

COUNCIL
27 September, 2007

COUNCIL PROCEDURE RULE NO. 9.2
QUESTIONS BY MEMBERS

1. The following question was received, by the due date, from Councillor Lodge and was addressed to the Portfolio Holder for Finance, Councillor Southwell.

“What effect has business brief 11/99 had on our Leisure Services? If it has would he explain in layman’s terms what it was now that it has been cancelled, have there been any savings?”

2. The following question was received, by the due date, from Councillor Lodge and was addressed to the Portfolio Holder for Finance, Councillor Southwell.

“When challenged on the 17% rise in the Audit Charge he responded by saying we only paid them peanuts. The Leader didn’t ask for clarification and we aren’t at Cabinet. Would he explain where the peanuts are in our annual accounts? His statement has left more questions unanswered than answered.”

3. The following question was received, by the due date, from Councillor Taylor and was addressed to the Leader of the Council, Councillor Reynolds

“I had thought that this Liberal Democrat administration was in agreement with our MP, in that Durham is in need of more affordable housing. Could the Leader of the Council inform me as to why the DVCR housing development on the green field site adjacent to St. Agatha’s Close in Brandon is not affordable housing.

Also how much profit from the sale of these properties does the Council project hope to receive?

Would the Leader also please tell me how much money did the Council receive from the sale of the land that this development is to be built on? And has the land been checked for contamination, finally how much of the money is the Council going to reinvest in Brandon to regenerate the village.”

4. The following question was received, by the due date, from Councillor Robinson and was addressed to the Leader of the Council, Councillor Reynolds

“Can the Leader of the Council tell me why there were only Chairs and Vice Chairs invited to attend a Scrutiny Venue at “The Stadium of Light” on Thursday, 13th September, 2007 as I understand 10 places were allocated to Durham City Council.

Why was this not politically balanced to Scrutiny Members, as you know very well that we have no Chairs or Vice Chairs on any Committees.

I along with all Scrutiny Members work as a team to be open and transparent and fair, but is it now your Policy (them and us) and are we not included in Scrutiny Venues at all, and will we always be kept in the dark regarding Venues.

Not good enough Councillor Reynolds where is the cross party participation, just one more thing I would like to thank Councillor Wilkes for bringing me back a CD of the Venue, and hope he will not be reprimanded.”

5. The following question was received, by the due date, from Councillor Marsden and was addressed to the Portfolio Holder for Environment, Councillor Rae

“On attending a meeting at Bowburn Community Centre at 2.00 p.m. on Wednesday 12th September, the meeting was for open SPACE NEEDS ASSESSMENT. I noted on the paper hand outs the only area in Cassop was the playing field, may I point out to you the only “National Nature Reserve” in the Durham City Council Area is in Cassop.

The two gentlemen who were conducting the meeting were taken aback when they were told of this, you as Portfolio Holder should have known this, please could you give me a sound reason why this was not so and make sure that it does not happen again on such an important matter, this is part of our heritage.”

6. The following question was received, by the due date, from Councillor Taylor and was addressed to the Portfolio Holder for Communities, Councillor Thomson

Please inform me of how many CO detectors have been replaced to date and what are the total amounts that need replaced?

Also, have the Council received the order of carbon monoxide detectors that were coming from China.

At the last meeting of this Council I asked the Leader of the Council to apologise to council tenants for the appalling mismanagement that meant that the council had no detectors in stock. Unfortunately Councillor Reynolds chose to ignore what I thought was the right thing to do.

Is the Portfolio Holder prepared to do the decent thing and apologise, for the council's blunder which without doubt will have caused distress and anxiety to many elderly and vulnerable people? I believe that many of these detectors are battery operated, and no other Authority has had the same problem and if so could he tell me which Authority?

7. The following question was received, by the due date, from Councillor Carr and was addressed to the Portfolio Holder for Leisure & Culture, Councillor Pitts

“Tell me when asked for an update regarding the new Swimming Pool some months ago, 10 to be exact, we were expecting more than a slide show of a building site, we were expecting to be told if it was on schedule, was it still on budget etc., but not to ask questions on a very important scheme as this I find very unusual, this scheme is costing the villages and rate payers millions of pounds.

Can the Portfolio Holder tell me why was this held at Cabinet usually all presentations are held in the evening so that more Councillors can attend and ask questions?”

8. The following question was received, by the due date, from Councillor Mitchell and was addressed to the Leader of the Council, Councillor Reynolds.

“Did the Leader and Deputy Leader of the Council ask permission of the family of the deceased person whose grave stone they recently used for their publicity stunt?

Also does he not agree with me that using a deceased person's memorial for a political stunt showed very poor judgement and will he and the Deputy Leader now apologise for it?”

9. The following question was received, by the due date, from Councillor Turnbull and was addressed to the Portfolio Holder for Finance, Councillor Southwell.

“Will the Portfolio Holder for Finance Councillor Southwell, please tell this Council why over £80,000 of capital investment that would have provided low cost insulation for those in fuel poverty has been scrapped and will he join Labour Councillors in campaigning for the program to be reinstated.”

10. The following question was received, by the due date, from Councillor Mitchell and was addressed to the Portfolio Holder for Leisure & Culture, Councillor Pitts.

“Could the Portfolio Holder for Leisure and Culture Councillor Pitts please explain why only a handful of Councillors were invited to the recent tour of the new swimming pool project and why these were all Liberal Democrats?”

11. The following question was received, by the due date, from Councillor Lodge and was addressed to the Deputy Leader, Councillor Woods.

“Having presented and had approved the Council’s Draft Transport Plan. I would like to know how many of the 15 creative sustainable transport networks have been implemented during 2007, or will be. I was very surprised to notice there has been no reference to taxis has she a reason for not including them in a transport plan.”

12. The following question was received, by the due date, from Councillor Lodge and was addressed to the Deputy Leader, Councillor Woods.

“By now I will have had an answer to why Taxi’s are not in the Transport Plan. Could she please advise the Council what she is doing to make sure the taxi ranks in the City are free of other traffic to enable taxis to use ranks, particularly in the area around the Gala Theatre. Where the police have stated they will move on any taxis waiting for patrons of the Gala Theatre.”

13. The following question was received, by the due date, from Councillor Lodge and was addressed to the Portfolio Holder for Environment, Councillor Rae

“Would Councillor Rae please explain how she can justify the extra money to enhance the pink area when the largest part of the City is outside. By their own statements in the past about being one City, it is hard to comprehend what’s good enough for us who live in the non pink area isn’t good enough for those who do. Why?”

COUNCIL**27TH SEPTEMBER, 2007****REPORT OF OFFICERS MANAGEMENT TEAM****1. POLICY ON RESERVES AND BALANCES**

The Council adopted its current broad risk-based policy on reserves and balances on 27 February 2006. This was reviewed and endorsed by Council in February 2007 when considering the 2007/08 budgets and council tax.

The Council's current policy on reserves and balances is as follows:

- a) the purpose of the Council's general reserve is to:
- ◆ cover emergency events such as unforeseen financial liabilities or natural disasters
 - ◆ support one-off and limited ongoing revenue spending
 - ◆ to help offset medium term liabilities facing the Council

Cabinet may agree to the use of general reserves up to a limit of £0.5M;

- b) the purpose of the Council's earmarked reserves is to meet identified spending commitments. These reserves will only be used to the purposes for which they were created and will be reviewed annually. If they are no longer required, they will be transferred to the general reserve;
- c) with regard to the HRA Balance, the Council will maintain a minimum balance of £0.5M and will aim to increase this to £1M over the medium to long term;
- d) with regard to the Insurance Fund, the Council will maintain a minimum balance of £400,000 and will aim to increase this to £1M over the medium to long term.

When considering its policy on reserves and balances in February 2007, Council noted that:

“The Council's policy and Medium Term Financial Strategy is to maintain and, if possible increase the General Fund Reserve to £3,000,000, this enabling it to improve its planning for the longer term and give it the flexibility to take advantage of funding opportunities as they arise. This reflects the risks inherent in its management of the Gala Theatre, in its planned new capital developments, in the construction, commissioning and operation of the new Swimming Pool, in the implementation of Job Evaluation and Single Status, in the introduction of a revised scheme for Concessionary Fares in 2008 and in its plans to fund its Capital Programme from land and RTB sales. It may, however, be possible in the longer term to reduce the minimum level of reserves”.

The balance held at 30th June 2007 is £3.205M.

It is now, however, opportune for the Council to review this policy as:

- a) when the Audit Overview Committee considered the Statement of Accounts, Members questioned the requirement for and adequacy of the General Reserve and requested a more detailed analysis. Thus, there is a need to provide further information to ensure that the Council (and its Members) have a greater clarity and understanding, thus, fully complying with a formal requirement of the Local Government Act 2003;

The financial report to Cabinet on 5th September 2007 began to address this issue. In Appendix A there was the following detailed breakdown of the balance of the General Reserve held at 31.3.07:

	£000s
Minimum Threshold (General Provision)	700
Provision re Galan Theatre (£730K - £575K)	155
Additional Pay Award (+0.50%)	150
Swimming Pool (Development Budget)	1,000
Concessionary Fares 08/09 – Re-alignment of Funding	245
Job Evaluation – Cost of Protection	200
Provision – Capital Receipts (Reduction / Timing Issues)	400
Total	2,850

This report also approved the transfer to £355,500 from Earmarked Funds to General Reserve. Consequently, the General Reserve now stands at £3.205M.

- b) emergencies, such as flooding, terrorist attacks etc. in recent months have required an urgent response on the part of local authorities, including the deployment of resources. The Council's current policy requiring approval of Cabinet for the use of general reserve up to a limit of £0.5M and the approval of Council thereafter would clearly hinder the Council's ability to respond should such an emergency occur in this district;
- c) the Council's general reserve has now exceeded £3M, and best practice as outlined in the Use of Resources Assessment indicates that Members should now consider the opportunity cost of holding such an amount in reserve
- d) the Council has recently reviewed its capital programme in the light of a reduction in the sale of council houses and delays in the disposal of land. The Council's target for general reserve was set at £3M partly to reflect the risks inherent in its plans to fund its Capital Programme from land and RTB sales. These risks are now materialising and the Council should ensure that these contingency funds are clearly identified and can be readily deployed if necessary. There are currently two delegations covering this deployment:
 - i) the Council's policy on reserves and balances under which Cabinet may agree to the use of general reserves up to a limit of £0.5M
 - ii) long standing delegations given to the S151 Officer when the Budgets are approved under which the S151 Officer is authorised to:
 - ◆ make any necessary transfers/provisions/adjustments when preparing the Statement of Accounts for the year in questions (currently 2006/07)
 - ◆ suitably finance the General Fund/Housing Capital Programme for the year in which the delegation is approved and the following year (currently 2006/07 and 2007/08)

There is clearly an anomaly in the two delegations and it would be helpful if this could be resolved;

- e) the Council, in the Capital Strategy, Medium Term Financial Plan and Estimates, Cabinet, in several reports including Achieving the Vision, and the Central Durham Crematorium Joint Committee (which holds executive authority from Council) has developed a further programme of capital schemes which it wishes to undertake should resources become available. These include:
- i) Creation of a Community Chest at West Rainton
 - ii) Initiatives at Bowburn (including the renovation of the Park
 - iii) Provision of a new Community Centre at Sherburn Hill
 - iv) Creation of a Community Chest at Cassop
 - v) Replacement of the cremators at Durham Crematorium and the implementation of a long standing Masterplan to redevelop the buildings
 - vi) Creation of a Community Chest at Sherburn Hill
 - vii) Implementation of Masterplans at Bowburn
 - viii) Implementation of Masterplans at Brandon
 - ix) Implementation of Masterplans at Esh Winning
 - x) Development and implementation of a Masterplan for Sherburn and Sherburn Hill
 - xi) Implementation of the 20/20 Vision
 - xii) Improvements to Wharton Park
 - xiii) Implementation of the Play Strategy
 - xiv) Renovation of the Riverbanks
 - xv) Office Accommodation
 - xvi) Refurbishment of Leisure Centres
 - xvii) Compliance with the Disability Discrimination Act

It has always been the Council's intention that funds held in General Reserve could be used to meet risks inherent in its planned capital developments, including those shown above. Given the current funds held in General Reserve, the Council should ensure that if it wishes, resources held in General Reserve may be deployed to fund these schemes, to which it has given a clear commitment. Under the current reserves policy, Cabinet's ability to do so would be restricted to schemes in total under £0.5M;

- f) the Council's general reserve also reflects the risks inherent in the construction, commissioning and operation of the Swimming Pool. This is a scheme procured through DVRC, under a development agreement. This scheme is included in the Council's Capital Strategy and direct payments made by the Council are included in its Medium Term Capital Programme. However, because of the development agreement, the transfers of land are not shown explicitly in the Capital Programme. The general reserve stood at £3M partly because of the risks inherent in any major project, risks that for this Council materialised when undertaking its last major capital project, the Millennium City Complex. This scheme illustrates clearly a further anomaly in existing policies on reserves and balances. No specific consideration has been given to the deployment of resources and reserves or to the financing of projects undertaken by DVRC with powers being exercised only under general delegations or policies on reserves and balances;

- g) the Council should review the adequacy of its reserves on a regular basis. The Risk Management Working Group has reviewed the Council's Strategic Risk Register and will be submitting it for approval shortly to both Cabinet and the Audit Overview Committee. This has re-assessed the risks associated with the management of the Gala Theatre and identified this now as a low risk which will no longer be included in the Strategic Risk Register. Recent financial reports have shown that the Gala Theatre is now operating comfortably within its financial and performance targets. Thus, the risks have reduced as theoretically should contingencies held for this purpose;
- h) The Council has met its targets set in its revenue budgets in recent years generating underspends or savings which have contributed towards general reserve and have funded new initiatives. The 2006/07 Statement of Accounts saw a further increase in reserves and financial monitoring reports to OMT and to Cabinet in the first months of 2007/08 also show substantial underspends at this point in the year. Council established a further Corporate and Service Initiatives Fund when approving the 2006/07 Statement of Accounts which supports one-off revenue spending. Cabinet has approved some additional but limited revenue commitments for the current financial year and for the following year. In addition, revised pay offers made by national negotiators lie within the estimates made in the 2007/08 budgets. Thus, the risks of additional funds required to support revenue expenditure in 2007/08 have been partly mitigated and managed;
- i) the Council's general reserve was also established to offset medium term liabilities facing the Council. Liabilities associated with capital expenditure and financing have been considered above. In assessing these reserves, the Council took into account:
- ◆ the impact of job evaluation / single status in 2007/08 and 2008/09
 - ◆ the introduction of a new Statutory Concessionary Fares Scheme in 2008/09
 - ◆ revised grant settlements and efficiency targets arising from the 2007 Comprehensive Spending Review which would be implemented from 2008/09 onwards

The Council's Medium Term Financial Plan also identifies additional medium term revenue liabilities. These include the commissioning of the new swimming pool, the replacement of the current Kerb-it Recycling Scheme and further reductions in the Planning Delivery Grant.

