

**City of Durham**

At a Meeting of **SCRUTINY COMMITTEE** held in the Mayor's Chamber, Town Hall, on Tuesday, 22<sup>nd</sup> April, 2008 at 5.30 p.m.

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

**Also Present:** Councillors Kellett, Marsden and Stoddart

**608. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Robinson and Wolstenholme

**609. MINUTES**

Minutes of the Meeting of 25<sup>th</sup> March, 2008, were confirmed as a correct record.

**610. CHAIRMAN'S REMARKS**

The Chair advised that Members should have received an A4 update of contacts, and advised that it would have been a waste of money to change the key contacts booklet.

The Chair advised the Committee that following a request from Councillor Robinson at the last meeting relating to Portfolio Holder Decisions made concerning Flourishing Community grants awarded a response had been received informing her that the authority had written to several Parish Clerks. Councillor Mitchell asked for clarification of which parishes had been advised and what was the reason for this.

The Chair advised members that the County Durham Joint Scrutiny on children and young people Not in Education, Employment or Training (NEET) has now been completed, a copy of the report will be placed in the Members' Room and a copy of the recommendations would be circulated.

The Vice Chair advised members that the County Durham Joint Scrutiny on Transport was coming to a conclusion. A meeting had taken place to confirm the recommendations and a revised copy would be sent to those involved electronically. Due to the size of the report a copy will be placed in the Members' Room for information and a copy of conclusions and recommendation would be circulated.

**NOTE:** 5.35 p.m. Councillor Freeman joined the meeting

**611. SCRUTINY PANEL REPORTS**

**Environment Scrutiny Panel – Review of Biodiversity**

Copies of the report were circulated with the Agenda papers for Members consideration.

**Resolved:** That the report be sent to Cabinet for consideration.

**Community Services Scrutiny Panel – Scrutiny of Unauthorised Encampments of Gypsies and Travellers –**

An amended version of the report was circulated. The Committee were informed by the Chair of Community Services Scrutiny Panel that an additional recommendation had been added to the report:-

5.8 *That this Report and the Report on Gypsy and Traveller Permanent Encampments, approved by Cabinet in September 2007, together with all recommendations, be brought to the attention of the Unitary Authority with a view to them being endorsed within the context of the County Council's overarching Scrutiny of Gypsy and Traveller Provision. In particular we strongly recommend that the permanent site at Adventure Lane, West Rainton, should be included in any programme of refurbishment implemented by the new authority.*

**Resolved:** That the report be sent to Cabinet for consideration.

### **Community Services Scrutiny Panel – Review of Council Garages**

Copies of the report were circulated with the Agenda papers for Members consideration.

**Resolved:** That the report be sent to Cabinet for consideration.

## **612. CABINET DECISIONS**

- **16<sup>th</sup> April, 2008**

The Cabinet reports had been noted.

## **613. VERBAL REPORTS OF PANEL CHAIRS**

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

## **614. FORWARD PLAN**

The Committee considered the Forward Plan No. 72, which had been circulated at the meeting and was effective from 1<sup>st</sup> May, 2008, and had no comments to make.

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

The Committee considered the Portfolio Holders Decisions and noted the report and had no comments to make.

**Note:** *Councillor Colledge declared a personal interest in Portfolio Holder Decision no. 10 but remained in the meeting during the consideration thereof.*

## **616. ANY OTHER BUSINESS**

There was no other business.

Meeting terminated at 5.55 pm

## Economic Scrutiny Panel

### Review of Scrutiny of Leisure Services – 5 Year Plan

#### 1. Background

- 1.1 The Original Scrutiny was carried out during the winter of 2005/06 and was reported to Cabinet March 2006 with a recommendation that a review should be carried out after a period of six months had elapsed.
- 1.2 However, the review was carried out in February, 2007 where it was recommended that a further review would be carried out in February, 2008.

#### 2. Aims & Objectives

- 2.1 At the original scrutiny the Panel had decided that the topic would be scrutinised in four sections; Stock Take; How we work with Young People; Exercise Referrals and Accessibility.
- 2.2 The Senior Leisure Development Officer once again attended the review meeting and presented information to the Panel on the current position of the service.

