

## **THE MINUTES OF THE MEETING**

### **OF THE EXECUTIVE**

**HELD ON TUESDAY 21 FEBRUARY 2006**

**Present:** Councillor R J Todd (Chair)  
Councillors R Crute, Mrs J Freak,  
J Goodwin, D Myers, G Patterson  
and F Shaw

**Apology:** Councillor A Napier

1. **THE MINUTES OF THE LAST MEETING** held on 31 January 2006, a copy of which had been circulated to each Member, were confirmed.

2. **LOANS DIARY:- TRANSACTIONS FOR THE QUARTER ENDED 31 DECEMBER 2005**

Consideration was given to the report of the Director of Finance and Corporate Services which gave details of loans transactions for the quarter ended 31 December 2005, a copy of which had been circulated to each Member.

The report provided details of short term lending/borrowing and treasury accounts. No long term borrowing had taken place in this quarter.

**RESOLVED** that the information contained within the report, be noted.

3. **HEALTH AND SAFETY POLICY REVIEW**

Consideration was given to the report of the Chief Executive which gave details of a review of the Council's Health and Safety Policy, a copy of which had been circulated to each Member.

The Health and Safety Manager advised that in accordance with Section 2(3) of the Health and Safety at Work etc Act 1974, employers were required to prepare and keep under review a Health and Safety Policy. The existing policy was adopted in February 2004 and included a commitment to a review at least every two years.

Whilst the Health and Safety Policy set out the Council's commitment to health and safety and put in place the organisation and arrangements for implementing it, the detailed arrangements were documented in the Health and Safety Manual. The procedures contained within that Manual were kept under constant review.

To conclude, he considered that the framework set down in the current policy document was sound. Responsibilities and reporting lines were well understood and a local Best Value Performance Indicator for health and safety had been established. Target rates had been set up to the year 2010 and the Council's latest figures were on target.

None of the consultees involved in the review had raised concerns about the existing policy.

**RESOLVED** that the outcome of the Health and Safety Policy review, be noted and the current Policy be adopted for a further two years.

**PRIOR TO CONSIDERATION OF THE FOLLOWING ITEM OF BUSINESS, COUNCILLOR MRS J FREAK DECLARED A PERSONAL BUT NOT PREJUDICIAL INTEREST.**

**4. COUNCIL OF VOLUNTARY SERVICES FOR EASINGTON DISTRICT**

Consideration was given to the report of the Executive Member for Community and Culture which gave details of funding for the Council of Voluntary Service for Easington District (ECVS) for the years 2005/2006 and 2006/2007. A copy of the report had been circulated to each Member.

The Executive Member reported that the Council previously had a commitment to funding the CVS for the life of each Council. In May 2004, the Council agreed to give a further four year commitment until March 2008, with the actual level of funding being subject to an annual review.

On 16 May 2005, the net assets and charitable activities of the charity were transferred to a new company, Easington Council of Voluntary Service (ECVS). Further restructuring within the management of the ECVS took place during 2005/6 which had resulted in a later than normal application for funding.

ECVS continued to maximise numerous external funding sources wherever possible. Historically the district funding was used to support the core activity of the service i.e. towards management and administration costs. As the new management structure was now in place it was proposed to formalise over the next financial year a Service Level Agreement between the Council and ECVS in order that this could be used as a basis to assess performance.

**RESOLVED** that in accordance with approved policy to support the Easington Council of Voluntary Service, a grant of £30,000 be awarded for 2005/2006 and a similar grant be awarded in 2006/2007, subject to the outcome of the 2006/2007 budget process.

**5. REVIEW OF SMOKING POLICY**

Consideration was given to the report of the Head of Personnel which advised Members of the outcome of a tripartite review of the Council's Smoking Policy, a copy of which had been circulated to each Member.

The report recommended changes to the existing policy which had been originally developed in 1996 with minor changes over the years.

A copy of the Policy was attached to the report for Members' consideration.

In terms of implementation, it was recommended that there be a "lead-in" period which would allow adequate time to publicise and promote the changes, erect signage in the 'No Smoking' zones, give smokers time to come to terms with the new policy and take up offers of help to stop smoking or cut down.

**RESOLVED** that:-

- (a) the amended Smoking Policy as outlined in the report, be adopted;
- (b) approval be granted to a “lead in” period and the policy be effective from 4 May 2006 (Annual Meeting).

**6. ADDITIONAL URGENT ITEMS OF BUSINESS**

In accordance with the Local Government Act, 1972, as amended by the Local Government (Access to Information) Act 1985, Section 100B(4)(b) the Chair agreed that consideration be given to three items of business, not shown on the Agenda, as a matter of urgency. It was noted that two of these items of business were of a confidential nature and would be considered following the exclusion of the press and public.

**7. ADOPTION OF THE NATIONAL SME CONCORDAT (AOB)**

Consideration was given to the report of the Corporate Procurement Manager which advised Members of the implications of the Small Business (SME) Friendly Concordat Good Practice Guide, a copy of which had been circulated to each Member.

The report sought approval for the Council to sign up to the principles set out in the National SME Concordat.

A copy of the draft Concordat was attached to the report for Members consideration.

**RESOLVED** that:-

- (a) the Council formally sign up to the SME Concordat, as outlined in Appendix 1 to the report;
- (b) a course of action be agreed in consultation with East Durham Business Service to ensure the Concordat was communicated corporately and had corporate ownership;
- (c) the Council use the opportunity to promote a marketing campaign to encourage local SME engagement and to promote the functions of the East Durham Business Service.

