

CABINET

Thursday,
3 February 2005
10.00 a.m.

Conference Room 1,
Council Offices,
Spennymoor

AGENDA and REPORTS

AGENDA

1. APOLOGIES**2. DECLARATIONS OF INTEREST**

To notify the Chairman of any items that appear in the agenda in which you may have an interest.

3. MINUTES

To confirm as a correct record the Minutes of the meeting held on 20th January 2005. (Pages 1 - 6)

OTHER DECISIONS**4. CONSULTATION ON PRIVATE FINANCE INITIATIVE TO DEVELOP NEW COMMUNITY FIRE STATIONS AND A REGIONAL LIFE SKILLS CENTRE**

Overview and Scrutiny Committee 3 at its meeting on 1st February 2004 will receive a presentation on the above from Fire and Rescue Service Officers. The committee's views will be presented to Cabinet to enable a formal response to the consultation to be agreed and forwarded to the County Durham and Darlington Fire and Rescue Service before the closing date on 4th February 2005. Correspondence received from the Fire and Rescue Service is attached for members' information. (Pages 7 - 12)

5. OVERVIEW & SCRUTINY COMMITTEE 3

To consider the minutes of the meeting held on 1st February 2005. (Pages 13 - 16)

REGENERATION PORTFOLIO**6. VIEW: SHAPING THE NORTH EAST - REGIONAL SPATIAL STRATEGY CONSULTATION DRAFT**

Joint report of Director of Neighbourhood Services and Head of Strategy and Regeneration (Pages 17 - 26)

7. SPENNYMOOR TOWN CENTRE PROGRAMME - CONTRACT NEGOTIATION

Report of Director of Neighbourhood Services. (Pages 27 - 30)

RESOURCE MANAGEMENT PORTFOLIO**8. PROPOSALS FOR LAND REGISTRATION PROJECT FROM HM LAND REGISTRY, DURHAM**

Report of Solicitor to the Council. (Pages 31 - 34)

9. CONFERENCES

Report of Chief Executive Officer. (Pages 35 - 36)

SUPPORTING PEOPLE PORTFOLIO**10. SAFEGUARDING CHILDREN POLICY AND PROCEDURE**

Report of Head of Strategy and Regeneration. (Pages 37 - 70)

SUPPORTING PEOPLE/REGENERATION PORTFOLIOS

11. SURE START LOCAL PROGRAMME: SHILDON AND NEWTON AYCLIFFE WEST: CAPITAL PROGRAMME

Report of Head of Strategy and Regeneration. (Pages 71 - 78)

12. ANY OTHER BUSINESS

Lead Members are requested to inform the Chief Executive Officer or the Head of Democratic Services of any items they might wish to raise under this heading by no later than 12 noon on the day preceding the meeting. This will enable the Officers in consultation with the Chairman to determine whether consideration of the matter by the Cabinet is appropriate.

N. Vaulks
Chief Executive Officer

Council Offices
SPENNYMOOR
26th January 2005

Councillor R.S. Fleming (Chairman)

Councillors Mrs. A.M. Armstrong, Mrs. B. Graham, A. Hodgson, M. Iveson, D.A. Newell, K. Noble, J. Robinson J.P and W. Waters

ACCESS TO INFORMATION

Any person wishing to exercise the right of inspection in relation to this Agenda and associated papers should contact Gillian Garrigan, on Spennymoor 816166 Ext 4240

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Item 3

SEDGEFIELD BOROUGH COUNCIL CABINET

Conference Room 1,
Council Offices,
Spennymoor

Thursday,
20 January 2005

Time: 10.00 a.m.

Present: Councillor R.S. Fleming (Chairman) and

Councillors Mrs. A.M. Armstrong, Mrs. B. Graham, A. Hodgson,
M. Iveson, D.A. Newell, K. Noble, J. Robinson J.P and W. Waters

In

Attendance: Councillors Mrs. B.A. Clare, Mrs. K. Conroy, Mrs. J. Croft, V. Crosby,
G.C. Gray, Mrs. J. Gray, D.M. Hancock, J.E. Higgin, Mrs. L. Hovvels,
J.G. Huntington, G. Morgan, B.M. Ord, Mrs. E.M. Paylor, J.K. Piggott,
A. Smith, Mrs. I. Jackson Smith and J. Wayman J.P

CAB.131/04 DECLARATIONS OF INTEREST

It was noted that Councillor K. Noble would be declaring a prejudicial interest in Item No. 7 – Operation of School Pools At Fishburn and Thornhill Gardens, Shildon as he was a member of a local Steering Group which had been set up to consider the possibility of taking over the operation of the pool.

CAB.132/04 MINUTES

The Minutes of the meetings held on 6th and 13th January 2005 were confirmed as correct records and signed by the Chairman.

CAB.133/04 AUDIT COMMISSION - ANNUAL AUDIT AND INSPECTION LETTER

Consideration was given to the above. (For copy see file of Minutes).

Catherine Andrew and Sarah Diggle from the Audit Commission were in attendance to present the letter and answer questions.

It was reported that the letter summarised the conclusions and significant issues arising from the Audit Commission's 2003/2004 audit and inspections of the Council.

Specific reference was made to the good progress that the Council was making in implementing the actions set out in a new Corporate Plan to deliver its corporate ambitions and address the weaknesses identified by Comprehensive Performance Assessment (CPA). It was noted that a number of strategies had been developed to improve performance and steady progress was being made across most areas

It was, however, pointed out that the measurement of the extent of progress and the assessment of the effectiveness of the actions was

partially hampered by the lack of key and relevant measures that would demonstrate the success in achieving some of the community outcomes.

With regard to services for young people, it was reported that the services provided by the Council had been judged to be fair, with promising prospects for improvement. Key strengths included the Council's understanding of the area and the needs of young people, its prioritisation of services for young people, its strong partnership working for the services and the active involvement in the LSP Young Peoples Partnership.

Members noted that the Council's overall Corporate Governance arrangements were considered satisfactory in most key areas. The Council's accounts had again been produced early to a high standard and had been given an unqualified audit opinion on 25th November 2004.

Specific reference was also made to the consultation document regarding the changes proposed to Comprehensive Performance Assessment and the introduction of Direction of Travel Assessments.

RESOLVED : That the report be received.

CAB.134/04 SERVICES FOR CHILDREN AND YOUNG PEOPLE - AUDIT COMMISSION INSPECTION FINDINGS AND ACTION PLANNING

Consideration was given to a report setting out the findings and the recommendations of the Audit Commission in respect of the Council's services for children and young people. (For copy see file of Minutes).

It was reported that the Audit Commission had rated the Council's services as fair (one star), with promising prospects for improvement and had recommended the following four broad areas for improvement:

- Setting out formally the Council's approach towards services for Young People in a Young People's Charter.
- Ensuring that services were focused on outcomes
- Determining the value for money of the existing approach
- Developing a structured consultation framework

It was noted that an Action Plan had been prepared to address the four improvement areas and two issues that had emerged from the self-assessment process – the co-ordination of services and safeguarding of children.

It was proposed that an Officer Working Group be established to develop and deliver the Action Plan, in accordance with the Audit Commission's three months deadline.

RESOLVED : 1. That the findings and recommendations of the Audit Commission in respect of Council services for Children and Young People, as

set out in its report of December 2004, be noted.

- 2. That the Service Review Action Plan be developed and that an Officer Working Group be given delegated authority to develop the Plan as appropriate to achieve the overall objectives, within the agreed resource parameters.*

CAB.135/04 NEIGHBOURHOOD SERVICES - CCTV AND COMMUNITY ALARM CONTROL ROOM

Consideration was given to a report regarding the future development and management of the Council's community alarm and the CCTV services to meet the changing and developing markets. (For copy see file of Minutes).

The report sought approval for the Council to retain a combined control room, maintain 24 hour services for community alarms and CCTV from its own centre and enter into a three year agreement with Tunstall to operate a Hosted Services Technology Management System, at a gross cost of £45,000, with a net cost after savings of £18,000 in Year 1 and £8,000 in subsequent years.

It was explained that under a Hosted Services arrangement, Tunstall would provide and manage the technology necessary to receive and process calls from individual Carelink alarm units and then deliver the call, together with the associated data on the nature of the call, client details etc, to the Council's own monitoring centre. The arrangement would allow Sedgefield Carelink to monitor calls on behalf of the Borough and its partners or re-route calls to Tunstall Response, when appropriate.

It was pointed out that hosting offered access to the latest technology , without the need for the Council to invest in purchasing and accommodating such technology and associated infrastructure and would provide flexible options in terms of service continuity. It would also remove the requirement for an annual maintenance agreement.

With regard to the CCTV service, it was noted that early indications within the context of the Service Review suggested that scope existed to expand the service, both in terms of fixed cameras and mobile facilities, however, any expansion needed to be developed in accordance with a robust Business Plan.

The report also proposed that the post of Neighbourhood Services Manager, which was currently vacant, should be re-designated Neighbourhood Services Business Manager (POH), with a clear emphasis initially on driving forward the desired changes as detailed in the report and thereafter ensuring the services continued to respond to new and changing business opportunities. It also proposed that the posts of Carelink Safety Manager and Carelink Services Manager be

re-graded to take account of the additional operational management responsibilities.

- RESOLVED :**
- 1. That Option 1, detailed in the report, be adopted and a 3 Year Agreement be entered into with Tunstall, to operate a Hosted Services Technology Management System, at a gross annual cost of £45,000, with a net cost after savings of £18,000 in Year 1.*
 - 2. That the principles set out in the report regarding funding, expansion, development and management of the community alarm and CCTV service be agreed.*
 - 3. That the post of Neighbourhood Services Manager (POH) be re-designated Business Manager and the posts of Community Safety Manager and Carelink Services Manager be re-graded from POC to POF.*

N.B. In accordance with Section 81 of the Local Government Act 2000 and the Members' Code of Conduct, Councillor K. Noble declared a prejudicial interest in the following item and left the meeting for the duration of discussion and voting on the item.

CAB.136/04 OPERATION OF THE SCHOOL POOLS AT FISHBURN AND THORNHILL GARDENS, SHILDON

Consideration was given to a report regarding the above. (For copy see file of Minutes)

Members were reminded that Cabinet, at its meeting on 19th September 2002 had agreed to the transfer of Shildon and Fishburn School Pools to Sedgefield Borough Council from Durham County Council on the understanding that the running costs would be reasonable.

It was reported that the Fishburn Pool was operating reasonably within the staffing costs to income framework, whereas the Shildon Pool was not achieving that standard.

It was pointed out that if the Council continued to operate both pools within the existing activity programme for the 2004/05 financial year, the collective projected expenditure was £23,620 against a budget of £10,590. The anticipated operating costs for both pools in the 2005/06 financial year was £27,670.

Specific was made to the problems of water leakage at the Shildon pool, which had led to it being closed and drained on 11th January 2005. It was reported that the estimated cost of repairing the overflow channels of the pool was £10,000, which could increase to over

£15,000, if it was necessary to replace pipework.

Members' attention was drawn to the fact that 2005/06 revenue budget had been prepared on the assumption that the pool at Shildon would be closed in view of the costs of maintenance and the proximity of other swimming pools.

It was noted that Overview and Scrutiny Committee 2 at its meeting on 26th January 2005 would be considering in detail the revenue budget proposals for the culture and recreation portfolio, including the operating costs of both school pools.

- RESOLVED :**
1. *That the school pool at Thornhill Gardens, Shildon be closed.*
 2. *That the school pool at Fishburn be kept open, subject to its operating costs being closely monitored.*

CAB.137/04 CAR PARKING AT LOCOMOTION, NATIONAL RAILWAY MUSEUM AT SHILDON

The Lead Member for Culture and Recreation presented a report seeking approval to develop an overflow car park. (For copy see file of Minutes).

It was explained that local residents had expressed concern regarding their inability to park outside their own homes in view of visitors to the Locomotion parking their cars in the narrow streets adjacent to the museum.

Members noted that in the period 25 September 2004 to the end of December 2004, over 80,000 people had visited Locomotion, with 75% arriving by car.

Specific reference was made to discussions that were taking place with a town centre retailer regarding the use, particularly on Sundays, of hard standing within the town, which would be suitable for a park and ride facility.

It was also reported that discussions had been held with Durham County Council and the Police regarding the introduction a resident parking permit scheme in the narrow streets surrounding the museum, however there seemed to be a reluctance on the part of the County Council to develop the proposal. The Leader of the Council agreed to write to the Leader of Durham County Council regarding the need for such a scheme.

It was explained that the construction of an overflow car park on land shown on Plan 2 attached to the report, would provide an additional 48 car parking spaces and a further 4 coach spaces, bringing the total to 95 car parking spaces, 8 disabled spaces to 8 coach spaces. The proposal, which estimated to cost in the region of £65,000, would cater

fully for weekday demand and demonstrate to local residents that the Council was taking the issue of car parking very seriously.

- RESOLVED :*
1. *That the land shown at Plan 2 attached to the report be developed as an overflow car park.*
 2. *That monies be made available in the 2004/05 financial year from contingencies.*
 3. *That a letter be sent to the Leader of Durham County Council regarding the need to introduce a residents permit parking scheme in the vicinity of Locomotion.*

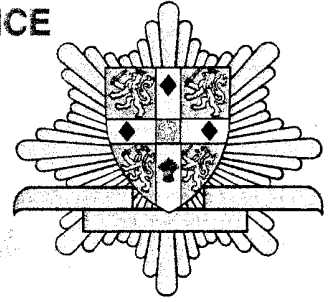
ACCESS TO INFORMATION

Any person wishing to exercise the right of inspection, etc., in relation to these Minutes and associated papers should contact Gillian Garrigan, on Spennymoor 816166 Ext 4240

COUNTY DURHAM AND DARLINGTON FIRE AND RESCUE SERVICE

Fire and Rescue Service Headquarters,
Framwellgate Moor,
Durham,
DH1 5JR

Brigade Manager Full Service: G.W. Herbert G.I.Fire E



Telephone: (0191) 384 3381 Fax: (0191) 383 0907
Email: ServiceHQ@ddfire.gov.uk
Internet: www.ddfire.gov.uk
Minicom Text Users Line: 0191 384 7840

Date: 7th December 2004

This matter is being dealt with by: Allan Wood

Ext: 278

Our Ref: AW/CT
Your Ref:

Mr Norman Vaulks
Chief Executive
Council Offices
Spennymoor
County Durham
DL16 6JQ

Please reply to: Allan Wood
Tel: (0191) 3324278
E-mail: awood@ddfire.gov.uk

Dear Mr Vaulks

Consultation on Private Finance Initiative to develop New Community Fire Stations and a regional Life Skills Centre

You will recall that we recently sent you a copy of County Durham and Darlington Fire and Rescue Authority's Integrated Risk Management: Draft Year 2 Improvement Plan consultation document and questionnaire. This opportunity to consult with you is an important and valued stage in our business planning process and we are keen to ensure the full views of all interested parties are taken into account when determining the delivery of a Fire and Rescue Service in the coming year.

One of key improvement proposals included in the consultation document was to *'work in association with the other North East Fire and Rescue Services to create new community fire stations and a regional Community 'Life Skills Centre' through a joint Private Finance Initiative scheme'*.

This major project is part of a regional bid by the four North East Fire and Rescue Authorities to secure up to £41.6 million of Private Finance Initiative funding for the provision of improved community safety and fire and rescue facilities for all who visit, work and live in the area.

We are now in the welcome position where we are able to provide you with further details of this proposal. Please find enclosed information on the Private Finance Initiative bid and the suggested locations of two new Community Fire Stations in the County Durham and Darlington area.