These risks still remain. It should be noted that the Council should not fund these risks from Reserves over the medium to long term, but should rather take any necessary measures to ensure that their impact can be accommodated in its ongoing revenue budgets. It may, however, need some funds in the short term (during 2008/09) to enable it to put measures in place to do so, Indeed, the Council's Medium Term Financial Plan envisaged the Council drawing £255,000 from its General Reserve in 2008/09 to support its budgets, though this did exclude the cost of any changes in the Statutory Concessionary Fares Scheme;

- j) any assessments of the Council's reserves and the underlying risks would obviously not be completed without considering the impact of the possible establishment of a unitary authority in County Durham and the abolition of this Council. The current position, as outlined by central government, requires the Council to be fully involved in the development of the new authority, whilst at the same time maintaining service delivery at a time of great uncertainty. The Council should ensure that it is in a position to do so and not be unduly restricted by policies and schemes of the delegation that were applicable to other circumstances. It is likely that the Council will also have restrictions placed on its power by statutory orders.

Recommendation

Council is recommended to approve the establishment of 3 Reserves from the existing General Reserve:-

- ◆ a Strategic Emergency Reserve of £700,000
- ◆ a General Reserve of £500,000
- ◆ a Capital Fund – Revenue Contributions of £2,005,000

Council is recommended to approve the following risk based policy on reserves and balances:

- a) the purpose of the Strategic Emergency Reserve is to cover emergency events such as unforeseen financial liabilities or natural disasters. This reserve currently equals 5% of the Council's net General Fund revenue budget and the Bellwin sum and is the recommended minimum amount of reserves that should be retained by the Council as a contingency

Only the Council itself may authorise the use of this reserve, except in the circumstances where a major emergency is declared, requiring the deployment of the Council's emergency planning arrangements and the establishment of Gold and Silver Command. In these circumstances, Council gives the Chief Executive, as the designated Gold Commander, delegated powers to authorise the deployment, if necessary, of all available resources, including this reserve;

- b) the purpose of the General Reserve is to support one-off and limited ongoing revenue expenditure in the existing financial year (provided that this expenditure cannot be met from existing earmarked revenue/reserves and/or anticipated savings in the year, currently 2008/09). These include the costs of Job Evaluation, changes to the Statutory Concessionary Fares Scheme, Local Government Review and the impact of the Comprehensive Spending Review in 2008/09. Cabinet will approve the deployment of this reserve, via the quarterly budget monitoring reports, the 2008/09 estimates report or other reports. Council will review this reserve annually when considering the estimates and at that point identify requirements for the following financial year.
- c) the purpose of the earmarked Capital Fund - Revenue Contributions is to finance, if required, the existing capital programme in 2007/08 and 2008/09, to meet, if necessary, the costs of contractually committed capital works/programmes undertaken by DVRC on the Council's behalf in 2007/08 and 2008/09 and to fund further capital schemes outlined in Corporate Plans, including the Capital Strategy, Medium Term Financial Plan. The S151 Officer, in conjunction with the Leader and Deputy Leader, is authorised to:
- i) make any necessary transfers / provisions / adjustments from this reserve when preparing the Statement of Accounts in 2007/08 and 2008/09
 - ii) deploy this resource, if required, to suitably finance the General Fund / Housing Capital Programmes (including payments for all contractually committed schemes to DVRC) in 2007/08 and 2008/09

Subject to the agreement of the S151 Officer and the Monitoring Officer that funds are available, Cabinet is authorised to approve further capital schemes, with such schemes being financed from this reserve, or from other earmarked reserves, such as the Unapplied Capital Receipts Reserve, Flourishing Communities Fund etc. This reserve will be reviewed quarterly via the quarterly budget monitoring report presented to Cabinet;

- d) the purpose of the Council's earmarked reserves is to meet identified spending commitments. These reserves will only be used for the purposes for which they are created and will be kept under constant review via the budget monitoring reports considered by Cabinet on a quarterly basis. If they are no longer required they will be transferred to the General Reserve. Cabinet will approve their deployment via the quarterly budget monitoring reports or other reports;
- e) with regard to the HRA balance, the Council will maintain a minimum balance of £0.5M and will aim to increase this to £1M over the medium to long term. The purpose of the HRA Reserve is to offset any potential future deficits and to fund improvements to the Council's housing stock and its management in future years;
- f) with regard to the Insurance Fund, the Council will maintain a minimum balance of £400,000.

CITY OF DURHAM

COUNCIL
27 September 2007

REPORT OF LEGAL AND DEMOCRATIC SERVICES MANAGER

1. CONFERMENT OF THE TITLE OF HONORARY ALDERMEN

In accordance with Section 249 of the Local Government Act 1972, the City Council may, by a resolution passed by not less than two thirds of the Members voting thereon, confer the title of Honorary Alderman on persons who have, in the opinion of the council, rendered eminent service to the council as past Members.

The City Council has previously decided that the conferment of such an honour would only be given to those past Members who had served on the council for a period of 15 years or more.

Whilst Honorary Aldermen have no legal, social or royal precedents, they may be used to support the office of the Mayor and the work of the Mayor's charity and may attend and take part in such civic ceremonies as the council may from time to time decide. Honorary Aldermen have no right to attend the meeting of the Council or any committees or to receive any allowance payable to Members of the council under the Local Authorities (Members Allowances)(England) Regulations 2003.

By custom they would generally be invited to attend on civic occasions.

It should be pointed out that no Honorary Alderman could act as such if he/she were to be re-elected to the City Council.

The undermentioned former Members of the City Council who stood down at the last election, would qualify to be considered for conferment of the title of Honorary Aldermen because each has served the council for a period of 15 years or more.

Mr R Gibbon
Delalay
Witton Gilbert
Durham

Mrs Mary Hawgood
2 St Anne's Court
Castle Chare
Durham

Mr T.S Gill
33 Briar Avenue
Brandon
Durham

Two other former Members of the City Council, with the requisite length of service have indicated that they would not wish to be considered for the conferment of this honour.

Members' instructions are requested.

2. AMENDMENTS TO THE CONSTITUTION

Cabinet on the 18 July considered a first report on proposals for the redesign of City Council services. On 5th September Cabinet considered a second report which provided substantial

further information as to the design and population of the management structure of the City Council. Cabinet resolved to adopt the proposals presented but in order to implement the resolution, amendments are required to the Constitution. The amendments are summarised at Appendix B.

In addition to the above, Council is also requested to adopt and add to the Constitution a Code of Corporate Governance. Governance is about how Local Government bodies ensure that they are doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner. The proposed Code of Corporate Governance has been drafted taking into account the guidance issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives and Senior Managers (SOLACE) in their framework document 'Delivering Good Governance in Local Government' and its accompanying guidance note. A copy of the Code of Good Governance is attached at Appendix C.

In view of the substantial numbers of amendments which are recommended, a copy of the amended constitution with the additions shown in red and the removals shown with a double strikethrough have been placed on Members Online with a hard copy also being placed in the Members Room.

In view of the above, it is recommended that:-

1. The proposed amendments to the Constitution be adopted forthwith.

3. AMENDMENTS TO THE CONSTITUTION

Following the Decision of Council of even date to amend the Constitution forthwith, the new management structure has not as yet been populated in its entirety and will be subject to a further report to Cabinet.

Until such time as the new management structure is populated, it is recommended:-

1. That the functions of the Monitoring Officer (as set out in Article 12 of the Constitution) and the Head of Legal Services (as set out in Table 12 of Part 3 of the Constitution) be exercised by the Legal and Democratic Services Manager until such time as the management structure has been populated and a Head of Legal Services is appointed.
2. That the functions of the Head of Community Services which relate to housing be exercised on a temporary basis by the Head of Housing until such time as he retires, whereupon they will revert to the Head of Community Services
3. That the functions of the Head of Accountancy Services be exercised by the Director of Financial Services.
4. That the functions of the Head of Information and Technology Services be exercised by the Director of Corporate Services

Summary of Amendments to the Constitution

Part One (Summary and Explanation)

This section of the Constitution has been amended in one area only to reflect the fact that the address of the Council is 17 Claypath, Durham.

Part Two (Articles of the Constitution)

This section of the Constitution has been amended to ensure that the duties and responsibilities contained within it relate to the new management structure of the Council. In addition, the Executive Director has been designated as the Returning Officer and Electoral Registration Officer.

Part Three (Responsibility for Functions)

This section of the Constitution has also been amended to ensure that the delegations contained within it relate to the new management structure of the Council. Some posts previously contained within the Constitution have been deleted from the new management structure, with the delegations being held elsewhere. Accordingly, tables 1 to 14 now contain all of the delegations to officers.

Part Four (Rules of Procedure)

This section of the Constitution has again been amended to ensure that the duties and responsibilities contained within it relate to the new management structure. In addition, an amendment has been made to the Scrutiny Procedure Rules to ensure that the relevant portfolio holder takes early ownership of scrutiny reports which relate to their portfolio.

Part Five (Codes and Protocols)

As above, this section of the Constitution has been amended to ensure that the identification of the post with responsibility is correct.

It is also proposed that the Council adopt the Code for Corporate Governance, as attached at Appendix A. Governance is about how Local Government bodies ensure that they are doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner. The proposed Code of Corporate Governance has been drafted taking into account the guidance issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives and Senior Managers (SOLACE) in their framework document 'Delivering Good Governance in Local Government' and its accompanying guidance note.

Part Six (Members Allowance Scheme)

This section of the Constitution has been amended only to ensure that the responsibilities within it reflect the new management structure approved by the Cabinet.

Part Seven (Management Structure)

This section of the Constitution has been amended to reflect a pictorial depiction of the new management structure.

LOCAL CODE OF CORPORATE GOVERNANCE

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1. INTRODUCTION

Governance is about how Local Government bodies ensure that they are doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner. Good governance leads to good management, good performance, good stewardship of public money, public engagement and, ultimately, good outcomes for citizens and service users.

The Council has established this Code of Corporate Governance, which takes account of the guidance issued by the Chartered Institute of Public Finance and Accountancy (CIPFA) and the Society of Local Authority Chief Executives and Senior Managers (SOLACE). This guidance can be found in their document entitled 'Delivering Good Governance in Local Government' and its accompanying guidance note.

2. DEFINITION

The Council believes that Corporate Governance is defined as being the systems, processes, cultures and values by which it directs, controls and through which they account to, engage with and leads its communities.

3. KEY ROLES OF THE COUNCIL

The Council recognises that its duties are wide and varied. It will strive to apply the principles of this code in any role that it performs. In particular, Council recognises and adopts the view taken by CIPFA and SOLACE that Local Authorities have four key roles to perform, namely:-

- i) To promote the formation of effective partnerships and provide leadership for and with the support of the community.
- ii) To deliver high quality local services whether directly or by any other means.
- iii) To perform a stewardship role that protects the interests of the public and uses resources efficiently.
- iv) To develop citizenship and local democracy.

The Council recognises the importance of these roles and the need to have in place an effective Code of Corporate Governance in order to meet its responsibilities.

4. THE GOVERNANCE PRINCIPLES

The City Council will apply six core principles in performing its key roles and other duties as a Local Authority. These core principles are:-

- i) Focusing on the role to be performed by the Council and on the desired outcome for the community in accordance with an overarching vision and action plan for the development of the local area.

- ii) Co-operation between democratically elected members and employed officers of the Council to achieve a common purpose with clearly defined functions and roles in reaching desired outcomes.
- iii) Maintaining high standards of conduct and behaviour in order to promote the Council's standards and demonstrate the values of good governance.
- iv) Taking informed and transparent decisions which are subject to effective independent scrutiny and robust risk management procedures.
- v) Developing the skills of members and officers, and ensuring that the necessary resources are available to ensure that they can work effectively.
- vi) Engaging with the residents of Durham City and other stakeholders to ensure a high level of public accountability.

In addition to the above principles, the Council continues to recognise that the key requirements of good governance are:-

- Accountability
- Integrity
- Openness and inclusivity

The Council will strive to ensure that the above principles and requirements are applied when it exercises its functions as a Local Authority. They will be reflected in all dimensions of the Council's business activities.

The Council will ensure that its systems and processes are monitored against the above principles and requirements to test their effectiveness in practice. Systems and processes will also be subject to review on a continuing basis to ensure that they are kept up to date.

5. DELIVERING THE GOVERNANCE PRINCIPLES

i) Vision and action plan for the development of the local area.

The Council is committed to applying a coherent plan of development and advancement for the City of Durham. It will focus on achieving its duties and responsibilities in a way that will promote its vision for the City. It will ensure that this vision is clearly communicated within the Council, to its stakeholders and particularly to the public whom it serves through the publication of:-

- The Community plan
- Business plans
- The Corporate Performance Plan

The Council will develop and exercise strategic leadership by developing and

communicating the Council's vision for the community and the reasons for that vision. It will make clear the benefits that will be experienced by the Council as a whole by virtue of its policy. It will also ensure that users receive the delivery of high quality services and ensure that resources are used effectively. Service users should receive the best possible value for money.

ii) Members and officers working together to achieve a common purpose with clearly defined functions and roles.

The Council will develop and promote its purpose and mission by making proper arrangements to encourage individuals and groups from all sections of the community to engage with, contribute to and participate in the work of the Council. It will ensure that appropriate monitoring arrangements are in place by developing robust mechanisms. Priorities and targets will be established in consultation with local communities and other key stakeholders. This will be achieved through the use of:-

- Local Strategic Partnership,
- Tenants Panel and Viewpoint Panel
- Resident's forums
- Participation Compacts
- Tax payers forums,
- Community network arrangements
- IEG statements
- The Council's web site

It will also be necessary for the Council to review its policies and vision on a regular basis by setting clear priorities and targets. There will be agreed action plans with appropriate arrangements for the review and effective implementation of the actions agreed. The Council will also ensure that users of its services are regularly consulted, particularly where policy changes are affected by government and industry recommendation or changes in the law. The following documents will be used to enforce the Council's policy and vision:-

- The Community plan
- Business plans
- The Council's Corporate Performance Plan
- Local strategic partnership arrangements
- Regular meetings of Full Council
- Regular committee meetings

The Council will ensure that common policies are understood and agreed between the City Council and its partners when delivering services. The Council will establish clear channels of communication with all sections of the community and other stakeholders and will ensure proper monitoring arrangements. The Council aims to foster effective relationships with the public, private, community and voluntary sectors whilst ensuring that processes are in place to ensure their effective operation in practice. This will be achieved using:-

- A partnership framework/protocol
- A communication strategy
- Local strategic partnership arrangements
- Partnership toolkit
- Effective partnership working

Annually the Council will report on its activities, achievements, financial position and performance by publishing timely information which presents an objective, understandable account of the Council's activities, achievements, financial position and performance. It will make proper arrangements for the independent review of the financial and operating reporting processes. This will be achieved through:-

- Medium Term Financial Plan
- Asset Management Plan
- The Council's Corporate Performance Plan
- The annual Statement of accounts including the Statement on Internal Control
- The annual External Audit Letter
- Scrutiny Committee reports
- Inspectorate reports
- Audit Overview committee
- Full Council
- Annual report

The Council will also ensure quality of service for users by setting clear targets with plans for their achievement. These targets will be founded on the best possible advice from members and officers following the production of business and performance plans which represent objectives, balanced and understandable assessments of current service delivery performance and plans to improve service quality. The Council will set standards and targets for service delivery on a sustainable basis including the monitoring and reporting of performance against agreed standards and targets, which may include key and local performance indicators. It will also put in place sound systems for providing management information for performance management processes purposes via:-

- The Corporate Performance Plan
- Best Value reviews
- Business plans
- Performance management systems
- Scrutiny Committee reports
- Budgetary control procedures
- Internal audit
- Benchmarking

Effective arrangements will be put in place to identify and deal with failures in service delivery. The Council will consult users of the Council services on a regular basis and respond to poor performance identified from key and local performance indicators. It will also react to any concerns raised through performance management processes or internal audit reports quickly and effectively. It will put in place arrangements for the effective implementation of agreed actions and submit appropriate reports to the Scrutiny Committee. These arrangements will be evidenced by:-

- The Council's Corporate Performance Plan
- Best value reviews
- Consultation processes
- Scrutiny Committee reports
- Budgetary Control procedures
- Business Plans
- Performance management systems
- Internal audit

As it is important to ensure that processes are in place to measure and review value for money and performance effectively, the Council will put in place sound mechanisms for providing management information for performance management purposes. It will consolidate service planning arrangements across all service areas and use member and officer efficiency champions and an efficiency steering group to monitor and review progress against targets reported to the Council's Corporate Management Team and Scrutiny. It will ensure that efficiency savings are in response to proper consultation and are in line with corporate priorities. The Council will also ensure that procurement practices reflect the national procurement strategy and that appropriate external funding will be secured. The Council will use the following to achieve this:-

- Performance management processes
- Consultation processes
- Scrutiny Committee reports
- Business plans
- The Corporate Performance Plan
- Use of Resources assessment
- Procurement strategy
- Efficiency Group
- Funding officer

The Council will also ensure that processes are in place to effectively measure the environmental impact of Council policies, plans and decisions. This will be done by consulting the Council's sustainability officer where appropriate and on producing an environmental impact assessment in relation to the decisions, plans or policy that the Council makes.

iii) Promoting values for the Council and demonstrating the values of good governance through upholding high standards of conduct and behaviour.

