

## **THE MINUTES OF THE MEETING OF THE EXECUTIVE**

**HELD ON TUESDAY 18 MARCH 2008**

Present: Councillor A. Napier (Chair)  
Councillors R Crute, Mrs J Freak,  
Mrs E Huntington, D Myers, Mrs A Naylor,  
F Shaw, R J Todd and P G Ward

Apology: Councillor G Patterson

1. **THE MINUTES OF THE LAST MEETING** held on 26 February 2008, a copy of which had been circulated to each Member, were confirmed.

2. **CAPITAL PROGRAMME 2007/2008 - PERFORMANCE MONITORING**

Consideration was given to the report of the Executive Member for Resources which gave details of progress made on delivering the 2007/2008 Capital Programme to the end of December 2007, a copy of which had been circulated to each Member.

**RESOLVED** that the position statement on the 2007/2008 Capital Programme to the end of December 2007 be noted.

3. **PROPOSAL TO INCREASE THE AGE LIMIT FOR HACKNEY CARRIAGE AND PRIVATE HIRE VEHICLES AND TO INTRODUCE A REQUIREMENT FOR DRIVERS TO PROVIDE MEDICAL CERTIFICATES**

Consideration was given to the report of the Executive Member for Health which sought approval to amend the Council's Byelaws and conditions in respect of the current age restriction of Hackney Carriage and Private Hire vehicles and make the age limit for vehicles applicable to wheelchair accessible hackney carriages. Approval was also sought for the introduction of the requirement for a Certificate of Medical Fitness on application for hackney carriage and private hire drivers.

Members were advised that the authority currently had a five year restriction on the maximum age to which vehicles could be licensed as hackney carriage and private hire vehicles.

Owner's could request a one year extension if the vehicle was inspected by the Council and found to be in exceptional condition. The age limit did not apply to purpose built taxis or those adapted to be wheelchair accessible.

Following a request from the taxi trade to increase the age limit for taxis a benchmarking exercise was carried out with other authorities in the County which revealed that seven years was the most common age limit.

Local authorities were allowed to stipulate the documentation required before a licence was granted. This authority did not currently require evidence of medical fitness. The House of Commons Transport Select Committee on Taxis and Private Hire Vehicles had recommended that taxi driver licence applicants should pass a medical examination before a licence was granted.

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Consideration was given to the standards applied in other Districts, the Council's ability to maintain standards of taxis by inspection and enforcement and the impact on residents using taxis. Taking all these factors into account it was considered reasonable to allow a further one year extension, on request, where a vehicle was maintained to exceptional standards.

Wheelchair accessible hackney carriages would also have to comply with this specification.

It was proposed that drivers who were currently licensed would be required to provide a certificate from 1 June 2008.

**RESOLVED** that;

- (i) the current standard conditions be amended to permit the increase in vehicle age limit as follows: -
  - vehicles must be less than five years of age at date of first licence.
  - vehicles may continue to be licensed to five years of age.
  - vehicles judged to be in exceptional condition, in accordance with the Council's adopted standard, may be licensed for one year extensions beyond the five year limit until the vehicle was seven years old.
  - an annual application for an extension would be required by the owner of the vehicle;
- (ii) the Byelaws and conditions be amended to remove the exemption from age limit from wheelchair accessible vehicles;
- (iii) approval be granted to amend the conditions to require applicants for Hackney Carriage and Private Hire Driver's licences to provide a Group 2 medical certificate prior to a licence being granted. These would be required on first application and after the age of forty five, every five years up until the age of sixty five. Certificates to be provided every year where an applicant was older than sixty five. This condition would not be applicable to drivers currently licensed with the District of Easington until 1 June 2008.

#### **4. ENVIRONMENTAL IMPROVEMENTS TO PLAY AREA, SOUTH HETTON**

Consideration was given to the report of the Executive Member for Regeneration which sought approval to provide a financial contribution to an environmental improvement scheme, designed by Groundwork East Durham, which would be implemented on Council owned land in South Hetton, a copy of which had been circulated to each Member.

Members were advised that Groundwork East Durham was working in partnership with South Hetton Parish Council on a project to provide a robust and sustainable public amenity open space.

The overall cost of the work was £68,000. The Neighbourhood Renewal Fund was contributing £18,000, with a further allocation of Section 106 monies to the sum of £40,000. It was suggested that the Council contribute £10,000.

**RESOLVED** that:-

- (i) the environmental improvement scheme in South Hetton be approved;
- (ii) a contribution of £10,000 be made to the scheme from the Regeneration budget 2007/2008;
- (iii) Landlord's Consent be granted for the works being undertaken by Groundwork East Durham on land in South Hetton.

**5. COUNTY DURHAM ECONOMIC STRATEGY 2008/2013 – “BUILDING OUR FUTURE”**

Consideration was given to the report of the Executive Member for Regeneration which gave details of the County Durham Economic Partnership's consultation on the County Durham Economic Strategy (CDES) and sought agreement to a joint response submitted on behalf of the Council and the East Durham Local Strategic Partnership (LSP), a copy of which had been circulated to each Member.

