

## **EXECUTIVE**

Minutes of a meeting of the Executive held in the Council Chamber, Civic Centre, Consett on Monday, 2<sup>nd</sup> August, 2004 at 4.30 p.m.

### **PRESENT:**

Councillor M. Malone, (Chair)

Councillors W. Armstrong, C. Christer, O. Johnson and D.G. Llewellyn.

### **IN ATTENDANCE**

Councillors J. Pickersgill and W.J. Tyrie

### **APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors A. Taylor, J. Huntley and A. Watson

## **24      MINUTES**

**RESOLVED:** that the minutes of the meeting of the Executive on Monday, 28<sup>th</sup> June 2004 be approved and adopted.

## **25      (CALL-IN) OF DECISION BY OVERVIEW AND SCRUTINY COMMITTEE – DISPOSAL OF LAND AT ORWELL GARDENS, SOUTH STANLEY**

Councillor Malone presented the report, which advised that at the meeting of Overview and Scrutiny on Monday, 28<sup>th</sup> June 2004 the decision taken by the Executive on 7<sup>th</sup> June, 2004 relating to the disposal of land at Orwell Gardens, South Stanley was debated in accordance with the call-in procedure laid down in the Constitution.

It was advised that the Overview and Scrutiny Committee **RESOLVED:-**

- (1) to go against the Decision of the Executive in its entirety and recommend
- (2) that the Executive seek to find an alternative site for Paragon more in keeping with the price offered i.e £500,000 within Derwentside preferable within the Stanley area:
- (3) to seek best value of the Orwell Gardens site through the due tendering process.

In presenting the report, Councillor Malone explained that whilst he would recommend that Executive agree to the conclusions reached by Overview and Scrutiny, the wording of the recommendations had to be changed on the advice of the Councils Monitoring Officer. This advice had been given in writing and circulated to Members by letter in advance.

**RESOLVED:** that the Executive support the decision of Overview and Scrutiny as follows:-

- (1) to go against the Decision of the Executive in its entirety and recommend
- (2) that the Council, in consultation with local Ward Councillors, seek to find a site of similar value to the Paragon offer i.e. £500,000, within Derwentside preferably within the Stanley area, for development of a similar facility, and seek expressions of interest from Paragon and other similar service providers. All submitted expressions of interest to contain best and final offer for such land.
- (3) the 'due tendering process' has already been followed and the land should be awarded to the highest tenderer.

Following Executives acceptance of the above resolution the Executive Director reported that Paragon appeared to be no longer interested in the Orwell Gardens site, and he was seeking further clarification of their intentions to develop in Derwentside.

## **26 WORK LIFE BALANCE**

Councillor Malone presented the report, which sought to implement new practices and protocols to assist the Council to provide greater flexibility within the way it works and develop ways of seeking to recruit and retain employees.

**Option:** Whether or not to adopt the Work Life Balance Policy.

**RESOLVED:** that the Work Life Balance Policy be adopted.

### **Reasons:**

- (1) For the Council to succeed it must strive to obtain the most effective use of its resources to achieve its goals and the development of initiatives to encourage employees to work productively within a supportive and challenging environment.
- (2) To seek to continue to attract and retain quality staff and achieve the aspiration of being an exemplar employer.

**27**      **FOOTPATH DIVERSIONS – PROPOSED SCHEME OF CHARGES**

Councillor Johnson presented the report which advised that a number of developments approved by the Development Control Committee over the previous twelve months have involved the diversion of existing Rights of Way over the land in question.

It was advised that Local Authorities are empowered to recover their associated administrative, legal and advertising costs from the applicant.

**Option:**      Whether or not to adopt such a scheme to enable the recovery of expenditure in appropriate cases.

**RESOLVED:** that the recommendations contained within the report be adopted.

**Reasons:**

- (1)      To allow for the recovery of costs outlined within the report that are currently being expended by the Council.
- (2)      To allow authority for the Legal Services Manager to negotiate relief from administrative/legal and advertising costs in appropriate cases as detailed in the report which will relate to community benefit and financial hardship.

