

THE MINUTES OF THE MEETING
OF THE SERVICE DELIVERY SCRUTINY COMMITTEE
HELD ON MONDAY 14 NOVEMBER 2005

Present: Councillor D Raine (Chair)
Councillors S Bishop, D Chaytor,
H High, Mrs E Huntington, Mrs A Naylor
and C Walker

T Taylor

1 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillor A J Holmes.

2 THE MINUTES OF THE LAST MEETING held on 24 October 2005, a copy of which had been circulated to each Member, were confirmed.

3 THE MINUTES OF THE MEETING OF THE EXECUTIVE held on 1 November 2005, a copy of which had been circulated to each Member, were submitted.

RESOLVED that the information contained within the Minutes, be noted.

4 PUBLIC QUESTION AND ANSWER SESSION

There were no members of the public present.

5 WORK PROGRAMME ISSUES

(i) Planning and Building Control – Quarterly Performance Report

Consideration was given to the report of the Head of Planning and Building Control Services which provided information on the performance of the Planning and Building Control Services Unit, a copy of which had been circulated to each Member.

The Head of Planning and Building Control Services explained that the new development control system was on target to go live on 6 December. This would be preceded by a 2 week period when both new and old systems would not be operational and would have an impact on performance during the next quarter. The remaining components of the IT system including Building Control would go live in March 2006.

Details of achievements and non-achievements in the service plan, best value performance indicators, strategy documents, risk management action plans and other tasks and targets were detailed in Appendix 1.

The Head of Planning and Building Control Services gave details of the performance of each of the teams within his unit:-

- **Development Control**

Only one post now remained to be filled and interviews had now been arranged. BVPIs would continue to be closely monitored

because performance on planning applications whilst consistently approving was low in relation to historic performance.

- **Development Plans**

A development plan team was being assembled to prepare the new Local Development Framework. Two further members of staff had been transferred/appointed and interviews had been arranged to replace a further member of staff who resigned in September. The Local Development Scheme was now being reviewed to clarify the work programme over the coming year and a fuller report should be possible in the next quarter.

- **Engineering and Countryside**

Three new members of staff were now in post including the new Engineering and Countryside Manager. The incidence of long term sickness in highways was closely monitored and welfare interviews were held at frequent intervals to address the problem. Two temporary appointments had been made to ensure that highways workload was discharged. A moratorium on highways maintenance expenditure imposed by Durham County Council was of serious concern and represented a significant budget reduction. The impact of those cuts had been raised with the County Council and efforts were being made to ensure continuity of work for the highways operatives.

It was explained that the figures on BV109 (b) and (c) were incorrect in the report. BV109 (b) should read 64% achieved and BV109 (c) should read 80% achieved. BV205 achieved 88% this quarter and was expected to rise to 100% once the new IT system was operational. The Head of Planning and Building Control reported that a further BVPI had been omitted from the report. This was BV204 and related to the number of planning appeal decisions allowed against the authority's decision to refuse on planning applications as a percentage of the total number of planning appeals against refusals of planning applications. Members were informed that during the quarter five appeals had been made, all of which had been dismissed.

Members were advised that sickness in the Planning and Building Control section had improved and one member of staff that had been on long term sick had now retired. With regard to highways, two staff were on long term sick with severe back problems.

A Member commented that it was pleasing that the sickness had reduced even though staff in the Planning Department were under a lot of pressure.

A Member referred to a footpath opposite the Times Inn, Dalton le Dale and explained that it was becoming non-existent due to land slippage. This had been reported at the North Area Forum and no action had been taken. It was now becoming very dangerous and he requested that this be looked at. He added that this was the entrance to a local countryside park and needed to be dealt with as soon as possible. The Head of

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Planning and Building Control Services explained that he would investigate the problem and report back to the Member concerned.

A Member referred to the Conservation Area Appraisal and explained that a meeting had been held recently at Castle Eden and members of the public were querying what the process was for listed buildings. The Head of Planning and Building Control Services explained that listed buildings were dealt with by English Heritage. The appraisal was to provide guidance and achieve a higher quality of development in the future.

A Member referred to the tasks and targets in relation to enforcement notices and asked if the unit was considering doing more prosecutions against unauthorised buildings. The Head of Planning and Building Control Services explained that there was an issue in the way that enforcement cases were dealt with and far more people were now making complaints. A workshop was to be held the following week facilitated by the Corporate Development Unit to decide how enforcement cases should be dealt with and to develop a prioritisation system. Clarity was needed for Members and staff. Once the procedure was developed, it would be agreed by Development Control and Regulatory Panel and if necessary Executive.

