

EXECUTIVE

Minutes of a meeting of the Executive held in the Council Chamber, Civic Centre, Consett on Tuesday, 8th March 2005 at 4.30 p.m.

PRESENT:

Councillor A. Watson, Chair

Councillors W. Armstrong, C.D. Christer, J. Huntley, O. Johnson, D.G. Llewellyn, M.J. Malone and A. Taylor.

IN ATTENDANCE

Councillors W.J. Tyrie and J. Pickersgill

119. MINUTES – 7 FEBRUARY 2005

RESOLVED: that subject to amendment to Minute No. 118 entitled, “Stanley Bus Station Project – Progress Report” as follows:-

First sentence, third paragraph, page 87 to read: “the Director of Development and Asset Management advised that the Bus Station was still on course for completion in November 2005” the minutes of 7 February 2005 be agreed as a correct record.

120. SCRUTINY BOARD DEBATE

A list of items discussed at Scrutiny Board was presented, the Chair advised that the comments would be referred to as each agenda item was discussed.

Chairman’s Announcement

Councillor Watson referred to the role of the Cemeteries Working Group and after working on the remit from Executive to review the Council's position with regard to Grave Surrounds, the Working Group had identified other areas which could be dealt with at the same time which could safeguard the Council's position in future years and had requested that their remit be extended to other relevant issues.

RESOLVED: that the Cemeteries Working Group remit be extended to include:

- All of the Regulations in regard to the operation of the Council's Cemeteries.
- The provision of Headstones and in particular the issue of fixing and foundations.
- The issue of Transfer of Burial Rights in light of new Government regulations.
- The provision of information to the bereaved at an earlier stage via Undertakers and Masons who are usually the first point of contact.
- Actions against Undertakers and Masons who do not follow the Council's Regulations for its Cemeteries, this is to ensure that unacceptable installations are removed or preferably not placed in the first place and if this is the case then the persons responsible will be prevented from working within the Council's Cemeteries in the future.

121. COUNCIL PERFORMANCE – REVIEW OF PERFORMANCE THIRD QUARTER 2004/05

Councillor Malone presented the report which informed Members of performance for the 25 key Best Value Performance Indicators (BVPI's) for the third quarter of 2004/05. In response to Councillor Taylor's questions on the monitoring of targets, Councillor Malone advised that performance would continue to be monitored closely and where necessary, action will be taken to improve performance.

Option: Whether or not to commission further investigation of performance indicators identified as showing a fall in performance or of any of the indicators detailed in the report.

RESOLVED: that the contents of the report be noted.

Reason: Third quarter performance is showing overall improvement with those Indicators that were showing cause for concern at the end of the second quarter, now showing improvements.

122. ANNUAL DIRECTION OF TRAVEL ASSESSMENT

Councillor Malone presented the report which informed Members of the results of the Audit Commission assessment and how it fits into the commissions plans to revise the CPA progress from this year. The Audit Commission had assessed the Council's progress in delivering its priorities and improving its services since Derwentside was assessed as 'good' following the Comprehensive Performance Assessment (CPA) in January 2004.

Option: Whether or not to agree to incorporate the key priorities highlighted in the direction of travel statement into the Council's Corporate Planning and Performance Management Framework.

RESOLVED: that:-

- (1) The proposals made by the Audit Commission with regard to changes in the methodology for CPA for the District Councils from 2005 be noted.
- (2) The content of the Audit Commission Direction of Travel Assessment for 2004 be noted.
- (3) The key priorities highlighted in the Direction of Travel Statement be incorporated into the Council's Corporate Planning and Performance Management Framework.

Reason: The Council has a statutory obligation to use the strengths and weaknesses highlighted in the CPA and subsequent activity by the Audit Commission as a basis for improvement planning.

123. CRIME AND DISORDER AUDIT 2004 AND STRATEGY 2004-08

Councillor Christer presented the report which advised of progress on securing the Council's input into the Crime and Disorder Audit Strategy, and for integrating the exercise with the development of the Corporate Plan 2005-10 and the Corporate Community Safety Strategy.