The results of consultation with residents, businesses and organisations play an essential role in the Private Finance Initiative decision-making process as to whether the project goes ahead. Subsequently, the Authority is now undertaking a specific consultation programme on the enclosed proposals for completion by Friday 4th February 2005. A consultation questionnaire has been enclosed for you to complete, the Authority also welcomes any additional correspondence. This information and related questionnaire are also available from www.ddfire.gov.uk.

Further to initial contact with your Planning and Development team, I would be grateful if you would ensure that Elected Members are made aware of the information and the consultation exercise. I would also like to take this opportunity to invite you, or a representative from your office, and Elected Members to attend any one of the following consultation seminars (please note the following four seminars will also include consultation on the wider IRMP Improvement Plan proposals and have been circulated in our previous letter to you):



WARDED FOR EXCELLENCE

WORKING TO PROTECT AND IMPROVE
OUR COMMUNITIES
FIRE SPREADS IN MINUTES - SMOKE KILLS IN SECONDS -
HAVE YOU GOT A SMOKE ALARM?



INVESTOR IN PEOPLE

Presentation	Date	Time	Location
1	Monday 31 st January 2005	9.30 to 11.00am	Fire and Rescue Service Headquarters, Framwellgate Moor Durham DH1 5JR
2	Monday 31 st January 2005	6.30pm to 8.00pm	
3	Tuesday 1 st February 2005	9.30 to 11.00am	
4	Tuesday 1 st February 2005	6.30pm to 8.00pm	

In addition to the previously circulated dates above, we are also holding two Private Finance Initiative project open evenings as follows:

	Date	Time	Location
1	Tuesday 14 th December 2005	6.30pm to 8.30pm	Spennymoor Fire Station
2	Wednesday 15 th December 2005	6.30pm to 8.30pm	Bishop Auckland Fire Station

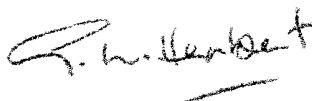
Should you, or a representative from your office, wish to accept this invite, I would ask that you please complete and return the tear-off slip at the foot of this letter using the contact details provided at the top of this letter.

For your information, copies of the information and questionnaire have also been sent to Elected Members and the Chief Executive of the County Council.

Alternatively, you can inform the Authority of your comments by completing and returning the attached questionnaire in the FREEPOST envelope provided by 4th February 2005.

I do hope you will take the time to consider our proposals and inform us of your views.

Yours sincerely



George Herbert
Brigade Manager – Full Service

Enc:
X.....

Name:.....

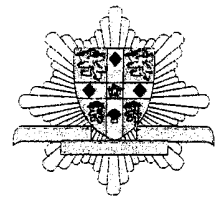
Organisation:.....

Date and time of presentation you wish to attend:.....

Number of attendees:.....

Signed:.....

Date:.....



COUNTY DURHAM & DARLINGTON FIRE & RESCUE AUTHORITY PROPOSAL TO DEVELOP TWO NEW COMMUNITY FIRE STATIONS

Information for residents, organisations and businesses

Background to the proposal

Over the past five years, over £200 million of funding has been made available by Government to the Fire and Rescue Service under the Private Finance Initiative (PFI).

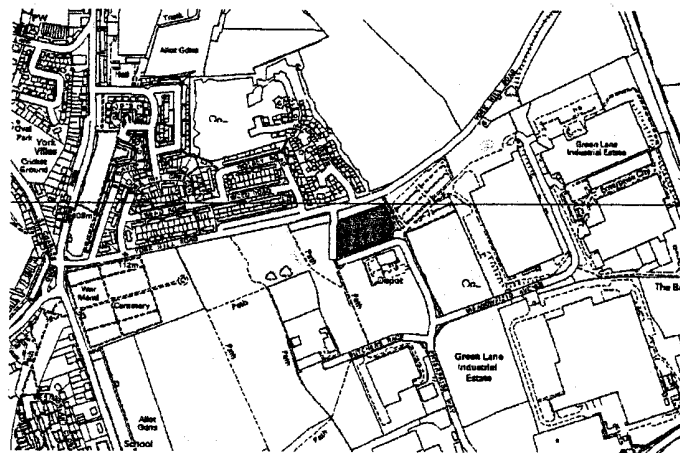
The current proposal forms part of a regional bid by the four North East Fire and Rescue Authorities to secure up to £41.6 million of this Private Finance Initiative (PFI) project funding for the provision of improved fire and rescue facilities in the region, including the development of a Community Lifeskills Centre to further community safety throughout the region, plus five new community fire stations, all with Community Safety Centres.

What are the proposals?

The proposals for the new Community Fire Stations will build on the current fire and rescue service provision and provide multi-media community safety training facilities for use by the Fire and Rescue Service, local residents and employers.

If the proposals go ahead, it is intended that Spennymoor Fire Station will be relocated to a new site in the Spennymoor area. Bishop Auckland Fire Station will be relocated close to the existing station.

PROPOSED LOCATION OF NEW COMMUNITY FIRE STATION IN SPENNYMOOR (shown in red)



PROPOSED LOCATION OF NEW COMMUNITY FIRE STATION IN BISHOP AUCKLAND (shown in red)



Why are you wanting to change the fire stations?

The current stations require improvements and do not have the facilities we need to provide valuable community safety training. The new stations will provide up to date equipment to protect and respond to incidents in the County Durham and Darlington area, as well as provide new training facilities for use by all who visit, live and work in the area.

Why are you consulting?

We have only completed the initial stage of the funding process. The next stage is the creation of an Outline Business Case. Your views and comments obtained through consultation will form an important part of creating this Outline Business Case. Your support will help us obtain the funding we need to take forward the proposals, however, if you don't agree with the proposals we need to hear this too.

Is it definite that the proposal is to go ahead?

As with all proposals there are a number of factors that may require the elected Members of the Authority to reconsider their proposals - these include results from the consultation exercise showing local communities are not in favour of the plans, planning objections or constraints, or a limited annual budget settlement that requires all our funds to be allocated to maintaining the current level of service.

If the proposal goes ahead, when will the new fire stations be ready?

It is expected the work on the sites will commence in September 2006, with the new fire stations ready for operation by December 2007.

Will there be any changes to firefighting crews?

As part of the relocation, one whole-time appliance and crew from Durham Fire Station will be relocated to the new station at Spennymoor to provide whole-time cover and one of the two existing retained appliances and crew from Spennymoor will be removed. This will result in improved fire and rescue cover within the Spennymoor area.

Firefighters at the new Spennymoor station will be required to respond to incidents in the Durham area when necessary and greater use will be made of the existing retained appliance and crew at Durham.

How have you chosen these sites?

Integrated Risk Management Planning was used to identify the proposed locations of the new Community Fire Stations.

Integrated Risk Management Planning utilises the Fire Services Emergency Cover (FSEC) modelling toolkit. This IT based risk assessment process analyses incident data, information from the 2001 Census and national data on emergency incidents to enable risk from fires in homes and other properties, along with the risk posed by other emergency incidents, such as road traffic accidents, to be quantified and the most effective location of resources for response and prevention work to be identified.

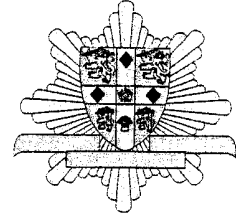
Where can I find out more?

Please contact Allan Wood, Area Manager Special Projects, at County Durham and Darlington Fire and Rescue Service by telephone on 0191 384 3381 or by e-mail at awood@ddfir.gov.uk.

Information on the proposals and a consultation questionnaire are both available from local fire stations, libraries and council offices. On-line information and a consultation questionnaire are both available from www.ddfire.gov.uk.

The deadline for comments is Friday 4th February – we hope to hear from you soon.

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CONSULTATION QUESTIONNAIRE

Proposals for Private Finance Initiative (PFI) funding bid for the development of Community Fire Stations in the County Durham and Darlington area and a regional Life Skills Centre.

County Durham and Darlington Fire and Rescue Authority has begun consultation on an exciting proposal to develop two new Community Fire Stations in the Thinford and Bishop Auckland area of County Durham and to support the building of a regional Life Skills Centre in the North East.

YOUR VIEWS AND FEEDBACK WILL INFLUENCE WHETHER OR NOT THESE PLANS GO AHEAD, PLEASE TAKE THIS OPPORTUNITY TO HAVE YOUR SAY.

The proposals for the new Community Fire Stations will build on current fire and rescue service provision and provide multi-media community safety training facilities for use by the Fire and Rescue Service, residents and businesses.

If the proposals go ahead, it is intended that Spennymoor Fire Station will be relocated to a new site in the Spennymoor area. Bishop Auckland Fire Station will be relocated close to the existing station.

As part of the relocation, one whole-time appliance and crew from Durham Fire Station will be relocated to the new station at Spennymoor to provide whole-time cover and one of the two existing retained appliances and crew from Spennymoor will be removed. This will result in improved fire and rescue cover within the Spennymoor area.

Firefighters at the new Spennymoor station will be required to respond to incidents in the Durham area when necessary and greater use will be made of the existing retained appliance and crew at Durham.

SPENNYMOOR:
(right) proposed location of new Community Fire Station



BISHOP AUCKLAND:
(right) proposed location of new Community Fire Station



YOUR VIEWS COUNT! – PLEASE TAKE A LITTLE TIME TO COMPLETE THE QUESTIONNAIRE OVERLEAF

Information on the proposals and a consultation questionnaire is also available from your local fire stations, library and council offices. On-line information and a consultation questionnaire is also available from www.ddfire.gov.uk.

1. How did you hear about this consultation exercise? (please tick)

Local media

Flyer through postbox

Letter

Other (please state) _____

2. Do you find the information we have provided regarding the proposals clear and easy to understand?

Yes

No

If no, why? (please state) _____

3. Do you have any views, comments or concerns on any of the following? If so, please state in the space provided (please attach additional sheets if necessary).

3a) Location of the new Community Fire Stations

3b) Design of the new Community Fire Stations

3c) Changes in location of Fire and Rescue provision

3d) Changes in crewing at local Fire and Rescue Stations

4. Would you consider using the new meeting room and training facilities at the proposed fire stations to promote community safety activities?

Yes

No

Possibly

Once completed, please return the questionnaire using the FREEPOST envelope if provided or by posting to County Durham and Darlington Fire and Rescue Service, IRMP Team, Service Headquarters, Framwellgate Moor, Durham DH1 5BR.

Name _____

Address _____

Organisation & Job Title (if applicable) _____

For further information, or information in alternative formats, please contact Allan Wood, Area Manager Special Projects, at County Durham and Darlington Fire and Rescue Service by telephone on 0191 384 3381 or by e-mail at awood@ddfir.gov.uk.

County Durham and Darlington Fire and Rescue Authority strives to demonstrate equality and fairness in every aspect of work. This questionnaire is available in alternative formats or languages, please contact us using the details provided above.

Data Protection Act 1998: We will keep the details you have given us on this form secure and will not disclose them to other organisations or third parties without your consent unless we are legally bound to do so.

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Item 5

SEDGEFIELD BOROUGH COUNCIL OVERVIEW & SCRUTINY COMMITTEE 3

Conference Room 1,
Council Offices,
Spennymoor

Tuesday,
1 February 2005

Time: 10.00 a.m.

Present: Councillor V. Crosby (Chairman) and

Councillors D.R. Brown, Mrs. B.A. Clare, G.C. Gray, M.T.B. Jones,
J.P. Moran, B.M. Ord, R.A. Patchett, Mrs. C. Potts, A. Smith and
Mrs. C. Sproat

In

Attendance: Councillors Mrs. K. Conroy, Mrs. J. Croft, Mrs. B. Graham, B. Meek,
Mrs. E.M. Paylor, Mrs. I. Jackson Smith and T. Ward

Apologies: Councillors Mrs. L. Smith

OSC(3)22/04 DECLARATIONS OF INTEREST

No declarations of interest were received.

OSC(3)23/04 MINUTES

The Minutes of the meetings held on 14th December, 2004 and 27th
January, 2005 were confirmed as correct records and signed by the
Chairman.

OSC(3)24/04 VIEW: SHAPING THE NORTH EAST - REGIONAL SPATIAL STRATEGY CONSULTATION DRAFT

Consideration was given to a joint report of the Director of
Neighbourhood Services and Head of Strategy and Regeneration (for
copy see file of Minutes) outlining the Regional Spatial Strategy which
set out a long term Strategy for Spatial Development in the North East
to 2021.

Once approved the Regional Spatial Strategy would form part of a
Statutory Development Plan for the Borough. The Council's Local
Development Framework would have to be in general conformity with
the Spatial Strategy.

It was explained that consultation draft Regional Spatial Strategy was
an aspirational document seeking to reduce the economic disparities
between the North East and the rest of England.

The key issues raised by the draft Regional Spatial Strategy
Consultation for Sedgefield Borough were : the introduction of the City
Regions, the development potential of NetPark, the need to provide for
stable population and to ensure that planned housing market
restructuring programmes were recognised and promoted.

A draft formal response to the consultation document and the key issues was appended to the report. (For copy see file of Minutes).

It was explained that the consultation period would finish on Friday 4th February, 2005. In March, the revised document had to be submitted to the Government Office for the North East.

In response to a query raised by Members in relation to the projected figure for employment at Net Park, it was explained by officers that the County Strategy assumed 5,000 jobs would be created on NetPark.

The Committee also queried in relation to Transport and Tourism whether steps were being taken to improve travel links. Officers explained that the Council was engaged in looking at upgrading to Newton Aycliffe Station, etc.

It was noted by Members that it was an aspirational document and a query was raised as to sustainability. Officers explained that the document was based around certain scenarios and was realistic. It was about turning trends around and what could be regenerated especially in terms of what is achievable and setting a challenge. It was a process of moving forward.

Members also raised a query regarding the potential to create sustainable jobs at NetPark. In response officers explained that the investment at NetPark was mainly in science and technology, training etc., rather than manufacturing industries and that the future emphasis was going to be on ideas and intellectual capacity not physical capacity.

Reference was made by Members to the emphasis in the Regional Spatial Strategy on the Tees Valley and Newcastle areas. In response it was explained that the Strategy was trying to promote the region as a whole and the Borough depended on a strong regional economy. Sedgfield as a Borough, was ideally placed to take advantage of any regional growth.

Reference was also made by Members to the regional retail centres and the need to encourage further new development in town centres.

AGREED: That the draft responses outlined in the Appendix to the report be recommended to Cabinet as the formal response of the Council to the North East Assembly's consultation.

OSC(3)25/04 PRIVATE FINANCE INITIATIVE TO DEVELOP NEW COMMUNITY FIRE STATIONS AND A REGIONAL LIFE SKILLS CENTRE

It was explained that as part of the consultation process George Herbert, Chief Fire Officer and Allan Wood, Area Manager were present at the meeting to give a presentation on the above initiative.(For copy see file of Minutes)

It was explained that in December, 2003 the Government announced funding of £100m to support fire authorities in the underpinning of the modernisation of the Fire and Rescue Service. Bids were invited for Private Finance Initiative funding initiatives to assist in that objective.

The bids had to demonstrate how they would be consistent with the national framework document and how the proposals would allow for greater collaboration between the fire authorities and other emergency services.

The four Fire and Rescue Authorities in the North East Region decided to place a collaborative bid. As part of the proposals two new community fire stations, one at Spennymoor and one at Bishop Auckland were to be built. A Community Life skills Centre was also to be established.

Details of the proposals for Spennymoor were outlined together with the proposed location, facilities to be provided, staffing levels, appliances to be on site, the benefits of the new Station particularly in terms of response times, possible issues which could be involved in the new development and the possible timetable for the development.

The proposals for the new Community Fire Station at Bishop Auckland and the Community Life Skills Centre were also outlined

In response to a query regarding the location of the Life Skills Centre it was explained that it was likely to be based at Spennymoor. However, issues relating to criteria etc., needed to be addressed.