#### 3. Findings

- 3.1 A question from Councillor Moderate relating to the difference between the fees for Membership to Leisure Centres, i.e. Abbey Leisure Centre in comparison to the other Centres. This question had been raised at the Scrutiny Committee held 7<sup>th</sup> February 2008. This question was referred to the Economic Scrutiny Panel, and a copy was attached to the agenda papers and forward to Leisure Services in advance of the meeting.
- 3.2 The price differential was due to the fact that Abbey Leisure Centre offered enhanced facilities in comparison with the City of Durham's other Leisure Centres. These include larger overall capacity, extra equipment (generally newer and of a higher quality) and a Sauna and Steam facility. Results from a Customer Satisfaction Survey showed that the Sauna and Steam facility was a major factor people considered when joining.
- 3.3 Whilst there is a desire to equalise the fees across all of the Leisure Facilities, it would need to be in tandem with works to bring all the facilities to the same standard of provision.
- 3.4 It was noted by some Members that Abbey Leisure Centre did have enhanced facilities in comparison to the other Centres, and understood the original reasons for the price differential.
- 3.5 A point was raised that if all the facilities offered different levels of provision, should each Centre have its own price structure. Members were informed that many gym members use more than one facility i.e. an individual may wish to use a centre near to the place of work on a lunchtime, but use a facility closer to home on an evening.
- 3.6 If each Centre had an individual fee schedule, then this flexibility (an advantage that the City of Durham facilities have over the private sector and a major selling point for memberships) would be prevented. If a person wished to use Abbey Leisure Centre and the other Centres, they would need to pay the higher fee.
- 3.7 It was also noted that the construction of Abbey Leisure Centre was paid for by "Community Gain" rather than directly from taxpayers, and therefore should the gain for the Community not be to have the facility priced equally with other Centres. Therefore, suggested that would it not be a fairer system to have a standard fee schedule for "core services" and then services specific to each centre be charged accordingly.
- 3.8 There is still a desire to equalise prices across all the Leisure Centres (except the new Freemans Quay Leisure Centre, which will have its Fitness Suite operated by a private company, Competition Line) and therefore works would be continuing to move towards this.

Also, it was again noted that to reflect the price differential Abbey Leisure Centre offered a better membership package compared to other local facilities. Due to the ongoing process of Local Government Review (LGR), there cannot be a definitive timescale attached to the process of equalising fees.

3.9 Members wondered whether there was a possibility of having a price freeze on the Passport for Leisure scheme for older people, as these fees have increase and this may affect the take up of the scheme. There were currently no plans for such a freeze. However, the "Healthy Horizons" scheme for the over 55 year olds has received £180,000 to continue class provision in the community. Funding received through the Durham Primary Care Trust allows for a substantially lower charge than the standard activity fee in the centres so this is an alternative option for that age group.

#### **4. Recommendations**

- 4.1 That the New Unitary Authority continues to support and maintain a minimum standard as set by Durham City Council.
- 4.2 That the Panel requests that the New Unitary Authority gives support to villages and small communities aid with leisure facilities.
- 4.3 That by 1<sup>st</sup> April, 2009, Abbey Leisure Centre is in the same category as the other leisure centres regarding pricing.

## **POLICY SCRUTINY PANEL**

### **REPORT**

#### **EQUALITIES POLICIES**

##### **BACKGROUND**

1. In 2007 the Centre for Public Scrutiny in conjunction with the Equal Opportunities Commission, the Commission for Racial Equality and the Disability Rights Commission, produced a document entitled "Equal to the Task" advising Local Authorities how to ensure their Equalities Policies are in place, are adequate, are being actioned, and meet the "Equality Standard for Local Government"

1.1 Following production of the Document the Policy Scrutiny Panel were requested to look at the City of Durham's own Equalities Policies and to assess if they were fit for task or if they needed further development. A Scoping Document was drawn up to set the parameters of the Scrutiny.

##### **AIMS**

2. To review the Council's existing Equalities Policies and assess progress made against the individual Action Plans drawn up against each Policy.

2.1 Specific areas to be looked at were Overall Corporate Equalities Issues, Individual Equalities Policies and their Action Plans and the viability of working towards Level 3 of the "Equality Standard".

##### **ACTIONS**

3. To facilitate an initial discussion Policy Scrutiny Panel Members were provided with the City of Durham's Equal Opportunities Policy, the Corporate Equality Plan, the Corporate Equality Action Plan, which had been utilised to achieve Level 2 of the Equality Standard, and a copy of the most recent Internal Audit Report, dated July, 2006, on the Council's Equalities Procedures. The Director of Corporate Services attended the Panel and gave Members a background to the documents and to the Council's Equalities Procedures generally.

3.1 Members subsequently raised a number of questions which were forwarded to the appropriate Officers and written responses to those questions were circulated back to Members for a later Panel Meeting.

3.2 Members of the Policy Scrutiny Panel were then provided with copies of the Disability Equality Scheme, the Gender Equality Scheme and the Race Equality Scheme. The Head of HR and Support Services and the Principal HR Manager attended the Panel to give a detailed report on progress against each of the Equality Scheme Action Plans.

