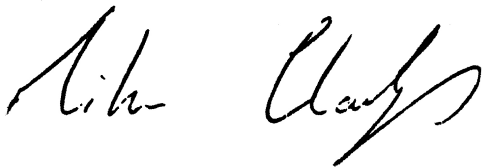


## **Learning & Economy and Executive Leader / Deputy Leader Scrutiny**

Dear Councillor,

Your attendance is invited at a meeting of the Learning & Economy and Executive Leader / Deputy Leader Scrutiny to be held in the Council Chamber, Civic Centre, Consett on 23rd July 2008 at 6:00pm for consideration of the undernoted agenda.



**MIKE CLARK**

**Chief Executive Officer**

### **Agenda**

1. **DECLARATIONS OF INTEREST**

To receive any disclosure by Members of personal interests in matters on the agenda, identify the item on the agenda, the nature of any interest and whether the Member regards the interest as prejudicial under the terms of the Code of Conduct.

2. **MINUTES**

To approve the minutes of the Executive Leader/ Deputy Leader Scrutiny meeting held on 30th January 2008 as a correct record. (Herewith 'A')

To approve the minutes of the Learning and Economy Scrutiny Meeting held on 4th March 2008 as a correct record. (Herewith 'B')

Attached Documents:

[MINUTES A](#)

[MINUTES B](#)

**3. MINUTES OF EXECUTIVE**

Attached are the minutes of the following Executive Meetings

18th February 2008

10th March 2008

14th April 2008

11th June 2008

09 July 2008

Attached Documents:

[MINUTES OF EXECUTIVE C](#)

[MINUTES OF EXECUTIVE D](#)

[MINUTES OF EXECUTIVE E](#)

[MINUTES OF EXECUTIVE F](#)

[MINUTES OF EXECUTIVE G](#)

**4. SCRUTINY OF RED RISK RATED KEY PERFORMANCE INDICATORS 2008/09**

To consider the report of the Director of Corporate Administration and Policy. (Herewith 'H')

Attached Documents:

[SCRUTINY OF RED RISK RATED KEY PERFORMANCE INDICATORS 2008/09](#)

**5. FUTURE WORK PROGRAMMES**

Attached for your information is a schedule of items, suggested by the Chairs of the 2 Panels as appropriate for inclusion on future agendas, this list is not exhaustive and members may wish to consider other issues at either the joint panel meeting or individual scrutiny meetings. (Herewith 'I')

Attached Documents:

[FUTURE WORK PROGRAMMES](#)

**6. BUSINESS AS USUAL**

To consider the report of the Head of Financial Services. (Herewith 'J')

Attached Documents:

[BUSINESS AS USUAL](#)

Agenda prepared by Gemma Donaghy, Democratic Services 01207 218249

15th July 2008



## **EXECUTIVE, LEADER / DEPUTY LEADER SCRUTINY**

Minutes of a meeting of the Executive, Leader / Deputy Leader Scrutiny Panel held in the Council Chamber, on Wednesday 30<sup>th</sup> January 2008 at 6:00 p.m.

### **Present**

Councillor D. Hicks (Chair)

Councillors I. Agnew, A. Atkinson, H. Christer, T. Clark, W. Gray, P.D. Hughes, L. Marshall, I. McElhone, J. Nicholson, R. Ord, W. Stelling, O. Temple, M. Westgarth, T. Westgarth, J. Williams.

### **Apologies for Absence**

Apologies for absence were submitted on behalf of Councillors D. Barnett and D Bennett.

### **13. DECLARATIONS OF INTEREST**

There were no declarations of interest submitted.

### **14. MINUTES**

**RESOLVED:** That the minutes of the meeting held 31<sup>st</sup> October 2007 be agreed as a correct record.

### **15. MINUTES OF EXECUTIVE**

#### **10<sup>th</sup> December 2007 – Matters Arising**

Councillor Temple commented on minute number 45 regarding the 22% increase on sickness and absence levels compared to last years figures and how the transfer of housing stock had effected these if at all. In response The Divisional Head of Human Resources advised these results were due to long term sickness in the General Services Department although overall the results had improved and advised he could provide further information following the meeting if required.

**AGREED:** Members noted the contents of the minutes of the meeting held on the 10<sup>th</sup> December 2007.

#### **14<sup>th</sup> January 2008**

**AGREED:** Members noted the contents of the minutes of the meeting held on the 14<sup>th</sup> January 2008.

## **16. LOCAL GOVERNMENT REVIEW**

The Deputy Chief Executive gave an update on Local Government Review (L.G.R) in the absence of The Chief Executive Officer. He advised that joint working was taking place between local authorities in County Durham to prepare for the creation of a new authority Council for County Durham although the implementation order had been delayed it should be ready by early February.

He referred to the leaflet (as circulated in the meeting) that is being issued by the Joint County/District Officers Group managing L.G.R and outlined the 6 programme boards which will each be tackling specific areas of the reorganisation and identifying options for future service delivery.

He updated Members on the operation of the G8, advising that there would be a letter circulated confirming the delay of the Implementation Order along with an agenda for the next G8 meeting. Once the elections have taken place the implementation order will be known as the Implementation Executive and will be taken over by the new authority. He advised that it was likely that new scrutiny arrangements would be introduced.

He further updated Members on the impact of L.G.R in relation to Partnership Working, advising that it was expected that there would be an increasing call on senior officers and, as some officers would become unavailable, and potentially seconded, there would be a need to consider arrangements such as joint working with other District Council's. in conclusion he added that it was paramount that Members and Officers support each other during the transition to ensure as little possible disruption to services throughout the transition process.

Councillor Stelling noted that there was a delay in the order yet again and queried what effect it had on staffing levels. The Divisional Head of Human Resources advised that it will have an effect on workload, further work will need to be conducted on recruitment and retention to enable them to identify where priorities will be. The Deputy Chief Executive advised Members that the role of scrutiny over the next twelve months would be looked at in the context of Local Government Reorganisation and Member and employee capacity. Issues would be brought back for consideration by Members.

Members raised concern regarding the need for scrutiny panels over the next twelve months and also what will happen to the Council Tax process. The Deputy Chief Executive advised that there will still be a need for scrutiny panels to, for example guide the organisation into the new authority and Members would be consulted on arrangements to best facilitate this. Council tax will be set as previously for 2008/09 and by the new authority for 2009/10. The County Council's bid also set out that this will be set at the lowest District rate in County Durham which, in turn, will mean less income for the County for 1009/10.

**AGREED:** that the content of the presentation be noted.

## **17. MEMBER DEVELOPMENT**

The Head of Organisational Development presented the report which provided Members information of development activities that have been undertaken and are planned for the immediate future. There is a proposed event due to run in March for Members to consider proposals that are being developed for a transitional plan and also to discuss what development needs may be priority during 2008/09.

He referred Members attention to the attached appendix one, which showed a summary of identified needs for development and appendix two, which showed the key focus internally from the last six month which had been developing Members skills and knowledge in specialist areas such as procurement, licensing, planning and standards.

He advised Members that the current monitoring system had poor return rate from Members therefore an experimental 6 monthly review letter will be issued to Members starting in February/March to ask them to reflect on development activities they have attended and consider how it has improved their skills.

Councillor Marshall added from past experiences of attending courses, the process for applying to go on it, in her opinion was difficult. She felt there was little information coming back from Members regarding conferences and also asked if there could be a seminar for Members regarding scrutiny panels as she felt some Members were unsure what is expected of them at Scrutiny meetings.

Councillor Christer advised that there was a scrutiny seminar 2 years ago, before the new Members were elected but felt due to the LGR to have another this year would be in appropriate as Scrutiny roles are likely to change.

Discussion then ensued regarding the guidance Members required when applying for a course, The Head of Organisational Development advised Members that courses should be booked via the Council to enable officers to keep a record and may help to bridge gaps in areas where Members have issues with, he further advised the attached appendices only gave information of courses attended in the last 3 years and did not include any in-house training. Members were also advised about the IT Drop in surgeries that take place on a Friday for help and assistance using I.T facilities.

**AGREED:** That Members note the contents of the report.

### **Conclusion of Meeting**

The meeting closed at 6.40

**Chair.**



## **LEARNING & ECONOMY**

Minutes of a meeting of the Learning & Economy Scrutiny Panel held in the Council Chamber, Civic Centre on Tuesday 4<sup>th</sup> March 2008 at 4.00 p.m.

### **Present**

Councillor D. Barnett (Chair)

Councillor A. Atkinson, T. Clark, R. Cook, E.J.S. Edwards, R. Ellis, K.English, G. Reid, A. Shield, W. Tyrie, D. Walton, J. Williams and R. Young.

### **Apologies**

Councillors G. Beckwith, D. Broadley, W. Gray, L. Marshall.

### **23. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

### **24. MINUTES**

**AGREED:** that the minutes of the meeting held on the 12<sup>th</sup> December 2007 were a correct record.

### **25. COUNTY DURHAM ECONOMIC STRATEGY (CDES) 2008-2013: “BUILDING OUR FUTURE”**

The Head of Economic & Community Development presented the report which provided a summary of the draft CDES 2008-2013 and sought views on the draft comments from Council Officers prior to their submission to the County Durham Economic Partnership on 7<sup>th</sup> March 2008 which was the end of the consultation period.

He advised that the purpose of the strategy was to set out an inspirational and challenging vision for the growth of the County Durham economy and to translate this into broad objectives and priorities. He advised that an executive summary was appended to the report however the full document could be viewed online.

He went on to outline the scale of the problem in County Durham and advised that County Durham were 20% behind the regional average and almost 40% behind the national average, he advised that the reasons for the gap included a combination of factors including:

- Lower than average levels of participation in the labour market;

- A mix of industries where high value employment such as manufacturing has been in decline and employment growth has been characterised by low value added services; and
- Low average productivity in sectors, except manufacturing.

He went on to advise that the productivity gap was the most significant issue to be addressed and includes key factors such as:

- The Workforce skills base;
- Levels of capital investment;
- Investment in Research and Development and levels of innovation; and
- The degree of competitiveness within the local and other competitor marketplaces.

He added that it was unlikely that the output gap would be bridged in the life of the strategy up to 2013, to make significant progress, County Durham would have to exceed regional and national indicators by 2013, the main indicators being; *Number of enterprises*: closing the enterprise gap would require 6,000 additional businesses and would lead to 15,000 new jobs and *Employment rate*: improving participation to national levels would require 17,000 residents to take up employment.

The activity needed to address the objectives had been highlighted under three areas; Competitive Business, Competitive People and Competitive Places.

In conclusion he advised that paragraph 3 of the report gave a summary and this may be considered when giving comment on the document.

He then provided members with a presentation on the document and advised of the comments that Council Officers had made in response to the document, he advised that any suggestions or comment were sought.

Councillor Tyrie asked where initial skills have come from, with reference to those who worked at the Steel Works who began, in response the Head of Economic & Community Development advised that skills of this nature are often obtained through vocational training, training alongside working, however apprenticeships in their nature have changed dramatically in recent years.

Ginny Williams, Partnership Development Officer at Durham County Council advised that the number of young people not in education, employment or training (N.E.E.T.S) was on the increase and a lot more apprenticeships were required to bridge the gap, however it was difficult to find employers who were willing to take on apprentices, Local Authorities should therefore do all they can to support apprenticeships.

Councillor Shield added that he acknowledged that the employment rate was currently above the national average however questioned how many of which were working within Derwentside or commuting to areas outside Derwentside and adding to congestion.

The Head of Economic & Community Development advised that people were moving into the area and in some instances commuting to work, however commuters did bring economic benefits to the area and local spending.

Councillor Shield questioned whether employment had been taken away from Derwentside by the significant amount of housing that been built on land previously allocated for business use. In response the Head of Economic advised that there were many factors taken into account on this issue; as more people were moving into the area housing requirements had increased; therefore areas of land that had been allocated as retail or business use had now been allocated for housing to meet demand, and it had to be evaluated how much land was actually required for businesses within Derwentside and whether any of the sites were attractive to private sector businesses.

**Councillor Walton entered the meeting at this point.**

Councillor Ellis suggested that it would be interesting to carry out a survey within the District to see where the people were commuting to; from that information find out what Derwentside is lacking in business requirements that other places have.

Councillor Barnett added that if 20/30 new businesses were to be created within the area per year additional infrastructure must be considered as problems with increased sewage, traffic and associated problems would occur.

The Head of Economic and Community Development referred member's attention to page 7 of the report which highlighted that point.

He went on to address the remainder of the comments made in response to the document by Officers and advised that any further comments were welcomed and would be fed into the response to send off the DCC for the deadline 7<sup>th</sup> March.

The Executive Support & Scrutiny Manager added that he could not see in the document anything which referred to training and where the investments for which would be coming from.

The Head of Economic & Community Development advised that an action plan had been developed which would follow this document, this would details how the actions would be carried out and where the investments to do so would be from.

Councillor Tyrie added that he was fascinated by the figures as outlined in paragraph 2.7 and asked if it was known what assumption the figures have been based upon. The Head of Economic & Community Development advised that the figures had been set by the County Durham Economic Partnership on national averages.

**AGREED:** that the report be noted and comments made be included in the reponse to the County Council by 7<sup>th</sup> March 2008.

## **26. SCRUTINY OF RED RISK RATED BEST VALUE PERFORMANCE INDICATORS 2007/08**

The Performance Management Officer presented the report which informed the panel of the action planning initiatives in place for the five best value performance indicators (BVPIs) rated as red risk for the final quarter of 2007/08.

She advised of the four red risk rated indicators that fall within the Learning and Economy Scrutiny remit which are as follows:

- BVPI 11a - monitors the top 5% of the workforce who are women;
- BVPI 11b - monitors the top 5% of the workforce who are from BME communities;
- BVPI 12 - investigates the number of days lost as a result of absence from work and;
- BVPI 17a - monitors the percentage of local authority employees from ethnic minority communities.

She then referred Members attention to Appendix one of the report which outlined the updated Action Plan for BVPI 12 which included the initiatives being undertaken to address poor performance during Quarters 3 and 4.

The Head of Organisational Development then gave a brief update on absence figures and advised that stress was accounting for 17% of sickness within the Council with two members of staff off on long term absence. He went on to add that muscular/skeletal absence was up on comparison to last year by 14%, however this was seen to be due to age profiles and the nature of the work carried out by those on jobs within the general services division.

He advised that a report was expected from the Audit Commission which will provide information on best practice for reducing sickness levels and would be a useful document to learn from.

