

THE MINUTES OF THE MEETING

OF THE EXECUTIVE

HELD ON TUESDAY 5 JULY 2005

Present: Councillor A Napier (Chair)
Councillors R Crute, Mrs J Freak,
J Goodwin, S Huntington, D Myers,
G Patterson, C Reynolds and F Shaw

Also Present: Councillors C Patching and R Burnip

Apologies: Councillor R J Todd

1. **THE MINUTES OF THE LAST MEETING** held on 14 June 2005, a copy of which had been circulated to each Member, were confirmed.

Prior to the consideration of the following item of business, Councillor S Huntington declared a personal and prejudicial interest and left the meeting.

2. **TACKLING ANTI-SOCIAL BEHAVIOUR THROUGH PARTNERSHIPS**

Consideration was given to the report of the Partnerships Scrutiny Committee in relation to tackling anti-social behaviour through partnerships, a copy of which had been circulated to each Member.

The report detailed the work undertaken by the Partnerships Scrutiny Committee in examining how the Council aimed to address anti-social behaviour through partnership working. It represented a snapshot position between July 2003 and September 2004 and would be supplemented by follow-up review reports.

The Chair of Partnerships Scrutiny Committee took Members through the report and the approach taken by the Committee throughout the review, highlighting some of the key messages arising from their investigations. These included the lack of support services available for people with substance misuse problems, and the need for discussions amongst partners to adopt common protocols for reporting of anti-social behaviour by the public. The Committee established that high on the list of Council priorities was the mainstreaming of services to tackle anti-social behaviour and there was a need to ensure that its partners showed the same level of commitment to this.

A question was asked in relation to the use of 'professional' witnesses on behalf of complainants. The Chair of Partnerships Scrutiny Committee advised that this was referred to in the Customer Charter circulated with the report, however it was recognised that there was a need to communicate it more widely.

To conclude, he expressed the Committee's thanks to the organisations and Officers who had contributed to the Review and added a further recommendation that a progress report be considered by the Partnerships Scrutiny Committee no later than six months from the date of this meeting.

RESOLVED that the recommendations outlined in the report, be approved and the Partnerships Scrutiny Committee consider a progress report in six months time.

FURTHER RESOLVED that all those involved in the review be commended for their efforts.

Councillor S Huntington returned to the meeting.

3. DELETION OF WATER METERS POLICY

Consideration was given to the report of the Executive Member for Housing which gave details of the current position in respect of the policy for dealing with tenant's requests for the installation of water meters which now required deletion, a copy of which had been circulated to each Member.

The Executive Member reported that in April 1999, Northumbrian Water introduced a scheme for the installation of water meters for domestic properties at no charge to the water customer. The Council's policy stated that each individual request by a tenant to install a water meter be considered on its merits in accordance with the Housing Act 1985 and whether the request was reasonable.

Under the Water Industry Act 1999, all domestic water customers had the right to request that a meter be fitted to their supply at no extra cost to themselves. Anyone renting a property from the Council did not need landlord's permission to request the installation of a water meter. Therefore by refusing requests under the 1999 policy, the Council was acting outside of its powers and was in breach of the Act.

RESOLVED that the existing Water Meters Policy, be deleted.

4. CRIME AND DISORDER STRATEGY 2005-08

Consideration was given to the report of the Executive Member for Community and Culture on the Crime and Disorder Strategy for 2005-08, a copy of which had been circulated to each Member.

The Executive Member reported that under the provisions of the Crime and Disorder Act 1998, District Councils were identified as responsible authorities in preparing a three year Crime and Disorder Strategy for their locality. Other responsible authorities included the Police, Fire and Rescue Service, the County Council and the PCT. The 2005 Strategy was the third strategy to have been produced for the District.

The Strategy was informed by a Crime and Disorder Audit covering the period 2001-2004 which identified the crime and disorder trends for the District, as detailed in the report.

The Executive Member took Members through the draft Strategy and its main priority themes in detail.

RESOLVED that the Easington Crime and Disorder Strategy 2005-08 be approved and submitted to full Council for adoption on 7 July 2005.

