

## Agenda Item 5(a)

STATUS PUBLIC

<b>Portfolio Member/Director/Head of Service</b> Cllr L Thomson/ Mike Thompson, Head of Community Services	<b>Portfolio</b> Communities
<b>Subject</b> Consultation & Community Engagement Policy, and Consultation Toolkit	<b>Date</b> 14 January 2008
	<b>Forward Plan</b> No
<b>Contact Officer</b> Lee Kirby, Community Development Co-ordinator Ext 8898	<b>Previous Minutes</b> None
<b>Purpose of Report</b> To support progression towards the development of a systematic, co-ordinated and mainstream approach to consultation and engagement.	
<b>Executive Summary</b> <p>The City Council has made significant progress in its consultation and community engagement activity. In April 2005, the establishment of the Community Development section within Community Services provided a basis for an enhanced service, enabling engagement work across the whole district via a team of Community Development Officers. The team has carried out a considerable amount of engagement work with local communities; primarily project based, and has worked with around 300 local community and voluntary groups since April 2005. On average the section works with around 100 groups each month. Corporate consultation has tended to be focussed on by the Community Development Co-ordinator.</p> <p>The development of this policy (shown at Appendix A) and, more particularly the toolkit, will provide a basis for all services (and also community and voluntary groups) to better plan their consultation activity with the support of Community Development.</p>	
<b>Portfolio Member Recommendations or items Requiring a Cabinet Decision</b> That Cabinet approves and adopts the Consultation & Community Engagement Policy, and Consultation Toolkit	
<b>Reasons for Recommendations</b> The main aim of this policy is to ensure that residents, partners and other stakeholders have a voice to influence the development of policies and strategies that will affect their lives, and to inform the development and delivery of services. The Government's modernising agenda for local government aims to achieve Councils that are in touch with local people. With recent Government plans such as "An Action Plan for Community Empowerment" (2007) and "Our Shared Future" (2007) focusing on the need to build stronger, more integrated and	

empowered communities the City Council's focus should be on continued and improved consultation with our communities in order to shape the future direction of our service delivery and achieve the aims of participatory democracy.

**Alternative Options to be Considered**

Not to adopt the policy and toolkit. This would not be supportive of the Council's aims and continuing work in terms of engaging with its communities.

**Consultation**

Consultation has taken place with the Flourishing Communities Steering Group regarding the development and implementation of the policy and toolkit.

**Financial, Legal and Risk Implications**

The documents consolidate current activity associated with consultation and engagement work. There are no significant implications attached to their adoption. The main implications lie with individual consultation/engagement exercises identified by specific service areas.

**Resource Implications**

There will be minor resourcing requirements for printing the toolkit for use by community and voluntary groups.

**Timescale for Action**

The principles can be implemented immediately upon adoption, with the toolkit requiring printing for public use.

**Associated Policies and Plans**

The policy is closely associated with, and has been informed by the City Council's Corporate Performance Plan and Communications Strategy.

**Supporting Documents**

Appendix A - Consultation & Community Engagement Policy, and Consultation Toolkit (Copies are available in the Members Room and on Members Online)

**Background Papers**

None

## Agenda Item 5(b)

STATUS PUBLIC

<b>Portfolio Member / Director / Head of Service</b> Sue Pitts/ Tracey Ingle	<b>Portfolio</b> Culture and Leisure
<b>Subject</b>  Proposal to Declare a Local Nature Reserve at Flass Vale	<b>Date</b> 14 January 2008
	<b>Forward Plan</b> No
<b>Contact Officer</b> Michael Hurlow, Heritage and Design Manager, ext 8703 Nicola Duckworth, Urban Designer, ext 8725	<b>Previous Minutes</b> Minute no. 232 13 <sup>th</sup> September 2004
<b>Purpose of Report</b>  This report seeks members support and approval to designate a new Local Nature Reserve (LNR) at Flass Vale, Durham and to publicise this with an appropriate event and to agree to review the boundary and extension of the new LNR following further consultation with adjacent land-owners.	
<b>1.0 Executive Summary</b>	
<b>1.1 Background</b>	
1.1.1 The Council in Partnership with English Nature has power to declare Local Nature Reserves (LNR) under Section 19 and 21 of the National Parks and Access to the Countryside Act 1949. They are managed with the 'Conservation of Nature/and/or the maintenance of special opportunities for study, research or enjoyment of nature 'as the priority concern'. There are four local nature reserves within the District, Low Newton Junction, Coxhoe Quarry Wood, Little Wood Quarrington Hill and Coxhoe Hall Wood. This proposal would be part of a series of designations with Witton Park and Addison Park as possible LNRs to follow in the future.	
1.1.2 Flass Vale is a relatively large site (8.4ha) with a diverse tapestry of habitat, cultural and heritage features. Flass Vale has a valuable and rich range of species. The site contains remnants of scarce regional habitats e.g. wet woodland, acidic grasslands and bog plus the remains of Victorian Pleasure grounds and historic features Maiden's Bower Scheduled Ancient Monument dating back to the Bronze Age and is part of the site of the Battle of Nevilles Cross. Flass Vale is in the City centre surrounded by the residential areas of North End, Western Hill, the Viaduct area and Red Hills, it is in close proximity to the railway and bus stations.	
1.1.3 Flass Vale was designated a County Wildlife site in 1982, minor changes at the northern end near the A167 have been explored with Durham County Council. It is a site of Nature Conservation Importance and it is within the Durham Conservation Area. The majority of the site is within the Green Belt.	
1.1.4 The land in question to be designated as a Local Nature Reserve is the land to the east of the footpath leading from Flass House to the top end of the Vale. This site, of approx 5 hectares, is owned by City of Durham.	
A map showing the proposed Local Nature Reserve and draft legal declaration is attached. Adjacent private landowners within Flass Vale have been contacted in February 2007 about the inclusion of their land within the LNR. There was little support during the consultation period. However, some interest has been shown recently by landowners and	

the Council will investigate declaring their land as extensions to the LNR at a later date.

1.2.5 An active 'Friends' group was set up in 2002 who undertake regular management tasks, this has included improving the public footpath network, tree planting and *Himalayan Balsam* vegetation clearance etc. The 'Friends' Steering Group and the Friends of Flass Vale have been actively involved in the consultation process regarding the designation of a Local Nature Reserve. Ward members have also been involved. The site also has potential educational value due to its proximity to Durham Johnston Comprehensive School and St Leonard's School. Houghall College has also shown interest in the Vale.

1.2.6 Consultations have been carried out externally with Natural England, the Environment Agency, Durham County Council Ecologist and The Forestry Commission. Natural England has expressed written support on the 6<sup>th</sup> August 2007 in favour of designation of the site as a Local Nature Reserve (LNR).

English Nature recommends that LNRs should be:

- Normally greater than 2ha in size
- Capable of being managed primarily for nature conservation and so that the special opportunities for study, research or enjoyment of nature are maintained.

In addition, they should also be one or more of the following:

- of high natural interest locally
- of some reasonable natural interest and of high value locally for formal education or research
- of some reasonable natural interest and of high value locally for the informal enjoyment of nature by the public

The proposed Flass Vale LNR would fulfil the above criteria.

**Portfolio Member Recommendations or Items Requiring Cabinet Decision**

- (i) agree the formal designation of the City of Durham Council owned portion of Flass Vale as a Local Nature Reserve under the provisions of the National Parks and Access to the Countryside Act 1949 (as Amended);
- (ii) to agree to review the boundary and extent of the new LNR following consultation with adjacent land-owners.
- (iii) Instruct the Head of Legal Services to take the necessary steps to implement the declaration.

**Reasons for Recommendations**

The recommendations set out the necessary steps in declaring a Local Nature Reserve. The declaration will assist in ensuring that Flass Vale is sympathetically managed to maintain its flora, fauna and habitats interest and this will send out a clear message that the Council is committed to protecting the environment of this sensitive part of the district.

**Alternative Options To Be Considered**

The do nothing approach is not recommended as the City Council has been working with the 'Friends' group for four years and is committed to the conservation of the site and to encourage the special opportunities for study, research and the enjoyment of nature as a priority concern.

To declare a LNR over the whole of Flass Vale is not an option as the other landowners have not provided written interest for the declaration in the time period allowed during consultation. There has recently been some verbal interest by two landowners which can be followed up when the boundary is reviewed in the future.

### **Consultations**

The 'Friends' Steering Group and the Friends of Flass Vale have been actively involved in the consultation process regarding the designation of a Local Nature Reserve, a consultation exercise was held at the 'Friends' AGM in Nov 2006 and 2007. All landowners within the Vale were notified in February 2006. Ward members have also been involved.

The first part of the consultation was carried out externally in February 07 with Natural England, the Environment Agency, Durham County Council Ecologist and The Forestry Commission. Natural England have expressed written support on the 6<sup>th</sup> August 2007 in favour of designation of the site as a Local Nature Reserve (LNR) in advance of formal statutory consultation

A copy of the draft declaration, map and letter was sent out on 26<sup>th</sup> October 2007 as the final part of the consultation. The Friends/local community, adjacent landowners, the wildlife groups, Durham County Council, Forestry Commission, Environment Agency and Natural England have been given 4 weeks to respond to the proposal.

The recent consultation for the LNR resulted in a total of 9 responses which were very positive and supportive.

Issues raised concerned:

- Access in the Vale, which would continue as at present on the existing pathways
- Common land, there would be no proposals to conflict with the registered Common Land within the site; i.e there are no proposals to erect fencing, construct buildings or resurface pathways in tarmac.
- Additional private areas of land to be added to the proposed LNR in the future, the review of the boundary will be a matter to be considered in the future.

### **Financial, Legal and Risk Implications**

#### **Legal**

The Council, in partnership with English Nature, has the power to declare Local Nature Reserves under sections 19 & 21 of the National Parks and Access to the Countryside Act 1949. They are managed with 'the conservation of nature and/or the maintenance of special opportunities for study, research or enjoyment of nature as the priority concern'. The declaration commits the Council in law to manage the land in such a way as to maintain the nature conservation features of special interest.

To establish an LNR the local authority must have a legal interest in the land, which it has. In the future where the Council is not the landowner, there must be an agreement between the local authority and the owner of the land.

A declaration must be made by the Local Authority to declare which lands are to be managed as the nature reserve and a notice of any such declaration must be published to inform any concerned persons of the Council's intention to declare a LNR.

**Financial**

The City Council currently carry out small scale land management works in Flass Vale within its existing budgets. It is anticipated that should the proposed LNR declaration go ahead the site would require some initial expenditure for example the publicity and launch of this designation. Ongoing management and interpretation costs will be met by existing revenue budgets for Local Nature Reserve at a limited level unless external funding is made available. Local Ward Members have used their Members Discretionary fund to support this work.

The funding commitment should be limited as Durham County Council is responsible for the Public Rights of Way. The 'Friends' of Flass Vale are able to access grants and carry out fundraising events for various activities i.e tree planting, litter clearance etc. In addition the LNR designation will assist when applying in future for grant funding. External funding streams will be pursued wherever practicable to implement future biodiversity enhancements, events and activities to promote and enhance this LNR.

**Risk**

The Corporate Risk Management Approach has been complied with as below:

Strategic Risk register - **Climate Change / Environmental sustainability**

**Action:** Consider means by which council may increase capacity to strategically conserve and develop natural resources of biodiversity, air, water, minerals, soil, throughout its own estate and the District

This report supports the conservation and development of a key bio diversity resource.

Other risks considered include the potential anticipation of action by members of the public beyond the resources available for the project. This has ben dealt with by consultation and discussion.

**Resource Implications**

The costs to the Council to implement the declaration will be minimal, although there will be some initial expenditure for the publicity and the launch.

Limited ongoing management and interpretation costs will be met by existing revenue budgets.

**Timescale for Action**

Following consultation with Friends of Flass Vale/ community, adjoining owners, wildlife groups, Environment Agency, Forestry Commission, Durham County Council and English Nature in October and November 2007 it is proposed, if Cabinet approval is given, to seek Declaration under National Parks and Access to the Countryside Act 1949 for the Flass Vale Local Nature Reserve in February 2008 with a Public Notice on site and appropriate press coverage at the same time.