In conclusion he advised that the Council had received a Bronze Award for health & well being.

Councillor Edwards made reference to Derwentside Homes and asked if their sickness figures were included within the Council's. In response the Head of Organisational Development advised that they were not included in these quarters figures and this had positively impacted upon which.

Councillor Shield added that he was pleased to hear encouraging news regarding the low levels of absence due to stress; he made reference to a recent press release which had used inaccurate figures and painted a very poor picture of the Council's absence levels. He asked if a retraction could be sought from the paper in question.

Councillor Atkinson added that in his opinion the levels of sickness were terrible compared to private industry figures, and comparison should be made on the companies rather than like for like authorities. In conclusion he added that he also agreed that a retraction should be sought from the press.

The Head of Organisational Development advised that the paper concerned would be contacted regarding the matter and members would be informed of the outcome.

The Chair asked if it was possible to get a report breakdown to show the correlation between age and absence. In response the Head of Organisational Development advised that he would look into the feasibility of creating a report including this data.

**AGREED:** that the contents of the report be noted.

## **27. CORPORATE BUDGETARY CONTROL REPORT PERIOD 9. 2007/08**

The Head of Financial Services presented the report which highlighted revenue budget variances on an exception basis only, reporting on differences of over £1,000 or 10% for the period 1 April 2007 to 31 December 2007. It further contained an update on the Capital Programme position and progress against efficiency targets.

He advised that there were some salary savings as there were a number of vacant posts, there is also a possibility that this could increase in the run up to LGR.

He continued to run through the report referring members to appendix 2 which looked at the efficiencies anticipated, showing that the council were well ahead of its target for Period 9.

Councillor Shield referred member's attention to the minute number 20. of the previous meeting which referred to comments made by the Deputy Treasurer, Robert Cornall regarding Council Tax and Council reserves. He asked if the information that had been requested by members had been received. The Head of Financial Services advised that he was not aware that this had been received, however would chase it up and relay the information on to members.

Councillor Shield further raised that it would be interesting to know if any reserves held by the Districts would be pooled into the new Unitary Council.

The Head of Financial Services advised that it was likely that this would be the case.

**Conclusion of meeting**

The meeting closed at 5.25 p.m.

**Chair.**

**EXECUTIVE**

Minutes of a meeting of the Executive held in the Council Chamber, Civic Centre, Consett on 18<sup>th</sup> February 2008.

**PRESENT:**

Councillor A.Watson (Chairman)

Councillors O. Johnson, D. Lavin, D. Llewellyn, C. Marshall and A. Taylor.

**IN ATTENDANCE:**

Councillors: R. Alderson, W. Stelling, J. Williams and W. Tyrie.

**APOLOGIES FOR ABSENCE:**

Apologies for absence were submitted on behalf of Councillors C. Christer and M. J. Malone.

**CHAIRMAN'S ANNOUNCEMENT**

The Chairman advised that the Executive had been asked to consider an urgent item regarding Vehicle Renewal: General Services 2008 /2009 as replacement vehicles would need to be ordered by March 2008. It was agreed that this be taken after Item 6 on the agenda.

**61. 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.

**62. DECLARATIONS OF INTEREST FROM MEMBERS**

There were no declarations of interest made.

**63. MINUTES**

**RESOLVED:** That the minutes of the meeting held 14<sup>th</sup> January 2008 be agreed as a correct record.

## **64. AREA BASED GRANT**

Councillor Llewellyn presented the report which requested approval from Members for the allocation and management of the new 2008-2011 Area Based Grant (ABG).

The Council had been the recipient of numerous government funding streams to tackle issues around deprivation for a considerable number of years. Recently, neighbourhood renewal had been a key focus for the government with the allocation of funding streams such as Neighbourhood Management, Safer Stronger Communities (Communities and Local Government element and Home Office element), Neighbourhood Renewal Fund and Local Enterprise Growth Initiative to Derwentside. Through the publication of the Local Government White Paper, and the emergence of new generation Local Area Agreements (LAA) for 2008-11 these funding streams and many other external grants previously allocated to localities have been replaced with a single Area Based Grant (ABG) allocated to Local Authorities.

**Notes of Scrutiny Board – 8<sup>th</sup> February 2008** – *“Councillors L. Marshall and T. Parry declared an interest, left the meeting and took no part in the discussion thereon.*

*Councillor D. Barnett in the Chair.*

*Councillor McMahon commented upon the proposals for the Derwentside Partnership to provide a robust performance management framework for the delivery of the final year of the Green Corridor Neighbourhood Management Programme and questioned whether the Green Corridor Management Board had been consulted on such a major issue. He questioned what Derwentside Partnership would offer the Management Board during this period. Members agreed to support the recommendation contained in the report with reservations relating to consultation on the proposals with the Green Corridor Management Board.”*

The Chief Executive referred to the issues raised at Scrutiny Board and commented that it was a major decision for Derwentside Council to passport money to Derwentside Partnership (DP). He also added that the DP would offer the Green Corridor a very good performance management framework (for which DP had achieved Green accreditation status from Government Office North East) and the benefit of experience and expertise in this area. As this was the last year for the Green Corridor it was important that the exit process was managed in a proper way as this would benefit both the Green Corridor and the Council in respect of risk assessment.

### **Options:**

1. Retain the total ABG and allocation procedure within the Council's revenue budget.



2. Retain the ABG including the Community Cohesion Grant within the Council's revenue budget and delegate decision making for the Working Neighbourhoods Fund (WNF) to the Derwentside Partnership and for the Safer Stronger Communities (Neighbourhood Management Programme) to the Green Corridor Neighbourhood Partnership.
3. Retain the ABG within the Council's revenue budget and delegate decision making for its entire allocation to the County Durham Partnership.
4. Retain the ABG including the Community Cohesion Grant within the Council's revenue budget and delegate decision making for both the Working Neighbourhoods Fund and the Safer Stronger Communities elements to the Derwentside Partnership.

**RESOLVED:** That Option 4 be agreed - Retain the ABG including the Community Cohesion Grant within the Council's revenue budget and delegate decision making for both the Working Neighbourhoods Fund and the Safer Stronger Communities elements to the Derwentside Partnership.

**Reasons:**

1. The Cohesion Grant is retained within the Council's revenue budget and will allow community cohesion to be addressed as part of core service delivery.
2. The Working Neighbourhoods Fund is allocated to tackle priorities supported by the Council.
3. The Derwentside Partnership already has a robust commissioning and performance management framework in place and is a partnership delivering best practice.
4. The Derwentside Partnership is able to provide a robust performance management framework for the delivery of the final year of the Green Corridor Neighbourhood Management programme.

**65. STRATEGIC ASSESSMENT OF CRIME AND DISORDER**

Councillor Watson presented the report the purpose of which was to outline the proposed crime and disorder priorities to be tackled over the next 3 years commencing April 2008 and to consult and request views from the Council in order to inform the Strategic Assessment Executive of the Derwentside Community Safety Partnership.

The intended priorities were:-

- violent crime
- domestic violence;
- criminal damage; and
- anti-social behaviour.

Young people, re-offending, alcohol and problems within the town centres were also identified as priorities, though it was considered that these could be integrated as key elements within the control strategies for each of the 4 priorities above.

The following concerns were considered important, but were not identified as priorities:-

- Hate crime
- Sexual offences
- Robbery
- Burglary (dwelling and non-dwelling)
- Theft
- Drugs

These findings resulted from a detailed analysis of national priorities, data drawn from multi –agency sources, local community engagement mechanisms, and national and local surveys. This analysis linked also with a wider analysis of the long-term community safety issues affecting County Durham, which would operate within the wider strategic context of the LAA, and the new Public Sector Agreement (PSA) targets, including those governing Community Safety Partnerships.

The Strategic Assessment Executive would determine these priorities based on their analysis of the strategic assessment document and the comments of relevant organisations obtained through the statutory consultation process. Agencies and community groups comprising the Derwentside Local Strategic Partnership and the Derwentside Community Safety Partnership had also been consulted. As regards this Council – all Councillors had been written to and invited to submit their views to the Scrutiny Board meeting held 8<sup>th</sup> February 2008, the comments of which are set out below.

**Notes of Scrutiny Board – 8<sup>th</sup> February 2008:** *“Councillor Barnett in referring to paragraph 4.2 – suggested priorities – expressed concerns that the issue of alcohol misuse / abuse was not given a sufficient individual priority. Whilst recognising that the issue was a cross-cutting area over the four identified priorities, it was his belief that action/ intervention into alcohol problems would not be given appropriate funding. Members of the Board agreed with the sentiments expressed and believed that the issue of alcohol misuse/abuse was a key priority in its own right and should be accorded appropriate recognition and funding. Members also accepted that drugs misuse was a serious issue in Derwentside and likewise would not receive funding/action appropriate to its key impact on crime and disorder if it was merely referred to as cross-cutting within the priorities. The Scrutiny Board therefore agreed that Executive be invited to consider agreeing to Option 2 in 4.6 of the report prioritising alcohol and drug issues as separate priority areas.”*

The Chief Executive highlighted the comments from Scrutiny Board which did not think sufficient emphasis had been given to alcohol and drug abuse. He advised that recent lengthy discussions had taken place with the Police on this issue and the opinion from the Community Safety Partnership was the drug and alcohol

abuse issues would be covered as part of the violent crime priority from a geographic point of view.

Councillor Taylor commented that violent crime, criminal damage and anti-social behaviour could all be linked to alcohol abuse and it was important that this was recognised and not given a low priority. She highlighted that there was a national incentive for alcohol to be taken off the streets, which she supported as alcohol abuse was a big issue.

In response to questions regarding statistics on alcohol abuse the Chief Executive advised that crime statistics were provided by the Police and these could be made available to Members.

Councillor Taylor referred to the Alcohol Prohibition Order implemented as a pilot scheme in Dipton. Councillor Taylor asked whether it would be possible to have feedback from the Police on the effectiveness of this scheme and whether it would be worth widening the pilot. In response the Community Safety & Information Officer advised that this scheme had been aimed at tackling a specific problem in Dipton relating to adults. The Police had earlier confirmed to the Council that the Order had succeeded in tackling the problem and were keen that it continued.

It would not be necessary however to introduce Alcohol Prohibition Orders to tackle the problem of alcohol consumption by juveniles in public places. The Police had powers to confiscate alcohol from such persons, and were currently active in doing so. Indeed, alcohol consumption by juveniles in public places is a significant problem in Derwentside, and is considered to be an aggravating factor in anti social behaviour, criminal damage and secondary fires. Partnership Anti Social Behaviour Officers work closely with the Police in identifying problem areas and directing patrols to those areas, enabling alcohol to be seized and details of the juveniles taken. Since November 2006 in Consett and March 2007 in Stanley, the ASB Officers inform parents / guardians of the incidents and share details with partners on the ASB Task Groups to identify patterns of behaviour, locations and age groups to allow further consideration of appropriate interventions.

To date a total of 1249 names have been identified, and letters sent accordingly (948 in the Stanley area and 301 in the Consett area). Responses from recipients of the letters are generally supportive, with many parents indicating that up till then they did not know of the whereabouts or activities of their children, and that they would be paying more attention in future.

However, distinct pattern of repeat offenders has been identified through this process, and the ASB Co-ordinator is leading in developing with YES and the PCT an appropriate response to juveniles who have been the subject of alcohol seizures on three or more occasions.

In addition, a scheme is to be piloted in Stanley whereby youths having alcohol confiscated more than 3 times will be invited, or in some cases required, to refer themselves to a Drugs and Alcohol Team worker.

Councillor Watson commented that although the Police and the Council were involved in lots of actions to work against alcohol abuse these actions were not being publicised and a press release was needed to get the message across to the public.

Councillor Marshall commented on the priority of anti-social behaviour and asked whether there was any information or work being carried out to increase the incidents of anti-social behaviour being reported to the authorities. In response the Community Safety & Information Officer advised that a new CRM system had recently been introduced which would collect information on one central database which would then be shared with the relevant authorities.

In response to questions on 'the fear of crime' the Chief Executive advised that this was no longer a national indicator, the Council was intending to keep this as a local indicator however, there would be no national statistics to compare this with in future.

**Options:**

1. Agree to the suggested priorities as indicated in paragraph 4.2 subject to the comments submitted by Members during this process and inform the Derwentside Community Safety Partnership accordingly.
2. Suggest alternative priorities and inform the Derwentside Community Safety Partnership accordingly.

**RESOLVED:**

That Option 1 on the report be agreed and that the Council:-

1. Agree with the priorities proposed, as indicated above, and consider them to reflect accurately the main concerns facing Derwentside; further that as such, they should facilitate the targeted responses appropriate to local communities; in this respect, plans should be capable of being amended and priorities changed should circumstances dictate
2. Acknowledge the concerns of the Scrutiny Board about alcohol and drugs misuse. The Council is confident however that such misuse would be addressed properly in the control strategy for each of the identified priorities, as proposed by the Community Safety Partnership.
3. Consider strongly that the community should be reassured that those crimes identified as non-priorities will still be addressed with all reasonable efforts in terms of prevention, enforcement and rehabilitation.

And that the Derwentside Crime and Disorder Partnership be informed accordingly.

**Reasons:**

1. The priorities are based on a detailed strategic assessment of national priorities.
2. The priorities are based on an analysis of data drawn from multi-agency sources and feedback from local community engagement.
3. The strategic assessment for Derwentside links with a wider review of the long-term community safety issues affecting County Durham.
4. The above reasons would enable the Council to monitor performance on both priority and non-priority concerns and changing circumstances, and make informed recommendations accordingly to the Partnership.

**66. DERWENTSIDE LOCAL DEVELOPMENT FRAMEWORK:  
STANLEY TOWN CENTRE AREA ACTION PLAN DEVELOPMENT  
PLAN ISSUES AND OPTIONS**

Councillor Johnson presented the report which requested approval for the Stanley Town Centre Area Action Plan (AAP) Development Plan Document Issues and Options. This document was the first stage in the preparation of the AAP. A full copy of the document was attached to the report.

The AAP builds upon the previous studies carried out in Stanley and seeks to complement the Modus agreement for redevelopment in the Town Centre.

He recommended that the contents of the Stanley Action Plan Document Issues and Options be approved and that public consultation begin on 22<sup>nd</sup> February 2008.

Councillor Watson commented that this report was an example of further multi-million pound investment by Derwentside District Council in the Stanley area, other investments included Modus, View Lane Park and the South Moor Hospital Site.

