



## RECORD OF EXECUTIVE DECISIONS

The following is a record of the decisions taken at the meeting of **CABINET** on **THURSDAY 5 FEBRUARY 2009**.

These decisions will come into force and may be implemented from **16 FEBRUARY 2009**, unless the Overview and Scrutiny Management Committee or its Committees object to any such decision and call it in.

### **Durham Private Sector Housing Renewal Financial Assistance Policy [Key Decision Corp/LGR/11/08]**

#### **Summary**

The Cabinet considered a Report of the Corporate Director, Regeneration and Economic Development about the 'Durham Private Sector Housing Renewal Financial Assistance Policy'.

The fundamental basis of the proposed policy is to offer practical assistance and advice for those who have their own financial resources or are able to access finance themselves and subject to available funding provide financial assistance for those who do not have their own resources or are unable to access finance in any way themselves, or in some circumstances where works are not financially viable. The proposed policy includes a range of flexible loan products and grants for those who are unable to make repayments and for those who have insufficient equity to benefit from equity based products. The grant assistance will be repayable to the Council at the time that the Client sells their home, or upon their death, should the value of their home or their personal circumstances have improved to enable them to repay. The Policy includes a range of ways in which Clients can be exempt from repaying grant assistance should they be placed in undue hardship as a result of repayment. A key principle of the Policy is the flexibility to tailor financial assistance to an individual's financial circumstances, and where appropriate to use the services of an Independent Financial Advisor to make sure that any assistance provided is right for the Client, and that the Council is lending, or grant assisting in a responsible way.

The 3 key objectives of the policy are: -

- 1) To improve and maintain healthy living conditions within private sector housing, specifically helping homeowners on limited incomes to repair, improve or adapt their properties and so facilitate independent living;

- 2) To contribute to the regeneration of areas suffering from market vulnerability, and to tackle poor housing conditions in areas where these may contribute to neighbourhood decline;
- 3) To encourage owners to undertake works that will make their homes more energy efficient and to reduce the number of people affected by fuel poverty.

## **Decision**

The Cabinet approved the Durham Private Sector Housing Renewal Financial Assistance Policy, and agreed that the Head of Housing in consultation with the Portfolio Holder has delegated authority to approve and amend any related procedures that are produced, which underpin the Durham Private Sector Housing Renewal Financial Assistance Policy.

## **Civil Contingencies Unit**

### **Summary**

The Cabinet considered a Report of the Assistant Chief Executive outlining the issues around the future of the County Durham and Darlington Civil Contingencies Unit (CCU) and proposing the Unit's return to Durham County Council (DCC), as the 'lead' local authority.

The Local Government Review process provides a timely opportunity for both authorities, in partnership with the Local Resilience Forum (LRF), to further build upon and transform existing civil contingencies arrangements, in order to not only meet a rapidly expanding civil contingencies portfolio but to also establish a 'flagship' CCU which is considered to be a local, regional and national centre of best practice and excellence. This process will be more effectively achieved by the local authorities assuming direct control of the CCU in order to manage its future strategy and delivery mechanisms.

### **Decision**

The Cabinet agreed that the Civil Contingencies Unit return to the County Council as the 'lead' authority for the unit, with the Assistant Chief Executive taking responsibility for the recommended actions as detailed in section 4A of the report.

## **Ceremonial Issues arising from the Local Government Review – Update**

### **Summary**

The Cabinet considered a Report of the Acting Director of Corporate Services making recommendations on various ceremonial matters and highlighting further emerging legislation. The report clarifies what is intended to be included in these transfers.

It is anticipated that, with effect from 1 April 2009, the Charter Trustees Regulations 2009 (currently in draft form) will govern matters relating to

Durham City and, in particular, the role of the Trustees for that area, the discharge of their functions and accommodation.

Steps have also been to take further the arrangements for the transfer of civic and ceremonial property where agreement has been reached.

#### Charter Trustees: New Regulations

- The Charter Trustees will comprise all members representing electoral divisions in the current Durham City area, a total of 22 members.
- Appointment of additional Charter Trustees: the Charter Trustees may appoint up to 3 councillors from outside their area (but within the area of the unitary council) to be Charter Trustees.
- Charter Trustees will be precepting authority for the purposes of Section 39 of the Local Government Finance Act 1992.
- Accommodation: the new Unitary Authority will be under an obligation to provide accommodation for the discharge of the functions of the Charter Trustees.