In respect of response times Members queried whether the 999 number was adequate or whether the Fire Service considered that they needed a separate number. In response it was explained that the Fire Service considered that 999 was the most appropriate number and the one which everyone had embedded in their minds.

Regarding a query from Members on the layout of the building, it was explained that the building would take account of the need for Firefighters to undergo extensive training and the need to make provision for Community Safety education.

The Committee also raised a query regarding false alarms and malicious calls and in particular whether the location of mobile phone calls could be traced. In response it was explained that the Service was trying to reduce the number of malicious calls through an number of initial questions being asked by the operator . As part of satellite navigation system, they were able to trace mobile phone call locations.

In respect of training courses it was explained that training courses would still be held at the Community Life Skill Centre.

The Chairmen then thanked the Chief Fire Officer and the Area

Manager for an extremely informative presentation.

AGREED : That the proposals be supported without prejudice to future planning applications.

OSC(3)26/04 WORK PROGRAMME

Consideration was given to the Committee's work programme (for copy see file of Minutes).

The Chairman of the Street Safe Initiative Review Group explained that the scoping and review of the Group had been agreed in September, 2004. Chief Inspector Hall had been present at a meeting in November, 2004 to give a presentation on the initiative and a number of questions were raised in relation as to how the Council could fulfil their role and how resources would be targeted. A further meeting would be held on 23rd February when the Director of Neighbourhood Services and Head of Neighbourhood Services would give a presentation.

The Chairman of the Regeneration of Neighbourhoods with older private sector housing explained that the Review was ongoing and a further meeting would be held on 9th March.

The Committee was also informed that one of Scrutiny Support Officers had been seconded to the Human Resources Section until September. In the meantime it was hoped that the absence could be managed so that the Scrutiny function was not adversely affected. Members however expressed their concern that this action could be detrimental the scrutiny function.

ACCESS TO INFORMATION

Any person wishing to exercise the right of inspection, etc., in relation to these Minutes and associated papers should contact Liz North Tel 01388 816166 ext 4237

Item 6

REPORT TO CABINET

3 February 2005

**JOINT REPORT OF
DIRECTOR OF
NEIGHBOURHOOD
SERVICES
AND HEAD OF
STRATEGY AND
REGENERATION**

Portfolio: Regeneration

**VIEW: SHAPING THE NORTH EAST - REGIONAL SPATIAL STRATEGY CONSULTATION
DRAFT**

1 SUMMARY

- 1.1 The consultation draft Regional Spatial Strategy (RSS) sets out a long-term strategy for spatial development in the North East to 2021. The Planning and Compulsory Purchase Act 2004 requires the development of the RSS and it will replace the existing Regional Planning Guidance for the North East (RPG 1). Once approved, the RSS will form part of the statutory development plan for the Borough. The Council's Local Development Framework (which will replace the current adopted Local Plan) will have to be in general conformity with the RSS.
- 1.2 The consultation draft RSS is an aspiration document, that seeks to reduce the economic disparities between the North East and the rest of England. In order to achieve this aspiration, the RSS seeks to place most new development within the conurbations and main towns within the Tyne & Wear and Tees Valley City Regions. The City Region concept links with the development of the Northern Way Growth Strategy. Both the RSS and Northern Way Growth Strategy place Sedgefield Borough within the Tees Valley City Region.
- 1.3 The key issues raised by this draft version of the RSS for Sedgefield Borough are the introduction of City Regions; the development potential at NetPark; the need to provide for a stable population; and, to ensure that planned Housing Market Restructuring programmes are recognised and promoted. A draft formal response to the consultation document is attached as Appendix 1 to this report.

2 RECOMMENDATION

- 2.1 That the Cabinet approves the attached Statement at Appendix 1 on the Regional Spatial Strategy as the formal response of the Council to the North East Assembly's consultation.

3 THE CONSULTATION DRAFT REGIONAL SPATIAL STRATEGY

City Regions

- 3.1 The Three Northern Regional Development Agencies (RDA's) in September 2004 submitted to the ODPM the 'Northern Way Growth Strategy' programme to facilitate and

sustain economic growth in the three Northern Regions (The North East, The North West & Yorkshire and the Humber). This is to address regional economic underperformance, labour market imbalance and a range of socio economic indicators, which illustrate the growing gap between the Northern Regions and the rest of the UK. The RSS will provide the land use interpretation of this Growth Strategy.

- 3.2 The locational strategy states that future development opportunities should be focused on the conurbations and main towns in the City Regions. In Sedgefield Borough, Newton Aycliffe, Spennymoor and Shildon are recognised as main towns in the Tees Valley City Region. The introduction of the City Region concept is broadly welcomed, however the RSS should recognise that within the City Regions, individual main towns also offer a variety of locational and sustainable development advantages. The inter-relationships between these centres and the larger conurbation areas are not fully explored in the current draft, for example in respect to the distribution of employment land and transport accessibility. In particular, it is felt the commentary on the Tees Valley City Region should give greater recognition to the economic contribution to the area of Aycliffe Industrial Park.

Housing Provision

- 3.3 The consultation draft RSS is an aspirational document, that seeks to reduce the economic disparities between the region and the rest of the country. Whilst the RSS seeks to put in place a bold economic framework in which to achieve the vision, it is more conservative in its housing ambitions. The housing policies put forward seek to re-balance the housing stock in the region with an emphasis on development in the conurbations and main towns. This will be achieved through a combination of demolition and replacement of old housing stock, and the development of new housing sites in sustainable, predominately urban locations. The policy objective underpinning this approach is to secure a greater concentration of housing development in the larger urban centres and conurbations and to reduce the so-called “urban flight” from these areas to the surrounding counties of Northumberland and Durham¹.
- 3.4 The outcome of this strategy for County Durham is a housing allocation that is less than that required to maintain a stable population with the risk it serves to undermine local objectives to deliver sustainable communities and restricts actions to promote physical renewal of the Counties housing stock and communities. Whilst the impact of this policy approach is less restrictive in Sedgefield Borough than elsewhere it will be detrimental to the Borough realising its full potential of available investment and development opportunities. It is therefore felt to be important that the Council supports a wider County Durham argument to seek amendments to the RSS that provides for a stable population level in the County over the period to 2021.
- 3.5 The RSS recognises the formal status of the Newcastle Gateshead Pathfinder and other renewal areas, such as the Durham Coalfield. This is strongly welcomed. It will however be important that in this regional context, the priority for Housing Market Restructuring in County Durham is maintained and not weakened to aid the promotion of similar conurbation based programmes. The Durham Coalfield Housing Market initiative equally supports the RSS’s strategy to achieve more sustainable communities,

¹ Within Sedgefield Borough, there is little movement of migration patterns between the Borough and the conurbations. The main migration movements are within the County boundary.

and is particularly important because of its contribution towards settlement renewal and physical regeneration in areas facing economic restructuring.

Employment

- 3.6 The RSS seeks to strengthen the region's economic competitiveness, by encouraging development within the City Regions it also links to the Region's Economic Strategy and its focus on the development of a strong knowledge based economy for the region.
- 3.7 NetPark is recognised as a regionally significant prestige employment location. However, at present the RSS only anticipates the development of 15 hectares of land by 2021, which relates solely to the current site. It is expected that this initial phase of development will be significantly committed by 2007. In order to maintain momentum and the critical mass of development necessary to create a regionally significant and self-sustaining location for scientific and technology based business development; there is a need for the RSS to allocate additional land to support the development of a wider NetPark area. It is therefore recommended that the RSS should identify a land allocation for NetPark (including the Phase 1 site area) of 77 hectares (gross) to encompass the area to the north of the present site bounded by the A177 and B1257 roads with the River Skerne forming the northern boundary. Within this area it is anticipated that developable sites of some 49 hectares could be provided with in the period of the RSS up to 2021.

Other Matters

- 3.8 The Consultation Draft RSS raises a number of other matters that the Borough should provide comments, such as the airport-related expansion of Newcastle and Durham-Tees Valley Airports and the importance given to the tourism sector of the economy. These matters are fully explored in Appendix 1.

4 RESOURCE IMPLICATIONS

- 4.1 There are no direct implications at this stage in the consultation process, though there might be additional impacts in terms of staff resources and on other priorities in promoting the Council's representations at any future Public Examination into the RSS on behalf of the ODPM.

5 CONSULTATIONS

- 5.1 The Regional Assembly as part of the preparation process for the RSS has engaged officers in numerous consultations. A report considering the implications of the RSS for the Borough will be presented to Overview and Scrutiny Committee 3 on 1st February. Any comments resulting from this consultation will be reported to Cabinet.
- 5.2 The current timetable for preparing the RSS is for its submission to the Secretary of State at the end of March 2005 following consideration of the issues raised through this consultation period. This will be followed by a Public Examination in January 2006. Final approval by the Secretary of State of the RSS is expected in the spring of 2006.

6 OTHER MATERIAL CONSIDERATIONS

- 6.1 In terms of environmental sustainability the draft RSS's proposals and policies have been subject to a Sustainability Appraisal report, produced by an independent consultancy. The RSS will also have an impact in the longer term on issues such as social inclusion and community safety issues. There are no risk management issues associated with the report.

7 OVERVIEW AND SCRUTINY IMPLICATIONS

- 7.1 As noted above the RSS consultation will be considered by Overview and Scrutiny Committee 3 on 1st February 2005.

8 LIST OF APPENDICES

- 8.1 Appendix 1 - Response of Sedgefield Borough Council to the Consultation Draft Regional Spatial Strategy.

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Telephone No: (01388) 816166 ext 4328
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Ward(s)
All

Key Decision Validation: This is not a Key Decision as the report relates to a consultation document

Background Papers

View: Shaping the North East – Regional Spatial Strategy Consultation Draft
RSS Background Technical Papers (10)
Sustainability Appraisal of the Consultation Draft RSS

Examination by Statutory Officers

	Yes	Not Applicable
1. The report has been examined by the Council's Head of the Paid Service or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The content has been examined by the Council's S.151 Officer or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. The content has been examined by the Council's Monitoring Officer or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. The report has been approved by Management Team	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Appendix 1

RESPONSE OF SEDGEFIELD BOROUGH COUNCIL TO THE CONSULTATION DRAFT REGIONAL SPATIAL STRATEGY

Sedgefield Borough is situated in the South of County Durham with a resident of population of 87,206 (Census 2001). The Borough contrasts modern and developing business and industrial areas, with a mix of rural and former colliery settlements. Strategically located for good access to both the Tyne and Wear and Teesside areas, Sedgefield is well placed to access many of the facilities in the North East, while also offering great potential for further development. This is evidenced through major projects such as NetPark and Locomotion, the National Railway Museum in Shildon demonstrate the Borough's contribution to the RSS's vision for the North East Region.

City Regions

The locational strategy states that future development opportunities should be focused on the conurbations and main towns in the City Regions. In Sedgefield Borough, Newton Aycliffe, Spennymoor and Shildon are recognised as main towns in the Tees Valley City Region. The Borough welcomes the broad City Region concept, in terms of land use planning opportunities, in both the RSS and Northern Way Growth Strategy. However, it should be recognised that within the City Regions, the conurbations and main towns offer a variety of locational and sustainable advantages. These inter-relationships are complex and not fully explored in the current draft. In particular, the Newton Aycliffe area with its major Industrial Park (including Heighington Lane West (see Policy 22) is not mentioned in the RSS yet in size terms, it is the second highest concentration of employment land in the Region behind the Team Valley Estate in Gateshead providing employment for some 8,500 people and accommodating approximately 250 companies across an area of 401ha. As such Aycliffe Industrial Park represents a major economic and employment generator within the Tees Valley area and should be recognised as such as the of the Tees Valley City Region description at para 2.55 (page 30).

Similarly, the economic and tourism value of the Darlington and Shildon areas in terms of railway heritage has not been fully recognised as part of the Tees Valley City Region context. This economic and tourism potential has now been enhanced by the development of 'Locomotion' – the National Railway Museum in Shildon.

It is important that the economic opportunities offered by the Aycliffe Industrial Park along with Newton Aycliffe and the connectivity of the Darlington-Bishop Auckland rail corridor for employment, retail and leisure activities, as well as serving some of the most disadvantaged communities in the South Durham part of the Tees Valley City Region is fully identified in the RSS to ensure that economic opportunities are maximised.

Sedgefield Borough Council therefore broadly welcomes the introduction of the City Region concept as expressed in the draft RSS but requests that the description of the area is amended at pages 29/30 to acknowledge the locational and sustainable

advantages offered by the main towns within the City Regions such as Newton Aycliffe; and the opportunities offered by Aycliffe Industrial Park, and the Darlington-Bishop Auckland rail corridor for employment, retail, residential and tourism activities.

Housing

It is accepted that the housing policies put forward in the RSS seek to re-balance the housing stock in the region with an emphasis on development in the conurbations and the larger urban centre so as to secure more sustainable patterns of development and reduce the so-called “urban flight” from these areas to the surrounding counties of Northumberland and Durham.

The outcome of this strategy for County Durham is a housing allocation that is less than that required to maintain a stable population with the risk it serves to undermine local objectives to deliver sustainable communities and to restricts actions to promote physical renewal of the Counties housing stock and communities. Whilst the impact of this policy approach is less restrictive in Sedgefield Borough than elsewhere, it will still be detrimental to, and have an adverse impact on the Borough realising its full potential in realising investment and development opportunities. The Council therefore wishes to see the RSS strategy for County Durham amended to provide for a stable population level in the County over the period to 2021 in line with other sub regional areas.

The RSS recognises the formal status of the Newcastle Gateshead Pathfinder and other renewal areas, such as the Durham Coalfield. This is strongly welcomed. It will however be important that in this regional context, the priority for Housing Market Restructuring in County Durham is maintained and not weakened to aid the promotion of similar conurbation based programmes. The Durham Coalfield Housing Market initiative equally supports the RSS’s strategy to achieve more sustainable communities, and is particularly important because of its contribution towards settlement renewal and physical regeneration in areas facing economic restructuring.

Sedgefield Borough Council objects to the RSS’s current housing strategy for County Durham as its implementation will effectively mean a planned decline in the County’s population which will have an adverse impact upon the renewal and economic potential of the Borough as well as the wider area of County Durham and the role the County could play in contributing to the renaissance of the North East.

The support expressed in the RSS for the Durham Coalfield Housing Market Renewal Programme is welcomed and this support should be maintained as it supports the RSS’s strategy to achieve more sustainable communities, and is particularly important because of its contribution towards settlement renewal and physical regeneration in areas facing economic restructuring.

Employment

The fact the RSS recognises NetPark as a regionally significant prestige employment location is welcomed. However, Policy 20 as drafted only anticipates the development of 15 hectares of land by 2021. This relates solely to the current site with planning permission and where development is underway. It is expected that this initial phase of development will be significantly committed by 2007. In order to maintain momentum and the critical mass of

development necessary to create a regionally significant and self-sustaining location for scientific and technology based business development; there is a need for the RSS to allocate additional land to support the development of NetPark.

The NetPark Development Framework anticipates a gross site area of some 77 hectares with development zones being created within a framework of structural landscaping that is to be laid out in advance of development demand to enable this structural infrastructure to mature and provide a high quality environmental setting.

It is therefore recommended that the RSS should identify a land allocation for NetPark (including the Phase 1 site area) of 77 hectares (gross) to encompass the area to the north of the present site bounded by the A177 and B1257 roads with the River Skerne forming the northern boundary. Within this area it is anticipated that developable sites of some 49 hectares could be provided within the period of the RSS up to 2021.

The diversification of the economic base in the region should be seen as paramount to the Region's long-term success. An essential element of this diversification is to provide a basis within which Small and Medium sized Enterprises (SMEs) can flourish and develop. It is important that the RSS provides the policy framework to high quality manufacturing companies to develop, as these companies will be less susceptible to changes in the world economy.

