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Iain Phillips Chief Executive

11th July 2006

Dear Councillor,

I hereby give you Notice that a Meeting of the **COMMUNITY SERVICES COMMITTEE** will be held in the **COUNCIL CHAMBER, CIVIC CENTRE, CROOK** on **WEDNESDAY, 19th JULY 2006 at 6.00 P.M.**

AGENDA

- | | | |
|----|--|------------------------------|
| 1. | Apologies for absence. | |
| 2. | To consider the Minutes of the last Meeting of the Committee held on 31 st May 2006 as a true record. | Copies previously circulated |
| 3. | To consider the Health and Safety Enforcement Policy | 1 - 11 |
| 4. | To consider the financial performance of partnerships within the Strategic Community Department. | 12 - 27 |
| 5. | To consider the options for the procurement of a street cleansing fleet. | 28 - 31 |

Yours faithfully

Chief Executive

Members of this Committee: Councillors Dobinson, Ferguson, Gale, Grogan, Harrison, Hayton, Mrs Jones*, Kay, Kingston, Murphy*, Nevins, Perkins, Mrs. Pinkney, J. Shuttleworth, Stonehouse, Strongman and Zair.

*ex-officio, non-voting capacity.

Chair: Councillor Kingston

Deputy Chair: Councillor Nevins

TO: All other Members of the Council for information
 Management Team

COMMUNITY SERVICES COMMITTEE

19TH JULY 2006



Report of the Strategic Director for Environment and Regeneration
HEALTH AND SAFETY ENFORCEMENT POLICY

purpose of the report

1. To seek Members' approval of a Health and Safety Enforcement Policy.

background

2. At the Community Services Committee on 25th January 2006 Members agreed an alternative inspection strategy for premises where the Council is the enforcing authority for health and safety legislation. They also agreed to sign up to a partnership agreement with the Health and Safety Executive and other Durham Districts to work together in promoting and enforcing common standards.
3. On 28th April 2006 Councillor Kingston attended a seminar and signing ceremony at Lumley Castle where he signed the partnership on behalf of the Council. The ceremony was attended by representatives of the Health and Safety Executive, elected Members and officers from all the Durham Districts.
4. In order to achieve common enforcement standards an enforcement policy has been drawn up by a joint officer working group for all signatories to the agreement. The enforcement policy relates to the activities of the District authorities as enforcing authorities under the Health and Safety at Work Act 1974 and other relevant legislation. It concerns their enforcement activities associated with health, safety and welfare in the private, non-industrial sector of business. It does not relate to the health and safety of staff or others who work for the local councils. The policy covers all areas of enforcement activity, which includes but which is not limited to, the inspection of premises. A copy is attached at Annex 1. The policy sets out clearly the measures that will be taken to ensure that enforcement action is:

- Proportional to the risks involved

- Consistent in similar circumstances
- Transparent so that duty holders are aware of what is expected of them
- Targeted towards activities that pose the greatest risk and where management controls are least effective

5. A published policy not only enables enforcement officers to act in an appropriate manner but makes duty holders aware of what can be expected of enforcement officers in relation to advice and guidance as well as enforcement action. Indeed, the policy invites comments from organisations and individuals who may be affected by its content.
6. As part of the promotion of this policy throughout the District, it is intended to include an article in the Council publication "Wear Valley Matters" which will outline the main aims and objectives of the document.

human resource implications

7. The Council is currently enforcing health and safety legislation so there are unlikely to be any significant changes from current human resource requirements.

financial implications

8. The Council is currently enforcing health and safety legislation so there are unlikely to be any significant changes from current human resource requirements.

it requirements

9. There are no additional IT implications

crime and disorder implications

10. The Council is currently enforcing legislation in accordance with the Enforcement Concordat so there should be no significant changes which will affect crime and disorder.

RECOMMENDED that Members adopt the Health and Safety Enforcement Policy Statement.

Officer responsible for the report
Tom Carver
Head of Public Protection
Ext. 377

Author of the report
Tom Carver
Head of Public Protection
Ext. 377

**HEALTH AND SAFETY AT WORK ETC. ACT 1974:
REVITALISED ENFORCEMENT POLICY STATEMENT**

1. INTRODUCTION

- 1.1. The aims of Wear Valley District Council's Health and Safety Enforcement Policy are to protect the health, safety and welfare of employees and to safeguard others, principally the public, who may be exposed to risks from work activities. This statement sets out the general principles and approach which the Council as an enforcing authority will follow. It is written for those on whom the law places duties, who need to know the Authority's policy, and for anyone who has an interest in the enforcement of the Health and Safety at Work etc. Act 1974 and relevant statutory provisions.
- 1.2. Wear Valley District Council as an enforcing authority will seek to secure compliance with the law. Most of its dealings with those on whom the law places duties (employers, the self employed, employees and others) are informal - inspectors offer information, advice and support, both face to face and in writing. They may also use formal enforcement mechanisms, as set out in health and safety law, including improvement notices where a contravention needs to be remedied; prohibition notices where there is a risk of serious personal injury, or ultimately prosecution. This statement applies to all dealings, formal or informal, between inspectors and duty holders. All contribute to securing compliance.
- 1.3. The Health and Safety Commission's view of enforcement and one which Wear Valley District Council holds, derives from the philosophy set out in Lord Roben's report 'Safety and Health at Work' in which Lord Robens considered that there should be a quick and effective response to flagrant breaches of the law and a discriminating and efficient approach to other breaches.
- 1.4. Much of modern health and safety law is goal setting - setting out what must be achieved, but not how it must be done. Guidance on how to achieve the goals are often set out in Codes of Practice, and there is also a wide variety of advisory material describing good practice. Neither codes nor guidance material are in terms which necessarily fit every case. In considering whether good practice has been adopted, inspectors will take relevant codes and guidance into account, using sensible judgement about the extent of the risks and the effort that had been applied to counter them.

