



17 Claypath
Durham
DH1 1RH
DX 60239 Durham

Brian Spears F.C.I.H.
Chief Executive

Direct Line: 0191 301 8789
Email: AWhitton@durhamcity.gov.uk
Enquiries to: Ann Whitton

REF: AW/MD

27 November, 2007

To: The Chairman and Members of the
SCRUTINY COMMITTEE
(Councillors Hopgood, Colledge, Freeman, Howarth,
McDonnell, Mitchell, Moderate, Robinson,
Simpson, Walton, Wilkes & Wolstenholme)

Dear Sir/Madam,

A Meeting of the **SCRUTINY COMMITTEE** will be held in the Studio, The Gala Theatre, Durham,
on **Thursday, 6th December, 2007**

BUSINESS

1. Apologies for Absence.
2. Minutes of the Meeting held on 25th October, 2007.
3. Chairman's Remarks
4. Scrutiny Panel Reports for Consideration
 - (a) Scrutiny of Members Online
 - (b) Review of Fly-tipping; Recycling and Litter Pickers
5. Cabinet Decisions
 - 12 November, 2007
 - 19 November, 2007
 - 28 November, 2007
6. Verbal Reports from Panel Chairs
7. Forward Plan 67
8. Decisions taken by Portfolio Holders since last meeting.
9. Any Other Business

Yours faithfully,

CHIEF EXECUTIVE

City of Durham

At a Meeting of **SCRUTINY COMMITTEE** held in the Studio, Gala Theatre, on Thursday, 25th October, 2007 at 5.30 p.m.

Present: Councillor Howarth (in the Chair)
and Councillors Colledge, McDonnell, Moderate, Robinson, Simpson, Wilkes and Wolstenholme.

Also Present: Councillors Bell, Carr, Cowper, Jackson, Kellett, Marsden, Stoddart and Turnbull.
Head of Environment & Leisure Services and The Technical Manager, Property Services

315. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Hopgood, Mitchell and Walton.

316. MINUTES

Minutes of the Meeting of 13th September, 2007, were confirmed as a correct record.

Note: 5.32p.m. *Councillor Moderate joined the meeting*

317. CHAIRMAN'S REMARKS

The Chair informed the committee that there were several speakers at the meeting; The Head of Environment and Leisure Services to speak on amendments to recommendations on the Playing Pitch Strategy review; The Technical Manager, Property Services to speak on the Town Hall Refurbishment and Councillor Jackson to speak on the Telephone Communications System Report.

5.45 p.m. *The Meeting adjourned for Members to take refreshments which had arrived late.*

318. SCRUTINY PANEL REPORTS – PORTFOLIO HOLDER/OFFICER CONSULTATION

a). Playing Pitch Strategy Review

The Head of Environment and Leisure Services advised the Committee of several amendments to the report and that an addition to recommendation 3.12 "Alternatives need to be investigated including an in-house option."

The Committee agreed the changes and confirmed that subject to Community Services Scrutiny Panel's approval the report be sent to Cabinet.

b). Scrutiny of Tourism

The Committee agreed that the report be sent to Cabinet.

319. UPDATE ON TOWN HALL RENOVATIONS

The Technical Manager, Property Services advised Members of the progress of the refurbishment of the Town Hall and the reasons for the refurbishment. The Officer was asked about information on the company carrying out the refurbishment and advised that the company are from the Bishop Auckland area and have carried out

major works for the University and the County Council. The Company were very strategic in their approach to the refurbishment and possessed excellent references. Councillor Bell while not wishing to complain about the choice of contractor had requested information about the company's credentials at Cabinet, but this was not available at that meeting. Scrutiny Committee agreed to send a letter to the Leader of the Council asking that details of the choice of company be available to Cabinet at the time of the decision being made.

The Officer advised that currently there is a three week delay due to uncovering unforeseen problem areas of work and the Christmas break. However the works were financially on target.

320. SCRUTINY PANEL REPORTS FOR CONSIDERATION

Note: 6.35 p.m. Councillor Kellett left the meeting

- a). Scrutiny of Disabled Parking -- That the report be sent to Cabinet
- b). Scrutiny of Graveyards -- That the report be sent to Cabinet
- c). Review of Sickness Absence -- That the report be sent to Cabinet
- d). Telephone Communications System – Councillor Jackson as the relevant Portfolio Holder addressed the Committee and informed Members of ongoing problems with the system software. The problems had a direct bearing on certain recommendations contained in the report.

The Committee agreed that subject to suggested amendments the report be forwarded to Cabinet.

Note: 6.45 p.m. Councillor Jackson left the meeting

321. CABINET DECISIONS – 17 October 2007

The Cabinet report had been noted and there were no items the Members wished to raise.

