previous quarter (9.11 days) and has failed to achieve target (8.75 days).
- 31. The proportion of invoices paid by the authority in 30 days to suppliers has declined during quarter 1. Only 87% of invoices were paid within 30 days which is below the target of 91% and previous quarter performance (88%).
- 32. The percentage of telephone calls answered within one minute (61%) remains below the 80% target but has improved from the 53% reported at the previous quarter. The percentage of abandoned calls has deteriorated slightly to 18% from 17% reported last quarter and is outside target tolerance (12%). More recent data shows further improvement with 76% of calls answered in one minute and only 8% abandoned in July. The average waiting time at customer access points has decreased to 10 minutes 6 seconds, an improvement from last quarter and within the 13 minute target.

- 33. The number of days taken to process all new housing and council tax benefit claims and change of circumstances has improved this period but still remains well below target. For quarter 1, the average time to taken to process new claims has reduced to 64 days from 75 reported at the previous quarter. The average time taken to process a change in circumstances for a benefit claimant remained unchanged at 28 days. However, this was achieved during a period of significant volume increases.
- 34. The collection rates for council tax and national non-domestic rates (NNDR) are both within tolerance of their respective targets. The collection rate for council tax is 27.7% against a target of 28% and NNDR 34.5% against a target of 35%. Recently published national performance data shows collection rates were below average at 2011/12 year end, linked to the implementation of the new revenues and benefits system. Recovery continues to be prioritized and targets will be reviewed in light of the national data.
- 35. On a more positive note, the percentage of accounts received within 30 days (debtors) continues to improve with current performance (67.3%) being 2.5 percentage points higher than at the same point in 2011/12 (64.8%). Performance is also better than the target of 67%.

Key performance indicators

Figure 1: Performance against corporate basket of 91 target indicators (Percentages are of available data)



Source: Service performance monitoring data

36. In quarter 1, 39 (56%) of key performance indicators have improved or remained static. Performance in the Altogether Greener priority theme is the most favourable with 89% of indicators in this area performing better than last year. The Altogether Better Council theme continues to show the most adverse performance with only 33% of indicators exceeding the previous year's performance.

Areas where there has been improvement in performance in terms of direction of travel are:

- Non decent council homes (Dale & Valley Homes & East Durham Homes)
- Number of homeless preventions, statutory applications and acceptances as a proportion of homeless presentations
- Affordable homes provided
- First time entrants to youth justice system
- Four week smoking quitters
- Permanent admissions to residential or nursing care
- Social care users offered self-directed support
- Percentage of people completing reablement who had achieved their goals
- Percentage of eligible population screened for bowel cancer
- Overall crime rate
- Perception that the police and local council are dealing with concerns of anti-social behaviour and crime
- Number of police reported incidents of anti-social behaviour
- Number of reported crimes categorised as stealing (including successfully tackling metal theft)
- Number of fixed penalty notices issued
- Freedom of information (FOI) requests responded to in statutory deadlines
- Number of RIDDOR incidents reported to the Health and Safety Executive
- 37. Key issues in terms of areas where there has been a deterioration in performance in terms of direction of travel compared to last year are:
 - Number of new homes completed in Durham City and in/near major settlements
 - Youth unemployment (18-24 years olds claiming JSA)
 - JSA claimants claiming for 1 year or more
 - Young people participating in youth work
 - Number of homeless presentations
 - Children subject to a child protection plan for a second or subsequent time
 - Child protection cases reviewed within required timescales
 - Alcohol related hospital admissions
 - Delayed transfers of care from hospital
 - Numbers killed or seriously injured in road traffic collisions
 - Processing benefit claims and change in circumstances
 - Number of complaints recorded on the Customer Relationship Management (CRM) system
 - Telephone calls answered in 1 minute and abandoned calls

- 38. In relation to performance against target 46 (56%) of reported indicators are approaching, meeting or exceeding targets. The Altogether Healthier priority theme is most favourable in terms of performance to target with 82% of indicators hitting target. The Altogether Better Council theme shows the most adverse performance with only 25% of these indicators achieving target.
- 39. Examples of notable improvements in terms of current performance to target are:
 - Apprenticeships started through Durham County Council funded schemes
 - Exits from alcohol treatment that are planned discharges
 - Four week smoking quitters
 - Permanent admissions to residential or nursing care
 - Repeat incidents of domestic violence
 - Percentage change in detected crimes for offenders in the Integrated Offender Management cohort
 - Feed in tariff installations
 - Number of fly tipping incidents
 - Percentage of municipal waste landfilled
 - Overall processing of planning applications
 - Average waiting time at customer access point

40. Key issues in terms of areas where performance has not achieved target include:

- Processing of major planning applications
- Number of empty properties brought back into use as a result of local authority intervention
- Child protection cases reviewed within required timescales
- Breastfeeding 6-8 weeks after birth
- Current tenant arrears as a percentage of annual rent debit (Durham City and East Durham Homes)
- Improvement in average energy rating in Council buildings
- Percentage of internal audit assurance reviews delivered
- Sickness absence rates
- Telephone calls answered in 1 minute and abandoned calls
- Processing benefit claims and change in circumstances
- Freedom of information (FOI) requests responded to in statutory deadlines

Council Plan Actions

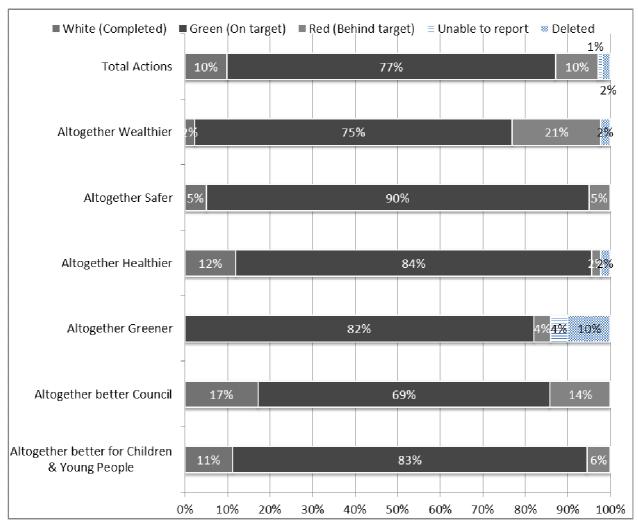


Figure 2: Progress against Council Plan by Altogether theme: Quarter 1 2012/13

- 41. Monitoring of the Council Plan is carried out on a quarterly basis to ensure that actions are being completed and efficiency savings are being realised. Good progress has been made overall in the first quarter of 2012/13 with 10% (21 out of 215) of actions being achieved and 77% (165 actions) on target. 10% (24 actions) are behind target, 1% (1 action) are unable to be reported and 2% (4 actions) have been deleted. The Altogether Better Council theme has achieved the highest percentage of actions with none completed this period. The Altogether Greener theme has the lowest percentage of actions with none completed this period. The Altogether Wealthier theme has the highest percentage of actions behind target (21%), which amounts to 9 actions. However, following completion of the Regeneration and Economic Development (RED) restructure, capacity in teams and priorities have been reviewed and this has resulted in some changes to timescales for completion of actions.
- 42. There is one action unable to be reported this quarter in the Altogether Greener theme due to Neighbourhood Services' resource being diverted to deal with flooding that resulted from inclement weather. Further details are available later within the report.

Service Plan Actions

Figure 3: Service Plan progress to	end of Quarter 1
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Service Grouping	Total number of Service Plan Actions	Number of actions met or exceeded target	Number on target	Number behind target	Unable to report	Deleted
Adults, Wellbeing & Health	123	16 (13%)	102 (83%)	3 (2%)		2 (2%)
Assistant Chief Executive	101	19 (19%)	64 (65%)	18 (18%)		0
Children & Young People Services	125	21 (17%)	102 (82%)	2 (2%)		0
Neighbourhood Services	198	18 (9%)	162 (82%)	14 (7%)	3 (1%)	1 (1%)
Regeneration & Economic Development	121	3 (3%)	109 (90%)	5 (4%)		4 (3%)
Resources	134	24 (18%)	97 (72%)	13 (10%)		0
Total	802	101 (12%)	636 (79%)	55 (7%)	3 (1%)	7 (1%)

Source: Service monitoring data

- 43. The above table shows that overall, 91% of service plan actions have either been achieved or are on target to be achieved by the deadline. 7% of the actions are behind target. There are a number of actions (1%) proposed to be deleted as they are either no longer relevant or have been incorporated into other actions. There are three Neighbourhood Services actions that are unable to be reported in this quarter due to resources being diverted to deal with flooding that resulted from inclement weather. However, all six actions will be updated in quarter 2.
- 44. Reporting of these key actions is on an exception basis with a full copy of the exceptions, deletions, amendments and additions available on request from performance@durham.gov.uk.

Equalities and Diversity

- 45. Service plan monitoring has shown that Single Equality Scheme (SES) actions and Equality Impact Assessment (EIA) actions are on track. To date, 9 (10%) of the equalities actions have been completed, 76 (85%) actions are on target and 3 (3%) actions are behind the original target date. There is also one action proposed to be deleted. The following actions are behind target:
 - a. Work with Gypsy and Traveller communities in County Durham and the Gypsy Travellers Executive Group to support existing temporary stopover areas and develop new sites so that there is a total of 5 was due to be complete by June 2012 and is part of the SES. The revised date is not yet known. There are now four temporary stopover sites in place in County Durham. The site originally identified in the east of the county is no longer viable. A feasibility study is currently being carried out on an additional site in South Church, Bishop Auckland.

- b. As part of the policies and procedures review of specific Human Resources / Organisational Development (HR/OD) policies as a priority to support managing and implementing change, bullying and harassment was due to be looked at by April 2012. Bullying and harassment has now been combined into a revised Grievance Policy and agreed with trade unions. A revised policy will be rolled out shortly and the revised deadline is September 2012.
- c. A review of the council's approach to fixed play provision was due to be completed by March 2012 but has been revised to March 2013. The deadline and title have been amended to reflect the consultation process involved in reviewing fixed play provision.

Carbon Reduction

- 46.In order to achieve the targets for reducing CO₂ emissions in County Durham a set of four actions have been included in all service plans and will be monitored as part of the quarterly performance reporting process. Progress against these actions is as follows:
 - a. With support from the Eco-Champions Network and using the Emissions Reduction Tool each service is to identify opportunities to reduce their emissions by March 2013. The Carbon Management Team has now developed the Emissions Reduction Tool and guidance document. The tool has been trialled with two teams outside of RED.
 - b. Analysis of the findings resulting from the Emissions Reduction Tool, to identify and agree a series of key actions is due to be completed by March 2013. This has not yet commenced as services did not receive the Emissions Reduction Tool in quarter 1. The tool will be circulated in quarter 2.
 - c. Support for the Eco-Champions in each service to deliver agreed actions for 2012 to 2016 and ensure high standards of emission awareness are maintained was due to be in place by March 2013. The Carbon Management Team supported in a number of ways including attending a Member briefing, attending all service group meetings to discuss senior management participation, and development of the Emissions Reduction Tool and guidance document. Other progress includes a draft intranet page, a staff questionnaire and attendance at service management meetings to present, promote and explain the Eco-Champions Network.
 - d. Reduce car business mileage for each service grouping by a minimum of 10% for 2012/2013 from a 2011/2012 baseline is due to be completed by March 2013. This is an annual target and the performance will be measured at the year end 2012/2013. Comparisons between quarter 1 2011/12 and 2012/13 shows that four out of the six service groupings have reduced their mileage but overall the mileage had increased by 3.5%.
- 47. There are a number of other carbon management related actions within RED and Resources service plans and all of these are currently on target to achieve their deadlines.

Risk Management

- 48. Effective risk management is a vital component of the council's challenging improvement agenda, so that any risks to successful delivery can be identified and minimised. The council's risk management process therefore sits alongside service improvement work and is integrated into all significant change and improvement projects.
- 49. The key risks to successfully achieving the objectives of each corporate theme are detailed against each Altogether theme in the relevant sections of the report. These risks have been identified using the following criteria:-

- a. Net impact is critical, and the net likelihood is highly probable, probable or possible.
- b. Net impact is major, and the net likelihood is highly probable or probable
- c. Net impact is moderate, and the net likelihood is highly probable
- 50. As at 30 June 2012, there were 50 strategic risks, a decrease of four from the previous period end at 31 March 2012. Of these, 10 are key risks matching the criteria above. The following matrix summarises the total number of strategic risks based on their net risk assessment as at 30 June 2012. Where there have been changes to the number of risks from the last quarter period end, the risk total as at 31 March 2012 is highlighted in brackets.

Impact					
Critical	1 (1)	3 (3)	4 (3)		
Major		3 (3)	5 (6)	4 (4)	
Moderate		4 (5)	13 (14)	5 (7)	2 (2)
Minor			3 (3)	2 (2)	1 (1)
Insignificant					
Likelihood	Remote	Unlikely	Possible	Probable	Highly Probable

Figure 4: Corporate Risk Heat Map

Key risks

51. At a corporate strategic level, key risks to draw attention to are:

- a. Slippage in delivery of the Medium Term Financial Plan (MTFP) will require further savings, which may result in further service reductions/ job losses;
- b. Failure to identify and effectively regulate contaminated land;
- c. Coastal erosion and improved environment may be adversely impacted if a programme of repairs to Seaham North Pier is not undertaken;
- d. A deterioration in public health services resulting from the transfer of public health responsibilities to the local authority and the impact of future funding proposals;
- e. Government budget plans to cut Local Government funding further for 2015/16 and 2016/ 17 as part of the next Comprehensive Spending Review (CSR) would have major impact on services including frontline services that customers rely on;
- f. The council may be liable to legal challenge if a single status agreement is not implemented in full;
- g. The County Durham Partnership (CDP) may fail to narrow inequality and deprivation gaps due to the loss of Area Based Grant (ABG) funding;
- h. Potential claw-back from MMI (former insurers) under the Scheme of Arrangement (SOA);
- i. Potential restitution of search fees going back to 2005;
- j. Industrial action will adversely impact service delivery.

- 52. Five risks have been removed from the register in this quarter. This is due to management of the risks by the services as mitigating actions have been completed to reduce risks to a level where management now consider existing controls to be adequate.
- 53. The implementation of additional mitigation on a number of risks has enabled the council to improve performance, decision-making and governance, and this is detailed in the relevant sections of the report.

Altogether Wealthier: Overview

Performance indicators							
Red Amber Green N/A							
Direction of travel	5	0	5	3			
	(50%)	(0%)	(50%)				
Performance against	6	0	4	3			
target	(60%)	(0%)	(40%)				

Actions							
Red Green White Deleted actions							
Performance against target	9 (21%)	32 (75%)	1 (2%)	1 (2%)			

Council Performance

54.Key achievements this quarter include:

- a. The proportion of East Durham Homes properties currently not meeting decency criteria shows very positive performance at quarter 1 with a reduction of 5 percentage points since the previous quarter, bringing levels of non-decency down to 56% against a year-end target of 54%. Dale and Valley Homes has 2% of properties that are non-decent which falls just outside of the 1.8% target. However, Durham City Homes has 9.8% of homes that fall below levels of decency, due to annual refresh of data, although as with previous years, a capital business programme has been developed which will ensure that 100% decency is achieved by 31 March 2013.
- b. In terms of service plan actions, considerable progress has been made in relation to the Stock Options Appraisal including finalising of the stock condition survey for stock in East Durham. This information was used to update the long term investment projections in the Housing Revenue Account Business Plan. A workshop was held with stakeholder representatives and the Independent Tenant Adviser to explore the advantages, disadvantages and risks of stock transfer and retention options. A series of presentations on the preferred options has been given to ensure all stakeholders have an opportunity to contribute to discussions on preferred options.
- 55. The key performance improvement issues for this theme are:
 - a. The number of empty properties brought back into use as a result of local authority intervention remains below the period target. There have been 12 empty properties brought back into use during April to June 2012 which is below the target of 17. Robust work is being undertaken with key Registered Social Landlords and investors in order to bring properties back into use. A number of long term and complex cases have been resolved this quarter through negotiation with owners.
 - b. The number of private rented sector properties improved as a direct consequence of local authority intervention is 163 for the period April to June 2012, slightly less than 12 months previous (169).
 - c. In terms of council plan actions there are a total of 9 actions (21%) behind target, all of which are the responsibility of the Regeneration and Economic Development (RED) service grouping. The reason for 8 of the 9 actions being behind target is that the timescales had been revised due to more detailed service planning information being available as part of the development of Heads of Service plans within the RED Service Grouping (as referred to previously in the report). Revised dates for these actions are tabled below:

Action	Original date	Revised date
Prepare for and deliver key regeneration and housing investment and maximise job opportunities:	g projects in the c	ity to stimulate
Aykley Heads: Planning application for phase one (Police HQ)	September 2012	March 2017
Freemans Reach, former ice rink: Planning submission	July 2012	December 2015
Deliver phased implementations of the key town rege	eneration framew	orks including:
Resolve the position with Festival Walk, Spennymoor	April 2012	September 2013
St. Johns Square, Seaham; Completion of Public Realm works	June 2012	December 2012
Deliver the redevelopment of Witham Hall, Barnard Castle	March 2013	September 2013
Implement capital improvement schemes from the Local Transport Plan to improve accessibility between our main towns	December 2015	March 2016
Complete planned public transport improvements on the 7 key corridors to improve punctuality, reliability and attractiveness of bus travel	December 2012	March 2019
Facilitate and expand broadband connections for our residents and businesses to encourage home working in rural communities	March 2013	March 2016

- 56. The remaining Council Plan action behind target is through a European funded project, (targeting disadvantaged families) work to support 1265 residents which includes supporting 316 residents into work through an employment support programme by December 2014. This has been delayed to March 2016. The project received 188 referrals and 64 families have now started on the programme. The training officers have developed, and are delivering, bespoke training packages across the county in partnership with Family Intervention Project, Family Wise and housing solutions staff and also with various professionals within Durham County Council and external partners across the region.
- 57. A key RED service plan action to increase developer confidence in County Durham by enabling non council owned sites to be appropriately developed and management of council owned sites and property was due for refresh in July 2012. This has been delayed to September 2012. The Strategic Housing Market Assessment is nearly complete and will be going through the approval process in August to September 2012.
- 58. Tracker indicators for this priority theme (see Appendix 3, table 2) show:
 - a. The proportion of children in poverty remains high and has not declined substantially since the start of the credit crisis in 2008. Latest data available for November 2011 indicates that the proportion of children in poverty has decreased marginally to 24.2% from 24.4% reported at August 2011. This proportion remains higher than the England average (20.2%) but lower than the equivalent North East figure (25.5%).
 - b. The number of passenger journeys undertaken on the Park and Ride service during quarter 1 was 283,440. This is an increase on the same period last year which saw 249,700 passenger journeys. The figure for quarter 1 includes the torch relay visiting Durham City but also a period of bad weather which may have had an effect on usage.

- c. Although the number of Job Seekers Allowance (JSA) claimants aged 18–24 has decreased this period to 5,165 from the previous quarter 4 period (5,565), this is still significantly higher than the same period last year which saw 4,360 18–24 year old claimants. Youth unemployment remains one of the most significant challenges within the labour market. Government policy has incentivised work with the long term young unemployed since April 2012 through wage subsidy under the Youth Contract. Local initiatives such as the Apprenticeship Wage Support Grant have prioritised the take up of apprenticeships for under 24 year olds. Further programme initiatives are under development locally and nationally. The County Durham Apprenticeship Programme has started 110 apprentices in work between November 2011 and June 2012.
- d. The number of JSA claimants claiming for 1 year or more continues to increase from 2,885 at the previous quarter 4 period to 3,920 in quarter 1 (equating to a 35.8% increase). The current long-term claimants represent 25.2% of all JSA claimants. This is due to the slow rate of new job creation set against continued job losses, particularly in central and east Durham. The Work Programme is the main Government programme response for JSA claimants of 12 months plus.
- e. The proportion of affordable homes as a proportion of net homes completed currently stands at 52% at quarter 1. Overall completions across the county have fallen from 193 to 159 (-17.6%) when compared with the same period last year. The proportion completed in major settlements has fallen from 73.9% at quarter 4 to 54.1% this period. Recent monitoring activity has confirmed that there is a large supply of housing sites with planning permission that are yet to be implemented (5,276 units) or are under construction (3,333 units). Therefore as a healthy land supply exists, this reduction is considered to be a direct consequence of the continuing economic downturn which is affecting developers' ability to commence new sites. This is also reflected in the high proportion of affordable housing (total of affordable units delivered was 83), which shows that new housing supply is being led by affordable housing delivery through subsidised schemes.
- 59. Further performance issues relate to:
 - a. The Department for Transport has signed the deal with Hitachi Rail Europe which will bring a high tech rail assembly plant to Newton Aycliffe. The new train factory will be built by Hitachi in Newton Aycliffe, creating 730 skilled jobs and a further 200 jobs during construction of the plant. It is expected to secure thousands more jobs in the UK supply chain. Hitachi will build 596 railway carriages to assemble an intercity fleet of 92 complete trains at the site. The contract comes under the Government's Intercity Express Programme (IEP) to replace Britain's Intercity 125 trains with higher capacity modern trains. Hitachi will also locate its European rail research and development capabilities at Newton Aycliffe, boosting its ability to win rail contracts across the continent.
 - b. Re-commissioning for a 2013 Lumiere Festival has been agreed by Cabinet at their meeting on 24 July 2012 following the resounding success of the 2011 festival. The festival will have a significant beneficial economic impact and considerable return on investment for the council.

60. The key risks to successfully delivering the objectives of this theme are:

a. The County Durham Partnership may fail to narrow inequality and deprivation gaps due to the loss of Area Based Grant funding. Management consider it probable that this risk will occur, which will have a major impact in terms of increasing social and economic deprivation in the county. An action plan is being developed to mitigate this risk as far as possible, although it should be recognised that this will remain a significant risk for at least the next 4 years.

- b. Coastal erosion and improved environment may be adversely impacted if a programme of repairs to Seaham North Pier is not undertaken. Management consider it possible that this risk may occur, and to mitigate the risk, funds are being investigated as part of the 2013/14 budget for the design of repairs to the structure.
- 61.Other significant risks include:
 - a. Private housing stock condition worsens with adverse implications for local economy, health and neighbourhood sustainability;
 - b. Diminishing capital resources, continuing depressed land values and slow growth in the private sector will impact on the ability to deliver major projects and town initiatives within proposed timescales.

Altogether Better for Children and Young People: Overview

Performance indicators							
Red Amber Green N/A							
	_						
Direction of travel	5	1	4	2			
(50%) (10%) (40%)							
Performance against	5	1	4	2			
target	(50%)	(10%)	(40%)				

Actions						
Red Green White Deleted actions						
Performance	1	13	2			
against target	(6%)	(81%)	(13%)			

Council Performance

- 62.Key achievements this quarter include:
 - a. The conception rate per 1,000 15-17 year old girls for the rolling year April 2010 to March 2011 has improved to 42.1. This is an improvement of 2.3% on the previous quarter and 4.2% on 12 months earlier. County Durham's rate compares favourably against the North East region (42.8) and statistical neighbours (43) but is worse compared nationally (34.1). The latest quarterly data (January to March 2011) shows 89 conceptions, which represents an 11% decrease from the corresponding period of the previous year (100) and is the lowest number of conceptions during a quarter since monitoring commenced in March 1998.
 - b. The provisional data for the number of first time entrants (FTE) to the Youth Justice System aged 10 - 17 for the period April to June 2012 indicates that there were 75 FTEs, which equates to a rate of 161 per 100,000 population and is well on target for less than 340 FTEs during the year. The rate of FTEs this period is better than target (182) and an improvement from 12 months earlier (180).

63. The key performance improvement issues for this theme include:

- a. The number of child protection cases which were reviewed within required timescales between April and June 2012 shows 161 out of 167 cases were reviewed within timescale. This equates to 96.4%, which is worse than the previous quarter (98.7%), 12 months earlier (100%) and target (100%). There has, however, been an improvement in the number of looked after children cases reviewed within timescales. Data for April to June 2012 shows that 452 out of 466 cases were reviewed within timescale, which equates to 97% improving from 96% at the 2011/12 year end.
- b. The number of children becoming the subject of a child protection plan for a second or subsequent time between April and June 2012 illustrates there were 17 out of 130 children. This represents 13.1% which is worse than the target of 11% and shows a decline in performance in comparison to the corresponding period of the previous year (10.3%). The 17 cases that have previously been subject to a child protection plan have been reviewed. There is no consistent pattern underlying the increase: 13 out of the 17 children were previously subject to a plan 3 or more years ago, with the average being 6 years since the previous plan. However, the remaining 4 cases have only been subject to a plan in the last 18 months and actions will be reviewed in each case.
- c. Provisional data for the number of young people actively engaged in youth work as a percentage of the 13-19 population for quarter 1 2012/13 indicates that 538 young people participated in youth work, which equates to 1.2%. This is 3.6 percentage points below 12 months earlier (4.8%) and 1.8 percentage points below the period target (3%). This low level of performance is being attributed to the new system the data are extracted from, Integrated Youth Support Service (IYSS) that went live in April 2012. There have been several issues concerning the quality of data around access and the running of reports. As a result of these issues, it is known there will be instances of under reporting during quarter 1. However, the service remain confident that these issues will be resolved before quarter 2 monitoring takes place.

- d. There is one council plan action behind target in this theme to develop a fixed play policy for the county that optimises opportunity and access to play facilities by September 2012. The deadline has been put back to March 2013 to reflect the consultation process involved in reviewing fixed play provision.
- e. A key action in the Children and Young Peoples Service Plan is the development of an academy at Consett. The Belle Vue site, where it is proposed to build the new academy, was subject to an application to register as a village green, which was originally rejected by Durham County Council's Highways Committee in April 2011. A recent High Court ruling however has referred this matter back to the council for fresh consideration.
- 64. A tracker indicator for this priority theme (see Appendix 3, table 2) is the rate of proven reoffending by young people in the youth justice system. Latest provisional data for April 2011 to March 2012 indicates that the total number of offences committed by the 200 young offenders in the 2011 cohort (within 12 months of inclusion in the cohort) that led to a pre-court or court disposal was 293, which equals 1.47 offences per young person. This is an improvement on 12 months previously where the rate was 1.73 and shows fewer young people are reoffending and they are committing fewer offences. There has been a reducing re-offending trend when compared to both the 2009 and 2010 cohorts, with a 13.9% and 15.4% reduction in the number of re-offences respectively. Work continues within the County Durham Youth Offending Service (CDYOS) to analyse the case level details of those young people reoffending and any reasons for differences in performance at this level.
- 65. New developments this period within this priority theme relate to:
 - a. The Department for Education recently published their report presenting evidence on the impact of the Free School Meals (FSM) pilot on a range of pupil outcomes. The pilot was a two-year programme operating in three local authorities (Durham, Newham and Wolverhampton) between the autumn of 2009 and summer of 2011, to extend entitlement to free school meals. The main findings of the report are summarised below:
 - Approximately nine in ten primary school pupils were taking at least one school meal per week by the end of the pilot compared with around six in ten similar pupils in a set of similar comparison areas.
 - The universal pilot had a significant positive impact on attainment for primary school pupils at Key Stages 1 and 2, with pupils in the pilot areas making between four and eight weeks' more progress than similar pupils in comparison areas.
 - There has been more improvement in attainment levels in pupils from less affluent families than amongst those from more affluent families.
 - The improvements in attainment do not appear to have been driven by an increase in the amount of time children spend in school, as the pilot did not lead to a significant reduction in absence rates from school.
 - The pilot did not provide any evidence that it positively affected parents' perceptions of children's behaviour.
 - The pilot did not provide any evidence that it led to significant health benefits during the two year pilot period. For example, there was no evidence of any change in children's Body Mass Index (BMI).

- b. The Department for Education announced proposals for a significant change in the way schools and academies are to be funded from 2013/14 onwards. Funding will continue to be provided through the Dedicated Schools Grant, although the method of apportioning this between schools and ultimately the level of resources allocated to County Durham will be subject to change. More information is available online at 'CYPS matters: The Blog' (http://county.durham.gov.uk/sites/cyps/CYPSMATTERSTHEBLOG).
- c. In April 2012 the Department for Communities and Local Government published the Financial Framework for the Troubled Families Programme. This outlines how local authorities are to identify their troubled families along with the payment-by-results scheme, which sets out the money that will be paid to the local authority after a successful intervention. The Government estimate that there are 1,320 troubled families in County Durham and the Think Family Programme Team that has been established have identified 1,400 families who meet one or more of the prescribed criteria. An Identification of Families Methodology paper has been signed off by the Think Family Board and a performance management framework is being developed to ensure that a robust monitoring and tracking system is put in place so that the authority are able to claim payment-by-results when a successful intervention is achieved.
- d. The new Children, Young People and Families Plan (CYPFP) 2012/16 was approved by the Children's Executive Board and has now been released and available online at 'CYPS matters: The Blog' (<u>http://county.durham.gov.uk/sites/cyps/CYPSMATTERSTHEBLOG</u>).
- e. The Annual Commissioning Plan for 2012/13 is finalised and sets out the Children's Trust commissioning intentions in line with the CYPFP. The Joint Commissioning Board, and ultimately the Children's Executive Board will oversee two strategy developments which are Places to Go and Things to Do, and a risk and resilience strategy to tackle teenage pregnancy. In addition, commissioners will consider the following service specific commissioning:
 - i. Services to disengaged learners
 - ii. Services to support vulnerable teenagers
 - iii. Positive activities for young people
 - iv. Specific programs to address risky behaviour, i.e. substance misuse, obesity and teenage pregnancy
 - v. Programmes to develop resilience
 - vi. Services to support vulnerable families
 - vii. One Point and Think Family Program
- 66. The most significant risk to successfully delivering the objectives of this theme is *Failure to meet escalating costs of external and high-cost placements effectively*. The implementation plan for the new contract to place children and young people with independent fostering providers is monitored by management, to ensure that this risk is being effectively managed.

Altogether Healthier: Overview

Performance indicators							
Red Amber Green N/A							
Direction of travel	3	1	9	5			
(23%) (8%) (69%)							
Performance against	2	1	14	1			
target	(12%)	(6%)	(82%)				

Actions						
Red Green White Deleted actions						
Performance	1	37	5	1		
against target	(2%)	(84%)	(12%)	(2%)		

Council Performance

67. Key achievements this quarter include:

- a. In 2011/12 the Stop Smoking Service helped 5,523 people to stop smoking, which equates to 1,308 per 100,000 population. This has achieved the 2011/12 target of 1,242 per 100,000 and has also increased from 1,165 per 100,000 in 2010/11. The rate is better than regional and national four week smoking quitter rates and has been supported by increased commissioning of stop smoking service providers and more access points to stop smoking support. This includes groups, drop-ins and one to ones in places such as GP surgeries, community centres, pharmacies, children centres, hospitals and leisure centres. A dedicated stop smoking service within secondary care (hospitals) was developed in 2011.
- b. The percentage of the total eligible population screened for bowel cancer has increased from 57.5% in the period October to December 2011 to 66.8% in the period January to March 2012. This has achieved the target of 60%. A recent national campaign around bowel cancer has been supported throughout County Durham. The initiative was aimed at raising awareness around the signs and symptoms of bowel cancer and encouraging individuals to visit their GP. Early evaluation has shown an increase in awareness, and presentation of symptoms. Work has also continued to promote bowel cancer screening through the community based cancer information service.
- c. The number of permanent admissions of people aged 65 and over to residential and nursing care in the first quarter of 2012/13 has reduced by 38 to 162. This equates to a 12 month equivalent rate of 711.6 per 100,000. In the first quarter of 2011/12 the equivalent number was 200 (879 per 100,000). This is a significant performance improvement in this quarter. The impact of strategies to maintain people's independence can be evidenced through the average age at admission to residential care rising from 84.9 in 2007/8 to 86.4 in 2011/12. Additionally, the average length of stay for a permanent residential admission has reduced from 547 days in 2010/11 to 487 in 2011/12. The service is also looking at high performing authorities to examine admission practices and identify areas for improvement in County Durham. Across County Durham the rate ranges from 585.6 in the Dales Health Network to 835.6 in the Easington Health Network.
- 68. The key performance improvement issues for this theme are:
 - a. Prevalence of breastfeeding 6 8 weeks after birth has reduced and is significantly below the annual target. Between April and June 2012, 355 out of 1,360 babies that were due their 6-8 week check were recorded as totally or partially breastfed, which represents 26.1% against an annual target of 30.3%. This has decreased slightly from 27.6% in the same period in 2011/12. Performance is also significantly below the average national performance of 46.9%. Work is continuing with the main acute providers to increase and sustain rates through to six to eight weeks. Continued roll out of the National Childbirth Trust peer support service is taking place across County Durham and Darlington. This incorporates the Breastfeeding Baby Café and Baby Café local which has been set up in two locations, Seaham and Peterlee. The Baby Café will also be rolled out to a further

three locations in East Durham. A similar model is to be implemented across the rest of County Durham. Other actions being taken to improve performance include the identification of breastfeeding leads in each of the three One Point Service Areas and the establishment of working groups in each area to focus on operational issues. Membership of the breastfeeding groups will include community midwives, hospital based midwifery, paediatrics, and health visitors and family workers from the One Point Service.