5. FAIR-TRADE RESOLUTION

Consideration was given to the report of the Executive Member for Organisational Development which sought approval to a 'Fair-Trade Resolution' for the District of Easington, a copy of which had been circulated to each Member.

The Executive Member advised that fair-trade covered a range of activities aimed at helping producers and workers in developing countries. The report outlined the benefits of fair-trade, together with details of the proposed Resolution.

RESOLVED that the 'Fair-Trade Resolution', as set out in Appendix 1 to the report, be endorsed.

6. GENERAL FUND/HOUSING REVENUE ACCOUNT OUTTURN 2004/2005

Consideration was given to the report of the Director of Finance and Corporate Services on the General Fund Housing Revenue Account Outturn for 2004/2005, a copy of which had been circulated to each Member.

The report informed Members of the financial results for the year ended 31 March 2005 and considered proposals arising from the accounts.

The Director of Finance and Corporate Services referred to the proposal to release £1.5m from the General Reserve and stressed that its usage needed to be carefully considered to ensure that initiatives did not create further base budget problems. Any allocations should only be considered following the preparation of a business case.

RESOLVED that:-

- (a) the contents of the report in relation to the financial results for the year ended 31 March 2005, be noted and actions, as outlined in the report, be endorsed;
- (b) a Planning Reserve be established in order to ring-fence Planning Delivery Grant to meet future development issues (£538,000);
- (c) a Corporate Property Reserve be established to deal with issues in connection with the Council's premises (£250,000);
- (d) approval be granted to the transfer of additional subsidy and administration surpluses to the Benefits Reserve as in previous years;
- (e) approval be granted in principle to the use of £1.5m from the General Reserve and a further report be awaited on utilisation.

7. MODERN APPRENTICE PROGRAMME

Consideration was given to the report of the Executive Member for Corporate Services on the Modern Apprentice Programme, a copy of which had been circulated to each Member.

The report provided an update on the progress of the Council and East Durham Homes' current Modern Apprentices and considered the potential for an intake in 2005.

The Council and East Durham Homes combined currently employed 10 Modern Apprentices across the operational disciplines and overall the programme remained very successful with a number of Apprentices scheduled to complete over the next 12-18 months.

In consulting with the Environmental Operations Manager regarding the Council's position and the Management Board of East Durham Homes, it was considered prudent to consolidate the existing programme and not increase the complement of trainees this year for the reasons detailed in the report.

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The Council's position in conjunction with that of East Durham Homes would continue to be monitored and a review would be carried out in 2006.

RESOLVED that:-

- (a) the Council defer its annual intake of Apprentices to allow a year of consolidation and the situation be reviewed in early 2006 in the context of trade and non-trade occupations;
- (b) the position of East Durham Homes, be noted.

8. CHRISTMAS AND NEW YEAR HOLIDAYS 2005/2006

Consideration was given to the report of the Executive Member for Corporate Services with regard to Christmas and New Year Holidays for 2005/2006, a copy of which had been circulated to each Member.

The purpose of the report was to consider a proposal to close all Council Offices over the Christmas and New Year holidays and to grant employees two additional half days of annual leave.

It was proposed to close the offices at 12.00 noon on Friday 23 December 2005 and to reopen at 8.30 am on Tuesday 3 January 2006.

To effect a close down staff would be required to use 2½ days of their holiday entitlement, subject to Members agreeing to award the traditional two half days. As in past years, specific arrangements would be put in place to cover essential services.

RESOLVED that the Council Offices be closed between the Christmas and New Year period as specified in the report and two additional half days holidays be granted to employees.

Prior to consideration of the following item of business, Councillors R Crute and G Patterson declared their personal and prejudicial interests and left the meeting.

9. INDUSTRIAL ESTATE IMPROVEMENT WORKS - PETERLEE NORTH EAST INDUSTRIAL ESTATE AND LOCAL ESTATES

Consideration was given to the report of the Executive Member for Regeneration on industrial estate improvement works, a copy of which had been circulated to each Member.

The report informed Members of the improvement works planned for five industrial estates in the District and sought approval to waive Council Contract Standing Order 4(A)(ii) in order that Groundwork East Durham could be appointed to manage the delivery of the improvement works. The works were included in the approved 2005/2006 Capital Programme.