## **OUTCOMES**

### **4. The Equality Standard**

4.1 The Equality Standard is a national standard against which Local Authorities measure their progress in embedding Equalities awareness and practice into all areas of their business. There are five levels of achievement within the Standard with Level 5 being the highest and each level indicating the degree to which the individual Local Authority has progressed. These are as follows:-

**Level 1** – Commitment to a Comprehensive Equality Policy

**Level 2** – Assessment and Consultation

**Level 3** – Setting equality objectives and targets

**Level 4** – Information systems in place and monitoring against targets

**Level 5** – Achieving and reviewing outcomes

4.2 The Director of Corporate Services indicated that City of Durham has already achieved Level 2 which was currently the District Council norm. The achievement of Level 3 would generally necessitate the embedding of all Equalities Policies into Service Delivery itself and the further development of processes for measurement of the effectiveness of the Policies. Equality objectives and targets are currently set out in our existing Equalities Action Plans, but level re-assessment has not been applied for.

4.3 Larger Authorities have however achieved higher levels against the Standard. Newcastle City Council has achieved Level 3, as has Stockton Borough. Hartlepool Borough Council was also currently aiming for Level 3.

4.4 The Director of Corporate Services indicated that in order to be re-assessed against the Equality Standard the Council would have to commit £10, 000, payable as an assessment fee, and make a further considerable commitment of staff time in order to prepare for the re-assessment. As City of Durham has relevant Policies in place together with processes for measuring progress against targets, has already achieved Level 2 and has a comprehensive Equalities Training programme in place for staff, Members would need to consider, especially in relation to imminent LGR, the cost effectiveness of further re-assessment.

### **5. The Corporate Equality Plan**

5.1 Equal Opportunities issues linked to the Equality Standard have been embedded into all areas of the Council's business by a staged process and have been incorporated into the Corporate Equality Plan. The Equalities Steering Group has been instrumental in progressing the Council, through the Corporate Equality Plan, to Level 2 against the Equality Standard.

5.2 The Council now has in place three pointer Equal Opportunities Policies. These are the Race Equality Scheme, the Gender Equality Scheme and the Disability Equality Scheme.

5.3 The Internal Audit Inspection of July, 2006, rated the Council's Equalities Procedures as "Excellent" with a rating of 1, from a range of 1-5, with 1 being the

best. The Audit Report also included relevant Equalities BVPI's and the Council's performance against them. The figures related to returns for 2005/2006 and Members requested updated figures for consideration. BVPI returns were subsequently produced for 2006/2007 which showed improvement against most Indicators. Members recognised that there were individual Equalities BVPI's against which progress was to an extent out of the control of the Council and care had therefore to be taken when prioritising resources to meet individual BVPI's.

In response to a query from Members the Panel was advised that Internal Audit have no plans to include a Full Audit Report of Equalities Procedures in this year's Audit Plan.

5.4 In response to a further request from Members information was produced regarding the number and cost of Appeals against the Council over the past two years as there appeared to have been a significant increase in the number. It was identified that only one Appeal had been brought about on Equalities grounds.

5.5 For their consideration, Panel Members also requested further information regarding the following:-

- Council Documents permanently available in languages other than English
- The demand for material in languages other than English
- The legal requirements placed upon the Council in relation to supplying information in the required format
- Requirements for adherence to statutory Equalities Policies in Council Contract Documentation
- Records/Breakdown of percentage of job applicants who were disabled and ratio of successful/unsuccessful applicants
- The Corporate Training programme for Officers and Members in relation to Equalities Training

A comprehensive written response was subsequently circulated to Panel Members which incorporated responses to all the above points.

## **6. The Equalities Action Plans**

### **6.1 The Disability Equality Action Plan**

The Disability Equality Action Plan contains 19 individual targets for achievement. The Principal HR Manager detailed to Panel Members the actions taken, the progress made against and the achievement of individual targets.

Members noted that equality monitoring information is collected by Service Areas but there is currently no corporate approach. A Sub-Group linked to the E Government Partnership had been set up to look at the situation.

Members also noted that a "Dignity at Work Policy" had been introduced, relevant training had been carried out and the Policy placed on the Council's "Sharepoint" for the information of staff.

### **6.2 The Gender Equality Action Plan**

The Gender Equality Action Plan contains 20 individual targets for achievement. The Principal HR Manager detailed to Panel Members the actions taken, the progress made against and the achievement of individual targets.

Members noted that a "Family Friendly Policy" had been introduced. It was available to the entire workforce and had been well publicised. The Policy included relevant LPI's to enable performance to be measured.