- b. Delayed transfers of care per 100,000 have increased. In the 3 sample weeks between April and June there were 146 delays which equates to a rate of 12 delays per 100,000. This is an increase from 1.89 in the same period last year and from the final outturn for 2011/12 (4.9). This increase is primarily due to the inclusion of health delays in community hospital beds in the calculation. Significantly, only 3 of the 146 delays were attributable to Adult Social Care only.
- c. There is one council plan action in this theme behind target. A review of the provision of in-house day services following the re-procurement of independent sector day services was due to take place by June 2013. This action has been delayed until September 2013 due to a delay with the re-procurement of independent sector day services. The action to implement this in County Durham which is included in the Adults, Wellbeing and Health (AWH) Service Plan has been delayed from June 2012 to September 2012 due to work being re-allocated to in house day care services review and re-design.
- 69. A council plan action proposed to be deleted is working with partners and clinical commissioning groups to review the joint commissioning strategy on long term conditions for County Durham, to ensure it is fit for purpose and designed to achieve strategic health and wellbeing outcomes for local people. This was due to be completed by March 2014 but the implementation of the strategy has been put on hold as no detailed action plan has been developed by NHS County Durham.
- 70. A key action in the Neighbourhood Services Service Plan is to review and refresh a Sport and Leisure Strategy by April 2012. The deadline has been delayed until January 2013 as the service is currently undertaking a process to integrate and refresh cultural, heritage and library strategies into the Sport and Leisure Strategy, as a result of the transfer of these services from the Adults, Wellbeing and Health service to Neighbourhood services.
- 71. Further performance issues relate to:
 - a. Results of the first Subjective Wellbeing Annual Population Survey were released in late July. The survey includes four measures collected by the following questions:
 - Overall, how satisfied are you with your life nowadays?
 - Overall, how happy did you feel yesterday?
 - Overall, how anxious did you feel yesterday?
 - Overall, to what extent do you feel the things you do in your life are worthwhile?

Initial analysis indicates that residents of County Durham have relatively low levels of subjective wellbeing compared to national averages. However, further work is required to better understand the survey methodology employed and to make more detailed comparisons.

- b. The Department of Health recently published their County Durham Health Profile 2012 which provides a health summary for County Durham. The range of results highlights a number of health indicators which potentially could inform the council's health outcomes within the Altogether Healthier council plan priorities. These include:
 - i. Smoking in pregnancy which measures the percentage of mothers smoking in pregnancy where status is known and refers to 2010/11 data. 22.9% (1,292) of mothers were recorded as smoking in pregnancy, which is worse than the England average of 13.7%.
 - ii. Adult obesity which measures the percentage of adults recorded as obese, modelled on an estimate using the Health Survey for England 2006-2008. 28.6% of adults were recorded as obese which is worse than the England average of 24.2%.
 - iii. Excess winter deaths which measures the ratio of excess winter deaths (observed winter deaths minus expected deaths based on non-winter deaths) for the 3 year period August 2007 to July 2010. The ratio of excess winter deaths was recorded as 19.8% (327) which is in line with the England average.
- 72. The key risk to successfully delivering the objectives of this theme is A deterioration in public health services resulting from the transfer of public health responsibilities to the Local Authority and the impact of future funding proposals. The impact of this risk has been reassessed and is now considered to be critical, because it has emerged that future funding proposals may result in a significant budget reduction. A transition programme is in place to manage the risks surrounding these changes.

Altogether Safer: Overview

Performance indicators								
	Red Amber Green N/A							
	_	-						
Direction of travel	5	0	5	2				
(50%) (0%) (50%)								
Performance against	2	1	8	1				
target	(18%)	(9%)	(73%)					

Actions						
Red Green White Deleted						
				actions		
Performance	1	16	1	0		
against target	(6%)	(89%)	(6%)	(0%)		

Council Performance

- 73.Key achievements this quarter include:
 - a. Perceptions that the police and council are dealing with concerns about anti-social behaviour (ASB) and crime continue to improve. The percentage of people that agree with this statement has increased from 53.1% in 2010/11 to 58.9% in 2011/12. This is also achieving the 2012/13 target of 58%. Durham is ranked 5th out of 8 force areas in its most similar group (2011/12). The Anti-Social Behaviour Delivery Group aims to improve perceptions about ASB within County Durham. The focus is on key issues which are repeatedly identified through local surveys such as speeding vehicles, ASB, dog fouling and littering. Focus groups were held during June 2012 at locations across the county, which focussed on dog fouling or littering. A number of proposals are now being considered including reviewing the approach to the use of street litter control notices and reviewing the reporting processes for dog fouling and littering to ensure they are accessible and effective for members of the public.
 - b. There has been an increase in the percentage of all exits from alcohol treatment that are planned discharges. 64% of exits from alcohol treatment were planned discharges in 2011/12. This is a 12 percentage point increase on the 2010/11 outturn figure of 52%, and exceeds the England average of 58%. The review of the Community Alcohol Service (CAS) is complete and the Drug and Alcohol Commissioning Team (DACT) has agreed a new service model and service specification with the provider. Implementation of the new model commenced in June 2012. Actions are also in place to improve the levels of successful completions including the implementation of a new discharge policy.
 - c. Domestic abuse victims who present at the Multi Agency Risk Assessment Conference (MARAC) and are repeat victims now stands at 13%. Of 46 referrals received by the MARAC between April and June 2012, 6 were repeat referrals, which equates to 13%. This significantly outperforms the target set for 2012/13 (i.e. below 25%). Latest research from Coordinated Action Against Domestic Abuse (CAADA), identifies the England average repeat referral rate at 23% (2011/12).
- 74. The key performance improvement issues for this theme are:
 - a. The percentage of successful completions of drug treatment is below the target set for 2012/13. Durham has achieved a successful completion rate of 11% for 2011/12 when the target for 2012/13 is 15%. The North East region as a whole has a lower successful discharge rate than other regions in the country. Work has taken place with the National Treatment Agency (NTA) to investigate and understand reasons for this. One of the reasons for this is that other regions have a broader treatment offer than the North East and include treatment for non-opium/crack cocaine users e.g. cannabis users etc. Treatments are shorter, sharper and the success rate is likely to be higher. The DACT have begun to broaden their offer to users over the last few months.

- b. Alcohol related hospital admissions per 100,000 population have increased based on the latest data available for 2010/11. Final figures identify a hospital admission rate in County Durham of 2,486 per 100,000 population. This is an increase of 200 admissions per 100,000 population compared to 2009/10 (2,286). The latest in year provisional data received from the North West Public Health Observatory (relating to April to December 2011) identifies the rate of admission for Durham as 1,882 per 100,000. This is a slight increase (0.8%) when compared to the same period last year but is below the national increase of 3.7% and the regional increase of 4.7%. The Department of Health is currently carrying out a 12 week consultation on the methods used to calculate alcohol related hospital admissions as part of the work to implement the Public Health Outcomes Framework.
- c. There is one council plan action in this theme which has been delayed which is to develop and embed community resilience across the county. This requires mutual-aid protocols to be developed and agreed by June 2012 but has been delayed to align with work being taken forward through the Local Resilience Forum. A workshop has recently been held with a range of agencies, voluntary groups and residents and the outcomes of this will identify the key areas the community resilience work will focus on.

75. Tracker indicators for this priority theme (see Appendix 3, table 2) show:

- a. Further reductions in overall crime. Between April and June 2012 there were 6,025 crimes (11.8 per 1,000 population). This has reduced from 6,848 crimes in the same period in 2011/12 and equates to a 12% reduction in overall crime. Durham is currently ranked 2nd out of 15 most similar forces (rolling year to May-end 2012). The rate per 1,000 population ranges from 6.8 in Barnard Castle to 22.2 in Bishop Auckland.
- b. The number of reported incidents of anti-social behaviour (ASB) has continued to reduce. Between April and June 2012 there were 5,881 incidents of ASB across County Durham. This is a 40% reduction when compared to the same period last year (9,733 incidents) and is reflected across all L-MAP areas.
- c. A reduction in the number of crimes categorised as stealing. All stealing offences have fallen by 10% when comparing to the same period last year. The reduction in stealing offences has been assisted by falls in theft of vehicle (36%), theft of pedal cycle (43%), other theft (31%) and shoplifting (14%). There has also been a decrease in metal thefts of 48%. This reduction has coincided with Operation Tornado which was a 6-month project designed to make it harder for thieves to convert their stolen metal into cash. Around 150 scrap merchants in Cleveland, Northumbria and Durham signed up to Operation Tornado and they were asked in January to only accept metal from customers who could produce photo ID and urged to keep more detailed records. As a result of its success police forces and scrapyards across England and Wales are adopting the guidelines.
- d. A slight increase in the proportion of offenders who re-offend in a 12 month period. In the rolling year covering July 2009 to June 2010, 28.8% of offenders in County Durham re-offended compared to 28% in the previous rolling year and 26.4% nationally. Targeted action over the last 18 months has seen the number of offences committed by the most prolific offenders drop by 61% in 2011/12 and 45% in the first quarter of 2012/13. As this data has an 18 month lag these improvements are not yet reflected in these results.

76. There are no significant risks to successfully delivering the objectives of this theme.

Altogether Greener: Overview

Performance indicators									
	Red Amber Green N/A								
Direction of travel	1 (11%)	0 (0%)	8 (89%)	5					
Performance against target	5 (42%)	0 (0%)	7 (58%)	2					

Actions								
	Red	Green	White	Deleted actions				
Performance against target	1 (4%)	18 (82%)		2 (10%)				
Plus one action (4%) unable to report								

Council Performance

- 77.Key achievements this quarter include:
 - a. Recycling rates are continuing to improve. Latest estimated data for the 12 month rolling period to May 2012 show that 42.9% of household waste was reused, recycled or composted. Performance shows improvement from the 41.3% reported at quarter 1 2011/12. Based on the latest benchmarking available (2010/11), County Durham is better than both the national average (40.1%) and North East average (35.6%). During the latest 12 month rolling period recycling tonnage from household waste recycling centres has decreased from 4,342 to 3,936 tonnes and dry kerbside recycling increased from 5,886 to 7,236 tonnes. Household recycling and composting collected from the kerbside represented 25.4% of overall household waste collected. Although the target of 26.2% has not been achieved, the percentage has increased during May, due to the implementation of alternate weekly collections. As the alternate weekly collections were rolled out between April and June, it is anticipated that performance will improve further next quarter.
 - b. Results of a recent GMB Union study of rubbish illegally being dumped (based on 2009 2011 figures) revealed the North East region to have the sixth highest level in the country (out of 9 regions). County Durham recorded the second highest number of incidents in the North East. However, during the 12 month period to June 2012, County Durham has seen a 9.6% reduction in fly-tipping with 6,791 incidents compared to 7,516 at previous period. Performance is also better than the target of 7,290. The new Neighbourhood Warden pattern has resulted in greater coverage and has improved intelligence gathering. 'No fly tipping' signs are being erected and additional patrols are being carried out at known hotspots.
 - c. The number of registered and approved feed in tariff installations continues to increase with 296 installations this period (April to June 2012) which exceeds the target of 62 and performance for the same period last year (236). There are now a total of 1,913 installations which include 1,879 Solar PV installations, 31 micro wind, 2 combined heat and power and 1 Hydro. These installations generate 177.76 MwE of renewable energy, an increase of 10.9% compared to the same period last year (160.32 MwE).

78. The key performance improvement issues for this theme are:

a. The percentage of municipal waste landfilled for the 12 month period to May 2012 is estimated as 33.6% which has increased from 32.9% reported at the previous quarter. Performance, however, remains better than the 35% target and 51.7% reported at quarter 1 2011/12. Latest benchmarking available (2010/11) shows that County Durham is better than both the national average (41.78%) and North East average (36.93%). There has been a significant decrease in the recycled tonnage from the residual materials recovery facility from 2,575 to 788 tonnes. It was previously reported that between April and September 2012 tonnage would be diverted to join the stocks landfill site, to enable

restoration works to be completed and a reduction was therefore anticipated during this period.

- b. There is one council plan action behind target to develop an open space strategy to incorporate countryside, play events, playing pitches, parks and allotments due to be completed by April 2013. This has been delayed to December 2013 as the strategy development work is to be re-timetabled.
- c. There are two council plan actions to be deleted as follows:
 - i. Publish and implement the County Durham Low Carbon Masterplan. This has been merged into the Climate Change Strategy approved at Cabinet earlier this year;
 - ii. Contribute to the development of emerging local area delivery groups and their associated action plans for groups including: the Limestone Landscape Partnership; the Heart of Durham Landscape Partnership; Heart of Teesdale; the Derwent Valley and Pennine Fringe Partnership (2012-2014). This is a duplicate of an action already in the council plan.
- 79. The key risk to successfully delivering the objectives of this theme is *Failure to identify and effectively regulate contaminated land*. Management consider it possible that this risk will occur, which will impact on both public health and environmental sustainability across the county. To mitigate this risk, a Contaminated Land Strategy has been approved, which outlines the approach that the council will take to regulate contaminated land across the County. Resources have been allocated to enable the delivery of the strategy to commence during 2012/2013.
- 80. The only other significant risk is *Failure to effectively deliver the proposed Waste Management Solution*, which will impact on both the financial cost and the performance targets of managing waste. A project is in place to manage the development and implementation of the Waste Management Solution and key operational risks to the implementation are managed within the project.

Altogether Better Council: Overview

Performance indicators								
	Red	Amber	Green	N/A				
Direction of travel	11	1	6	7				
	(61%)	(6%)	(33%)	-				
Performance against	16	2	6	1				
target	(67%)	(8%)	(25%)					

Actions									
Red Green White Delet									
Performance	10	48	12						
against target	(14%)	(69%)	(17%)						

Council Performance

- 81.Key achievements this quarter include:
 - a. The percentage of accounts paid within 30 days (debtors) has continued to improve into 2012/13, with current performance (67.3%) being 2.5 percentage points higher than at the same point in 2011/12 (64.8%). Performance is also better than the target of 67%. In respect of accounts paid within 60 days performance has also improved. Current performance of 80.9% is significantly better than at the same point in 2011/12 (69.6%), and also better than target (77%). This underlines a healthy reduction in the value of debts outstanding. The advanced collection module of ORACLE continues to be reviewed to ensure that all necessary recovery action can be taken at the appropriate time.
 - b. The average waiting time at customer access points has decreased to 10 minutes 6 seconds. This is an improvement of 2 minutes 27 seconds from that reported last quarter and is within the 13 minute target.
 - c. A key action in the Resources Service Plan was to complete the final accounts by 30 June 2012. For the first time since Local Government Review (LGR) the authority has achieved the statutory deadline with a complete draft of final accounts prepared, signed by the Section 151 Officer, and published on the council's website by 30 June 2012. This achievement is the result of a more robust financial system, a strong, well-managed annual closedown plan with clearly set out roles, responsibilities and milestones. The plan was closely monitored throughout the final accounts process to ensure that the statutory deadline was met for 2011/12. The Audit Commission highlighted this year's draft final accounts as a significant improvement following a recent technical review. The service is hopeful that a successful audit is forthcoming by the end of September 2012.
- 82. The key performance improvement issues for this theme are:
 - a. Council tax and national non-domestic rates (NNDR) collection rates for quarter 1 are both within tolerance of their respective targets. Council tax is 27.71% against a target of 28% and NNDR is 34.5% against a target of 35%. It is encouraging to note the rate for council tax is 1.02 percentage points above last year's amended figure of 26.69%. A similar comparison cannot be made for NNDR as changes to the collection targets have been made to include the annual Durham County Council payments made in April. Recently published national performance data shows collection rates were below average at 2011/12 year end, linked to the implementation of the new revenues and benefits system. Recovery continues to be prioritized and targets will be reviewed in light of the national data.

For 2012/13 the recovery cycles have been adjusted to target customers that have made no payments or are at least 2 months in arrears. This ensures that those clearing their accounts before March 2013 do not receive any reminders avoiding unnecessary customer contact and postage costs. Other factors supporting the change are an increase in direct debit payers paying over 12 months and new non direct debit payers extending instalments to February.

The current position (as at 30 June 2012) shows that:

- Council tax recovery stands at 94.88% (an increase of 1.1%) and is a reduction in sums outstanding of c£2m across the period.
- NNDR recovery stands at 96.04% (an increase of 1.3%) and is a reduction in sums outstanding of c£1.4m across the period.
- b. The level of current tenant arrears as a percentage of the annual rent debit across the three housing providers responsible for managing the council's housing stock (Dale and Valley Homes, Durham City Homes and East Durham Homes) have produced mixed performance within the quarter 1 period. Durham City Homes (3.03%) and East Durham Homes (3.22%) have seen a negative outturn against target (2.2% and 2.5% respectively) whereas Dale and Valley Homes (1.99%) experienced a positive decrease in arrears since quarter 2 2011/12 (2.75%). However, performance against this indicator is still being greatly affected by the issues being experienced with the housing benefit system change and therefore performance against this indicator is reported with a 'health warning' at this stage, and will continue to be monitored.
- c. The number of major planning applications determined within 13 weeks between April and June 2012 is 22 out of 32 equating to 68.8%, which is below the target (79%) and the figure from 12 months earlier (75%). However, the upward trend since quarter 3 (59.4%) has been noted with the acknowledgement there is still more work to do to improve performance and achieve the 2012/13 target. The overall proportion of planning applications determined within deadline over the quarter 1 period represents a pleasing start with 690 out of 798 applications determined within deadline, equating to 86.5% which is higher than the target (81%) and previous quarter (81%).
- d. The proportion of invoices paid in 30 days to suppliers has declined during quarter 1. The average for the period April to June is 87% which is below the period target of 91% and slightly below the previous quarter figure of 88%. Although 90% of supplier invoices were paid within 30 days in the month of April 2012, this improved level of performance was not maintained into May and June. The Procure to Pay Review Team has addressed known systems and procedural issues and developed detailed monthly service specific management information reports for each service management team highlighting incidences of late payment. Processing through the central payments team is up to date and there have been significant improvements in scanning of invoices.
- e. The number of days lost to sickness absence per FTE across the council has increased this period from 9.11 days at quarter 4 2011/12 to 9.34 days in quarter 1 2012/13. This performance is worse than target (8.75 days) and that of 12 months earlier (9.09 days).
- f. The percentage of Freedom of Information (FOI) requests responded to within the statutory 20 day deadline for the quarter 1 period is 78%. A new definition of counting all requests closed in the quarter has been applied from 2012/13. Current performance is below the national target set by the Information Commissioner's Office of 85%.
- g. The percentage of telephone calls answered within one minute over the April to June 2012 period is 61%. This remains below the 80% target but has improved from the 53% reported at quarter 4. The percentage of abandoned calls has increased slightly to 18% from 17% reported last quarter. Performance is below the 12% target, however, increased call volumes have been experienced due to the recent weather conditions, benefits recovery plan, council tax bills and continued roll out of alternate weekly refuse collections More recent data shows further improvement with 76% of calls answered in one minute and only 8% abandoned in July.

- h. The benefits service has been subject to an improvement plan following the new ICT system implementation in December 2011. Significant progress has been made despite the service operating at 72% staffing capacity. The time taken to process new housing benefit and council tax claims has reduced to 64 days this quarter, from 75 days reported at quarter 4 2011/12. The time taken to process change of circumstances remained unchanged at 28 days during a period of significant volume increases. New actions to improve performance include:
 - i. Work packages have been commissioned with external contractors (financed from staffing under-spend and use of Resources' cash limit);
 - ii. Four agency workers have been employed for a 6 month period to cover the ongoing gap in processing resource whilst newly recruited officers complete training.

These actions are having a positive impact with the number of new claims reducing to 59 days in June and change of circumstances reducing to 28 days. The oldest untouched item is also no more than 28 days old. Performance is being very tightly monitored on a weekly basis and the service aims to be in a position where performance in the month of December 2012 is that of the annual targets (new claims – 28 days, change of circumstances – 14 days).

- i. There are 10 council plan actions in this theme behind target as follows:
 - i. Improvement in performance of processing invoice payments via the Procure to Pay Review within the 30 day target set is due to be complete by March 2013. The milestone of March 2013 has not been revised, however performance is not on target. Detail relating to current performance levels is provided above.
 - The introduction of a 360° appraisal process for managers aligned to the generic managerial and leadership competency framework was due to take place by April 2012. This has been delayed until September 2012 and will be introduced as part of the Virtual Durham Manager Programme.
 - iii. Service Asset Management Plans (SAMPs) are due to be completed by September 2012. The development of SAMPs for all service groupings has been delayed past the original timescale and a new completion date of April 2013 has been identified. However, over the past quarter the SAMP for Children and Young People's Service has been completed (this is in addition to SAMPs for Adults, Wellbeing & Health and Regeneration and Economic Development which were completed prior to quarter 4 of 2011/12). Work has also recently commenced on the SAMP for Neighbourhood Services and the draft SAMP for Resources is awaiting input from the service.
 - iv. Management of the Disposal Strategy to ensure delivery of £12m over 3 years was due for completion by March 2014. However the timescale has been revised due to more detailed service planning information being available as part of the development of Heads of Service plans within the Regeneration and Economic Development service grouping. The target for capital receipts is now £15.9 million with £742,086 received to date. Revised date March 2016
 - v. An internal communications review was to be considered through focus groups and survey of staff by May 2012. This has been delayed to October 2012. The review was postponed to allow the new intranet to get embedded and more users involved.

- vi. Development of an internal communications strategy incorporating the new intranet site and options for social media was due to be complete by August 2012. This has been delayed until November 2012. The staff survey on using the new intranet will be carried out during August with results incorporated into the communications review. The review document will form the strategy.
- vii. Linked to the above action is the development of a social media strategy, which was also due to be complete by August 2012. This has also been delayed until November 2012 for the same reasons as above.
- viii. As part of the implementation of the results of the AAP Scrutiny Review, a report to Overview and Scrutiny on action and progress of sub-groups was due in April 2012. This has been delayed until October 2012.
- ix. A report on the development of a new Sustainable Community Strategy (SCS) was due to Cabinet in March 2013. The date has been put back to September 2013 to take account of the changing landscape and the development of new plans.
- x. As part of internet improvements there will be a revamp of the Durham County Council website homepage and information pages. This was due for completion by October 2012 but has been delayed until January 2013.
- 83. A key tracker indicator for this priority theme (see Appendix 3, table 2) shows the number of staff employed by the council has again reduced in quarter 1 from the previous quarter in terms of headcount from 18,773 to 18,459 and full-time equivalent (FTE) from 15,162 to 14,859. When compared to 12 months earlier the headcount has reduced by 9% and the FTE by 9.3%.
- 84. The key risks to successfully delivering the objectives of this theme are:
 - a. Slippage in delivery of the MTFP will require further savings, which may result in further service reductions/ job losses. Management consider it possible that this risk could occur, which will result in a funding shortfall, damaged reputation and reduced levels of service delivery. To mitigate the risk, the implementation of the delivery plan is closely monitored by CMT and Cabinet. It should be recognised that this will be a significant risk for at least the next 4 years.
 - b. Linked to the above, a related risk is that *Government budget plans to reduce Local Government funding further for 2015/16 and 2016/17 as part of the next Comprehensive Spending Review (CSR) would have a major impact on services including frontline services that customers rely on.* These forecasts have been included in the new financial model for the MTFP, and will therefore be taken into account when planning the financial savings as part of the MTFP 2013 -17 budget process.
 - c. The council may be liable to legal challenge if a single status agreement is not implemented in full. The council will bring this risk to an acceptable level by implementing the pay and conditions project by December 2012.
 - d. *Potential restitution of land charge search fees back to 2005.* Management consider it highly probable that the risk will occur as a firm of solicitors has taken action against all councils across England and Wales to recover the alleged land charge fees overpayment. The mitigation of this risk is dependent upon the outcome of the negotiations and litigation currently being defended by lawyers instructed in group litigation.

- e. Potential claw-back from MMI (former insurers) under the Scheme of Arrangement (SOA). Management consider it probable that this risk will occur following the recent Supreme Court ruling on this matter. We are currently awaiting the publication of the annual statement of accounts for MMI, and a consequential response from MMI to the judgement, before considering the options going forward. The cost of any claw back will be met from the Insurance Reserve.
- f. The likelihood of the risk *industrial action arising from the period of significant change will adversely impact service delivery* is considered to be highly probable in light of recent events. The council has arrangements in place to ensure continuity of essential services during industrial action.

Under this theme:

- g. As the draft Annual Statement of Accounts has been presented within the target deadline, the risk that *if the fundamental recommendations in the Annual Governance Report (AGR)* are not addressed this will result in continued problematic closure of accounts and increased external audit activity / further poor AGR's being issued has been closed.
- h. The unitisation of the Finance and HR & OD staff has been completed successfully for both functions and this has helped secure improvements with minimal disruption to service delivery, and therefore the associated risk has been closed.

Conclusions

- 85. The major impact on the council continues to be performance of the UK economy with it affecting a number of tracker and target indicators.
- 86. A small number of Council Plan actions need to be amended or deleted to reflect current circumstances.
- 87. This quarterly report has highlighted a number of performance issues which require further investigation or intervention.

Recommendations

- 88. Cabinet is recommended to:
 - a. Note the performance of the council at quarter 1 and the actions to remedy under performance.
 - b. Agree all changes to the Council Plan outlined below:

Altogether Wealthier

- i. Prepare for and deliver key regeneration and housing projects in the city to stimulate investment and maximise job opportunities:
 - Aykley Heads: Planning application for phase one (Police HQ) by September 2012. Revised date March 2017.
 - Freemans Reach, former ice rink: Planning submission by July 2012. Revised date December 2015.

- ii. Deliver phased implementations of the key town regeneration frameworks including:
 - Resolve the position with Festival Walk, Spennymoor by April 2012. Revised date September 2013.
 - St Johns Square, Seaham: completion of Public Realm works by June 2012. Revised date December 2012.
 - Deliver the redevelopment of Witham Wall, Barnard Castle by March 2013. Revised date September 2013.
- iii. Implement capital improvement schemes from the Local Transport Plan to improve accessibility between our main towns by December 2015. Revised date March 2016.
- iv. Complete planned public transport improvements on the 7 key corridors to improve punctuality, reliability and attractiveness of bus travel. Revised date March 2019.
- v. Facilitate and expand broadband connections for our residents and businesses to encourage home working in rural communities. Revised date March 2016.
- vi. Through a European funded project, work to support 1,265 residents which includes supporting 316 residents into work through an employment support programme by December 2014. Revised date March 2016.

Altogether Better for Children and Young People

vii. Develop a fixed play policy for the county that optimises opportunity and access to play facilities by September 2012. Revised date March 2013.

Altogether Healthier

viii. Review the provision of in house day services following the re-procurement of independent sector day services by June 2013. Revised date September 2013.

Altogether Safer

ix. Develop and embed community resilience across the county by June 2012. Revised date unknown.

Altogether Greener

x. Develop an open space strategy to incorporate countryside, play events, playing pitches, parks, allotments by April 2013. Revised date December 2013.

Altogether Better Council

- xi. Introduce a 360° appraisal process for managers aligned to the generic managerial and leadership competency framework by April 2012. Revised date September 2012.
- xii. Development of Service Asset Management Plans by September 2012. Revised date April 2013.
- xiii. Manage the Disposal Strategy to ensure delivery of £12m over 3 years by March 2014. Revised date March 2016
- xiv. Internal communications review: through focus groups and survey of staff by May 2012. Revised date October 2012.

- xv. Develop an internal communications strategy incorporating new intranet site and options for social media by August 2012. Revised date November 2012.
- xvi. Develop a social media strategy by August 2012. Revised date November 2012.
- xvii. Implement the results of the AAP Scrutiny review report to Overview and Scrutiny on action and progress of sub groups by April 2012. Revised date October 2012.
- xviii. Develop a new Sustainable Community Strategy Report to Cabinet by March 2013. Revised date September 2013.
- xix. Undertake a series of internet improvements including a revamp of DCC website homepage and information pages by October 2012. Revised date January 2013.

Deleted actions

Altogether Wealthier

xx. Plan for a railway station in East Durham on the Durham Coast Railway – December 2015

Altogether Healthier

xxi. Working with partners and clinical commissioning groups to review all joint commissioning strategies for County Durham, to ensure they are fit for purpose and designed to achieve strategic health and wellbeing outcomes for local people - long term conditions by March 2014.

Altogether Greener

- xxii. Implement the County Durham Low Carbon Masterplan by March 2016.
- xxiii. Contribute to the development of emerging local area delivery groups and their associated action plans for groups including: the Limestone Landscape Partnership; the Heart of Durham Landscape Partnership; Heart of Teesdale; the Derwent Valley and Pennine Fringe Partnership (2012-2014).

Amendments

A number of amendments have been made to the wording and timescales of some council plan actions, particularly resulting from the rewriting of the RED service plan. Details are available on request from performance@durham.gov.uk.

Contact: Jenny Haworth, Head of Planning and Performance Tel: 03000 268071 E-Mail jenny.haworth@durham.gov.uk

Appendix 1: Implications

Finance

Latest performance information is being used to inform corporate, service and financial planning.

Staffing

Performance against a number of relevant corporate health PIs has been included to monitor staffing levels and absence rates.

Risk

Reporting of significant risks and their interaction with performance is integrated into the quarterly monitoring report.

Equality and Diversity

Corporate health PIs and key actions relating to equality and diversity issues are monitored as part of the performance monitoring process.

Accommodation

Not applicable

Crime and Disorder

A number of PIs and key actions relating to crime and disorder are continually monitored in partnership with Durham Constabulary.

Human Rights

Not applicable

Consultation

Not applicable

Procurement

Not applicable

Disability

Corporate health PIs and key actions relating to accessibility issues and employees with a disability are monitored as part of the performance monitoring process.

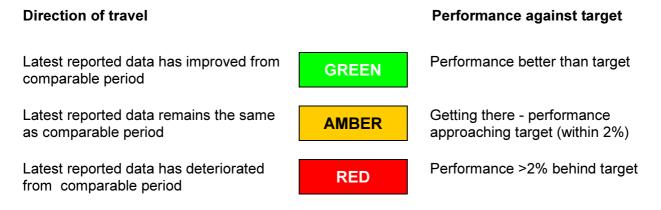
Legal Implications

Not applicable

Appendix 2: Key to symbols used within the report

Where icons appear in this report, they have been applied to the most recently available information.