Councillor Llewellyn raised the question of why the Modus consultation was not synchronised with this project. In response Councillor Johnson indicated that the infrastructure appraisal was still awaited. The Director of Environmental Services advised that discussions between Modus and Durham County Council on infrastructure had slipped from the original timescales. Councillor Llewellyn advised that he had written to Durham County Council on this issue on 10<sup>th</sup> December 2007 and had received a response posted 7<sup>th</sup> January 2008. He commented that he was dismayed that the traffic survey had not been carried out and was still waiting for Durham County Council to become fully involved in the Modus project.

Councillor Lavin commented that the Modus project was a partnership between Modus, Durham County Council and Derwentside District Council. As far as he was aware Durham County Council had asked that Modus carry out the traffic survey.

Councillor Marshall in welcoming the report advised that he supported the regeneration of Stanley. He also supported Councillor Llewellyn's comments on the delays of the Modus project and wanted to find ways to drive this project forward. He agreed that the transport and infrastructure issues were holding up this project and officers needed to be given directions by the politicians. He asked whether there was anything Derwentside Council could do to drive this issue forward.

Councillor Taylor commented that the 'foot flow' must be considered as an essential part of the transport plan.

The Chief Executive updated Members on the Modus project as follows:

- Modus development document had been signed during summer 2007.
- 3 Stanley Town Centre meetings which had been cancelled as a result of consultations / information not being available.
- Durham County Councillors had been briefed on 2 occasions regarding proposals for Stanley area when regeneration issues had been emphasised however, this had not appeared on Durham County Council's Work Programme.
- Derwentside District Council had tried to progress the Modus issues however this needed priority workload allocation at County level.

Councillor Llewellyn emphasised that Derwentside had tried to drive forward the project and did not want any accusations from anyone that Derwentside had been responsible for any delays. He therefore requested an update on the Modus project for a future meeting.

**Notes of Scrutiny Board – 8<sup>th</sup> February 2008:** *“The Director of Environmental Services commented upon previous and current proposals for consultation on the above. Councillor McMahon in welcoming the opportunity for further consultation commented upon previous negative comments during the consultation exercise relating to potential funding and/or lack of action. Reference was made to the impending election purdah and the potential impact on the consultation process. It was also noted that the consultation on the Modus project would be progressing however, discussions with the County Council in relation to highways arrangements had delayed the progress. Councillor Beckwith referred to comments in the document which implied that progress would take place early in 2009 and suggested that such be amended.”*

**Options:** Whether to agree, amend or reject the contents of the Stanley Action Plan.

**RESOLVED:**

1. That the content of the Stanley Action Plan Document Issues and Options be approved and allow it to be published for public consultation beginning 22<sup>nd</sup> February 2008.
2. That Officers prepare a further report for Members on the Modus project / Durham County Council / highways issues.

**Reasons:**

1. The publication of the Stanley Area Action Plan Issues and Options is an important step in the preparation of the Derwentside Local Development Framework. The responses received will give an indication of the needs and aspirations of the Community in and around Stanley and enable them to be integrated into the policies and proposals that are brought forward in future stages.

**URGENT ITEM**

**In accordance with Section 100(B)(4) of the Local Government Act 1972 (As Amended) the Chairman announced that it had been requested that an urgent be considered – Vehicle Renewal: General Services 2008 /2009 (this item had previously been circulated to all Members). In view of the fact that replacement vehicles would need to be ordered by March 2008 it was agreed that this be taken as an urgent item.**

**67. VEHICLE RENEWAL: GENERAL SERVICES 2008 / 2009**

Councillor Johnson presented the report which advised of the operational requirements for the replacement of vehicles within the General Services Division for the financial year 2008 / 2009 and recommend the necessary replacement of vehicles in order to meet operational requirements as well as to fulfil statutory duties.

**Notes of Scrutiny Board – 8<sup>th</sup> February 2008:** *“The Director of Environmental Services circulated a report on the above. Members noted the comments of the Director in relation to the recharge arrangements with the County Council for vehicles involved in agency working.*

Options:

1. Operating Lease.
2. Finance Lease.
3. Contract Hire.
4. Capital Programme.

**RESOLVED:**

1. That the acquisition of the vehicles detailed in the report be approved.
2. That the funding of these vehicles be the subject to an options appraisal by the Finance Directorate and the most advantageous to the Council is selected over the specified period of time.

**Reasons:**

The recommendations contained within this report will provide the Council with a modern fleet of Refuse Collection / Recycling / Grounds / Street Cleansing and Winter Maintenance vehicles, which would have the least environmental impact

for those reasonably obtainable, whilst providing the flexibility needed to address future environmental issues.

**CONCLUSION OF MEETING**

The meeting closed at 5.19 p.m.



**EXECUTIVE**

Minutes of a meeting of the Executive held in the Council Chamber, Civic Centre, Consett on 10<sup>th</sup> March 2008 at 4.30 p.m.

**PRESENT:**

Councillor A. Watson (Chairman)

Councillors: O. Johnson, D. Lavin, D. Llewellyn, C. Marshall and A. Taylor.

**IN ATTENDANCE:**

Councillors: L. Marshall and W. J. Tyrie.

**APOLOGIES FOR ABSENCE:**

An apology for absence was submitted on behalf of Councillor C. Christer.

**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. DECLARATIONS OF INTEREST FROM MEMBERS**

In accordance with Standing Orders and the Council's Code of Conduct Councillor A Watson declared a personal interest in relation to Item 6 on the agenda – North East of England Regional Spatial Strategy as Chairman of the North East Assembly.

Councillor D. Lavin declared an interest in Item 9 on the agenda – Sale of land at Shield Row Lane, New Kyo.

**70. MINUTES**

**RESOLVED:** That the minutes of the meeting held 18<sup>th</sup> February 2008 were agreed as a correct record.

## **71. THE NEW LOCAL PERFORMANCE FRAMEWORK – FUTURE COLLECTION OF BEST VALUE PERFORMANCE INDICATORS**

Councillor Malone presented the report which highlighted the forthcoming changes to the future collection of performance information by the Council as a result of the regulations contained within the Local Government and Public Involvement in Health Act 2007. This Act introduced a new National Indicator set of 198 indicators which covers the whole public sector.

As a result of this new framework the authority was no longer required to report on existing Best Value Performance Indicators with effect from the 1<sup>st</sup> April 2008. This report highlighted current statutory BVPIs and suggested which of these indicators the authority should continue collecting and monitoring as part of a local performance framework during 2008/09.

Each of the proposed 198 indicators will be collected to a defined spatial level by a number of different organisations including Local Authorities, the Police and the Primary Care Trust and 35 of these indicators will be chosen as a priority and in future reported via the County Durham Local Area Agreement. 64 indicators within the new indicator set will be collected to a district level and these were detailed in Appendix 3 to the report.

In table A on pages 5 to 7 of the report the current BVPIs were set out together with suggestions where continued collection of indicators would assist in the monitoring and evaluation of locally delivered services in addition to contributing to nationally set targets.

**Notes of Scrutiny Board – 7<sup>th</sup> March 2008** - *“Members viewed the report and there were no matters of concern. Members agreed that those local indicators on the list be retained to ensure some protection of performance at a District level and for the transitional process for Local Government”.*

**Options:** Whether or not to continue to collect current Best Value Performance Indicators after 1<sup>st</sup> April 2008 as there would be no longer a statutory duty to do so.

**RESOLVED:** That the recommendations to continue collecting Best Value Performance Indicators specified in Appendix 1 be continued after 1<sup>st</sup> April 2008.

### **Reasons:**

1. As of 1<sup>st</sup> April 2008 the authority will no longer have a statutory duty to collect the current BVPIs due to the introduction of a new local National Indicator Set that will in future be reported at a County or Unitary level of local government via the Local Strategic Partnership.
2. During 2008/09 a number of the new indicators will continue to be collected at a district level and will therefore have to be included within the Council's current Performance Management Framework.

3. In addition to the collection of the new indicators the authority can continue collection of any relevant indicators, which contribute to the delivery of services across the district.
4. The current Performance Management Framework could facilitate the continued collection, monitoring and reporting of these additional local performance indicators throughout 2008/09 alongside the collection of the new district National Indicators.

## **72. COUNCIL PERFORMANCE – REVIEW OF PERFORMANCE THIRD QUARTER 2007/08**

Councillor M. Malone presented the report which provided Members with an update on performance for the Best Value Performance Indicators for the third quarter of 2007/08. Appendix 1 detailed the performance for all indicators and was included for Members' information. The main text of the report concentrated upon areas where performance was a concern or where significant increases in performance had occurred. A detailed analysis of performance for all red risk indicators for the third quarter of 2007/08 was included in sections 3.6, 3.7 and 3.8. In addition significant falls or gains in performance for amber risk indicators were highlighted within sections 3.11 and 3.12 along with a short summary of performance for green rated indicators in section 3.14.

The following information was given on the performance of red, amber and green indicators

Red: Of 5 red risk indicators where performance for this quarter could be compared to that for the same period last year, two had demonstrated an improvement in performance. On a positive note sickness and absence levels were 14% lower than at the same period last year and the authority had prevented more homelessness cases than in 2006/07.

Amber – 56% of amber rated indicators had demonstrated an improvement in performance this quarter compared with 55% in Quarter 2.

An update was given with regard to concerns raised within the Q2 Performance Monitoring Report and it was noted that recycling rates had now started to improve as the backlog of stored materials had started to clear.

Green – 14 of the 15 green rated indicators that could be monitored quarterly had either continued to demonstrate an improvement in performance or retained their already high levels of performance within the top 2 quartiles nationally.

With regard to benchmarking and comparison with other local authorities nationally it was noted that based upon the 'All England' quartile data published by the Audit Commission in January of this year the authority had 36% of indicators performing in the top quartile, which was an increase in comparison to 2005/06 where 31% sat in this quartile. The number of indicators in the bottom quartile had also demonstrated an improvement with 18% of indicators sitting in this quartile compared to 20% in 2005/06.

As part of the Action Planning Framework all red risk rated indicators had now completed action plans for 2007/08 and all action plans for Quarters 2 and 3 have continued to be referred to the relevant Scrutiny Panels throughout the year.

Councillor Malone expressed his appreciation and thanks to Anne Smith, Performance Management Officer for her work and assistance with this report.

Councillor Watson commented that this was a good report and he was pleased with the improvement on street cleansing / recycling and he especially welcomed the progress on homelessness.

**Notes of Scrutiny Board – 7<sup>th</sup> March 2008** - *“Members welcomed the report and the efforts being made to improve performance. The Chief Executive referred to the green waste service to be extended on the 1<sup>st</sup> April and to potential improvements in recycling rates as a consequence of this. He also indicated that it was anticipated that progress would continue with regards to homelessness activity”.*

**Options:** Whether or not to commission further reports into the performance of any of the Best Value Performance Indicators with a view to incorporate any indicators that pose concern into the Action Planning and Scrutiny process.

**RESOLVED:** That the information contained in the report regarding the performance of the Council against Best Value Performance Indicators be noted.

**Reasons:**

- i) To investigate innovative solutions to address any falling performance.
- ii) To enable any slippage in performance to be noted and risk bandings re-assessed throughout the year.

**Prior to consideration of the following Item Councillor A. Watson declared a prejudicial interest in relation to Item 6 on the agenda – North East of England Regional Spatial Strategy as he is Chairman of the North East Assembly. He left the Chamber and took no part in the discussion or decision made.**

**Councillor M. Malone in the Chair.**

**73. NORTH EAST OF ENGLAND REGIONAL SPATIAL STRATEGY : FURTHER PROPOSED CHANGES**

Councillor O. Johnson presented the report which informed Members of the Further Proposed Changes to the North East Regional Spatial Strategy (RSS) published for public consultation by the Government Officer for the North East (GONE) on behalf of the Secretary of State on 6<sup>th</sup> February 2008. Responses

had been invited and the consultation period ends on 2<sup>nd</sup> April 2008. Following consideration of the responses to this consultation the final RSS is expected to be adopted in Summer 2008.

He commented that the housing allocation for County Durham has increased significantly with Derwentside's allocation rising from 3215 to 4590, and the Gypsy & Traveller provision which required local authorities to undertake an assessment of the housing needs of Gypsies, Travellers and Showpeople. He also highlighted changes to FPC110 Policy 39 (Sustainable Construction) by removing the requirement for major new development to have embedded within them a minimum of 10% of their energy supply from renewable resources. This had been changed to a requirement for 'an ambitious but viable percentage'. This would appear to significantly weaken the Policy and was surely contrary to the Government's own stated aim of using planning to tackle the causes of climate change, therefore Derwentside were proposing to object to FPC110.

**Notes of Scrutiny Board – 7<sup>th</sup> March 2008** – *“Members noted that there was a reduced emphasis in the strategy on the major conurbations with improvements in relation to the position in County Durham and Derwentside. Members welcomed the increase in housing allocations for County Durham and Derwentside. Members supported the comments in relation to Policy 39. The Chief Executive welcomed the number of housing allocations for Derwentside. Questions were raised in relation to the impact of L.G.R. and the various allocations per district. It was noted that in the short-medium term Derwentside had already progressed sufficient applications to meet the number allocated to Derwentside.”*

**Options:** Whether to agree, amend or refuse to support the proposed response to the consultation by GONE on the Further Proposed Changes to the North East Regional Spatial Strategy.

**RESOLVED:**

1. Agreement be granted to submit comments to GONE supporting the Further Proposed Changes (FPC) 20, 32, 60, 61, 78 and 143 relating to housing allocations and employment sites as detailed in the report.
2. That objections be submitted to FPC83 and the inclusion of the gypsy and traveller pitch provision figures from the White Young Green Regional Assessment as it is an inadequate assessment of need.
3. That objections be submitted to FPC110 as a significant weakening of the Policy on Sustainable Construction.

**Reasons:**

1. The Further Proposed Changes to the Regional Spatial Strategy generally make the document more accommodating to the needs and aspirations of the residents of County Durham.
2. The one exception to the generally positive changes made to the RSS is the inclusion of the results of the White Young Green Regional Assessment in the section on Improving Inclusivity. Unfortunately the

- methodology used by the consultants was never likely to produce findings that were robust enough to accurately predict future needs for new gypsy and traveler pitches.
3. The changes to Policy 39 on Sustainable Construction are also disappointing and a step backwards in attempts to tackle climate change.

