

# CABINET

Thursday, 11 January 2007

10.00 a.m.

Conference Room 1,  
Council Offices,  
Spennymoor

# AGENDA and REPORTS

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**Democratic Services**



**01388 816166**

## 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 14<sup>th</sup> December 2006. (Pages 1 - 6)

### KEY DECISION

#### STRATEGIC LEADERSHIP PORTFOLIO

**4. BUDGET FRAMEWORK FOR 2007/2008 (KEY DECISION)**

Report of Director of Resources. (Pages 7 - 20)

### OTHER DECISIONS

#### HOUSING PORTFOLIO

**5. IMPLEMENTATION OF CHANGES TO POWERS TO TACKLE ANTI SOCIAL BEHAVIOUR**

Report of Director of Housing. (Pages 21 - 26)

#### SOCIAL REGENERATION AND PARTNERSHIP PORTFOLIO

**6. LOCAL IMPROVEMENT PROGRAMME (LIP) UPDATE ON THE LIP AND CREATION OF A PROJECT DEVELOPMENT DELEGATED APPROVAL MECHANISM**

Report of Head of Strategy and Regeneration. (Pages 27 - 32)

#### STRATEGIC LEADERSHIP PORTFOLIO

**7. PROPOSED CHANGES TO THE ROLE OF TWO SENIOR DEVELOPMENT CONTROL OFFICER POSTS**

Joint report of Chief Executive and Director of Neighbourhood Services. (Pages 33 - 40)

**8. OVERVIEW AND SCRUTINY REVIEW GROUP REPORT - REVIEW OF SICKNESS MANAGEMENT**

Cabinet response and action plan. (Pages 41 - 44)

## **MINUTES**

### **9. AREA FORUMS**

To consider the minutes of the following:

- (a) Area 5 Forum - 28th November 2006 (Pages 45 - 48)
- (b) Area 1 Forum - 11th December 2006 (Pages 49 - 54)

### **10. OVERVIEW AND SCRUTINY COMMITTEES**

To consider the minutes of the following:

- (a) Overview and Scrutiny Committee 2 - 28th November 2006 (Pages 55 - 58)
- (b) Overview & Scrutiny Committee 3 - 12th December 2006 (Pages 59 - 66)

### **11. CONFERENCES**

Report of Chief Executive. (Pages 67 - 68)

### **12. ANY OTHER BUSINESS**

Lead Members are requested to inform the Chief Executive 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.

B. Allen  
Chief Executive

Council Offices  
SPENNYMOOR  
3<sup>rd</sup> January 2007

Councillor R.S. Fleming (Chairman)

Councillors Mrs. A.M. Armstrong, Mrs. B. Graham, A. Hodgson, M. Iveson, D.A. Newell, K. Noble, R.A. Patchett and W. Waters

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#### 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

# Item 3

## SEDGEFIELD BOROUGH COUNCIL CABINET

Conference Room 1,  
Council Offices,  
Spennymoor

Thursday,  
14 December 2006

Time: 10.00 a.m.

**Present:** Councillor R.S. Fleming (Chairman) and  
  
Councillors Mrs. B. Graham, A. Hodgson, M. Iveson, D.A. Newell,  
K. Noble, R.A. Patchett and W. Waters

**In Attendance:** Councillors W.M. Blenkinsopp, Mrs. B.A. Clare, Mrs. J. Croft,  
Mrs. A.M. Fleming, A. Gray, Mrs. J. Gray, B. Hall, D.M. Hancock,  
J.E. Higgin, J.M. Khan, B. Meek, J.P. Moran, Mrs. E.M. Paylor, A. Smith,  
Mrs. I. Jackson Smith and T. Ward

**Apologies:** Councillors Mrs. A.M. Armstrong

**CAB.122/06 DECLARATIONS OF INTEREST**  
Members had no interests to declare.

**CAB.123/06 MINUTES**  
The Minutes of the meeting held on 30<sup>th</sup> November 2006 were confirmed as a correct record and signed by the Chairman.

**CAB.124/06 FEASIBILITY STUDY, ARTS RESOURCE - SPENNYMOOR LEISURE CENTRE (KEY DECISION)**  
The Lead Member for Leisure and Culture presented a report seeking approval in principle to the development of an Arts Resource at Spennymoor Leisure Centre. (For copy see file of Minutes).

It was reported that an audit of arts provision in the Borough undertaken in 2004 had showed there was a clear gap in provision, and a further study, commissioned in 2005, had concluded that an Arts Resource would compliment existing provision and reflect the demands of professional artists, voluntary sector organisations and statutory organisations.

It was pointed out that an Arts Resource could be developed between the Gymnastics Centre and the new Fitness Suite within Spennymoor Leisure Centre, which was in need of remedial work. Appendix 1 to the report showed a footprint of the space that would be available for such a facility.

The estimated overall capital cost of the project was approximately £3m. Members' attention was drawn to section 4 of the report, which set out the sources of funding and the revenue implications.

It was pointed out that the Arts Resource would not be reliant on ticket sales, unlike stand alone theatres. It would have a performing arts programme that could be tailored to the level of revenue costs acceptable to the Council.

- RESOLVED :**
1. *That the development of an Arts Resource at Spennymoor Leisure Centre be agreed in principle.*
  2. *That the Council's capital commitment to the project must be within the region of 20% of the total capital build costs and should not exceed £700,000.*
  3. *That the project will not be progressed beyond the feasibility stage until all capital funding from external sources is in place and there is full sign-off of the revenue implications of the project, both of which will be subject to further reports to Cabinet.*

**CAB.125/06 PRIVATE SECTOR HOUSING RENEWAL - NEIGHBOURHOOD RENEWAL ASSESSMENT**

The Lead Member of Housing presented a report seeking approval to procure specialist professional expertise to undertake Neighbourhood Renewal Assessments for the groups of properties affected in Dean Bank and Chilton West to support the delivery of the Master Plan. (For copy see file of Minutes).

- RESOLVED :**
1. *That an approach to procuring the specialist consultancy required to undertake the Neighbourhood Renewal Assessments required to support the delivery of the Master Plan during its first three years as detailed in the report be approved.*
  2. *That tenders be invited from those firms with the relevant expertise and specialist knowledge to carry out Neighbourhood Renewal Assessments as required to support the delivery of the Master Plan under procurement Procedure Rule 6.*
  3. *That a further report be presented on the outcomes of procurement.*

**CAB.126/06 REGULATION OF INVESTIGATORY POWERS ACT 2000: GOING FORWARD: IMPLEMENTING IMPROVEMENTS**

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

The report made recommendations for the implementation of the findings of the report of the Office of Surveillance Commissioners.

Specific reference was made to the revised corporate policy and procedures document which took account of best practice in leading authorities in the field, the recommendations of the Office of Surveillance Commissioners and consultations that had taken place with key officers within the Council.

*RESOLVED :*

1. *That the Corporate Policy and Procedures document on the Regulation of Investigatory Powers Act 2000 be approved.*
2. *That Council be recommended as follows:*
  - (a) *that all surveillance exercises, including covert surveillance be conducted by the Council in accordance with the terms of the Act and the Corporate Policy and Procedures document.*
  - (b) *that only the Chief Executive shall be permitted to authorise a surveillance exercise, under Section 29 of the Act, involving use of covert human intelligence sources (CHIS) or any staff investigations in consultation with the Solicitor to the Council,*
  - (c) *that the report be referred to all officers conducting enforcement functions which may carry out covert surveillance; that the policy be available on the Council's Intranet.*
  - (d) *that the Solicitor to the Council be authorised to take all necessary steps to conclude satisfactory arrangements as regards corporate procedures and raising awareness of the Corporate Policy and Procedures document with appropriate officers in the Council.*
  - (e) *that the Solicitor to the Council be authorised to oversee training arrangements on RIPA, to suspend authorisation of officers where further training is required and to generally keep the policy document up to date and be responsible for the regular review of the Central Register of Authorisations.*
  - (f) *that the Solicitor to the Council be responsible for an annual review report to Cabinet in February each year upon the operating of the Act; that the Central Register of Authorisations be similarly reviewed on a quarterly basis.*

*(g) that the effective date for the operation of the policy shall be 24th February 2007.*

*(h) that the Head of Environmental Services and Head of Housing Management and Public Health Services Manager be authorising officers for the purposes of Section 28 of the Act in relation to their duties and functions.*

*(i) that the Council approves all consequential changes to the Constitution (CE51/CE52 Officer Delegations refer).*

**CAB.127/06 BUDGET FRAMEWORK - 2007/08 TIMETABLE**

Consideration was given to a report seeking approval of a timetable for making proposals to Council for the adoption of the 2007/08 budget and the arrangements for consultation in accordance with Part 4 Section C of the Council's Constitution. (For copy see file of Minutes).

*RESOLVED : That the time table as shown on the appendix attached to the report be approved.*

**CAB.128/06 OVERVIEW AND SCRUTINY COMMITTEE 1: REVIEW OF SICKNESS MANAGEMENT**

Councillor B. Hall, Chairman of the Review Group, presented the findings of the above Review. (For copy see file of Minutes).

It was explained that the purpose of the review was to investigate what the Council was currently doing in relation to the management and control of sickness absence and to determine what could be done in the future.

Specific reference was made to the Group's conclusions and recommendations.

*RESOLVED :*

- 1. That the report be received.*
- 2. That the recommendations be considered and the response and Action Plan be reported to a future meeting of Cabinet.*

**CAB.129/06 OVERVIEW AND SCRUTINY COMMITTEE 1**

Consideration was given to the Minutes of the meeting held don 21<sup>st</sup> November 2006. (For copy see file of Minutes)



*RESOLVED : That the report be received.*

**Published on 15<sup>th</sup> December 2006**

**Any key decisions contained in these Minutes will be implemented on Wednesday 27<sup>th</sup> December 2006 five working days after the date of publication unless they are called in by three Members of the relevant Overview and Scrutiny Committee in accordance with the call in procedure rules.**

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**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

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# Item 4

## KEY DECISION

## REPORT TO CABINET

11<sup>TH</sup> JANUARY 2007

## REPORT OF DIRECTOR OF RESOURCES

**Portfolio: STRATEGIC LEADERSHIP**

### **BUDGET FRAMEWORK FOR 2007/08**

#### **1. SUMMARY**

- 1.1 This report sets out a budget framework for 2007/08 after taking into account the Government's proposed settlements in relation to Revenue Support Grant (RSG), Housing Subsidy and Capital Allocations. Detailed account has also been taken of the Council's Medium Term Financial Plan (MTFP), which sets out the framework for developing annual revenue and capital budgets over the medium term. The MTFP will be fully updated in the light of the formally agreed Budget Framework for 2007/08.

The proposals are subject to consultation through the Overview and Scrutiny Committees, through Council Tax Focus Groups for General Fund services and for the Housing Services through the Tenant's Housing Services Group and Residents Federation.

- 1.2 The Budget Framework for 2007/08 maintains service delivery in key priority areas in accordance with the approved Corporate Plan. Efficiency savings and re-engineering of existing service delivery will enable some changes to occur and keep the level of Council Tax increase to only 2.9%.

#### **2. RECOMMENDATION**

- 2.1 That the Budget Framework for 2007/08 be approved and be consulted upon in accordance with the timetable previously approved by Cabinet on the 14<sup>th</sup> December 2006.

#### **3. BUDGET FRAMEWORK FOR 2007/08**

##### **Background**

- 3.1 The Government's proposed settlements in relation to the following key components of the 2007/08 budget have now been received although allocations through the Regional Housing Board are still to be announced:-

##### Spending Area

*General Fund Services  
Housing Revenue Account  
Capital Spending Programmes*

##### Government Settlements

*Revenue Support Grant/Business Rates  
Housing Subsidy  
Supported Capital Allocation*

- 3.2 Management Team has carefully assessed the implications of the settlements and has examined all main spending areas particularly to consider:-
- The balance between spending on statutory services and discretionary services.
  - The allocation of resources between priorities to achieve our strategic goals and performance targets.
  - The needs of the public as expressed in previous consultation exercises, particularly through Council Tax Focus Group meetings.
  - The balance between spending and taxation/rent levels.
  - The sustainability of the Budget Framework in relation to its dependency both on the receipt of large sums of money from the disposal of land and external time limited grant funding streams.
  - The impact of efficiency savings achieved and the overall need to demonstrate that value for money principles have been applied.
- 3.3 This report will look at each of the spending areas set out above and make proposals on levels of expenditure for 2007/08, together with their impact on Council Tax and rent levels.