**28**      **DERWENTSIDE INDUSTRIAL DEVELOPMENT PROGRAMME 2002-2004 PROGRESS REVIEW**

Councillor Llewellyn presented the report, which provided a review of the progress made by the Derwentside Industrial Development Programme in the two years from 1<sup>st</sup> April, 2002 until 31<sup>st</sup> March, 2004.

**Option:**      Whether to accept, reject or amend the proposals in the report regarding the Derwentside Industrial Development Programme.

**RESOLVED:** that:-

- (1)      The content of the report and the continuing success of the Derwentside Industrial Development Programme is noted:
- (2)      The results of the programme be incorporated in the forthcoming Progress Review for Derwentside Economic Development Strategy and
- (3)      Broader Performance Indicators are developed to measure the improved performance, competitiveness and quality of local businesses, as well as job creation, as part of the continuing development of the Derwentside Industrial Development Programme.

**Reason:**

- (1) The continued role for the authority is the modernisation of the local economy as highlighted in the Derwentside Economic Development Strategy and the Councils Corporate Plan that attach high priority to the creation of good quality businesses and jobs in Derwentside.

**29 REPORT ON THE PROCESS AND PUBLICITY FOR ANTI-SOCIAL BEHAVIOUR ORDERS**

Councillor Christer presented the report, which provided Members with details on the process used when applying for Anti-Social Behaviour Orders and a recommendation for it to be used in Derwentside on a selective basis.

In response to a question from Councillor Llewellyn, the Executive Director advised that Durham Police Authority have yet to comply with the request to include their logo on any publicity adverts for Anti-Social Behaviour Orders. It was advised that this would be discussed with Chief Inspector Hogg at a meeting in the near future.

**Option:** Whether to accept, reject or amend the proposals in the report regarding the use of publicity in cases where Anti-Social Behaviour Orders are granted.

**RESOLVED:** that the recommendations contained within the report be approved.

**Reasons:**

- (1) To confirm the Councils commitment to continue to work in its own right and with Partners to refine its approach to tackle anti-social behaviour.
- (2) To recognise the benefits of publicity in relation to Anti-Social Behaviour Orders.

**30. INCIDENTS IN THE WORK PLACE**

Councillor Malone presented the report, which advised that the Council recognises its statutory obligation to provide a safe working environment and safe working practices for its employees and it takes a serious view of any incidents of violence against its employees. The report advised that the Council does not accept that its employees should have to work in fear of physical or verbal abuse and will take appropriate action against those persons who behave in this way.

The Executive Director advised that the Divisional Head of Human Resources would produce a similar report that would detail incidents and risk assessment protocols in relation to Members.

**Option:** Whether to accept or amend the proposals for the report to revise the policy and guidance for incidents in the workplace.

**RESOLVED:** that the recommendations contained within the report be approved.

**Reason:** To ensure the application of good practice and reduce the risk of injury and harm to employees and the reputation of the Council.

### **31 CONTRACT FOR CCTV MONITORING**

Councillor Malone presented the report, which sought approval for the contract with Manco (Dysart) for monitoring of the Council's Community CCTV Scheme and both Town Centre Schemes.

Councillor Malone advised that during the last five months there had been detailed discussions on replacing the existing contract for the Town Centre cameras in Consett and Stanley and encompassing the new cameras.

It was advised that from these negotiations a contract has been agreed the cost of monitoring all cameras confirmed at £1,647.87. It was advised that this cost is per camera per annum.

**Option:** Whether to accept, reject or amend the proposals in the report regarding monitoring of the authorities community CCTV scheme.

**RESOLVED:** that the recommendations contained within the report be approved.

**Reason:** To ensure 24 hours, 7 day per week monitoring of the CCTV system within Derwentside.

### **32. REVIEW OF FINANCIAL INCENTIVE SCHEMES**

Councillor Llewellyn presented the report, which advised of proposed changes to the Council's Financial Incentive Scheme in order to ensure that the scheme can best support the achievement of strategic and corporate objectives.

