

**THE MINUTES OF THE MEETING OF THE
SERVICE DELIVERY SRCUTINY COMMITTEE
HELD ON MONDAY, 8TH JANUARY, 2007**

Present: Councillor D. Raine (Chair)

Councillors S. Bishop, D. Chaytor,
J. Goodwin, H. High, A.J. Holmes,
W.R. Peardon, Mrs. B.A. Sloan and
D.J. Taylor-Gooby

Also present: Councillor G. Patterson - Executive Member for Liveability
Councillor P. Ward - Executive Member for Resources

Mr. G. and Mr. L. Longstaff

1. **THE MINUTES OF THE LAST MEETING** held on 11th December, 2006 and of the **SPECIAL MEETING** held on 1st December, 2006, copies of which had been circulated to each Member, were confirmed.

2. **MATTERS ARISING**

(i) **Planning and Building Control Quarterly Performance Report
(Minute No. 2 Refers)**

The Scrutiny Support Manager explained that a report from the Service Delivery Scrutiny Committee outlining the issues that led to the downtime of the Planning and Building Control IT system would be considered at the Audit Committee on 25th January 2007.

RESOLVED that the information given, be noted.

(ii) **Performance of East Durham Homes
(Minute No. 8 Refers)**

Nominations were requested for the Working Party established to look at the performance monitoring of East Durham Homes.

RESOLVED that Councillors D. Raine, A.J. Holmes, H. High and Mrs. B.A. Sloan be nominated to sit on the Working Party to look at the performance of East Durham Homes.

3. **THE MINUTES OF THE MEETING OF THE EXECUTIVE** held on 19th December, 2006, a copy of which had been circulated to each Member, were submitted.

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

4. **PUBLIC QUESTION AND ANSWER SESSION**

The Chair welcomed the members of the public who were present to the meeting.

5. **REVISED PROCEDURES FOR THE MAINTENANCE OF HEADSTONES AND MEMORIALS IN CLOSED CHURCHYARDS**

Consideration was given to the report of the Environmental Health and Licensing Manager which advised of proposals for the adoption of a revised procedure for fulfilling the Council's responsibility for the maintenance of headstones and memorials in closed churchyards, a copy of which had been circulated to each Member.

The wider element of closed churchyard maintenance was not contained within the report and the condition of pathways, walls, trees, edging and fencing were not taken into consideration. These were important issues which would be the subject of further reports to Members in due course.

The Environmental Services Manager explained that a consultant from the Institute of Cemetery and Crematorium Management (ICCM) had been engaged to help examine the Council's existing working procedures and identify shortfalls and options for improvements.

The Service Delivery Scrutiny Committee had considered previous reports and had received representations from the public affected by previous procedures for maintenance in closed churchyards. The Committee had also been actively involved in the development of the draft policy and revised operational procedure.

The Environmental Services Manager explained that the Council was currently responsible for maintaining ten closed churchyards within the District. The Council procedure for testing memorials was introduced in 2004 in response to national issues of death and injuries caused by headstones or memorials falling over. Headstones were inspected in the closed churchyards and any headstones found to be unstable were either pocketed or laid flat in order to remove the hazard. Approximately 200 headstones had been laid flat and 50 pocketed, consistent with this procedure.

Members of the public had attended meetings of the Service Delivery Scrutiny Committee and the Committee had also met Shotton residents at St. Saviours Churchyard to consider in detail the concerns they had. The meetings examined policies and procedures in respect of works that had been undertaken in a number of closed churchyards but in particular St. Saviours Churchyard in Shotton Colliery. The Committee made a number of recommendations that had been incorporated into the revised procedure and draft policy.

In March 2006, the Public Service Ombudsman produced a special report which provided comprehensive advice to local authorities regarding best practice in dealing with memorial safety. The Council had reviewed all its procedures and a summary of the Ombudsman's recommendations were attached to the report at appendix 1.

The Environmental Services Manager explained that a decision was required from Members regarding the approach to headstones which failed safety tests. The main options for headstones were as follows:-

(i) **Limited Service Meeting Statutory Obligations**

This would involve providing a level of service that would satisfy the requirements legally and those contained in the reports from the Ombudsman and ICCM. It would secure public safety only and the onus on any repairs would rest with the relatives of the deceased and no funding or help with costs would be provided by the Council. If the relatives could not afford or refused to

Service Delivery Scrutiny Committee - 8th January, 2007

make the memorial safe, then the Council would make the memorial safe using the most appropriate and cost effective method available. This would mean in most cases laying the memorial flat indefinitely. Efforts would also be made to locate relatives to inform them of the measures.