### **General Fund Services**

- 3.4 The Council has been provisionally notified that it will receive £9,601,288 of external Government support for 2007/08. The grant system now focuses more on grant distribution and not on national measures of spending and council tax. The system consists of four separate funding elements unchanged for 2007/08 as detailed below:-
- *Relative needs amount (based on amount per head adjusted to reflect local circumstances including deprivation and area costs).*
  - *Resource amount (to take account of different capacities to raise council tax).*
  - *Central allocation amount (allocated on a per head basis).*
  - *Floor damping amount (to help ensure all authorities receive a minimum increase in grant).*
- 3.5 The grant settlement for Sedgefield Borough shows a year on year increase in grant of 5.1% or £468,000 including the base adjustments in accordance with the distribution framework. Whilst this is a reasonable settlement it still falls well short of meeting the financial pressures set out below.
- 3.6 Unlike in 2006/07 when the Council was given indicative grant figures for 2007/08 no such figures have yet been provided for 2008-2009. During the coming summer the Government will be announcing the results of its Comprehensive Spending review for the three-year period 2008/09 to 2010/11 which is expected to be particularly difficult for Local Government over that period with much tougher efficiency targets being imposed. This will provide the basis of grant settlements for that period which will be incorporated into the next review of the Councils Medium Term Financial plan.
- 3.7 The grant settlement is broadly in line with expectations. Notwithstanding this the Council does face some significant budget pressures not least that of pay inflation. Although the pay settlement effective from 1<sup>st</sup> April 2007 has not yet been agreed, an assumed 2.5% increase has been built into the budgets. The effects in 2007/08 of implementing the Job Evaluation Agreement last year have also been incorporated into the base budgets and the final stage of the stepped increases to the Council's contribution to the Pension Fund in accordance with the last Actuarial Valuation, will

also add a further 1.5% to the total pay bill. These factors represent a significant increase in the pay costs incurred by the Council

- 3.8 In addition a number of initiatives designed to build and maintain strong cohesive communities in order to tackle deprivation and social exclusion have relied on external finance streams many of which draw to a close by March 2008. Account has therefore had to be made of the fall out of grant / support in these important areas.
- 3.9 Fuel price inflation will also significantly add to costs particularly in the areas of high-energy use e.g. leisure centres.
- 3.10 The Budget Framework for 2007/08 has been prepared to take into account the above financial issues and pressures and to reflect the Council's key priorities set out in the Corporate Plan. The key changes can be summarised as follows:-
- 3.11 **All Portfolios** – The budget has been prepared on an outturn basis that means that the Contingency sum has been eliminated. If during the year unforeseen issues arise they will have to be met from efficiency savings within the relevant Portfolio area to avoid Balances having to be used.
- 3.12 It is expected that the Budgetary Control reports now being considered by Cabinet on a regular basis may identify whether any savings in any Portfolio area could be used to meet any urgent additional unexpected demands on the Council's resources.
- 3.13 The provision for savings arising from staff turnover has been increased to reflect the current position.
- 3.14 **Strategic Leadership** – Whilst there are no significant changes to the levels of service provision within this Portfolio, funding has been provided to address the concerns expressed by Members following the recent review of sickness absence. External funds through meeting stretched targets under the first Local Public Service Agreement can be made available to strengthen sickness management arrangements in the Human Resources Section, arrangements aimed at reducing absence levels and ultimately increasing efficiency closer monitoring of strengthened procedures.
- 3.15 The overall level of Capital Financing charges has been reviewed to take into account the impact of debt rescheduling, expected rates of interest, levels of balances and capital receipts.
- 3.16 Provision has been made to meet the additional revenue costs associated with new ICT systems and the increased production costs for Inform.
- 3.17 **Culture & Leisure** – In accordance with the MTFP this portfolio has, in the main only been provided with an inflationary increase.
- 3.18 The main changes for 2007/08 relate to physical activity performance targets designed to achieve a healthier population, across all age ranges and genders. Play Schemes will be replaced with targeted programs of sport and physical activity aimed at specific people in specific areas of the Borough.
- 3.19 Leisure centre programmes will be re-engineered to reduce direct operating costs whilst at the same time develop creative pricing policies which will be designed to make facilities more accessible to everyone.
- 3.20 We will continue to support the work of voluntary organisations throughout the Borough whose work reflects the aim of getting more people physically active.

- 3.21 The marketing plan will see a change in emphasis to help achieve these performance targets.
- 3.22 The recent increases in energy prices has a significant impact on the operating costs of the four leisure centres. As a consequence an energy management partner is being sought to improve plant efficiency and reduce utility consumption. At the same time a review of all current maintenance agreements within the centres is being implemented which may lead to further efficiency savings.
- 3.23 **Community Health** – Whilst this budget area is relatively small compared with the other Portfolio's it contributes specifically to the Pioneering Care Partnership and Carelink Club both of which provide a range of services to some of the most vulnerable people in our Borough
- 3.25 The budget provides for a “Your Health Road Show” and a contribution towards the SHARP project providing a first point of contact for vulnerable households requiring crisis intervention
- 3.26 **Environment** – Protection of the environment and the standard of ground maintenance has always been a high priority for members and continues to be a key feature raised by residents in public consultation exercises. The 2007/08 revenue budget will enable the Council to continue to provide a similar level of service to that being achieved in the current year, but with the following enhancements
- 3.27 The Green Collection Service is being retained in some parts of the Borough whilst the Council considers the findings of a recent review. The outcome of that review will be used to determine the Councils approach to its Waste Collection Strategy
- 3.28 A contract for horticultural services currently undertaken by an external contractor is being brought back in-house during 2007/08. This will allow the Council to review its current arrangements across the borough to provide a more neighbourhood focused service in line with the proposals in the recent Local Government White paper.
- 3.29 **Planning & Development** – Protection of the physical environment is one of the issues that is given high priority by our communities. During 2007/08 the Planning Service will be enhanced to provide a more customer focused service, maximise fee generation and Planning Delivery Grant as a consequence of improvements in planning performance.
- 3.30 In addition an extra £20,000 is being provided towards the cost of the review of the Council's Local Development Plan to ensure it is sufficiently robust and evidence based to pass through the public examination process.
- 3.31 **Private Sector Housing** – The renaissance of our priority areas of Dean Bank, Ferryhill Station & Chilton West are subject to a Master Plan that is now in the first stage of implementation. A team has been recruited to allow the Council to commence work on Phase 1 and a substantial provision has been made within the 2007/08 Capital Programme to reflect this.
- 3.32 The Council has set aside £16,000 to contribute towards the Durham Strategic Housing Initiative, £7,500 as a contribution towards the update of the Housing Needs survey and £14,800 in respect of increased budgets to enhance the Homelessness & Domestic Violence service.
- 3.33 **Safer Communities** – The Council recognises the importance of contributing to our community's safety through a range of direct service provision and by acting in

partnership with other organisations through the Community Safety Partnership. During 2007 the service will be subject to a major service review and the 2007/08 budget will enable the Council to sustain current service levels and to make improvements based on the outcomes of the review.

- 3.34 **Social Regeneration** – The 2007/08 revenue budget will enable the Council to continue to provide a similar level of service to that being achieved during the current year including the ongoing support to the Advice & Information Service, CAVOS and the Local Strategic Partnership.
- 3.35 The “Accountable Body” function in respect of Sure Start activities currently undertaken by this Council will be transferred to Durham County Council with effect from 1<sup>st</sup> April 2007.
- 3.36 The costs of providing the Housing Benefits service have again been limited to the level of Government funding available during 2007/08.
- 3.37 As the Government is expected to again reduce the level of funding in 2008/09, efficiency measures, such as home working which is currently being piloted in the section, will need to be introduced in order to maintain the current level of performance. Provision has also been made to allow for an increased level of discretionary hardship payments to Housing Benefit Claimants in appropriate circumstances
- 3.38 Funding, previously available from the Single Regeneration Budget and Community Empowerment Fund ends this year and it will be necessary in future to maximise the potential funds available from those funding streams pooled through the Local Area Agreement, in order that the Council can continue its involvement in cross cutting initiatives such as employability and the economic regeneration of the Borough.
- 3.39 **Learning & Employment** – the budget proposals for this Portfolio should enable the Council to provide a similar level of service to that being achieved during the current year especially in relation to economic development and industrial promotion.
- 3.40 The focus for 2007/08 will be on working with neighbouring authorities and partners to develop marketing strategies for industrial sites particularly along the A1(M) corridor and new funding opportunities, particularly through the Local Enterprise Growth Initiative.
- 3.41 In light of the fallout of the grants package and changes to the Business Start up initiative, a review of the Council’s relationship with SASDA has been undertaken. In 2007/08 SASDA will continue to receive the sum of £10,000 to run the Business Forum on the Council’s behalf whilst other budgets have been reallocated to enhance services provided at the Shildon Business Centre and new economic development initiatives.
- 3.42 The Council continues to provide a training scheme for unemployed youths & adults to improve their basic skills to enable to help them find entry to employment. The scheme, funded mainly from training contracts from the Learning and Skill Council and Job Centre Plus, is self-financing. The Council will also continue its close relationship with Bishop Auckland Technical College to develop a strategic alliance with the aim of providing enhanced training facilities locally.

### **Efficiency Savings**

- 3.43 The Budget Framework for 2007/08 shows another year of spending growth assisted by a reasonable RSG settlement and the reallocation of available resources to help achieve Council priorities. However, it should be noted that there would be little

scope for further additional growth in spending in later years. Furthermore all areas of Council spending are expected to continue to contribute to the achievement of efficiency savings. Over the next two years efficiency savings in the order of £750,000 must be achieved to maintain spending levels and keep council tax increases low, as the use of the budget support fund is withdrawn.

3.44 In addition to the key features set out above, the detailed budgets have been prepared on the following basis:-

- 4.0% anticipated savings from staff turnover.
- Increase in fees and charges of 3% on average.
- Allowances for inflation have been restricted to the following areas of spending:-
  - *Salaries and wages*
  - *Business rates*
  - *Insurance premiums*
  - *Utilities costs i.e. gas, water, electricity and telephones*
  - *Other unavoidable costs which are of a contractual nature*

### Target Budgets For 2007/08

3.45 Detailed budgets, which will be circulated to Overview and Scrutiny Committee's have been prepared to meet the following target figures:-

<u>Portfolio</u>	<u>Current Budget 2006/07</u> £	<u>Target Budget 2007/08</u> £	<u>Change in Budget</u> £
<b>Strategic Leadership</b>	1,704,550	1,901,610	197,060
<b>Healthy Borough</b>			
- Culture & Leisure	3,622,080	3,839,790	217,710
- Community Health	155,230	141,460	(13,770)
<b>Attractive Borough</b>			
- Environment	5,219,320	5,672,600	453,280
- Planning & Development	467,750	499,240	31,490
<b>Stronger Communities</b>			
- Private Sector Housing	548,630	601,100	52,470
- Safer Communities	822,000	829,150	7,150
<b>Prosperous Borough</b>			
- Social Regeneration	1,953,750	2,030,320	76,570
- Learning & Employment	232,210	207,790	(24,420)
<b>Contingency</b>	79,960	-	(79,960)
<b>Salary &amp; Efficiency Savings</b>	(260,000)	(405,000)	(145,000)
	<b>14,545,480</b>	<b>15,318,060</b>	<b>772,580</b>
<b>Use of Balances (see Note 1)</b>	(500,000)	(700,000)	(200,000)
<b>Net Spending</b>	<b>14,045,480</b>	<b>14,618,060</b>	<b>572,580</b>

#### Note:

1. The use of earmarked balances continues the policy to provide budget support in the medium term. Support in 2007/08 has been increased by £200,000, £60,000 of which is to be used to fund the Borough elections in May 2007.

3.46 Careful planning of the budget means that the commitment made in the MTFP to restrict council tax increases to 2.9% can be delivered in 2007/08. The substantial additional



investment in Council services will add only £5.24 per year or 10p per week to the Band D Tax. The cost to the Band A taxpayer will be £3.50 per year or 7p per week. Overall since 2002/03 total net spending has increased by 31% in order to meet the Council's key priorities whilst Council Tax will have risen by around 19% over the full 5 years.

This compares well with the national average increase over the same period which is expected to be closer to 30%

### ***Risk Assessment – General Fund Budget***

- 3.47 The Budget Framework 2007/08 has been prepared on a low risk basis. Account has been taken of some significant capital receipts that are likely to materialise during 2007/08 which would lead to additional investment income, provision has been made for the anticipated costs of pay awards and account has been taken of the loss of external finance streams where appropriate.

## **4. Housing Revenue Account**

- 4.1 The funding of the Council's Housing Revenue Account (HRA) is very much driven by the Government. The Housing Subsidy System, provides the resources for the funding of Council Housing throughout the country, via the annual Housing Subsidy Settlement. The Government via its Rent Restructuring methodology also controls the Council's annual rent increases. The Housing Subsidy and Rent Restructuring System have undergone major methodology changes over recent years and this has had a significant impact on the Council's HRA.

### **Housing Subsidy**

- 4.2 The 2007/08 Housing Subsidy settlement, has left the Council's HRA significantly worse off. Although our spending allowances for Management and Maintenance have increased in excess of inflation by 3.97% and 4.34% respectively, an increase in Guideline Rent Levels of 7.26% has meant that the net Subsidy payable to the Government for redistribution to other local housing authorities has increased by £982,700 to £3.7m.
- 4.3 This comes at a time when the continued implementation of the Government's Rent Restructuring methodology will lead to substantial rent increases for most of our tenants over the next few years so that full convergence with housing association rents can be achieved by 2012. The impact of these changes for 2007/08 is considered in some detail in the paragraphs 4.9 to 4.14 dealing specifically with the implications of Rent Restructuring.
- 4.4 An overall cap on rent increases of 5% remains in place for 2007/08, however this limits the increased resources available through our rent increase (net of stock losses) to around £900,000.
- 4.5 In overall terms, the Housing Subsidy Settlement has effectively left the Council's HRA in the position of having no additional resources available to fund inflationary pressures or committed service growth in 2007/08. So in effect the £900,000 additional rent income to be raised next year will be transferred to the Government to assist with social housing in other parts of the country.
- 4.6 Following responses to the consultation on the draft subsidy settlement, the Government has now put in place a Rental Constraint Allowance, which will provide some subsidy to reimburse the Council for the rent income foregone as a result of the 5% cap on rent increases. It is likely the Council will receive around £347,000 in 2007/08, which will be offset against the increase in the Council's Subsidy contribution.

