

EXECUTIVE

Minutes of a meeting of the Executive held in the Council Chamber, Civic Centre, Consett on Wednesday 8th March 2006 at 4.30 pm.

PRESENT

Councillor A. Watson, Chair

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

IN ATTENDANCE

Councillor W. Tyrie.

APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors W. Armstrong and D Lewellyn.

100. 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.

101. MINUTES

The minutes of the meeting held 6th February 2006 were agreed as a correct record.

102. COUNTY DURHAM LOCAL AREA AGREEMENT - UPDATE

Councillor Watson presented the report which sought retrospective approval for the inclusion of Derwentside District Council as a partner to the County Durham Local Area Agreement (LAA) submission made to the Government Office for the North East (GO-NE) ON 28th February 2006.

It was noted that Scrutiny Board had considered the report and agreed that there were no significant issues to report.

Option: Whether or not to grant retrospective approval for the decision to support the County Durham Local Area Agreement.

RESOLVED: That retrospective approval be granted for the decision to support the County Durham Local Area Agreement that was submitted to the Government for the North East on 28th February 2006.

Reason: Work on finalising the LAA had taken place with some urgency and involved a number of eleventh hour discussions with GO-NE up to the 28th February. It was as a consequence of these last minute negotiations that prior approval for the submission could not be sought from Executive.

**103. COUNCIL PERFORMANCE – REVIEW OF PERFORMANCE
THIRD QUARTER 2005.06**

Councillor Malone presented the report, the purpose of which was to inform Members of the following information:-

- Performance of Best Value Performance Indicators (BVPI's) for Derwentside District Council for the third quarter of 2005/06.
- Exceptional variances in non-key BVPI's for the third quarter of 2005./6.
- Comparisons with national performance data.
- Risk assessment ratings for all 27 key BVPI's and non-BVPI's where performance was a concern.

Scrutiny Board had made reference to reduced performance in relation to BVPI 84 – 'kg of household waste collected' and BVPI 199a – 'proportion of land free from litter and detritus'. In response to this the Director of Environmental Services had advised of proposed actions and interventions which should see an improvement in performance. There were no comments from Scrutiny Board with regard to the recommendations contained in the report.

Options: Whether or not to commission further investigation by the relevant Scrutiny Panel of any of the performance indicators detailed in the report.

RESOLVED:

1. That the Action Planning for 2006/07 as detailed in the report be agreed and that the relevant officers prepare action plans for 2006/07 for all red banded indicators detailed in paragraph 5.3 of the report. This may involve benchmarking with high performers and if necessary arranging visits etc.

2. That the Monthly Monitoring Procedures for 2006/07 as detailed in the report be agreed and that all indicators identified in paragraph 5.4 of the report, rated as an amber risk, be part of a monthly monitoring process to Corporate Management Team.
3. That the Quarterly Monitoring Procedures for 2006/07 as detailed in the report be agreed and that performance against all 27 BVPI Key Indicators continue to be reported to Executive along with any significant variations in non-Key BVPI's.

Reasons:

1. To enable innovative and radical solutions to address failing performance to be carefully investigated.
2. To ensure that any slippages in performance can be noted and risk bandings re-assessed throughout the year.
3. The risk assessment process will continue to enable any slippages in the best performing indicators to be addressed.

104. TREASURY MANAGEMENT STRATEGY REPORT 2006/07

Councillor Huntley presented the report which summarised the Council's prudential indicators for 2006/07 to 2008/09 previously reported to Council as part of the 2006-09 Medium Term Financial Plan and set out the expected treasury management arrangements for this period.

It was noted that Scrutiny Board had considered the report and agreed that there were no significant issues to report.

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

RESOLVED: That the Council:-

1. Note the Prudential Indicators and limits within the report.
2. Approve the treasury management strategy 2006/07 –2008/09.
3. Approved the investment strategy 2006/07 contained in the treasury management strategy, and the detailed criteria included in Appendix A. Specifically approving:
 - The criteria for specified investments.
 - The criteria for non-specified investments.

Reason: In the interests of good financial management.

105. 'LOCAL AUTHORITIES AND HSE WORKING TOGETHER' STRATEGIC PROGRAMME

Councillor Watson presented the report which sought approval to sign up to the 'Statement of Intent' in support of the 'Working Together in Partnership with the Health and Safety Executive' initiative, aimed at improving health and safety enforcement.

It was noted that Scrutiny Board had considered the report and agreed that there were no significant issues to report.

Options: Whether to agree or reject the proposal to sign up to the 'Statement of Intent'.

RESOLVED: That approval be granted to sign up to the national 'Statement of Intent' as attached to the report and agree to send a delegation to the county wide signing event to be held in the near future.

Reasons:

1. To enable the Council to benefit from partnership working with the HSE.
2. Access to HSE central training and laboratory resources.
3. HSE Inspectors gain access to local authority office facilities when away from base.
4. Local authority and HSE officers able to work with a considerably greater degree of co-operation and support through shared knowledge, skills and data.
5. Local authority priorities more readily fed into the national priorities.
6. Substantial improvements in worker / visitor / customer safety.

106 EXCLUSION OF PRESS AND PUBLIC

RESOLVED: On the motion of Councillor M Malone, 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 12 of the Local Government Act 1972.

107. SUB-LETTING OF PART OF UNIT 1 PONDS COURT OF (STEEL HOUSE), CONSETT

Councillor Huntley presented the report which sought approval of acceptance of an early surrender of a sub-lease.

At Scrutiny Board, concerns had been raised regarding the proposal to offer the letting under the terms detailed in the report. The Director of Development and Asset Management advised of the potential consequence of charging for the facility i.e. increased revenue charges to the authority in terms of maintenance and services charges. Scrutiny Board in accepting this advice, had no further comments to make with regard to the recommendations.