Note: 6.50 p.m. Councillor Turnbull left the meeting

Note: 6.51p.m. Councillors Marsden and Stoddart left the meeting

322. VERBAL REPORTS OF PANEL CHAIRS

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

323. FORWARD PLAN

The Committee considered the Forward Plan No. 65, which was effective from 1st October, 2007, and had no comments to make.

324. DECISIONS TAKEN BY PORTFOLIO HOLDERS SINCE LAST MEETING

A copy of the schedule indicating the decisions taken by Portfolio Holders since the last Meeting was circulated at the meeting.

Councillor Robinson queried Portfolio Holder Decision no. 4 and asked how long rent arrears were allowed to increase before action was taken.

Councillor Wilkes queried Portfolio Holder Decision no. 4 and asked if the Council had an obligation to pay home loss and disturbance payments to tenants with rent arrears. He also asked what the level of rent arrears was across the district in actual figures.

It was agreed that a written response be requested.

325. SUGGESTED TOPICS FOR SCRUTINY

- Corporate Equalities Policies -- Allocated to Policy Scrutiny Panel

326. ANY OTHER BUSINESS

It was agreed that all Members of the Council be sent a questionnaire regarding proposed training on budgetary issues.

Meeting terminated at 7.00 p.m.

Chairman

Report of Policy Scrutiny

SCRUTINY OF THE MEMBERS ON LINE SYSTEM

BACKGROUND

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

AIMS

2. To review the Members Online System

ACTIONS

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

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

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

OUTCOMES

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

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

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

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

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

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

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

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

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

7. Survey Results

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

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

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

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

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

- 21 Members indicated that they were prepared to receive instruction in the Members Online system (from the Democratic Support Team)

- 11 Members indicated that they would be prepared to undertake a general introduction to using a computer (as part of HR's Corporate IT Training Programme)

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

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

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

8. Security/Continuity issues

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

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

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

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

RECOMMENDATIONS

- 1) That in view of the costs incurred, in relation to printing, general overheads and telephone/broadband costs in relation to downloading Committee Papers from the Internet, the allowance payable to Members for utilising the Members Online system be now reviewed.
- 2) That instruction in the use of the Members Online system, offered by Democratic Support Officers, continue to be made available and that a further letter of invitation to take advantage of the instruction be sent to all Members.
- 3) That the Human Resources Section be requested to develop a further programme of basic, general Computer Training, specifically for Elected Members, to be offered on an ongoing basis.

POLICY SCRUTINY PANEL

Distribution of Committee Papers Survey of Neighbouring Authorities

QUESTION 1

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

Wear Valley - Yes

Derwentside - Yes

Chester-le-Street – Receive relevant Committee Papers

Sedgefield – Major Committees are sent to all Members

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

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

QUESTION 2

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

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

Derwentside - No

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

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

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

Teesdale – Only in relation to Panel Meetings

QUESTION 3

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

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

Derwentside – Currently being developed

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

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

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

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

QUESTION 4

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

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

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

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

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

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

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

QUESTION 5

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

Wear Valley – As above, access in Members Room.

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

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

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

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

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

QUESTION 6

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

Wear Valley - No

Derwentside - No

Chester-le-Street - No

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

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

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

Report of Environment Scrutiny Panel

REVIEW OF THE TOPICS OF FLY-TIPPING, RECYCLING AND LITTER PICKERS

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

1. BACKGROUND

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

2. AIMS

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

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

3. ACTIONS

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

3.1 Fly-tipping

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

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

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

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

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

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

3.2 Recycling

3.2.1 Recycling – General Public

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

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

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

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

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

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

3.2.2 Recycling – Internal Waste Strategy, City of Durham

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

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

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

Some Members of the Panel felt that it may be preferable to have a policy in place to specify how different waste is to be disposed of internally by the Council rather than the "championing" of the subject by individuals in each section. Whilst this was an option, it was felt that it would be more effective to raise awareness and motivate staff to want to minimise waste.

3.3 Litter Pickers

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

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

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

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

4. OUTCOMES

4.1 Fly-tipping

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

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

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

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

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

4.2 Recycling

4.2.1 Recycling – General Public

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

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

A rough estimate of the uptake of recycling via the Premier Advanced Recycling Centre (PARC) recycling scheme within the trial areas was in the region of 70%. Problems as regarding splitting of the orange bags had been noted and thicker purple bags have now been issued to Residents of Framwellgate Moor and Newton Hall. The bags new colour also minimised the confusion between the recycling bags and orange Sainsbury bags containing general waste.