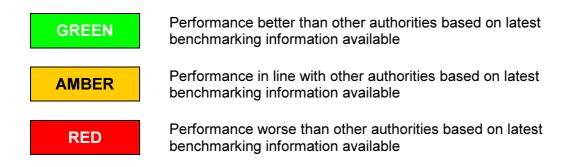
Performance Indicators:



Actions:

WHITE	Complete. (Action achieved by deadline/achieved ahead of deadline)
GREEN	Action on track to be achieved by the deadline
RED	Action not achieved by the deadline/unlikely to be achieved by the deadline

Benchmarking:



Appendix 3: Summary of Key Performance Indicators

Table 1: Key Target Indicators

Ref	Description	Latest data	Period covered	Period target	Current performance to target	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
Altog	ether Wealthier									
1	% of users who felt the cultural events were "good" or "very good"	90%	Jul 2011	90%	GREEN	97.6%	RED			
2	Attendance figures at cultural activities (museums, Gala, BRASS, Book Festival)	106,457	Apr - Jun 2012	120,592	RED	New indicator	N/A			
3	Apprenticeships started through Durham County Council funded schemes	56	Apr - Jun 2012	37	GREEN	New indicator	N/A			
4	% of enrolments on adult learning courses leading to qualifications	92.3%	2010/11 ac. yr.	90%	GREEN	90.1%	GREEN			
5	Proportion of Dale and Valley Homes properties currently not meeting decency criteria (former NI 158)	2%	Apr - Jun 2012	1.80%	RED	5.24%	GREEN			
6	Proportion of Durham City Homes properties currently not meeting decency criteria (former NI 158)	9.80%	Apr - Jun 2012	0%	RED	5.66%	RED			
7 Page	Proportion of East Durham Homes properties currently not meeting decency criteria (former NI 158)	56%	Apr - Jun 2012	54%	RED	75%	GREEN			

Page Ref	Description	Latest data	Period covered	Period target	Current performance to target	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
8	Number of private rented sector properties improved as a direct consequence of local authority intervention	163	Apr - Jun 2012	70	GREEN	169	RED			
9	Number of empty properties brought back into use as a result of local authority intervention, excluding empty properties demolished as part of an area based housing renewal intervention.	12	Apr - Jun 2012	17	RED	11	GREEN			
10	Local authority tenant satisfaction with landlord services (Dale Valley Homes)	88.3%	2011/12	Not set for 2011/12	N/A	80.0%	GREEN			
11	Local authority tenant satisfaction with landlord services (Durham City Homes)	78.0%	2011/12	Not set for 2011/12	N/A	79.8%	RED			
12	Local authority tenant satisfaction with landlord services (East Durham Homes)	83.7%	2011/12	Not set for 2011/12	N/A	N/A	N/A			
13	% of council owned factories and business support centre floorspace that is fully occupied	71%	Apr - Jun 2012	76%	RED	73.14%	RED			

Ref	Description	Latest data	Period covered	Period target	Current performance to target	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered	
Altoge	ether Better for Children and	Young Peo	ople								
14	Achievement of 5 or more A*-C grades at GCSE or equivalent including English	59.6%	2010/11 ac. yr.	56.9%	GREEN	55.3%	GREEN	58.3%	56.3%**	2010/11 ac year	
	and maths (former NI 75)							GREEN	GREEN	,	
	Looked after children achieving 5 A*-C GCSEs (or		2010/11					13.2%	12.8%*	2010/11	
15	equivalent) at KS 4 (including English and maths)	13.6%	ac. yr.	12.0%	GREEN	28.0%	RED	RED	RED	ac year	
	Achievement gap between pupils eligible for free		2010/11					23.4	24.4**	2010/11	
16	school meals and their peers (KS2) (former NI 102i)	23.2	ac. yr.	21.0	RED	23.2	AMBER	GREEN	GREEN	ac year	
	% point gap between pupils eligible for free schools meals (FSM) achieving 5 A*-C grades at GCSE (or		2010/11				GREEN	28	31**	2009/10	
17	equivalent), including English and maths and pupils ineligible for FSM achieving the same outcome (former NI 102ii)	32.8	ac. yr.	32.0	RED	33.2		RED	RED	2009/10 ac year	
	% of pupils on Level 3 programmes in maintained	ogrammes in maintained	2010/11	2010/11 00 0% 00 00 00 00 00					92.7%	90.7%**	2010/11
18 Page	secondary schools achieving 2 A Levels at Grade A*-E	97.6%	ac. yr.	96.9%	GREEN	96.9%	GREEN	GREEN	GREEN	ac year	
9 177	<u> </u>		·								

Page ≵ef	Description	Latest data	Period covered	Period target	Current performance to target	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
19	% of young people participating in youth work	1.2%	Apr-Jun 2012	3.0%	RED	4.8%	RED			
20	Number of agencies and organisations achieving Investing in Children membership	308	as of 30/06/12	308	GREEN	304	GREEN			
21	% of children becoming the subject of a child protection plan for a second or subsequent time (former NI 65)	13.1%	Apr-Jun 2012	11.0%	RED	10.3%	RED	13.10% GREEN	13.90%** GREEN	2010/11
22	% of looked after children cases which were reviewed within required timescales (former NI 66)	97.0%	Apr-Jun 2012	97.5%	AMBER	99.1%	RED	90.50% GREEN	94.1%** GREEN	2009/10
23	% of child protection cases which were reviewed within required timescales (former NI 67)	96.4%	Apr-Jun 2012	100%	RED	100%	RED	97.10% RED	97.98%** RED	2010/11
24	% of Children in Need (CIN) referrals occurring within 12 months of previous referral	21.80%	Apr-Jun 2012	not set due to definition change	N/A	Not Comparable	Not comparable			
25	Parent/carer satisfaction with the help they received from Children & Young People's Service	Data available at Q2	N/A	70%	N/A	New indicator	N/A			
Altog	ether Healthier									
26	Four week smoking quitters per 100,000 population	1,308	2011/12	1,242	GREEN	1,165	GREEN	911	1225*	2010/11
20	(former NI 123)	1,000	2011/12	1,272	ORLEN	1,100	GREEN	GREEN	GREEN	2010/11

Ref	Description	Latest data	Period covered	Period target	Current performance to target	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
27	Number of eligible people who have received an NHS health check	20,939	2011/12	24,400	RED	35,598	RED			
28	Prevalence of breastfeeding 6-8 weeks after birth	26.1%	Apr - Jun 2012	30.3%	RED	27.6%	RED	46.9% RED	30.1%* RED	Q4 11/12
29	Number of adult community health checks/health appraisals completed	1159	Apr - Jun 2012	625	GREEN	New indicator	N/A			
30	Number of people in treatment with the Community Alcohol Service (CAS) as a percentage of the estimated drinking population Also in Altogether Safer	9.3%	2011/12	9.0%	GREEN	New indicator	N/A			
31	% of all exits from alcohol treatment that are planned discharges Also in Altogether Safer	64%	2011/12	65%	AMBER	52%	GREEN	58% GREEN		2011/12
32	% of service users reporting that the help and support they receive has made their life "much" or "a little" better.	94.0%	2011/12	90%	GREEN	90.6%	GREEN		-	
33	Overall satisfaction rating of social care users	92.0%	2011/12	90%	GREEN	92.6%	AMBER	90% GREEN	91%** GREEN	2010/11
Π	Adults in contact with							9.0%		
Päge 179	secondary mental health services in paid employment (former NI 150)	10.7%	Jul 11 - Jun 12	9.0%	GREEN	9.5%	GREEN	GREEN		2010/11

Page æf	Description	Latest data	Period covered	Period target	Current performance to target	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
35	Overall satisfaction rate of carers	81.0%	Oct 11 - Apr 12	81.0%	GREEN	New indicator	N/A	83% RED		2009/10
36	Adults aged 18-64 per 100,000 population admitted on a permanent basis in the year to residential or nursing care	7.5	Apr - Jun 12 (projected to year end)	10	GREEN	10.3	GREEN			
37	Adults aged 65+ per 100,000 population admitted on a permanent basis in the year to residential or nursing care	711.6	Apr - Jun 12 (projected to year end)	879	GREEN	879	GREEN			
38	% of service users that have had care needs reviewed	95.3%	Jul 2011 - Jun 2012	92%	GREEN	91.1%	GREEN			
39	Social care service users offered self-directed support (direct payments and individual budgets) (former NI 130)	52.6%	Jul 11 - Jun 12	50.0%	GREEN	45.1%	GREEN	30.1% GREEN		2010/11
	% of older people who were still at home 91 days after							83.1%	80%**	
40	discharge from hospital into reablement / rehabilitation services (former NI 125)	88.1%	Jan - Mar 2012	85%	GREEN	89.6%	RED	GREEN	GREEN	2010/11
41	Overall satisfaction rating for intermediate care services	95.0%	2011/12	95%	GREEN	Definition changed	N/A			
42	% of people completing reablement who had achieved their goals (regional indicator)	76.4%	2011/12	70%	GREEN	61%	GREEN			

Ref	Description	Latest data	Period covered	Period target	Current performance to target	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
	Successful completions as a percentage of total			Not set for		New		15%	13-20%*	
43	number in drug treatment Also in Altogether Safer	11.0%	2011/12	2011/12	N/A	indicator	N/A	RED	RED	2011/12
Altog	ether Safer									
44	Perception that the police and local council are	58.9%	2011/12	58.0%	GREEN	53.1%	GREEN		59.4%**	2011/12
44	dealing with concerns of ASB and crime	50.970	2011/12	30.078	GREEN	55.170	GREEN		RED	2011/12
	Repeat incidents of		Apr - Jun					23.0%	25.4%*	
45	domestic violence (former NI 32)	13.0%	2012	25%	GREEN	16.9%	GREEN	GREEN	GREEN	2011/12
46	Recorded level of victim based crime	5,230	Apr - Jun 2012	<u>5865 [1]</u>	GREEN	<u>5929 [2]</u>	GREEN			
47	% of safeguarding strategy meetings completed within 5 days of referral	91.0%	Apr - Jun 2012	90%	GREEN	90.4%	GREEN			
48	% of investigations completed within 28 days following strategy meeting	79.8%	Apr - Jun 2012	75%	GREEN	80.5%	RED			
49	% of people who use services who feel safe	68.4%	2011/12	70%	RED	73.6%	RED			
50	Percentage change in detected crimes for offenders in the Integrated Offender Management (IOM) cohort over the last 12 months	45%	Apr - Jun 12 (projected to year end)	20%	GREEN	63%	RED			

Page &ef	Description	Latest data	Period covered	Period target	Current performance to target	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
51	Number of people in treatment with the Community Alcohol Service (CAS) as a percentage of the estimated drinking population Also in Altogether Healthier	9.3%	2011/12	9.0%	GREEN	New indicator	N/A			
50	% of all exits from alcohol treatment that are planned	0.40/	0044/40	050/		500/	ODEEN	58%		0011/10
52	discharges Also in Altogether Healthier	64%	2011/12	65%	AMBER	52%	GREEN	GREEN		2011/12
53	Successful completions as a percentage of total number in drug treatment Also in Altogether	11.0%	2011/12	Not set for 2011/12	N/A	New indicator	N/A	15%	13-20%*	2011/12
	Healthier							RED	RED	
54	Number of people killed or seriously injured in road traffic collisions	195	2011	205	GREEN	184	RED	164 Not comparable	85* Not comparable	2009
	Number of children killed or							16	12*	
55	seriously injured in road traffic collisions	24	2011	20	RED	18	RED	Not comparable	Not comparable	2009
Altog	ether Greener									
56	The number of properties occupied by owner occupiers made energy efficient (SAP rating increase from below 35 to 65 or more) as a direct consequence of local authority assistance	2,134	2011/12	Not set for 2011/12	N/A	2,183	RED			

Ref	Description	Latest data	Period covered	Period target	Current performance to target	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
57	Reduction in CO ₂ emissions from local authority operations (former NI 185)	2.5%	2010/11	5%	RED	New indicator	N/A			
58	Number of registered and approved Feed In Tariff (FIT) installations	296	Apr - Jun 2012	62	GREEN	236	GREEN			
59	Number of Fixed Penalty Notices (FPNs) issued for enviro-crime	948	July 11- June 12	1000	RED	801	GREEN			
60	Number of fly tipping incidents	6,791	July 11- June 12	7,290	GREEN	New indicator	N/A			
	% of relevant land and highways assessed as	_	Tranche 3	_		_		5.98		
61	having deposits of litter that fall below an acceptable level (former NI 195a)	3	2011/12	7	GREEN	5	GREEN	GREEN		2009
	% of relevant land and highways assessed as							11		
62	having deposits of detritus that fall below an acceptable level (former NI 195b)	3	Tranche 3 2011/12	10	GREEN	10	GREEN	GREEN		2009
63	% of the 378 local sites (geological and wildlife) that have an up to date management plan in place	16.9%	Oct 11- March 12	15.3%	GREEN	14.6%	GREEN			
Page 183	Area of council owned woodland brought into positive management	Data available at Q4	N/A	50	N/A	New indicator	N/A			

Page Ref	Description	Latest data	Period covered	Period target	Current performance to target	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
65	% of the 94 conservation areas in the county that have an up to date character appraisal	33%	Oct 11- March 12	33%	GREEN	28.7%	GREEN			
66	Number of additional participating heritage assets that are open for Heritage Open Days	13	2011/12	20	RED	N/A	N/A			
67	% of municipal waste landfilled (former NI 193)	33.6%	June 11 - May 12	35.0%	GREEN	51.7% (July 10 - June 11)	GREEN	41.78% GREEN	36.93%* GREEN	2010/11
68	% of household recycling and composting collected from the kerbside as a % of overall household waste	25.4%	June 11 - May 12	26.2%* (amended as definition changed)	RED	New indicator	N/A			
69	% of household waste that is reused, recycled or composted (former NI 192)	42.9%	June 11 - May 12	45%	RED	41.3% (July 10 - June 11)	GREEN	40.00% GREEN	36.00%* GREEN	2010/11
Altog	ether Better Council									
70	Savings delivered (MTFP 'identified' and 'other' savings) (£m)	Data available at Q4	N/A	N/A	N/A	Not comparable	Not comparable			
71	% council tax collected	27.71%	Apr-Jun 2012	28%	AMBER	26.69%	GREEN	97.33% N/A	96.17%** N/A	2011/12
72	% council tax payers using direct debit	68.1%	Apr - Jun 2012	69%	RED	Not comparable	Not comparable			
73	% National non-domestic rates collected	34.5%	Apr-Jun 2012	35%	AMBER	Not Comparable	Not comparable	97.81% N/A	96.57%** N/A	2011/12

Ref	Description	Latest data	Period covered	Period target	Current performance to target	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
74	% accounts paid within 30 days (debtors)	67.3%	Apr-Jun 2012	67%	GREEN	64.8%	GREEN			
75	Current tenant arrears as a % of the annual rent debit (Dale and Valley Homes)	1.99%	as of 30/06/12	2.00%	GREEN	1.49%	RED			
76	Current tenant arrears as a % of the annual rent debit (Durham City Homes)	3.03%	as of 30/06/12	2.20%	RED	3.02%	AMBER			
77	Current tenant arrears as a % of the annual rent debit (East Durham Homes)	3.22%	as of 30/06/12	2.50%	RED	2.78%	RED			
78	% invoices paid within 30 days	87%	Apr - Jun 2012	91%	RED	83%	GREEN			
79	% of all ICT service desk incidents resolved on time	94%	Apr - Jun 2012	90%	GREEN	Not Comparable	Not comparable			
80	Improvement in the average asset rating of Display Energy Certificates (DECs) in Durham County Council buildings	137 'F' (est)	as of 30/06/12	97 'D' (est)	RED	102 'E' (est)	RED			
81	% of planned internal audit assurance reviews delivered	84%	Apr 2011 - Jun 2012	90%	RED	Not Comparable	Not comparable			
82	% staff performance appraisals completed	40.28%	Apr - Jun 2012	65%	RED	39.49%	GREEN			
- Ваде	Days / shifts lost to sickness absence – all services including school staff	9.34	Jul 2011 - Jun 2012	8.75	RED	9.09	RED	10.3 GREEN	8.66* RED	2010
185	1		1							

Page &ef	Description	Latest data	Period covered	Period target	Current performance to target	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
84	Number of access audits of council buildings (excluding school buildings) undertaken	284	as of 31/03/12	300	RED	305	RED			
85	Number of accessibility plans in place	21	as of 31/03/12	21	GREEN	15	GREEN			
86	% of planned equality impact assessments delivered to time	60%	Apr - Jun 2012	83%	RED	N/A	N/A			
	% of major planning applications determined		Apr - Jun					57%	63%**	
87	within 13 weeks (formerly NI 157a)	68.8%	2012	79.9%	RED	75%	RED	GREEN	GREEN	Q2 11/12
88	Overall proportion of planning applications determined within deadline	86.5%	Apr - Jun 2012	81.0%	GREEN	N/A	N/A			
89	Time taken to process all new housing benefit and council tax claims	64	Apr - Jun 2012	28 (Annual)	RED	46	RED	23 RED	28** RED	Q3 11/12
	Time taken to process change of circumstances for		Apr - Jun	14				12	15**	
90	housing benefit and council tax benefit claims	28	2012	(Annual)	RED	23	RED	RED	RED	Q3 11/12
91	% of FOI requests responded to within statutory deadlines	78%	Apr - Jun 2012	85%	RED	61%	GREEN			
92	% of abandoned calls	18%	Apr - Jun 2012	12%	RED	13%	RED			
93	% of telephone calls answered within 1 minute	61%	Apr - Jun 2012	80%	RED	77%	RED			

Ref	Description	Latest data	Period covered	Period target	Current performance to target	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
94	Average waiting time at a customer access point (minutes)	10min 6sec	Apr - Jun 2012	13min	GREEN	6min	RED			

[1] Target amended [2] Figure refreshed

Table 2: Key Tracker Indicators

age 188 Ref	Description	Latest data	Period covered	Previous period data	Performance compared to previous period	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
Altog	ether Wealthier									
95	Number of top retailers represented in Durham City	15	Apr - Jun 2012	15	GREEN	15	AMBER			
96	Number of all new homes completed in Durham City per financial year	7	Apr - Jun 2012	<u>81 [3]</u>	Not comparable	24	RED			
97	% of households within County Durham who can access Durham City market place within 1 hour journey by public transport before 8.30am, including walking time	78.71%	Apr - Jun 2012	75.82%	GREEN	75.82%	GREEN			
98	Number of passenger journeys recorded by the operator of the 3 Durham City Park and Ride sites.	283,440	Apr - Jun 2012	279,934	GREEN	249,700	GREEN			
99	Total number of visitors to main attractions in Durham City	Data available at Q2	N/A	New indicator	N/A	New indicator	N/A			

Ref	Description	Latest data	Period covered	Previous period data	Performance compared to previous period	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
100	All homes completed in and near all major settlements, as defined in the County Durham Plan, as a proportion of total completions.	54.08%	Apr - Jun 2012	73.86%	RED	60.10%	RED			
101	Total planning applications received against all categories	874	Apr - Jun 2012	814	GREEN	835	GREEN			
102	Total number of major planning applications received	32	Apr - Jun 2012	25	GREEN	20	GREEN			
103	Proportion of properties within the county that are within Council Tax Band D and above as provided by the District Valuation Office	14.71%	Apr - Jun 2012	14.69%	GREEN	14.18%	GREEN			
104	Number of JSA claimants aged 18-24	5,165	Apr - Jun 2012	5565	GREEN	4360	RED			
105	Proportion of all JSA claimants that are aged 18-24	33.26%	Apr - Jun 2012	35.00%	GREEN	34.05%	GREEN			

Page &ef	Description	Latest data	Period covered	Previous period data	Performance compared to previous period	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
106	Number of apprenticeships started by young people resident in County Durham as recorded by the National Apprenticeship Service	1050	Nov 11 - Feb 12	1875	RED	New indicator	N/A			
107	Number of JSA claimants claiming for one year or more	3920	Apr - Jun 2012	2855	RED	785	RED			
108	Proportion of all JSA claimants that have claimed for one year or more	25.24%	Apr - Jun 2012	17.96%	RED	6.14%	RED	23.2% RED	29%* GREEN	Q1 2012/13
	Proportion of the							70.20%	65.2%*	
109	working age population defined as in employment (former NI 151)	66.50%	Mar-12	67.30%	RED	65.90%	GREEN	RED	GREEN	2011/12
110	Proportion of the working age population currently not in work who want a job	15.70%	Mar-12	13.97%	RED	New indicator	N/A			
111	Proportion of the working age population who are qualified to NVQ level 3 or equivalent	49.0%	2010	45.9%	GREEN	45.9%	GREEN			

Ref	Description	Latest data	Period covered	Previous period data	Performance compared to previous period	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
112	Proportion of affordable homes provided as a proportion of total net homes completed (former NI154 & NI155)	52.00%	Apr - Jun 2012	79.76%	RED	26.00%	GREEN			
113	Total number of those registered on the Durham Key Options system who have been rehoused (includes existing and new tenants)	959	Apr - Jun 2012	975	RED	908	GREEN			
114	Number of preventions as a proportion of the total number of homelessness presentations	216 (15.6%)	Apr - Jun 2012	280 (20.00%)	RED	198 (14.90%)	GREEN			
115	Number of statutory applications as a proportion of the total number of homelessness presentations	232 (16.70%)	Apr - Jun 2012	242 (17.30%)	GREEN	317 (23.90%)	GREEN			

Page Bef	Description	Latest data	Period covered	Previous period data	Performance compared to previous period	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
116	Number of acceptances (of a statutory duty) as a proportion of the total number of homelessness presentations	88 (6.30%)	Apr - Jun 2012	91 (6.50%)	GREEN	125 (9.40%)	GREEN			
117	Total number of homelessness presentations	1382	Apr - Jun 2012	1402	GREEN	1326	RED			
118	Child poverty (former NI116)	23.50%	Feb-11	23.50%	AMBER	24.50%	GREEN	20.06% RED	254% GREEN	Feb-11
119	Child poverty (proxy measure)	24.20%	Nov-11	24.41%	GREEN	23.79%	RED	20.20% RED	25.5%* GREEN	Nov-11
120	The number of local passenger journeys on the bus network	25,880,600	2009/10	New indicator	N/A	New indicator	N/A			
121	The number of passenger journeys made by concessionary bus pass holders	11,032,451	2009/10	New indicator	N/A	New indicator	N/A			
122	The number of passenger journeys made on the Link2 service	7577	Apr - Jun 2012	New indicator	N/A	New indicator	N/A			

Description	Latest data	Period covered	Previous period data	Performance compared to previous period	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
The number of trips made using council funded community transport	Data available at Q2	N/A	New indicator	N/A	New indicator	N/A			
Accessibility of Newton Aycliffe Industrial Estate within one hour using public transport and arriving by 8.30am	33.46%	Apr - Jun 2012	31.53%	GREEN	31.53%	GREEN			
Number of visitors to the main attractions in County Durham	257,194	Oct - Dec 2011	<u>646,094 [3]</u>	Not comparable	New indicator	N/A			
Number of tourism businesses actively engaged with Visit County Durham	47	Apr - Jun 2012	140	RED	37	GREEN			
Businesses engaged with/assisted (all sectors)	106	Apr - Jun 2012	New indicator	N/A	New indicator	N/A			
The number of new business start ups receiving business assistance	Data available at Q2	N/A	New indicator definition	N/A	New indicator definition	N/A			
Number of enquiries received for new business start ups	29	Apr-Jun 2012	New indicator definition	N/A	New indicator definition	N/A			
	The number of trips made using council funded community transport Accessibility of Newton Aycliffe Industrial Estate within one hour using public transport and arriving by 8.30am Number of visitors to the main attractions in County Durham Number of tourism businesses actively engaged with Visit County Durham Businesses engaged with/assisted (all sectors) The number of new business start ups receiving business assistance	Number of new businesses engaged with/assisted (all sectors)Data available at Q2Data available at Q2Data available at Q2Accessibility of Newton Aycliffe Industrial Estate within one hour using public transport and arriving by 8.30am33.46%Number of visitors to the main attractions in County Durham257,194Number of tourism businesses actively engaged with Visit County Durham47Businesses engaged with/assisted (all sectors)Data available at Q2Number of new business start ups receiving business assistanceData 29	DescriptionLatest data coveredThe number of trips made using council funded community transportData available at Q2N/AAccessibility of Newton Aycliffe Industrial Estate within one hour using public transport and arriving by 8.30am33.46%Apr - 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Page Bef	Description	Latest data	Period covered	Previous period data	Performance compared to previous period	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
Altog	ether Better for Childre	n and Young I	People							
130	16 to 18 year olds who are not in education, employment or training (NEET) (official Nov-Jan measure, former NI 117)	7.5%	Nov 11 - Jan 12	Not comparable	Not comparable	Not comparable	Not comparable		7.4%** Not comparable	2010
131	16 to 18 year olds who are not in education, employment or training (NEET) (quarterly comparison)	8.2%	Apr-Jun 2012	8.2%	AMBER	9.1%	GREEN			
132	First time entrants to the Youth Justice System aged 10-17 (former NI 111) (rate per 100,000 population)	161	Apr-Jun 2012	<u>613 [3]</u>	Not comparable	180	GREEN	900 Not comparable	728** Not comparable	2010/11
133	Rate of proven re- offending by young offenders aged 10-17 (former NI 19)	1.47	2011/12	<u>1.17 [3]</u>	Not comparable	1.73	GREEN		1.20** RED	2010/11
134	% of children and young people who report that they are happy	97.7 - Primary 96.1 - Secondary	2011/12	New indicator	N/A	New indicator	N/A			

Ref	Description	Latest data	Period covered	Previous period data	Performance compared to previous period	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
	% of children in reception with height							9.4%	9.8%**	
135	and weight recorded who are obese (former NI 55i)	9.5%	2010/11 ac. year	9.2%	RED	9.2%	RED	RED	GREEN	2010/11 Ac. Year
	% of children in year 6							19.0%	20.0%**	
136	with height and weight recorded who are obese (former NI 56i)	21.6%	2010/11 ac. year	20.6%	RED	20.6%	RED	RED	RED	2010/11 Ac. Year
	Under 18 conception		Apr 10 -					34.1	43**	Apr 10 -
137	rate – per 1,000 girls 15-17 year old	42.10	Mar 11	43.10	GREEN	43.94	GREEN	RED	GREEN	Mar 11
	Under 16 conception							7	10.1**	
138	rate – per 1,000 girls 13-15 year old	10.8	2010	9.4	RED	9.4	RED	RED	RED	2010
139	% of children and young people who report that they drink alcohol	33.9%	2011/12	New indicator	N/A	New indicator	N/A			
Altog	ether Healthier									
	Standardised under 75 mortality rate for all							64.67	70.95*	
140	circulatory diseases per 100,000 population (Former NI 121)	71.6	2010	76	GREEN	76	GREEN	RED	AMBER	2010
	Standardised under							108.05	123.04*	
141	75 mortality rate for all cancers per 100,000	115.62	2010	123.6	GREEN	123.6	GREEN			2010
Page	population (Former NI 122)							RED	GREEN	

Page Bef	Description	Latest data	Period covered	Previous period data	Performance compared to previous period	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
142	% of the total eligible population screened for bowel cancer	66.8%	Jan - Mar 2012	57.5%	GREEN	58.6%	GREEN			
	% of the total eligible	2 4 4 6 4	Jan -	• 4 • 4		00 70/	00000	78.60%	79.5%*	
143	population screened for cervical cancer	81.1%	Mar 2012	81%	GREEN	80.7%	GREEN	GREEN	GREEN	2010/11
144	Male life expectancy	77	2008-10	76.9	GREEN	76.9	GREEN	78.58	77.2*	2008-10
144	at birth (years)	11	2008-10	76.9	GREEN	70.9	GREEN	RED	AMBER	2008-10
145	Female life expectancy at birth (years)	81	2008-10	80.7	GREEN	80.7	GREEN	82.57 RED	81.2*	2008-10
	Alcohol related							1895	2597**	
146	hospital admissions per 100,000 population	2486	2010/11	2286	RED	2286	RED	RED	GREEN	2010/11
	% respondents who							75.8%	70.4%*	
147	feel that their health in general is good	67.4%	2009	69.2%	RED	69.2%	RED	RED	RED	2008
	% of the adult population participating in at least							22.30%	21.5%*	
148	30 minutes sport and active recreation of at least moderate intensity on at least 3 days a week (Active People Survey) (former NI 8)	23.6%	April 2010 - April 2012	23.3%	RED	23.3%	RED	GREEN	GREEN	2011

Ref	Description	Latest data	Period covered	Previous period data	Performance compared to previous period	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
149	Delayed transfers of care from hospital and those which are attributable to adult social care (former NI 131)	12	Apr - Jun 2012	<u>4.9 [2]</u>	RED	1.89	RED	10.11 RED		2011/12
Altoge	ether Safer		1	L						
150	Overall crime rate (per 1000 population)	11.8	Apr - Jun 2012	<u>52.79 [3]</u>	Not comparable	13.64	GREEN			
151	Number of police reported incidents of anti-social behaviour	5,881	Apr - Jun 2012	<u>33718 [3]</u>	Not comparable	<u>9733 [2]</u>	GREEN			
152	Number of reported crimes categorised as stealing	2,861	Apr - Jun 2012	<u>13397 [3]</u>	Not comparable	<u>3193 [2]</u>	GREEN			
153	Proportion of offenders who re- offend in a 12 month period	28.8%	Jul 09 - Jun 10	28.9%	AMBER	28.0%	RED	26.4% RED		Jul 09 - Jun 10
	Alcohol related							1895		
154	hospital admissions per 100,000 population	2486	2010/11	2286	RED	2286	RED	RED		2010/11
	Building resilience to							2.34	2.68*	
155 age	violent extremism (self assessment) (former NI 35)	Level 3	2011/12	Level 3	GREEN	Level 3	GREEN	GREEN	GREEN	2009/10

Page Ref	Description	Latest data	Period covered	Previous period data	Performance compared to previous period	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
Altog	ether Greener									
450	% reduction in CO ₂ emissions per capita in the local authority	40.000/		7.000/	0055N	5.000/	00551	6.40%	18%*	2009
156	area (former NI 186) (year on year reduction)	16.00%	2009/10	7.90%	GREEN	5.60%	GREEN	GREEN	GREEN	
157	The amount of renewable energy generation (MwE) installed or installed/approved capacity within County Durham	177.76	Apr - Jun 2012	160.32	GREEN	160.32	GREEN			
158	Reduction in the number of sites on the Heritage at Risk Register	Data available at Q3	N/A	New indicator	N/A	New indicator	N/A			
159	Reduction in the number of sites at 'high risk' on previous years Heritage at Risk register	Data available at Q3	N/A	New indicator	N/A	New indicator	N/A			
160	% of residents responding to the countywide customer satisfaction survey satisfied with doorstep collection recycling	Data available at Q3	N/A	New indicator	N/A	New indicator	N/A			

Ref	Description	Latest data	Period covered	Previous period data	Performance compared to previous period	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
161	% of residents responding to the countywide customer satisfaction survey satisfied with refuse collection	Data available at Q3	N/A	New indicator	N/A	New indicator	N/A			
162	% of residents responding to the countywide customer satisfaction survey satisfied with Household Waste Recycling Centres (HWRCs)	Data available at Q3	N/A	New indicator	N/A	New indicator	N/A			
Altoge	ether Better Council									
163	Staff - total headcount (ONS return)	18,459	Apr - Jun 2012	18,773	N/A	20,284	N/A			
164	Staff - total FTE (ONS return)	14,859	Apr - Jun 2012	15,162	N/A	16,390	N/A			
165	No. of RIDORR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations) incidents reported to the Health and Safety Executive	16	Apr - Jun 2012	16	GREEN	25	GREEN			
R66 Rage 199	% posts with no absence (exc. Schools)	75.87%	Apr - Jun 2012	69.71%	GREEN	New indicator	N/A			
199										

Page 20	Description	Latest data	Period covered	Previous period data	Performance compared to previous period	Data 12 months earlier	Performance compared to 12 months earlier	National figure	*North East figure **Nearest statistical neighbour figure	Period covered
167	Women in the top 5%	49.90%	Apr - Jun	50.30%	N/A	48.61%	N/A	40%		2009
107	of earners	49.90%	2012	50.30%	N/A	40.01%	N/A	N/A	N/A	2009
168	BME as a % of headcount	0.90%	Apr - Jun 2012	0.93%	N/A	0.92%	N/A			
169	Staff with disability (DDA definition) as a	3.07%	Apr - Jun	3.06%	N/A	4.69%	N/A	14.60%		2008
100	% of headcount	0.0170	2012	0.0070		4.0070		N/A	N/A	2000
170	Staff aged under 25	4.48%	Apr - Jun	4.60%	N/A	6.83%	N/A	5.80%		2008
	as a headcount		2012			0.0070		N/A	N/A	
171	Staff aged over 50 as a headcount	36.66%	Apr - Jun 2012	37.18%	N/A	36.90%	N/A	34.10% N/A	N/A	2008
172	% of positive media coverage	61.00%	Apr - Jun 2012	55.00%	GREEN	58.40%	GREEN			
173	% of neutral media coverage	33.00%	Apr - Jun 2012	38.00%	N/A	33.30%	N/A			
174	No. of complaints received and recorded on CRM	1132	Apr - Jun 2012	1142	GREEN	581	RED			

[2] Figure refreshed [3] This data is cumulative and the figure is based on 12 months data for the year end so comparisons are not applicable.