2. POLICY STATEMENT

- 2.1. The Council recognises that the economic well being of the District depends partly on plentiful local employment, and that the majority of employers and the self employed take their health and safety responsibilities seriously.

- 2.2. Notwithstanding this, the Council embraces the duties placed upon it as an Enforcing Authority by the Health and Safety at Work etc Act 1974. In carrying out its duties the Council will apply the principles of proportionality, transparency, consistency and openness. In particular the Council recognises the difficulties many small businesses face and will endeavour to engage with them appropriately.
- 2.3. The Council will utilise the full range of educational and enforcement options reserving formal enforcement for appropriate cases where there has been severe failure, repeated failures or repeated refusals to respond to informal approaches.
- 2.4. The Council accepts that there is a broader health and safety agenda not fully recognised by the existing statutory framework. However, the Council will attempt to engage with and contribute towards any relevant initiatives wherever possible.

3. PRINCIPLES OF ENFORCEMENT

- 3.1. The Council's enforcement of health and safety law is based on the principles of proportionality in applying the law and securing compliance; consistency of approach, targeting of enforcement action and transparency about how it as a regulator operates and what those regulated may expect.
- 3.2. The Council's enforcement policy embodies the principals of the Cabinet Office Enforcement Concordat 1998. This is a blue print for fair, practical and consistent enforcement by Local Authorities. All officers will follow this in their enforcement actions.

4. PROPORTIONALITY

Proportionality means relating enforcement action to the risks. Those whom the law protects and those on whom it places duties (duty holders) expect that action taken by the authority to achieve compliance should be proportionate to any risks to health and safety and to the seriousness of any breach.

- 4.1. Some health and safety duties are specific and mandatory - others require action so far as practicable. In general, the concept of proportionality is built into the regulatory system through the principle of '*so far as is reasonably practicable*'. Deciding what is reasonably practicable to control risks involves the exercise of judgement by duty holders and discretion by enforcers. When duty holders and enforcer cannot reach agreement, final determinations on what is reasonably practicable in particular circumstances are made by the courts.

- 4.2. When the law requires that risks should be controlled so far as is reasonably practicable the Authority when considering protective measures taken by duty holders will always take account of costs as well as the degree of risk. The authority may legitimately expect that relevant good practice will be followed. Where relevant good practice in particular cases is not clearly established, health and safety law effectively requires duty holders to assess the significance of the risks (both their extent and likelihood) to determine what action needs to be taken. Some irreducible risks may be so serious that they cannot be permitted irrespective of the economic consequences. At the other extreme, some risks may be so trivial that it is not worth spending more to reduce them. In general, risk reducing measures will be weighed against the associated costs.
- 4.3. If there is a significant risk the duty holder will be required take measures unless the cost of taking particular actions is clearly excessive compared with the benefits of the risk reduction.

5. **CONSISTENCY**

Consistency of approach does not mean uniformity. It means taking a similar approach in similar circumstances to achieve similar ends.

- 5.1. Duty holders managing similar risks expect consistency from the authority in the advice tendered; the use of enforcement notices; decisions on whether to prosecute; and in the response to accidents.
- 5.2. It is recognised that in practice consistency is not a simple matter. The authority's officers are faced with many variables: the level of hazard, the attitude and competence of management and the accident history may vary between businesses which may otherwise appear similar. The decision on enforcement action is a matter of judgement and the enforcer must exercise discretion. The authority has in place arrangements to promote and achieve consistency in the exercise of discretion, including effective arrangements for liaison with other enforcing authorities.

6. **TRANSPARENCY**

Transparency means helping duty holders to understand what is expected of them and what they should expect from the authorities officers. It also means making clear to duty holders not only what they have to do but, where this is relevant, what they don't. That means distinguishing between statutory requirements and advice or guidance about what is desirable but not compulsory.

- 6.1. This statement sets out the general policy framework within which Wear Valley District Council as an enforcing authority will operate. Duty holders need to know what to expect when an Officer visits and what rights of complaint are open to them. Section 8 of this document 'Principles of Good Enforcement Practice' expands this principle.

7. TARGETING

Targeting means making sure that inspection is targeted primarily on those whose activities give rise to the most serious risks or where the hazards are least well controlled; and that action is focused on the duty holders who are responsible for the risk and who are best placed to control it - whether employers, manufacturers, suppliers or others.

7.1. The Council recognises that the traditional routine inspection approach to health and safety enforcement is not always the most effective use of resources for all types of premises. A programme of pre-planned routine inspections will be maintained for those premises that are deemed higher risk, that is, those classified under LAC 67/1 (rev 3) as category A-B1. However, for all other premises a number of alternative approaches will be developed. These will include:

- Participation in relevant projects identified nationally under the Local Authority - Health and Safety Executive Partnership Scheme.
- The development and implementation of local projects and initiatives either jointly with local partners or solely by the Council itself as appropriate. These initiatives will not necessarily be mainstream health & safety issues and could incorporate much broader health issues for example - musculoskeletal disorders, stress, violence and smoking.
- The use of non-inspection based initiatives such as mail shots and self assessment forms will be considered for premises in the lowest risk categories.
- In all instances due regard will be given to key areas of health and safety identified by HELA as priorities.