- 4.7 The Council's Major Repairs Allowance, which is used to finance the Council Housing Capital Programme, has been increased by 3.1%, which gives a grant figure of £5.061M for 2007/08.

### **Savings Requirement**

- 4.8 The poor Subsidy settlement left the HRA needing to make significant savings of around £750,000 in order to balance the Budget. This was subsequently reduced by the Rental Constraint Allowance now due to be received during 2007/08, amounting to £347,000. The remaining savings were achieved mainly through reduced revenue contributions to the capital programme, which have been replaced by use of Regeneration Capital Receipts, under the affordable Housing definition, in order to maintain and indeed enhance the capital programme budget for 2007/08. Significant efficiency savings were also achieved in respect of the Housing Maintenance Budget and small savings were also made on Housing Management Budgets and a reduction in the HRA Contingency Sum.

### **Rent Restructuring**

- 4.9 As indicated earlier, the major changes in the methodology relating to rent restructuring implemented in 2006/07 will continue to have a significant impact on the Council's tenants with substantial rent increases for most of our tenants over the next few years so that full convergence with housing association rents can be achieved by 2012. The Council's rents are currently significantly lower than housing association rents, and this can only mean significant rent increases for most tenants over the next few years.
- 4.10 Under the current methodology only 173 tenancies are expected to be at target once the rent changes have been applied in 2007/08. The vast majority of tenants face significant rent increases of inflation (currently 3.6%) + 0.5% + £2.00 per week per year for a number of years to come.
- 4.11 The Government recognises that under the present restructuring model local authority sector rents will not converge with the Registered Social Landlord sector by 2012 and therefore the model has had to be adjusted to achieve this. The Government understands that this will cause difficulties as a significant number of tenants face very substantial rent increases for many years to come and it therefore intends to cap the average rent increase within the Housing Revenue Account at 5% for 2007/08.
- 4.12 What this means in practice is that whilst individual rents can rise by more than 5% under the formula "inflation + 0.5% (i.e. 4.1%) + £2.00", the average rent increase across the whole of the Council's stock cannot be more than 5% i.e. from the current £53.57 to £56.25.
- 4.13 Whilst this capping arrangement provides some cushioning of the impact of the changes for next year, it is not sustainable in the long term if convergence is still to be achieved by 2012. In our case as many as 4,500 tenancies would not have achieved target rent by 2012 under the new proposals.
- 4.14 As a result of these proposals by the Government there is therefore the prospect of some very significant future rent increases for many of the Council's tenants. Applying the formula in 2007/08 will see rent changes ranging from 2.58% to 7.59% and as indicated earlier only 173 tenancies will have achieved target status.

### **Communal Heating Charges-Grouped Accommodations**

- 4.15 As Members are already aware, the Council has a responsibility to determine heating charges for tenants in grouped accommodations. Whilst the Council has had a very

good record over the last few years, it was necessary to increase the charges from April 2006 for the first time in 9 years, having once been able to make a cut in charges during that period.

- 4.16 However following the further recent significant increase in energy costs, a full reassessment of heating charges has been undertaken. This shows that the estimated cost of energy supplied to these schemes will rise by 74% over the course of the next 12 months, adding £93,000 to the Council's costs.
- 4.17 It is proposed that the Council will continue to make a staged increase in the charges over the next few years to fully recover the energy costs incurred and as a result a 25 % increase will be applied during 2007/08. Current charges range between £3.00 for a one-person bed-sit to £9.50 for a three-bedroom bungalow.

#### **Carelink / Supporting People Services**

- 4.18 There have also been some major changes in the funding of the Council's Carelink Service for 2007/08. Supporting People Grant has been withdrawn for Sheltered Housing Warden Services, and a new contract for the provision of Alarm Monitoring and Mobile Response Services throughout the County was put out to tender.
- 4.19 The Council submitted a tender for the provision of Alarm Monitoring and Mobile Response Service in Sedgefield, Wear Valley and Teesdale. The Council has since been notified that it has been successful in its bid and has won the three year contract to provide Carelink Services in these areas from 1<sup>st</sup> April 2007 at an annual contract value of around £1.4m.
- 4.20 However, there has been a significant impact on the Council's HRA, as a result of the withdrawal of Supporting People funding for the Sheltered Housing Warden Service, the costs of which now fall back onto the HRA in full. This has resulted in an additional call on the HRA Budget of around £300,000.

#### **Risk Assessment – Housing Revenue Account**

- 4.21 The 2007/08 HRA budget has been prepared on a robust and no risk basis.
- 4.22 The Housing service has been fully reassessed and a three-year Service Improvement Plan is now in place. Housing balances continue to stand at a reasonably healthy level although the current budgeted use of balances to support Housing Capital Programme cannot be sustained in the long term. There will need to be a concentrated effort in achieving the Decent Homes Standard by 2010, and this has been addressed in the capital programme budget discussed in paragraph 5 below.

### **5. Capital Spending Programmes**

- 5.1 Careful examination has been made of the capital spending bids submitted on behalf of each portfolio area, taking into account asset management requirements, service needs, ongoing commitment, etc., assessed in accordance with agreed criteria.
- 5.2 Individual service targets for each portfolio are set out in the table below. Grant funding from various sources may assist some schemes and, where this is the case, the grant will be fully additional to the resources earmarked to portfolio areas set out in the table below.
- 5.3 It will be noted that in the light of the level of resources available to the Council, it will be possible in 2007/08 to launch the biggest Capital Spending Programme ever proposed by the Council since its inception in 1974, amounting to a minimum of **£20m** and this figure will increase further as schemes attract external grant funding.

## PROPOSED TARGET SPENDING LIMITS

	<u>£000</u>	<u>£000</u>
<b>STRATEGIC LEADERSHIP</b>		1,400
<b>HEALTHY BOROUGH</b>		
- Culture & Leisure	715	
- Community Health	70	785
<b>ATTRACTIVE BOROUGH</b>		
- Environment	20	
- Planning & Development	120	140
<b>STRONG COMMUNITIES</b>		
- Council Housing (see details below)	8,400	
- Private Sector Housing	2,335	
- Safer Communities	100	10,835
<b>PROSPEROUS BOROUGH</b>		
- Social Regeneration	400	
- Learning & Employment	200	
- Major Regeneration Initiatives ( see details below )	6,240	6,840
		<u>20,000</u>

### PROGRAMME FUNDED BY:-

	<b>Housing</b>	<b>General Fund</b>	<b>Total</b>
	<u>£000</u>	<u>£000</u>	<u>£000</u>
Major Repairs Allowance	5,061	-	5,061
Decent Homes	213	-	213
Private Sector Renewal*	-	1,656	1,656
Revenue Contributions from HRA	1,637	-	1,637
Use of Balances and Reserves	500	100	600
Capital Receipts	-	3,604	3,604
Capital Receipts earmarked for regeneration and affordable housing (see below for details)	989	6,240	7,229
	<u>8,400</u>	<u>11,600</u>	<u>20,000</u>

*Not confirmed yet\**

### Government Capital Allocations

- 5.4 As yet, not all Government allocations towards capital spending programmes for 2007/08 have been confirmed. However, the largest of these, the Major Repairs Allowance, has been confirmed at £5,061,200 and a Supported Capital Expenditure Allocation to assist in meeting Decent Homes has also been confirmed at £213,000. Although the control totals for the Private Sector Grant Allocations in the form of the

Disabled Facilities Grant and the SHIP Grant were approved in 2006/07, they are still subject to discussions at the Regional Housing Board, who have been notified of a savings requirement by the Government, which will be applied to all authorities in receipt of funding. Any funding cuts will not be known until the later stages of the budget process.

- 5.5 The allocations from Government for 2007/08, together with current year comparisons, can be summarised as follows:-

<u>Type of Allocation</u>	<u>2006/07</u> <u>£000</u>	<u>2007/08</u> <u>£000</u>
Major Repairs Allowance	5,043	5,061
Supported Capital Expenditure	213	213
Disabled Facilities Grant*	200	240
SHIP Grant*	1,200	1,416
	<u>6,656</u>	<u>6,930</u>

*Not confirmed yet\**

### **Use of Capital Receipts and Revenue Contributions**

- 5.6 In addition to the Government capital allocations shown above, the Council also has access to capital resources from capital receipts from the sale of land and property and revenue contributions from the HRA.
- 5.7 Total non-regeneration capital receipts available next year, including £0.803M estimated to remain unused from the current year, are forecast to be £4,021M. The General Fund Capital Programme relies almost entirely on capital receipts being generated particularly in relation to Right to Buy sales. As these are subject to market forces it would not be prudent to commit all available resources next year and in line with previous programmes it would be appropriate to allocate £3.604M in 2007/2008.

### **Council Housing**

- 5.8 Traditionally the Housing Capital Programme had been set at around £7.0M by using a mixture of Major Repair Allowance and revenue contributions. However as has previously been mentioned the Programme now needs to focus on the Government's requirement of meeting the Decent Homes Standard by 2010. This inevitably mean a reduction in funding available to provide for some popular parts of the previous programme e.g. Kitchens and Bathrooms / Tenant Led Improvements. It was felt that there needed to be a smooth transition from that programme to a more Decent Homes orientated programme and to help with this it was proposed last year that a sum of £500,000 in 2006/07 and 2007/08 should be transferred from housing balances to support the Programme. Together with the £989,000 from regeneration capital receipts identified above, this will enable a Capital Programme to £8.4m, which will help with this transition while at the same time enabling the Council to continue to work towards the achievement of Decent Homes.

### **Major Regeneration Initiatives**

- 5.9 The Council has already resolved to make 100% of capital receipts from the sale of housing land available to meet the regeneration and affordable housing initiatives. The total capital receipts available during 2007/08 for these initiatives amount to £20.966M, which includes £10.466M estimated to be unused from the current year.
- 5.10 The programme teams for delivering both the Major Regeneration Initiatives and the Strategic Housing Investment programme have now been recruited and it is felt that

resources of around £6.240M should be made available to support spending on major regeneration projects in 2007/08, with a further £0.989M being used under the affordable housing definition to help the Council achieve the Decent homes standard for it's housing stock. Details of the proposed programme for 2007/08 are shown in the table below:-

<b>Initiative</b>	<b>£'000</b>
Local Improvement Programme [LIP]	1,265
Area Programme & Strategic Investments	
- SHIP Masterplan [includes Programme Team costs]	3,000
- Construction & Skills Centre	200
- Lambton Street Development	594
- Other initiatives	100
Leisure & Culture Schemes	
- Arts Resource Redevelopment	700
- Fixed play areas	100
- Other initiatives	60
Regeneration Capital Programme Team	221
	<b>6,240</b>
Housing Capital – Decent Homes Programme	989
<b>Total</b>	<b>7,229</b>

### ***Risk Assessment – Capital Spending Programmes***

- 5.11 The capital investment provisions set out in this report have been made in the light of known resources and a realistic assessment of capital receipts. The revenue impact of all Programmes have been fully accounted for.

## **6. RESOURCE IMPLICATIONS**

- 61 The financial implications are summarised at each stage of this report and following consultation will be clearly set out in final budget report to Council on the 23rd February 2007.

## **7. CONSULTATION**

- 7.1 The Council's three Overview and Scrutiny Committees will be fully consulted on these proposals in accordance with the published timetable. In addition, a series of Council Tax Focus Groups, consisting of a representative sample of interested Council Taxpayers will be held during January. Similarly the Tenants' Housing Services Group and Residents Federations are being consulted on all aspects relating to the Housing Revenue Account.

## **8. OTHER MATERIAL CONSIDERATIONS**

### **8.1 *Links to Corporate Objectives/Values***

The Council's Corporate Objectives and Values have guided the preparation of the 2007/08 Budget Framework throughout. Resource availability has been fully re-assessed and directed to assist in achieving the Council's key priorities as set out in the Corporate Plan. Particular emphasis has been placed on the following Corporate Values:-

- *Be responsible with and accountable for public finances.*
- *Consult with service users, customers and partners.*

## 8.2 **Risk Management**

The Budget Framework 2007/08 has been prepared on a low risk basis to ensure that the Council effectively balances levels of service provision/spending on services with sustainable income levels to assist in achieving the Council's ambitions. For clarity individual risk assessment statements have been set out in the main body of the report for all three major areas of spending.

## 8.3 **Health and Safety**

No additional implications have been identified.

## 8.4 **Equality and Diversity**

No material considerations have been identified.

## 8.5 **Legal and Constitutional**

The Budget Framework has been prepared in accordance with the Council's Constitution and full account has been taken of new statutory requirements. No other legal or constitutional implications have been identified.

## 8.6 **Other Material Considerations**

No other material considerations have been identified.

## 9 **OVERVIEW AND SCRUTINY IMPLICATIONS**

- 9.1 As mentioned above, full consultation and engagement will be undertaken with all three Overview and Scrutiny Committees.

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## **BACKGROUND PAPERS**

1. Revenue Support Grant Settlement, Housing Subsidy Settlement and Capital Allocations received from the Department of Communities and Local Government.
2. Detailed budget proposals.
3. Medium Term Financial Plan 2006/07 – 2008/09

## **EXAMINATION BY STATUTORY OFFICERS**

	<b>YES</b>	<b>NOT APPLICABLE</b>
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 Section 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 5

## REPORT TO CABINET

11<sup>th</sup> January 2007

## REPORT OF DIRECTOR OF HOUSING

### Portfolio Housing

#### Implementation of changes to powers to tackle Anti Social Behaviour

#### 1. SUMMARY

- 1.1 On the 21<sup>st</sup> September 2006 Cabinet considered a report on a number of changes to legislation around Right to Buys (RTBs) and the management of Anti Social Behaviour (ASB) set out in the Housing Act 2004 and the Anti Social Behaviour Act 2003 (the Acts).
- 1.2 The changes to the RTB scheme have been considered and a report on the implementation of these changes was considered by Cabinet on the 30<sup>th</sup> November 2006. The changes in relation to tackling ASB for the Council as a Landlord include powers to seek the demotion of a secure tenancy, to extend an introductory tenancy for a further 6 months, the ability to suspend the RTB and the option to seek an Anti Social Behaviour Injunction. This report sets out policy changes to allow the effective implementation of these new powers.