T Taylor asked if the District Council was responsible for Ridgemount House. She explained that the road adjacent to Ridgemount House had been closed off for a number of months. Fencing works were also being carried out around the town centre and the fencing works and road closure were causing traffic chaos especially as the town would become a lot busier during the lead up to Christmas. As a result, the public would not want to come into Peterlee and businesses within the town would lose a lot of revenue.

The Head of Planning and Building Control Services explained that he shared her concerns but there was no immediate solution. The owners of the building were responsible for repairs but the Council's main concern was safety of passers by and that was why the temporary arrangements had been put in place. He added that he did not have any timescales and would request an update.

Members commented that a lot of work had been done despite the staffing difficulties in the unit.

The Chair thanked the Head of Planning and Building Control Services for his report.

RESOLVED that the information given, be noted.

(ii) **Environmental Health and Licensing Unit Performance Report**

Consideration was given to the report of the Environmental Health and Licensing Manager which provided details of the performance of the Environmental Health and Licensing Unit, a copy of which had been circulated to each Member.

The work of the Environmental Health and Licensing Unit was divided according to teams and the report provided individual details:-

(i) **Commercial Enforcement Team**

Details were given of food safety and infectious disease control, food premises inspection, complaints relating to food safety or food premises, cases of food related infectious disease and outbreaks of infectious disease, health and safety at work enforcement, pollution control, authorised process inspections, assessment of local air quality, investigation of pollution and noise complaints and contaminated land assessment.

The enforcement team had been operational with one vacant Environmental Health Officer post for twelve months. The position had been advertised four times and it had not been possible to appoint. A review was currently being undertaken to determine what course of action may be taken to ensure the statutory services were delivered.

(ii) **Licensing Team**

The licensing team administered licences and enforced standards regarding taxis, public entertainments, lotteries and amusements and businesses involving animals.

A programme involving the inspection of each taxi six times per year was operated. Performance was detailed in Appendix 1.

The first applications for liquor licensing were able to be accepted from 7 February 2005. Of the 650 potential applications, some did not need to apply. A total of 537 applications had been received before 6 August deadline for conversions and 28 since. Only 5 of the applications for premises licence were not able to be negotiated to a satisfactory settlement and had therefore been referred to the Licensing Sub-Committee. All were determined by the Sub-Committee with amendments or additional conditions to the original application. No appeals had been made to the Magistrates Court in respect of the determinations.

(iii) **Environmental Enforcement Team**

The role out of the Street Wardens across the whole of the district was finalised. An action plan had been drafted which included a wide range of actions to raise the profile of the Street Warden service and this was on course for completion. The action plan was attached at Appendix 2.

Joint patrols with the DVLA enforcement team had resulted in 127 untaxed vehicles being removed from the streets since 1 April. A new scheme had also been initiated in partnership with the police to remove uninsured vehicles from the roads. There had been 66 vehicles removed under the scheme.

Since 1 April, 58 spot fines had been issued for dog fouling which exceeded the previous years performance and performance was on track to exceed the figure again this year.

New best value performance indicators had been set up relating to abandoned vehicle removal and the amount of graffiti in the district and details were given in Appendix 1.

(iv) **Environmental Strategy Team**

The Environmental Strategy function was split from the Environmental Enforcement function to create two separate teams in August 2004. However it had not been possible to fill the post of Environmental Services Manager (Strategy) that was created to manage the team. The post had been advertised three times and it had not been possible to recruit a suitable candidate and the post was now being reconsidered.

After the first six months of the year, the recycling rate stood at 26.8% however this would decline throughout the rest of the year as the tonnage of green waste would cease and the tonnage received by digester contribution would be reduced. DEFRA were currently consulting on options for new recycling targets to be introduced from April 2007.

Since April, 18,772 special collections had been arranged and 916 trade refuse contracts were administered by the Envirocall Team. In the first half of the year, income from special collections was greater than anticipated at £10,850 and it was projected that there would be a marginal increase in income from trade refuse collections and the service was still operating at a profit. There was to be a review of special collections after the scheme's first year of operation.

A Member referred to the way Premier Waste operatives dealt with black boxes and asked if the number of complaints had increased or decreased. The Environmental Health and Licensing Manager explained that all complaints were recorded regarding Premier Waste and referred to them to investigate.

A Member explained that he had had some reports that the black box was thrown back over the fence and felt this could deter people from recycling. The Environmental Health and Licensing Manager explained that there were more people using the black boxes and any issues could be raised with Premier Waste but details of particular crews, dates and street names were required to try to resolve any problems.