**RESOLVED** that the information given, be noted and the response to the County Durham Economic Strategy on behalf of the Council and East Durham Local Strategic Partnership, as outlined in Appendix B to the report, be approved.

**6. ADDITIONAL URGENT ITEMS 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 three items of business, not shown on the Agenda, be considered as a matter of urgency. However, due to the exempt nature of two of the items of business they be considered following the exclusion of the press and public.

**7. DEPARTMENT FOR COMMUNITIES AND LOCAL GOVERNMENT (DCLG) CONSULTATION : LOCAL PETITIONS AND CALLS FOR ACTION (AOB)**

Consideration was given to the report of the Executive Member for Neighbourhood Engagement and Communications, which gave details of the Department for Communities and Local Government (DCLG) consultation for Local Petitions and Councillors Calls for Action and sought approval to respond to the consultation, a copy of which had been circulated to each Member.

Details of the Council's proposed response were outlined in Appendix A to the report.

In accordance with the procedure set out in the Council's Constitution relating to call-in and urgency, the Executive agreed that the decision to be taken was urgent and that the Chair of the Council, in consultation with the Chairs of the Scrutiny Committees be requested to waive the call-in process. The decision was considered to be urgent due to the response deadline to the consultation being 20 March 2008.

Members were advised that the 2006 Local Government White Paper "Strong and Prosperous Communities" made clear that new discretion for town halls needed to go hand in hand with greater accountability to local people. The Local Government and Public Involvement in Health Act 2007 provided a vital

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framework - a duty on local authorities to inform, consult and involve local people in their decisions and services, and new powers for local Councillors to call for action on a broad range of local issues.

In October 2007, the Secretary of State for Communities and Local Government published an "Action Plan for Community Empowerment" which set out what DCLG was doing to give people a real say over their neighbourhood.

One of the commitments in the Plan was to look at the idea of placing a duty on local authorities to respond constructively to the petition they received from local people. The purpose of the DCLG consultation was to offer people the chance to shape any potential legislative framework.

**RESOLVED** that the proposed response to the consultation, outlined in Appendix A to the report, be approved.

### **8. EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED** that in accordance with Section 100A (4) of the Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985 the press and public be excluded from the meeting for the following items of business on the grounds that they involved the disclosure of exempt information, as defined in Paragraph 3, Part 1 of Schedule 12A of the Act.

**PRIOR TO CONSIDERATION OF THE FOLLOWING ITEM OF BUSINESS, COUNCILLORS D MYERS AND F SHAW DECLARED A PERSONAL BUT NOT PREJUDICIAL INTEREST AND REMAINED IN THE MEETING.**

### **9. NORTH DOCK, SEAHAM**

Consideration was given to the report of the Executive Member for Regeneration which gave details of progress on the redevelopment of the North Dock, Seaham, a copy of which had been circulated to each Member.

**RESOLVED** that:-

- (i) Contract Standing Order 1(a) of Standing Order 4(A) be waived to enable the appointment of architects to facilitate the undertaking of the detailed architectural designs associated with the workspace building and architectural supervision of the works;
- (ii) Contract Standing Order 1(a) of Standing Order 4(A) be waived to enable the appointment of specialist companies to undertake the design and build of the Dock Gates and Pontoons.

### **10. EARLY RETIREMENT**

Consideration was given to the report of the Executive Member for Resources which gave details of a request for early retirement with unreduced benefits, a copy of which had been circulated to each Member.

**RESOLVED** that;

- (i) the request for early payment of pension benefits to the Officer outlined in the report on an unreduced basis be declined;

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- (ii) the Head of Personnel and Head of Financial Management be authorised to pay the pension benefits on a reduced basis.

**11. PERMISSION TO WAIVE STANDING ORDERS REGARDING THE GREEN WASTE KERBSIDE COLLECTION SERVICE COMPOSTING COSTS (AOB)**

Consideration was given to the report of the Executive Member for Liveability which sought approval to waive Standing Orders with respect to contract issues regarding the disposal of garden waste, a copy of which had been circulated to each Member.

**RESOLVED** that approval be granted to waive Contract Standing Orders for the procurement of composting services for the Council's Green Waste Collection Service and the Council enter into an agreement with Embleton Hall Farm to provide these services during 2008/2009.

**12. CONCESSIONARY FARES FOR OLDER AND DISABLED PEOPLE - REVISED SCHEME FROM 1 APRIL 2008 (AOB)**

Consideration was given to the report of the Executive Member for Resources which sought confirmation of arrangements for the amended Concessionary Bus Fares Scheme to be implemented on 1 April 2008, a copy of which had been circulated to each Member.

Councillor P G Ward congratulated all those involved with the success of the scheme.

**RESOLVED** that the actions outlined within the report related to serving the statutory notice and securing a financial agreement with the bus operators with effect from April 2008 be approved.