

# Public Document Pack

20 November 2007

Dear Councillor

A meeting of the District Council of Chester-le-Street will be held in the Council Chamber, Civic Centre, Newcastle Road, Chester-le-Street, Co Durham, DH3 3UT on Thursday, 29th November, 2007 at 6.00 pm

Yours sincerely

A handwritten signature in black ink, appearing to read 'Roy Templeman', written over a light grey rectangular background.

**R TEMPLEMAN**

**Chief Executive**

## **AGENDA:**

1. Apologies for Absence
2. To Confirm the Minutes of the Previous Meeting (Pages 1 - 8)
3. Public Speaking
4. To receive declarations of interest from Members
5. Report from the Leader of the Council
6. Reports from Portfolio Holders
  - a) Resources and Value for Money
  - b) Regeneration and Strategic Planning
  - c) Community engagement and Partnerships
  - d) Neighbourhood Services
  - e) Health and Well-Being

7. Questions to Leader and Executive Members
8. To accept the report of the Audit Committee held on 4 October 2007 (Pages 9 - 12)
9. Report of Appointments Panel held 8 November 2007 (Pages 13 - 20)
10. Review of Polling Districts/Polling Places/Polling Stations Report of the Electoral Arrangements Working Group held on 7 November 2007 (Pages 21 - 30)
11. Council Tax Base 2008 - 2009 Report of Head of Revenues and Benefits (Pages 31 - 34)
12. Private Sector Housing Review Report of Head of Planning and Environmental Health (Pages 35 - 44)
13. Code of Good Practice Report of Head of Planning and Environmental Health (Pages 45 - 68)
14. District Play Strategy Report of Leisure Services Manager (Pages 69 - 74)
15. Correspondence
16. Conferences
17. Common Seal

## THE DISTRICT COUNCIL OF CHESTER-LE-STREET

Minutes of the proceedings at the meeting of the District Council of Chester-le-Street held in the Council Chamber, Civic Centre, Chester-le-Street on Thursday 25 October 2007 at 6.00pm

PRESENT:

Councillor A Humes (Chairman)

Councillors:

L Armstrong	MD May
JW Barrett	PH May
R Court	PB Nathan
GK Davidson	JM Proud
L Ebbatson	DL Robson
MJ Gollan	M Sekowski
S Greatwich	J Shiell
SA Henig	TJ Smith
AK Holden	D Thompson
D Holding	A Turner
CJ Jukes	F Wilkinson
W Laverick	A Willis

Officers: R Templeman (Chief Executive), T Galloway (Director of Development Services), P. Stephens (Acting Director of Community Services), I Forster (Assistant Chief Executive), M Walker (Head of Regeneration), C Potter (Head of Legal and Democratic Services) and C Turnbull (Democratic Services Officer).

Also in attendance were two members of the public.

### **73 APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors G Armstrong, S Barr, LEW Brown, P Ellis, R Harrison, K Potts, M Potts and SCL Westrip.

### **74 MINUTES OF MEETING HELD 27 SEPTEMBER 2007**

The minutes of the proceedings at the meeting of the District Council held on 27 September 2007 copies of which had previously been circulated, were submitted.

The Council RESOLVED:

"1. That the comment at the end of minute no. 55 be amended to read:

‘(Councillor PH May abstained from voting on the motion as he had not seen a copy of the Statement of Accounts prior to the meeting)’

2. That the minutes as amended be confirmed as a correct record.”

The Chairman proceeded to sign the minutes.

## **75 WELCOME TO COUNCILLOR L ARMSTRONG**

The Chairman welcomed Councillor Lawson Armstrong to his first meeting following his election on 27 September 2007 as a Member for the Chester Central Ward.

## **76 PUBLIC SPEAKING**

No requests had been received from members of the public to speak at the meeting in accordance with the Council’s agreed policy.

## **77 DECLARATIONS OF INTEREST FROM MEMBERS**

There were no Declarations of Interest from Members.

## **78 REPORT FROM LEADER OF THE COUNCIL**

The Leader congratulated everyone who took part in Local Democracy Week (15 -19 October). Events included an equality and diversity event; visits from schools to the Civic Centre; visits to schools; a Big Debate in the Council Chamber; and an activities day for children and young people at the Riverside. In all over 1000 young people were involved.

Thanks were also given to the organisers of the Annual Evening of Achievements and Celebration (24 October). The list of achievements for this year has been remarkable.

The District Council is now the proud recipient of the Investors in People Award and the Leader expressed her appreciation, on behalf of the Council, of the work of everyone involved, in particular the Human Resources team.

The Leader stated that the Council was never one to rest on its laurels, and other awards were in the pipeline. The town had been awarded Fair Trade status and discussions were taking place with partners in the Fair Trade group, without whom the award could not have been achieved.

The Leader then raised a matter arising from the September meeting of the Council regarding Local Government Review.

The Leader advised that at the meeting of Council on 27 September 2007 Members considered a report from the Head of Legal & Democratic Services giving details of two urgent decisions that were made on the 3 September 2007, one of which related to the Judicial Review inaugurated by Durham City Council. Members endorsed the Leader’s action to support the Judicial Review.

It was also agreed that the matter would be brought back to Council following the outcome of a similar Judicial Review being undertaken by Shrewsbury and Atcham and other councils.

The Leader informed the meeting that although the Shrewsbury and Atcham case had been dismissed the council's involved were proceeding to appeal. As a result, Chester-le-Street needed to consider whether it supported the Durham City proposal to seek a stay in the joint challenge in the light of the implications for this Council.

The Chief Executive advised that the September meeting of the Council agreed to a maximum expenditure of £5,000. Total expenditure to date was £7,800 of which the Council's share was approximately £1,000. He further advised that the appeal against the outcome of the Shrewsbury and Atcham case was likely to be held in January 2008 with the outcome being known in March 2008. If the Durham Districts agree to continue the fight after the outcome, the cost of further action would be in the region of £1/2M to the Districts. He added that the Council always had the options of staying with the other Durham Districts or withdrawing from any further action.

The Leader advised there would be no additional cost to the Council in continuing to work with the other Durham Districts for the time being. She gave an assurance that should there be any change or any additional cost, the matter would be referred back to Council.

In response to an enquiry from Councillor PH May, the Leader advised that the other Councils in the County all support continuing with the Judicial Review procedure.

Councillor PB Nathan stated that full details of costs should be provided to Members when a decision is needed by Council on any further expenditure.

Councillor CJ Jukes proposed a motion without notice, seconded by Councillor GK Davidson:

'That this Council endorses the Durham Districts' support for a stay of the judicial review proceedings. Regarding the financial position, this remains as already agreed by Council. However, any further expenditure on this matter would be brought back to Council for a decision.'

On the motion being put, all Members voted in favour and the Council RESOLVED:

"That this Council endorses the Durham Districts' support for a stay of the judicial review proceedings. Regarding the financial position, this remains as already agreed by Council. However, any further expenditure on this matter would be brought back to Council for a decision."

## **79 REPORTS FROM PORTFOLIO HOLDERS**

### **a. Resources and Value for Money**

Councillor SA Henig reported on the following:

#### **Comprehensive Spending Review**

The Government announced the Comprehensive Spending Review, that provides expected levels of expenditure over the next three years. The Local Government Association described the 1% increase for local government as the 'toughest settlement for a decade' and there was no doubt that budget exercises, which have never been easy for this authority, will continue to be extremely difficult for this and any successor authorities, particularly given the additional resources needed for an ageing society. Exactly how much in additional government resource will come to Chester-le-Street for 2008-9 will be known by early December.

He added that a further aspect of CSR 2007 was an increased target for efficiency savings. The Gershon report already required the Council to make 2.5% efficiencies per year (half cashable) and this will now increase to 3%, all of which should be cashable. Even the Department for Communities and Local Government recognised the challenge as 'substantial' and it places even more importance on procurement. This Council had already made substantial progress in this area under the direction of the Head of Corporate Procurement, Darren Knowd, and this would need to continue. To this end, Darren had made a presentation earlier in the week to an informal meeting of the Executive, which included the next steps to be taken, including better collaborative working sub-regionally.

#### **Revenues and Benefits news**

Councillor Henig said he was delighted that the Revenues and Benefits team continued to prosper, as recognised by the large number of awards picked up at the Evening of Achievement. He expressed his and the Council's continued thanks for their efforts, work that is unstinting and often unsung.

He advised that the Council was one of only four local authorities nationally who had agreed to take part in a Benefits Service pilot inspection, and Chester-le-Street was the only Council to allow its report to be publicised. This had generated substantial publicity at the recent Institute of Revenues Rating & Valuation Conference that is attended by managers from across the Country. Two other developments in Revenues and Benefits were the piloting of a voice risk analysis system for fraudulent claims of benefit (in partnership with Sedgefield, Durham City and Derwentside), with funding from the Department of Work and Pensions; and secondly, the Revenues Team had embarked upon an exercise to determine that residents with a single person discount had genuine entitlement to it. The Team had written to more than 5,000 residents and received approximately 2,500 replies.

Councillor Henig stated that this was an outstanding action on the Council's Improvement Plan stemming from the Inspection Report and was an approach recommended as best practice by the Audit Commission.

**b. Regeneration and Strategic Planning**

Councillor CJ Jukes reported on the following matters:

- Work was continuing on a range of projects across the District
- He attended the launch of the SME Concordat with Officers and a senior representative of the business community and signed the Concordat on behalf of the Council. He advised that the SME Concordat was a key element of the Council's Procurement Strategy.
- He attended a meeting of the Pelton Fell Neighbourhood Regeneration Panel Board
- He advised that Martin Walker, Head of Regeneration, was leaving the Council to take up a new post. He expressed his thanks to Martin, and his team, for delivering some key milestones, and wished him well for the future.

**c. Community Engagement and Partnership**

There was no report from Councillor S Barr.

**d. Neighbourhood Services**

There was no report from Councillor SCL Westrip.

**e. Health and Wellbeing**

There was no report from Councillor M Potts.

**80 QUESTIONS TO LEADER AND PORTFOLIO HOLDERS**

Councillor PB Nathan submitted the following questions to Councillor CJ Jukes, Portfolio Holder for Regeneration and Strategic Planning: -

- i. How much did the District Council spend on regeneration (a) in the last financial year and (b) over the last 3 financial years, in each of the following areas: (1) Edmondsley Parish (2) Sacriston (3) Plawsworth (4) Nettleworth (5) Kimblesworth (6) Grange Villa?
- ii. How much did the District Council spend on regeneration in Edmondsley, broken down into both direct funding and indirect funding to organisations in Edmondsley, (a) in the last financial year and (b) in the last three financial years?

Councillor Jukes stated that in response to the questions it was essential to stress that as with all services in the Council, and in keeping with the 'One Team' approach the Council has developed, the Regeneration Service had its budget allocated on the basis of agreed priorities across the District rather than to specific areas.

There were, however, some specifically area-based initiatives in Chester-le-Street District, in particular through Single Housing Investment Pot (SHIP) funding. SHIP was a single housing capital pot, comprising funding streams for local authorities and registered social landlords. He was pleased to be able to remind Council that, due to the quality of the Labour Council's bid, this District secured 50% of all available SHIP2 funding for the whole County, and that the Edmondsley and Waldrige Ward was one of the main beneficiaries.

He advised that in the previous three years, £223,465 of SHIP2 and European Regional Development Fund (ERDF) funding had been won for projects in Edmondsley (including £100,000 in the current year). The funding had gone towards bringing private sector homes up to the Decent Homes Standard.

Almost one million pounds - £836,767 – of SHIP2 funding had gone into Sacriston (including £786,767 in the current year), to bring private sector homes up to the decent homes standard, environmental works, the new Community Centre, which he was delighted to see being built, and the development, with the community, of an Area Development Framework (ADF) which could lead to many more millions of pounds of investment.

Grange Villa was the main beneficiary of the Council's SHIP1 programme, and had also secured ERDF funding. This support amounted to £1,352,345 (including £857,104 in the last financial year). The funding enabled the development of a highly successful community-led Enterprise Centre in the village, environmental improvements on Front Street, and bringing private sector homes up to the decent homes standard.