Cabinet

12th September 2012



Update on the delivery of the Medium Term Financial Plan 2

Report of Corporate Management Team

Lorraine O'Donnell, Assistant Chief Executive

Councillor Simon Henig, Leader of the Council and all Cabinet collectively

Purpose of the Report

1 This report provides an update on the progress made at the end of the first quarter this year on the delivery of the 2012/13 to 2015/16 Medium Term Financial Plan (MTFP 2).

Background

- 2 Cabinet has received regular updates on the progress made by the Council in delivering the financial targets within MTFP 1 which covered the period 2011/12 to 2014/15. These updates have also outlined the approach being taken to ensure the Council has a rigorous programme management framework in place to make certain we meet our duties under the Equalities Act, we comply with our duties as an employer and we consult on and communicate the changes being made.
- 3 The council expects to have to make approximately £180m of savings from 2011/12 to 2016/17, including £26.4m in 2012/13.

Progress to date

4 Significant progress has already been made with over 70% or £19.7m of the savings required for this year having been delivered. This is largely through a significant number of the proposals having already been introduced before the start of the financial year because they resulted from decisions and changes made in the previous year. These include savings from commissioning adult care, the review of leisure facilities, the restructure of the Regeneration and Economic Development service grouping, the unitisation of Human Resources and Finance and ongoing reviews of business support and management across the Council.

- 5 Other changes made which are now beginning to contribute to this year's savings include the introduction of alternate weekly collections and the implementation of the revised home to school transport policy.
- 6 The principles established through the original consultation on protecting front line services as far as possible are continuing to be used as the basis of the proposals wherever possible, as seen by the continuing review of business support teams and management across all service groupings.

Consultation

- 7 Within the framework set up to manage the MTFP programme the council has established a consultation forward plan to ensure the consultation is undertaken in a timely and comprehensive manner.
- 8 As part of MTFP 2 there have been consultations this year on the library services review with a further consultation planned on individual library opening hours, day care provision, parking charges at Hardwick Park, street markets and houses in multiple occupation.
- 9 In identifying the final recommendations, feedback from consultations is considered and changes made wherever possible. A recent example is the final recommendations considered on the proposal to change the mobile library service.

HR implications

- 10 During the first quarter of this year there have been 57 applications for ER/VR accepted and 6 compulsory redundancies.
- 11 The Council's redeployment process has been able to find alternative employment for 14 employees.
- 12 The reduction in staffing continues to remain in line with the original plan and staff are continuing to apply for ER/VR assisting in minimising compulsory redundancies as we progress the second year of delivering CSR spending reductions.
- 13 The equality profile of staff leaving as a result of early retirement or voluntary redundancy shows 53% were male and 47% female. This does not reflect the overall workforce profile which has a higher proportion of women. Fewer than 5 people had recorded a disability, the majority were White British and almost 80% were full-time employees. The figures for compulsory redundancy show an equal proportion of men and women which again is a higher proportion of men than represented in the overall workforce profile. They also showed an equal proportion of full and part-time workers, none had recorded a disability and none indicated ethnicity other than White British.

Equality Impact Assessments

- 14 All savings proposed had been equality screened before approval of the MTFP 2. This also included updating equality impact assessments for 2011/12 proposals where a further saving was proposed. The cumulative impacts of additional savings are being considered in the assessments of new proposals where appropriate.
- 15 The majority of the savings proposals have primarily involved more efficient ways of working, deletion of vacant posts and staff reductions in line with the strategy agreed by the council. However there are key service impacts identified for certain proposals in relation to the effects of reduced access to particular services.
- 16 The equality impact assessment process influences consultation and identifies mitigating actions to address potential negative impacts on those with protected characteristics. Key examples of mitigating actions this quarter included identifying options to maintain outreach work for younger, older and disabled people in the library services review, supporting organisations taking on leisure centres or community buildings to understand their equality responsibilities, progressing plans to re-locate the multi-sensory facility from Deerness Leisure Centre and monitoring the implementation of car parking charges at Hardwick Park to identify issues for disabled people.

Conclusions

- 17 Previous reports have outlined the significant challenge of delivering over £26m of spending reductions in 2012/13. £66.4m was delivered in 2011/12 with a further £19.7m delivered so far in 2012/13. The Council has achieved this by planning early and delivering through robust programme management.
- 18 The council is on course to deliver the 2012/13 target of £26.4m which would mean a total of £92.8m in savings made since 2011.
- 19 The importance of the programme management approach continues to be seen by the high percentage of proposals delivered already and the work being undertaken to ensure changes are supported by both a robust consultation and full equality impact assessment.

Recommendations

20 Members are recommended to note the contents of this report and the progress being made in delivering MTFP 2.

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Appendix 1: Implications

Finance – The delivery of the MTFP involves cumulative saving of approximately $\pounds 180$ m over the period from 2011 to 2017 of which $\pounds 66.4$ m was delivered in 2011/12 and $\pounds 26.4$ m is to be delivered during 2012/13.

Staffing – Where the proposals affect staff, full consultation is undertaken and the trade unions consulted. Wherever possible, staff reductions are done through voluntary means. In addition, there has been a proactive management of vacancies to lessen the impact on staff and the Council has a redeployment process which continues to find alternative employment for a number of staff

Risk – The delivery of the MTFP is highlighted as one of the Council's strategic risks and is monitored through the corporate risk management process. In addition, risks for individual proposals are being monitored through the work undertaken to deliver the proposal.

Equality and Diversity / Public Sector Equality Duty – An Equality Impact Assessment (EIA) was undertaken for the original 4 year MTFP plan and additional screening was undertaken for the 2012/13 proposals and any other changes made to the original plan. In addition, for each proposal an EIA is undertaken as part of the decision-making before the proposal is implemented.

Accommodation As proposals are planned the impact on accommodation is ascertained, with staff being consulted on any moves as part of the process. The anticipated loss of 1600 posts from the Authority will mean a requirement for less accommodation and the Office Accommodation Team has built this into the Office Accommodation Strategy.

Crime and Disorder – N/A

Human Rights – N/A

Consultation – A full consultation with a range of stakeholders was undertaken on the MTFP prior to its agreement. In addition, where appropriate for individual proposals, internal and external consultation plans are developed so that consultation informs the decision making process.

Procurement – A number of the proposals involve the changing of existing contracts and this work is being taken forward through the Council's agreed procurement processes.

Disability Issues – Any disability impacts are being picked up through the Equality Impact Assessments undertaken.

Legal Implications – The legal implications of any decisions required are being considered as part of the delivery of the proposals.

Cabinet

12 September 2012



Forecast of Revenue and Capital Outturn 2012/13 for General Fund and Housing Revenue Account – Period to 30 June 2012

Report of Corporate Management Team

Don McLure, Corporate Director Resources

Councillor Alan Napier, Portfolio Holder for Resources

Purpose of the Report

1 To provide Cabinet with a forecast of 2012/13 revenue and capital outturn for the period to 30 June 2012 for the Council's General Fund and Housing Revenue Account.

Background

2 This report is the first indication of the revenue and capital outturn for 2012/13.

Revenue

Current Position to 30 June 2012

- 3 The table overleaf compares the forecast with the revised budgets and is shown in more detail in Appendices 2 and 3:
- 4 The following adjustments have been made to the Original Budget:
 - (i) agreed budget transfers between Service Groupings;
 - (ii) additions to budget for items outside the cash limit (for Cabinet approval);
 - (iii) planned use of or contribution to Earmarked Reserves (see Appendix 4).

	Original Budget	Budget - incorporating adjustments	Service Groupings Forecast of Outturn	Forecasted Variance
•	£'000	£'000	£'000	£'000
Assistant Chief Executive	11,369	11,365		-365
Adult Wellbeing and Health	172,433	170,530	168,311	-2,219
Children & Young People	100,845	101,354	101,358	4
Neighbourhood Services	98,176	100,703	101,200	497
Regeneration and Economic Dev	42,513	43,770	43,670	-100
Resources	20,369	22,437	21,779	-658
Contingencies	11,248	10,342		0
NET COST OF SERVICES	456,953	460,501	457,660	-2,841
Capital charges	-49,115	-49,115	-49,115	0-
Interest and Investment income	-577	-577	-1 109	-532
Interest payable and similar charges	30,715	30,715	28,212	Ņ
Net Expenditure	437.976	441 524	435 648	-5 876
	0.0,00	110,171	01000	0.00
Funded By:				
Council tax	-201,788	-201,788	-201,788	0
Council tax freeze grant	-4,989	-4,989	-4,989	0
Use of earmarked reserves	-2,633	-5,879		0
Revenue Support Grant	-4,245	-4,245	-4,245	0
Re-distributed Non Domestic Rates	-219,006	-219,006	-219,006	0
New Homes Bonus	-2,551	-2,551	-2,551	0
Forecast contribution from Cash Limit Reserve	-2,764	-3,066	-225	2,841
Forecast contribution to General Reserves	0	0	3,035	3,035
TOTAL	0 -	<u> </u>	O -	-0

Note: Negative figures in the variance column represent an underspend

5 The sums Service Groupings have proposed as being outside the Cash Limit are detailed below:

SERVICE GROUPING	PROPOSAL	Amount
		£m
Neighbourhoods	Flooding Olympic Torch Event	0.508 0.133
RED	Whinney School – Security (Surplus Property)	0.080
Resources	Contribution to Newcastle Airport Support Disturbance Allowances Coroner's Service	0.084 0.092 0.008
Total		0.905

6 After adjusting the budgets as detailed above the forecast outturn for Cash Limit Reserves and the General Reserve are summarised below:

	Opening		Movement during 2012/13		
	Balance as	Budgetted		Contribution	2012/13
	at 1 April	use at 1 April	Planned use	to (-) or use of	Forecast
Type of Reserve	2012	2012	ofreserve	reserve	Outturn
	£m	£m	£m	£m	£m
Service Grouping Cash Limit					
Assistant Chief Executive	-1.133	0.344	0.057	-0.365	-1.097
Adults, Wellbeing and Health	-6.404	1.387	0.000	-2.219	-7.236
Children and Young Peoples Service	-1.688	0.933	0.000	0.004	-0.751
Neighbourhoods	-2.205	0.100	0.000	0.497	-1.608
Regeneration and Economic Development	-2.960	0.000	0.150	-0.100	-2.910
Resources	-1.496	0.000	0.095	-0.658	-2.059
TOTAL CASH LIMIT RESERVE	-15.886	2.764	0.302	-2.841	-15.661
General Reserve	-21.874	0.000	0.000	-3.035	-24.909

7 The reasons for the major variances are detailed by each Service Grouping below.

Assistant Chief Executive

- 8 The Service is reporting a forecast outturn underspend of £0.365m after accounting for the use of earmarked reserves to carry out planned activity in relation to the implementation of the Community Building initiative.
- 9 The managed forecast underspend is a result of proactive management of activity by Heads of Service across ACE.

- 10 In line with corporate policy employees salaries are budgeted at 97%. As a result of low vacancy levels within the service following restructures (driven by the requirement to meet MTFP savings targets) employee costs are forecasting a small overspend £86k representing 1.3% of the employees' budget. The forecast overspend in employees is being managed within the service by adjusting planned activity else where within ACE to ensure this overspend is offset.
- 11 The Premises, Transport and Supplies & Services areas of activity are under constant review by managers to minimise spending while still delivering a high level of service and as a result they are expected to deliver a £0.388m underspend.
- 12 Additional activity, primarily in relation to a participatory budget exercise in the Stanley AAP area, is leading to an additional forecast spend of £58k within Transfer payments, and this is fully funded by planned additional income accessed for this purpose by Partnership & Community Engagement.
- 13 Income is forecast to over recover by £0.120m primarily related to activity within Partnership & Community Engagement where managers have been able to identify and access additional funding to support additional activity within the AAP areas.
- 14 Each of the 14 area action partnerships (AAP) have an 'Area' budget to contribute to local projects of £0.120m in 2012/13. Combined with revenue budgets carried forward from previous years (related to committed expenditure on agreed projects) the total revenue budget across all 14 AAP's is £2.370m. Detailed planning is currently underway to finalise the activity for 2012/13 financial year that includes £1.070m of expenditure that had been committed to projects in 2011/12.
- 15 Each elected member has a 'Member's Neighbourhood budget' of £25k for priorities in their local AAP areas made up of £15k revenue budget and £10k capital. Underspends on these budgets in 2011/12 have been brought forward into 2012/13 and the total revenue budget for 2012/13 is £3.495m.

Adults, Wellbeing and Health

- 16 The 2012/13 projected outturn position for Adults, Wellbeing and Health as at 30 June 2012 is a cash limit underspend of £2.219m. This takes into account adjustments for sums outside the cash limit such as redundancy costs which are met from the strategic reserves, capital accounting entries and use of / contributions to earmarked reserves.
- 17 The main reasons accounting for the projected outturn position are as follows:
 - Early achievement of a number of future year MTFP management and support service proposals, together with the careful management and control of vacancies and general budgets across the service has created a projected net underspend for the year of approximately £2.5m;

- Net spend on care packages is approximately £1m below budget. This area of spend is closely monitored to assess the impact of demographic changes. Savings have arisen from consistent and effective application of the existing eligibility criteria, reducing the level of care packages subsequently commissioned. The service is reviewing its approach to current savings in order to consider increasing the saving associated with consistent application of eligibility criteria. This will need to be carefully considered in light of transition cases, potential for ordinary residence claims and the potential for increased care package costs linked to older carers and general increases in demand;
- AWH managers have reviewed plans in respect of available one-off additional funding, which has created an in-year contribution to the overall cash limit of £0.78m. This funding will be utilised to resource the work associated with the outcomes of the LGA efficiency work linked to the transformation agenda in social care for children and adults;
- To assist in the management of the demographic pressures facing the service over the MTFP period, the service has targeted a planned underspend for 2012/13, repeating the approach applied in previous years, and a further contribution of £2m to the reserve for demographic pressures/hyperinflation will be actioned during the year;
- A planned underspend within the cultural programme budget has allowed the creation of a £0.3m reserve to fund future programme activity. This will fund the council's contribution for the Lumiere Festival in 2013.
- 18 Taking the projected outturn position into account, the cash limit reserve to be carried forward for Adults, Wellbeing and Health is £7.236m

Children and Young People's Services

- 19 The Service is reporting a forecast outturn in line with budget after:
 - Accounting for redundancy costs met from the MTFP Redundancy and Early Retirement reserve (£0.304m);
 - Accounting for the use of Earmarked Reserves to meet the cost of planned redundancy payments within Aycliffe Secure Services (£0.213m);
- 20 There are pressures in Children's Care the most significant of which is in relation to spend on independent foster agencies and fostering allowances forecast to overspend by £0.84m.
- 21 A further area of potential overspend within Children's Care is in transport where the funding of contact visits authorised by courts and excess school travel costs could result in the budget being exceeded by £0.54m.

22 The above areas of overspend are balanced by employee vacancies across CYPS (£0.64m), additional income (£0.41m), and a forecast underspend in transfer payments where there is a reduction in demand for Direct Payments (£0.33m).

Neighbourhood Services

- 23 The forecast revenue outturn for 2012/13 is currently showing an overspend of £0.497m.
- 24 Since the original budget was set in February, the Neighbourhoods' revenue budget has been revised to take account of transfers between Neighbourhood Services and Other Service Groupings. These relate to the transfer of the Flood Defence Levy (£395k) to Central Services and the transfer of Assets functions (£526k) to Neighbourhood Services. This has resulted in a revised revenue budget of £97.255m.
- 25 The overspend of £0.497m takes in to account the forecast use of a number of earmarked reserves (including the ER/VR reserve), and is also based on £0.508m of repair costs relating to the recent flooding incidents in June and July being outside the cash limit.
- 26 The main reasons for the projected overspend of £0.497m are as follows;
 - There is a forecast overspend of £0.111m within Direct Services due a fall in the projected income from Trade Refuse, and also a £0.125m fall in the income from the sale of dry recyclates due to falling market prices.
 - Within Customer Services, there is an anticipated overspend of £0.174m in relation to employee costs. This is due to a higher number of agency staff being used to address high call volumes in the run up to the implementation of the new structure.
 - There is a forecast overspend of £95k in relation to Sport & Leisure which is mainly due to the anticipated delay in the closure of the Lamplight Centre which is an MTFP efficiency in the current year.
- 27 While the service is currently forecasting an overspend of £0.497m, it should be noted that, the service also has a cash limit surplus brought forward from 2011/12 of £2.205m should this be required.

Regeneration and Economic Development (RED)

- 28 The 2012/13 forecast outturn for Regeneration and Economic Development is a cash limit underspend of £0.100m. This takes into account adjustments for sums outside the cash limit such as redundancy costs which are met from an earmarked reserve, year end capital accounting entries and use of / contributions to earmarked reserves.
- 29 The main reasons accounting for the outturn position are shown below:
 - Strategy Programmes and Performance £38k saving due to freezing of vacant posts.

- Economic Development and Housing £5k overspend.
- Planning and Assets £0.147m underspend which is broken down into a £0.280m underspend in the Planning service and a £0.133m overspend on Assets. Building control income is lower than budget by £0.200m although planning fee income is higher and is offsetting this budget pressure. Assets is experiencing income pressures mainly from Newgate Street in Bishop Auckland and Millenium Square in Durham City where rental income is not being achieved.
- Transport £0.160m overspend of which £40k relates to staffing to cover absence. In addition, there is a considerable number of concessionary fares bus passes due for renewal this year and the estimated cost is projected to be £0.120m higher than budget.
- 30 Included in the Assets overspend is the costs of dealing with surplus property relating to Whinney School. The policy on significant surplus property costs is that these are outside of service cash limits and Cabinet is asked to confirm the £80k additional costs being incurred by RED on a similar basis. If agreed this will result in a projected cash limit underspend of £0.100m as reported above.

Resources

- 31 The Service is reporting a forecast cash limit underspend of £0.658m after accounting for items of expenditure treat as outside the cash limit and transfers to and from earmarked reserves;
- 32 The major reason behind the reported underspend relates to savings on employee costs, which are forecast to be £0.671m below budget. The majority of this underspend is as a result of the early achievement of 2013/14 MTFP saving requirements, linked to the unitisation of finance and human resources.
- 33 Supplies and Services are projected to underspend by £62k and includes a reduction in external audit costs, offset by a forecast shortfall in income of £75k. The loss of income relates to a forecast under recovery of income in Human Resources in respect of training fees mitigated in part by additional income within the Revenues and Benefits service in Finance.
- 34 Sums treated as outside the cash limit total £0.184m and consist of the following items:
 - £92k in respect of staff travelling expenses (disturbance allowances) resulting from the office accommodation review;
 - a £84k contribution to support costs in respect of Newcastle Airport which is managed on behalf the seven local authorities by South Tyneside;
 - £8k in respect of the Coroners Service

- 35 A range of items, totalling £1.216m, are being funded through the application of earmarked reserves held corporately and within Resources:
 - £0.739m use of the corporate redundancy reserve connected with MTFP linked restructuring exercises;
 - £72k use of the resources cash limit reserve to fund work packages/temporary agency staff within the Revenues & Benefits service;
 - £37k use of the procurement reserve to fund developments of the procurement process;
 - £23k use of the Cash Limit reserve to fund the one off purchase of equipment for Electoral services;
 - £0.296m use of specific reserves to fund developments associated with the Civica Revenues & Benefits ICT system; and
 - £49k use of the Equal Pay reserve to fund the implementation of the Job Evaluation exercise.
- 36 The outturn forecast for Housing / Council Tax Benefit payments and subsidy receivable will be updated in line with the mid-year subsidy return in September and available for the quarter 2 budgetary control report. These budgets are treated as outside the resources cash limit.

Central Budgets

- Interest Payable and Similar Charges - Capital Financing

37 During the quarter a review of capital financing costs has led to a forecast underspend of £2.503m. This saving is being achieved due to lower than forecast interest rates on loans and borrowing taking place later than estimated due to higher levels of cash balances than forecast.

- Interest and Investment Income

38 The forecast of outturn is an overachievement of income of £0.532m which is due to a higher than anticipated level of cash balances. This is due in the main to slower than expected use of reserves and capital spend.

- Local Authority Central Spend Equivalent Grant (LACSEG) Fund

39 Following a successful legal challenge the early indication is that Durham County Council is likely to receive an amount of £0.640m in 2012/13 in respect of the Government's top slice of the LACSEG grant in 2011/12 which has now been proved to have been 'illegal'.

Earmarked Reserves Forecast

40 Appendix 4 details the forecast use of Earmarked Reserves in 2012/13. Based on the latest forecast the position at the end of the year is estimated to be as follows:

	Non- Schools	Schools and DSG	Cash Limits	TOTAL
	£m	£m	£m	£m
Opening Earmarked Balances as at 1 April 2012	-59.439	-25.100	-15.886	-100.425
Less				
Forecasted usage of Earmarked Reserves	5.879	-0.000	0.225	6.104
Closing Earmarked Reserve Balance as at 31 March 2013	-53.560	-25.100	-15.661	-94.321

Housing Revenue Account (HRA)

- 41 In summary, the HRA in Appendix 5 shows a balanced outturn position on the revenue account after using a projected surplus of £1.009m towards the capital programme. The main variances are explained below:
- 42 Dwelling Rents £0.150m additional income this results from reduced volume of Right to Buys in the current year which means that rental income continues to be received for properties assumed to have been sold;
- 43 £0.240m of additional income from receipt of Northumbrian Water Authority Water Commission Charges and the receipt of administration charges from furniture packs (not previously budgeted for) at Durham City Homes;
- 44 Repairs and Maintenance £0.382m overspend this is attributable to a higher than anticipated demand for repairs;
- 45 HRA Subsidy £94k underspend this is a refund due to the Council resulting from Housing Subsidy payments made to the DCLG in 2011/12;
- 46 Interest Payments £0.884m underspend this results from a lower interest rate and lower Outstanding Loan Debt than originally anticipated.
- 47 Revenue Support to Capital £1.009m surplus the balancing item on the HRA which identifies the potential resources available to support the capital programme and reduce our reliance on borrowing.

Capital

Background

- 48 The General Fund (GF) capital budget for 2012/13 was set at £197.436m and was approved by Cabinet on 22 February 2012. Re-profiling from the 2011/12 capital programme into 2012/13, amounting to £32.213m, was reported to Cabinet on 11 July 2012.
- 49 The Housing Revenue Account (HRA) budget was set at £44.854m with reprofiling of £1.465m from 2011/12 to 2012/13.
- 50 MOWG has since reviewed the capital programme and taken into account further developments and analysis of changes and demands on resources.

Current Position

- 51 As part of the Medium Term Financial Plan 2, services have re-profiled the capital programme over the years in which expenditure is expected to be incurred.
- 52 The tables below summarise the original budget, slippage and revisions reported to MOWG. The tables also show the forecast outturn for each service and actual spend as at 30 June 2012:

Service	Original Budget	Re-profiling from 2011/12	Amendments recommended by MOWG	Revised Budget 2012/13	Projected Outtum 2012/13	Actual Spend to 30th June 2012
ACE	3,703	641	-1,466	2,878	1,679	223
AWH	2,059	301	-904	1,456	1,456	21
CYPS	96,580	12,443	-7,090	101,933	95,282	10,554
NEI	29,867	1,321	-1,005	30,183	28,497	4,004
RED	43,079	16,743	-4,992	54,829	54,829	5,462
RES	22,148	611	-18,801	3,958	3,958	799
Other	-	153	-	153	-	-
Total	197,436	32,214	-34,259	195,391	185,701	21,064

General Fund Capital Programme 2012/13

Housing Revenue Account Capital Programme 2012/13

Service	Original Budget	Re-profiling from 2011/12	Amendments recommended by MOWG	Revised Budget 2012/13	Projected Outtum 2012/13	Actual Spend to 30th June 2012
HRA	44,854	1,465	-574	45,744	45,744	5,716

53 The tables below summarises the recommended financing of the revised capital programme:

Financing – General Fund Capital Programme 2012/13

Financing	Original Budget	Re-profiling from 2011/12	Amendments recommended by MOWG	Revised Budget 2012/13
Grants & Conts	85,498	14,300	-16,506	83,292
Revenue and Reserves	5,426	380	-1,815	3,991
Capital Receipts	21,608	-	190	21,798
Borrowing	84,904	17,534	-16,128	86,311
Total	197,436	32,214	-34,259	195,391

Financing	Original Budget	Re-profiling from 2011/12	Amendments recommended by MOWG	Revised Budget 2012/13
Grants & Conts	13,000	-	-	13,000
Revenue and Reserves	22,080	-	1,000	23,080
Capital Receipts	525	-	-	-
Borrowing	9,249	1,465	-1,574	9,664
Total	44,854	1,465	-574	45,744

54 Detailed below are the commentaries from each Service Grouping:

Assistant Chief Executive (ACE)

- 55 The Original ACE Capital Programme 2012/13 was £3.703m. Re-profiling from 2011/12 of £0.641m was agreed and recommended for Cabinet approval in the 2011/12 Outturn Report in July 2012. This resulted in a revised budget of £4.344m.
- 56 The Capital Member/Officer Working Group have met to review progress against the agreed programme on a scheme by scheme basis. Reasons for any slippage and necessary reprofiling have been thoroughly challenged.
- 57 Planned and budgeted capital expenditure of £0.941m will be reprofiled into 2013/14 and £0.525m will be transferred to other services. Budgets will be adjusted in year accordingly.
- 58 This results in a revised 2012/13 ACE Capital Programme of £2.878m.
- 59 The current identified capital expenditure for ACE is £1.679m, leaving capital of £1.200m available. This forecast will be closely monitored and revised throughout the year, as approval to proposed Members Neighbourhood Capital projects progress.

Adults, Wellbeing and Health

60 The 2012/13 capital spend for Adults, Wellbeing and Health as at 30 June 2012 is £21k, against a revised budget recommended by the Capital Member/Officer Working Group (MOWG) of £1.456m. Anticipated spend for the year at present is in line with the current budget.

Children and Young People's Services

61 The original CYPS capital programme for 2012/13 agreed by Council in February 2012 was £58.89m. This was increased by budget reprofiling and slippage of £47.80m from 2011/12 to give a revised programme of £106.69m. In May 2012 MOWG agreed to reprofile £4.76m of the 2012/13 budget into 2013/14, giving a revised capital programme of £101.93m for 2012/13. 62 The capital funds currently available have been reprofiled to reflect latest planning and construction timelines and the planned spend over the next 3 financial years is set out below:-

2012/2013 £101.93m 2013/2014 £38.82m 2014/2015 £0.53m

- 63 The projected capital outturn of £95.28m for 2012/13 is £6.65m lower than the revised budget. A report to MOWG in September will recommend reprofiling CYPS capital budget in line with the latest outturn projection. Reasons for the variance are set out below.
- 64 The 2012/13 Basic Need budget is likely to be underspent by £0.106m and this amount will be reprofiled into 2013/14. This is due to delays in finalising the design on a project to provide additional places at Etherley Lane Primary, following discussions between the school and the local authority.
- 65 £4.6m of the 2012/13 Capital Maintenance budget will be reprofiled into 2013/14 at the September MOWG. The success of the Council's Priority Schools Building Programme (PSBP) bid has enabled the Capital Maintenance budget to be redirected to other schools in poor condition and construction work will not commence until at least 2013/14.
- 66 The Primary Capital and Modernisation budget is likely to underspend by £0.646m, with this amount being reprofiled into 2013/14. This amount relates to demolition costs and work to outdoor areas at the new primary schools which are currently under construction at South Moor Greenland and Kirk Merrington.
- 67 £1.3m of the Schools Devolved Formula Capital budget is to be reprofiled from 2012/13 to 2013/14 and will be considered at the September MOWG. Cuts to Devolved Formula Capital allocations in recent years have resulted in schools choosing to use their allocations over more than one financial year.

Neighbourhood Services

- 68 The forecast outturn for Neighbourhood Services is currently projecting an underspend of £1.686m.
- 69 The main reasons for this variance are as follows;
 - The scheme to replace Queen Street Depot is currently expected to underspend by £1.448m. Ground investigations have commenced and once the results of these investigations are received further decisions will be made as to the progress of this new depot. Even if favourable investigations are received, works will not be able to commence until November/December 2012 and therefore it is anticipated that only £0.725m of this budget will be expended this financial year.

- The project to introduce a new Computerised Repairs Management system within Building Services is now expected to underspend by £600k. It was originally expected that the new system would be procured from an external source, but it has been possible for existing systems to be upgraded by ICT at a much lower cost. It is anticipated that £150k of this budget will be needed to complete works during this financial year and the remaining budget of £0.600m will be under spent.
- The Vehicle & Plant replacement budget is currently projecting an underspend of £0.141m, but it is intended to request that this be carried forward to cover the shortfall of budget available in 2013/14.
- These underspends in the capital programme are partially offset by additional capital expenditure of approximately £0.475m that has had to be incurred following the recent flood incidents to complete essential repairs to the highway asset. This consists of £0.225m relating to embankment slippages, footways, and carriageways, £0.100m for bridges, and a further £0.150m for flood mitigation works and property protection. This will result in a capital overspend, unless additional capital resources can be identified, or alternatively some existing capital schemes are deferred.

Regeneration and Economic Development (RED)

- 70 The Regeneration and Economic Development capital programme was revised at Outturn for budget rephased from 2011/12 and Assets budgets transferred from the Resources service grouping. This increased the 2012/13 budget to £65.325m. A report to the MOWG in July detailed further revisions, for grant additions/reductions, budget transfers and budget reprofiling into later years. The revised budget now stands at £54.079m.
- 71 Actual spend for the first three months amounts to £5.462m for the General Fund. It is anticipated that the projected outturn at 31 March 2013 will be in line with the revised budget.

Resources

- 72 The Original Resources Capital Programme 2012/13 was £22.148m. Reprofiling from 2011/12 of £0.611m was agreed and recommended for Cabinet approval in the 2011/12 Outturn Report in July. This resulted in a revised budget of £22.759m.
- 73 The Capital Member/Officer Working Group continue to review progress against the agreed programme on a scheme by scheme basis. Reasons for any slippage and necessary reprofiling have been thoroughly challenged.
- 74 Projects progressed ahead of schedule in 2011/12 leading to £0.120m of 2012/13 capital budget (relating to the same initiative) being invested in 2011/12. Planned and budgeted capital expenditure of £11.854m will be reprofiled into 2012/13 and £6.827m will be transferred to other services. Budgets will be adjusted in year accordingly.