**Councillor A. Watson returned to the meeting at this point and resumed the Chair.**

**74. COUNTY DURHAM ECONOMIC STRATEGY (CDES) 2008 -2013:  
'BUILDING OUR FUTURE'**

Councillor D. Llewellyn presented the report which sought endorsement of comments provided by Officers to the County Durham Economic Partnership on the draft County Durham Economic Strategy (CDES) 2008-2013.

The draft CDES was being developed by the County Durham Economic Partnership (CDEP) with a formal period of consultation ending on 7<sup>th</sup> March 2008. The Council is an active member of the CDEP which was created in 1994 and had the responsibility for leading and driving forward the delivery of the Strategy.

Councillor Watson raised the subject of Enterprise Place and that he wanted to ensure that this would continue in future. In response the Chief Executive advised that while Enterprise Place was not specifically mentioned in this report he emphasised that the comments made to CDEP must be explicit in that there was as need to review the CDEP and that there must be a de-emphasis on high level 'big flagship projects' and more consideration given to developing projects such as Enterprise Place and encouragement for entrepreneurs.

The Deputy Chief Executive commented that projects by agencies such as One NorthEast tended to detract from areas such as County Durham and the CDEP needed to focus specifically on projects within the County.

**Notes of Scrutiny Board – 7<sup>th</sup> March 2008 –***“The Chief Executive advised that comments on the document would be forwarded later in the day and Executive would be endorsing such at the meeting on Monday. He advised that the comments needed to be strengthened to include more emphasis on local enterprise, aspirations and strong local growth as opposed to concentrating on Beacon `developments. He also pointed to the need for commentary in relation to the inspirational culture as it related to young people and the need to emphasise the importance of facilities like Enterprise Place. Members also agreed with the need for a review of the operation of the C.D.E.P. and its role in the future economy of the county.”*

**Options:** Whether to agree, amend or reject the comments outlined in the report.

**RESOLVED:** That the formal response already presented by Officers to the County Durham Economic Partnership be endorsed and it was confirmed that the comments made at the above Scrutiny Board meeting were incorporated into the response.

**Reasons:**

1. The need for a CDES was clear as was the role of Derwentside within a prosperous economy for County Durham. The comments provided to the CDEP were supportive of the need for a strategy that will lead to a transformation change in the economy of County Durham. A number of positive suggestions had been made that demonstrated that there was a bigger role for Derwentside to play than currently identified.
2. Officers and Members will continue to work with the CDEP to ensure that the CDES is robust and relevant to the needs of Derwentside residents and businesses.

**75. EXCLUSION OF PRESS AND PUBLIC**

**ON THE MOTION OF COUNCILLOR M MALONE SECONDED BY COUNCILLOR D. LEWELLYN THAT UNDER SECTION 100(A) 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 3 OF THE LOCAL GOVERNMENT ACT 1972 (AS AMENDED).**

**Prior to consideration of the following Item Councillor D. Lavin declared a personal interest in the following item when it was agreed that he be allowed to remain in the meeting.**

**76. SALE OF LAND AT SHIELD ROW LANE, NEW KYO**

Councillor C. Marshall presented the report which sought direction from Members in relation to the disposal of an area of land at New Kyo. He further advised that there had been a slight delay in the feasibility study however, once this was received it would be available for Scrutiny to discuss.

Notes of Scrutiny Board – 7th March 2008 – “The Chief Executive, in referring to the report, advised that he would be advising Executive that paragraph 4.3 be amended which would broaden the geographic area in which any community

facility could be provided. *This was in line with earlier comments in the report. Councillor Marshall expressed concerns at comments from Ward Members in relation to the ability of the New Kyo Partnership to manage such a facility. Councillor Marshall advised that she had worked closely with Partnership members in the past and that in her opinion the Partnership were well placed/capable of managing such a facility.*”

**Options:**

1. Hold the matter in abeyance until the Feasibility Study is concluded and fully assessed.
2. Exclude the site identified for the Community Facility from the sale, progress housing land disposal and agree to put aside sum of £265,000 from capital receipt to support the delivery of improved Community Facilities once agreed.

**RESOLVED:**

1. The site identified for the Community Facility be excluded from the sale, with the remaining area being disposed of as detailed in the report.
2. The sum detailed in the report at paragraph 5.1.(ii) be set aside from the capital receipt, and
3. A further report be brought back to Executive on the investment of the sum set aside to support the delivery of improved Community Facilities in the area.

**Reasons:**

1. This enables officers to progress the disposal of the site.
2. This will reduce the time for receipt of a capital sum and make provision for a sum to be set aside for Community Facilities once proper consideration of the Feasibility Study had been undertaken.

**77. CONSETT AND STANLEY MARKETS**

Councillor Llewellyn presented the report which was to advise Members of the outcome of the tendering exercise undertaken in relation to the Consett and Stanley street markets.

Notes of Scrutiny Board – 7th March 2008 – *“Members welcomed the report.”*

**Options:**

1. To consider the tender received for Stanley Market.
2. To consider the tenders received for Consett Market.

**RESOLVED:**

1. That the tender received as detailed in the report at paragraph 5.1.i. be accepted for the Stanley market and that permission be granted to allow a Flea Market to operate on Fridays, subject to a three month trial.



2. That the tender received as detailed in the report at paragraph 5.2 be accepted for Consett Market.

**Reasons:** The evaluation of the tenders received indicated that these two tenders were the most favourable to the Council.

### **CONCLUSION OF MEETING**

The meeting closed at 5:02 p.m.



## **EXECUTIVE**

Minutes of a meeting of the Executive held in the Council Chamber, Civic Centre, Consett on 14<sup>th</sup> April 2008 at 4.30 p.m.

## **PRESENT:**

Councillor A. Watson (Chairman)

Councillors: C. Christer, O. Johnson, D. Lavin and D. Llewellyn.

## **APOLOGIES FOR ABSENCE:**

Apologies for absence were submitted on behalf of Councillors C. Marshall, M. Malone and A. Taylor.

## **78. 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.

## **79. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

## **80. MINUTES**

**RESOLVED:** That the minutes of the meeting held 10<sup>th</sup> March be agreed as a correct record.

### **Matters Arising from Minutes**

Councillor C. Christer referred to Minute 76 – Sale of Land at Shield Row Lane, New Kyo, in particular the notes of the Scrutiny Board and requested that it was made clear for the record that he had not made any comments regarding New Kyo Partnership. He also advised of his surprise to receive a letter from the partnership on this matter as this issue had been on the agenda after the exclusion of the press and public and his understanding was that these documents should not be circulated to the public. The Deputy Chief Executive commented that correspondence had been received on behalf of three Ward Members. Councillor Lavin commented that this correspondence had been submitted however, he had expected that it would not be passed on to third parties or used out of context. The Chief Executive advised that the Scrutiny

Board comments had been presented to Executive at the meeting on 10th March and had not been challenged. Councillor Johnson requested that it be recorded that two Ward Members were not present at the 10th March meeting.

**81. EXCLUSION OF PRESS AND PUBLIC**

**ON THE MOTION OF COUNCILLOR O. JOHNSON SECONDED BY COUNCILLOR D. LLEWELLYN THAT UNDER SECTION 100(A) 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 LIKEY DISCLOSURE OF EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 3 OF THE LOCAL GOVERNMENT ACT 1972 (AS AMENDED).**

**82. SALE OF LAND AT CUT THROAT LANE, HIGH WESTWOOD**

Councillor Watson presented the report the purpose of which was to advise Members of the action taken to accept a tender received in relation to the disposal of a plot of land at High Westwood.

**Notes of Scrutiny Board – 11<sup>th</sup> April 2008:** *“Members considered the report and there were no matters of concern.”*

**Options:** Whether or not to accept the action detailed in the report as authorised by the Deputy Chief Executive.

**RESOLVED:** That the action taken regarding Tender A as detailed in the report be endorsed.

**Reason:** This satisfied the requirements to obtain best consideration under Section 123 of the Local Government Act 1972.

**83. DISPOSAL OF LAND AT PONT LANE, LEADGATE**

Councillor Watson presented the report the purpose of which was to advise Members of a material change in the circumstances relating to a previous report to the Executive on this subject. The Company involved had advised of changes of circumstances to those previously agreed and Members were requested to consider whether these changes were of material relevance to affect the original decision

**Notes of Scrutiny Board – 11<sup>th</sup> April 2008:** *“Members considered the report and there were no matters of concern.”*

**Options:** Whether to agree, amend or reject the action taken, as described in the report.

**RESOLVED:** That the action taken, as detailed in the report be endorsed.

**Reasons:**

1. This facilitates the retention of a well established local Company and its 92 employees.
2. The Council will receive a substantial capital receipt.
3. There will be a significant improvement to the local environment and to the quality of life of the local community.
4. This will result in the establishment of an area of land for the enjoyment of the public.

#### **84. SALE OF CEMETERY LODGE, BLACKHILL, CONSETT**

Councillor Watson presented the report which advised Members of the action taken to accept a tender received in relation to the disposal of the Lodge in Blackhill Cemetery.

**Notes of Scrutiny Board – 11<sup>th</sup> April 2008:** *“Members considered the report and there were no matters of concern.”*

**Options:** Whether or not to accept the action detailed in the report, as authorised by the Deputy Chief Executive.

**RESOLVED:** That the action taken regarding Tender A as detailed in the report, be endorsed.

**Reasons:** This satisfied the requirements to obtain best consideration under Section 123 of the Local Government Act 1972.

#### **85. DERWENTSIDE TRAINING – BUSINESS PLAN 2008-2010**

Councillor Watson presented the report which provided an update on the successful activities of Derwentside Training over the period 2006 to 2008 and sought approval for a trading surplus to be retained to support the business over the next two years.

**Notes of Scrutiny Board – 11<sup>th</sup> April 2008:** *“Members welcomed the report and supported the recommendations”.*

**Options:**

1. Allow Derwentside Training to retain the existing financial trading surplus as detailed in the report, over the period 2008-2010.

2. Do not allow Derwentside Training to retain any financial trading surplus over the period 2008-2010.
3. Allow Derwentside Training to retain an increased part of its financial trading surplus up to a maximum as detailed in the report.

**RESOLVED: That the surpluses generated by Derwentside Training up to a maximum as detailed in the report be retained on an on going basis and used as a contingency to support the continuous delivery of training services 2008/09 and 2009/10.**

**Reasons:**

1. Derwentside Training can operate more effectively with a retained financial surplus.
2. Derwentside Training continues to develop and deliver training services that addresses local skills needs.
3. Derwentside Training continues to be self-financing and performing to target.

**CONCLUSION OF MEETING**

The meeting closed at 4.55 pm

## **EXECUTIVE**

Minutes of a meeting of the Executive held in the Council Chamber, Civic Centre, Consett on 11<sup>th</sup> June 2007 at 4.30 p.m.

## **PRESENT**

**Councillor:** A Watson (Chairman)

**Councillors:** O Johnson, D Lavin, D G Llewellyn and M J Malone

## **IN ATTENDANCE**

**Councillor** W Stelling

## **APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors C D Christer and A Taylor.

### **1. REVIEW OF SCRUTINY BOARD DEBATE**

A list of items discussed at Scrutiny Board on 4<sup>th</sup> June 2007 (enclosed as Appendix A) were circulated, the Chair advised that the comments, if any, would be referred to as each agenda item was discussed.

### **2. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

### **3. MINUTES**

**RESOLVED:** That the minutes of the meeting held 2<sup>nd</sup> April 2007 be agreed as a correct record.

### **4. PROPOSAL FOR FUTURE UNITARY STRUCTURES: STAKEHOLDER CONSULTATION**

Councillor Watson presented the report which requested that Members note the announcement made on 27<sup>th</sup> March 2007 from the Secretary of State for the Department of Communities and Local Government (DCLG) regarding the results of the stage one assessment for potential future unitary structure. The report set out the consultation process for short-listed proposals announced by the

Government and details of the proposed arrangements for the preparation of a response to the consultation by the deadline of 22<sup>nd</sup> June 2007.

Members were reminded that the Local Government White Paper (Strong and Prosperous Communities) contained within it an invitation for local authorities in Shire areas to make proposals for Unitary Local Government, or to establish partnerships of a County and all District Councils in the County area to pioneer as pathfinders new models of two-tier working.

Two bids were subsequently submitted for the County Durham area – one bid from the County Council for a single unitary authority and another counter bid, by six districts in the County (excluding City of Durham Council). These were subject to a ‘stage one’ evaluation by the DCLG and assess in terms of their likelihood to deliver improvements against five specified criteria. The proposal put forward by Durham County Council has been put forward to ‘stage 2’, the stakeholder consultation stage. The District bid was rejected by DCLG and had not been short-listed.

As agreed at Full Council on 10<sup>th</sup> April, 2007 and given that the list of consultees had excluded residents, it was determined that the Council would fund a referendum to establish the views of local people towards such a fundamental change. The results of the referendum are expected on 15<sup>th</sup> June and will form part of the consultation submission to the Secretary of State.

Councillor Watson further advised that it was the intention to announce the results of the referendum on 19<sup>th</sup> June 2007 in the House of Commons.

Councillor Llewellyn commented that he would like to place on record that he had been greatly concerned that the members of the public had been missing from the proposals put forward for stakeholder consultation provided by the Government.

The Chairman referred Members to the notes of Scrutiny Board held 4<sup>th</sup> June 2007. Due to the tight timescales for dealing with such responses the Leader of the Council and the Chief Executive were seeking agreement to submit the Council’s response.

**Options:** Whether to agree, reject or amend the approach proposed to be taken regarding the future unitary structure for County Durham.

**RESOLVED:** That the approach being taken to prepare the Council’s response to the consultation proposals for future unitary structures be agreed and to further agree that the Chief Executive be delegated to approve the final submission in consultation with the Leader of the Council.



## **Reasons:**

In order to achieve maximum efficiencies, it is preferable to work in partnership with neighbouring districts to prepare the Council's response to the consultation. It is necessary to delegate authority to the Chief Executive and Leader of the Council for final approval of the submission in order to incorporate outstanding information from the referendum as well as independent analysis of the unitary proposal.

## **5. EXCLUSION**

**RESOLVED:** That on the motion of Councillor Malone seconded by Councillor Llewellyn that under Section 100(A) 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 1 of the Local Government Act 1972 (As Amended).

## **6. TANFIELD LEA BUSINESS CENTRE**

Councillor Llewellyn presented the report, the purpose of which was to provide an update on the funding position of the Tanfield Lea Business Centre. In particular the report focused upon the actions taken in accepting the grant conditions that One NorthEast have enforced as part of their offer of providing external funding.