#### 2. RECOMMENDATIONS

1. That the Director of Housing is given delegated power to seek an order to suspend the Right to Buy in appropriate cases.
2. That the Housing Department's Statement of Policy and Procedure on Anti Social Behaviour are updated to reflect the changes set out in this report.
3. That a separate report on the implications and implementation of the ***Respect Standard for Housing Management*** is presented to Cabinet in March 2007.

#### 3. **The Management of Anti Social Behaviour by the Council as a Landlord**

- 3.1 The Housing Act 2004 and the Anti Social Behaviour Act 2003 introduced a number of key changes to the powers available to a local authority to manage ASB affecting the lives of its tenants. These new powers primarily apply to the Council's own tenants with the exception of the use of ASBI's which are tenure blind.
- 3.2 The Council has already adopted and implemented the use of Introductory Tenancies (IT) and these are effective tools in helping the Council tackle both ASB and rent arrears for new tenants. The new powers provide an additional degree of flexibility for the Council in tackling ASB over the current arrangements. The use of these powers needs to be set within a suitable policy framework and supported by

robust procedural arrangements. Staff responsible for implementing these powers and members who may be involved in appeal cases will require suitable training.

- 3.3 The Council is required under the provisions of the Anti Social Behaviour Act 2003 as a landlord to publish a statement of its policy and procedures for tackling ASB as a landlord. The Council is required to review these documents and publish any amendments. It is proposed to update the policy statement and procedures as a result of this report and make them available via our website and as documents for any resident or stakeholder who requests a copy.
- 3.4 The area of work in tackling ASB continues to be subject to rapid change and the Department of Communities and Local Government (DCLG) published in August 2005 "**The Respect Standard for Housing Management**". The standard is made up of 6 key commitments and a number of supporting actions, social landlords can sign up to this voluntary code to show their commitment to tackle ASB. Whilst signing up to the standard is voluntary it should be noted that Audit Commission have reviewed Key Line of Enquiry (KLOE) 6 "**Estate management**" to include the requirements of the Respect Standard. This new KLOE will be used for inspections carried out from February 2007. A high performing social landlord must not only have signed up to the standard but have in place suitable arrangements to ensure its effective implementation. The Housing Department will be reviewing revised KLOE 6 and the respect standard to determine the impact on the current Service Improvement Plan (SIP). A separate report will be prepared on the implementation and formal sign up to the Respect Standard for Housing Management.

#### **4. IMPLEMENTING THE REVISED POWERS FOR TACKLING ASB**

- 4.1 The new powers available tackle ASB under the provisions of the Acts focus on both secure and introductory tenants they include:-

- The power to demote a secure tenancy.
- The power to extend an introductory tenancy by a further six months.
- The power to remove the Right to Buy.
- The power to apply for an Anti Social Behaviour Injunction.

The Council needs to have a clear policy as to when it would consider using these provisions possible in conjunction with other action to tackle ASB and or rent arrears.

#### **4.2 Extension of Introductory Tenancies**

- 4.3 New provisions have been introduced under the Housing Act 2004 for introductory tenancies. S.179 of the Act enables introductory tenancies to be extended for a further 6 months beyond the initial 12 months. The Local Authority must serve a notice of extension on the tenant at least 8 weeks prior to the original expiry date. A notice of extension is a notice stating that the Local Authority has decided that the period during which the tenancy is to be an introductory tenancy should be extended by 6 months and must set out the reasons for the decision, inform the tenant of their right to request a review and within the time which a request must be made. The reasons for service of such a notice can include any breach of the

tenancy agreement whether ASB or rent arrears related. The notice to extend the IT period can be served concurrently with a notice to seek possession.

4.4 Statutory Instrument 2006 No. 1077, The Introductory Tenancies (Review of Decisions to Extend a Trial Period) (England) Regulations 2006 provides that the tenant is entitled to request an oral hearing and sets out how this right is to be exercised. The Local Authority must give the tenant at least 10 clear day's notice of the date, time and place of review. The review must be carried out by a person who was not involved in the original decision.

4.5 After consultation with key stakeholders this power would be used in the following circumstances:-

- Where low level ASB has occurred at the tenancy and steps have been taken by the tenant to address the behaviour but insufficient time has elapsed to show that the change is permanent.
- The tenant has relatively low levels of rent arrears, a payment plan has been put in place to tackle the arrears but insufficient time has elapsed to show that the plan will be adhere too.

A notice to extend an IT can be served by either the Tenancy Enforcement Team (TET) for ASB or the Housing Management service (HM) for rent arrears, appropriate legal advice will be sought prior to the service of any notice. In a limited number of cases it may be appropriate to consider service of both a notice to extend an IT and to seek possession. The circumstances set out above relating to the service of a notice are not exhaustive, each case being treated on its own merits and on an individual basis.

#### 4.6 **Demoted Tenancies**

4.7 A demoted tenancy is a one-year probationary tenancy, introduced by the Anti-Social Behaviour Act 2003. Demotion ends the tenant's existing tenancy and replaces it with a less secure one by removing a number of their tenancy rights, thereby acting as a positive incentive to the tenant to change their behaviour.

4.8 The demotion period, is initially 1 year, however, this may be extended if possession is sought during this time. Following the expiry of the demotion period (and assuming an order for possession has not been sought during this time) the demoted tenancy reverts back to the original tenancy. Demotion Orders can only be made by a Court following service of a Notice of Intent to do so and only in circumstances of allegations of anti-social behaviour (not for instance rent arrears).

4.9 During the period of demotion the Council has the power to seek possession of a property similarly to the power in Introductory Tenancies through a Notice procedure and a Court must make a possession order in such circumstances if the Council's review procedure has been exhausted.

4.10 The Council may consider using the demoted tenancy option in two circumstances

- As a stand alone remedy to tackle ASB where the Council does not wish to seek to evict outright.
- The Council could apply for both a demoted tenancy and possession of the property in effect letting the court determine the most appropriate course of action.

4.11 After consultation with key stakeholders this power would be used in all or some of the following circumstances:-

- Where the secure tenant has taken steps to address the ASB.
- Support for the tenant from a range of agencies is in place along with an action plan to sustain the changes in behaviour.
- Where children or vulnerable adults are part of the household.

A notice to seek a demoted tenancy can only be served by the Tenancy Enforcement Team (TET) for ASB, appropriate legal advice will be sought prior to the service of any notice. The Council would not normally serve a notice to demote a tenancy whilst seeking possession but it would not preclude this option. The circumstances set out above relating to the service of a notice are not exhaustive each case being treated on its merits and on an individual basis.

#### **4.12 Anti-Social Behaviour Injunctions**

4.13 Under the Anti-Social Behaviour Act 2003, injunctions are available where conduct is capable of causing nuisance or annoyance to any person, and directly or indirectly relates to or affects housing management functions. This is in addition to and an alternative to the powers which the Crime and Disorder Act provide for Police/Council's to apply for Anti-Social Behaviour Orders (ASBO's).

4.14 After consultation with key stakeholders this power would be used in all or some of the following circumstances:-

- Where a Council tenant faces serious prolonged harassment and/or intimidation from another person not necessarily a Council tenant.
- Where a member of the Council's staff involved in the delivery of the Housing management function serious prolonged harassment and/or intimidation from another person not necessarily a Council tenant.
- Where Housing Management vehicles or premises are targeted for vandalism or damage by a person not necessarily a Council tenant.

A decision to apply for an ASBI would only be considered if jointly agreed between Housing and Legal Services. The circumstances set out above relating to the use of an ASBI are not exhaustive.

#### **4.15 Suspension of the Right to Buy**

4.16 The Housing Act 2004 amends the provisions in relation to the RTB and allows it to

be suspended in certain circumstances; these powers came into force on the 6<sup>th</sup> June 2005. The powers were introduced to prevent a secure tenant facing possession procedures for ASB delaying these by making a RTB application. The Council can apply to Court to have the RTB suspended for a specified period; this option can be used on its own or along side a postponed order for possession.

- 4.17 If the Council wishes to apply for a suspension of the RTB then the conduct test must be satisfied i.e. the secure tenants behaviour is capable of :-
- a. causing nuisance or annoyance to any person and
  - b. directly or indirectly relates to or affects the Housing Management functions.

The Council will consider exercising this power where necessary to ensure the effective delivery of the housing management service.

## **5. RESOURCE IMPLICATIONS**

- 5.1 There are no additional resource implications from implementing these new powers.

## **6. CONSULTATIONS**

- 6.1 Consultation has been carried out with the staff and the Tenants Housing Services Group who support the proposals set out in this report.

## **7. OTHER MATERIAL CONSIDERATIONS**

### **Links to Corporate Ambitions / Values**

- 7.1 The Community Strategy for Sedgefield Borough has adopted 4 key outcomes for the Borough one of which is *"a Borough with strong communities where people can access the housing and services they want in attractive and safe neighbourhoods."* The Borough Councils ambitions mirror the Community Strategy's outcomes and the implementation of this policy in appropriate cases can contribute to the delivery of this ambition.

#### Health & Safety

"No additional implications have been identified".

#### Equality & Diversity

Full account will be taken of the Council's obligation to promote equality and diversity in the development of this project.

#### Legal & Constitutional

Consultation on the report has been undertaken with the Borough Solicitor.

## **8. OVERVIEW AND SCRUTINY IMPLICATIONS**

- 8.1 There are no Overview and Scrutiny implications of this report.

## **9. LIST OF APPENDICES**

- 9.1 None

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**E-mail address** [ibrown@sedgefield.gov.uk](mailto:ibrown@sedgefield.gov.uk)

**Wards:** All

**Key Decision Validation:**

Not a key decision

**Background Papers:**

Cabinet Report 21st September 2006  
Respect Standard for Housing Management DCLG August 2007

**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 6

**REPORT TO CABINET**

**11<sup>TH</sup> JANUARY 2007**

**REPORT OF THE HEAD  
OF STRATEGY & REGENERATION**

**Portfolio: Social Regeneration & Partnership**

**LOCAL IMPROVEMENT PROGRAMME (LIP) – UPDATE ON THE LIP, AND  
CREATION OF A PROJECT DEVELOPMENT DELEGATED APPROVAL  
MECHANISM**

**1. SUMMARY**

- 1.1. This report highlights a series of issues regarding the Local Improvement Programme (LIP) that have become apparent over the first 6 months of operation. This report provides information to Cabinet for their consideration.
- 1.2 The report summaries the following key issues; 1. The cost of developing LIP applications and the need to implement a first stage scheme of delegation for technical works associated with capital projects; 2. The match funding requirement for LIP projects; 3. Role of the Area Forum in the LIP process and also, 4. Update on the current approval process.

**2. RECOMMENDATION**

- 2.1 It is recommended that Cabinet consider the report and...

Notes the contents of the report and supports the establishment of a delegated approval mechanism for first phase technical works associated with LIP projects.

**3. LOCAL IMPROVEMENT PROGRAMME (LIP)**

**Background**

- 3.1 The purpose of this programme is to improve community assets and support community engagement in the regeneration of local areas. Local communities can propose projects against the Department for Communities and Local Government (DCLG) 'Regeneration' Definition and additional criteria agreed by Cabinet. Through this programme resources can be released to improve individual sites and improve the usability of community facilities and buildings.

## **Technical Project Development**

- 3.2 Voluntary and community organisations applying for LIP funding have expressed their difficulties in financing the initial technical surveys and professional reports required to provide robust costs and plans for their intended LIP project. This has led to a series of first phase ‘fees only’ technically focused applications being proposed for LIP funding.
- 3.3 In order to develop fully costed projects under the LIP and to enable community groups and partners to plan with a greater degree of certainty, the Strategy & Regeneration Division propose the establishment of a delegated approval mechanism in order to provide initial funding to overcome the barriers of meeting development costs associated with capital projects. This would therefore bridge the gap between project idea and project implementation.
- 3.4 This stage in the LIP process would include supporting the detailed design / architectural work, survey work, quantity surveyor work, planning fees etc. associated with larger capital projects. The idea of having delegated approval of such applications is essentially to inform the future development and implementation of a larger capital bid and to be more responsive to the timescales of project development. It is felt that this will also inform fully costed and more developed LIP projects for consideration by Cabinet.
- 3.5 Consideration of initial fee based projects will follow the established LIP route whereby the application is submitted for initial appraisal to the Strategy & Regeneration Division. Once the application passes the initial eligibility appraisal stage, the funding application will then be presented to the appropriate Area Forum for consideration to ensure the project is a priority for that area and a clear local needs exists.
- 3.6 The delegated approval will be directed at professional services as identified in Para 3.4 up to a maximum of £15,000. It is proposed that the decisions on these type of applications be delegated to the Chief Executive and Head of Strategy and Regeneration.
- 3.7 Applications for development funding over £15,000 will however still be subject to full Cabinet approval.
- 3.8 Where a request for initial development work is made, the Capital Programme Team based within Strategy & Regeneration will explore the opportunity to utilise internal Sedgefield Borough Council resources where appropriate, and where sufficient capacity exists.
- 3.9 It should be noted however, that a positive outcome of a first phase – technically focused work request will not necessarily lead to the approval of the final full project. The project that comes forward following the completion of the technical work will still be subject to a full appraisal to ensure value for



money criteria are adhered to and that sufficient funds are available within the respective Area Forum allocation. In some instances the outcome of the initial technical work may lead to a recommendation not to progress the project due to building conditions etc.

