

THE MINUTES OF THE MEETING

OF THE EXECUTIVE

HELD ON TUESDAY 20 MARCH 2007

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

- 1 **THE MINUTES OF THE LAST MEETING** held on 27 February 2007, a copy of which had been circulated to each Member, were confirmed.

2 **MATTERS ARISING FROM THE MINUTES**

Gully Cleansing Operations in Easington District (Minute No. 6 refers)

The Director of Community Services advised that Durham County Council were proceeding with plans to implement service and budgetary reductions in relation to gully cleansing operations in Easington District. Arrangements had therefore been made to transfer the service back to Durham County Council.

RESOLVED that the information given, be noted.

3 **GENERAL FUND/HOUSING REVENUE – 2006/2007 MONITORING STATEMENT**

Consideration was given to the report of the Executive Member for Resources which gave details of the financial position for the period 1 April 2006 to 31 January 2007, a copy of which had been circulated to each Member.

Members were advised that budget holders were required to carry out a monthly exercise of examining their spending and the appendices/statements attached to the report reflected the forecasted position to 31 March 2007

RESOLVED that the information given, be noted.

4 **COMMUNITIES FOR HEALTH**

Consideration was given to the report of the Executive Member for Health which gave details of an invitation for the Council to participate in the Department of Health's "Communities for Health" programme and the planned arrangements to utilise the associated funding of £100,000 to support the Council and its partners to improve health and reduce health inequalities in East Durham, a copy of which had been circulated to each Member.

Members were advised that following the publication of the Choosing Health White Paper in 2004, the Communities for Health Programme had operated on a pilot basis. It was now being rolled out to over fifty new areas to build on the pilot phase. The initiative recognised the role that Councils played in co-delivering the shared priority on health improvement and health inequalities, and the work being undertaken on health through Local Area Agreements.

The funding award of £100,000 was non recurrent and would help develop the capacity of local health partnerships, and in particular strengthen the role that community groups and the voluntary sector could make in changing behaviours that had an adverse impact on health.

RESOLVED that approval be granted for the Council to participate in the Department of Health's Communities for Health Programme and this be undertaken in partnership with the East Durham Local Strategic Partnership's Health Improvement Group.

5 REVIEW OF HEALTH SERVICES NORTH AND SOUTH OF THE TEES: OUTCOME OF REPORT OF INDEPENDENT RECONFIGURATION PANEL

Consideration was given to the report of the Executive Member for Health which gave details of the outcome of the Secretary of State of Health's referral to the Independent Reconfiguration Panel of proposed changes to paediatric and maternity services for the North Tees area as part of the wider Review of Health Services North and South of the Tees following the Darzi Review completed in July 2005, a copy of which had been circulated to each Member.

Members were advised that the referral of this matter to the Independent Reconfiguration Panel arose because of objections to the reconfiguration service proposals by the Joint Scrutiny Committee formed by the Local Authorities of Tees Valley, North Yorkshire and Durham County Councils, who did not accept the recommendations related to the establishment of a consultant led Women's and Children's Centre of Excellence at the University Hospital Hartlepool.

The Secretary of State's appointed Service Reconfiguration Panel undertook its review between October and December 2006 and presented their report to the Secretary of State in December 2006. The report made a number of recommendations details of which were outlined in Appendix 1 to the report.

The Secretary of State had now considered the report and confirmed in a letter to the Chair of the Joint Local Authority Health Scrutiny Committee and to other stakeholders that the report's recommendations had been accepted. This effectively brought the review process to a conclusion.

The Leader of the Council had written to the Secretary of State to express disappointment at the outcome and the fact that it was considered that this would weaken the role of University Hospital Hartlepool as a general hospital facility to the detriment of residents in East Durham.

The Partnerships Scrutiny Committee's views were sought on how they could assist and the matters they had agreed to consider were outlined in the report.

The Chair thanked all those involved in the review for the work undertaken.

RESOLVED that: -

- (i) the outcome of the Secretary of State for Health's decision on the future of paediatric and maternity services for the North Tees and Hartlepool NHS Trust area based on advice from the Independent Reconfiguration Panel be noted;
- (ii) the view of the Executive Members involved in this work be endorsed in that the Council could not accept the concluding recommendation of the

Panels report because of its failure to address the key concerns of the Council in supporting the original North Tees Area Review proposals;

- (iii) the actions undertaken by the Partnerships Scrutiny Committee to consider the implementation of the proposals and how effectively they would address the health needs and accessibility issues faced by the communities of East Durham be noted.

6 FUNDING TO SUPPORT THE IMPLEMENTATION OF THE NEW SMOKE FREE LEGISLATION

Consideration was given to the report of the Executive Member for Health which sought approval to secure funding to assist in the implementation of new “Smoke Free” legislation within the district of Easington, which was a statutory function as required by the Health Act 2006 and the Smoke Free (Premises and Enforcement) Regulations 2006.

Members were advised that from 1 July 2007 Councils in England must have resources available to fulfil their statutory duties under the new legislation to ensure workplaces were smoke free.

The authorities Environmental Health Unit would take the lead in the implementation and enforcement of the new legislation.

To assist local authorities to fulfil their commitments to enforce the provisions of the smoke free legislation the Department of Health had made £9,743 funding available for 2006/2007 and £47,422 for 2007/2008.

Details of the 4 options available for the implementation of the legislation were outlined in the report.

Option 4 was favourable as it provided a designated point of contact. Staff in the Commercial Enforcement team already had experience and there was additional flexibility within the team in the event of emergencies, or if demand for the smoke free service dropped.