The Council will work to ensure good working relationships between elected members of the Council and their officers. It is acknowledged that both members and officers need to work together to achieve a common purpose with clearly defined functions and roles.

It will ensure effective leadership throughout the Council by clarifying the roles and responsibilities of members and officers and the methods of Scrutiny that apply to both. It will also promote a constructive working relationship between officers and members and ensure that the responsibilities of officers and members are carried out to a high standard. It will also be necessary to ensure that relationships between the Council, its partners are clearly understood so that each knows what is expected from the other.

The Council sets out clear statements covering the respective roles and responsibilities of its members and officers through developing and maintaining a scheme of delegated or reserved powers. These are contained within the Council's Constitution and take account of relevant legislation. The Constitution is regularly monitored and updated as required. Members and officers will be properly trained for their role and have access to all relevant information, advice and resources to enable them to carry out their roles.

The following therefore assist in promoting this principle:-

- The Constitution
- Performance and management systems
- Financial standards and regulations
- Training

- Job descriptions/specifications
- Records of decisions and supporting materials.

The Chief Executive is the responsible and accountable officer for all aspects of operational management and so the roles of the Leader and the Chief Executive must be mutually negotiated, understood and maintained.

The Council's Constitution also provides for the employment of statutory officers including a Monitoring Officer and Section 151 Officer. These officers shall be responsible for carrying out their statutory obligations and will work within the terms of the Constitution.

The Council has also developed protocols to ensure effective communication between members and officers in their respective roles.

The Constitution also sets out the terms and conditions for managing the remuneration of members and officers. In particular, the roles and responsibilities of all officers together with their terms of remuneration are defined by their pay and conditions of employment, the job descriptions and specifications attached to that employment and the ability to conduct personal development reviews. The Council will scrutinise and monitor the roles and duties of members and officers to ensure that they are carried out effectively and efficiently. This will be done by providing management information on performance. The Council will also set out the precise terms of reference for the Scrutiny function.

Members and officers will be provided with advice and guidance on their legal status and responsibility through high quality legal advice provided by the legal services section. They will also be given suitable training to allow them to perform their roles.

The Council is committed to establishing high standards of conduct and behaviour, both on the part of members and officers. It seeks to promote an open and honest culture with full accountability which shows no fear or favour to any person on grounds of disability, sex or sexuality, race or for any other reason.

The Council will lead by example in demonstrating high standards of conduct and effective governance and ensure that the Council's values are implemented and effective.

The Council's leadership sets a tone for the Council by creating a climate of openness, support and respect by:-

- Ensuring that standards of conduct and personal behaviour are clearly defined for members and officers and are communicated through codes of conduct and protocols.
- Putting in place arrangements to ensure that members and employees are not influenced by prejudice, bias or conflicts of interest in dealing with stakeholders; and that appropriate processes are in place to ensure that they continue to operate in practice.

This is evidenced by:-

- Members and Officers Codes of Conduct
- Anti Fraud and Corruption Policy
- Complaints procedures
- Performance management systems

- Personal Development reviews
- Confidential Reporting Policy
- The Constitution
- Council Policy
- Induction and Training

Monitoring the effectiveness of these values in practice and their application by members and officers of the Authority is achieved by developing and maintaining shared values, including leadership values for the Council, and staff that reflect public expectation and communicate these to members, staff, the community and partners. Also, arrangements have been made to ensure that systems and processes are designed to appropriate ethical standards and monitored for their effectiveness in practice, such as:-

- Members and Officers Codes of Conduct
- Scrutiny Committee
- Monitoring Officer
- Disciplinary proceedings
- Personal Development reviews
- Induction and training

The values of the City Council are implemented in the performance of its duties and through its day to day activities by the continued maintenance of an effective standards committee, using the Council's shared values to act as a guide for decision making and as a basis for developing positive and trusting relationships within the Council and agreeing a set of values against which decision making and actions can be judged in respect of partnerships. They are contained within:-

- The Constitution
- Committee structure
- Committee terms of reference
- Protocols
- Standards Committee

iv) Taking informed and transparent decisions which are subject to effective scrutiny, and managing risk.

The City Council is committed to making informed and transparent decisions on the basis of sound expert advice which are subject to effective scrutiny. It is also fully committed to minimising risk to the public and the Authority.

The Council will:-

- be open, honest and transparent in its decision making processes and act on the outcome of any constructive scrutiny.
- Secure high quality information, advice and guidance to ensure that services are delivered effectively and are appropriate.
- Ensure that effective risk management procedures are in place and are used in the decision-making process.
- Use the powers bestowed on the City Council by law to their full potential for the benefit of the public.

The above will be achieved by maintaining an effective scrutiny function which encourages constructive challenge and enhances the Council's overall performance. The Council will also develop and maintain open and effective mechanisms for

documenting evidence for decisions and recording the criteria, rationale and considerations on which decisions are based. It will also put in place arrangements to safeguard members and employees against conflicts of interest with appropriate processes to ensure that they continue to operate in practice. The following will evidence these arrangements:-

- Scrutiny committee
- Minutes
- Conflicts of interest forms
- Monitoring Officer
- Codes of conduct

In addition to the above, the Council will maintain an effective Audit Committee which is independent of the executive and scrutiny functions. It will have terms of reference and minutes and will be guided by the Accounting and Audit Regulations 2006 (amended).

The Council will also ensure that effective, transparent and accessible arrangements are in place for dealing with complaints. This will be achieved using:-

- Complaints policy
- Complaints procedures
- Training
- Robust processes.
- Published reports
- Monitoring Officer

Those making decisions, whether for the Council or any partners, will be provided with information that is relevant, timely and gives clear explanations of technical issues and their implications. Proper professional advice on matters that have legal or financial implications is available and will be recorded well in advance of decision making and used appropriately, as evidenced by:-

- Committee agendas and background papers
- OMT
- Expert advice and guidance
- Minutes

Risk management is also embedded into the culture of the Council, with members and managers at all levels, recognising that risk management is part of their jobs. The responsibility for risk management is reflected in:-

- Job descriptions
- Constitution
- Induction and training
- Internal audit
- Audit Committee
- Risk management working group
- Risk management software
- Risk register
- Control risk self assessment
- Assurance statements

In the event that any officer, staff or contractor has concerns about the actions of the Council, effective arrangements for whistle blowing are in place to which officers, staff

and all those contracting with or appointed by the Council have access. Responsibility for concerns over the actions of the Council is identified by:-

- Whistle Blowing Policy
- Induction and training
- Council website and intranet
- Internal audit
- Audit Committee

The Council recognises the limits of lawful activity and strives to use its powers for the full benefit of its communities. It recognises the limits of lawful action and observes both the specific requirements of legislation and the general responsibilities placed on Council's by public law through integrating the key principles of good administrative law into Council procedures and decision making processes. This is evidenced by:-

- OMT
- Constitution
- Scrutiny Committee
- Legal section
- Protocols
- Monitoring officer
- Section 151 officer
- Internal audit
- External audit

v) Developing the capacity and capability of Members and Officers to be effective.

The City Council encourages diversity within the Authority and believes in developing a wide range of experience throughout the organisation. It is committed to implementing a comprehensive training and development programme to ensure that each member or officer reaches their full potential.

It ensures that members and officers have the necessary skills, knowledge, experience and resources to perform their role effectively and evaluates the performance of officers with governance responsibilities, encouraging them to expand their capabilities.

The Council also promotes new talent and skills for membership of the City Council in order to promote effective use of skills whilst balancing continuity and development by providing induction programmes tailored to individual needs and providing opportunities for members and officers to update their knowledge and skills on a regular basis. It ensures that statutory officers have the necessary skills, resources and support to perform their roles effectively and that their roles are properly understood throughout the Council. This is evidenced through:-

- Induction and training
- Contracts of employment
- Constitution

The Council also believe it is necessary to assess the skills required by members and officers and develop those skills to enable roles to be carried out effectively. Developing skills on a continuing basis will improve performance, including the ability to scrutinise and challenge and to recognise the value of outside expert advice when required.

Ensuring that effective arrangements are in place for reviewing the performance of the executive and of individual members and agreeing an action plan to address any training or development needs. This will be achieved using:

- Performance management
- Training
- Training matrix
- Consultancy

The Council will also ensure that effective arrangements are in place designed to encourage individuals from all sections of the community to engage with contribute to and participate in the work of the Council, and that career structures are in place for members and officers to encourage participation and development. This will be done through:-

- Tenants panels
- Corporate Performance Plan
- Open Committee meetings
- Forums
- Training matrix
- Equal opportunities policy
- Personal development reviews

vi) Engaging with local people and other stakeholders to ensure robust public accountability

The Council engages with the community and stakeholders to ensure that it is accountable to the people whom it serves. It demonstrates a robust attitude towards scrutiny that encourages the participation of the local community, stakeholders and partners in order to develop constructive relationships which hold the City Council to account. It also takes an active and planned approach to its communication with the public and its accountability to them to ensure the appropriate and effective delivery of services and uses the Human Resources Section of the Council to meet the its responsibilities to its staff.

The Council communicates clearly with members, officers, the public and stakeholders to ensure that everyone is aware of the need for accountability and to whom they owe a duty. It also has clear channels of communication with all sections of the community and other stakeholders and putting in place proper monitoring arrangements. These arrangements are evidenced by:-

- Partnership framework
- Communication strategy
- Local strategic partnership
- Constitution
- Publication of an annual report on the activity of the Scrutiny Committee.

The Council will always hold meetings in public unless there are good reasons for confidentiality. Minutes of meetings that have taken place will be freely available and accessible. It will also ensure that appropriate arrangements are in place to enable the Council to engage with all sections of the community, recognising that there are different sections of the community who have different priorities and establishing explicit processes for dealing with these conflicting demands. The following, in addition to the above, are used to facilitate such engagement:-

- Community plan.
- IEG statements
- Community network arrangements
- Council website

Further, the Council has a clear policy on those issues which can be meaningfully consulted with the public and service users, including a feedback mechanism for those consultees to show what has changed as a result. This is achieved through the use of:-

- Partnership framework/protocols
- Community network arrangements
- Community plan

In addition, the Council publishes an annual plan outlining the Council's vision, strategic plans and financial statements, including its outcomes, achievements and the satisfaction of service users. These are contained within:-

- Corporate performance plan
- Vision
- Annual report
- Medium term financial plan
- Surveys

The Council ensures that it is open and accessible to the community, service users and its staff by making a commitment to openness and transparency in all of its dealings (subject to the need to preserve confidentiality) through the Constitution and corporate performance plan.

This will be achieved using:

- Constitution
- Corporate performance plan

6. ANNUAL REVIEW AND REPORTING ARRANGEMENTS

The Council is responsible for ensuring that their business is conducted in accordance with the law and proper standards, and that public money is safeguarded and properly accounted for and used economically, efficiently and effectively. The adoption of, and compliance with this Code will ensure that proper arrangements are in place to meet that responsibility.

To ensure continuing compliance with best practice as set out in the Framework the City Council will review the Code on an annual basis to provide assurance that:-

- Governance arrangements are adequate and operating effectively in practice
- Where reviews of the governance arrangements have revealed gaps, action is planned that will ensure effective governance in future.

The Council will also prepare an annual Governance Statement which will be incorporated within the Council's Statement of Accounts and submitted to the Audit Overview Committee for approval and to Council.

CITY OF DURHAM

SCRUTINY ANNUAL REPORT

2006 – 2007

SCRUTINY ANNUAL REPORT 2006/2007

INTRODUCTION



Cllr. Roger Pape - Chairman of the Scrutiny Committee - 2006/2007

The Scrutiny Committee and its Panels have enjoyed a full and constructive programme during the 2006/7 municipal year. Primarily they have been concerned with how the Council has met its commitment to developing Quality Public Services, encouraging Flourishing Communities and ensuring Durham's status as a Capital City. Focus has been maintained on how well the Council has managed value for money services, has met customer needs and made services more accessible. Emphasis has also been placed on environmental concerns and the health and well being of the people of Durham. Finally, cultural development and its relationship to Tourism has been examined and the opportunity to enhance the local economy encouraged.

To promote the above and operate more effectively the Committee has conducted, in conjunction with the Improvement and Development Agency, a number of studies of the working practices of other Authorities. These studies, and a concurrent evaluation of the Council's Procedure Rules, have encouraged greater interaction and accountability between the Committee and the Executive, which in turn has stimulated change and improvement.

Finally, the Committee has worked closely with Scrutiny Members across all Durham Authorities to create the County of Durham Scrutiny Network. As an active member of this body we recognise that it works to encourage the sharing of knowledge and experience and promotes the well being and economic prosperity of the County. The Network also uses this forum to examine its own operation and consider effective measures of its performance.

Set out within this Annual Report are summaries of the work undertaken by each Scrutiny Panel. The information contained in them is meant to give an overview of the individual Scrutiny Studies carried out. The full Reports, Recommendations, Appendices and Minutes of the Scrutiny Panels are available via the City of Durham website, www.durhamcity.gov.uk.

BACKGROUND

Although the structure of the Scrutiny Committee and the Scrutiny Panels has remained unchanged during the municipal year, their individuality, in terms of focus, has been maintained whilst operating procedures have been strengthened.

In terms of individuality, 4 Panels exist:

- **Policy:** Examining how the Council operates and formulates policy.
- **Environment:** Considering wider environmental issues within the District, such as the maintenance of riverbanks and woodlands and Bio-Diversity issues.
- **Community Services:** Evaluating how the Council provides services.
- **Economic:** Looking at regeneration, tourism and enhancement of the local economy.

Panel reports in Section 2 of this report show how progress against these aims has been demonstrated during the year.

SUPPORT

Over the past year, Scrutiny has again been supported by the Democratic Support Team.