75 This results in a revised 2012/13 Resources Capital Programme of £3.958m. It is anticipated that the full capital budget will be spent in 2012/13. This forecast will be closely monitored and revised throughout the year.

Housing Revenue Account (HRA)

- 76 The 2012/13 HRA Capital Programme, as agreed by Council on 22 February 2012, was £44.854m and this was subsequently increased by £0.890m reflecting re-profiling from 2011/12 and to 2013/14 plus savings in the budget, giving a total revised budget of £45.744m.
- 77 Actual spend for the first three months amounts to £5.716m for the HRA. It is anticipated that the projected outturn at 31 March 2013 will be in line with the revised budget.

Recommendations

- 78 It is recommended that Cabinet:
 - Note the projected change in the Council's overall financial position for 2012/13.
 - Consider the proposed 'sums outside the cash limit' for approval.
 - Note the revenue and capital budget adjustments.
 - Approve taking a report to MOWG in respect of a revision to the Capital Programme in respect of the £0.475m for recent flood incidents outlined in paragraph 69.
 - Note the forecast use of Earmarked Reserves.
 - Note the forecast end of year position for the Cash Limit underspend reserves.
 - Note the position for the Capital Programme,
 - Note the position for the Housing Revenue Account.

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20 August 2012 p/reports

Appendix 1: Implications

Finance -

The report details the 2012/13 forecast of outturn position for Revenue and Capital and details the forecast movement on Reserve.

Staffing -

None

Risk -

None

Equality and Diversity / Public Sector Equality Duty -

None

Accommodation -

None

Crime and Disorder -

None

Human Rights -

None

Consultation -

None

Procurement -

None

Disability Issues -

None

Legal Implications -None

Bage Bage Summary 2012/13

	Original Budget	Revised Budget	Proposed Budget Revisions	Contribution to / Use of Earmarked Reserves	Budget - incorporating adjustments	Service Groupings Forecast of Outturn	Forecasted Variance
	£'000	£'000	£,000	£.000	£'000	£'000	£'000
A seletant Chiaf Evanutiva	11 360	11 360	-61	57	11 365	11 000	365
Adult Wellbeing and Health	172.433	172.433	-2.640	737	170.530	~	-2.219
Children & Young People	100,845	100,845	0.0 1	517	101,354		5 4
Neighbourhood Services	98,176	98,176	-280	2,807	100,703		497
Regeneration and Economic Dev	42,513	42,513	543	714	43,770	43,670	-100
Resources	20,369	20,369	852	1,216	22,437	21,779	-658
Contingencies	11,248	11,248	1,594	-2,500	10,342	10,342	0
NET COST OF SERVICES	456,953	456,953	0-	3,548	460,501	457,660	-2,841
Capital charges	-49,115	-49,115			-49,115	-49,115	0-
Interest and Investment income	-577	-577			-577		-532
Interest payable and similar charges	30,715	30,715			30,715		-2,503
Net Expenditure	437,976	437,976	0-	3,548	441,524	435,648	-5,876
Funded By:							
Council tax	-201,788	-201,788			-201,788	-201,788	0
Council tax freeze grant	-4,989	-4,989			-4,989	-4,989	0
Use of earmarked reserves	-2,633	-2,633		-3,246	-5,879	-5,879	0
Revenue Support Grant	-4,245	-4,245			-4,245	-4,245	0
Re-distributed Non Domestic Rates	-219,006	-219,006			-219,006	-2	0
New Homes Bonus	-2,551	-2,551			-2,551	-2,551	0
Forecast contribution from Cash Limit Reserve	-2,764	-2,764		-302	-3,066	-225	2,841
Forecast contribution to General Reserves	0	0			0	3,035	3,035
TOTAL	0-	0-	0-	0	0-	0-	0-

Appendix 3: Revenue Summary by Expenditure / Income for the period ended 31 March 2013

	Original Budget	Proposed Budget Revisions	Agreed Budget	Service Groupings Forecast of Outturn	Sums Outside the Cash Limit	Sums Outside Contribution to the Cash Limit / Use of Reserves	Revised Service Outturn	Forecasted Variance
	£.000	£'000	£'000	£'000	000. 3	£.000	£.000	£.000
Employees	516,389	716	517,106	518,932	ę	-4,155	514,769	-2,337
Premises	55,144	-3,453	51,691	52,356	0	-159	52,197	506
Transport	52,620	6	52,629	53,406	-92	-2	53,311	682
Supplies & Services	120,541	4,948	125,490	128,158	-164	-1,327	126,667	1,177
Agency & Contracted	228,398	-3,020	225,377	224,870	-641	-1,809	222,420	-2,957
Transfer Payments	258,751	-1,953	256,798	257,032	0	0	257,032	234
Central Costs	85,038	8,140	93,179	93,516	0	-280	93,236	58
Other	1,131	-252	879	1,080	0	2,000	3,080	2,201
Capital Charges	49,115	0	49,115	49,115	0	0	49,115	0
GROSS EXPENDITURE	1,367,128	5,136	1,372,264	1,378,465	-905	-5,732	1,371,828	-437
Income								
- Specific Grants	597,299	8,629	605,928	605,284	0	0	605,284	644
- Other Grants & conts	25,984	1,633	27,618	30,501	0	0	30,501	-2,884
- Sales	8,397	186	8,583	8,543	0	0	8,543	40
- Fees & charges	102,147	4,750	106,898	103,267	0	0	103,267	3,631
- Recharges	172,201	-5,747	166,454	169,210	0	316	169,526	-3,072
- Other	15,394	-1,817	13,578	14,342	0	0	14,342	-764
Total Income	921.423	7.635	929.058	931.147	0	316	931.463	-2.404
NET COST OF SERVICES	445,705	-2,499	443,206	447,318	-905	-6,048	440,365	-2,841

EARMARKED RESERVES AND CASH LIMIT	SERVICE	2011/12	USE OF	CONTRIBUTION	TRANSFERS	TOTAL	2012/13
RESERVES	GROUPING	CLOSING	RESERVES	TO RESERVES	BETWEEN	MOVEMENT ON	CLOSING
		BALANCE			RESERVES	RESERVES	BALANCE
ACE AAP/Members Reserve	ACE	-2,364	0	0	0	0	-2,364
ACE Grant Reserve	ACE	-233	0	0	0	0	-233
ACE Operational Reserve	ACE	-140	0	0	0		-140
ACE Regeneration and Communities Reserve	ACE	0	0	0	0	0	0
Heritage and Culture Reserve	AWH	-209	100	-300	0	-200	-409
Social Care Reserve	AWH	-9,368	4,478	-2,000	0	2,478	-6,890
Health and Wellbeing Reserve	AWH	-1,347	902	0	0	902	-445
Community Safety Reserve	AWH	-75	75	0	0	75	0
Aycliffe Young People's Centre Reserve	CYPS	-475	213	0	0	213	-262
Continuing Professional Development Reserve	CYPS	-373	0	0	0	0	-373
Education Reserve	CYPS	207	0	0	0	0	207
CYPS Leisure Reserve	CYPS	-52	0	0	0	0	-52
LEP Reserve	CYPS	0	0		0	0	0
Special Projects Reserve	CYPS	-60	0	0	0	0	-60
Youth Forum Reserve	CYPS	0	0	0	0	0	0
Neighbourhoods AAP Reserve	NS	-504	163	0	0	163	-341
Customer Services Reserve	NS	-360	300	0	0	300	-60
Direct Services Reserve	NS	-1,406	116	0	0	116	-1,290
Env. Health and Consumer Protection Reserve	NS	-141	129	0	0	129	-12
Sport and Leisure Reserve	NS	-1,765	537	-101	0		-1,329
Strategic Waste Reserve	NS	-104	104	0	0	104	0
Transport Asset Management Programme Reserve		-365	26	0	0	26	-339
Economic Development Reserve	RED	-1,666	40	0	0	40	-1,626
Planning Reserve	RED	-1,774	127	0	0		-1,647
Employability and Training Reserve	RED	-855	0	-20	0	-20	-875
RED Regeneration Reserve	RED RED	-990 -95	0	0	0	0 63	-990
Housing Regeneration Reserve Housing Solutions Reserve	RED	-95 -1,321	0	0	0	03	-32 -1,321
Restructure Reserve	RED	-1,321	0	0	0	0	-500
LSVT Reserve	RED	-300	0	0	0	0	-122
Transport Reserve	RED	-364	0	0	0		-364
Funding and Programmes Management Reserve	RED	-193	37	0	0	37	-156
North Pennines Reserve	RED	0	0	0	0	0	0
Resources Corporate Reserve	Resources	-1,164	38	0	0	38	-1,126
Resources DWP Grant Reserve	Resources	-159	96	0	0	96	-63
Resources System Development Reserve	Resources	-700	200	0	0	200	-500
Resources Housing Benefit Subsidy Reserve	Resources	-1,200	0	-900	0	-900	-2,100
Resources Land Search Fees Reserve	Resources	-1,000	0	0	0	0	-1,000
Resources Elections Reserve	Resources	-800	0	0	0	0	-800
Corporate Regeneration Reserve	Corporate Fin	-578	163	0	0	163	-415
Cabinet Reserve	Corporate Fin	-498	0	0	0	0	-498
Equal Pay Reserve	Corporate Fin	-3,408	50	-1,600	0	-1,550	-4,958
Insurance Reserve	Corporate Fin	-11,841	0	0	0	0	-11,841
Performance Reward Grant Reserve	Corporate Fin	-1,319	149	0	0		-1,170
MTFP Redundancy and Early Retirement Reserve	Corporate Fin	-9,552	2,694	0	0	2,694	-6,858
New Homes Bonus Reserve	Corporate Fin	-206	0	0	0	0	-206
Total Non-Schools Reserve		-59,439	10,800	-4,921	0	5,879	-53,560
Total Non-Schools Reserve		-59,459	10,000	-4,921	0	5,679	-55,500
Schools' Balances							
Schools' Revenue Balance	CYPS	-20,890	0	0	0	0	-20,890
Schools' Unspent Grants	CYPS	-20,000	0		0		-20,000
DSG Reserve	CYPS	-4,210	0	-	0	-	-4,210
		·····					
Total Schools and DSG Reserve		-25,100	0	0	0	0	-25,100
<u>Cash Limit Reserves</u>							
As a interest Object Free surface		1 100			-		1 000
Assistant Chief Executive		-1,133	401	-365	0	36	-1,097
Adult Wellbeing and Health		-6,404	1,387	-2,219	0		-7,236
Children & Young People		-1,688	937	0	0		-751
Neighbourhood Services Regeneration and Economic Dev		-2,205 -2,960	<u>597</u> 150	0 -100	0		-1,608 -2,910
Resources		-2,960	95	-100	0	-563	-2,910
		- 1,490	95	-030	0	-505	-2,039
Total Cash Limit Reserves		-15,886	3,567	-3,342	0	225	-15,661

Appendix 5: Forecasted Housing Revenue Account to 31 March 2013

Year to Date Budget	Year to Date Actual	Variance		Annual Budget	Projected Outturn	Forecasted Variance
£000	£000	£000		£000	£000	£000
			Income	-		
-15,375	-15,424	49	Dwelling Rents	-60,115	-60,265	150
			Non Dwelling Rents			
-229	-236		- Garages [net of voids]	-899	-899	0
-24	-29		- Shops/Other	-96	-96	0
-14	-10		Charges for Services & Facilities	-56		-
0	-119		Contributions towards Expenditure	0	-240	
Ŭ				0	2.0	2.0
-15,642	-15,818	176	Total Income	-61,166	-61,556	390
			Expenditure			
4,317	4,317	0	ALMO Management Fee + Outsourced Contract	17,266	17,266	C
1,029	1,094	-65	Repairs & Maintenance	4,117	4,499	-382
1,080	804	276	Supervision & Management - General	4,323	4,284	39
137	121	16	Supervision & Management - Special	549	565	-16
25	0	25	Rents, Rates, Taxes & other Charges	100	100	0
0	0	0	Negative HRA Subsidy		-94	94
4,289	4,289	0	Depreciation & Impairment of fixed assets [Net MRA Adj]	17,158	17,158	0
229	229	0	Increase/Decrease in bad debt provision	916	916	0
47	47	0	Debt Management Costs	186	186	C
11,153	10,901	252	Total Expenditure	44,615	44,880	-265
-4,489	-4,917	428	Net cost of HRA services per Authority I&E Account	-16,551	-16,676	125
271	271	0	HRA services share of Corporate & Democratic Core	1,085	1,085	C
			HRA share of other amounts included in the whole authority			
101	101	0	Net Cost of services but not allocated to specific services	402	402	C
-4,117	-4,545	428	Net cost of HRA Services	-15,064	-15,189	125
3,059	2,838	221	Interest Payable & Similar Charges	12,234	11,350	884
731	982		Direct Revenue Financing [Balancing Item on HRA]	2,922	3,931	-1,009
-29	-29		Interest & Investment Income	-115		-1,000
	_0	0			. 10	
-356	-754	308	[Surplus] / Deficit for the year on HRA services	-23	-23	

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Cabinet

12 September 2012

Social Care Reform



Report of Corporate Management Team

Rachael Shimmin, Corporate Director of Children and Adults Services Councillor Lucy Hovvels, Cabinet Portfolio Holder for Safer and Healthier Communities

Councillor Morris Nicholls, Cabinet Portfolio Holder for Adult Services

Purpose of Report

- 1. The purpose of this report is to present Cabinet with a summary of the following documents published by the Department of Health on 11th July 2012:
 - Reforming Care and Support White Paper
 - Draft Care and Support Bill
 - Progress Report on Social Care Funding

Background

- 2. In July 2010 the Government established an independent commission, led by Andrew Dilnot to review and make recommendations on long term care and support for adult social care in England.
- 3. On 1st December 2010 the Commission launched a 'Call for Evidence' to gather views on what a future funding system for care and support should look like.
- 4. The Law Commission has undertaken a review of adult social care law and published a report on 11th May 2011, setting out their recommendations for the reform.
- 5. In addition, the Government published its 'Vision for Adult Social Care' on 16th November 2010. The Vision set out plans to reform adult social care in England, devolving power from central government and giving communities, individuals and carers more control.
- 6. Fairer Care Funding: The Report of the Commission on Funding of Care and Support', was released on 4th July 2011.

Reforming Care and Support White Paper

7. The Reforming Care and Support White Paper is set out over eight Chapters whereby the Government sets the vision and principles for a reformed social care system.

Chapter 1: "The Case for Change"

- 8. The White Paper states that the care and support system in England today is not fit for the 21st century and that the current system does not support people to stay as independent as possible, or empower them to take control of their lives and it cannot respond effectively to increasing pressures over the coming years from a growing and ageing population.
- 9. The Government is of the view that care and support too often acts as a crisis service and not enough is done to intervene early to support people to remain independent and healthy. Failure to support people at an early stage means that many people are needlessly admitted to hospital because they have an accident or crisis and lose their independence.

Chapter 2: "Our Vision for care and support"

- 10. This chapter outlines the government's vision and principles for a reformed care and support system:
 - First: the focus of care and support will be transformed to promote people's wellbeing and independence instead of waiting for people to reach a crisis point. Active communities will reach out to those around them, families and individuals will have better information to plan and prepare for their future, and people will have more options to keep them well and independent.
 - Second: The Government state they will transform people's experience of care and support, with high quality services that respond to what people want. This means that people will have control over their own budget and their own care and support plan. They will be empowered to choose the care and support that best enables them to meet their goals and aspirations.

Principles

- 11. The following principles underpin the Government's approach to designing a reformed care and support system that promotes the wellbeing of those who use services and carers:
 - The **health**, **wellbeing**, **independence and rights** of individuals are at the heart of care and support; timely and effective interventions help to ensure a good quality of life for longer.
 - People are treated with **dignity and respect**, and are safe from abuse and neglect; everybody must work to make this happen.
 - Personalisation is achieved when a person has real **choice and control** over the care and support they need to achieve their goals, to live a fulfilling life, and to be connected with society.
 - The **skills**, **resources and networks** in every community are harnessed and strengthened to support people to live well, and to contribute to their communities where they can and wish to.

- **Carers are recognised** for their contribution to society as vital partners in care, and are supported to reach their full potential and lead the lives they want.
- A caring, skilled and **valued workforce** delivers quality care and support in partnership with individuals, families and communities.

Chapter 3: "I am supported to maintain my independence for as long as possible"

12. This chapter outlines the importance of providing care and support to maintain personal independence for as long as possible. The Government's intention is to transform care and support to focus on the skills and talents of people, helping them to develop and maintain connections to friends and family. Communities will be encouraged and supported to reach out to those at risk of isolation. People will be able to access support, including better housing options to help to keep them active and independent.

Strengthening Support within Communities

- 13. The Government will legislate to introduce a clear duty on local authorities to incorporate preventive practice and early intervention into care commissioning and planning.
- 14. A care and support evidence library will be established to act as a bank of best practice in prevention and early intervention. The Government will also develop, in a number of trailblazer areas, new ways of investing in supporting people to stay active and independent, such as Social Impact Bonds, attracting investment to provide up-front funding for the development of new and innovative services. As a type of "payment by results" tool the Bonds ensure the taxpayer funding is used only if services are successful.
- 15. The Government expect local authorities (including parish councils), together with their local communities, to maximise the potential for spaces and buildings in a community to act as meeting places or centres for activity.
- 16. As part of the Government's NHS modernisation, the Government expect local health and care commissioners to identify how the skills and networks in a community can make an important contribution to the health and wellbeing of local people and build this into their Joint Strategic Needs Assessments and Joint Health and Wellbeing Strategies.
- 17. The Government will create shared measures of wellbeing across the 2013/14 editions of both the Public Health and Adult Social Care Outcomes Frameworks, with a particular focus on developing suitable measures of social isolation.

<u>Housing</u>

- 18. The Government will establish a new care and support housing fund, worth £200 million over five years, to support the development of specialised housing for older and disabled people and will work with Home Improvement Agencies to extend their services to more people who fund their own adaptations and ensure that people obtain timely support and advice.
- 19. Local authorities and NHS organisations will consider housing needs and resources when assessing the needs of their local area. Where needs are identified and prioritised, local commissioning plans should take account of these. The draft Care and Support Bill will also go further, and will set out new duties to be placed on local authorities to ensure that adult social care and housing departments work together.
- 20. The Department of Health and the NHS are already identifying land which is no longer required for health purposes and are seeking to make this available for the benefit of the local area. Decisions on the use of this land will be the responsibility of local authorities, but the Government expect NHS organisations, working with their local authorities, to give particular consideration to developing housing for older and disabled people.
- 21. The Government will take forward the "Three Million Lives" campaign, launched in December 2011, which will accelerate the roll-out of telehealth and telecare in the NHS and social care during a five-year programme to develop the market. This is being supported by an investment of up to £18 million over four years by the Technology Strategy Board, to demonstrate how assistive technology can be delivered on a greater scale. Incentives and support for widespread adoption of assistive technology will be set out later in 2012.

Chapter 4: "I understand how care and support works, and what my entitlements and responsibilities are"

- 22. From April 2013, for the first time, the Government will provide a clear, universal and authoritative source of national information about the health, care and support system by creating a new single portal for health and care, which will consolidate the best of existing national online services such as NHS Choices (including Carers Direct) and NHS Direct.
- 23. As part of this national information offer, the NHS 111 urgent care telephone service will help to signpost callers that may also have social care needs to their local authority.
- 24. Local authorities will also provide information on the options available in the local area to meet different care needs and preferences, and this should be linked to the national directory of care providers and the care provider quality profile.

25. The Government expect to see all local authorities radically improving their online information and support services and will provide £32.5 million of start-up funding over two years from 2014/15 to support them in doing so.

Assessment, eligibility and portability for people who use care services

- 26. From 2015, the Government will introduce a national minimum eligibility threshold to ensure greater national consistency in access to care and support through a national minimum eligibility threshold. Once implemented, local authorities will be free to set their eligibility threshold at a more generous level, but will not be able to tighten beyond the new national minimum threshold.
- 27. In 2015, the Government expect the significant majority of local authorities to have eligibility thresholds of 'substantial', given the prioritisation of resources for social care in this Spending Review.
- 28. To support the move to a national minimum eligibility threshold the Government will develop and test options for a potential new assessment and eligibility framework, in consultation with people who use services, carers, academics, local authorities, social workers, and health and care professionals.
- 29. The Government will legislate to require local authorities to continue to meet the assessed needs of people who have moved into their area immediately, until they carry out a new assessment of their own. A duty will be placed upon local authorities to provide a written explanation if the result of the new assessment is different from that of the previous local authority.
- 30. The draft Care and Support Bill also sets out new duties on the local authorities involved to share information to encourage a smoother transition when people move from one Local Authority area to another. This will include the ability for people to request an assessment before they move home.

Carer's Support

- 31. The Government will transform support for carers by legislating to extend the right to a carer's assessment, and provide an **entitlement** to public support for the first time, to maintain their health and wellbeing.
- 32. A national minimum eligibility threshold will be in place to support carers, just as they will for people who use services. There will be a duty on local authorities to provide support to carers, which will be equivalent to that for people who use services.
- 33. From April 2013 the NHS Commissioning Board and clinical commissioning groups will be responsible for working with local partners to ensure that carers are identified and supported. The Government

expects the NHS to work with its local authority partners and local carers organisations to agree plans and budgets for identifying and supporting carers. Agreed plans should be published by 30th September 2012.

Chapter 5: "I am happy with the quality of care and support"

34. This chapter outlines how the government intend to empower people to make decisions about their own care and support in order to drive improvements in the quality of care and support.

Defining High Quality Care

35. The Department of Health has started a review of the regulations that underpin the registration system operated by the Care Quality Commission to set out clearly what good-quality care looks like and what people should expect when using care and support. This review will consider whether the system is addressing the appropriate level of risk, and whether it strikes the right balance between providing assurance for patients and service users and imposing burdens on providers of health and social care services. Any proposals for changes to the regulations that may emerge from this review will be consulted upon towards the end of this year.

Improving Quality

- 36. The Government believe that when making a choice between different care providers, people want to be able to compare them quickly before getting into the detail of the quality of different options. Within 12 months, the Government will enable open access to the data on the provider quality profile, to support the production of independent quality ratings between different care providers that are easy to understand and continually updated.
- 37. To develop better evidence of what high quality care looks like, the Government are expanding the role of the National Institute for Health and Clinical Excellence (NICE) into adults' and children's social care.
- 38. The Government will refer home care to the National Institute for Clinical Excellence as the topic for a quality standard, as part of a library of care and support quality standards to be developed from April 2013.
- 39. To help care providers test themselves against national quality standards, the Government will work with care providers to develop and pilot a new, nationally agreed, care audit for local use in 2013 and 2014. This will highlight how well residential care providers are delivering dementia care, encouraging them all to improve their care.

Keeping people safe

40. The Government will legislate to ensure that all agencies work together at a local level to prevent abuse. Local authorities, as the lead

organisations, will have a responsibility for convening a statutory Safeguarding Adults Board, with core membership from police and NHS organisations. There will be flexibility for local authorities and their partners to decide which other key local organisations should attend.

- 41. Member agencies will work collaboratively with the community, including local Healthwatch, to publish a strategic plan which sets out what the Board members are going to focus on, how they are going to work together, and the outcomes upon which they will be judged. The Board will also publish an annual report on the exercise of its functions and its success in achieving their strategic plan.
- 42. Local authorities will be clearly empowered to make safeguarding enquiries, and Boards will also have a responsibility to carry out safeguarding adults reviews. These would identify and learn lessons from cases of abuse and neglect, in order to prevent future cases from happening.
- 43. The Government plan to consult specifically on whether a new power should be created for local authorities to access and see a person who may be at risk of abuse or neglect, in cases where the local authority may not otherwise be able to carry out a safeguarding enquiry.

A better local care market

44. The Government supports the diverse range of care providers that currently offer care and support, including user- and carer led organisations, small and micro enterprises, and social enterprises. To strengthen this diversity, the Government will introduce a duty upon local authorities to promote diversity and quality in the provision of services. To help local authorities carry out this duty, the Government is offering support to every local authority to create a market position statement or to develop their existing one. A market position statement sets out a local authority's ambitions for working with care providers to encourage the development of a diverse range of care options.

Chapter 6: "I know that the person giving me care and support will treat me with dignity and respect"

45. This chapter highlights how the government will set clear standards for the care and support workforce in order to provide high quality, safe, dignified and compassionate care.

Workforce

46. The Sector Skills Councils for Social Care and Health will work with the Government to produce a code of conduct and recommended minimum training standards for adult social care workers and healthcare support workers. These will be published by September 2012.

- 47. The Care Quality Commission will play a key role in ensuring that providers use appropriately trained and qualified workers, as part of enforcing quality standards. In addition, the Government will work with care providers, service users and carers to develop a sector-specific compact, including a skills pledge, to promote culture change and skills development.
- 48. The Government will also offer personal assistants (people who are paid to provide care and support), and their employers, greater support and training to improve recruitment, retention and the quality of the care and support they deliver.
- 49. More care workers will be trained to deliver high-quality care, including an ambition to double the number of care apprenticeships to 100,000 by 2017.
- 50. Following the Munro review of child protection, the Government announced its intention to create the post of Chief Social Worker to provide a leadership role for the social work profession and drive forward social work reform. The recruitment process is currently underway and the Chief Social Worker will be appointed by the end of 2012. The Chief Social Worker will be an adviser to Government on adult and child social work issues, will challenge the sector on standards, and will help to drive improvements in social work practice.

Chapter 7: "I am in control of my care and support"

51. This chapter outlines the Government's intention to put people in control of their own care and support needs through access to personal budgets and direct payments.

Personalised Care and Support

- 52. The Government will legislate to ensure that everyone can take control of their care and support by giving them an **entitlement** to a personal budget, and will strengthen ambitions on direct payments. People will be provided with a personal budget as part of their care planning process.
- 53. Local authorities will provide help to people who are funding their own care and support to make choices, plan and arrange services. The draft Care and Support Bill sets out plans to enable everyone to request the assistance of their local authority with the development of a care and support plan for their eligible needs. This will be part of the local authority's offer to everyone in its area with care and support needs. It would be subject to a reasonable charge for those who can afford it.
- 54. The Government will develop, in a small number of areas, the use of direct payments for people who have chosen to live in residential care, in order to test this approach. In addition, the charging system for residential care will change from April 2013, so that the income that people earn in employment is exempt from residential care charges. This

will help to encourage those in residential care to pursue employment opportunities if they are able to do so.

Integration and Joined Up Care

- 55. At the 2010 Spending Review, the Government announced that, over the four years to 2014/15, £2.7 billion would be transferred to local authorities from the NHS to promote better joined-up working across the health, care and support system.
- 56. The draft Care and Support Bill also sets out a duty on the local authority to promote the integration of services, along similar lines to the duty on the local NHS already enacted by the 2012 Act. In addition, the draft Bill will provide for further duties of co-operation which encourage local partners to work together to improve the wellbeing of local people.
- 57. The Department of Health will transfer a further £100 million and £200 million in 2013/14 and 2014/15 respectively, over and above the funding set out at the Spending Review. The new funding will further support local areas to deliver social care services that benefit people's health and wellbeing, by promoting more joint working between health and care. Local authorities and clinical commissioning groups will work together on health and wellbeing boards to determine how this investment is best used to support and promote innovation and integrated working between health and care.
- 58. Personal health budgets are currently being piloted in the NHS in England, with over 2,700 participants across 20 sites.
- 59. As personal health budgets are extended beyond the pilot sites, subject to the current evaluation, the Government will make it straightforward for people to combine them with personal social care budgets so that they can make the most of the support to which they are entitled. This will give them freedom to co-design joined-up services that best meet their needs and goals, and will lead to a higher-quality experience for people who use services, and carers.

Chapter 8: Making it Happen

- 60. The Government will reform the law underpinning care and support as a key step in delivering the vision.
- 61. Two new leadership groups will be created for Care and Support:
 - (i) Transformation Group, which will act as an important forum for challenge and peer support.
 - (ii) Implementation Board, which will have ownership of the implementation plan.
- 62. The Government is supporting a programme on efficiency in adult social care, led by the Local Government Association and will also work with

the care and support sector to benchmark local authority performance on efficiency and the use of resources, to further improve value for money.

63. The Government will make future decisions on the overall funding in the system alongside other funding decisions at Spending Reviews.

Draft Care and Support Bill

- 64. Many of the Government's proposals will require the comprehensive modernisation of care and support law. The draft Care and Support Bill proposes a single, modern law for adult care and support that replaces existing, outdated and complex legislation.
- 65. In summary, the draft Bill will:
 - modernise care and support law so that the system is built around people's needs and what they want to achieve in their lives;
 - clarify entitlements to care and support to give people a better understanding of what is on offer, help them plan for the future and ensure they know where to go for help when they need it;
 - support the broader needs of local communities as a whole, by giving them access to information and advice, and promoting prevention and earlier intervention to reduce dependency, rather than just meeting existing needs;
 - simplify the care and support system and processes to provide the freedom and flexibility needed by local authorities and care professionals to innovate and achieve better results for people; and
 - consolidate existing legislation, replacing law in a dozen Acts which still date back to the 1940s with a single, clear statute, supported by new regulations and a single bank of statutory guidance.
- 66. Over the coming months, the Government will work with stakeholders to discuss the provisions in the draft Bill, take feedback and consider the way forward. The Government remains committed to legislating at the earliest opportunity to enshrine these reforms into the law, following the outcome of the public consultation and pre-legislative scrutiny process. The closing date for consultation responses is 19th October 2012.

Progress report on Funding Reform

- 67. In July 2010 the Government recognised the need for reform of the way in which care and support is paid and quickly established the Commission on Funding of Care and Support, Chaired by Andrew Dilnot.
- 68. The Commission published its recommendations on how to share costs between the state and individuals in July 2011. Since then the

Government has engaged with a wide range of people – service users, their families and carers, local authorities, charities, providers of care services and the financial services sector – to get views on the Commission's proposals.

- 69. The Commission made two key proposals for reforming the way in which people pay for their care and support.
- (i) <u>The Government should put a cap on the lifetime care costs that people</u> <u>face; and raise the threshold at which people lose means tested support</u>

Under the Commission's proposals:

- local authorities would assess everyone's care needs and work out how much it would cost to meet those needs at the local authority rate.
- a cap should be placed once these costs had reached a cumulative value of £25,000-£50,000 for older people, or a lower level for people who develop a care need before the age of 65, people would then become eligible for state support. The cap should exclude 'general living costs' for people in residential care, to reflect the costs that people would have to meet if they were living at home (such as food and accommodation). The Commission proposed that people be asked to make a fixed contribution towards these costs of between £7,000 and £10,000 each year.
- the current means tested system where people with assets up to £23,250 are provided with some level of financial support should be retained and extended. This is to ensure that those who are less able to afford to fund their own care get additional support. The Commission recommended that this upper level means test of £23,250 should be extended to £100,000 for people in residential care.
- (ii) <u>There should be universal access to deferred payments for people in</u> residential care.

The Commission's recommended that deferred payments:

- should be available to anyone who is unable to afford care charges without selling their home.
- Should be run on a cost-neutral basis to the Government by charging interest so that authorities can recover their costs.

The Government's response to the Commission's Recommendations

70. The Government state that they agree with the principles of the Commission's model, financial protection through capped costs and that an extended means test would be the right basis for any new funding model. However, they state that there remain a number of important questions to be applied to any reformed system. According to the Government some stakeholders suggest that a cap could be set at the top of the Commission's range, or even slightly higher (e.g. at £75,000), without undermining the principles of the system. The Government is unable to commit to introducing the new system at this stage but they will work with the Official Opposition to consider various options for a reformed system and will come to a final view in the next Spending Review. However, recent press coverage has indicated that this position may be reviewed.