RESOLVED that: -

- (i) the Council adopt option 4 as the appropriate course of action and a member of the Commercial Enforcement team be seconded to the “Smoke Free Enforcement Officer” post, duties such as food hygiene inspections would be back filled with consultancy staff, and a new 1 year temporary “Smoke Free Support Officer” post be created
- (ii) the cost be met from the grant from the Department of Health, with an appropriate cost centre, coded to show the smoke free legislation, being created to control the cost of the implementation of the new regime
- (iii) the monies allocated for 2006/2007 be carried forward to 2007/2008

7 FUNDING – EASINGTON AND DISTRICT CITIZENS ADVICE BUREAU

Consideration was given to the report of the Executive Member for Social Inclusion and Culture which sought confirmation of the Council's level of funding for the Easington and District Citizens Advice Bureau (CAB) for 2007/2008, a copy of which had been circulated to each Member.

Members were advised that the Authority had previously given a commitment to fund CAB for a period of four years to March 2008 i.e. for the term of the Council. This commitment had historically been based on the previous years allocation plus an inflationary increase. However, due to budgetary constraints it was agreed to increase the core grant by 5% in 2004/2005 and 4% each year thereafter. This commitment allowed the organisation to plan ahead and gave security and stability to their operations.

The Council had previously provided substantial financial support towards the running of the CAB in the District and the current level of funding was £108,854. The cost of providing the entire CAB service for 2007/2008 was estimated at £245,000.

During 2006 the bureau handled 10,756 client contacts and managed 22,003 issues on their behalf. This represented an increase of 15.1% on the number of issues handled in 2005. As a result of generalist and tribunal work the bureau had generated £1,058,291.49 in additional benefit income for their clients and had managed a further £2,463,899.61 in client debt related issues.

It was clear that the financial gains made by the bureau went some way to alleviate the poverty experienced by clients and benefited the local economy.

RESOLVED that a funding contribution of £113,208 to the Easington and District Citizens Advice Bureau for 2007/2008 be approved.

**PRIOR TO CONSIDERATION OF THE FOLLOWING ITEM OF BUSINESS
COUNCILLOR D MYERS DECLARED A PERSONAL BUT NOT PREJUDICIAL
INTEREST**

8 CASTLE EDEN AND SEAHAM CONSERVATION AREA APPRAISALS

Consideration was given to the report of the Executive Member for Regeneration which sought approval for the Castle Eden and Seaham Conservation Area Appraisals and revised boundaries at both locations, a copy of which had been circulated to each Member.

RESOLVED that: -

- (i) approval be granted for the Conservation Area Appraisals of Castle Eden and Seaham;
- (ii) the revised boundaries to the Castle Eden and Seaham Conservation Areas under the terms of Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990 be approved.

9 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 two items of business, not shown on the Agenda, be considered as a matter of urgency. However, due to the confidential nature of one of the items it be considered following the exclusion of the press and public.

10 PARTNERSHIP FRAMEWORK (AOB)

Consideration was given to the report of the Executive Member for Improvement which sought approval to a Partnership Framework for the Council, a copy of which had been circulated to each Member.

Members were advised that the Council had a track record of strong partnership working which had been recognised by the Audit Commission in CPA and pilot CPA inspections and in Direction of Travel.

The Partnership Framework put in place a formal structure by which the Council could make decisions about whether and how to enter into, participate in and, if necessary, leave partnership arrangements.

RESOLVED that the Council's Partnership Framework be approved.

11 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.

12 LEASE OF FORESHORE AREAS IN DISTRICT OF EASINGTON

Consideration was given to the report of the Executive Member for Regeneration which sought approval for the Council to enter into a revised Lease with the Crown Estate Commissioners for the foreshore area at Crimdon, a copy of which had been circulated to each Member.

Members were advised that the term foreshore referred to the area of beach between high and low tide

RESOLVED that approval be granted for the Council to enter into a new 10 year Lease with the Crown Estate Commissioners for the foreshore areas at Crimdon as outlined in Plan 2 of the report.

13 ST JOHN'S SQUARE, SEAHAM – MEMORANDUM OF UNDERSTANDING AND APPOINTMENT OF PROJECT MANAGEMENT CONSULTANCY SERVICE

Consideration was given to the report of the Executive Member for Regeneration which sought approval of a Memorandum of Understanding related to the development of St John's Square, Seaham and the appointment of a Project Management Consultancy Service to co-ordinate and take forward the scheme, a copy of which had been circulated to each Member.

RESOLVED that: -

- (i) the Memorandum of Understanding to govern the redevelopment of St John's Square, Seaham, be approved;
- (ii) the Director of Regeneration and Development be authorised to sign the Memorandum of Understanding on behalf of the Council at the appropriate juncture;

- (iii) a Project Management Consultancy Service be appointed to support the schemes delivery

14 ENGLISH PARTNERSHIPS, MURTON COLLIERY PROPOSALS (AOB)

Consideration was given to the report of the Executive Member for Regeneration which gave details of a development concept for Murton Colliery site promoted through a partnership arrangement, a copy of which had been circulated to each Member.

The report also sought approval to progress the concept to implementation stage through broader consultation and involvement.

RESOLVED that: -

- (I) the information related to the progress of the development concept for the Murton Colliery site be noted;
- (II) approval be granted to progress the concept to implementation stage through broader consultation and involvement.

JW/MA/com exe/070302
20 March 2007