Members were asked to note that the offer from One NorthEast was the largest made to any project in the Sub Regional Partnership and was a reflection of the robust application and the ability of the Council to deliver quality projects.

A number of factors had been assessed in considering the offer of funding offer from One NorthEast including job creation and impact. It was estimated at up to 200 new jobs could be created in the Business Centre, impacting significantly and boosting the local economy.

The Chairman referred Members to the notes of Scrutiny Board held 4<sup>th</sup> June 2007.

### **Options:**

- (i) To reject the offer of external funding from One NorthEast
- (ii) To accept the offer of funding from One NorthEast with conditions, as detailed in the report.
- (iii) To negotiate a revised offer with One NorthEast.

**RESOLVED:** That Option (ii) on the report be agreed, to accept the offer of funding from One NorthEast with conditions, as detailed in the report.

**Reasons:**

- (i) The offer of funding was substantial and would enable the Council to develop a project of regional significance that will provide new jobs and investment in Derwentside.
- (ii) The conditions attached to the offer, whilst disappointing will not jeopardise the sustainability of the project or overall value for money.
- (iii) The offer of funding had a short acceptance period and did not allow an opportunity to go to the Council's Executive for prior agreement.
- (iv) The option to negotiate a revised offer was unlikely to result in a higher level of funding and could have resulted in the current offer being withdrawn.

**7. THE HEALTH ACT 2006 – REGULATION OF SMOKING IN SMOKE-FREE PREMISES, PLACES AND VEHICLES**

Councillor Lavin presented the report, the purpose of which was to seek Executive endorsement of an enforcement policy (attached as Appendix 1) for the regulation of smoking in smoke-free premises, places and vehicles.

The document outlined the key principles of enforcement of the Smoke-free provisions of the Health Act 2006 and the Regulations made under it, namely:

- Smoke-free (Premises and Enforcement) Regulations 2006
- Smoke-free (Signs) Regulations 2007
- Smoke-free (Exemptions and Vehicles) Regulations 2007
- Smoke-free (Penalties and Discounted Amounts) Regulations 2007
- Smoke-free(Vehicle Operators and Penalty Notices) Regulation 2007

The approach to enforcement was to be non-confrontational, focusing on raising awareness and understanding to ensure compliance. Enforcement officers were expected to work closely with businesses to build compliance through education, advice and support before the legislation

The Chairman referred Members to the notes of Scrutiny Board held 4<sup>th</sup> June 2007.

**Options:**

- (i) Whether to agree, reject or amend the draft Enforcement Strategy for the regulation of smoking in Smoke-free premises.
- (ii) Whether to agree, reject or amend the proposal for the appointment of the Temporary Technical Officer / Environmental Health Officer.

**RESOLVED:**

1. **That the draft Enforcement Strategy for the regulation of smoking in Smoke-free premises stated in Appendix 1 of the report be agreed.**
2. **That the appointment of the Temporary Technical Officer / Environmental Health Officer for a twelve month period be agreed.**

3. **That a further report be considered, following the implementation of the Health Act 2006, in particular the regulatory impact of the legislation within Derwentside.**

**Reasons:**

- (i) In order to comply with The Health Act 2006 – Regulation of Smoking in Smoke-free Premises, Places and Vehicles.
- (ii) Derwentside District Council is an Enforcement Authority for the purposes of the Smoke-free provisions of the Health Act 2006.

**CONCLUSION OF MEETING**

The meeting closed a 4.40 p.m.



**EXECUTIVE**

Minutes of a meeting of the Executive held in the Council Chamber, Civic Centre, Consett on 9<sup>th</sup> July 2007 at 4.30 p.m.

**PRESENT**

Councillor A. Watson (Chairman)

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

**IN ATTENDANCE**

Councillors W. Stelling and E.J. Williams.

**APOLOGIES FOR ABSENCE**

There were no apologies for absence submitted.

**8. 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. A copy of the note of the Scrutiny Board meeting held 2<sup>nd</sup> July 2007 are attached for information (Appendix 'A').

**9. DECLARATIONS OF INTEREST**

Councillor A Watson declared an interest in Item 7 on the Agenda.

**10. MINUTES**

**RESOLVED:** That the minutes of the meeting held 11<sup>th</sup> June 2007 be agreed as a correct record.

**11. YEAR END REVIEW OF PERFORMANCE 2006 /07**

Councillor Malone presented the report, the purpose of which was to inform Members of the performance of red, amber and green rated Best Value Performance Indicators (BVPIs) for the year 2006/07.

An analysis of performance for all red risk indicators for 2006/07 was detailed in the report and in addition significant falls or gains in performance for amber risk indicators were highlighted along with a short summary of performance for green rated indicators. Section 4 detailed the results of the satisfaction survey undertaken during 2006/07 and gave an overview of performance of these indicators.

The Audit Commission had indicated that PIs in future will reflect individual priorities at a neighbourhood level and Appendix 4 contained a set of local PIs that reflected the current Corporate Aims and Objectives. These local PIs were included for member's information and would form part of the Performance Management Framework and Scrutiny process for 2007/08.

All red risk rated indicators had now completed action plans and all action plans completed during Quarters 2, 3 and 4 had been referred to the relevant Scrutiny Panels throughout the year. There were eight red risk indicators recommended for 2007/08 with suggested reporting frequencies.

Overall, performance for both the indicators that measured satisfaction rates and also all red, amber and green risk rated indicators has shown that almost 60% of indicators reached or exceeded their anticipated year end targets. Performance has also improved in over half of all indicators where comparison with 2005/06 was possible and 51% percent of BVPIs had improved, 20% have remained the same and 29% have deteriorated.

The outturn national quartile boundaries for 2006/07 would not be available until later in the year, but based upon the 2005/06 boundaries the authority would have 37% of indicators in the best performing quartile, 20% in the second best performing quartile and 15% in both the third and worst performing quartiles. Comparable quartile data was unavailable for the remaining 13% of indicators. The report also introduced a set of local indicators that reflected the aims of the Corporate Plan 2006-2010, which would form part of the Performance Management Framework and Scrutiny process for 2007/08.

The Chairman referred Members to the notes of Scrutiny Board held 2<sup>nd</sup> July 2007.

**Options:** Whether or not to commission further reports into the performance of any of the Best Value Performance Indicators with a view to incorporate any indicators that pose concern into the Action Planning and Scrutiny process.

**RESOLVED:** That the information contained in the report regarding the performance of the Council against Best Value Performance Indicators be noted.

**Reasons:**

- (i) To investigate innovative solutions to address falling performance.

- (ii) To enable any slippage in performance to be noted and risk bandings re-assessed throughout the year.

## **12. DERWENTSIDE ECONOMIC DEVELOPMENT STRATEGY 2008-2013**

Councillor Llewellyn presented the report the purpose of which was to highlight the progress achieved through the economic development strategy for Derwentside 2000-2006 and to agree consultation proposals for a draft strategy for the period 2008 to 2013.

He pointed out that earlier drafts of the County Durham Economic Strategy had identified three strategic economic corridors in the County which already had a significant business base and had the potential for significant further investment. The Consett – Stanley – Chester-le-Street Corridor was identified as an important investment location close to the heart of the Tyne and Wear City Region. It was considered as an area of substantial economic opportunity, offering investors and companies further choice with regard to where to invest in the North East. He emphasised that a number of concerns had been expressed that the current draft of the County Durham Economic Strategy no longer highlighted the Consett – Stanley – Chester-le-Street Corridor and the major contributions the area can make to the County Durham and regional economy. Questions had been asked regarding this devaluation however, no satisfactory response had been received and Officers were currently pursuing this matter in an attempt to re-negotiate to re-establish the Consett – Stanley – Chester-le-Street corridor as a strategic economic corridor.

Discussion took place on the importance of this issue, Councillor Watson questioned whether this devaluation of the status of the corridor would affect distribution of resources and Councillor Taylor raised concerns regarding the affect on future funding for the District. Councillor Marshall raised questions on the opportunity for stakeholders to influence the document and in response Councillor Llewellyn added that this was currently a draft document and stakeholder consultation was planned to take place during September to November 2007.

The Chairman referred Members to the notes of Scrutiny Board held 2<sup>nd</sup> July 2007.

### **Options:**

- (i) Agree to the consultation timetable for a Derwentside Economic Development Strategy 2008-2013.
- (ii) Suggest an alternative consultation timetable for a Derwentside Economic Development Strategy.
- (iii) Reject the need for a Derwentside Economic Development Strategy 2008-2013.

**RESOLVED: That Option 1 on the report be agreed and that the outline timetable for a Derwentside Economic Development Strategy 2008-2013 as detailed in the report be approved.**

**Reasons:**

- (i) The need for a local economic development strategy for Derwentside has been recognised by the Economy Scrutiny Panel and the Economic Development Forum;
- (ii) The Economic Development Forum provides an effective multi-agency group to drive the strategy forward for the benefit of residents and businesses of Derwentside.
- (iii) The draft strategy fully identifies the key issues and opportunities that need to be addressed to ensure Derwentside develops a robust, self sustaining local economy; and
- (iv) The timetable for consultation provides an opportunity for full and open consultation with key stakeholders.

**13. HOUSES IN MULTIPLE OCCUPATION:  
MANDATORY LICENSING SCHEME**

Councillor Lavin presented the report which advised Members of the new Licensing arrangements for Houses in Multiple Occupation (HMO) and outlined the progress which had been made to date with respect to the introduction of Mandatory Licensing within Derwentside.

The report also sought Member approval of the proposed prescribed accommodation standards, licensing conditions and a 'fit an proper person' test to be used by the authority in the determination of Mandatory licence applications for HMO's.

Councillor Llewellyn pointed out that local authorities are entitled to set their own local standards and asked if this had been investigated and whether any evidence had been gathered to support a licensing scheme for specific areas within the District. In response Councillor Lavin advised that officers were continuing to assess the situation to identify properties within the area which required a licence.

The Chairman referred Members to the notes of Scrutiny Board held 2<sup>nd</sup> July 2007

Councillor Malone requested information regarding the comments of the Environment and Health Scrutiny Panel. In response the Director of Environmental Services advised that the Panel had questioned the process of not requiring all HMO applicants to be automatically subjected to a Criminal Records Bureau (CRB) check. The Panel had been advised that the applicants will be required to sign a declaration within the application but there was a proviso that



the Council retained the right to ask for a CRB check to be undertaken if this was considered necessary. This approach had been agreed with neighbouring authorities and any change to the process by requiring an automatic CRB check would not be consistent with the approach adopted throughout County Durham.

**Options:** Whether to agree, amend or reject the proposals in the report regarding Houses in Multiple Occupation.

**RESOLVED:**

1. That the proposals contained within the report be accepted.
2. That the Licensing Standards for Houses in Multiple Occupation, set out in Appendix 2 to the report be approved. Once adopted, these to be published to make this document freely available to the public.
3. That the Licensing Conditions for Houses in Multiple Occupation, set out in Appendix 3 to the report be approved.
4. That the Director of Environmental Services, in consultation with the Portfolio Member for Health, be authorised to revise the Licensing Conditions and Prescribed Standards detailed in the report, when, and if, appropriate.
5. That the 'fit and proper person' assessment criteria set out in the report be approved.
6. That Members consider a further report within the next 12 months, reviewing annual operational costs, licence fees and scope of the licensing scheme. This report should be considered in detail by the Environmental and Health Scrutiny Panel within their annual work programme.

**Reasons:**

- (i) The proposals set out within the report are in-line with the requirements of the Housing Act 2004, which came into force on 6 April 2006.
- (ii) By approving the proposed Standards for Licensable Houses in Occupation, the suitability of the accommodation and facilities offered can be determined. Limits can then be set on the maximum number of persons / households allowed to occupy the property.
- (iii) Adopting licensing conditions will also enable conditions to be adhered to over the period of the licence and enable enforcement action to be taken where necessary to maintain standards.
- (iv) By accepting the report, it will enable the Council to:
  - Ensure each person having control or managing is a fit an proper person;
  - Ensure that the management arrangements are satisfactory;
  - Refuse or vary a licence where it is not satisfied with the circumstances of the application, applicant or the property.

**Prior to consideration of the following item Councillor A Watson declared an interest as his position as Chairman of the North East Regional Assembly, when it was agreed that he be allowed to remain in the meeting.**

#### **14. NORTH EAST OF ENGLAND REGIONAL SPATIAL STRATEGY:**

Councillor Johnson presented the report, the purpose of which was to inform Members of the Proposed Changes to the North East Regional Spatial Strategy (RSS) published for public consultation by the Government Office for the North East (GONE) on behalf of the Secretary of State.

Due to the nature of some of the Panel's recommendations GONE have decided to have a two-stage consultation on the Proposed Changes. The first stage will be ten weeks, and during this time further supplementary information will be sought from the North East Assembly. Following consideration of the responses to this second round of consultation the final RSS is expected in early 2008.

The Report outlined a number of issues that are raised by the Proposed Changes but the most serious of these was the proposed housing allocation. GONE had used the allocations recommended by the RSS Panel, which reduces Derwentside's figure from 4250 net new dwellings to 2021 in the Submission Draft to 3215. As a result the Council will have difficulty securing new affordable housing and using new housing to regenerate the District's communities.

As mentioned in the Report NEA have been asked by GONE to propose a revised housing distribution. This proposed distribution will see Derwentside's allocation rise to 4580 new dwellings. It should be stressed that these figures have not yet been approved by the Board of NEA however if they were submitted in this form to GONE then the Council should support them.

The Chairman referred Members to the notes of Scrutiny Board held 2<sup>nd</sup> July 2007.

**Options:** Whether to agree, amend or reject the proposed submission of comments to GONE.

**RESOLVED:** That agreement be granted to submit comments to GONE objecting to the housing allocation for Derwentside in the Proposed Changes and to support the housing allocations proposed by the North East Assembly.

**Reasons:** In order to participate in the consultation process and to submit comments to GONE objecting to the housing allocation for Derwentside in the Proposed Changes and to support the housing allocations proposed by the North East Assembly.

## **15. THE DERWENTSIDE PLAY STRATEGY**

Councillor Taylor presented the report which advised that as part of the Big Lottery Fund's £155m Children's Play initiative, Local Authorities had been allocated funding for play based on population, levels of deprivation and size. Derwentside's allocation was £221,543. However, in order to access this funding, a newly revised and much expanded Play Strategy had to be submitted.

