

Durham City Council

March 2008

# **Annual Audit and Inspection Letter**

**Durham City Council**

External audit is an essential element in the process of accountability for public money and makes an important contribution to the stewardship of public resources and the corporate governance of public services.

Audit in the public sector is underpinned by three fundamental principles:

- auditors are appointed independently from the bodies being audited;
- the scope of auditors' work is extended to cover not only the audit of financial statements but also value for money and the conduct of public business; and
- auditors may report aspects of their work widely to the public and other key stakeholders.

The duties and powers of auditors appointed by the Audit Commission are set out in the Audit Commission Act 1998 and the Local Government Act 1999 and the Commission's statutory Code of Audit Practice. Under the Code of Audit Practice, appointed auditors are also required to comply with the current professional standards issued by the independent Auditing Practices Board.

Appointed auditors act quite separately from the Commission and in meeting their statutory responsibilities are required to exercise their professional judgement independently of both the Commission and the audited body.

### **Status of our reports**

This report provides an overall summary of the Audit Commission's assessment of the Council, drawing on audit, inspection and performance assessment work and is prepared by your Relationship Manager.

In this report, the Commission summarises findings and conclusions from the statutory audit, which have previously been reported to you by your appointed auditor. Appointed auditors act separately from the Commission and, in meeting their statutory responsibilities, are required to exercise their professional judgement independently of the Commission (and the audited body). The findings and conclusions therefore remain those of the appointed auditor and should be considered within the context of the Statement of Responsibilities of Auditors and Audited Bodies issued by the Audit Commission.

Reports prepared by appointed auditors are:

- prepared in the context of the Statement of Responsibilities of Auditors and Audited Bodies issued by the Audit Commission; and
- addressed to members or officers and prepared for the sole use of the audited body; no responsibility is taken by auditors to any member or officer in their individual capacity, or to any third party.

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## Key messages

1 The key messages arising from our inspection work, including Direction of Travel, were as follows.

- The Council is improving services in areas that it has identified as priorities and in areas that the public say are important to their communities. However, the Council is not improving its services as fast as many other district councils.
- The Council is showing effective leadership on regeneration within the district, including partnership working such as with the Durham Villages Regeneration Company (DVRC) and with a private construction company. 'Heart of the City' and village regeneration initiatives are improving the lives of local people on a scheme by scheme basis, including housing and leisure facilities. However, the Durham councils are not working together well enough to close the gap between economic prosperity in Durham and the rest of the country.
- The Council has invested considerably in ensuring that it has the capacity and skills to deliver improved services, better productivity and greater customer focus. Levels of sickness absence remain high but are beginning to fall.
- The Council's medium term financial plan is in line with its corporate aims and objectives and is designed to provide a financial strategy to underpin the Corporate Performance Plan. However, the Council does not yet manage all performance data sufficiently well to enable officers and councillors to manage performance robustly in some services.

2 The key messages arising from the audit are as follows.

- We were able to give an unqualified opinion on the Council's accounts
- The previous improvement in financial reporting has been maintained with accounts being produced within deadline, presented fairly and containing only a small number of non-trivial errors.
- The Council considered the views of a range of stakeholders before deciding to publish an annual report.
- The Council's medium-term final strategy, budgets and capital programme are soundly based and in line with its strategic objectives.
- The Council has identified its significant partnerships and has ensured that appropriate governance arrangements are in place for each of them.
- The Council has continued to develop processes to evaluate the effectiveness of recovery actions.

3 Other key messages:

- the Government has decided to take forward the option of local government reorganisation in County Durham. The City Council will demise next year and its functions will be transferred to a new unitary council that will cover the whole of County Durham. Early indications are that the Council is making a positive contribution to making a success of the new council but this early impetus needs to be maintained over the coming months.

## Action needed by the Council

- 4 The Council and the new County Durham Council should work within the framework provided by the County Durham Economic Partnership to progress our recommendations in the county-wide inspection of Regeneration. In summary, these were to take steps to strengthen the coherence of regeneration activity and collaboration amongst stakeholders by:
- starting and maintaining a public debate on the future of Durham's economy;
  - aligning regeneration strategies and strengthen collaboration amongst partners to match the pace of external change, without regard to local government boundaries;
  - considering with partners how the importance of skills and aspirations can be embedded in the culture of County Durham;
  - ensuring that housing strategies align with economic strategies and opportunities and with transport strategy;
  - strengthening leadership on regeneration activity;
  - providing independent capacity to develop and deliver strategy; and
  - reviewing how resources are used to lever in private funding in order to maximise their impact.
- 5 The Council should focus on striving to improve its performance where performance indicators are lower than the average district council performance and where performance fluctuates. It should ensure that all services are better able to manage data to inform the business planning and performance management.
- 6 The key actions needed to further strengthen arrangements are as follows.
- Ensure that the accounts are supported by exemplary working papers.
  - The Council's MTFs could be improved by including in financial terms joint plans agreed with its significant partners.
  - The Council should specifically consider the risk of fraud and corruption in the overall risk management process.

- 7 In order to provide a smooth transition to the new unitary council for County Durham the Council should continue to:
- prioritise making a positive contribution to transitional working designed to establish the new council;
  - set aside or secure sufficient resources to make the above contribution; and
  - ensure that attention is given to maintaining key public services during the period of transition.

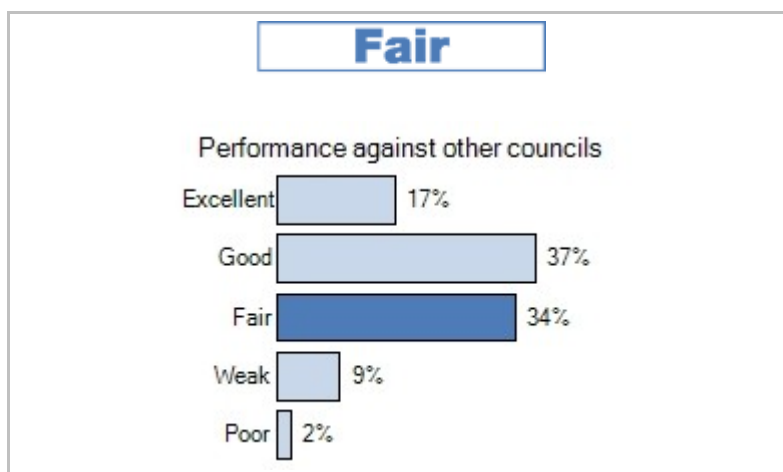
## Purpose, responsibilities and scope

- 8 This report provides an overall summary of the Audit Commission's assessment of the Council. It draws on the most recent Comprehensive Performance Assessment (CPA), the findings and conclusions from the audit of the Council for 2006/07 and from any inspections undertaken since the last Annual Audit and Inspection Letter.
- 9 We have addressed this letter to members as it is the responsibility of the Council to ensure that proper arrangements are in place for the conduct of its business and that it safeguards and properly accounts for public money. We have made recommendations to assist the Council in meeting its responsibilities.
- 10 This letter also communicates the significant issues to key external stakeholders, including members of the public. We will publish this letter on the Audit Commission website at [www.audit-commission.gov.uk](http://www.audit-commission.gov.uk). In addition, the Council is planning to publish it on its website.
- 11 Your appointed auditor, Steve Nicklin is responsible for planning and carrying out an audit that meets the requirements of the Audit Commission's Code of Audit Practice (the Code). Under the Code, he reviews and reports on:
  - the Council's accounts;
  - whether the Council has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources (value for money conclusion); and
  - whether the Council's best value performance plan has been prepared and published in line with legislation and statutory guidance.
- 12 This letter includes the latest assessment on the Council's performance under the CPA framework, including our Direction of Travel report, and the results of any inspections carried out by the Audit Commission under section 10 of the Local Government Act 1999. It summarises the key issues arising from the CPA and any such inspections. Inspection reports are issued in accordance with the Audit Commission's duty under section 13 of the 1999 Act.
- 13 We have listed the reports issued to the Council relating to 2006/07 audit and inspection work at the end of this letter.

## How is City of Durham Council performing?

- 14 City of Durham Council was assessed as Fair in the Comprehensive Performance Assessment carried out in 2003. These assessments have been completed in all district councils and we are now updating these assessments, through an updated corporate assessment, in councils where there is evidence of change. However, Local Government Re-organisation has prevented this Council from accessing an updated assessment although it has made progress in its services and the way it works since 2003. The following chart is the latest position across all district councils.

**Figure 1 Overall performance of district councils in CPA**



Source: Audit Commission

## The improvement since last year - our Direction of Travel report

- 15 The Council is improving services in areas that it has identified as priorities and in areas that the public say are important to their communities. The Council, with its partners and the local community, has continued to implement a programme of social, economic and environmental regeneration. It has clarified its ambitions for the City and the district by aligning its Best Value Performance Plan, Corporate Business Plan and Medium Term Financial Plan. Over the past year the focus for investment has been in the Council's priority areas and it Council has seen improvements in both outcomes and performance. However, the Council is not improving its services as fast as many other district councils.



- 16 The Audit Commission's 2006/07 Direction of Travel (DoT) basket of performance indicators (PIs) shows that overall the Council's performance was below or at the average improvement for district councils.
- Between 2003/04 and 2006/07, the Council improved its performance in 46 per cent of the DoT PIs, which is well below the district council average of 55 per cent.
  - In 2006/07, the Council has improved its performance in 56 per cent of these PIs, which is slightly below the district council average of 58 per cent.
  - In 2006/07 the Council had 34 per cent of the DoT PIs in the best quartile, which is slightly above the district council average for 2006/07 of 33 per cent but less than the previous year's 43 per cent.
- 17 The greatest improvement over the year was achieved in waste management, cleanliness and land use, with 80 per cent of Council PIs improving (district average 62 per cent), placing 62 per cent of Council PIs in the best quartile (district average 34 per cent).
- 18 Areas where performance was poorer in 2006/7 were:
- eight 'corporate' PIs deteriorated and five of these remained in quartile 3 or 4; however, four of these relate to housing benefit claims, where the introduction of a new computer system and other changes affected performance which has now improved on all these indicators;
  - in regulation, three PIs deteriorated and two remained in quartile 4; all relate to performance on planning applications;
  - in local environment, the PI for cost of waste collection per household deteriorated but remained in the best quartile; and
  - in housing, two PIs deteriorated: the percentage change in the proportion of non-decent homes remained quartile 3 and the percentage change in the number of households in temporary accommodation remained quartile 1.
- 19 The Council's vision focuses on three themes: flourishing communities; quality public services; and Durham as capital city; these are underpinned by ten strategic priorities. Through these, the Council is contributing well to improvements in wider community outcomes.
- 20 The Council is maintaining or improving performance in its **flourishing community** priority areas. It recognises that its operations influence the district's environment, economy and society and continues to make an effective contribution to improving outcomes in the wider community.

