

**City of Durham**

At a Meeting of **SCRUTINY COMMITTEE** held in the Studio, Gala Theatre, on Thursday, 26<sup>th</sup> July, 2007 at 5.30 p.m.

**Present:** Councillor Hopgood (in the Chair) and Councillors: Freeman, Howarth, McDonnell, Mitchell, Robinson, Simpson, Wilkes and Wolstenholme

**Also Present:** Councillor Young

**APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Colledge, Moderate and Walton.

**MINUTES**

Minutes of the Meeting of 7<sup>th</sup> June, 2007 were confirmed as a correct record.

**CHAIRMAN'S REMARKS**

The Chairman advised the Committee following a question at the last meeting regarding update information on the Swimming Pool Project that a presentation would be given at the next meeting of Cabinet ( Wednesday, 5<sup>th</sup> September, 2007) and all Members of the Council would be invited to attend.

The Chairman advised Members of a new reporting procedure for Scrutiny reports. A copy of the procedure can be found at appendix B.

Members attention was brought to the new Scrutiny Topic Suggestion forms, the new forms ask how the suggested topic relates to the corporate aims of the Council.

The Chief Executive had asked that all committees that use the gala for their meetings make use of the microphones. The Chairman suggested that she did not think that the microphones were needed at Scrutiny and the Members of the Committee agreed.

The Chairman thanked those Members who had attended the training sessions that had been held recently at Darlington and Dragonville.

The Chairman reiterated the problems with venues for panel meetings and asked for Members patience while the venues were found. Members agreed that the venues were a problem and hoped that the refurbishment of the Town Hall would be completed in the near future.

**Note: Councillor Wilkes joined the meeting at 5.45 p.m.**

**CABINET DECISIONS – 18 JULY 2007**

Councillor Mitchell asked if he could be advised of the procedure for submitting supplementary reports to Cabinet.

The supplementary report in question asked "...that delegated authority be given to the Leader, in consultation with the Chief Executive and Monitoring Officer, to seek

legal advice on the potential for a legal challenge/ judicial review, and act on that advice during the summer recess should the proposals put forward by Durham County Council be accepted and short listed for implementation.” Councillor Mitchell said he had grave concerns at a potentially unlimited expenditure .

The Vice Chair suggested that the Cabinet Report on Climate Change as an assessed future Scrutiny topic should be specific with emphasis put on tight scoping of the topic. Councillor Wolstenholme, Chair of Environment Scrutiny Panel advised the Committee that the Sustainable Development Manager would be in attendance at his next Panel meeting in September. Further advice would be sought from him.

### **VERBAL REPORTS OF PANEL CHAIRS**

An update was given by each Panel Chair on the progress of their panel.

The Vice Chair asked that the Committee consider amendments to the recommendations of two Community Services Scrutiny Panel’s reports. The reports can be found at Appendix C

- a). Review of Scrutiny of Council Garages
- b). Review of Scrutiny of Permanent Site Provision for Gypsies and Travellers

Resolved: Members agreed the amended recommendations and that the reports be sent to the next scheduled meeting of Cabinet.

### **REPORTS FOR INFORMATION (Annual Scrutiny Report – 2006/07)**

The Annual Scrutiny Report which, under the Constitution, the Scrutiny Committee was required to prepare for full Council was circulated. The Annual Report outlined the recent work of the Scrutiny Panels, progress which had been made, amended working methods and made recommendations for the future work programmes.

Resolved: That the report be approved for submission to full Council on 18<sup>th</sup> September 2007.

### **SUGGESTED SCRUTINY TOPICS**

The following topics had been suggested as Scrutiny Topics

- Unauthorised Gypsy/Traveller Encampments – allocated to Community Services Scrutiny Panel
- b). New Housing Allocations Policy – Members agreed to defer the topic for six months to allow the policy time to take effect.
- c). Choice Based Lettings – allocated to Community Services Scrutiny Panel.

### **FORWARD PLAN**

The Committee considered the Forward Plan, which was effective from 2<sup>nd</sup> July, 2007, and had no comments to make.

A copy of the Forward Plan, which was effective from 1<sup>st</sup> August, 2007, was circulated for Members consideration. Members had no comments to make.