Following the transfer of the Leisure Team to Leisureworks, the Corporate Policy Unit had been responsible for overseeing Knight Kavanagh Page (KKP) who were appointed to develop the new Play Strategy. The development of the Play Strategy had been undertaken in two phases: Phase 1 (January to July 2007) - Development of the Play Strategy and the final draft of the Play Strategy was attached as Appendix 1 to the report. The draft was put together on the basis of extensive consultation and was approved by the Play Partnership on 26<sup>th</sup> June.

The Play Strategy was presented to the Community Safety and Strong Communities Scrutiny Panel on 26<sup>th</sup> June and was well received. Scrutiny comments and officers' response were outlined in Appendix 3.

Phase 2 of the Play Strategy would take place from June to September 2007 and would include development of a costed portfolio of projects to the sum of £221,543, linked to the Play Strategy developed in Phase 1. There was no requirement for match funding. KKP has concluded that two priority projects have emerged from the consultation process: (i) Appointment of a Play Ranger (c. £132k for three years). The Play Ranger would provide supervised play opportunities across the District and would work with partner agencies, community groups and young people to support the development of new play activities through volunteering or best use of existing resources. (ii) Natural Play Team (c. £89k for three years). A team of 6-8 sessional workers would be recruited for three years, to cover school holidays and undertake supervised natural play around Derwentside. Both projects were suggested to the Play Partnership on 26<sup>th</sup> June and were wholeheartedly supported.

The portfolio submission date for the Big Lottery Fund was 10<sup>th</sup> September 2007

Clarifications from Members regarding the Lanchester Parish Plan and Annfield Plain Community Appraisal was reported and would be included in the final Strategy.

The Chairman referred Members to the notes of Scrutiny Board held 2<sup>nd</sup> July 2007.

**Options:** Whether to agree, amend or reject the proposal for the Play Strategy.

**RESOLVED:**

1. **Subject to the inclusion of the comments regarding Lanchester Parish Plan and Annfield Plain Community Appraisal the Plan Strategy be approved.**
2. **That the Play Strategy projects as detailed in the report be approved to become part of the portfolio application to the Big Lottery Fund.**

**Reason:** The Play Strategy is required in order to access the Big Lottery allocation.

16. **DERWENTSIDE LOCAL DEVELOPMENT FRAMEWORK:  
RESPONSE TO CORE STRATEGY DEVELOPMENT PLAN**

Councillor Johnson presented the report which informed Members of the responses received following consultation on the Issues and Options stage of the Core Strategy carried out earlier this year. The report also sought approval for the creation of a Member's Working Group for the Local Development Framework.

Further analysis was to take place to select the preferred option. These would then be taken forward and developed into policies and proposals in the Preferred Options document, which was currently programmed for February 2008.

As part of the ongoing consultation arrangements it was important to have the close involvement of Members of the Council. It is therefore suggested that a Members Working Group should be established in accordance with the proposed Terms of Reference attached at Appendix 3.

The Chairman referred Members to the notes of Scrutiny Board held 2<sup>nd</sup> July 2007.

**Options:** Whether to agree, amend or reject the proposals for responses to the Core Strategy Development Plan and a Member Working Group.

**RESOLVED:**

1. **That the responses to the Core Strategy Development Plan Document Issues and Options be agreed.**
2. **That the establishment of a Members Working Group for the Local Development Framework be agreed.**

**Reasons:** As part of the ongoing consultation arrangements it was important to have the close involvement of Members of the Council

## **17. CAPITAL PROGRAMME 2007 – UPDATE**

The purpose of the report was to inform Members of the current position with regard to the capital programme and sought approval of new bids that satisfied prioritisation criteria and to assess available resources. This follows the regular quarterly updates to Executive during the last financial year.

The Medium Term Financial Plan – 2006/07 to 2009/10 was agreed at a Special Meeting of the Council on 21<sup>st</sup> February 2006. The Capital Programme element had previously been agreed by the Executive and had been prepared in accordance with the authority's prioritisation methodology.

Councillor Taylor raised the issue of emergency work which was required to deal with the recent flooding problems in the Havannah Ward. In response the Director of Environmental Services advised that resources had been identified to deal with flooding issues in both Shield Row and Burnopfield under 'emergency' provisions.

The Chairman referred Members to the notes of Scrutiny Board held 2<sup>nd</sup> July 2007.

**Options:** Whether to agree, amend or reject the proposals in the report regarding the Capital Programme.

**RESOLVED:** That the information regarding the capital Programme and the new bids that satisfy prioritisation criteria be noted.

**Reasons:** To allow the limited available resources to be monitored and utilised in the most effective way, allowing the Council to mobilise the most essential projects.

## **18. EXCLUSION**

**ON THE MOTION OF COUNCILLOR O. JOHNSON SECONDED BY COUNCILLOR D.G. 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 PARAGRAPH 3 OF THE LOCAL GOVERNMENT ACT 1972 (AS AMENDED).**

## **19. REPAYMENT OF RENOVATION GRANT**

Councillor Lavin presented the report which requested Members to determine the level of repayment of grant monies in respect of the property detailed in the report.

The Chairman referred Members to the notes of Scrutiny Board held 2<sup>nd</sup> July 2007.

**Options:** To consider the individual circumstances of the case and the advice of the Council's legal advisor as detailed in the report.

**RESOLVED:** That Members agree to demand the repayment of the renovation grant monies in full in respect of the property detailed in the report.

**Reasons:**

- (i) The relevant disposal of the property was completed within five years from the completion date of the renovation grants and therefore the full amount of the grant would be repayable to the Council.
- (ii) The disposal of the property does not fall within any of the circumstances contained within The Housing Grants, Construction & Regeneration Act 1996 (Grant Repayment) General Consent 2000 and that, the applicant would not suffer financial hardship if the Council were to demand repayment of the renovation grant in full or in part.

## **20. SALE OF LAND AT WATLING STREET INDUSTRIAL ESTATE**

Councillor Marshall presented the report which sought authority to dispose of an area of land on the Watling Street Industrial Estate in Leadgate.

In response to Councillor Llewellyn's questions regarding possible future extension of the site Councillor Marshall advised that each case would be judged on its merits. The Chief Executive Officer advised that if any future expansion was considered it may be possible to accommodate this within the area to be conveyed. Councillor Taylor commented that if the site became limited the business would be welcomed to relocate in the Stanley / Beamish part of the District.

The Chairman referred Members to the notes of Scrutiny Board held 2<sup>nd</sup> July 2007.

**Options:**

- (i) Whether to agree to retain the land for future Industrial use and deal with individual requests to acquire land as they arise.
- (ii) Whether to agree that the land be retained for use as Woodland and officers seek to remove its designation for Industrial purposes.

**RESOLVED:**

1. That approval be granted to proceed with the disposal of the land shown hatched on the plan attached to the report on the terms set out within the report.

2. **That the Council refrain from disposing of any further areas of Watling Wood and support the removal of its industrial use designation.**

**Reasons:**

- (i) The land is designated in the Local Plan for industrial use.
- (ii) The council receives a capital receipt.
- (ii) The retention and growth of a local business is secured.
- (iv) The retention of a well-established woodland area for the benefit of the local community.

**21. SALE OF LAND AT SHIELD ROW LANE, NEW KYO**

Councillor Marshall presented the report which advised Members of the action taken regarding tenders received in relation to the disposal of the area of land shown verged on the plan attached to the report.

The Chairman referred Members to the notes of Scrutiny Board held 2<sup>nd</sup> July 2007.

**Options:** Whether to accept or reject the tenders as detailed in the report.

**RESOLVED:**

1. **That tender B be accepted subject to the terms detailed in the report.**
2. **That tenders C and D be held in reserve as detailed in the report.**

**Reason:** The land was considered surplus to Council requirements.

**22. SALE OF LAND AT VALLEY VIEW, BRIDGEHILL**

Councillor Marshall presented the report which advised Members of the action taken to accept a tender received in relation to the disposal of an area of land at Bridge Hill, shown verged on the plan attached to the report.

The Chairman referred Members to the notes of Scrutiny Board held 2<sup>nd</sup> July 2007.

**Options:** Whether to accept or reject the tenders detailed in the report.

**RESOLVED:**

1. **That tender A be accepted subject to the terms detailed in the report.**
2. **That tenders B, C and D be held in reserve as detailed in the report.**

**Reason:** The land was considered surplus to Council requirements.

**CONCLUSION OF MEETING**

**The meeting closed at 5.32 p.m.**





<b>TITLE:</b>	<b>SCRUTINY OF RED RISK RATED KEY PERFORMANCE INDICATORS 2008/09</b>
<b>TO/ON:</b>	<b>ECONOMY, LEARNING, LEADER AND DEPUTY LEADER SCRUTINY PANEL JULY 23<sup>RD</sup> 2008</b>
<b>BY:</b>	<b>DIRECTOR OF CORPORATE ADMINISTRATION AND POLICY</b>
<b>PORTFOLIO HOLDER:</b>	<b>DEPUTY LEADER</b>
<b>STATUS:</b>	<b>REPORT</b>

## **1 Purpose of Report**

- 1.1 The purpose of this Report is to inform the panel of the action planning initiatives in place for the new National Performance Indicators and former Best Value Performance Indicators rated as a red risk for 2008/09 that now report performance to the Economy, Learning, Leader and Deputy Leader Scrutiny Panel as part of the 'Business as Usual' arrangements.

## **2 Background**

- 2.1 The authority is no longer required to collect and measure Best Value Performance Indicators with effect from 1<sup>st</sup> April 2008. The Government have, instead introduced a set of new National Indicators that will be collected, monitored and reported both by the local authority and their partners.
- 2.2 To ensure that performance for former key best value performance indicators does not deteriorate during 2008/09 it has been agreed that a number of these indicators will continue to be collected and monitored alongside the new National Indicator Set.
- 2.3 A traffic light risk rating system is currently used to identify the performance indicators where anticipated performance is deemed to be at risk of falling into or remaining within the bottom performing quartiles nationally. This form of performance monitoring enables risk ratings assigned at the beginning of the financial year to be amended throughout the year to reflect slippages or significant improvements in the overall performance. This re-assessment process is carried out at quarterly intervals throughout the year and reported to the Executive Committee.
- 2.4 All red risk indicators are required to complete an Action Plan and all completed Action Plans must be referred to the relevant Scrutiny Panel within the agreed reporting mechanism throughout the year.

### 3 Relevant Material Considerations

- 3.1 Action Plans are produced for all red risk rated indicators at the start of the financial year for inclusion in the Quarter 1 Performance Monitoring Report to the Executive Committee and relevant Scrutiny Panel.
- 3.2 There are currently five performance indicators that have been allocated a red risk rating for 2008/09. These are shown below along with details of the former Scrutiny Panel that historically scrutinised these low performing indicators and also the agreed reporting frequency to the Economy, Learning, Leader and Deputy Leader Scrutiny Panel for 2008/09:

<b>BVPI</b>	<b>Title</b>	<b>Former Scrutiny Panel</b>	<b>Frequency</b>
12	Days lost to absence	Econ/Learning	Q
109a	Major planning apps	Environ/Health	Q
109b	Minor planning apps	Environ/Health	Q
109c	'Other' planning apps	Environ/Health	Q
213	Homelessness prevention	Environ/Health	Q

- 3.3 The Action Plans for all of the indicators included in the above table are updated each quarter to ensure that all initiatives developed that have contributed to improved levels of performance are recorded and monitored. All Action Plans are included in Appendix 1 for Member's information.

### 4 Action Planning 2008/09

- 4.1 **BVPI 12** - The number of days lost to sickness and absence is monitored by former Best Value Performance Indicator BV12 and this indicator was allocated a red risk status at the beginning of 2006/07 and has reported performance on a quarterly basis to Economy and Learning Scrutiny Panel throughout 2006/07 and 2007/08. This indicator improved significantly during the first 9 months of 2007/08, however performance deteriorated during the final quarter and although performance for this indicator currently performs in the 3<sup>rd</sup> performing quartile nationally, having moved out of the worst quartile in 2006/07, it was agreed that in view of LGR a red risk status would be retained for 2008/09.

The rate of absence for the first quarter of 2008/09 has decreased marginally in comparison to the same period in 2007/08, rising from 2.11 days to 2.16 days. The current rate of performance now sits within the second best performing quartile nationally, which is an improvement in comparison to the year end performance for 2007/08 when it sat within the 3<sup>rd</sup> performing quartile.

- 4.2 **BVPI 109a, 109b and 109c** - Former Best Value Performance Indicators 109a, b and c measure the proportion of major, minor and 'other' planning applications respectively and now form National Indicator NI 157. All three former BVPIs were allocated a red risk rating at the beginning of 2008/09 as

part of the current Performance Monitoring Framework as performance for all three sat in the worst performing quartile nationally at the end of 2007/08.

- 4.3 A number of initiatives have been undertaken during the first quarter of 2008/09 to address falling levels of performance and these are shown below:

**Performance Indicator 109a** – The fall in performance for the number of major planning application determined in 13 weeks has been due in the main, to staffing capacity issues in this service area. Some posts will remain unfilled because of where we are with LGR. Other vacant positions have been advertised within the Durham Family Group, offering secondment opportunities, but that exercise was not successful. The service has recently secured the services of one Area Planning Officer from an Agency and is investigating other options.

**Performance Indicators 109b and c** – The number of minor and other planning applications determined in 8 weeks also demonstrated deterioration in performance in the final quarter of 2007/08. To address falling levels of performance an additional student placement has been secured during the summer recess to assist with the processing of applications. In addition the current Student Placement position has been extended on a full time basis until October 2008 and then on a part time basis until March 2009.

- 4.4 **BVPI 213** – The number of homeless cases prevented as a result of local authority intervention is measured by former Best Value Performance Indicator BV 213 and performance against this indicator was reported to the Health and Environment Scrutiny Panel throughout 2007/08. Although performance against homeless prevention improved significantly during the final quarter of 2007/08 this indicator continued to remain within the worst performing quartile nationally and therefore retained a red risk status for 2008/09.

Performance has significantly improved for this indicator during the first quarter of 2008/09 and the rate of performance now sits within the 2<sup>nd</sup> top performing quartile nationally. If this trend continues then the risk rating for this indicator will be amended to amber in Quarter 2.

- 4.5 All red risk rated indicators will continue to be referred to the Economy, Learning, Leader and Deputy Leader Scrutiny Panel and regular updates will be presented to Members throughout 2008/09 as part of the Action Planning and 'Business as Usual' processes.

