

Public Document Pack

22 November 2007

Dear Councillor

A meeting of the Executive will be held in the **Council Chamber, Civic Centre, Newcastle Road, Chester-le-Street, Co Durham, DH3 3UT on Monday, 3rd December, 2007 at 3.00 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. Minutes of the Previous Meeting (Pages 1 - 4)
3. To Receive Declarations of Interest
4. Public Speaking
5. Forward Plan and Work Programme (Pages 5 - 22)
6. Executive Decision Tracker (Pages 23 - 34)
7. Review of Corporate Priorities, Corporate Plan Proposals and Improvement Plan (Pages 35 - 94)
Report Of Assistant Chief Executive

8. Corporate Performance April to September 2007 Report Of Assistant Chief Executive (Pages 95 - 174)
9. Irrecoverable Housing Debt - Quarterly Report Report Of Acting Director of Community Services (Pages 175 - 178)
10. Mid Year Financial Monitoring Report Of Director of Resources (Pages 179 - 196)
11. Communities for Health - Action Plan Report Of Director of Development Services (Pages 197 - 200)
12. Licensing Policy Report Of Director of Development Services (Pages 201 - 242)
13. Enforcement Policy for Planning and Environmental Health Report Of Director of Development Services (Pages 243 - 300)
14. Referrals from the Overview and Scrutiny Panels
 - (i) Partnership and Efficiency (no references)
 - (ii) Regeneration and Housing (no references)
 - (iii) Leisure and Neighbourhood (no references)
15. Exclusion of Public and Press. To RESOLVE:
 "That, in accordance with Regulation 21 (1) (b) of the Local Authorities (Executive Arrangements) (Access to Information) Regulations 2000, the public be excluded during the transaction of the following business because it involves the likely disclosure of exempt information as defined in paragraphs 1, 2, 3, 4 and 5 of Part 1 of Schedule 12A to the Local Government Act 1972."
16. Community Facilities Review - Second Stage Report Report Of Head of Regeneration (Pages 301 - 310)
17. SHIP2 and Village Hearts (Pelton Fell and Sacriston) Report Of Head of Regeneration (Pages 311 - 324)
18. Disabled Facilities Grant Report Of Director of Development Services (Pages 325 - 330)
19. Kerb-It Tenders Report Of Director of Development Services (Pages 331 - 340)

THE DISTRICT COUNCIL OF CHESTER-LE-STREET

Report of the meeting of Executive held in the Council Chamber, Civic Centre, Newcastle Road, Chester-le-Street, Co Durham, DH3 3UT on Monday, 5 November 2007 at 3.00 pm

PRESENT:

Councillor L Ebbatson (Leader of the Council)

Councillor S A Henig, (Portfolio Holder for Resources and Value for Money)
Councillor C J Jukes, (Portfolio Holder for Regeneration and Strategic Planning)

Officers: R Templeman (Chief Executive), I Forster (Assistant Chief Executive), T Galloway (Director of Development Services), A Ainsley (Acting Head of Housing Services), P Stephens (Acting Director of Community Services), M Walker (Head of Regeneration), I Herberson (Accountancy Manager), C Etherington (Customer Relationship Manager), L Dawson (Asset and Development Manager), Gibson (Planning Assistant), A Stephenson (Executive Assistant) and K Fletcher (Democratic Services Assistant)

82. APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors S C L Westrip, M Potts and S Barr.

83. MINUTES OF THE MEETING HELD 1 OCTOBER 2007

It was proposed and seconded that the minutes of the meeting be agreed.

RESOLVED: "That the minutes of the meeting held 1 October 2007, copies of which had been previously circulated to Members were agreed as a correct record."

84. PUBLIC SPEAKING

There were no questions or representations received from the public.

85. TO RECEIVE DECLARATIONS OF INTEREST

There were no declarations of interest received from Members.

86. FORWARD PLAN

The Leader introduced the Forward Plan and Work Programme.

Updates were provided in relation to LSVT Issues; Demand Responsive Bus Services; Heart of the Village Pelton Fell; Revised Organisational Development Strategy; Empty Property Strategy; and Contaminated Land Strategy.

New dates for consideration of these matters were provided and the Director of Development Services also advised Members of the need for the Review of the Licensing Policy to be included on the Forward Plan for consideration in December. Members agreed the amended programme.

RESOLVED: "That the Forward Plan and Work Programme be noted and updated accordingly."

87. EXECUTIVE DECISION TRACKER

Members considered the Decision Tracker and were updated on the progress of a number of developments including: Procurement Strategy; Land Matters; Communities for Health Programme; Review into Toilet Provision in the Town Centre; District Play Strategy; and Community Resource Centre at Sacriston.

The Accountancy Manager provided information in relation to the Procurement Strategy and Members agreed that the Action Plan for this matter be incorporated into the Quarterly Performance Report and could be removed from the Decision Tracker.

The Head of Regeneration referred to Land Matters and advised that consultation was now underway with the residents of Henley Avenue, Pelton Fell. He confirmed that the outcome of the possibility of progressing with a comprehensive scheme could be confirmed in December.

In relation to the Review into Public Toilet Provision in the Town Centre, the Head of Regeneration confirmed that consultation into the viability of a community toilet scheme was taking place with Traders and that further information would be provided at the December meeting of the Executive. The Leader requested that the Assistant Chief Executive liaise with the Scrutiny Officer in relation to this matter so that he can report back on progress to the Regeneration and Housing Overview and Scrutiny Panel.

The Director of Development Services advised that a revised District Play Strategy would be presented to the Council meeting in November, which incorporated comments from Members. He confirmed that a bid submitted to the Big Lottery Fund had been successful and the Leader requested that a press release be organised in respect of this.

New progress/key dates were provided in respect of Items 4, 5, 10 and 19 and it was agreed that Items 6, 11, 12 and 21 be removed from the Decision Tracker.

RESOLVED: "That the Decision Tracker be noted, amended and updated accordingly."

88. DEVELOPMENT OF A CUSTOMER SERVICE CENTRE WITHIN THE CIVIC CENTRE

Consideration was given to a report from the Customer Relationship Manager to reconsider the development of a customer service centre within the Civic Centre, following the decision on Local Government Reorganisation in County Durham.

The Customer Relationship Manager provided details of the work previously undertaken for the project and the background to the report. He confirmed discussions had taken place with the Assistant Chief Executive and Corporate Management Team who had felt that it was necessary to put forward the report.

The Leader suggested that details of all work carried out and associated plans and reports be logged and stored for possible future requirements.

It was proposed and seconded that the recommendation to the report be agreed.

RESOLVED: "That Members agreed not to progress the customer service centre proposals at this time."

89. REFERRALS FROM THE OVERVIEW AND SCRUTINY PANELS

There were no referrals from the Overview and Scrutiny Panels.

90. EXCLUSION OF PUBLIC AND PRESS. TO RESOLVE:

It was proposed and seconded that the recommendation be agreed.

RESOLVED: "That, in accordance with Regulation 21(1)(b) of The Local Authorities (Executive Arrangements) (Access to Information) Regulations 2000, the public be excluded during the transaction of the following business because it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972."

91. Land Matters

Consideration was given to a report from the Head of Regeneration to inform Members of the current disposal position in relation to sites declared surplus to the Council's requirements as identified in the Land Management Study.

The Asset and Development Manager advised that the report set out the next stages of the disposal process and provided an indication of the likely timescales involved and proceeded to update Members on each site.

It was proposed and seconded that the recommendations of the report be agreed.

RESOLVED:

“Surplus Land

- 1 That the Executive noted the disposal stages that had been reached.
- 2 That the disposal of Stone Row, Grange Villa be postponed until such time as the demand for this type of particular site increases.
- 3 That the community of Grange Villa be informed that the disposal of land at Stone Row has been postponed and are advised of the Council’s reason in doing so.

Land at 53 The Wynd, Pelton

- 4 That the land is not declared surplus to the Council’s requirements and is not disposed of for the requested purpose.

Land at South View, Kimblesworth

- 5 That the land be disposed of for the requested purpose and; that the Council proceeds on the basis of a collective disposal subject to the Council’s adopted Land Disposal Policy and procedures.

Allotment at Newcastle Bank, Chester-le-Street

- 6 That the land is not declared surplus to the Council’s requirements and is not disposed of for the requested purpose.”

The Leader gave thanks to the Head of Regeneration on behalf of the Executive for the work carried out and contribution he had made to the District Council and wished him well in his new employment.

The meeting terminated at 3.50 pm



Chester-le-Street
District Council

Executive Forward Plan and Work Programme



December 2007

About this document

Chester-le-Street District council is committed to continuous improvement. We want to make sure that we engage people in the decisions we make wherever we can. We want to let people know what decisions we are going to make and when.

The council's Executive, which is made up of the Leader and five Executive Members have powers to make certain decisions on behalf of the council. This document aims to go further than what the law requires us to do and let people know as far in advance what decisions the Executive is to make on the councils behalf. Where possible and in relation to what are called key decisions, it will let you know how you can make representations and who they can be made to. This document will be published every month at the Civic Centre and on the council's website at www.chester-le-street.gov.uk.

This document is in two parts:

Part One: Chester-le-Street District Council's formal Executive Forward Plan

Part Two: the Executive's Decision Work Programme for the next year

Part One

The Executive Forward Plan is a statutory document which the council must produce every month covering a four month period. It is published fourteen days before it comes into effect. This is the first day of each month. It includes:

- a list of all 'key decisions' the councils will make on the council's behalf;
- details of the nature of the decision;
- details of the decision taker, which in the councils case is normally the council's Executive;
- when the decision is to be made;
- who are the principal consultees and the means by which consultations will be undertaken;
- a list of documents to be considered by the decision maker; and
- details of how and by when representations can be made.

What are 'key decisions'?

'Key decisions' are defined as executive decisions which are:-

- decisions likely to result in the District Council incurring expenditure which is, or the making of savings which are, significant, having regard to the District Council's budget for the service or function to which the decision relates, or
- significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the Council

Part Two

The Executive's work programme is not a statutory document which the council must produce. It is advance notice of all other important decisions the Executive will take either on behalf of the council or in making recommendations to the council. It includes:

- a list of the non 'key decisions the councils will make;
- details of the nature of the decision;
- details of the decision taker, which in the council's case is normally the council's Executive as a group;
- when the decision is to be made;
- who are the principal consultees and the means by which consultations will be undertaken;
- a list of documents to be considered by the decision maker; and
- details of how and by when representations can be made.

Who are the Executive?

The Executive is made up of the Leader of the Council and five other Executive Members as follows:

Cllr. Linda Ebbatson	Tel: 0191 387 2090
Leader of the Council with responsibility for Human Resources, Equalities, and Young People	E-Mail: lindaebbatson@chester-le-street.gov.uk
Cllr. Simon Henig	Tel: 0191 387 2090
Deputy Leader and Resources and Value for Money Portfolio Holder	E-Mail: simon.henig@sunderland.ac.uk
Cllr. Chris Jukes	Tel: 0191 389 1136
Regeneration and Strategy Planning Portfolio Holder	E-Mail: chris.jukes1@btopenworld.com
Cllr. Maureen Potts	Tel: 0191 370 0828
Health and Wellbeing Portfolio Holder	E-Mail: maureenpotts@aol.com
Cllr Simon Westrip	Tel: 0191 387 3512
Neighbourhood Services Portfolio Holder	E-Mail: simon.westrip@bigfoot.com
Cllr Steve Barr	Tel:0191 388 9907
Community Engagement and Partnerships Portfolio Holder	E-Mail: steve@link1970.fsnet.co.uk

How do I find out when the Executive is meeting?

Information about the time and venue for a particular meeting of the Executive may be obtained from the agenda available from the Reception Desk at the Civic Centre, from the District Council's website or from the Executive Assistant. Public Speaking is allowed at Executive meetings so long as you comply with the council's procedures. To find out more contact Democratic Services.

How do I contact Members of the Executive or the Council Chief Officers?

Contact details for Members of the Executive and for the Council's Chief Officers are set out in this Forward Plan.

If you have any queries about the Forward Plan, please contact the Executive Assistant at the Civic Centre on 0191 387 2010 or e-mail the Executive Assistant at: amandastephen@chester-le-street.gov.uk.



Chester-le-Street
District Council

Part One: Executive Forward Plan



December 2007



Executive Forward Plan

Summary of Key Decision	Decision Taker and Documents to be considered	Decision Date	Contact Officer	Consulted Parties and means of consultation	How to make representations and when by (If making representations in writing, please address them to the Director/Manager named at: Civic Centre, Newcastle Road, Chester-le-Street, DH3 3UT)
Land Matters	Executive	December 2007	Martin Walker 0191 3872233	Portfolio Holder Corporate Management Team	In writing or by telephone to the Head of Regeneration or by email to martinwalker@chester-le-street.gov.uk
Improvement Plan	Executive	December 2007	Ian Forster 0191 3872130	Relevant Executive Members Corporate Management Team	In writing or by telephone to the Assistant Chief Executive or by email to ianforster@chester-le-street.gov.uk

Summary of Key Decision	Decision Taker and Documents to be considered	Decision Date	Contact Officer	Consulted Parties and means of consultation	How to make representations and when by (If making representations in writing, please address them to the Director/Manager named at: Civic Centre, Newcastle Road, Chester-le-Street, DH3 3UT)
Kerb it tenders	Executive	December 2007	Tony Galloway 0191 3872100	Portfolio Holder Corporate Management Team Director of Resources	By phone, or in writing to the Director of Development Services or by email to Tonygalloway@chester-le-street.gov.uk
Disabled Facilities Grant	Executive	December 2007	Tony Galloway 0191 3872100	Portfolio Holder's Corporate Management Team Head of Planning and Environmental Health	By phone, or in writing to the Director of Development Services or by email to Tonygalloway@chester-le-street.gov.uk
Leisure Options Review	Executive	December 2007	Tony Galloway 0191 3872100	Corporate Management Team Portfolio Holder Leisure Options Working Group	By phone, or in writing to the Director of Development Services or by email to Tonygalloway@chester-le-street.gov.uk

Summary of Key Decision	Decision Taker and Documents to be considered	Decision Date	Contact Officer	Consulted Parties and means of consultation	How to make representations and when by (If making representations in writing, please address them to the Director/Manager named at: Civic Centre, Newcastle Road, Chester-le-Street, DH3 3UT)
Irrecoverable Housing Debt Quarterly Report	Executive	December 2007	Paul Stephens 0191 3872494	Director of Resources Income Management Team Leader	In writing or by telephone to Paul Stephens Acting Director of Community Services or by email to paulstephens@chester-le-street.gov.uk
Demand responsive bus services (Personalised community transport options) Findings of Partnership and Efficiency Overview and Scrutiny Panel	Executive	Revised date January 2008	Martin Walker 0191 3872233	Relevant Executive Members Corporate Management Team	In writing or by telephone to the Head of Regeneration or by email to martinwalker@chester-le-street.gov.uk

Summary of Key Decision	Decision Taker and Documents to be considered	Decision Date	Contact Officer	Consulted Parties and means of consultation	How to make representations and when by (If making representations in writing, please address them to the Director/Manager named at: Civic Centre, Newcastle Road, Chester-le-Street, DH3 3UT)
<p>Review of the Community Partnerships Report from Partnership and Efficiency Overview and Scrutiny Panel</p>	<p>Executive</p>	<p>Revised date March 2008</p>	<p>Nigel Cummings</p>	<p>OSMB Relevant Executive Members Key Stakeholders & Partners</p>	<p>In writing or by telephone to the Scrutiny Officer or by email to nigelcummings@chester-le-street.gov.uk</p>



Chester-le-Street
District Council

Part Two: Executive Work Programme



December 2007

Executive Work Programme

Summary of Non Key Decision	Decision Taker and Documents to be considered	Decision Date	Contact Officer	Consulted Parties and means of consultation	How to make representations and when by (If making representations in writing, please address them to the Director/Manager named at: Civic Centre, Newcastle Road, Chester-le-Street, DH3 3UT)
Mid Year Financial Monitoring	Executive	Revised date December 2007	Linda Chambers 0191 3872300	Corporate Management Team OPSS will be considering monitoring reports for the services within their respective remits	In writing or by telephone, to the Director of Resources or by email to lindachambers@chester-le-street.gov.uk
Heart of the Village Pelton Fell Supplementary Planning Document	Executive	Revised date December 2007	Martin Walker 0191 3872233	Portfolio Holder Relevant Corporate Management Team	In writing or by telephone to the Head of Regeneration or by email to martinwalker@chester-le-street.gov.uk