7.2. Management competence is important, because a relatively low hazard site poorly managed can entail greater risk to its workforce or the public than a higher hazard site where risk-control measures are in place. There are, however, high hazard sites which will receive regular visits so the authority can be sure that remote risks continue to be effectively managed.

7.3. When formal enforcement action is necessary, the person responsible for creating a risk should be held to account for it. The duty holder may be the owner of the premises or the supplier of the equipment, or the designer or client of the project, rather than the employer of the workers exposed to the risk. Where several duty holders share a responsibility, the authority will take action against those who can be regarded as primarily in breach.

7.4. In addition all officers will apply the principles of the HSE Enforcement Management Model (EMM) in all regulatory actions. The EMM is a standard reference document produced by the HSE which provides a framework for making enforcement decisions that meet the principles in the Health and Safety Commission's Enforcement Policy Statement.

8. PRINCIPLES OF GOOD ENFORCEMENT PRACTICE

8.1. When enforcing health and safety legislation inspectors will:

- (a) when giving advice, explain clearly what needs to be done, why, and by when. The advice will also be confirmed in writing on request, and making sure that legal requirements are clearly distinguished from best practice advice;
- (b) provide an opportunity to discuss the issues with employers, employees, health and safety representatives and union representatives during an inspection and before any formal action is deemed necessary.
- (c) explain in writing why any immediate action is considered necessary (i.e. why immediate rather than another course of action, and the consequences of failing to remedy the situation); and
- (d) explain any rights of appeal when formal or immediate action taken.

8.2. At the end of a visit, inspectors will discuss with the business what further action, if any, they are going to take, and explain that they may have any advice confirmed in writing on request. The leaflet 'What to expect when a health and safety inspector calls' will be given to the business at the time of the visit/inspection.

8.3. Arrangements will also be made for providing appropriate information to employees and their representatives on matters affecting their health, safety or welfare and the action the inspector proposes to take. A copy of the leaflet should also be made available to the relevant employees, or their representatives.

9. LETTERS

9.1. Any correspondence will be sent as soon as practicable, and if appropriate, the inspector will tell the business at the visit when they should expect a letter. Letters should make the status of advice clear. Where they require remedial action they will set out what needs to be done, why, within what period, and what law applies.

10. IMPROVEMENT NOTICES

10.1. Before serving an improvement notice, inspectors will where practicable discuss with the business what the breaches of the law are, the action which will be needed to comply and appropriate timescales for completion of the work. The business should be given the opportunity to discuss the issues with the inspector before formal action is taken and, if possible, resolve points of difference. When an inspector decides that a notice should be issued the inspector will explain what needs to be done, why, and by when. Improvement notices will include such explanation.

11. PROHIBITION NOTICES

- 11.1. If there is (in the Inspectors opinion) imminent risk to health, a prohibition notice will be served. Competency of all Inspectors will be developed, attained and maintained in line with the Council 'Competence for Health & Safety Inspectors' document. Whenever inspectors need to issue a prohibition notice, it will be discussed, where practicable, with the business at the time, and the employer's views taken into account. Where the notice is issued the inspector will provide a written explanation of the reasons for the action. Prohibition notices will include such explanation.
- 11.2. In the case of their power to 'seize and make safe' (section 25, HSWA) inspectors will send a written explanation in most cases within 5 working days.

12. APPEALS

- 12.1. Inspectors will give a business written information on how to appeal when issuing notices, explaining how, where, and within what period an appeal may be brought; that action on an improvement notice is suspended while an appeal is pending; and that the business can apply to an Industrial Tribunal for a Prohibition notice to be suspended pending the outcome of the appeal.

13. COMPLAINTS AGAINST SERVICE

- 13.1. Employers will be encouraged to contact the inspector's line manager in the first instance if they have a complaint. Any complaints received will be handled in accordance with the council's current procedures.

14. ACCIDENTS

- 14.1. All accidents will be investigated following the Council's 'Accident Investigation Policy' and with regard to the HSE's 'Incident Selection Procedure'

15. MONITORING

- 15.1. In cases where a business is not satisfied that the procedures set out in this guidance have been followed, it can also approach HSE's Local Authority Unit. The unit will aim to resolve such disputes directly with the local authority involved, and will report to the Commission. Details are also given in the Commission's leaflet.

16. PROSECUTION

- 16.1. Wear Valley District Council, as enforcing authority, will use discretion in deciding whether to initiate a prosecution. Other approaches to enforcement can often promote health and safety more effectively but, where the circumstances warrant it, prosecution without prior warning and recourse to alternative sanctions may be carried out if appropriate.

16.2. Wear Valley District Council as an enforcing authority will consider prosecution when:

- (a) it is appropriate in the circumstances as a way to draw general attention to the need for compliance with the law and the maintenance of standards required by law, especially where there would be a normal expectation that a prosecution would be taken or where, through the conviction of offenders, others may be deterred from similar failures to comply with the law;
- (b) or there is judged to have been potential for considerable harm arising from breach;
- (c) or the gravity of the offence, taken together with the general record and approach of the offender warrants it: for example apparent reckless disregard for standards, repeated breaches, persistent poor standards;

16.3. The decision to prosecute must also take account of the criteria set down in the Code for Crown Prosecutors, for example evidence and public interest tests.