(ii) Enhanced Service Exceeding Statutory Obligations

This would involve the Council taking responsibility for the repairs to any memorials in the closed churchyards that it maintained. It would entail wherever possible, the Council securing upright any headstones that had been laid flat already and any new memorial found to be unstable after testing. This would not be possible for all memorials but would cover the majority. This option would need to anticipate that 30 members of the public had already paid to have memorials repaired and therefore compensation arrangements may need to be considered.

It should be noted that whilst the Ombudsman report did emphasise that there was no obligation on Council's to carry out remedial work it nevertheless commended those Councils that did pay for this work themselves or target assistance to relatives who could not afford the repair costs.

Appendix 2 detailed proposed revised procedures which were consistent with recommendations from the Ombudsman report and ICCM guidance. The implications were also detailed in the report.

Subject to approval it was proposed to implement the new procedures with effect from 1st April, 2007.

Mr. Longstaff queried when the final decision would be made on the options outlined in the report. The Director of Community Services explained that following today's meeting the recommendations of the Committee would be considered by the District Council when a final decision would be made. Once approval was given the new procedures would be implemented with effect from 1st April, 2007. Individual costs and compensation to each family would vary and would be calculated on an individual basis.

In response to a further query from Mr. Longstaff, the Chair of the Committee gave an assurance that the members of the public who had been involved in this work to date would be informed of the date that the final report was considered by the Council.

RESOLVED that:-

- (i) the approach for the maintenance of headstones and memorials that failed safety tests in closed churchyards and improving the recording of test results be approved;
- (ii) the adoption of new improved best practice procedures detailed in appendix 1 be agreed;
- (iii) the Service Delivery Scrutiny Committee recommend that an enhanced service exceeding statutory obligations be adopted.

6. WORK PROGRAMME ISSUES

(i) Environmental Operations Quarterly Performance Report

Service Delivery Scrutiny Committee - 8th January, 2007

Consideration was given to the report of the Environmental Services Operations Manager which provided information on the performance of the Environmental Services Operations for the period from August 2006 to November 2006, a copy of which had been circulated to each Member.

Appendix 1 to the report provided details of complaints received in relation to Environmental Services Operations.

The refuse collection was still operating successfully since the introduction of the new working arrangements. There had been minimal disruption to the service over the Christmas and New Year period as only one week had been affected. Some complaints had been received from members of the public regarding the non receipt of the Christmas card therefore did not know the collection dates. The Christmas card had been circulated with Infopoint. A large majority of complaints received were relating to missed bins and each refuse collection team would be issued with a camera phone so evidence could be gathered showing that the bin had not been pulled out.

Two new refuse vehicles previously reported to be introduced into service in December were now going to be delivered and introduced into operation during January. This slight delay would not cause any problems to the operations.

The green waste collection had now been suspended and the service would resume in mid March. The collection of green waste was still proving to be very successful with weights collected during the year increasing by 300 tons which had contributed significantly to improving recycling targets.

With regard to the Clean and Green Teams, they were continuing to improve the District's appearance by working very effectively as teams tackling the daily workloads of cleansing and horticultural functions within their zones. This had been reflected in the improved Best Value Performance Indicator 199 recent survey results.

Four compact sweepers with the complement of the large sweeper were continuing to improve the cleanliness in the District and were now following daily work programmes developed within the teams, however, there had been a slight interruption in Zone 1 due to the vehicle being involved in a road traffic accident which seriously injured the driver and badly damaged the vehicle. The driver was making good recovery but the vehicle had now been written off. A replacement vehicle would be delivered in March and a substitute vehicle had been hired for the interim period.

The Environmental Services Operations Manager explained that work was continuing to remove detritus from some of the footpaths and road edges throughout the District. This work was very labour intensive as the footpaths had not been maintained for many years, however, good progress was still being made with 30 linear miles being cleaned during the winter period.

Grass cutting operations had overall operated very successfully throughout the cutting season with minimal complaints. The Probation Service had been working on a pilot partnership arrangement on selected projects across the District, carrying out works which included litter picking, hedge pruning, strimming and edging. The project had proved very successful and was to be reviewed with a view to agreeing a formal annual programme for 2007.

The centralisation to the Hackworth Road site was now complete and all the Environmental Services were now operating from the site.

Service Delivery Scrutiny Committee - 8th January, 2007

The graffiti removal machine was still operating very successfully in the District and pathfinder area and received regular support from the Probation Service and the Environment Agency. The service was to be mainstream in 2007 following the success it had achieved since it was introduced. The total of graffiti removed from 1st June, 2005 to 30th November, 2006 was outlined in the report.

The gully cleansing operation was maintaining the programme with no problems encountered to date from the commencement of the programme cycle in April. Discussions were still ongoing with Durham County Council regarding potential proposals to reduce the frequencies throughout the County.

