

**THE MINUTES OF THE MEETING OF THE
DISTRICT COUNCIL OF EASINGTON
HELD ON THURSDAY 3 APRIL 2008**

Present: Councillor Mrs. M. Nugent (Chair)

Councillors M. Baird, B. Bates, S. Bishop, Mrs. G. Bleasdale, B. Burn, A. Burnip, R. Burnip, A. Collinson, Mrs. E. M. Connor, R. Crute, R. Davison, Mrs. S. Forster, Mrs. J. Freak, J. Haggan, H. High, A.J. Holmes, Mrs. E. Huntington, Mrs. A.E. Laing, T. Longstaff, D. Maddison, Mrs. J. Maitland, K. McGonnell, D. Milsom, D. Myers, A. Napier, Mrs. A. Naylor, G. Patterson, G. Pinkney, B. Quinn, D. Raine, R. Taylor, D.J. Taylor-Gooby, R.J. Todd, T. Unsworth, C. Walker, P.G. Ward and Mrs. V. Williams.

1. ANNUAL AUDIT AND INSPECTION LETTER 2006/2007

The Chair welcomed J. Dafter, Audit Manager from the Audit Commission who was in attendance to discuss the District of Easington's Annual Audit and Inspection Letter for 2006/2007. A copy of the Letter had been circulated to each Member.

J. Dafter commenced by highlighting a number of key issues and messages arising from the Audit Commission's performance work. He reported that the Council had given priority during the year to tackling an ambitious programme of improvement, maintaining a focus on key issues. With its partners and the community, it had continued to address the challenging task of social, economic and environmental regeneration through the 'Making The District Great' Programme aligned to nine key corporate objectives.

The Council's priorities were focused on improving the quality of life of local people and improving wider community outcomes. It had made progress on all of its priorities but performance was mixed in some areas.

From the audit, the Audit Commission had been able to give an unqualified opinion on the Council's accounts for 2006/2007. The medium term financial strategy provided better links between corporate priorities and the budget, and risk management arrangements for significant partnerships had been further strengthened.

The Letter gave details of the actions required by the Council as a result of the key issues and messages arising from the audit. J. Dafter commented on these stating that the Council needed to continue its focus on improvement, ensuring that all performance indicators were scrutinised to achieve the Council's objective of increasing the number of indicators at top quartile performance. It also needed to continue to build on its recent work to support improvement in the performance of East Durham Homes, in particular to accelerate progress towards meeting the Decent Homes Standards and improving housing services.

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With regard to the Direction of Travel report, it was pleasing to note that performance in relation to the Council's services continued to improve. This was evident in the direction of travel basket of performance indicators (PIs). The Council's focus on improving areas of poor performance was producing very positive results. Performance monitoring showed that of the eleven poorly performing PI's in 2006/2007, all had improved and most were exceeding the Council's own targets for 2007/2008.

J. Dafter discussed performance against the nine key corporate objectives and specifically highlighted the good progress made in developing 'sustainable jobs for everyone' stating that the resources put into meeting this were producing good results.

'Achieving decent homes for all' continued to present a challenge for the Council but progress had been made in the second half of the year which was expected to continue.

The Council had made substantial improvements in 'clean, tidy communities'. Improvements had been made in recycling and composting and the percentage of households served by kerbside collection, both of which were top quartile performance when compared with other districts. It was pleasing to note that the Council now had one of the highest recycling levels for north-east Councils.

With regard to 'making the district safe', whilst there had been a rise in overall crime, levels of crime in other categories including domestic burglaries, violent crime, robberies and vehicle crimes had all declined. The work of the Street Wardens in collaboration with the Police and Community Support Officers had helped to improve public perception.

A key partnership issue was related to 'providing learning opportunities for all' which the Council was providing through a variety of initiatives and events, as detailed in the Letter.

He continued that the Council had taken action to 'provide quality services for all our people'. A good example of cross-cutting work was the 'Pride in Easington' scheme which was delivering significant improvement particularly in environment and community safety, bringing together enforcement, education and community engagement work.

The Letter also detailed progress against the key corporate objective 'striving for excellence in the workplace'. J. Dafter made specific reference that relationships between the Council and its partners for the commissioning and delivery of services were being developed further, supporting the voluntary sector and tackling community issues. Work with the Probation Service on environmental schemes, together with grounds maintenance contracts with five of the Parish/Town Councils all demonstrated the Council's commitment to building its capacity to deliver more co-ordinated and delegated services.