The Director of Development and Asset Management circulated a summary of the document to all at the meeting which advised that the Strategic Priorities for the strategy over the next three years would be:-

- (1) Crime Reduction
- (2) Public Reassurance and Tackling Anti-Social Behaviour
- (3) Tackling Drugs, Substance and Alcohol Misuse.
- (4) Community Engagement

He also advised that the meeting of the Responsible Authorities Group and the Derwentside Crime and Disorder reduction Partnership referred to in the report and scheduled for 4th March had been deferred therefore he requested that authority be granted to allow any comments arising from the rescheduled meeting to be included in the final document.

Councillor Watson raised concerns regarding public safety with regard to the policing of Consett Town Centre. He particularly stressed that it was unacceptable that major town centre areas should be un-policed for any

length of time and requested that Officers investigate this issue. Councillor Huntley also raised concerns regarding the Strategy for Working with Victims and whether the resources were available for this issue.

Options:

- (1) Approve the Audit and Strategy Documents as submitted.
- (2) Approve the Audit Strategy Document, subject to comments.
- (3) To defer determining whether or not to approve the document, pending the receipt of further information.

RESOLVED: that:-

- (1) Authority be granted to the Director of Development and Asset Management together with the Portfolio Holder for Community Safety, Councillor C. Christer to agree the final documents for the Derwentside Crime and Disorder Strategy 2005-2008.
- (2) The Crime and Disorder Audit 2004, and Strategy 2005-08 both be approved subject to (1) above and subject to the Council stressing that the development and delivery of the strategy must take full account of local needs, that decisions are taken at a local level, and that funding and resources are distributed equitably.

Reasons:

- (1) To comply with Statute.
- (2) To enable the Council to contribute effectively to its corporate aim of working with others to make Derwentside a safer place in which to live and work.
- (3) To ensure that the process accords with the Council's Corporate and Performance Management Framework.

124. DISPOSALS OF LAND AND PROPERTY AT AN UNDERVALUE

Councillor Watson advised that Scrutiny Board had requested that this issue be deferred to allow time for an advice note to all Members highlighting a proposed change to the annex of the report to allow for Ward Members' consultation.

Option: Whether to consider or defer the report.

RESOLVED: that the report be deferred to allow time for an advice note to all Members highlighting a change to the annex of the report to allow for Ward Members consultation within the text box headed, "Service Division".

Reason: To enable consultation to take place with all Councillors prior to a decision being taken.

125. STANLEY BLUES FESTIVAL: MANAGEMENT AND DELIVERY ARRANGEMENTS

Councillor Taylor presented the report which sought final approval of the decision taken at the meeting of the Executive on 6th December 2004, which agreed in principle the hand-over to Northern Recording Limited of all management and delivery arrangements for Stanley Blues Festival from 2005, supported by a negotiated single legacy payment with which to provide core funding for an agreed number of years.

Relevant material considerations included:-

- Heads of Terms
- Draft Heads of Terms
- Term of Agreement
- Key Purpose
- Management Structure
- Financial Arrangements
- Scope and Format of the Festival
- Liability
- Marketing
- Financial Success
- End of Contract
- Transitional Arrangements
- A Longer-Term View
- Reduced Financial Risk
- Reduced Operational Risk
- Increased Sustainability
- Retaining Influence and Supporting Corporate Aims.

Options: Whether to agree, amend or reject the proposals in the report to outsource Stanley Blues Festival

RESOLVED: that:-

- (1) The outsourcing of Stanley Blues Festival on the terms set out within the report including the single legacy payment be agreed.
- (2) The necessary legal and contractual documents be prepared in order to formalise the new arrangements.

Reasons:

- (1) The legal agreement will provide resources for a minimum of

three consecutive Festivals. However, there is a strong commitment from both sides that the Festival should continue with the objective of increasing long-term sustainability.