Summary of Non Key Decision	Decision Taker and Documents to be considered	Decision Date	Contact Officer	Consulted Parties and means of consultation	How to make representations and when by (If making representations in writing, please address them to the Director/Manager named at: Civic Centre, Newcastle Road, Chester-le-Street, DH3 3UT)
Community Facilities Review – Interim Report	Executive	Revised date December 2007	Martin Walker 0191 3872233	Portfolio Holder Corporate Management Team	In writing or by telephone to the Head of Regeneration or by email to martinwalker@chester-le-street.gov.uk
Communities for Health – action plan	Executive	December 2007	Tony Galloway 0191 3872100	Portfolio Holders LSP Partners	By phone, or in writing to the Director of Development Services or by email to Tonygalloway@chester-le-street.gov.uk
Licensing Policy	Executive	December 2007	Tony Galloway 0191 3872100	Portfolio Holder, Corporate Management Team Director of Resources	By phone, or in writing to the Director of Development Services or by email to Tonygalloway@chester-le-street.gov.uk
Enforcement Policy for Planning and Environmental Health	Executive	December 2007	Tony Galloway 0191 3872100	Portfolio Holder Corporate Management Team Director of Resources	By phone, or in writing to the Director of Development Services or by email to Tonygalloway@chester-le-street.gov.uk

Summary of Non Key Decision	Decision Taker and Documents to be considered	Decision Date	Contact Officer	Consulted Parties and means of consultation	How to make representations and when by (If making representations in writing, please address them to the Director/Manager named at: Civic Centre, Newcastle Road, Chester-le-Street, DH3 3UT)
Corporate Performance April to September 2007	Executive Corporate Performance Report and covering report	December 2007	Ian Forster 0191 3872130	Relevant Executive Members Corporate Management Team Internal consultation e-mail	In writing or by telephone to the Assistant Chief Executive or by email to ianforster@chester-le-street.gov.uk
Drury Houses	Executive	December 2007	Paul Stephens 0191 3872494	Head of Legal and Democratic Services	In writing or by telephone to Paul Stephens Acting Director of Community Services or by email to paulstephens@chester-le-street.gov.uk
Employee Survey Results	Executive	Deferred date January 2008	Alison Swinney 0191 3872012	Corporate Management Team Portfolio Holder Employees Trade Unions	In writing or by telephone to the Head of Organisational or by email to alisonswinney@chester-le-street.gov.uk

Summary of Non Key Decision	Decision Taker and Documents to be considered	Decision Date	Contact Officer	Consulted Parties and means of consultation	How to make representations and when by (If making representations in writing, please address them to the Director/Manager named at: Civic Centre, Newcastle Road, Chester-le-Street, DH3 3UT)
Housing Strategy	Executive	Deferred date January 2008	Martin Walker 0191 3872233	Relevant Executive Members Corporate Management Team	In writing or by telephone to the Head of Regeneration or by email to martinwalker@chester-le-street.gov.uk
Review into Environmental Enforcement in relation to the Clean Neighbourhoods and Environments Act 2005 - Cost Benefit Analysis Report	Executive	Deferred date January 2008	Tony Galloway 0191 3872100	Portfolio Holder, Corporate Management Team	By phone, or in writing to the Director of Development Services or by email to Tonygalloway@chester-le-street.gov.uk
Empty Property Strategy	Executive	Revised date January 2008	Tony Galloway 0191 3872100	Corporate Management Team Portfolio Holder Executive Members	By phone, or in writing to the Director of Development Services or by email to Tonygalloway@chester-le-street.gov.uk

Summary of Non Key Decision	Decision Taker and Documents to be considered	Decision Date	Contact Officer	Consulted Parties and means of consultation	How to make representations and when by (If making representations in writing, please address them to the Director/Manager named at: Civic Centre, Newcastle Road, Chester-le-Street, DH3 3UT)
Contaminated Land Strategy	Executive	Revised date January 2008	Tony Galloway 0191 3872100	Corporate Management Team Portfolio Holder Executive Members	By phone, or in writing to the Director of Development Services or by email to Tonygalloway@chester-le-street.gov.uk
Review of Medium Term Financial Strategy	Executive	Revised date January 2008	Linda Chambers 0191 3872300	Corporate Management Team	In writing or by telephone, to the Director of Resources or by email to lindachambers@chester-le-street.gov.uk
Sacrison Area Development Framework	Executive	January 2008	Martin Walker 0191 3872233	Relevant Executive member Corporate Management Team	In writing or by telephone to the Head of Regeneration or by email to martinwalker@chester-le-street.gov.uk
Regeneration Quarterly Report	Executive	January 2008	Martin Walker 0191 3872233	Relevant Executive Members Corporate Management Team	In writing or by telephone to the Head of Regeneration or by email to martinwalker@chester-le-street.gov.uk

Summary of Non Key Decision	Decision Taker and Documents to be considered	Decision Date	Contact Officer	Consulted Parties and means of consultation	How to make representations and when by (If making representations in writing, please address them to the Director/Manager named at: Civic Centre, Newcastle Road, Chester-le-Street, DH3 3UT)
Bad Debt report Quarterly Report	Executive	January 2008	Linda Chambers 0191 3872300	Head of Revenue and Benefits Accountancy Manager Internal Auditor	In writing or by telephone, to the Director of Resources or by email to lindachambers@chester-le-street.gov.uk
2008/9 Budget and Capital Programme	Executive	January 2008	Linda Chambers 0191 3872300	Corporate Management Team	In writing or by telephone, to the Director of Resources or by email to lindachambers@chester-le-street.gov.uk
2008/9 Budget and Capital Programme	Executive	February 2008	Linda Chambers 0191 3872300	Corporate Management Team OSPs	In writing or by telephone, to the Director of Resources or by email to lindachambers@chester-le-street.gov.uk

Summary of Non Key Decision	Decision Taker and Documents to be considered	Decision Date	Contact Officer	Consulted Parties and means of consultation	How to make representations and when by (If making representations in writing, please address them to the Director/Manager named at: Civic Centre, Newcastle Road, Chester-le-Street, DH3 3UT)
Corporate Performance April to December 2007	Executive Corporate Performance Report and covering report	March 2008	Ian Forster 0191 3872130	Relevant Executive Members Corporate Management Team Internal consultation	In writing or by telephone to the Assistant Chief Executive or by email to ianforster@chester-le-street.gov.uk
Regeneration Quarterly Report	Executive	April 2008	Martin Walker 0191 3872233	Relevant Executive Members Corporate Management Team	In writing or by telephone to the Head of Regeneration or by email to martinwalker@chester-le-street.gov.uk
Enforcement Policy	Executive	June 2008	Tony Galloway 0191 3872100	Portfolio Holders, Corporate Management Team	By phone, or in writing to the Director of Development Services or by email to Tonygalloway@chester-le-street.gov.uk

Summary of Non Key Decision	Decision Taker and Documents to be considered	Decision Date	Contact Officer	Consulted Parties and means of consultation	How to make representations and when by (If making representations in writing, please address them to the Director/Manager named at: Civic Centre, Newcastle Road, Chester-le-Street, DH3 3UT)
Regeneration Quarterly Report	Executive	July 2008	Martin Walker 0191 3872233	Relevant Executive Members Corporate Management Team	In writing or by telephone to the Head of Regeneration or by email to martinwalker@chester-le-street.gov.uk
Review of Industrial/Business Sites Findings of Overview and Scrutiny Ad Hoc Panel	Executive	February 2009	Martin Walker 0191 3872233	Relevant Executive Members Corporate Management Team Ad-hoc scrutiny panel on industrial estates Industrial Estate tenants	In writing or by telephone to the Head of Regeneration or by email to martinwalker@chester-le-street.gov.uk

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EXECUTIVE DECISION TRACKER

	<u>Date of decision</u>	<u>Decision</u>	<u>Progress/ Key Date</u>	<u>Status</u>	<u>Comments</u>	<u>Officer Lead</u>
1	4 July 2005	<p><u>Poets Estate, Pelton Fell – Environmental Improvement Strategy (EIS)</u></p> <ul style="list-style-type: none"> ▪ The EIS for the Poets Estate with the exception of the demolition and refurbishment of Area 4 were endorsed ▪ Agreed with the principle of prioritising investment from the Capital Programme to support the implementation of the EIS for the Poets Estate ▪ The scale of that investment will be subjected to a Full Council report that will consider the needs of the local community against the availability of resources and other Council investment priorities ▪ The site of the existing Village Hall is declared surplus to requirements and the Regeneration Manager is authorised to prepare development options for the site. 	Included within quarterly regeneration report, January 2008.	Ongoing	Work started on site on 26 th February and is nearing completion.	Martin Walker

	<u>Date of decision</u>	<u>Decision</u>	<u>Progress/ Key Date</u>	<u>Status</u>	<u>Comments</u>	<u>Officer Lead</u>
2	4 July 2005	<p><u>Pelton Fell Neighbourhood Regeneration Partnership</u></p> <ul style="list-style-type: none"> ▪ The Integrated Regeneration Strategy for Pelton Fell as summarised in Annex A is endorsed with the addition of physical and emotional well being included in statements of health ▪ The creation of a Pelton Fell Neighbourhood Regeneration Partnership is agreed with the provision that the interests of the whole District are protected ▪ Agreed that Council funds are used to support the appointment of a Project Co-ordinator for the Pelton Fell Neighbourhood Regeneration Partnership as described in the report 	Included within quarterly regeneration report, January 2008.	On target	<p>Key future milestones:</p> <p>Phase 1 new build: ongoing.</p> <p>Scheme complete: 2009.</p>	Martin Walker
3	5 September 2005	<p><u>Neighbourhood Management</u></p> <ul style="list-style-type: none"> ▪ Street clean card and in your ward profile rolled out a week beginning 12 March 2007. ▪ Pride in our neighbourhoods information leaflet to be distributed in June 2007. ▪ Formal evaluation to take place on first two phases. 	Revised date December 2007 Executive.	Progressing	<p>September 2007 Update:</p> <p>Review of Ward profiles to be undertaken.</p> <p>Key milestones for the project not agreed as yet.</p>	Tony Galloway

	<u>Date of decision</u>	<u>Decision</u>	<u>Progress/ Key Date</u>	<u>Status</u>	<u>Comments</u>	<u>Officer Lead</u>
4	6 February 2006	<p><u>Development Framework Principles for the Heart of Pelton Fell</u></p> <ul style="list-style-type: none"> ▪ That the Executive confirm the support given to the Pelton Fell Community Association to date and the principle of them seeking to establish the community facility, but it be recognised that the Council is unable to commit to any additional funding and that in order for them to move forward they be required to produce a sustainable business plan which is viable. ▪ That the Officers report back with advice on supplementary planning policy to secure the long-term protection of the Pelton Fell Village Heart.” ▪ Agreement subject to business plan, to support the Pelton Fell Community Group requests as agreed. ▪ Negotiations to take place for the purchase and disposal of land. Report back to Executive prior to any acquisition. ▪ A written report was received at the August 2007 Executive. It was agreed the Head of Regeneration be authorised to commission a detailed public consultation process on the development framework principles in August and September 2007. 	Written report to December 2007 Executive.	Progressing	Negotiations under way with landowners and prospective interested parties in the village.	Martin Walker

	<u>Date of decision</u>	<u>Decision</u>	<u>Progress/ Key Date</u>	<u>Status</u>	<u>Comments</u>	<u>Officer Lead</u>
5	6 March 2006	<p><u>Heart of the Village Pelton Fell Supplementary Planning Document</u></p> <ul style="list-style-type: none"> ▪ That the Council proceeds to establish a Supplementary Planning Document to secure the long term protection of the Pelton Fell village heart. ▪ That the Supplementary Planning Document is based on the development framework principles for the heart of the village, prepared for the Council by Douglas Wheeler Associates in September 2005 and endorsed by the Executive at its meeting on 6 February 2006. ▪ That the Council undertakes consultation on the Supplementary Planning Document and conducts sustainability appraisal of its provisions in accordance with the latest Government regulations as set out in Planning Policy Statement 12 on Local Development Frameworks. ▪ That officers report back to the Executive in the September 2006 on the progress that has been made prior to the formal adoption of the Supplementary Planning Document. ▪ Negotiations to take place with landowners prior to formal development. ▪ Report to be submitted in June 2007, prior to formal consultation on the Supplementary Planning Document. 	Written report to December 2007 Executive.	Progressing	Negotiations under way with landowners and prospective interested parties in the village.	Martin Walker

	<u>Date of decision</u>	<u>Decision</u>	<u>Progress/ Key Date</u>	<u>Status</u>	<u>Comments</u>	<u>Officer Lead</u>
6	5 November 2007	<p>Procurement Strategy Action Plan</p> <ul style="list-style-type: none"> To be included in the Quarterly Corporate Performance Report. 	Included within quarterly corporate performance report, December 2007	Ongoing		Linda Chambers/Ian Forster
7	5 June 2006	<p><u>Regeneration of Priority Villages using Single Housing Investment Programme Round Two (SHIP 2) and other opportunities</u></p> <ul style="list-style-type: none"> Framework of activities to be undertaken and regular reports be brought back to Executive as part of the Quarterly Regeneration Projects board Monitoring via the quarterly Regeneration Report, cross referenced with work of the Capital Programme Working Group and the Director of Resources Financial Monitoring Reports A strategic bid for regeneration is worked on with the Durham Coalfields Housing Renewal Programme and an Area Development Framework is considered as a priority Update provided in quarterly regeneration report in April 2007 and progress noted. 	Included within quarterly regeneration report, January 2008.	Ongoing	<p>July 2007 update:</p> <p>Update included in the quarterly regeneration report.</p>	Martin Walker

	<u>Date of decision</u>	<u>Decision</u>	<u>Progress/ Key Date</u>	<u>Status</u>	<u>Comments</u>	<u>Officer Lead</u>
8	3 July 2006	<p><u>Single Housing Investment Programme (SHIP 1)</u></p> <ul style="list-style-type: none"> ▪ Environmental improvements to be carried out at Front Street, Grange Villa and traffic calming measures be incorporated ▪ Appointment of a Community Regeneration Officer agreed. ▪ Agreed that the space next to the chapel between Stone Row and Pine Street to provide top quality open space and a play area for younger children is agreed. 	<p>Scheme now complete.</p> <p>Included within quarterly regeneration report, January 2008.</p>	Ongoing	<p>July 2007 update:</p> <p>Update included in the quarterly regeneration report.</p>	Martin Walker
9	7 August 2006 5 November 2007	<p><u>Development of a Customer Service Centre within the Civic Centre</u></p> <ul style="list-style-type: none"> ▪ This is to be deferred in light of Local Government Review and on the recommendations from CMT. ▪ Agreed not to progress the customer service centre proposals at this time. 				Craig Etherington
10	3 October 2006	<p><u>Medium Term Financial Strategy</u></p> <ul style="list-style-type: none"> ▪ Monitoring reports to be included on the Forward Plan ▪ Agreement strategy to be reviewed twice a year although recognised that this may need to be more frequent during the housing transfer. ▪ Agreement that only amended sections will be considered by Executive in the future. Key financial issues to remain part of the report. 	<p>Report to be submitted to January 2008 Executive.</p> <p>To include Surplus Land Proposals.</p>	Progressing	Report submitted to March 2007 Executive.	Linda Chambers

	<u>Date of decision</u>	<u>Decision</u>	<u>Progress/ Key Date</u>	<u>Status</u>	<u>Comments</u>	<u>Officer Lead</u>
11	9 February 2007 1 October 2007	<u>Land Matters</u> <ul style="list-style-type: none"> ▪ The Head of Regeneration be authorized to undertake options appraisal for Gibside shops. ▪ The Executive agreed not to gift the land to the front of properties at Henley Avenue to owner occupiers at their request at this time. ▪ Further discussions are to take place with residents in Henley Avenue with a view to agreeing a comprehensive scheme, uniform to all properties with owner-occupiers paying, at cost, costs incurred in improving the frontage to their properties. 	December 2007 Executive.	Ongoing	June 2007 update: Consultation process underway. Now in receipt of land valuations.	Martin Walker
12	2 April 2007 1 October 2007	<u>Communities for Health Programme</u> <ul style="list-style-type: none"> ▪ Action plan to be devised to indicate time scales and outcomes ▪ Press release to be drafted regarding the launch of the programme. ▪ A written report was submitted to the August 2007 Executive. Members gave their approval 'in principle' to the Commissioning proposal. ▪ Delegated authority was granted to Councillor Westrip and the Director of Development Services to agree the commissioning of the work referred to within the report and action plan with the successful bidder, subject to it being within budget. ▪ A SMART Action Plan to be created for the work to be carried out and be brought back to the Executive for information via the Decision Tracker. 	Written committee report December 2007 Executive with detailed action plan.	Ongoing	Report submitted to August 2007 Executive.	Tony Galloway

	<u>Date of decision</u>	<u>Decision</u>	<u>Progress/ Key Date</u>	<u>Status</u>	<u>Comments</u>	<u>Officer Lead</u>
13	2 April 2007	<p><u>Review of Industrial/Business Sites (findings of Overview and Scrutiny Ad Hoc Panel)</u></p> <ul style="list-style-type: none"> ▪ Further investigations to be conducted into the future of employment site provision. Dependent on this data and alternative site provision, including the Sacriston workshops, consideration be given to disposing of the industrial estates portfolio with generated receipts being recycled into future employment site provision. 	Report to February 2009 Executive	Ongoing	Report submitted to September 2007 Executive.	Martin Walker
	3 September 2007	<ul style="list-style-type: none"> ▪ The Management and Maintenance Plan was noted and further actions to be taken were approved. ▪ Further report into the Councils Industrial Portfolio will be considered once the LDF Core Strategy, identifying potential alternative employment sites, has been adopted and approved. 				