**Associated Policies and Plans**

Durham City Local Plan E18,E24,E25 and R14

**Supporting Documents**

Flass Vale Management Plan (including map of proposed Local Nature Reserve) - Appendix A  
Draft Legal Declaration - Appendix B

**Background Papers**

English Nature guidance on LNRs

Letter of Support from English Nature

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## FLASS VALE MANAGEMENT PLAN - DRAFT

## Section 1 – Description

## 1.1 Location

Grid reference: NZ 264428

Flass Vale (approx 8.4ha) is situated within the boundary of Durham City approximately 1 km from the city centre at 250m asl. It lies between a ridge running north/south from Neville's Cross to Sniperly (route of A167) and the area known as Western Hill. The south end of the vale is occupied by a bus garage and a hotel/restaurant - (the King's Lodge, (formerly the Rose Tree)). Flass bungalow (built 1930's) and two large houses (built 2005) are situated in the southwest corner of the Vale.

## 1.2 Land tenure

Most of the land east of the footpath leading from Flass House to the top end of the Vale is owned by Durham City Council. The land the west of the footpath is in multiple ownerships.

## 1.3 Site status

Most of the land to the west of the Flass House footpath is Common land. Flass Vale was designated as a County Wildlife Site in 1982, and minor boundary changes have been submitted to Durham County Council for consideration.

## 1.4 Physical features

Flass Vale lies within the central Durham coalfield over coal measure shales. It is a moderately steep sided valley formed at the end of the ice age. The soil is mostly sand and clay glacial drift. Flass burn runs from north to south and is culverted beneath the bus garage. A section of the Vale was used to tip rubble during the 1940's. A main sewer runs from north to south through the vale to the west of Flass burn.

## 1.5 Biological features

The steep sided slopes of the Vale support semi natural broadleaved woodland. Much of the valley bottom and some of the slopes was pasture and is now grassland in various stages of succession. The lower end of the valley bottom is waterlogged supporting remnant wet woodland/ bog vegetation.

An ecological survey was carried out in 2004-2005. A vegetation map (Fig 2) and a compartment map (Fig 3) are appended.

## 1.6 Cultural features

The Maiden's Bower – a bronze age barrow with historical links to the battle of Neville's Cross – is situated near the south west corner of the Vale. The site of a former curling pond is visible at the northern end of the Vale. Part of the east side of the Vale was a formal garden (Shaw Wood gardens) at the end of the

nineteenth century. The remains of a cottage and piggery and several field boundaries are visible. Four disused sand quarries lie within the area of Flass Vale. There are a number of broken field drains.

In 1973 a campaign to 'Save Flass Vale' was launched by local residents which resulted in permission for housing beyond the King's Lodge hotel being withdrawn. The area which had been flattened as a road surface was restored as a beech/sycamore plantation and an herb rich meadow by Durham City Council.

### 1.7 Access and visitor facilities

Designated public footpaths (Figure 3) run through the vale giving six access points at 1) Flass House 2) King's Lodge 3) Valeside 4) Larches Road 5) Flassburn Road 6) Johnson School. A non-designated footpath thought to be part of the route taken by monks between Durham cathedral and Beaurepaire in medieval times leads to the A167 from the top of the Vale. There are no visitor facilities.

### 1.8 Summary of site features

Woodland: Mature woodland dominated by oak with holly understorey and ground flora of bluebells occupies most of the slopes. Hawthorn scrub has developed on the area with tipped rubble. Several areas are dominated by young sycamore.

Grassland: Several areas of grassland and tall herb vegetation occur within the Vale. Some of this grassland has been colonised by bracken, rosebay willowherb, bramble and /or Himalayan balsam. Some of it is difficult to recover but other areas could be managed to restore the grassland vegetation.

Wetland: Flass burn has a low water flow in summer. Where drainage is impeded in the bog area small pools develop in winter which are used by amphibians. Flass bog could be restored as alder/willow carr. The former curling pond area supports some marsh vegetation especially around springs.

Cultural: Maidens Bower is an ancient monument and must be managed appropriately. Some field boundaries could be restored.

Identification of important features.

\*Durham Biodiversity Action Plan.

Site features		Importance	
		Regional	Local
Habitats	Semi natural woodland	Moderate	High*
	Wet woodland	Moderate	High*
	Marsh	Moderate	Moderate
	Neutral grassland	Low	Moderate

	Hedgerows	Low	Moderate
Flora	Bluebell	Moderate	Moderate*
Fauna	Badger	Low	Moderate*
	Song thrush	Low	Moderate*
	Frog	Moderate	Moderate*
	Toad	Moderate	Moderate*
	Bats	Moderate	Moderate*
Cultural	Maidens Bower	Moderate	High
	Curling pond	Low	Moderate

## Section 2. - Evaluation formation of vision and site objectives

### 2.1 Site analysis

- Flass Vale is approximately 7.85h and thus potentially a medium sized nature reserve supporting viable woodland, grassland and wetland habitats.
- Flass bog is the remnant of wet woodland which is a BAP priority habitat for the county, and although degraded it could be restored. The mature woodland which covers most of the site is oak dominated with good populations of native bluebells. Roe deer and badgers are seen occasionally.
- The site contains a number of distinct habitats which have developed 'naturally' and through human cultural activities. In addition to woodland and bog, fragments of acid and neutral grassland occur where the site was grazed – probably for centuries – and although degraded some could be restored.
- Most habitats within the Vale are robust, but Flass bog is relatively fragile and may not be suitable for increased access.
- Although much affected by human activities the site resembles the larger areas of broadleaved woodland which occupy the banks of the river Wear within and beyond Durham city.
- The natural history of the Vale is poorly documented, but there is documented information about Maiden's Bower, the Battle of Neville's Cross and first hand information about Shaw Wood Gardens and the Curling Pond. A number of photographs of the Vale taken before 1940 are shown in 'Cathedral City' by Thomas Sharp, published in 1944. An archive of maps, photographs and articles is kept by the 'Friends' group.
- Flass Vale is surrounded by housing and is well used and appreciated as a unique feature of the locality. It is supported by the Friends of Flass Vale group who regularly clear litter and undertake management tasks such as litter picking, tree planting and clearing Himalayan Balsam.

## 2.2 Vision

The strengths of the site are its relatively large size; the inherent diversity of habitats caused by physical and cultural factors; a regionally scarce habitat; its proximity to the city centre, train and bus stations; an active 'Friends' group who undertake management tasks; a public footpath network.

The weaknesses of the site are the presence of invasive alien species (sycamore, bracken, rosebay willowherb and Himalayan balsam).

It is hoped that with appropriate management the biodiversity of the woodland, grassland and wetland will increase (desired state Fig 4) and that Flass Vale will become integrated as part of an 'Emerald Necklace' type of reserve which would include Pelaw Woods, Wharton Park and the Cathedral riverbanks.

## 2.3 Management objectives

### Conserving/enhancing habitats

1. Conserve/enhance native woodland community
2. Conserve/enhance wet woodland community
3. Conserve/enhance existing grassland
4. Conserve/enhance marsh community
5. Improve condition of Flass burn and ephemeral pools
6. Source funding for conservation management

### Conserve/enhance species populations

1. Protect badger sets
2. Conserve/enhance populations of bluebell, tussock sedge, guelder rose.
3. Conserve/enhance bats, birds, amphibians
4. Conserve/enhance invertebrates

### Conserve/enhance elements of cultural importance

1. Conserve/enhance historic features
2. Conserve/enhance visual amenity and contribution to character and appearance of Durham City

### Public enjoyment

1. Maintain public footpaths and access points
2. Provide seating and interpretation

### Administration and publicity

1. Review management plan
2. Continue to collect archive material. Keep records of all activities.

Section 3. - Action Plan

Conserving habitats

- 3.1 Maintain/enhance biodiversity of mature woodland
  - 3.1.1 Thin sycamore and hybrid poplar and reduce colonisation into existing woodland. Leave standing deadwood where safe to do so.
  - 3.1.2 Extend woodland by planting into areas dominated by bracken and gorse and considered to be beyond restoration as grassland - flowering and fruiting species to be a priority. Mix to comprise Oak & Birch, with a smaller amount of Ash.
  - 3.1.3 Diversify existing woodland where appropriate. Use species based on local NVC types.
  - 3.1.4 Control scrub encroachment where appropriate.
- 3.2 Maintain existing grassland
  - 3.2.1 Strip grassland and remove cuttings
  - 3.2.2 Remove Himalayan balsam by hand pulling
- 3.3 Maintain and enhance Flass Bog
  - 3.3.1 Restore Flass bog as Alder/Willow carr by suitable re-planting with locally sourced plants.
- 3.4 Encourage development of the Curling Pond area as marshy grassland
  - 3.4.1 Improve water flow into the marsh area.
  - 3.4.2 Investigate feasibility and appropriateness of shallow scrapes.
- 3.5 Improve condition of Flass Burn and pools
  - 3.5.1 Investigate hydrology and water quality of the Vale
  - 3.5.2 Clear burn and repair conduits. Liaise with Northumbria Water.
  - 3.5.3 Create small pools suitable for amphibians if appropriate
- 3.6 Monitor habitats
  - 3.6.1 Continue photographic record of habitats
- 3.7 Consider funding opportunities
  - 3.7.1 Apply for funding

Conserving species

- 3.8 Badgers
  - 3.8.1 Protect setts through access arrangements and planting to obscure entrances / deter human access.
- 3.9 Bluebells, wood anemone, wood sorrel and guelder rose.
  - 3.9.1 Collect seeds and cuttings, grow on for two years and re-plant in developing woodland.
  - 3.9.2 Aim to prevent scrub encroachment

- 3.10 Bats, birds, amphibians (see 3.5.3), invertebrates
  - 3.10.1 Survey for suitable sites for bird and bat boxes.
  - 3.10.2 Raise money to buy boxes and install.
  - 3.10.3 Survey butterflies, moths and other invertebrates.
  - 3.10.4 Create habitat piles for inverts and 'butterfly friendly' area.

Conserving Culture

- 3.11 Conserve/Enhance historic features
  - 3.11.1 Identify and map historic features
  - 3.11.2 Identify suitable management in consultation with English Heritage and landowners.
  
- 3.12 Manage Maidens Bower
  - 3.12.1 Identify suitable management. Liaise with English Heritage and landowners.
  
- 3.13 Restore selected boundary hedgerows and associated features
  - 3.13.1 Map historic boundary features
  - 3.13.2 Identify suitable management for boundary features.
  - 3.13.3 Lay hedge opposite Flass Bungalow

Public Enjoyment

- 3.14 Improve footpaths and provide seating and signing
  - 3.14.1 Identify funding
  - 3.14.2 Improve footpaths
  - 3.14.3 Identify location for seat and install
  - 3.14.4 Install signpost at each entrance and an interpretation board.
  - 3.14.5 Investigate possibility of way-signing for the visually impaired.
  
- 3.15 Administration and Publicity
  - 3.15.1 Maintain records. Continue to collect archive material.
  - 3.15.2 Prepare booklet and/or website of cultural and natural history of Flass Vale from ice age -21st century.