The RSS recognises that an important component of the employment portfolio of the Region is the provision of reserve sites for strategic inward investment. Identification of Heighington Lane West, Newton Aycliffe as one of the three such sites in the Region is welcomed and this helps to further strengthen the employment offer available in the Tees Valley City region area.

Table E1 provides a sub-regional breakdown of the supply of employment land. Within this table, there is a section on the proposed reduction of supply of employment land through the de-allocation of land. This table states that 35 hectares of employment land in County Durham (all of which is in Sedgefield Borough) is to be de-allocated out of a regional total of 515 hectares. This is not viewed as deliverable in the context of the review of the Borough's local development plan work.

It is recommended therefore that this Policy be amended to require Local Planning Authorities to critically review their existing industrial allocations as to their continuing requirements. This would accord with guidance ODPM has recently released for Local Authorities to assess the supply and demand of land for employment uses. The outcome of these studies will be used to quantify the extent of employment land to be de-allocated via Local Development Frameworks.

Sedgefield Borough Council welcomes the designation of NetPark as a regionally significant prestige employment location. However, given the evidence provided by the Masterplan work to produce a NetPark Development Framework, Policy 20 should be changed to provide a gross development area of 77 hectares with 49 net hectares of developable land to be developed by 2021.

The Borough Council further seeks the deletion of part of Table E1 that identifies the quantity of employment land to be de-allocated. This is an issue purely for Local Development Frameworks. Instead, some additional text should be included to request

local authorities to critically review their existing industrial allocations as to their continuing requirements. The outcome of these studies will be used to quantify the extent of employment land to be de-allocated in Local Development Frameworks.

The allocation of Heighington Lane West as a reserve employment site is welcomed.

Transport

The support given to the sustainable growth and expansion of Newcastle International and Durham-Tees Valley Airports for airport-related development is welcomed. However, it is important that the somewhat arbitrary restrictions placed on the growth Durham-Tees Valley airport in terms of passenger numbers should not unduly hamper the employment and economic potential of the Tees Valley City Region. The Region requires dynamic airports able to respond to opportunities. The RSS should therefore remove the anticipated growth in passenger numbers from Policy 23. It is however important that the growth in demand and economic activity associated with the airport is managed effectively in terms of the environmental and transportation impacts. There is a need for the Regional Transport Strategy and Local Transport Plans' to provide an integrated transport framework that enables the airport's economic growth potential to be realised in a manner that enables the employment opportunities created to be accessed across the City Region area.

The Borough welcomes the importance given to provide an effective regional transport network that ensures that the benefits offered by good transport links are secured by all socio-economic groups through accessibility to jobs, learning and other key public services. It is also important that the RSS encourages the delivery of goods from the South East of England by means other than heavy goods vehicles, such as by air, sea and rail. This could have a significant impact on the congestion levels experienced on the Region's motorways. It is important that the RSS provides a policy framework to enable this change in delivery pattern to occur. To some extent, the consultation draft RSS achieves this aim through the policies supporting development at the Region's airports and seaports. However, the RSS is currently weak on rail issues and it is therefore important that the RSS recognises the benefits offered by, and commits to the proposed Tursdale Road-Rail Freight Interchange, close to Durham City and to the north of the Borough.

Sedgefield Borough Council welcomes the support given to the sustainable growth and expansion of Newcastle and Durham-Tees Valley Airports' but that this expansion should be managed by reference to environmental and transport impacts, rather than by reference to passenger numbers.

In order to provide a balanced transport network, the Borough seeks the allocation of the proposed Tursdale Road-Rail Freight Interchange in the RSS.

Tourism

The tourism section within the consultation draft RSS is weak. It is important that the tourism policies are pro-active and encourages tourism opportunities. Examples of internationally/nationally known tourist attractions, such as the Alwick Gardens, Hadrian's Wall, the cultural vibrancy of Newcastle/Gateshead (e.g. Sage Gateshead), Durham Castle and Cathedral, and Locomotion – National Railway Museum in Shildon could be placed in the supporting text to highlight the North East Region's tourist assets. The tourism industry contributes about 10% of the employment opportunities in the North East Region and this

figure is rising. Policy 19 and its supporting paragraphs should reflect the growing importance of this sector to the regional economy and seek to promote these cultural and tourist assets.

Sedgefield Borough Council requests that Policy 19 and its supporting text are changed to take full account of the Region's cultural and tourism assets and its importance to the regional economy and quality of life.

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Item 7

REPORT TO CABINET

3rd February 2005

**REPORT OF
DIRECTOR OF
NEIGHBOURHOOD
SERVICES**

Portfolio – Regeneration

SPENNYMOOR TOWN CENTRE PROGRAMME – CONTRACT NEGOTIATION

1.0 SUMMARY

- 1.1 The important role of the Borough's key towns in attracting investment and providing vital community services has been recognised by the Borough Council and Local Strategic Partnership. The Council has made a financial commitment to strengthening the role of Spennymoor as a local shopping centre and bring about physical improvements which will challenge the image of the town and increase it's competitiveness.
- 1.2 Spennymoor town centre has been prioritised for support through the County Durham Single Programme Major Centres programme. An application to access £2.2 m of Single Programme resource to implement an improvement programme to enhance the environmental quality of the town centre has been approved by One NorthEast.
- 1.3 Design work for the improvement of the pedestrian link between the Asda store and High Street have been completed and approval has now been received from the County Durham Economic Partnership to progress construction of this phase of works.
- 1.4 This report seeks Cabinet approval to enter into negotiation with a specific named contractor to agree terms and an estimate of costs for the construction of Phase 1 of this pedestrian link.

2.0 RECOMMENDATION

- 2.1 That the report be received and noted.
- 2.2 That approval be given for the Director of Neighbourhood Services to enter into negotiations with Seymour (Civil Engineering Contractors) Ltd. to agree terms and costs for the construction of Phase 1 of the Asda/High St. footpath link.

3.0 BACKGROUND

- 3.1 Spennymoor Town Centre has been prioritised for support through the County Durham Single Programme Major Centres programme. An application to access £2.2 m of Single Programme resource to implement an improvement programme to enhance the environmental quality of the town centre has been approved by One NorthEast.

- 3.2 Cabinet first considered the proposals for the Spennymoor Town Centre environmental improvement programme in December 2003. The extent and financial implications of the improvement scheme were then further considered by Cabinet in July 2004 in the Regeneration Services Capital Programme 2004/05 report.
- 3.3 Several phases of highway realignment and paving works have now been successfully completed at the Western Gateway to the town and along the full length of the High Street. Soft landscaping works to these areas are to commence in February 2005.
- 3.4 Proposals to improve links within the town centre and with other edge of town attractions/facilities scheme form an important part of the improvement programme. A significant scheme to improve the link between the central area and the leisure centre was completed in March 2003 and current plans include upgrading the link between the town centre and ASDA. Design work and detailed cost estimates for this pedestrian link have been completed and approval has now been received to progress construction of this phase of works.
- 3.5 The immediate construction of the whole of this element of the project has been prevented due to conflict with the construction of the gymnasium extension to the Leisure Centre. However, there is a need to maximise expenditure in relation to grant funding within the current financial year and, as a consequence, it is proposed that the works be accommodated in two phases, phase 1 to be carried out with immediate effect and phase 2 to commence next financial year upon completion of the external works to the Leisure Centre.
- 3.6 In order to progress construction of Phase 1 of the scheme as expeditiously as possible it is considered that negotiation of the terms and costs of the works with a specific contractor would provide both financial and operational benefits. Negotiation would also allow early commencement of the works and obviously assist in maximising expenditure in the current financial year.
- 3.7 Seymour (Civil Engineering Contractors) Ltd. have recently completed the Spennymoor High Street scheme on behalf of the Council. The contract for this scheme was secured in open competitive tender and the works involved in the scheme are of the same nature as those proposed for the Asda/High St. pedestrian link. Therefore, in accordance with Contract Procedure Rule 8 of the Council's Constitution permission is hereby sought to enter into negotiations with Seymour (Civil Engineering Contractors) Ltd. with regard to establishing terms and costs for the provision of the proposed pedestrian link. All such negotiations to be based on the conditions and rates in the contract documentation for the recently completed 'Environmental Improvements – High Street, Spennymoor' contract.
- 3.8 A further report detailing the outcome of the negotiations will be presented to Cabinet for approval prior to entering into any contract.

4.0 FINANCIAL IMPLICATIONS

- 4.1 The Regeneration Services Capital Programme report to Cabinet in July 2004 detailed the financial implications and funding arrangements for the whole of the initiative.
- 4.2 The estimated cost for the hard landscaping works associated with the whole of the Asda/High St. link is £135, 000. Phase 1 of the works is estimated at £54,000 all of which will be met from Single Programme funding.

5.0 CONSULTATION

- 5.1 Consultation on proposals for the town centre has focused on the Spennymoor Town Centre Forum. The Forum has been fully engaged in shaping the proposals. A major consultation exercise was undertaken in the town centre over June and July 2003 which involved a public exhibition of the town centre proposals and a public meeting where members of the public were able to make comments on the proposals. More focussed , detailed public consultations on specific elements of the initiative took place in October and November 2004. Local press was also used to publicise proposals and encourage local residents to comment.
- 5.2 The consultation indicated wholehearted support for the principle of a comprehensive Improvement Programme for the town centre, there were a number of specific concerns raised relating to the more detailed design of specific elements of the scheme which have been taken into consideration in the final designs.

6.0 SECTION 17, CRIME AND DISORDER ACT 1998

- 6.1 The aim of the Improvement Programme is to enhance Spennymoor Town Centre as a thriving local centre, an important element of this will be to ensure the town centre is safe and secure for users at all times of the day. This will be achieved through the installation of additional CCTV and improving the environmental quality of the centre.

7.0 LA21 SUSTAINABILITY ISSUES

- 7.1 The long term regeneration potential of the programme will make the most significant contribution to sustainable development. The Programme will generate significant investment and build confidence within the town which will create jobs and improve local services for the community. The programme should assist in strengthening the economic base creating a more vibrant, vital and competitive Town Centre. It is anticipated that the programme will also generate further private and public sector investment in the town leading to the provision of a wider range of services for the community of Spennymoor. Sustainable development will also be contributed to through improved transport links for pedestrians, cyclists and public transport within the town centre.

.....

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Email Address: glennon@sedgefield.gov.uk

Key Decision Validation: Not considered a key decision

Background Papers

Cabinet Report, Spennymoor Town Centre Programme - 11th December 2003

Cabinet Report, Regeneration Services Capital Programme 2004/05 – 1st July 2004

Examination by Statutory Officers

	Yes	Not Applicable
1. The report has been examined by the Councils Head of the Paid Service or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The content has been examined by the Councils S.151 Officer or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. The content has been examined by the Council's Monitoring Officer or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. The report has been approved by Management Team	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Item 8

REPORT TO CABINET

3RD FEBRUARY 2005

REPORT OF SOLICITOR TO THE COUNCIL

PROPOSAL FOR LAND REGISTRATION PROJECT FROM HM LAND REGISTRY, DURHAM

1. SUMMARY

- 1.1 This report appraises the Cabinet and seeks approval for the acceptance of a proposal from the HM Land Registry, Durham, to commit to a project to register with HM Land Registry, all of the Council's land title and property ownership records.
- 1.2 HM Land Registry is committed to achieving total registration within the next ten years. As part of the programme working towards this, the Land Registry is contacting large landholders, such as Local Authorities, to enquire as to the extent to which current land holdings are already registered and to register the remainder.
- 1.3 Most of the District Councils in Durham have already concluded such a project with the Land Registry and there are clear advantages to the Council which are outlined in this report. In particular, if the project is completed in the current year it will significantly assist in the conduct of the transfer of the Council's landholdings, including under the terms of the Large Scale Voluntary Housing Transfer which the Council has already approved.

2. RECOMMENDATIONS

- 2.1 That Cabinet approve the scheme and authorise the Council's Solicitor to enter into terms with HM Land Registry for the project to be completed within the current year.
- 2.2 That £30,000 be transferred from contingencies to meet the cost.

3. DETAIL

- 3.1 HM Land Registry, Durham, have approached the Council, and other Authorities in the North East, inviting them to register, voluntarily, their unregistered title documents relating to their landholdings on a borough-wide basis. This is a significant proposal, offering a number of advantages to the Council, viz:

- The Land Registry are offering to make staff available to conduct the exercise.
 - The conduct of future conveyancing transactions would be simplified and made more efficient by virtue of registration.
 - It would facilitate the development of electronic land transactions which the Council is, in any event, committed to achieving.
 - The Land Registry would not charge for staff input, currently assessed at two full time equivalents for a year.
- 3.2 Land registrations give rise to statutory fees which, in this instance, on the basis that the Council has 4,000-5,000 sets of title documents, would be limited to a ceiling figure of £30,000.
- 3.3 Organisations, such as Local Authorities who are major customers of the Land Registry, would expect to pay a substantial proportion of these fees in any event when registrations take place and, in particular, with a large scale transfer such as that associated with a housing transfer to a Housing Association.
- 3.4 The Land Registry also draw attention to the fact that large scale registration also provides a number of other advantages:-
- Safety: registered titles are guaranteed against adverse claims for possession.
 - Curative powers: many defects in title can be cured by registration, e.g. loss of deeds.
 - Reduction of costs: the work involved in any dealing with the land after it has been registered is much simpler, both from the perspective of conveyancing staff and also land valuation exercises. In effect, the legal costs to the owner of the registered titles is considerably reduced.
 - Reduction of the risk of fraud: large scale registration would also exclude the possibility of fraud by copying or hiding deeds relating to property.
 - The Land Registry have also offered to provide additional advice and guidance on the preparation and lodgement of registrations following the carrying out of a scoping visit and inspection of the Council's records.

4. RESOURCE IMPLICATIONS

- 4.1 As explained above, the provision by HM Land Registry of additional staff will be at no cost to the Council. Staff within the Legal and Valuation Divisions will be required to liaise and assist the Land Registry Office in carrying out the work leading to the conclusion of this project.
- 4.2 Land Registry fees up to £30,000 will be incurred as the project rolls forward to a conclusion.

4.3 Whilst no specific budget provision has been made to finance the cost of the fees it is proposed that they be met from contingencies within the Council's budgets.'

5. CONSULTATION

5.1 No external consultation has taken place.

Contact Officer: Dennis A. Hall
Telephone No: (01388) 816166, Ext 4268
Email Address: dahall@sedgefield.gov.uk

Background Papers

Examination by Statutory Officers

	Yes	Not Applicable
1. The report has been examined by the Council's Head of the Paid Service or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The content has been examined by the Council's S.151 Officer or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. The content has been examined by the Council's Monitoring Officer or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. The report has been approved by Management Team	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Item 9

REPORT TO CABINET

3rd February 2005

Report of Chief Executive Officer

Portfolio: Resource Management

CONFERENCES

1. SUMMARY

- 1.1 To consider the Council's representation at the following: -
- a) LGA Annual Cultural Services Conference 2005, 'Broadening Horizons' to be held at West Ham United football stadium, from **Thursday 17th to Friday 18th March 2005**.
 - b) The Chartered institute of Housing Conference 2005, to be held in Harrogate from **Tuesday 21st June to Friday 24th June 2005**.
 - c) LGA Annual Conference and Exhibition, 'Improving life in local Communities' to be held in Harrogate from **Tuesday 5th July to Friday 8th July 2005**.

2. RECOMMENDATION

- 2.1 That the Lead Member (Culture & Recreation) plus one officer represent the Council at the LGA Annual Cultural Services Conference 2005.
- 2.2 That the Council be represented at the Chartered Institute of Housing Conference by the appropriate Lead member together with a rota member and one officer.
- 2.3 That Chief Executive Officer, Leader, and Deputy Leader represent the Council at the LGA Annual Conference and Exhibition.