## **DECISIONS TAKEN BY PORTFOLIO HOLDERS SINCE LAST MEETING**

A copy of the schedule indicating the decisions taken by Portfolio Holders since the last Meeting.

Councillor Mitchell referred to Portfolio Decision number 14 and asked if the Committee could receive progress reports on the Town Hall refurbishment project.

Councillor Freeman asked for further information on Portfolio Decision number 20.

## **ANY OTHER BUSINESS**

There was no other business.

Meeting terminated at 6.20 p.m.

**FORWARD PLAN**

In accordance with Regulations 13 and 14 of The Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2000, As Amended, details of matters likely to be the subject of key decisions to be made by the City Council in the following 4 month period, commencing on Monday, 3<sup>rd</sup> September, 2007, are set out hereunder. Anyone wishing to make representations to the City Council Cabinet or to the Decision maker about the matter in respect of which the decision is to be made may do so by writing to the Chief Executive, 17 Claypath, Durham City, DH1 1RH by no later than Monday, 3<sup>rd</sup> September, 2007.

<b>Topic</b>	<b>Decision Maker</b>	<b>Target Date for Decision to be made</b>	<b>Consultees (if any)</b>	<b>Contacts</b>	<b>Background Documents</b>
Review of the Fraud Policy	* Cabinet	October, 2007	Numerous Consultees	Head of Internal Audit Tel: 0191 3018607	In draft
Transport Policy	* Cabinet	September, 2007	Numerous Consultees	Head of Environmental Services Tel: 0191 3018684	To be determined

**\*Cabinet Members:** Councillors Bell, Dickie, Jackson, Pitts, Rae, Reynolds, Southwell, Thomson, van Zwanenberg & Woods

**Publication Date:** Monday, 20<sup>th</sup> August, 2007

**Effective Date:** Monday, 3<sup>rd</sup> September, 2007.

Councillor F. Reynolds  
Leader of the Council  
Forward Plan No. 64

**SCRUTINY COMMITTEE**  
**13 September 2007**  
**DECISIONS TAKEN BY PORTFOLIO MEMBERS**

No.	Portfolio Member	Nature of Decision	Date
1	Councillor Reynolds	Application received from Mr Barry Rand of 15 Moor Edge, Brandon enquiring whether the Council would grant permission for vehicular access over Council land to the front of his property. Recommend that the application be approved subject to conditions	12.7.07
2	Councillor Reynolds	Application received from Mr Andrews of 2 Robert Terrace, Bowburn enquiring if the Council would consider selling to him land adjoining his property for use as vehicular hardstanding Recommend that a reduced area of 31 sq metres or thereabouts be offered to the applicant on terms to be agreed by the Council Valuer	9.7.07
3	Councillor Reynolds & Chief Executive	Application received re Allan Simpson, Development Control Manager, attendance at a Planners' School on 4-8 September 2007 at Swansea University, Wales Application for attendance is approved	12.7.07
4	Councillor Van Zwanenberg	To approve the appointment of the White, Young, Green Environmental Consultancy (WYG) and specifically David Walton to undertake Sustainability Appraisal (SA) work for the City of Durham Local Development Framework (LDF), at a fixed price of £25,000 for the period 1 August 07 to 31 March 08, without getting four written quotations for contract of between £5,001 and £50,000. Recommend that the Head of Planning Services write to WYG to arrange the commissioning of David Walton to carry out the LDF SA work for a guaranteed 2.5 days per week over the 8 month period	16.7.07
5	Councillor Reynolds	To consider terms reported by the City Council's retained local Valuer for the grant of an option to Raebro Developments Ltd for purchase of Council land at Langley Moor as contained in Minute 626 of 18 April 2007 Recommend that the option fee of £10,000 as reported by the Council's Value for the grant of an option agreement for the purchase of land be approved.	19.7.07
6	Councillor Reynolds	Application received from Mrs Ruddock of 7 Durham Road West, Bowburn enquiring if the Council would consider selling to her land adjacent to her property which is on licence to Mr C Cook who owns the adjoining tattoo parlour. Recommend that the licence be revoked and the terms of the licence be enforced regarding revocation and that a site inspection be arranged to discuss the application to purchase	26.7.07
7	Councillor Rae	Application to consider a proposal to permit Houghall College under licence to carry out tree thinning within a City Council owned part of Flass Vale and other sites.	28.7.07