A Member referred to the aerobic digester at Shotton Colliery Industrial Estate and explained that there had been a terrible smell since the summer and had numerous complaints from people in Shotton and Wheatley Hill. She had been informed that the problem was with the air filter system in the new tower. She referred to dog fouling and asked if there could be a prominent notice in particular areas where people walked their dogs. The Environmental Health and Licensing Manager explained that he would ask Jim Yorke to contact the Member concerned for preferred locations for the notices. It was explained that the money from spot fines was reinvested back into the infrastructure.

A Member asked what action could be taken if people did not recycle. The Environmental Health and Licensing Manager explained that he had recently visited Stockton Borough Council who were currently developing a corporate policy on recycling which included how to deal with overfilled bins. Prosecution was a way forward but he felt other methods should be investigated to encourage people to recycle.

A Member referred to bird flu and asked if any contingency plans were in place. The Environmental Health and Licensing Manager explained that bird flu would be dealt with by the Emergency Planning Unit on a county wide basis but he was not aware of any policy. Bird flu at the moment only affected birds and the people who dealt with them.

T Taylor asked what the policy was with regard to bird flu where people kept pigeons at their home. The Environmental Health and Licensing Manager explained that certain sizes of buildings for pigeons required planning permission and there was a restriction in the tenancy agreement regarding livestock.

It was suggested that Premier Waste be invited to a future meeting for an update on the recycling.

The Chair thanked the Environmental Health and Licensing Manager for his report.

RESOLVED that:-

- (i) the information given, be noted;
- (ii) Premier Waste be invited to a future meeting to give an update on recycling.

(iii) **Housing Business Plan**

Consideration was given to the report of the Head of Housing Strategy which gave details of the progress achieved with the Housing Business Plan, a copy of which had been circulated to each Member.

Members were advised that the Business Planning Working Group was established in 2001 to drive the Business Plan forward and monitor targets. At that time, the housing stock was 12,297 and the number of empty properties was 910 which was 7.4% of the stock. The current housing stock at September 2005 was 9,500 and the voids total 522 which was 5.4% of the total stock.

The work of the Business Plan Working Group has had an impact on the main priority which was to reduce the oversupply of housing and to provide replacement housing appropriate to peoples needs. A high percentage of the reduction was due to RTB sales which the Council had no control over. Details of the stock reduction over the last 7 years was attached at Appendix 1.

Appendix 2 to the report detailed the achievements made towards targets. Appendix 3 was an update on all current development schemes

throughout the district which included The Lawns - Seaham, Trimdon, Pattison Gardens - Blackhall Rocks, Welfare Close, Hawthorn Square, Edenhill, Peterlee, Burns/Moore Terrace - Shotton, Thornley, Argyle Place - South Hetton.

The proposals to adopt a Housing Stock Business Planning Framework and reconsider the remit of the Business Plan Working Group were currently being considered and a further report would be circulated once agreed.

The Chair thanked the Principal Policy Officer for his report.

RESOLVED that the information given, be noted.

6 IDEA MEMBER DEVELOPMENT PROJECT – FEEDBACK REPORT

Consideration was given to the report of the Head of Democratic Services and Administration the purpose of which was to inform Members of the Scrutiny Committees of the feedback received from the Improvement and Development Agency (IDeA) in respect of the Member Development Project undertaken by them, a copy of which had been circulated to each Member.

The aim of the project was to “adopt a sustainable strategic approach to Member development identifying needs linked to the Council’s Corporate Objectives and Priorities, members community and leadership roles as well as their individual roles within the Council”. The project also aimed to produce Personal Development Plans for elected Members and a training strategy linked to the Council’s corporate priorities, improvement agenda and Members’ own needs.

The Scrutiny Support Manager explained that the findings of the IDeA were attached at Appendix C. The IDeA feedback report identified general areas of future action for improvement in terms of supporting the take up of Member training and development. Additionally, specific areas of follow up work in respect of the development of scrutiny were also highlighted. The Member Development Steering Group would be co-ordinating the production of a detailed Member Development Programme.

Members explained that they felt that they were asking the right questions and scrutinising reports correctly and asked if IDeA gave any indication as to the type of questions that should be asked.

A Member commented that there were some practical suggestions that should be taken on board. He explained that he was in full time employment and often found it difficult to attend meetings. He added that he would like to discuss further with the Scrutiny Support Manager methods of enabling him to ask questions via e-mail. The Scrutiny Support Manager explained that this was an area he was looking to develop with Members and members of the public.

RESOLVED that the information given, be noted.

7 REPORTS FROM PANELS/FORUMS/BOARDS/WORKING PARTIES

The Minutes of the Service Delivery Anti-Social Behaviour Working Party held on 12 July 2005, a copy of which had been circulated to each Member, were confirmed.

JC/MA/com.ser.del./051104
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