17. PROSECUTION OF INDIVIDUALS

17.1. Subject to the above, this authority will identify and prosecute or consider prosecution of individuals, including company directors and managers, if they consider that a conviction is warranted and can be secured.

18. DEATH AT WORK

18.1. Where there has been a breach of the law leading to a work-related death, this authority will consider whether the circumstances of the case might justify a charge of manslaughter. In such circumstances the authority will liaise with the police, coroners and the CPS and if they find evidence suggesting manslaughter, pass it on to the police or where appropriate the CPS. If the police or the CPS decide not to pursue a manslaughter case, this authority will prosecute a health and safety case if that is appropriate.

19. ENCOURAGING ACTION BY THE COURTS

19.1. Health and safety law gives the courts considerable scope to punish offenders and to deter others. Unlimited fines and in some cases imprisonment may be imposed by the courts. The Health and Safety Commission continues to raise the courts' awareness of the gravity of health and safety offences and encourage them to make full use of their powers. Wear Valley District Council as an enforcing authority will also draw the court's attention to relevant case law which may influence the level of punishment and included that: 'a fine must be large enough to bring home to those who manage a company, and their share holders, the need for a safe environment for workers and the public'.

20. ADVICE

- 20.1. On request or where appropriate, Officers will offer advice to persons on health and safety matters.

21. PUBLICITY

- 21.1. Inspectors will actively inform the media where appropriate of impending prosecutions, with the aim of drawing their attention to the court case. After the case the Inspectors will publicise any conviction which could serve to draw attention to the need to comply with health and safety requirements or deter anyone tempted to disregard their duties under health and safety law.

22. PERFORMANCE MEASURES

- 22.1. Monitoring Performance - To ensure that enforcement activity is being carried out effectively, The Inspectors will regularly monitor and review their performance in accordance with the Department's own documented system.
- 22.2. The Inspectors will participate in standardisation/evaluation exercises involving all County Durham local authorities. Appropriate feed back and discussion will take place to ensure a common approach to inspection and the interface with employers.

23. QUALITY

- 23.1. The Inspectors will endeavour, through documented systems to create a consistent, quality approach to health and safety enforcement.

24. AUTHORISATION

- 24.1. The Head of Public Protection will ensure that all officers are properly authorised to enforce relevant statutory provisions. The authorisation will only be granted to officers when appropriate training, experience and qualification has been established through managerial assessment.

25. REVIEW

- 25.1. This policy document should be reviewed every three years.

26. COMMENTS

- 26.1. Organisations and individuals, who may wish to comment, are invited to do so, in writing to the Head of Public Protection.

GLOSSARY OF TERMS

CONCORDAT	Principles of good Enforcement Policy and Procedures for Central and Local Government
CPS	Crown Prosecution Service-Government body responsible for prosecuting people in England and Wales charged with a criminal offence
EMM	Enforcement Management Model Framework to assist Inspectors to make consistent enforcement decisions.
ENFORCING AUTHORITY	The body appointed by the HASWA responsible for the enforcement of any of its provisions.
HASWA	Health & Safety at Work etc Act 1974
HELA	Health and Safety Executive/Local Authorities Enforcement Liaison Committee
HSC	Health & Safety Commission-Government body set up to protect every person against risk to Health & Safety arising from work activities.
HSE	Health & Safety Executive-Work horse of the HSC, provides information, training, undertakes research and enforcement
IMPROVEMENT NOTICE	Legal notice served under HASAWA requiring remedy of any contravention
INSPECTOR	Qualified Officer Authorised by the Council
LAC 67/1	HELA Local Authority Circular-Advice to Local Authorities on programmed inspection rating system.
PROHIBITION NOTICE	Legal notice served under HASAWA to prevent any activities involving risk of personal injury.
RISK CATOGORY	Framework allowing the rating of risks using the identification and assessment of their relative severity.
WORK ACTIVITIES	Any activity undertaken within the daily working environment.

COMMUNITY SERVICES COMMITTEE

19TH JULY 2006



Report of the Strategic Director for the Community
USE OF RESOURCES – PARTNERSHIP PERFORMANCE

purpose of the report

1. To inform Members of the financial performance of partnerships of the Strategic Community Department.

background

2. Within the Use of Resources assessment, Key Line of Enquiry No. 2.2.12 requires that “the financial performance of partnerships is regularly reviewed, linked to outputs, and the results shared with partners and acted upon”.
3. Annex 2 to this report outlines the financial performance of the partnerships within the Strategic Community Department as required by the Key Line of Enquiry. The actions will be shared with partners.
4. The partnership database details some 38 partnerships for Community Services. On review there are in fact 14 partnerships in place.

proposal

5. That the contents of this report and partnership review Annex 2 are noted.

financial implications

6. Financial implications are detailed within the partnership review.

legal implications

7. Any legal implications are detailed within the partnership review.

human resource implications

8. The requirement to review the financial performance of its partnership annually will place further burdens on the Authority in relation to officer time.

IT implications

9. There are no IT implications.

crime and disorder implications

10. Any crime and disorder implications are detailed within the partnership review.

timescale

11. There is a requirement to update this report on an annual basis and present to Community Services Committee.

conclusion

12. The annex shows that progress is being made across the partnerships within the department. However, these need to be kept under continuous review to ensure that delivery of its aims and objectives are achieved.