Clearly, as demonstrated in the Members Satisfaction Survey carried out in September, 2006, the support of the Scrutiny Function forms only a part of the overall duties of the Democratic Support Team, and as such the Scrutiny Support we receive is not dedicated as it is at other Authorities looked at over the past year.

Members have previously indicated that this is a situation that they wished to monitor and they will continue to do so, particularly with reference to the possible expansion of Scrutiny responsibilities subsequent to the Local Government White Paper "Strong and Prosperous Communities", and the Police and Justice Act 2006.

There may also be increasing Officer involvement in joint working with the County of Durham Scrutiny Network and again Members will closely monitor this situation.

TRAINING

Members have continued, over the past year, to take part in different aspects of training and development, including sessions relating specifically to Scrutiny. This training has been held in conjunction with the Council's HR Section and the IDeA. Clearly it is in the interest of all Members to participate towards their own ongoing training and development.

It is also the intention, following the introduction of the new administration following the District Elections in May, to develop, specifically for Scrutiny Chairs and Vice Chairs, a structured training programme for the forthcoming year. The training programme will be developed around some of the current and potential key issues affecting the Scrutiny Function.

The programme will be developed by Chairs and Vice Chairs themselves, in conjunction with the Democratic Support Team. It will be funded from the Scrutiny Improvement Budget, will be introduced into the revised Scrutiny Development Action Plan and will contribute directly towards the Council's Corporate Performance Aim of Quality Public Services.

IMPROVEMENTS TO SCRUTINY PROCESS

Over the past year, in line with the Scrutiny Development Action Plan, a number of improvements have been introduced into the Scrutiny process at the City of Durham, including more structured internal procedures, further Benchmarking against the Scrutiny Functions of other Authorities (Liverpool and South Ribble) and the establishment of our own Scrutiny Chairs and Officers in wider Scrutiny Networks.

The Scrutiny Handbook was produced and circulated to all Members as a courtesy and as a guide to the Scrutiny process at the City of Durham

More structured liaison with Cabinet and a closer alignment with Cabinet procedures has also been put in place.

FUTURE PLANS

Revised Scrutiny Development Action Plan

In 2005, Members were involved in a series of Scrutiny training sessions where a number of perceived weaknesses in the Scrutiny process were identified. Subsequent to this a Scrutiny Development Action Plan was drawn up, identifying a number of improvement projects to be undertaken in order to address these perceived weaknesses.

The Plan covered a two year period, ending in April, 2007. It will now be reviewed, and a further raft of improvements will be identified and incorporated into a revised plan for the next two years.

It is acknowledged that Scrutiny at the City of Durham must now move towards a more robust monitoring of the implementation of Scrutiny Recommendations and it is also recognised that the responsibility and accountability for the implementation of Scrutiny Recommendations needs to be clarified, strengthened and better communicated to the Chairs and Members of the Scrutiny Panels.

Procedures will be further developed to ensure the ongoing evaluation of the effectiveness of the Scrutiny process in relation both to the needs of the Community and to the Corporate Aims of the Council.

To assist in this aim, it is the intention during 2007/2008, to modify the standard Scrutiny Topic Suggestion Form, to include a requirement to demonstrate to which of the Corporate Aims: Quality Public Services, Flourishing Communities, Capital City, the suggested topic will relate. When a link has been demonstrated, consideration will then be given to acceptance of the topic.

OTHER DEVELOPMENTS

Legislation

(a) The Local Government White Paper, 2006

In October, 2006, the Government published the White Paper "Strong and Prosperous Communities"

The White Paper included provisions to strengthen Overview and Scrutiny Committees within Local Authorities and to enhance their powers in relation to their scrutiny of the delivery and performance of external local public service providers.

(b) Police and Justice Act, 2006

The Police and Justice Act emphasises the Scrutiny by Local Authorities of Crime and Disorder issues.

It includes provisions to ensure that a Local Authority establishes a "Crime and Disorder" Scrutiny Committee and incorporates increased powers and responsibilities for Scrutiny.

Both pieces of legislation contain the requirement for Local Authorities to address "Community Calls for Action", specifically in relation to anti-social behaviour.

Clearly, the progress and development of this legislation will be closely monitored.

Scrutiny of Local Strategic Partnerships

IDeA/Local Government Information Unit, Discussion Document

The IDeA, in conjunction with the Local Government Information Unit have produced a discussion document "A Wider Conversation – Effective Scrutiny of Local Strategic Partnerships".

This Document focuses on how best Overview and Scrutiny can contribute towards the achievement of positive outcomes in relation to the work of Local Strategic Partnerships in strategy development, encouraging Community Participation/Involvement and the reviewing of progress towards the achievement of agreed goals.

Scrutiny at City of Durham will give consideration to this Discussion Document.

Partnership arrangements

County of Durham Joint Scrutiny Network

In November, 2006, a new Countywide Scrutiny Network was established to promote information sharing, and enable, where appropriate, joint Scrutiny working between the Principal Authorities across County Durham.

Invitations were circulated to the Chairman and one other senior Scrutiny Member from each Authority. The invitation for the City of Durham was put to the Scrutiny Committee and it was agreed by Members that Cllr. Pape, as Chairman and Cllr. Howarth would attend the Network on behalf of City of Durham Scrutiny.

The Network subsequently decided to focus on issues that had a common impact across County Durham and identified Public Transport as the first topic for a joint review. The review will be commenced in the Spring/Summer of 2007.

It is anticipated that the Chair of City of Durham Scrutiny and one other Senior Scrutiny Member will continue to participate in the development and the work of the County of Durham Joint Scrutiny Network.

CITY OF DURHAM SCRUTINY



City of

REPORTS OF THE SCRUTINY PANELS

Durham

2006/2007

REPORT OF ECONOMIC SCRUTINY PANEL



Chair – Councillor Amanda Hopgood

Vice Chair – Councillor Roger Pape

Members of the Panel 2006/2007

Councillors Colledge, Cowper, *Cummings, Gill Graham, *McDonnell, Rochford, Shaw, Simmons, Simpson, and Stoddart.

* Please note that in accordance with Min 347, 7th November, 2007, Councillor Cummings replaced Councillor McDonnell as a member of Economic Scrutiny Panel.

Background

The Economic Scrutiny Panel scrutinised the following topics over the reporting period April 2006 – April 2007.

SRB 6 (Single Regeneration Budget) – April – July 2006
Tourism – September 2006 – January 2007

The panel also carried out reviews of previous scrutiny topics including GP Provision, Incentives to small Business' and Leisure Services 5 Year Plan.

Scrutiny of SRB 6

Relating to Corporate Aim –

- **Flourishing Communities**
 - Active, Inclusive & Safe
 - Learning Opportunities for all
 - Health & Well Being

FINDINGS

The Panel discovered that not all Members of the Panel were familiar with the activities carried out under the umbrella of SRB 6. Information was provided on previous achievements of SRB and the structures of the programmes.

The County Council's SRB Programme Manager gave Members an insight into monitoring techniques and evaluation processes involved in gaining funding and explained the cascade of funding from Government down to project level.

Professor Robinson of Durham University who was working on an evaluation of SRB attended a meeting and informed Members 40 Programmes had been evaluated. Some of the programmes were complicated and diverse, very often programmes were good on the ground.

Programme targets had been met and exceeded in most cases; however programmes should evolve as they develop therefore requiring changes in procedures.

RECOMMENDATIONS

- That the success of SRB be publicised both internally and externally throughout the organisation
- That future application procedure are clearly monitored and guidance is issued to applicants.
- That there is uniform approval across the district.
- That Members are content with the governance arrangements between Central Government, One North East, Durham County Council and City of Durham Council.
- That awareness is raised about the subjective nature of projects and the difficulty in quantifying success
- That future funding is publicised at an early stage.
- That a review date of the topic be given once a date has been set for the evaluation of the outcomes, which is being carried out by Durham University.

WITNESSES CONSULTED

- ❖ John Tindale – Community & Economic Development Manager

EXTERNAL WITNESSES CONSULTED

- ❖ Mr Bowyer - Durham County Council
- ❖ Professor Robinson - St. Chad's College, University of Durham

Scrutiny of Tourism

Relating to Corporate Aim –

- **Capital City**
 - Protect Heritage; City for Culture
 - Recreation & Tourism
 - Enhance Local Economy

FINDINGS

The Head of Cultural Services and Tourism and Conference Manager advised the Panel on the current situation in relation to tourism in the City. Tourism generates an estimated £92 million to Durham City's economy, but when compared to similar Cities this is a low figure.

Advances in technology have moved tourism to the fore; it is very easy for visitors to make arrangements to make a visit via the internet. Instant bookings and fast technology have created a very competitive environment.

The Chief Executive of Durham Area Tourism Partnership outlined the position and the way forward for the region. When people visit the city, whether on a short or long stay, they are buying an experience. Therefore it is vital that people take away with them positive memories of that experience.

Members expressed concern over the marketing of places of interest and events and problems with transport links to the out lying villages. A Blue Badge Holder attended a meeting of the Panel and commented on the poor signage within the City and the added problem of finding attractions.

The Managing Director of Durham Markets Company gave a perspective of the retailers and advised that the footfall of customers had dropped in the City centre which could be related to the opening of the out of town shopping outlets at Dragonville and Pity Me.

RECOMMENDATIONS

- That the Panel receive updates on the Tourism strategy on a three month basis
- That the Panel review the Scrutiny of Tourism in six months
- That the Tourist section continues to work with partners to enhance the provision of Tourism in the City of Durham District.
 - Make better use of the information stands at the Park and Ride
 - To encourage the expansion of the Cathedral Bus service route to take in attractions such as Crookhall, Botanic Gardens, Gulbenkian Museum etc.
 - To work with the current rail provider in order to display marketing literature and uniform signage.
 - Continue to work with Durham Area Tourism Partnership
 - Continue to work closely with Durham University and Dean and Chapter to encourage people to visit the district.
 - To work closely with Durham City Arts Durham City Forum and Durham Markets Company with the common goal of encouraging visitors to attend festivals in the City.
 - To establish links with Tour Operators and develop Christian Heritage Trails visiting local churches of interest as well as Durham Cathedral.
- To ensure that the signage in the City is uniform, correct, multi lingual and gives an approximate distance
- When the City's Events Co-ordinator has been in post 6 months check to ensure that the City is making the most of what it has to offer visitors
- To market specialised brochures of district to attractions and to make this available in hard copy and on the Council's website. To develop the idea of the attractions within the district as a bicycle wheel with the City centre as the centre and the various attractions within the district as the spokes of the wheel.
- To liaise with hotels in the district to ascertain the types of accommodation on offer and other facilities provided by the hotel. It is recommended to ensure that hotels display relevant and update information relating to the district attractions and to pursue the conference circuit marketing.
- To liaise with various partners especially Durham City Forum to market festivals and perhaps increase the length of the Summer and Christmas festivals. To encourage the marketing of Durham Miners' Gala on a larger scale and the possibility of a Mining Heritage Centre. To market the many walks in the district, the Necklace Park, Crowtrees Walk, Ghost Walks in the City Centre. Encourage the development of Children's activities such as concerts, plays and festivals.
- Members to take part in a stock-take exercise – for each member to identify an attraction or place of interest in their ward.
- To fully support the suggestion of the unique shopping experience in Durham City and to undertake a review of the business rate criteria within the district, to entice retailers into the area.

WITNESSES CONSULTED

- ❖ Tracey Ingle – Head of Cultural Services
- ❖ Martin Boulton – Tourism & Conference Manager

EXTERNAL WITNESSES CONSULTED

- ❖ Chief Executive of Durham Area Tourism Partnership
- ❖ Mr Keating – Blue Badge Tour Guide for City of Newcastle
- ❖ Colin Wilkes - Managing Director of Durham Markets Company

Scrutiny of GP Provision – Review

Relating to Corporate Aim –

- **Flourishing Communities**
 - Health & Well being

FINDINGS

A review of the Scrutiny of GP Provision in the district was undertaken with the Policy and Regeneration Manager in attendance. The panel were advised that the recommended forum/focus group had been replaced within the Local Development Framework.

The panel were informed that meetings with the PCT would take place on an annual basis and that a forth coming report would detail the consultation process.

RECOMMENDATIONS

- That the review be deferred until the report to Cabinet has been approved.
- That the Panel be presented with the Local Development Framework report at a later date after the report has been approved by Cabinet.

WITNESSES CONSULTED

- ❖ Gavin Scott – Policy & Regeneration Manager

Scrutiny of Incentives to Small Business – Review

Relating to Corporate Aim –

- **Capital City**
 - Enhance Local Economy

FINDINGS

A review of the Scrutiny of Incentives to Small Business was undertaken with the Economic and Community Development Manager in attendance. The Panel were advised of the assistance given to applicants and the success rates and of the work carried out with schools.

The Panel were informed that 90% of applications are approved and that 90% of those businesses are surviving 18 months or more.

RECOMMENDATIONS

- That a further review be carried out in 12 months
- The Panel agreed that they were content with the progress that had been made.

WITNESSES CONSULTED

- ❖ John Tindale – Community & Economic Development Manager

Scrutiny of Leisure Services 5 Year Plan – Review

Relating to Corporate Aims –

- **Quality Public Services**
- **Flourishing Communities**
 - Well managed value for money services
 - Meeting customer needs
 - Accessible services for all
 - Active inclusive & safe
 - Health & well being

FINDINGS

A review of the Scrutiny of Leisure Services 5 Year Plan was undertaken with the Senior Leisure Development Officer in attendance. The Panel were advised of increased investment in the service providing equipment and increasing staff numbers.

The Panel were informed that the Service continues to offer a wide range of activities to the public and emphasises strong links with Partners.

Details were given of funding for a partnership between City of Durham, Chester-le-Street District Council and County Durham Primary Health Care Trust has been agreed and will be reviewed year on year. Also, a new post has been created dedicated to exercise referrals.

Leisure Services had reported increased take-up in exercise programmes in people over 60 and of those claiming benefits. Deerness leisure centre is now an Inclusive Fitness Initiative (IFI) registered site and we have employed an activity coordinator to encourage participation from disabled groups.

RECOMMENDATIONS

- That a further review of Leisure Services takes place in 12 months time.

WITNESSES CONSULTED

- ❖ Deborah Holmes – Senior Leisure Development Officer

REPORT OF COMMUNITY SERVICES SCRUTINY PANEL



Chair – Councillor Barbara Howarth

Vice Chair – Councillor Stuart Walton

Panel Membership for 2006/2007

Councillors Griffin, Hepplewhite, Hopgood, Kinghorn, Moderate, Norman, Robinson, Taylor, Wolstenholme and Young

Background

Between 1 April 2006 and 30 April 2007, the Community Services Scrutiny Panel fulfilled the following programme of scrutiny:-

- Provision of Gypsy/Traveller Sites (commenced May 2006 and approved by Panel February 2007)
- Graveyards (commenced February 2007 and ongoing)

The Panel also reviewed:-

- Council House Repairs (October 2006)
- Council Garages (November 2006)
- Homelessness (December 2006)

A presentation is due to be given to all Members on the Choice Based Lettings Policy, and the Allocations Policy will be reviewed following this. Review of the Playing Pitch Strategy has been deferred until the summer season, and progress on the Decent Homes Standard is monitored via the performance figures.