Councillor Jukes referred to the Council's Regeneration Strategy, which received wide endorsement from the District Local Strategic Partnership. As an integral part of that Strategy there were identified regeneration corridors, and regeneration work with local residents was progressing across the whole spectrum of regeneration, including, for example, the development of a business plan to enable Edmondsley to become carbon-neutral, the development of a conservation area appraisal to preserve the character of Plawsworth Village, the provision of youth work for Grange Villa, Kimblesworth, and Nettlesworth, and the installation of CCTV in villages such as Sacriston.

Councillor Jukes announced that potentially another £500,000 of further SHIP financing was available for spending in our regeneration corridors.

In summary he emphasized to Council that the regeneration figures referred to, and indeed the whole of the Regeneration Service, were an essential part of the Council's CPA re-inspection which graded this Labour Council as the



most improved Council in the country. Indeed the projects referred to were also an integral part of the extremely positive inspection comments that were received as part of the countywide inspection of regeneration.

Councillor Jukes emphasized, and made no apologies for saying it, that the approach of this Labour Council to regeneration had been, and would continue to be, about focusing on priorities to enable strong and sustainable communities, being non-parochial in approach and also taking a common sense and essentially non-tribal political approach to regenerating our communities.

### **Councillor TJ Smith entered the meeting at 6.28pm**

## **81 POLITICAL BALANCE REVIEW**

Consideration was given to a report from the Head of Legal and Democratic Services on a review of political representation arrangements following the election of Councillor Lawson Armstrong and receipt of his notice of intention to join the Labour Group on the Council.

The Head of Legal and Democratic Services spoke to the report.

Councillor L Ebbatson proposed, seconded by Councillor D Holding, that the recommendations in the report be approved.

The Council RESOLVED:

“1. That the Council notes the review of the representation of the different political groups.

2. That those arrangements regarding political balance and the disapplication of the political balance arrangements and the allocation of seats which existed immediately prior to this latest duty to review the representation of the different political groups be reinstated with no change in existing appointments other than that Councillor Lawson Armstrong is appointed to serve on those vacant seats allocated to the Labour Group.”

## **82 COMMON SEAL**

The Council RESOLVED:

“ That the action of the Officer in affixing the Common Seal of the Council to the following documents be confirmed:

Nominations Agreement relating to land at Phase 2b, Pelton Fell  
Transfer relating to land and buildings at Pelton Fell  
Deed of Release in duplicate relating to 28 Whitehill Crescent, Pelton Fell  
Transfer in duplicate relating to 49 The Avenue, Chester-le-Street

Transfer in duplicate relating to land to front of 5 Wear Crescent  
Form DS1 in respect of 62 Jacques Terrace, Chester-le-Street  
Lease in duplicate relating to Unit 14 Stella Gill Industrial Estate  
Temporary Road Closure Order in respect of Remembrance Parade, 10.00am  
to 10.45am  
Temporary Road Closure Order in respect of Remembrance Parade, 11.30am  
to 12.30pm”

### **83 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman of the Council, Councillor Allen Humes, made the following announcements:

- Fund raising night on Saturday 24 November 2007 at Sacriston Workingmen's Club
- Civic Carol Service on Wednesday 19 December 2007 at Perkinsville Methodist Church
- Visit by 80 German children from Kamp-Lintfort. Thanks were conveyed to the Assistant Chief Executive for the arrangements and to Councillor Keith Davidson for hosting 5 children and providing entertainment at the social evening.
- Civic Reception for Durham County Cricket Club. The Chairman thanked everyone who was involved in organising the event and the Regeneration Team for having the vision to include the 'Arch' in the redevelopment of the market area.

The meeting terminated at 6.33pm

## **THE DISTRICT COUNCIL OF CHESTER-LE-STREET**

Report of the meeting of the Audit Committee held in Conference Room 3, Civic Centre, Chester-le-Street on Thursday 4 October 2007 at 3.00pm.

Members Present: Councillors G Armstrong (Chairman), R Harrison, J Shiell and JM Proud.

Officers Present: J McConnell (Head of Internal Audit), M Welsh (Principal Internal Auditor), K Roberts (Principal Internal Auditor) and C Turnbull (Democratic Services Officer).

### **19 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **20 MINUTES OF MEETING HELD 5 JULY 2007**

RESOLVED: "That the minutes of the proceedings at the meeting of the Committee held 5 July 2007 copies of which had previously been circulated, be confirmed as being a correct record."

The Chairman proceeded to sign the minutes.

### **21 DECLARATIONS OF INTEREST FROM MEMBERS**

There were no declarations of interest from Members.

### **22 CUSTOMER PERCEPTION SURVEY**

Consideration was given to a report from the Head of Internal Audit detailing the results of the 2007 Customer Perception Survey.

The Head of Internal Audit spoke to the report and advised that the survey was not restricted to those services that were subject to audit. She further advised that the results of the survey were very positive and no specific action was proposed as a result.

RESOLVED: "That the outcome of the Customer Perception Survey 2007 be noted and a similar survey be carried out in 2008."

### **23 INTERNAL AUDIT WORK COMPLETED**

Consideration was given to a report from the Head of Internal Audit giving an update of the findings of Internal Audit work completed within the second quarter of the 2007/2008 financial year. The report contained executive summaries of audits on Leisure Income Follow-Up and IT General Controls.

## Leisure Income Follow-UP

M Welsh, Principal Internal Auditor, advised that the audit was undertaken following a request for further work from the Audit Committee. He reported the four key findings of the audit as detailed in the report, and advised that training would be undertaken in November and an update provided to the January 2008 meeting of the Committee.

Members expressed concern that the issues had taken so long to resolve.

## IT General Controls

M Welsh, Principal Auditor, spoke to the report and advised of the key findings as detailed in the report.

## **24 INTERNAL AUDIT PERFORMANCE**

Consideration was given to a report from the Head of Internal Audit on the activity and performance of Internal Audit during the first half of the 2007/2008 financial year.

The Head of Internal Audit advised that the number of Performance Indicators for the service had been increase from 3 to 11.

RESOLVED:

- “1. That the information contained in the report be noted.
2. That the Risk and Financial Services Manager be invited to attend a future meeting to address the Committee on the Risk Register.”

## **25 EXCLUSION OF PUBLIC AND PRESS**

RESOLVED: “That under Section 100A of the Local Government Act 1972, the Public and Press be excluded from the meeting for the following item of business on the grounds it involves the likely disclosure of exempt information as defined in paragraph 7 of Part 1 of Schedule 12A of the Act.”

## **26 INTERNAL AUDIT WORK COMPLETED**

Consideration was given to a report from the Head of Internal Audit giving an update on the findings of Internal Audit work. The report contained executive summaries on investigations as detailed in the report.

K Roberts, Principal Internal Auditor, spoke in detail to the report and answered questions from Members on the investigations.

The Chairman stressed that Officers must ensure that processes and procedures are amended in order to ensure that similar occurrences cannot happen again.

The Head of Internal Audit advised Members of an investigation that was ongoing. Future investigations were required and a report and Action Plan would be submitted to a future meeting of the Committee.

The meeting terminated at 3.57pm

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## THE DISTRICT COUNCIL OF CHESTER-LE-STREET

Report of the meeting of the Appointments Panel held in Box 13, Riverside Cricket Ground, Chester-le-Street on Thursday 8 November 2007 at 5.00pm.

**Members Present:** Councillors SA Henig (Chairman), JW Barrett, K Potts, A Turner and JM Proud.

**Officers Present:** R Templeman (Chief Executive) and C Turnbull (Democratic Services Officer).

### **1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **2. DECLARATIONS OF INTEREST FROM MEMBERS**

There were no declarations of interest from Members.

### **3. CHANGES TO SENIOR MANAGEMENT STRUCTURE**

Consideration was given to a report from the Chief Executive containing recommendations for changes to the senior management of the Council. (A copy of the report is appended to these minutes for Members information).

The Chief Executive advised that the Director of Community Services and Director of Resources were leaving the Council to take up positions with Cestria Housing Association; the Head of Organisational Development had been successful in securing a position at a Metropolitan Authority; and the Head of Regeneration had secured a post with a private organisation. In relation to the Director of Resources, Head of Organisational Development and Head of Regeneration positions, a number of options had been explored:-

- a. Sharing strategic resources with other Councils
- b. Interim Management arrangements
- c. New appointments
- d. Acting up arrangements with Heads of Service and changed responsibilities with other members of CMT

The Chief Executive outlined his proposals, as detailed in the report: -

- i. The Assistant Chief Executive, whilst retaining his current responsibilities, to take over responsibility for management of the Human Resources and Health and Safety Section, and the post be re-designated Director of Corporate Services.
- ii. One manager in the Resources Directorate and the Regeneration Section to act up to coordinate and deliver the day to day management.
- iii. The current Deputy 151 Officer to be appointed as the Council's 151 Officer

- iv. The need for Heads of Service and Senior Managers to be more flexible because of the likely additional pressures, responsibilities and changing priorities.
- v. The provision of a sum from the resultant budget savings for specialist advice to support the new management arrangements.

RESOLVED: "That the proposed management changes be supported and the Council be RECOMMENDED to:-

1. Agree the revised responsibilities and designation of Director of Corporate Services and the appointment of the current Assistant Chief Executive to the position.
2. Approve the appointment of the current Deputy 151 Officer to the position of 151 Officer and to the appointment of a new Deputy 151 Officer.
3. Authorise the Chief Executive to continue with the appointment process for the acting up arrangements in the Resources Directorate and Regeneration Section.
4. Agree that part of the savings (with a ceiling of £50,000 in any one year) be specifically earmarked for the Chief Executive to use as appropriate to procure specialist expertise that may be necessary to support the Council over the following 12 to 18 months. The use of the fund to be subject to agreement with the Leader/Deputy Leader of the Council.
5. Agree that the net annual revenue savings to be generated by the new arrangements be utilised to address budget pressures in 2007/8 and 2008/9."

The meeting terminated at 5.47pm





**Chester-le-Street**  
District Council

**Report to:** Chester-le-Street District Council  
Appointments Panel

**Date of Meeting:** 8 November 2007  
Box 13

**Report from:** Roy Templeman  
Chief Executive

**Title of Report:** Changes to the senior management  
structure

**1. Purpose and Summary**

- 1.1 This report brings to Members my recommendations for changes to the senior management of the Council following the departure of four members of the Corporate Management Team to new positions outside the Authority. It recommends changes to certain job responsibilities and acting up arrangements that has regard to the impending Local Government Review, savings to address budgets for 2007/8/9 and the need to provide continuing direction and management of the Council.
- 1.2 This report asks Members of the Appointments Panel to consider my recommendations and in turn make recommendations to Council on the changes to the senior management structures and financial implications.

**2. Background**

- 2.1 Members will be aware that the current Director of Community Services has been successful in securing the position of Chief Executive of the 'shadow' Cestria Housing Association. He will following the transfer of the Council's housing stock be leaving the Authority to take up this permanent position. His position will no longer be required by the Council as the functions for which he was formerly responsible will transfer.
- 2.2 The Director of Resources has also been successful in securing the Director of Finance position for Cestria and will be leaving her current position at the time of transfer. Clearly the Resources Directorate remains and the Council needs to consider the management of that Directorates services and strategic advice to Council.
- 2.3 The Head of Organisational Development has been successful in securing a promotional position to a Metropolitan Authority in the North East and will be leaving the Authority in December. The Head of Regeneration has

also been successful in securing a promotional post working for a private organisation funded by the Regional Development Agency.

2.4 Clearly all four senior managers from the Council's Corporate Management Team have been very successful in securing their positions and will be a great loss to the capacity of the Council. Their individual and collective responsibilities have been key to the strategic management of the Authority and the improvements we have made. The very nature of our success has in no small way lead to the current status and regard that external organisations have for the managers within the Authority and this success has in part lead to the current situation.

