

EXECUTIVE

Minutes of a meeting of the Executive held in the Council Chamber, Civic Centre, Consett on Monday, 5th December 2005 at 4.30 pm.

PRESENT

Councillor A. Watson, Chair

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

IN ATTENDANCE

Councillors J. Pickersgill, W. Stelling and W. Tyrie.

APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors W. Armstrong and M. J. Malone.

68. REVIEW OF SCRUTINY BOARD DEBATE

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

69. MINUTES

The minutes of the meeting held on 7th November 2005 were agreed as a correct record.

70 DERWENTSIDE LOCAL DEVELOPMENT FRAMEWORK: ANNUAL REPORT 2004/05

Councillor Johnson presented the report, which informed Members of the preparation of the Council's first new style Annual Monitoring Report (AMR) covering the period 2004/05. He advised that at Paragraph 3.3, Bullet Point 3, the wording should read "compared to 2.3% nationally".

It was noted that there were no material issues raised with regard to this report by the Scrutiny Board.

Options: Whether to agree, amend or reject the recommendations in the report.

RESOLVED: that -

- (1) The contents of the 2004/05 Annual Monitoring Report be agreed and submitted to GONE prior to the December 31st deadline.

Reason: To comply with the Town and Country Planning (Local Development) (England) Regulations 2004.

71. ANNUAL REPORT ON THE TREASURY MANAGEMENT SERVICE AND ACTUAL PRUDENTIAL INDICATORS 2004/05

Councillor Huntley presented the report which covered the treasury activity for 2004/05 and the actual Prudential Indicators for 2004/05.

It was noted that there were no material issues raised with regard to this report by the Scrutiny Board.

Options: Whether to agree, amend or reject the Prudential Indicators within the report.

RESOLVED: that:-

- (1) The actual 2004/05 prudential indicators within the report be approved.
- (2) The Treasury Management Stewardship report for 2004/05 be noted.

Reason: In the interests of good financial management in accordance with the requirements of the Prudential Code.

72. COUNTY DURHAM MINERALS & WASTE DEVELOPMENT FRAMEWORK: MINERALS ISSUES AND OPTIONS REPORT

Councillor Johnson presented the report which informed Members regarding Durham County Council's Minerals Issues and Options Report which was out to consultation until 21st December 2005.

Considerable debate had ensued at Scrutiny Board in relation to the report. Councillor Edwards had expressed concerns with regard to the 3rd Bullet Point of Paragraph 6.1 of the report suggesting each application should be taken on its merit. Councillor Edwards suggested that the recommendation should be re-worded as follows:-

“The Council offer no comments with regard to those sites identified for coal extraction within the framework and that Derwentside District Council would address any applications as a consult tee on the basis of community impact”

Options: Whether or not to agree, amend or reject the proposed comments on Durham County Council's suggested approach to dealing with minerals.

RESOLVED: that:-

- (1) Agree that the Minerals Local Plan aims should continue as the four overarching strategic aims of the Minerals Core Strategy Development Plan Documents and that there is no need to change the policy approach to determining applications for opencast coal extraction.
- (2) Support the need for a Supplementary Planning Document on Environmental Protection and Enhancement and the adoption of a character-based approach to landscape conservation and enhancement rather than one based on local designations.
- (3) In respect to the proposal by UK Coal for new opencast coal sites at Bradley, Castle Dene/Hurbuck and Marley Hill, agree to support Durham County Council's existing stance as set out in the Minerals Local Plan.

Reason: To contribute to the consultation process of the County Council's Minerals and Waste Development Framework.

73. ACTION PACKED FUTURES EVENT 2006

Councillor Johnson presented the report which informed Members regarding 'Action Packed Futures 2006' an Annual Local Agenda 21 project and to seek support from Derwentside District Council to host the event. It is proposed that the event should take place in Stanley at the Kings Head Playing Fields on Sunday 18th June 2006. It will be a free, public one-day event, which will aim to provide a fun, interactive day for the whole community, whilst delivering key messages and actions on adopting a more sustainable lifestyle, providing the opportunity to find out more about green and modern living in the 21st Century.

It was noted that there were no material issues raised with regard to this report by the Scrutiny Board.

Options: Whether or not to agree to support the holding of the 2006 event

RESOLVED: that

- (1) The proposal to host the Local Agenda 21 project on Sunday 18th June 2006 as detailed in the report be agreed.

Reasons:

- (1) To support a partnership project between the County, District and Borough Councils of Durham, Groundwork East and West

- Durham and the County Durham Strategic Partnership
- (2) The project aims to increase the level of understanding and awareness of sustainability, and generate actions across Derwentside to help create sustainable communities. It is also hoped that the project would help improve quality of life, through the adoption of new habits and lifestyle changes, and encourage new links across the Durham community.
 - (3) The event would help endorse the Council's commitment to Local Agenda 21 and add to the work already undertaken by the Council's Sustainability Officer, Recycling Officer, Local Nature Reserve Officer and Energy Management Officer. The event would promote the authority, stimulate the local economy and get local people involved in a great day out.