		Recommend approval of granting of licence subject to direction by the Council's Landscape Architect and that similar arrangements be approved in principle for work on other sites subject to identification and the Portfolio Member for Environment & Leisure being notified prior to commencement of work	
8	Councillor Reynolds	The City of Durham Council has identified an area of land for potential disposal at Tail-upon-End Lane, Bowburn to Durham Villages Regeneration Ltd for new housing development. The majority of the site is leased to Cassop-cum-Quarrington Parish Council on a lease dated 2 Feb 1976 and they may not wish to relinquish its interest voluntarily. Recommend that approval be given to give 3 month's notice to the Parish Council for the purposes of determining the 1976 Lease	1.8.07
9	Councillor Woods	Application received from Mr K Crossley of 14 Blackcliffe Way, Bearpark enquiring on behalf of nos. 10, 11, 12 and 14 Blackcliffe Way, if the Council would consider selling to him land to the rear of his property and nos 10, 11, 12 for use as additional garden. Recommend that the applicant be refused.	30.7.07
10	Councillor Reynolds	Application to consider terms as reported by the City Council's retained local Valuer for the sale of 5 Holly Park, Ushaw Moor Recommend disposal of 5 Holly Park Ushaw Moor to Mr & Mrs Field (T/A Hollyfield Properties) in accordance with conditions outlined	3.8.07
11	Councillor Reynolds	Application to consider terms as provisionally agreed by the City Council's retained local Valuer for the Council's purchase of approx. 201 square metres of land at Skippers Meadow, Ushaw Moor to consolidate ownership in a larger site also at Skippers Meadow and identified as potentially suitable for social housing development. Recommend that the City Council acquires the land on terms provisionally agreed.	3.8.07
12	Councillor Reynolds	Application has been received from Mr & Mrs Hudson of 37 Musgrave Gardens, Gilesgate, Durham enquiring if the Council would be willing to dispose of an area of Council owned land currently leased from the Council by them. A similar application had been submitted in 2002, with the application failing to proceed as the applicants did not pay the administration fee. Subsequent to this application in 2002 (and many other similar applications) the policy was adopted in December 2003 that "Garden Only" applications would be presented immediately to Ward Members, without the administration fee, with a recommendation for refusal. If upon looking at the application the Ward Members disagreed with the refusal recommendation, the application would be taken through the normal procedure, with the appropriate fee being applicable. Mr & Mrs Hudson state that they would wish the land for garden use only. Two of the three Ward Councillors support the application to go through the usual land	15.8.07

		<p>application procedure.</p> <p>Recommend that the application be approved to go through the usual land application procedure.</p>	
13	Councillor Reynolds	<p>Application has been received from Mrs Potter of 26 Cherry Park, Brandon enquiring whether the Council would consider leasing her land adjoining her property and also for a Vehicular Access Licence.</p> <p>Mrs Potter intends to use the land for vehicular access (Area A), off street parking (Area B) garden use, but it is noted that it would be a sensory play area for her disabled daughter (Area D)</p> <p>Subject to certain conditions the application be approved.</p>	15.8.07
14	Councillor Reynolds	<p>An application has been received to Dedicate Land for Parking Schemes at Gray Gables and Lime Park, Brandon. A joint scheme of works relating to the provision of parking at Gray Gables and Lime Road has been received from the City of Durham's Senior Engineer, with Durham County Council's Service Direct carrying out the works.</p> <p>Recommend that the application be approved</p>	15.8.07
15	Councillor Reynolds	<p>Durham County Council have applied to purchase, licence and obtain grant of easement over Council land at Old Durham and the river side of Old Durham to facilitate not only the construction of a bridge but also a more permanent right access. The County Council have asked for early entry onto the land in question as shown on the plan attached.</p> <p>Recommend that the application be allowed to proceed</p>	15.8.07
16	Councillor Reynolds	<p>Application received from Mrs Bushby of 25 The Orchard, Pity Me, Durham enquiring whether the Council would consider selling to her land adjoining her property for garden use only and to keep rubbish from accumulating in the area.</p> <p>Recommend that the application be refused</p>	24.8.07