#### Transfer of Civic and Ceremonial Property

Cabinet previously approved a protocol for dealing with district artefacts, insignia etc. In the case of Sedgefield Borough Council, the local wishes are that civic and ceremonial property held by the Borough Council be transferred to Sedgefield Town Council. The intention is that these items will be displayed as part of a heritage centre. In addition, the Borough Council holds some property associated with historic areas of Darlington and it is proposed to transfer that property to Darlington Borough Council.

Inventories of civic and ceremonial property held by other District Councils are being prepared and it is anticipated that further requests for transfers of such property to appropriate parish and town councils will be made between now and 1 April 2009.

#### **Recommendation**

The Cabinet noted the position relating to the proposed Charter Trustees for Durham City and approved the proposals above and authorised the Acting Director of Corporate Services to agree such requests from District Councils, within the terms of the protocol and in consultation with the Cabinet portfolio holder for Resources.

#### **Local Area Agreement (LAA) Review (2009 – 11)**

##### **Summary**

The Cabinet considered a Report of the Assistant Chief Executive providing a review of the County Durham Local Area Agreement (LAA) for the period 2009 -11 and outlining the timetable for its completion. Following a

comprehensive review it is proposed that the LAA 2009 – 11 designated and local indicators remain unchanged, but the Council should initiate further negotiation on the economic and housing targets.

Work to complete baselines and targets will be completed by the thematic partnerships following receipt of Place Survey information.

Full Council will be asked to sign off the LAA in February 2009, with a request that agreement of outstanding targets be delegated to the Leader in discussion with the Chief Executive.

### **Decision**

The Cabinet agreed the proposed arrangements set out above.

## **South and East Durham New Growth Point [Key Decision BSE/LGR/12/08]**

### **Summary**

The Cabinet considered a Report of the Corporate Director, Regeneration and Economic Development providing an update on the progress of the South and East Durham New Growth Point, advising on the Government funding awarded (and confirm that the County will inherit accountable body status for the processing of such funds) and the next steps.

The Growth Fund is un-ringfenced and can be spent according to the Council's assessment of which schemes merit prioritisation. This process is to commence with a view to ensuring that key projects can begin to enable housing growth at the start of 2009/10. The Homes and Communities Agency will be taking over administration of the Growth Funding from CLG and will be the main point of contact in the future.

The Growth Point will offer the authority to develop plans which can assist in the delivery of sustainable communities. Housing Growth will be dovetailed with economic development; environmental enhancements and social care, health and education improvements. The current Sustainable Communities Inspection is using the Growth Point as a 'probe' to understand and inform the authority's overall approach to sustainable Communities delivery.

### **Decision**

The Cabinet noted the contents of the report and agreed that the new accountable body for Growth Funds be Durham County Council.

## **Harmonisation of Household Waste Collection Policies [Key Decision ENV/LGR/19/08]**

### **Summary**

The Cabinet considered a Report of the Corporate Director, Neighbourhood

Services outlining the current position regarding waste collection policies from across the seven existing Districts in County Durham and seeking views on the adoption of a harmonised set of policies, effective from 1<sup>st</sup> April 2009 as part of a programme of work towards converged collection arrangements for the new Council.