71. The Government agree with the Commission that interest or charges should apply to deferred payments for people in residential care and the draft Bill will allow this. In 2013 and 2014, the Government will work with the care sector on how the scheme would work, including exactly when someone should be eligible and what interest or charges would be appropriate. The Government will fund local authorities for this new requirement.

Summary

- 72. The Reforming Care and Support White Paper sets out a range of actions which the Government and its partners will take forward, in order to reform care and support. Timescales for Government actions can be found at Appendix 2.
- 73. The draft Care and Support Bill has been published for consultation and pre-legislative scrutiny in Parliament in the coming year.
- 74. Following publication of the Progress Report on Social Care Funding, the Government will continue to engage with the sector, with users and carers, and with the Official Opposition on the detail underpinning the principles of the capped cost model.
- 75. The government will invest £300m over the period 2013/14 and 2014/15 for integrated care however the detail is yet to be published. In 2010 the Government set out plans for identifying and supporting carers in *Recognised, valued and supported (2010)* including £400 million investment in breaks for carers, funded by the NHS. The White Paper does not identify any additional funding for the new duty on local authorities to provide support to carers. The White Paper places a duty on local authorities to incorporate preventive practice and early intervention in care commissioning and planning, however the Government do not state whether there is any additional funding attached to this new duty.
- 76. These reforms are taking place at a time of unprecedented change within public services, alongside other significant pieces of legislation, for example the Health and Social Care Act 2012. This presents significant challenges for the local authority as there is no additional funding available for infrastructure and resourcing of the detailed planning work required to implement the changes.

Next Steps

- 77. Next steps to implementing Social Care reforms within the Council are:
 - Develop an action plan and further examine the implications based on the information that has been published to date.
 - Work with the Association of Directors of Adult Social Services (ADASS) and other partners to respond to other publications including draft regulations relating to the Care and Support Bill.
 - The Shadow Health and Wellbeing Board will continue to consider the issues arising from the White Paper and Care and Support Bill in relation to integrated working.
 - Adults, Wellbeing and Health Overview and Scrutiny Committee will consider a report on the implications from the White Paper, Care and Support Bill and also on the Progress Report on Funding Reform

Recommendations

- 78. Cabinet is requested to:
 - Note the content of this report and the timetable of actions in Appendix 2.
 - Agree that the County Council response to the consultation on the draft Care and Support Bill will be finalised with Portfolio Holders for Healthier and Safer Communities and Adult Services.
 - Agree that the regulations relevant to the Care and Support Bill will be implemented in accordance with the Council's Constitution and scheme of delegation in consultation with portfolio holders, where appropriate.

Contact: Peter Appleton, Head of Policy, Planning and Performance Ext: 3628

Background Papers

Reforming Care and Support White Paper Draft Care and Support Bill Progress Report on Social Care Funding

Appendix 1 - Implications

Finance – The progress report commits to introducing a Universal Deferred Payments scheme to ensure no-one will be forced to sell their home to pay for care in their lifetime.

The government report 'Caring for our future: progress report on funding reform' sets out that the government agrees the principles of the Dilnot Commission's model – financial protection through capped costs and an

extended means test – would be the right basis for any new funding model. Funding will be considered at the next spending review.

The government will invest £300m over the period 2013/14 and 2014/15 for integrated care however the detail is yet to be published.

Staffing – By 2017 the Government's ambition is to train more care workers to deliver high-quality care, and double the number of care apprenticeships to 100,000.

Risk – The reforms in the White Paper are far reaching and very ambitious. It is essential that DCC and the local NHS take a planned approach to address the changes required since there are an inevitable number of risks involved

Equality and Diversity / Public Sector Equality Duty – The White Paper and draft Bill proposals seek to promote equality and improve the quality of services and the provision of information people receive.

The Government has produced an Impact Assessment summary document in relation to the White Paper and draft Care and Support Bill.

Accommodation – N/A

Crime and Disorder – N/A

Human Rights – N/A

Consultation – The Government is consulting on the Draft Care and Support Bill until 19th October 2012.

Procurement – A duty upon local authorities to promote diversity and quality in the provision of services.

Disability Issues – Measures within the Social Care and Reform White Paper which will impact on disabled people include the establishment of a new care and support housing fund, worth £200 million over five years, to support the development of specialised housing for older and disabled people. The Government will also work to ensure that people obtain timely support in securing appropriate home modifications.

Legal Implications – The Government has introduced the Draft Care and Support Bill which aims to transform the social care system to focus on prevention and the needs and goals of people requiring care. The draft Bill will radically simplify the current legal framework for care and support, replacing provisions in well over a dozen Acts of Parliament with a single, modern statute.

Appendix 2 – Timetable of actions

The table below sets out the timetable for the key actions which will transform care and support over the coming months and years.

June 2012	2012/13 Health and Social Care Volunteering Fund (local scheme) invites bids to support community-based support, including time-banking schemes
July 2012	First stage of the provider quality profile goes live on the NHS and Social Care Information website.
July 2012	Publication of the draft Care and Support Bill, setting out how the Government plan to reform care and support law. This includes powers to introduce national eligibility and universal deferred payments. The draft Bill will be subject to pre-legislative scrutiny.
2012	Parliament undertakes Pre Legislative Scrutiny of draft Care and Support Bill. Continue engagement with sector and Official Opposition on broad range of issues including the level of the cap, threshold and
Summer 2012	potential voluntary and opt-in models. Expressions of interest invited to pilot direct payments in residential care.
Autumn 2012	Consultation on oversight of the care market published. This will provide more details on how people will be protected should a care provider run into financial difficulties. Establish a Working Group, including financial services and the care sector to ensure people have access to the right information
	to help them financially plan for care needs. Further details about the process for establishing Social Impact Bond trailblazers published.
September 2012	Code of conduct and minimum training standards for care workers published.
October 2012	Further details about the £200 million capital fund for older and disabled people's housing published.
October 2012 2013/14	Adult Social Care Outcomes Framework published.
Winter 2012	Publication of an integration plan, setting out how the modernisation of the NHS can be built upon to provide a more joined-up experience for older people.
	Chief Social Worker appointed.
	2013/14 Health and Social Volunteering Fund (national scheme) invites bids to support community-based support, including time-banking schemes.
2013	Introduce Care and Support Bill

	Work with sector on designing final implementation of universal deferred payments, and consult with users.
Next Spending Review	Make decisions on capped cost model and extended means test threshold, alongside other funding priorities for the Government.
	Confirm level of eligibility for national threshold.
March 2013	Working group established to develop and test options for a new assessment and eligibility framework for people who use services and for carers.
	Launch of the Leadership Development Forum
Spring 2013	Social Impact Bond trailblazers launched, to encourage
	investment in innovative support to keep people independent at home.
April 2013	NHS Commissioning Board, clinical commissioning groups, Public Health England, health and wellbeing boards, and local authorities take on their new statutory responsibilities as set out in the Health and Social Care Act 2012.
	Additional funding for integrated care and support made available to local authorities through the NHS Commissioning Board.
	Improved information added to the provider quality profile, and the data made available to organisations to develop a quality rating.
	NICE begins the development of a library of quality standards for care and support, including standards for the quality of home care.
	Residential care charging rules changed, so that the income that people earn in employment is exempt from charges.
Winter 2013	Care and support sector compact published.
April 2015	Introduction of new funding system for end-of-life care.
	National minimum eligibility threshold for adult social care introduced. 'Making it happen 65'
	Introduce universal deferred payments
	Introduce national eligibility.
Davianal 2015 tha	Government will continue to work with partners across the

Beyond 2015 the Government will continue to work with partners across the care and support system in the years beyond 2015 to embed the changes that have been set out.

The Government will publish further details of the implementation programme over the next year.

Appendix 3 - Other Organisation's initial responses

Association of Directors of Adults Social Services

- ADASS President Sarah Pickup advises that 'The emphasis of a future for social care which puts entitlement, individual choice and control at the heart of delivery and legal reform supports the direction of travel that ADASS have been championing. The strengthened commitment to ensure transparent reporting of the quality of provision, combined with additional training and support for the workforce, will assist joint endeavours to establish excellence as the norm across the sector'.
- ADASS are concerned however that arguments on resourcing have not been accepted and that there is an uncertain funding picture until 2015. Also that as Local Authority budgets are squeezed further, the preventative services the Bill seeks to promote may be some of the first casualties of council savings plans. ADASS are also concerned about the potential impact on the availability of services for individuals before a longer term solution is found."
- ADASS is likely to provide advice to the LGA who will be responding to the draft Care and Support Bill (from a national perspective) and suggest that individual Council responses link to the ADASS advice.

The King's Fund (a UK health charity that shapes NHS policy and practice)

• Richard Humphries, Head of Social Care at the Kings Fund said that 'if the Government supported the principle of a care cost cap, as advocated by Andrew Dilnot's commission last year, but made no commitment to when it will be introduced, then councils will be left in an invidious position.'

Local Government Association

• Local Government Associate Advisor Andrew Cozens said that 'if there aren't enough additional resources, councils won't be able to reinstate activities just because there's a national framework'.

Law Commission

• Frances Patterson QC, the Law Commissioner responsible for the Commission's review of adult social care law, said: "We are very pleased that the Government is pressing ahead with reform of adult social care legislation which is in urgent need of reform".

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Cabinet



12th September 2012

Report on a Review of County Durham Care & Support Day Services and recommendations on a redesign of these services

Report of Corporate Management Team Rachael Shimmin, Director of Children and Adults Services Councillor Morris Nicholls, Portfolio Holder, Adult Care

Purpose of the Report

- 1 To present findings following the review of County Durham Care & Support (CDCS) in house day services;
- 2 To report the outcome of a consultation on a proposed re-design and reconfiguration;
- 3 To make recommendations in light of the need to: make services more inclusive; ensure value for money; and meet the requirements of the Medium Term Financial Plan (MTFP).

Background

- 4 Day services in County Durham provide care and support to a wide range of service users. The total 2012/13 budget for day services across all service user groups in County Durham is £17.04m. This provides day services for 3,787 people, based on the numbers of people receiving a day service over the course of the 2011/12 financial year. Based on the most recently available Institute of Public Finance figures, Durham spends £52 per head of population on day care compared to a national average spend of £34 per head.
- 5 The total budget for in house day services is £7.6m. The total budget for independent sector day services is £9.44m, including Direct Payment provisions. The average unit costs for learning disabilities day services are 45% higher than comparable costs in the independent sector. The average unit costs for older persons / physical disabilities day services are 127% higher than comparable costs in the independent sector.
- 6 The Council needs to ensure that services are commissioned which:
 - Are delivered in appropriate venues which are fit for purpose and able to meet the needs of users.
 - Ensure value for money and improve choice and control over services, in line with the Personalisation agenda.

- Meet the changing needs and expectations both of existing service users and younger people coming into adult services.
- 7 Changes in demand and occupancy and the need to secure value for money, while meeting MTFP requirements, have prompted a review of CDCS day services. The review has focused on a number of factors including occupancy, value for money, the suitability of buildings and carer and service user views.
- 8 CDCS day services are currently delivered in two ways, in large purpose built day centre buildings (10 services), and in a range of smaller services such as factory units, shops or community venues (18 services). Large day centres deliver services to both older people / those with physical disabilities and to people with a learning disability:

Large Day Centres - OP/PD	Large Day Centres - LD
Peterlee Day Centre	Shinwell Centre (Peterlee)
Stanley Day Centre	Oaks Centre (Newton Aycliffe)
Spennymoor Day Centre	Durham Centre (Aykley Heads)
Empower 2 (Chester-le-Street)	Aucklandgate Centre (B Auckland)
Abbey Day Centre (Pity Me)	
Bede Day Centre (Barnard Castle)	

Appendix 2 describes the current services in more detail.

Medium Term Financial Plan

- 9 The Council is forecasting the need to deliver £159.2m of cash savings for the five year period 2011/12 to 2015/16, and savings of approximately £180m when including forecasts for 2016/17. The Adult Social Care element of those savings determined to date totals £46.2m.
- 10 The MTFP requires the Council to, where possible, make savings against back office costs rather than front line services, and through securing services that represent good value for money.
- 11 If the changes to CDCS day services recommended in this report are agreed and subsequently implemented it will enable ASC to make savings by reducing capacity which is not needed, and to avoid significant future costs maintaining and upgrading unsuitable buildings. Importantly those assessed as needing day services will continue to receive them, in the main alongside the same peer group and staff teams as now. The main changes proposed here are to venues, with current care plans remaining the same and arrangements for transport etc. being adjusted to take venue changes into account. This will allow the service to make revenue savings of over £446,000 p.a. and to avoid significant capital expenditure.

Review Findings

Demand for Day Services

12 This review has identified that demand for day services is falling across all service user groups. Between 1st April 2010 and 1st June 2012 the number of Page 244

service users in receipt of a day service overall (independent sector and CDCS) has fallen by 25%. In CDCS, large day centres in particular have seen significant reductions in occupancy and are operating with large amounts of spare capacity. For an average week in quarter 4 2011/12, occupancy was running at below 50% in 5 of the 10 large day centres. There are a number of interacting factors which have contributed to the reduction of demand for day care. They include: the more consistent application of eligibility criteria including eligibility for transport; charging; personalisation; and the changing expectations of service users, in particular younger people and their families. Risk assessments are in place for service users who choose to discontinue or reduce their attendance at day services. Care Management staff monitor such cases in order to take remedial action if service users become more vulnerable.

13 The high levels of spare capacity in the service have allowed for some service efficiencies to be made, including reductions in staff numbers. These efficiencies have contributed to the MTFP target for In House Provider Review but further efficiencies are not possible without rationalising services and buildings.

Unit Cost Comparison

- 14 Unit costs for CDCS day services, both OP/PD and LD, are high in comparison to independent sector provision:
 - CDCS OP / PD £77.02 full day (Independent Sector £33.86)
 - CDCS LD £69.00 full day (Independent Sector £47.41)

The high unit costs are partly a result of under use of the services

DCC Buildings

- 15 In most cases, large day centres were built several decades ago and are expensive services to run, in terms of both utility costs and ongoing repairs and maintenance. In addition, such centres are often also situated away from community activity, for example in industrial or business park locations. They were established in a time before direct payments, and the development of the independent sector, when most people received council run building based services.
- 16 Some investment has taken place in the buildings over recent years and consequently some premises are considered generally fit for purpose for the future, such as Empower 2 and Aucklandgate, for example. Investment has been limited to essential maintenance in the remaining buildings, and a number are in a poor state of repair. This is particularly apparent in LD services.
- 17 A full condition assessment survey (future repairs and maintenance liabilities and accessibility of buildings) of the current building stock has been undertaken by CIPFA Property, commissioned through DCC Assets team, for the large LD and PDSI buildings. The defects and repairs identified have been prioritised, using a 'traffic light' system, and costed using industry standard rates. More detail is set out in Appendix 3.
- 18 The cost to bring premises up to an acceptable standard is **£4.69m** over the next 10 years, with priority works over the next 4 years of **£2.76m**. Even with this level of investment, these facilities would not be fit for future need as they are large, old fashioned institutions that do not support a modern, person centred approach

to care. Further analysis for each building is shown in Appendix 5 (property scorecards).

Proposals for the future

- 19 To meet the problems of: decreasing population demand; the cost of bringing buildings up to an acceptable standard; and the need to be more community inclusive and improve value for money; CDC&S has developed plans to reduce the number of its delivery sites.
- 20 Detailed proposals for the current stock of large LD and OP/PDSI buildings are set out below. In Peterlee and Durham this work will involve the integration of existing DCC sites. In Spennymoor, Stanley and Newton Aycliffe, community based accommodation / venue opportunities have been identified in local leisure centres, which would allow services to move from unsuitable buildings within 12 months. Service users and staff will move to the new locations.
- 21 A total of 455 service users would be affected by the changes proposed (235 older people / people with physical disabilities and 220 people with a learning disability).
- 22 Detailed proposals for each site are as follows:
 - Shinwell Centre closes and service transfers to Peterlee Day Centre
 - Stanley Day Centre closes and service transfers to Louisa Centre
 - Durham Centre closes and service transfers to Abbey Day Centre
 - Spennymoor Day Centre closes and service transfers to Spennymoor Leisure Centre
 - Oaks Centre closes and service transfers to Newton Aycliffe Leisure Centre.

Properties surplus to the Council's requirements would be placed on the open market for sale.

Staff Savings

23 As well as significant building cost avoidance being achieved through this approach, further savings will be realised by considering the business case for voluntary ER/VR expressions of interest. This proposed redesign of CDC&S Day Services within the identified venues will be linked to the 2013/14 MTFP in respect of Management & Support Services / Service Rationalisation. Earlier work related to ER/VR has identified staff members who are interested in this opportunity. No compulsory redundancies will be required.

Integration of Services

24 Service user client groups (i.e. OP / PDSI and LD) will mix in service delivery locations where, in the past, they have mainly received their service in separate buildings. CDC&S staff would manage this harmonisation carefully with a staged approach to the transition being put in place, giving service users time to adapt to the changes. Some work has been done in services over recent years to integrate service users from differing client groups, with joint activities and limited sharing of venues being introduced. CDC&S staff are experienced in this type of

work and would use their knowledge to ensure a sensitive transition for all service users.

25 Capacity information for the sites to be harmonised shows that the revised service delivery locations have the capacity to meet the needs of the increased number of service users who will be attending.

Projected Savings

- 26 ASC will save a total of £446k per annum by consolidating day service buildings. These figures are based on working estimates from CDCS management from individuals who have indicated an informal interest in ER/VR and net savings in building costs once rents of new premises are taken into account.
- 27 Completion date for the redesign of day services would be autumn 2013 (dependent upon completion of building alterations). Savings to be taken in financial year 2013 -14 subject to completion dates for individual sites. See Appendix 4 for details of savings for each centre.

Consultation

28 Clearly these changes will have an impact on people who use the services and raise concerns for some of these people and their families. The proposals to amalgamate and relocate some services have been the subject of a consultation exercise. The consultation was carried out from 17th May 2012 to 29th June 2012 (For technical reasons it was extended for a week for a small group of service users at the Oaks Centre). The consultation was targeted at service users and carers at affected day services; both those who might move and those currently using services which would change as a result of integration.

Methodology

- 29 The main method of collecting views was via questionnaires. A protocol endorsed by the Learning Disabilities Partnership Board was followed which recommended that service users with a learning disability were contacted via their carers. OP/PD service users were contacted directly. A total of 455 questionnaires were sent out to service users. In addition, staff at affected day centres were informed that they were able to take part in the consultation and could give their views via a questionnaire, or through email response depending on their preference. Two questionnaires were received from informal staff groups, one from Spennymoor Day Centre and one from Peterlee Day Centre, although individual staff involved in completing the questionnaires did not identify themselves. Issues raised in these questionnaires were similar to those identified by service users and carers, which are set out below. One individual member of staff from Spennymoor Day Centre also replied to the consultation via email and, again, raised issues consistent with those raised by service users and carers.
- 30 Questionnaires were accompanied by information explaining the proposals (see Appendix 7). A total of 233 questionnaires were completed and returned, just over 51% (99 responses came from service users and 124 from carers).
- 31 Dedicated advocacy support was offered, through Durham Citizens Advice Bureau, to those taking part in the consultation.
- 32 Consultation drop-in sessions were arranged at each of the affected day services allowing service users and carers to discuss the proposals and receive

assistance with completing questionnaires. Further sessions were arranged on request at a number of centres, and ASC staff attended carer meetings and coffee mornings to discuss proposals, where requested.

Key Messages from Consultation

33 The following is a summary of responses received during the consultation. The questionnaire used in the consultation is attached at Appendix 7. A full consultation report is available in the Members library.

Facilities / Activities

- 34 The most common concern related to activities and facilities. 35 separate statements concerning facilities and activities were contained within the total number of returned questionnaires. The majority of concerns were raised in respect of those services which are proposed to move to Leisure Centre facilities. Examples include:
 - concerns that activities will be reduced or restricted by having less space or fewer staff.
 - a need to ensure that more specialised facilities such as Snoezalam rooms are available.
 - the need for quiet or private areas for service users to spend time away from main day centre activities.
 - Loss of a specialised gym (Spennymoor only) and training kitchens.

Service User Needs

- 35 A total of 26 separate comments related to difficulty with changes to routine while 25 separate comments addressed the need for smooth transition arrangements to be put in place. Many of these views were expressed by carers rather than by service users themselves with the majority coming from carers of people with a learning disability.
- 36 Some service users and carers made reference to being anxious about the potential changes and expressed a desire to see day services remain as they are. There is a significant level of trust in the current services and positive comments have been made about the buildings, staff knowledge and skills and the friendships individuals have made.

Alternative Proposals

37 63 respondents made suggestions on alternative ways in which the Council might make day services more effective whilst providing good quality services. Comments ranged from investing in existing buildings and services rather than making the changes proposed, bringing other service users and groups into existing centres to increase their use and reversing the effect that charging for day services has had since its introduction.

Meals

38 A total of 25 separate comments were made in the questionnaires regarding the proposals to make alternative arrangements for the provision of meals, where services are proposed to move to leisure centres. Where services are

integrating within existing day services, arrangements for the delivery of meals will remain the same.

39 The existing services at Stanley , Spennymoor and Newton Aycliffe provide cooked hot meals on the premises for which service users pay £2.75 per meal. A significant number of service users and carers were anxious that they would not be able to access a hot meal if the proposed changes are made. Some individuals have commented that this provision is the only opportunity the service user has to receive a hot meal. Some responses expressed concern that the cost of hot meals in the leisure centres – where available – would be more expensive.

Safety, Security and Suitability of Venues

40 A total of 10 separate comments were recorded regarding car parking / transport arrangements, while 9 comments addressed concerns regarding the safety of service users. In addition, 4 questionnaires referred to concern about protecting privacy and dignity in public buildings. Each of these comments was made in respect of proposals to use Leisure Centre venues for the delivery of day services.

Positive Comments

41 There were 13 positive comments made about the proposed changes, with some service users and carers welcoming the new opportunities they expect to be offered if the proposed changes are made, and / or wishing to be more active in their local communities. Some comments were also made expressing understanding of the Council's financial position and the need to review the way in which services are delivered.

Managing Change

42 This section describes steps which would be taken to address the concerns identified through the consultation, should the decision be taken to go ahead with the proposed changes.

Facilities / Activities

- 43 CDCS would ensure that activities such as art, IT and craft work are maintained and service users would be given equal opportunities to participate in the activities which they enjoy currently. Proposed new service delivery venues have been assessed to ensure they have appropriate space to host the facilities and activities currently being accessed. Staff teams would amalgamate in revised venues, meaning enough staff would still be available.
- 44 The integration of services would give service users an opportunity to access activities which are currently not available at their day service, either through accessing a new day centre with different facilities or taking advantage of the wider opportunities available in leisure centres where such moves are proposed. Some day services are already located within leisure centres and service users are able to access facilities such as indoor sports and dance rooms.
- 45 Specialist activities, such as Snoezalam rooms would transfer from existing service delivery venues. Plans for relocated services have taken these needs into account including the provision of specialist gym equipment in one centre and activity kitchens.

46 CDCS are conscious of the need to maintain quieter or more private areas in day services and have taken this into account when planning moves. Potential quiet areas have been identified in the redesigned services and Leisure Centre managers have also expressed a willingness to offer further facilities in the wider leisure centres where required. Future developments will take into account the needs of different service user groups, with individuals and groups being able to access a range of environments within the service which suit their both their needs and the activities on offer.

Service User Needs

- 47 CDCS staff have extensive previous experience both of moving service delivery venues and integrating service users into new facilities / services. Staff would adopt a sensitive approach to such moves and manage changes effectively.
- 48 Careful transition arrangements would be put in place, with service users given time to adjust to the proposed move. A transitional phase would be built into timescale plans, with service users, particularly those with a learning disability, being introduced to new venues slowly. Support would be available from care management staff and advocacy services, in addition to that offered by CDCS staff.
- 49 Staff teams currently in place in existing day services would be retained and staff, with the exception of those who express an interest in ER / VR opportunities, would transfer to the new services and remain available to provide care and support to the service users whom they work with currently.
- 50 Service users would transfer to new, integrated services, with no changes being made to existing care plans. Current service user friendships would therefore be maintained as service users would be able to continue attending day services with their current peer group.

<u>Meals</u>

- 51 In many independent sector, and smaller CDCS, day services, meals are not offered as a matter of course to service users.
- 52 Alternative proposals for service users attending services based in leisure centres have been explored. A wider range of options would be available in the new venues offering service users greater independence and choice. Service users will be able to choose from:
 - bringing a packed lunch; including using microwaves to heat food brought in by service users and using the centres activity kitchens to assist in basic meal preparation
 - accessing local food / café facilities close to the centres
 - Accessing café's situated in leisure centres
 - Ordering a hot meal which will be brought into the centre
 - 53 Staff will assist service users in accessing alternative meal arrangements. Where people have special dietary needs, they will be met. They will also continue to assist people with eating where required, including cutting up food and ensuring that service users remain safe. The spaces available in the leisure centres will include staffed eating areas.

Safety, Security and Suitability of Venues

- 54 Some carers expressed anxiety about the safety of those for whom they care and some service users themselves commented on the need to be safe and have privacy if the proposed redesign goes ahead.
- 55 Though several of the proposed new services are located in leisure centres, day services will continue to have their own, private space which is separate to the areas accessed by the general public. Facilities such as changing places and assisted toilets will be carefully designed to maintain dignity and staff will continue to offer a high standard of care and support.
- 56 Previous examples of learning disability day services which have integrated into leisure centres, i.e. Silver Street in Spennymoor and the Shannon Group at the Louisa Centre, have proved very successful and CDCS staff would use their experience of establishing such services to successfully redesign the services described in this report. Risk assessments and appropriate controls would be put in place for all activity which may present a risk to service users accessing integrated services.
- 57 ASC staff are working with colleagues in Sport and Leisure and Direct Services and will make necessary adjustments to transport drop-off and parking arrangements to ensure that service users are able to access their day service venue safely and easily. For example, arrangements would be made for alternative entrances to leisure centres to be brought into use, improvements to ramps and new hand rails will be put in place.

Equality Act 2010

- 58 DCC is committed to its responsibilities under the Equality Act and recognises it has the following duties:
 - Eliminating unlawful discrimination & harassment;
 - Advancing equality of opportunity;
 - Promoting good relations between people who share a protected characteristic and those who do not.
- 59 An Equality Impact Assessment (EIA) has been undertaken to identify any potential negative consequences from proposed changes to day services, and to mitigate against these. The full EIA is at Appendix 6 of this report and it sets out the specific steps that have and may be undertaken to ensure the Council complies with the above duties should the recommendations in this report be agreed. The mitigating actions are summarised in the paragraph below.
- 60 The EIA has identified the main impacts that would arise from the redesign of CDC&S day services, and also the mitigating factors that could be put in place to reduce any negative impact. Examples are set out below and they indicate that there are potential impacts which would need to be managed in any transitional arrangements:

- There are more female than male service users identifying an effect from the proposals and the population is predominantly older;
- Some service users may be more likely to become anxious due to their disability, particularly those with a learning disability, and will need time and careful transition planning to adjust to change;
- More community based facilities could lead to service users being able to more easily access community facilities, therefore having a positive impact on their health and wellbeing;
- Staff whom have protected characteristics may be impacted by the proposals.
- 61 If the decision is taken to close day service buildings, any users of those services would continue to have their assessed needs met. This would mean transferring to a different venue. There would be sufficient places available to meet the needs of people. Durham County Council would make any transition as smooth as possible and ensure that integrated services were fully aware of care and health needs, personal preferences and any other important factors. Where required service users would be introduced gradually to a new service to help them with the change process. Service users will also be offered the opportunity to choose a different type of service, by using Direct Payments for example.

Conclusion

- 62 The consultation on the redesign of CDCS day services has identified that a significant minority of service users believe that the changes proposed would have a negative impact on them (23.1% thought the impact would be major and a further 14.9% thought it would be minor). Their concerns focus largely on the suitability of the alternative premises; changes to meals arrangements; and the difficulty of changing services for vulnerable people and affecting their established routine.
- 63 Adult Social Care staff have extensive experience and expertise in supporting vulnerable service users through change, and every effort would be made to minimise the effect on service users, for example by maintaining existing care plans, retaining service user groups and staff teams, making proposed moves over short distances and adjusting transport arrangements and carefully designing proposed integrated services to deliver increased choice in activities and facilities to users.
- 64 Savings of £446k could be made on staffing and property costs by redesigning CDCS day services, and moving some service delivery venues. In addition, a total of £2.497m future revenue cost (repairs, maintenance and accessibility) could be avoided by rationalising building stock. Unless the service is permitted to rationalise its services and buildings, it is likely to continue to offer poor value for money.

Recommendations

- 65 Cabinet is asked to agree to:
 - The implementation of the redesign of CDCS day services.
 - Note that further work will be carried out to monitor the changing picture on demand, attendance, staffing requirements and building stock. As the market

changes, further reviews of the viability of in house day services will be undertaken and, as required, detailed proposals will be developed to ensure that CDC&S day services are fit for purpose, represent value for money and are able to fulfil their strategic objectives.

Contact:Nick Whitton, Head of CommissioningTel:0191 383 4188

Appendix 1: Implications

Finance – Implementation of the proposed changes will contribute to the MTFP in 2013/14.

Staffing – Consideration will be given to ER/VR applications within CDC&S if these proposals are approved.

Risk – A move of service involves a variety of risks. Any moves will be subject to detailed risk assessments.

Equality and Diversity / Public Sector Equality Duty – EQIA has been completed with regard to the proposals in this report.

Accommodation - There will be accommodation issues as staff and service users will be moving to new sites. The asset management team have been fully involved in the development of these proposals.

Crime and Disorder – N/A

Human Rights - This has been taken into account as part of the EQIA.

Consultation - Targeted consultation has been undertaken on the proposals.

Procurement – N/A.

Disability Issues - Included in the EQIA

Legal Implications – ER / VR issues will be considered with HR / legal services. Legal services advised on various aspects of the development of the consultation.

	LD Services	
Location	Large Buildings	Smaller Units
Durham & Chester-le-street	Durham Centre Empower 2	Bullion Hall Pelton Fell Community Centre
Derwentside		Louisa Centre (Hill View & Valley View) The Local Company Ebony Woodwork Gap Gardeners Annfield Plain Resource Centre
Easington	Shinwell	Woodhouse Park Gardens Bracken Hill Woodwork Unit
Sedgefield	Oaks	Silver Street PACE Shop FADD
Wear Valley & Dales	Auckland Gate	Wear Valley Centre Harmire Proudfoot Drive

	OP/PD Services	
Durham & Chester-le-Street	Abbey Day Centre	
Derwentside	Stanley Day Centre	Percy Gardens
Easington	Peterlee Day Centre	
Sedgefield	Spennymoor Day Centre	
Wear Valley & Dales	Bede Day Centre	Stanhope Resource Centre Evenwood Outreach

Defects and repairs identified in buildings surveys are given a priority grade (1 – 4) based on the following criteria:

Priority Grade	Description
Priority 1	Urgent work that will prevent immediate closure of premises and/or
	address an immediate high risk to the health and safety of occupants and/or remedy a serious breach of legislation.
	· · · · · ·
Priority 2	Essential work required within two years that will prevent serious
	deterioration of the fabric or services and/or address a medium risk to
	the health and safety of occupants and/or remedy a less serious
	breach of legislation.
Priority 3	Desirable work required within three to five years that will prevent
	deterioration of the fabric or services and/or address a low risk to the
	health and safety of occupants and/or remedy a less serious breach of
	legislation.
Priority 4	Long-term work required outside the five year planning period that will
	prevent deterioration of the fabric or services.

Condition costs recorded in surveys are based on the 'like for like' replacement or renewal of existing building elements, and as such do not include any enhancements unless required to comply with current building standards and / or regulations.