Options: Whether to agree, amend or reject the proposals in the report regarding the sub-lease.

RESOLVED:

1. That the early surrender of the lease as detailed in the report be agreed.
2. That the grant as detailed in the report be agreed.

Reasons:

1. The extra space will allow expansion of existing activities.
2. The award of the grant will provide financial support to enable additional activities to go ahead.

108. REVIEW AND DEVELOPMENT OF DURHAMNET PARTNERSHIP

Councillor Malone presented the report, which updated Members regarding work undertaken between Derwentside District Council and Durham County Council to develop and strengthen existing arrangements for DurhamNet.

It was noted that Scrutiny Board had considered the report and agreed that there were no significant issues to report.

Options:

1. Status Quo – a consortium between Derwentside District Council and Durham County Council.
2. Company Limited by shares.
3. Company Limited by Guarantee.
4. Industrial and Providence Society.
5. Unlimited Company with or without share capital.
6. A joint venture company with the private sector.
7. A strategic partnership between the local authorities and the private sector.

RESOLVED: That the following be agreed:

1. The development of a new consortium by way of a partnership agreement between the two authorities to run DurhamNet.
2. To terminate the existing consortium agreement.
3. The delivery of internal IT service to Derwentside be delivered from the partnership as detailed in paragraph 3.17 of the report.

4. The new arrangement to commence on 1st April 2006.
5. Any future surpluses of DurhamNet (after protecting Derwentside District Council's current return as detailed in paragraph 3.6 of the report) will be shared 50% to Derwentside and 50% to Durham County Council.
6. The connectivity to community groups to remain in place under the existing arrangements.
7. That Executive agree to nominate the portfolio holders for E-government and Finance to the Board for the purpose of the DurhamNet partnering agreement.
8. That Executive agree to adopt the attached Business Plan to be implemented by DurhamNet through the Partnering Agreement as attached - noting the management, staffing and resource requirements and benefits as outlined.
9. That Executive note the Council's requirement for an identified client management arrangement to be negotiated through the Board to recognise the Council's need for an independent view of our IT requirements and the application of benefits for the Council through DurhamNet.

Reasons:

1. The success of DurhamNet to date and its potential to deliver further service and financial benefits is significant. Therefore, selecting the right structure to drive the project forward quickly and efficiently was considered important.
2. The DurhamNet steering group had considered all of the available options and considered that for the foreseeable future a strengthening of the existing partnership would be the best way forward.

109. REVIEW OF THE PLANNING AND BUILDING CONTROL DIVISIONS

Councillor Johnson presented the report, which sought approval for the review of the Planning and Building Control Divisions as detailed in the report.

It was noted that Scrutiny Board had considered the report and agreed that there were no significant issues to report.

Options:-

1. Maintain the status quo.
2. Outsource the service.
3. Continue overtime.
4. Partnership Working.
5. Offer market supplements.
6. Review the establishment.

RESOLVED:

1. That the changes to the establishment of the Planning and Building Control Divisions detailed in the report be agreed with immediate effect, following consultation with staff and the Trade Unions.
2. That the applications for ER/VR as detailed in the report be approved. The effective dates to be determined by the Director of Environmental Services in consultation with the individuals concerned.
3. That the funding of the changes to the establishment are met as detailed in the report.

Reasons:

1. Local authorities are experiencing real difficulties in recruiting and retaining the services of suitably qualified and experienced professional staff. Planning Officers are acknowledged nationally as the most difficult professionals to recruit and retain.
2. There had not been a full complement of staff in either the Planning or Building Control Divisions for almost 3 years.
3. The lack of a full staff complement has the consequence that carrying out its statutory and service responsibilities within the Planning and Building Control function has proved increasingly difficult, putting a strain on services and existing staff.

110. DERWENTSIDE TRAINING – FINANCIAL PLAN 2006-2008

Councillor Huntley presented the report, which provided an updated on the successful trading activities of Derwentside Training over the past 2 years (2004-2006) and set out the forecast trading performance for the next two financial years. It also sought approval to retain a proportion of trading surplus generated by training activity in order to provide appropriate future contingency funding.

It was noted that Scrutiny Board had considered the report and agreed that there were no significant issues to report.

Councillor Watson commented that Derwentside Training had risen to the challenge in a highly competitive area and wished to congratulate them on their success. Councillor Malone supported these comments and also suggested that a message of support and congratulations be sent to all the staff involved to acknowledge the contribution to the success of Derwentside Training. These comments were fully supported by all Members.

Options:

1. Allow Derwentside Training to retain the whole of its March 2006 financial trading surplus.

2. Do not allow Derwentside Training to retain any trading surplus.
3. Allow Derwentside Training to retain part of its March 2006 trading surplus.

RESOLVED:

1. That Option 3 be approved – Allow Derwentside Training to retain part of its March 2006 trading surplus as detailed in the report.
2. A proportion of trading surpluses generated by Derwentside Training – as set out in paragraph 4.4 of the report – be used as contingency to support training delivery and development during 2006/07 and 2007/08; and
3. The remainder of the trading surplus be returned to General Fund balances.
4. That a message of support and congratulations be sent to all the staff involved to acknowledge the contribution to the success of Derwentside Training.

Reasons:

1. Derwentside Training continues to demonstrate its ability to deliver / develop training provision which addresses local skills needs, be self-financing, gain the support of training contractors and achieve customer satisfaction / retention.
2. Derwentside Training needs to have appropriate contingency funding to support future training delivery and development, and can resource this contingency from trading surpluses; and
3. Additional surpluses are then available to the Council to support the resourcing of projects that can produce further community benefits.

CONCLUSION OF MEETING

The meeting closed at 5.10 p.m.