### **Matched Funding Requirement**

- 3.10 Currently 5 LIP projects have been approved to a value of £410,458, with additional external 'match funding' levered in against the Council's LIP resource to a value of £367,186. Where the successful applicant has been a Town or Parish Council additional revenue contributions have also been committed from existing budgets to cover issues such as on going maintenance to ensure the sustainability of the project over the longer term.
- 3.11 Given experience to date, it is felt that applicants should aim to maximise external sources of funding where appropriate in order to ensure that the Council's LIP funding goes as far as possible in meeting a wide variety of community aspirations.
- 3.12 Current policy approved by Cabinet in June 2005 indicates that for partner Town & Parish Council's a target of normally one third of the costs for the project would be anticipated. This contribution could come from external sources if appropriate, and where additional funding opportunities exist.
- 3.13 It is recognised that the size of the respective Town or Parish Council differs across the Borough, as does the availability of external funding sources that may be linked to issues such as deprivation statistics, former coalfield designation etc. In addition to this it is further recognised that some funding streams will be more 'project' specific and therefore the Strategy & Regeneration Division will assess each project on it's individual merits and work with all applicants in order to maximise external funding where possible.

### **Role of the Area Forum in the LIP Process**

- 3.14 The Area Forum has an important role in providing a local view as to the priority and need for the project within that Area Forum locality.
- 3.15 The Strategy & Regeneration Division will aim to get eligible projects into the Area Forum process as soon as possible to enable the Forum to reflect on the priority of the project and also raise any additional issues that can then be taken forward through the project appraisal process. If not done at the earliest opportunity the timescales of Area Forum meetings could result in a project being held for a period of weeks until a future Forum date.
- 3.16 It is felt that an initial check on eligibility needs to be carried out first however by the Strategy & Regeneration Division before projects are

progressed through the Area Forum process to ensure that projects meet the core Department for Communities and Local Government 'Regeneration' definition. Scope currently exists for the Area Forum to debate possible future project priorities.

- 3.17 Following the Area Forum meeting, a more detailed appraisal of the project will then be undertaken prior to the project going through the formal decision making process of the Council.

### **Approval Process**

- 3.18 Reports prepared for Cabinet will include a short summary as to whether the project meets all of the key LIP criteria agreed by Cabinet including the DCLG eligibility definition. It is evident that some projects, whilst meeting the core DCLG 'Regeneration' eligibility definition, won't meet the additional LIP criteria outlined by Cabinet in June 2005. In these cases projects will be brought before Cabinet for determination but they will include an Officer recommendation not to offer financial support.
- 3.19 In addition to the above, projects that don't meet the core DCLG 'Regeneration' eligibility definition won't be brought before Cabinet and will continue to be dealt with at an Officer level.

## **4. CORPORATE POLICY IMPLICATIONS**

- 4.1 Given the current timescale for bringing LIP projects through the decision making process, it is felt that by delegating decisions on the initial technical work to the Chief Executive and the Head of Strategy & Regeneration, the Council will be more responsive to the needs of the local community and quicker progress will be able to be made than bringing these smaller fee based applications through the full decision making process currently followed for all LIP applications.

## **5. RESOURCE IMPLICATIONS**

- 5.1 There is no additional finance necessary to implement the first stage 'fees based' technical work. A total of £3,800,000 has been allocated to the LIP over the next three years until March 2009. Each of the five Area Forums has been allocated a proportion of the total funding, based upon the percentage of the Borough's total households in that area. Any fee based technical work would be met by existing LIP resources.
- 5.2 Where an initial fee-based technical proposal is implemented then the initial cost of that development work will be added to the overall scheme cost and be met against the Area Forum allocation for that project.

- 5.3 Where a scheme carries out initial technical work but cannot progress to the implementation phase then the development costs cannot be charged against the Housing Land Capital Receipts Programme monies as this won't lead to the direct enhancement of a capital asset. Under such circumstances the costs will need to be met from a Council revenue budget. The Head of Strategy & Regeneration has identified a contingency budget to cover this event. All fee-based projects will be fully appraised in order to minimise any financial exposure to the Council.
- 5.4 A key feature of enabling initial fees to be met within existing LIP resources is to provide greater cost certainty and enable full investigation to be carried out before works are tendered and commissioned, thus minimising the eventuality of unexpected costs arising during the construction stage e.g. asbestos discovery etc.

## **6. CONSULTATIONS**

- 6.1 In the preparation of this report account has been taken of feedback received from community organisations and partner Town and Parish Council's. By engaging the Area Forum's earlier in the process it is hoped that local views can be fed in at the outset in order to raise issues and address them through the formal project appraisal mechanism established for LIP projects.

## **7. OTHER MATERIAL CONSIDERATIONS**

- 7.1 Risk Management - as outlined in Para. 5.3, careful management will be required to minimise the risk of any initial fee based projects not progressing to the implementation phase and therefore resulting in a charge against the Council's revenue account.
- 7.2 Procurement – the main intention of establishing this stage is to ensure that community organisations and partners can plan with a higher degree of cost certainty. This in turn will lead to more accurately costed and planned projects being brought before Cabinet for consideration.

## **8. OVERVIEW AND SCRUTINY IMPLICATIONS**

- 8.1 There has been no previous consultation or engagement with the Overview and Scrutiny Committees.

**Contact Officer:** Chris Donaghy /Andrew Megginson  
**Telephone number:** (01388) 824002 / 824069  
**Email Address:** cdonaghy@sedgefield.gov.uk  
amegginson@sedgefield.gov.uk

**Ward:**

**Key Decision Validation:** Not applicable

## Background Papers:

### Internal

June 2005

- 1 Promotion Of The Regeneration Of The Borough Housing Land Capital Receipts To Support Regeneration And Affordable Housing Provision

## 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 7

**REPORT TO CABINET**

**11<sup>th</sup> JANUARY 2007**

**JOINT REPORT OF CHIEF EXECUTIVE  
AND DIRECTOR OF  
NEIGHBOURHOOD SERVICES**

## **STRATEGIC LEADERSHIP PORTFOLIO**

### **PROPOSED CHANGES TO THE ROLE OF TWO SENIOR DEVELOPMENT CONTROL OFFICER POSTS**

#### **1 SUMMARY**

This report proposes changes to the post specification of two Senior Development Control Officer posts in the Planning and Development Section of the Neighbourhood Services Department. These changes reflect a need to process/consider major planning applications and to comply with PSA6 without direct and immediate access to their line manager.

#### **2 RECOMMENDED**

- 2.1 Approve the changes to the Post Specification for Senior Development Control Officers as outlined in Appendix 1
- 2.2 Regrade both posts from PO1 to PO2 to reflect the additional levels of responsibility set out in the amended post specification.

#### **3 BACKGROUND**

- 3.1 On 5 October 2006, Cabinet considered and approved a restructure of the Development Control Team, recognising an increasing workload, the introduction of new legislation and the need to maintain performance in order to meet PSA6 Best Value targets and to maximise Planning Delivery Grant (minute CAB.88/06 refers).
- 3.2 In essence, an additional Senior Development Control Officer's post PO1 was created to replace a vacant and more junior officer's post. Since then the existing Senior Development Control Officer has left her post, creating two vacancies that the service has been unable to fill through the recruitment and selection process.

## **4 PERFORMANCE**

- 4.1 Recent performance within Development Control has declined, particularly in terms of more complex and time consuming major applications. This decline is of such an extent that it will now prove difficult for the Council to meet PSA6 by March 2007.
- 4.2 This has consequently resulted in the Principal Planning Officer and Head of Service spending additional time dealing with planning applications to the detriment of other management and leadership duties.

## **5 PROPOSAL**

- 5.1 An analysis of workloads suggests that in order to meet the increasing demands placed upon the service through major applications and changes in guidance and regulations, more responsibility should be vested in the Senior Development Control Officer requiring postholders to make decisions of substance without regular and ready access to more senior officers.
- 5.2 Additional responsibilities have been considered in accordance with the Council's Job Evaluation Scheme and an adjustment in the grade of Senior Development Control Officer posts is justified from PO1 to PO2.

## **6 RESOURCE IMPLICATIONS**

### Human Resources

- 6.1 The proposed changes reflect a change of establishment directly in line with the needs of the service.

### Financial Resources

- 6.2 The difference in cost between PO1 and PO2 equates to £6,140 for both posts, which can be accommodated through Planning Delivery Grant and fee generation.

## **7 OTHER MATERIAL CONSIDERATIONS**

### Links to Corporate Objectives

The Development Control Service mainly contributes to the corporate ambition of securing an attractive Borough and also contributes to a healthy and prosperous Borough and stronger communities. This re-organisation is aimed at providing a structure within the service that will allow it to maintain an effective service to deliver its contribution to the corporate ambitions.

## 7.2 Risk Management

The primary risk facing the service is failure to recruit Senior Development Control Officers and the consequential failure to meet specified service standards. The proposals set out in this report should mitigate this risk.

## 7.3 Health and Safety Implications

No additional implications have been identified.

## 7.4 Legal and Constitutional

No implications have been identified.

## 7.5 Information Communication Technology

There are no specific factors to report.

## 7.6 Equality and Diversity

There are no specific factors to report.

## 7.7 Sustainability

No other material considerations have been identified.

## 7 OVERVIEW AND SCRUTINY IMPLICATIONS

7.1 None.

## 8 LIST OF APPENDICES

Appendix 1 - Amended Post Specification for a Senior Development Control Officer.

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**Contact Officers:** G Hall  
**Telephone No:** (01388) 816166 ext 4308  
**Email Address:** ghall@sedgefield.gov.uk

**Ward(s):** All

**Key Decision Validation:** Not a key decision

**Background Papers**

---

## 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"/>



## Appendix I

### *Post Specification*

*Job Title:* Senior Development Control Officer

**Department: Neighbourhood Services**

**Section: Planning**

**Grade: PO2**

Responsible to:	Development Control Manager
Responsible for:	Other Development Control Team Staff

*To which Business Plan(s) does this post contribute?*

Planning Section Business Plan

### *Main Purpose of Job*

The post holder will be a key member of the Development Control Team. You will be MRTPI, qualified in Planning, with proven experience in Development Control and have strong communication and negotiations skills. You would deal with a varied case load of major applications and related development control matters throughout the Borough. The diversity of the area will give you wide ranging experience and the opportunity to develop areas of expertise.

The post holder will assist the Development Control Manager in managing and supervising the Development Control Team, and will deputise in his/her absence. The specific responsibilities may vary over time and will be agreed with the post holder and the Development Control Manager.

Team working is central to the Council's corporate approach to ensure consistency and continued development of the Development Control Service. The post holder will also be expected to work co-operatively with other staff in the Planning Section, the Neighbourhood Services Department and the Council's key partners and stakeholders.

### *Main duties and responsibilities*

**Assisting the Development Control Manager in the management and the supervision of the Development Control Team and deputising for the Development Control Manager in his/her absence.**

Providing guidance to, and supervising junior members of staff including planning officers, the enforcement officer and administrative staff within the Team.

**All work related to Development Control matters from the provisional enquiry stage through to implementation.**

Preparing reports and making recommendations on planning and related applications for consideration by the Development Control Committee and by the Development Control Manager under delegated powers and to carry out all necessary consultations and statutory publicity requirements in this respect.

Preparing appeal statements, ensuring appeal procedures are followed, and giving evidence at hearings and inquiries.

Following procedures and performance targets adopted by the Council, the Department, the Section and the Development Control Team.

Representing the Team, Section, Department at meetings, both internal and external, including presenting development control matters at Development Control Committee when required to do so.

Contribute positively to the continuous improvement of the Council's Development Control Service by taking part in the formulation and implementation of Best Value initiatives, developing knowledge and experience, and by keeping abreast of planning law, policy and procedures.

Assist, where appropriate and necessary, with the training and development of other staff and elected Members.

To act as a mentor to less experienced Development Control colleagues as required.

To contribute to the development and implementation of the Service plan for Development Control.

The main duties and responsibilities of the post outlined above cannot fully define all the activities that the post holder will be involved in and may vary without changing the level of responsibility of the post.

The post holder will occasionally be required to carry out duties outside normal office hours.