## 5 Recommendations

- 5.1 Members of the Economy, Learning, Leader and Deputy Leader Scrutiny Panel are requested to note the content of this report.

For further information contact Anne Smith, Performance Management Officer, Telephone 01207 218208 or e-mail [anne.smith@derwentside.gov.uk](mailto:anne.smith@derwentside.gov.uk)

**Background papers:** Derwentside D.C. Year End Performance Monitoring Report 2007/08; Audit Commission BVPI Results 2006/07 at [www.audit-commission.gov.uk](http://www.audit-commission.gov.uk)

**PERFORMANCE MONITORING  
RED RISK INDICATORS 2008/09  
Quarter 1 Monitoring Return**

<b>Directorate:</b> Executive Director		<b>Chief Executive:</b> Mike Clark						
<b>Scrutiny:</b> Learning and Economy		<b>Head of Service:</b> Ian Jones						
<b>BVPI</b>	<b>Title</b>	<b>Performance</b>				<b>Corporate Aim</b>		
		<b>2004/05</b>	<b>2005/06</b>	<b>2006/07</b>	<b>2007/08</b>	Together with our partners achieve organisational excellence		
<b>BV 12</b>	<b>Number of days/shifts lost to absence</b>	11.02 days	12.01 days	11.36 10.44	10.30 days			
<b>Responsible Officer</b>	Ian Jones	<b>2007/08 Quarterly Performance</b>			<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>
<b>Named Officer responsible for performance data collection</b>	Lesley Allison	<b>Direction of travel</b>			↘			
		<b>2008/09 Quarterly Performance</b>			<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>
		<b>Target</b>			<b>Qtr 1</b>	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>
		<b>Target achieved</b>			✓			
<b>Monitoring Frequency</b>	Quarterly	<b>Reporting Frequency</b>			Quarterly			
<b>Action Plan</b>								
<b>Action/Milestone</b>	<b>Responsible Officer</b>	<b>Deadline</b>	<b>Actual Date completed</b>	<b>Resources Required</b>	<b>Outcome/Impact</b>			
Review Occupational Health provision	I. Jones	Revised - Sept 08	Ongoing	Within existing resources	<p><b>Update:</b> More efficient and effective service resulting in improved management of sickness also linked to implications of joint provision through LGR process.</p> <p>Reviewing Service Level Agreement with local provider suitability of the service.</p> <p>Introduction of early intervention strategies i.e. early stress/depression referrals.</p> <p>Introduction of vibration white finger to manage future risk.</p>			

<b>Action Plan BVPI 12 Quarter 1 2008/09 (continued)</b>					
<b>Action/Milestone</b>	<b>Responsible Officer</b>	<b>Deadline</b>	<b>Actual Date completed</b>	<b>Resources Required</b>	<b>Outcome/Impact</b>
To work with the Audit Commission who are currently looking at sickness levels across the North East with a view to developing a Best Practice Guide	I. Jones	Ongoing	Ongoing	Within existing funding	To have a more effective service to address sickness and absence rates.  <b>Update:</b> Audit Commission visit during February 2008 – awaiting report and recommendations
Pilot improvement plans in General Services	I Herdman	Revised July 2008	Delayed		Development of revised management processes  <b>Update:</b> On hold due to resource issues and impending LGR.
Increase stress awareness and training	I Jones	Revised December 2008	Ongoing	£4,000 from corporate budget	Inclusion in annual development plan  <b>Update:</b> Workbooks and CD produced;  Stress awareness and management incorporated in management competency framework.
Develop health education programme	I Jones	Revised October 2008	Ongoing	Staff time and marketing materials	Health education in place, reduction in absence due to better understanding and earlier intervention
Increasing Management & Staff Awareness of support	I Jones	December 2008	Ongoing	Material Production & Regional Funding	Ensuring staff are aware of support mechanisms available during the transition process.  Run a series of events to assist managers and employees during the period of transition.
Risk Assessment	I Jones	December 2008	Ongoing	£4,000 from corporate budget	Develop localised intervention where specific risk areas are identified.

**PERFORMANCE MONITORING  
RED RISK INDICATORS 2008/09  
Quarter 1 Monitoring Return**

<b>Directorate:</b> Environmental Services			<b>Director:</b> Peter Reynolds						
<b>BVPI</b>	<b>Title</b>		<b>Performance</b>			<b>Corporate Aim</b>			
			<b>2005/06</b>	<b>2006/07</b>	<b>2007/08</b>	Together with our partners deliver an attractive, sustainable environment			
<b>BV 109a - now NI 157</b>	<b>Major planning applications determined in 13 weeks</b>		82.76%	74.28%	60.61%				
<b>Responsible Officer</b>	Fiona Clarke		<b>2007/08 Quarterly Performance</b>		<b>April Not collected</b>	<b>May 50.00%</b>	<b>Qtr 1 69.00%</b>	<b>Year End 60.61%</b>	
			<b>Direction of travel</b>		N/A		↕	↕	↕
			<b>2008/09 Quarterly Performance</b>		<b>April 0%</b>	<b>May 50%</b>	<b>Qtr 1 100%</b>	<b>Year End Ongoing</b>	
			<b>Target 2008/09</b>		<b>April 63%</b>	<b>May 63%</b>	<b>Qtr 1 63%</b>	<b>Qtr 4 63%</b>	
			<b>Target achieved</b>		✘		✘	✓	<b>Ongoing</b>
<b>Monitoring Frequency</b>	Monthly		<b>Reporting Frequency</b>		Quarterly				
<b>Action Plan</b>									
<b>Action/Milestone</b>		<b>Responsible Officer</b>	<b>Deadline</b>	<b>Actual Date complete</b>	<b>Resources Required</b>	<b>Outcome/Impact/Update</b>			
Increase available staffing resources		Fiona Clarke	To advertise vacancies - May 2008	May 2008	Within existing resources	Vacancies advertised within Durham County Family Group as part of LGR guidelines			
Consider alternative recruitment methods to ensure greater staffing capacity:  Agency Staff		Fiona Clarke	June 2008	Ongoing	Within existing resources	The use of Agency staff will continue to be considered and other options for bolstering capacity will be investigated as a priority			

<b>Directorate:</b> Environmental Services				<b>Director:</b> Peter Reynolds						
<b>BVPI</b>	<b>Title</b>			<b>Performance</b>			<b>Corporate Aim</b>			
				<b>2005/06</b>	<b>2006/07</b>	<b>2007/08</b>	Together with our partners deliver an attractive, sustainable environment			
<b>BV 109a - now NI 157</b>	<b>Major planning applications determined in 13 weeks</b>			82.76%	74.28%	60.61%				
<b>Responsible Officer</b>	Fiona Clarke			<b>2007/08 Quarterly Performance</b>		<b>April Not collected</b>	<b>May 50.00%</b>	<b>Qtr 1 69.00%</b>	<b>Year End 60.61%</b>	
				<b>Direction of travel</b>		N/A		↕	↕	↕
				<b>2008/09 Quarterly Performance</b>		<b>April 0%</b>	<b>May 50%</b>	<b>Qtr 1 100%</b>	<b>Year End Ongoing</b>	
				<b>Target 2008/09</b>		<b>April 63%</b>	<b>May 63%</b>	<b>Qtr 1 63%</b>	<b>Qtr 4 63%</b>	
				<b>Target achieved</b>		<b>✘</b>	<b>✘</b>	<b>✓</b>	<b>Ongoing</b>	
<b>Monitoring Frequency</b>	Monthly			<b>Reporting Frequency</b>		Quarterly				
<b>Action Plan</b>										
Consider alternative recruitment methods to ensure greater staffing capacity:  Planning Consultants		Fiona Clarke	Ongoing	Ongoing	Within Planning Delivery Grant	The use of Planning Consultants will be explored if vacant positions are not filled via current recruitment methods				

**PERFORMANCE MONITORING  
RED RISK INDICATORS 2008/09  
Quarter 1 Monitoring Return**

<b>Directorate:</b> Environmental Services			<b>Director:</b> Peter Reynolds				
<b>BVPI</b>	<b>Title</b>		<b>Performance</b>			<b>Corporate Aim</b>	
			<b>2005/06</b>	<b>2006/07</b>	<b>2007/08</b>	Together with our partners deliver an attractive, sustainable environment	
<b>BV 109b - now NI 157</b>	<b>Minor planning applications determined in 8 weeks</b>		75.69%	71.69%	74.28%		
<b>Responsible Officer</b>	Fiona Clarke		<b>2007/08 Quarterly Performance</b>	<b>April</b>	<b>May</b>	<b>Qtr 1</b>	<b>Year End</b>
					70%	68%	64.60%
			<b>Direction of travel</b>	Not collected	↶	↷	↷
			<b>2008/09 Quarterly Performance</b>	<b>April</b>	<b>May</b>	<b>Qtr 1</b>	<b>Year End</b>
				65%	73%	50%	Ongoing
	<b>Target 2008/09</b>	<b>April</b>	<b>May</b>	<b>Qtr 1</b>	<b>Qtr 4</b>		
		71%	71%	71%	71%		
	<b>Target achieved</b>	<b>x</b>	<b>✓</b>	<b>x</b>	<b>Ongoing</b>		
<b>Monitoring Frequency</b>	Monthly		<b>Reporting Frequency</b>	Quarterly			
<b>Action Plan</b>							
<b>Action/Milestone</b>	<b>Responsible Officer</b>	<b>Deadline</b>	<b>Actual Date completed</b>	<b>Resources Required</b>	<b>Outcome/Impact/Update</b>		
Increase staffing resources	Fiona Clarke	Advertise vacancies - May 2008	May 2008	Within existing resources	Vacancies advertised within Durham County Family Group as part of LGR guidelines		
Consider alternative recruitment methods to ensure greater staffing capacity: Agency Staff	Fiona Clarke	June 2008	Ongoing	Within existing resources	The use of Agency staff will continue to be considered and other options for bolstering capacity will be investigated as a priority		



<b>Directorate:</b> Environmental Services			<b>Director:</b> Peter Reynolds						
<b>BVPI</b>	<b>Title</b>		<b>Performance</b>			<b>Corporate Aim</b>			
			<b>2005/06</b>	<b>2006/07</b>	<b>2007/08</b>	Together with our partners deliver an attractive, sustainable environment			
<b>BV 109b - now NI 157</b>	<b>Minor planning applications determined in 8 weeks</b>		75.69%	71.69%	74.28%				
<b>Responsible Officer</b>	Fiona Clarke		<b>2007/08 Quarterly Performance</b>		<b>April</b>	<b>May</b> 70%	<b>Qtr 1</b> 68%	<b>Year End</b> 64.60%	
			<b>Direction of travel</b>		Not collected		↶	↷	↷
			<b>2008/09 Quarterly Performance</b>		<b>April</b> 65%		<b>May</b> 73%	<b>Qtr 1</b> 50%	<b>Year End</b> Ongoing
			<b>Target 2008/09</b>		<b>April</b> 71%		<b>May</b> 71%	<b>Qtr 1</b> 71%	<b>Qtr 4</b> 71%
			<b>Target achieved</b>		<b>x</b>		<b>✓</b>	<b>x</b>	<b>Ongoing</b>
<b>Monitoring Frequency</b>	Monthly		<b>Reporting Frequency</b>		Quarterly				
<b>Action Plan</b>									
Extension of student placement	Fiona Clarke	June 2008	Ongoing	Within existing resources	Current Student Placement has been extended on a full time basis until October 2008 and on a part time basis until March 2009.				

<b>Directorate:</b> Environmental Services			<b>Director:</b> Peter Reynolds					
<b>BVPI</b>	<b>Title</b>	<b>Performance</b>			<b>Corporate Aim</b>			
		<b>2005/06</b>	<b>2006/07</b>	<b>2007/08</b>	Together with our partners deliver an attractive, sustainable environment			
<b>BV 109c - now NI 157</b>	<b>Other planning applications determined in 8 weeks</b>	88.52%	82.29%	83.64%				
<b>Responsible Officer</b>	Fiona Clarke	<b>2007/08 Quarterly Performance</b>		<b>April</b>	<b>May</b>	<b>Qtr 1</b>	<b>Year End</b>	
					81%	80%	83.64%	
		<b>Direction of travel</b>		N/A		↶	↷	↷
		<b>2008/09 Quarterly Performance</b>		<b>April</b>	<b>May</b>	<b>Qtr 1</b>	<b>Year End</b>	
				90%	90%	70%	Ongoing	
		<b>Target 2008/09</b>		<b>April</b>	<b>May</b>	<b>Qtr 1</b>	<b>Qtr 4</b>	
				85%	85%	85%	85%	
		<b>Target achieved</b>		✓	✓	✗	Ongoing	
<b>Monitoring Frequency</b>	Monthly	<b>Reporting Frequency</b>		Quarterly				
<b>Action Plan</b>								
<b>Action/Milestone</b>	<b>Responsible Officer</b>	<b>Deadline</b>	<b>Actual Date completed</b>	<b>Resources Required</b>	<b>Outcome/Impact/Update</b>			
Increase staffing resources to achieve a greater complement of staff	Fiona Clarke	To advertise vacancies - May 2008	May 2008	Within existing resources	Vacancies advertised within Durham County Family Group as part of LGR guidelines			
Extension of student placement	Fiona Clarke	June 2008	Ongoing	Within existing resources	Current Student Placement has been extended on a full time basis until October 2008 and on a part time basis until March 2009.			
Use of additional student resources	Fiona Clarke	June 2008	June 2008		Student placement offered on a temporary basis during Summer recess to assist with 'other' planning apps.			