- 21 The Council's efforts are supporting regeneration and economic development. Its contribution to the regeneration of the City was acknowledged during 2007 in our inspection of Regeneration; the report, which is summarised in the next section of this Letter, highlighted the Council's understanding of the needs of local communities. The positive outcomes of the Council's investment in village regeneration initiatives, which includes working with the private sector, has been nationally recognised by a British Urban Regeneration Award for best practice in regeneration, awarded in October 2007. The investment is contributing to a range of regeneration projects that are improving the lives of local people. The Council has continued to work with the Local Strategic Partnership (LSP) to support the very successful, annual Future Business Magnates competition aimed at engaging young people from local schools in entrepreneurial activities with local businesses.
- 22 With partners, the Council continues to address community safety issues through a range of multi-agency initiatives. Its involvement is helping to keep most categories of crime and fear of crime below average levels. Domestic burglaries and violent crime increased in 2006/07 but still remained below the level in other areas.
- 23 Through its participation in projects with the Primary Care Trust and other local partners the Council is helping to address community health issues; for example, by introducing a service to help City Care service users return to their homes following discharge from hospital. Leisure services are targeting the needs of young teenagers, minority groups and disabled people by offering extra transport arrangements and reducing admission charges.
- 24 The Council is improving the **quality of local public services** but action is needed in some areas. Housing management has improved in the past year with the average time taken to complete both emergency and non-urgent repairs to Council houses improving substantially, particularly since July 2007 (unaudited data). Progress towards ensuring decent homes is also improving and there is a clear programme and committed investment to achieve the standard for all Council houses by 2010.
- 25 The performance of the Council's environmental services has improved. Recycling and composting rates have risen. In 2006 (the latest available national data) public satisfaction with waste collection and cleanliness of public spaces remained high, but satisfaction with recycling was low. The Council has recently agreed changes in its kerbside collection of materials for recycling. It has recently agreed a sustainable development policy that includes sustainable consumption and production, climate change and energy, natural resource protection, environmental enhancement and sustainable communities.
- 26 The performance of the planning services is mixed. In 2006/07 it did not fully maintain the levels achieved in 2005/06. However, the speed with which minor applications are determined and the quality of service provided have both improved. The Council has identified a number of reasons for fluctuation in performance, including a higher number of applications, increased public interest leading to more consultations and an increase in the number of planning appeals, and it has taken action to improve performance.

- 27 Housing benefit claims performance deteriorated in 2006/07, with the average time to process new claims and change of circumstances remaining in the third and fourth (worst) quartiles respectively. However, the introduction of a new computer system and other changes had adversely affected performance which has now improved. The number of cases processed correctly and the proportion of overpayments recovered remained in the best quartile.
- 28 Public satisfaction with sport and recreation facilities improved and in 2006/07 was almost best quartile. Public satisfaction levels are high for theatres, concert halls, museums, galleries and libraries, but remain relatively low for parks and open spaces.
- 29 The Council has made progress in its **Capital City** priority. There are major developments within the City such as construction of the swimming pool and leisure centre plus alteration, improved access to the Town Hall as a new tourist attraction and successful work to improve the whole tourist experience to encourage tourists to stay longer in the City. These and other initiatives are continuing to keep local levels of unemployment below both national and regional averages.
- 30 Through its Durham City 2020 Vision Masterplan the Council has analysed the existing characteristics of the City Centre and proposed a range of strategies to improve such things as shopping, leisure, entertainment and tourism, residential development, illumination and signing, traffic and transport.
- 31 The Council is active in its support of fair trade, and the City of Durham has been recognised as a Fair Trade City. Fair Trade products are now available in over 20 outlets within the district and the City hosts Fair Trade market events throughout the year.
- 32 The Council is improving access to services for local people and building on the improved public communications it has developed through grant-funded regeneration projects; in partnership with external agencies, it is extending these into the wider community. It has established a forum of staff who routinely work in direct contact with the public. Feedback from this group is helping to inform policy, access and service delivery.
- 33 The Council's CityInfo centres continue to provide direct access for most local people. A customer relationship management system has been implemented successfully and is improving customer service, reducing duplication through improved data sharing and helping to provide more streamlined and efficient service delivery. Electronic mobile working for Benefits Visiting Officers is allowing real time access to information in customers' homes.
- 34 The Council is committed to providing equity in its service provision. It has now achieved Level 2 of Equality Standard for Local Government and has an action plan to achieve Level 3. Equalities training has been provided for managers and there is an agreed programme for undertaking Equality Impact Assessments across services.

- 35** The Council provides good value for money. It sets and achieves ambitious targets to improve efficiency and value for money. Targets are used intelligently to reflect potential for improvement. The Council has integrated efficiency review into its management arrangements and has again exceeded its own and Gershon review targets for achieving efficiency savings. It remains committed to undertaking option appraisal of its services where appropriate; this has been demonstrated in practice with service restructuring resulting in efficiency savings without a fall in the quality of service provision. Expenditure on culture and heritage remains high but this is consistent with the Council's capital city and flourishing communities' priorities. At the Gala Theatre, costs have reduced and attendances have increased.
- 36** The Council also seeks greater efficiencies by working in partnership with others and actively pursues opportunities for joint procurement. Procurement decisions are made to benefit to the wider community by securing economic, social or environmental benefits. An independent procurement health check by the North East Centre of Excellence (NECE) concluded that the Council has a consistent and positive approach to strategic procurement.
- 37** However, the cost of overheads increased slightly in 2006/07 and was above the average for the Council's 'nearest neighbours' comparator group; other councils' overhead costs fell. This increase is the result of the costs of early retirements and capital financing charges on ICT systems. Both costs are incurred for five years only, and both schemes are generating efficiency savings in direct and support services. The Council forecasts that the level of unapportioned overheads will begin to fall from 2010/11 onwards. When compared to its nearest neighbours the Council's band D Council tax has increased below the level of inflation but remains above average.
- 38** Currently, the Council has the capacity to deliver its plans. It has made good progress in organisational and service improvements, although these are not yet all reflected in PI performance. It has undertaken a major restructuring exercise aligning elements within Finance, Strategic Services and Corporate Services to better reflect external demands. All Council projects, including continuous service improvement programmes, are now required to have a business case incorporating benefits realisation. A new Constitution has been agreed which reflects new management structures and incorporates corporate values, particularly those relating to efficiency, transparency and accountability.
- 39** The Council's medium term financial plan is in line with its corporate aims and objectives and is designed to provide a financial strategy to underpin the Corporate Performance Plan. Similarly, the business planning process is integrated with the performance management framework and now aligns achievements and targets with the key aims and objectives of the Council's Corporate Performance Plan. However, the Council does not yet manage performance data sufficiently well to enable officers and councillors to manage performance robustly in all services.
- 40** The Council has invested considerably in ensuring that it has the capacity and skills to deliver improved services, better productivity and greater customer focus. Levels of sickness absence remain high but are beginning to fall.

- 41 However, as local government reorganisation progresses it may result in key staff leaving the Council; this may impact on its ability to maintain and develop its core functions and services. At the same time the Council needs to be making a positive contribution to making a success of the new unitary council for County Durham. The Council will need to plan to ensure that essential services are maintained and that appropriate resources are identified to secure this outcome and to input into planning for the new council.

## Service inspections

### Regeneration inspection of City of Durham Council

- 42 During 2007 we carried out an inspection of the regeneration services of the Council; the report was published in August 2007. The inspection resulted in two judgements: the service was found to be 'good', but the prospects for improvement were found to be 'uncertain'.
- 43 The key findings from the inspection were as follows.
- The Council has a clear vision for the regeneration of the district and priorities which reflect the needs of local communities, but it is not always clear how its actions contribute to regional priorities. At the time of this inspection, regeneration services had not made full use of potential joint working with other councils.
  - The Council is showing effective leadership on regeneration within the district, including partnership working such as with the Durham Villages Regeneration Company (DVRC) and with a private construction company. 'Heart of the City' and village regeneration initiatives are improving the lives of local people on a scheme by scheme basis, including housing and leisure facilities.
  - The Council has been effective in securing external funding and it has robust systems to ensure that capital projects address corporate priorities. It has established effective controls to help deliver its priorities for regeneration and to identify the long-term financial implications of projects.
  - The economic development service and its partners engage well with new and existing businesses to provide support and advice. The tourism service provides a good facility at its tourist information centre (TIC) in Durham City but although visitor satisfaction is high, usage is low.
  - The Council has clearly defined its plans for improvement but its regeneration services have still to fully implement a number of the arrangements, such as effective performance management, target setting and identifying whether value for money is being achieved.
  - The Council is improving the skills of staff and councillors through a programme of training and development to address identified needs but councillor participation in training in a number of areas was very low at the time of the inspection.

## County-wide inspection of Regeneration

- 44 During 2007 we also carried out a county-wide inspection of Regeneration, covering all eight local councils in County Durham. The report was published in August 2007. The key findings were as follows.
- Councils are providing good regeneration services individually. However, in spite of much external funding and considerable resource contributions of their own, they are not collectively closing the gap in prosperity between Durham and the rest of the country. There is also little evidence that the gaps between the most disadvantaged and rest of region are closing.
  - Strategic leadership on the economy in Durham has been weak. When councils and partners work together then making good progress and identify and develop some real opportunities, but there are not enough examples of this. Councils tend to work within their own boundaries rather than across geographical areas (this is in part driven by external funding arrangements).
  - While there seems a general acceptance that part of the solution is to work at city region scale to widen and deepen markets, County Durham does not seem clear on its relationship to the two City Regions of Tyne and Wear and Tees Valley.
  - Identification of local needs is weak: there is a lack of engagement with key stakeholders and little sharing of information about local needs. This includes insufficient engagement with, and understanding of, businesses and their needs, eg for skills development. Intelligence and data are not shared between councils.



## The audit of the accounts and value for money

- 45 Your appointed auditor has reported separately to the Council on the issues arising from our 2006/07 audit and has issued:
- an audit report, providing an unqualified opinion on the accounts of Durham County council as well as the Pension Fund;
  - a conclusion on your VFM arrangements to say that these arrangements are adequate; and
  - a report on the Best Value Performance Plan confirming that the Plan has been audited and published in accordance with the statutory requirements.

### Use of Resources

- 46 The Use of Resources score is derived from the assessments made by the auditor in the following areas.
- Financial reporting (including the preparation of the accounts of the Council and the way these are presented to the public).
  - Financial management (including how the financial management is integrated with strategy to support council priorities).
  - Financial standing (including the strength of the Council's financial position).
  - Internal control (including how effectively the Council maintains proper stewardship and control of its finances).
  - Value for money (including an assessment of how well the Council balances the costs and quality of its services).
- 47 We have assessed the Council's arrangements for use of resources in these five areas as follows.

**Table 1**

Element	Assessment
Financial reporting	3 out of 4
Financial management	3 out of 4
Financial standing	3 out of 4
Internal control	3 out of 4
Value for money	3 out of 4
<b>Overall assessment of the Audit Commission</b>	<b>3 out of 4</b>

(Note: 1 = lowest, 4 = highest)

## The key issues arising from the audit

- 48 The key issues arising from the audit, as reflected in the above judgements where appropriate, are as follows.
- We were able to issue an unqualified opinion on the Council's accounts and conclude that adequate arrangements were in place to secure value for money.
  - The previous improvement in financial reporting has been maintained with accounts being produced within deadline, presented fairly and containing only a small number of non-trivial errors.
  - The Council considered the views of a range of stakeholders before deciding to publish an annual report.
  - The Council's medium-term final strategy, budgets and capital programme are soundly based and in line with its strategic objectives.
  - The Council has identified its significant partnerships and has ensured that appropriate governance arrangements are in place for each of them.
  - The Council has continued to develop processes to evaluate the effectiveness of recovery actions.
- 49 The key actions needed to further strengthen arrangements are as follows.
- Ensure that the accounts are supported by exemplary working papers.
  - The Council's MTFs could be improved by including in financial terms joint plans agreed with its significant partners.
  - The Council should specifically consider the risk of fraud and corruption in the overall risk management process

## Local risk work

- 50 A key component of the Audit Commission's national strategy for improving the impact of local audit and performance work, and delivering strategic regulation, is to carry out integrated reviews which cut across a number of public bodies and help improve the quality of life for local people. Work has been included in audit and inspection programmes across the North East for 2006/07 on two key cross-cutting themes, health inequalities and regeneration.