	<u>Date of decision</u>	<u>Decision</u>	<u>Progress/ Key Date</u>	<u>Status</u>	<u>Comments</u>	<u>Officer Lead</u>
14	4 June 2007 1 October 2007	<p><u>Review of Community facilities</u></p> <ul style="list-style-type: none"> ▪ The Head of Regeneration was authorised to lead the review of community facilities in the District ▪ Discussions are currently underway with Legal and Financial consultants with regards to communal rooms in the context of the LSVT. ▪ The Head of Regeneration was authorised to identify any early wins that can be brought forward for consideration by the Executive that can contribute to the agreed vision for community facilities within the Council's existing policy and funding framework and reported back to the Executive in December 2007. ▪ The Head of Regeneration was authorised to continue with the further progress in developing a strategic approach and action plan for community facilities, as outlined in Section 5 of the report. ▪ The wider stakeholder consultation was deferred until further investigation work on community facilities had been undertaken. 	Report to December Executive 2007.	Ongoing	Ongoing	Martin Walker
15	4 June 2007	<p><u>Report into the review into Leisure Services for Young People</u></p> <p><u>Outcomes requiring action:</u></p> <ul style="list-style-type: none"> ▪ Portfolio holder for community engagement and partnership working investigate greater partnership working. 	December 2007 Executive.	Ongoing	A detailed report on progress will be reported to the December Executive	Ian Forster/Chris Potter/Nigel Cummings

	<u>Date of decision</u>	<u>Decision</u>	<u>Progress/ Key Date</u>	<u>Status</u>	<u>Comments</u>	<u>Officer Lead</u>
16	4 June 2007	<p><u>Report into the review of Clean Neighbourhoods and Environment Act 2005</u></p> <p><u>Outcomes requiring action:</u></p> <ul style="list-style-type: none"> ▪ Cost benefit analysis of the recommendations to the report to be undertaken 	December 2007 Executive	Ongoing	Report to be submitted to September Executive	Tony Galloway
17	6 August 2007	<p><u>Review into public toilet provision in Town Centre - Report from Regeneration and Housing Overview and Scrutiny Panel</u></p> <ul style="list-style-type: none"> ▪ Further investigation is to be carried out into the viability of a community toilet scheme or similar innovative approach within Chester-le-Street town centre to increase current public toilet provision. 	Verbal update to December 2007 Executive	Ongoing	Further investigations to be carried out.	Martin Walker
18	6 August 2007	<p><u>Sacriston Area Development Framework</u></p> <ul style="list-style-type: none"> ▪ A written report was submitted to the August 2007 Executive. The Area Development Framework for Sacriston was approved as the basis for future regeneration of Sacriston. ▪ The Head of Regeneration was authorised to progress the regeneration of Sacriston through developing a detailed action plan for the delivery of the priority proposals identified within the report. 	January 2008 Executive	Ongoing	Action plan has been drafted.	Martin Walker

	<u>Date of decision</u>	<u>Decision</u>	<u>Progress/ Key Date</u>	<u>Status</u>	<u>Comments</u>	<u>Officer Lead</u>
19	1 October 2007	<u>Updates Community Resource Centre at Sacriston</u> <ul style="list-style-type: none"> ▪ Regular updates to be given to Executive on the progress on the Community Resource Centre 	Verbal update December 2007 Executive.	Ongoing		Tony Galloway
20	1 October 2007	<u>Corporate Governance Framework Action Plan</u> <ul style="list-style-type: none"> ▪ Regular updates to be given to Executive on the progress of the Corporate Governance Framework action plan 	Verbal update December 2007 Executive.	Ongoing		Ian Forster

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Chester-le-Street
District Council

REPORT TO: Executive

DATE OF MEETING: 3 December 2007

REPORT OF: Assistant Chief Executive

SUBJECT: Review of Corporate Priorities, Corporate Plan proposals and Improvement Plan

ITEM NUMBER:

1 PURPOSE AND SUMMARY

1.1 The purpose of this report is to ask the Executive to:

- agree new priorities for the council leading up to April 2009;
- agree revisions to proposals in the 2007/2010 Corporate Plan; and
- agree a new improvement plan to replace the Improvement and Recovery Plan as a result of CPA and other inspection and assessment learning

1.2 The council's existing corporate priorities have been in place for two and a half years. They are now in need of review. Proposals were built into the council's Corporate Plan for 2007/2010 and were due to be considered through the normal corporate planning cycle set out in the plan. Local Government Reorganisation has an impact on the priority setting process. In addition the Corporate Plan includes a clear set of proposals which Local Government Reorganisation also has a significant impact. The council would not achieve the right focus or achieve value for money if it were to slavishly follow priorities and proposals which were no longer relevant or would not achieve desired customer and council outcomes. In October the Executive agreed a process to ensue an appropriate review takes place. This process incorporated:

- an understanding of the political and officer priorities;
- an understanding of residents priorities;
- an understanding of the relevance of current Corporate Plans proposals and there ability to achieve outcomes within the lifetime of any transitional arrangements;

- an understanding of the improvement measures necessary to guide the council through the lifetime of any transitional arrangements and their relevance to new priorities;
- the need to address the 2008/2009 budget and scrutiny engagement in the process in the light of new priorities; and
- the need for a re-assessment of strategic risks.

1.3 This report is a culmination of a large part of the process and will help support next year's budget and service planning process.

1.4 Members are recommended to support:

- 1) the revised priorities set out in this report and specifically in Paragraph 5.8 and work is commenced to develop an appropriate model and project plan for delivery;
- 2) the revised Corporate Plan proposals set out in Appendix 2 and note the progress against those which remain unchanged;
- 3) the Improvement Plan set out in Appendix 3; and
- 4) agree that these revisions are used to support the budget process and service planning for 2008/2009 and service plan.

2. CONSULTATION

2.1 The Chief Executive has been consulted on the reports and his comments have been incorporated within it. Executive members and Corporate Management team have been engaged in reviewing the council's priorities and Corporate Plan proposals and their views have been taken into account in the report and its Appendices. The Performance and Improvement Team have been consulted on the Improvement plan and their views taken into account in the final version.

2.2 No other consultations were considered necessary at this stage including external consultations or engagement.

3. CORPORATE PLAN AND PRIORITIES

3.1 The 2007/2010 Corporate Plan was approved by Council on 26th June 2007. At that time the Government's decision on Local Government review was not known. The Plan accepted up front that Local Government Reorganisation could occur and assured the local area and its people that we wanted to secure the best out of any change that may occur. There is still some doubt whether the Government's decision will be implemented, at least in the proposed timetable, as a result of current legal challenges. However, the Corporate Plan makes it clear that there was need to review priorities as a result of change that has already happened. The review of the council's priorities is necessary in any eventuality. If legal challenges fail and Local Government Reorganisation progresses against the Governments current

timescale then a review of priorities and proposals within the plan is more pressing.

- 3.2 The following Corporate Plan proposals are considered to be specifically relevant to this report.

Customer Excellence CE 1: Development of Revised Improvement plan following the CPA judgement by December 2007.

Customer Excellence CE 2: Revise the priorities of the council and agree non-priorities taking into account any proposals to reorganise local government by June 2008

4. **IMPLICATIONS**

4.1 Financial implications and value for money

While there are no immediate specific financial implications to this report the review of priorities will impact on the council's ambition and focus, the Medium Term Financial Plan and 2008/2009 budgeting process. Depending on the choices made the review of priorities will help determine how the council will deliver services and improvement over the next financial year. In terms of value for money the establishment and implementation of a review process for priorities and proposals will improve the council's ability to achieve value for money as it will refocus the council in delivering services and improvement where there is the greatest need, particularly if Local Government Reorganisation takes place in the proposed timescales. Decisions to progress existing Corporate Plan proposals differently will also save resources being used where intended outcomes could not be realised or would lack value in the lifetime of transitional arrangements.

4.2 Legal

There are considered to be no direct legal issues of significance arising out of this report.

4.3 Personnel

While there are no specific human resources implications to this report revised priorities will have an impact on individual services and delivery. Decisions on revising Corporate Plan proposals will help divert human resources to areas of greatest need particularly in the event of Local Government Review progressing against known timescales.

4.4 Other Services

The corporate performance relates to all Services within the Council and has implications for improvement in Service Delivery. The proposed focus on services which can contribute to neighbourhood service delivery and community engagements may mean that relevant services may need to be brought together under a common leadership.

4.5 Diversity

In general, in reviewing priorities and proposals assessments will need to be made of how any revised proposals will impact on all members of society. More specifically some Corporate Plan proposals, such as whether to progress to level 3 of the Equality Standard for Local Government will be reviewed against the value of progressing them in the light of potential change. The councils focus on community engagement and proposals in the Improvement Plan to focus on engaging minority groups is a significantly positive implication where improvement is expected

4.6 Risk

There are risks to the organisation in failing to take stock of priorities and proposals whatever timescales on Local Government Reorganisation are followed. Failure to review priorities and proposals could see wasted resources and lack of focus. The review of priorities and proposals ought to be carried out together with a full strategic risk assessment. The Improvement Plan should also be subject to a risk assessment.

4.7 Crime and Disorder

It is not felt there are any specific implications of the report on Crime and Disorder. However the council's choice of priorities at the end of the day could have an impact on crime and disorder. Proposals in the Improvement plan to improve senior officer and member engagement in partnerships will have a significantly positive impact.

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

The report does not relate to a key decision. In terms of engagement the council has used its current (and will use its proposed) residents survey and other engagement intelligence to help form proposed priorities. Revised

priorities and proposals will be communicated once they are agreed and the agreed process can be made available on the council's web site and District News. It is not considered that the report at this stage raises any key issues in respect of procurement, service planning, sustainability, human rights or social inclusion. The Improvement Plan includes proposals to provide clarity about delivery of the council's reviewed policies in the light of learning from the CPA inspection.

5. BACKGROUND, POSITION STATEMENT AND OPTION APPRAISAL

- 5.1 The 2007/2010 Corporate Plan was approved by Council on 26th June 2007. At that time the Government's decision on Local Government review was not known. The Plan accepted up front that Local Government Reorganisation could occur and assured the local area and its people that we wanted to secure the best out of any change that may occur. There is still some doubt whether the Government's decision will be implemented at least in the proposed timetable as a result of legal challenges. However, the Corporate Plan makes it clear that there was need to review priorities as a result of change that has already happened. If legal challenges fail and Local Government Reorganisation progresses against the Government's current timescale then a review of priorities and proposals within the plan is more pressing.
- 5.2 It was intended that the review of priorities would take place within the normal corporate planning cycle. Some work on revisiting priorities had already been carried out. More formal consideration of this has been slightly delayed for the necessary reason of lack of clarity as a result of Local Government Review and the legal challenges. Further clarity on progress may be established in early October when the result of one of the national legal challenges is known.
- 5.3 The Executive agreed a process for reconsideration of priorities at their meeting in October. The following key components were considered necessary, taking into account the likelihood of Local Government Reorganisation by April 2009:
- an understanding of the political and officer priorities;
 - an understanding of residents priorities;
 - an understanding of the relevance of current Corporate Plans proposals and their ability to achieve outcomes within the lifetime of any transitional arrangements;
 - an understanding of the improvement measures necessary to guide the council through the lifetime of any transitional arrangements and their relevance to new priorities;
 - the need to address the 2008/2010 budget and scrutiny engagement in the process in the light of new priorities; and
 - the need for a re-assessment of strategic risks

5.4 The agreed process to achieve the review of priorities and proposals forms Appendix 1. Half of this process is now complete and the outcomes of the work done form the basis for decisions in this report.

Revised Corporate Priorities

5.5 Currently there are 7 priorities in the Corporate Plan. These are:

- Customer Excellence
- Working together in partnership to deliver the community strategy
- Meeting the Decent Homes Standard
- Regeneration the District
- Neighbourhood Management
- New Ways of Working in Leisure
- Maximising Efficiencies

5.6 The three key priorities for improvement set out in last year's Residents Survey were:

- Low level of Crime
- Clean streets
- Affordable, decent housing

5.7 The council needs to focus on the next sixteen months which is its likely 'life expectancy'. Consideration has been given to whether there is any value in continuing to focus on the current seven priorities. The view is taken that most of the council's priorities are no longer appropriate for the following reasons:

Customer Excellence

This was initially an acceptable priority because of the shift in customer care and accessible services that was required for post 2004 CPA. The Customer Excellence Strategy has virtually been completed and as questioned by the CPA inspectors earlier this year it is time that customer excellence is what our communities should expect. As shown by recent successes, including Charter Mark, IIP and Quest accreditations it is felt that customer excellence is embedded and no longer needs to be a priority. The community engagement aspects of customer excellence remain vitally important to the remaining life of the council.

Working together in partnership to achieve the community strategy

The council has focussed on partnership working and this is likely to become more embedded as the council works to develop the new authority. Partnership is now part of the day job and no longer needs to be a specific priority

Meeting the decent homes standard

While there is still a lot to do, by February public housing will no longer be a priority of the council as it will be delivered by another provider. While the

council will remain to have a responsibility to improve the private and private rented housing sectors it will not be a council priority.

Regenerating the District

Now that the council has a regeneration strategy which is being implemented it can be argued that regeneration is now part of the day job. As a result it is felt that it does not now need to be a priority. The community engagement aspects of regeneration remain vitally important to the remaining life of the council.

New Ways of working in Leisure

Despite the fact that the CPA Inspectors put forward a recommendation to develop a leisure strategy this is no longer considered to be a priority for the council in terms of future procurement options. It would be inappropriate for the council to consider options any further bearing mind the restrictions on entering new contracts which will shortly be introduced by local government legislation. The consideration of leisure options would more appropriately be dealt with by the new unitary council in considering the transformation of leisure services across the county. There remain parts of the leisure service which fundamentally engage our communities and these services remain crucial to the remaining life of the council.

Maximising Efficiencies

The council is likely to achieve a Level 2 for Value for Money and a Level 3 for Use of Resources for the second year running. While there is room for improvement value for money is now second nature and is what the council should be doing naturally. It no longer needs to be a council priority.

- 5.8 In view of resident's priorities and the importance attached to community engagement, Neighbourhood Management remains a very important part of the councils work. There is further scope over the next sixteen months to focus on those services which have the biggest impact on people's lives and as a result the image of the council. If the council were to prioritise neighbourhood management and community engagement over its remaining term not only would it improve the quality of life of residents but it could help develop neighbourhood models which could influence the level of community engagement and neighbourhood service delivery in the new neighbourhood. By bringing together key services, and where possible other public services e.g. neighbourhood policing a lasting legacy could be created. It is considered therefore that the council ought to focus on neighbourhood management and community engagement as its sole priority over its remaining lifetime
- 5.9 This concept needs to be developed. In agreeing this way work needs to start to develop an appropriate model and project plan for delivery.