Members also noted that a review was ongoing of communications and publications with regard to ensuring the inclusion of gender-inclusive language.

### 6.3 The Race Equality Action Plan

The Race Equality Action Plan contains 18 individual targets for achievement. The Principal HR Manager detailed to Panel Members the actions taken, the progress made against and the achievement of individual targets.

Members noted that Race (and other) equality objectives had been incorporated into departmental service plans. Relevant local PI's and targets had been set.

## **CONCLUSIONS**

### **7. Progress against Action Plans**

7.1 Members of the Policy Scrutiny Panel were encouraged by the robustness of the Equalities Policies in place and by the Council's position in relation to meeting the targets set out in their respective Action Plans. However it was recognised that a balance had to be struck between the prioritising of individual BVPI targets and ensuring and maintaining an effective overview and awareness of Equalities Issues throughout the Authority.

7.2 Members were also informed that the appropriate LGR Workstream was currently looking at Equalities Issues with a view to incorporating existing Policies and Procedures for further development by the Unitary County Council.

### **8. Equalities Training**

8.1 Members acknowledged and commended the extent of Equalities Training that had already been carried out throughout the Council's workforce (87% of the workforce since 2001). It was also noted that Equalities Training continued to feature in the annual Corporate Training Programme.

8.2 It was acknowledged that Equalities Training has, in previous Training Programmes, been offered to Elected Members. However the Panel raised a general concern that Members elected at the May, 2007 elections, had not been specifically offered Equalities Training, as the 2007 Programme had been produced and circulated in March, 2007.

8.3 It was agreed that it was of vital importance to the Authority that all Members be provided with training on Equalities issues and it was recognised by the Panel that any unmet requirement for Equalities Training both for Elected Members and for Staff still represented a major risk for this Authority.



## **Recommendations**

- 1) That the appropriate Officers be commended for embedding robust Equalities Policies, Procedures and Action Plans into the work of the Council and for the achievement of the required BVPI targets.
- 2) That the HR Section reviews the Corporate Training Programme as circulated in order to ensure that all Staff and Elected Members who have not yet received Equalities Training do so before the end of December, 2008.
- 3) That the Policy Scrutiny Panel be updated on the progress of the remaining Staff/Member training in October, 2008.
- 4) That in view of LGR, application for re-assessment against Level 3 of the Equality Standard be not pursued.
- 5) That the good practice evident in the Equalities Policies and Procedures at Durham City Council be commended to and incorporated into the work of the appropriate LGR Workstream.



## **REPORT OF THE COMMUNITY SERVICES SCRUTINY PANEL**

### **REVIEW OF SCRUTINY OF THE DECENT HOMES STANDARD**

#### **1. Background**

- 1.1 The Decent Homes Standard (DHS) was originally scrutinised by the Community Services Scrutiny Panel in 2004, and has been reviewed by the Panel on a number of occasions since that time.

#### **2. Actions/Outcomes**

- 2.1 The Head of Property Services attended the Panel's Meeting on 7<sup>th</sup> May, 2008, to update Members with progress made towards achieving the Decent Homes Standard, and copies of an internal audit report from 2005, an audit from 2007 on planned maintenance, performance figures for 2007/2008 and an extract from the Unitary Authority Transition Plan were also circulated to Members.
- 2.2 Generally speaking, the Council is on target to meet the Decent Homes Standard by 2010/2011.
- 2.3 This year there has been a shortfall in funding as a result of capital receipts being less than expected. If this continues in future years, there will be an impact on the amount of work which is able to be carried out, and not all homes would meet the DHS in time.
- 2.4 When the Council balloted tenants over whether they wished to transfer the housing stock to either a housing association or arms length management organisation, the tenants had voted to remain with the City Council. During this process, the Council felt itself able to achieve the targets set down by the DHS while retaining the housing stock.
- 2.5 During the stock options process, the 'Durham Standard' had been introduced, which set standards in excess of those required by the DHS. The Council remains committed to refurbishing properties to the 'Durham Standard'.
- 2.6 Where tenants refuse to allow modernisation/improvement works to their homes to be carried out, necessary works are carried out if the property subsequently becomes void.
- 2.7 Every effort is made to make an appointment to carry out works, and Property Services has a good record of keeping such appointments when they are made.
- 2.8 The Council's repairs workforce has a vast amount of local knowledge which contributes to the success of the maintenance programme and repairs service, and it is hoped that the new Unitary Authority will respect tenants' wishes with regard to the future management of their homes, in particular where this wish is to remain with the Council. Retention of the Housing stock by the Council also provides a direct link between the Council, Councillors and tenants and allows problems to be rectified more easily.