## Health inequalities

- 51 Partnership working is helping to improve the North East's health outcomes but more needs to be done to close the gap between the North East and the rest of England. Life expectancy is lower, rates for sickness and disability are twice the national average, and smoking mortality rates are among the highest in England. There is also a high prevalence of obesity, increasing sexual health infection rates and serious alcohol and substance misuse issues.



- 52** Tackling health inequalities is a high priority for the Government, which has been increasingly encouraging health trusts to work in partnership with local public bodies and the voluntary sector to improve health and reduce inequalities through a number of initiatives, targets and legislation. The factors causing health inequalities are complex and can best be addressed through agencies working together.
- 53** The Audit Commission, Deloitte and PricewaterhouseCoopers have reviewed how organisations across the North East are working together to address health inequalities, culminating in a workshop in October 2007 for 200 representatives from the NHS, local government and the many voluntary sector agencies involved in tackling health inequalities, where we identified seven key challenges.
- Challenge 1: Develop arrangements to evaluate projects and ensure continued funding of those that deliver tangible outcomes, and to embed this learning in project planning and performance management systems.
  - Challenge 2: Gather intelligence on where gaps in services exist and a profile of those accessing services. Target services at those areas and individuals where there is unmet need and develop strategies to target hard to reach groups.
  - Challenge 3: Ensure local area agreements contain a breadth of targets to reduce health inequalities, across all sectors and ensure health and wellbeing strategies are translated into local delivery plans that contain sufficient detail and local targets to monitor progress.
  - Challenge 4: Spread awareness of priorities and services on offer and provide networking opportunities and information sharing systems to improve the links between service planners and service providers. Cascade messages and targets to front line workers such as teachers, health professionals and social workers.
  - Challenge 5: Use the Regional Health and Wellbeing Strategy to provide direction for the North East and link national, regional and local policies. Develop networking opportunities and support to share good practice to achieve the aim of transforming the North East into the healthiest region in the country within a generation.
  - Challenge 6: Give community and voluntary sector organisations increased certainty over funding with agreed delivery targets and simplify commissioning arrangements to make it easier for them to bid for the provision of services.
  - Challenge 7: systematically seek community views to influence how and where services are provided.
- 54** A report summarising the work to date was distributed widely to inform future development and improvement. We will be building on this work in the coming year, focussing in on specific areas, identifying good practice and helping to identify and overcome barriers to improving health outcomes in the North East.

## Looking ahead

- 55** The public service inspectorates are currently developing a new performance assessment framework, the Comprehensive Area Assessment (CAA). CAA will provide the first holistic independent assessment of the prospects for local areas and the quality of life for people living there. It will put the experience of citizens, people who use services and local tax payers at the centre of the new local assessment framework, with a particular focus on the needs of those whose circumstances make them vulnerable. It will recognise the importance of effective local partnership working, the enhanced role of Sustainable Communities Strategies and Local Area Agreements and the importance of councils in leading and shaping the communities they serve.
- 56** Even though the Council will demise from 31 March 2009 it still has a key role in establishing the foundations of the new council and enabling it to respond to the future challenges of both new local area agreements and public expectations of service improvements leading to a better quality of life that will be assessed under CAA.

## Closing remarks

- 57 This letter has been discussed and agreed with senior officers. A copy of the letter will be presented at the cabinet meeting on 4 June 2008. Copies need to be provided to all Council members.
- 58 Further detailed findings, conclusions and recommendations on the areas covered by audit and inspection work are included in the reports issued to the Council during the year.

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**Table 2      Reports issued**

<b>Report</b>	<b>Date of issue</b>
Audit and inspection plan	March 2006
Annual Governance Report	September 2007
Opinion on financial statements	September 2007
Value for money conclusion	September 2007
Regeneration inspection of the Council	August 2007
Regeneration inspection of County Durham (covering all eight councils in the county)	August 2007
Direction of Travel report (within Annual Audit and Inspection Letter)	March 2008
Annual Audit and Inspection Letter	March 2008

- 59 The Council has taken a positive and constructive approach to audit and inspection work, and we wish to thank the Council's staff for their support and cooperation.

## Availability of this letter

- 60 This letter will be published on the Audit Commission's website at [www.audit-commission.gov.uk](http://www.audit-commission.gov.uk), and also on the Council's website.

**Sarah Diggle**  
Relationship Manager

**Steve Nicklin**  
District Auditor

March 2008

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## Agenda Item 5(a)

STATUS PUBLIC

<b>Portfolio Member/Director/Head of Service</b> Councillor Fraser Reynolds/Executive Director	<b>Portfolio</b> Leader
<b>Subject</b> Health and Safety Policy	<b>Date</b> 4 June 2008
	<b>Forward Plan</b> No
<b>Contact Officer</b> Ken Sinclair, Health and Safety Officer, ext 8754	<b>Previous Minutes</b> None
<b>Purpose of Report</b> This report considers the revised Health and Safety Policy, summarises its key messages, outlines arrangements for its implementations and seeks the support of members.	
<b>Executive Summary</b> At the City of Durham Council health and safety responsibilities come first, last and always. This Council is committed to providing a safe and healthy environment for employees and other persons who may be affected by the Authority's activities. The Council has therefore revised its Health and Safety Policy, to ensure that it continues to comply with all statutory requirements and incorporate best practice.  The revised policy first outlines the Council's aims and objectives in providing a safe and healthy workplace and working environment for all its employees and all those who become affected by its activities. In Part 2 "Organisation and Management Arrangements" the policy also details the responsibilities of Elected Members, the Executive Director, Chief Officers, Line Managers and Supervisors, and all employees, as well as safety representatives, and the Health and Safety Officer and his assistant. In Part 3, the policy sets out the procedural arrangements the Council has put in place. The appendices contain operational procedures covering the health and safety issues.  Should Cabinet approve this Policy, officers have prepared a programme to ensure that all members and employees are made aware of its contents. These proposals, and their resource implications are summarised below.	
<b>Portfolio Member Recommendations or Items Requiring a Cabinet Decision</b> To approve the revised Health and Safety Policy	
<b>Reasons for Recommendations</b> The Council wishes to ensure that it has an updated Health and Safety Policy, which incorporates recent legislative changes and current best practice.	
<b>Alternative Options To Be Considered</b> The Council could continue to adopt its current policy	
<b>Consultation</b> The Policy has been considered by Risk Management Working Group and OMT. The Council will consult with its Safety Committee and with Trade Union representatives in May.  The Council will establish a programme to inform all members and employees of this revised Policy. This programme will include <ul style="list-style-type: none"> <li>• publicising the Policy in Communication Matters</li> <li>• the provision of awareness training by the Health and Safety Officer, in team</li> </ul>	

<p>briefings, staff meetings and supplementary sessions as appropriate</p> <ul style="list-style-type: none"> <li>• the distribution of a copy of the Policy to all employees, either through Sharepoint, e-mail or by hard copy</li> <li>• commissioning specialist training from external providers, if necessary</li> </ul>
<p><b>LGR Implications</b></p> <p>This report does not fall within the direction issued by the Secretary of State for Communities and Local Government on 29<sup>th</sup> February 2008 and accordingly does not require the consent of any other body prior to a decision being made by Cabinet.</p>
<p><b>Financial, Legal and Risk Implications</b></p> <p>The Health and Safety Policy outlines the risks the Council faces if it does not comply with relevant legislation. These risks include health risks such as loss of life, health by members of the public and employees, legal prosecutions with the possibility of imprisonment or imposition of penalties and financial costs in the form of compensation and/or fines.</p> <p>The Council will incur costs in implementing this Policy. This will cover the production of the policies, the dissemination of copies and the provision of training. These costs can be accommodated within the Council's 2008/9 budgets.</p>
<p><b>Resource Implications</b></p> <p>In addition to the financial costs outlined above, Council staff will prepare copies of the Policy for dissemination, provide training and attend awareness sessions.</p>
<p><b>Timescale for Action</b></p> <p>The Policy will be implemented immediately following approval by Cabinet.</p>
<p><b>Associated Policies and Plans</b></p> <p>Transition Plan          Corporate Performance Plan 2007-2010          Risk Management Policy and Strategy          Guidance notes in respect of Risk Assessments</p>
<p><b>Supporting Documents</b></p> <p>Health and Safety Policy - available on Members Online and in the Members Room</p>
<p><b>Background Papers</b></p> <ul style="list-style-type: none"> <li>• The Council's existing Health and Safety Policy</li> <li>• Agendas of Risk Management Working Group and OMT</li> <li>• Training programmes offered by specialist providers</li> <li>• Relevant legislation including the Health and Safety at Work Act 1974, the Management of Health and Safety at Work Regulations 1999 and all other relevant statutory Health and Safety Provisions</li> </ul>

## Agenda Item 5(b)

STATUS PUBLIC

<b>Portfolio Member/Director/Head of Service</b> Councillor Dennis Jackson/Ron Henderson	<b>Portfolio</b> Performance Managment
<b>Subject</b> Translation and Interpretation Policy and Guidelines	<b>Date</b> 4th June, 2008
	<b>Forward Plan</b> No
<b>Contact Officer</b> Mrs. J.L. Coppillie, ext. 8884	<b>Previous Minutes</b>
<b>Purpose of Report</b> To promote equality of access to information and services for all sections of the community	
<b>Executive Summary</b> <p>As a Council providing services to every person within the community, we must ensure that we meet the needs of the whole community and that all our information can be made available in different formats on request.</p> <p>These formats include other languages, large print, Braille or talking tape. When appropriate, we should also provide sign language, face-to-face interpretation and telephone interpretation services.</p> <p>The Race Relations Act states that it is unlawful for a provider of services to racially discriminate against persons using their services. There is nothing in the act that states that failure to provide information in the language of the recipient of the information is discrimination. However, under the Act, Council's have a specific duty to promote equality of opportunity and good relations between persons of different racial groups. Therefore, it is a matter of good practice to provide information in languages other than English.</p> <p>Guidance for Local Authorities on Translation of Publications published by Communities and Local Government in November, 2007, implements one of the recommendations of the Commission on Integration and Cohesion. The CiC in their report Our Shared Future said;</p> <p>"Local Authorities and their partners should consider moving from a position of automatic translation of all documents into community languages, towards a more selective approach - driven by need."</p> <p>The Disability Discrimination Act 1995 requires any organisation that provides goods and services to the public to make reasonable adjustments to the way services are provided in order to give disabled people equal rights of access. This includes the way that information about those services is provided. Therefore, the Council has a duty to provide information in alternative formats such as Braille, audiotape, or via a sign language interpreter upon request.</p> <p>This policy and guidelines will ensure that staff are aware of the steps to follow when they receive a request for translation or interpretation services.</p>	

<p><b>Portfolio Member Recommendations or Items Requiring a Cabinet Decision</b></p> <p>That the Translation and Interpretation Policy and Guidelines be adopted.</p>
<p><b>Reasons for Recommendations</b></p> <p>To promote equality of access to information and services for all sections of the community and to meet our statutory duties to promote race equality under the Race Relations Act and to provide reasonable adjustments under the Disability Discrimination Act.</p>
<p><b>Alternative Options To Be Considered</b></p> <p>N/A</p>
<p><b>Consultation</b></p> <p>Operational Equalities Group, OMT</p>
<p><b>Financial, Legal and Risk Implications</b></p> <p>Costs for translation and interpretation will be met from departmental budgets.</p>
<p><b>Resource Implications</b></p> <p>Individual costs for translation and interpretation.</p>
<p><b>LGR Implications</b></p> <p>This report does not fall within the direction issued by the Secretary of State for Communities and Local Government on 29<sup>th</sup> February 2008 and accordingly does not require the consent of any other body prior to a decision being made by Cabinet.</p>
<p><b>Timescale for Action</b></p> <p>Immediate</p>
<p><b>Associated Policies and Plans</b></p> <p>Equal Opportunities Policy Corporate Equalities Plan Disability Equality Scheme Race Equality Scheme</p>
<p><b>Supporting Documents</b></p> <p>Appendix 1 – Translation and Interpretation Policy and Guidelines Appendix A – Language Panel Appendix B – Language Identification Page Appendix C – Guidance on Using the Language Line Service</p>
<p><b>Background Papers</b></p> <p>N/A</p>





## **TRANSLATION AND INTERPRETATION POLICY & GUIDELINES**

### **Introduction**

The purpose of this document is to promote equality of access to information and services for all sections of the community.