**Options:**

- (1) To retain the existing incentive scheme.
- (2) To abolish financial incentive schemes.
- (3) To modify financial incentive schemes.

**RESOLVED:** that Option 3 be approved.

**Reasons:**

- (1) To maintain the ability of the District to develop and retain businesses and employment in Derwentside.
- (2) To support the attraction/retention of over 200 jobs per annum in Derwentside.
- (3) To focus on priority aims and objectives.
- (4) To reduce budgetary risk.

**33. HOUSING STRATEGY – DRAFT CHAPTER ON HOUSING MARKET**

Councillor Christer presented the report, which sought to inform Members about the draft Housing Market chapter of the Housing Strategy, currently under preparation.

In response to Councillor Llewellyn the Executive Director advised that various professional bodies gave various definitions of affordable housing.

The Director of Housing and Capital Works advised that research is currently being carried out by the authority in relation to the rapidly changing housing market.

Councillor Llewellyn suggested that the local M.P.'s receive a copy of the report.

**Option:** Whether to accept, reject or modify the proposals in the report regarding the draft Housing Market Chapter of the Housing Strategy.

**RESOLVED:** that the recommendations contained within the report be approved.

**Reasons:**

- (1) The issues identified in the report require concentrated action at local, regional and national levels in view of the body of evidence, which identifies serious problems relating to the affordability of housing in Derwentside.

### **34. ASSET MANAGEMENT PLAN 2004**

Councillor Malone presented the report, which advised Members of the production of the Council's Asset Management Plan 2004. The report sought approval of the plan as detailed within the report. The Divisional Head of Land and Property advised that the report would be presented to Members in the near future detailing a review of all property owned by the authority.

#### **Options:**

- (1) Agree the implementation of the Asset Management Plan.
- (2) Change elements of the Asset Management Plan.
- (3) Not implement the Asset Management Plan.

**RESOLVED:** that Option 1 of the report be approved.

#### **Reasons:**

- (1) In order to build upon the good assessment for the previous years Asset Management Plan, the authority needs to continue its Asset Management Activities through an annually updated Asset Management Plan.

### **35. ASSET MANAGEMENT – PERFORMANCE OF THE PROPERTY PORTFOLIO**

Councillor Malone presented the report which advised Members of the performance of the Council's Land and Property Portfolio, excluding Housing, as required under the Asset Management process and will compromise information on the following:-

- Performance Indicators – National.
- Income Generation
- Stock Condition Information
- Maintenance Backlog

In response to Councillor Llewellyn, the Executive Director advised that Durham County Council have been asked to advise the authority of their plans regarding the land at the Kings Head, Stanley. It was advised that the authority are still awaiting a response.

**Option:** Whether to accept, reject or amend the proposals in the report regarding the Property Portfolio.

**RESOLVED:** that:-

- (1) Information regarding National Performance Indicators contained within the report be noted and endorsed for a formal submission to Government Office.
- (2) The new areas of work identified in 4.1 of the report be noted.

**Reason:**

- (1) To comply with the 2001 Modernisation Agenda which requires local authorities to prepare and submit Capital Strategies and Asset Management Plans.

**36. RESPONSE TO THE DEPOSIT DRAFT REPLACEMENT OF THE GATESHEAD UNITARY DEVELOPMENT PLAN**

Councillor Johnson presented the report, which set out Derwentside District Council's recommended response to Gateshead Council's invitation to comment on the deposit draft replacement of their Unitary Development Plan.

**Option:** Whether to accept, reject or amend the proposals in the report regarding the Gateshead Unitary Development Plan.

**RESOLVED:** that the objections detailed within the report in respect of the Gateshead Unitary Development - Deposit Draft Replacement Plan be approved.

**Reason:**

- (1) As a neighbouring authority Derwentside District Council had provided comments of part of the Statutory Consultation Development Plan process.

**37. EASTFIELDS / WESTFIELDS PLAY SITE**

Councillor Malone presented the report, which sought Members' approval on a specific condition of a Countryside Agency grant obtained in relation to the Eastfields / Westfields Play Site.