- (2) To help NRL to secure and develop the Stanley Blues Festival as a major Music Festival for Derwentside, County Durham and the region.
- (3) The outsourcing of the Festival in the manner proposed in the report has the potential to sustain the event at arms length from the Council, relieving pressure on the Revenue Account. In addition, after year one, significant amounts of officer time will be released to concentrate on other issues.

126. CHILDCARE VOUCHERS SCHEME

Councillor Huntley presented the report which proposed the possibility of offering employees a Childcare Voucher Scheme in part payment of salary.

Councillor Taylor raised the issue of the crèche provided by the Leisure Trust and the number of employees using the facility. In response, she was advised that Officers would investigate this issue and report the findings to a future meeting.

Councillor Malone raised the possibility of a leaflet being sent out with employee's pay-slips advertising the facilities at the crèche.

Options: Whether to agree, amend or reject the proposals in the report regarding the Childcare Voucher Scheme.

RESOLVED: that the introduction of a Childcare Voucher Scheme as detailed in the report be agreed.

Reasons:

- (1) Learning Scrutiny Panel had considered the proposals and they had given their full support to the initiative.
- (2) Childcare choices and flexible work enables a balance to be struck between work and home and the provision of childcare vouchers can reinforce the Council's commitment to family friendly benefits and work/life policies.
- (3) In May 1998, the Government launched the National Childcare Strategy which presented an opportunity for more children and parents to access quality, affordable childcare services. The need for more childcare has become increasingly important as a growing number of mothers are returning to paid employment rather than undertaking full-time care of their children.

127. HEALTH AND SAFETY (DISPLAY SCREEN EQUIPMENT) REGULATIONS 1992 – EYE TESTS.

Councillor Huntley presented the report which reviewed the existing arrangements for eye tests which had been originally introduced in 1986 as part of the then new technology agreement.

Options: Whether to agree, amend or reject the proposals to amend the existing arrangements for eye tests for employees.

RESOLVED: that the amendment to the Policy be agreed as detailed in the report.

Reason: Recent advice received from the Health and Safety Executive has indicated that the eligibility should be applied to any VDU user.

128. LOCAL DEVELOPMENT SCHEME FOR THE DERWENTSIDE LOCAL DEVELOPMENT FRAMEWORK

Councillor Johnson presented the report which requested approval of the Council's first Local Development Scheme (LDS) that shows which documents are to be prepared, over the next three years, within the District's new Local Development Framework.

Scrutiny Board had suggested that the Director of Environmental Services be requested to investigate the opportunity to bring forward a proposed date for adoption of Stanley Central Area Action Plan from February 2010, subject to availability of resources. This issue to be looked into and if practicable would be incorporated at the first annual review of the Scheme.

Option: Whether to agree, amend or reject the proposals for the Local Development Scheme.

RESOLVED: that:-

- (1) The contents and timescales for the preparation and adoption of the local development documents within the Local Development Scheme be noted.
- (2) The scheme be agreed for submission to the Secretary of State.

Reason: The scheme has been designed to reflect the Council's resources which are available for preparing the LDF and to fulfil the requirements of PPS 12: Local Development

Frameworks, including the advice in the recently published Companion Guide that focuses on the processes involved in preparing local development frameworks.

129. MEDIUM TERM FINANCIAL PLAN – CAPITAL PROGRAMME (PUBLIC SECTOR HOUSING)

Councillor Christer presented the report which informed Members of the constrained Housing Capital Programme and options available.

At the special meeting of the Council on 22nd February 2005, Members considered the Medium Term Financial Plan – Capital Programme for 2005/06 to 2007/08 and this report was produced in response to recommendation 4.6 of that report.

In response to Councillor Taylor's enquiry regarding funding from other sources for the Aids and Adaptations Scheme, the Director of Finance advised that Durham County Council contributed £15,000 to the scheme and that this amount had remained fixed for a number of years.

Options: Whether to agree, amend or reject the proposals in the report regarding the Medium Term Financial Plan – Capital Programme (Public Sector Housing).