**PERFORMANCE MONITORING  
RED RISK INDICATORS 2008/09  
Quarter 1 Monitoring Return**

<b>Directorate:</b> Strategic and Supported Housing/Chief Executive			<b>Chief Executive:</b> Mike Clark <b>Head of Service:</b> Kath Heathcote				
<b>BVPI</b>	<b>Title</b>	<b>Performance</b>			<b>Corporate Aim</b>		
		<b>2005/06</b>	<b>2006/07</b>	<b>2007/08</b>	Together with our partners improve the health of the population and reduce inequalities		
<b>BV 213</b>	<b>Housing Advice Service: preventing homelessness</b>	0.25	0.30	1.30			
<b>Responsible Officer</b>	Philip Pollard	<b>2007/08 Quarterly Performance</b>		<b>Qtr 1</b> 0.050	<b>Qtr 2</b> 0.175	<b>Qtr 3</b> 0.30	<b>Qtr 4</b> 1.30
		<b>Direction of travel</b>		↕			
		<b>2008/09 Quarterly Performance</b>		<b>Qtr 1</b> 1.58	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>
		<b>Target</b>		<b>Qtr 1</b> Year end 2	<b>Qtr 2</b> Year end 2	<b>Qtr 3</b> Year end 2	<b>Qtr 4</b> Year end 2
		<b>Target achieved</b>		✓			
<b>Monitoring Frequency</b>	Quarterly	<b>Reporting Frequency</b>		Quarterly			
<b>Action Plan</b>							
<b>Action/Milestone</b>	<b>Responsible Officer</b>	<b>Deadline</b>	<b>Actual Date completed</b>	<b>Resources Required</b>	<b>Outcome/Impact/Update</b>		
Launch sanctuary type scheme 'Derwentside Remain Safe Scheme'.	Gemma Wilkinson	May 2007	May 2007	Within existing resources	Aim of scheme is to prevent homelessness amongst victims of violence and harassment, in particular domestic violence.		
To develop a reporting mechanism to monitor homeless prevention on a quarterly basis	Philip Pollard	June 2007	June 2007	Within existing resources	Regular updates against performance to Scrutiny Panel and Executive.		
Increase staffing resources with the Housing Advice and Homelessness Team.	Philip Pollard	August 2007	August 2007	Within existing resources	All vacancies are now filled. The Housing Options Team consists of 2 Senior Homelessness Officers, 2.5 Housing Options (Advice) Officers and 1 Home Visiting Officer		

**PERFORMANCE MONITORING  
RED RISK INDICATORS 2008/09  
Quarter 1 Monitoring Return**

<b>Directorate:</b> Strategic and Supported Housing/Chief Executive			<b>Chief Executive:</b> Mike Clark <b>Head of Service:</b> Kath Heathcote				
<b>BVPI</b>	<b>Title</b>	<b>Performance</b>			<b>Corporate Aim</b>		
		<b>2005/06</b>	<b>2006/07</b>	<b>2007/08</b>	Together with our partners improve the health of the population and reduce inequalities		
<b>BV 213</b>	<b>Housing Advice Service: preventing homelessness</b>	0.25	0.30	1.30			
<b>Responsible Officer</b>	Philip Pollard	<b>2007/08 Quarterly Performance</b>		<b>Qtr 1</b> 0.050	<b>Qtr 2</b> 0.175	<b>Qtr 3</b> 0.30	<b>Qtr 4</b> 1.30
		<b>Direction of travel</b>		↕			
		<b>2008/09 Quarterly Performance</b>		<b>Qtr 1</b> 1.58	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>
		<b>Target</b>		<b>Qtr 1</b> Year end 2	<b>Qtr 2</b> Year end 2	<b>Qtr 3</b> Year end 2	<b>Qtr 4</b> Year end 2
		<b>Target achieved</b>		✓			
<b>Monitoring Frequency</b>	Quarterly	<b>Reporting Frequency</b>		Quarterly			
<b>Action Plan</b>							
<b>Action/Milestone</b>	<b>Responsible Officer</b>	<b>Deadline</b>	<b>Actual Date completed</b>	<b>Resources Required</b>	<b>Outcome/Impact</b>		
Housing Options Implementation Plan to be updated.	Philip Pollard	August 2007	August 2007	Within existing resources	Plan to implement formal approach to homelessness prevention revised with up to date timescales. Launch of Housing Options identified for October 2007. A formal launch event will be held in early 2008.		
Introduction of housing options interview and use of initial assessment form.	Philip Pollard	October 2007		Within existing resources	Adoption of a formal approach to homelessness prevention. Housing Options (Advice) Interviews were introduced as of the week commencing 12 <sup>th</sup> November 2007 following the completion of training for new staff.		
Benchmarking exercise with top performers in our Nearest Neighbour 2007/08 grouping	Phillip Pollard/Anne Smith	June 2008	Ongoing	Within existing resources	A benchmarking exercise may be considered at the end of the reporting year once performance from a full reporting quarter can be assessed		

**PERFORMANCE MONITORING  
RED RISK INDICATORS 2008/09  
Quarter 1 Monitoring Return**

<b>Directorate:</b> Strategic and Supported Housing/Chief Executive			<b>Chief Executive:</b> Mike Clark <b>Head of Service:</b> Kath Heathcote				
<b>BVPI</b>	<b>Title</b>	<b>Performance</b>			<b>Corporate Aim</b>		
		<b>2005/06</b>	<b>2006/07</b>	<b>2007/08</b>	Together with our partners improve the health of the population and reduce inequalities		
<b>BV 213</b>	<b>Housing Advice Service: preventing homelessness</b>	0.25	0.30	1.30			
<b>Responsible Officer</b>	Philip Pollard	<b>2007/08 Quarterly Performance</b>		<b>Qtr 1</b> 0.050	<b>Qtr 2</b> 0.175	<b>Qtr 3</b> 0.30	<b>Qtr 4</b> 1.30
		<b>Direction of travel</b>		↕			
		<b>2008/09 Quarterly Performance</b>		<b>Qtr 1</b> 1.58	<b>Qtr 2</b>	<b>Qtr 3</b>	<b>Qtr 4</b>
		<b>Target</b>		<b>Qtr 1</b> Year end 2	<b>Qtr 2</b> Year end 2	<b>Qtr 3</b> Year end 2	<b>Qtr 4</b> Year end 2
		<b>Target achieved</b>		✓			
<b>Monitoring Frequency</b>	Quarterly	<b>Reporting Frequency</b>		Quarterly			
<b>Action Plan</b>							
<b>Action/Milestone</b>	<b>Responsible Officer</b>	<b>Deadline</b>	<b>Actual Date completed</b>	<b>Resources Required</b>	<b>Outcome/Impact</b>		
<b>Update</b> – Introduction of Homelessness Prevention Fund	Philip Pollard	Ongoing	Ongoing	Within existing Homelessness Prevention Grant	Provision of funding opportunities to officers to adopt an 'Invest to Save' approach. Egs of spend include Bond Deposits, Rent in Advance.		
<b>Update</b> - Reconfiguration of the Housing Options Appointment Service including the introduction of 'Drop In' sessions	Philip Pollard	Ongoing	Ongoing	Within existing resources	Increased appointments and generic advice sessions – provision of 52 appointments across a 2 week period and also two 3 hour drop in sessions.		
<b>Update</b> – Development of Bond and Rent Deposit Guarantee Scheme in partnership with the Derwentside Private Landlord's Association	Philip Pollard	Ongoing	Ongoing	Within existing resources	Increased access to suitable accommodation.		



**JOINT LEARNING & ECONOMY/EXECUTIVE, LEADER/DEPUTY LEADER SCRUTINY PANELS – 23RD JULY 2008**

**Learning & Economy Scrutiny Panel**

<b>Priority</b>	<b>Type or Review</b>	<b>Timescales</b>	<b>Frequency of Reports</b>
Worklessness	Officer Report	End of 2008-09	6 Monthly
Car Parking Management	Member Debate	End of 2008-09	6 Monthly
Attendance Management	Member Debate	End of 2008-09	6 Monthly

**Executive, Leader/Deputy Leader Scrutiny Panel**

<b>Priority</b>	<b>Type or Review</b>	<b>Timescales</b>	<b>Frequency of Reports</b>
Local Strategic Partnerships + L.A.A.	Officer Report	End of 2008-09	6 Monthly
Shotley Bridge Hospital	Member Debate	End of 2008-09	6 Monthly





<b>TITLE:</b>	<b>Business as Usual Update</b>
<b>TO/ON:</b>	<b>Joint Scrutiny Panel</b>
<b>BY:</b>	<b>Head of Financial Services</b>
<b>PORTFOLIO:</b>	<b>Leader &amp; Deputy Leader / Economy &amp; Learning</b>
<b>STATUS:</b>	<b>Update Report</b>

## 1 **SUBJECT MATTER AND PURPOSE**

- 1.1 This report seeks to update members on the process and detail of the Business as Usual protocols that were agreed between the County and District Councils in Durham as part of Local Government Reorganisation (LGR).

## 2 **BACKGROUND**

- 2.1 As part of the LGR process, agreement was reached that District Councils had to be allowed to continue with their core business for the last year of their existence. Pages 46-48 of the Transitional Plan informed Members of the history and the detail of the protocols that have to be followed. The Implementation Executive issued a general consent under Section 24 of the Local Government and Public Involvement in Health Bill in respect of:
- (a) the disposals of land and entry into capital and revenue contracts identified in the District Councils' budgets for 2008/2009;
  - (b) the completion of all disposals of land to which a District Council was contractually committed prior to 4 March 2008;
  - (c) all disposals of land approved in District Council budgets prior to 2008/2009 where no contractual commitment currently exists and
  - (d) all disposals of land where the value of the land concerned is less than £250,000. (For the avoidance of doubt this figure is not to be treated as cumulative with previous transactions referred to in Section 27(1) of the 2007 Act.
- 2.3 Following this the County Treasurer considered each authority's revenue and capital budgets and issued the following statement;
- "Having now considered your Council's budget summary and additional material supplied by you, I can confirm the general consent in regard to revenue plans and those capital plans for which specific finance has been provided in the budget. However, you will need to consult with me further during the year*
- *Where part of your capital spending is predicated on the basis of external/new finance becoming available during the year and/or*

- *Where you would seek approval from your Members to proceed with projects which were specifically identified in your budget plans”*
- 2.4 A project or scheme which fits the criteria has to be the subject of a ‘Business as Usual’ request and these are coordinated by the Districts’ Heads of Finance and submitted to the County Treasurer for consideration.
- 2.5 A proforma request form has to be completed and this is accompanied by whatever supporting information that managers deem necessary. A blank copy of the proforma is attached at Appendix 1 for Members information.
- 2.6 In order to ensure compliance with these requirements all reports to Members that are likely to give rise to a Business as Usual request have a paragraph in them explaining the LGR implications.

### 3 **MATERIAL CONSIDERATIONS**

- 3.1 To date this Council has submitted four Business as Usual Requests to the County Treasurer and the status of each is explained below with a précis of the risks and impact of the particular projects not going ahead;
- **Family Intervention Project (Page 10 Transitional Plan)** - the funding for this project is tapered which means that although there is a nil cost to the authority in this financial year there are funding gaps of approximately £19,000 and £67,000 in years two and three respectively. ***County Decision – because of the cost implications in the second and third years the County Treasurer was unable to approve this and he has referred it onwards for further consideration.***  
Risk – reduced likelihood of attracting staff with the right skills for the project and the new authority will lose the opportunity to roll out the service across the county.
  - **GIS System** – an audit of the overlays used by the GIS system gave rise to the need to update the system together with all of the overlays. The estimated cost is approximately £43,000. ***County Decision – the county recognised that this work had to be done and it might as well be done sooner rather than later so they agreed the request.***  
Risk – services working with out of date information.
  - **Careline – Renewal of Equipment (Page 21 Transitional Plan)** – there is a need to renew a lot of the Careline units in peoples homes. The resources for this were included in the budget but it was referred to the County because of a lease arrangement which would go well beyond vesting day. ***County Decision – the leasing of the equipment was agreed.***  
Risk – old equipment liable to failure

- **CCTV Network – Extension to Monitoring contract (page 11 transitional Plan)** – the current contract ended recently and permission is sought to extend the arrangement beyond vesting day.  
**County Decision – pending**  
Risk – loss of a well used resource for the Police and the community.

3.2 Several other Business as Usual requests will need to be sent to the County Treasurer over the coming weeks, for example;

- **Consett Sports Project (Page 26 Transitional Plan)** – due to be submitted week commencing 14<sup>th</sup> July following the latest Council decision agreeing the content of the scheme on 30<sup>th</sup> June.  
**Risk** – eventual closure of existing facilities with no planned replacement
- **Disposal of Land to Derwentside Homes (Page 35 Transitional Plan)** – due for submission depending on final legal advice following report to Council 26<sup>th</sup> February. Further transfers also under consideration.  
**Risk** – loss of Housing Corporation grant and inability to provide affordable housing units.
- **Craghead Housing intervention Project (Page 38 Transitional Plan)** – submission pending after report to Council on 30<sup>th</sup> June re Group Repair Scheme.  
**Risk** – future sustainability of the development put at risk and the impact of present interventions reduced.
- **South Moor Park (Page 28 Transitional Plan)** – submission pending following report to Council 13<sup>th</sup> May and possibly a further final report.  
**Risk** – Health and community benefits not achieved
- Some other projects may also generate requests depending upon progress over the next few months, for example, Voice Risk Analysis Software (Page 27 TP), Disposal of Land to Groundworks (Page 34 TP), Stanley Town Centre and the Louisa Annexe.

#### 4 **RECOMMENDATION**

4.1 Members note the information relating to and the progress of, the Business as Usual requests.

#### 5 **BACKGROUND DOCUMENTS**

- Derwentside District Council – Transitional Plan 2008/09

For further information regarding this report contact Dave Watson. Head of Financial Services on ext. 8353 (email [d.watson@derwentside.gov.uk](mailto:d.watson@derwentside.gov.uk) )

# BUSINESS AS USUAL – REFERRAL REQUEST

This form should be completed and e-mailed to  
[paula.crampton@durham.gov.uk](mailto:paula.crampton@durham.gov.uk)

The e-mail subject heading should be ‘BUSINESS AS  
 USUAL REQUEST’

<b>Name of District/Borough Council:</b>				
<b>Contact Name:</b>				
<b>E-mail address:</b>				
<b>Telephone:</b>				
<b>Title of Project:</b>				
<b>Transaction Type:</b> <i>(Please tick)</i>	<b>Revenue</b>		<b>Capital</b>	
	<b>Income</b>		<b>Expenditure</b>	
<b>Value:</b>	£			
<b>On-going financial consequences:</b> <i>(Please quantify)</i>				
<b>Is this project included in your original budget or capital programme?</b>	<b>Yes</b>		<b>No</b>	
<b>Summary of the Project</b>				
<b>Reason for Referral</b>				
<b>Proposed date to be considered by your Executive</b>				
<b>Please list attached background papers</b>				

<b>To be Completed by County Treasurer:</b>		
Decision by County Treasurer		Date:
Referred to Corporate Services Board		Date:
Referred to Implementation Executive		Date:
<b>Decision:</b>		
<b>District/Borough Council Notified</b>		