2.5 In relation to the Director of Resources, Head of Organisational Development and Head of Regeneration positions, I have explored a number of options to consider how the gaps can be filled prior to making the following recommendations to Members. These are broadly:-

- a. Sharing strategic resources with other Councils
- b. Interim Management arrangements
- c. New appointments
- d. Acting up arrangements with Heads of Service and changed responsibilities with other members of CMT

a. It has not been possible to identify appropriate sharing of resources that would be available and serve the interests of the Council for the interim cover likely until May 2009 (proposed timescale for formation of the Durham Unitary Council). This option would also have reduced potential to maximise savings to assist in the Council's budget considerations.

b. Interim management is costly and is (apart from some specialised advice that is likely to be needed in the forthcoming months in HR and Finance) unlikely to provide more overall capacity than the acting up arrangements proposed within this report.

c. A new appointment process would have considerable merit and would be my preferred choice if the Council were not part of the proposed Local Government Review and formation of a Unitary Council. Whilst there is a Judicial Review appeal pending the position regarding it's success is not certain. It is however essential that the Council secures the capacity it needs now to manage services and yet has regard to the Governments intention to continue with reorganisation. It is unlikely that an appointment process for permanent positions at this level would secure the calibre of candidates required by the Council whilst such uncertainty remains. A new appointment to the positions covered within this report would have the potential to create future redundancy issues with associated costs.

d. Acting up arrangements has the advantage of providing continuity of support for the Council and at the same time has regard to the likelihood

of changing priorities for the Council over the next 18 months. It has the advantages of drawing upon the strengths of managers who have been part of the Council's cultural and organisational development and also provides a further development opportunity for those selected. It also realises substantial savings to assist the Council in the 2007/8/9 budget and unlike option c, does not increase the likely redundancy costs and pension strain for a new Council.

- 2.6 Given the above options, I am recommending to Members that certain changes are made to CMT responsibilities and an appointment process is conducted to select managers to 'act up' in relation to specific and Directorate / Corporate responsibilities. I would further recommend that part of the savings realised is used by the Chief Executive in consultation with the Leader to appoint specialist advice as may be necessary (up to a ceiling figure) to support the Council in delivering it's service priorities over the next year.

### **3. Consultation**

- 3.1 Initial discussions have taken place with the Leader of the Council and with managers in the Regeneration, Resources and Human Resources / Health and Safety teams. Managers and staff involved in those consultation meetings have been fully supportive of these proposals and have given a unanimous commitment to support the future management arrangements if Members were to agree to these recommendations.

### **4. Corporate Plan and Priorities**

- 4.1 Clearly the Assistant Chief Executive and existing Heads of Service have been fundamentally involved in both the development and delivery of the Corporate Plan and priorities. It is likely that the Council will need to re focus it's priorities for the next 18 months to address the proposed changing environment in which we work. One of the benefits of drawing upon the expertise and skills of our existing managers is their demonstrable and externally accredited ability to continue to improve the services we deliver to our communities.

### **5. Legal**

- 5.1 There are no legal implications associated with this report

### **6. Personnel**

- 6.1 The appointment of managers to the roles outlined within this report have been discussed with the managers directly involved in the related service areas and with the Head of Organisational Development. As more than one manager has expressed an interest in the acting up arrangements prior to Member consideration of this report, the appointment of managers in Regeneration and Resources is proposed to be subject to an interview involving the Chief Executive and Head of Organisational Development.

## **7. Diversity**

- 7.1 Our managers have been part of the Council's Equality and Diversity training and the selection process will take into account the need for managers to promote the Council's values in employment and service delivery.

## **8. Other Services**

- 8.1 Other services will need to draw upon the expertise of managers in the services covered by this report. Managers being considered for these posts will need to demonstrate their commitment to corporate working and the flexibility to adapt to changing circumstances and priorities.

## **9. Risk**

- 9.1 It is key that the Council considers the strengthening of its capacity to manage the services covered in this report and with the loss of strategic managers working with Members and CMT, the need to strengthen corporate working following the departure of the existing CMT members. The issue of organisational and financial risk has been key in shaping my views on the options available in bringing this report to Members for their consideration.

## **10. Crime and Disorder**

- 10.1 The Regeneration team responsibility includes community safety and services to respond to anti social behaviour. CMT will be considering how we can maintain and improve our response to these service areas with the Regeneration and Neighbourhood Management teams.

## **11. The proposals**

- 11.1 The following are the proposed changes to CMT and Head of Service responsibilities.
- 11.2 That the current Assistant Chief Executive whilst retaining his current responsibilities, takes over responsibility for the management of the HR and Health and Safety section. The substantive responsibilities will remain unchanged but in recognition of this new responsibility and the personal support he will be giving to the Chief Executive in the process of Local Government Review, it is recommended that the post is re designated as Director of Corporate Services with an appropriate recognition in grade.

Whilst we have an excellent professional HR and Health and Safety team, it is likely that we may need specialised advice in strategic HR issues from time to time for which a budget needs to be allocated.

- 11.3 Following initial expressions of interest for the acting up positions in the Resources Directorate and Regeneration, that the process of selecting a manager in each of these areas is continued to appoint one manager in Resources and Regeneration to coordinate and deliver the day to day management of the Directorate / Department. The services in these areas have excellent managers and staff who have demonstrated their ability to be adaptive and innovative in driving forward improvements and supporting the Authorities corporate objectives. The post holders would also assist in providing corporate support working with CMT but it is likely that both areas will need further strategic support and direction to be provided by the Chief Executive.

Managers acting up in these positions will also be the main interface with Members and Portfolio holders in terms of the overall work of the Directorate/Department. Clearly this does not apply to the position of Section 151 Officer who would, with the support of the Chief Executive, take responsibility for advising Council on strategic finance issues.

- 11.4 The current deputy 151 officer be appointed as the Council's 151 officer. The post holder will work closely with the Chief Executive and Corporate Management Team and is likely to need to draw on specialist support for specific project work (for example the closure of the HRA account).
- 11.5 In addition to the specific proposals above, I have discussed the need for all Heads of Service and Senior Managers to be in a position to work more flexibly because of the likely additional pressures, responsibilities and changing priorities that the process of County wide reorganisation may bring. As a reflection of the major improvements that are embedded in the Council's working, I am pleased to say that there is a clear acceptance and willingness expressed by managers to work in this way to support the Authority through the major changes proposed with the minimum of disruption to services.

As part of these proposals I intend to place the joint working of the Corporate Management Team and Corporate Support Team (Heads of Service) on a more structured basis to form a wider management team that will meet together on a monthly basis.

## **12. Financial Implications**

- 12.1 The overall budgets (salary plus on costs) associated with the current positions of Director of Resources, Head of Organisational Development and Head of Regeneration is £248k. The cost of the proposals within this report covering new appointments, responsibilities and acting up arrangements is £35k giving a net annual revenue saving to the Authority of £213k.

It is proposed that out of this budget saving, that a provision of £50k is made for the procurement of specialist advice to support these management arrangements. It is further proposed that the Chief

Executive is responsible for this budget subject to the procurement of such specialist advice being agreed with the Leader/Deputy Leader of the Council.

### **13. Recommendations**

13.1 Members of the appointments panel are asked to:

- a. Consider this report and approve or amend the proposals contained within section 11 and the financial implications in section 12.

Subject to a, recommend to Council:-

- b. the revised responsibilities and designation of Director of Corporate Services and the appointment of the current Assistant Chief Executive to that position.
- c. Approval of the appointment of the current Deputy 151 officer to the position of the Councils 151 officer.
- d. Authorisation of the Chief Executive to continue with the appointment process for the acting up arrangements in the Resources Directorate and Regeneration.
- e. That part of the savings (with a ceiling of £50k) be specifically earmarked for the Chief Executive to use as appropriate to procure specialist expertise that may be necessary to support the Council over the next 12 to 18 months. The use of this fund would be subject to agreement with the Leader/Deputy Leader of the Council.
- f. That net annual revenue savings generated by the approval of the report (and subject to recommendation e. above) of £163k be utilised to address budget pressures in the 2007/8 and 2008/9 budgets.

### **14. Background Papers**

14.1 There are no background papers.

Roy Templeman  
Chief Executive

30 October 2007

## **THE DISTRICT COUNCIL OF CHESTER-LE-STREET**

Report of the meeting of Electoral Arrangements Advisory Group held in the Box 13, Riverside, Chester-le-Street on Thursday, 8 November 2007 at 4.00pm

PRESENT:

Councillor:

G Armstrong	W Laverick
J W Barrett	K Potts
R Court	A Turner
A K Holden	

Officers: K Fletcher (Democratic Services Assistant) and C Turnbull (Democratic Services Officer)

In the absence of Councillor SA Henig, the Democratic Services Officer requested nominations for Chairman for the meeting.

It was proposed by Councillor G Armstrong and seconded by Councillor AK Holden that Councillor A Turner be appointed as Chairman for the meeting.

### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillor S A Henig.

### **2. MINUTES OF THE PREVIOUS MEETING**

It was proposed and seconded that the minutes be agreed.

RESOLVED: "That the minutes of the meeting held 21 July 2006, copies of which had previously been circulated to Members, were agreed as a correct record."

The Chairman proceeded to sign the minutes.

### **3. DECLARATIONS OF INTEREST FROM MEMBERS**

There were no declarations of interest received from Members.

#### **4. REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS**

Consideration was given to a report from the Democratic Services Officer detailing findings of the review into Polling Districts, Polling Places and Polling Stations.

The Democratic Services Officer advised that the Electoral Administration Act 2006 had placed a duty on all local authorities to undertake a review of Polling Districts, Places and Stations by the end of 2007.

He confirmed that the aim of the review was to ensure that all electors had reasonable and practicable facilities for voting and that as far as reasonable and practicable, polling places would be accessible to all electors, including those who are disabled.

The Democratic Services Officer advised of the consultation process carried out for the review and of the responses received, as detailed in paragraphs 4, 5 and 6 of the report.

He proposed that Members consider each Polling District, Place and Station in order that they appeared on the schedule attached to the report.

Councillor Barrett commented that there was currently a review being undertaken of all community facilities within the District and that this could impact upon the use of facilities for elections.

The Democratic Services Officer confirmed that contact had been made with the Head of Regeneration in relation to this matter, who had advised that the Democratic Services Team would be kept informed of any potential changes to those facilities which were used for election purposes.

Comments were raised with regard to the use of schools as polling stations and the Democratic Services Officer advised that alternative venues had been found where possible.

Councillor Barrett made reference to the number of mobile units used as polling stations within the Urpeth Ward and the Democratic Services Officer confirmed that alternative locations had been investigated however due to the limited number of buildings available, no alternative could be found.

In relation to comments received from County Councillor J B Walker, it was suggested to Members that an additional Polling Place be included within the Bournmoor Ward at Lambourne Close Communal Room.

The Democratic Services Officer advised that the current Z1 and Z2 registers be amalgamated to create the Z register.



It was proposed and seconded that the schedule attached to the report be agreed and recommended to Council for approval, subject to the additional polling place within the Bournmoor Ward and the amalgamation of the Z1 and Z2 registers.

RESOLVED: "That the schedule of the Review of Polling Districts, Polling Places and Polling Stations be agreed and recommended to Council for approval subject to an additional Polling Place being located within the Bournmoor Ward at Lambourne Close Communal Room and that Registers Z1 and Z2 be amalgamated to create the Z register."