Scrutiny of Gypsy/Traveller Sites

Relating to Corporate Aims –

- **Quality Public Services**
 - Meeting customer needs
 - Accessible services for all
- **Flourishing Communities**
 - Environmentally sensitive

In September 2005, the Head of Planning Services presented a report to Cabinet on 'Preferred Options Report for Housing', which identified potential options within the District. The preferred options as detailed in the report were agreed by Cabinet, one of these being 'to seek one additional gypsy/traveller site within the Durham City District'.

This topic was suggested for Scrutiny to allow further assessment of the District and County perspectives with regard to Gypsy and Travelling communities.

FINDINGS

In carrying out this scrutiny, the Panel wished to build up a more accurate knowledge of the local provision for Gypsies and Travellers; consider the effects of providing, or not providing, an additional site within the district; review the current provision across the District and evidence of need, and to consider alternative approaches to accommodation provision.

A presentation was given to the Panel by the County Council's Welfare Rights and Travellers Liaison Team Manager and the City Council's Policy and Regeneration Manager at the commencement of the topic and subsequently a number of witnesses attended the Panel's meetings and provided information.

From this, the following was established:-

- The LGA established a Gypsy and Traveller Task Group in 2004. It was asked to respond to the issues raised by the 2004 circular on Planning for Gypsy and Traveller sites. The initial focus was on enforcement issues but their more recent research included valuable information regarding the scale of the challenge, accommodation needs, site provision, unauthorised encampments and delivering the new planning circular on Gypsy and Traveller site provision.
- All local authorities must carry out accommodation needs assessments for Gypsies and Travellers within the current round of local development frameworks.
- All local planning authorities must prepare local development documentation policies and make appropriate site provision to meet identified needs.
- There are 6 gypsy/traveller sites within County Durham, with only Adventure Lane, West Rainton being in City of Durham District. These permanent sites have washing and toilet facilities; some may also have washing machines and microwaves.

Records of occupation of the site at Adventure Lane are maintained by Council Tax/Revenues on a weekly basis. There are rarely any vacancies from the 17 pitches on the site. Government returns also have to be submitted quarterly.

- The County Council has a budget of £73,000 for the management of the 6 sites in the County. Some sites are being refurbished and the County Council are looking at the possibility of providing solar power on refurbished sites.
- The County Council's Travellers Liaison Services has 4 members of staff who are responsible for site management, deal with unauthorised encampments and are responsible for policy development. Previously, 'toleration' and not 'acceptance' was the policy, however there is a requirement to balance the needs of travellers alongside those of the settled community.
- Travellers living in caravans at the roadside are classed as homeless, this being a very complex issue, involving the Homelessness Act, and definitions of Gypsies and Travellers. However, if Gypsies and Travellers have another home that they can reasonably occupy e.g. a house which is not a moveable structure, and they chose to travel and live by the roadside, they would not be considered homeless.

- Planning legislation requires the Council to make additional provision if the need is evident, and include this information in planning documents.
- Work is currently ongoing on the Local Development Framework, which will replace the Local Plan. There is a need to take into account recommendations from the County Council's Needs Assessment and there could therefore be a need to delay work on this aspect for the time being.
- The term Traveller is a generic term which covers several minority groups, each with their individual differences e.g. culture, occupations, language etc. Some groups have ethnic minority status.
- These communities include Gypsy Travellers (including English and Welsh Gypsies and Irish and Scottish Travellers), Fairground families, Circus families, New Travellers and Bargees. Defining people as Gypsies, Roma or Travellers also includes those who currently live in houses as ethnicity is not lost when a family settles.
- The Travellers Liaison Service tries to obtain information on all unauthorised encampments. This information is used when making a decision as to whether to ask travellers to move on. Unauthorised encampments can occur where there is a lack of provision, and also where there are inconsistent levels of demand, particularly for transit sites. No matter where encampments are, they can cause problems with local communities. The County Council have been looking at 'zones of acceptance' where encampments would be permitted on a temporary basis – if encampments are set up on unsuitable sites, travellers could be asked to move onto an acceptable site.
- One of the most disturbing aspects of unauthorised encampments is any occurrence of litter or fly-tipping. This can have a significant impact upon local areas but such problems are not just restricted to Gypsies and Travellers; a minority in any community will behave in an anti-social way and the travelling community will accept fair legal redress.
- In a separate scrutiny study, it may be appropriate to further consider the needs of the Gypsy and Traveller and settled communities in relation to unauthorised encampments.
- The Ethnic Minority and Traveller Achievement Service promotes inclusion and equality of opportunity for ethnic minority and Traveller children, young people and their families. The service supports people for whom English is a second language, aims to increase the achievement of Traveller children, and promotes race equality and cultural diversity. Resources relating to Gypsies and Travellers, culture and communities were produced to support the work of the service in schools.
- Gypsy and Traveller pupils are the most underachieving group nationally; some settled Gypsies and Travellers still underachieve. One of the key tasks of the service is to close this gap in education. Attendance at school is monitored in the same way as children from the settled community, working with the Education Welfare Service to ensure attendance. Penalties for non attendance are the same as for the settled community, however children from Gypsy and Traveller families are allowed time off to travel for the family business. They will however often attend local schools when travelling, although transport to school can sometimes cause difficulties. Children and young people living on official sites generally attend school on a daily basis.
- Some schools stand in the way of admitting children from the Gypsy and Traveller community as, for example, travelling time will impact on the school's attendance figures, underachievement can affect SATs results, or class sizes may be exceeded. There is therefore a conflict between inclusion and attainment.
- Gypsy and Traveller culture is taught in all County Durham schools and all are required to have a race equality action plan.

- About 80% of Gypsies and Travellers in the North East are North Easterners themselves. Some are settled and travelled for only parts of the year. This has implications for their accommodation and the education of traveller families.
- If a transit site was available, it could then make the matter of moving travellers on from illegal encampments easier i.e. there could be provision on a site, rather than forcing them to create another illegal encampment. There would be a need, however, to ensure that any transit site was in an appropriate location or it would be poorly used.
- There could be cost implications in providing/not providing a transit site. It might be more cost effective to provide an additional site(s), than it is to clean up any illegal encampments.
- The media has a perception of Gypsies and Travellers, and tends to give prominent publicity to applications for new sites. There is a need to talk to communities about siting and design when planning for new sites.
- It is possible to obtain 100% grants for the building of new site, and which would also raise income through Council tax and rents.
- Smaller sites e.g. 5 pitches, are often preferable to larger ones. They blend into the surroundings better, and are often easier to manage. There is a need for different types of site depending on the area e.g. sites where people could stay for only one night, several weeks, years etc. The Gypsy and Traveller community can run these types of site, given any necessary assistance to apply for planning permission etc, while the Travellers Liaison Service has a good idea of where in the County it would be useful to have additional provision.
- It is a Government requirement to carry out an accommodation needs assessment, and the seven district councils in County Durham, together with the County Council have commissioned this. The objectives include assessing types of accommodation, demand for alternative accommodation, expansion/improvement of existing sites, the need for transit sites and seasonal demand, geographic gaps in current provision, and the affordability of the current and proposed provision. Supporting People and the Health Authority also had an input.
- Surveys of the Gypsy and Traveller community, including those living in houses are being carried out, along with secondary data analysis. The project is currently part way through, and is scheduled for completion in March 2007. The assessment is being carried out over a long period of time to take account of varying seasonal demands.
- Due to the complexity of situation there was a need for City of Durham Council to take positive steps to work with Durham County Council in a joint approach to traveller provision.

RECOMMENDATIONS

In view of the evidence presented to the Panel, the following recommendations were made:-

- (i) That Option 2 in the 'Preferred Options Report for Housing', as presented to Cabinet on 12 September 2005, should **NOT** be pursued.
- (ii) That in preparing the submission version of Planning for Housing, the present preferred option be replaced by a more general approach to Gypsies and Travellers that will take account of the benefits of providing well appointed, smaller, more diverse sites, with a detailed, but not site specific policy drafted to take account of the emerging County and District wide consultation on the Needs Assessment for Gypsies and Travellers.

- (iii) That consideration be given to more innovative ways of providing small transit sites, including private sector approaches and possible public/private partnership.
- (iv) That with regard to the needs of the Gypsy and Traveller and settled communities this Authority seeks to work positively with the Durham County Council and other District Councils across the County.
- (v) That the Scrutiny be reviewed at an appropriate time after the County Council Needs Assessment has been made available and no later than January 2008.
- (vi) 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 Panel felt that it was particularly important to highlight their feeling that this topic required further consideration when the results of the Needs Assessment Study were available, and also their suggestion that a scrutiny be carried out into the effects of unauthorised encampments.

This report and recommendations is to be considered by Cabinet in April 2007.

WITNESSES CONSULTED

- ❖ Gavin Scott - Policy & Regeneration Manager
- ❖ Neil Laws - Environmental Health Manager
- ❖ Lynne Boyd - Housing Manager

EXTERNAL WITNESSES CONSULTED

- ❖ Scott McNally - Welfare Rights & Travellers Liaison Team Manager – Durham County Council
- ❖ Sue Green - Ethnic Minority and Traveller Achievement Service – Durham County Council
- ❖ Martin Woods - Consultant on Gypsy/Traveller Needs Assessment – Durham County Council
- ❖ Richard O'Neil – Consultant – Gypsy/Traveller Issues

Scrutiny of Graveyards

Relating to Corporate Aims –

- **Quality Public Services**
 - Well managed value for money services
 - Meeting customer needs
- **Flourishing Communities**
 - Environmentally sensitive

The topic of Graveyards was commenced in February 2007.

The Panel set the terms of reference for this Scrutiny at its meeting in March 2007, and it was agreed that the topic would then be put on hold until May 2007.

During this Scrutiny, Members wish to consider issues surrounding how the Council became responsible for closed graveyards/cemeteries historically; whether adequate attention is given to maintenance and to what standards memorial repairs are carried out; the closed cemeteries/graveyards for which the City Council is responsible; how a churchyard becomes 'closed'; who owns the closed churchyards within the District; whether the City Council has an obligation to take on maintenance of closed churchyards/graveyards and how the Council's costs for maintenance are met.

Other issues to be investigated include whether any other organisations/individuals have an input or responsibility for maintenance e.g. Church, families etc and what their roles are; the maintenance

and management responsibilities for War Graves, and how the monies provided by the War Graves Commission for their upkeep is used; how much money the City Council allocates for the management, maintenance and upkeep of closed churchyards and how this compared to the amount of works needed and which aspects of maintenance are the Council's responsibilities e.g. walls, fences, paths, trees, grass cutting etc;

The Scrutiny will recommence in May 2007, and a report will be submitted to the Scrutiny Committee in due course.

REVIEW OF COUNCIL HOUSE REPAIRS

Relating to Corporate Aims –

- **Quality Public Services**
 - Well managed value for money services
 - Meeting customer needs

- **Flourishing Communities**
 - Health & wellbeing

Following the original Scrutiny as part of the Building Services Best Value Improvement Plan in July 2003, this topic had been reviewed by the Panel on a number of occasions. A review had been carried out in March 2006, and at that time, a number of further recommendations had been made. It was agreed that progress on these recommendations be reviewed in October/November 2006, and accordingly, the Head of Community Services, Head of Property Services and Operations Manager attended the Panel's meeting in October 2006 to update Members.

FINDINGS

- Ongoing staff training was being given to CityInfo staff, and 21 staff were trained in repairs.
- A new booklet giving tenants property details to assist them in reporting repairs is currently being prepared
- Three vacancies had now been filled, and a further 2 were being recruited. The Head of Community Services was confident that peak period demand could now be met.
- There had been a 56% decrease in the repairs backlog.
- The voids tracking system was working well, with Property Services having now taken responsibility for what were previously 'grey' areas. The process was becoming much more efficient, with properties being returned to Housing more rapidly.
- A report had been submitted to Council in August 2006 regarding the procurement of new computer system.

RECOMMENDATIONS

The Panel made the following recommendations:-

- (i) That the Head of Property Services, Head of Community Services and their staff be formally thanked for their efforts in bringing about the improvements noted.

- (ii) That the topic of Council House Repairs be reviewed in early 2008, following the introduction of the new computer system, and the opportunity for staff to become accustomed to its use.

Review of Council Garages

Relating to Corporate Aims –

➤ Quality Public Services

- Well managed value for money services
- Meeting customer needs

The topic of Council Garages was considered by the Community Services Scrutiny Panel in 2005, following concerns that some garages were being used inappropriately.

One of the Panel's recommendations was that a Policy be written regarding the letting, use and management of Council Garages. This had been done, and the Housing Manager attended the Panel's meeting in July to discuss this. The Policy and amended Tenancy Agreement was approved by Cabinet in September 2006.

The topic as a whole was reviewed in November 2006.

FINDINGS

- Following the approval of the new Policy and Tenancy Agreement by Cabinet in September 2006, all new tenants since 1 October 2006 had signed this Agreement.
- One of the recommendations in the report of October 2005 was that all existing tenants sign the new Agreement. The Rents Section was currently reviewing garage tenants' rent accounts so that any action which could lead to termination of the tenancy can be taken before the new Agreements are issued by Housing to tenants for signature.
- The new Agreement would be sent to existing tenants during December 2006, and it was anticipated the process of having them all signed will be a fairly long one. It was hoped all garage tenants will have signed the new Tenancy Agreement by the beginning of the next financial year.
- Tenants are being asked to report any inappropriate used of garages of which they are aware.
- Housing Officers were continuing to try to let empty garages, and the future of those garages where there is no demand was being considered.
- A programme of regular inspections had been recommended by the Panel. Unfortunately, this had not been possible to implement due to limitation of resources. Although understanding the nature of this problem, Members continue to express concern about this.

RECOMMENDATIONS

In view of issues noted in the report, and progress made so far, the Community Services Scrutiny Panel recommend the following:-

- (i) That the Review Report be accepted.
- (ii) That thanks be expressed to staff who have worked towards achieving the Recommendations contained in the Scrutiny of Council Garages Report, as approved and adopted by Cabinet in October 2005. The writing of a Policy and administration of the New Tenants' Agreement were particularly commendable.

- (iii) The need for resources to be made available for the development of inspection routines was re-emphasised, and twice yearly inspection was recommended, Members having expressed concern that due to resource implications it had not been possible for a system of regular garage inspection to be established.
- (iv) That the topic of Council Garages be reviewed again in January 2008.

This report and recommendations were considered by Cabinet in January 2007, and the report was agreed. Recommendation (iii) was, however, referred back to the Panel for further consideration, due to concerns about the cost implications. The Panel would be reconsidering this recommendation after May 2007, and discussing alternative options.

Review of Homelessness

Relating to Corporate Aims –

- **Quality Public Services**
 - Well managed value for money services
 - Meeting customer needs, accessible services for all
- **Flourishing Communities**
 - Health & Well-being

The Homelessness Strategy was prepared in 2003, and was one of the areas looked at when the Panel considered Homelessness in 2004. The Panel's report was approved and adopted by Cabinet, with a recommendation that it be reviewed within two years.

FINDINGS

In respect of the recommendations made in the previous report, the Homelessness Strategy was being monitored, reviewed and revised, measures to prevent repeat homelessness were being developed, particularly by the new Homelessness Prevention Officer, partnership working with DASH, DISC etc continued to be developed, an additional member of staff had been appointed at Housing specifically to deal with homelessness prevention, and additional emergency accommodation was provided via DASH.