RECOMMENDED that Members endorse the report.

Officer responsible for the report
Michael Laing
Strategic Director for the Community
Ext. 281

Author of the report
Andrew Frankcom
Acting Head of Community & Cultural Services
Ext. 221

PARTNERSHIP REVIEW**PARTNERSHIP NAME:**Durham Sport**PARTNERSHIP'S AIMS AND OBJECTIVES:**

The co-ordination of sports development activities across County Durham

INPUTS	OUTPUTS	OUTCOMES	ACTION POINTS	COMMENTS
Officer time to attend the four Durham Sport quarterly meetings. 8 sports development meetings, up to 6 sub-group meetings – approximately 9 working days per annum. Annual contribution of £4,000 (paid by each of the seven Durham local authorities to contribute to the running of Durham Sport).	Development of coach education. Development of sports club development framework. Distribution of some Sport England funding streams. Provides Community Sports Network links	Helps the improvement of the sporting infrastructure of Wear Valley. In doing so this contributes to the health and crime agendas, specifically helps us improve our coach standards and club networks as exit routes from the CPAC programmes.	This network is ongoing, and is performance managed through Sport England. Durham Sport is working for the Towards An Excellent Service model (TAES).	Risk of low value for money. This requires ongoing review of the partnership by officers of Wear Valley.

PARTNERSHIP REVIEW

PARTNERSHIP NAME:

Sport Action Zone Partnership

PARTNERSHIP'S AIMS AND OBJECTIVES:

INPUTS	OUTPUTS	OUTCOMES	ACTION POINTS	COMMENTS
<p>Officer time from the Sport Action Zone Manager. This partnership meets approximately four times per year and is serviced by the SAZ Manager who spends approximately two working days per month servicing the business of the partnership.</p>	<p>Six-monthly reports to Sport England and a business plan are the annual commitments. The development of the work through the SAZ has been focused through the Needs Assessment Action Plan (NAAP) and more recently through the SAZ Forward Plan for 2005-08.</p>	<p>Increase in people taking part in physical activity and related reduction in crime and anti-social behaviour.</p>	<p>In terms of the Forward Plan 2005-08 the Community Physical Activity Co-ordinator programme, Walking for Health, and Sports Clubs Development has been successful in achieving continued funding. A small amount of mainstream revenue funding has been provided to contribute to the CPAC programme. This must be seen as the final stage of external funding and sustainability of a number of these programmes need to be achieved through mainstreaming. Therefore long term strategy needs to be around delivery of a number of these programmes through core funding.</p>	<p>Whilst funding is available until 2008 it may be that this Council cannot afford to sustain this programme in the long term and the risks would be reduction in physical activity levels of young people and adults through the CPAC programme and through Walking the Way to Health programmes, reduction in support to sports clubs and the sporting volunteer network.</p>

PARTNERSHIP REVIEW

PARTNERSHIP NAME:

Wellness on Wheels (WOW) Partnership

PARTNERSHIP'S AIMS AND OBJECTIVES:

To oversee the management of the Wellness on Wheels Project in providing opportunities for people to undertake physical activity who have been excluded by means of geography or social deprivation factors.

INPUTS	OUTPUTS	OUTCOMES	ACTION POINTS	COMMENTS
<p>A number of staff attend the WOW Partnership Board meeting and the WOW Management Board meeting. Whilst it is difficult to divorce the inputs of the project itself against the partnership, the partnership work is likely to require approximately 12 days per year by staff.</p>	<p>Outputs are in line with key performance indicators required from our funders, e.g. Sport England on the take up of physical activity from a range of target groups.</p>	<p>Increased opportunities for people in Wear Valley to participated in and be signposted on to other projects and mainstream physical activities.</p>	<p>Exit strategy already includes the additional WOW Legacy Project which is helping set up four community-based fitness suites each year for the next three years which should be sustainable through volunteering. These, in turn, will be part of the exit route for people who have taken part in exercise through Wellness on Wheels.</p>	<p>There is a risk when the project comes to an end that revenue funding will not be available to continue with the Wellness on Wheels main project and that ways of continued usage of this trailer need to be developed. There is further risk that in terms of community fitness suites, that lack of capacity in the community through the time that these fitness suites are set up dwindles and that therefore the sustainability is threatened. To reduce this risk officers will keep close contact with these community groups to ensure that they are still on track.</p>

PARTNERSHIP REVIEW

PARTNERSHIP NAME:

Healthy Living Partnership

PARTNERSHIP'S AIMS AND OBJECTIVES:

To establish an expandable programme of health development activities, that tackle some of the key health inequalities that exist within our communities. The programme will deliver evidence-based health development activities that are needs led and demand responsive..

INPUTS	OUTPUTS	OUTCOMES	ACTION POINTS	COMMENTS
Officer time for Head of Service to attend quarterly Steering Group Meeting and for Community Fitness Manager to attend project officer meeting approx. 6 days per annum	Portfolio of 14 Healthy Living projects across Durham Dales. Quarterly monitoring reports and end of year evaluation report from external evaluator	Increase opportunities for people to participate and get the benefit from health related activities	This partnership has come to the end of the third year of funding from BIG. Under spends in year 1 have carried forward for a number of projects into a virtual year 4.	The partnership steering group is committed to continuing its joint work beyond the end of BIG funding. Individual projects will need to manage their own sustainability.