As a Council providing services to every person within the community, we must ensure that we meet the needs of the whole community and that all our information can be made available in different formats on request.

These formats include other languages, large print, Braille or talking tape. When appropriate, we should also provide sign language, face-to-face interpretation and telephone interpretation services.

These guidelines can help you when you receive a request.

### **What the law says**

The Race Relations Act states that it is unlawful for a provider of services to racially discriminate against persons using their services. There is nothing in the act that states that failure to provide information in the language of the recipient of the information is discrimination. However, under the Act, Council's have a specific duty to promote equality of opportunity and good relations between persons of different racial groups. Therefore, it is a matter of good practice to provide information in languages other than English.

Guidance for Local Authorities on Translation of Publications published by Communities and Local Government in November, 2007, implements one of the recommendations of the Commission on Integration and Cohesion. The CiC in their report *Our Shared Future* said;

"Local Authorities and their partners should consider moving from a position of automatic translation of all documents into community languages, towards a more selective approach - driven by need."

The Disability Discrimination Act 1995 requires any organisation that provides goods and services to the public to make reasonable adjustments to the way services are provided in order to give disabled people equal rights of access.

This includes the way that information about those services is provided. Therefore, the Council has a duty to provide information in alternative formats such as Braille, audiotape, or via a sign language interpreter upon request.

### **Language Panel**

The Council has produced a 'language panel' which should be attached to pieces of communication intended for general circulation. The 'language panel' is attached as Appendix 'A'.

When people require the specific publication in another format, they can call the Customer Services telephone number on the panel to request it.

If you require further information on using the 'language panel' please contact the Public Relations Section.

### **Written Language Translation**

When the Council produces information, we must ensure that people, who read languages other than English, are able to access a copy of the information in their chosen language.

However, this does not mean that we should translate every document we produce into other languages. In practice, we must provide a translated version of your document when someone requests it.

When you receive a request to translate a specific document into a specific language, you should aim to send the translated document back to the person requesting it within ten working days. If this is not possible you should keep the person informed of the timescale that the document will take to translate.

When you have received the translated document it will be good practice to post it on the Council's web-site so other people able to read that language will be able to access it.

The following are examples of companies which can be contacted for quotes to translate documents.

Interpreting Translation Line, Design Works, 15 William Street, Felling, Gateshead, NE10 0JP

Tel: 0191 421 2221, email: [info@interpretingline.co.uk](mailto:info@interpretingline.co.uk)

Language Line Services, 25<sup>th</sup> floor, 40 Bank Street, Canary Wharf, London, E14 5NR

Tel: 0800 917 6564

Fax: 0800 783 2443

E-mail: [translation@languageline.co.uk](mailto:translation@languageline.co.uk)

You should provide the company with:-

- A copy of the document to be translated;
- An order number;
- An address for billing and delivery;
- The name of the language the document should be translated into (together with any specific dialect);
- The format in which you require the translation;
- An email address for the PDF to be returned to;
- A date when you need the translation.

### **Face to Face Language Interpretation**

You may come into contact with someone who needs information from the Council in person, and who cannot speak or understand English.

While telephone interpretation offers a fast response when urgent or unexpected language barriers occur, face-to-face language interpretation is a more appropriate solution for meetings planned in advance. The extra human interaction and visual contact of face-to-face interpreting makes it more suitable for highly complex issues.

This type of service is useful for scheduled meetings or events where you know that speakers of other languages will be attending.

Depending on the length of your meeting or event, more than one interpreter may be required. The company you contact should be able to advise you on this. When booking an interpreter you should supply the company with:-

- An order number;
- An address for billing;
- Time, date and location of your event or meeting;
- Length of your event or meeting;
- The language(s) you require to be translated.

It is important that you use an independent and qualified interpreter rather than a family member, friend or another member of the Council's staff who happens to speak the language. Your conversation with the visitor may be confidential, and it will be important to maintain impartiality in your discussions, especially for sensitive issues.

If possible, you should ensure that you book an interpreter as far in advance as possible.

The following are examples of companies that can be used to request an interpreter:-

Interpreting Translation Line, Design Works, 15 William Street, Felling, Gateshead, NE10 0JP  
Tel: 0191 421 2221, email: [info@interpretingline.co.uk](mailto:info@interpretingline.co.uk)

Language Line Services, 25<sup>th</sup> floor, 40 Bank Street, Canary Wharf, London, E14 5NR

Email: [enquiries@languageline.co.uk](mailto:enquiries@languageline.co.uk)  
Telephone: 0800 169 2879  
Fax: 0800 783 2443

### **Telephone Language Interpretation**

You can use the Council's telephone foreign language interpretation services – provided by Language Line – when a person who speaks a language other than English contacts the Council for information on services.

When the visitor arrives at the Council establishment, you should contact Language Line who will then conduct a three-way translated telephone conversation between you, the visitor and the Language Line representative. A language identification poster or card is available in every reception area. This will help you to identify which language the visitor needs. The language identification page is attached as Appendix B and can also be downloaded from the H.R. Service site on Sharepoint. You can then tell the Language Line representative which language you need to communicate in. Further guidance on using the language line service is attached as Appendix C and also available to download on the H.R. Service site.

As with face-to-face interpretations, it's important to use an independent and qualified interpreter rather than a family member of the visitor or another member of the Council's staff who happens to speak the language.

When using the telephone interpretation services, you will need to quote your service area ID code which is listed on the H.R. Service site.

To use this service, contact Language Line on tel. no. 0845 310 9900.

### **British Sign Language**

You may be requested to provide British Sign Language services to help us communicate with deaf people.

As with booking a foreign language interpreter, you should book a sign language interpreter as far in advance as possible.

Again, when booking a signer, you may need to book two or more depending on the length of your meeting or event.

You can contact Tees Valley and Darlington Communication Service (TVDCS) to request a sign language interpreter:-

Telephone 01325 346 731

Fax 01325 346 457

Textphone 01325 468504

SMS: 07903 926564

E-mail: [tvdcgs@darlington.gov.uk](mailto:tvdcgs@darlington.gov.uk)

Address : Central House, Gladstone Street, Darlington, DL3 6JX

You should provide TVDCS with:-

- An order number;
- An address for billing;
- Time, date and location of your event or meeting;
- Length of your event or meeting.

## **Large Print**

Some people will need large print versions of the information you produce. If you receive a request for a large print version of your publication, you can simply take the text of your leaflet or brochure (you will probably have a Word document of the text for the publication) and re-size the text.

If you are making a large print document available for an individual, you should always ask what size their preferred font is. Generally, 18 point will be a sufficient size for large print documents, but if you can, you should ask the person requesting the document.

There is no need to re-design a large print version of your publication complete with images and graphs etc. However, it would help if when you send the large print document to the person requesting it, you include a copy of the original publication so they can look at the images and design work in connection with the large print version.

You should send out the large print version within five working days.

## **Producing Braille**

If someone contacts you to request a Braille version of your publication, there are a number of organisations that can produce translation of documents into Braille.

However, the Council has links with the County Durham Society for the Blind and Partially Sighted who provide this service.

The society can be contacted at:

Oswald Resource Centre, 1 Church Lane, Durham City, DH1 3HF. Tel: 0191 386 8175, email: [cdsvh@aol.com](mailto:cdsvh@aol.com)

To produce a Braille version of your publication, you should supply the society with:

- A copy of your document to be translated;
- An order number;
- An address for billing;
- An address for delivery of the Braille document.

When you receive a request to translate a specific document into Braille, you should aim to send the translated document back to the person requesting it within ten working days. If this is not possible you should keep the person informed of the timescale that the document will take to translate.

### **Producing Talking Tapes**

People who do not read Braille may need an audio version of your publication. This is simply your leaflet read onto an audio tape or CD.

There are a number of organisations that can produce audio tapes or CD's however; The County Durham Society for the Blind and Partially Sighted also provide this service.

The society can be contacted at:

Oswald Resource Centre, 1 Church Lane, Durham City, DH1 3HF. Tel: 0191 386 8175, email: [cdsvh@aol.com](mailto:cdsvh@aol.com)

To produce an audio version of your publication, you should supply the society with:

- A copy of your document to be recorded;
- An order number;
- An address for billing;
- An address for delivery of the tapes.

When you receive a request to translate a specific document onto an audio tape or CD, you should aim to send the audio tape or CD back to the person

requesting it within ten working days. If this is not possible you should keep the person informed of the timescale that the audio tape or CD will take to produce.

### **Costs for Translation and Interpretation**

The costs for translation and interpretation will be met from departmental budgets therefore approval for the costs involved will need to be sought from your supervisor/manager.

### **Monitoring**

To help the Council to understand the needs of the local population monitoring arrangements will be set up to collect information about the use of interpreters and translation.



**The City of Durham Council aims to communicate effectively with all sections of the community and to make information available to residents in the language and the format that suits their needs.**

A summary of the information contained in this document is also available translated on request in Arabic, Bengali, Chinese, Hindi, Polish, Punjabi, Urdu, and in braille, large print or audio-tape.

To request a copy,  
**e-mail:** [cityinfo@durhamcity.gov.uk](mailto:cityinfo@durhamcity.gov.uk) or  
**telephone:** 0191 3018499.

ملخص هذه الوثيقة متاح عند الطلب بواسطة البريد الإلكتروني  
0191 301 8499 أو عن طريق الهاتف [cityinfo@durhamcity.gov.uk](mailto:cityinfo@durhamcity.gov.uk)

নিচের ফাইলে এর সারসর্ম দেয়া আছে। অনুরোধ  
এমে ই-মেইল, [cityinfo@durhamcity.gov.uk](mailto:cityinfo@durhamcity.gov.uk) অথবা ফোন  
0191 301 8499

索取此文件的概要可以通过电子邮箱  
[cityinfo@durhamcity.gov.uk](mailto:cityinfo@durhamcity.gov.uk) 或拨打电话 0191 301 8499

ईस दस्तावेज का सारांश आपको निवेदन के अनुसार ई-मेल  
[cityinfo@durhamcity.gov.uk](mailto:cityinfo@durhamcity.gov.uk) या टेलिफोन 0191 301 8499 द्वारा प्राप्त हो  
सकता है.