Revised Corporate Plan proposals

- 5.10 As part of the agreed process an exercise has been completed between Directors, Services Team Managers and Executive Members to agree;
- which Corporate plan proposals are no longer relevant;
 - where proposals to milestones or targets are necessary as a result of progress and relevance to changing event;
 - what other corporate plan proposals or targets need revising;
 - whether there are any new issues that require addressing; and
 - what is the progress on those proposals that remain relevant?
- 5.11 As a result of this work a schedule of revised proposals and progress monitoring based on Executive Member responsibilities is set out in Appendix 2. It is noted that the CPA inspectors considered that our process for identifying non-priorities set out in the Corporate Plan makes it clear to staff and other stakeholders what are and are not priorities. In view of this it is not felt that any additional work to determine non-priorities is necessary.
- 5.12 It is noted that the initial Corporate Plan did not include any specified proposals for Councillor Maureen Potts. The current exercise has not yet identified and proposals and further work needs to be done here.

Proposed Improvement Plan

- 5.13 Chester-le-Street District council is committed to continuous improvement. Since the Comprehensive Performance Assessment the council was formerly released from recovery. There is no need now to progress the Improvement and Recovery Plan. This is considered to be complete subject to evidence of embedding some of the actions. The council has continued to improve since the CPA 'good' judgment. This is in line with our longer term vision in the Corporate Plan to be an excellent council. Our continued journey toward excellence can be evidenced in a number of ways including the following:
- Benefits receiving a 'good service' with 'promising prospects of improvement' in their recent 'harder test' Pilot Inspection;
 - the Charter Mark in ICT;
 - the Quest accreditation in Leisure;
 - the golden green apple award;
 - the achievement of Investors in People; and
 - a positive direction of travel on indicators.
- 5.14 The council's future as an organisation is likely to be time limited as a result of Local Government Re-organisation. In addition it is not likely to be subject to a further CPA inspection during our remaining life nor will it be subject to Comprehensive Area Assessment. However it still needs to show that it is continuing to improve over the remaining life of the organisation and it is still

subject to annual audits and Direction of Travel assessments. The council still needs to deliver value for money for our communities. In view of this an Improvement plan remains necessary.

5.15 In view of the short potential remaining life of the council there is no need for such a detailed and comprehensive plan as was the Improvement and Recovery Plan. The Corporate Plan itself is part of the council's improvement programme. It contains significant proposals to improve services across the council. It is not felt that the council should make life more difficult for itself by developing a plan which is unwieldy or will put undue pressure on the organisation at a time where significant change will impact on our overall capacity to maintain services. What needs to be addressed is:

- CPA judgement recommendations;
- Any perceived areas of improvement in the Inspection report (and there are only a few) which are capable of being addressed and produce an outcome in the next 16 months; and
- Any issues arising out of any Audit Commission inspection or Audit not otherwise covered in any other improvement plan; and
- Any recommendations from any other corporate inspection or external accreditation.

5.16 A proposed Improvement plan is set out in Appendix 3

6. **RECOMMENDATIONS**

6.1 Members are recommended to support:

- 5) the revised priorities set out in this report and specifically in Paragraph 5.8 and work is commenced to develop an appropriate model and project plan for delivery;
- 6) the revised Corporate Plan proposals set out in Appendix 2 and note the progress against those which remain unchanged;
- 7) the Improvement Plan set out in Appendix 3; and
- 8) agree that these revisions are used to support the budget process and service planning for 2008/2009 and service plan.

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

- 7.1 Corporate Plan 2006/2009 and 2007/2010
- 7.2 CPA report June 2006 – Audit Commission
- 7.3 Report to Executive 1st October 2007
- 7.4 Investors in People Assessors Report October 2007

Ian Forster
Assistant Chief Executive
15th November 2007
Version 1.0

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Version 1.0 November 2007
Report to Executive 03/12/07

9



Suggested Process for Review of Corporate Priorities and Corporate Plan Proposals

What	Who	By When
Review of individual Corporate Plan proposals and production of recommendations for change	Relevant Responsible Lead Officer and Executive Members	31st October 2007
Commissioning of 2007/2008 residents survey with focus on residents priorities for the future	Craig Etherington	31st October 2007
Consideration of Priorities	Informal Executive meeting	23rd November 2007
Consideration of Residents Priorities from 2006/2007 Survey and formulation of revised priorities	Informal Executive and CMT meeting	23rd November 2007
Development of Strategic Improvement Plan as a result of CPA learning linked to revised priorities and revised corporate plan proposals	Improvement and Performance Team led by Ian Forster	23rd November 2007
Formally agree new priorities and Strategic Improvement Plan	Formal Executive meeting	3rd December 2007
Receipt of 2007/2008 residents Survey results and consideration by Executive	Informal Executive meeting	18th January 2008
Scrutiny engagement in 2008/2009 budget process	Overview and Scrutiny Panel Meetings	1st February 2008
Strategic Risk Assessment	Corporate Workshop, officers and Members	29th February 2008
Executive Consideration of Budget	Formal Executive meeting	TBA
Council agrees budget to meet new priorities	Full Council	TBA



CORPORATE PLAN PROPOSALS – CLLR LINDA EBBATSON

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
CE1	Develop a revised Improvement Plan taking into account the view expressed in the Audit Commissions Comprehensive Performance Assessment Report, June 2007 and secure positive direction of travel reports through to March 2010	Ian Forster Clrr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Respond to CAA consultation by July 2007 ▪ Consider CPA inspection report at Full Council by July 2007 ▪ Carry out a review of corporate priorities by September 2007 ▪ Agree Improvement Plan by December 2007 ▪ Maintain a 'Good' re-categorisation judgement and positive direction of travel assessments on an annual basis 	<p>Amended Milestones and targets</p> <ul style="list-style-type: none"> ▪ Carry out a review of corporate priorities by December 2007 ▪ Agree Improvement Plan by December 2007 ▪ Maintain a 'Good' re-categorisation judgement and positive direction of travel assessments on an annual basis
CE2	Revise the priorities of the Council and agree non-priorities taking into account any proposals to reorganize local government following the result of the current national government consultation	Roy Templeman Clrr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Commence the process by considering the results of the Council's annual opinion surveys by June 2007 ▪ Receive the decision of national government on the future local government by August 2007 ▪ Establish clear priorities and non-priorities based on a thorough risk and opportunities analysis by September 2007 ▪ Progress budget setting process for 2008/2009 on the basis of revised priorities by March 2008 ▪ Set out new priorities in 2008/2010 Corporate Plan by June 2008 	<p>Amended Milestones and targets;</p> <ul style="list-style-type: none"> ▪ Receive the decision of national government on the future local government by August 2007 ▪ Establish clear priorities and non-priorities based on a thorough risk and opportunities analysis by September 2007 ▪ Progress budget setting process for 2008/2009 on the basis of revised priorities by March 2008 ▪ Set out new priorities in 2008/2009

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
CE4	Implement Equality Plan through to March 2010	Julie Underwood Cllr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Implementation of action plan ▪ Increased community and partner engagement ▪ Review of action plan by March 2008 ▪ 100% response to new legislation within statutory timescales ▪ 90% of actions achieved on time ▪ 3% increase in customer satisfaction in local indicators ▪ Improve to level 3 of the Equality Standard for Local Government ▪ Positive audit reports ▪ Impact and engagement of all services 	<p>Delete</p> <ul style="list-style-type: none"> ▪ Improve to level 3 of the Equality Standard for Local Government <p>As will not provide value for money, instead focus equality and diversity resource into new corporate priority</p>
CE25	Develop and implement action plans to improve performance on national best value indicators particularly those which are both failing to improve and are in the bottom 25% in the country	Ian Forster Cllr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Agree action plans by June 2007 ▪ Implement by July 2007 ▪ Improvement in performance indicators across the Council ▪ 65% improvement across basket of BVPIs ▪ Positive direction of travel reports ▪ Improved customer satisfaction 	On target
CE26	Continue our Organisational Development Programme through to May 2008	Alison Swinney/Julie Underwood Cllr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Undertake action learning sets and CPI projects and report by May 2008 ▪ Build in learning to decide future programme by March 2008 ▪ Consider the outcomes of action learning sets and targets by September 2007 ▪ % of members and officers meeting required competencies ▪ Measured outcomes from projects completed against intended outcomes/scope of brief ▪ Some measured outcomes will also be developed as part of the brief for each set/project ▪ Improvement in performance in 100% of CPI project processes ▪ IIP recognition ▪ Engages all services 	On target

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
CE27	Extend leadership & management development opportunities to others throughout the Council to aid with succession planning through to 2010	Alison Swinney Cllr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Commence workshops by July 2007 ▪ Dec 2007 – 360 degree appraisal for managers ▪ Targets to be set by September 2007 ▪ Improved employee survey results ▪ Improved management reviews against competency frameworks 	<p>On Target</p> <p>But need to review in light of LGR. Need to consider bigger picture including the role of the front line councillor.</p>
CE28	Further embed succession planning across the Council with a view to building capacity by March 2010	Alison Swinney/Julie Underwood Cllr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Workforce development plans produced in line with service plans by January 2008 and on annual basis thereafter ▪ July 2007 – rising Stars programme commences ▪ Oct 2007 – workshops complete ▪ Nov 2007 – action learning sets and Continual Process Improvement projects commence ▪ Participants on programme develop effective skills at the next level of management and apply these effectively back in the workplace ▪ Programme assists with career development aspirations 	<p>On Target</p>
CE29	Embed work force development planning across the Council by 2010	Alison Swinney Cllr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Workforce development plans produced in line with service plans by January 2008 and on annual basis thereafter ▪ Service plans and corporate plan and priorities are delivered on time 	<p>On Target</p>
CE30	Ensure new elected members are equipped with the relevant skills by August 2008	Alison Swinney Cllr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Carry out induction programme for new members by August 2007 ▪ Service plans and corporate plan and priorities are delivered on time ▪ Evaluations from training events ▪ Feedback from member support assessments of how learning was applied ▪ Feedback from community groups 	<p>On target</p> <p>But need to review in light of LGR. Need to consider bigger picture including the role of the front line councillor.</p>

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
CE31	Senior managers and politicians engage in a top team development programme of transformational leadership by March 2009	Alison Swinney Cllr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Top team programme commenced November 2007 ▪ March 2008 – evaluation of programme 	<p>Delete</p> <p>Need to take stock in the light of local government review</p>
CE32	Embark upon further programme of elected member development linked to the role of the front line councillor by March 2010	Alison Swinney Cllr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Members training plan implemented from September 2007 and reviewed annually ▪ Evaluations from training events ▪ Feedback from members support assessments of how learning was applied ▪ Feedback from community groups 	<p>On Target</p> <p>Need to refresh programme to help members motivation</p>
CE36	Carry out improvements to access arrangements to council buildings to bring them up to the standard promoted by the Disability Discrimination Act	Ian Forster Cllr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Agree priorities with user group ▪ Secure resources by Autumn 2007 ▪ Implement a programme of improvement ▪ Increase the % of buildings accessible to the public by 10% per annum (BV156) 	<p>Amended Milestones</p> <ul style="list-style-type: none"> ▪ Agree priorities with user group ▪ Secure resources if these become available to Capital Programme Working Group ▪ Implement a programme of improvement ▪ Increase the % of buildings accessible to the public by 10% per annum (BV156)
CE37	Secure Investors in People accreditation	Alison Swinney Cllr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Complete final actions by July 2007 ▪ Complete final audit of awareness and process by September 2007 ▪ Secure accreditation by December 2007 ▪ Formal IIP accreditation 	<p>Achieved</p>
WP1	Complete updating of the Sustainable Community Strategy (SCS) and implement action plans through to March 2010	Jeremy Brock Cllr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Implement action plans ▪ 90% of actions completed on time ▪ 90% of targets met 	<p>On target</p> <p>But need to consider focus on motivating LSP achievements as a result of LGR</p>

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
WP2	Ensure action plans are established and built into service planning to achieve the actions and targets of the Sustainable Community Strategy by 2010	Jeremy Brock Cllr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Secure ownership in services of SCS proposals by July 2006 ▪ Establish contribution targets and action by Sept 2006 ▪ Assess contribution to Respect Agenda by October 2007 ▪ Monitor and review ▪ %internal targets met ▪ %SCS targets met across District 	<p>Amended Milestones:</p> <ul style="list-style-type: none"> ▪ Secure ownership in services of SCS proposals by December 2007 ▪ Establish contribution targets and action by March 2008 ▪ Assess contribution to Respect Agenda by March 2008 ▪ Monitor and review ▪ %internal targets met ▪ %SCS targets met across District
WP3	Ensure action plans are established and built into service planning to achieve the actions and targets of the Local Area Agreement by 2010	Julie Underwood Cllr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Through golden threading exercise, secure ownership in services of LAA proposals by October 2007 ▪ Assess contribution to Respect Agenda by October 2007 ▪ Establish contribution targets and action by September 2007 ▪ Establish in Service Planning Review by October 2007 ▪ Monitor and review ▪ % internal targets met ▪ % LAA targets met across District 	On target
WP4	Work in partnership with other councils to develop the implementation of the Local Area Agreement through to March 2009	Ian Forster Cllr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Develop performance management framework and governance arrangements by September 2007 ▪ Participation on project team and LAA Board 	<p>New Milestone</p> <ul style="list-style-type: none"> ▪ Engage and influence the new LAA for 2008/2011 by march 2008
ME1	Seek to secure a positive direction of travel report from the Audit Commission to build on our progress from 'poor' to 'good' by March 2010	Ian Forster Cllr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Develop action plan to support existing improvement programme ▪ Positively address Audit Programme in reaching their conclusions ▪ Secure positive direction of travel reports annually 	On Target

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
ME2	Work in partnership, when required, to respond to the challenges of Local Government Review through to March 2010	Roy Templeman Cllr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Respond to the impending decision on the future of local government by September 2007 (or as otherwise directed by Government) ▪ Respond to future opportunities for engagement as they arise 	<p>On Target</p>
ME26	Review Data Quality Policy and Strategy and Implement by March 2010	Ian Forster Cllr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Review policy and strategy by Sept 2007 ▪ Implement and monitor by March 2010 ▪ 90% actions completed on time ▪ Improved data quality judgement 	<p>Amended milestones and Targets</p> <ul style="list-style-type: none"> ▪ Review policy and strategy by March 2008 ▪ Implement and monitor by March 2010 ▪ 90% actions completed on time ▪ Improved data quality judgement
ME29	Adopted Learning Strategy and implement through to March 2010	Ian Forster Cllr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Scrutiny engagement by July 2007 ▪ Setting of targets by September 2007 ▪ Adoption by Council by October 2007 ▪ Commence implementation by December 2007 ▪ Improved value for money statements across services ▪ Improved performance across services ▪ Positive direction of travel reports 	<p>Delete</p> <p>This is not considered to be a priority in the light of Local Government Review</p>
New	Engage in and influence the development of the Tyne and Wear Multi Area Agreement and the City Region	Roy Templeman Cllr Linda Ebbatson	<ul style="list-style-type: none"> ▪ Respond to opportunities to put forward proposals and effect change. 	<p>Outcome</p> <p>The Council continues to punch its weight across the region and plays a positive role in ensuring regional developments have the best outcomes for the citizens in Chester-le-Street</p>