PARTNERSHIP REVIEW

PARTNERSHIP NAME:

County Durham Fly-Tipping Officer

PARTNERSHIP'S AIMS AND OBJECTIVES:

To Provide Dedicated Officer for Prosecuting Fly-Tipping Offenders

INPUTS	OUTPUTS	OUTCOMES	ACTION POINTS	COMMENTS
£4,000 per year – Enforcement Officer time doing primary investigations.	Prosecute offenders for fly-tipping	Reduce the amount of fly-tipping within the District.	Continue to investigate offence of fly-tipping and when evidence found, pursue to court.	Officer dependant upon support from Districts, County and Environment Agency.

PARTNERSHIP REVIEW

PARTNERSHIP NAME:

County Durham Waste Partnership

PARTNERSHIP'S AIMS AND OBJECTIVES:

To Co-ordinate Waste Delivery and Update Stakeholders

INPUTS	OUTPUTS	OUTCOMES	ACTION POINTS	COMMENTS
Bi-monthly meeting Head of Service Contracts x 4 hours/meeting	Co-ordinated approach to the delivery of waste collection and disposal	Enable the authority to plan and provide efficient Waste Management Strategy.	Continued participation in partnership.	If no attendance, may be detrimental to service provision and lead to significant financial consequences.

PARTNERSHIP REVIEW

PARTNERSHIP NAME:

Grounds Maintenance Partnership

PARTNERSHIP'S AIMS AND OBJECTIVES:

Provide Quality and Cost Effective Grounds Maintenance Service

INPUTS	OUTPUTS	OUTCOMES	ACTION POINTS	COMMENTS
Day to day contact. Monthly progress meeting. Monthly budget meeting	Provision of efficient grounds maintenance service.	Contributes to corporate objectives. Award winning service provider.	Continually review partnership to improve service to customer	Cessation of partnership may lead to significant customer dissatisfaction.

PARTNERSHIP REVIEW

PARTNERSHIP NAME:

County Durham Strategic Arts Officer Group

PARTNERSHIP'S AIMS AND OBJECTIVES:

Strategic Development of Arts in County Durham

INPUTS	OUTPUTS	OUTCOMES	ACTION POINTS	COMMENTS
<p>Annual subscription of £5,000 per year from arts development programme towards strategic work across whole county. (Arts Council of England also fund group on annual basis)</p> <p>Officer time – WVDC Cultural Services Manager currently chairs group and WVDC is managing some project funding for group this is approximately 3 - 4 days per month.</p>	<p>6 meetings per year.</p> <p>County-wide strategy on public art produced by RKL 2005/06.</p> <p>First Festivals in County Durham report produced by Bowman Solutions 2005/06 and website launch 2006/07.</p> <p>External funding for New Ensemble Music Groups attracted – activity staged across county c 25 sessions at Wolsingham School.</p>	<p>Strategic priorities of public art, arts festivals and art with and for young people considered.</p> <p>Joint commissioning and research by all authorities (District, Borough and County).</p> <p>Focus on arts provision meeting strategic objectives of community and corporate plans.</p> <p>Improved networking with peers and Arts Council.</p>	<p>Commission Forge Arts in Education Agency to develop capacity for project work with children and young people.</p> <p>Promote business training for arts festival in county to encourage sustainability.</p> <p>Utilise Commissions North to support public art provision across county.</p>	<p>Funding confirmed as part of Arts Council's partnership agreements with authorities in 2005/06 and 2006/07.</p> <p>Partnership agreements for 2007/08 not finalised.</p>

PARTNERSHIP REVIEW

PARTNERSHIP NAME:

Elements

PARTNERSHIP'S AIMS AND OBJECTIVES:

Drama Touring Programme for Crook, Willington and Bishop Auckland

INPUTS	OUTPUTS	OUTCOMES	ACTION POINTS	COMMENTS
<p>Annual subscription from arts development budget - £500 in 2006/07</p> <p>Officer time (Cultural Services Manager) attending meetings – 6 x ½ days</p>	<p>Shows in Wear Valley District supported in 2006/07.</p> <p>6 meetings per annum staged.</p>	<p>Performing arts activity accessible in local communities.</p> <p>Community engagement from venue.</p> <p>Access to service in locality – (very few formal theatre spaces in County Durham).</p> <p>Economies of scale/ joint commissioning.</p> <p>Equality and Diversity supported through programme.</p>	<p>Continue to attend Elements meetings.</p>	<p>Touring scheme reliant on external funding – application to Arts Council "Grants for the Arts" from Durham County Council planned to support activity in 2007/08.</p>

PARTNERSHIP REVIEW

PARTNERSHIP NAME:

Highlights

PARTNERSHIP'S AIMS AND OBJECTIVES:

Rural Touring Programme for Performing Arts/Visual Arts – Serving Weardale

INPUTS	OUTPUTS	OUTCOMES	ACTION POINTS	COMMENTS
<p>Annual subscription to touring drama/ performing arts programme of £1,800 per annum from arts development budget.</p> <p>Annual subscription of £800 to touring exhibition programme from arts development budget.</p> <p>Officer time attending board meetings – 6 x ½ day meetings per annum + travel (Cultural Services Manager)</p>	<p>Performances supported in Wear Valley venues 2005/06.</p> <p>Exhibitions offered to venues in Wear Valley.</p> <p>6 meetings per annum.</p>	<p>Access to services for rural communities.</p> <p>Quality of life provision.</p> <p>Community engagement.</p> <p>Joint commissioning between authorities to achieve economies of scale.</p>	<p>Continue to support Highlights Board.</p>	<p>Highlights needs to confirm external funding to maintain operations.</p>