Streszczenie tego dokumentu jest dostępne na  
żądanie, które można wysłać pod adres e-mail:  
[cityinfo@durhamcity.gov.uk](mailto:cityinfo@durhamcity.gov.uk) lub złożyć je telefonicznie  
pod numerem 0191 301 8499

ਇਸ ਦਸਤਾਵੇਜ਼ ਦਾ ਸੰਖੇਪ ਈਮੇਲ: [cityinfo@durhamcity.gov.uk](mailto:cityinfo@durhamcity.gov.uk)  
ਨੰ 0191 301 8499 ਟੈਲੀਫੋਨ ਰਾਹੀਂ ਮੰਗ ਕਰਨ ਤੇ ਉਪਲਬਧ ਹੈ।

اس دستاویز کا خلاصہ بذریعہ ای میل درخواست پر حاصل کیا جاسکتا ہے۔  
0191 301 8499 یا ٹیلیفون [cityinfo@durhamcity.gov.uk](mailto:cityinfo@durhamcity.gov.uk)





Language Line  
services

# LANGUAGE IDENTIFICATION

**English Translation:** Point to your language. An interpreter will be called.

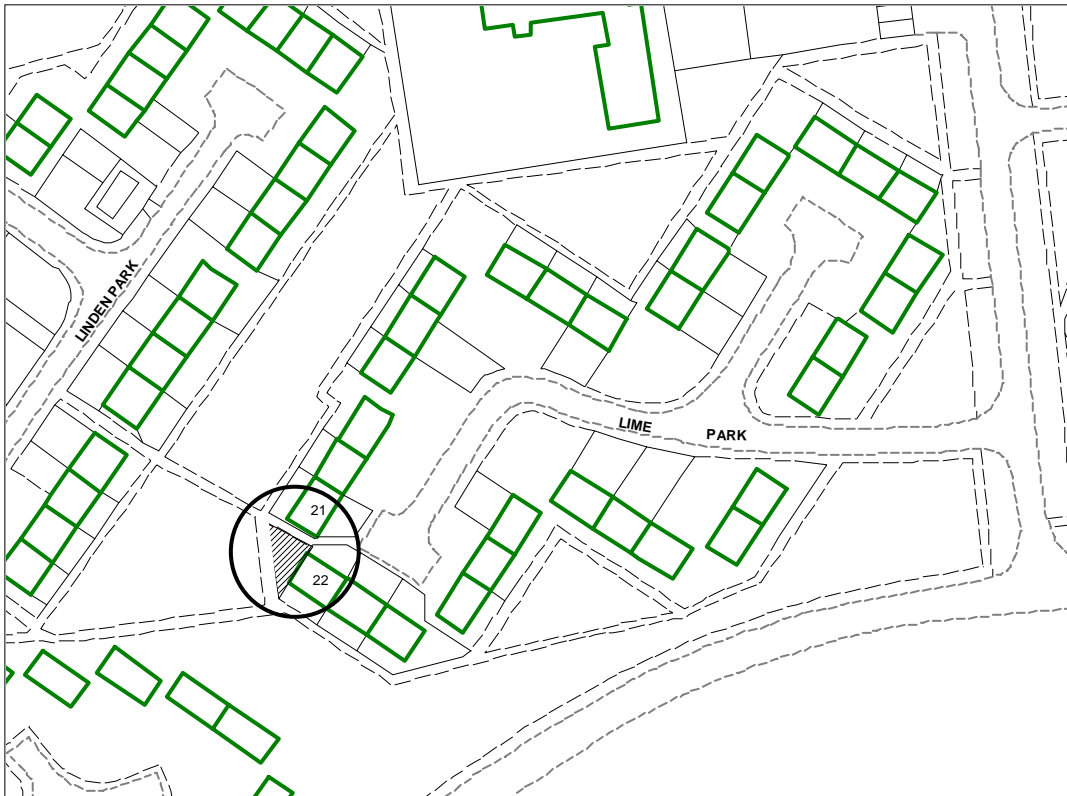
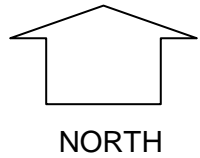
<p><b>Albanian</b> Shqip </p> <p>Tregoni me gisht gjuhën që flitni. Do të gjejmë një përkthyes për ju.</p>	<p><b>Kurdish</b> کوردی </p> <p>زمانی خۆت دەسنیشان بکە تەرجومانیکت بۆ بانگ دەکەینە سەرتەله فون</p>
<p><b>Arabic</b> اللغة العربية </p> <p>أشر الى لغتك وسننادي المترجم حالاً.</p>	<p><b>Lithuanian</b> Lietuvių Kalba </p> <p>Parodyk tavo kalbamą kalbą. Vertėjas bus pakviestas.</p>
<p><b>Bengali</b> বাংলা </p> <p>আপনি কোন ভাষায় কথা বলেন - জানান। আপনার সেবার জন্যে একজন অনুবাদক আসবেন।</p>	<p><b>Mandarin</b> 國語 国语 </p> <p>請指認您的語言 請指認您的語言 以便爲您請翻譯 以便爲您請翻譯</p>
<p><b>Cantonese</b> 廣東話 广东话 </p> <p>請指認您的語言 請指認您的語言 以便爲您請翻譯 以便爲您請翻譯</p>	<p><b>Polish</b> Polski </p> <p>Proszę wskazać na swój język ojczysty. Tłumacz zostanie poproszony do telefonu.</p>
<p><b>Croatian</b> Hrvatski </p> <p>Molim Vas, pokažite nam Vaš jezik. Zvat ćemo tumača za Vas.</p>	<p><b>Portuguese</b> Português </p> <p>Aponte seu idioma. Providenciaremos um intérprete.</p>
<p><b>Czech</b> Český </p> <p>Ukažte, který je váš jazyk. Zavoláme tlumočnicka.</p>	<p><b>Punjabi</b> ਪੰਜਾਬੀ </p> <p>ਅਪਣੀ ਬੋਲੀ ਇਸ਼ਾਰੇ ਨਾਲ ਦਸੋ। ਤੁਹਾਡੇ ਵਾਸਤੇ ਪੰਜਾਬੀ ਬੋਲਣ ਵਾਲਾ ਬੁਲਾਇਆ ਜਾਏਗਾ।</p>
<p><b>Farsi</b> فارسی </p> <p>بزیانی که صحبت میکنید نشان دهید. برای شما مترجم میاوریم.</p>	<p><b>Romanian</b> Românește </p> <p>Indicați limba pe care o vorbiți. Veți fi pus în legătură cu un interpret.</p>
<p><b>French</b> Français </p> <p>Montrez-nous quelle langue vous parlez. Nous vous fournirons un/e interprète.</p>	<p><b>Russian</b> Русский Язык </p> <p>Укажите, на каком языке Вы говорите. Сейчас Вам вызовут переводчика.</p>
<p><b>German</b> Deutsch </p> <p>Zeigen Sie auf Ihre Sprache. Wir rufen einen Dolmetscher an.</p>	<p><b>Somali</b> Afsomali </p> <p>Tilmaan afka aad ku hadasho. Tarjumaan ayaa la wacayaaye.</p>
<p><b>Greek</b> Ελληνικά </p> <p>Δείξτε ποιά γλώσσα μιλάτε και θα κληθεί ένας διερμηνέας.</p>	<p><b>Spanish</b> Español </p> <p>Señale su idioma. Se llamará a un intérprete.</p>
<p><b>Gujarati</b> ગુજરાતી </p> <p>તમારી ભાષા ઇશારાથી બતાવો. તમારા માટે ભાષાંતર કરનાર ખોલાવી આપાશે.</p>	<p><b>Swahili</b> Kiswahili </p> <p>Onyesha lugha yako. Tutamwita mtu atakayekufasiria.</p>
<p><b>Hindi</b> हिन्दी </p> <p>अपनी भाषा इशारे से दिखाइये। आपके लिए दुभाषिया बुलाया जाएगा।</p>	<p><b>Turkish</b> Türkçe </p> <p>Kendi anadilinizi gösterin. Size bir tercüman çağırıyoruz.</p>
<p><b>Italian</b> Italiano </p> <p>Faccia vedere qual è la sua lingua. Un interprete sarà chiamato.</p>	<p><b>Ukrainian</b> Українська Мова </p> <p>Покажіть, якою мовою ви говорите. Зараз викличуть вам перекладача.</p>
<p><b>Japanese</b> 日本語 </p> <p>あなたの話す言葉を指さしてください。 通訳を呼びます。</p>	<p><b>Urdu</b> اُردو </p> <p>آپ کون سی زبان میں بات کرنا پسند کریں گی؟ آپ کی مدد کیے ابھی کی ترجمان کو بلایا جائے گا.</p>
<p><b>Korean</b> 한국말 </p> <p>당신이 쓰는 말을 지적하세요. 통역관을 불러 드리겠습니다.</p>	<p><b>Vietnamese</b> Tiếng Việt </p> <p>Chỉ rõ tiếng bạn nói. Sẽ có một thông dịch viên nói chuyện với bạn ngay.</p>



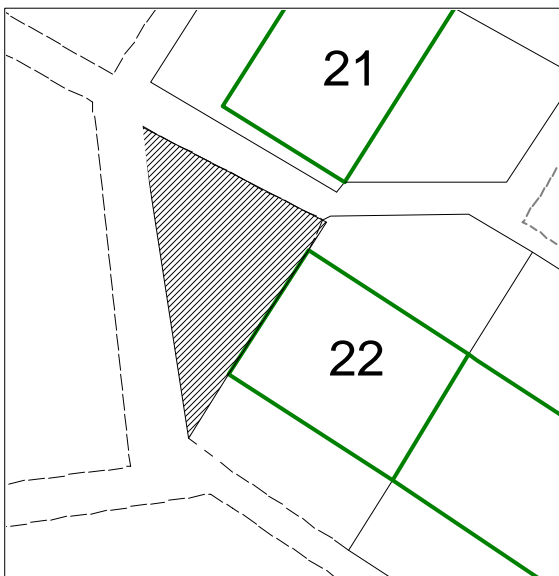
**STATUS PUBLIC**

<b>Portfolio Member/Director/Head of Service</b> Cllr Fraser Reynolds Reynolds/Director of Corporate Services	<b>Portfolio</b> Leader
<b>Subject</b> Application to Purchase Land adjoining 22 Lime Park, Brandon, Durham – (LT/1450)	<b>Date</b> 4 June 2008
	<b>Forward Plan</b> No
<b>Contact Officer</b> Martin Tindle / Ann Whitton, Ext. 301 8441 / 8789	<b>Previous Minutes</b> N/A
<b>Purpose of Report</b> For Cabinet to consider the Applicants' proposal to purchase Council owned land adjoining his property.	
<b>Executive Summary</b> The Applicant wishes to purchase and enclose an area of Council owned land adjoining his property to secure his property against littering and to prevent anti-social behaviour at this location. Initially, a “garden-only” application had been received from the Applicant and this had been refused as per policy. In their second application, the Applicants cited anti-social behaviour (including alleged threatening and intimidating behaviour). Accordingly, the application was processed in accordance with the normal procedure with Officer comments being gathered, and local Ward Members being canvassed for their views.  A relevant plan of the land in question is attached for information at Appendix A.  Officers commented that there was no objections to the disposal in principle, but the Head of Legal & Strategic Services commented that it could be that a “rat-run” would be created and that perhaps a reduced area, a 1.5 metre wide strip running along the gable wall of 22 Lime Park should be offered to the Applicant.  Accordingly, three options were given to Ward Members:  a) Subject to the conditions as set out within the Ward Councillor Consultation Form (Appendix B), to dispose of the whole of the application area, approximately 41 square metres. b) Subject to the conditions as set out within the Ward Councillor Consultation Form (Appendix B), to allow disposal of a 1.5 metre strip along the edge of 22 Lime Park. c) to refuse the application.  Upon receipt of the Ward Members comments it was noted that each of the local Members had chosen a different option and accordingly, in cases where there is no consensus view Cabinet are then asked to make a decision upon the matter.	
<b>Portfolio Member Recommendations or items Requiring a Cabinet Decision</b> That the Application be refused.	