## Five year work programme

	No.	Project description	Cost	Personnel	1	2	3	4	5
Conserving habitats	3.1.1	Thin sycamore in woodland areas	No cost	Houghall forestry	1	1	1	1	1
	3.1.2	Extend woodland by whip planting	Vol's	FOFV	1	1	1		
	3.1.3	Diversify woodland by whip planting	Vol's	FOFV	1	1	1	1	1
	3.1.4	Control Scrub	Vol's	COD-ES* / FOFV	1	1	1	1	1
	3.2.1	Strim grassland (dependent on funding)	£1k / yr	COD-ES* / FOFV	1	1	1	1	1
	3.2.2	Strim/hand pull Balsam (Ongoing)	Vol's	FOFV	1	1	1	1	1
	3.3.1	Restore Flass Bog (dependent on funding)	£5k	FOFV	1	1	1		
	3.4.1	Improve water flow (dependent on funding)	£5k	FOFV		1	1		
	3.5.1	Investigate water quality (dependent on funding)	£250.	COD-H&D*	1				
	3.5.2	Clear Burn	Vol's	FOFV		1	1		
	3.5.3	Create pools (dependent on funding)	£5k	FOFV		1	1		
	3.6.1	Photographic record	No cost	FOFV	1	1	1	1	1
	3.7.1	Apply funding	No cost	FOFV	1	1	1		
Conserving species	3.8.1	Protect Setts	Vol's	FOFV	1	1	1	1	1
	3.9.1	Collect seeds, cuttings. Ongoing.	Vol's	FOFV	1	1	1	1	1
	3.10.1	Survey nest box sites	Vol's	FOFV + DBC?	1				
	3.10.2	Install boxes.	£50 / yr	FOFV + DBC		1	1	1	
	3.10.3	Survey inverts	Vol's	FOFV + MM/VS	1	1	1		
	3.10.4	Create Invert habitat	Vol's	FOFV	1	1	1		
Conserving culture	3.11.1	Identify and map historic features	No cost	COD-H&D	1				
	3.11.2	Manage historic features		Owners			1	1	1
	3.12.1	Encourage mgt of Maidens Bower		Aspirational			1		
	3.13.1	Identify historic bound'ry features	No cost	COD-H&D	1				
	3.13.2	Manage historic boundary features	TBC	COD* + FOFV			1	1	1

	3.13.3	Lay hedge	40/lin m	Aspirational			1		
Public enjoyment	3.14.1	Identify funding		ALL	1				
	3.14.2	Improve footpaths (Dependent on funding)	£25k	FOFV / COD to explore funding	1	1	1	1	1
	3.14.3	Install seating (Dependent on funding)	£1k	FOFV / COD	1				
	3.14.4	Install signs and interpretation boards (Dependent on funding)	£2k	FOFV / COD		1			
	3.14.5	Investigate way signing for visually impaired (Dependent on funding)	TBC	FOFV / COD-H&D	1				
Admin and publicity	3.15.1	Record and archive		FOFV	1	1	1	1	1
	3.15.2	Prepare leaflet		FOFV			1	1	

COD-ES: City of Durham Environment Services

COD-H&D: City of Durham Heritage & Design

FOFV: Friends of Flass Vale

\*City of Durham Environment Services commitments are subject to further discussion and available resources/capacity.

*Flass Vale Compartments (Fig 3)*

1. MINER'S HALL WOOD AND SOUTH QUARRY
2. MAIDEN'S BOWER
3. WEST SAND QUARRY
4. WEST WOOD
5. GRASSY KNOLL
6. FLASS FARM WOOD
7. NORTHWEST FRONTIER
8. CURLING POND
9. FLASSBURN WOOD
10. FLASSBURN
11. VALESIDE HILL
12. THE DIP
13. SHAW WOOD
14. EASTQUARRY + PLANTATION
15. TIPPED AREA
16. VISTA
17. FLASSBOG
18. ORCHARD