3. DETAIL

- 3.1 The Cultural Services Conference will reflect the key objectives of the regeneration board, in particular around developing the local vitality of the area and how local authorities through their cultural activities can deliver this aim.
- 3.2 Over a year on from the launch of the Communities plan, this year the CIH Conference will focus on assessing whether the building blocks are in place for housing organisations across the UK to deliver sustainable Communities and improve the quality of life for local people.
- 3.3 Improving life in local Communities is the reason local government exists, the 2005 LGA Annual Conference will address improving local life around

three strands: Living Communities / Supporting Communities / Safer Communities.

4. FINANCIAL IMPLICATIONS

- 4.1 The cost of the LGA Cultural Services Conference is £300.00 plus VAT per delegate (excluding travel and subsistence)
- 4.2 The cost of the Chartered Institute of Housing Conference is £575.00 plus VAT per delegate (excluding travel and subsistence)
- 4.3 The cost of the LGA Conference and Exhibition is £485.00 plus VAT per delegate (excluding travel and subsistence)

5. CONSULTATION

- 5.1 Not applicable.

Contact Officer: Tom Dyer
Telephone No. (01388) 816166 – 4219

Background papers

Notice from the LGA Annual Cultural Services Conference.
Notice from the Chartered Institute of Housing.
Notice from the LGA. Annual Conference and Exhibition.

Examination by Statutory Officers

	Yes	Not Applicable
1. The report has been examined by the Councils Head of the Paid Service or his representative	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. The content has been examined by the Councils S.151 Officer or his representative	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. The content has been examined by the Council's Monitoring Officer or his representative	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. The report has been approved by Management Team	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Item 10

REPORT TO CABINET

3rd FEBRUARY 2005

**REPORT OF HEAD
OF STRATEGY AND
REGENERATION**

Portfolio: Supporting People

SAFEGUARDING CHILDREN POLICY AND PROCEDURES

1. SUMMARY

- 1.1 The Council acknowledges it has responsibility with regard to safeguarding the welfare of children and young people. This Policy has been developed following work carried out by the Children and Young Persons Service Review. Consultation has been undertaken with all Departments within the Council, the County Area Child Protection Committee and its Child Protection Procedures and Durham County Council Social Care and Health Department. Full reference has also been made to the Children Act 1989 and the Department of Health publication 'Working Together to Safeguard Children'.
- 1.2 The policy seeks to ensure that in discharging its functions this Council will have full regard for the need to safeguard and promote the welfare of children. The Policy outlines the roles and responsibilities of managers and staff in relation to the welfare of children and young people with whom they come into contact through their work.
- 1.4 This report recommends the formal adoption of the Sedgefield Borough Council Safeguarding Children Policy, Procedures and Guidelines and seeks commitment to develop a corporate training programme in support of the policy.

2. RECOMMENDATIONS

- 2.1 That the Cabinet:
 - 1 Approves the attached Safeguarding Children Policy and Procedures.
 - 2 Agrees to the introduction of a corporate training programme designed to support the implementation of this policy.

3 **SAFEGUARDING AND PROMOTING THE WELFARE OF CHILDREN AND YOUNG PEOPLE – POLICY, PROCEDURES AND GUIDELINES**

Background

- 3.1 Lord Laming in his report into the death of Victoria Climbié concluded that the suffering and death of Victoria was a gross failure of the system. One of the key reasons why the system failed Victoria so badly and why it has failed other children over the years is because agencies that come into contact with children on a regular basis do not give sufficient priority to safeguarding and promoting the welfare of children. This means that:
- The system does not always focus on the child's needs
 - Senior management do not know enough about and take enough responsibility for the actions of their staff in relation to safeguarding children
 - It is difficult for agencies to work together effectively to safeguard and promote the welfare of children
 - Many staff are not adequately trained in safeguarding children
- 3.2 The Children Act 2004 places a duty on key agencies, including District Councils to make arrangements for ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children.
- 3.3 The duty to make arrangements to safeguard and promote the welfare of children and young people is part of a comprehensive programme of **Change for Children**, which began with the publication of **Every Child Matters** Green Paper in September 2003. At the centre of this programme is the recognition that protecting children from harm cannot be separated from policies to improve children's lives as a whole. The programme is designed to improve outcomes for children in terms of health, safety, enjoyment and achievement, the ability to make positive contributions and economic well-being.

Policy Context

- 3.4 The Council provides a range of services to families with children and young people that may be vulnerable or potential victims of abuse. The level of contact Council staff, members or representatives has with children and young people vary greatly across these services. However; all staff have a duty to act if they believe that a child or young person is suffering from, or may be a potential victim of abuse. Attached in Appendix 1 is the Safeguarding Children Policy and Procedures Statement.
- 3.5 This policy acknowledges and explains the Council's moral and legal obligation to provide a duty of care, safeguard welfare and protect from abuse for children and young people, especially vulnerable groups irrespective of age, culture, ability, gender, language, racial origin, faith and/or sexual identity.
- 3.6 To ensure that all staff, members and representatives of the Council are fully aware of what constitutes abuse and what action should be taken if abuse is suspected or reported to them, this policy clarifies:

- The four main forms of child abuse
 - How to recognise the possible symptoms of child abuse
 - How the Council will work to ensure the safety and welfare of children and young people
 - Council procedures relevant to child protection, such as staff recruitment, service specific child protection policies, training and reporting procedures
 - The role of the Area Child Protection Committee
- 3.7 Appendix 1 of the Policy provides a Code of Conduct and Good Practice, designed not only to protect children and young people but also to protect people working for and on behalf of the Council from situations where false allegations might occur.
- 3.8 Appendix 2 of the Policy provides a comprehensive list of support organisations and contact information to help staff, members or representatives of the Council should a child protection referral be necessary.
- 3.9 Appendix 3 provides more detailed background of the Legislative framework for Safeguarding and promoting the welfare of children
- 3.10 In order that staff, members and representatives of the Council can build on their knowledge and understanding of child protection issues Appendix 4 contains a list of further reading.
- 3.11 The policy should not be seen as a stand alone document and should be used in conjunction with other Council Policy Statements:
- Equality Policy
 - Complaints Procedure
 - Disciplinary Procedure
 - Data Protection Policy on the use of photographs and videos
 - Confidential Reporting Policy
 - Employment of Ex-Offenders Policy
 - Policy for the use of the Internet
 - Guidance on Criminal Records Bureau Disclosures
 - Health and Safety at Work Policy
- 3.12 To ensure that all staff maintain a clear understanding of this policy and how it relates to their individual roles and responsibilities the Council will develop and maintain a structured training programme.

4. **RESOURCE IMPLICATIONS**

- 4.1 Children and young people have been identified by Cabinet as a priority for investment. The structured training programme is needed to ensure the effective implementation of this policy and to meet the legal requirements of the Children Act 1989 and 2004. Estimated costs of £12,000 for the implementation of the training programme were submitted during the preparation of the medium term financial plan.
- 4.2 Durham County Council Social Care and Health Department (DCC SCH) have assisted in the development of this policy and are themselves developing a five level training programme for trainers. The timeliness of both developments provides an opportunity for the Council to nominate 5 members of staff, one from each

Department, to be trained on child protection issues level 1. This level covers general child protection issues applicable to all staff and would allow the Council to carry out its basic training requirements on Child Protection predominantly in house.

- 4.3 It is recognised that there will be a need in the future to provide bespoke training for those people across the authority requiring more than just a basic understanding of Child Protection issues, procedures and legislation such as Leisure Centre Staff, Community Wardens and senior management. The in house trainers will have the opportunity to extend their training through the 5 levels of the training programme. Cost associated with this further training have not yet been agreed, it is anticipated that a further £5,000 per year for years 2 and 3 will be required to take the in house training staff through the 5 levels of training.

5. **CONSULTATIONS**

- 5.1 This Policy has been developed following extensive consultation with all departments in the Council the County Area Child Protection Committee and Durham County Council Social Services Department. Key Partners have also made available their own Child Protection Policies and Procedures to allow best practice comparisons to be made.

6. **OTHER MATERIAL CONSIDERATIONS**

- 6.1 The Council has a duty of care for the children and families for whom they provide activities and services. Parents have a right to believe in all areas of the Councils work procedures are in place to safeguard and promote the welfare of their children and young people.

7. **OVERVIEW AND SCRUTINY IMPLICATIONS**

- 7.1 None

8. **LIST OF APPENDICES**

- 8.1 Sedgefield Borough Council Safeguarding Children Policy and Procedures Statement.

Contact Officer	Cathy Hartnell
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E-mail address	chartnell@sedgefield.gov.uk

Wards: Not Applicable

Key Decision Validation: Not a key decision

Background Papers:

Area Child Protection Committee: Child Protection Procedures.

DH Working Together to Safeguard Children.

DH: What To Do if You're Worried A Child Is Being Abused.

Durham Sport: Child Protection Policy.

Ground Work East Durham Youth Project Good Practice Guidelines.

Examination by Statutory Officers

	Yes	Not Applicable
1. The report has been examined by the Councils Head of the Paid Service or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The content has been examined by the Councils S.151 Officer or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. The content has been examined by the Council's Monitoring Officer or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. The report has been approved by Management Team	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Sedgefield Borough Council Safeguarding Children Policy and Procedures

1 Introduction

Sedgefield Borough Council acknowledges its shared responsibility for the protection and safety of children and young people up to the age of 19 years. Children have the right to be safe and happy in the activities that they, or their parents or carers choose, and parents have a right to believe that the organisations to which they entrust their children provide a safe environment. Therefore all organisations have a duty of care for the children for whom they provide activities or services.

Organisations such as the Council providing activities for children and young people are most likely to be taking all precautions and making every effort to ensure their safety. It is possible however, that there are people who work, or seek to work, in such organisations who may pose a risk to children and young people and who may harm them.

The purpose of this policy is to ensure that in discharging its functions the Council will have full regard for the need to safeguard and promote the welfare of children. It establishes the roles and responsibilities of managers and staff within the Council in relation to safeguarding and promoting the welfare of children and young people, procedures and reporting arrangements.

1.1 Background

The Children Act 1989

The Council acknowledges the moral and legal obligations placed on all Local Authorities by the Children Act 1989, specifically the responsibility to provide a duty of care, safeguard welfare and a right to protection from abuse, for young people especially, vulnerable groups irrespective of age, culture, ability, gender, language, racial origin, faith and/or sexual identity.

The main principles of the Act are as follows:

- The welfare of the child is the paramount consideration
- Wherever possible, children should be brought up and cared for within their own families
- Parents with children in need should be helped to bring up the children themselves; this help would be provided as a service to the child and his/her family and should:
 - Be provided in partnership with the parents;
 - Meet each child's identified needs
 - Be appropriate to the child's race, culture, religion and language;
 - Be open to effective independent representations and complaints procedure;

- Draw upon effective partnership between the local authority and other agencies, including voluntary agencies.
- Children should be safe and be protected by effective intervention if they are in danger
- When dealing with children, courts should ensure that delay is avoided, and may only make an Order if to do so is better than making no order at all
- Children should be kept informed about what happens to them and should participate when decisions are made about their future
- Parents will continue to have parental responsibility for their children, even when their children are no longer living with them (*not applicable in adoption cases*). They should be kept informed about their children and participate when decisions are made about their children's future.

Children in Need

The Children Act 1989 defines children in need as:

- 1 Those children
 - a) Who are unlikely to achieve or maintain a reasonable standard of health or development, or
 - b) Whose health or development is likely to be significantly impaired without the provision of services
- 2 Disabled children

Part III of the Children Act 1989 requires a corporate and inter-agency approach to promoting the welfare of children in need and their families, where help is requested of an authority it shall comply with the request if it is compatible with its own statutory and other duties.

Section 47 of the same Act states:

When a Local Authority is informed that a child who lives or is found in their area is:

- a) The subject of an Emergency Protection Order or,
- b) In police protection or,
- c) the Local Authority has reasonable cause to suspect that a child who lives or is found in their area is suffering or likely to suffer significant harm,

the authority shall make such enquires as it considers necessary to enable it to decide whether it should take any action to safeguard or promote the child's welfare.

Section 47 also places a responsibility upon all agencies to assist a Local Authority in carrying out enquiries into whether or not a child is at risk of significant harm.

The Council acknowledges that effective interagency working and recognition of the corporate responsibility of the authority and other agencies is essential and should be promoted through the overall frameworks provided by the Area Child Protection Committee, Investing in Children and the Children's Services Planning Process

1.2 Safeguarding Children

The Council recognises that safeguarding and promoting the welfare of children is a major corporate responsibility and that all services provided by this Council have an impact on the lives of children and families within the Borough. This Council also has a particular responsibility for those children and families most at risk of social exclusion. The Council is committed to practices that safeguard and promote the welfare of children and young people. All people acting on behalf of the Council such as employees, councillors and volunteers, whether paid or unpaid accept and recognise their responsibilities to develop awareness of the issues that cause children and young people harm and act when concerns arise.

For the purpose of this policy "a child or young person" means anyone up to the age of 19 years of age. This is also the target age range for youth work, however it is recognised that some services also focus on 19 - 25 age group.

The Council will ensure that all employees, members and others who are associated with services facilitated in some way by the Council are aware of this Policy and have access to the accompanying Guidance and code of Practice.

In ensuring the development of a safeguarding culture and ethos, the Council will ensure that:

- Its vision and corporate plan support the need to safeguard children and promote their welfare
- All senior managers are aware of the importance of safeguarding and promoting the welfare of children and are held to account regularly for the contribution of the services for which they are responsible to this objective.
- Appropriate procedures for recruitment of employees and volunteers are followed
- The induction process for all staff employed by the authority reiterates the importance of safeguarding the welfare of children and young people
- There are clear lines of accountability for the safeguarding work of each Department in the Authority
- Child Protection guidelines through procedures and a code of conduct for employees, volunteers, partners and members are in place
- Information about child protection and good practice is shared with children, parents and carers, employees, volunteers and councillors
- Information about concerns is with all partners and national agencies, agencies that need to know, and involving parents and children appropriately

- Effective management for employees and volunteers is achieved through supervision, support and training, ensuring that all staff and volunteers who come in to contact with children during the course of their work undergo the appropriate Criminal Records Bureau check
- Effective training and support to elected members is provided
- Any allegation is responded to appropriately and efficiently, implementing the appropriate disciplinary and appeals procedures where necessary

This policy is to be used in conjunction with the Council's

- Equality Policies
- Complaints Procedure
- Disciplinary Procedure
- Data Protection Policy on the use of photographs and videos
- Confidential Reporting Policy
- Employment of Ex-Offenders Policy
- Policy for the use of the Internet
- Guidance on Criminal Record Bureau (CRB) Disclosures
- Health and Safety at Work Policy

2 What is Child Abuse?

2.1 There are four main forms of child abuse:

Physical Abuse

Physical abuse may involve actions such as hitting, shaking, squeezing, burning and biting as well as giving children alcohol, inappropriate drugs and poison. Physical abuse as well as being a deliberate act, can be caused by an omission or failure to act to protect.

Sexual Abuse

Sexual abuse involves forcing or enticing the child or young person to take part in sexual activities whether or not the child is aware of, or consents to, what is happening. Sexual abuse can involve penetrative acts such as rape, buggery or oral sex or non-penetrative acts such as fondling. It may also involve non-contact activities such as showing pornographic material or encouraging children to behave in sexually inappropriate ways.

Emotional Abuse

Persistent lack of love and affection where a child may be constantly shouted at; threatened or taunted which may make the child very nervous and withdrawn. Emotional abuse may also occur when there is constant over protection and unrealistic pressure to succeed. Some level of emotional abuse is involved in all types of ill treatment of children although it may occur alone.