In referring to the map contained within the report, the Divisional Head of Leisure advised that land, which is leased to the Comprehensive School, was not included within the proposed development.



**Options:**

- (1) To enter into a covenant with the Countryside Agency in relation to a Doorstep Green Grant at Eastfields Westfields.
- (2) To seek Secretary of State approval for recreational use of the land.

**RESOLVED:** that the options contained within the report be approved.

**Reason:**

- (1) In order to enhance the provision provided in South Moor as part of the District Play Strategy.

**RESOLVED:** on the motion of Councillor W. Armstrong, seconded by Councillor D. Llewellyn, that under Section 100(A)(4) of the Local Government Act 1972: the Press and Public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 1, 4, 5, 6, 7, 8 and 9 of Part 1 of Schedule 12(A) of the Act (as amended).

**38. REPORT ON INSURANCE SERVICES TENDER PROCESS**

Councillor Malone presented the report, which advised Members of the recent Tender process for the Council's Insurance Services. It was advised that the tender process is subject to European Community Procurement Regulations.

**Option:**

- (1) Whether to accept, amend or reject the proposals in the report regarding the awarding of the Tender for the Insurance Services contract.

**RESOLVED:** that the recommendations contained within Section 4 of the report be approved.

**Reason:**

- (1) The organisation that were awarded the tender were the only respondent to provide proposals for the entire package of policies.

### **39. DISPOSAL OF CURRENT STANLEY BUS STATION SITE**

Councillor Llewellyn presented the report, which gave confirmation to Members of the expressions of interest received regarding the current Stanley Bus Station site and made recommendations as to the next steps to be taken.

#### **Options:**

- (1) To defer any further consideration of the bids until such time as feedback on public consultation on the CRA Study is received.
- (2) Select a preferred developer from the submitted bids and seek to establish/negotiate a development which will have maximum impact on Stanley Town Centre with a final disposal decision to be made once feedback on public consultation on the CRA Area Study is received.
- (3) Request one or more of the bidders to make a presentation to a panel of Members, together with any external representatives it was considered appropriate to include prior to a disposal decision being taken.
- (4) Re-advertise the site.

**RESOLVED:** that Option 3 of the report is approved.

Councillor Malone suggested that the Executive Committee decide on the make-up of the Panel who are to receive the presentation.

#### **Reason:**

- (1) This would comply with a request from the Stanley Steering Group.
- (2) It allows for further details of the development proposals / risks to be discussed and determined.
- (3) It enables non – financial issues to be taken into account within the final disposal decision.

### **40. HARMONISATION AND WORK PRACTICES**

Councillor Malone presented the report which came as a consequence of lengthy negotiations between Trade Unions and Directors to seek to implement new working practices and protocols, to assist the Council to provide greater flexibility within the way that it works, to recruit and retain quality employees and deal with outdated historic working practices.

**Option:**

- (1) Whether to accept, amend or reject the proposals in the report regarding changes in working practices in terms of conditions as part of the move towards single status and harmonisation of terms and conditions for employees.

**RESOLVED:** that the Harmonisation and Work Practices policy as detailed in the report be approved.

**Reason:**

- (1) To allow the authority to address the rising expectations of citizens and obtaining the most effective use of its resources to encourage employees to work productively within a supportive and challenging environment.

**41. BANK GUARANTEE – REQUEST FOR WAIVER**

Councillor Llewellyn presented the report, which outlined a request for the Council to waive a Bank Guarantee in respect of a financial incentives offer.

**Options:**

- (1) To refuse the request to waive the Bank Guarantee.
- (2) To agree to the request to waive the Bank Guarantee.

**RESOLVED:** that Option 2 of the report be approved.

**Reason:**

- (1) To enable the company to secure a level of bank finance which will best support future cash flow and contingencies, and therefore maximise the potential for success of the restructured business.

**42. MANAGEMENT REVIEW OF HOUSING AND CAPITAL WORKS**

It was advised that this report had been withdrawn from the agenda

**CONCLUSION OF MEETING**

The meeting closed at 5.35 p.m.

**Chair.**