Service inspections had been carried out in relation to EDH and regeneration. With regard to regeneration, J Dafter explained that an inspection of all eight local Councils in County Durham had been carried out and the key findings were set out in the Letter.

The audit had concluded that the value for money arrangements were adequate and the Council had achieved an overall score of three out of four for Use of

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Resources with improved performance in financial reporting and financial management. Key actions needed to further strengthen arrangements included a review of the medium term financial strategy to ensure that joint plans agreed with partners and other stakeholders were described in financial terms, and the need to continue to embed the backlog maintenance plan and develop a set of local performance measures in relation to assets that linked asset use to corporate objectives.

The audit also looked at health inequalities. J. Dafter stated that partnership working was helping to improve the north-east's health outcomes although it was recognised that work was needed to close the gap between the north-east and the rest of England. The Audit Commission had reviewed how organisations across the north-east were working together to address health inequalities and a report summarising the work to date had been distributed widely to inform future development and improvement. This work would be built upon in the coming year focusing in on specific areas, identifying good practice and helping to identify and overcome barriers to improving health outcomes in the north-east.

To conclude, he stated that even though the Council would cease to exist from 31st March, 2009, it still had a key role in establishing the foundations of the new Council to enable it to respond to the future challenges of both new local area agreements and public expectations of service improvements leading to a better quality of life that would be assessed under Comprehensive Area Assessment.

In discussing the Letter, Members thanked J. Dafter for the positive report which placed the Council in a strong position to continue to improve in 2008/9 in terms of performance management and in the delivery of its services to residents.

In response to the issues arising from the regeneration inspection, it was stated that whilst Members concurred with the inspection's findings, bridging the gap between County Durham and the rest of the country was a difficult challenge. They agreed that Easington and the other Councils across the County provided good regeneration services individually, however did acknowledge that a Countywide approach was needed to develop economic prosperity in Durham.

RESOLVED that the information given, be noted and the Annual Audit and Inspection Letter for 2006/2007, be received.

2. **THE MINUTES OF THE MEETING OF THE DISTRICT COUNCIL OF EASINGTON** held on 6th March, 2008, a copy of which had been circulated to each Member, were confirmed.
3. **THE MINUTES OF THE MEETING WITH REPRESENTATIVES OF THE BUSINESS COMMUNITY** to discuss the Council's budgets held on 4th March, 2008, a copy of which had been circulated to each Member, were submitted.

RESOLVED that the information contained within the Minutes, be noted.

4. **INDEPENDENT REMUNERATION PANEL REPORT**

Consideration was given to the report of the Head of Democratic Services and Administration in relation to the Independent Remuneration Panel, a copy of which had been circulated to each Member.

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The Head of Democratic Services and Administration advised that the Independent Remuneration Panel met on 5th February, 2008 to produce a report in respect of the payment of allowances to Members for 2008/2009.

The findings and recommendations of the Panel were attached to the report at Appendix 1.

In considering the Panel's Report, Members accepted the recommendations outlined in Section 5, with the exception of the proposed increase in basic allowance and special responsibility allowances of 3.9%. Members felt that these allowances should be increased in line with the National Joint Council's Pay Award for Local Authority Employees for 2008/2009.

RESOLVED that :-

- (a) basic allowance and special responsibility allowances be increased in line with the National Joint Council's Pay Award for Local Authority Employees for 2008/2009;
- (b) the level of all other allowances payable remain as at present and increases for 2008/2009 be made in accordance with the Council's Members Allowances Scheme;
- (c) the Independent Remuneration Panel be thanked for the work they had carried out over the years in determining the levels of Members' allowances.

5. AMENDMENT TO THE CONSTITUTION AND POWERS OF THE STANDARDS COMMITTEE

Consideration was given to the report of the Monitoring Officer which sought approval to amend Article 9 of the Constitution and paragraph 23 of the Council Procedure Rules, a copy of which had been circulated to each Member.

The Monitoring Officer reported that the Department for Communities and Local Government (DCLG) had consulted on their intention to transfer responsibility for receipt, investigation and determination of complaints from the Standards Board for England to Local Standards Committees, as detailed in the report.

The original intention had been to implement these changes with effect from 1st April, 2008 but it was now understood that they would not be made until after the May 2008 elections at the earliest.

The report identified changes to the membership of the Committee which needed to be made to enable the Council to operate the new arrangements.

RESOLVED that the amendments to Article 9 of the Constitution and Paragraph 23 of the Council procedure rules as set out in the appendix attached to the report, be approved.