CORPORATE PLAN PROPOSALS – COUNCILLOR SIMON HENIG

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
CE8	Develop improvement plan for the Benefits Service as a result of the inspection pilot undertaken with the Audit Commission by December 2007	Jayne Henderson Cllr Simon Henig	<ul style="list-style-type: none"> ▪ Undertake pilot inspection by June 2007 ▪ Receive results by August 2007 ▪ Agree improvement plan and build into service plan by December 2007 ▪ Implement through to completion ▪ % on actions achieved against targets ▪ 3% across the board improvement in benefits customer satisfaction BVPIs ▪ Positive unpublished inspection result ▪ Positive direction of travel statement 	<p>On target</p> <p>Inspection completed and Service Improvement plan with action plan drawn up. This will be monitored in the usual way at monthly Revenues & Benefits Management meetings</p>
CE9	Develop and implement a benefits take up strategy and implement by March 2009. A benefits take up campaign means working with partners eg Welfare Rights, CAB not just ourselves to maximize benefit entitlement and bring new customers onto benefit	Jayne Henderson Cllr Simon Henig	<ul style="list-style-type: none"> ▪ Develop and adopt strategy by June 2007 ▪ Review annually ▪ Annual % increase in benefit take up ▪ 3% increase in benefits customer satisfaction BVPI's 	<p>On target</p> <p>The annual strategy has been written and the action plan is being monitored monthly. Progress to date – Since April 2007 we have paid an additional £28, 000 in benefits that would have otherwise not been claimed</p>
CE10	Develop and implement a revenues take up strategy to maximize direct benefits and e-payments and ensure customers have correct entitlement to discounts, reliefs and investment by March 2008	Jayne Henderson Cllr Simon Henig	<ul style="list-style-type: none"> ▪ Develop and adopt strategy by June 2007 ▪ Develop targets by September 2007 ▪ Review annually ▪ Annual % increase in revenues take up ▪ Annual % increase in electronic transactions ▪ 3% increase in revenues customer satisfaction 	<p>On target</p> <p>The annual strategy has been written and the action plan is being monitored monthly. Progress to date – Since April 2007 we increased direct debit take up by 3% and paid out an additional £37, 500 in rate relief.</p>

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
CE11	Develop and implement an anti-fraud strategy by March 2008	Jayne Henderson Cllr Simon Henig	<ul style="list-style-type: none"> ▪ Develop and adopt strategy by June 2007 ▪ Review annually ▪ Targets to be developed by September 2007 	<p>On target</p> <p>The annual strategy has been written and the action plan is being monitored monthly. Progress to date – Since April 2007 we have issued 32 sanctions and prevented in excess of £50,000 in fraudulent benefit payments</p>
CE17	Carry out customer satisfaction for benefits and local taxation customers other than the 3 yearly BVPI (customer satisfaction not currently measure in local taxation) by March 2008	Jayne Henderson Cllr Simon Henig	<ul style="list-style-type: none"> ▪ Plan to be developed by 30 May on proposed approach and methods for measuring satisfaction ▪ Implement customer satisfaction measurement from second quarter of 2007 ie 1 July onwards ▪ Satisfaction monitored and action plan drawn up to improve by December 2007 ▪ Targets to be set by December 2007 	<p>On target</p> <p>The annual strategy has been written and the action plan is being monitored monthly.</p>
CE19	Introduce service level agreement with Cestria Housing to ensure customers can continue to pay rent in desired way	Martin Walker Cllr Simon Henig	<ul style="list-style-type: none"> ▪ Establish by January 2008 ▪ Implement from January 2008 and monitor ▪ Targets to be set by January 2008 ▪ Increased customer satisfaction 	<p>On target</p>
CE20	Improve Council image through Implementation of Corporate Communication Strategy	Craig Etherington Cllr Simon Henig	<ul style="list-style-type: none"> ▪ Agree Strategy by July 2007 ▪ Implement and agree targets by September 2007 ▪ Increased media releases ▪ Increased positive press coverage ▪ Increase in customer satisfaction ▪ Increased satisfaction and understanding of the Council 	<p>On target</p>
DS1	Implement tenants' decision to pursue the Large Scale Voluntary Transfer of staff to Cestria Housing Association	Ian Broughton Cllr Simon Henig	<ul style="list-style-type: none"> ▪ Transfer the service to the new organization by January 2008 ▪ Use toolkit designed by the action learning set ▪ Transfer delivered on time 	<p>On Target</p> <p>Transfer is due to take place on the 4th February 2008 so there will only be a slight delay to the original target.</p>

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
DS2	Manage smooth transfer of employees to Cestria Housing by January 2008	Alison Swinney Cllr Simon Henig	<ul style="list-style-type: none"> ▪ Transfer of employees to housing association by January 2008 	On target
DS4	Continue to deliver the three year capital programme by January 2008	Ian Broughton Cllr Simon Henig	<ul style="list-style-type: none"> ▪ Deliver 2006/07 programme by Mar 2007 ▪ Publish revised three year plan by February 2008 ▪ 100% of budget spent ▪ 100% planned homes improved ▪ 95% customers satisfaction from recipient tenants 	Achieved The 2006/2007 capital programme has been delivered on time and within budget. The revised plan will be published by Cestria and will incorporate the remaining works for the 2007/2008 programme, plus the investment programme for the next three years.
DS5	Annually update the Housing Strategy in order that it remains fit for purpose through to March 2010	Martin Walker Cllr Simon Henig/Cllr Chris Jukes	<ul style="list-style-type: none"> ▪ Update Housing Strategy by Jan 2008 ▪ Create 5 page strategy to meet national guidelines ▪ Fit for purpose judgements by government office ▪ Positive audit reports 	On target Update of housing strategy under way. Consultation work has taken place. Revised strategy will come forward by January 2008.
ME3	Progress our action plan to improve the Council's Use of Resources Assessment through to March 2010	Linda Chambers Cllr Simon Henig	<ul style="list-style-type: none"> ▪ Programme manage action plan implementation ▪ Ensure embedding of actions taken in organization ▪ Achieve Level 3 by March 2008 ▪ Achieve Level 4 by March 2010 ▪ Positive audit reports ▪ Impacts on all services 	On target The Audit Commission has completed its work on the Use of Resources Assessment for 2007 and the outcome will be received on 19 November.

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
ME4	Continue to implement corporate criteria for establishing value for money across the council and implement through to March 2010	Linda Chambers Cllr Simon Henig	<ul style="list-style-type: none"> ▪ Learn from CPA judgement and Use of Resources judgements by June 2007 ▪ Learn from environmental services and housing service inspections by Jul 2008 ▪ Implement recommendations of action learning set by July 2008 ▪ Review guidance and implement by July 2007 ▪ Implement action plans by Oct 2007 ▪ Incorporate in Use of Resources Self Assessment by August 2008 ▪ Improved VFM statements in 80% of services ▪ Improved Use of Resources judgement to level 3 by March 2008 ▪ Positive direction of travel reports 	<p>On target.</p> <p>The outcome of the Use of Resources assessment will be received on 19 November.</p>
ME5	Continue our procurement partnership with Derwentside District Council by implementing our Procurement Strategy and implementing the procurement action plan through to Mar 2010	Linda Chambers Cllr Simon Henig	<ul style="list-style-type: none"> ▪ Actions achieved to timetable ▪ National strategy targets achieved ▪ Demonstrable Gershon efficiency savings achieved ▪ Develop targets by September 2007 	<p>On target</p> <p>Procurement Action Plan on target. £30,000 of cashable efficiency savings have been identified within the first six months of 2007/8, as against a target of £50,000 for the year.</p>
ME13	Promotion of an anti-fraud culture by developing and implementing an Anti-Fraud Strategy underpinned by corporate fraud awareness training through to March 2010	Jayne Henderson Cllr Simon Henig	<ul style="list-style-type: none"> ▪ Development of strategy by March 2007 ▪ Annual review ▪ Building training into Corporate Training Plan for 2007/2009 and annually thereafter by March 2007 ▪ Targets to be developed by September 2007 ▪ Increase fraud prosecutions and sanctions ▪ Decreased fraud cases 	<p>On target</p> <p>The annual strategy has been written and the action plan is being monitored monthly. Fraud awareness sessions are currently being held – this is supported by CE11.</p>
ME14	Continue to operate an internal audit service that complies with	Jackie McConnell Cllr Simon Henig	<ul style="list-style-type: none"> ▪ Self assessment for internal audit annual report submitted to Council in September 	<p>On target</p>

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
	CIPFA Codes of Practice for Internal Audit in Local Government through to March 2010		<ul style="list-style-type: none"> ▪ 2007 and annually ▪ Positive external audit reports 	Action Plan for full compliance with the Code incorporated in Internal Audit Service Plan. Anticipate that Review of the Effectiveness of Internal Audit in April/May 2008 will report full compliance
ME15	Continue to minimize Audit Commission audit fees by meeting recognized standards through to March 2010	Jackie McConnell Cllr Simon Henig	<ul style="list-style-type: none"> ▪ Positive external audit reports 	On target Audit Manual developed which includes audit procedure compliant with International Standards for Auditing. Staff training on the revised procedures took place.
ME16	Review the role of the Audit Committee and ensure that it meets what is required for corporate governance by March 2009	Jackie McConnell Cllr Simon Henig	<ul style="list-style-type: none"> ▪ Corporate Governance Steering Group considers framework proposals by June 2006 ▪ Audit Committee approves the Statement of Internal Control and agrees the areas of corporate governance it wishes to consider 	On target Review of terms of reference deferred pending the selection of new Chair of Audit Committee. Draft revised terms of reference to be submitted to Audit Committee January 2008.
ME25	Develop corporate e-procurement options	Graeme Clark Cllr Simon Henig	<ul style="list-style-type: none"> ▪ Consider options and develop targets by December 2007 ▪ Email of purchase order and BACS remittances by December 2007 ▪ Email alerts to suppliers on tendering opportunities by December 2007 ▪ Consider entry into e-marketplace by September 2008 ▪ Improved opportunities to reach a larger market place ▪ Efficiency savings from reducing printing and postage 	On target

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
ME27	Undertake Freedom of Information, Data Protection and Copyright health check by March 2008	Chris Potter Clr Simon Henig	<ul style="list-style-type: none"> ▪ Undertake survey across Council by September 2007 ▪ Produce audit report by October 2007 ▪ Commence implementation of recommendations by December 2007 ▪ No challenges in respect to FOI, PPA or copyright law 	On target



CORPORATE PLAN PROPOSALS – COUNCILLOR SIMON WESTRIP

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
CE23	Review environmental services customer standards by January 2008	Gordon MacCallam Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Monitor performance of existing standards by September 2007 ▪ Engage community in re-assessing standards and targets by Nov 2007 ▪ Adopt new standards and targets by January 2008 ▪ Improved customer satisfaction 	<p>On target</p> <p>Following the initial review of the Service Standards, further reporting of performance will be done using indicators aligned to existing best value performance indicators and local performance indicators</p>
CE24	Secure Cemetery of the Year Award by March 2010	Gordon MacCallam Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Maintain and improve standards of the district's cemeteries through to March 2010 ▪ Apply for Cemetery of the Year Award by December 2007 ▪ Secure improved customer satisfaction ▪ Secure award 	<p>On target</p> <p>The outcome of 2007 submission has generated a significant improvement plan for 2008 application</p>
CE33	Carry out customer satisfaction for building control service customers by March 2008	Anneliese Hutchinson Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Survey to be undertaken in accordance with government guidance ▪ Customer satisfaction to be measured from 1 October onwards ▪ Satisfaction monitored and targets and action plan drawn up to improve by February 2008 	<p>On Target</p> <p>Survey began October 2007</p>

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
CE34	Carry out customer satisfaction for planning and environmental health customers by March 2008	Anneliese Hutchinson Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Plan to be developed by 30 June on proposed approach and methods for measuring satisfaction ▪ Customer satisfaction to be measured from 1 October onwards ▪ Satisfaction monitored and targets and action plan drawn up to improve by February 2008 	<p>Achieved</p> <p>Customer satisfaction surveys in place across the team from 1 October 2007 Monitored on monthly basis.</p>
CE35	Establish business forum for planning and environmental health customers by March 2008	Anneliese Hutchinson Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Database of customers to be established by 31 July ▪ Inaugural event Autumn 2007 ▪ Terms of reference and future programme and targets agreed by January 2008 ▪ Improved satisfaction for business users 	<p>On target</p> <p>Database of customers to be collated once admin team manager starts in January. Business 'Forum' will be established by March 2008</p>
DS10	Review housing policies in light of Housing Act 2000	Anneliese Hutchinson Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Report on Housing Act by July 2007 ▪ Review of private sector housing policy by August 2007 ▪ Adoption of empty properties action plan and targets by December 2007 ▪ Increase in decent homes for the private sector 	<p>Achieved</p> <p>Report on Housing Act reported to full Council July 2007. Private Sector Housing Policy review completed August. Revised policy has been agreed at Executive and is to be reported to full council in November. New data recently received re empty properties means Empty Property Strategy will now be reported to Council early in the new year following further surveys</p>
RD7	Progress the Carbon Neutral Edmondsley project through to March 2009	Andy Stephenson Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Develop the scheme with the community and partners by June 2006 ▪ Drafting of a business plan by July 2007 ▪ Complete by April 2010 ▪ Establishment of first carbon neutral village in the UK. 	<p>On target</p>

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
RD9	Priorities vulnerable households in the implementation of thermal efficiency measures	Andy Stephenson Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Identification of priority households across the District requiring insulation measures by March 2007 ▪ Assist priority and vulnerable households by providing insulation installations through to March 2009 ▪ % of measures undertaken against numbers of properties requiring insulation ▪ Group established by 30 July 2007, with relevant officers signed up ▪ Thereafter group meeting on quarterly basis ▪ Able to demonstrate effective recycling of 106 funds to capital schemes 	<p>There has been no capital funding available for this scheme and therefore no work undertaken.</p> <p>Revised Milestone</p> <p>Implement subject to availability of capital funding</p>
RD26	To examine, with partners, and reflecting the LAA, the opportunities to promote a culture of encouraging small and medium enterprises and social enterprises within the district, with an audit undertaken and action plan by December 2008	Anneliese Hutchinson Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Develop guidelines/information materials for potential developers in the District by October 2007 ▪ Consult on, complete and adopt a robust Contaminated Land Strategy for the district by October 2007 ▪ Rationalise existing data to identify priority sites by April 2008 	<p>On target</p>
RD27	Identify and remediate contaminated land within the District through to March 2009	Anneliese Hutchinson Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Develop guidelines/information materials for potential developers in the District by October 2007 ▪ Consult on, complete and adopt a robust Contaminated Land Strategy for the district by October 2007 ▪ Rationalise existing data to identify priority sites by April 2008 	<p>Revised Milestone</p> <p>Delays with securing funding for consultants have led to slippage on guidelines and strategy. Now expected early in 2008. Still on target to identify priority sites by April 2008</p>

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
NM1	Roll out of neighbourhood management through to March 2009	Tony Galloway Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Produce and distribute 'Street Clean' reporting cards by May 2007 ▪ Produce and distribute monthly 'In your ward' Councillor profiles by May 2007 ▪ Provide a 'pride in our Neighbourhoods' freephone line by May 2007 ▪ Prepare and distribute 'pride in our Neighbourhood' leaflet across the District by June 2007 ▪ Review of initiative by September 2007, set targets and make any necessary changes ▪ Publish article on progress in District News by September 2007 ▪ 5% increase in annual customer satisfaction levels ▪ Increase in the number of compliments received from public ▪ Decrease in % of complaints received from public 	<p>On target</p> <p>Milestones 1- 6 achieved Milestones 7- 9 are being monitored and performance outputs will be available March 2008</p>
NM2	Continue to implement environmental services improvement plan as a result of the Audit Commission Inspection	Gordon MacCallam Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Implement action plan ▪ 90% improvements achieved on target 	<p>On target</p> <p>Action plan projects have been completed. Additional project work will follow when corporate strategies are fully implemented</p>
NM3	Develop Environmental Strategy and Implement by March 2008	Gordon MacCallam Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Build on draft strategy through action learning set by December 2007 ▪ Take into account scrutiny report on recycling and views of Executive ▪ Develop a strategy by March 2008 ▪ Implement action plan ▪ 90% improvements achieved on target 	<p>Delete</p> <p>Will not deliver value for money in remaining life of council</p>