Surveys cover a period of 10 years (2011 – 2020 inclusive) and costs also exclude any life-cycle replacement beyond 2020. Costs are based on the Schedule of Rates from the national price book guidelines and the BCIS (Building Cost Information Service) and also exclude costs such as professional fees, asbestos removal, upgraded standards (e.g. insulation requirements), environmental impacts etc. To account for these exclusions, it is customary to add 30% uplift to costs in surveys.

The table below provides an overview of the current status of the large LD and OP/PDSI buildings, based on traffic light indicators, as well as the costs highlighted by the surveys for each premises. Traffic light indicator criteria are as follows:

Green - Retain Property and Carry-out Continued Maintenance

Amber - Retain Property and Undertake Major Improvements or Explore Options for Better Utilisation

Red - Consider Closure and Possible Disposal if Surplus to Service Requirements

(if a property generates four or more red traffic lights following score-card analysis, then it should automatically be considered for closure/disposal)

		Sie Galu	/ undigoid							
Property	Fit for Purpose	Utilisation	Building Quality Condition	Building Quality Access	Running Cost	Environment Impact	Repairs & Maintenance Backlog	Access Backlog	Total – Repairs / Maintenance Accessibility	Priority Works* – Next 4 yrs
Bede Day centre							£54,748	£12,515	£67,263	£41,728
Empower 2							£128,064	£27,050	£155,114	£68,120
Auckland Gate centre							£170,567	£27,000	£197,567	£106,095
Peterlee Day centre							£319,122	£9,515	£328,637	£192,830
Stanley Day centre							£377,731	£11,630	£389,361	£219,838
Oaks centre							£382,250	£41,410	£423,660	£236,195
Abbey Day centre							£387,851	£26,370	£414,221	£224,378
Spennymoor Day centre							£500,726	£20,915	£521,641	£310,884
Durham centre							£513,258	£27,240	£540,498	£341,738
Shinwell centre							£596,851	£24,755	£621,606	£395,496
Total Repairs & Maintenance and Accessibility Need (£)						£3,659,568	£2,137,302			
With 30% uplift applied to Repairs & Maintenance costs to account for asbestos removal, professional fees etc					£4,688,918	£2,759,860				
*	Priority ar	ades 1.2	and two th	irds of Pri	ority 3 cc	osts				•

Asset Score Card Analysis

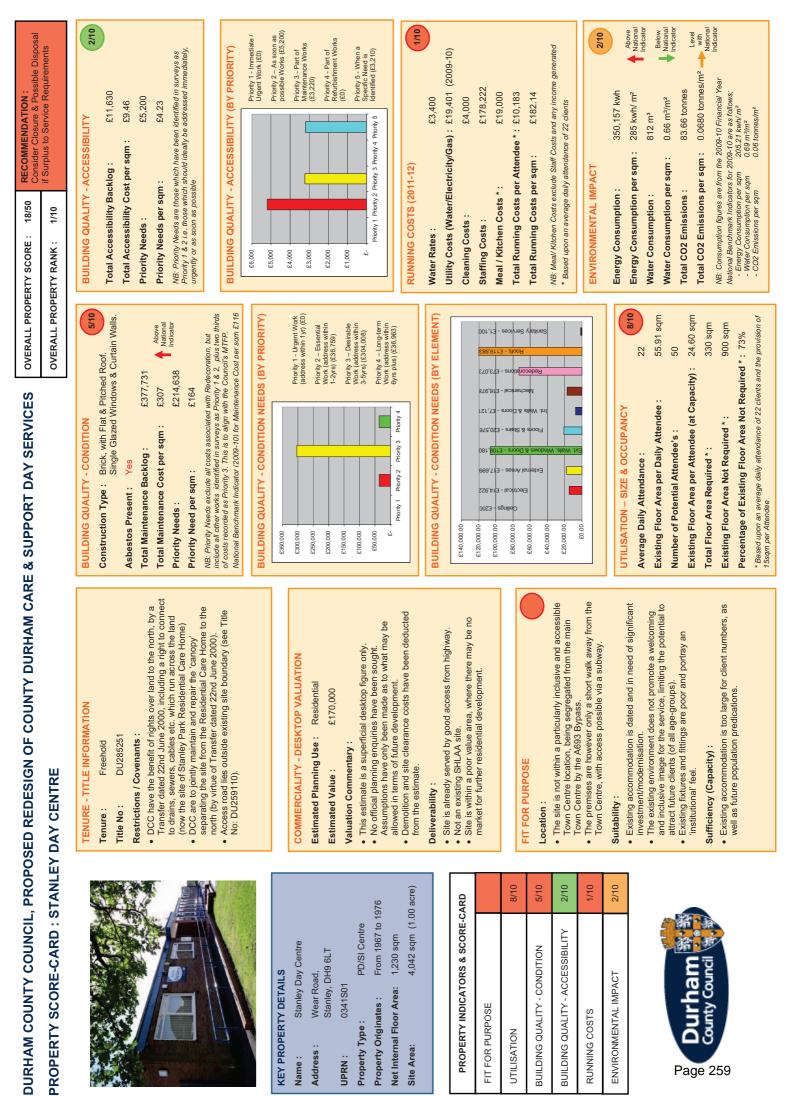
Priority grades 1, 2 and two thirds of Priority 3 costs.

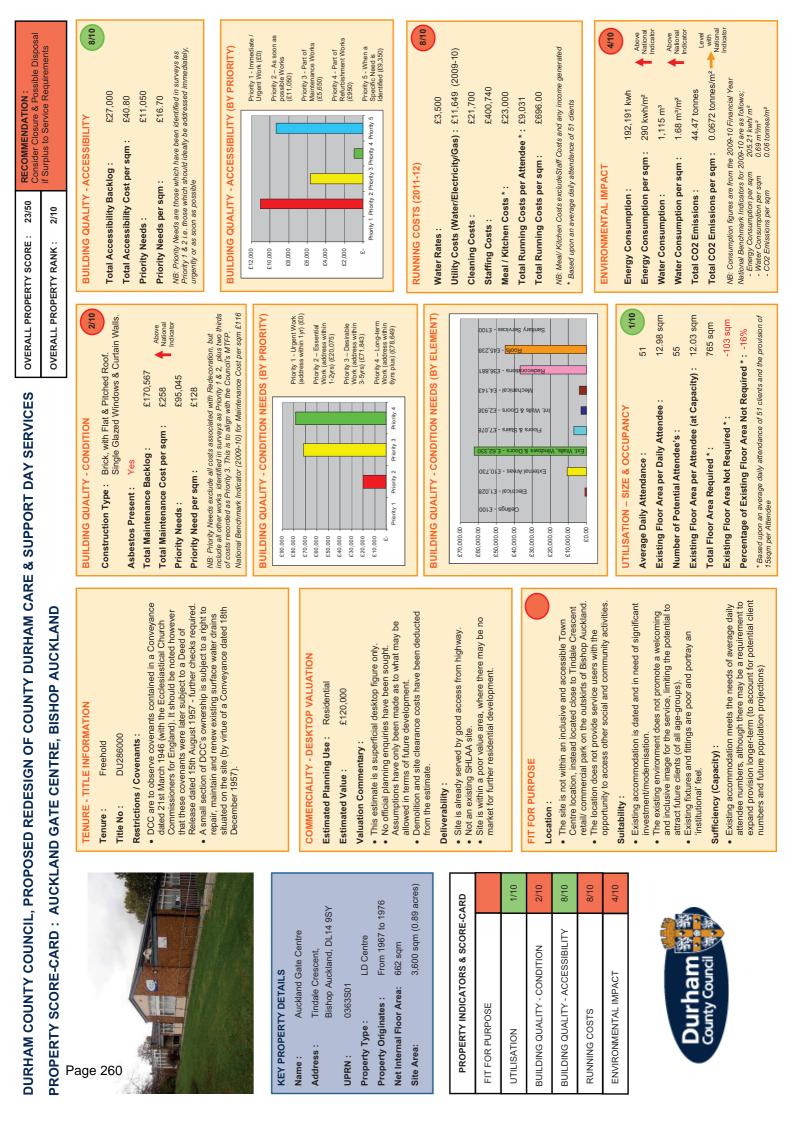
Appendix 4 – Potential Savings by Day Service

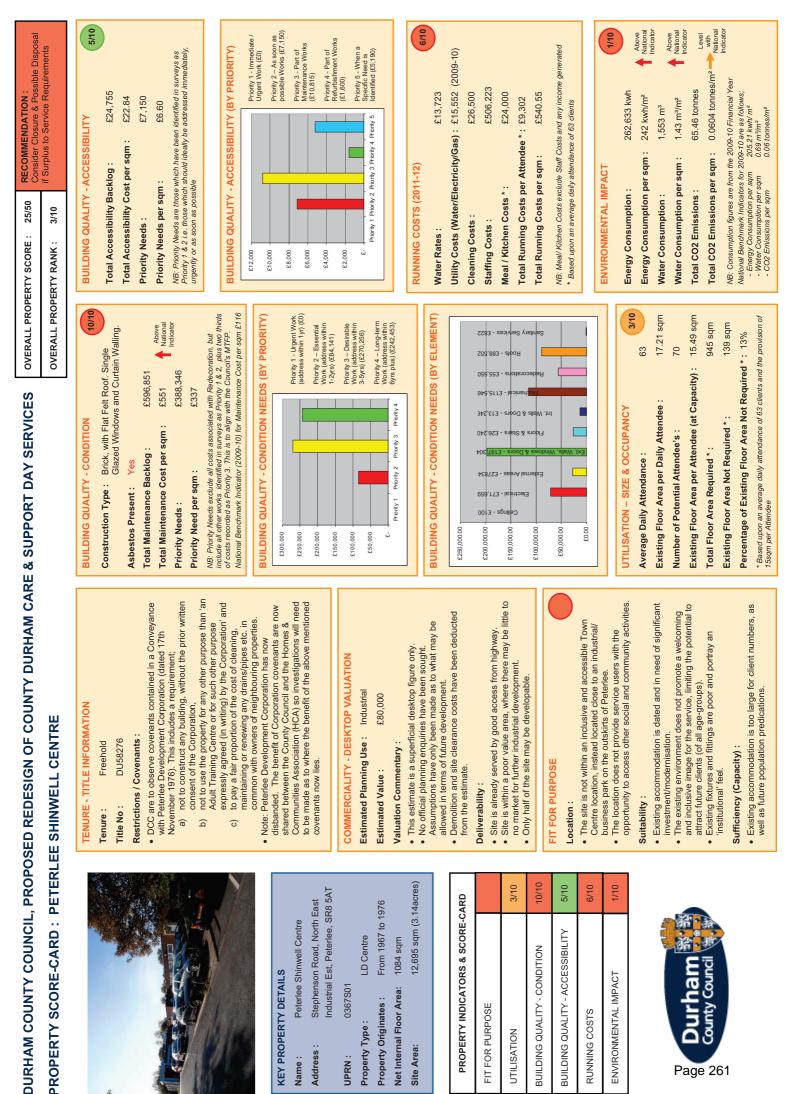
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Saving	£0k	£39k	¥6£3	£424k
Oaks Centre	Premises	Staff	Total	Cost Avoidance – Revenue & Maintenance
Saving	03	£48k	£48k	£522k
Spennymoor Day Centre	Premises	Staff	Total	Cost Avoidance – Revenue & Maintenance
Saving	£38k	£32k	£70k	£540k
Durham Centre	Premises	Staff	Total	Cost Avoidance – Revenue & Maintenance
Saving	£0	£139k		£389k
Stanley Day Centre	Premises	Staff	Total	Cost Avoidance – Revenue & Maintenance
Saving	£48k	£102k	£150k	£622k
Shinwell Centre	Premises	Staff	Total	Cost Avoidance – Revenue & Maintenance

Totals – All Centres



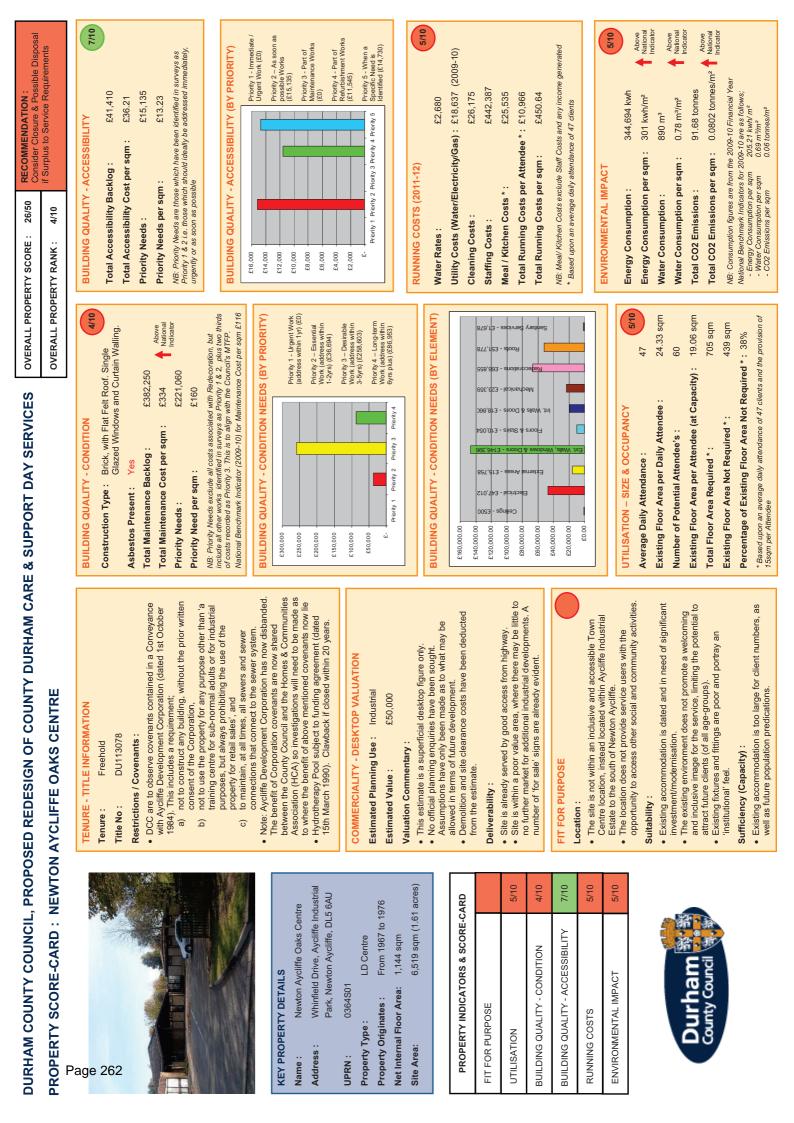


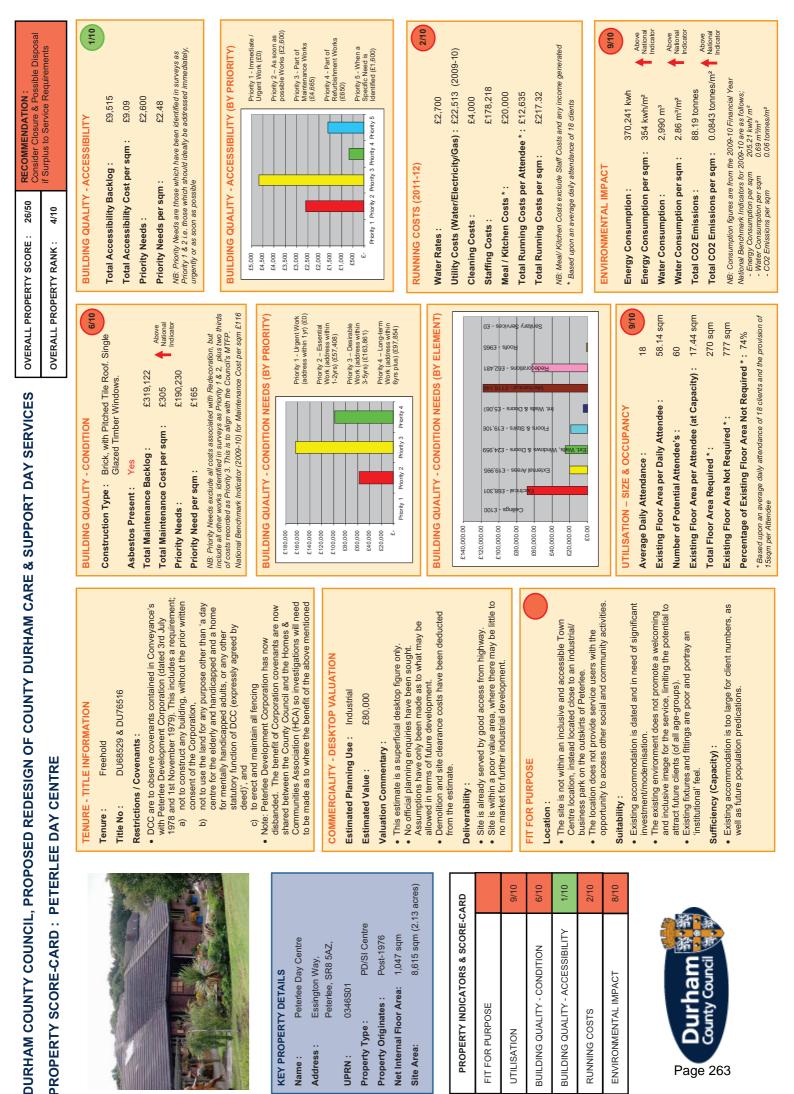


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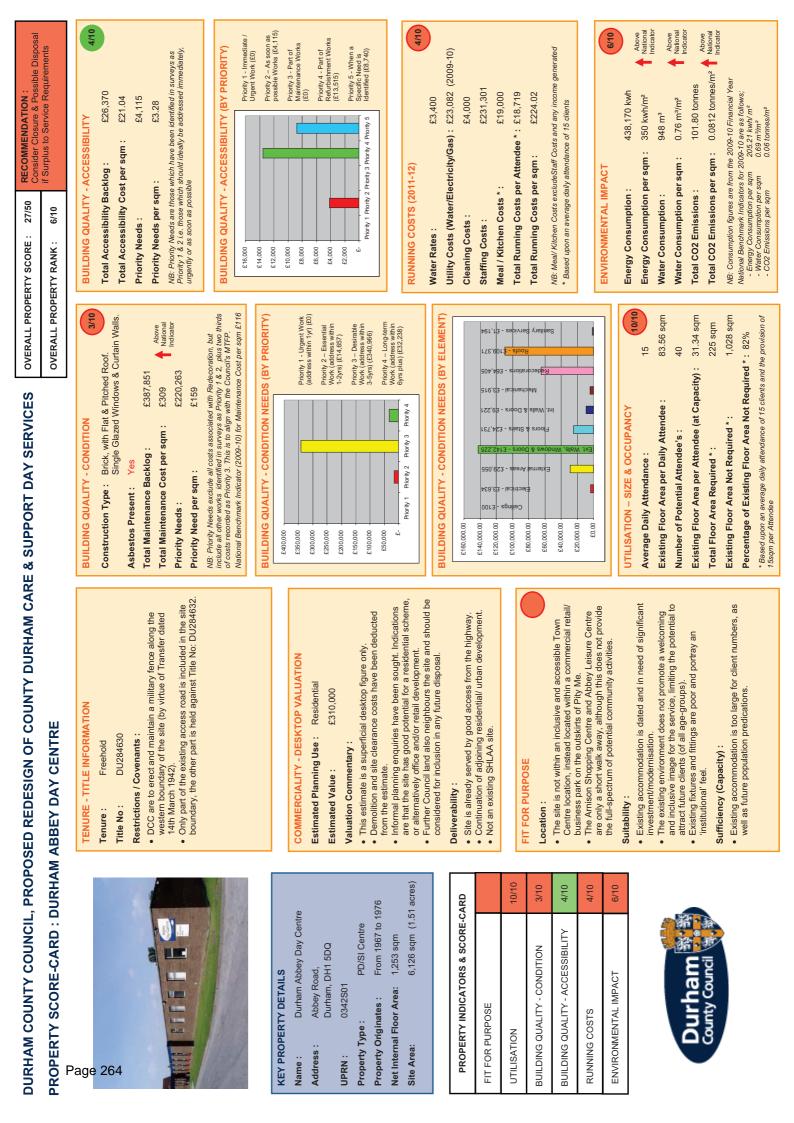


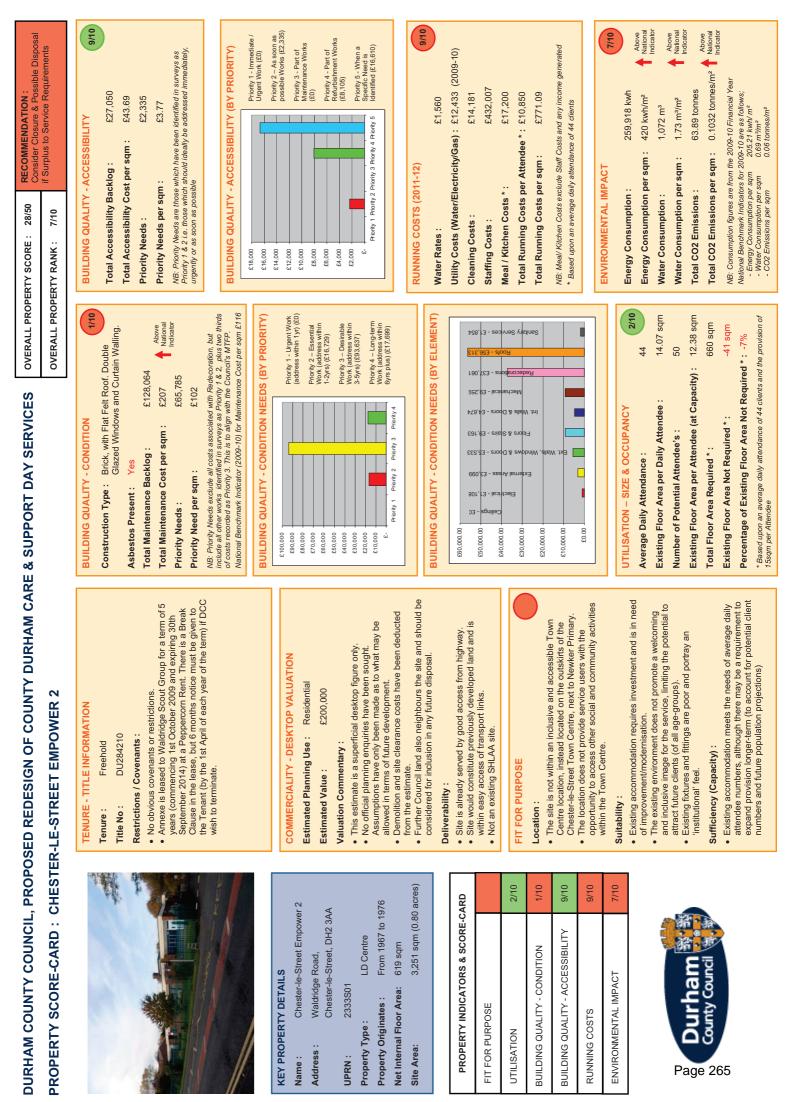


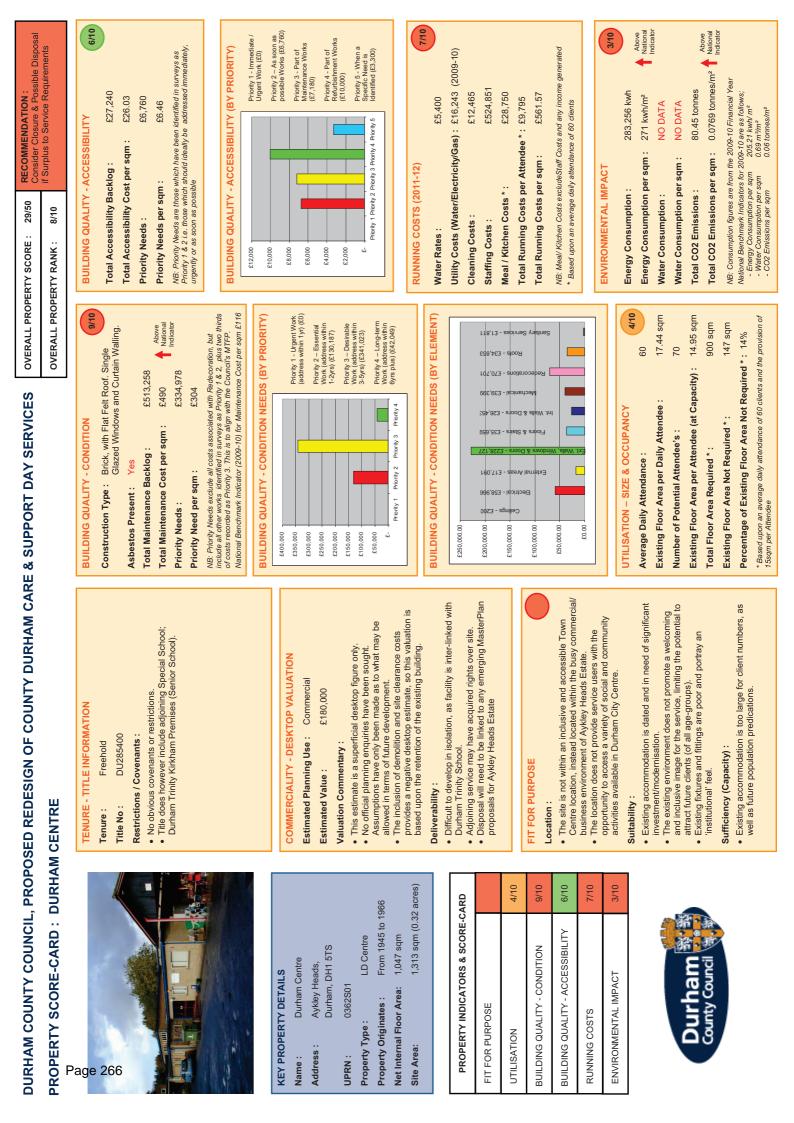
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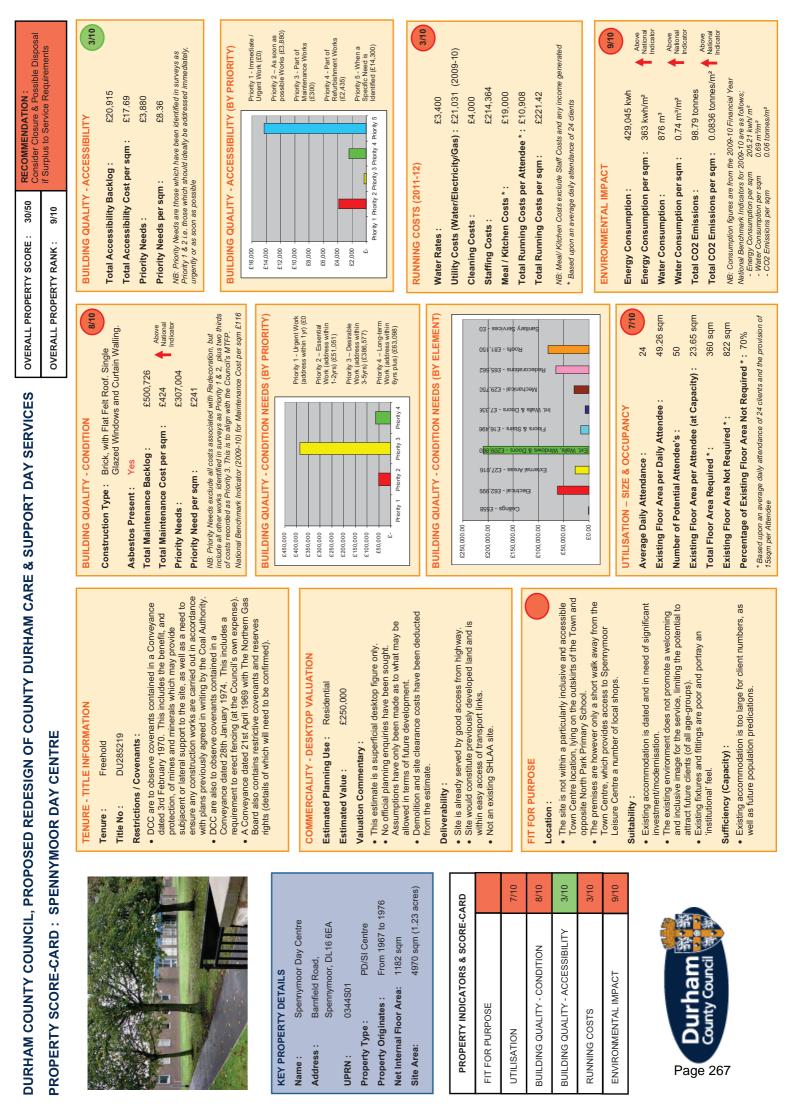
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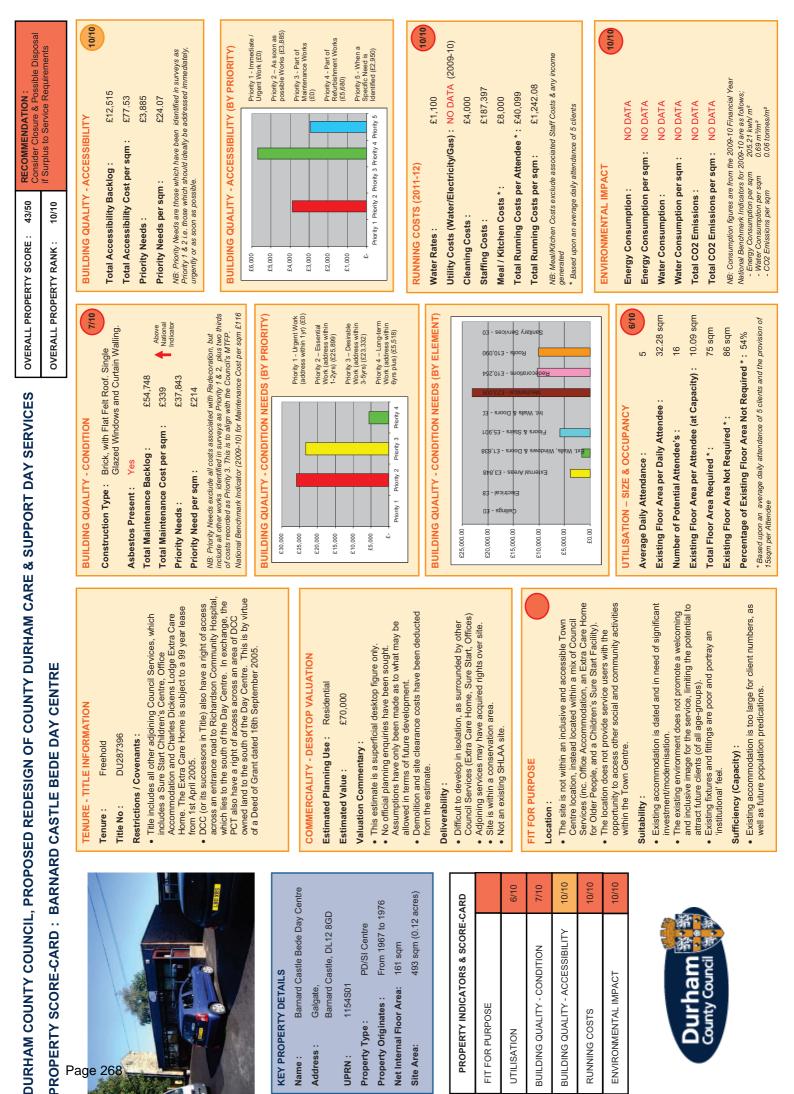
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Equality Impact Assessment

Durham County Council – Altogether Better equality impact assessment form

NB: Equality impact assessment is a legal requirement for all strategies plans, functions, policies, procedures and services. We are also legally required to publish our assessments.

You can find help and prompts on completing the assessment in the guidance from page 7 onwards.