6. REVIEW OF LICENSING POLICY UNDER THE LICENSING ACT 2003

Consideration was given to the report of the Executive Member for Health which sought approval to the revised licensing policy under the Licensing Act 2003, a copy of which had been circulated to each Member.

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The Executive Member for Health advised that Licensing Authorities were required to review their policies every three years or earlier if deemed necessary, and accordingly consultation was carried out as detailed in Appendix 1 to the report.

Changes to the Policy must also take into account any new guidance from the Secretary of State and it was reported that revised guidance had been issued in June 2007.

The report gave details of the proposed revisions and the Executive Member highlighted amendments required to the section of the Policy relating to the use of outside areas for smoking as well as the consumption of alcohol. This now identified the need for the applicant to consider the adverse effect of such areas on residents and offer measures to minimise their impact.

Another significant amendment related to those cases where, as a planning condition, a terminal hour had been set for the use of a premises and these hours were different to the licensing hours, the applicant must observe the earlier closing time.

RESOLVED that the revised Statement of Licensing Policy under the Licensing Act 2003, be adopted.

7 **URGENT DECISION OF THE EXECUTIVE DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT (DCLG) CONSULTATION : LOCAL PETITIONS AND CALLS FOR ACTION**

The Head of Democratic Services and Administration reported that the Executive at its meeting on 18 March 2008, considered that the decision taken in respect of the abovementioned report was urgent and should not be subject to the call-in process.

The decision was considered to be urgent as the response deadline to the consultation was 20 March 2008.

In accordance with the procedure set out in the Council's Constitution relating to call-in and urgency, the Chair of the Council, in consultation with the Chairs of the Scrutiny Committees, agreed that the decision was reasonable and urgent and should not be subject to call-in.

RESOLVED that the decision taken, be noted.

8 **TO SEAL DOCUMENTS**

RESOLVED that the action taken in affixing the Common Seal to the following documents be endorsed.

19774 Release of Part of the Land from a Registered Charge relating to Plot 51 High Croft, Thornley

19775 Cancellation of Entries relating to a Registered Charge relating to 119 Melrose Crescent, Seaham

19776 Transfer of Part of Registered Title(s) made between EDC (1) and Alison Elliott and Daniel Kenneth Gibson (2) relating to 16 Windermere Road, Seaham

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- 19777 Cancellation of Entries relating to a Registered Charge relating to 12 Attlee Avenue, Blackhall
- 19778 Transfer of Part of Registered Title(s) made between EDC (1) and PAN English Development Company Ltd (2) relating to land at Argyle Place, South Hetton
- 19779 Nominations Agreement made between EDC (1) and PAN English Development Company Ltd (2) relating to land at Argyle Place, South Hetton
- 19780 Transfer of Part of Registered Title(s) made between EDC (1) and Raymond and Barbara Dove (2) relating to 48/49 Coronation Road, Wingate
- 19781 Lease made between EDC (1) and Daniel Oran (2) relating to 29 Sunny Blunts, Peterlee
- 19782 Transfer of Part of Registered Title(s) made between EDC (1) and Elizabeth Watson (2) relating to 118 Wordsworth Avenue, Wheatley Hill

9 **ADDITIONAL URGENT ITEM OF BUSINESS**

In accordance with the Local Government Act, 1972, as amended by the Local Government (Access to Information) Act 1985, Section 100B(4)(b) the Chair, following consultation with the Proper Officer, agreed that consideration be given to one item of business not shown on the Agenda as a matter of urgency.

10 **UPDATE ON JUDICIAL REVIEW (AOB)**

Consideration was given to the joint report of the Chief Executive and the Monitoring Officer which updated Members on developments relating to the judicial review proceedings and sought authority to discontinue the challenge to the local government review legislation. A copy of the report had been circulated to each Member.

The Monitoring Officer advised that at a meeting of the District Council on 1 November 2007, Members agreed that the Durham Districts challenge of the Secretary of State's decision to implement proposals for a single unitary authority for County Durham, be stayed pending the outcome of an appeal by Shrewsbury and Atcham and Congleton Borough Councils. The Court of Appeal had now considered and dismissed the appeal and therefore Members were recommended to authorise the discontinuance of the claim brought by Easington since there were insufficient prospects of success to warrant proceeding further.

RESOLVED that the proceedings for judicial review instituted to challenge the Secretary of State's decision to create a single unitary authority for County Durham, be discontinued.