RESOLVED: that:-

- (1) The constrained Public Sector Housing Programme outlined in the report be approved, with a further report on the programme at the first quarterly review being presented to Members.
- (2) The use of HRA balances to fund the Housing Capital Programme, if resources are not available as part of the first quarterly review, be approved.

Reasons:

1. To highlight the funded areas of HRA Capital Programme and ensure that the HRA Capital Programme is included as part of the evaluation process when resources are made available.
2. To release ring-fenced resources for the public sector housing programme 2005-06.
3. To permit alternative funding for the programme to be deployed if receipts do not become available during the first quarter.

130. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: on the motion of Councillor W. Armstrong, seconded by Councillor D.J. 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 7,8 and 9 of Schedule 12(A) of the Local Government Act 1972.

131. REGENERATION OF LILY GARDENS ESTATE - PHASE 2

Councillor C. Christer presented the report which sought approval of Phase 2 of the Regeneration of the Lily Gardens Estate, to include the disposal of land to Nomad Housing Group.

Options:

- (1) Agreement to progress Phase 2 including the disposal of land to Nomad Housing Group.
- (2) No action.

RESOLVED: that:-

- (1) Members agree to progress Phase 2 of the Lily Gardens Estate, to include the disposal of land to Nomad Housing Group, to include:-
 - (a) the disposal of land as indicated in Appendix 1 of the report to Nomad Housing Group to enable Phase 2 of the Regeneration Scheme to proceed.
 - (b) The price of the land to be agreed as detailed in the report.
 - (c) Nomad and Derwentside to bear their own costs in relation to legal fees and valuation costs.

Reasons:

- (1) Approval of this second phase of works will demonstrate Derwentside's continued commitment to the regeneration of this estate and enable further substantial investment within that particular community. This proposal follows detailed consultation with the existing tenants of Lily Bungalows, much of it on a one to one basis, and represents the needs of these particular people.
- (2) This is the fourth project involving Nomad Housing Group and an excellent working relationship has been established over the past

- 2 - 3 years. Nomad have a proven track record for the delivery of quality of their projects.
- (3) The proposals contribute to the Council's Corporate Aims: 'To deliver a place with strong, cohesive communities and to 'Create an attractive, sustainable environment' and meet the Housing Service Division objective to 'Ensure sustainability of estates through the regeneration process'.

132. DISPOSAL OF LAND AT DELVES LANE INDUSTRIAL ESTATE, CONSETT

Councillor Huntley presented the report which sought approval to dispose of an area of land on the Delves Lane Industrial Estate, Consett.

Options:

- (1) To proceed with the disposal of the site on the terms detailed in the report.
- (2) Withdraw from negotiations and continue advertising the site for sale on the open market.

RESOLVED: that authority be granted to dispose of the site on terms outlined in the report.

Reason: to encourage new investment in high technology industry and hopefully lead to the creation of a number of highly-skilled jobs.

133. LEASE OF THE FORMER PARKS OFFICE, STANLEY CEMETERY

Councillor Huntley presented the report which sought approval to renew the lease of the former Parks Officer in East Stanley Cemetery, at a concessionary rent.

The lease was proposed for Derwentside Mind, a Registered Charity dealing with adults with mental health problems. This organisation had occupied the former Parks Office since 1994 at a concessionary rent.

Councillor Watson commented that the service provided by Derwentside Mind was an extremely valuable service to members of the community.

Options:

- (1) Let the building at an undervalue on a six year lease.
- (2) Insist that the lease is renewed at a full open market rent. If the

tenant was unwilling to proceed then steps would be taken to obtain vacant possession and the property advertised for sale or to-let on the open market.

RESOLVED: that authority be granted to offer Derwentside Mind a new lease for a further term of six years at a rent as detailed in the report, subject to a rent review after three years, whereupon the concessionary rent can be reconsidered.

Reason: To show the Council's commitment to assisting organisations which support disadvantaged members of the community.

CONCLUSION OF MEETING

The meeting closed at 5.38 p.m.

Chair.