PARTNERSHIP REVIEW

PARTNERSHIP NAME:

Wear Valley and Teesdale COISIP

PARTNERSHIP'S AIMS AND OBJECTIVES:

Co-ordination of Social Improvement Programmes to Benefit Young People at Risk of offending/Anti-Social Behaviour

INPUTS	OUTPUTS	OUTCOMES	ACTION POINTS	COMMENTS
<p>Staff time – Cultural Services Manager to chair meetings and attend County COSIP meetings.</p> <p>Cultural Services Officer (Sport) to organise and publicise meetings, offer administrative support and lead on Positive Futures work.</p>	<p>c 5 meetings per annum at county level.</p> <p>c 5 meetings per annum at district level.</p> <p>Funding streams (PAYP, Positive Futures, Children's Fund) utilised to organise diversionary activity.</p>	<p>Provision of diversionary activities during holiday periods (PAYP).</p> <p>Ongoing activities promoted and targeted at young people identified at risk of offending (Positive Futures).</p> <p>Provision addresses corporate priority of crime and anti-social behaviour.</p>	<p>Improve engagement with County Durham Youth Engagement Service.</p>	<p>Funding allocations are agreed on an annual basis through Durham County Council.</p>

PARTNERSHIP REVIEW

PARTNERSHIP NAME:

Durham Districts Food Liaison Group

PARTNERSHIP'S AIMS AND OBJECTIVES:

To Achieve Common Standards and Promote Good Practice

INPUTS	OUTPUTS	OUTCOMES	ACTION POINTS	COMMENTS
Staff time.	<ol style="list-style-type: none">1. Quarterly meetings.2. Additional meetings.3. Attendance at launch of campaigns.	<ol style="list-style-type: none">1. Common enforcement standards provide better service to business.2. Common documentation means less officer time creating local paperwork.	Joint bid submitted to Food Standards Agency for £50,000 funding to provide training to 100 businesses in each District.	Non-participation would result in more officer time spent creating local documentation and training.

PARTNERSHIP REVIEW

PARTNERSHIP NAME:

Durham Districts Health and Safety Liaison Group

PARTNERSHIP'S AIMS AND OBJECTIVES:

To Achieve Common Standards and Promote Good Practice

INPUTS	OUTPUTS	OUTCOMES	ACTION POINTS	COMMENTS
Staff time.	<ol style="list-style-type: none"> 1. Quarterly meetings. 2. Additional meetings. 3. Attendance at launch of campaigns. 	<ol style="list-style-type: none"> 1. Common enforcement standards provide better service to business. 2. Common documentation means less officer time creating local paperwork. 	Health and Safety Executive put money into providing information to local businesses on health and safety issues in press, radio, TV. Joint initiatives are more effective.	Non-participation would result in more officer time spent creating local documentation and training.

PARTNERSHIP REVIEW

PARTNERSHIP NAME:

Durham Districts Pollution Liaison Group

PARTNERSHIP'S AIMS AND OBJECTIVES:

To Achieve Common Standards and Promote Good Practice

INPUTS	OUTPUTS	OUTCOMES	ACTION POINTS	COMMENTS
Staff time.	<ol style="list-style-type: none">1. Quarterly meetings.2. Additional meetings.3. Attendance at launch of campaigns.	<ol style="list-style-type: none">1. Common enforcement standards provide better service to business.2. Common documentation means less officer time creating local paperwork.	Consultants appointed for whole of county. Review of air quality resulting in reduced unit cost.	Non-participation would result in more officer time spent creating local documentation and training.

COMMUNITY SERVICES COMMITTEE

19TH JULY 2006



Report of the Strategic Director for the Community
PROCUREMENT OF STREET CLEANSING FLEET

purpose of the report

1. To advise Members of the options open for the procurement of a street cleansing fleet following the capital allocation received in the 2006/07 budget.

background

2. Members will be aware that following a successful growth bid an allocation of £200,000 in the financial year 2006/07 and a further £150,000 in the financial year 2007/08, has been allocated for the upgrading of the current street cleansing fleet.
3. The current street cleansing fleet comprises of 2 x mechanical sweepers, 1 x gully emptying machine, 5 x street cleansing vehicles and 1 x precinct sweeper and typically have a life-span of five years. Officers will be aware that as of 1st April 2007 gully emptying services will return to Durham County Council alleviating the necessity for a replacement gully emptying machine. However, with the exception of the precinct sweeper, purchased in 2004, the rest of the fleet is in dire need of replacement. Typically, vehicles working in this environment have an expected life cycle of between five and seven years and at present some vehicles in our operation are now nine years old. Furthermore, following the recently introduced wheeled bin refuse collection scheme and the proposed system of area-based arrangements, there is now the necessity for street cleansing vehicles to be fitted with bin lifts to allow flexibility in the service via the collection of missed bins and also the use of wheeled bins as litter receptacles specifically in car lay-bys, etc., saving the authority significant amounts from the revenue budget for the provision of litter and dog bins.