The Panel required additional information on mental health issues and homelessness, and it was suggested the Durham County Council and the PCT be invited to a future meeting to consider this area.

RECOMMENDATIONS

- (i) That the Council continues to progress and monitor the Homelessness Strategy an Action Plan and works with Partners to provide support and prevent repeat homelessness.
- (ii) That the information leaflet on domestic violence be circulated to all Members for information.
- (iii) That the Council aims to retain the position of Homelessness Prevention Officer beyond the expiry of the fixed term contract in 2008.
- (iv) That the Review of Rough Sleeping be updated, possibly by the subject being brought to the attention of the county-wide Housing Action Partnership.
- (v) That representatives of Durham County Council and County Durham PCT be invited to attend a Panel meeting to discuss homelessness in relation to mental health issues and support provision, and that this be arranged for six months' time.
- (vi) That the Panel receives and update on the Homelessness Strategy and Action Plan after they have been reviewed by the Authority in 2008, the Panel's recommended review date being July 2008.

The Panel's report and recommendations were approved by Cabinet in February 2007.

On behalf of the Panel, the Chairman and Vice-Chairman wish to thank all Council Officers, Portfolio Holders and External Witnesses who have contributed to Community Services Scrutiny over the past year.

We are very grateful to the Democratic Support Team for their assistance, with particular thanks to the Panel's Support Officer.

REPORT OF THE ENVIRONMENT SCRUTINY PANEL



Chair – Councillor Philip Wolstenholme

Vice Chair – Councillor Arnie Simpson

Panel Membership for 2006/2007

Councillors Carr, Colledge, Graham, Kinghorn, Leake, McDonnell, Marsden, Pitts, Turnbull and Walton

Background

The Environment is a topic which affects everyone and is top of the agenda nationwide. The Environment Scrutiny Panel hopes that they have played their small part in looking at issues that relate to the District.

The Environmental Scrutiny Panel has had a very full year of activity. The topics investigated have been very interesting, they being:

- Fly-tipping (*commenced January 2006, sent to Cabinet June 2006*)
- Recycling (*commenced January 2006, sent to Cabinet August 2006*)
- Litter Pickers (*commenced February 2006, sent to Cabinet September 2006*)
- Riverbanks (*commenced November 2006, to go to Scrutiny Committee June 2007*)

Also the following Reviews have taken place.

- Review of Temporary Road Closures (*July 2006, February 2007*)
- Review of Biodiversity (*October 2006, January 2007*)
- Review of Unauthorised Parking on Council Owned Land (*October 2006, November 2006*)

The Chairman and Vice Chairman wish to thank all Council Members, and both Council Officers and External Witnesses who attended the panel meetings. Also a special thanks to the Democratic Support Officers.

Scrutiny of Fly-Tipping

Relating to Corporate Aim –

- **Flourishing Communities**
 - Environmentally sensitive

The subject was allocated from the Scrutiny Committee to the Environment Panel, the initial proposal for the topic coming from the Chairman of the Environment Scrutiny Panel. As the Durham County Council have instigated a permit system for use of their Household Waste and Recycling Centres, Members felt this may have had a negative effect, causing the number of fly-tipping incidents to increase.

FINDINGS

- Members of the public have a “duty of care” when using contractor and therefore individuals must ensure that before waste is taken off-site to check that the Contractor / Skip Hire Company holds a valid Waste Carriers’ Licence from the Environment Agency for the disposal of the relevant materials.
- There is a lack of sufficient education regarding the subject of fly-tipping and the associated procedures for disposal of waste, via waste bins, green waste bins, “Kerb-It” recycling, Household Waste and Recycling Centres and recycling points etc.
- The Fly-Tipping Enforcement Officer based at the County Hall (working for the Environment Agency) is funded from various sources, but it was noted that whilst Easington District Council were due to “come onboard” from April 2006, Sedgefield Borough Council have now pulled out from the joint funding.
- The Clean Neighbourhoods and Environment Act 2005 is a piece of legislation which covers a wide range of issues which the Environmental Services Department deal with. There are many opportunities to use new or extended powers set out within this Act to help tackle the issue of fly-tipping. However, it must be ascertained which approach is most suitable for the City of Durham in each case.

RECOMMENDATIONS

1. That the City of Durham act such that:
 - (a) The City of Durham urge that the Environment Agency to continue the post of Joint Fly-Tipping Enforcement Officer when the current phase of funding reaches completion.
 - (b) The City of Durham also continues its support for this post.
 - (c) Local Members are informed as regards any enforcement that is envisaged, that which is being considered and that which is to be implemented.
2. That the City of Durham continues to utilise the various means at its disposal to combat Fly-tipping:
 - (a) By education of the Public by press releases, articles in Durham City News, notices within Council buildings, public libraries etc. with particular emphasise on individuals’ and Contractors’ “duty of care” when disposing of waste especially as regards the removal of waste via skip hire companies.
 - (b) In addition, Neighbourhood Wardens could help to inform residents of the various options available as regards waste disposal, with a mind to reduce the number of incidents of fly-tipping from individual households.
3. That the City of Durham’s Environmental Services Department research how best to use the powers set out within the Clean Neighbourhoods and Environment Act 2005 and that the Panel report back to Cabinet as soon as possible.

WITNESSES CONSULTED

- ❖ Jeff Riddell - Head of Environment & Leisure Services
- ❖ Tom Punton - Environmental Services Manager

EXTERNAL WITNESSES CONSULTED

- ❖ Jim Crammon - Fly-tipping Enforcement Officer – Environment Agency

Scrutiny of Recycling

Relating to Corporate Aim –

- **Flourishing Communities**
 - Environmentally sensitive
- **Quality Public Services**
 - Well managed value for money services
 - Meeting customer needs

The City of Durham was the pilot Authority for the “Kerb-It” Recycling Scheme in the County and the Panel wished to see how the scheme was progressing and whether there was anything the Authority could do to increase its already high recycling rate.

FINDINGS

- The cost for stickers placed on wheelie bins to promote recycling was £3,000 which represents extremely good value for money. It is thought that an annual sticker campaign would be an excellent method of proven promotion for the “Kerb-It” scheme.
- An alternative to including cardboard and plastics within the “Kerb-It” scheme (costly) would be to provide suitable recycle “bins” at prominent sites (such a supermarket car parks) to allow for member of the public to recycle these materials in addition. Such large recycling bins are currently being sourced for this purpose.
- If the City of Durham was to provide an additional vehicle for the purpose of collecting the reusable furniture there would be an associated cost of the purchase of the vehicle and the associated running costs. These costs could not be recouped by the resale of the collected goods (at this time) and therefore the existing procedure should be adhered to. Also as the refuse vehicles are used for household wheelie bin collections only 4 days out of 5, the use of the vehicles on the “spare” day is cost effective as the vehicles are already in place, with only the cost of fuel being required. The Environmental Services Manager is scheduled to attend Liverpool City Council to look into the possibility of implementing similar schemes within the City of Durham area, albeit on a smaller scale.
- The Clean Neighbourhoods and Environment Act 2005 is a piece of legislation which covers a wide range of issues which the Environment & Leisure Services Department deal with. There may be an opportunity to use new or extended powers set out within this Act in connection with Recycling. However, it must be ascertained whether any new approach is suitable for the City of Durham and aligns with any approach taken by Durham County Council.

RECOMMENDATIONS

1. That the kerb it scheme be promoted by an annual sticker placed on the household waste bins, stating refuse collection times, including details of the kerb-it scheme and relevant contact details at the City of Durham to find out more information regarding recycling.
2. That Residents are made aware of the other options regarding recycling (besides Kerb-It) available within the district i.e. recycling points available within supermarket car parks, facilities available at the County Council Household Waste and Recycling Centres, furniture reuse / refurbishment, home composting and the minimisation of the amount of an individuals own of waste in order to change peoples behaviour towards more environmentally friendly practices e.g. reusing sturdy shopping bags rather than taking plastic carrier bags from supermarkets, buying products that are packaged with relatively easily recyclable materials such as glass and tin.
3. That the provision of a free collection service for bulky items be maintained, subject to further information regarding the on-going viability of these collections being obtained. This recommendation could then be reviewed accordingly by Members.
4. That there is greater communication between the City of Durham, Student Landlords and the University of Durham as regards the extra volumes of waste created at the ends of terms and semesters when students move out and landlords maybe in the process of redecoration and refurbishment. There may be an opportunity via the newly revived County Durham Furniture Forum to set up links that would benefit both landlords (cheap furniture) and Local Authorities (a diversion of the furniture from the waste stream) and to the University (good PR for students is few and far between!).
5. That the City of Durham's align their plans for the green waste collection with the County Council Joint Municipal Waste Management Strategy for County Durham to ensure that there is no conflict and unnecessary expenditure of resources. Notwithstanding, the City of Durham reaffirms it's commitment to an increased provision of green waste recycling across the district.
6. That the possibility of increasing the number of types of waste that can be collected via Kerb-It is investigated to determine whether:
 - a. The public wish to see cardboard and plastic to be included.
 - b. Whether the inclusion of these types of low density, bulky items can be collected at a sufficiently cost effective means to justify their inclusion.
 - c. Whether including these types of material could help to increase recycling rates as a percentage across the district to meet future targets or whether they would not yield sufficient percentages relative to the resources required.
7. That the City of Durham takes full advantage of any opportunities to help shape any new contracts for the provision of the recycling within the District (currently Premier Waste) that may be included within the County Council's Joint Municipal Waste Management Strategy for County Durham. Also to ensure the City of Durham is prepared to utilise any facilities that the County Council may provide for disposal / treatment of waste in the future in order to minimise the amount of waste sent to landfill.
8. That the City of Durham supports the Reuse and Refurbishment of furniture and white goods wherever possible within the constraints of limited resources, whether that be by the instigation of schemes similar to those ran in Liverpool, or that is not thought to be viable, by support of the Durham County Furniture Forum.
9. That the Council looks to utilise within its own working practices the best systems to ensure as much non-confidential waste is recycled as possible and that waste is treated wherever possible as a potential resource rather than a by-product of function.

10. That the City of Durham's Environmental Services Department research how best to implement any requisite legislation on Recycling contained within the Clean Neighbourhoods and Environment Act 2005 and that the Panel report back to Cabinet as soon as possible.

WITNESSES CONSULTED

- ❖ Jeff Riddell - Head of Environment & Leisure Services
- ❖ Tom Punton - Environmental Services Manager

EXTERNAL WITNESSES CONSULTED

- ❖ John Wade - Waste Business Manager – Durham County Council

Scrutiny of Litter Pickers

Relating to Corporate Aim –

- **Flourishing Communities**
 - Environmentally sensitive
- **Quality Public Services**
 - Well managed value for money services
 - Meeting customer needs
- **Capital City**
 - City for Culture, Recreation & Tourism

Further to discussions regarding the topics of fly-tipping and recycling, Members felt that it would be appropriate to look at the associated subject of litter within the City of Durham district, with a focus on litter pickers.

FINDINGS

- The Council has multi-skilled workers and multi-use vehicles in place, many types of incident can now be dealt with “on-the-spot”, improving turnaround times.
- To help promote litter picking by local environment action groups it may be possible, in addition to the provision of equipment, to also promote such activities via Council media i.e. City of Durham website and Durham City News. Frontline staff i.e. Streetscene Team Leaders, Neighbourhood Wardens.
- In cases where bus shelters are extremely unclean, staff could attend an incident to clean up shelter or in the case of a danger to public health, with Adshel being advised to attend their own shelters, or possibly for the City of Durham to cleanse and recharge.
- With only one machine currently available for the cleaning of footpaths, there has been a requirement to focus resources to those areas with the worst problems. Each “Neighbourhood” has footpaths cleaned 6 or 7 times per year, with this figure being constrained purely by resources.
- Currently Neighbourhood Wardens can issue fixed penalty notices, and it maybe that other frontline staff maybe able to issue them in the future i.e. Street Scene Team Leaders, Environmental Protection Officers etc. This would need to be researched accordingly as regard remits and workloads of these types of Officers and decisions made in due course.

- With the amendment to the definition of BV199 in 2005, chewing gum has now been classified as a form of litter. The City of Durham's Neighbourhood Wardens will be running a scheme similar to that ran for cigarette butts, highlighting this fact and encouraging the public to dispose of used chewing gum considerately. Again, similar to the cigarette campaign, this will be followed up by enforcement and the issuing of fixed penalty notices to people who fail to dispose of the used chewing gum appropriately.
- Whilst there are four specific cigarette bins in the City Centre, extra provision of such facilities was thought to be required.
- In the past the vandalism and burning out of dog foul bins has resulted in an expense for replacement bins, consequently plastic bins were introduced which were a cheaper alternative to the previous metal bins employed.
- Ultimately, education of the public as regarding littering is a more likely to lead to a reduction in the littering with prevention being better than cure.

RECOMMENDATIONS

1. That the City of Durham's Environmental Services Department research how best to implement any requisite legislation regarding litter and litter pickers contained within the Clean Neighbourhoods and Environment Act 2005 and that the Panel report back to Cabinet as soon as possible.
2. That the City of Durham continues to look at the possibility of updating existing litter bins to incorporate insertions to allow for the safe disposal of cigarette butts.
3. That the City of Durham maintains its high standards as regards litter as measured by BV199 and also with regard to the surrounding street scene issues as measured by the relevant LEQs and if possible aim to improve.
4. That in the wider street scene, dog foul bins should be better identified by use of stickers, and also that in key important areas, i.e. the City Centre, Village Centres Tourist spots, more ornate bins are recommended.
5. That the City of Durham's Neighbourhood Wardens continue in their successful series of campaigns highlighting the different types of litter, the appropriate methods of disposal and the consequences of non-compliance, i.e. enforcement. This also includes visits to local schools to help educate the next generation.
6. That when future developments are being considered at the planning stage that, where appropriate and subject to planning procedure, attention is given to the provision of adequate measures for the prevention and tidying of potential litter within the application.

WITNESSES CONSULTED

- ❖ Jeff Riddell - Head of Environment & Leisure Services
- ❖ Tom Punton - Environmental Services Manager
- ❖ Michael Yeadon - Environmental Protection Manager
- ❖ Andrew Jackson - Technical Support Manager

Scrutiny of Riverbanks (ongoing)

Relating to Corporate Aim –

- **Flourishing Communities**
 - Environmentally Sensitive
- **Capital City**
 - City for Culture, Recreation & Tourism

The Cathedral and Castle are synonymous with Durham, situated on the peninsula surrounded by the looping River Wear. It was the remit of the Panel to consider the issues relating to the riverbanks and to help clarify the responsibilities of the various stakeholders, and to see how the City of Durham Council contributes to the improvement of the riverbanks currently and what future support could be offered.

FINDINGS

- The City of Durham is only a small landowner, with the principal landowners in the peninsula area being the Cathedral, the University and University Colleges.
- The 2020 Visioning Exercise and the projects stemming from it will be key in developing the riverbanks further, with the Necklace Park being a prime example.
- The Riverbanks Management Group are the main body for progressing many of the issues facing the riverbanks and this Group would be the appropriate forum at which the City of Durham could influence positive changes.

RECOMMENDATIONS

The report has been approved by the Panel, and is tabled for consideration by the Scrutiny Committee in due course.