The Best Value Performance Indicator information was set out in the report and street cleansing had made a substantial improvement and the trend was still continuing with significant improvements being achieved to date.

Members queried what the financial implications would be if Durham County Council reduced the frequencies of cleansing of gullies throughout the County.

The Director of Community Services explained that Durham County Council was working to tight budgetary demands but the reduced number of cleans was only a proposal at the moment. It was proposed to go from 2 cleans to 1¼ cleans per year. This would mean that the worst gullies in Easington would have 2 cleans per year and the remainder, 1. If this proposal was introduced it was estimated that the County Council would realise savings of £1.4m. The District Council did subsidise the service and if the service was withdrawn there would be a number of financial implications including redundancies. The Council had instructed its legal department to look at where liability lay if this was to happen. Officers had considerable knowledge and expertise of the gully system in Easington District.

Concerns were raised by Members regarding remains of grass being left on footpaths. The Environmental Services Operations Manager explained that team leaders were issued with grass blowers to blow footpaths clear when moving from site to site. Small compact sweepers could not be used on footpaths because of their weight. He was looking to purchase a number of small footpath sweepers for detritus but these may be used on areas where grass had been left.

A Member referred to grass cutting in her area and explained that she felt that the new machines were too large and had received a number of complaints from residents regarding indentations in the paths and grass. The Environmental Services Operations Manager explained that the new machines were cylinder cutters and gave a better cut and were much more economic and effective than the previous rotary cutters. He added that he would investigate the complaints the Member had received prior to the cutting season.

A Member queried who would be responsible for emergency call-outs to gullies if the service was reduced by Durham County Council. The Environmental Services Operations Manager explained that in adverse weather conditions, his staff were on call 24 hour a day to clear any areas. If Durham County Council took the service then their arrangements should be no different.

A Member referred to the centralisation of Hackworth Road and asked what was to happen to the old depots. The Director of Community Services

Service Delivery Scrutiny Committee - 8th January, 2007

explained that the old depots had been transferred to the Asset and Property Management Unit who had made sure the sites were as secure possible and would be marketed for sale.

A Member explained that she had received a complaint regarding a number of Asda trolleys down the dene next to the Peterlee Lodge Hotel as well as the area being full of litter. The Director of Community Services explained that under the Clean Neighbourhoods Environment Act, new enforcement measures were given to Councils to charge businesses for returning items to businesses.

Members congratulated the Environmental Services Operations Manager and his team for the excellent job they were doing throughout the District.

RESOLVED that the information given, be noted.

(iii) Position Statement - Revenues and Benefits

Consideration was given to the report of the Head of Financial Management which provided a position statement in respect of Revenues and Benefits services, a copy of which had been circulated to each Member. Details of performance from 1st April 2006 to 30th November, 2006 were outlined in Appendix 1 to the report.

The Revenues Manager gave details of the key issues with regard to revenues including the percentage of Council Tax collected in the year, the percentage of business rates collected and the cost of collecting Council Tax per chargeable dwelling. Members were advised of the overall performance of the unit together with details of recorded complaints.

The Revenues Manager explained that over 93% of the existing bus pass database had been successfully replaced and a further 4,150 new passes had been added. The database total was now approximately 15,450. An electronic database was now compiled which held all necessary personal details and digital photographs and by regular maintenance should be able to cope with any major changes in the future without too much inconvenience to the public.

In January 2007, it was hoped that the Council would be in a position to assist those who were registered disabled and needed help on and off buses by allowing free travel for a carer to help them. Details were still awaited on the National Travel Scheme which was to be introduced by April 2008.

The Chair queried if the District Council was ready to publicise the scheme for carers of the registered disabled. The Revenues Manager explained that all District Councils must agree before publicising the new partner scheme.

The Revenues Manager, in response to a feedback request on the concessionary scheme in general, explained that a questionnaire was being circulated to over 600 pass holders and the results would be circulated in February.

The Benefits Manager gave details of the key issues with regard to benefits in particular, performance on benefit claims, the average time for completing changes in circumstances and the amount of benefit paid correctly. Turnaround times for new applications had reduced to previous years.

Service Delivery Scrutiny Committee - 8th January, 2007

The District Council continued to work jointly with the Pension Service in respect of local surgeries in conjunction with Durham County Council Welfare Rights, the Pension Service and other service providers. The Council had launched a Council Tax Benefit Take-Up Campaign with events throughout the District.

As a result of the work in take-up, the District Council had been invited to participate on a national committee which were considering the effect of benefit initiatives on local authorities which included statutory bodies such as the DWP and Pension Service.

