

City of Durham

At a Meeting of the **CABINET** held in the Town Hall, Durham, on Wednesday, 5th March, 2008, at 2.00 p.m.

Present: Councillor Reynolds (in the Chair)
and Councillors Bell, Dickie, Jackson, Pitts, Rae, Southwell and Thomson.

Also Present: Councillors Bartle, Cowper, Howarth, Kinghorn, Marsden, Robinson, Simmons, M.J.A. Smith, Stoddart, Turnbull, Wilkinson, Wolstenholme and Young.

515. DECLARATIONS OF INTEREST

Councillors Bell, Reynolds and Southwell declared a personal interest in Minute Nos. 522 and 523, Durham Villages Regeneration Funding – Environmental Improvements Durham Road, The Co-Op Area, Romaine Square, Bowburn, and Durham Villages Regeneration Funding – New Brancepeth Play Area and remained in the Meeting during consideration thereof.

Councillor Pitts declared a personal interest in Minute No. 520, Financial Report for the Period 1st April 2007 to 31st December 2007 – Incorporating a Probable Outturn Position at 31st March 2008 and remained in the Meeting during consideration thereof.

516. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors van Zwanenberg and Woods

517. MINUTES

The Minutes of the Meeting held on 14th January, 2008, were confirmed as a correct record and signed by the Chair.

518. AUDIT COMMISSION – USE OF RESOURCES AUDITOR JUDGEMENTS

Jim Dafter from the Audit Commission was in attendance to present the above circulated report to Cabinet Members.

Resolved: That the report be noted.

519. PRESENTATIONS

a) Update on the New Kerbside Recycling Contract

Mr. C. Tomlinson, Environmental Services Manager and Mr. N. Rippon, Managing Director, Greencycle gave members a presentation on the New Kerbside Recycling Contract.

Following a question and answer session, the Chairman thanked Mr. C. Tomlinson and Mr. N. Rippon for a very informative presentation.

Note: All Members of the Council had been invited to attend the Presentation.

Note: Councillor Bartle entered the Meeting at 2.35 p.m.

b) Standards Issues

Mrs. C. Greenlay, Monitoring Officer and Head of Legal and Strategic Services gave members a presentation on Standards Issues.

The Chairman thanked Mrs. C. Greenlay for a very informative presentation.

Note: All Members of the Council had been invited to attend the Presentation.

Note: Councillor Young entered the Meeting at 2.50 p.m.

Portfolio Member Recommendations or Items Requiring a Cabinet Decision

520. FINANCIAL REPORT FOR THE PERIOD 1st APRIL 2007 TO 31st DECEMBER 2007 – INCORPORATING A PROBABLE OUTTURN POSITION AT 31st MARCH 2008

The Portfolio Holder for Finance and the Director of Financial Services submitted a comprehensive report to consider the City Council's financial performance for the period 1st April 2007 to 31st December 2007, highlighting areas of over and under spend against the year to date budgets and projecting this to the year end, taking into account known actions and issues for the remaining months of this financial year for the following:

- ◆ General Fund Revenue Account
- ◆ Housing Revenue Account
- ◆ General Fund Capital Programme
- ◆ HRA Housing Business Plan – Capital Expenditure

The report also provided details of the position against a range of additional "balance sheet" financial information at 31st December 2007. Reporting of such data was a key requirement of the Audit Commission's Use of Resources assessment framework.

Resolved: (i) That the financial performance in the period 1st April to 31st December 2007, the estimated outturn position at 31st March 2008 and the projected year-end balances in terms of the General Fund Reserve, the Housing Revenue Account Working Balance and other Earmarked Funds and Reserves be noted.

(ii) That the Programmes and Financing arrangements as set out in the appendix to the report in terms of the General Fund Capital Programme and Housing Business Plan be agreed and noted.

(iii) That the year to date position for the various key balance sheet items reported, including the movement on earmarked and non-earmarked funds be noted.

521. PROPOSED CHANGES TO THE LOCAL LAND CHARGES FEE STRUCTURE

The Portfolio Holder for Performance Management and the Director of Strategic Services submitted a comprehensive report to consider changing the current fee structure for Local Land Charges in response to declining income and the need to have a fee structure which reflected the cost of the service.

Resolved: That the fees structure in respect of Local Land Charges be amended as set out in the report.

522. DURHAM VILLAGES REGENERATION FUNDING – ENVIRONMENTAL IMPROVEMENTS DURHAM ROAD, THE CO-OP AREA, ROMAINE SQUARE, BOWBURN

The Leader of the Council and the Head of Community Services submitted a comprehensive report to consider proposals for three environmental improvements schemes at Bowburn and

approve the release of Durham Villages Regeneration Funding of £100,000.00 towards this project.

Resolved: That the regeneration project and the release of the £100,000.00 funding from Durham Villages Regeneration Company be approved.