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
NM4	To target areas for enforcement activities using customer and intelligence led feedback	Gordon MacCallam Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Identify key areas for targeting enforcement from FLARE system by May 2007 ▪ Prepare initial programme of targeted enforcement by December 2007 ▪ Increased number of fixed penalty fines and successful prosecutions ▪ Decrease in number of incidences of environmental crime 	<p>On target</p> <p>We have commenced targetted enforcement activities. Areas covered so far include Pelton Fell, Sacriston, Bourm Moor & Fencehouses and starting in Grange Villa next</p> <p>Enforcement activities in each area are being recorded and the effectiveness measured at the end of the year</p>
NM5	Continue to secure Green Flag/Green Pennant awards through to March 2010	Gordon MacCallam Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Maintain high standards through to 2010 ▪ Submit applications by December 2007 ▪ Secure awards ▪ Improved customer satisfaction 	<p>On target</p> <p>Green Flag Award 2007 achieved at riverside.</p> <p>Additional sties are identified for submission to GFA 2008</p>
NM6	To prepare and agree a Memorandum of Understanding with local secondary schools in considering alternative penalties of anti-social behavior	Gordon MacCallam Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Prepare a draft Memorandum of Understanding by June 2007 ▪ Meet with secondary schools in the district to agree and finalise MOU by August 2007 ▪ All schools signed up to MOU by December 2007 	<p>Behind Target</p> <p>Local democracy week has been the launch pad for engaging schools and agencies for MOU project. This work will be completed by February 2008</p>
NM7	Review the financial performance of the trade waste service based on the retention of market share and rising disposal costs	Gordon MacCallam Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Review performance of trade waste service by June 2007 ▪ Develop and consider options report as part of the 2008/09 budget by Sept 2007 ▪ Implement findings by March 2008 	<p>On target</p> <p>Trade accounts are reviewed on a quarterly basis. New legislation on pre-treatment of trade waste has increased the competitive element in this sector</p>

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
NM8	Enter the Northumbria in Bloom competition	Gordon MacCallam Cllr Simon Westrip	<ul style="list-style-type: none"> To gain recognition from external judges set against national criteria in Sept 2007 To improve and promote closer working relationships with Parish Councils, residents groups, schools and business community and the public by formation of a Northumbria in Bloom committee by March 2008 	<p>On target</p> <p>Two bronze awards achieved in 2007</p> <p>Project Manger assigned to the work and applications for 2008 will be submitted by end of Nov 2007</p>
NM9	Manage the development of an extension to the kerbside contract for 2008	Gordon MacCallam Cllr Simon Westrip	<ul style="list-style-type: none"> Draft specification prepared by Jul 2007 Report to Executive and Council for approval by September 2007 Let contract by October 2007 	<p>On target</p> <p>Procurement Process has been completed and tender evaluations have been reviewed.</p> <p>Full report to executive December 2007</p> <p>Contract let by Jan 2008</p>
NM10	Implement all aspects of the Clean Neighbourhoods Act 2005	Gordon MacCallam Cllr Simon Westrip	<ul style="list-style-type: none"> Review frontline staff awareness of the duties that will be required to use the act appropriately by March 2008 Identify the areas which require change in current working practices by April 2008, including those aspects of the Clean Neighbourhood Act which are not part of current working practice Arrange appropriate training to ensure all frontline staff have an appreciation of the new act and how best to use it by April 2008 Assess likely future demands on services using the data collected on environmental crime and the section performance against the targets already in place for BVPIs 218a and b, 199a, b, c, and d, and monitor our performance against service standards including clearing litter, flytipping, sharps, etc. 	<p>On target</p> <p>Key Environmental Service Mangers have been trained in the practicalities and delivery of CNEA.</p> <p>Discussion with Legal Services is currently ongoing to ensure a clear policy and procedure exists in order to implement the CNEA.</p> <p>A value for money report has been completed by the Environmental Services in order to ascertain the overall cost effectiveness of the current enforcement provision. This has been done in conjunction with the Director of Resources</p>

NM11	Increase percentage of households waste recycling through to March 2010	Gordon MacCallam Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Review progress and identify areas not presently adopted within the Council's constitution by September 2008 ▪ Prepare publicity material for campaign by July 2007 ▪ Conduct 3 month publicity campaign by October 2007 ▪ Increase household waste recycling to 25% by March 2008 	<p>On target Promotion and awareness raising projects have been managed in conjunction with Durham County Waste Awareness Partnership Agreement has been reached with Premier Waste Management Ltd. To divert at least 10% of household waste to the Digester Process</p>
NM12	Introduce a tree replacement and development programme by 2008	Gordon MacCallam Cllr Sijmon Westrip	<ul style="list-style-type: none"> ▪ Review potential planting around existing biodiversity areas by August 2007 ▪ Develop a tree planting strategy by November 2007 ▪ Commence implementation of planting programme (a minimum of 50 trees per annum) by December 2007 	<p>Achieved Tree planting and replacement has been successfully completed 2007. This will be an ongoing on target if budget constraints allow</p>
NM13	Adoption of Corporate Enforcement Policy by October 2007	Tony Galloway Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Develop corporate 'virtual' enforcement team ▪ Development and adoption of Corporate Enforcement Policy by October 2007 ▪ Implement and annually review 	<p>Revised Milestone Policy deferred to June 2008 following on from work of Action Learning Set</p>
NM14	Review of environmental health services enforcement policies including licensing and health and safety	Anneliese Hutchinson Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Development and adoption of environmental health enforcement policies by March 2008 ▪ Implement and annually review 	<p>On target Policy reviewed and to go to December Executive</p>
NM15	Adoption of environmental services enforcement policy	Gordon MacCallam Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Development and adoption of environmental services enforcement policy by March 2007 ▪ Implement and annually review 	<p>Revised Milestone This project will be aligned to the development of the CNEA project</p>
NM16	Adoption of a building control enforcement protocol	Anneliese Hutchinson Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Development and adoption of protocol by March 2008 ▪ Implement and annually review 	<p>On Target</p>

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
NM17	Implement and monitor the Health Act 2006 Part 1 through to March 2010	Anneliese Hutchinson Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Complete promotional/awareness raising campaign for businesses by June 2007 ▪ Implement high profile compliance monitoring programme during early stages of the implementation by Dec 2007 ▪ Embed longer term monitoring strategy into routine inspection/educational activities by December 2007 ▪ Develop targets by December 2007 ▪ High levels of compliance 	On target
NM18	Identify and remediate contaminated land within the district through to March 2010	Anneliese Hutchinson Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Develop guidelines/information materials for potential developers in the District by October 2007 ▪ Consult on, complete and adopt a robust Contaminated Land Strategy for the District by October 2007 ▪ Rationalise existing data to identify priority sites by April 2008 	Revised Milestone Developer guidance yet to be drafted. Contaminated Land Strategy now on target for early 2008. Delay due to consultants funding. Still on target to identify priority sites by April 2008
NM19	Control emissions to the air from prescribed industrial processes through to March 2010	Anneliese Hutchinson Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Complete risk assessment of all existing processes to determine appropriate level of 'regulatory effort' required by the District by October 2007 ▪ Ensure that all existing and new installations comply with required upgrades as detailed in relevant process guidance note on or before due date ▪ Survey the District to identify businesses requiring permits that currently to not have them by October 2007 	On target

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
NM20	Develop and implement an environmental and sustainability educational programme directed at schools through to March 2009	Andy Stephenson Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Establish programme by August 2007 ▪ Implement by September 2007 ▪ Complete by March 2009 ▪ Increased number of schools participating ▪ Increase number of children and young people participating 	On target
NM21	Increase the areas that are managed for biodiversity by 10% by March 2009	Gordon MacCallam Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Identify potential areas by Nov 2006 ▪ Conclude public engagement by Feb 2007 ▪ Implement by March by 2009 ▪ 10% target indicator achieved ▪ Improve service based performance indicator 	On target 2006 completed target 2007-08 targets will be developed through the award winning action for wildlife project (Northern Region 'Gold' Green Apple Winner)

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
NM22	Produce a Green Spaces Strategy for the maintenance and development of green spaces in the District by 2007	Tony Galloway Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Identify resources by September 2007 ▪ Develop draft strategy by March 2008 ▪ Consult by April 2008 ▪ Adopt by July 2008 	On target
NWL1	Phase 2 of the Leisure Options plan, developing a preferred option by March 2008	Tony Galloway Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Reconvene member/office working group by June 2007 ▪ Prepare an outline options/strategy discussion paper for consideration by member/officer working group by June 2007 ▪ Agree preferred options and prepare detailed briefs by December 2007 ▪ Commence procurement process for preferred options by February 2008 	Implementation deferred due to Local Government Review
NWL2	To raise the profile of arts within the district through to March 2010	Simon High Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Completion of a self assessment in line with ACE NE requirements by October 2007 ▪ Completion and adoption of a local arts plan for the district by Dec 2007 ▪ Contribute to a successful welcome event for the test match in mid June 2007 ▪ 25% increase against previous year on number of arts events/courses in the community 	Revised Milestone Work deferred due to long term absence of arts officer on maternity leave. Revised date for arts plan is December 2008, no self assessment to be carried out on advice of ACE NE due to LGR. Welcome event achieved.
NWL3	Ensure that the Riverside continues to retain its Green Flag Award with an improved rating through to March 2010	Simon High Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Green Flag Award retained annually 	On target Achieved for 2007

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
NWL4	Continue to support the Sacriston Community & Sports Trust to attract external funding to assist the construction of new facilities within Sacriston Welfare Ground by July 2008	Simon High Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ All required funding for phase 1 to be in place by June 2007 ▪ Construction to begin September 2007 ▪ Phase 1 completed and operational by May 2008 ▪ Football foundation bid towards phase 2 to be submitted by October 2007 	<p>On Target</p> <p>Currently working with the trust on the potential for the football foundation bid, if agree basis the bid to be submitted by January 2008.</p>
NWL5	Work towards achieving QUEST quality accreditation for Chester-le-Street Leisure centre through to March 2010	Simon High Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Application submitted by March 2007 ▪ Review August 2007 ▪ Assessment October 2007 ▪ Achieve 65% score 	Achieved with a 66% score
NWL6	Work towards Selby Cottage being recognized by OFSTED as being an 'Outstanding' childcare facility through to March 2008	Tony Galloway Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Next inspection due after Sept 2007 ▪ Maintain 'outstanding' judgement 	On Target
NWL7	Develop and implement an annual customer survey plan for the leisure service team as a whole through to March 2010	Tony Galloway Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Annual plan agreed April 2007 ▪ All surveys to be undertaken in a designated month, monitored on a quarterly basis ▪ All survey results to be available within 2 months of the survey being completed ▪ Targets to be set on completion of initial survey 	On Target
NWL8	Submit an application to the Big Lottery Fund in respect of an available funding package of £200,000 towards improved play provision for young people within the district and implement through to March 2010	Simon High Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Community consultation to be completed by the end of May 2007 ▪ Revised play strategy to be completed by end June 2007 ▪ Make application by September 2007 ▪ Receive decision by March 2008 ▪ Implement year 1 of the strategy 	<p>On Target</p> <p>Decision expected December 2007.</p>

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
NWL9	Improve the management and ongoing development of the Gladstone leisure management system to ensure it provides reports and information that aid service review, planning and online booking facilities are extended, wherever possible, through to March 2010	Simon High Clr Simon Westrip	<ul style="list-style-type: none"> ▪ Central administration team in place by June 2007 ▪ Appropriate staff training on the system by August 2007 ▪ Initial basket of at least 12 reports to be developed and implemented by September 2007 ▪ Reports provide information for relevant LPI's for the third quarter ▪ More activities are made available for online booking 	<p>On target</p> <p>Team established but at half anticipated size due to financial constraints.</p> <p>Staff training scheduled for December, basket of reports by end March 2008.</p>
NWL10	Improve performance assessment across the service using the APSE benchmarking framework through to March 2010	Simon High Clr Simon Westrip	<ul style="list-style-type: none"> ▪ Complete submissions for the leisure centre and golf complex by August 2007 ▪ Receive performance report from APSE in October 2007 ▪ Review report and ensure areas of improvement are included in the service planning process 	<p>On target</p> <p>On target for leisure centre, no submission made for the golf complex due to lack of capacity.</p>
NWL11	Extend delivery of the Family Initiative Supporting Children's Health (FISCH) to deliver phase 2 through to March 2010	Simon High Clr Simon Westrip	<ul style="list-style-type: none"> ▪ Funding from MEND confirmed by May 2007 ▪ First 9 week programme to start in July 2007 ▪ Second 9 week programme to start in October 2007 ▪ 60% of all families who start the programme complete the full course ▪ 80% of children who complete the course see their weight remaining stable at least 6 months after the course end 	<p>On Target</p>

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
	To implement the multi sport environment project at Riverside by July 2008	Simon High Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Funding application approved May 2007 ▪ Multi sport environment officer appointed July 2007 ▪ Implement, in full, the first year action plan 	<p>On target</p> <p>There have been delays in Sport England considering the application. This is now expected in Jan 2008.</p> <p>Appointment to post April 2008.</p>
NWL13	To implement the community sports coaching programme within the District by January 2008	Simon High Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Appointment of 1 F/T and 2 P/T community sports coaches by Sept 2007 ▪ At least 12 schools within the District engaged in the project by Jan 2008 ▪ 50 hours per week of direct coaching in and around schools by Jan 2008 	<p>On Target</p>
NWL14	Provide free swimming for all under 18's during the summer holiday period through to Sept 2008	Simon High Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Funding from Children's Fund confirmed by April 2007 ▪ 50% increase in under 18 attendances from previous level 	<p>On Target</p>
NWL15	Organise and deliver an older peoples' physical activity festival within the District by July 2007	Simon High Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Festival to take place in July 2007 ▪ At least 60 new people attend the festival ▪ At least 20 new clients become regular participants in the Healthy Horizons programme 	<p>Achieved</p>
NWL16	Develop links with at least 3 schools within the District for the provision of golf and gym coaching programmes by March 2008	Simon High Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Links established with first school by June 2007 ▪ Links established with second school by September 2007 ▪ Links established with third school by December 2007 ▪ 50 children undertaking a golf coaching programme by end March 2008 ▪ 50 children undertaking a gym induction programme by end March 2008 	<p>Revised Milestone</p> <p>Not achieved due to capacity issues but now linked into the 'community sports network application' to Sport England for April 2008 start.</p>

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
NWL17	Continue the process of upgrading the District playgrounds in line with the Play Areas Strategy to ensure they meet European standards for equipment and surfacing	Simon High Cllr Simon Westrip	<ul style="list-style-type: none"> ▪ Review funding available from developer contributions and Capital Programme by August 2006 to enable work programme to be decided ▪ Young people are consulted as part of each play area development to ensure it is what they want ▪ At least two play areas are upgraded/renewed 	<p>Achieved</p>



CORPORATE PLAN PROPOSALS – COUNCILLOR CHRIS JUKES

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
WP8	Coordinate the Economic Development and Regeneration Group of the Local Strategic Partnership through to March 2010	Martin Walker Cllr Chris Jukes	<ul style="list-style-type: none"> ▪ Contributions to the Sustainable Community Strategy action plan completed by September 2006 ▪ Set forward plan of activities for the policy group by March 2008 	<p>Achieved</p> <p>Forward plan of activities to be revised in March 2008.</p>
WP9	Establish partnership arrangements with Cestria Community Housing	Martin Walker Cllr Chris Jukes	<ul style="list-style-type: none"> ▪ LSVT transfer January 2008 ▪ Partnership arrangements signed off September 2008 ▪ Monitor and review of offer document promises (quarterly and ongoing) 	<p>On target</p> <p>LSVT transfer now to be brought forward to December 2007. SLAs and legal documentation at advanced stage of preparation.</p>
WP10	Outsource delivery of housing register and homelessness functions to Cestria Community Housing	Martin Walker Cllr Chris Jukes	<ul style="list-style-type: none"> ▪ SLA established for homelessness service by January 2008 ▪ SLA established for housing register by January 2008 ▪ Choice based lettings scheme in operation by September 2008 	<p>On target</p> <p>SLA developed, and subject to discussion with Cestria.</p> <p>Will be in place for December 2007.</p>
WP11	Undertake housing needs study and housing market assessment	Martin Walker Cllr Chris Jukes	<ul style="list-style-type: none"> ▪ Housing needs study completed December 2008 ▪ Housing market assessment completed December 2008 	<p>On target</p> <p>Both pieces of work under way and to be completed by December 2008.</p>