Figure 1 Flass Vale footpaths and entrances

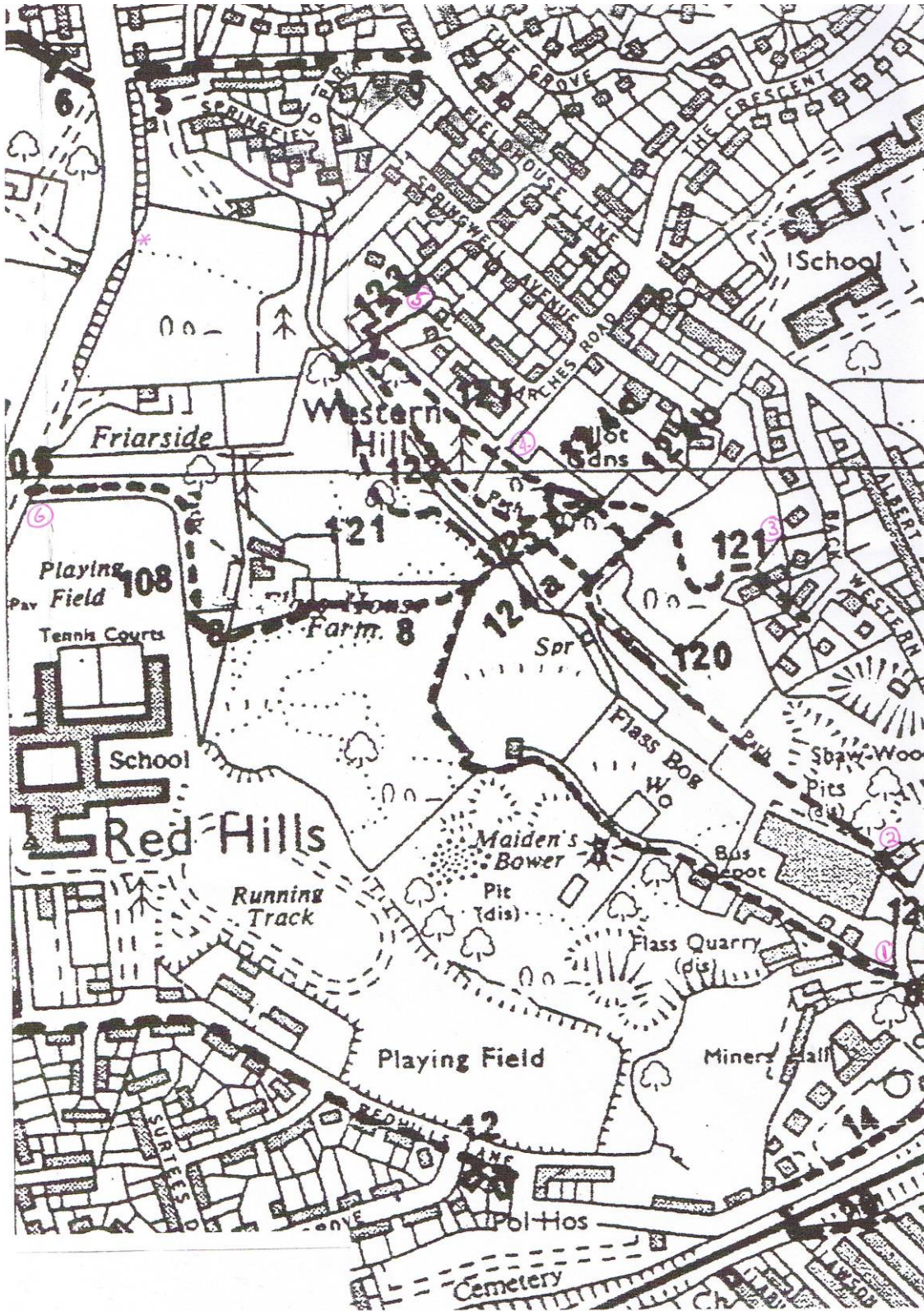




Figure 2 Vegetation

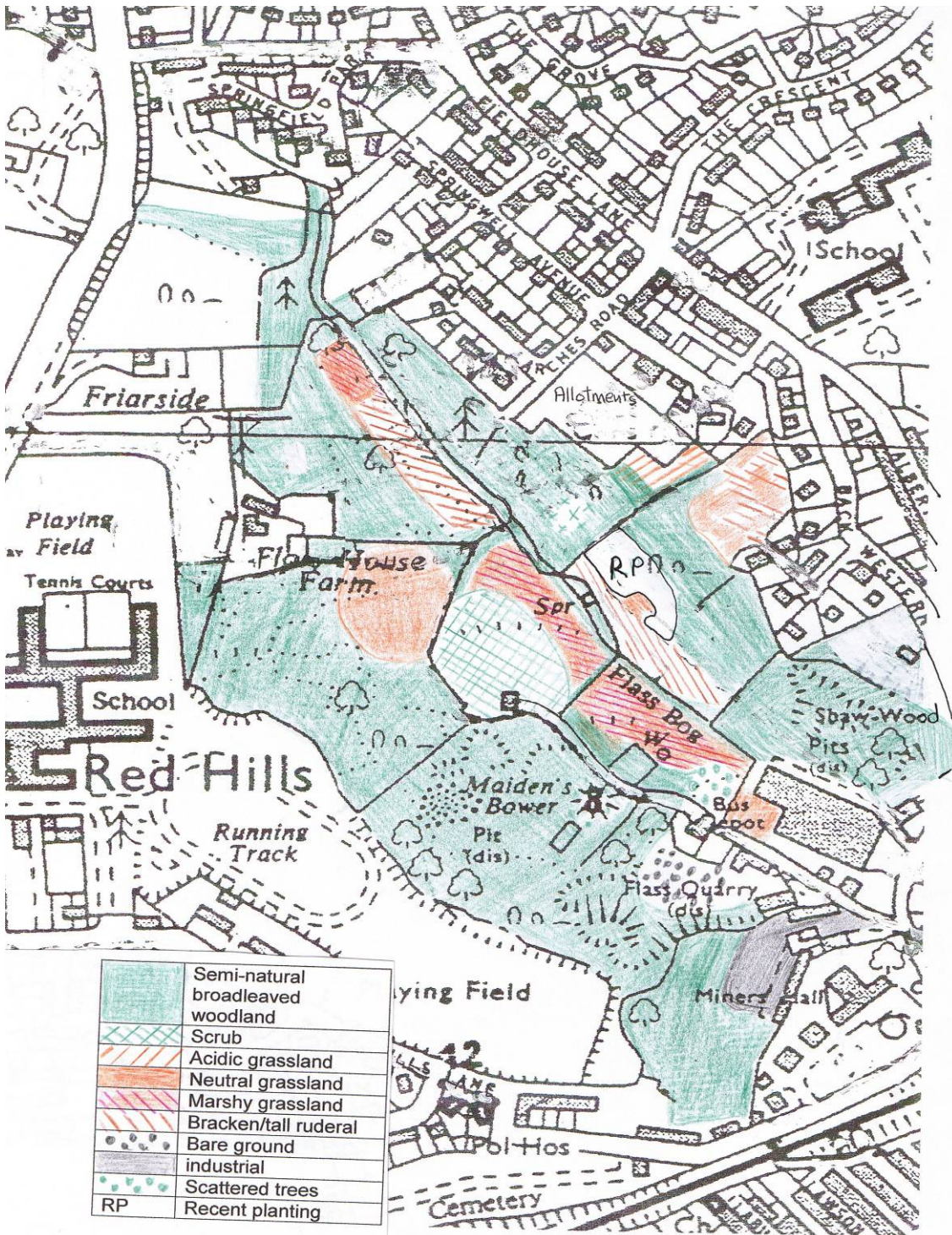




Figure 3 Flass Vale Compartments

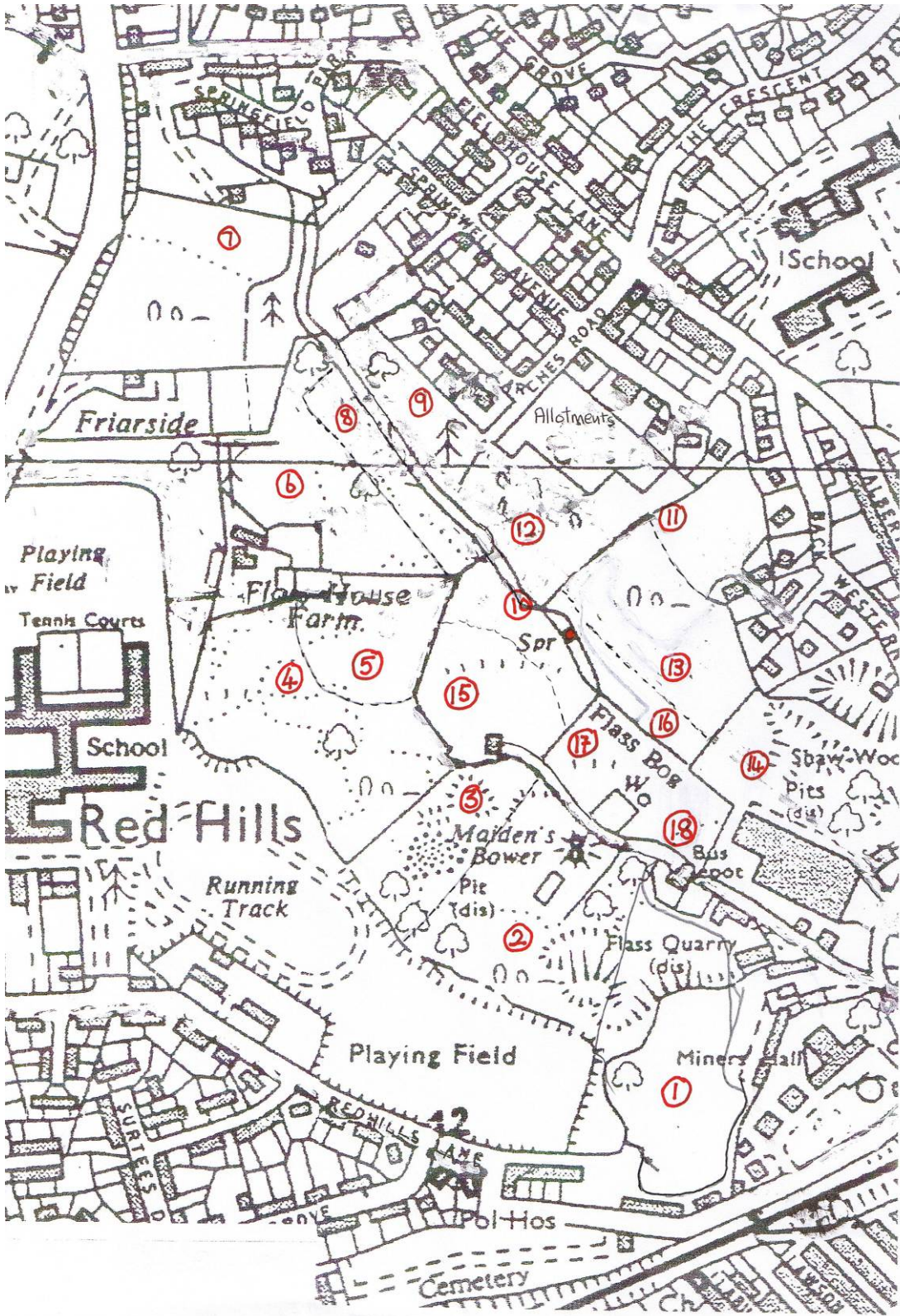
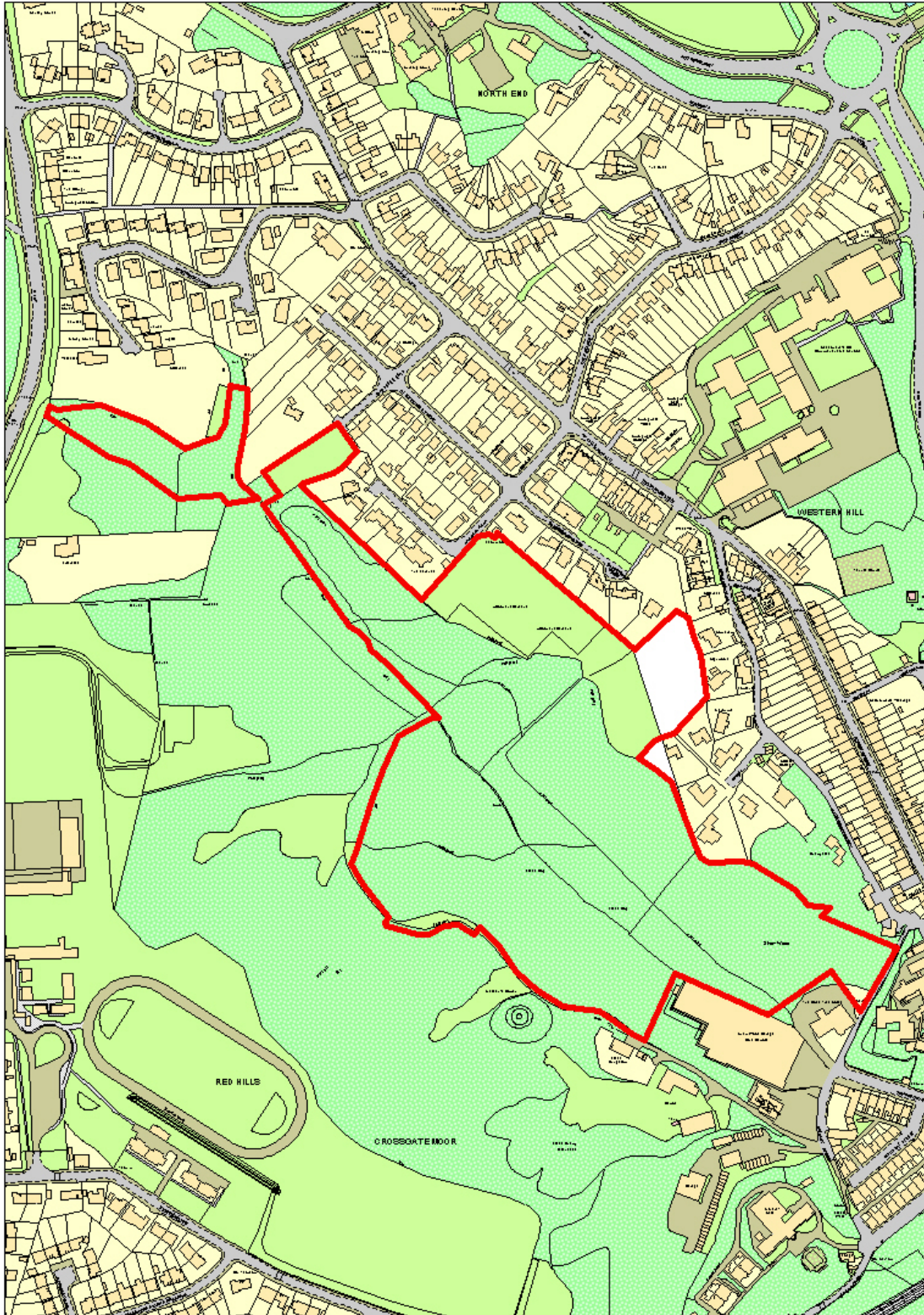




Figure 4 Proposed Local Nature Reserve Boundary (City of Durham Council owned land).



**DECLARATION PURSUANT TO SECTION 19  
OF THE NATIONAL PARKS AND ACCESS TO THE COUNTRYSIDE ACT 1949**

In pursuance of Sections 19 and 21 of the above mentioned Act, and all of the powers enabling them in that behalf, the City of Durham Council hereby declares that the land containing 8.4 hectares or thereabouts situated in the district of the City of Durham in the County of Durham and shown edged red on the attached plan is owned by the Council.

And in pursuance of Section 19(2) of the above mentioned Act and all of the powers aforesaid the Council hereby further declares that the said land is being managed as a nature reserve. This declaration maybe referred to as the Flass Vale Nature Reserve No1 given under

The Common Seal of the  
City of Durham Council  
this            day of January 2008

Mayor

Legal and Democratic Services Manager

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## Agenda Item 5(c)

STATUS PUBLIC

<b>Portfolio Member / Director / Head of Service</b> Coun Anji Rae/Head of Environment and Leisure services	<b>Portfolio</b> Environment
<b>Subject</b> Sustainable Development Policy Statement	<b>Date</b> 14 January 2008
	<b>Forward Plan</b> Yes
<b>Contact Officer</b> Jeff Riddell, ext 8684	<b>Previous Minutes</b> None
<b>Purpose of Report</b>  To support progression towards adoption of a Council Sustainable Development Policy	
<b>Executive Summary</b>  The Sustainable Development Policy has been developed in recognition of the importance of perusing service development and delivery that fully integrates social, economic and environmental issues. The policy is structured around 5 broad headings that include: <ul style="list-style-type: none"> <li>• Strategic Leadership;</li> <li>• Sustainable Consumption and Production;</li> <li>• Climate Change and Energy;</li> <li>• Natural Resource Protection and Environmental Enhancement;</li> <li>• Sustainable Communities.</li> </ul> <p>The Sustainable Development Policy does not establish new areas of Council working and resource commitment. It seeks to integrate a wide range of current Council activities, demonstrating how they overlap, cross fertilise, and relate to the Council's wider imperative of creating sustainable communities and precipitating more sustainable patterns of development.</p>	
<b>Recommendations</b>  That Cabinet recommend the Draft Sustainable Development Policy for adoption by City of Durham Council  That Cabinet approve a press release and the appropriate publicity in relation to the policy	
<b>Reasons for Recommendations</b>  Sustainable development refers to development that meets the social, environmental and economic needs of communities, without compromising the ability of future generations to meet their needs. As such, sustainable development serves to join together service delivery, demonstrating how a wide variety of seemingly unrelated issues combine to benefit people's overall quality of life. Such and integrationist approach to service delivery that leads to the creation of sustainable communities is now widely required by key local authority service drivers. For example: <ul style="list-style-type: none"> <li>• The current Audit Commission Key Lines of Enquiry for Corporate Governance Inspection, emphasise the need for integrated social, environmental and economic decision making to enable Sustainable Development;</li> <li>• The recently circulated set of 198 National Performance Indicators is divided into 7</li> </ul>	

<p>categories, one of which is Environmental Sustainability.</p>
<p><b>Alternative Options To Be Considered</b></p> <p>Not applicable</p>
<p><b>Consultations</b></p> <p>Consultations have been conducted across the authority regarding the wording of text within the policy statement, such that it accurately reflects current activity, goals and related strategy / policy.</p>
<p><b>Financial, Legal and Risk Implications</b></p> <p>Amongst other things, the Sustainable Development Policy Statement consolidates current activity associated with reducing consumption of natural resources including energy and water. There is potential for considerable financial savings associated with reducing consumption of such resources.</p>
<p><b>Resource Implications</b></p> <p>Not applicable</p>
<p><b>Timescale for Action</b></p> <p>Ongoing</p>
<p><b>Associated Policies and Plans</b></p> <p>This policy is closely associated with, and has been informed by the Council's Corporate Performance Plan, emerging Local Development Framework, Transport Policy, Procurement Strategy, Sustainability Appraisal procedure, draft Waste Collection Policy, and Environment and Leisure Services Strategies.</p>
<p><b>Supporting Documents</b></p> <p>Appendix A - Draft City of Durham Sustainable Development Policy Statement</p>
<p><b>Background Papers</b></p> <ul style="list-style-type: none"> <li>• The UK Government Sustainable Development Strategy - Securing the Future (UK Gov. 2005)</li> <li>• The New Performance Framework for local Authorities and Local Authority partnerships - Single set of National Indicators (DCLG, Oct 2007)</li> <li>• Corporate Governance Inspection: Key lines of enquiry (Audit Commission 2006)</li> </ul>





# Sustainable Development Policy Statement



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## **Introduction**

City of Durham Council recognises that its operations influence the District's environment, economy and society. In working towards a more sustainable future we are committed to minimising the adverse impacts of our activities while enhancing positive impacts to improve people's quality of life both now and in the future. The composition of this policy has been informed by the UK Government Sustainable Development Strategy; 'Securing the Future' and it attempts to address:

**Sustainable Consumption and Production** – Sustainable consumption and production is about achieving more with less. This means not only looking at how goods and services are produced, but also the impacts of products and materials across their whole lifecycle and building on people's awareness of social and environmental concerns. This includes reducing the inefficient use of resources which are a drag on the economy, so helping boost business competitiveness and to break the link between economic growth and environmental degradation.

**Climate Change and Energy** – The effects of a changing climate can already be seen. Temperatures and sea levels are rising, ice and snow cover are declining, and the consequences could be catastrophic for the natural world and society. Scientific evidence points to the release of greenhouse gases, such as carbon dioxide and methane, into the atmosphere by human activity as the primary cause of climatic change. We will seek to secure reductions in the quantity of energy we require, and implement progressive changes in other activities that release these gases. At the same time we will prepare for the climate change that cannot now be avoided. We must set a good example and will encourage others to follow it.

**Natural Resource Protection and Environmental Enhancement** – Natural resources are vital to our existence and that of communities throughout the world. We will seek to ensure that our impact over natural resources are sensitive to environmental limits and the needs of others both now and in the future. In particular, we will responsibly manage and maintain our local environment, enhance biodiversity and the wider health of ecosystems, and reduce our consumption of water and other finite natural resources.

**Sustainable Communities** – Our aim is to support the creation of sustainable communities that embody the principles of sustainable development at the local level. This will involve working to give communities more power and say in the decisions that affect them, such that all issues that affect their quality of life may be identified and positively managed by the council. In particular, this will be achieved through the council's planning, community development, environmental and housing services.