Sec	Section one: Description and initial screening
Sec	Section overview: this section provides an audit trail.
Ser	Service/team or section: Commissioning Services – Adults Wellbeing & Health
Lea	Lead Officer: Neil Jarvis Start date: 22/11/11
Sub	Subject of the Impact Assessment: (please also include a brief description of the aims, outcomes, operational issues as appropriate)
Th€	The purpose of this EIA is to assess the impact of the re-design of in-house day services, which will include the closure of some service venues
anc	and relocation of service delivery.
Bac	Background
Cur	Currently, AWH have a range of in house day services catering for service users across a number of specialisms, i.e. people with a learning
dis	disability, people with a physical disabilities / sensory impairment and older people. Services are currently delivered in a mix of venues, from large
day	day centres on the outskirts of conurbations and industrial estates to smaller, 'satellite' or outreach schemes in more community based settings.
Mei	Mental Health services have been subject to a separate piece of work, to move this provision to a 'support and recovery' model, and are therefore
out	outside the scope of this project.
It is	It is proposed to close several existing venues and make alternative arrangements for service delivery. The specific buildings affected and
alte	alternative arrangements are:
	 Closure of Stanley Day Centre with service users and staff moving to Louisa Centre Closure of The Shinwell Centre with service users and staff moving to Deterlee Day Centre

- CIUSULE UL LILE STILLWEIL CETTLE
- Closure of Spennymoor Day Centre with service users and staff moving to Spennymoor Leisure Centre (new venue)
 - Closure of The Oaks Centre with service users and staff moving to Newton Aycliffe Leisure Centre (new venue).
 - Closure of Durham Centre with service users and staff moving to Abbey Day Centre

 Age: Under 30 years - 19 30-44 years - 27 45-59 years - 40 60 years & over - 62 Gender: 67 males 81 females Ethnic Group: 0 Service user (SU) group: Adults with a learning disability / physical disability / sensory impairment
 Age: Under 30 years - 19 30-44 years - 27 45-59 years - 40 60 years & over - 62 Gender: 67 males 81 females Ethnic Group: 0 Service user (SU) group: Adults with a learning disability / physical disability / sensory impairment Spennymoor Day Centre Age: Under 30 years - 5 45-59 years - 23 60 years & over - 42 Gender: 41 males 32 females Ethnic Group: 1 Service user (SU) group: Adults with a physical disability / sensory impairment

Durham Centre and Abbey Day Centre

•••	Age: U Gender: 49	Under 30 years - 8 49 males 58 females	30-44 years - 37 les	45-59 years - 36	60 years & over - 26		
•	Service use	SU) group:	Adults with a learning dis	ability / physical disabil	sability / physical disability / sensory impairment		
Aim The g acces	Aim The overall aim of th access the services.	he exercise is to ensure	e in house day services	in County Durham rep	esent best value for both	Aim The overall aim of the exercise is to ensure in house day services in County Durham represent best value for both the Council and the people who access the services.	0
Outc The (Outcomes The outcomes for th • To move service	Outcomes The outcomes for the in house day services redesign are: • To move service delivery venues to more inclusive comm	umoo umoo	nitv based locations wi	h associated increased o	unity based locations with associated increased opportunities for social interaction	c
•	by service users To ensure that s	by service users To ensure that service delivery venues are fit for purpose	ues are fit for purpose a	nd compliant with healt	and compliant with health and safety legislation		
٠	To avoid sub	To avoid substantial repair, maintenance and running cost	SC	associated with remain	ts associated with remaining in identified existing venues	venues	
••	To raise star To contribute	To raise standards and quality in in-house day services To contribute to overall Council targets for energy efficie	To raise standards and quality in in-house day services To contribute to overall Council targets for energy efficiency.				
Oper	Operational issues	(0)					
•	Some in hou	Some in house services would move venues, because of		combination of building	s which are not fit for pur	a combination of buildings which are not fit for purpose and a desire to be more	
•	Transport and	Transport arrangements for some s	ervice users would need	to change and some	ervice users would be tra	Transport arrangements for some service users would need to change and some service users would be travelling further to access their	
	Service.						
• •	Meals provis	Source start would be uravening further to get to work. Meals provision would be affected for some service users.	er to get to work. or some service users.	In some existing venue	s meals are provided on	In some existing venues meals are provided on site as part of the service,	
	however new	however new venues may not have this facility. However,	this facility. However, s	service users attending	would be able to access	service users attending would be able to access café facilities within the leisure	
	Microwave fa	acilities would also be a	ivailable for warming up	food and food, includir	Microwave facilities would also be available for warming up food and food, including hot meals, could be ordered into services. This	dered into services. This	
	approach ha	s already been success	approach has already been successfully introduced in CDCS day services in parts of Derwentside.	S day services in parts	of Derwentside.		
•	New venues	may not be as immedia	ately accessible to servi	ce users as the origina	venue and accessibility r	New venues may not be as immediately accessible to service users as the original venue and accessibility may need to be addressed as	
Pa		part of the redesign work.					

P	
age	Although the new venues would meet Council standards for safety and security, security of the service users may be a concern, particularly
27	for carers, if individuals move to community based services which are accessible to the public and therefore not perceived as being as 'safe'
2	as the original provision.
•	To ensure that, by transferring people to alternative provision, this would not put people at risk both now and in the future.
•	Staffing compliments would be unaffected by this service redesign, though staff will continue to have the opportunity to express an interest in
	ER/VR, as per current council policy. A business case would be assessed for any applications.
•	Service user groups have, in the past, accessed separate service delivery venues (e.g. people with a learning disability in Easington attend the Shinwell Centre while those with physical disabilities attend Peterlee Day Centre). This work would involve moving some such groups
	into the same building, creating an integrated service.
Next	<u>Next steps</u>
•	Following a consultation with service users and carers a report will be presented to DCC's Cabinet in September 2012. If a decision is made to move services we also to have completed the moves by autium 2013.
NB:	NB: EIA to be updated at appropriate intervals.
Who	Who are the main stakeholders: General public / Employees / Elected Members / Partners/ Specific audiences/Other (please specify) –
•	People currently in receipt of services
•	Carers of people currently in receipt of services
•	In House provider and its employees
•	Representation to Elected Members
•	Adult care staff
•	Commissioning staff
•	HR staff (for employee issues)
•	Assets, Leisure Services, Direct Services and Design Services staff (for building issues)
s s	Is a copy of the subject attached? Key findings of this EIA will be included in the Cabinet report.
lf no	If not, where could it be viewed?
Initi	Initial screening

Prompts to help you: Who is affected by it? Who is intended to benefit and how? Could there be a different impact or outcome for some groups? Is it likely to affect relations between different communities or groups, for example if it is thought to favour one particular group or deny opportunities for others? I there any specific targeted action to promote equality?	nded to benefi unities or grou to promote eq	lt and ho ps, for e uality?	w? Could t xample if it	here be a dii is thought to	ferent impa favour one	ict or outcom particular gr	te for some g oup or deny	d there be a different impact or outcome for some groups? Is it likely to affect it is thought to favour one particular group or deny opportunities for others? Is	y to affect others? Is
Is there an actual/potential negative or positive impact on sp Indicate :Y = Yes, N = No, ?=Unsure	ative or posit ure	ive impa	ict on spec	ific groups	within the	ecific groups within these headings?	6		
Gender Y Disability	×	Age	~	Race/ ethnicity	~	Religion or belief	~	Sexual orientation	>
How will this support our commitment to promote equality a	nitment to pro	omote e	quality and	nd meet our legal responsibilities?	gal respor	nsibilities?			
Reminder of our legal duties:	nination & har	assment							
 Promoting equality of opportunity Promoting good relations between people from different groups Promoting positive attitudes towards disabled people and taking 	rtunity between people s towards dise	e from di abled pec	fferent gr ople and t	lps ing account	of someone	ə's disability,	even where	oups aking account of someone's disability, even where that involves treating them	ating them
more favourably than other people Involving people, particularly disabled people, in public life 	r people 'ly disabled pe	ople, in I		and decision making	Jaking				
If proposals go ahead there would be a need for some SUs to move from one service delivery location to another. Each service user affected would have an individual plan to identify their requirements relating to the changes, and a communication plan would be put in place to ensure service users and carers are kept fully up-to-date with the changes.	t be a need fo dentify their re fully up-to-dat	r some S quireme te with th	Us to move nts relating ie changes.	from one se to the chang	ervice deliv es, and a c	ery location t communicatio	o another. E on plan woulc	ach service user d be put in place	- affected to ensure
While it is not planned to bring in dedicated care management ar	dedicated care	e manag	ement arrar	igements, m	oves would	be handled	by in-house	rangements, moves would be handled by in-house staff sensitively and at an	and at an
appropriate pace (service user transition). Advocates and care managers would be available to represent service user views as required. Care managers would be involved and aware of the moves and it is hoped to keep any changes to care plans and risk management plans to a minimi Some individuals may not want to move and may wish to take a personal budget in order to make their own arrangements, or opt to move to an alternative provider.	aware of the r move and me	ocates al moves ar iy wish ti	nd care mar nd it is hope o take a per	lagers would d to keep ar sonal budge	r pe avallat y changes t in order to	ite to represe to care plans make their (ant service us s and risk ma own arrangei	nanagers would be available to represent service user views as required. Care ped to keep any changes to care plans and risk management plans to a minimum. bersonal budget in order to make their own arrangements, or opt to move to an	lired. Care to a minimum move to an
					F	_	-	- 1 - 1 - 1 - 1 - 1 - 1 - 1 - 2 -	
related to this a move in location could also potentially increase travening time / costs. Though many service users will be englible for transport assistance from DCC and would therefore be unaffected, some individuals may need to amend their transport arrangements. As new service venues will be close to existing provisions, with the maximum distance between new and old venues being approximately 1.8 miles (Oaks Centre	could also pol herefore be ur ovisions, with	affected the maxi	ncrease tra I, some indi mum distar	velling unie v viduals may ice between	costs. The need to am new and o	ougn many s lend their tra ld venues be	ervice users nsport arranç ing approxim	iraveiing time / costs. Triougn many service users witt be englore for transport ndividuals may need to amend their transport arrangements. As new service tance between new and old venues being approximately 1.8 miles (Oaks Centr	r transport v service Oaks Centre

to kewton Aycliffe Leisure Centre), the effect on both service users and staff would be minimised.
The move to community based venues would lead to more opportunity for service users to access community facilities and improve social interaction. This would lead to better outcomes for users of the service and improve their wellbeing. For example, moving venues to a local leisure centres would allow service users to access fitness facilities, potentially improving health and wellbeing.
The move to community based venues would make users of the service more 'visible' in the local community.
The move to integrated services which are used by different groups of service users, while needing careful management, may have a positive effect in terms of promoting good relations between people from different groups (e.g. older people and people with learning disabilities).
What evidence do you have to support your findings? This work potentially affects SU groups attending in house day services and staff employed within these services.
The project does not impact on the numbers of service users involved in the service, or staff teams, with the exception of those staff who choose to explore ER/VR opportunities. The positive impacts identified above will be available to all initially.
Consultation Update July 2012
 Responses were fairly evenly balanced with 44.4% responding as a day services user and 55.6% as a carer/family member on behalf of the service user.
• Three out of five (60.7%) of respondents with a physical disability were aged 65 or over.
Respondents with a learning disability tended to be below the age of 65.
 Although respondents with learning and physical disabilities tended to be in different age groups, disabilities in general do not feature in any of the cross tabulations as a significant difference.
Two out of five respondents attended Shinwell or Spennymoor day centres.
• Attitude to the proposal was fairly evenly split with 42.1% tending to agree with and 43.1% tending to disagree.

		nere sate was important in terms of the service they receive.	liey leceive.
91.8% of respond	ents said that ensuring the service is a	91.8% of respondents said that ensuring the service is safe would be most important when using the new integrated service.	w integrated service.
 Almost a quarter of proposed changes. 	Almost a quarter of respondents thought that having a social proposed changes.	social worker or care co-coordinator would help make things easier throughout the	ake things easier throughout the
 Over a half of res 	pondents felt that the proposed chang	Over a half of respondents felt that the proposed changes would have a major negative impact.	
Some of the more signifi Decision: Proceed to fu	Some of the more significant differences in consultation respo Decision: Proceed to full impact assessment – Yes	Some of the more significant differences in consultation responses in terms of protected characteristics are highlighted in section 2 Decision: Proceed to full impact assessment – Yes Date: 23/11/11	hlighted in section 2
If you have answered '	If you have answered 'No' you need to pass the completed form for approval & sign off.	d form for approval & sign off.	
Section overview: this support the conclusi	Section overview: this section identifies whether there are support the conclusion and what further action is needed.	Section overview: this section identifies whether there are any impacts on equality/diversity/cohesion, what evidence is available to subport the conclusion and what further action is needed.	ו, what evidence is available to
	Identify the impact: does this increase differences or does it aim to reduce gaps for particular groups?	Explain your conclusion, including relevant evidence and consultation you have considered.	What further action is required? (Include in Sect. 3 action plan)
Gender	It is not felt that this work would increase differences or reduce gaps. Service provision would be unaffected, except for the change in venues.	Service Users Gender: female = 233 male = 222 unknown = N/A (Total 455)	 Consultation will be as accessible as possible and responses equality monitored for analysis and update of EIA
	Social workers and representational advocates (Durham CAB) will be available as part of the consultation	Consultation respondents: Male 96 (42.1%) Female 132 (57.9%)	If proposal goes ahead: 2. Each affected service user will have an individual plan to identify their requirements highlighting any needs in
Pa	process.	 Consultation results revealed that: 71.3% of male respondents felt the skills and knowledge of staff as one of 	relation to protected characteristics. Changes will be monitored post

implementation	As 1 and 2 above 3. Communication plans and transitional arrangements will need to take the needs of older carers into account.
 the four most important things about the current service they receive compared to 56.5% of female respondents, also; 47.9% of male respondents rated the importance of the activities available compared to 32.8% female respondents said that one of the most important things the council could do to make things easier in any new integrated service was to ensure people have their say compared to 60.4% of male respondents. 	 Service Users Age: Under 30 - 41 30 to 44 - 98 45 to 59 - 150 60+ = 166 (total 455) Consultation respondents: Under 50: 84 (36.8%) 50-64: 85 (37.3%) 65+: 59 (25.9%) 65+: 59 (25.9%) Consultation results revealed that: 83.1% of respondents under 50 years felt that of the four most important things about the current service they receive it is being somewhere safe 58.6% of 65+
	It is not felt that this work would increase differences or reduce gaps. Service provision would be unaffected, except for the change in venues. Many carers of those attending the services are classed as older carers. The views of carers are being sought as part of the consultation process. Social workers and representational advocates (Durham CAB) will be available as part of the consultation process.
Page 276	Age

	 felt that one of the most important aspects of any new integrated service is to ensure the service is safe compared to 90.2% of 50-64 and 84.9% of 65+. 97.5% of respondents under 50 years felt that one of the most important aspects of any new integrated service is meeting their needs compared to 82.9% of 50-64 and 76.8% of 65+ 60.8% of respondents under 50 years felt that one of the most important aspects of any new integrated is getting to know a new building & staff compared to 53.2% of 50-64 and 36% of 65+ 	
 All service users have a disability and impact of change would vary for people depending on circumstance and disability. For example people with a learning disability may find a change such as re-location of services more difficult. The move to integrated services may cause some anxiety for service users and carers. Accessibility and security in new service delivery venues may be a	 SU group: Learning disability = 220 Older persons / physical & sensory frailty and disability = 235 unknown = N/A (total 455) Consultation respondents: Learning Disability: 106 (47.3%) Physical Disability: 118 (52.7%) Physical Disability: 118 (52.7%) Consultation results revealed that: 60.7% of respondents with a physical disability under age 50 said that one of the most important things the council the most important things the council 	ā Ā
 concern for some service users	could do to make things easier in any	 Advocates will be made

age	and, in particular, carers.	new integrated service was to ensure	available for service users
278	Some carers may see the issue	people have their say compared to 45.8% to those aged 50-64, and 55% of	who require them.
	of service user safety as a	those aged 65+ with a physical disability	6. Security and accessibility
	concern in the new venues.	39.3% of respondents with a learning	issues would be considered as
		disability under the age of 50 said that	part of the change process.
	Some service users may see an	one of the most important things the	Any remedial works / extra
	increase in travel time / cost as a	council could do to make things easier	support would be put in place for individuals
	though this would be limited.	ensure people have their say compared	
		to 54.2% to those aged 50-64, and 45%	7. With all new venues,
	Alternative formats are available	of those aged 65+ with a learning	appropriate security and
	as part or trie corisuitation process	disability	salety practices would be introduced with involvement
			of all stakeholders to ensure
	Social workers and		any fears and concerns are
	representational advocates		addressed.
	(Durham CAB) will be available		
	as part of the consultation		8. Transport impacts would be
	process.		minimised by the move of
			services being to venues close
			to existing provision in all
			cases (within approximately
			1.8 miles maximum).
Race/Ethnicity	Services are available to anyone	Service Users Ethnic Group:	As 1 and 2 above
	who meets FACS eligibility	white British = 453	
	criteria, regardless of their known	white English =	
	or perceived race / ethnicity.	white Irish =	
		white other background =	
	There are no day services	Pakistani =	
		mixed race Asian =	
	groups. However, Individual	mixed race Airican =	

	needs in this area are considered through established care planning outcome work, and any changes identified would not disproportionately affect this group.	Indian = black African = any other ethnic group = unknown = 2 (total 455)	
	Social workers and representational advocates (Durham CAB) will be available as part of the consultation process.		
Religion or belief	Services are available to anyone who meets FACS eligibility criteria, regardless of their known or perceived religion / belief.	Insufficient data recorded in terms of religion and belief to fully analyse impact.	
	Individual needs in this area are considered through established care planning outcome work and any changes identified will not disproportionately affect this group.		 In house provider would ensure that new service delivery venues have suitable arrangements for any religious needs to be observed. To be considered as part of change process.
	New service venues would need to have provision for any service users, current or future, who have needs in relation to religion or belief – e.g. a private area for prayer etc.		
Page 279	It is not felt that this work would		

Page 280	increase differences or reduce gaps.		
	Social workers and representational advocates (Durham CAB) will be available as part of the consultation process.		
Sexual orientation	Services are available to anyone who meets FACS eligibility criteria, regardless of their known or perceived sexual orientation. It is not felt that this work would increase differences or reduce gaps in respect of sexual orientation.	Data on sexual orientation is not currently collected.	As 1 and 2 above
	Social workers and representational advocates (Durham CAB) will be available as part of the consultation process.		
How will this promote This redesign exercise w across the county. The	How will this promote positive relationships between different This redesign exercise would ensure in house day services for Cou across the county. The process would ensure a smooth transition t	How will this promote positive relationships between different communities? This redesign exercise would ensure in house day services for County Durham represent best value for the people who access such services across the county. The process would ensure a smooth transition to new service provision where necessary.	eople who access such services
The move towards comr across the county. Incre	The move towards community based venues would mean that servacross the county. Increased community integration would reduce	The move towards community based venues would mean that service users have access to the best possible services and opportunities available across the county. Increased community integration would reduce social isolation.	services and opportunities available
Positive relations betwee	en different service user groups woul	Positive relations between different service user groups would be promoted by the move to integrated services.	<i>v</i> ö

Section three: Review and Conclusion Summarv: please provide a brief overview. including impact. changes, improvements and any gaps in evidence.
A high proportion of service user's currently attending day care have a disability and this would have an impact in terms of possible changes in provision which will vary for different people depending on their individual circumstance and disability. Individual plans relating to service venue moves would identify needs and transition arrangements to mitigate any negative impact.
Moves would be handled in a sensitive way and service users and carers would be given time to adjust to the changes.
Extra resource in terms of care management staff, advocacy etc would be available to assist those affected.
This EIA would be revisited and added to, in order to account for further developments.
A consultation process has been carried out, and feedback from this process is included in the report to Cabinet. A full consultation report will be submitted to Cabinet along with the main report.
Consultation Update:
The consultation process has shaped the proposals in the following ways:
 Planned transition arrangements have been strengthened following feedback. If Cabinet agree to proposals, the process of integrating individual services will be expedited, for example service user visits to new centres, joint activities with centres that are coming together etc. This will aid transitions for individuals. Safety and security planning for potential new services, particularly those which would be situated in Leisure Centres, has been reexamined. If proposals are approved, CDCS would put extra emphasis both on physical plans and on organisational procedures to ensure that service users are, and feel, safe and secure when accessing their services. It has been recognised that service users and carers feel strongly that they should have a say in the re-shaping of services, if proposals are approved. This would be reinforced through an increased presence for service user and carer representatives in logistical planning, and the setting up of groups through which individuals could input into the work. Consultation has taken place with officers responsible for social work teams, to reiterate the importance service users and eaters have attached to having social work liaison available should proposals be accepted. Social work teams would ensure that service users and carers have attached to having social work liaison available should be able to asist with any concems which may arise.
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Action to be taken	Officer responsible	Target	In which plan will this action appear
- 28		Date	
Cônsultation will be as accessible as possible and	Neil Jarvis	May/June	
responses equality monitored for analysis and update of		2012	
EIA. Other formats and /or languages will be available			
on request.		Completed	
Individual plans relating to the change in service delivery	Adult care / CDC&S	TBC following	
venues	Staff	Cabinet	
		consideration	
Transition arrangements	Les Shaw / Karen	TBC following	
	Vasey	Cabinet	
		consideration	
When will this assessment be reviewed?	Date: TBC after report process	rocess	
Are there any additional assessments that need to be	Decommissioning risk as	ssessment – TBC	Decommissioning risk assessment – TBC following Cabinet consideration.
undertaken in relation to this assessment?	1		
Lead officer - sign off:			Date: 22 nd August 2012
FR PP P			
Service equality representative - sign off:			Date:
Please email your completed Impact Assessment to the Equality team - equalities@durham.gov.uk.	ent to the Equality team	- equalities@du	rham.gov.uk.

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Proposed changes to County Durham Care and Support Day Services.

Consultation: 17 May – 29 June 2012

Background

For a variety of reasons, fewer people are using day care than ever before. Between 1 April 2010 and 1 April 2012, the number of service users receiving a day service fell by 25.8%. This change in demand has affected day care in both the independent sector and County Durham Care and Support (CDCS). CDCS is the service which is run by Durham County Council. This consultation is <u>only</u> about proposed changes to the CDCS day services.

A recent evaluation of CDCS day services has highlighted:

- There are spare places in several services, in particular the larger day centre buildings. Current attendance in these centres compared to the places we have available shows an average usage of below 50% in five of the ten large centres. Capacity takes into consideration a number of factors including space, toilet and hand washing facilities. Some of our centres could increase their places should it be needed.
- There is a need for more community based services to be developed, as several current CDCS venues are isolated because they are situated away from town centres. Community based venues would allow CDCS to improve their services by giving service users better access to local services such as leisure services and shops. This would enable increased opportunities and choice over what people can do while attending their day centre.
- The Council has maintained its buildings, but recent detailed independent surveys have estimated that £4.69million would need to be spent over the next 10 years in order to address repairs and maintenance and improve the buildings. 'Priority works', such as reroofing, renewal of floor surfaces and replacement of windows, need to be done over the next 4 years at a cost of £2.76million. At a time of very significant financial pressures these costs are difficult for the Council to meet. It is also important to remember that making the buildings acceptable would not guarantee they would be used more and would not address the issue of proximity to community facilities.

There are ways to tackle the problem of under use and to reduce the amount of money we need to spend on building improvement. We would need to close some buildings and combine services so that the buildings we move into are better used. We have looked carefully at all our buildings and the ones we are considering closing have high potential repair/maintenance costs and/or are not community based.

The buildings which service users and staff would move to are either another current CDCS day service or a new, more community based venue.

The work we are considering would be carried out as follows

- Shinwell Centre closes and service transfers to Peterlee Day Centre.
- Stanley Day Centre closes and service transfers to Louisa Centre.
- Durham Centre closes and service transfers to Abbey Day Centre.
- Spennymoor Day Centre closes and service transfers to Spennymoor Leisure Centre.
- Oaks Centre closes and service transfers to Newton Aycliffe Leisure Centre.

We would plan the moves with service users and staff. There would be building work to be completed before moves could be made. For example, care/changing facilities would be developed in some new community based venues. We have ensured that the new buildings would have sufficient space to accommodate everyone. Many of them could be further adapted to expand their capacity if needed.

What would this mean for service users?

No-one's care package would change because of a building move. Most moves would involve very short distances, for example approximately 1.5 miles for Durham Centre service users moving to Abbey Day Centre. Service users who are eligible would continue to receive transport.

New services would be integrated, providing facilities for a mix of client groups. For example, older people and those with physical disabilities would share a building with individuals with a learning disability. In the past, groups have mainly used separate buildings. All the moves involve combining services in the new buildings.

Though this means that centres would be busier than they are now, CDCS would work to make sure that the quality of services remains high for everyone attending. Activities which are available at the moment would still be provided, even if the joining of services may mean that this would have to be done in slightly different ways.

Some of the current day centres provide meals to service users and such arrangements may change in some cases. While the new services in Peterlee Day Centre and Abbey Day Centre would still provide meals, those in Louisa Centre, Spennymoor Leisure Centre and Newton Aycliffe Leisure Centre would not have meals facilities. In these services, the people attending would be able to access café facilities within the leisure centre buildings, bring a packed lunch or purchase food from local shops, which they would be closer to as a result of the moves. Microwave facilities will also be available for warming up food. This approach has already been successfully introduced in CDCS day services in parts of Derwentside.

Careful transition and planning arrangements would be put in place with support from care management staff and advocates. CDCS staff are very experienced and would use their knowledge to manage the transition and remain sensitive to the needs of the people they support.

Individuals would be able to decide how much they mix with other users of the service, just as they do now. Quiet areas would remain available for individuals or groups to spend time away from other activities going on in the centre. It is expected that adequate space would still be available, even if services come together, to make sure that privacy would be maintained and people's enjoyment of the service would not be affected by the changes.

Next steps

Following the consultation, a report will be presented to Durham County Council's Cabinet in September 2012. If a decision is made to move services we plan to have completed the moves by autumn 2013.

We believe that these moves are necessary to improve the use of services and to make them more efficient. We recognise that people will be worried and we will work with service users and their carers to address their concerns. We will continue to monitor day services to ensure they remain fit for purpose within the resources available. If this monitoring resulted in any further changes being proposed in the future, we would write to you about this and you would again be able to give your views through consultation.

How can I let you know my views?

You will need to complete the attached questionnaire and return in the enclosed pre- paid envelope to:

Commissioning Services Team Durham County Council Adults Wellbeing and Health County Hall Durham DH1 1BR.

Please note that all comments made within the questionnaire will be carefully considered as part of the consultation process but, if you want to follow up points you make in the questionnaire, you will need to raise them separately with your social worker or care co-ordinator, or by contacting the Commissioning Team on the telephone number below.

Your family and friends, the people you live with or an advocate may be able to help you to complete the questionnaire. We also intend to visit day centres during the consultation period to help people to fill in the questionnaires.

If you need to speak to somebody about this consultation, please contact your social worker or care co-ordinator. If you do not know the name of your social worker please contact the Commissioning Team on 0191 3725590 who will put you in touch with an advocate.

Glossary of terms	
Independent Sector	Services which are bought by the Council from external providers rather than provided by the Council itself. Independent sector providers are usually private, charity or voluntary organisations.
Priority Works	Building works are assessed as requiring completion over different timescales. Priority works are those which are classed as requiring completion within the next two years, as well as two thirds of those required in the next five years.
Cabinet	Made up of the Council's leader and nine other Councillors, each with their own portfolio of responsibility (such as Adult Services, for example). Cabinet makes strategic and countywide decisions in line with the Council's constitution.
Integrated	In day services, integrated services means that groups of people would mix where they have usually received their services in different buildings in the past. For example, older people or those with a physical disability would share a building with those with a learning disability.
Inclusive	In day services, inclusive means that services would be more community based, and people attending services would have increased choice over the things they want to do, including accessing community services if they so wish.



Proposed changes to County Durham Care and Support Day Services

1. How are you responding to this consultation?

• As a day services user

(Please go to Question 3)

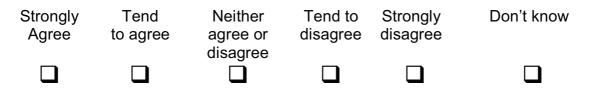
- As a carer / family member on behalf of a service user (Please go to Question 2)
- 2. If you are responding to this questionnaire on behalf of a service user, we want you to reflect the views of the person you care for when answering the questions below. If, as a carer or family member, you have additional information, separate to the answers you have given below, which you want us to consider, please tell us about this in the space below.



3. Which day service are your answers about?

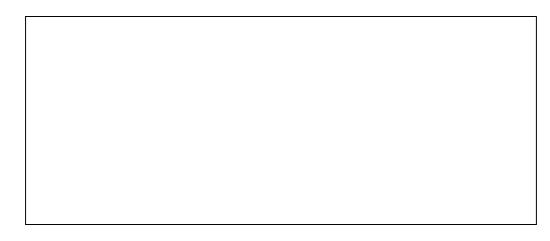
Spennymoor Day Centre	
Stanley Day Centre	
Durham Centre	
Shinwell Centre	
Oaks Centre	
Peterlee Day Centre (including McNally Group)	
Abbey Day Centre	
Louisa CentreOther (please specify)	
• Other (please specify)	

4. The Council proposes to develop day services for older people and people with disabilities in a more inclusive way. This will be achieved through greater use of community based buildings, such as leisure centres, instead of using resources on existing buildings. Do you agree or disagree with this proposal?



(Please see the glossary in the enclosed summary document for an explanation of what we mean by the term 'inclusive')

5. Can you suggest other ways that the Council could make day service venues more effective while providing good quality services?



6. From the following list please tick the <u>four</u> things that are most important to you about the service you receive. There is also a space provided for you to add comments on other parts of the service that are important to you.

(Please tick four only)

•	Skills & knowledge of staff	
•	Using a service that I trust	
•	Being somewhere safe	
•	Activities available, including community opportunities	
•	Facilities available, including in the local community	
•	Meals being available at the centre I attend	
•	Close to where I live	
•	Easy access to the service	
•	Being with friends	
•	Other (please specify)	

7. If the Council decides to make the proposed changes, which of the following things would be the most important to you when using the new, integrated service. Where relevant please rate these on a scale of 1 – 5 with 1 being the least important and 5 being the most important (tick one box per row).

(Please see the glossary in the summary document for an explanation of what we mean by an 'integrated service')

		Least Important			Most Important	
		1	2	3	4	5
•	Ensuring the service is safe					
•	Meeting my needs					
•	Getting to know a new building and staff					
•	Mixing with new people, including those with different disabilities					
•	Building confidence in attending a more integrated service					
•	Travel and transport					
•	Having the right building facilities and environment					
•	New experiences					
•	Using a Personal Budget to do something different					

8. If the Council decides to make the proposed changes, what could Durham County Council do to help make things easier for you? (please tick as many boxes as you wish).

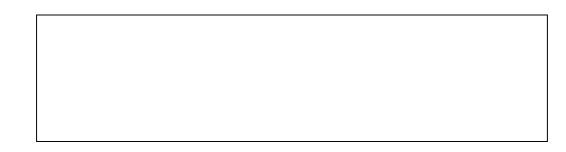
•	Share clear plans and timescales for decisions	
•	Provide regular reassurance	
•	Ensure you have a say in the service you use	
•	Use a Personal Budget to meet your care and support needs in a different way	
•	Have a social worker or care co-ordinator available to talk to you about services and options	

• Other (please specify)

9. If the Council decides to make the proposed changes to County Durham Care and Support Day Services (as described in the enclosed summary), what would the impact be on you?



Please provide any additional information, comments or concerns in the space below. All comments made will be carefully considered as part of the consultation process but please note that any individual dialogue cannot be entered into through the consultation (continue over the page if you need to).



Please remember to return this questionnaire no later than 29th June 2012.

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