WITNESSES CONSULTED

- ❖ Jeff Riddell - Head of Environment & Leisure Services
- ❖ Tracey Ingle - Head of Cultural Services
- ❖ Michael Hurlow - Heritage and Design Manager
- ❖ Peter Lee - Street Scene Technical Manager

EXTERNAL WITNESSES CONSULTED

- ❖ John Williams - Land Agent – Durham Cathedral (Dean and Chapter)
- ❖ Steve Ansdell - Horticultural Manager – Durham University
- ❖ Claire Lancaster - Necklace Park Manager

Review of Biodiversity

Relating to Corporate Aim –

- **Flourishing Communities**
 - Environmentally Sensitive
- **Capital City**
 - City for Culture, Recreation & Tourism

The purpose of the review was to bring Members up-to-speed as regards the progress made since the initial scrutiny of the topic.

FINDINGS

- The Council completed a “Parks Audit” based on Green Flag Criteria.
- The maintenance of “Biodiversity Areas” – now called Wildlife Meadows has been refined and improved e.g. contracts are in place with local farmers as regards annual “hay cropping”.
- Some sites will have Yellow Rattle introduced as this species of plant can help to increase the biodiversity value of an area over time.
- Interpretation Panels for the Wildlife Meadows will be produced in consultation with local Residents.
- “Learning Lunches” have been held regarding the subject of the “Natural Environment and its association with Quality of Life”. It was noted that these could be repeated if further interest was received.
- As part of the planning process, the Council’s Sustainable Development Manager reviews applications as regards energy efficiency, transport impact etc.
- The Council has formed a “Green Space Steering Group” and has allocated a budget to this group. Tenders were invited to conduct an “Open Space Needs Assessment” and the North East Community Forest (NECF) was appointed. Consultation with user groups will take place, an audit of provision/quality/value, analysis of under or over provision and review of opportunities for providing new open spaces. Knowledge gained by NECF will be valuable in the future in helping when considering development opportunities as this Assessment will consider all open spaces, not just the sites previously labelled as “biodiversity” areas.
- The establishment of the “Friends of Witton Dene” as a pilot scheme has been well received. It is hoped that a site management plan can be drawn up for Witton Dene and that similar Friends Groups can be set up for other sites across the District.
- Amongst other awards, the City of Durham achieved a special award from Northumbria in Bloom for best biodiversity project. The Council’s large scale ambition and long term goals in this area were considered important factors in securing this award.
- Funding has been awarded from SITA for access improvements to Ponderosa, Holiday Park and Flass Vale.
- Heritage Lottery Fund bids have been applied for Wharton and Bowburn Parks
- Formation of a programme of Friends Groups Establishment – Management Plans – Costs, building up relationships and public confidence is felt to be essential in this regard. Formal site management plans are good evidence and by producing these, it could only help to strengthen any case regarding the obtaining external funding.

RECOMMENDATIONS

1. That the work of the Council’s Sustainable Development Manager and other Officers be continued and built upon and that the subject of Sustainable Development to be considered an important factor in decision making.
2. That Biodiversity sites now be referred to as “Wildlife Meadows”.

3. That the topic of Biodiversity (to be read Sustainable Development) be reviewed in 6 months time.

WITNESSES CONSULTED

- ❖ Jonathan Elmer - Sustainable Development Manager

Review of Unauthorised Parking on Council Owned Land

Relating to Corporate Aims –

- **Flourishing Communities**
 - Environmentally Sensitive
- **Quality Public Services**
 - Meeting customer needs

The Panel was tasked with reviewing the Council's approach to tackling the problem of Unauthorised Parking on Council Owned Land. The topic was scheduled for a "mini-review" in September / October 2006, specifically to look at the procedure for allocations being developed for the provision of additional parking spaces across the District.

The subject was allocated from the Scrutiny Committee to the Environment Panel, the initial proposal for the topic coming from the Chairman of the Environment Scrutiny Panel. The reason for the suggestion being there was an apparent lack of formal policy or procedure when allocating priority to the provision of additional parking.

FINDINGS

- Whilst 38 individual schemes had been identified, to ensure that there was match funding from Durham County Council in appropriate cases, a meeting with Officers from Durham County Council would take place to discuss the list of schemes further.
- Members wondered whether the £50,000 budget from the Housing Revenue Account could be transferred to another account so that scheme in "non-Council house" areas could benefit from the funds. If this was not possible, Members still wished the funds to be utilised to ensure the continued allocation of this fund.
- Due to staff sickness, whilst some progress had been made, further work was required in this regard. Accordingly, Members felt that it was perhaps unfair to judge the new procedures until further developments had been made.

RECOMMENDATIONS

1. That Members questions regarding to the £50,000 budget (outlined above) be addressed.
2. That a budget of £50,000 be allocated again for the next financial year.
3. The Panel agreed that the subject should be reviewed further in six months time.

WITNESSES CONSULTED

- ❖ John Westgarth - Senior Engineer
- ❖ Andrew Young - Technical Resources Manager

Review of Temporary Road Closures (ongoing)

Relating to Corporate Aim –

- **Capital City**
 - City for Culture, Recreation & Tourism
- **Quality Public Services**
 - Meeting customer needs

The City Council has the power to temporarily close roads under the Town Police Clauses Act 1847 for such events as parades, street parties etc. It was noted that the City did not have a Policy for the granting of such road closures. Consequently, a Policy was drafted, and was adopted by Cabinet, April 2005 (Minute 578).

Members were worried that the cost of organising a temporary road closure, i.e. the cost of insurance and of suitable traffic management, was becoming too expensive for small village organisations to bear and wished to have further information relating to this matter.

FINDINGS

- In 1999 a Public Safety Policy was produced by ACPO setting out the Police position which was to not support any event on the highway unless there had been a risk assessment carried out, there was an appropriate insurance policy in place for the event, and that road closure was obtained with the relevant traffic management being in place.
- The Police would try to have some representation in the form of Community Support Officers or local Beat Officers at an event though the Police may provide assistance at a large event such as the Durham Miners' Gala from a public order standpoint.
- A neighbouring Authority had attempted to help event organisers obtain the relevant qualifications needed to carry out a road closure themselves. It became apparent however, that attending training in itself was not sufficient and that practical ongoing experience was required as well as costly specialist equipment and appropriate signage.
- A sample of a few Traffic Management Companies and Insurers showed that the cost of even a small and short temporary road closure was in the order of £500 for the traffic management and £250 for insurance.

RECOMMENDATIONS

The report has been approved by the Panel, and is tabled for consideration by the Scrutiny Committee in due course.

WITNESSES CONSULTED

- ❖ Clare Greenlay - Legal & Democratic Services Manager

REPORT OF THE POLICY SCRUTINY PANEL



Chair – Councillor Mamie Simmons

Vice Chair – Councillor David Freeman

Panel Membership for 2006/2007

Councillors Cowper, Gibbon, Gill, Hepplewhite, Leake, Norman, Pitts, Syer, Walker and Wynn.

Background

The Policy Scrutiny Panel began the year by continuing its consideration of the proposed Application Process to be used in relation to applications to the Flourishing Communities Fund. This was followed by an ongoing Scrutiny of the Council's Telephone Communication System subsequent to concerns being raised by Elected Members. The Panel carried out a major study in relation to "Working with Parish Councils", and also the Review of a previous Scrutiny of the Council's levels of Sickness Absence.

The "Members on Line" system was also identified as a suitable topic for Scrutiny and the Policy Scrutiny Panel at its final meeting of the year, agreed the Terms of Reference for this Scrutiny, to be commenced in June 2007.

Scrutiny of Flourishing Communities Fund – Application Procedure

Relating to Corporate Aims–

- **Quality Public Services**
 - Meeting Customer Needs
- **Capital City**
 - Enhance Local Economy

FINDINGS

The panel considered written material in relation to the Applications Process and supporting Guidance Notes. Panel Members suggested a number of amendments/additions to the material, for the purposes of increasing clarity for the benefit of Applicants.

RECOMMENDATIONS

The suggested amendments were agreed by the Scrutiny Committee in April, 2006, and the final Report and Recommendations of the Panel were subsequently submitted to Cabinet for approval and adoption.

WITNESSES CONSULTED

- ❖ Mike Thompson – Head of Community Services
- ❖ John Tindale – Economic and Community Development Manager

Scrutiny of the Telephone Communications System

Relating to Corporate Aims:–

- **Quality Public Services**
 - Meeting Customer Needs
 - Accessible services for all

FINDINGS

Members had expressed concern over perceived problems with the Council's Telephone Communication System.

Three general areas were identified and considered:-

- The Monitoring of response times
- Measures to gauge Customer Feedback
- Utilisation of the Voicemail Facility

The Panel gave consideration to a number of aspects in relation to this Scrutiny.

- The technical specification of the system and the background to its purchase and cost
- Functionality of the system, including how calls were queued, grouped, and responded to and problems with "peaks and troughs"
- Staff retention problems that were being experienced
- The lack of consistency of responses across Services. It was apparent that the Best Practice set out in the Customer Care Handbook was not being applied consistently across the Authority.

Members also noted that no formal Benchmarking had been carried out against other Authorities and that a system for the monitoring of response times was in its early stages. Some Customer Feedback had been sought; however this was another area which was to be further developed.

Members also raised concerns regarding how the Voicemail facility was not being utilised properly and that considerable difficulty had been experienced by them in receiving responses to Voicemail messages left for Officers in certain Services.

RECOMMENDATIONS

Members requested that Quarterly Progress Reports be brought back to the Panel.

The Panel also made eight Recommendations, for approval by the Scrutiny Committee and submission to Cabinet.

The Report and Recommendations were agreed by the Scrutiny Committee in July, 2006, but were subsequently referred back to the Panel by the Cabinet, for further consideration.

UPDATE REPORT

A further Progress Report was subsequently brought to the Panel in October, 2006.

Members were briefed on progress made and their further concerns were addressed. Members noted progress but requested that Performance Indicators be drawn up in relation to response times to calls, to allow for comparison to actual response times.

The Panel also requested a further Update Report on progress in the Spring/Summer of 2007.

WITNESSES CONSULTED

- ❖ Ron Henderson – Head of HR
- ❖ Mike Thompson – Head of Community Services
- ❖ Marion Goodrick – Customer Services Manager
- ❖ Susan Womersley – Assistant Customer Services Manager

Working with Parish Councils

Relating to Corporate Aims–

- **Quality Public Services**
 - Well managed value for money services
 - Meeting customer needs
 - Accessible services for all

The Panel was asked to look at how City of Durham currently worked with the Parish Councils within its area and was also asked to consider the possible benefits of the development of a Joint Charter and the issues and requirements surrounding Quality Council Status.

FINDINGS

Members considered three general areas in relation to this Scrutiny.

- Relations with Local Councils
- Joint Charters
- Quality Council Status

Relations with Local Councils

The Executive Officer of the County Durham Association of Local Councils attended the Panel and gave a background to the support currently available to Parish Councils.

Members were informed of initiatives which had been included in the Government's Rural White Paper in 2000. It was suggested that Principal Authorities could support Local Councils by taking the lead in any development of a Joint Charter and involving them in any discussions or negotiations regarding its formation. The County Association would in turn encourage Local Councils to participate fully in the formation of a Charter. It was also involved in seeking the re-establishment of the Durham City Association of Local Council's Committee.

Joint Charters

In 2003, initial consultations with Parish Councils had been begun by the City Council's Director of Legal and Administration Services and a Model Charter circulated to Parish Councils to test levels of interest in formally pursuing its development. No further progress had been made.

The Panel was attended by representatives of Durham County Council and Durham Rural Community Council who set out the background of the recent development of a Joint Charter between Durham County Council, District of Easington and the Town and Parish Councils within Easington's administrative area.

Members were further appraised of the possible benefits both to Principal Authorities and to Parish Councils following the establishment of a Joint Charter.

Durham Rural Community Council was now involved in the development of Joint Charters and it was their intention to examine how best to build and incorporate Charters into Local Development Frameworks.

Quality Council Status

Representatives of Peterlee Town Council, Horden Parish Council and the National Association of Local Councils attended the Panel to discuss the issues and requirements involved in Quality Council status.

Members were made aware of the criteria to be met to enable a Local Council to achieve Quality status. There were seven criteria, some mandatory, some partly discretionary. Most had significant resource issues for the Local Council.

The Panel were advised as to the advantages both to the Principal Authority and to the Local Council of the achievement of Quality Status and examples were given of practical assistance which could be made available to the Local Council by the Principal Authority.

RECOMMENDATIONS

The Policy Scrutiny Panel concluded their consideration of the three elements of this Scrutiny, namely; Current Support Available, Joint Charters and Quality Council Status. A Report, which contained six Recommendations relating primarily to these three elements, was subsequently drawn up for submission to the Scrutiny Committee. The Report and Recommendations were agreed by the Scrutiny Committee in March, 2007, and will be submitted to Cabinet for consideration.

The Panel further recognised however, that the Report and Recommendations should enable the initiation of enhanced partnership working with Parish Councils. Members acknowledged that more work needed to be done in relation to establishing the need for structured, long term support by the City of Durham for the Parish Councils within its area.

It was agreed therefore to view the Report as a working document, to review progress on this issue during 2007, and to give consideration as to whether further exploration needed to be carried out of the wider issues involved.

WITNESSES CONSULTED

- ❖ Lesley Blackie – Director of Legal and Administration Services

EXTERNAL WITNESSES CONSULTED

- ❖ Steven Ragg – Executive Officer, National Association of Local Councils
- ❖ Lesley Swinbank – Regional Development Officer, National Association of Local Councils
- ❖ Liz Charles – Durham Rural Community Council
- ❖ Ann Armstrong – Corporate Policy Officer, Durham County Council
- ❖ Samantha Shippen – Clerk to Horden Parish Council
- ❖ Cllr. Bill Jeffrey – Leader, Peterlee Town Council
- ❖ John Arthur – Clerk to Peterlee Town Council

Review of Sickness Absence

Relating to Corporate Aims –

- **Quality Public Services**
 - Well managed value for money services
- **Flourishing Communities**
 - Health and Well-being

FINDINGS

The original Report of the Policy Panel on the Scrutiny of this topic had been accepted by Cabinet in October, 2005, with a Recommendation to review in twelve months time. The Panel subsequently, in October, 2006, reviewed the Scrutiny and the progress made towards implementation of the Recommendations.

Members noted progress on most of the Recommendations, however a new Staff Attitude Survey, requested by the Panel from April, 2006, had not been carried out.

RECOMMENDATIONS

Members recommended that a new Staff Attitude Survey be carried out, the results of which, together with the current level of Sickness Absence, be reported back to the Policy Scrutiny Panel in June, 2007.

WITNESSES CONSULTED

- ❖ Ron Henderson – Head of Human Resources

Scrutiny of the Members Online System

Relating to Corporate Aim –

- **Quality Public Services**
 - Well managed value for money services

ONGOING SCRUTINY

Members had identified the new Members on Line System as a suitable topic for Scrutiny.

Panel Members scoped the parameters of the Scrutiny and at the Panel meeting in March, 2007, identified detailed Terms of Reference.

The Scrutiny will commence in the Summer of 2007.

The Chair and Members of the Policy Scrutiny Panel would like to take this opportunity to express their thanks to all Witnesses, both Council Officers and External Witnesses who have assisted and advised Members over the past year and also to those non Panel Members, who have contributed to the Panel's deliberations.