Completed by: Andrew Farnie Date: September 2006

Position: Development Control Manager

*Post Specification*

*Job Title: Senior Development Control Officer*

**Department: Neighbourhood Services**

**Section: Planning**

**Grade: PO1**

Requirements	Essential	Desirable	How Identified
<i>Experience/Knowledge</i>			
<b>4 years post qualification experience</b>	✓		A/T
<b>Experience of managing and supervising staff.</b>		✓	A/T
<b>Practical experience of development control and enforcement processes.</b>	✓		A/T
Able to demonstrate knowledge of planning and enforcement legislation, government advice, circulars and guidance notes and awareness of general issues facing the planning profession.	✓		A/T
<i>Skills</i>			
<b>Ability to undertake diverse workload and to work to tight deadlines.</b>	✓		A/I
<b>Ability to make decisions of substance without ready access to more senior officers.</b>	✓		
Effective interpersonal skills including the ability to deal with a range of customers using the development control service in a sensitive matter.	✓		T/I
Effective written and oral communication skills	✓		A/I
Computer Literate	✓		A/I
<i>Education/ Training</i>			
<b>Educated to Degree Level.</b>	✓		A
Holder of full membership of the R.T.P.I.	✓		A
<i>Personal Attributes</i>			
Diplomacy, tact, influencing and negotiation skills.	✓		I/R
Accuracy and attention to detail, particularly when working to tight deadlines.	✓		R

Ability to work on own initiative as well as part of a team.	✓		A/I
<b><i>Able to relate well to the public and to professional and other people within the Council and its partner organisations</i></b>		✓	I/R
<b><i>Good time management and organisational skills</i></b>		✓	A/I
Appreciation of the implications of equal opportunities policies for delivering planning services		✓	A/I

A=Application, T=Test, I=Interview, R=References, P=Proof (certificates, etc)

Completed by: Charlie Walton Date: December 2003

Position: Head of Planning Service

**OVERVIEW AND SCRUTINY REVIEW GROUP REPORT – REVIEW OF SICKNESS MANAGEMENT  
CABINET RESPONSE AND ACTION PLAN**

Review Recommendation	Cabinet Response		Implementation	
	Agreed?	Comments	Resib'ty	Timescale
1. The proposed procedures for the Management of Sickness Absence, Occupational Health Referrals and Occupational Sick Pay be supported.	Yes	Special Joint Consultative Group meetings have been scheduled in January to consult trade unions on necessary contractual changes.	Head of OD	Effective from January 2007
2. Specific elements of Sickness Management administration be transferred to Human Resources in order to better enable Occupational Health referrals and performance monitoring.	Yes	The Principal HRO (Strategy) and the Performance Management Officer will explore the functionality of the Resourcelink (Human Resources and Payroll) System in respect of sickness absence administration and will use Business Process Maps to identify and establish an effective flow of information for payments prior to a formal transfer of responsibility on 01 April 2007.	Head of OD	In the lead-up to April 2007
3. Sickness Absence statistics, by department and overall, be reported to ... <ul style="list-style-type: none"> <li>• The Leader's Meetings – Quarterly Basis</li> <li>• Strategic Leadership Group (SLG) – every meeting</li> <li>• Management Team - monthly basis</li> <li>• Heads of Service – monthly basis</li> </ul>	Partially	Resourcelink and COGNOS reports will be configured to provide meaningful sickness absence statistics to inform decision-making at each level identified. However, performance information is normally supplied to every other meeting of the SLG, which is deemed appropriate for sickness information.	Head of OD	Effective from April 2007

Review Recommendation	Cabinet Response		Implementation	
	Agreed?	Comments	Resib'ty	Timescale
4. Detailed information relating to sickness absence be made available to managers as necessary to assist them to effectively manage sickness.	Yes	The Principal HRO (Strategy) will develop and distribute monthly absence reports for Heads of Service with triggers for formal action highlighted.	Head of OD	Effective from April 2007
5. Section-based sickness absence statistics be incorporated into service plans.	Yes	Human Resources to liaise with Strategy and Regeneration regarding changes to the Service Planning template to accommodate sickness absence statistics with guidance on planning for continual improvement.	Head of S&R	Effective from April 2007
6. The Organisational Development Plan specifically includes training for appropriate managers relating to 'Absence Management'.	Yes	A training course has been prepared for rollout to all Council managers, which incorporates guidance on new Council procedures for dealing sensitively, professionally and effectively with absence issues.	Head of OD	In the lead-up to April 2007
7. Quarterly progress meetings be held between Human Resources, Payments and Occupational Health to monitor Sickness Management.	Yes	The Principal HRO (Strategy) will schedule a series of meetings to ensure consistency and the continual review of Occupational Health provision.	Head of OD	In the lead-up to April 2007

Review Recommendation	Cabinet Response		Implementation	
	Agreed?	Comments	Resib'ty	Timescale
8. Information on services provided by Occupational Health be publicised and communicated to employees and managers.	Yes	The Council's Occupational Health provider (Company Health) will work with Democratic Services to produce publicity materials for all employees regarding the services provided by Occupational Health.	Head of DS	Effective from April 2007

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# Item 9a

## SEDGEFIELD BOROUGH COUNCIL AREA 5 FORUM

Town Council Offices,  
School Aycliffe Lane,  
Newton Aycliffe

Tuesday, 28 November  
2006

Time: 7.00 p.m.

**Present:** Councillor Mrs. A.M. Fleming (Chairman) – Sedgefield Borough Council and

Councillor Mrs. B.A. Clare	–	Sedgefield Borough Council
Councillor Mrs. J. Croft	–	Sedgefield Borough Council
Councillor V. Crosby	–	Sedgefield Borough Council
Councillor M.A. Dalton	–	Sedgefield Borough Council
Councillor B. Hall	–	Sedgefield Borough Council
Councillor M. Iveson	–	Sedgefield Borough Council
Councillor J.P. Moran	–	Sedgefield Borough Council
Councillor Mrs. E.M. Paylor	–	Sedgefield Borough Council
Councillor Mrs. S.J. Iveson	–	Durham County Council
J. Tinnough	–	Durham County Council
Inspector A. Neill	–	Durham Constabulary
Councillor Mrs. S. Mlatilik	–	Great Aycliffe Town Council
Councillor Mrs. V. Raw	–	Great Aycliffe Town Council
Councillor Mrs. S. Sinclair	–	Great Aycliffe Town Council
Councillor A. Tomlin	–	Great Aycliffe Town Council
Councillor Mrs. M. Dalton	–	Great Aycliffe Town Council
Councillor Mrs. A. Clarke	–	Midridge Parish Council
I. Dobinson	–	County Durham Primary Care Trust
Miss C. Todd	–	Sedgefield Borough Learning Co-ordinator
J. Rodwell	–	Agnew Community Centre
A. Healer	–	Burnhill Residents Association
M. Robson	–	Burnhill Residents Association
P. Cox	–	Williamfield Residents Association
P. Hutchinson	–	Williamfield Residents Association
Councillor C. Wheeler	–	Newton Aycliffe MIND
D. Bowman	–	Junior Neighbourhood Watch Dales
J. Mlatilik	–	Member of the public
M. Tomlin	–	Member of the public
R. Dalton	–	Member of the public

**Apologies:** Councillor W.M. Blenkinsopp - Sedgefield Borough Council  
Councillor R.S. Fleming – Sedgefield Borough Council  
Councillor G.C. Gray – Sedgefield Borough Council  
Councillor Mrs. J. Gray – Sedgefield Borough Council  
Councillor K. Henderson – Sedgefield Borough Council  
Councillor J.K. Piggott – Sedgefield Borough Council  
Councillor Mrs. M. Gray – Great Aycliffe Town Council

**AF(5)12/05      DECLARATIONS OF INTEREST**  
No declarations of interest were received.

**AF(5)13/05      MINUTES**  
The Minutes of the meeting held on 26<sup>th</sup> September, 2006 were confirmed as a correct record and signed by the Chairman.

**AF(5)14/05      REVIEW OF AREA FORUMS**  
The Forum was informed that a Scrutiny Review Group had been established to examine the operation of Area Forums to determine their effectiveness to identify changes that could be made to strengthen community involvement. A copy of the Group's report had been included with the agenda. (For copy see file of Minutes).

The Forum's attention was drawn to the following recommendations of the Review Group :-

1. Area Forums be renamed and relaunched as Community Forums to reflect a greater emphasis on community involvement and the number be replaced with a name that reflects the area.
2. Agenda items to be based on local issues identified through the development of Local Area Frameworks and Local Improvement Plan.
3. Membership of Area Forums to be formalised to representative of communities to which it aims to serve.
4. Implement a public question time at the beginning of each Area Forum.

A questionnaire seeking views on the above recommendations was circulated at the meeting for completion.

It was reported that the views expressed at the Area Forum meeting, the community consultation event on 22<sup>nd</sup> September, 2006 and in the questionnaires would be analysed by the Council's Regeneration Section and reported to Cabinet for consideration.

**AF(5)15/05      POLICE REPORT**  
Inspector Andy Neale was present at the meeting to give details of crime figures for the area.

The percentage change for the financial year were as follows :-

<u>Type of Crime :</u>	<u>% Change :</u>
Total crime	↓ 19%
Violent crime	↓ 34%
Domestic Violence	↓ 21%
Theft of vehicles	↓ 19%
Theft from cars	↓ 21%
Vehicle interference	↓ 71%
Damage to vehicles	↓ 21%
Damage overall	↓ 12%
Shoplifting	↓ 49%
House burglaries	↓ 11%
Burglaries (other)	↑ 150%

Discussion was held regarding feedback from reported incidents and the policy in relation to this. It was explained that the policy was to investigate incidents thoroughly and inform people of the outcome of investigations.

Concern was expressed at the difficulty in contacting the Police using the non emergency number and the slow response to some calls. It was noted that a lot of time and effort had been expended on improving the system and a graded response system had been introduced.

Reference was made to Beat Officers in the area and the need to ensure that the area was fully manned as Community Police were the core essential element of policing.

Members of the Forum requested the Police to provide, as well as crime statistics, traffic accident statistics in the area. It was considered that it was important to expand the information given to members of the public and it was agreed that this be provided.

Discussion was held regarding obstruction to highways/damage to grass verges etc., particularly in the vicinity of schools. There were particular areas where the situation was a problem and the issues needed to be addressed.

Reference was also made to anti-social behaviour from youths in the vicinity of the shop in Silverdale Place.

Discussion was also held regarding the use of paths as cycleways particularly in the Williamfield area causing danger to pedestrians.

**AF(5)16/05**

**COUNTY DURHAM PRIMARY CARE TRUST - PROGRESS UPDATE**

Iain Dobinson, County Durham Primary Care Trust, was at the meeting to report on progress.

He explained that since the last meeting of the Forum the five Primary Care Trusts in County Durham had been replaced by one County-wide

Primary Care Trust. County Durham Primary Care Trust was in its early stages. Yasmin Chaudhry had been appointed as Chief Executive to the Trust. The process of appointing senior posts was underway and the structure for the rest of the Trust would be finalised following that.

In relation to localities it was explained that there was a commitment to keep the relationship with localities. It was unclear what the localities would be. This was in the process of being considered.

Members of the Forum expressed their appreciation at the contribution which Sedgefield Primary Care Trust had made to the Forum and valued that input. It was hoped that the new Trust would continue to provide the information and support.

Reference was made to the appointments system and the need to have pre-bookable appointments.

Discussion was also held regarding the availability of flu vaccine and the difficulty which had been experienced for some practices in obtaining flu vaccine.

A query was also raised regarding the future of Bishop Auckland Hospital. It was explained that there was no indication that there would be any significant change in the services provided at Bishop Auckland Hospital.

**AF(5)17/05**

## **QUESTIONS**

### **On-Street Parking**

Discussion was held regarding the problems of on-street parking in Newton Aycliffe and it was suggested that the Regeneration Section be approached to examine whether a scheme in relation to on-street parking would meet the criteria for the Local Improvement Programme.

### **Pioneering Care Partnership Premises, Burn Lane**

**NB :** In accordance with Section 81 of the Local Government Act 2000 and the Members Code of Conduct Councillor M.A. Dalton declared an interest in this item as a Member of the Board of the PCP and Councillor Mrs. M.A. Dalton declared an interest in this item as a member of the PCP. Both Councillors left the meeting for the duration of the discussion on this item.

Discussion was held on the County Council's proposals to cut funding for the Pioneering Care Partnership. No decision had been reached as yet. The Pioneering Care Partnership was seeking the support of people who had used services by 30<sup>th</sup> November by sending an e-mail to [Treasurers@Durham.gov.uk](mailto:Treasurers@Durham.gov.uk).

**AF(5)18/05**

## **DATE OF NEXT MEETING**

23<sup>rd</sup> January, 2007

### 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 01388 816166 ext 4237 email: [enorth@sedgefield.gov.uk](mailto:enorth@sedgefield.gov.uk)

# Item 9b

## SEDGEFIELD BOROUGH COUNCIL AREA 1 FORUM

Memorial Room,  
Town Hall,  
Spennymoor

Monday,  
11 December 2006

Time: 6.30 p.m.