The meeting terminated at 5.00 pm

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## POLLING DISTRICTS, POLLING PLACES, POLLING STATIONS

WARD	POLLING DISTRICT	POLLING PLACE	POLLING STATION	MAP REF
<b>CHESTER NORTH</b>				
	A	Community Centre, Newcastle Road, Chester-le-Street	Community Centre, Newcastle Road, Chester-le-Street	1
	B	AP Communal Room, Holyoake, South Pelaw, Chester-le-Street	The Lounge, AP Communal Room, Holyoake, South Pelaw, Chester-le-Street	2
	B	South Pelaw Infant School, South Pelaw, Chester-le-Street	South Pelaw Infant School, South Pelaw, Chester-le-Street	3
	C	TAVR Centre, Picktree Lane, Chester-le-Street	TAVR Centre, Picktree Lane, Chester-le-Street	4
<b>CHESTER EAST</b>				
	D	Parish Centre, Church Chare, Chester-le-Street	Parish Centre, Church Chare, Chester-le-Street	5
	E	Red Rose County School, Chester-le-Street	Red Rose County School, Chester-le-Street	6
	Z	Red Rose County School, Chester-le-Street	Red Rose County School, Chester-le-Street	7
<b>CHESTER CENTRAL</b>				
	F	Volunteer Centre, Clarence Terrace, Chester-le-Street	Volunteer Centre, Clarence Terrace, Chester-le-Street	8
	G	Mobile Unit, The Green, Chester-le-Street	Mobile Unit, The Green, Chester-le-Street	9

WARD	POLLING DISTRICT	POLLING PLACE	POLLING STATION	MAP REF
<b>CHESTER SOUTH</b>				
	H	Mobile Unit, Car Park, Garden Farm Hotel, Chester-le-Street	Mobile Unit, Car Park, Garden Farm Hotel, Chester-le-Street	10
	H	Hambledon Hut, Chester-le-Street	Hambledon Hut, Chester-le-Street	11
<b>CHESTER WEST</b>				
	I	Bullion Hall, Bullion Lane, Chester-le-Street	The Lounge, Bullion Hall, Bullion Lane, Chester-le-Street	12
	J	AP Communal Room, Gibside, Chester-le-Street	AP Communal Room, Gibside, Chester-le-Street	13
	K	Mobile Unit, Cragside, Chester-le-Street	Mobile Unit, Cragside, Chester-le-Street	14
<b>PELTON FELL</b>				
	L	Bowls Pavilion, Pelton Fell Park, Pelton Fell	Bowls Pavilion, Pelton Fell Park, Pelton Fell	15
	M	Pelton Fell Village Hall, Pelton Fell	Pelton Fell Village Hall, Pelton Fell	16
<b>OUSTON</b>				
	N	Community Centre, Ouston	Community Centre, Ouston	17
	O	County Infant School, Ouston	County Infant School, Ouston	18
	P	Methodist Church, Perkinsville	Methodist Church, Perkinsville	19

WARD	POLLING DISTRICT	POLLING PLACE	POLLING STATION	MAP REF
<b>URPETH</b>				
	Q	Mobile Unit, Bradley Close, Ouston	Mobile Unit, Bradley Close, Ouston	20
	Q	Mobile Unit, Redmires Close, Ouston	Mobile Unit, Redmires Close, Ouston	21
	R	Mobile Unit, Laurel Crescent, High Handenhold	Mobile Unit, Laurel Crescent, High Handenhold	22
	T	Peggy's Wicket Public House, Beamish	The Bar, Peggy's Wicket Public House, Beamish	23
	AN	Mobile Unit, Laurel Crescent, High Handenhold	Mobile Unit, Laurel Crescent, High Handenhold	22
<b>GRANGE VILLA &amp; WEST PELTON</b>				
	S	Methodist Church Hall, West Pelton	Methodist Church Hall, West Pelton	24
	AK	Community Centre, Grange Villa	Community Centre, Grange Villa	25
	AL	Methodist Church Hall, West Pelton	Methodist Church Hall, West Pelton	24
	AM	Community Centre, Grange Villa	Community Centre, Grange Villa	25
<b>SACRISTON</b>				
	U	The Daisy Hill, Sacriston	The Lounge, The Daisy Hill, Sacriston	26
	V	The Daisy Hill, Sacriston	The Lounge, The Daisy Hill, Sacriston	26

WARD	POLLING DISTRICT	POLLING PLACE	POLLING STATION	MAP REF
	V	AP Communal Room, Elm Court, Sacriston	AP Communal Room, Elm Court, Sacriston	27
	V	Salvation Army Hall, Plawsworth Road, Sacriston	Salvation Army Hall, Plawsworth Road, Sacriston	28
	V	Fyndoune Community College, Sacriston	Fyndoune Community College, Sacriston	29
	V	Community Centre, Front Street, Sacriston	Community Centre, Front Street, Sacriston	30
<b>KIMBLESWORTH &amp; PLAWSWORTH</b>				
	W	Community Centre, Front Street, Nettlesworth	Community Centre, Front Street, Nettlesworth	31
	X	The Daisy Hill, Sacriston	The Lounge, The Daisy Hill, Sacriston	32
	Y	Church Hall, Parish Church, Kimblesworth	Church Hall, Parish Church, Kimblesworth	33
<b>EDMONDSLEY &amp; WALDRIDGE</b>				
	AA	Waldrige Parish Rooms, Waldrige Village	Waldrige Parish Rooms, Waldrige Village	34
	AB	Mobile Unit, Car Park, Hermitage Comprehensive School	Mobile Unit, Hermitage Comprehensive School	35
	AB	Mobile Unit, Car Park, Hermitage Comprehensive School	Mobile Unit, Hermitage Comprehensive School	36
	AB	Mobile Unit, Chillingham Drive, Chester-le-Street	Mobile Unit, Chillingham Drive, Chester-le-Street	37

WARD	POLLING DISTRICT	POLLING PLACE	POLLING STATION	MAP REF
	AC	AP Communal Room, Chester Moor	AP Communal Room, Chester Moor	38
	AS	AP Communal Room, Jubilee Close, Edmondsley	AP Communal Room, Jubilee Close, Edmondsley	39
<b>BOURNMOOR</b>				
	AD	St Barnabas Church Hall, Bournmoor	St Barnabas Church Hall, Bournmoor	40
	AD	AP Communal Room, Lambourne Close, Bournmoor	AP Communal Room, Lambourne Close, Bournmoor	41
	AE	Woodlea Junior & Infant School, Fencehouses	Woodlea Junior & Infant School, Fencehouses	42
<b>LUMLEY</b>				
	AF	Community Centre, Great Lumley	Community Centre, Great Lumley	43
	AG	Community Centre, Great Lumley	Community Centre, Great Lumley	44
	AG	Community Centre, Fencehouses	Community Centre, Fencehouses	45
<b>PELTON</b>				
	AH	AP Communal Room, Perkinsville	AP Communal Room, Perkinsville	46
	AH	Community Centre, Front Street, Pelton	Community Centre, Front Street, Pelton	47
	AH	Community Centre, Front Street, Pelton	Community Centre, Front Street, Pelton	48

<b>WARD</b>	<b>POLLING DISTRICT</b>	<b>POLLING PLACE</b>	<b>POLLING STATION</b>	<b>MAP REF</b>
	AI	Roseberry Junior & Infant School, Pelton Lane Ends	Roseberry Junior & Infant School, Pelton Lane Ends	49
	AJ	Roseberry Junior & Infant School, Pelton Lane Ends	Roseberry Junior & Infant School, Pelton Lane Ends	49
	AO	Roseberry Junior & Infant School, Pelton Lane Ends	Roseberry Junior & Infant School, Pelton Lane Ends	49
	AQ	Community Centre, Front Street, Pelton	Community Centre, Front Street, Pelton	47
<b>NORTH LODGE</b>				
	AP	Park View Comprehensive School, North Lodge Premises	Park View Comprehensive School, North Lodge Premises	50
	AR	Park View Comprehensive School, North Lodge Premises	Park View Comprehensive School, North Lodge Premises	51





## **Chester-le-Street** District Council

**Report to:** Council  
**Date of Meeting:** 29 November 2007  
**Report from:** Head of Revenues & Benefits  
**Title of Report:** Calculation of Council Tax Base 2008/2009  
**Agenda Item Number:**

---

### **1. PURPOSE AND SUMMARY**

- 1.1 The purpose of this report is to allow the Council to set its Council Tax Base for the financial year 2008/2009. The Council is recommended to approve the Tax Base of 17,086.65

### **2. CONSULTATION**

- 2.1 The Director of Resources has been consulted during the preparation of this report

### **3. CORPORATE PLAN AND PRIORITIES**

- 3.1 Although the contents of the report do not directly support the Council's priorities, the tax base does impact on the level of resources available to deliver the Council's Corporate Plan and Priorities.

### **4. IMPLICATIONS**

#### **4.1 Financial Implications and Value for Money Statement**

The Council Tax Base impacts on the resources raised by Council Tax.

#### **4.2 Legal**

Under sections 32 – 36 of Local Government Finance Act 1992 and the Local Authorities (Calculation of Tax Base) Regulations 1992, as amended, the Council is required to calculate a tax base each financial year. The law requires that the calculation is made by 31 January preceding the start of the next financial tax year.

#### **4.3 Personnel**

There are no Personnel implications associated with this report.

#### **4.4 Other Services**

There are no implications for other services associated with this report.

#### 4.5 Diversity

A diversity impact assessment has been carried out on this report.

#### 4.6 Risk

The approval of the Council Tax Base ensures that the Council complies with legislative requirements.

#### 4.7 Crime and Disorder

There are no crime and disorder implications.

#### 4.8 Other Implications

There are no other implications associated with this report.

### **5. BACKGROUND AND POSITION STATEMENT**

5.1 In broad terms, the tax base has to be calculated as follows:

- i. Ascertain the number of dwellings in each Council Tax Band (A-H) shown in the valuation list as at 17 September 2007.
- ii. Adjust for estimated changes in the number of dwellings through new build, demolitions and exemptions
- iii. Estimate the number of discounts and disabled relief allowances which will apply for the year.

5.2 The tax base calculation has been based on the Council's decision in 2005 to reduce the discount on second homes from 50% to 10%. This is included as a specific recommendation here following the changes introduced by the Local Government Act 2003.

5.3 An assumption has to be made about the expected rate of collection of the Council Tax. A collection rate of 98.5% was assumed for the current year and this is considered appropriate for the next financial year.

5.4 Using a 98.5% collection rate, the tax base has decreased from 17,126.18 in the current year to 17,086.65 for 2008/2009; a decrease of 39.53 Band D equivalent properties:

<u>Part of District</u>	<u>Tax Base</u> <u>2008/2009</u>
Chester-le-Street	6355.49
Bournmoor	680.42
Edmondsley	176.59
Kimblesworth and Plawsworth	502.08
Great Lumley	1212.73
Little Lumley	521.97
North Lodge	897.20
Ouston	910.77
Pelton	1828.63
Sacriston	1417.50
Urpeth	1109.74
Waldrige	1473.53
	<hr/>
<b>Chester-le-Street District Council</b>	<b>17,086.65</b>
<b>Tax Base</b>	<b><hr/><hr/></b>

- 5.5 A billing authority is required to determine in accordance with Regulations made under Section 99 of the Local Government Finance Act 1992, a schedule of instalments by which major precepts and the billing authority's own demands on its Collection Fund are intended to be paid.

## **RECOMMENDATIONS**

- 6.1 It is recommended that
- (a) the reduction in discount on second homes from 50% to 10% be confirmed
  - (b) in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992, as amended, the amount calculated by Chester-le-Street District Council as its Tax Base for 2008/2009 shall be 17,086.65
  - (c) the inclusion of 33.1 in the tax base for the reduction in discount on second homes from 50% to 10% be noted;
  - (d) the collection rate be set at 98.5%.
- 6.2 It is recommended that it be noted that the 2008/2009 tax base does not take account of any reduction in the discount on long term empty properties.
- 6.3 It is recommended that the schedule of instalments for payment of the precept to Durham County Council, Durham Police Authority, Co Durham and Darlington Fire and Rescue Authority, and for the Council's own demand on the Collection Fund as detailed in section 5.6 above is accepted.

## **7. BACKGROUND PAPERS / DOCUMENTS REFERRED TO**

- 7.1 CTB1 (September 2007) Calculation of Tax Base for Revenue Support Grant Purposes 2008/09.

7.2 Sections 32 to 36, Local Government Finance Act (LGFA) 1992.

7.3 Local Authorities (Calculation of Tax Base) Regulations 1992, as amended.

<b>AUTHOR NAME</b>	<b>Jayne Henderson</b>
<b>DESIGNATION</b>	<b>Head of Revenues &amp; Benefits</b>
<b>DATE OF REPORT</b>	<b>15 November 2007</b>
<b>VERSION NUMBER</b>	<b>1</b>
<b>AUTHOR CONTACT</b>	<b>0191 3872344</b>



**Chester-le-Street**  
District Council

**Report to:** Council

**Date of Meeting:** 29 November 2007

**Report from:** Head of Planning and Environmental Health

**Title of Report:** Review of The Private Sector Housing Renewal Policy

**Agenda Item Number:**

---

## 1. PURPOSE AND SUMMARY

- 1.1 To review the Council's Private Sector Housing Renewal Policy which was agreed by Council on 24th November 2005 and amended by Council on 27th July 2006 when Working Tax Credit was included as an additional qualifying benefit for Discretionary Repairs Assistance (DRA).
- 1.2 This review has been carried out having regard to Paragraph 7.0 (Policy Review) of the Private Sector Housing Renewal Policy in particular to ascertain:
- (i) Value for money being achieved.
  - (ii) The Policy's effect in reducing the number of vulnerable households living in non-decent private sector housing by the use of repairs assistance.
  - (iii) The Policy's current and potential contribution to regeneration in the district.
  - (iv) Whether financial assistance should be made available to the private rented sector.