SCRUTINY WORKING GROUPS

Council Procedure Rules Working Group

The Council Procedure Rules Working Group originally reported their findings to the Council in 2005. Their report, however, was referred back for further consideration.

The Working Group was reconvened and continued to meet during 2006/2007.

The final report of the Working Group was subsequently presented to Council in February, 2007.

ADDITIONAL MEETINGS

The February, 2007, meeting of the Scrutiny Committee was set aside for discussion of the proposed Annual Budget for 2007/2008.

All Members were invited to the Meeting and members of OMT were also in attendance.

Members were given a detailed breakdown of the proposed Annual Budget by the Director of Strategic Resources and the Head of Financial Services.

Questions from Members, arising from the discussion, were responded to by OMT Officers.

SCRUTINY STATISTICS

Statistical information in relation to Scrutiny Business for 2006/2007 is attached for the benefit of Members. It is the intention to further develop the analysis of this and other information in order to establish for City of Durham Scrutiny, realistic Performance Indicators which will be reported in future Annual Reports.

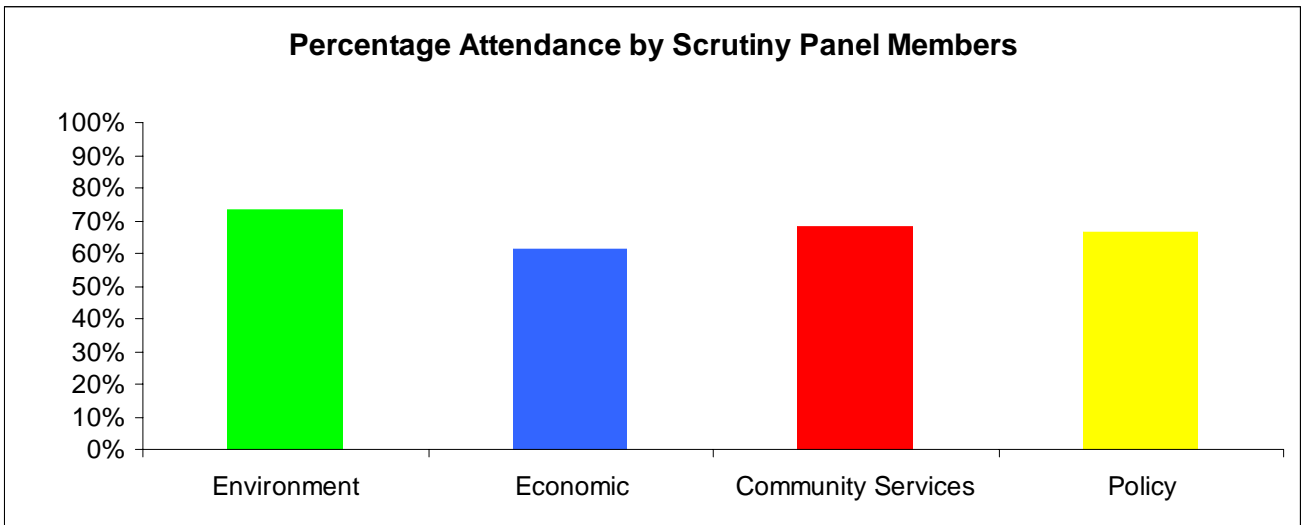
In total, for the year 2006/2007, 15 Scrutiny Reports were submitted to Cabinet for consideration.

The number of Witnesses attending Scrutiny Panel Meetings throughout the year was as follows:-

Internal Witnesses (The Council's own Officers) – 22

External Witnesses – 20

PERCENTAGE ATTENDANCE AT SCRUTINY PANELS –



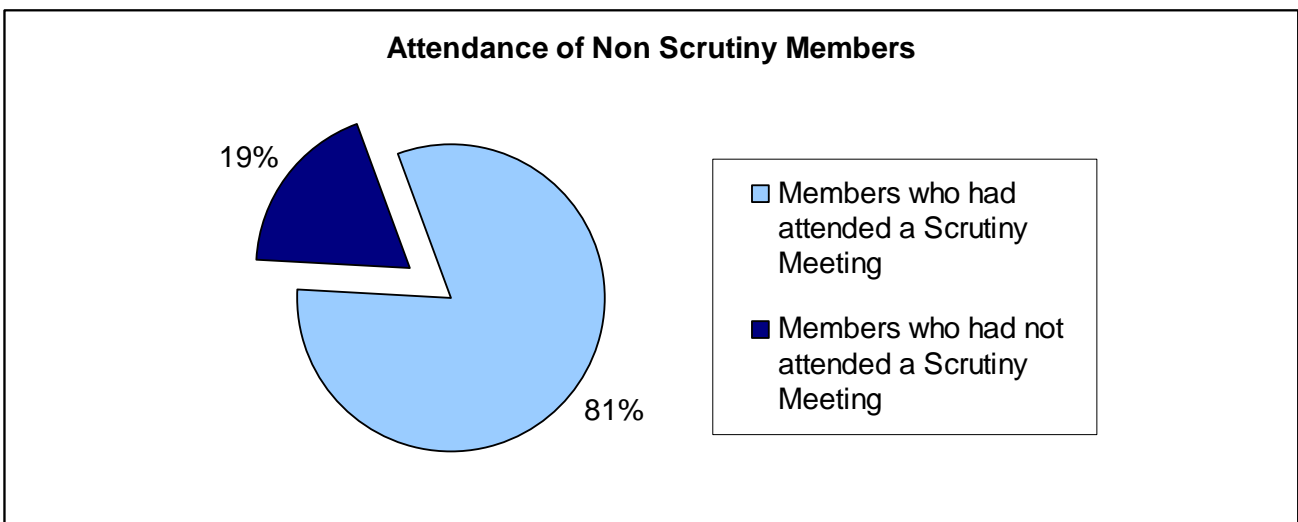
Attendance by Members of City of Durham Scrutiny Panels has been consistently high. The following is an example of relative attendance:-

City of Durham – 06/07 average 68%

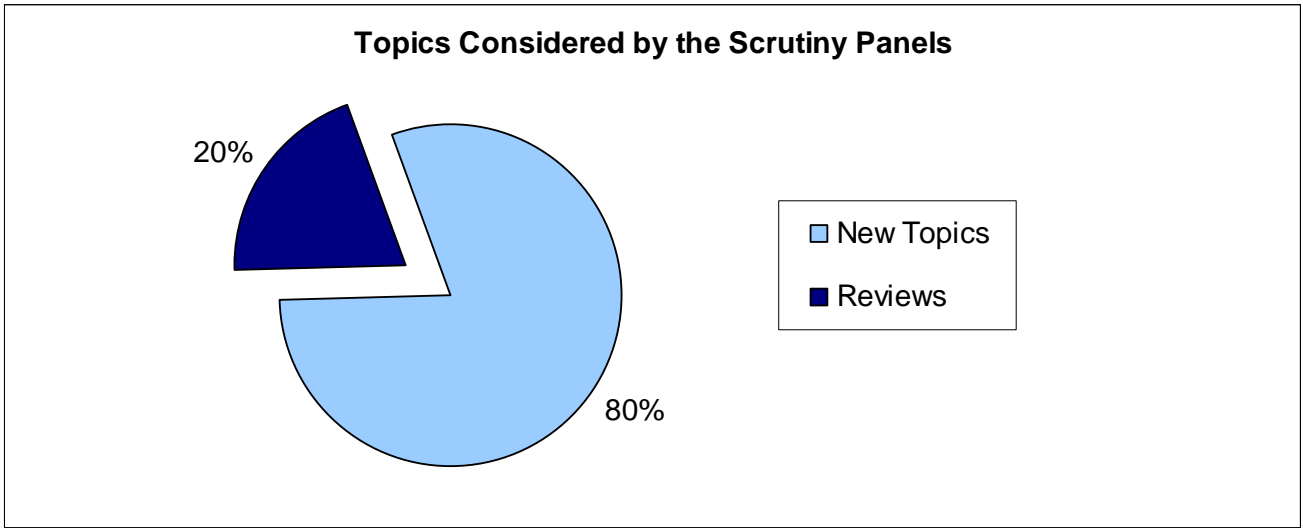
Tameside (who hold a Charter Mark for Scrutiny) – 04/05 average 58%

In the majority of cases details of Scrutiny Attendance are not included in Annual Scrutiny Reports.

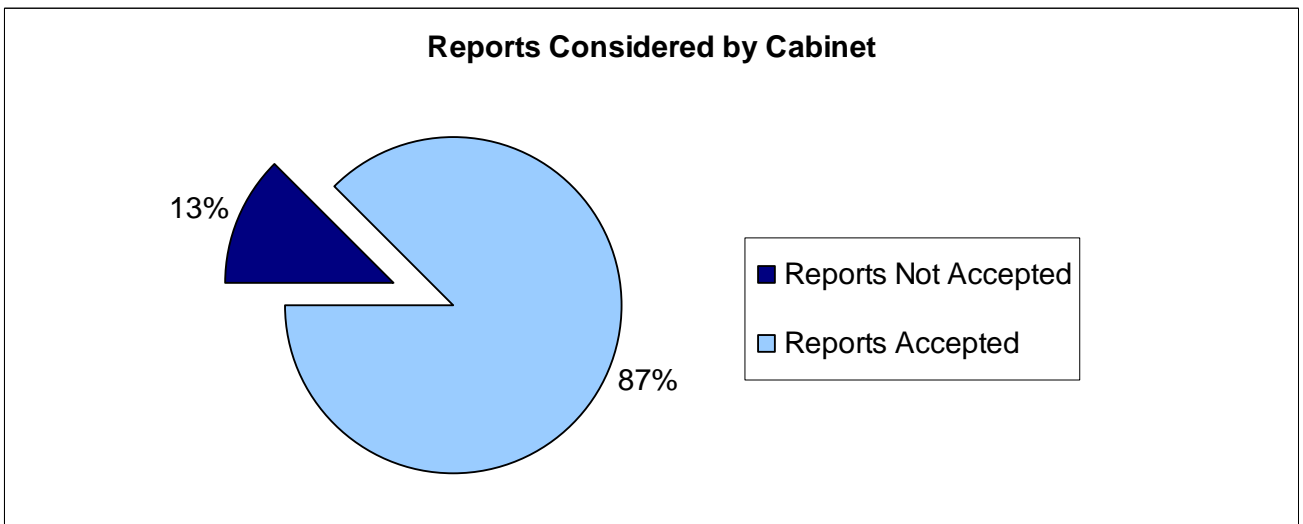
ATTENDANCE AT SCRUTINY PANEL MEETINGS BY NON-PANEL MEMBERS –



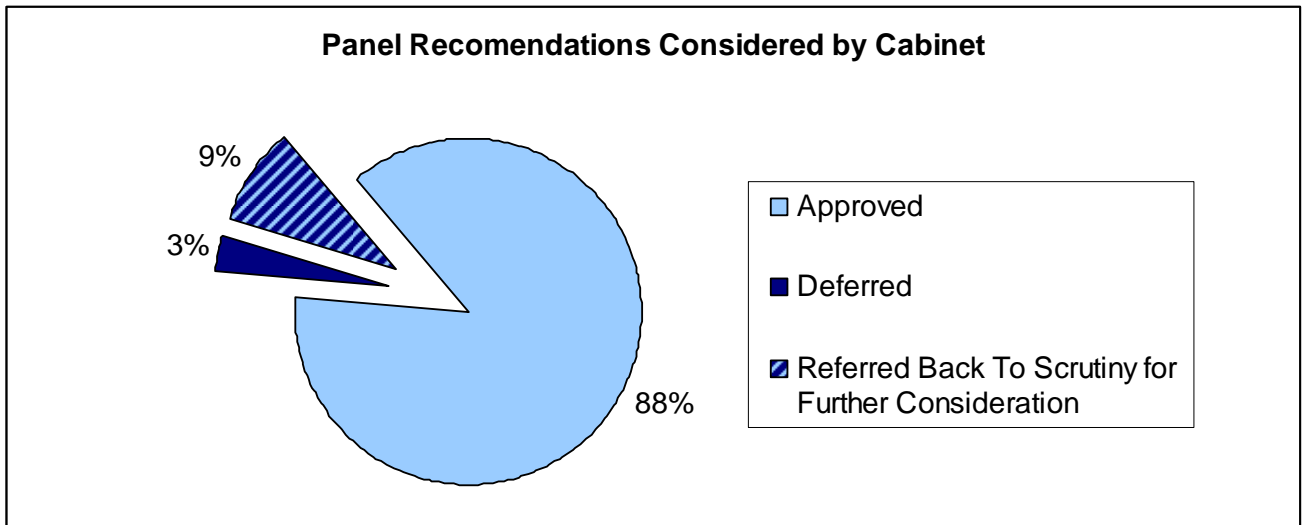
TOPICS CONSIDERED BY SCRUTINY PANELS –



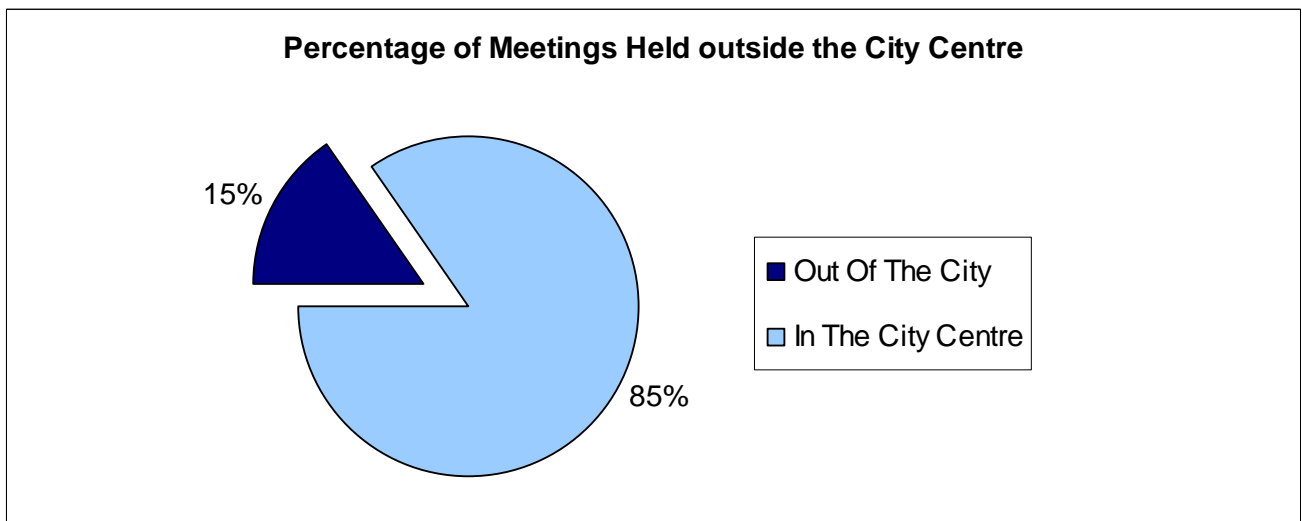
PANEL REPORTS CONSIDERED BY CABINET –



PANEL RECOMMENDATIONS CONSIDERED BY CABINET –



NUMBER OF PANEL MEETINGS HELD AWAY FROM CITY CENTRE –



This measurement was suggested due to the close of the Town Hall for refurbishment. However, the figure will be used as a Benchmark to develop a future Scrutiny Performance Indicator in relation to the number of Scrutiny Panel Meetings taken into the Community.