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
DHS3	Continue to implement housing service improvement plan as a result of the Audit Commission Inspection in September 2006 until transfer in January 2008	Paul Stephens Clr Chris Jukes	<ul style="list-style-type: none"> ▪ Review service improvement plan as a result of areas for improvement identified in the judgement ▪ Implement action plan ▪ 90% improvements achieved on target 	<p>Achieved</p> <p>The housing service improvement plan, as determined by the Audit Commission Inspection recommendations, is reported to the Programme Management Board (IRP2) on a monthly basis. By the time of transfer the service will have achieved 90% of the proposed actions.</p>
DHS5	Annually update the Housing Strategy in order that it remains fit for purpose through to March 2010	Martin Walker Clr Simon Henig/Clr Chris Jukes	<ul style="list-style-type: none"> ▪ Update Housing Strategy by January 2008 ▪ Create 5 page strategy to meet national guidelines ▪ Fit for purpose judgements by government office ▪ Positive audit reports 	<p>On target</p> <p>Revised strategy under development, will be brought forward by January 2008.</p>
DHS6	Review and update Homelessness Strategy by August 2007	Martin Walker Clr Chris Jukes	<ul style="list-style-type: none"> ▪ Complete review document by June 2007 ▪ Secure Council approval by July 2007 ▪ Commence implementation by Aug 2007 ▪ % increase in satisfaction of vulnerable customers 	<p>Achieved</p> <p>Completed, approved by Council (July 2007), and being implemented</p>
DHS7	Implement priority needs funding for 2007/08 by March 2008	Martin Walker Clr Chris Jukes	<ul style="list-style-type: none"> ▪ Implement funding regime by March 2008 ▪ Targets set by September 2007 ▪ % increase in satisfaction of vulnerable customers 	<p>On target</p> <p>Will be completed by March 2008</p>

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
DHS8	Develop and implement action plans to improve tenants satisfaction in response to the 2005 Tenants Survey through to January 2008	Ian Broughton Clr Chris Jukes	<ul style="list-style-type: none"> ▪ Identify key areas of improvement and action plan to address by June 2007 ▪ Implement action plans and monitor through performance clinics by January 2010 ▪ 3% improvement in satisfaction rates 	<p>On Target The service has introduced team plans for each specific area which in total come to over 350 individual service improvements. Progress with the plans is monitored via the Programme Management Board (IRP2) and quarterly plan 'clinics'. As at the time of transfer 70% of allocations will be completed. The results of the 2006/2007 STATUS survey of the Housing Service saw an increase in satisfaction of 3% from 70% in the previous survey to 73%.</p> <p>On target Consultants in place and work under way. Will hit initial timescales.</p>
DHS9	Work in partnership with other county districts to undertake private sector stock condition survey by May 2008	Martin Walker Clr Chris Jukes	<ul style="list-style-type: none"> ▪ Procure consultants by November 2007 ▪ Carry out survey by February 2008 ▪ Develop action plan to address results by May 2008 	<p>On target Consultants in place and being implemented. 50% actions now complete.</p>
RD1	Implement our Regeneration Strategy for the district	Martin Walker Clr Chris Jukes	<ul style="list-style-type: none"> ▪ Implement through to March 2009 ▪ Improved LAA economic development indicators 	<p>On target Strategy in place and being implemented. 50% actions now complete.</p>
RD2	Develop and publish a Local Development framework	Martin Walker Clr Chris Jukes	<ul style="list-style-type: none"> ▪ Submission of core strategy and development control planning document to Secretary of State by Feb 2009 ▪ Submission of development allocations planning document to Secretary of State by Jan 2010 ▪ Adoption of core strategy and development control planning document by May 2010 ▪ Adoption of development allocations planning document by April 2011 	<p>On target Timescale agreed. Core strategy consultation paper agreed by Council, and consultation about to begin. Work progressing in line with original timescales.</p>

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
RD3	Complete the town centre regeneration scheme by March 2008	Martin Walker Clr Chris Jukes	<ul style="list-style-type: none"> ▪ Complete market plan regeneration by June 2007 ▪ Develop a business plan for the market, including the maximized use of the 'Civic Heart' space by July 2007 ▪ Develop town centre master plan by March 2008 ▪ Develop links to the Riverside ▪ Develop a 'café culture' ▪ Undertake a town centre health check by March 2008 ▪ Work with partners to develop a town centre ambassadors group by July 2008 ▪ Assess the evening economy and produce a strategic report by March 2008 ▪ Reduction in number of vacant units in the town centre ▪ Increase in number of events held 	<p>On target</p> <p>Market place regeneration complete.</p> <p>Business plan developed.</p> <p>Town Centre master plan under development, and will be completed ahead of schedule (December 2007).</p> <p>Other actions will flow from that.</p>
RD4	Implement the regeneration of Pelton Fell by March 2010	Martin Walker Clr Chris Jukes	<ul style="list-style-type: none"> ▪ Wordsworth Avenue environmental improvement scheme complete by May 2007 ▪ Phase 2 new build complete by July 2007 ▪ Funding in place for the Community Resources Centre (CRC) by April 2008 ▪ Supplementary Planning Document (SPD) for the village heart approved by Autumn 2007 	<p>On target</p> <p>Wordsworth Avenue scheme complete.</p> <p>Phase 2 new build well under way by Bellway (though not complete). Completion by March 2009.</p> <p>Options for CRC being developed.</p> <p>Consultation on SPD under way – will be reported back to Executive in November 2007.</p>
RD5	Implement the regeneration of Sacriston by March 2009	Martin Walker Clr Chris Jukes	<ul style="list-style-type: none"> ▪ Complete an Area Development Framework for Sacriston by June 2007 ▪ Agree action plan for investment in Sacriston using Single Housing Investment Programme by June 2007 	<p>On target</p> <p>ADF complete. Action plan under development, and reflected in sub-regional Housing Strategy.</p>

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
RD6	Implement the regeneration of Grange Villa by March 2009	Martin Walker Clr Chris Jukes	<ul style="list-style-type: none"> ▪ Complete work in delivering the Area Development Framework for the village by March 2008 	Achieved
RD8	Develop a business led approach to workforce planning under the banner of Partnerships for Futures	Roy Templeman Clr Chris Jukes	<ul style="list-style-type: none"> ▪ Agreement of principles of project commission by July 2007 ▪ Test viability and principal sponsors by August 2007 ▪ Formation of Board and agree commissioning by January 2008 ▪ Recruit team in Mile House and members by January 2008 ▪ Identify targets to be achieved in Year 1 by January 2008 ▪ Commence workforce planning consultancy by January 2008 ▪ Evaluate commitment against performance targets by May 2008 ▪ Develop Year 2 business plan by May 2008 ▪ Level of activity including numbers of employers and agencies engaged ▪ Identification of gaps in skills/jobs ▪ Sustained employment, numbers taking up jobs and for how long 	<p>On target</p> <p>Business plan in place.</p> <p>Now with partners for approval.</p> <p>Progressing in line with projected timescale.</p>
RD10	Promoting a tourism and leisure based economy, building on the unique cultural heritage of the District, with a detailed action plan by December 2007	Martin Walker Clr Chris Jukes	<ul style="list-style-type: none"> ▪ In place by December 2007 ▪ Targets by December 2007 	<p>On target</p> <p>Work under way, will be completed in timescale.</p>
RD11	Work with partners to explore how the enormous potential of the transport infrastructure can be maximized locally by November 2007	Martin Walker Clr Chris Jukes	<ul style="list-style-type: none"> ▪ In place by November 2007 ▪ Targets by November 2007 	<p>On target</p> <p>Work under way through LDF process. May need revision of dates depending on consultation responses</p>

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
RD12	To promote the district and its attractions as a place to visit, live, work and invest with a detailed action plan for the marketing of the district	Martin Walker Cllr Chris Jukes	<ul style="list-style-type: none"> ▪ In place by December 2007 ▪ Increased visitor numbers ▪ Targets by December 2007 	On target Work under way, will be completed in timescale.
RD14	To dispose of identified surplus Council-owned land in order to further regeneration objectives by October 2007	Martin Walker Cllr Chris Jukes	<ul style="list-style-type: none"> ▪ In place by October 2007 ▪ Targets by October 2007 	Achieved Completed, and advertised.
RD15	Develop protocols and partnership agreements that will maximize their impact in the regeneration of the district and contribution to the Decent Homes Standard through to March 2010	Martin Walker Cllr Chris Jukes	<ul style="list-style-type: none"> ▪ In place by September 2007 ▪ Targets by September 2007 ▪ % decrease in non decent homes 	On target Under negotiation via stock transfer process. To be completed in transfer agreement to be signed off in December 2007.
RD16	To promote further affordable homes nomination agreements in new private sector developments by March 2010	Martin Walker Cllr Chris Jukes	<ul style="list-style-type: none"> ▪ In place by March 2010 ▪ Targets by December 2007 ▪ Increased percentage of affordable homes 	On target Ongoing. No need for revision.
RD17	To review the community facilities available within the District and to draw up an action plan to fill gaps by December 2007	Martin Walker Cllr Chris Jukes	<ul style="list-style-type: none"> ▪ In place by December 2007 ▪ Targets by December 2007 ▪ Increase in use of community facilities 	On target Baseline report completed. Work under way, will be completed in timescale.
RD18	To work with partners in delivery of the crime and disorder reduction strategy with specific initiatives in regeneration corridors according to locally identified issues through to March 2010	Martin Walker Cllr Chris Jukes	<ul style="list-style-type: none"> ▪ In place by March 2010 ▪ Targets by December 2007 ▪ The % of residents who feel that they felt 'fairly safe' or 'very safe' 	On target Work under way, will be completed in timescale.
RD19	To audit the engagement of local communities within regeneration and develop an action plan for maximizing engagement	Martin Walker Cllr Chris Jukes	<ul style="list-style-type: none"> ▪ In place by September 2007 ▪ Targets by September 2007 ▪ Increase in numbers participating in community regeneration 	On target Being taken forward as part of community facilities review. Will be complete by December 2007.

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
RD20	To work with the community and voluntary sector to understand their current and potential contribution to regeneration objectives and the creation of sustainable communities, with an audit and action plan agreed	Martin Walker Clr Chris Jukes	<ul style="list-style-type: none"> ▪ In place by December 2007 ▪ Targets by December 2007 	<p>On target Being taken forward as part of community facilities review. Will be complete by December 2007.</p>
RD21	To work with partners to research the future skills needs of employers compared to the availability of skills within the district, with feasibility work undertaken	Martin Walker Clr Chris Jukes	<ul style="list-style-type: none"> ▪ In place by September 2007 ▪ Targets by September 2007 	<p>Achieved Completed as part of Partnerships for Futures Business Plan.</p>
RD22	To work with partners aimed at increasing skills and access to skills and training provision, within an throughout the district, with a particular emphasis on linking this to regeneration corridors	Martin Walker Clr Chris Jukes	<ul style="list-style-type: none"> ▪ In place by September 2007 ▪ Targets by September 2007 	<p>Achieved MILE House completed. Completed as part of Partnerships for Futures Business Plan and being taken forward through that.</p>
RD23	To work with partners to maximize the impact of MILE House through to March 2010	Martin Walker Clr Chris Jukes	<ul style="list-style-type: none"> ▪ In place by June 2007 ▪ Targets by June 2007 	<p>Achieved Complete.</p>
RD24	To work with the Learning District Partnership in examining how the delivery of the Regeneration Strategy can encourage and facilitate wide participation in learning opportunities through to March 2010	Martin Walker Clr Chris Jukes	<ul style="list-style-type: none"> ▪ In place by December 2007 ▪ Targets by December 2007 	<p>On target Ongoing, through employability forum. Will be complete in timescale.</p>

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
RD25	To examine, with partners, and reflecting the LAA, the opportunities to promote a culture of encouraging small and medium enterprises and social enterprises within the district with an audit undertaken and action plan by December 2008	Martin Walker Clr Chris Jukes	<ul style="list-style-type: none"> ▪ In place by December 2007 ▪ Targets by December 2007 	<p>On target</p> <p>Work under way, will be completed in timescale.</p>



CORPORATE PLAN PROPOSALS – COUNCILLOR STEVE BARR

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
CE3	Review our Community Engagement and Involvement Strategy through to March 2010	Ian Forster Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Complete partnership action plan by September 2007 ▪ Undertake review of Council strategy by March 2008 ▪ Implement from April 2008 ▪ Increased community and partner engagement ▪ 90% of actions achieved on time ▪ 3% increase in customer satisfaction ▪ Positive audit reports ▪ Impact and engagement of all services 	<p>Revised proposals</p> <ul style="list-style-type: none"> ▪ Consider community engagement on LGR process by March 2008 ▪ Undertake review of Council Strategy with a view to influencing the models to be adopted by the new Organisation by December 2008 ▪ Implement from January 2009 ▪ Increased community and partner engagement ▪ 90% of actions achieved on time ▪ 3% increase in customer satisfaction ▪ Positive audit reports ▪ Impact and engagement of all services

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
CE5	Complete implementation, embedding and review of the Customer Excellence Strategy by March 2008	Craig Etherington Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Implementation of action plan ▪ Development of customer services team by August 2007 ▪ CRM system operational March 2008 ▪ Review strategy document and achievements by March 2008 ▪ 80% of customer enquiries answered at first point of contact ▪ 90% of actions achieved on time ▪ 3% increase in customer satisfaction including complaints handling ▪ Reduction in complaints ▪ Positive direction of travel ▪ Impact and engagement of all services 	On Target
CE6	Carry out general residents' satisfaction survey by December 2007	Craig Etherington Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Procure market research provider by September 2007 ▪ Meet ODPM guidance ▪ Receive final report by April 2008 ▪ Analyse and publish results by June 2008 ▪ Improved satisfaction rates from 2007 BVPI's by 3% ▪ Achievement of 2007/8 BVPI targets 	On Target
CE7	Continue roll out of Customer Relationship Management system across all services	Craig Etherington/Graeme Clark Cllr Steve Barr	<ul style="list-style-type: none"> ▪ CRM system operational across all services by March 2008 ▪ Implemented on time and within budget ▪ % of transactions and customer profile recorded on system increases year on year ▪ Targets to be developed by Dec 2007 	On Target
CE12	Consider the introduction of instant messaging between customers and the Council over the authority website	Graeme Clark Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Consider options and develop targets by December 2007 ▪ Introduce facilities if benefits outweigh costs by March 2008 ▪ Increase in use of the Council website ▪ Improved satisfaction of website users 	Achieved – no further progress proposed Have considered options for instant messaging and would not prove to be a value for money exercise in short term in light of potential new Unitary

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
CE13	CRM system – website customer self service	Graeme Clark Cllr Steve Barr	<ul style="list-style-type: none"> Consider options and develop targets by December 2007 Introduce facilities if benefits outweigh costs by March 2008 Increase in use of the Council website Improved satisfaction of website users Maintain working partnerships with Derwentside and Easington Incremental website improvement Continue to support LAA and LSP website 	On Target for implementation December
CE14	Development of Council's website through to 2010	Graeme Clark Cllr Steve Barr	<ul style="list-style-type: none"> Incremental intranet improvement 	On Target Met AAA web accessibility target in June 2007. Revised Home Page in June 2007. Redesigned LSP website in June 2007
CE15	Development of Council's intranet through to 2010	Graeme Clark Cllr Steve Barr	<ul style="list-style-type: none"> Identify possible users and communicate facility by July 2007 Improved capacity for members, community, voluntary groups and partners to share and collaborate more effectively Develop targets by September 2007 Reconsider proposals in the light of local government review by August 2007 If required procure by October 2007 Carry out works by December 2007 Increase customer satisfaction with reception facilities and service provided 	On target <ul style="list-style-type: none"> Revised Intranet Pages in Autumn 2007 Planned redesign of Intranet Home Page in Dec 2007. <ul style="list-style-type: none"> Intranet made available to staff and members from Home in Sept 2007.
CE16	Development of Council's extranet through to 2010	Graeme Clark Cllr Steve Barr		On Target <ul style="list-style-type: none"> Introduction of LSP Extranet site. Introduction of town twinning extranet site with Kamp-Lintfort.
CE18	Consider improvements to reception facilities at the Civic Centre by September 2007	Craig Etherington Cllr Steve Barr		Delete As a result of decision at November Executive not to develop reception in the light of Local Government Review