**8. 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.

**9. PURCHASE OF ELECTORAL MANAGEMENT SOFTWARE SYSTEM (AOB)**

Consideration was given to the report of the Executive Member for e-government and Scrutiny Liaison which gave details of the purchase of an

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electoral management software system, a copy of which had been circulated to each Member.

The report sought authorisation to depart from Contract Standing Orders and endorsement of the purchase of an electoral management software system.

**RESOLVED** that in accordance with Standing Order 1(a), approval be granted to a departure from Standing Order 4(A)(ii) to enable an electoral management software system to be purchased from eXpress Software Solutions Limited.

### **10. EXTERNALLY FUNDED POSTS**

Consideration was given to the report of the Executive Member for Organisational Development on externally funded posts, a copy of which had been circulated to each Member.

The report sought approval for the continued support of a number of posts within the Council and advised Members of the position in relation to other externally funded posts which would need to be reviewed in the medium term.

**RESOLVED** that:-

- (a) the post of LSP Manager be mainstreamed;
- (b) the post of LSP Support Officer be mainstreamed;
- (c) the contract for the Youth Forum Officer be extended to 31 March 2008;
- (d) the contracts for the Coast and Countryside Rangers be extended to 31 March 2008;
- (e) the review process proposed for the Regeneration and Partnerships Unit, be endorsed.

### **11. IMPLEMENTATION OF REVIEW OF ENVIRONMENTAL OPERATIONS – STAFFING IMPLICATIONS**

Consideration was given to the report of the Executive Member for Environment and Transport on staffing implications in relation to the review of environmental operations, a copy of which had been circulated to each Member.

The report sought approval to implement a staffing restructure borne out of the agreement to introduce a four day week for domestic refuse collection services and zonal working arrangements for street cleansing, horticultural and refuse collection across the District with effect from April 2006.

It also sought approval to engage ENCAMS to assist the Council in training and development of appropriate staff to undertake monitoring surveys of environmental quality. This would be used to measure the impact of these service changes on the ground.

**RESOLVED** that:-

- (a) the revised staffing structure designed to deliver the previously agreed revised working arrangements for refuse collection, horticulture and street cleansing operations commencing in April 2006, be approved in accordance with the Council's agreed Management of Organisational Change Policy;
- (b) the request for voluntary redundancy/early retirement be approved and accommodated within this year's budgets, thus allowing savings across the operation to be realised from the financial year 2006/2007 as identified in Appendix D to the report;
- (c) Standing Order No. 1 of Contract Standing Orders be waived to commission ENCAMS, utilising NRF grant.

**12. MALLY PARK, DENESIDE, SEAHAM – ENVIRONMENTAL IMPROVEMENTS**

Consideration was given to the report of the Executive Member for Regeneration which gave details of proposals to install play provision at an open space area in Malvern Crescent, Seaham.

**RESOLVED** that:-

- (a) the Environmental Improvement Scheme proposals for Mally Park, Seaham, be approved;
- (b) the Director of Regeneration and Development be authorised to progress the implementation of the scheme on the basis of nil cost to the Council, in accordance with Standing Orders for Contracts;
- (c) Groundwork East Durham be authorised to act as the Council's agents for the delivery of the scheme on the proviso that they complied with the Council's guidelines for implementation of physical development works, as per the existing delivery agreement.

**13. EASTLEA POCKET PARK, DENESIDE, SEAHAM – ENVIRONMENTAL IMPROVEMENTS**

Consideration was given to the report of the Executive Member for Regeneration which gave details of a proposed environmental scheme and play area to be installed at an area of open space within Eastlea, Seaham, a copy of which had been circulated to each Member.

**RESOLVED** that:-

- (a) the Environmental Improvement Scheme proposals for Eastlea Pocket Park, Seaham, be approved;
- (b) the Director of Regeneration and Development be authorised to progress the implementation of the scheme on the basis of nil cost to the Council, in accordance with Standing Orders for Contracts;
- (c) Groundwork East Durham be authorised to act as the Council's agents for the delivery of the scheme on the proviso that they complied with

the Council's guidelines for implementation of physical development works, as per the existing delivery agreement.

**14. PURCHASE OF REPLACEMENT RIDE-ON GRASS CUTTING MACHINES 2006 (AOB)**

Consideration was given to the report of the Executive Member for Environment and Transport which sought approval to waive Standing Orders 4(A)(iii) and 4(A)(iv) to purchase seven new ride-on grass cutting machines, a copy of which had been circulated to each Member.

**RESOLVED** that Standing Orders 4(A)(iii) and 4(A)(iv) be waived for the purchase of seven ride-on grass cutting machines, as outlined in the report.

**15. REPLACEMENT COMMUNITY PREMISES (AOB)**

Consideration was given to the report of the Executive Member for Regeneration on replacement community premises, a copy of which had been circulated to each Member.

The report advised Members of feasibility work undertaken in relation to the provision of new premises and sought approval to appoint a consultant project management company to prepare design options and provide whole life costs.

**RESOLVED** that:-

- (a) approval be granted to the appointment of a multi-disciplinary project management consultancy company on the basis of an Office of Government Commerce (OGC) contract to undertake an initial analysis of the Council's current and future accommodation requirements and develop architectural options and costs to assess the viability of undertaking the project;
- (b) Standing Order No. 4 be waived in respect of the appointment of the project management consultants;
- (c) approval be granted to the development of a Communications Strategy to assist all parties in communicating to the local community and partner organisations, the benefits of the proposed option for the location of the new community premises facility.