4. The Head of Service Contracts sought quotes from suppliers of both street cleansing fleet and mechanical sweeping fleet and the most competitive quotes can be seen attached as Annex 3.

proposal

(i) Sweeping Vehicle with Bin Lift

The three most competitive quotes received were from North East Truck and Van, Link Tip and Pro Truck. As can be seen on the attached annex Pro Truck is the cheapest at £29,710 per vehicle plus their vehicle has a GVW of 6.2 tonnes as opposed to the two others of only 5.2, allowing for a larger payload which is essential to reduce downtime of operatives travelling to the tip on a regular basis. It is proposed therefore, that the Council purchase 2 x sweeping vehicle with bin lift from Pro Truck of Darlington.

(ii) Sweeping Vehicle with Demountable Body

Again the three most competitive quotes were from North East Truck and Van, Link Tip and Pro Truck. Again Pro Truck were the cheapest as can be seen in Annex 3, as well as again offering the additional payload capacity. It is proposed therefore, that the Council purchase two sweeping vehicles with demountable bodies from Pro Truck of Darlington.

(iii) Mechanical Sweeper

Competitive quotes were received from four suppliers, these being Scarab, Johnson, Chatfields Tyne Tees and Elgin Whirlwind. Prices vary from £79,173.25 to £88,010.50 for the provision of a mechanical sweeper. However, currently Wear Valley operates Johnson sweepers and, following demonstration and consultation with employees (both drivers and mechanics required to maintain the vehicle) this is the preferred choice of vehicle. The price for a Johnson VT650 is £79,484 and is the second cheapest quote, the cheapest being Scarab Magnum at £79,173.25. However, although there is an additional £310.75 for the purchase of a Johnson vehicle the resale value of Johnsons has consistently been higher than that of Scarab and therefore for the aforementioned reasons it is proposed that the Council purchase a Johnson VT650 mechanical sweeper.

5. The sum total of the above purchases would cost the Council £198,004, £1,986 below the capital allocation.

financial implications

6. As mentioned above the capital allocation of £200,000 was allocated for the replacement of the street cleansing fleet in 2006/07. Should the authority purchase the vehicles proposed in this report it would come to the sum total of £198,004.

7. Also, by providing vehicles with bin lifts, thus allowing wheeled bins to be utilised as letter receptacles, savings may be accrued in the revenue budget for litter and dog control. Furthermore, by sending our existing fleet to auction, there is the possibility of raising additional income.
8. Furthermore, it would be prudent for the Council to implement a "sinking fund" in order to allow for the staggered purchase of Council vehicles to alleviate the necessity of large scale vehicle purchase.

legal implications

9. The purchase of the proposed vehicles would increase the authority's capability to undertake statutory duties such as street cleansing.
10. Three quotations were received for each specific element of the procurement and took place in accordance with the Council's Standing Orders.

human resource implications

11. There are no human resource implications.

IT implications

12. There are no implication technology implications.

crime and disorder

13. There are no anticipated crime and disorder implications.

timescale

14. Due to the ageing nature of the current street cleansing fleet, maintenance and repair of the said fleet is considerable at present. Therefore there is a necessity to order the fleet at the earliest opportunity to avoid unnecessary costs to the authority.

conclusion

15. The purchase of the proposed vehicles for the street cleansing fleet is the most financially, and operationally, beneficial to the Council.

RECOMMENDED that Members concur with the report and authorise the Head of Service Contracts to order the proposed vehicles at the earliest opportunity.

Officer responsible for the report
Michael Laing
Strategic Director for the Community
Ext. 281

Author of the report
Brian Graham
Head of Service Contracts
Ext. 453

ANNEX 3

COMPANY	CHASSIS	(W)	BODY	EXTRAS		TOTAL (£)
Sweeping Vehicle with Bin Lift						
NE Truck & Van	17,159	5.2	11675	Reverse Bleeper	145	30,279
				Handwash	355	
				Rear Camera	695	
				Beacons	250	
					1445	
Link Tip	18,995	5.2	11,675	Reverse Bleeper	145	32,115
				Handwash	355	
				Rear Camera	695	
				Beacons	250	
					1445	
Pro-Truck	16,145	6.2	12,045	Reverse Bleeper	145	29,710
				Handwash	355	
				Rear View Camera	695	
				Beacons	250	
				Carrying Brackets	75	
					1520	
Sweeping Vehicle with Demountable Body						
NE Truck & Van	17,159	5.2	12,455	Handwash	355	30,114
				Reverse Bleeper	145	
Link Tip	18,995	5.2	12,455	as above	500	31,950
Pro-Truck	16,145	6.2	12,905	as above	500	29,550
Mechanical Sweeper						
Scarab Mistral 5.5	27,122	15	52,611.25	n/a		79,733.25
Scarab Mistral 6.5	27,122	15	59,511.25	n/a		86,673.25
Scarab Magnum	27,122	15	52,051.25	n/a		79,173.25
Johnson VT650	27,232	15	49,410	Wander Hose		79,484.00
				High Pressure Wash		
				Worklamp		
				Camera		
					2604	
Chatfields Tyne Tees						
Mistral 5.5	30,954	15	57,056.50			88,010.50
Magnum	30,954	15	56,448.50			87,402.50
Elgin	30,954	15	56,400.00			87,354.00
Johnson VT650	30,954	15	51,995			82,949
Elgin Whirlwind	26,900		60,045			86,945