**Present:** Councillor J.M. Khan (Chairman) – Sedgefield Borough Council

Councillor Mrs. A.M. Armstrong – Sedgefield Borough Council  
 Councillor Mrs. B. Graham – Sedgefield Borough Council  
 Councillor A. Gray – Sedgefield Borough Council  
 Councillor M.T.B. Jones – Sedgefield Borough Council  
 Councillor B.M. Ord – Sedgefield Borough Council  
 Councillor G.W. Scott – Sedgefield Borough Council  
 Councillor A. Smith – Sedgefield Borough Council  
 Councillor K. Thompson – Sedgefield Borough Council  
 Inspector A. Green - Durham Constabulary  
 Councillor N.C. Foster - Durham County Council  
 E. Croft - Neighbourhood Watch  
 R. Stewart - Middlestone Moor Action Group  
 A. Wilson - Middlestone Moor Action Group  
 Councillor M. Smith - Spennymoor Town Council  
 Councillor S. Armstrong - Spennymoor Town Council  
 Councillor Mrs. E. Maddison - Councillor for Spennymoor Ward  
 Spennymoor Town Council  
 Mrs. C. Warren - Tudhoe Grange School  
 F. Ryder - Resident  
 D. Gordon - Resident

**In**

**Attendance:** N. Woodgate, L. Goundry and G. Garrigan (Sedgefield Borough Council)

**Apologies:** Councillor Mrs. C. Sproat - Sedgefield Borough Council  
 Councillor W. Waters – Sedgefield Borough Council  
 Councillor F. Foster – Durham County Council

**AF(1)21/06 DECLARATIONS OF INTEREST**

The following Councillors indicated they would be declaring an interest in the following items:

Councillor Mrs.A.M.Armstrong	-	Item 6a – Sedgefield Borough Council Local Improvement Programme Application – Family/Community Support Area – Tudhoe Grange School	Prejudicial Interest – Governor of Tudhoe Grange School And Member of Sedgefield Borough Council Cabinet
	-	Item 6b – Sedgefield Borough Council Local Improvement Programme Application – Middlestone Moor Play Area Phase 3	

Councillor Mrs. B. Graham	-	Item 6a – Sedgefield Borough Council Local Improvement Programme Application – Family/Community Support Area – Tudhoe Grange School	Prejudicial Interest – Member of Sedgefield Borough Council Cabinet
	-	Item 6b – Sedgefield Borough Council Local Improvement Programme Application – Middlestone Moor Play Area Phase 3	
Councillor Mrs. E. Maddison	-	Item 6a – Sedgefield Borough Council Local Improvement Programme Application – Family/Community Support Area – Tudhoe Grange School	Personal interest – Governor of Tudhoe Grange School
Councillor N. Foster	-	Item 6a – Sedgefield Borough Council Local Improvement Programme Application – Family/Community Support Area – Tudhoe Grange School	Personal interest – Governor of Tudhoe Grange School
Councillor John Khan	-	Item 6a – Sedgefield Borough Council Local Improvement Programme Application – Family/Community Support Area – Tudhoe Grange School	Personal interest – Governor of Tudhoe Grange School

**AF(1)22/06 MINUTES**

The Minutes of the meeting held on 6<sup>th</sup> November 2006 were confirmed as a correct record and signed by the Chairman.

**AF(1)23/06 POLICE REPORT (LOCAL ISSUES AND ROAD SAFETY)**

Inspector Adrian Green was present at the meeting to give details of crime figures for the area.

The reported crime figures for September, October and November were as follows :

<u>Type of Crime :</u>	<u>September 2006 :</u>	<u>October 2006 :</u>	<u>November 2006 :</u>
Total Crime	266	324	255
Dwelling Burglary	16	10	21
Burglary (Other)	13	16	23
Criminal Damage	76	130	92

Violent Crime	39	46	35
Vehicle Crime	21	21	16

Theft from vehicles was down by 32% and theft of vehicles by 21%.

Specific reference was made to the 39% increase in dwelling burglaries. It was pointed out that the Fire and Rescue Service personnel at Spennymoor Fire Station had been trained to undertake crime prevention surveys at the same time as fire prevention surveys the vast majority of the burglaries could have been prevented by simple security measures.

Concern was expressed regarding the problem of gangs in the Clyde Terrace area. It was reported that the Police were aware of the problem and had undertaken an operation in that area. An additional PCSO was now in post and it was anticipated that more would be done to tackle the anti-social behaviour problems.

Specific reference was made to burglaries committed by people posing as officials from the Gas Board/Water Board etc. The Forum was advised to seek identification from callers and if they had any doubts to telephone the Police or the company that they claimed to be representing.

With regard to road safety, it was noted that up to 1<sup>st</sup> November 2006, there had been 19 damage only accidents and 4 minor injury accidents.

It was pointed out that Durham Constabulary Traffic Management Section and Durham County Council Highways Section worked very closely. Every traffic accident was plotted and officers constantly assessed the need for highway improvements or enforcement action.

It was noted that with regard to Spennymoor High Street, sixteen Fixed Penalty Notices had been issued to motorists for breaching the access only traffic regulation order.

**AF(1)24/06**

**SEDGEFIELD NECA**

Ann Dunning attended the meeting to give a presentation regarding Sedgefield NECA, High Street project.

It was explained that NECA (North East Council on Addictions) was the largest regional charity working in the area of substance use/misuse. Its remit included all forms of substance dependency including illicit drugs, alcohol, prescribed medication, over the counter preparations, nicotine, solvents and gases and gambling. Its counsellors worked as part of multi-disciplinary teams with other agencies such as DISC, Probation Service, Health and Social Care, GPs, prisons, independent service providers, schools, colleges and voluntary organisations.

Services provided by NECA included complementary therapies such as auricular acupuncture, aromatherapy and reflexology, which were proven to be effective in enhancing treatment programme for drug users and supported housing to clients experiencing misuse problems.

It was noted that the biggest addiction problem related to alcohol.

The High Street Project offered free confidential one to one appointments with professional qualified counsellors and referral to other agencies, if required.

**AF(1)25/06**

**SEDGEFIELD BOROUGH LOCAL IMPROVEMENT PROGRAMME  
Application – Family/Community Support Area, Tudhoe Grange School**

**NB :** In accordance with Section 81 of the Local Government Act 2000 and the Members Code of Conduct, Councillors J. M. Khan, Mrs. E. Maddison and N. Foster declared a personal interest in the above item and remained in the meeting but took no part in the discussion on the item.

**NB :** In accordance with Section 81 of the Local Government Act 2000 and the Members Code of Conduct, Councillors Mrs. A.M. Armstrong and Mrs. B. Graham declared a prejudicial interest in the applications and left the meeting.

**Councillor A. Smith in the chair.**

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

Members of the Forum were reminded that Area 1 Forum had been allocated £836,000 of LIP capital resources between 2006 and 2009 to tackle the issues as outlined in the Council's Community Strategy. The allocation for 2006/07 was £278,700.

The role of the Area Forum was to provide a view of the project within the area. The project would then be considered by the Council's Management Team then Cabinet. The latter would decide whether or not to allocate funding to the project.

Mrs. C. Warren, Headteacher at Tudhoe Grange School, was in attendance to present the application.

The project involved the complete refurbishment of an area at the lower school site on Durham Road to provide a venue specifically designed for community and family use to access appropriate services confidentially within the community. A range of services had been identified to offer support to young people and their families. The following agencies had been identified to use the facility:

- Youth Engagement Service
- Nursing services
- Survivors of Domestic Abuse,
- Education Welfare Officer
- Additional community based groups



The Area Forum noted that the amount of funding requested from the Programme was £15,226.62, which equated to 53% of the total project costs. The remaining costs would be funded by the schools own funds.

The Forum agreed to support the project.

### **Councillor J.M. Khan in the Chair**

#### **Application – Middlestone Moor Play Area Phase 3**

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

R. Stewart and A. Wilson, Middlestone Moor Action Group were in attendance to present the application.

The project would provide Phase 3 of the playground development providing dedicated equipment to cater for the 8 – 15 age range. Phase 1 provided fixed play equipment for 2 – 8 year olds whilst Phase 2 provided a multi-use games area. The project would also include barriers and bollards, adjustments to the footpath and signage to ensure that the playground meets the Royal Society for Prevention of Accidents guidelines.

The Forum noted that £41,518 of LIP funding had been requested which equated to 64% of the project costs. Of the remaining costs (£23,216), £6,216 had been confirmed as match funding and the remaining £17,000 had been applied for from County Durham Foundation and Spennymoor Town Council. An application had also been made to the Big Lottery Fund for £50,000 for the project.

It was pointed out that the amount of the LIP funding required would probably need to be adjusted to take account of whether the project was successful in obtaining Big Lottery funding and the increased cost of play equipment from January 2007. Notification from the Big Lottery Fund was expected by the end of January 2007.

The Forum agreed to support the project.

**AF(1)26/06**

#### **DATE OF NEXT MEETING**

Monday 12<sup>th</sup> February 2007 at 6.30 p.m. in the Memorial Room, Spennymoor Town Hall.

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#### **ACCESS TO INFORMATION**

Any person wishing to exercise the right of inspection, etc., in relation to these Minutes and associated papers should contact Mrs. Gillian Garrigan Spennymoor 816166 Ext 4240 [ggarrigan@sedgefield.gov.uk](mailto:ggarrigan@sedgefield.gov.uk)

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# Item 10a

## SEDGEFIELD BOROUGH COUNCIL OVERVIEW & SCRUTINY COMMITTEE 2

Community Room 1,  
Welcome Building,  
Locomotion, Shildon

Tuesday, 28 November  
2006

Time: 10.00 a.m.

**Present:** Councillor J.E. Higgin (Chairman) and

Councillors W.M. Blenkinsopp, T.F. Forrest, D.M. Hancock, J.P. Moran,  
J. Robinson J.P, K. Thompson, T. Ward and J. Wayman J.P

### **Tenant Representatives**

Mrs. M. Thomson

**Invited to attend:** Mrs. B. Graham and K. Noble

**In Attendance:** Councillor Mrs. B.A. Clare

**Apologies:** Councillors J. Burton, G.M.R. Howe and Ms. M. Predki

### **OSC(2).22/06 DECLARATIONS OF INTEREST**

Members had no interests to declare.

### **OSC(2).23/06 MINUTES**

The Minutes of the meeting held on 24<sup>th</sup> October, 2006 were confirmed as a correct record and signed by the Chairman.

### **OSC(2).24/06 LOCOMOTION - ECONOMIC IMPACT ASSESSMENT USING THE PRIME MODEL**

Mrs. L. Wearne, Tourism Officer, attended the meeting to give a presentation on the results of the Economic Impact Assessment of Locomotion using the PRIME Model. (For copy see file of Minutes).

Members were informed that the prime model was developed in the late 1990's in response to the growing need for Economic Impact Assessments. The model aimed to provide an estimate of employment associated with projects and to make comparisons before and after the analysis.

Details were then provided on cost inputs and numbers of visitors, together with comparisons between local and regional figures, including the impact of employment, both directly and indirectly. It also compared revenue costs from 2003 and 2006 concluding that Locomotion had been a success exceeding a number of original estimated figures.

Members questioned what feedback had been received from Shildon Town Council. It was explained that a survey had been carried out by the

Borough Council on behalf the Town Council and found that sales throughout the town had increased by 7% since the opening of Locomotion. The presentation had also been shown to the Town Council where positive responses had been received.

Discussion was also held regarding the development and the next steps in place for Locomotion. The Tourism Officer informed Members that there was a Phase 2, which included a number of developments and was to be discussed by the Board later in the week. It was specifically pointed out that Engineering Apprenticeships in the workshops would be introduced in January 2007, where funding was available until June, 2008.

Questions were raised with regard to admission to the museum. At present it was free to enter Locomotion and it was anticipated that this would continue, however it was pointed out that the Borough Council would have to reapply to continue free admission in September, 2007.

To keep account of visitor numbers it was explained that they were counted as they entered the main entrance and also as they entered the Timothy Hackworth area via a key on the computer. Questions were raised as to why visitors were counted twice, which would result in numbers being double. Members were informed that as visitors could enter Locomotion via more than one entrance it was necessary to count them twice and take an average between the two totals.

Members raised the need to continue to push forward the strength of Locomotion and find funding as recommended by the Value of Tourism Review Group. The need to improve signage to attractions within the Borough was also discussed. The Portfolio holder for Leisure and Culture explained that contact had been made with Durham County Council and the Highways Department who were responsible for Brown Signs. An invitation had been extended to the officers to meet with Borough Council Officers and the Portfolio holder to discuss the matter.

Discussion was finally held regarding the need to commend all those involved in the development, progress and success of Locomotion.

*AGREED: That the presentation be received.*

**OSC(2).25/06 OVERVIEW AND SCRUTINY REVIEW GROUP REPORT - REVIEW OF REGENERATION WITH OLDER PRIVATE SECTOR HOUSING - PROGRESS ON ACTION PLAN**

Consideration was given to a report of the Chief Executive detailing progress to date from Cabinet's response and Action Plan following consideration of its recommendation arising from the Regeneration of Older Private Sector Housing Review Group. (For copy see file of Minutes).

G. Wood, Regeneration Manager, also attended the Committee to give a presentation regarding the progress. (For copy see file of Minutes).

Members were reminded of the background and recommendations provided by the Review Group, the number of documents that had been identified and were important in supporting the recommendations and the scheme, the process the Review Group followed highlighting the number of proposals made and to which recommendation they supported. It also highlighted the various proposals and strategies to deliver housing-led regeneration specifically to West Chilton and Dean Bank and how the projects would be phased, identifying the funding needed and how the scheme would be delivered both internally and externally.

Discussion was held on demolition and planning and the need to ensure the right mix of properties for the area, including both new and old builds.

Specific reference was made to private landlords. Members were reminded of the new legislation that would give more powers to local authorities with regard to monitoring private landlords and the way they managed their tenancies.

Members also pointed out that while it was necessary to inform local residents, keeping the up to date with all developments, they requested that they were informed of matters before the public.

*AGREED:*

- 1. That the presentation be received.*
- 2. That the Committee reviews the progress of the Action Plan in 6 months.*

#### **OSC(2).26/06 WORK PROGRAMME**

Consideration was given to a report of the Chairman of the Committee setting out the Committee's Work Programme for consideration and review. (For copy see file of Minutes.)

The Committee was updated on the progress of each of the Review Groups Provision of Affordable Housing and Leisure Centre Concessionary Pricing Scheme. It was pointed out that both were coming to an end producing draft final reports, including recommendations to be considered by Cabinet.

A request was made for the Committee to review schools places throughout the Borough, how they were decided. Discussion was held as to whether the matter would be relevant to the Committee. Scrutiny Officer agreed to look into the matter.