4.2.2 Recycling – Internal Waste Strategy, City of Durham

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

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

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

4.3 Litter Pickers

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

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

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

5. RECOMMENDATIONS

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

Fly-tipping

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

Recycling

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

Litter Pickers

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



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 3rd December, 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 3rd December, 2007.

Topic	Decision Maker	Target Date for Decision to be made	Consultees (if any)	Contacts	Background Documents
Sustainable Development Policy	* Cabinet	January, 2008	Numerous Consultees	Head of Environmental Services Tel: 0191 3018684	Corporate Performance Plan Strategic Risk Register Environmental Services Business Plan UK Government Sustainable Development Strategy
Waste Collection Policy	* Cabinet	March, 2008	Numerous Consultees	Head of Environmental Services Tel: 0191 3018684	Corporate Performance Plan Strategic Risk Register Environmental Services Business Plan Waste Strategy for England 2007
Kerbside Recycling Contract	* Cabinet	December, 2007	Numerous Consultees	Head of Environmental Services Tel: 0191 3018684	Corporate Performance Plan Strategic Risk Register Environmental Services Business Plan Tender documents subject to commercial confidentiality Waste Strategy for England
Licensing Policy	* Cabinet	December, 2007	Numerous Consultees	Licensing Manager Tel: 0191 3018786	Draft revised Licensing Policy Licensing Act 2003 Revised Guidance issued under Section 182 of the Licensing Act 2003

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

Publication Date: Monday, 19th November, 2007

Effective Date: Monday, 3rd December, 2007.

Councillor F. Reynolds
Leader of the Council
Forward Plan No. 67

FORWARD PLAN No. 67

SUPPORTING INFORMATION

Sustainable Development Policy

The City of Durham Council recognises that its operations influence the District's environment, economy and society. In working towards a more sustainable future we are committed to minimising the adverse impacts of our activities whilst enhancing positive impacts to improve people's quality of life, both now and in the future. The composition of this policy has been informed by the Council's Corporate Plan, UK Government Sustainable Development Strategy; "Securing the Future" and its attempts to address: Sustainable Consumption and Production, Climate Change and Energy, Natural Resource Protection and Environmental Enhancement, and Sustainable Communities.

Waste Collection Policy

The aim of the proposed policy is to improve the efficiency and performance of the refuse collection service and specifically to reduce the amount of waste produced, encourage residents to recycle, reduce litter being spilled in the streets, and increase the efficiency of the refuse collection service.

Kerbside Recycling Contract

The Council's existing contract (the "Kerb-it" Scheme) for the delivery of services for the kerbside collection of material for recycling terminates on 31/3/08. The Kerbside recycling scheme operates in the City of Durham District; Easington District; Chester-le-Street District and Sedgefield Borough. The existing contract cannot be extended and it is therefore necessary to enter into a new contract if this service is to be continued. It was agreed that the City of Durham Council should go out to Tender jointly with the Councils of the Easington District; Chester-le-Street District and Sedgefield Borough, to obtain the benefits of economy of scale.

Licensing Policy

The Licensing Act 2003 requires all Councils to prepare, consult on and publish a Statement of Licensing Policy, to set out how the licensing authority will judge applications for licensing the sale of alcoholic refreshment at night and/or public entertainment. The Act requires a licensing authority to prepare and publish a statement of its Licensing Policy every three years, so a revised policy must be adopted and published before 7th January, 2008. 14 responses were received to the consultation and a Draft Revised Policy has been recommended for approval.