Specific areas that this Policy tackles include: integration of social, economic and environmental development through Sustainability Appraisal; increasing energy and water efficiency and the amount of renewable energy generated; minimising the environmental impacts of travel; a coordinated programme of enhancing green spaces for wildlife and people; sustainable procurement choices; raising environmental awareness; reducing, re-using and recycling waste; encouraging a more sustainable built environment; and supporting community groups and businesses in local environmental action. The global problem of climate change makes our activity in all of these areas all the more imperative.

## **Relationship with the Council's Strategic Priorities**

This Sustainable Development Policy closely relates to the strategic priorities as presented in the Council's Corporate Performance Plan 2006-09, contributing to all 3 strands of the Council's vision.

1. Application of the policy will support the development of Flourishing Communities as it will contribute towards:
  - Developing communities that are environmentally sensitive;
  - Improving the Health and Wellbeing of communities.
2. Application of the policy will support the delivery of Quality Public Services as it will contribute towards:
  - Providing services that are well managed and provide good value for money;
  - Providing services that meet the needs of our customers;
  - Ensuring services are accessible to all.
3. Application of the policy will support the creation of a Capital City as it will contribute towards:
  - Protecting, developing and conserving the city's rich heritage;
  - Developing Durham as a vibrant city for culture, recreation and tourism;
  - Creating an environment for investment and growth to enhance and sustain the local economy.

The Council has already implemented a procedure to ensure that emerging corporate strategy, policy and capital projects are subject to Sustainability Appraisal as part of their progress towards adoption. The relevance and applicability of this procedure to the wider issues treated in this policy is referenced as appropriate throughout this policy statement.

## **Current National, Regional and Local Direction**

### **National Direction**

The UK Governments integrated approach towards achieving sustainable patterns of development is presented in the UK Sustainable Development Strategy - Securing the Future (DEFRA, March 2005). The government has also produced various related strategy and legislation addressing the issues connected with sustainable development in greater details, and these include:

- Biodiversity Strategy for England - Working with the Grain of Nature (DEFRA, October 2002)
- Transport White Paper - The Future of Transport (DfT, March 2004)
- Waste Strategy for England (DEFRA, May 2007)
- Energy White Paper - Meeting the Energy Challenge (DEFRA, May 2007)
- Draft Climate Change Bill (UK Government, March 2007)
- UK Government Sustainable Procurement Action Plan (DEFRA, 2007)
- Planning Policy Statement 1 - Delivering Sustainable Development (ODPM, Feb 2005)

## **Regional**

Both the north East Regional Assembly and One North East have also identified the need for integration of social, economic and environmental development in order to achieve sustainable development. These organisations have now adopted the Integrated Regional Framework for the North East (2005) as a basis for the performance of Sustainability Appraisal on both the Regional Economic Strategy and Regional Spatial Strategy.

Regional environmental priorities are presented in the North East Strategy for the Environment, (Environmental Forum North East, 2007)

## **Local**

Within Durham County the need to pursue sustainable development forms a key theme of the adopted County Durham Strategic Vision (County Durham Partnership, 2003). The significance of sustainable Development is to be further emphasised in the forthcoming County Durham Sustainable Community Strategy. This document will replace the current Strategic Vision for County Durham and form the basis for establishing the priorities of the forthcoming Local Area Agreement.

Within the District of Durham, the need to pursue sustainable development through considered integration of social, economic and environmental activities has also been recognised by the City of Durham District Community Plan (Durham District Partnership, 2005). This document will shortly be superseded by the City of Durham District Sustainable Community Plan.

## **Policy Statement**

It is the policy of City of Durham Council to work towards the following corporate commitments:

### **Strategic Leadership**

Integrating the principle of Sustainable Development within service delivery requires high level leadership. It also requires corporate recognition of the need to provide equal weight to the social, economic and environmental issues relevant to any decision, and the development of procedures to embed this decision making principle.

#### *Aspiration*

The City of Durham Council is committed to embedding the principles of Sustainable Development throughout its organisation's activity, and this is evidenced through the Council's development and application of a procedure for sustainability appraisal, developed during 2006. Details of progress associated with Strategic Leadership are presented in a separate position statement appended to this Policy Statement.

## **Sustainable Consumption and Production**

Sustainable consumption and production requires us to achieve more with less. Current developed country patterns of consumption and production could not be replicated world-wide: some calculations suggest that this could require three planets' worth of resources.

Increasing prosperity, in the UK and across the world, has allowed many people to enjoy the benefits of goods and services which were once available to just a few. Nevertheless, the environmental impacts from our consumption and production patterns remain severe, and inefficient use of resources is a drag on the UK's economy and business. We need a major shift to deliver new products and services with lower environmental impacts across their life cycle, while at the same time boosting competitiveness. And we need to build on people's growing awareness of social and environmental concerns, and the importance of their roles as citizens and consumers.

The Government Task Force on Sustainable Procurement agreed a generalised definition of Sustainable Procurement as:

“Sustainable procurement is a process whereby organisations meet their needs for goods, services, works and utilities in a way that achieves value for money on a whole life basis in terms of generating benefits not only to the organisation, but also to society and the economy, whilst minimising damage to the environment”.

Historically, the benefits brought to the procurer have been the only consideration at any stage in a supply chain, and this has resulted in knock-on social and environmental impacts lower down supply chains.

### *Aspiration*

The City of Durham will work towards creating more sustainable patterns of production and consumption, both through management of our own spending, and through encouraging more sustainable procurement choices within the community. Specific details of our progress associated with Sustainable Production and Consumption are listed in the separate position statement appended to this Policy Statement.

## **Climate Change and Energy**

The effects of a changing climate can already be seen. Temperatures and sea levels are rising, ice and snow cover are declining. The consequences could be catastrophic for the natural world and society. The scientific consensus is that most of the warming observed over the last fifty years is attributable to human activity, through emissions of greenhouse gases – such as carbon dioxide and methane – into the atmosphere. We need to make a profound change in our use of energy and other activities that release these gases. And we need to prepare for the changes in climate that are now already unavoidable.

But what will climate change mean for the people in the UK in the 21<sup>st</sup> century?



Relative sea level will continue to rise around most of the UK's shoreline. By the 2080s sea levels in the Thames Estuary may have risen by as much as 86cm. Winters will become wetter and summers may become drier everywhere. By the 2050s average soil moisture in the summer may be reduced by up to 30 per cent over large parts of England. By the 2080s this could be a loss of 40 per cent or more. High summer temperatures will become more frequent and very cold winters will become increasingly rare. A very hot summer, such as that experienced across Europe in 2003, may occur as often as one year in two in the 2040s, and could be considered a 'cold' summer by the end of the century. Increased numbers of heat related deaths, cases of food poisoning and skin cancer and a higher risk of major disasters caused by severe winter gales and flooding. By 2050s, heat related deaths may increase by 2,000 cases per year, cases of food poisoning by perhaps 10,000 per year and skin cancer may increase by 5,000 cases per year. However, cold related winter deaths may reduce by perhaps 20,000 per year.

Climate Change may most usefully be considered as the consequence of unsustainable development, and may be addressed through moving towards more sustainable development. However, Climate Change is with us and certain consequences are now unavoidable, even if communities around the world were to adopt a more sustainable approach to living and development. At City of Durham Council we have already signed the Nottingham Declaration, committing the Council to addressing the causes of climate change and preparing for the unavoidable consequences.

#### *Aspiration*

To address the particular challenge presented by Climate Change, City of Durham Council will work towards reducing carbon emissions associated with all of its activities, and will seek to encourage and lead similar activity across the community. In addition, the City of Durham Council will seek to manage risks associated with the now unavoidable consequences of Climate Change. Specific details of our progress associated with Climate Change and energy are listed in the separate position statement appended to this Policy Statement.

#### **Natural Resource Protection and Environmental Enhancement**

Natural resources are vital to our existence. Our health and wellbeing are inextricably linked to the quality of our air, water, soils and biological resources. For example, breathing requires oxygen that is extracted from the air during respiration. It's only natural source is from plants and other photosynthesising organisms.

The use of environmental wealth is vital for economic development and poverty reduction in this country and abroad. Our economy and key industrial sectors are directly and indirectly reliant on functioning ecosystems, which are vital for nutrient cycling, atmospheric and climate regulation, and break down and mitigation of waste. Our landscapes, seascapes and wildlife are inseparable from our culture and sense of identity. For many people the natural world has its own intrinsic value.

The demands made on natural resources continue to grow as people's desire to consume more is coupled with a rise in population. Here in the UK, one of the world's largest economies, we have high levels of consumption that are replicated throughout the developed world. Elsewhere, in less economically developed countries, economic growth is also driving rising consumption. In the UK we know how to substantially reduce many of the traditional sources of pollution and we have made some important progress towards this e.g. organic pollution from sewage works, sulphur dioxide from power stations, chemicals from industry. The most serious problems that remain are more difficult to solve – they are chronic, diffuse and persistent – and they affect deprived communities disproportionately. If we are to tackle these issues effectively we need to adopt an ecosystems approach and develop our understanding of environmental limits. But what do we mean by natural resources?

Natural resources provide environmental services (e.g. nutrient cycling, climate and atmospheric regulation, and flood defence) and can be thought of in five overlapping ways. Each of these reflect values that we associate with them:

*Raw materials such as minerals and biomass* – minerals such as sand, gravel and stone, fossil fuels, metal ores, gypsum and clay are non-renewable because they cannot be replenished within a human timescale. In contrast, biomass is in principle renewable within the human timeframe, and includes quickly renewable resources, like agricultural crops and slowly renewable resources like timber. However, both of these can be pushed beyond their limits of recovery if over-exploited.

*Environmental media such as air, water and soil* – these resources sustain life and support biological resources on which we depend for survival.

*Flow resources such as wind, geothermal, tidal and solar energy* – these resources cannot be depleted, but require other resources to exploit them. For example, energy, materials and space are needed to build wind turbines or solar cells.

*Space is required to produce or sustain all the above* – space provides land for our cities and towns, infrastructure, industry and agriculture. Wildlife, rivers and natural processes need it to function healthily.

*Biological resources include dynamic ecosystems, species and genetic information* – plants, animals and other organisms maintain the life-sustaining systems of the earth. Their variability (biodiversity) is also a resource and includes the diversity within species, between species and of ecosystems.

#### *Aspiration*

The City of Durham Council is statutorily responsible for the collection of waste from around the District, for regulating built development through its planning functions, and for maintaining a clean, safe and biodiverse local environment. The Council will seek to both protect natural resources and

enhance the environment through progressive service delivery throughout these service areas. Specific details of our progress associated with the protection of natural resources and environmental enhancement are listed in the separate position statement appended to this Policy Statement.

### **Sustainable Communities**

Creating sustainable communities everywhere is a challenging task. It requires us to integrate the delivery of social, economic and environmental goals, to take a co-ordinated approach to delivering public services that work for everyone, including the most disadvantaged, and to think strategically for the long-term. The government considers that - sustainable communities are places where people want to live and work, now and in the future. They meet the diverse needs of existing and future residents, are sensitive to their environment, and contribute to a high quality of life. They are safe and inclusive, well planned, built and run, and offer equality of opportunity and good services for all. Sustainable communities should be:

*Active, Inclusive and Safe* – fair, tolerant and cohesive with a strong local culture and other shared community activities

*Well Run* – with effective and inclusive participation, representation and leadership

*Environmentally Sensitive* – providing places for people to live that are considerate of the environment

*Well designed and built* – featuring a quality built and natural environment

*Well connected* – with good transport services and communication linking people to jobs, schools, health and other services

*Thriving* – with a flourishing and diverse local economy

*Well Served* – with public, private, community and voluntary services that are appropriate to people's needs and accessible to all

*Fair for Everyone* – including those in other communities, now and in the future.

#### *Aspiration*

To support the creation of genuinely sustainable communities, the City of Durham Council will utilise its planning powers to promote development that provides for the identified needs of the District's communities. In addition, the Council will take pro-active steps, through direct provision of Community Development services, to identify the aspirations of communities and work in partnership towards meeting these aspirations. Specific details of our progress associated with the creation of genuinely sustainable communities are listed in the separate position statement appended to this Policy Statement.

### **Scope**

This policy applies to any council officers and elected members involved in decision making and areas of action discussed within the policy.