- (v) How the Policy can be made more effective having regard to current and future available finance.
- 1.3 This report was approved by Executive on 1st October 2007 and it is now recommended that Council also approve the review of the Private Sector Renewal Policy and agree the recommendations below:
- (i) That further capital funding bids for the financial years 2008/9 and 2009/10 are made to the Capital Working Group in order to meet the Government's target of 70% vulnerable households living in decent homes by 2010.
  - (ii) Approve the amendment to the Waiting List system as detailed in Paragraph 5.4 below.
  - (iii) Remove Security Grants from the Policy.
  - (iv) Agree that the existing mechanisms for policy review as well as performance standards and monitoring be continued.
  - (v) Authorise officers to participate in the development of the Regional Loans Scheme which will be the subject of a future report to Members.

## **2. CONSULTATION**

- 2.1 Consultation has been undertaken with key Council officers, relevant partners and stakeholders including the Council's Home Improvement Agency, Durham County Council Social Services, the Primary Care Trust and the Citizens Advice Bureau.

## **3. CORPORATE PLAN AND PRIORITIES**

- 3.1 The Private Sector Housing Renewal Policy clearly links into the Corporate Plan within the context of the Council's Housing Strategy and its overall obligations as a Housing Authority. It will contribute to the delivery of Priority 4 "Regenerating the District" within the Corporate Plan as well as illustrating the Council's multi-disciplined approach to improving the quality of life for private sector residents within the Council's district. In addition the Policy is essential in order to achieve the Government's target of making 70% of its non-decent homes occupied by vulnerable residents meet the Decent Homes Standard by 2010 (see 4.2).
- 3.2 There is a need to monitor and review the Private Sector Housing Renewal Policy. The drivers for the review are founded on the Council's obligations to deliver sustainable communities, provide support to vulnerable households and ensure that residents within the Council's

district have the opportunity to live in decent homes thereby promoting social cohesion, well being and self dependence.

#### **4. IMPLICATIONS**

##### **4.1 Financial Implications and Value for Money Statement**

A bid of £500,000 was made this financial year to the Capital Working Group for Discretionary Repairs Assistance. This was not included in the schemes prioritised for inclusion in the 2007/8 capital programme, pending the review of the Private Sector Housing Renewal Policy. Funding for the capital programme is dependent on capital receipts and schemes included in the approved programme are only released when capital resources are in place to support them, and this is totally dependent on asset sales. If the Council is to achieve its decent homes target it is essential that sufficient capital funds are made available. Such funding will be cross referenced with any successful SHIP 3 bid as an additional source of funding towards achieving the Council's decent homes target.

The capital budget for home repair and renovation grants has consistently been spent in recent years and over the past 5 years 279 vulnerable households have been made decent at an initial average cost of £5075/home. Since DRA was introduced this has increased to an average cost of £8500/home which reflects the change in the grant regime to repairs assistance, an increase in building costs and more work being needed to meet the decent homes standard. SHIP spending currently allows for up to £10,000/home to be spent on repairs and improvements in order to achieve the decent homes standard although average costs are approximately £7000 per property. The schemes are broadly comparable in cost and as such appear to offer reasonable value for money.

The review identified that the standard of some properties may have been improved to the Decent Homes Standard via the award of a Council COSY grant. These grants are primarily aimed at improving the thermal efficiency of private housing to assist the Council meet its obligations under the Home Energy Conservation Act 1995. However, where a property is non-decent by virtue of thermal efficiency alone it is possible the works carried out under the scheme may make it decent. Initial investigations indicate that this only occurs in a small number of cases. The COSY scheme administration will be modified to ensure this information is captured.

#### 4.2 Legal

The Private Sector Housing Renewal Policy is a requirement of the Regulatory Reform (Housing Assistance) Order 2002 which requires that a policy is produced and publicised in the prescribed manner. It is also a requirement that the Policy is subject to regular review, the nature and frequency of which will depend on various factors. One of the most important factors is the need to ensure that the Renewal Policy is meeting that part of Public Service Agreement (PSA) 7 which requires 70% of vulnerable households in the Council's district live in decent accommodation by 2010.

#### 4.3 Personnel

There are no immediate personnel implications arising from this report. This may change if a Regional Loans Scheme for vulnerable households who require repairs and improvements is implemented by April 2009 in which case staff training issues in the new loan procedures will have to be addressed. Any future staff implications will be reported to Members as appropriate as will details of the proposed Regional Loans Scheme.

#### 4.4 Other Services

This review will continue to impact on other services as follows:

- (i) Finance Section – payments, fees, pay back of financial resources resulting from breach of conditions and disposal of property.
- (ii) Legal Services – land searches and land charges.
- (iii) Regeneration – functions currently being delivered such as housing strategy and the Landlords' Accreditation Scheme.
- (iv) Home Improvement Agency – processing of applications for discretionary repairs assistance.

The extent of the above impact will be low and will not represent an increase in the workload for other services.

#### 4.5 Diversity

The Private Sector Housing Policy and its review will continue to provide a key source of assistance for vulnerable people and households particularly in the private owner occupied sector by improving housing conditions. It will ensure that vulnerable members of our community are properly signposted so as to benefit from all available assistance. Such action will in turn help to create more sustainable communities. This amended policy will be the subject of a Diversity Impact Assessment



within the next 3 months. Any significant findings will be reported separately.

#### 4.6 Risk

There are a number of risks associated with failing to implement the recommendations identified as a result of this review. Foremost would be the Council's failure to meet the PSA 7 target to achieve 70% of vulnerable households living in decent homes by 2010. Further, significant Council capital and revenue resources are tied up in tackling private sector housing conditions. Failure to effectively target these resources would leave vulnerable residents without effective interventions which in turn may attract criticism from the Audit Commission following any future inspection of the Council's housing service.

#### 4.7 Crime and Disorder

The current Private Sector Housing Renewal Policy provides a strategic framework for assessing financial assistance for a range of crime prevention measures aimed at vulnerable households. However to date these provisions have never been utilised and Members will be asked to remove security grants from the Policy and reconsider them as part of a future review should a suitable scheme be developed.

#### 4.8 Data Quality

Every care has been taken in the development of this report to ensure that the information and data used in its preparation are accurate, timely consistent and comprehensive. The Council's Data Quality Policy has been fully complied with in producing this report.

#### 4.9 Other Implications

This review will provide the strategic framework which will allow executive decisions to be taken. Specific details are contained within the following section.

### **5. BACKGROUND, POSITION STATEMENT AND OPTION APPRAISAL**

- 5.1 The main purpose of the Council's Private Sector Housing Renewal Policy is to target financial assistance effectively in order to reduce the number of vulnerable households living in non-decent private sector owner-occupied housing and thereby meet the Council's PSA 7 target of achieving 70% vulnerable households living in decent homes by 2010. A vulnerable household is defined as one in receipt of at least one of the principal means tested or disability related benefits and is designed to include the

elderly, long term sick, disabled and families with children who do not have the necessary resources to carry out repairs and improvements to their homes.

5.2 In order to measure the effectiveness of the Policy the number of vulnerable households already made decent must be compared with the number of vulnerable households remaining to be made decent in order to meet the above PSA 7 target by 2010 and to identify if this target will be met. For this purpose the figures used in this report are taken from the Building Research Establishment's (BRE) 2007 report which uses "predictive modelling" to provide estimates of housing conditions in the Council's district which are felt to be more up to date than the information currently available from the 2003 Private Sector Stock Condition Survey (PSSCS). Members should note that it is intended to carry out an update of the PSSCS in 2007 and once completed a full report will be submitted to the Executive. The BRE report shows that Chester-le-Street has the lowest number of non-decent homes in the region.

5.3 Tables One to Three summarise the situation in the District.

Table One illustrates the progress to date via both SHIP funding and the Council's DRA scheme and demonstrates an additional 124 homes will need to be made decent by 2010 if the Council is to achieve the PSA 7 target. This figure is based on the full commitment of SHIP 2 funding.

**Table One**

Non Decent homes made decent (Vulnerable households)		Outstanding non-decent homes (Vulnerable households) 2007/8
SHIP 1-2	DRA	
196	279	124

Table Two indicates the possible impact SHIP 3 funding may have on the figure. This assumes funding of £500 000 and an average award of £7000 per property. This figure is an estimate as the bid has yet to be finalised. Additionally, the figures assume that all awards will target vulnerable households. Historically between 70% and 100% of the awards have been allocated to vulnerable households dependant on the area in question. It must also be remembered that SHIP funding is only targeted to areas in the District included as part of the Coalfield Regeneration Programme, whilst non-decency is "pepper potted" throughout the District.

**Table Two**

Outstanding non-decent homes (Vulnerable households)	Predicted non-decent homes made decent via SHIP 3	Outstanding non-decent homes (post SHIP 3)
124	71	53

Table Three illustrates the capital required to meet the predicted shortfall of 53 households to meet the PSA 7 target by 2010 assuming a successful bid for and full commitment of £500 000 SHIP 3 monies.

**Table Three**

Outstanding non-decent homes post SHIP 3	Average DRA award per property	Total capital required
53	£8500	£450500

5.4 This Review also needs to consider how effectively the Waiting List System is working in practice. The waiting list is a points based enquiry system which takes into account a number of factors in order to target resources to those most in need by awarding such applicants the greatest number of points. The system is simple and effective and works well in practice. The main disadvantage is that anyone can apply to go on the list which reduces the effectiveness of targeting and creates a situation where the list includes a significant number of applicants who have no realistic chance of receiving financial assistance. Accordingly Members will be asked to agree changes to the points system as follows:

- (i) At least 90 points needed to be accepted onto the list and no yearly waiting time points to be awarded. This will have the effect of reducing the waiting list from a total of 193 applicants to 106 which will allow the remaining applicants to have a more realistic chance of receiving financial assistance.
- (ii) Have the option to change the minimum number of points needed to stay on the waiting list on a yearly basis having regard to the numbers on the waiting list and the financial resources available.

Officers are of the opinion that the current policy of not awarding points for specific wards within the Council's district should be continued because at present there is no indication to target funds on a geographical basis. This of course may change pending the findings of the next private sector house condition survey, the results and

recommendations of which will be reported to Members in due course. In the meantime applicants who fail to be accepted onto the waiting list will be signposted to other possible sources of funding such as other types of loans from commercial lenders, charitable funding, equity release, Warm Front and Handyvan schemes etc.

- 5.5 The Housing Act 2004 gives the Council wide ranging enforcement and licensing powers to provide a key source of assistance to vulnerable people in the private rented sector which only forms a small part of the total private stock (3.5%) within the Council's district. Consequently it is not thought necessary to make financial assistance available to privately rented properties and to continue to target owner occupiers only.
- 5.6 As part of this review Members also need to be made aware of the proposed Regional Loans Scheme for North East Local Authorities which if implemented will be included as part of any future review of the Private Sector Renewal Policy. This has come about because currently insufficient resources are being allocated to achieving the government's PSA 7 target of 70% vulnerable households living in decent private sector homes by 2010 as well as moving away from grants to loans in order to encourage home owners to take responsibility for the maintenance of their own homes which in turn will allow local authorities to target resources to those most in need. The idea is to develop a common regional approach to the provision of a range of loan products by utilising a mix of the authority's own funding and that of their Regional Housing Board. The development of this scheme will be the subject of a future report to Members.
- 5.7 The key outcome of this review is the reduction of vulnerable households living in non-decent private sector housing. To ensure that this is being achieved, effective performance standards and monitoring are essential. The mechanisms for these are already in place within the existing Policy and no changes are required.