74. EXCLUSION OF PRESS AND PUBLIC

RESOLVED: On the motion of Councillor D.G. Llewellyn seconded by Councillor O. Johnson that under Section 100(A)(4) of the Local Government Act 1972, the Press and Public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraphs 1, 2, 4, 7, 8 & 9 of Part 1 of Schedule 12(A) of the Local Government Act 1972.

75. MEDIUM TERM FINANCIAL PLAN 2006/07 to 2010/11

Councillor Huntley presented the report which updated the authority's medium term financial plan position with particular reference to the 2006-07 budget. The report provided an update on the current position although at the time of producing the report several issues were still uncertain.

At Scrutiny Board the Director of Finance had advised that the Government were expected to release settlement figures for the next two years on 5th December and it was intended to report the details and impact of the settlement to the Special Meeting of the Council on 14th December. The Executive Director made specific reference to Appendix 3 of the report which contained a list of additional revenue bids and advised Members that the list was not a prioritised list and as yet the bids were not recommendations to the Council. It was noted that there were no material issues raised with regard to this report by the Scrutiny Board.

Options: Whether to agree, amend, reject or request further information regarding the budget position.

RESOLVED: that the current 2006/07 budget position be noted.

Reason: In the interests of good financial management and to progress the 2006-07 budget setting process.

76. DERWENTSIDE COMMUNITY EMPOWERMENT NETWORK RESPONSIBLE BODY

Councillor Taylor presented the report which advised Members of a request from the Derwentside Community Empowerment Network (DCEN) for the Council to take on the role of Responsible Body for the Network.

It was noted that there were no material issues raised with regard to this report by the Scrutiny Board.

Options: Whether to agree, reject or defer the decision for further information.

RESOLVED: that the Council agree to take on the role of Responsible Body to the Derwentside Community Empowerment Network under the terms and conditions as set out in the report.

Reasons:

- (1) To enable the Network to continue operating in support of the Derwentside LSP and community engagement.
- (2) The Network had asked the Council to take on this role and is satisfied that it would make the most appropriate Responsible Body.
- (3) Provides the opportunity to further develop close working between the Council, the voluntary sector and the community sector in support of local community engagement and regeneration.
- (4) The operating costs of the Responsible Body role will be met through Network funding.

77. RESTRUCTURING OF BUILDING SERVICES MECHANICAL AND ELECTRICAL SECTION

Councillor Christer presented the report the purpose of which was to request approval for the restructuring of the Building Services Mechanical and Electrical Section.

At Scrutiny Board, Councillor Atkinson had expressed his dissatisfaction that the report failed to include details of salary costs at various parts i.e. job descriptions. Councillor Atkinson suggested that the report should be referred to Overview and Scrutiny for detailed consideration. The consensus view of the panel however, was that the report should progress to Executive.

Options: Whether to agree, amend or reject the proposal in the report regarding the proposed restructure of Building Services Mechanical and Electrical Section.

RESOLVED: that the restructuring of the Mechanical and Electrical Section

(as outlined in Appendix F and point 4.1 of the report) and the increased cost to the Housing Revenue Account be approved.

Reasons:

- (1) To enable compliance with the Building Regulations Approved Documents P,J and L, and facilitate improvements to the services provided by the Mechanical and Engineering section through:
- (2) Recruitment and retention of staff
- (3) Maintaining NICEIC “Domestic Installer” and “Approved Contractor” status and therefore, the day-to-day effectiveness of the electrical service
- (4) Maintaining CORGI “Approved Domestic Installer” status, and therefore the day-to-day effectiveness of the mechanical (gas) service
- (5) Better use of resources
- (6) Implementation of best practice.

78. PROBABLE OUTTURN 2005/06

Councillor Huntley presented the report which advised Members on the probable outturn of the 2005/06 General Fund and Housing Revenue Account budgets, and the projected effect on available reserves. It also encompassed the latest information on the Capital Programme in an attempt to provide a comprehensive picture of the authority’s finances.

It was noted that there were no material issues raised with regard to this report by the Scrutiny Board.

Options: Whether to agree amend or request further information regarding the report.

RESOLVED: that the report be received by Members.

Reason: The position needs to be closely monitored to ensure that budget spend does not exceed the levels outlined in the report and indeed opportunities to reduce spend should be investigated with a view to replenishing general reserves to allow for flexibility in a period of organisational change.

79. ASSET MANAGEMENT PLAN, CAPITAL STRATEGY AND PERFORMANCE OF THE PROPERTY PORTFOLIO 2005

Councillor Huntley presented the report which requested approval to the Council’s Asset Management Plan 2005, the Council’s Capital Strategy 2005 and to appraise Members of the performance of the Council’s Land and Property portfolio in 2004/05.