Neglect

Neglect is the persistent failure to meet a child's basic physical and or psychological needs. These needs include, for example, adequate food and warm clothing and also medical care. Children may be left alone unsupervised. Emotional neglect is when children are deprived of love and affection.

Other key areas of child abuse include:

Domestic Violence

Domestic violence and child abuse frequently co-exist; domestic violence may be a child protection issue

- A parent who is physically abusing the child's other parent may also physically abuse and/or kill children
- Where domestic violence is present and children are in the family, in the majority of cases the children are in the same or an adjacent room
- Children may be placed in physical danger when domestic violence is happening
- Children may have needs neglected when domestic violence causes a climate of fear to evade their home
- Children may learn inappropriate behaviour responses (e.g. bullying) through witnessing domestic violence
- Child abuse is 15 times more likely when domestic violence is present

Domestic violence encompasses a wide range of abusive acts that can be psychological, emotional, sexual or physical.

Children are affected by domestic violence as primary victims through exposure to and direct experiences of abusive relations. Domestic violence usually occurs in the home but may also occur outside the home, for example in the street, pub or work place.

Child on Child Abuse

- ***Sexual Abuse*** – Many adult sex abusers begin committing their abusing acts during childhood or adolescence and in many cases are themselves victims of abuse. It is therefore an important child protection function to ensure that such behaviour is treated seriously and is always subjected to a referral to child protection agencies. Children and young people who are abusers are themselves in need of help.
- ***Physical Abuse*** – Minor assaults by a child on another child; those, which would normally be associated with school child disputes, would not generally fall within a Child Protection Policy and Procedures. However where an assault is one of serious nature or there is a suspicion or allegation that he/she is being systematically bullied or physically abused this may then be seen as a Child Protection issue for both the victim and the perpetrator.

2.2 Recognising Child Abuse

Recognising child abuse is not easy and it is not the responsibility of employees or volunteers to decide whether or not abuse has taken place or if a child is at significant risk. Employees and volunteers however do have a responsibility to report their concerns promptly.

Indications that a child is being abused:

- Unexplained or suspicious injuries such as bruises, cuts and burns, particularly if situated on parts of the body not normally prone to such injuries
- Injuries for which an explanation seems inconsistent
- Child's fear of parents being approached about such injuries
- Reluctance to get changed e.g. wearing long sleeves in hot weather
- Flinching when touched or approached
- A failure to thrive or grow
- Sudden speech disorders
- Difficulties in making friends
- The child is prevented from socialising
- Sudden or unexplained changes in behaviour
- Fear of being left with a specific person
- Sexually explicit behaviour
- Sexual knowledge beyond their age and development level
- A distrust of adults particularly those with whom a close relationship would normally be expected
- Constant hunger, sometimes stealing food
- The child being dirty/smelly and unkempt
- Loss of weight
- Inappropriate dress for the conditions

This list is by no means definitive and it is important to remember that many children and young people will exhibit some of these indicators at some time and the presence of one or more should not be taken as proof that abuse is occurring. There may be other reasons for changes in behaviour, such as a death in the family or the birth of a new baby.

It is crucial to note that this is only a process of observation and that at no point in time should any person working on behalf of the Council feel that they should be actively seeking out abuse or an abuser. The responsibility of all people working on behalf of the Council is to ensure that if they have concerns about the welfare of a child or young person, they must report it and must never assume that others will do it.

3 Safeguarding Children Protection Procedures

The aim of these procedures is to ensure people representing, working for, or on behalf of the Council, or who are associated with services facilitated in some way by the Council:

- Have a clear understanding of their responsibilities when working with children and young people
- Recognise the signs of child abuse and the appropriate course of action to be taken in such circumstances
- Understand the potential risk to themselves and ensure that good practice is adhered to at all times
- Recognise signs of improper behaviour from other people working for or on behalf of the Council or otherwise and take appropriate action should this occur

3.1 Service Specific Child Protection Policies

This document represents the corporate policy and procedures of the Council in relation to safeguarding and promoting the welfare of children and young people. It is recognised that some Council services work far more closely with children, young people and their families than others. In these instances individual services or Sections within the Council will need to ensure that they have in place more specific child protection policies and procedures tailored to their own services operational characteristics. These should be consistent with this overarching framework. The requirement for a more specific policy approach is likely to apply to services such as Leisure Services, Community Wardens, Housing Maintenance, Training Services and local Sure Start programmes for example.

Everybody in the Council should be clear about their responsibilities for safeguarding and promoting the welfare of children. Each Department in the Council should ensure that it has a written statement of its responsibilities in this area, which is accessible to all staff. Where appropriate, the statement may form part of an existing document. It should explain the contribution of the Department to safeguarding and promoting the welfare of children in relation to services for children and families this should permeate down to team and where appropriate individual level.

Establishing senior management commitment and identifying clear lines of accountability

Each Department will appoint a Director or Head of Service as “Safeguarding Champion”. That person will be responsible for communicating the importance of safeguarding and promoting the welfare of children throughout the Department. He/she should also ensure that there are clear lines of accountability for the Departments contribution to safeguarding children.

3.2 Staff Recruitment

Under the Police Act 1997, Protection of Children Act 1999 and the Criminal Justice and Court Services Act 2000 it is an offence for any organisation to offer employment that involves regular contact with children under the age of 18 to anyone who has been convicted of certain specified offences, or included on lists of people considered unsuitable for such work by government departments. It is also an offence for people convicted of such offences to apply for work with children. Specified offences include murder or manslaughter, rape, grievous bodily harm and a number of sexual offences involving children.

All existing and potential employees who have regular or unsupervised contact with children through their employment with the Council will only be appointed using the Council's recruitment procedures. The Council will ensure that the following checks are made on all people who seek appointment to such a position:

- Identity
- Academic qualifications
- Vocational qualifications
- Professional and character references
- Previous employment history
- Appropriate Criminal Record Bureau Check (Disclosure)
- Medical/Health Check

The CRB Disclosure Service is not considered a substitute for existing pre-employment checks; rather they complement existing recruitment practice and will only be sought after a conditional offer of employment is made.

The CRB provide criminal record checks for people working with children and young people, reducing the risk that unsuitable people can gain employment with children. The CRB aims to help employers and voluntary organisations make safer recruitment decisions through a service called Disclosure. Employers can ask successful candidates to apply to the Bureau for a Disclosure, which will contain information about their criminal record. The Bureau issues three types of Disclosure, each representing a different level of check. The level of check is determined by the duties of the particular position or job involved. The CRB will advise applicants and employers what type of disclosure is appropriate in individual cases. Generally work with children and young people or vulnerable adults qualify for the most detailed checks.

The CRB checks draw on five primary sources of information to confirm the offence details of successful applicants:

- The Police National Computer
- Local Police Force Records
- Records held by the Department of Health
- Records held by the Department for Education and Employment
- Records held by the Home Office

The following levels of Disclosure are available:

Basic Disclosure (CRB aim to introduced Basic Disclosures in 2005) contains details of convictions held on the Police National Computer that are unspent

according to the Rehabilitation of Offenders Act 1974. All employers can request the production of a Basic Disclosure as part of the normal recruitment process.

Standard Disclosure contains information about both spent and unspent convictions, as well as cautions, warnings and reprimands, and concerns positions that are exempted under the Rehabilitation of Offenders Act. It is available in relation to posts that involve regular contact with children and other vulnerable groups. As well as central police records, the Standard Disclosure contains any relevant information held by the Department for Education and Employment and the Department of Health.

Enhanced Disclosure relates to particularly sensitive areas of work, for example that involving unsupervised contact with children, or posts that require gaming, betting or lottery licences. As well as containing the same information as the Standard Disclosure, Enhanced Disclosure may also contain any non-conviction information from local police records that is considered relevant.

In order to access this information the Council has registered with the CRB and has identified lead and counter signatories to manage and process the information. The Head of Service Improvement is the lead signatory for the Council. Counter signatories are located throughout the Council and are responsible for processing applications and controlling the use, access too and the security of Disclosure information.

Posts identified as Requiring CRB Checks

The posts listed below have been identified as requiring CRB checks because by their nature they involve staff having regular contact with children, young people and other vulnerable people. All new post will also be assessed to ascertain whether they should be added to this list.

- Neighbourhood Wardens
- Wardens and Mobile Workers
- Meals on Wheels Delivery
- Training Officers
- Sports and General Attendants
- Duty Managers
- Fitness Coaches
- Crèche Assistants
- Play Leaders and assistants
- Sure Start Employees
- Housing Support Officers
- Housing Maintenance Workers

The appropriate Heads of Service and/or Section Head should undertake this assessment in consultation with the Council's Human Resources Section. In making the assessment regard should be given to an analysis of the role of the post; the amount of time the post holder will have contact with children and young people and the working environment that this contact is likely to take place in; and potential management safeguards that could be applied to mitigate any identifiable risks.

For further information on CRB checks reference should be made to the Guidance on Criminal Records Bureau Disclosure procedures available from the Council's Human Resources Section.

3.3 Training

The Council recognises that it has a commitment to ensure that all employees have a clear understanding of their roles and responsibilities when working with children and young people. To this end the Council will develop and maintain a structured training programme which will ensure employees members and representatives of the Council gain and maintain a sound knowledge and understanding of the:

- The different signs of abuse and what appropriate course of action should be taken in such circumstances
- The potential risks to themselves and ensure that good practice is adhered to at all times
- Signs of improper behaviour from other employees and take appropriate action should this occur
- Individual and corporate roles and responsibility and the lines of accountability in relation to safeguarding and promoting the welfare of children and young people
- Individual roles and responsibilities of all counter signatories and all employees dealing with CRB Disclosures receive appropriate training.

3.4 Area Child Protection Committee (ACPC) -

In developing this policy the Council has taken into consideration the ACPC Child Protection Procedures. The ACPC provides a forum for developing, monitoring and reviewing local child protection policies and promotes effective co-operation between the agencies involved. It has established procedures to be followed in child protection cases, including the organisation of child protection conferences.

Managers within the Council whose staff work with children will make themselves aware of the work of the ACPC and their Child Protection Procedures and where possible contribute to the co-ordinated approach to child protection by developing effective liaison with other agencies and support services.

Local Safeguarding Children Boards (LSCB) will supersede Area Child Protection Committee from 2005. The inauguration of the Durham LSCB is expected to take place in April 2005.

Statutory guidance will soon be issued to agencies that are required to participate in the Local Safeguarding Children Boards as Board partners, which includes local authorities. This guidance will explain how agencies should come together as LSCBs to coordinate and ensure the effectiveness of what is done by each partner for the purposes of safeguarding and promoting the welfare of children.

4 Reporting Procedures

Where an employee or representative of the Council has grounds to believe that a young person may be suffering from or at risk of child abuse they should act immediately, following the relevant procedures outlined below.

Where there is immediate risk of harm to the young person the employee where possible should ensure their immediate safety. This should be followed by an immediate referral to Social Services/Police with the urgency of the situation emphasised. In all cases where there is a concern about a child's welfare, concerns should be formally referred to social services or the police on the same day and followed up in writing within 48hours.

Confidentiality

The legal principle that "the welfare of the child is paramount" means that considerations of confidentiality that might apply to other situations within the Borough Council should not be allowed to override the right of the child to be protected from harm.

All concerns will be treated in confidence and every effort will be made not to reveal the identity of the individual reporting the matter. At the appropriate time, however, the individual may need to come forward as a witness.

4.1 Responding to a child making an allegation of abuse

1. Stay calm
2. Listen carefully
3. Find an appropriate, early opportunity to explain that it is likely that the information will need to be shared. Do not promise to keep secrets
4. Ensure the safety of the child or young person – if the child or young person needs immediate medical treatment, call an ambulance, ensure the doctors are aware of your concerns and ensure that they are aware that this is a Child Protection issue. The situation should also be referred directly to Social Services.
- 5 Allow the child to continue at their own pace
- 6 Avoid leading the child or young person and keep any questions to the absolute minimum necessary to ensure a clear understanding of what has been said: **DO NOT interview the child or other witnesses**
- 7 Reassure the child that they have done the right thing in telling you
- 8 Tell them what you will do next and with whom the information will be shared
- 9 Record in writing what was said using the child's own words as soon as possible. Note the date and time, any names mentioned and to whom the information was given. Ensure that you sign and date this record.
- 10 Relay this information immediately to your line manager
- 11 Maintain confidentiality and do not discuss with any other persons unless requested to do so by you line manager.

12 Parents and Carers will be contacted only after the Designated Officers have taken advice from Social Services

It is important that everyone across the Council are aware that the person who first encounters a case of alleged or suspected abuse is not responsible for deciding whether or not abuse has occurred. This is the task of the professional child protection agencies following a referral to them of concern about a child.

4.2 Reporting signs and suspicions of abuse

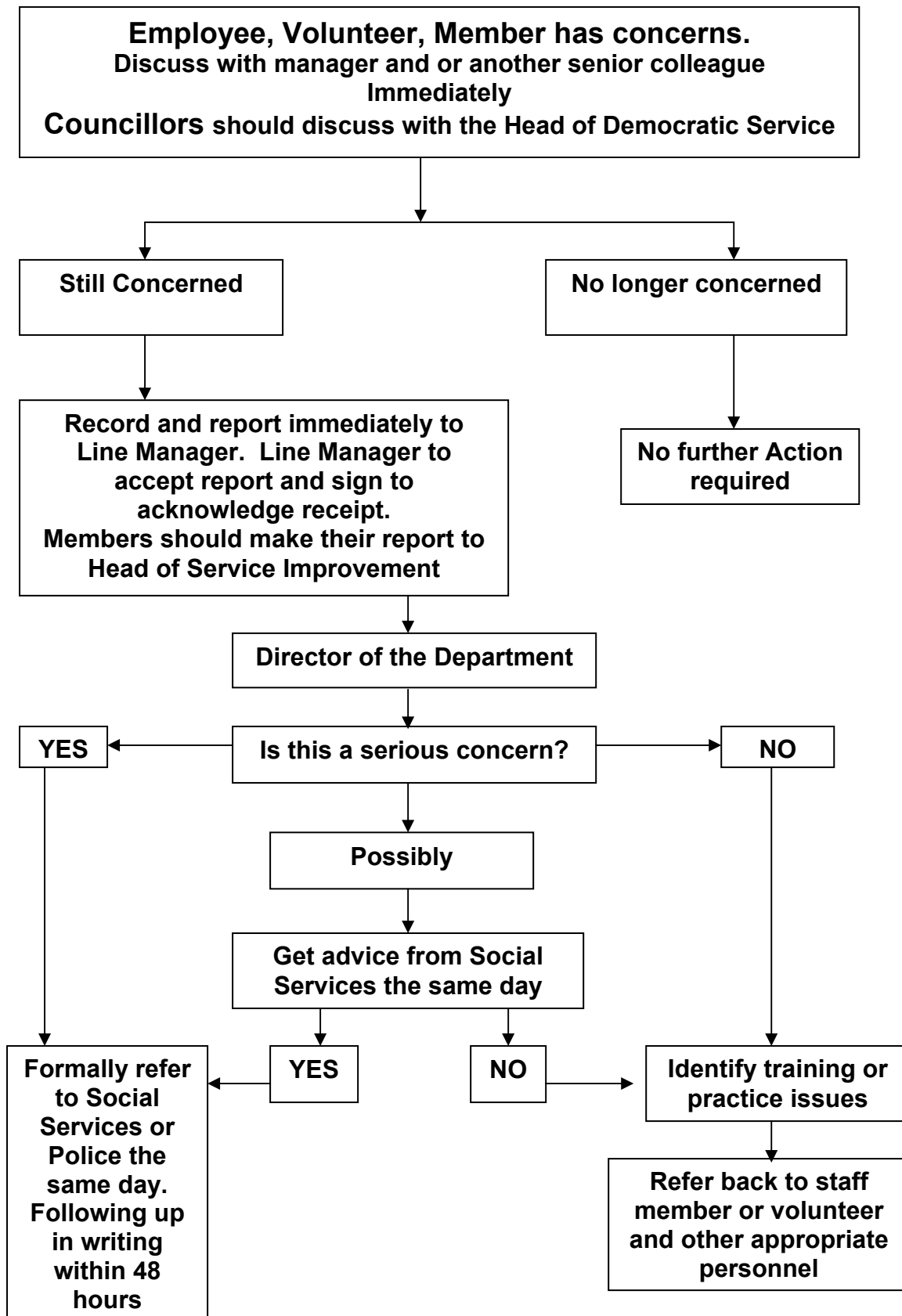
Any person working on behalf of the Council who is concerned about an individual child or young person should record these concerns and any conversations they may have had with the child or parents on the Checklist For Reporting Suspected Abuse (see page 14) and report them to their line manager immediately. The written report should be signed and dated by the person making the report and the Line Manager. Both parties should retain a copy of the report.