## **6. RECOMMENDATIONS**

- 6.1 This report was approved by Executive on 1st October 2007 and it is now recommended that Council also approve the review of the Private Sector Housing Renewal Policy and agree the recommendations below:
- (i) That further capital funding bids for the financial years 2008/9 and 2009/10 are made to the Capital Working Group in order to meet

the Council's target of 70% vulnerable households living in decent homes by 2010.

- (ii) Approve the amendment to the Waiting List System as detailed in Paragraph 5.4 above.
- (iii) Remove Security Grants from the Policy but agree to reconsider them as part of a future review if an appropriate scheme is developed.
- (iv) Agree that the existing mechanisms for policy review as well as performance standards and monitoring be continued.
- (v) Authorise officers to participate in the development of the Regional Loans Scheme which will be the subject of a future report to Members.

## **7. BACKGROUND PAPERS / DOCUMENTS REFERRED TO**

- 7.1 The Private Sector Housing Renewal Policy.  
The BRE Report. Durham Sub Region. Housing Stock Projections.  
The Draft Proposal for a Regional Loans Scheme.

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**DESIGNATION:** Environmental Health Officer  
**DATE OF REPORT:** 30th August 2007  
**VERSION NUMBER:** 1.0

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**Chester-le-Street**  
District Council

**Report to:**

Council

**Date of Meeting:**

29 November 2007

**Report from:**

Head of Planning and Environmental  
Health

**Title of Report:**

Development Control – Code of Good  
Practice

**Agenda Item Number:**

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**1. Purpose and Summary**

1.1 The purpose of this report is to seek Members agreement to the attached Code of Good Practice for Development Control.

1.2 The Code of Good Practice sets out principles to guide members in dealing with planning. It applies to all Members of the Council who may become involved in planning and development and also contains special advice for Members of Planning Committee. It is recognised good practice for such a code to be adopted to complement the Members Code of Conduct

**2. Consultation**

2.1 Officers from the Council's Legal Services have been consulted in the preparation of the Code. No objections have been received. The code has been reported to Planning Committee and Standards Committee where it was recommended it be forwarded to Full Council for approval. As the Code is an internal document no external consultations have been carried out.

**3. Corporate plan and Priorities**

- 3.1 The adoption of the Code has strong links to the Council's priorities and vision and links with the one team approach helping to ensure open and transparent decision making

#### **4. Implications**

##### 4.1 Financial Implications and Value for Money Statement

There are no financial implications arising from the adoption of the Code

##### 4.2 Legal

Officers from the Legal Services Team have been consulted in the development of the document. Any investigation by the Local Government ombudsman into a complaint of maladministration against the Council as Local Planning Authority, or any internal investigation of a complaint through the Council's corporate complaints procedure would be likely to consider whether this Code was in place and considered by Members.

##### 4.3 Personnel

There are no personnel implications arising from the adoption of the Code.

##### 4.4 Other Services

The adoption of the Code is not considered to have material implications on the delivery of any other services

##### 4.5 Diversity

The adoption of the Code is not considered to have any material implications in relation to diversity issues

##### 4.6 Risk

It is considered that the adoption of the Code is consistent with the aims of reducing risks to the Authority, as the adoption of a Code will help reduce the risk of a successful challenge to decisions made. In addition any investigation by the Local Government Ombudsman into a complaint of maladministration against the Council as Local Planning Authority, or any internal investigation of a complaint through the Council's corporate complaints procedure would be likely to consider whether this Code was in place.

##### 4.7 Crime and Disorder

There are no implications

##### 4.8 Data Quality

Every care has been taken in the development of this report to ensure that the information and data used in its preparation and the appendices attached are accurate, timely, consistent and comprehensive. The



council's Data Quality Policy has been complied with in producing this report.

4.9 Other Implications

**5. Background ,Position Statement and Option Appraisal**

5.1 The adoption of a Code of Good Practice for Development Control is recognised good practice. It is designed to support the Members Code of Conduct providing guidance for members in dealing with planning matters which can often raise difficult issues.

5.2 Observing the Code will go a long way towards achieving the Council's goal of an open and inclusive planning system. It will increase public confidence, reduce the likelihood of Council decisions being challenged and help Councillors in dealing with what may be difficult situations

**6. Recommendations**

6.1 It is recommended that Members approve and adopt the Code as appended to this report

**7. Background Papers/ Documents referred to**

7.1 None

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**DESIGNATION** Head of Planning and Environmental Health

**DATE OF REPORT** 16.10.07

**VERSION NUMBER** 1.0

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# **Chester-le-Street**

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## **District Council**

# **DEVELOPMENT CONTROL**

# **CODE OF GOOD PRACTICE**

## **DEVELOPMENT CONTROL ~ CODE OF GOOD PRACTICE**

### **1. INTRODUCTION**

- 1.1 This Code of Good Practice sets out principles to guide Members in dealing with planning. It applies to all Members of the Council who may become involved in planning and development and also contains special advice for members of the Planning Committee.
- 1.2 The Code of Good Practice supports (but does not form part of) the Code of Conduct for Members of Chester-le-Street District Council which Members must observe at all times. The Code of Conduct for Members avoids reference to specific functions of the Council such as planning but has direct relevance to Members' conduct in relation to their involvement in the planning process. Members are, therefore, recommended to consider carefully the provisions of both the Code of Conduct for Members and this Code, in relation to their involvement in Development Control matters.
- 1.3 The Council must act fairly and reasonably in all its dealings. Planning matters in particular can sometimes raise difficult issues. Because planning permission can increase ~ often very substantially ~ the value of land, people seeking permission may try to put pressure on decision makers. At worst, they may behave corruptly. Also planning issues can be emotive because they affect individuals' quality of life. A disappointed applicant or objector can all too easily form the belief that he or she lost because a Member had been subjected to undue influence. It is important, therefore, that the Council is open and transparent in its decision making on planning matters.
- 1.4 As the Nolan Committee on Standards in public life pointed out, Councillors exercise, quite properly, two basic roles in the planning system. They determine applications, arriving at a decision to grant or refuse permission by using planning criteria and by excluding non-planning considerations. They also act as representatives of public opinion.
- 1.5 This dual role creates tensions and Councillors may find it difficult to strike the balance between listening to the community and making decisions on planning grounds. However, as Nolan acknowledged, this does not mean that Members who are involved in the planning process must isolate themselves from the people they were elected to represent.
- 1.6 It does mean that Councils should ensure that their planning procedures accord with best practice; that those procedures are set out in a code which is accessible to Councillors, staff and members of the public; and that Councillors receive training in the planning system.
- 1.7 Any investigation by the Local Government Ombudsman into a complaint of maladministration against the Council as Local Planning Authority, or any internal investigation of a complaint under the Corporate Complaints Procedure would be likely to include consideration of whether this Code was observed by Members.

## 2. KEY PRINCIPLES

- 2.1 There are two key principles to follow. The first principle is that, in deciding whether or not to grant planning permission, the Planning Committee **must act reasonably**. This includes:-
- Members not putting the interests of their constituents above their judgement of what is best for the community as a whole.
  - Hearing all the facts and arguments and giving full consideration to all sides.
  - Not taking irrelevant or improper considerations into account (*eg refusing planning permission because of disapproval of, or support for, the person or organisation applying for it*); and
  - Having sound reasons for the decision taken.
- 2.2 This does not mean that the Planning Committee must always “rubber stamp” Officers’ recommendations but, if the Committee goes against officer advice, the grounds on which the decision is reached must be made clear. The reasoning process which led to the conclusion must be recorded in order for the basis of the result to withstand critical scrutiny and so to be clear and transparent, leading to proper accountability. The reasons must also be valid planning reasons; local opposition to, or support for, a proposal is not in itself a ground for refusing or granting planning permission, unless that opposition or support is founded on valid planning reasons which can be substantiated by the facts.
- 2.3 The Development and Building Control Manager, or the Council’s Solicitor are available to give advice, prior to or at Committee Meetings, on what might constitute valid planning grounds for refusing planning applications. (*The Council is legally required to give reasons for a decision to refuse a planning application. Indeed, the Article 13 of the Council’s Constitution sets out, amongst other things, the principles of decision-making* )
- 2.4 Appendix 1 to this Code lists some factors which are sometimes raised in discussion but which are **not** valid planning reasons and should not be taken into account in making decisions.
- 2.5 The second principle is that the Council **must avoid maladministration**. The Local Government Ombudsman investigates complaints of injustice arising from bad administration by the Council (‘maladministration’) . Such investigation looks at the **process** by which the decision is taken (and *how that process appears to the outside world*) rather than the decision itself. It covers such things as failure to be impartial and failure to consider all the facts. For the individual Member this means being cautious in dealings with applicants and people making representations so that both sides are dealt with fairly. Members must not appear to have been unduly influenced or to have a “closed mind”. It is also vital to observe the Members’ Code of Conduct as a breach of the Code by a Member can amount to maladministration by the Council.

- 2.6 If the Local Government Ombudsman finds that maladministration has occurred, the Council will be required to publish the findings and may also be asked to compensate the complainant. A finding of maladministration can be made against the Council even where the actions giving rise to that finding are those of a single Member.
- 2.7 If the Council, through the Planning Committee fails to act reasonably, then a person who is aggrieved by the decision can apply to the Court for 'judicial review'. This could mean that the Court overturns the decision and possibly awards substantial damages against the Council.

### **3.0 WHAT THIS MEANS FOR MEMBERS**

#### Generally

- 3.1 The following guidelines are intended to translate these principles into practical advice and to help Members deal with a range of situations that may arise:-

- (i) Approaches generally - You should always think carefully about how you deal with anyone who approaches you about a planning application. This may be an applicant or his/her agent, an objector, a supporter or someone simply requiring information about an application or proposal. It is always open to you to refer the person to the Development and Building Control Manager, or the appropriate member of his/her staff and you would be well advised to do this if you feel that anyone is trying to put you under undue pressure or influence you unfairly. In particular, you should not allow yourself to be pressured into giving an "instant opinion" on the application. You may listen to what is being said but it is usually useful to make it clear from the outset that you cannot discuss such matters if you are a member of planning committee
- (ii) Approaches from Developers and Agents - You should be particularly careful in dealing with any approaches you may personally receive from Developers or their Agents. They may attempt to put pressure on you in order to secure some expression of commitment. Again, Members should always refer the person concerned to the Development and Building Control Manager

Members should not respond to approaches from Building/Developers or their Agents unless accompanied by the Development and Building Control Manager or his/her representative, as this could be misconstrued.

- (iii) Gifts and/or hospitality - You should not accept gifts or hospitality from Developers/Agents in connection with your membership of the Planning Committee as this might reasonably be interpreted as likely to influence your judgement. In addition all Members are reminded of their obligation under Paragraph 8 (1) (viii) of the Code of Conduct for Members regarding registration of gifts and hospitality with an estimated value of at least £25.

- (iv) Community representative role - Nevertheless, as a Councillor you are the representative, indeed the champion of your community and there will be times when you feel you must represent the community's views on a particular application. Furthermore, the Planning Committee procedures allow applicants and objectors to enlist the help of their Local Councillor to speak on their behalf. They also allow Councillors who are not members of the Planning Committee to address it on any application so long as Councillors can demonstrate that it affects their Ward.
- (v) Addressing the Committee from the public gallery If you wish to address the Committee either on your own account or on behalf of an applicant or objector, you can do so provided you observe the Committee's procedures (For example, you must give prior notice to Officers in accordance with procedures ) **and** you do not have a prejudicial interest in the matter. If you do have a prejudicial interest in the issue then you may only attend the committee for the purpose of making representations, answering questions or giving evidence relating to the business (provided the public are also allowed to attend the meeting for the same purpose). If you have a prejudicial interest as soon as you have finished addressing the Committee you must leave the room.
- (vi) Avoiding pre determination. If you **are** a member of the Planning Committee you should not close your mind to the outcome of an application before it is considered by the Committee or give the impression that you have done so, even though you may hold strong views about it. You should bear in mind that some of your Ward colleagues may not be on the Committee and will be better placed to undertake this role. Similarly, if the question arises of writing letters of objection (*or support*) to the Development and Building Control Manager, it would be more appropriate if these came from Ward colleagues who are not on the Committee.
- (vi) Saving it for the proper forum. Whether or not you are a member of the Planning Committee, anything you have to say on an application should be said only at the Committee meeting. It is not in the interests of openness for Members to lobby the Chair or other members of the Committee behind closed doors. This does not mean, however, that Ward Members cannot discuss an application amongst themselves.
- (vii) Avoid acting as organiser. If you are to remain as a decision maker on the particular planning committee, you should not organise support or opposition for a planning matter to be determined by the district council and not lobby other councillors. Such actions are easily misconstrued by parties to the application and the general public.
- (viii) Cannot instruct officers. You should remember that you as an individual member are not in a position to give instructions to Officers about any planning application. Only the Committee or the Council can do that. For

the same reason, until a formal decision is taken, any views you may express in discussion with other parties are personal and not the Council's and you should make this clear. In addition, Members are reminded of their obligation under Paragraph 3(d) of the Members Code of Conduct, which states that you must not 'do anything which compromises or which is likely to compromise the impartiality of those who work for, or on behalf of, the authority'.