523. DURHAM VILLAGES REGENERATION FUNDING – NEW BRANCEPETH PLAY AREA

The Leader of the Council and the Head of Community Services submitted a comprehensive report to consider proposals for the regeneration of New Brancepeth Play Area and approve the release of Durham Villages Regeneration Funding of £102,560 towards this project.

Resolved: That the regeneration project and the release of the £102,560 funding from Durham Villages Regeneration Company be approved.

524. NATIONAL PROCUREMENT CONCORDAT FOR SMALL AND MEDIUM SIZED ENTERPRISES

The Portfolio Holder for Finance and the Director of Strategic Services submitted a comprehensive report to recommend the adoption of the Small Business Friendly Concordat for Small and Medium sized Enterprises (SME Concordat) and update Cabinet on developments that supported it.

Resolved: (i) That the Leader of the Council and the Chief Executive be authorised to sign and adopt the SME Concordat on behalf of the City Council and the signing be publicised.

(ii) That the various commitments that contributed to the implementation and adoption of the SME Concordat be noted.

525. DURHAM INTERNATIONAL FESTIVALS 2008: A LEGACY PROPOSAL

The Portfolio Holder for Leisure and Culture and the Head of Cultural Services submitted a comprehensive report that set out the proposed framework for city based events in 2008 and sought future funding from the Council to support this year's programme.

The work built on last year's successful programme which included Jools Holland, D3 in Millennium Place and support for Durham Brass, Durham Literature Festival and the Christmas Festival.

Resolved: (i) That the proposals set out in the report in respect of the "Streets of" series of events and "Enlightenment" Festival as a spectacular legacy for 2008 be supported.

(ii) That the Festival be financed via an allocation of £55,000 from the Business Continuity Service Initiatives Provision (Transition Year) Budget 2008/09.

526. REPORT ON THE TREASURY MANAGEMENT SERVICE AND ACTUAL PRUDENTIAL INDICATORS 2007-2008 – POSITION AT 31st DECEMBER 2007

The Portfolio Holder for Finance and the Director of Financial Services submitted a comprehensive report to present details of the treasury management activity undertaken and actual performance against the associated prudential indicators for 2007/08 during the period 1st April to 31st December 2007. The report was prepared in the context of the Treasury Management and Investment strategies approved by Council on 26th February 2007.

Resolved: That the Treasury Management stewardship report and performance against the prudential indicators for 2007/08, during the period 1st April 2007 to 31st December 2007, as set out in Appendix A to the report be approved and noted.

527. LOCAL AREA AGREEMENT

The Portfolio Holder for Performance Management and the Director of Strategic Services submitted a comprehensive report to provide partners with an overview of the countywide Sustainable Community Strategy (SCS) development and Local Area Agreement (LAA) priority setting process, to seek endorsement of the identified priorities and to provide information on the next steps.

Resolved: (i) That Appendix A to the report be noted.

(ii) That the priorities set out in Appendix B to the report be endorsed.

(iii) That the next steps be noted.

528. TENDERS – SUPPLY AND FITTING OF DOORS

ITEM WITHDRAWN

529. TENDERS – SUPPLY AND FITTING OF WINDOWS

ITEM WITHDRAWN

Reports from Scrutiny Panels

530. REPORT OF THE COMMUNITY SERVICES SCRUTINY PANEL REVIEW OF THE SCRUTINY OF COUNCIL HOUSE REPAIRS

The Scrutiny Committee on 24th January, 2007, considered the above report where it was recommended that the report be referred to Cabinet. A copy of the report had been circulated.

Resolved: That the report be approved and adopted.

Reports for Information

531. NEIGHBOURHOOD POLICING/NEIGHBOURHOOD MANAGEMENT

The Head of Environment and Leisure Services submitted a comprehensive report to update Members on the effectiveness of the arrangements developed to deliver on the joint Neighbourhood Policing / Neighbourhood Management Agenda detailed in the report entitled 'Joint Working with Durham Constabulary – Neighbourhood Services' presented to Cabinet on 5th April 2006.

Resolved: That the good work carried out in partnership with other responsible organisations be noted.

532. PROPOSED WOODLAND BURIAL FACILITY AT SOUTH ROAD CEMETERY, DURHAM

The Head of Environment and Leisure Services submitted a comprehensive report to update Members on the development of a woodland burial facility as detailed in the report entitled 'Developing a joint partnership arrangement for the provision of a woodland burial facility at South Road Cemetery, Durham City' presented to Cabinet on 1st November 2006.

Resolved: That the report be noted.

533. RISK MANAGEMENT WORKING GROUP – PROGRESS REPORT

The Director of Strategic Services submitted a comprehensive report that outlined the further progress Risk Management Working Group had made from April to November 2007 and the action it planned to take in future months.

Resolved: That the report be noted.

534. LOCAL GOVERNMENT OMBUDSMAN CASES

The Chief Executive submitted a report of successful defences of complaints referred to the Commission for Local Administration in England.

Resolved: That the report be noted.