## **Implementation of Policy**

The development and adoption of this policy statement is beneficial as it demonstrates how various discrete developmental agendas overlap, cross fertilise, and relate to the Council's wider imperative of creating sustainable communities and precipitating more sustainable patterns of development. It represents a commitment by the Council to tackle this broad range of developmental issues in an integrated manner.

Officers and Councillors should:

- Ensure that when addressing an issue, or undertaking work that has direct or indirect implication to Sustainable Development, the issues and direction presented within this policy statement form the foundation of their position;
- Be able to demonstrate how their decision has been influenced by this policy statement. Written responses / reports that indirectly or directly relate to sustainable development should present how they have been influenced by this policy statement.

## Appendix - Position Statement

Considerable progress has already been made with regards many areas of improvement associated with the Sustainable Development Policy Statement, and this progress is reviewed below:

<b>Strategic Leadership and Commitment</b>			
<b>Achievement</b>	<b>Description</b>	<b>Progress</b>	<b>Leadership</b>
SLC1	The Council conducts Sustainability Appraisal of the Council's Capital Programme, Corporate Performance Plan, and both corporate and departmental strategy. SA of such high level strategy will be triggered through use of the cabinet reporting template to be amended to include space for a statement regarding the outcome of Sustainability Appraisal.	Fully implemented and conducted	Sustainable Development Manager
SLC2	The Council has adopted a Sustainable Development Policy Statement.	Adopted	Head of Environment and Leisure

<b>Sustainable Consumption and Production</b>			
<b>Achievement</b>	<b>Description</b>	<b>Progress</b>	<b>Leadership</b>
SCP1	The Council annually updates, refines and actions the commitments made within the Council's Procurement Strategy, and in so doing it ensures sustainable procurement reflects any progressive National development to this agenda.	On-going	Strategic Projects Manager
SCP2	The Council is responding to the findings of the City of Durham Local Multiplier 3 Analysis by: <ul style="list-style-type: none"> <li>• Setting targets for local procurement;</li> <li>• Identifying local procurement opportunities from the current contract register;</li> <li>• Implement a series of measures to encourage local tendering;</li> </ul>	On-going	Strategic Projects Manager

	<ul style="list-style-type: none"> <li>Engaging with local suppliers on request for quotes which fall outside EU tendering procedures.</li> </ul>		
SCP3	<p>The Council is responding to the Sustainable Procurement National Action Plan through:</p> <ul style="list-style-type: none"> <li>application of the 'flexible framework' provided to assess the sustainable procurement capability of the organisation; and,</li> <li>application of the methodology provided to enable Councils to prioritise the spend areas for sustainable procurement attention.</li> </ul>	Work currently underway with Durham Virtual Procurement Partnership	Strategic Projects Manager
SCP4	<p>The Council will continue to assess the sustainability of products, based on whole life costing, then favour procurement of products that:</p> <ul style="list-style-type: none"> <li>derive from recycled or renewable resources;</li> <li>minimise carbon emissions associated with their manufacture.</li> </ul>	On-going	Strategic Projects Manager
SCP5	<p>The Council specifies a minimum level of renewable energy during energy procurement. (The Council is currently contractually committed to procurement of a proportion of Good Quality CHP, certified as 'Green' energy by government, and possibilities for procurement of energy from renewable sources may be reviewed for future energy procurement contracts).</p>	Green energy currently procured	Strategic Projects Manager
SCP6	<p>The Council will where possible, form and join collaborative procurement arrangements with other public bodies to enable negotiation of procurement contracts that both save council money and bring greater leverage along supply chains for associated environmental and social improvement;</p>	On-going	Strategic Projects Manager
SCP7	<p>The Council takes full advantage of sustainable procurement opportunities facilitated through existing collaborative procurement arrangements with Durham Virtual Procurement Partnership (DVPP) and the Durham Procurement Partnership (DPP). In particular, through procurement of goods and services that have pre-tendered in accordance with government procurement rules, and that have been subject to supply chain analysis.</p>	On-going	Strategic Projects Manager
SCP8	<p>The Council will continue to provide active support to the Durham City Fair Trade Partnership, and prioritise procurement, catering and provision of Fairtrade</p>	On-going	Sustainable Development

	accredited products by the council, as acknowledged in the Council's Procurement Strategy.	Manager
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Climate Change and Energy		
Achievement	Description	Leadership
CCE1	The Council responds to the recommendations for public sector action to address climate change made by central government and the newly formed Climate Change Commission.	On-going Sustainable Development Manager
CCE2	The Council is conducting an audit of the carbon emissions that result from both the Council's own activities and those of the wider District community, in order to establish a baseline position against which we may measure future progress.	On-going, nearing completion Sustainable Development Manager
CCE3	The Council is conducting a self assessments of all council services and activities to identify means of reducing carbon emissions.	On-going Sustainable Development Manager
CCE4	The Council is identifying the unavoidable consequences of Climate Change and determining the level of risk these consequences present to Council service delivery. The Council will then identify the adaptations necessary to sufficiently address any identified risk.	On-going Sustainable Development Manager
CCE5	The Council is developing and applying Development Control Policies, following District community consultation, which seek to ensure that any development applications demonstrate how carbon emissions will be minimised through: <ul style="list-style-type: none"> <li>Improved thermal efficiency of buildings;</li> <li>Use of embedded renewable energy technology;</li> <li>Implementation of Combined Heat and Power (CHP) schemes, particularly for major development applications;</li> <li>Creation of transport networks that reduce the need for private owned motor</li> </ul>	On-going Policy & Regeneration Manager Development Control Manager

	vehicles.		
CCE6	The Council ensures that emerging council strategy, policy and capital projects are subject to Sustainability Appraisal, such that reduction of carbon emissions is treated as a material factor in their development.	On-going	Sustainable Development Manager
CCE7	The Council facilitate progress within the wider District community through: <ul style="list-style-type: none"> <li>disseminating best practice in mitigating the causes and adapting to the consequences of Climate Change;</li> <li>working in partnership with other community organisations to jointly address Climate Change.</li> </ul>	On-going	Sustainable Development Manager
CCE8	The Council ensures that any transport related decision made on behalf of the Council, is in compliance with the Council's adopted Transport Policy and therefore extends support to initiatives and developments that: <ul style="list-style-type: none"> <li>Seek to reduce the levels of carbon emissions stemming from road based transport;</li> <li>Seek to benefit people's physical health (that increase levels of walking and cycling);</li> <li>Seek to reduce reliance on privately owned vehicles and increase uptake of public transport;</li> <li>Facilitate greater efficiencies in the movement of freight, in particular by rail;</li> <li>Seek to reduce carbon emissions associated with the Council's own vehicle fleet.</li> </ul>	On-going implementation of existing Council policy	Sustainable Development Manager

Natural Resource protection and Environmental Enhancement		
Achievement	Description	Progress
NRP1	The Council will dispose our statutory responsibilities regarding the collection of waste in accordance with the Council's Waste Collection Policy. This policy	Policy progressing
		Leadership
		Environmental Services



		towards adoption	Manager
	<p>describes how the service will be developed with the aim to:</p> <ul style="list-style-type: none"> <li>• Reduce the amount of waste produced by residents;</li> <li>• Encourage residents to recycle;</li> <li>• Reduce litter being spilled in the streets;</li> <li>• Increase the efficiency of the refuse collection service; and,</li> <li>• Pilot service improvements including extending plastics and card recycling;</li> <li>• Encourage and support home composting of green waste.</li> </ul>		
NRP2	<p>The Council is improving accessibility to, and expanding the range of recyclates collected through internal/office recycling.</p>	On-going	Sustainable Development Manager
NRP3	<p>The Council is developing and applying Development Control Policies, following District community consultation, which seek to ensure that any development applications demonstrate protection of natural resources and environmental enhancement particularly through:</p> <ul style="list-style-type: none"> <li>• Ensuring protections of statutorily designated wildlife sites and locally important wildlife habitats;</li> <li>• Ensuring that any development resulting in a negative impact to the biodiversity of the area it affects, seeks to fully compensate for the loss, resulting in a overall net gain to the biodiversity of the area;</li> <li>• Ensuring that any development seeks to protect valuable landscapes within the District including the Magnesian Limestone escarpment, the River Wear Valley and designated conservation areas;</li> <li>• Ensuring that all applications for larger developments are required to produce and implement a waste management strategy. The strategy must show how the development will implement waste minimisation plans and schemes; develop reuse schemes and minimise the use of primary construction materials and the production of waste;</li> <li>• Ensuring that new developments conform to the DCLG Code for Sustainable</li> </ul>	On-going	Policy & Regeneration Manager Development Control Manager

	<p>Homes;</p> <ul style="list-style-type: none"> <li>• Ensuring that open spaces with functional, amenity or natural environment value and attributes are provided or retained when new developments are proposed;</li> <li>• Only supporting new road proposals and road improvement schemes which avoid harmful impacts on the natural and built environment.</li> </ul>		
NRP4	The Council ensures that emerging council strategy, policy and capital projects are subject to Sustainability Appraisal, such that natural resource protection and environmental enhancement is treated as a material factor in their development.	On-going implementation of existing procedure	Sustainable Development Manager
NRP5	<p>The Council ensures that the development / management of Council owned land is consistent with the need to protect and conserve local biodiversity through:</p> <ul style="list-style-type: none"> <li>• Continuing to reduce the use of herbicides and pesticides in grounds maintenance operations where possible;</li> <li>• Establishing a network of wildflower meadows on Council owned grassland, that prioritise conservation of locally important flora;</li> <li>• Avoiding tree and hedge works during the birds breeding season.</li> </ul>	Current practice	Open Space Development Officer
NRP6	<p>The Council seeks to ensure that all public spaces within the District are maintained to high standards of cleanliness through:</p> <ul style="list-style-type: none"> <li>• Removing litter from public spaces across the District;</li> <li>• Deploying resources to make full use of the powers granted in the Environmental Protection Act 1990, Clean Neighbourhoods &amp; Environment Act 2005 and related legislation to enable enforcement action to be taken in relation to littering, dog fouling, fly-tipping and other environmental crimes;</li> <li>• Conducting educational campaigns to raise awareness of issues relating to environmental cleanliness.</li> </ul>	Current Practice	Environmental Services Manager
NRP7	<p>The Council seeks to ensure that Council open spaces are maintained and developed in accordance with local community priorities through:</p> <ul style="list-style-type: none"> <li>• Liaising with existing groups to establish people's priorities for their local open</li> </ul>	On-going	Sustainable Development

	<p>spaces;</p> <ul style="list-style-type: none"> <li>• Leading the creation of new community 'Friends' groups to inform the Council of local community priorities for open spaces;</li> <li>• Conducting an 'Open Space Needs Assessment' throughout the District of Durham in accordance with the governments Planning Policy Guidance 17.</li> </ul>	<p>Manager Open Space Development Officer</p>
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<b>Sustainable Communities</b>		
<b>Achievement</b>	<b>Description</b>	<b>Leadership</b>
SC1	<p>The Council ensures that planning decisions comply with PPS 1 (Delivering Sustainable Communities), through ensuring that development applications contribute towards the creation of sustainable communities that will stand the test of time, where people want to live, and which will enable people to meet their aspirations and potential.</p>	<p>Head of Planning Development Control Manager</p>
SC2	<p>The Council liaises with and support residents, communities and community groups through direct provision of community development services and through supporting the Durham District Partnership, Community Voluntary Service and Community Network to:</p> <ul style="list-style-type: none"> <li>• Empower residents to make independent contributions to their community;</li> <li>• Support the development of communications networks throughout communities and between community groups;</li> <li>• Identify community priorities, and focus subsequent service delivery towards meeting community priorities.</li> </ul>	<p>Community Development Coordinator</p>
SC3	<p>The Council works towards providing suitable accommodation across all tenures, meeting identified community needs, in particular those of vulnerable groups through:</p> <ul style="list-style-type: none"> <li>• Ensuring the delivery of the keys actions within the authority's Homelessness Strategy 2003-2008 and contributing towards the county-wide Homelessness</li> </ul>	<p>Housing Manager Development Control</p>

	<p>Action Partnership;</p> <ul style="list-style-type: none"><li>• Provision and management of Council Housing;</li><li>• Using planning powers to secure the provision of affordable housing.</li></ul>		Manager
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**Report of Environment Scrutiny Panel****REVIEW OF THE TOPICS OF FLY-TIPPING, RECYCLING AND LITTER PICKERS**

The Panel was tasked with reviewing the topics of Fly-tipping, Recycling and Litter Picker, all of which had been looked at previously by the Panel (considered by Cabinet 26 June 2006, 02 August 2006 and 20 September 2006 respectively).