On receipt of a report the Line Manager should immediately submit this report to the Department Director. The Department Director will decide whether the nature of the report requires immediate intervention and if so will report the situation directly to Social Services, who will then decide whether Police involvement is required. If the report has potential implication for an employee of the Council the Director will inform the Head of Service Improvement who will then take the appropriate action, including instigating disciplinary proceedings if appropriate. All reports and associated correspondence will be stored securely and will only be shared with those who need to know.

The flow chart over leaf shows the procedure for reporting concerns about a child's welfare:

4.3 Process For Reporting Child Protection Issues

The timescale from the initial concern being reported to the line manager and referral to Social Services should in all cases happen within the same day.



Checklist for Reporting Suspected Abuse

1. Name of Child: _____ Age _____ Date of Birth _____
2. Any special factors e.g. disability, or non-English speaker _____
3. Parent's/carer's names _____
4. Home address and phone number if available _____

_____ Tel No: _____
5. Details of any other children living in the home _____

6. Are you reporting your own concerns or passing on those of somebody else? If someone else give details _____
7. Brief description of what has prompted the concerns: including dates, times etc of any specific incidents _____

8. Any physical signs? Behavioural signs? Indirect signs? _____

9. Have you spoken to the child? YES NO if so what was said (Continue overleaf if necessary) _____

10. Have you spoken to the parent/s? YES NO If so what was said? (Continue overleaf if necessary) _____

11. Has anybody been alleged to be the abuser/s? YES NO if so give details _____

12. Have you consulted anybody else? YES NO If yes give details _____

State your name and position _____

State the name and position of the officer you are handing the report to _____

Date the report _____ Sign the report _____

Signature of Officer accepting the Report _____

Note

Once both parties have signed the report the person submitting the form should retain a copy for future reference. All forms, correspondence and reports related to this matter should be held in strictest confidence and stored/filed in a secure cabinet with restricted access.

4.4 Responding to suspicions or allegations that a colleague may be abusing a young person or not following the code of good practice

General Responsibility of Staff and Representatives of the Council

Any person working on behalf of the Council who suspects that a colleague may be abusing a child or young person must act on their suspicions. Action should also be taken if it is felt that colleagues are not following the codes of conduct set out in this document. This action will serve not only to protect children but also colleagues from false accusations:

Employees are often the first to realise that there may be something seriously wrong within their own working environment. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or the Council and that there is a possibility that their concerns are unfounded. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may be a suspicion of malpractice.

The Council acknowledges that this is an extremely sensitive issue and assures all employees and persons working on its behalf that it will fully support and protect anyone, who in good faith reports a concern or an allegation that a colleague is, or may be, abusing a child.

The Council's Confidential Reporting Policy is intended to encourage and enable employees to raise serious concerns within the council rather than overlooking a problem or "blowing the whistle" outside. This is intended to cover major concerns that fall outside the scope of other procedures. These include:

- Conduct which is an offence or a breach of law
- Disclosures related to miscarriages of justice
- Health and safety risks, including risks to the public as well as other employees
- Damage to the environment
- The unauthorised use of public funds
- Possible fraud and corruption
- Sexual or physical abuse, or
- Other unethical conduct

There are other procedures in place to enable staff to lodge a grievance relating to their own employment.

How to raise a concern

If any person working on behalf of the Council has concerns of an operational nature (such as a breach of procedures) and they feel comfortable doing so they should raise the matter with their immediate manager or supervisor. However in relation to serious issues such as suspected child abuse and or breaches of procedures relating to child protection, which they do not feel able to report to their immediate manager or supervisor, they should approach the Chief Executive, Director of Resources or the Monitoring Officer immediately. These concerns will then be discussed with the Head of Service Improvement who will be able to advise on the way forward.

The Council believes that this high level reporting reflects the seriousness and sensitivity of the issues involved within the scope of the Confidential Reporting Policy.

In all situations, including those in which the cause for concern arises from a disclosure made in confidence, it is vitally important to record the details of an allegation or reported incident, regardless of whether or not the concerns are shared with a statutory agency.

An accurate note should be made of:

- The background and history of the concern (giving relevant dates)
- The reason why you are particularly concerned about the situation
- The date and time of the incident and disclosure
- The parties who were involved
- What was said and done by whom
- Any further action taken by the Council to investigate the matter
- Any further action e.g. the suspension of a worker
- Details of which statutory agencies the report has been referred
- Where relevant, reasons why there was no referral to a statutory agency
- The full name of the person/s reporting and to whom reported

The Human Resources Section must store this record securely and it should be shared only with those who need to know. Remember in all cases the welfare of the child is the paramount consideration, in the case of suspected child abuse the early concerns are expressed the easier it is to take action and eliminate any immediate risks to children. Every effort should be made by all concerned to ensure that any cases of suspected child abuse are reported to the appropriate statutory body, either (Social Services or the Police) on the same day as the concern are raised.

Should members of staff or others lack the confidence or trust to make their disclosure of information to an internal source the Audit Commission has set up a confidential hotline and the Council would suggest that this be your first contact rather than other external regulatory bodies. The number of the telephone hotline is 0171 630 1019.

Dissatisfaction with the Council's Decision not to Report the Incident, Allegation or Suspicion.

Should an employee or representative of the Council be dissatisfied with the Council's decision not to report an incident, allegation or suspicion, they may report their concerns directly to Social Services or the Police.

During Office Hours

a) To contact Social Services – Telephone either:

- Spennymoor 01388 819512
- Newton Aycliffe 01325 314466
- Social Care Direct 0845 8505010

and tell the customers Services section that you want to make a Child Protection Referral.

- b) To contact the Police – Telephone Newton Aycliffe Police Office 01325 314411 and ask for the Child and Family Protection Unit. If they are not in tell the person answering the phone that you want to make a Child Protection Referral.

Out of Office Hours

- a) To contact Social Services – Telephone Social Care Direct 0845 8505010 or the Emergency Duty Team 01740 657796
- b) To contact the Police – Telephone Newton Aycliffe Police Office 01325 314411 and ask for the Child and Family Protection Unit. If they are not in tell the person answering the phone that you want to make a Child Protection referral.

Emergency – In emergencies dial 999 and report the incident to the relevant emergency services (Police, or fire and Rescue Services) stressing that this is an emergency Child Protection Referral.

Code of Conduct and Good Practice

These guidelines are designed not only to protect children and young people but to also protect people, working for and on behalf of the Council from situations where false allegations may be occur. This applies to employees, elected members, appointed agents and contractors as well as representatives of organisations working alongside Council staff or when using Council owned buildings or other facilities.

Code of Conduct

1 When in contact with children and Young people individuals must:

- Treat all children and young people and their possessions with respect
- Provide an example of good conduct for others to follow
- Ensure that whenever possible there is more than one adult present during activities with children and young people, or at least that they are within the sight or hearing of others
- Respect a young person's right to personal privacy and encourage young people to feel comfortable and caring enough to point out attitudes or behaviour they do not like
- Remember that someone else might misinterpret actions, no matter how well intentioned
- Be aware that physical contact with a child or young person may be misinterpreted and be mindful of how and where they touch young people
- Recognise that special caution is required when discussing sensitive issues
- Challenge unacceptable behaviour and report all allegations/suspensions of abuse
- Be identifiable and wear a name badge at all times
- Keep the child's needs first and delivering services second

2 When in contact with Children and Young People individuals must not:

- Have inappropriate physical or verbal contact with children or young people
- Make sexually suggestive comments, even in fun
- Make derogatory remarks or gestures in front of children and young people
- Jump to conclusions about others without checking the facts
- Exaggerate or trivialise child abuse issues
- Show favouritism to individuals
- Ask young people to do things that are potentially dangerous, illegal or otherwise unreasonable
- Allow bullying
- Believe that "it could never happen to me" in terms of allegations being made against them
- Take chances when common sense, policy or practice suggests a more prudent approach

Good Practice

1 Contact with Children

- Do not spend excessive amounts of time alone with children away from others
- Children under 18 years should never be taken alone on a vehicle journey
- Do not take children to your home
- Never meet up with children outside of your work with the Council unless it is with the full consent and knowledge of the child's parents/carers and your manager
- Never enter a house when a child is on their own

2 Relationships

All employees, elected members and volunteers should be aware that in the course of their work they should **never**:

- Engage in rough physical games including horseplay
- Engage in sexually provocative games
- Allow or engage inappropriate touching of any form
- Allow children to use inappropriate language unchallenged
- Make sexually suggestive comments about or to a child, even in fun
- Let allegations a child makes be ignored or go unrecorded
- Do things of a personal nature for children that they can do themselves i.e. help them to dress, or use the toilet

3 Intimate Care

It may sometimes be necessary for employees/volunteers to do things of a personal nature for children who cannot do them themselves, particularly if they are very young or disabled. These tasks should only be carried out with the full understanding and consent of the parents. If an emergency situation arises that requires this type of help then parents and the Council should be fully informed as soon as is reasonably possible.

4 Restraint

Restraint is where a child is being held, moved or prevented from moving against their will because not to do so would result in injury to themselves, or to others or would cause significant damage to property. Restraint must always be used as a last resort, when all other methods of controlling a situation have been tried and failed. Restraint should never be used as a punishment or to bring about compliance (except where there is risk of injury).

Only employees or volunteers who are properly trained in restraint techniques should carry it out. A young person should be restrained for the shortest period necessary to bring the situation under control.

USEFUL CONTACT INFORMATION

Social Services Contact Information

Social Care Direct 0845 8 50 50 10

Open

8am - 8pm weekdays

9am - 1pm Saturdays

Automatic re-direct to Emergency Duty Team at all other times

Text Messaging 07786 027280

E-mail scd@durham.gov.uk

Fax No 0191 383 5752

Minicom 01429 884 124

www.durham.gov.uk

Police (ask for the Child and Family Protection Unit)

Police Head Quarters

Detective Inspector

Force Liaison Officer

Child and Family Protection

Police Headquarters

Aykley Heads

Durham

DH1 5TT

Tel 0191 386 42929

Direct Line 0191 375 2253

Spennymoor Police Office

(Open 8am – 12 midnight)

Wesleyan Road

Spennymoor

Co Durham

DL1 6FB

Tel 01388 814411

Domestic Violence Co-ordinator

Tel 01325 7427730

Community Safety

Tel 01325 742714

Bishop Auckland Police Office

(Open 24 hours)

Woodhouse Lane

Bishop Auckland

County Durham

DL14 6LB

Tel 01388 603566

Newton Aycliffe Police Office

(Open 24 hours)

Central Avenue

Newton Aycliffe

Co Durham

DL5 5RW

Tel 01325 314401

Hospitals

Bishop Auckland General Hospital

Cockton Hill Road,
Bishop Auckland,
County Durham,
DL14 6AD
Tel: 01388 455000

Darlington Memorial Hospital

Hollyhurst Rd,
Darlington,
County Durham,
DL3 6HX
Tel: 01325 380100

University Hospital of North Durham

North Rd,
Co Durham,
DH1 5TW
Tel: 0191 3332333

University Hospital of North Tees

Hardwick Road
Stockton on Tees
Cleveland
TS19 8PE
Tel 01429 266654

University Hospital of Hartlepool Holdforth Road

Hartlepool
Cleveland
TS2 4AH
Tel 01429 522842 1863983

County Hospital

North Road
Co Durham
DH1 4ST
Tel 0191 3336262

National Drugs Help Line

RE-SOLV

National No 0808 800 2345
9am – 5pm Monday – Friday
email: helpline@re-solv.org

Free Confidential information and support
24 hour HELPLINE: 0800 776 600

Domestic Violence

East Durham Domestic Violence Forum

Office Hours 9am - 5pm weekdays
Floor 3
Upper Yoden Way
Peterlee
Co. Durham
SR8 1BB
Tel 0191 587 1555 Email d.trotter@lineone.net

East Durham Domestic Violence Forum 24 hour HELPLINE 0191 586 3055

NSPCC 24 Hour HELPLINE 0808 800 5000

Panah Black Women's Refuge 0191 2846998

Sedgefield Borough Women's Refuge 0191 586 3055

Sedgefield Borough Victim Support

4 Beveridge Walkway

Newton Aycliffe

Co Durham

DL5 4EE

Tel 01325 319 263

Email elbdtl@uk.uumail.com

National Victim Support Line 0845 30 30 900

LEGISLATIVE FRAMEWORK FOR SAFEGUARDING AND PROMOTING THE WELFARE OF CHILDREN

The Children Act 1989

Section 17 of the Children Act 1989 places a general duty on **every** local authority:

- To safeguard and promote the welfare of children within their area who are in need; and
- So far as is consistent with that duty, to promote the upbringing of such children by their families, by providing a range and level of services appropriate to those children's needs.

The Children Act 1989 places two specific duties on agencies to co-operate in the interests of vulnerable children.

a) Section 17 provides that a local authority may request help from:

- Any local authority;
- Any local education authority;
- Any local housing authority;
- Any health authority, Special Health Authority or National Health Service Trust; and
- Any person authorised by the Secretary of State

In exercising the local authority's function under Part III of the Act. This part of the Act places a duty on local authorities to provide support and services for children in need, including children looked after by the local authority and those in secure accommodation. The authority whose help is requested in these circumstances has a duty to comply with the request, provided it is compatible with its other duties and functions.

b) Section 47 places a duty on:

- Any local authority;
- Any local education authority;
- Any housing authority;
- Any health authority; Special Health Authority or National Service Trust; and
- Any person authorised by the Secretary of State

To help a local authority with its enquiries in cases where there is reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm.

Statutory Guidance on making arrangements under Children Act 2004

This guidance will set out the arrangements that agencies should make in order to comply with the Children Act 2004. Part 1 of the guide will set out the processes

that are likely to be common to all agencies to which the duty applies. There will however, be differences in how they are applied depending on the function of each agency. Part 2 describes how these processes should be implemented in each particular agency to which the Act applies.

The guidance will be issued under the Children Act 2004. This means that all agencies covered by the duty need to “have regard” to the policy set out in the guidance in discharging the duty. The requirement ‘to have regard to means, that agencies should act in accordance with this guidance unless there is a good reason not to. If an agency decides to depart from the guidance, it will have to give clear reasons for doing so, and those reasons would be open to being challenged under ordinary administrative law principles, such as reasonableness, fairness and rationality.

The guidance may also be used for private and voluntary organisations that have a contribution to make to safeguarding and promoting the welfare of children.

The commencement date for Children Act 2004 is 1st April 2005, the date by which, agencies will be expected to be complying with the guidance.

Housing Act 1996

Section 213A of the Housing Act 1996 (as amended by the 2002 Homelessness Act) ensures that a Housing Authority contacts Social Services (with consent) when a family with children is ineligible or intentionally homeless – i.e. they are not owed the main homelessness duty – and the family wishes to seek assistance under Part 3 of the Children Act. Even if consent is withheld the Housing Authority may disclose information about a homelessness case to Social Services if the child is or may be at risk of significant harm.