*AGREED:*      *That the Committee's Work Programme be approved.*

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#### **ACCESS TO INFORMATION**

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## SEDGEFIELD BOROUGH COUNCIL OVERVIEW & SCRUTINY COMMITTEE 3

Conference Room 1,  
Council Offices,  
Spennymoor

Tuesday,  
12 December 2006

Time: 10.00 a.m.

**Present:** Councillor V. Crosby (Chairman) and

Councillors B.F. Avery J.P, D.R. Brown, Mrs. B.A. Clare, G.C. Gray,  
Mrs. J. Gray, K. Henderson, A. Smith and Mrs. C. Sproat

**In Attendance:** Councillors A. Gray, D.M. Hancock, J.E. Higgin, J.P. Moran, G. Morgan,  
Mrs. I. Jackson Smith, T. Ward and J. Wayman J.P

**Apologies:** Councillors M.T.B. Jones and Mrs. L. Smith

### **OSC(3)17/06 DECLARATIONS OF INTEREST**

No declarations of interest were received.

### **OSC(3)18/06 MINUTES**

The Minutes of the meeting held on 7<sup>th</sup> November, 2006 were confirmed as a correct and signed by the Chairman.

### **OSC(3)19/06 PROGRESS TOWARDS THE ACHIEVEMENT OF BEST VALUE PERFORMANCE INDICATOR 204: THE PERCENTAGE OF APPEALS ALLOWED AGAINST THE AUTHORITY'S DECISION TO REFUSE ON PLANNING APPLICATIONS**

Consideration was given to a report of the Head of Planning Services (for copy see file of Minutes) in relation to the above. It was explained that the Head of Planning Services was at the meeting to outline the issues involved.

The Committee was reminded that, at its meeting on 26<sup>th</sup> September, 2006, concern had been expressed at the dip in performance in relation to the above Best Value Performance Indicator. The report identified the reasons for the dip in performance and considered the issues.

It was explained that between 1st April 2005 and 30<sup>th</sup> November 2006, the Council had received 40 appeal decision letters relating to refused planning applications. 21 of the appeals (52.5%) had been dismissed and 19 (47.5%) had been allowed either in whole or part. This represented a significant worsening of performance in comparison to recent years. The figure which would usually have been expected was around 35%, close to the national average of allowed appeals.

In order to establish whether there were any underlying reasons for the reduction in performance, an analysis of appeal decisions had been made and a schedule of outcomes was included in the report.

During the review period, 23 of the appeal decisions related to householder proposals. Of those, 11 (48%) were upheld and 12 were dismissed. This was significantly above the national average of 35%.

Analysis of the decisions revealed that Planning Inspectors were giving greater credence to the effect that the development would have on the wider street scene and upon the amenity of adjacent residents, rather than the effect upon the character and appearance of the host property.

Only 1 appeal decision had been made since the Residential Extensions Supplementary Planning Document (SPD) had been adopted as Council Policy in June 2006. It was therefore difficult to establish the weight that inspectors would give to the SPD in the future.

Another factor to be taken into account was that Planning Inspectors were having to deal with increased workloads and there was an increased turnover of Planning Inspectors. This meant that there was instability and a lack of continuity in the Inspector's decisions.

There had been 7 appeals relating to residential development. 5 (71%) had been upheld and 2 (29%) had been dismissed. It was noted that 2 of the upheld appeals concerned applications where decisions had been made contrary to officer recommendation.

During the review period there had been 4 appeal decisions against enforcement notices. 2 had been upheld and 2 had been dismissed.

In respect of commercial applications, there were 4 appeal decisions, with 50% being upheld. One of the upheld appeals concerned an application where the decision had been contrary to officer recommendation.

It was noted that all appeals where the decision had been contrary to officer recommendation had been upheld.

Conclusions drawn from the analysis were :-

- It was difficult to identify any particular trends bearing in mind the diverse range of proposals involved and the small number of appeals.
- In respect of house extensions, there appeared to be a trend towards allowing proposals provided they did not have significant impact on the surrounding neighbourhood. The impact upon the host property appeared to be less important.
- The weight that would be given to the Supplementary Planning Document was unclear at present.
- There appeared to be a lack of consistency as to the weight the Inspectors would attach to the existence of similar previous extensions.

In the absence of a clearly identifiable trend, consideration was given to other contributory factors which could be affecting the appeal success rate.



One of those factors was that an out-of-date Local Development Plan made it more difficult to make robust decisions.

In addition, the advent of the Planning Delivery Grant placed greater emphasis on the speed of decision-making, at the expense of quality. The time to negotiate amendments had diminished, resulting in the refusal of marginal applications to meet performance targets.

A further factor affecting the decision process was the turnover of staff, staffing levels and difficulty in recruiting experienced planning officers. This caused a lack of continuity in dealing with applications and increased pressure on existing more experienced staff.

The introduction of PPS1, which emphasised the importance of good design, had resulted in the decision to secure better quality house extensions. Inspectors, however, seemed to disagree on the weight that ought to be attached to PPS1 in recent planning appeal decisions.

Although it was difficult to establish specific reasons why performance had fallen, it was considered that a number of steps could be taken to improve performance levels.

Officers would be advised to give greater weight to the impact residential extensions would have on the wider environment. Where officers were minded to recommend refusal of an application, for reasons of impact on visual amenity, it was intended that a senior officer would visit the application site prior to the decision being made.

It was recognised that this would slow down performance, bearing in mind other demands on senior officers. Increasing reliance was being placed on temporary and agency members of staff until such time as permanent members of staff could be recruited. The changes were likely to impact on the quality of decisions and consequently the success rate at appeal.

Consideration would need to be given to the training needs of individual officers to provide officers with the necessary negotiating skills, report writing skills, etc., required in dealing with planning applications and appeals.

During discussion of this item a query was raised regarding the reasons for the decline in performance and in particular the view of the Inspectors. It was explained that a rapid turnover of Inspectors and influx of new people against a background of the new planning system, new planning guidance, etc., had given rise to inconsistency.

The Committee was of the opinion that the Council's Planning policies enabled a consistent and robust decision to be made in respect of applications and were appropriate for achieving better designs. It was considered that an emphasis should be placed on local opinion and this should take precedence. The Council should therefore continue to adhere to current Planning policies when determining applications.

Discussion took place about staffing issues, particularly staffing levels in the Development Control Division and the difficulties in recruiting and retaining experienced officers. The impact of this situation on existing staff, the lack of continuity in dealing with applications and the costs of using temporary agency staff were highlighted as concerns.

It was suggested that the matter be referred to Overview and Scrutiny Committee 1, with a recommendation that the issue be examined in further detail, including analysis of comparative salaries in adjacent authorities and the use of agency staff to fill vacant posts.

It was also proposed that the Committee review the situation in six months.

- RECOMMENDED :*
- 1. Overview and Scrutiny Committee 1 be requested to examine the pay structure within the Development Control Division, including analysis of comparative salaries in adjacent authorities and the costs and implications of using temporary agency staff to fill vacant posts.*
  - 2. The Authority should continue to adhere to its current policies in determining planning applications.*
  - 3. The situation be reviewed in six months.*

### **OSC(3)20/06 OVERVIEW AND SCRUTINY REVIEW - RECYCLING SERVICES**

Consideration was given to a report of the Recycling Services Review Group on future recycling service options. (For copy see file of Minutes).

The Review Group had sought to identify future recycling service options and make recommendations for consideration by Cabinet for inclusion in Sedgfield Borough Council's Waste Management Strategy.

It was explained that, although the Council had achieved its recycling targets last year, in the future the targets were likely to increase considerably. The current Kerb-it Scheme would end in March 2008. In order to meet future Government targets, alternative arrangements needed to be considered for introduction when the current Kerb-it Scheme ended.

Information had been gathered from various sources. The Review Group had met on a number of occasions, considered various options and analysed a stakeholder consultation survey which had been undertaken throughout the Borough. Visits had also been made to Derwentside District Council, to consider alternative recycling facilities, and a materials recycling facility in the Borough.

In considering the options, four key objectives were established :-

- Achieve current and future recycling/composting targets
- Convenient to use and accessible to residents

- Financially sustainable
- Operationally feasible.

The Review Group evaluated evidence collected on the advantages and disadvantages of each option and its ability to meet the key objectives. A number of conclusions were agreed, focusing on :-

- Kerbside collections
- Glass
- Bring sites
- White goods and televisions
- Green waste

The following recommendations were agreed :

1. *A separate co-mingled system for collecting dry recyclable material, using a twin wheeled bin system, be introduced to replace the current Kerb-it kerbside recycling collection scheme, to be fully operational by 1 April 2008.*
2. *Weekly household waste collections continue, with collections alternating on a two-week cycle between recyclable material and residual household waste.*
3. *The segregated collection of glass for recycling continues following the withdrawal of the Kerb-it Scheme in 2008.*
4. *Glass collection methods are continuously reviewed to allow full appraisal of collection, separation and disposal options available at that time.*
5. *Sedgefield Borough Council's 29 bring sites be rationalised, with the retention of 6 dedicated sites at Newton Aycliffe (Tesco), Sedgefield (Library), Shildon (Co-op), Spennymoor (Asda), Tudhoe Civic Amenity Site and Aycliffe Civic Amenity site, and phasing out of the remaining 23 sites.*
6. *A separate, free collection service for televisions, monitors and white goods continues to be provided to all residents of the Borough.*
7. *The free green waste collection service offered in a limited area of the Borough be withdrawn following the cessation of Waste Performance Grant funding in 2007/08.*
8. *The provision of a discretionary chargeable green waste collection service, offered throughout Sedgefield Borough, is explored for introduction post-April 2008.*
9. *A comprehensive education and awareness-raising campaign is undertaken to support the introduction of new recycling arrangements.*

Discussion was held regarding materials to be collected and, in particular, the difficulties associated with collecting plastics. A decision, however, had not been made on the materials to be collected. This would be considered at a later date, bearing in mind feasibility and cost-effectiveness of collection.

In respect of bring sites, discussion took place on the reduction in the number of bring sites. It was explained that the reduction in sites would not necessarily mean a substantial reduction in collection. The six bring sites which were to remain collected 2/3rds of the material collected from all bring sites. Improved kerbside collection arrangements may also reduce the use of bring sites.

Reference was made to charging for green waste collection services and the rationale for charging. It was explained that it would not be cost-effective to extend the trial scheme across the whole of the Borough free of charge.

To continue to provide the service to the trial area only would be contrary to the Authority's corporate value to be equitable. A nominal collection charge of less than £1 per collection, would enable the service to be rolled out Borough-wide and be financially sustainable.

A query was raised regarding properties where it would be almost impossible to accommodate two wheeled bins. It was explained that the system would be sufficiently flexible to deal with genuine cases and alternative methods would be provided.

The Committee also made reference to the County Council's Waste Disposal Strategy and whether the Council's waste collection system would be affected by future decisions by the County Council as Waste Disposal Authority. It was explained that the system did have inbuilt flexibility to accommodate any decisions made by the County Council. It was, however, recognised that the Borough Council was obliged to collect at least two recyclable materials from all households by 2010 irrespective of the County Council's decisions.

In response to a query raised regarding the commencement of the new system, it was explained that it was recommended that any new arrangements should commence in March 2008 when the Kerb-it Scheme finished.

*RECOMMENDED : That the report and recommendations of the Review Group be submitted to Cabinet for consideration.*

#### **OSC(3)21/06 WORK PROGRAMME**

Consideration was given to a report of the Chairman of the Committee setting out the Committee's Work Programme for consideration and review. (For copy see file of Mintues).

Members were updated on the progress of the ongoing Review in relation to the Council's Contribution to Reducing Economic Inactivity (Increasing Employability).

In relation to future items for consideration, it was noted that the presentation on climate change which was scheduled for consideration at the January meeting was also to be considered by Development Control Committee. It was considered that this item should be removed from the Work Programme and considered at Development Control Committee when all Members would be given the opportunity to consider the issues.

*RECOMMENDED : (1) That the item relating to climate change be removed from the Work Programme.*

*(2) That the Work Programme be approved.*

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**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 01388 816166 ext 4237 email: [enorth@sedgefield.gov.uk](mailto:enorth@sedgefield.gov.uk)

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# Item 11

## REPORT TO CABINET

11th January 2007

Report of Chief Executive

Portfolio: Strategic Leadership

### CONFERENCES

#### 1. SUMMARY

- 1.1 To consider the Council's representation at the following:-
- (a) APSE (Association For Public Service Excellence) Employment Issues & Legislation Master Class to be held on 18 January 2007 at Cambridge.
  - (b) Creating Better and Stronger Local Strategic Partnerships – London – 31<sup>st</sup> January 2007.

#### 2. RECOMMENDATION

- 2.1 That the Cabinet Member for Learning and Employment represents the Council at the Employment Issues & Legislation Master Class.
- 2.2 That the Cabinet Member for Social Regeneration and Partnership represents the Council at the Creating Better and Stronger LSPs Conference.

#### 3. DETAIL

- 3.1 APSE seminars aim to provide delegates with an invaluable insight into both issues of policy and practice within local government.
- 3.2 The LSP conference will focus on developing local partnership working by identifying and focusing on local priorities.

#### 4. FINANCIAL IMPLICATIONS

- 4.1 The cost of the APSE seminar is: £195.00 plus VAT per delegate.
- 4.2 The cost of the LSP conference is £399.00 plus VAT per delegate.

### CONSULTATION

- 5.1 Not applicable.

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

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### Background Papers

Notice from APSE: Employment Issues Master Class.  
Notice from Local Government Chronicle