<p><b>Reasons for Recommendations</b></p> <p>Based upon the comments of Officers and Ward Members and with additional information gathered from the Police and Community Safety staff it would seem there is little evidence of anti social behaviour which would change the basis of the original decision to refuse the application as it was one of a “garden only” application.</p>
<p><b>Alternative Options to be Considered</b></p> <p>For the Council to retain the land.</p>
<p><b>Consultation</b></p> <p>Consultation has been carried out with Chief Officers and local Ward Members, replies have been collated.</p> <p>The comments of Chief Officers and Ward Members are set out at Appendix B.</p>
<p><b>LGR Implications</b></p> <p>This report does not fall within the direction issued by the Secretary of State for Communities and Local Government on 29<sup>th</sup> February 2008 and accordingly does not require the consent of any other body prior to a decision being made by Cabinet.</p>
<p><b>Financial, Legal and Risk Implications</b></p> <p>The Applicant has signed a formal written undertaking agreeing to bear the Council’s legal costs and Surveyor’s fee should they decide at any stage not to proceed, subject to the Application proceeding to that stage.</p>
<p><b>Resource Implications</b></p> <p>The use of these receipts will ensure that the Council has sufficient funds available to support its key objectives.</p>
<p><b>Timescales for Action</b></p> <p>N/A</p>
<p><b>Associated Policies and Plans</b></p> <p>Land Disposals – Applications for Garden Extensions, Portfolio Holder Decision dated 19/12/07.</p>
<p><b>Supporting Documents</b></p> <p>Appendices A &amp; B.</p>
<p><b>Background Papers</b></p> <ul style="list-style-type: none"> <li>• Letters and note of telephone call from the Applicant received, 20/09/07, 15/11/07 and 18/01/08.</li> <li>• E-mail from Director of Strategic Services dated 23/11/07</li> <li>• Memo from Head of Environment &amp; Leisure dated 07/12/07.</li> <li>• Memo from Head of Legal &amp; Strategic Services dated 06/12/07.</li> <li>• Memo from the Head of Planning Services dated 01/10/07.</li> <li>• Ward Councillor Consultation Forms received 30/01/08, 31/01/08 and 01/02/08.</li> </ul>



Scale 1:1250



Detailed View not to Scale

Area equals 41 square metres or thereabouts

O.S. Ref. NZ 2339

Deed Packet Ref: BB 192

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**CITY OF DURHAM**

DIRECTORATE OF PROPERTY SERVICES: Head of Service, Angelo Moscardini  
 Unit 1, Damson Way, Dragonville. Durham DH1 2YN. Tel. DURHAM (0191) 3866111



INVESTOR IN PEOPLE

**Purchase of Council Land adjacent  
 22, LIME PARK, BRANDON**

Date 24th September 2007

Drawing Number 1796



## APPLICATION TO PURCHASE LAND

### Application to Purchase Land Adjoining 22 Lime Park, Brandon, Durham (LT/1450)

<p><b>Background:</b></p>	<p>An application has been received from Dr Wael Ellabban &amp; Mrs Aziza Zaher enquiring whether the Council would consider selling them land adjoining their property.</p> <p>The Applicants wish to purchase the land for garden use, and to secure their property from vandalism, and to keep rubbish from accumulating in the area (see Applicant's letters attached).</p> <p>A garden only application had been refused for this previously, but after the anti-social behaviour that has been reported the Applicant wished to apply again (a change of personal circumstances).</p>
<p><b>Options Considered:</b></p>	<p>The <b>Head of Environment &amp; Leisure Services</b> and the <b>Director of Strategic Resources</b> had no objections to the application.</p> <p>The <b>Head of Legal &amp; Strategic Services</b> commented as follows:</p> <p>"Subject to the comments from Technical Officers, my principal concern with this application is that enclosure of the whole triangular area which forms the application site could create a vennel type "rat-run" between Nos. 21 and 22 Lime Park.</p> <p>I have no objection to the Applicant being offered a 1.5 metres wide strip across the gable wall boundary of No. 22, but otherwise I am of the view that Public Safety must be of paramount concern and the outcome of selling the whole site in that context would be entirely undesirable.</p> <p>There is a compromise in offering the Applicant a 1.5 metres wide strip, with the conditions mentioned below (at recommendation) to apply on sale."</p> <p>The <b>Head of Planning Services</b> commented as follows:</p> <p>"The Applicant seeks to purchase and enclose approximately 41 square metres of Council Land adjoining the gable of his property. There are record photographs of a previous Occupiers' attempt to do the same but without an authorisation.</p> <p>The impact of the proposal can be assessed from the previous occasion when enclosure occurred.</p> <p>There would be limited impact on the site and surrounding areas as a result of the proposal and a history of anti-social behaviour would appear to be evident.</p> <p>Provided that a low fence of the vertical panel design previously erected and stained with a brown preservative would be acceptable.</p>

	<p>There would be a significant level of public amenity open space retained to the north and west of the site. Management of the grassed area between the footpaths by the Council would be reduced.</p> <p>A change of use for which Planning Permission is required should be drawn to the attention of the Applicant in the event that the proposed purchase is accepted.”</p>
<p><b>Recommendation:</b></p>	<p>That either:</p> <p><b>A</b> - the whole area be to the Applicant subject to the following conditions;</p> <ol style="list-style-type: none"> <li>1. Land on sale to be used only for private domestic garden within the residential curtilage of 22 Lime Park, Brandon.</li> <li>2. Applicant to seek any necessary planning permission.</li> <li>3. Applicant to provide, erect and maintain new boundary fences to the Council's requirements.</li> <li>4. Applicant to bear the Council's legal costs and Surveyor's fee.</li> </ol> <p><b>B</b> - a reduced area (a 1.5 metre wide strip along the edge of 22 Lime Park) be approved for disposal, subject to the conditions abovementioned.</p> <p><b>C</b> – to refuse the application.</p>
<p><b>Reasons for Recommendation:</b></p>	<p>Based on the comments from Officers.</p>
<p><b>List of Background Papers:</b></p>	<ul style="list-style-type: none"> <li>• Letters and telephone call from the Applicant received, 20/09/07, 15/11/07 and 18/01/08.</li> <li>• E-mail from Director of Strategic Services dated 23/11/07</li> <li>• Memo from Head of Environment &amp; Leisure dated 07/12/07.</li> <li>• Memo from Head of Legal &amp; Strategic Services dated 06/12/07.</li> <li>• Memo from the Head of Planning Services dated 01/10/07.</li> </ul>

**Application to Purchase Land Adjoining 22 Lime Park, Brandon, Durham (LT/1450)**

I agree / disagree with the recommendation (delete as appropriate)

A B C (circle as appropriate)

Comments \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_

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## Agenda Item 5(d)

STATUS PUBLIC

<b>Portfolio Member/Director/Head of Service</b> Councillor Nigel van Zwanenberg/Head of Planning Services	<b>Portfolio</b> Strategic Planning & Regeneration
<b>Subject</b> Local Government Ombudsman's report - Consultancy study - Soccarena	<b>Date</b> 4 <sup>th</sup> June 2008
	<b>Forward Plan</b> No
<b>Contact Officer</b> David Thornborrow 01913018701	<b>Previous Minutes</b> No 376 28 <sup>th</sup> November 2007
<b>Purpose of Report</b> <p>The report follows an independent study into the findings and recommendations of the report from the Local Government Ombudsman (August 2007) in response to a complaint regarding the Soccarena football centre, Belmont.</p>	
<b>Executive Summary</b> <p>The Council commissioned Bureau Veritas, a locally based environmental consultancy with specialist knowledge and experience of assessing landscape proposals in the context of Durham City with the following brief:</p> <p>To undertake a landscape assessment and to make recommendations for landscape mitigation to the Council in relation to the Soccarena stadium.</p> <p>A field assessment was carried out in November 2007 and this led to an appraisal of the significance of the development. The study drew attention to moderate adverse impacts in the approaches both towards and from Sunderland along the A690. It also rated moderately adverse impacts from the Newton Hall area and from the Aykley Heads Estate. Slight adverse impacts were, in addition, judged from the East Coast Main Line and from the Leamside Line. It has concluded that there were shortcomings in the application of the Council's Local Plan Policies (E11 and Q6); specifically the lack of a detailed visual assessment.</p> <p>The Consultants considered a range of appropriate mitigation measures, such as screening and treatment to the stadium's exterior, but they concluded that these were either unlikely to be effective or realistically achievable and were unable to recommend a remedial solution.</p> <p>The Consultants recommend that professional visual impact assessments are undertaken where significant developments are proposed in sensitive landscapes on future occasions. The consultants identified four key criteria in this regard and also highlighted four principles of mitigation should the principle of development be acceptable.</p>	
<b>Portfolio Member Recommendations or Items Requiring a Cabinet Decision</b> <p>It is recommended that:</p> <ul style="list-style-type: none"> <li>i) the Consultants findings be noted; and</li> <li>ii) the guidance and advice be applied by officers when assessing the impact of development proposals in sensitive landscapes</li> </ul>	

<p><b>Reasons for Recommendations</b></p> <p>To comply with the outcome of the investigation of the Local Government Ombudsman</p>
<p><b>Alternative Options To Be Considered</b></p> <p>None</p>
<p><b>Consultation</b></p> <p>The Council complies with the published complaint procedures and reports, as well as related correspondence, are made available to the public.</p>
<p><b>LGR Implications</b></p> <p>This report does not fall within the direction issued by the Secretary of State for Communities and Local Government on 29<sup>th</sup> February 2008 and accordingly does not require the consent of any other body prior to a decision being made by Cabinet.</p>
<p><b>Financial, Legal and Risk Implications</b></p> <p>The Council has previously agreed to accept the findings of the Local Government Ombudsman and implement the recommendations of the Study.</p>
<p><b>Resource Implications</b></p> <p>Implementation of the recommendations contained within the Consultants study will necessitate the procurement of specialist advice.</p>
<p><b>Timescale for Action</b></p> <p>With immediate effect.</p>
<p><b>Associated Policies and Plans</b></p> <p>City of Durham Local Plan 2004</p>
<p><b>Supporting Documents</b></p> <p>None</p>
<p><b>Background Papers</b></p> <p>Report 04c17368 Local Government Ombudsman - Soccarena development Report DDUX0133/V23/PJV/0408 Bureau Veritas - Landscape Visual Assessment</p>