535. SCHEDULE OF COMPLAINTS RECEIVED UNDER THE COUNCIL'S COMPLAINTS PROCEDURE 2007/08

The Head of Legal and Strategic Services submitted a schedule listing the complaints received under the new complaints procedure, which commenced in January 2007.

Resolved: That the report be noted.

536. HARMONISATION OF CONTRACT DOCUMENTS

The Director of Strategic Services submitted a comprehensive report on the adoption of a standard set of documents which had been developed during the Harmonisation of Contract Documents project in conjunction with the NECE.

Resolved: That the report be noted.

537. LEADER'S BUSINESS

The Leader advised Members that it had been announced that Congleton Borough Council, Shrewsbury and Atcham Borough Council had lost their appeal in respect of the Judicial Review on Local Government Re-organisation.

Arrangements had been made for a Special Cabinet Meeting to be held on 19th March, 2008 to update Members fully on this matter.

538. IN PRIVATE

Portfolio Member Recommendations or Items Requiring a Cabinet Decision

539. EARLY RETIREMENT/VOLUNTARY REDUNDANCY APPLICATIONS

The Portfolio Holder for Performance Management and the Director of Corporate Services submitted a comprehensive report to consider applications for Early Retirement/Voluntary Redundancy.

Resolved: (i) That Mr. C. Worrall's application for Early Retirement/Voluntary Redundancy be approved and Post No. EL106, Vehicle Maintenance Fitter be deleted from the establishment.

(ii) That Mr. Lund's application for Early Retirement/Voluntary Redundancy be approved and Post No. PS76 be deleted from the establishment.

(iii) That the applications for Early Retirement/Voluntary Redundancy from Mr. W.E. Elgey, Mr. P. Ryan, Mr. W.P. O'Reagan, Mr. J. Howlett, Mr. J.R. Thompson, Mr. P. Carroll, Mr. G. Renwick, Mr. C. Snook, Mr. M. Ellerby, Mr. C. Suggett, Mr. F. Wallace, Mr. B. Williamson , Mrs. L. Robertson and Mr. K. Smith be not approved.

540. REVENUE COLLECTION, RECOVERY & IRRECOVERABLE ITEMS

The Portfolio Holder for Finance and the Director of Financial Services submitted a comprehensive report to provide members with a schedule of irrecoverable items and to request that Cabinet approve the write off of these sums. The report also set out the current position in terms of the Council's provision for bad and doubtful debts.

Resolved: That the items of irrecoverable debt referred to in the report and set out at Appendix I to IV of the report be written off.

Reports for Information

541. REVENUE COLLECTION, RECOVERY & IRRECOVERABLE ITEMS

OVERPAID HOUSING BENEFIT DEBTOR IRRECOVERABLE ITEMS

(a) Items of £500 or less

37 items of Overpaid Housing Benefit Debtors amounting to £7,858.55, which had been found to be uncollectable, had been written off in accordance with the Council's Financial Regulations

Resolved: That the action taken in item (a) above be noted.

(b) Items between £500 and £1,000

7 items of Overpaid Housing Benefit Debtors amounting to £4,955.29 (listed at Appendix I to the Report), which had been found to be uncollectable for the reasons stated were set out and had been written off in accordance with the Council's Financial Regulations.

Resolved: That the action taken in item (b) above be noted.

COUNCIL TAX IRRECOVERABLE ITEMS

(c) Items of £500 or less

194 items of Council Tax arrears and credits amounting to £21,274.24 which had been found to be uncollectable, had been written off in accordance with the Council's Financial Regulations

Resolved: That the action taken in item (c) above be noted.

(d) Items between £500 and £1,000

23 items of Council Tax arrears amounting to £15,854.28 (listed at Appendix II to the Report), which had been found to be uncollectable for the reason stated, was set out and had been written off in accordance with the Council's Financial Regulations.

Resolved: That the action taken in item (d) above be noted.

NON-DOMESTIC RATES IRRECOVERABLE ITEMS

(e) Items of £500 or less

10 items of Non-Domestic Rate arrears and credits amounting to £35.67, which had been found to be uncollectable, had been written off in accordance with the Council's Financial Regulations

Resolved: That the action taken in item (e) above be noted.

(f) Items between £500 and £1,000

6 items of Non-Domestic Rate arrears amounting to £4,500.52 (listed at Appendix III to the Report), which had been found to be uncollectable for the reason stated, was set out and had been written off in accordance with the Council's Financial Regulations.

Resolved: That the action taken in item (f) above be noted.

SUNDRY DEBTOR IRRECOVERABLE ITEMS

(g) Items of £500 or less

22 items of General Debtors amounting to £3,595.66, which had been found to be uncollectable, had been written off in accordance with the Council's Financial Regulations.

Resolved: That the action taken in item (g) above be noted.

(h) Items between £500 and £1,000

15 items of General Debtors amounting to £10,693.52 (listed at Appendix IV to the report), which had been found to be uncollectable, had been written off in accordance with the Council's Financial Regulations

Resolved: That the action taken in item (h) above be noted.

The Meeting terminated at 3.20 p.m.

Chair