**1. BACKGROUND**

Initially the Panel had looked at the three topics separately, though it was acknowledged that they were fundamentally linked.

**2. AIMS**

It was the remit of the Panel to consider any changes since the topics were originally scrutinised, and where necessary offer further suggestions.

Officers from the Environment and Leisure Services Department attended Panel meetings to help bring Members up-to-speed with the current position of the Council, and with any relevant progress in relation to recommendations made by the Panel in their initial Reports.

**3. ACTIONS**

The City of Durham's newly appointed Environmental Services Manager, Mr Chris Tomlinson, attended the July meeting of the Panel to brief Members as regards the topics of Fly-tipping, Recycling and Litter Pickers. In addition, the Council's Sustainable Development Manager, Mr Jonathan Elmer was in attendance at the September meeting to provide Members with further information relating to internal waste management procedures.

**3.1 Fly-tipping**

The City of Durham together with several other neighbouring Local Authorities fund a Joint Fly-tipping Enforcement Officer (Mr Jim Crammon), based at County Hall, Durham. It was a recommendation of the Panel's previous report that this support be continued and this was reiterated.

It was noted that the City of Durham's Neighbourhood Wardens are able to issue Fixed Penalty Notices (FPNs) under the Clean Neighbourhoods and Environment Act 2005 (CNEA) for offenses relating to littering, dog fouling, graffiti etc. However, for each type of FPN being issued, the Wardens would require the relevant authorisations and training in accordance with the Council's enforcement policy.

The City of Durham Website has a section containing information relating to fly-tipping including the penalties for doing so and what to do if you have witnessed an instance of fly-tipping. Also the City of Durham Website has links to the relevant pages on the Durham County Council Website, relating to fly-tipping.

However, there was no information about individuals' duty of care to use reputable, registered waste contractors (i.e. if waste fly-tipped by a disreputable contractor can be traced back to an individual, the individual could be liable for the case of fly-tipping).

A subject on which Members had expressed concerns was as regards paint containers being fly-tipped as they cannot be disposed of via the normal household collection. Accordingly, some people, including unscrupulous Contractors may not dispose of them correctly.

Another point of interest to the Panel was whether, in cases where allotment sites had been purchased and the sites were being used for fly-tipping, did the City of Durham have the authority to force the landowner to clear or tidy the site.

## **3.2 Recycling**

### **3.2.1 Recycling – General Public**

Stickers promoting recycling had been placed on to residents bins periodically and this had been seen to have a positive influence on recycling rates. Accordingly, the Panel had recommended that this continue.

Whilst the Panel wished to encourage people to reuse bags for shopping, Officer believed that any such campaign should be nationally led. In fact the Durham County Council had wished to have local schemes whereby shops would charge for plastic carrier bags, but the Department for the Environment, Food and Rural Affairs (DEFRA) wished to delay any local initiatives in lieu of a national agenda. This would follow the trial in Ireland where paper bags have replaced plastic bags and reuse of other bags was also more widespread.

Some neighbouring Local Authorities charge for the collection of “bulky waste”, unlike the City of Durham. However, it was noted that where Authorities have charged for these types of collection that there has been only minor corresponding increase in fly-tipping and this too was only in the initial stages.

Some Companies that take unwanted furniture can prove to be quite selective and this can lead to delays in removal of items for collection. The Sustainable Development Manager is looking at further possibilities of working with different reuse and recycling organisations in the future.

The current Contract with Premier Waste as regards the Kerb-It recycling collection runs until April 2008, and the Contract will go back out to Tender for another 2 year contract. Members were keen to see, if possible, other types of waste be taken and recycled by whichever company secures the new contract.

The refurbishment of “white goods” for resale by a company working for, or with, a Local Authority (similar to “Bulky Bobs” – a scheme ran in Liverpool) were of more use as practical training for apprentice repair engineers and often these type of programmes / facilities are heavily subsidised in order to maintain the training aspect. Accordingly, it would be not be feasible for the City of Durham to operate an in-house scheme on a similar scale.

### **3.2.2 Recycling – Internal Waste Strategy, City of Durham**

From initial observations, it appears that the City of Durham only recycles office paper. The Durham Company currently collects this and they sell on the paper this on, i.e. the company is run as a commercial interest. The City of Durham does not pay The Durham Company for this service.

Some City of Durham Council Departments may have waste specific to their areas or work, e.g. Property Services may have wood and metal waste that may be recyclable.

It was noted that Durham University employs a company that collects their waste paper and shred the documents as necessary, thereby saving their staff’s time. Whilst it was agreed as being a good idea in principle, certain Departments may need to keep a strict control on confidential and personal information that they hold on behalf of the Council and that in some instances it may indeed be necessary to shred documents in-house.

Some Members of the Panel felt that it may be preferable to have a policy in place to specify how different waste is to be disposed of internally by the Council rather than the “championing” of the

subject by individuals in each section. Whilst this was an option, it was felt that it would be more effective to raise awareness and motivate staff to want to minimise waste.

### **3.3 Litter Pickers**

The City of Durham's Neighbourhood Wardens have the authority to issue FPNs for littering offences which now includes chewing gum and cigarette butts.

The City of Durham has achieved high standards of street cleanliness across the District, as shown by not only the Best Value Performance Indicator BV199, but also by the high standards recorded in Local Environment Quality (LEQ) surveys which contain more stringent criteria than BV199. Also LEQs take into account more than just litter; they include factors such as graffiti and fly-posting. Areas in which the City of Durham did have scope for improvement are regarding the level of detritus within the street scene and also in removing litter along the Riverbank footpaths.

Whilst it was agreed that the use of "normal" wheelie bins as dog foul waste bins was not the most visually attractive solution, they were cheap, durable and practical (especially in the ease and safety of emptying, i.e. they do not require the staff to delve into them to recover the waste, they can be uncoupled from their anchor point and emptied as any other wheelie bin).

An idea that the Panel came up with was to source funding from local pet stores or veterinary practices by allowing advertisements to be placed on the dog foul bins. Officers explained that a similar idea had been trialled at another Authority and the sponsors had proved unreliable and that whilst the idea did have merit, practically it was difficult to achieve.

## **4. OUTCOMES**

### **4.1 Fly-tipping**

It was noted progress was being made in relation to tackling fly-tippers, with a second Fly-tipping Enforcement Officer being appointed to help with the workload across the County, with a mind to splitting the area into two divisions with an Officer for each area.

As evidence is key to the Fly-tipping Enforcement Officers securing convictions, the City of Durham's Neighbourhood Wardens may need additional training to ensure that evidence is collected in the correct manner so that is pertinent and admissible.

The City of Durham would aim to provide additional information on the City of Durham Website to include information relating to an individuals' duty of care for the correct disposal of waste.

Used paint tins can be easily disposed of at the County Council operated Household Waste and Recycling Centres (HWRCs).

Where a site such as an allotment is being used as an unauthorised tip, it may be that the site constitutes a "statutory nuisance" and the City of Durham's Environment Health Section could then deal with this problem accordingly. However, if an area was being used as an unofficial waste disposal site, the Environment Agency would be the appropriate body to investigate.

### **4.2 Recycling**

#### **4.2.1 Recycling – General Public**

Durham County Council secured funding from Waste & Resources Action Programme (WRAP) for "swing tickets" (similar to luggage tags) which affix to the handle on Residents' wheelie bins. As mentioned above, previous schemes where stickers had been placed on bins led to an increase in the public's uptake of recycling.

The successful Green Waste Recycling bin trial in the Carrville and Belmont areas may be expanded to encompass more of the District if grants or funding can be secured. However, any decisions regarding this would be influenced by the Durham County Council's Joint Municipal Waste Management Strategy as if plans for an increase in the use of aerobic digestion are approved, then it could be that any pre-emptive decision to increase green waste recycling via the current trial system could be unnecessarily costly and be rendered redundant by the diversion of such waste to an aerobic digester. Also an increased use of collection vehicles would have an associated increase in carbon emissions. Again changes in Local Government across the County area may have an impact on any such increase in the provision of green waste bins.

A rough estimate of the uptake of recycling via the Premier Advanced Recycling Centre (PARC) recycling scheme within the trial areas was in the region of 70%.

Problems as regarding splitting of the orange bags had been noted and thicker purple bags have now been issued to Residents of Framwellgate Moor and Newton Hall. The bags new colour also minimised the confusion between the recycling bags and orange Sainsbury bags containing general waste.

#### **4.2.2 Recycling – Internal Waste Strategy, City of Durham**

“Office Champions” will be selected to help raise and maintain the profile of best practise for recycling within various sections of the Council, with these Officers to be picked by Department Heads. Appropriate training will be provided by the Sustainable Development Manager, and the process will be undertaken in conjunction with the Street Scene Manager and the Support Services Managers.

The Council hopes to move towards recycling glass, cans and card in addition to office paper in the future.

As the process of reviewing internal waste management is at an initial stage, it was felt that it may be beneficial to look at this particular issue in 6-8 months time to check up on progress.

#### **4.3 Litter Pickers**

Following the smoking ban introduced in England on 01 July 2007, some bins within the City have been retrofitted with ashtrays in their top surface. Also it was noted that some Public Houses have installed their own cigarette bins themselves as a result of the smoking ban.

Two members of staff have redeployed to litter picking and tidying duties to improve the quality of these important prominent City Centre footpaths including those along the riverbanks. In addition, there will be provision of extra litter bins and seating subject to agreement with the City of Durham's Cultural Services Department.

To help improve the situation as regard detritus within the street scene, the City of Durham may be able to replace the existing ride-in compact pavement sweeper with a two new machines on reduced leases. This would allow the cleaning rota to be increased to six-weekly from the current twelve weekly, subject to approval.

### **5. RECOMMENDATIONS**

Many of the recommendations previously made by the Panel on the topics of Fly-tipping, Recycling and Litter Pickers had been pursued and it is clear that work is ongoing to improve services and to ensure best practice in these areas. From the information provided to the Panel by Officers the following recommendations were made:-



**Fly-tipping**

1. That as per the previous Report, the City of Durham continues to support the Joint Fly-tipping Enforcement Officer(s).
2. That Panel approves of any programme that delivers relevant training and authorities required to enable the Neighbourhood Wardens to carry out their duties more effectively, in relation to the issuing of fixed penalty notices for various littering type offences.
3. That, unless already done so, information relating to an individuals duty of care for the disposal of waste properly, even by Contractors working on an individuals property, be made clearly available on the City of Durham's Website.

**Recycling**

4. The Panel supports the continued free bulky collection service by the City of Durham.
5. That within future contracts for recycling, that the possibility of including further waste streams be considered.

**Litter Pickers**

6. The Panel welcomes the provision of additional litter pickers and would wish this extra provision to be upheld.

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**POLICY SCRUTINY PANEL REPORT****SCRUTINY OF THE MEMBERS ON LINE SYSTEM****BACKGROUND**

1. The Members Online System was introduced from 1<sup>st</sup> January, 2007, following a trial period beginning in June, 2006. The trial period had been agreed by Cabinet in May, 2006, following a report by the Director of Legal and Administration Services entitled, Council Agenda Papers – Efficiency Measures (Minute No. 43, Cabinet, 17<sup>th</sup> May, 2006, refers).

**AIMS**

2. To review the Members Online System

**ACTIONS**

3. At the Policy Scrutiny Panel Meeting in June, 2007, Members agreed that as there was a significant number of new Councillors following the election in May, a survey be carried out of all Council Members to identify possible individual problem areas and assess any Training/Instruction requirements for Members specifically in relation to the Members Online system but also to identify any further general computer training requirements.

3.1 A Survey of all Members in relation to the Members Online system was subsequently carried out between June and July, 2007.

3.2 At the Policy Scrutiny Panel Meeting in July, 2007, the Director of Legal and Administration Services was in attendance to give Members a background to the System.

**OUTCOMES**

4. Following agreement at Cabinet in May, 2006, the system had been introduced on a six month trial period, later extended to the end of December, 2006. All Members were invited to “sign-up” to the system during the trial period.