- (ix) Avoid informal visits. It is best to avoid entering any premises or site in connection with a planning matter unless on a formal site visit. However, Councillors may sometimes be asked by constituents to visit them in their homes and on these occasions the question of a planning application (*or objection or support*) may be raised. You should be cautious about giving any commitment in these circumstances. Apart from anything else, you may only have heard one side of the story.

### 3.2 Members of the Planning Committee

There are some specific rules which you must observe when planning applications are being considered by the Planning Committee:-

- (i) Open declaration of not taking part - Even if you strongly support, or oppose, a particular application you must listen to all the arguments for and against it and weigh them up carefully before casting your vote. Councillors who have openly declared their voting intention (on a planning or any other application, enforcement case or local planning policy proposal) in advance of the relevant Committee meeting should always make an open declaration and not vote because they could be considered to have fettered their discretion. In those circumstances a Member should not speak and vote as a member of the Planning Committee.
- (ii) Party Line - It follows from this that you must not base your decision on any discussion that may have taken place in a Political Group meeting. To do so would imply that you have not come to the Committee Meeting with an open mind and that you were influenced by Group discipline rather than the merits of the case. The Ombudsman has found maladministration in cases where Members have been influenced by Political Group decisions in deciding planning applications.
- (iii) Irrelevant considerations - Make sure that you are not swayed by arguments which are not directly related to the merits of the planning application. For example, you should not vote against or for an application just because you are opposed to or support the aims of the organisation that is applying. Also, it may sometimes happen that views expressed at the Committee Meeting by applicants, objectors, or people who are in favour are not matters which the Committee can take properly into account. The Officers will advise on this.

- (iv) Formulating proper reasons to depart from officer recommendation - . If you intend to reject the Officer's recommendation, you should make sure that your reasons for doing so are clearly expressed and understood by your colleagues. Furthermore, your reasons must be valid planning reasons, and you should seek advice on this if you are not sure.
- (v) Compliance Obligations - . You must comply with the requirements of the law (e.g. as to avoidance of appearance of bias) and the Members' Code of Conduct on disclosure of interests, the relevant parts of which are attached at Appendix 2 and 4 with some examples.

### 3.3 Site Visits

It is unusual for there to be a requirement to undertake a site visit because the presentation provided to Members at Planning Committee includes the production of comprehensive reports, detailed plans, and photographs. Site visits will only be arranged following a specific decision of the Planning Committee to defer the item for a site visit. They will be for the whole Committee. Their purpose is to allow Committee Members to see the actual circumstances of an application 'on the ground'. Applicants, objectors and Ward Members will also be invited. Objectors and people who are in favour may also attend. However, any discussion on the merits of the application, as distinct from the facts, will not be allowed and no decisions will be made during the visit. Only Members of the Committee present at the site visit may be subsequently involved in the decision at the following Committee meeting. Site visit procedure is attached at Appendix 3 to this document.

### 3.4 Public Meetings

There will be occasions when public meetings are called to discuss sensitive planning applications. This can place Members in a difficult position, particularly where it may be necessary to champion the views of constituents. This would be best undertaken by those Ward Members who are not on the Planning Committee, leaving Members who are on the Committee to listen carefully to what is said at the public meeting but to refrain from expressing a firm opinion on the proposals.

### 3.5 Press Comments

It is advisable for Planning Committee Members to avoid making comments to the press in relation to planning issues. Any comments should accord with the principles of this code and in particular must not create the impression that Members have prejudged the planning application. The Council's Public Relations Manager is available to assist Members in their dealings with the media

### 3.6 Planning Appeals

Where a Public Inquiry is held to consider an appeal, all Members should contact the Council's solicitor, and/or the Development and Building Control Manager before making representations and certainly before attending any Public Inquiry.



If Members present evidence on immaterial considerations there is a risk that the Council's case will be undermined.

### 3.7 Development Proposals from Councillors and Officers

As there is a risk of allegations of impropriety in relation to these applications, it is vital they are dealt with openly, fairly and in a way that gives no grounds for accusations of favouritism.

Therefore, Councillors submitting their own proposals, or who act as agents for others, should play no part in the decision making process for those proposals, which should be reported to the Planning Committee as main items and not dealt with by Officers under delegated powers. Similarly, applications by Officers in Planning and Environmental Health should be reported as main items.

A Councillor on the Planning Committee who submits an application will have a prejudicial interest under the Code of Conduct when it is considered. The Councillor must, therefore, declare the interest and withdraw from any consideration of the matter. They may address the planning committee from the public gallery but only for the purpose of making representations, answering questions or giving evidence relating to the application, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise. (Paragraph 12(2) of the Members' Code of Conduct).

The Code of Conduct also provides at Paragraph 6(a) that a Member must not use their position improperly to confer on or secure for themselves an advantage. However, this does not mean that a Councillor should have any fewer rights than a member of the public in seeking to justify their application to an Officer in advance of consideration of it by the Committee.

When contacting an officer about their own proposals, or those of a person closely connected to them, so that the matter is a prejudicial one, a Councillor should make clear that they are contacting the officer purely in a private capacity and not in their role as a Councillor (e.g. Mr Brown rather than Cllr Brown).

## **4. CONCLUSION**

- 4.1 Observing this Code of Conduct will go a long way towards achieving the Council's goal of an open and inclusive planning system. It will increase public confidence; reduce the likelihood of Council decisions being challenged; and help Councillors in dealing with what may be difficult situations.
- 4.2 The purpose of the Code is to ensure that justice is not only done but is seen to be done.
- 4.3 If you require any further advice, please contact the Council's Solicitor who will be happy to help.

## APPENDIX 1

### PLANNING CONSIDERATIONS

In determining planning applications, the Planning Committee can only take account of valid planning reasons.

The following list gives some examples of factors which are sometimes raised in discussion but are **not** valid planning reasons and should **not** be taken into account in making decisions.

- The fact that development has already begun or been completed.
- “Trade objections” from potential competitors
- “Moral objections” to uses such as public houses, amusement arcades and betting offices.
- The loss of an attractive view from private property.
- The fear that property may be devalued because of an adjoining development.
- Matters controlled under Building Regulations such as structural stability of the property, capacity of private drains.
- Matters controlled under other legislation such as alcohol, gaming and waste licensing or pollution regulations.
- Allegations that the proposal may affect private rights such as rights of way, access for maintenance and boundary disputes (*these are usually private matters on which legal advice may be needed*).

## **DISCLOSURE OF INTERESTS**

## **APPENDIX 2 (examples)**

**(Note: These apply to Committee Members and non Committee Members)**

**1. You are a remunerated Director of a company which has submitted a planning application to develop some surplus land which it owns.**

Company Directorships must be registered in the Register of Members' Interests. You, therefore, automatically have a personal interest in the matter and must disclose it at the commencement of consideration of the matter (*preferably in advance of the meeting as well*). Because you receive some remuneration as a Director, it is also likely to be a prejudicial interest and you must, therefore, withdraw from the meeting for the duration of any consideration of the matter. You may attend the planning committee but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise. (Paragraph 12(2) of the Members' Code of Conduct)..,

**2. Your spouse or partner holds shares to the nominal value of £2,000 in a telecommunications company which has applied for planning permission to erect a telecommunications mast.**

The nominal value of the shares is under the £25,000 threshold specified in Paragraph 8(1)(a)(vi) and Paragraph 8(2)(c). Therefore, you do not need to declare a personal interest (*and there is, therefore, no possibility of you having a prejudicial interest*).

**3. An application is to be considered for a new supermarket development. Your brother owns a small business which could be seriously adversely affected if permission is granted.**

You have a personal interest in the matter because a relative's financial position can reasonably be regarded as being affected to a greater extent than the majority of other Council Tax payers, ratepayers or inhabitants of the District. In view of the fact that the potential impact on your brother's business is serious, it is also likely to be a prejudicial interest, and you must, therefore, declare the nature of your interest in the matter before it is considered, and withdraw from the meeting. You may attend the planning committee but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise. (Paragraph 12(2) of the Members' Code of Conduct)..

**4. You are a member of a Golf Club which applied for planning permission for an extension.**

A decision on the application could reasonably be regarded as affecting your well-being to a greater extent than the majority of other Council Tax payers, etc and is, therefore, a personal interest, which must be disclosed. On the basis a member of the public with knowledge of the relevant facts would reasonably regard your membership as sufficiently significant so as to prejudice your judgement of the public interest, the interest is also prejudicial, and you should, therefore, withdraw from the meeting before the item is discussed. You may make representations, answering questions or giving evidence relating to the business at planning committee speaking from the public gallery, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise. ( Paragraph 12(2) of the Members' Code of Conduct).

**5. You are appointed as a Governor of a School. The School is the subject of a planning application to erect a fence around the school boundary.**

You must register your role as School Governor as an interest in the Register of Members' Interest, under Paragraph 8 (1)) (a)(ii) of the Members' Code of Conduct. You, therefore, automatically have a personal interest in the matter, and this must be disclosed. However, Paragraph 9(2) provides that you do not have to disclose to the meeting the existence and/or nature of that interest unless you actually address the meeting on that business. If you do address the meeting then you have a prejudicial interest and paragraph 12(2) of the code of conduct advises that you must leave the room as soon as you have finished your representations.

**6. You are a member of the parish council that has considered a planning application at their committee meeting. You sit on planning committee and will consider the application subsequently.**

You must register your role as a parish councillor in the Register of Members' Interests. Paragraph 8(1)(a)(ii)) (aa) of the Members' Code of Conduct refers. You therefore automatically have a personal interest in the matter and this must be disclosed. If you withdrew from the parish council meeting and took no part in any discussion it would be reasonable to say you do not have a prejudicial interest and therefore you may still take part in the discussion at Planning Committee. However if the planning application was submitted by the Parish Council itself then there would be a prejudicial interest and you should leave the room (except to the extent you can rely on of Paragraph 12 (2) of the Members' Code of Conduct).

## APPENDIX 3

### PLANNING COMMITTEE : CONDUCT OF SITE VISITS

1. Site visits, when considered appropriate, are a valuable part of the planning process improving transparency and giving the parties involved confidence that all aspects of a proposal have been carefully considered by the Local Planning Authority. Site visits can be of value on limited occasions when detailed design, amenity or topographical issues are central to the discussion.
2. Site visits will only be arranged following a specific decision of the Planning Committee. They will be for the whole Committee. Their purpose is to allow Committee Members to see the actual circumstances of an application 'on the ground'. Applicants, objectors and Ward Members will also be invited. Objectors and people who are in favour may also attend. However, any discussion on the merits of the application, as distinct from the facts, will not be allowed, and no decisions will be made during the visit.
3. As many members of the Committee as possible should attend any site visit. **The Chairman of the site meeting will control the proceedings** and exercise complete discretion based on these guidelines to ensure that the event is properly conducted. The Chairman will then make introductions and outline to those present the procedures which will be followed highlighting:-
  - (a) The role of the site visit.
  - (b) That applicants/objectors cannot make representations at the visit but may point out particular features of interest which they consider the Committee should know.
  - (c) The need to address any questions through the Chairman.