It was noted that there were no material issues raised with regard to this report by the Scrutiny Board

Options: Whether to agree, amend or reject implementation of the Asset Management Plan.

RESOLVED:

- (1) That the Asset Management Plan be approved.
- (2) That the information regarding National Performance Indicators be noted and endorsed.
- (3) That the Capital Strategy be approved.

Reason: To ensure the continuing development of asset management in the authority

80. GRASS CUTTING SERVICES – PROPOSAL TO RETAIN THE EXISTING PROVIDER

Councillor Johnson presented the report which advised Members of a proposal to retain the existing service provider for Grass Cutting Services for a further twelve months in line with the original contract terms for 2005, that provided an option to extend the contract for the 2006 grass-cutting season.

It was noted that there were no material issues raised with regard to this report by the Scrutiny Board, although the comments of the Overview and Scrutiny Call-In meeting held on 1st November 2005 were noted in considering the options.

Options:

- (1) Agree to the proposal to retain the existing service provider and the commitments made.
- (2) Reject the proposal to retain the existing service provider and the commitments made and revert back to Derwentside District Council in-house as the service provider.
- (3) Reject the proposal to retain the existing service provider and the commitments made and approach the market and re-tender for provision of the service.

RESOLVED: that:-

- (1) Option 1 on the report be agreed – to retain the existing service provider for Grass Cutting Services for a further period of 12 months.
- (2) In addition to the formal meetings already being held every two weeks, a quarterly Supplier Review Meeting should occur involving Client and Corporate Procurement with the Contractor to

review and assess overall performance against the commitments made by the contractor.

- (3) That officers study the future arrangements of this important service for the 2007 grass-cutting season with a view to approaching the market for a longer period of time with a revised specification (if required) in order to maximise the level of interest and commitment from potential contractors.

Reasons:

- (1) To ensure a competitive service option for the coming 12 months.
- (2) This option selects the provider with the highest SSS rating.
- (3) Protect the efficiency and procurement savings already achieved for 2005.
- (4) Allows the Council's resources to focus on the development of an improved specification (if required) to approach the market in 2007.
- (5) This option enables the Council and the contractor to work together in a positive environment to review and improve the quality of the service to our customers.
- (6) To demonstrate to the market that the Council is committed to working together with local SME's.

81. STANLEY BUS STATION PROJECT – PROGRESS REPORT

Councillor Llewellyn presented the report which advised Members on the progress of the Stanley Bus Station project and breakthrough onto Front Street, in summary:

- The Bus Station element of the project had been delivered on time and within the available budget.
- Regular budget reviews and project meetings were continuing
- The result of the Public Inquiry was awaited
- Negotiations were still continuing on acquiring the 'break-through' properties, and a further report was to be produced
- Once the Inspector's decision had been received, a further report would be presented to Members with more information on how the Council should proceed.

Councillor Llewellyn expressed his appreciation to the whole of the project team for their work on the development and this was endorsed by all Members of the Executive.

Scrutiny Board had expressed their appreciation to all involved in the project.

Options:

- (1) To accept the report and proceed as detailed in the report.
- (2) Require the provision of further information on any elements of

- the report before agreeing how to progress.
- (3) Require amendments to the current Project Plan

RESOLVED: that:-

- (1) Option 1 on the report be agreed – to accept the report and proceed as indicated.

Reasons:

- (1) The project is currently progressing satisfactorily.
- (2) Major risks have been identified and are being managed and monitored.
- (3) The project is proceeding within the available budget provision.

82. COST BENEFIT ANALYSIS OF THE STRATEGIC OPTIONS AVAILABLE FOR RESPONSIVE AND CYCLICAL MAINTENANCE MATERIALS PROCUREMENT AND SUPPLY

Councillor Christer presented the report which set out a proposed scheme to seek the allocation of an additional resource to enable the evaluation of the material sourcing, procurement and strategic cost management data/activities of Building Services.

At Scrutiny Board, Councillor Charlton had expressed reservations received from Councillor Lavin with regard to the use of consultants for the purpose of this service area. It was agreed that the Director of Housing and Capital Works contact Councillor Lavin to explain the reasons in this respect.

Options: Whether to agree, reject or request further information on the proposals in the report.

RESOLVED: that the allocation of the additional resource be approved for the 'Invest to Save' initiative of engaging 'Valueworks' in accordance with Financial Regulations, to analyse the materials procurement activities of the two 'Business Unit Stores' at costs as detailed in the report.

Reasons:

- (1) The analysis is an "Invest to Save" initiative and will be self-financing.
- (2) If the consultants fail to identify areas of saving that, when implemented, fail to recoup their fee then the consultant will refund all fees. This effectively limits any risk to the Council.

CONCLUSION OF MEETING

The meeting closed at 5.20 pm

Chair.