Section 213A also ensures that housing authorities cooperate with social services to provide advice and assistance as is reasonable to help ineligible or intentionally homeless households with children to obtain accommodation. However the duty does not extend to providing accommodation for the household.

EVERY CHILD MATTERS

In his report into the death of Victoria Climbié, Lord Laming concluded that “ the suffering and death of Victoria was a gross failure of the system”.

One of the key reasons why the system failed Victoria so badly and why it has failed other children over the years, is because agencies that come into contact with children on a regular basis do not give sufficient priority to safeguarding and promoting the welfare of children. This means that:

- The system does not always focus on the child’s needs. For example in Victoria’s case, the focus was on the needs of the adults responsible for her, rather than the child herself
- Senior managers, right up to Chief Executives and Chairmen, do not know enough about, and take enough responsibility for, the actions of their staff in relation to safeguarding and promoting the welfare of children
- It is difficult for agencies to work together effectively to safeguard and promote the welfare of children

- Many staff are not adequately trained in safeguarding children. This is a particular problem for staff who often come into contact with children and families but are not considered to be “child protection specialist”

In response, Clause 8 of the Children Bill places a duty on key local agencies to make arrangements for ensuring that their functions are discharged having regard to the need to safeguard and promote the welfare of children. The aim of this duty is to ensure that services are delivered, top to bottom, with safeguarding and promoting the welfare of children in mind.

The duty to make arrangements to safeguard and promote welfare is part of a comprehensive programme of ***Change for Children***, which began, with the publication of the ***Every Child Matters Green Paper*** in September 2004. At the very heart of this programme is the recognition that protecting children from harm cannot be separated from policies to improve children’s lives as a whole. The programme is designed to improve the outcomes for children that they thought were important, i.e:

- Being healthy
- Staying safe
- Enjoying and achieving
- Making a positive contribution
- Achieving economic well being

FURTHER INFORMATION ON CHILD PROTECTION AND OTHER RELATED ISSUES CAN BE OBTAINED FROM THE FOLLOWING PUBLICATIONS

1. Area Child Protection Committee Child Protection Procedures
2. Working together to Safeguard Children
(Department of Health)
3. Every Child Matters
4. What To Do If You're Worried A Child Is Being Abused (Department of Health Publication) [www.doh.gov.uk/safeguarding children/index.htm](http://www.doh.gov.uk/safeguarding_children/index.htm)
5. Children in Need (Durham County Council Social Services Department)
6. The Children Act 1989
7. Working With Young People – 'Legal Responsibility and Liability'
Children's Legal Centre 1998, 4th Edition
8. The Children's Legal Centre Briefing: "Confidentiality: Law and Guidance"
1998
9. LEA 'Outdoor Education Policy and Guidance'
10. Sexual Offences Act 2003

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Item 11

REPORT TO CABINET

3rd February 2005

Report of Head of
Strategy and
Regeneration

Portfolio: SUPPORTING PEOPLE/REGENERATION

SURE START LOCAL PROGRAMME: SHILDON AND NEWTON AYCLIFFE WEST : CAPITAL PROGRAMME

1. SUMMARY

- 1.1 The Sure Start Programme for Shildon and Newton Aycliffe West was approved by the Government in May 2003. The approval included a capital grant of £1m to be committed by March 2006 to support the provision of new Children's Centres within the Programme area, through which a range of services can be delivered to ensure that children achieve their full potential by ensuring that they have the best start to their lives.
- 1.2 In recognition of the distinctiveness of the two towns served by the Programme, the Partnership resolved to build two Children's Centres: at Stephenson Way Primary School in Newton Aycliffe and Timothy Hackworth Primary School in Shildon. This is to meet the Government's Children Centres requirement for Sure Start Programmes to integrate services for children and their families in one location around primary schools. The choice of locations also reflects the Partnership's own extensive consultation with the local community and stakeholders.
- 1.3 The Programme's ability to build two Centres was always seen as challenge due to the limited capital funding available and considerable efforts have been made to acquire additional funding to provide two Centres of the quality that the partners aspire to. In view of the fact the Centres will serve children and families from four of the most deprived wards in the Borough a request for a limited amount of funding is being made to the three key partner agencies, the Borough Council, Durham County Council and Sedgefield Primary Care Trust.
- 1.4 This report considers the case for the Borough Council to provide a financial contribution of £75,000 towards the planned Centres and seeks Cabinet's agreement for the Council as the Accountable Body for the Programme to submit the capital expenditure programme to the Sure Start Unit within the Department of Education and Skills.

2. **RECOMMENDATIONS**

2.1 It is recommended that the Cabinet:

1. Approve a financial contribution of up to £75,000 to support the development of two Children Centres as part of the Local Sure Start Shildon and Newton Aycliffe West Programme.
2. Approves the submission to the Sure Start Unit on behalf of the Local Sure Start Shildon and Newton Aycliffe West Programme a planned capital programme of £1,517,200 (inclusive of VAT) and to seek the agreement of the Sure Start Unit to meet the non recoverable VAT on the expenditure supported by the Sure Start capital grant.

3. **CHILDREN'S CENTRES DEVELOPMENT PROGRAMME**

Background

- 3.1 Children's Centres are a part of the Government's Programme to deliver the best start in life for every child by bringing together: early education, childcare, health and family support. This integrated approach, which ensures professionals have a shared vision and principles for working with families, is seen as a critical factor in determining good outcomes for children. It is a requirement for local Sure Start Programmes to work towards the establishment of Children Centres and integrate all services for children and their families in one location around primary schools.
- 3.2 The Partnership identified a need for Children's Centres at Stephenson Way Primary School in Newton Aycliffe and Timothy Hackworth Primary School in Shildon. The choice of locations reflects the outcomes of the Partnership's own extensive consultation with the local community and stakeholders. The two Centres will produce better outcomes for up to 1000 children each year, their parents and the local communities by:
- improving the social, emotional and physical development of young children, through the provision of services which focus on play, learning and health related activities;
 - increasing the availability of childcare for all children through the provision of full-day and sessional care; and
 - supporting parents and in assisting them return to employment, through the provision of volunteering opportunities, access to training and advice and guidance and to direct job opportunities.
- 3.3 It is envisaged the Centres as community hubs for service delivery, will have far reaching positive impacts on the regeneration of their local community's. Services delivered through the Centres will lead to significant improvements in families' development which will have a knock on effect on their education and employment prospects and ultimately their socio-economic status. Attainment and aspirations will increase, potential will be realised and families will be more able to break free of the poverty cycle.

- 3.4 To date the Programme is making progress towards the achievement of the Government requirement that 80% of all children should be 'reached' by the Programme during the previous 12-month period. In the case of the Western part of Newton Aycliffe contact with local families is currently at a 54% level and this compares with 76% in Shildon. The lack of available community facilities with high quality children services provision is seen as a barrier to maintaining this momentum towards the set target and meeting local expectations for new services to address local needs.
- 3.5 The Council acts as the Accountable Body for the Sure Start Partnership and has played a leading role in the Programme's Capital Strategy Group's development of its proposals. The County Council will undertake delivery of the schemes, as the buildings will form part of their longer-term assets as Children Centres. It is a requirement of the Sure Start Unit that the capital allocation to the Programme is defrayed by March 2006.

Available Funding

- 3.6 The amount of capital funding allocated by the Government's Sure Start Unit to the Programme of £1m was always felt to be inadequate, as this was no more than for those Programmes established in 1999. Consequently there is a need to absorb increased building costs and inflation since 1999 and for the Programme to serve two large and distinctive communities (as opposed to one main centre). As a result the Partnership's Capital Strategy Group has critically reviewed the specification for the buildings and are now regarded as the absolute minimum for the buildings intended use. However, the Partnership is concerned that this might compromise both the delivery of high quality services and the ability of the Partnership to meet local need.
- 3.7 Securing additional resource would mean:
- the Centres will have sufficient space and appropriate facilities from which to be able to deliver the wide range of services that are needed;
 - services will be able to run concurrently and at times aligned to family need as opposed to space availability; and
 - the quality of the finishes will be of a high standard, with extra durability and thus sustainability.
- 3.8 The estimated building costs associated with the delivery of the two Children Centres at the desired specification is £1,517,200 inclusive of VAT charges.
- 3.9 Current funding commitments total £1,336,700 arising from the following contributions. This would leave a residual funding gap of £180,500.
- a) A Sure Start capital grant of £1million and an anticipated further £175,000 of Sure Start funding as a dispensation to meet non recoverable VAT on the £1m Sure Start grant.
 - b) A European Regional Development Fund grant of £58,700 from the Sedgfield Borough Priority 4 EU Package subject to a formal approval.
 - c) Sure Start County Durham Partnership to support Children Centre based services with a grant of £48,000.

- d) Stephenson Way Primary School have offered a contribution of £25,000 in recognition of the benefit of the Centre to the school's offer to the local community.
- e) Sedgefield Borough Primary Care Trust to support improved access to health services that will be provided through the Centres is seeking to provide a £30,000 contribution.

3.9 Further approaches for support have been made to

- a) The Sure Start Unit within the Department of Education and Skills to present a case on the particular circumstances of the Shildon and Newton Aycliffe Programme covering two separate and distinct communities.

They have confirmed that their maximum contribution of £1.0m excluding any non-recoverable VAT cannot be increased.

- b) Durham County Council (Local Education Authority) as the development will assist to integrate the Centres with the two schools in line with the Children Centres requirements and fact the two Centres will become property assets of the County Council. In addition at the Timothy Hackworth School site, the Sure Start Centre development will help provide improved car parking and access arrangements for the school.

The County Council have indicated that they consider that their contribution is reflected in making the land available for the two developments at nil cost and as such are not able to provide any further funding support for the Centres. They have also suggested that Timothy Hackworth School's Governing Body should be approached over the costs of improving the school's car parking and access arrangements.

Timothy Hackworth School have indicated they have insufficient resources available to make any contribution.

- 3.10 However, the Partnership is aware that any delays in moving towards the tendering stage whilst the attempt to negotiate additional funding is undertaken will lead to increased costs and require additional cost savings to be made on the building specification. It has been estimated by the County Council's Property Services Department that a delay to letting a contract to April 2005 might add a further £30,000 to the cost of the project.

Contribution to the Council's Key Aims

- 3.11 On the basis that the scheme will contribute to the wider regeneration and promotion of improved services into some of the Borough's most disadvantaged areas there would appear to be a justification for the Council to support the provision of the two Centres. The Centres will help to address the chronic problems associated with inequality, poor education attainment, social deprivation, poor health and low economic activity in the two communities. Such an investment would contribute to the wider regeneration programmes for these two disadvantaged areas in line with the Council's Local Neighbourhood Renewal Strategy objectives. The Centres will also serve to help achieve the priority aims and outcomes of the Council's Community Strategy.

- **Healthy Borough.** The Centres will bring together service teams to deliver co-ordinated health initiatives, including targeted activities with teenage parents, smoking cessation and mental health issues as well as out reach work with families.
- **A Prosperous Borough.** A lack of childcare has created a barrier to parents and carers seeking employment and accessing local training. The Centres will provide educational opportunities and help to address identified key training issues such as basic skills and ICT training.
- **Attractive Borough.** The Centres buildings and outdoor play areas will present a very positive image for the local communities. The Centres are to be designed to promote environmental sustainability.
- **A Borough with Strong Communities.** The Centres will provide a community hub that will attract local parents and carers and so foster greater community identity and cohesion.

3.12 An investment by the Council would also serve to demonstrate the fulfilment of a community leadership role in respect to the provision of services for young children and their families in line with the recently completed Children and Young Persons Service Review, and a commitment to ensuring quality children services in terms of education, social welfare and health are locally available in some of the Borough's most disadvantaged communities.

3.13 A Council contribution of £75,000 linked to the provision of the two Centres meeting rooms would help the venues provide support to the local communities in accessing services.

3.14 A contribution at this level together with a saving secured by seeking to meet £105,500 of the estimated £120,000 of 'furnishing and fitting' costs for the Centres from the revenue budget would permit the two centres to go forward to the tender stage.

4. **RESOURCE IMPLICATIONS**

4.1 The financial requirements for the scheme and planned contributions have been fully detailed in Section 3

4.2 As part of this funding package, a Council contribution of £75,000 could be funded through the Regeneration Services Capital Programme for 2005/06. However the expenditure might in due course be financed by the use of housing land capital receipts, as the planned schemes will assist to bring presently under used land into a more effective use and so meet the qualifying regeneration activities criteria. This would be consistent with the Housing Land Capital Receipts Strategy approved by Cabinet in September 2004 under the theme of 'Strategic Investments'.

- 4.3 If the above funding package cannot be secured the likely outcome is the Sure Start Partnership would need to revise its current plans and commission the development of only one Centre as part of the Stephenson Way Primary School in order to commit the approved capital allocation to the Programme by March 2006. Consequently, the provision of Sure Start services for Shildon under the Children Centres agenda would in the short term be delivered through a number of centres on an outreach basis. The provision of the required day care spaces would need to be deferred and met by the County Durham Sure Start Partnership in consultation with Durham County Council at a later date.
- 4.4 If the Council's contribution to the scheme is agreed and other savings are found through meeting a substantial part of the furnishing and fitting costs from revenue budgets sufficient funding would be available to undertake the planned proposals. With this funding package secured, the Council would be able as the Accountable Body for the Programme to submit the capital expenditure programme to the Sure Start Unit within the Department of Education and Skills for approval including the application for additional grant to cover non recoverable VAT costs.

5. **CONSULTATION**

- 5.1 The development of the Programme's Capital Strategy with the proposals for the provision of two new Children Centres has involved extensive community and service provider consultations across both communities. Local parents have been actively engaged in the Programme's Capital Strategy Working Group. Further consultations took place in November 2004 in advance of the submission of the schemes for planning permission.

6. **OTHER MATERIAL CONSIDERATIONS**

Risk Management

- 6.1 The major risks to this project arise from any increase in building costs following receipts of tenders or further delays to the project and from the Council being unable to secure additional grant of £175,000 for non recoverable VAT payments from the Sure Start Unit. The Sure Start Partnership recognise that any minor cost changes of up to £14,500 could be met through meeting more of the 'furnishing and fitting' costs from revenue funding.
- 6.2 Any more significant costs changes would require partner agencies to consider additional contributions or to revise the proposals to build only one Centre at the Stephenson Way site in Newton Aycliffe. If the eventual outcome is the construction of only one centre, the Council's contribution would not be required as all the costs could then be met by the Sure Start grant.
- 6.3 There are no other significant material considerations that have not been addressed in the report.

7. **OVERVIEW AND SCRUTINY IMPLICATIONS**

7.1 There are no specific Overview and Scrutiny implications.

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Wards: West, Greenfield Middridge, Thickly, Sunnydale and Byerley

Key Decision: Not a key Decision as it involves Council expenditure of less than £100,000 and the development of the facilities will not have a significant impact on more than two wards.

Background Papers

- Sure Start Shildon and Newton Aycliffe West Delivery Plan, January 2003.
- Report to the Chief Executive Officer, Sure Start Wave 6 Local Programme: Shildon and Newton Aycliffe West Capital Progress Report, 10 March 2004.
- Report to Cabinet, Sure Start Wave 6 Local Programme: Shildon and Newton Aycliffe West, Capital Works, 26 March 2004

Examination by Statutory Officers

	Yes	Not Applicable
1. The report has been examined by the Councils Head of the Paid Service or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. The content has been examined by the Councils S.151 Officer or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. The content has been examined by the Council's Monitoring Officer or his representative	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. The report has been approved by Management Team	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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