4.1 The introduction had been prompted following consideration of E Government Requirements and ongoing Efficiency Savings. The intention of the trial period was to encourage so far as possible Members to access agenda papers on line, to familiarise themselves with the process and to reduce significantly the number of hard copies of Committee papers that were being printed and transported and therefore engender significant efficiency savings.

4.2 When Members agreed to “sign-up” to Members Online, they were provided with hard copy Committee Papers, for only the Committees/Panels of which they were a member. All other Committee papers being available via the Members Online site. Those Members not choosing to “sign-up” to the system, continued to receive hard copies of all Committee papers.

This arrangement ceased on 1<sup>st</sup> January, 2007, when all Council Members began receiving only the papers for the Committees/Panels of which they are a member. All other Committee papers now being available via the Members Online site.

5 There was some concern that Members of the Council were not being afforded the same facilities as Members of neighbouring Authorities. To this effect, a survey of neighbouring Authorities was undertaken to establish their current practice and any developments in relation to the distribution of Committee papers to their Members.

5.1 The findings of the survey of neighbouring Authorities are attached at Appendix A

6. Members utilising the Members Online system are entitled to an appropriate allowance to cover the costs of printing etc. The Policy Scrutiny Panel notes that the original amount of the allowance was subject to review and indications seem to suggest, that due to the costs experienced by Members utilising the system, a review may now be necessary.

6.1 For Members with no personal access to PCs, two computers are available in the Members Room to facilitate access to the system and enable the printing of required copies. Initial difficulties with printing were experienced when the computers and printer were situated in the Town Hall as the printer had not been updated. However this problem has been overcome with the re-siting of the Member's PCs to 4 Saddler Street, where the PCs are linked to the office MFD.

6.2 No definitive figures have been produced for the Policy Scrutiny Panel but Members were informed by the Director of Legal and Administration Services that substantial savings have been made since the introduction of Members Online, both in the reduction in Courier time and expense and in the reduction in the use of paper for printing.

## 7. Survey Results

The results of the Survey of Members requested by the Policy Scrutiny Panel showed the following:-

- 31 Members responded to the Survey
- 24 Members were using the system at the time of the Survey
- 20 of those Members found the system easy to use

Those Members not using the system cited the following reasons:-

- 4 Members indicated that they had technical difficulties in accessing the system
- 4 Members indicated that they had difficulty printing documents or part documents
- 7 Members indicated that they required instruction or further instruction in the use of Computers

7.1 Overall, when asked whether they would be prepared to receive instruction or further instruction:-

- 21 Members indicated that they were prepared to receive instruction in the Members Online system (from the Democratic Support Team)
- 11 Members indicated that they would be prepared to undertake a general introduction to using a computer (as part of HR's Corporate IT Training Programme)

7.2 It was suggested and agreed that in the short term, instruction in the Members Online system would be given, to those Members requiring it, by Democratic Support and an invitation to this effect was forwarded to all Members on 31<sup>st</sup> July, 2007.

7.3 Arrangements were subsequently made and those Members responding attended 4 Saddler Street to receive instruction in the Members Online system and to be issued with their individual passwords.

7.3 At the time of writing this Report 35 Members actively utilise the Members Online system. 15 Members have not chosen to utilise the system and therefore receive hard copies of the papers for the Committees/Panels of which they are a member.

## 8. Security/Continuity issues

The issues of security of the material on the Members Online site and of the continuity of the Site itself were a concern to Members and , in order to address those concerns, the Council's Website Manager has advised as follows:-

- Individual passwords have been issued to all Members to enable their personal access to the Member Online system. Clearly, under the Authority's Corporate IT Security Policy, personal user names/passwords must not be divulged to a third party.
- The Members Online system is located on the same set-up as the Council's Website. Clearly therefore, steps have had to be taken by IT to ensure it is constantly available.
- The site itself is hosted by a third party in a secure facility.
- We have our own dedicated, managed Server that is serviced by multiple connections to the Internet.
- The hardware is subject to a full service contract, which includes replacement of failed parts.
- The software is secured and has passed a rigorous penetration test carried out by an independent company.
- A support contract is in place with a back-up and recovery procedure.
- In the event of supplier failure contingencies are in place to ensure system recovery, as a mirrored copy of the information is available.
- Within the time it would take to requisition a new Server, realistically a couple of hours, the entire Website, together with Members Online, could be re-published.

8.1 Members who do not access the Members Online system raised the issue of venues and times of meetings of the Committees/Panels of which they were not a member, as they had no way of knowing venues and times or changes to them.

8.2 It was agreed that in order to assist, with immediate effect, a paper copy of the weekly Schedule of Meetings, be circulated to all Members in the weekly Courier. It was further agreed that Members with Email addresses be also sent an electronic copy of the Schedule of Meetings. The Policy Scrutiny Panel notes that these measures are now in effect and have proved very useful and Members wish to express their thanks to the Democratic Support Team for swiftly putting the measures in place.

## **RECOMMENDATIONS**

- 1) That in view of the costs incurred, in relation to printing, general overheads and telephone/broadband costs in relation to downloading Committee Papers from the Internet, the allowance payable to Members for utilising the Members Online system be now reviewed.
- 2) That instruction in the use of the Members Online system, offered by Democratic Support Officers, continue to be made available and that a further letter of invitation to take advantage of the instruction be sent to all Members.
- 3) That the Human Resources Section be requested to develop a further programme of basic, general Computer Training, specifically for Elected Members, to be offered on an ongoing basis.
- 4) That, for the purpose of information, all Members of the Council be supplied with paper copies of Agendas for the meetings of Committees/Panels of which they are not a member.

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**POLICY SCRUTINY PANEL**

**Distribution of Committee Papers  
Survey of Neighbouring Authorities**

**QUESTION 1**

**Do all Members of the Council receive paper copies of all Committee papers?**

**Wear Valley** - Yes

**Derwentside** - Yes

**Chester-le-Street** – Receive relevant Committee Papers

**Sedgefield** – Major Committees are sent to all Members

**County Council** – Only receive papers for the Committees/Panels of which they are a member

**Teesdale** – All Members receive copies of Agendas, only Committee/Panel Members receive Committee/Panel Reports

**QUESTION 2**

**Is distribution of paper copies limited only to members of relevant Committee/Panel etc?**

**Wear Valley** – No, Policy Committees, Development Control, Licensing, all get Appeals, Licensing Sub just get Agenda

**Derwentside** - No

**Chester-le-Street** – No, Agendas are also circulated to the Executive for information.

**Sedgefield** – Area Forums and quasi-judicial, Appeals Committees are sent only to Committee Members

**County Council** – Yes, Members only receive paper copies of Committees or Sub-Committees of which they are a member.

**Teesdale** – Only in relation to Panel Meetings

**QUESTION 3**

**Are all Committee papers made available electronically via Website/Intranet/?**

**Wear Valley** – Yes, with the exception of those that contain exempt information.

**Derwentside** – Currently being developed

**Chester-le-Street** – Yes, available on Website and Intranet

**Sedgefield** – All Committee Papers are available on the Council's Website and Intranet. Exempt reports are only available on the Intranet Site – access is password protected. Some papers are restricted internally due to the confidential nature of business.

**County Council** – Yes, all Committee and Sub-Committee papers are available electronically to all members of the Authority and Co-opted Members.

**Teesdale** – All Agendas for public meetings are available on the Website

#### QUESTION 4

**Has the Council provided Members with their own personal PC/Laptop to access papers electronically?**

**Wear Valley** – Leader of the Council has a lap-top and there are 2 PCs for Members in the Members Room.

**Derwentside** – Proposals to undertake a "Pilot Scheme" with members of one of the Scrutiny Panels.

**Chester-le-Street** – No, although currently being looked at.

**Sedgefield** – Lap tops have been offered to all Members. Only a few have not accepted the offer. ICT are currently going through the process of providing them to newly elected Members. Training is also being given to those who require it.

**County Council** – Yes, the Authority has provided all Members with the necessary equipment.

**Teesdale** – A limited number of Councillors have lap-tops.

#### QUESTION 5

**Have Members been provided with access to PCs on Council premises to view/download relevant papers?**

**Wear Valley** – As above, access in Members Room.

**Derwentside** – PC's are available in the Members Room.

**Chester-le-Street** – Yes, in Members Room.

**Sedgefield** – PC's have been provided in all Members Rooms

**County Council** – Yes, the Members have a resource centre which has numerous PCs for their use; together with a member of staff who will offer assistance should it be needed.

**Teesdale** – There is a PC in the Members Room which all Members can access if they wish.

#### QUESTION 6

**Have Members been provided with any additional allowance to cover the costs of printing/sundries for their personal home computers?**

**Wear Valley** - No



**Derwentside** - No

**Chester-le-Street** - No

**Sedgefield** – No additional allowance is provided, but printer cartridges and paper are supplied by the Authority.

**County Council** – No, the Authority covers costs of printing, stationary and associated PC costs. Members do not incur any cost.

**Teesdale** – No, is considered part of their allowance. Paper, cartridges etc are supplied when necessary, by the Authority.

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## Agenda Item 8(a)

<b>Report to:</b>	Cabinet
<b>Date</b>	14 January 2008
<b>Reporting Officer</b>	Chief Executive Tel: 0191 3018878 email: <a href="mailto:bspears@durhamcity.gov.uk">bspears@durhamcity.gov.uk</a>
<b>Contact Officer</b>	Chief Executive Tel: 0191 3018878 email: <a href="mailto:bspears@durhamcity.gov.uk">bspears@durhamcity.gov.uk</a>
<b>Subject</b>	Local Government Ombudsman Cases

**Purpose**

For Members' Information, I attach at Appendix A, a schedule of successful defences of complaints referred to the Commission for Local Administration in England

**Recommendations**

That the report be noted.

*Brian Spears*

Chief Executive

3 January 2008

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City of DurhamCABINET14 January, 2008Report of the Chief Executive - For InformationSchedule of Successful Defences of Complaints Referred to the Commission for Local Administration in England

<u>L.O. Case Ref. No.</u>	<u>Summary of the Nature of the Complaint</u>	<u>Local Ombudsman's Findings/Decision</u>
07/C/07273	That the Council had wrongly pursued the complainant's son for Council Tax despite him being exempted from this tax by his student status.	<p>The provisional view of the LO was to suggest for the Council to make a payment of £100 to the complainant's son for wrongly issuing a liability order and for a written letter of apology to be sent. The Council agreed to this settlement but proposed that the sum be applied direct to the Council tax account which was in arrears. Upon receipt of agreement from the Ombudsman to this course of action, the adjustment to the Council tax account was made immediately and a letter of apology sent to the complainant's son.</p> <p>Reason for Termination: Local Settlement</p>
07/C/03579	Complaint into incorrect advice given regarding tenancy and home loss payment.	<p>The provisional view of the LO was that the Council's maladministration was in giving the complainant erroneous information at the outset. The consequent injustice was confusion about the procedure and the complainant's mother's entitlements and, in recognition of this, the Council had agreed to waive the arrears due on the complainant's mother's flat. One of the roles of the LO is to ask Councils to tighten up on procedure where flaws have been revealed but, in this case, the Council's own investigator had been concerned about two matters of Council administration and had sought to rectify them. The LO was satisfied with the action which the Council had already taken and could not see anything further which could be achieved for the complainant. Consequently the LO did not propose to pursue the complaint.</p> <p>The complainant had responded but without providing any new information to alter the provisional view and therefore the complaint had been discontinued.</p> <p>Reason for Termination: No or insufficient evidence of maladministration.</p>

Appendix A

<p>06/C/14188</p>	<p>Complaint that the Council had not given proper consideration to complainants' requests to be given greater priority on the housing register and had not had proper regard to the 'reasonable preference' stipulations of the Housing Act 1996.</p>	<p>The provisional view of the LO was that there was no evidence of maladministration by the Council. The Housing Panels which had considered the complainants' requests five times in the previous 18 months had all medical history available to them and made a decision not to move the application up the priority list. The LO could therefore see no reason to dispute the validity of the Panel's decision, nor the specific point about 'reasonable preference' as there did not appear to be sufficient grounds to award a different priority.</p> <p>The complainant had responded but without providing any new information to alter this provisional view and therefore the complaint had been discontinued.</p> <p>Reason for Termination: No or insufficient evidence of maladministration.</p>
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