RESOLVED that:-

- (a) the improvement works planned for the North East Industrial Estate, Peterlee, together with Horden Seaview, Shotton Colliery, Thornley Station and Wingate Grange Industrial Estates, as part of the approved 2005/2006 Capital Programme, be noted;

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- (b) Contract Standing Order 4(A)(ii) be waived to enable Groundwork East Durham to manage the implementation of the improvement works identified.

Councillors R Crute and G Patterson returned to the meeting.

10. DISTRICT COUNCIL RESPONSE TO THE COUNTY DURHAM LOCAL TRANSPORT PLAN (LTP2)

Consideration was given to the report of the Executive Member for Environment and Transport which gave details of the Council's response to the County Durham LTP2, a copy of which had been circulated to each Member.

The report sought approval to a response to the LTP2, a copy of which was attached to the report for Members consideration, and provided an opportunity for Members to contribute to the draft plan as part of the consultation process.

The Executive Member advised that this was the second Local Transport Plan for County Durham for the five year period from 2006 to 2011. LTP2 set out the transport aims and objectives for County Durham and the strategies that were to be pursued over the five year period within the context of the long term vision for the County.

Members considered the proposed response and noted the priorities for East Durham which were the East Durham Link Road, the development of the East Durham strategic transport corridor as part of the Region's strategic drive for economic change, the improvement of public transport services both within and beyond the County, local investment in transport infrastructure and promoting the integration of freight movement within and beyond the County with Durham's port.

RESOLVED that the proposed response to the draft LTP2 consultation document, be agreed.

11. PURCHASE OF REPLACEMENT VEHICLES 2005

Consideration was given to the report of the Executive Member for Environment and Transport on the purchase of replacement vehicles for 2005, a copy of which had been circulated to each Member.

The report asked Members to endorse the action taken with regard to the implementation of Article 4 (Emergency Provisions) for the recent purchase of four new vehicles as detailed in the report.

RESOLVED that:-

- (a) the procurement actions detailed in the report, be noted and endorsed;
- (b) £10,000 be counted towards cashable savings in the Council's Annual Efficiency Statement for 2005/06.

12. DURHAM COALFIELD COMMUNITIES HOUSING MARKET RENEWAL PARTNERSHIP

Consideration was given to the report of the Executive Member for Regeneration which gave details of progress made by the Durham Coalfields Housing Market Renewal Partnership, a copy of which had been circulated to each Member.

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The report sought agreement to a memorandum of understanding for the Partnership and asked Members to consider the recommendations arising from Phase 2 of the Jacobs Babbie report commissioned by English Partnerships. It also sought agreement to a preferred approach to progress the work to a standard appropriate for an economic appraisal submission by English Partnerships to the Treasury, and sought approval to the establishment of a joint staffing unit to progress the initiative.

RESOLVED that:-

- (a) approval be granted to the Partnership Memorandum of Understanding and the establishment of a strategic settlement assessment, be supported;
- (b) approval be granted to the commissioning of consultants to ensure adequate compliance with requirements of the Area Development Framework process;
- (c) Resources to complete the requirements of an Area Development Framework via consultants be sourced from the existing Strategic Housing Investment Programme funding in the region of £65,000 - £70,000 plus VAT for the work required with Easington District;
- (d) the partnership approach to commissioning consultants whilst also negotiating and reviewing how future phasing of interventions may take place within the partnership as detailed in option 4 in the report, be supported;
- (e) a contribution be made by the Council in relation to the development of a staff team to support the development of the partnerships work and progress the implementation of any future work of low demand coalfield housing across the sub-region, as detailed in Option 3 in the report.

13. **COUNTY DURHAM CULTURAL PARTNERSHIP - TERMS OF REFERENCE**

Consideration was given to the report of the Executive Member for Community and Culture on the Terms of Reference for the County Durham Cultural Partnership, a copy of which had been circulated to each Member.

The County Durham Cultural Partnership was established in 2002 and the Terms of Reference set out principles for developing its work.

RESOLVED that the Terms of Reference for the County Durham Cultural Partnership, as set out in the report, be approved.