## Agenda Item 5(e)

STATUS PUBLIC

<b>Portfolio Member/Director/Head of Service</b> Cllr Nigel Van Zwanenberg Head of Planning Services	<b>Portfolio</b> Strategic Planning & Regeneration
<b>Subject</b> ISO9001:2000 Quality Assurance for Building Control	<b>Date</b> 4 June 2008
	<b>Forward Plan</b> No
<b>Contact Officer</b> Stuart Bell, Building Control Manager, ext 8777	<b>Previous Minutes</b> None
<b>Purpose of Report</b> The purpose of the report is to publicise the successful outcome of the renewal of accreditation for quality assurance under the ISO9001:2000 accreditation.	
<b>Executive Summary</b> <p>Maintaining accreditation for Building Control is an important element of the Business Plan for the service since it provides assurance that comprehensive procedures are put in place and maintained to form the basis of consistent, efficient and effective standards of service delivery. These are, furthermore, important to accompany Charter Mark in the increasingly complex, regulatory system and competitive environment in which Local Authority Building Control operates.</p> <p>The City of Durham is one of the few Authorities in County Durham with ISO9001:2000 accreditation for Building Control.</p>	
<b>Portfolio Member Recommendations or Items Requiring a Cabinet Decision</b> It is recommended that: <ol style="list-style-type: none"> <li>1. the outcome of the inspection by be noted</li> <li>2. the staff of the Building Control section be commended on their efforts to retain ISO9001:2000 accreditation</li> </ol>	
<b>Reasons for Recommendations</b> To highlight the annual commitment made through the Business Plan to the achievement of Quality Public Services and to recognise the team motivation and commitment of the Building Control section	
<b>Alternative Options To Be Considered</b> None	
<b>Consultation</b> Renewal will be publicised as part of the promotion of quality assurance accreditation (eg letters, documentation, website).	

**LGR Implications**

This report does not fall within the direction issued by the Secretary of State for Communities and Local Government on 29<sup>th</sup> February 2008 and accordingly does not require the consent of any other body prior to a decision being made by Cabinet.

**Financial, Legal and Risk Implications**

The successful outcome will enable the Council to promote the Local Authority Building Control service amidst competition from the private sector.

**Resource Implications**

There are no major budgetary implications. Renewal will enable the service to campaign/promote with greater confidence for fee earning income.

**Timescale for Action**

With immediate effect.

**Associated Policies and Plans**

Business Plan - Building Control

**Supporting Documents**

None

**Background Papers**

Local Performance Indicators.  
Corporate Performance Plan 2007-2010  
Procedural and operational documents.

## Agenda Item 6(a)

### REPORT OF COMMUNITY SERVICES SCRUTINY PANEL

#### Review of Council Garages

#### 1 Background

- 1.1.1 The Community Services Scrutiny Panel first reviewed the letting of Council garages in 2005, following concern that some garages were being used inappropriately.
- 1.2 The Panel's report and recommendations were approved and adopted by Cabinet in October 2005, and the Policy on Council Garages was approved in September 2006. The topic had previously been reviewed November, 2007.

#### 2 Actions/Outcomes

- 2.1 The Council's Housing Manager was in attendance at the Panel's Meeting on 13<sup>th</sup> March, 2008, and advised Members that Garages continue to be managed in accordance with the Policy.
- 2.2 Other than one report from Brandon, there had been no further reports of misuse received and no demolitions had taken place. Where misuse was suspected, this can be reported to Housing Officers who can involve the Tenancy Enforcement Officer where necessary, and refer the matter to the regular Zonal Meetings.

#### 3 Recommendations

The Community Services Scrutiny Panel therefore recommend:-

- 3.1 That Council Garages continue to be managed in accordance with the Council Garages Policy and Tenancy Agreement.
- 3.2 That the Council Garages Policy be commended to the New Authority.

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## Agenda Item 6(b)

### Report of Community Services Scrutiny Panel

#### Scrutiny of Unauthorised Encampments of Gypsies and Travellers

#### 1. Background

- 1.1 It was recommended by the Community Services Scrutiny Panel in their scrutiny report on Gypsy & Traveller Encampments ... "that a Scrutiny be carried out on the procedures for dealing with unauthorised encampments, taking into account the needs of the Gypsy and Traveller and settled communities." The original scrutiny was carried out in 2006 and went to Scrutiny Committee March 2007 and was adopted by Cabinet in June, 2007.
- 1.2 Prior to the Scrutiny being carried out problems had been experienced in the Sherburn Ward of the district with unauthorised encampments.

#### 2. Aims and Objectives

- 2.1 The purpose of the scrutiny was to look at problems surrounding unauthorised encampments of Gypsies and Travellers.
- 2.2 The specific issues that were looked at were the procedures and responsibilities involved with unauthorised encampments.
- 2.3 To establish a protocol to reflect a balance between the rights of Travellers and the local Community.

#### 3. Actions

- 3.1 In attendance at the meeting of the Community Services Scrutiny Panel, February, 2008, were the City Council's Environmental Manager and Senior Neighbourhood Warden together with senior Travellers Liaison Service representatives from Durham County Council to give the Panel background information on the current situation.
- 3.2 Discussions took place at the Panel meeting regarding the suggested protocol.

#### 4. Outcomes

- 4.1 The Travellers Liaison Services advised the Panel that there had been 136 incidents relating to unauthorised encampments in the County area in the last year. However the number of incidents in City of Durham district were 8, and listed below:-

Sherburn Hill 3 May to 8 May.

SherburnVillage 26 May to 5 June.

Sherburn Village 5 June to 7 June.

Meadowfield 14June to 16 June.

West Rainton 2 July to 13 July

West Rainton 7 July to 23 July

Belmont 19 August to 30 August

Croxdale 27 August to 29 August

Croxdale 27 August to 29 August

Sherburn Village 10 October to 16 October

Lanchester 23 October to unknown

- 4.2 The panel were advised that following the incidents at Sherburn Village a meeting had been convened to try to find a suitable overnight stopping area. A facility used by the County Highways had been identified but due to the construction of a new road this was no longer available. Once the new road has been completed there maybe a site available in this area.
- 4.3 The Panel were advised of a site on a roundabout on the A68 which could accommodate upto 10 vans and is reasonably well screened. However, it is easier to identify suitable locations in rural areas rather than built up areas. There are particular difficulties in Durham City district because travelling families pulling in to lay bys, the welfare of the travellers is a particular concern in these circumstances. Members questioned why travellers came to the district as they thought it could be for employment but were advised that it is usually to visit family but would use the opportunity to work while they were here, but don't come for that particular reason.
- 4.4 The Travellers Liaison Service explained that some travelling families may reside in a house most of the year but in order to retain their travelling traditions and culture they may travel short distances.
- 4.5 An executive group has been set up, to establish a common purpose across the County. A sub group of the executive group has been established and has representatives from all the District Councils within the County.
- 4.6 The Travellers Liaison Service is the first point of contact, there is no out of hours service but there is an answer machine for people to leave a message, all messages will be picked up the next working day. The first visit to the encampment by the Travellers Liaison Service is to gather information which will allay public fears, not necessarily to have all the answers but to manage the situation in the interests of the travellers and local community.
- 4.7 Traveller Liaison Service contact telephone number is currently unavailable, but it will be publicised when it has been obtained. However, the police are better placed to deal with anti-social behaviour issues. Traveller Liaison Service advised that elected Members should not be tempted to deal with travellers problems themselves, this should be left to the Traveller Liaison Service as their response is usually within 48 hours, but the service covers a wide area with 6 permanent encampments managed so there could be a short delay.  
The TLS also has a page on the County Council's website which gives information and advice.
- 4.8 In some circumstances travellers did not use the facilities provided. TLS informed Members that they should be informed of any problems and would advise families that should they return to this site they would be moved on.
- 4.9 To be effective, a countywide approach has to be taken. Most of the district councils are looking for suitable areas. Some sites are only open during the summer months but, should the need arise can be opened as an emergency measure during the winter.
- 4.10 In the past prior to the protocol being established, there was a lot of dithering which led to matters becoming worse. There is a code of conduct for users of sites, which considers noise and tidiness. The protocol is discussed with travellers to help understanding and awareness of what is required, who are then provided with their own copy. Travellers



Liaison Service contacts the police, district council and elected members, however, elected members have sometimes been missed.

- 4.11 An early welfare report is an advantage, some travellers could have lots of different needs, but it is not always easy to obtain the information. Once raw data has been obtained decisions have to be made quickly and the length of stay is a key issue.
- 4.12 The County Council picks up most of the clean up bill, or this was the case at the Byers Garth incident. It was noted by the Panel that problems of fly tipping might not be from the travelling community.
- 4.13 The Police had advised the Panel that their hands were tied by legislation and often it was better to let Travellers Liaison Service to speak to travellers in the first instance as this would help to build trust.
- 4.14 Questions were asked concerning whether the numbers of burglaries had increased near to areas where sites were located and were advised that this was not the case it was anti-social behaviour which was a bigger cause for concern. Problems can arise from people who call themselves travellers but they are not, often the travelling community does not want these people.

## **5. Recommendations**

- 5.1 That a revised protocol be drafted for discussion with Travellers Liaison Service.
- 5.2 That Parish Clerks contact details are supplied to Travellers Liaison Service.
- 5.3 That the Travellers Liaison Services contact details are supplied to Environmental Health as soon as possible and made available to Councillors and Parish Councils.
- 5.4 That Councillors and relevant Council Officers and the Travellers Liaison Service should endeavour to identify stop over sites for travellers.
- 5.5 That the Portfolio Holder for Communities and Chair of Community Services Scrutiny Panel attend an encampment together with Traveller Liaison Service and report back to the Scrutiny Panel.
- 5.6 That the scrutiny of unauthorised encampments be reviewed if any problems arise.
- 5.7 That all interested parties receive a copy of the report for information.
- 5.8 That this Report and the Report on Gypsy and Traveller Permanent Encampments, approved by Cabinet in September 2007, together with all recommendations, be brought to the attention of the Unitary Authority with a view to them being endorsed within the context of the County Council's overarching Scrutiny of Gypsy and Traveller Provision. In particular we strongly recommend that the permanent site at Adventure Lane, West Rainton, should be included in any programme of refurbishment implemented by the new authority.

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# Agenda Item 6(c)

## REPORT OF THE ENVIRONMENT SCRUTINY PANEL

### REVIEW OF SCRUTINY TOPIC: BIODIVERSITY

#### 1. Background

- 1.1 The topic was originally been scrutinised in 2005, reported to Scrutiny Committee 05 September 2005. The report was subsequently submitted to Cabinet 24 October 2005 and approved. A review of the topic was submitted to Cabinet in January 2007 which recommended a subsequent review in 6 months.

#### 2. Aims

- 2.1 The aim of this report is to bring members update with the progress made in this topic area.

#### 3. Actions & Outcomes

- 3.1 The Sustainable Development Manager attended a meeting of the Environment Scrutiny Panel and informed Members of progress that had been made in the following areas:-

- Witton Dene
- Coalfields and Communities Scheme
- Access to Nature
- Woodland in the City
- Open Space Needs Assessment
- Cassop Vale

#### 3.2 Witton Dene

The Friends Group for Witton Dene is well established, a Management Plan was developed for the site and various funding bids have been pulled together. Funding is expected from the Minerals Valleys Project and Breathing Spaces Fund to cover costs associated with access improvements, including paths through the site and wetland scrapes.