SCRUTINY COMMITTEE
6 December 2007
DECISIONS TAKEN BY PORTFOLIO MEMBERS

No.	Portfolio Member	Nature of Decision	Date
1	Councillor Reynolds (Community Services)	Decision to waive Contract Procedure Rule 6.2 and enter into a contract against the advice of the Legal and Democratic Services Manager Recommend that the contract procedure rules be waived to allow the signature of the contract in order that the Christmas Lighting Scheme can be delivered	12.10.07
2	Councillor Jackson (HR)	Permission is sought to enter into a one year contract for the provision of Response Management Services from 1 October 2007. Recommended that NRG Connect is awarded a one year Response Management Contract with the authority.	11.9.07
3	Councillor Van Zwanenberg	To make an exception to contract and procurement rules in respect of the Durham City Vision Retail Distinctiveness Project (Rule 8 – 8.2,(d)) Recommended that Miller research be appointed to undertake the work, reasons being this project is an extension of a pilot study undertaken by Miller Research Ltd for One North East and is showcased by One North East on IGNITE therefore Miller's specialist knowledge and skill is of primary importance.	9.10.07
4	Councillor Reynolds (Property Services)	To agree the lease of office accommodation for Community Services staff in conjunction with closure of Byland Lodge. The closure of Byland Lodge means that alternative office accommodation is required for Planning Services, Community Services and Licensing. It is possible to allocate space in existing buildings for Planning and Licensing but additional capacity will be required for Community Services. Three options were considered and it was recommended that a lease be agreed to occupy part of a block at Mandale Park Belmont.	22.10.07
5	Councillor A L Thomson (Housing)	Application received for a Home Loss payment as a result of the Council compulsorily displacing the applicant from his home (Ref 316) Recommend a payment of £4,400 to the applicant	27.10.07
6	Councillor A L Thomson (Housing)	Application received for a Home Loss payment as a result of the Council compulsorily displacing the applicant from his home (Ref 317) Recommend a payment of £4,400 to the applicant	27.10.07
7	Councillor Rae	Application to grant temporary closure of various roads on Monday, 5 November 2007 between the hours of 4.00 p.m. and 10.00 p.m. for Firework Display Recommend granting of temporary closure	30.10.07
8	Councillor Reynolds	Authorisation of the temporary closure roads/footpaths on Sunday 18 November between the hours of 3.00pm and 6.30 pm for the purpose of switching on of the Christmas Lights. Recommended that an order be made in accordance with the provisions of Section 21 of the Town Police Clauses Act 1847 authorising the	5.11.07

		temporary closure.	
9	Councillor Reynolds	Authorisation of temporary closure of roads/footpaths on Saturday 1 and Sunday 2 December 2007 between the hours of 10.00 am and 5.30 pm and 10.00 am and 5.00 pm on respective days for the purposes of facilitating the Durham Christmas Festival. Recommended that an Order be made in accordance with the provisions of Section 21 of the Town Police Clauses Act 1847 authorising the temporary closure.	5.11.07
10	Councillor Reynolds	Consideration of implementation of a Rent Review for Esh Winning Association Football & Social Club in response to a Notice of Rent Review. Various options outlined. Recommendation that the rent is determined by the Council's Head of Financial Services based on examination of the Club's last audited accounts	20.8.07
11	Councillor Reynolds	Application received from Durham County Council enquiring whether the Council would be willing to grant an easement & dispose of land to enable Durham County Council to carry out works over land at Kingfisher Bridge, Old Elvet. Recommendation that subject to contract and conditions an area of 25 square metres be granted right of easement and an area of 1,000 square metres be granted a Licence and an area of 155 square metres be offered on terms to be agreed by the Council's Valuer	2.11.07
12	Councillor Reynolds	Application received from Mr & Mrs Lynn of 35 Grey Ridges, Brandon enquiring if the Council would consider selling them land adjacent to their property for use as hardstanding for 2 motor vehicles Recommendation that subject to contract and conditions an area of 20 square metres or thereabouts be offered to the applicants on terms to be agreed by the Council Valuer.	2.11.07
13	Councillor Reynolds (Strategic Services)	Award of grant to Belmont Community Association from the Flourishing Communities (Small Grants) Fund for the replacement of the heating boiler, the procurement and installation of a boiler security door and the replacement of windows in the Sports Hall & toilets in Belmont Community Centre. Recommendation the award of a grant of £5,000 for the above work on condition that the work is completed by 31 December 2007 and that the grant be paid by 31 January 2008.	7.11.07
14	Councillor Thomson, (Legal)	To consider the granting of a Wayleave to British Telecom in connection with apparatus at Lowland Road Brandon. Following a recent site inspection it was noted that BT had erected a pole on council land to the rear of 22 Lowland Road Brandon. As this had been done without the council's formal consent. This was an oversight on the company's behalf and an application has now been received from Openreach (a subsidiary of BT) to formalise the existing arrangements. Recommended to approve the granting of a Wayleave.	12.11.07
15	Councillor Reynolds	Application received from Mr Brett via his solicitor enquiring if the Council would consider selling him land	07.11.07

		to the rear of Whitwell Terrace, Langley Moor for use as grazing land for horses. Recommended that the application be refused.	
16	Councillor Reynolds & Councillor Carol Woods	To increase the current Hackney Carriage Fare Scale Recommendation that the proposed Hackney Carriage Fares Scale be adopted	8.11.07
17	Councillor Reynolds	Application to purchase council land adjoining 31 William Street Bowburn. An application had previously been received from Mr & Mrs McKibbin of 31 William Street Bowburn enquiring whether the council would consider selling to them land adjoining their property. They intend to the use the land solely for garden use. Agreed to approve the application in its entirety but require the applicant to cut down the high hedge to a level which will restore sight lines or take out the hedge completely. Should the applicant prefer to retain an enclosed area for privacy then a boundary line for fencing and/or hedging be established and an area to remain as open frontage onto the estate road corner.	8.11.07