### ORDER OF PROCEEDINGS

- (i) The Council Officer in attendance (*usually a Planning Officer, but occasionally a Highways or Environmental Health Officer*) will present the application summarising the proposal and alerting Members to the relevant planning issues involved.
- (ii) Site visits which are anticipated to be particularly contentious, or will attract significant numbers should be attended by a second Officer who is conversant with the case(s).
- (iii) Members of the Committee will then be asked if they have questions or issues on matters of fact to put forward for the presenting Officer to clarify or answer.

- (iv) Where appropriate the Chairman of the site meeting, in conjunction with the Officers, will lead Members around the site with comments on relevant issues being pointed out by the Officers en-route.
- (v) As far as possible **Members should remain together as a group** on the site visit so that they all receive the same information and are not approached separately by interested parties. Interested parties may point out particular features to Members on the site visit, but if they try to make representations on the merits of the application rather than on the facts, they should be informed by the Chairman of the site meeting (*on advice from the Officer in attendance*) that such representations are not allowed and Members will be asked to disregard them.
- (vi) **Members should not express any views** at the site visit about how they intend to vote.
- (vii) Members should seek clarification from Officers on any issues considered to be relevant to the conduct of the site visit.
- (viii) The arrangement outlined above will be appropriate for most site visits but there may be occasions when circumstances dictate an amendment to the procedure. Such amendments will be at the discretion of the Chairman of the site meeting who will be mindful of the need for all parties to feel they have been treated in an even-handed manner.

## **APPENDIX 4**

Relevant extracts from the Members' Code of Conduct on personal and prejudicial interests.

### **Part 2**

#### **Interests**

##### **Personal interests**

**8.** —(1) You have a personal interest in any business of your authority where either—

(a) it relates to or is likely to affect—

(i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;

(ii) any body—

(aa) exercising functions of a public nature;

(bb) directed to charitable purposes; or

(cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

(iii) any employment or business carried on by you;

(iv) any person or body who employs or has appointed you;

(v) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;

(vi) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share

capital (whichever is the lower);

(vii) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);

(viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;

(ix) any land in your authority's area in which you have a beneficial interest;

(x) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;

(xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or

(b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of—

(i) (in the case of authorities with electoral divisions or wards) other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision;

(ii) (in the case of the Greater London Authority) other council tax payers, ratepayers or inhabitants of the Assembly constituency affected by the decision; or

(iii) (in all other cases) other council tax payers, ratepayers or inhabitants of your authority's area.

(2) In sub-paragraph (1)(b), a relevant person is—

(a) a member of your family or any person with whom you have a close association; or



(b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;

(c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or

(d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

### **Disclosure of personal interests**

**9.** —(1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

(2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.

(3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.

(4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

(5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.

(6) Subject to paragraph 12(1)(b), where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

(7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000 (a).

### **Prejudicial interest generally**

**10.** —(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

(2) You do not have a prejudicial interest in any business of the authority where that business—

(a) does not affect your financial position or the financial position of a person or body described in paragraph 8;

(b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or

(c) relates to the functions of your authority in respect of—

(i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;

(ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;

(iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;

(iv) an allowance, payment or indemnity given to members;

(v) any ceremonial honour given to members; and

(vi) setting council tax or a precept under the Local Government Finance Act 1992.

- (a) See The Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations (SI 2000/3272)

### **Prejudicial interests arising in relation to overview and scrutiny committees**

**11.** You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

### **Effect of prejudicial interests on participation**

**12.** —(1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—

(a) you must withdraw from the room or chamber where a meeting considering the business is being held—

(i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;

(ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;

unless you have obtained a dispensation from your authority's standards committee;

(b) you must not exercise executive functions in relation to that business; and

(c) you must not seek improperly to influence a decision about that business.

(2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

### **Part 3**

#### **Registration of Members' Interests**

##### **Registration of members' interests**

**13.** —(1) Subject to paragraph 14, you must, within 28 days of—

- (a) this Code being adopted by or applied to your authority; or
- (b) your election or appointment to office (where that is later),

register in your authority's register of members' interests (maintained under section 81(1) of the Local Government Act 2000) details of your personal interests where they fall within a category mentioned in paragraph 8(1)(a), by providing written notification to your authority's monitoring officer.

(2) Subject to paragraph 14, you must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under paragraph (1), register details of that new personal interest or change by providing written notification to your authority's monitoring officer.

##### **Sensitive information**

**14.** —(1) Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to that interest under paragraph 13.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph (1) is no longer sensitive information, notify your authority's monitoring officer asking that the information be included in your authority's register of members' interests.

(3) In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

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**Chester-le-Street**  
District Council

**Report to:** Council

**Date of Meeting:** 29<sup>th</sup> November 2007

**Report from:** Leisure Services Manager

**Title of Report:** District Play Strategy

**Agenda Item Number:**

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## 1. PURPOSE AND SUMMARY

The purpose of this report is to submit for approval by Council a play strategy for the District which will replace the existing play areas strategy. The play strategy offers the District a strategic approach for providing children and young people with a range of free and accessible spaces offering high quality play opportunities. The development and formal adoption by the Council of a play strategy is an essential requirement of the Council's submitted application to the Big Lottery Fund for a grant of £200,000 towards children's play within the District. This is a one off grant opportunity with the funding available to support a 3 year action plan which is included within the strategy.

A copy of the final strategy has been placed in the members room for information, this contains only a small number of minor amendments from the draft strategy provided to members in August for consultation.

## 2. CONSULTATION

2.1 As the strategy has implications for all areas of the district copies of the draft strategy were circulated as follows asking for comments;

- All District Councillors
- The Director of Development Services
- The Director of Resources
- The Regeneration, Housing, Planning and Environmental Services teams of the Council
- Kevan Jones MP
- Local County Councillors
- Parish Council's
- Cestria Community Housing
- Sure Start County Durham

- Groundwork West Durham
- National Playing Fields Association
- Royal Society for the Prevention of Accidents
- County Durham Primary Care Trust
- Local Strategic Partnership
- Sacriston Community & Sports Trust
- Trustees of Pelton Fell Memorial Park

All comments received were considered and where appropriate incorporated into the final strategy.

### **3. CORPORATE PLAN AND PRIORITIES**

- 3.1 The proposed play strategy supports the corporate priorities of 'Working in Partnership to Deliver the Community Strategy,' 'Neighborhood Management', 'Regenerating the District.' and 'New Ways of Working in Leisure'. It also supports Priorities 5 and 8 of the Sustainable Community Strategy, namely 'Make the District a safer place to live, work and visit.' and 'Champion the development and promotion of culture, leisure, sport and the arts'.

### **4. IMPLICATIONS**

#### **4.1 Financial Implications and Value for Money Statement**

The main financial issues arising from this report are as follows;

1) The Big Lottery Fund has created a national funding scheme for play known as the 'Children's Play Initiative Programme' that is worth £155M and comprises three separate streams. The largest stream is the Children's programme where funding has been allocated to each Unitary or District Council according to a formula based on the number of children and the indices of multiple deprivation. Chester le Street has been provisionally allocated £200,000 subject to a successful grant application. The final submission date for grant applications was 10<sup>th</sup> September 2007 with an essential requirement being that the Council has an adopted play strategy. At the time of the application the play strategy had only been approved by Executive, this was accepted by the Big Lottery Fund at that stage, however they still require confirmation that the strategy has been formally adopted by Council.. A successful application will mean an additional £200,000 can be invested in children's play across the District over the next three years. This is over and above the existing levels of investment from the Council's capital programme and section 106 agreements/developer contributions.

2) The play strategy includes a three year action plan, this plan is costed and in addition to the use of the Big Lottery Grant if approved includes projects that will be funded by section 106 agreements/developer contributions that are already committed or likely. It also includes a provision for projects that would be funded



through successful annual applications to the Council's capital programme but makes clear that that funding cannot be guaranteed at this stage.

3) In submitting the strategy to the Big Lottery Fund the action plan needed to show the projects that this funding would be used for, the main criteria being that each project should be a minimum of £50,000 and be developed from the consultation process. The application details four projects based around the provision of ball courts, these projects cannot be changed or deviated from without the express approval of the Big Lottery Fund.

4) There is potential for some of the grant to be used to cover management costs in the implementation of the three year action plan. Guidance from the Big Lottery fund is still vague on this point but a percentage of the play officer's salary (likely to be between 5% and 10%) could be offset using this grant for the three year period which would have a beneficial impact on the Council's revenue budget.

The above demonstrates that the financial implications to the Council are entirely positive in that the report does not commit the Council to any additional expenditure but does provide an opportunity to realise significant additional investment in children's play.

### **Value for Money Statement**

The approval of the play strategy not only offers the Council the opportunity to lever in £200,000 of grant funding towards children's play but also provides a strategic framework to ensure that this and any other investment over the next three years addresses the identified needs of young people across the District in the most effective manner. The strategy supports key objectives in both the corporate plan and sustainable community strategy and by implementing the action plan real benefits will be achieved within local communities.

#### 4.2 Legal

There are no legal implications arising from this report

#### 4.3 Personnel

There are no personnel implications arising from this report

#### 4.4 Other Services

There are no implications for other services arising from this report.

#### 4.5 Diversity

The play strategy does concentrate on young people under the age of 19 however within that range it caters for the needs of all age groups and considers

'accessible provision' to be a fundamental right for all young people. Accessible provision is defined in the following way 'Inclusive provision is open and accessible to all, and takes positive action in removing disabling barriers so that disabled and non disabled children can participate'. The aim of the strategy is to provide a wide ranging framework for play that has a number of different elements that are linked closely to the opportunities and needs of the local area.

#### 4.6 Risk

Even if the grant application to the Big Lottery Fund is successful the Council will be unable to draw down the funding without the strategy having been formally adopted by Council. Should this occur the Council's ability to implement the action plan identified within the strategy will be constrained and will inevitably take far longer to complete.

#### 4.7 Crime and Disorder

As the play strategy action plan identifies the continued renewal of equipped play areas for under 12's and the provision of facilities for teenagers it is anticipated that this will result in more young people using these facilities rather than simply roaming the streets which should have a positive impact on levels of anti social behavior.

#### 4.8 Data Quality

Every care has been taken in the development of this report to ensure that the information and data used in its preparation and the appendices attached are accurate, timely, consistent and comprehensive. The Council's Data Quality Policy has been complied with in producing this report.

#### 4.9 Other Implications

There are no other implications from this report.

### **5. BACKGROUND, POSITION STATEMENT AND OPTION APPRAISAL**

5.1 The Council adopted a play areas strategy in October 2002, this document has been crucial in directing the significant investment and improvements that have been made to the District's play area over subsequent period.

5.2 With the announcement of the Children's Play Initiative programme it became apparent that in order to access the provisional funding allocation to the Council of £200,000 a wider play strategy would be required. This strategy would replace the play areas strategy but crucially incorporates the main elements of that strategy into its wider remit.

5.3 The strategy has been developed following significant consultation with young people and other key stakeholders and offers a strategic approach for providing children and young people with a range of free and accessible spaces offering high quality play opportunities throughout their local environment.

5.4 The main priorities identified within the strategy are;

- A continued commitment to the ongoing replacement/refurbishment of equipped play areas until they are all brought up to modern European standards.
- The number of equipped play areas to only be allowed to increase if revenue implications for their management and maintenance have been considered, unless they are created as part of new residential developments where their provision is a planning requirement.
- Significant priority be given to the provision of free access activity areas for teenagers ie ball walls and ball courts as this is the most important gap in provision identified from the consultation exercise. This priority forms the basis of the projects to be funded by the Big Lottery Fund grant.
- Undertake a pilot programme of locating meeting points for teenagers next to free access activity areas and if ongoing monitoring demonstrates their effectiveness in meeting teenagers needs to ensure meeting points are provided with all future developments of this nature.
- Undertake further consultation with teenagers on their views on access to leisure facilities such that their feedback can be taken into consideration in future reviews of programmes and charges.

## 6. RECOMMENDATIONS

6.1 Council is recommended to approve the play strategy

## 7. BACKGROUND PAPERS / DOCUMENTS REFERRED TO

7.1 Play Areas Strategy 2002

7.2 Chester-le-Street Sustainable Community Strategy 2006 – 2016

7.3 Corporate Plan

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<b>DESIGNATION</b>	<b>Leisure Services Manager</b>
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