#### 3.3 Coalfields and Community Scheme

Browney Meadow has benefited from a new footpath, an interpretation panel and a new viewing point having been established. The Pondarosa at Meadowfield now has two interpretation panels. Council owned land at Flass Vale has been designated as a Nature Reserve and additional funding has been secured to enable installation of interpretation panels to give historic, access and wildlife information. A Local Strategic Partnership Group is keen to support Flass Vale to improve the quality of the footpaths. Also funds have been obtained to improve a footpath at Hopper's Wood.

#### 3.4 Access to Nature

The Access to Nature was started by Natural England (previously English Nature) and there have been invitations for applications for funding (which come from the Big Lottery Fund's Changing Spaces programme as well as Natural England), with the deadline for this being April 2008. The City of Durham came together in partnership with Dean & Chapter, University of Durham and North East Community Forest, however the Dean & Chapter and University of Durham are principally concerned with the riverbanks within the City Centre. The funding is prioritised so that it is awarded to those areas of high social, economic and/or environmental deprivation. The issues associated with the woodland within the City Centre will be considered by a City Woodland Partnership who will look at opportunities to consider estate management for the woodland areas and consider how to gain access to, and link, various funding pots in an attempt to try and support woodland improvements.

A new core partnership has been established with City of Durham, North East Community Forest, Durham County Council and the Local Strategic Partnership. A bid had been submitted for funding to allow for a new post that can focus on engaging district communities, giving them information relating to local wildlife hopefully leading to an increased appreciation. This bid will also enable the establishment of a further post to look at County wide issues and another post related to I.T. issues associated with this work.

The Dean & Chapter and the University of Durham have advised that the cost to remove one tree was approximately £1000 and consequently it would prove to be very expensive to remove many of the trees and plant saplings along the Riverbanks. Sedgefield Borough Council maintains an area of woodland, of a similar size, at a cost of £90,000 per annum. The City of Durham, University of Durham and the Dean & Chapter would require approximately £200,000 per annum to properly maintain woodland areas within the City Centre. Risks of having a poor maintenance regime can be explained through the example of an incident on land owned by the Dean and Chapter where a mature tree was blown down after a storm. Not only did the tree require removal, subsequent to its removal, the bank side suffered a landslip which in turn presented a danger to the public, and had an associated cost for rectification. The City of Durham Council receives legal claims associated with damage caused by trees.

An example of a holistic approach can be seen in York where the City of York Council, who see their riverside as an integral piece of their tourism puzzle. Accordingly, they ensure funds for effective maintenance are in place to ensure a high standard is realised, making the areas attractive to tourists.

Care should be taken in the management of the trees along the riverbanks within Durham. Many of the trees are part of a 19<sup>th</sup> century plantation and as such a lot of the trees are reaching the end of their lifespan. At this stage, the trees can rot internally, and whilst appearing healthy from the outside, they can be structurally unsound, and therefore there is a risk not only that the trees could fall causing damage or injury, but also of the loss of stability to many of the steeper areas of the riverbanks. This could have an impact upon not only the aesthetic of the riverbanks area, but also could lead to structural damage to properties situated above the riverbanks.

### 3.5 Open Space Needs Assessment

A draft report relating to the Open Space Needs Assessment was due the end of March 2008 and this would be circulated to Members for comments. The report investigates the different types of open space and the levels of provision associated with each type of open space. It was noted however, that the Open Space Needs Assessment looks at people's needs within settlement areas rather than large open spaces within the "open countryside".

### 3.6 Cassop Vale

A recent visit to Cassop Vale at the invitation of Local Ward Member, Councillor Marsden, was arranged to check for the presence of water voles but unfortunately, none were spotted. However, there was clear evidence of the presence of water voles and it is believed that there is a large colony. This would be exciting news as in the last 20 years the national water vole population has dramatically decreased.

## 4. Recommendations

4.1 That the City of Durham Council encourage the new Unitary Authority to continue the good work which has taken place in the City of Durham District after vesting in April 2009.

4.2 That a further review of the topic takes place if required.

## Agenda Item 8(a)

<b>Report to:</b>	Cabinet
<b>Date</b>	4 June 2008
<b>Reporting Officer</b>	David Marrs – Executive Director 0191 301 8699
<b>Contact Officer</b>	Ken Sinclair – Health & Safety Officer 0191 301 8754
<b>Subject</b>	Accident Statistics

## Purpose

To report to Cabinet, for information, the accident statistics for the year 2007/2008 detailed by section and accident type.

## Recommendations

That the Report be noted.

## Information

In comparison to 2006/2007 the accident statistics indicate:

- The total amount of employee accidents has reduced by almost 30%
- Violence and aggression incidents have reduced by over 50%
- The number of reportable incidents where an employee was absent for 3 days or more has reduced from 19 to 11
- There were 3 accidents where major injuries occurred as opposed to 1 in 2006/2007
- Incidents involving members of the public has reduced from 202 in 2006/2007 to 161 in 2007/2008

Although no accident is welcomed, the statistics indicate a continuing positive trend following last year's improvement and are an indication of the pro-active nature of our Safety Policy in respect of continuing vigilance, safety awareness and training.

Signature ***David Marrs***

**TITLE** Executive Director

**Date** 12 May 2008

CITY OF DURHAM COUNCIL  
ACCIDENT STATISTICS – FOR THE YEAR OF 2007/2008

SECTIONS	CONTACT WITH MOVING MACHINERY OR MATERIALS BEING MACHINED	HIT BY MOVING/FLYING/FALLING OBJECT	HIT BY MOVING VEHICLE	HIT SOMETHING FIXED OR STATIONARY	INJURED WHILEST HANDLING/LIFTING	SLIPPED, TRIPPED OR FELL ON THE SAME LEVEL	FELL FROM HEIGHT (LADDERS, PLATFORM, ROOF)	TRAPPED BY SOMETHING COLLAPSING	DROWNING/ASPHYXIATION	EXPOSED TO OR IN CONTACT WITH A HARMFUL SUBSTANCE	EXPOSED TO FIRE/EXPOSED TO AN EXPLOSION	CONTACT WITH ELECTRICITY	INJURED BY ANIMAL/INSECT BITES	VIOLENCE AT WORK	ANY OTHER ACCIDENT	TOTAL NO. OF ACCIDENTS	OVER 3 DAY ACCIDENTS (HSE)	MAJOR INJURIES (HSE)	DANGEROUS OCCURANCES (HSE)	NEAR MISS	DISEASES (HSE)
Property Maintenance		4		1	5	3							3		5	21	4			1	
Street Cleaning				1											2	3					
Grounds Maintenance		3			3	2								1	3	12	2	1			
Refuse Collection		3			3											6				1	
Garage																					
Leisure Services		1		1	3									6	3	14				3	
Cleaners		1		1	1											3					
Resident Wardens																					
Stores						1										1		1			
Other Manual																					
Gala Theatre						1									6	7				2	
City Care					6	3							1	8	4	22	3			11	
Staff		1		1	1	4								9	2	18	2	1		2	
<b>TOTAL ALL EMPLOYEES</b>		13		5	22	14							4	24	25	107	11	3		20	

**REMARKS**

Statistics below relate only to employees.

22% Violence at Work

21% Manual Handling

13% Slips/Trips

12% Hit by Moving/Flying/Falling Object

11 accidents (“over 3 day”) reportable under RIDDOR (10% of total employee accidents)

3 Major injuries reportable under RIDDOR

(RIDDOR – Reporting of Injuries, Diseases and Dangerous Occurrences Regulations)

**OTHER NON EMPLOYEES**

Theatre Prod. Staff/ GTSS		2		1		5									8	16					
Work Experience/Trainees				1												1					
Members of the Public		19		15		28									99	161	2				
<b>TOTAL ACCIDENTS</b>		34		22	22	47							4	24	132	285	13	3		20	

## Agenda Item 8(b)

<b>Report to:</b>	Cabinet
<b>Date</b>	4 June 2008
<b>Reporting Officer</b>	Executive Director Tel: 0191 3018867 email: dmarrs@durhamcity.gov.uk
<b>Contact Officer</b>	Kay Laidlaw – Legal & Complaints Officer Tel: 0191 3018876 email: klaidlaw@durhamcity.gov.uk
<b>Subject</b>	Local Government Ombudsman Cases

**Purpose**

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

**Recommendations**

That the report be noted.

Signature **D Marrs**

TITLE Executive Director

Date 13 May 2008

City of DurhamCABINET4 June, 2008Report of the Executive Director - 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>
06/C/13534/PEL	That the council approved a planning application for a development near the complainant which was based upon plans which were inadequate to the task.	<p>The LO's provisional view is that the complaint regards approval of planning application for a development which was based upon plans which were inadequate to the task and then the council based its consideration of the development on plans submitted at a later date which did not match the plans originally approved. The complaint is that the council therefore permitted a development to take place which does not accord with the approved plans. The council accepts that the new plans submitted do not form a part of the planning permission but it considers that the plans do not differ significantly from those which were approved and which address the shortcomings of the approved plans.</p> <p>The LO's view is that there is no significant injustice caused to the complainant by the way the council considered the planning application.</p> <p>Reason for Termination: No maladministration</p>
07/C/15504/RLB	The complainant advised that the city council had not responded to his attempts to have action taken to curtail the use by skateboarders, cyclists etc of a tarmac ramp outside his home.	<p>The complaint relates to a ramp together with a request for the erection of a barrier to prevent skateboards use which was sent to Durham County Council in September 2007 and forwarded to the anti social behaviour officer at the City Council. He also complains that he and his neighbours were not consulted before the ramp was erected.</p> <p>The LO's view is that the City Council is continuing to assess the situation and liaise with residents and therefore no further involvement is required by the LO.</p> <p>Reason for Termination: Ombudsman's discretion</p>
08/001972/JO	Complaint about the way the Council dealt with an application for a large	The Local Government Act 1974 says that normally the Ombudsman may not investigate a complaint unless it was made to her, or an elected councillor within 12 months from the day when the complainant first knew something had affected him or her.



Appendix A

	<p>shopping precinct sign, which is now attached to complainant's property. In particular that the complainant was not given a personal notification of the application.</p>	<p>It is now more than two years since the problem arose and so this restriction applies to this complaint. Reason for termination: Out of jurisdiction; time.</p>
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## Agenda Item 8(c)

<b>Report to:</b>	Cabinet
<b>Date</b>	4 <sup>th</sup> June 2008
<b>Reporting Officer</b>	Director of Corporate Services: 301 8885
<b>Contact Officer</b>	Ann Whitton: 301 8789
<b>Subject</b>	Representatives on Outside Bodies

**Purpose****(a) Association of North East Councils**

Members are asked to note the re-appointment of Councillor Reynolds as the City Council's Representative and Councillor Woods as Substitute Representative on the Association of North East Councils.

**(b) North East Regional Assembly**

Members are asked to note the re-appointment of Councillor Woods as the City Council's Representative and Councillor Reynolds as Substitute Representative on the North East Regional Assembly.

**Recommendations**

That the report be noted

**Information**

R.A. Henderson

Director of Corporate Services

4<sup>th</sup> June, 2008

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