Throughout the year to date, there had been eight prosecuted cases of fraud and thirty-two formal cautions. Quarterly reported figures in respect of fraud visits showed top quartile performance and projected annual figures indicated that the target set by the DWP would be reached.

The on-line benefit applications was now at the testing stage which would allow residents in the District to assess their entitlement to not only housing benefit and Council Tax benefits but also pension credit. If they were entitled to benefit their application could be sent to the Benefit Office electronically.

Details of the Best Value Service Improvement Plan were set out in Appendix 2 to the report and achievements and non-achievements were detailed in Appendix 3.

The Department for Works and Pensions had now revised their performance scoring, scoring on a grade from 1 to 4, 1 being worst and 4 being the best. The District Council was graded 4 on two performance measures, grade 3 on three performance measures and grade 2 on one performance measure. Bookmarks were to be provided to pharmacies, doctors surgeries and libraries explaining how to access benefits.

A Member referred to a change in some recording of performance indicators and queried if the Benefits Section was equipped to deal with it. The Benefits Manager explained that regulations were changing for visits called interventions of which there were approximately 6,500 per year. Visits only counted towards targets if the benefit was reduced. The DWP's housing matching service would be used and all information sent to them. He intended for the visiting team to be more flexible and a training programme was to begin at the end of the week.

The Chair thanked the Officers for their reports.

RESOLVED information given, be noted.

(iii) **Sickness Monitoring**

Consideration was given to the report of the Head of Personnel which appraised Members of the current situation with regard to sickness monitoring across the Authority, a copy of which had been circulated to each Member.

The Personnel Services Officer explained that Members were informed at the meeting of the Service Delivery Scrutiny Committee held in July that the corporate rate of sickness absence had reduced to 8.7 days per employee in the twelve months to the end of March 2006. This was the best corporate figure that the Council had achieved so far.

Service Delivery Scrutiny Committee - 8th January, 2007

The quarterly sickness monitor for 2006/7 showed that the twelve months to the end of September 2006 produced a figure of 9.2 days per employee. This reflected the TUPE transfer back to the Council of approximately sixty Care Services employees, however, by the end of October 2006 the corporate rate had reduced to 8.7 days per employee. In a national context, this performance was just short of top quartile, currently 8.5 days.

The Chief Executive sent a message of thanks to all employees for their efforts during 2005/6 and wrote to each individual employee who had no sickness during that same period to recognise their special achievement.

An updated league table was produced at Appendix A which illustrated the number of days lost to sickness per employee and was listed in order from best to worst. Members could see the trend of absence in each work area.

East Durham Homes statistics also showed improvement last year. The overall sickness rate had reduced from 15.8 days per employee per annum in 2004/5 to 13.5 days in 2005/6. EDH's current sickness rate had remained static at 13.5 days per employee.

Charts showing the Council's performance against the Durham and Northumberland District Councils over the last three years were detailed at Appendix B.

The Head of Personnel explained that managers and employees were utilising the Council's home working policy where this was appropriate in order to help reduce sickness absence. The flexible working scheme had been amended to record the incidence of home working so that its take-up in future could be monitored.

The Council continued to receive feedback from Durham City Council in relation to the operation of a scheme to report sickness through a bank of qualified nurses. They had commissioned a twelve month trial of the service and the Council was continuing to receive feedback from them.

The holistic approach to reducing sickness absence had been recognised during 2006. The Council was presented with the Working for Health Care in County Durham Silver Award for health promotion in the workplace. The type of activity was, for example, exercise/fitness tasters, healthy lifestyle events, free medical assessments, men's health assessments, free flu jabs and smoking cessation sessions.

The Council's review of its smoking policy and introduction of "No Smoking" work rules was recognised by the National Clean Air Award Scheme and the Council had been awarded the "Gold Award" for their efforts.

A Member congratulated Officers on reducing the sickness but queried why, in every local authority, the benefits section produced a high rate of sickness. The Benefits Manager explained that benefits was a frontline service and was a very stressful job. He did operate within the sickness guidelines although there were some staff on long-term sick. The Head of Personnel explained that the Benefits Manager had been very proactive and wherever he could, had redesigned jobs.

The Chair thanked the Officer for his report.

Service Delivery Scrutiny Committee - 8th January, 2007

RESOLVED that the information given, be noted.

7. **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 following item of business, not shown on the Agenda, be considered as a matter of urgency.

8. **UNAUTHORISED TRAVEL ENCAMPMENTS (AOB)**

A Member queried when the report on unauthorised travel encampments would be considered. The Scrutiny Support Manager explained that the draft policy had been considered by the Scrutiny Management Board the previous week and the report had been referred to the next meeting of the Service Delivery Scrutiny Committee.

RESOLVED that the information given, be noted.

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