#### **3. Recommendations**

- 3.1 That the necessary funding be put in place to allow Durham City Council and the new Unitary Authority to achieve DHS on target and to continue to refurbish to the 'Durham Standard'.
- 3.2 That the new Unitary Authority be requested to respect tenants' wish that the Council housing stock be retained in-house.

- 3.3 That the valuable skills and local knowledge of the repairs workforce be recognised and that the new Unitary Authority be requested to consider this when reviewing the future of the Housing Service at the appropriate time.

Community Services Scrutiny Panel  
June 2008



## 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, 2<sup>nd</sup> June, 2008, 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, 2<sup>nd</sup> June, 2008.

Topic	Decision Maker	Target Date for Decision to be made	Consultees (if any)	Contacts	Background Documents
Cumulative Impact Survey	* Cabinet	June, 2008	Numerous Consultees	Head of Legal and Strategic Services Tel: 0191 3018878	City of Durham Statement of Licensing Policy Licensing Act 2003

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

**Publication Date:** Monday, 19<sup>th</sup> May, 2008.

**Effective Date:** Monday, 2<sup>nd</sup> June, 2008.

Councillor F. Reynolds  
Leader of the Council

**Forward Plan No. 73**



**SCRUTINY COMMITTEE**  
**16 June 2008**  
**DECISIONS TAKEN BY PORTFOLIO MEMBERS**

<b>No.</b>	<b>Portfolio Member</b>	<b>Nature of Decision</b>	<b>Date</b>
1	Councillor Reynolds	An application has been received from Mr Taylor of 22 Briardene, Esh Winning enquiring if the Council would consider leasing to him land to the rear of Fir Terrace, Esh Winning for use as an allotment as the previous owner did. Recommendation that the application be allowed to proceed through the full procedure	17.4.08
2	Councillor Reynolds	An application has been received from Durham County Council enquiring if the City Council would consider dedicating land adjacent to the bus stop on Finchale Road, Framwellgate Moor opposite Framwellgate School Durham for the creation of an additional hard standing area adjacent to the bus shelter to allow children to stand safely whilst waiting for the bus. Recommendation that subject to contract and conditions an area of 23 square metres or thereabouts of land be dedicated to the County Council	21.4.08
3	Councillor Southwell	Application received from the County Durham Society for the Blind and Partially sighted for donation to help support its talking newspaper which is circulated free of charge to over 700 blind or partially sighted listeners across Co Durham. Recommended that £100 be made to the society for the financial year 2008/9.	10.4.08
4	Councillor Southwell	Application received from RAYNET (The Radio Amateurs' Emergency Network) which is a voluntary communications network who are pledged to provide communications in times of emergency and disaster. They have provided communications at disasters such as Zeebrugge and Lockerbie as well as emergencies during storms and flooding etc. The funding is to assist in purchase of relevant equipment. Recommended that a donation of £100 be made to the North West Durham RAYNET for financial year 2008/9	10.4.08
5	Councillor Reynolds	Application to purchase land adjoining Adventure House Adventure Lane Durham received from Mr R Parsons and Miss Z Dewdneys of Adventure House. The applicant's intent to use the land for garden use only. Recommended that the application be refused.	25.4.08
6	Councillor Reynolds	Application to purchase land adjacent to and vehicular access licence at 12 Lime Park Brandon received from Hodgson & Angus Solicitors on behalf of their client Miss BA Bonar of 12 Lime Park Brandon. Recommended that subject to contract and certain conditions an area of 55 square metres or thereabouts be offered to the applicant on terms to be agreed by the Council Valuer.	25.4.08
7	Councillor Reynolds	Application has been received from Mr Parsons owner of Adventure House, Adventure Lane West Rainton enquiring as to whether the Council would grant an	25.4.08

		easement to allow for a proposed sewer connection to be completed from his property to a nearby existing sewer. Recommended that the application be approved subject to the conditions raised by the Head of Legal & Strategic Services	
8	Councillor Southwell	The PDSA (the People's Dispensary for Sick Animals) have enquired about a donation to enable this organisation to provide free veterinary care to sick and injured animals for pet owners within the DH1-6 area who are in receipt of housing or council tax benefit. A donation of £50 was given in the financial year 2007/8. Recommended to offer a donation of £50 for the financial year 2008/9.	20.5.08
9	Councillor Reynolds	Application received from Mr & Mrs Walters of 5 Breckon Hill, Ushaw Moor enquiring whether the Council would consider granting vehicular access over Council owned land adjoining their property Recommend that the application be refused	21.5.08
10	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 & nos. 10, 11 and 12 for additional garden use. Recommend that the application be refused	22.5.08