#### Household Waste Collection Policy Summary

<b>Policy Area</b>	<b>Proposal</b>	<b>Reason</b>	<b>Implementation</b>
Assistant pull-outs	Adopt consistent countywide criteria for qualification for an assisted pull-out as detailed in Appendix 3 to the report.	Assists vulnerable / infirm residents.	Retain all existing assist lists, and continue service to these households. Standardised qualifying criteria in operation from 1 <sup>st</sup> April 2009.
No side waste	Continue current practice of not collecting side waste.	Promotes recycling	Continue current practice. Standardise to allow for side waste during the Christmas period.
Putting out receptacles for emptying	Standardise approach: should put their bin out between 6 pm the night before 7 am on collection day, with a return to the property on the evening of collection day.	Reduces litter from spillages, as well as reducing risks of wheelie bin fires.	Implementation from 1 <sup>st</sup> April (already current practice in most Districts).
Additional residual bins to households	Additional wheelie bin provided free, (on request) for households with 6 or more, or other demonstrable need, including medical circumstances. Households, not qualifying, following recycling advice, can have the opportunity to purchase an extra bin for £20 and pay £30 collection costs per annum.	Recognise the different needs of households whilst promoting recycling.	Implementation from 1 <sup>st</sup> April.  Scope for bin "amnesty" to households no longer requiring more than 1 bin. This will build up a supply of spares.
Bin replacement	Continue current practice in most Districts that bins replaced / repaired free of charge unless it can be clearly demonstrated that it is due to negligence by the householder.	Pragmatic approach to wheelie bin replacement.	Continue current practice.  This can be kept under review.

## Decision

The Cabinet adopted the proposed waste collection policies for the new Council as set out in the Report.

## Garden Waste Collection and Composting Service: Plans for Extension

### Summary

The Cabinet considered a Report of the Head of Direct Services seeking agreement to the operational details for the extension of the garden waste collection waste.

The new areas to be covered by the garden waste collection service are as shown in the plans attached at appendix 3 to the report.

The new areas to be added include the following: -

<b>Durham City</b>	<b>Sedgefield Borough</b>	<b>Chester-le-Street</b>	<b>Derwentside</b>
Newton Hall, Framwellgate Moor, Carville, Brandon, Esh Winning, Bearpark, Ushaw Moor, Bowburn, Belmont, West Rainton and Witton Gilbert	Newton Aycliffe, Shildon, Chilton, Ferryhill, Kirk Merrington, Byers Green, Sedgefield, Spennymoor, Fishburn, Cornforth Trimdons, Bishop Middleham and Mainsforth	Lumley, Burnmoor, Chester, North Lodge, Urpeth Grange, Pelton, Pelton Fell, Fence Houses, Ouston, Nettlesworth, Perkinsville, Waldrige and Sacriston	Shotley Bridge, Blackhill, Iveston, Burnopfield, Burnhope, Delves, Castleside, Craghead, Consett, Meadomsley, Esh, Leadgate, Annfield Plain and Stanley

## Decision

The Cabinet approved the operational arrangements and the new areas to be covered by the garden waste collection service (as shown in the maps in Appendix 3).

In addition the Cabinet approved agreements to be entered into with 4 companies with suitable facilities within the County to carry out the composting of the collected garden waste.

The Cabinet also noted that an investigation into the implications of extending the garden waste collection service further is being undertaken and a further options report will be brought in due course.

The Cabinet also approved the return of DEFRA grant funding of £100,000 back to the Waste Resources Action Programme (WRAP programme) to facilitate in the participation of the discounted purchase of composting bins of £8 for 220 litre bins and £12 for 330 litre bins.

## **Sub-Regional Homelessness Strategy [Key Decision SHSC/LGR/14/08]**

### **Summary**

The Cabinet considered a Report of the Corporate Director, Regeneration and Economic Development seeking approval for the County Durham Sub Regional Homelessness Strategy from July 2008 covering the period to 2013. The Homelessness Act 2002 places a duty on the Local Housing Authority to produce a Homelessness Strategy, which must include a review of current services and performance over the previous 5 years, against the action plan put in place following the first strategy developed in 2003.

The Strategy has three objectives:

- 1) To prevent homelessness: to further ensure that there is a comprehensive, prevention and housing options focused service across County Durham delivering advice and assistance to all in housing need.
- 2) To ensure that sufficient, appropriate and affordable accommodation is available for people who are homeless or at risk.
- 3) To support people who are homeless or who are at risk of repeat homelessness.

A Housing Options Policy has been produced in accordance with the strategy as a guide for staff and users, which broadly outlines the services that will be delivered across the County.

### **Decision**

The Cabinet approved the County Durham Sub Regional Homelessness Strategy and agreed that the Head of Housing, in consultation with the Portfolio Holder, be granted delegated authority to approve and amend any related policies and procedures that are produced, which underpin the Durham County Homelessness Strategy.

Lesley Davies,  
Acting Director of Corporate Services

9 February 2009