14. **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED that in accordance with Section 100A (4) of the Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985 the press and public be excluded from the meeting for the following items of business on the grounds that they involved the disclosure of exempt information, as defined in Paragraphs 1, 7, 8 and 9 Part 1 of Schedule 12A of the Act.

15. **COUNTY DURHAM HOUSING MARKET ASSESSMENT**

Consideration was given to the report of the Executive Member for Housing on the County Durham Housing Market Assessment, a copy of which had been circulated to each Member.

RESOLVED that:-

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- (a) the proposal to contribute up to £15,000 to the joint commissioning and delivery of a Housing Market Assessment for County Durham, be approved;
- (b) the Centre for Urban and Regional Development Studies, Newcastle University be appointed as contractors for the analysis of census migration data to assist in defining the spatial extent of the Housing Market Area for County Durham, in accordance with Contract Standing Orders 1(a) and 4(v), be approved.

16. EARLY RETIREMENT

Consideration was given to the report of the Executive Member for Corporate Services on an application for early retirement, a copy of which had been circulated to each Member.

RESOLVED that early retirement be granted to the officer on the basis of reduced pension benefits, as detailed in Option 1 in the report.

17. LAND AT HELFORD ROAD, PETERLEE

Consideration was given to the report of the Executive Member for Regeneration on land at Helford Road, Peterlee, a copy of which had been circulated to each Member.

RESOLVED that:-

- (a) the land at Helford Road, Peterlee, be disposed of to Endeavour Housing Association for the development of a women's refuge;
- (b) the Executive use its powers in relation to the disposal of the land at less than best consideration (Local Government Act 1972 General Disposal Consent (England) 2003), subject to:-
 - (i) restrictive covenants being placed on the land restricting the use to that of Social Housing for a period of 21 years;
 - (ii) a condition be incorporated within the transfer for provision to claw back the relative proportion of undervalue, should the land be sold on the open market either during or following the period of restriction.

18. THORNLEY 2005 IMPROVEMENT - TRIP RAILS

Consideration was given to the report of the Executive Member for Regeneration on proposals to carry out environmental improvement works in Thornley, a copy of which had been circulated to each Member.

RESOLVED that:-

- (a) the environmental improvements scheme for Thornley as detailed in the report, be approved;
- (b) Groundwork East Durham be granted landowners consent to undertake the work on Council owned land.

19. LAND AND DERELICT BUILDINGS IMPROVEMENT PROGRAMME

Consideration was given to the report of the Executive Member for Regeneration on progress with the Land and Derelict Buildings Improvement Programme, a copy of which had been circulated to each Member.

RESOLVED that:-

- (a) Cass Associates be commissioned to carry out, as part of the development of a Green Spaces Strategy for the Council, a further task of assessing sites and any associated buildings that were under used, vacant or derelict identified through the various consultation exercises;
- (b) Contract Standing Order No. 1 be waived in respect of the application of Contract Standing Order 20(a)(ii) for the reasons detailed in the report;
- (c) expenditure up to £30,000 be approved for the study, accommodated within the Liveability Budget.

20. REPLACING THE PLANNING AND BUILDING CONTROL I.T. SYSTEM

Consideration was given to the report of the Executive Member for Environment and Transport on the proposals to replace the Planning and Building Control I.T. system, a copy of which had been circulated to each Member.

In accordance with the procedure set out in the Council's Constitution relating to call-in and urgency, the Executive agreed that the decision to be taken was urgent and that the Chair of the Council, in consultation with the Chairs of the Scrutiny Committees be requested to waive the call-in process. The decision was considered to be urgent to allow work to commence with the supplier on the implementation of the system in order to ensure that the IEG 4 Priority Service Outcome deadline of December 2005 was achieved.

RESOLVED that:-

- (a) a contract be entered into with Sx3 to supply and maintain a Planning and Building Control I.T. system;
- (b) Contract Standing Orders 4(iv) and 4(v) be waived in accordance with the particular circumstances set out in the report.

21. PERFORMANCE REVIEW OF SUPPORT SERVICES

Consideration was given to the joint report of the Executive Members for Organisational Development and Corporate Services on the Performance Review of Support Services, a copy of which had been circulated to each Member.

RESOLVED that Contract Standing Order 4(ii) be waived and IDeA be appointed to assist the Council in completing the review of support services.