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
CE21	Work to develop a Community Hub at Grange Villa by September 2007	Craig Etherington Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Develop proposals with Community by October 2006 ▪ Develop management arrangements and resources required by December 2006 ▪ Develop targets by September 2007 ▪ Install technology required by September 2007 ▪ Launch by September 2007 ▪ Numbers visiting and accessing hub increase ▪ % satisfied with the facility increases 	<p>On Target</p> <ul style="list-style-type: none"> • Grange Villa web-site completed and live August 2007 • Further discussion ongoing with residents group re advanced training -awaiting web-design availability
CE22	Develop a system of customer champions throughout the organization by March 2008	Craig Etherington Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Evaluate proposals from action learning set by August 2007 ▪ Develop customer champion scheme by December 2007 ▪ Implement by March 2008 ▪ Monitor and review ▪ Improved customer satisfaction by 3% across the Council 	<p>Delete</p> <p>Proposals from Action learning set suggest that this will not work effectively.</p> <p>Culturally, the organisation should look to all staff becoming champions</p>
WP5	Continue as lead for communications for the Local Area Agreement and website management through to March 2010	Ian Forster Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Develop communications strategy by December 2007 ▪ Ongoing website development ▪ Participation on project team and LAA Board ▪ 5% per annum increase in website hits ▪ % increase in LAA press releases 	<p>Revised Proposal</p> <ul style="list-style-type: none"> ▪ Develop communications strategy by April 2008 ▪ Ongoing website development ▪ Participation on project team and LAA Board <p>5% per annum increase in website hits</p> <ul style="list-style-type: none"> ▪ % increase in LAA press releases

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
WP6	Develop a communications strategy for the District Partnership by December 2007	Ian Forster Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Agree key principles with partners by August 2007 ▪ Develop strategy document by November 2007 ▪ Agree by District Partnership by December 2007 ▪ Implement ▪ 3% per annum increase in public understanding of the District Partnership 	On target
WP7	Implement Partnership Strategy proposals in the Improvement and Recovery Plan through to March 2010	Roy Templeman Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Implement partnership evaluation software by June 2007 ▪ Use software to develop partnership protocols by June 2007 ▪ Develop partnership register by June 2007 ▪ Prioritise partnerships for evaluation and develop programme by September 2007 ▪ Set targets by September 2007 ▪ Review effectiveness of existing partnerships by November 2009 ▪ % of partnerships evaluated ▪ % of partnerships which are considered to be effective ▪ Assess potential for new partnerships through to March 2010 	<p>New Milestone</p> <ul style="list-style-type: none"> ▪ Reassess current Partnership Strategy in the light of Local Government Re-organisation by December 2008 <p>Revised Targets</p> <ul style="list-style-type: none"> ▪ Prioritise partnerships for evaluation and develop programme by December 2007 ▪ Set targets by December 2007
RD14	To develop an anti-poverty strategy for the District by September 2008	Martin Walker Cllr Steve Barr	<ul style="list-style-type: none"> ▪ In place by September 2007 ▪ Targets by September 2007 	Achieved
ME6	Reconsider implementation of phase 4 of the Information Management Strategy by considering the introduction of a corporate electronic document records and management system by March 2010	Graeme Clark/Ian Forster Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Implementation of key actions of strategy action plan on target ▪ Completion of feasibility study and budgeting by March 2009 ▪ Develop targets by March 2009 ▪ Procurement of system by October 2010 ▪ Implementation of system by March 2010 ▪ Improvements in BVPI ▪ Engagement of all services ▪ Evidenced Gershon efficiency savings 	<p>Delete</p> <p>This would be matter for the new organisation and would not prove a value for money exercise in the short term.</p>

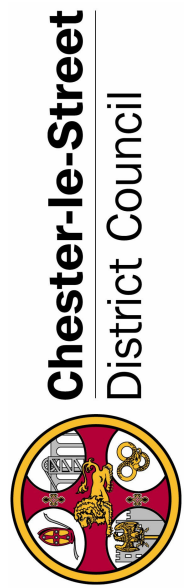
Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
ME7	Review Information Management Strategy	Ian Forster Cllr Steve Barr	<ul style="list-style-type: none"> Consider options and develop targets by December 2007 Review strategy by March 2007 Introduce facilities if benefits outweigh costs by March 2008 Efficiency savings as a result of document and record management Improved customer satisfaction Reduced paper and printer usage 	<p>Delete</p> <p>This would be matter for the new organisation and would not prove a value for money exercise in the short term.</p>
ME8	Consider business cases for extension of home and remote working for staff and members by March 2009	Graeme Clark Cllr Steve Barr	<ul style="list-style-type: none"> Revised policy by August 2007 Roll out of pilot findings and recommendations by March 2007 Consider individual business cases through to March 2010 Annual % increase in staff home working Evidenced Gershon efficiency savings Targets to be developed on a case by case business 	<p>Complete</p> <ul style="list-style-type: none"> Revised policy now in place. Intranet and Email now available from Home and Work for officers and elected members. <p>Considering of individual business cases for more home workers.</p>
ME9	Development of the Council's intranet through to March 2010	Graeme Clark Cllr Steve Barr	<ul style="list-style-type: none"> Increase in use of the intranet by members and officers Targets to be developed by September 2010 	<p>On target</p> <ul style="list-style-type: none"> Intranet Champions group in place to promote and support more use of the Intranet. More Team Pages developed for service teams.
ME10	Development of website content through to March 2010	Graeme Clark Cllr Steve Barr	<ul style="list-style-type: none"> Incremental improvements in information available and transactions possible Improved customers satisfaction with information available by 3% Increased electronic transactions across all services Involvement and engagement of all services Demonstrable Gershon efficiencies as a result of increased take up of services electronically 	<p>On target</p> <ul style="list-style-type: none"> Content Guide for web page development provided to content editors. Monitoring of web page visits. New facilities for feedback from customers on webpage content.

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
ME11	Review Information Communication and Technology Strategy annually through to March 2010	Graeme Clark Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Review strategy by December 2007 ▪ Improved use of ICT ▪ Demonstrable Gershon savings by introducing more efficient systems in the organisation ▪ Targets to be developed by December 2009 ▪ Engages all services 	On target a. Review to be completed by December 2008 to consider work programme in light of Local Government Review.
ME12	Implement e-Government communications plan to maximize investment in new technology through to March 2010	Graeme Clark/Craig Etherington Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Modernisation Project Team agreement to reviewed communications plan by September 2007 ▪ Modernisation Project Team agree targets for current initiatives by September 2007 ▪ Individual services commence implementation of campaigns by October 2007 ▪ Increased take up of facilities against targets set ▪ Improved customer satisfaction ▪ Evidenced Gershon efficiency savings 	On target
ME17	Engage our Service Improvement Team and key departments in developing continual process improvement in the organization through to March 2009	Julie Underwood Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Commence projects by October 2007 ▪ Train teams by October 2007 ▪ Targets set by September 2007 ▪ Complete projects in three services by March 2008 ▪ Build in learning to develop programme for roll out across the Council by April 2008 ▪ Implement through to March 2010 ▪ Increase in performance in designated service areas ▪ Evidenced Gershon efficiencies 	On target

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
ME18	Introduce e-learning facilities into the authority	Graeme Clark Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Consider options and develop targets by December 2007 ▪ Implement e-learning system by July 2008 ▪ Improved skills and competencies of members and council officers 	<p>Delete</p> <p>In light of Local Government Review not considered being a Value for Money exercise in the short term.</p>
ME19	Consider e-petitioning and e-consultation systems	Graeme Clark Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Consider options and develop targets by December 2007 ▪ Introduce facilities if benefits outweigh costs by March 2008 ▪ Increased community engagement ▪ Increase in customer satisfaction 	<p>Delete</p> <p>In light of Local Government Review not considered being a Value for Money exercise in the short term.</p>
ME20	Introduce enhanced self service facilities for employee management, including return to work interviews, formal/informal reviews and performance	Graeme Clark Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Consider options and develop targets by December 2007 ▪ Introduce facilities if benefits outweigh costs by June 2008 ▪ Efficiency savings from manager and staff self service ▪ Resource capacity improved in HR ▪ Improvement in days lost to sickness by 0.5 days per year over 3 years 	<p>On target</p> <ul style="list-style-type: none"> ▪ Options to be considered by Dec 2007. ▪ If benefits outweigh costs, facilities will be introduced
ME21	Introduce a Channel Management Strategy and implement through to March 2010	Graeme Clark/Craig Etherington Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Develop strategy action plan and targets by December 2007 ▪ Implement through to March 2010 ▪ Plans for authority to monitor access channels used by customers, gain understanding of costs per access channel and mechanisms in place to encourage customer to move across to cheaper channels 	<p>On target</p> <ul style="list-style-type: none"> o Initial strategy / target will be developed for 2008 – 2009. Longer term issues will be reviewed by new authority
ME22	Review printing strategy with procurement partners, Derwentside DC by March 2008	Graeme Clark Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Consider options and develop targets by September 2007 ▪ Introduce facilities if benefits outweigh costs by March 2008 ▪ Efficiency savings from joint procurement on printing with council partners 	<p>Complete</p> <ul style="list-style-type: none"> • Considered outsourcing printing, not introduced as benefits did not outweigh costs.

Ref No	Proposal	Responsible Officer/Member	Corporate Plan Milestones/targets	Progress/Revised milestones and targets
ME23	Implement an e-tendering system	Graeme Clark Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Implement by September 2007 ▪ Introduce facilities if benefits outweigh costs by March 2008 ▪ Improved opportunities to reach a larger market place ▪ Efficiency savings from cheaper contracts, targets to be agreed by September 2007 	<p>New Milestone.</p> <ul style="list-style-type: none"> ▪ Due to capacity of system provider, facilities not yet introduced. ▪ Review timescales for implementation in Dec 2007. ▪ Introduce facilities by June 2008.
ME24	Consider implementation of e-democracy system in the light of Local Government Review	Graeme Clark Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Consider options and develop targets by December 2007 ▪ Secure capital and revenue funding ▪ Introduce facilities if benefits outweigh costs by March 2008 ▪ % staff time freed up to carry out other duties ▪ 2% increase in customer satisfaction with democratic services team 	<p>On target</p>
ME28	Develop the Council's approach to transformational government by December 2008	Graeme Clark/Craig Etherington Cllr Steve Barr	<ul style="list-style-type: none"> ▪ Engage modernisation team ▪ Develop action plan in response to the Varney report by October 2007 ▪ Commence implementation by December 2007 ▪ Commence implementation of recommendations by December 2008 ▪ Efficiency savings with targets to be agreed as part of action plan ▪ 5% increase in take up of electronic services per annum 	<p>On target</p> <p>Need to explore approach with the transitional/shadow authority</p>

New consideration	Consider the implementation of a wireless marketplace for public access to the Internet for general public, visitors and market traders	Graeme Clark / Cllr Steve Barr	<ul style="list-style-type: none"> • Consult with general public, visitors and market traders on potential market place. Nov 2007 • If consultation proposes this is a good idea we will investigate potential solutions and providers by March 2008. • If benefits outweigh costs and solution is feasible, we could implement by Sept 2008. 	Add New proposal
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Any other issues?

Are there any other issues, targets or proposals that require re prioritisation? E.g. Ought we now progress Level 3 of the Equality Standard for Local Government for a 12 month life (at a cost of £8,000) or should we be working to establish the principles across the new organisation.

The following additional issues have been identified as part of the review and monitoring process.

- 1. Ownership of Anti Poverty Strategy – need for development of more effective partnership Strategy.**
- 2. There is a BVPI target in the Corporate Plan of achieving level 3 of the Equality Standard for Local Government by March 2007. We feel that we will have enough evidence to show that we achieve this by the end of the financial year.**
Level 3 requires an assessment by an accredited equalities assessor. This is likely to cost in the region of £6,000. We do not have an equalities budget. It is considered that undertaking this process in the light of local government review would not be value for money. We would need to start again in the new authority. We are of the view that our knowledge that we are performing to level 3 is ample. It is therefore recommended that we amend the Corporate Plan target to maintain Level 2 throughout the limited lifetime of the organisation.



Draft Improvement Plan



November 2007

Why do we need an Improvement Plan

Chester-le-Street District council is committed to continuous improvement. Since the Comprehensive Performance Assessment the council was formerly released from recovery. There is no need now to progress the Improvement and Recovery Plan. This was considered to be complete subject to evidence of embedding some of the actions.

The council has continued to improve since the CPA 'good' judgment. This is in line with our longer term vision in the Corporate Plan to be an excellent council. Our continued journey toward excellence can be evidenced in a number of ways including the following:

- Benefits receiving a 'good service' with 'promising prospects of improvement' in their recent 'harder test' Pilot Inspection;
- the Charter Mark in ICT;
- the Quest accreditation in Leisure;
- the golden green apple award;
- the achievement of Investors in People; and
- a positive direction of travel on indicators.

The council's future and an organisation is likely to be time limited as a result of Local Government Re-organisation. In addition it is not likely to be subject to a further CPA inspection during our remaining life nor will we be subject to Comprehensive Area Assessment. However we still need to show that we are continuing to improve over the remaining life of the organisation and we are still subject to annual audits and Direction of Travel assessments. We still need to deliver value for money for our communities.

What should the Improvement Plan address?

In view of the short potential remaining life of the council there is no need for such a detailed and comprehensive plan as was the Improvement and Recovery Plan. The Corporate Plan itself is part of our improvement programme. It contains significant proposals to improve services across the council. We do not need to make life more difficult for ourselves to develop a plan which is unwieldy or will put undue pressure on the organisation at a time where significant change will impact on our overall capacity to maintain services. What we need to address is:

- CPA judgement recommendations;
- Any perceived areas of improvement in the Inspection report (and there are only a few) which are capable of being addressed and produce an outcome in the next 16 months; and
- Any issues arising out of any Audit Commission inspection or Audit not otherwise covered in any other improvement plan; and
- Any recommendations from any other corporate inspection or external accreditation.

The Improvement plan is set out in the following pages



Chester-le-Street
District Council

Appendix 3

Improvement Plan 2007/2009

Issue	Proposal	Lead	By when	Desired Outcome
<p>Audit Commission CPA Recommendation</p> <p>Formulate and Deliver an action plan to produce a Local Development Framework</p>	<p>A timetable and options document be developed and implemented</p>	<p>Martin Walker</p>	<p>Achieved</p>	<p>Sound basis for the strategic and detailed planning of the District</p>
<p>Audit Commission CPA Recommendation</p> <p>The council should produce a leisure strategy based on comprehensive engagement with community and local groups to direct future developments in this service</p>	<p>This is no longer relevant in the light of Local Government Review and the council will be making a decision not to progress Leisure Options Review. Position to be kept under review</p>	<p>Tony Galloway</p>	<p>N/A</p>	<p>N/A</p>
<p>Audit Commission CPA Perceived Area for Improvement</p> <p>Improve engagement with minority groups to help understand needs for service delivery</p>	<p>Focus council priorities on community engagement over the next 14 months</p> <p>Re-focus the role of the Equality and Diversity Working Group</p> <p>Maximise the benefits of the councils lead role in the Durham Equality and Diversity Partnership to achieve the best for communities in Chester-le-Street while influencing work streams associated with the new unitary authority.</p>	<p>Ian Forster</p>	<p>April 2009</p>	<p>Ensure we break down barriers to service access and assist in the development of accessible services in the new unitary authority</p>

Issue	Proposal	Lead	By when	Desired Outcome
<p>Audit Commission CPA Perceived Area for Improvement</p> <p>Improve strategic partnership in important areas</p>	<p>Improve Senior office and Executive Member engagement and influence in key partnerships.</p> <p>Identify key partnerships for targeted improvement</p> <p>Develop individual action plans to address</p> <p>Implement individual proposals</p>	<p>Roy Templeman</p>	<p>April 09</p>	<p>Improved influence on partnership actions as a result of senior officer an political engagement</p>
<p>Audit Commission CPA Perceived Area for Improvement</p> <p>Lack of clarity as to how priorities are being delivered</p>	<p>Once the council has reviewed its priorities clearly identify what is to be achieved , by when and what the outcome ought to be</p> <p>Develop a clear action plan for achievement</p> <p>Report progress to Executive and through Quarterly Corporate Performance Report</p>	<p>Roy Templeman</p>	<p>April 09</p>	<p>The community, staff and members are quite clear about the delivery of the councils priorities</p>
<p>Response to 2007/2008 Audits, Annual Audit letter and Direction of travel Report</p> <p>Improve strategic partnership in important areas</p>	<p>Develop action plans to address any area of improvement arising from the recommendations from this years:</p> <ul style="list-style-type: none"> ■ Use of Resources judgement ■ Value for Money judgement ■ Data Quality Audit ■ BPPP audit ■ Annual Audit letter ■ Direction of Travel Report 	<p>Ian Forster</p>	<p>April 09</p>	<p>The community can experience improved value for money, improved services and improved financial management.</p>

Issue	Proposal	Lead	By when	Desired Outcome
<p>Response to Investors in People Accreditation recommendations</p>	<p>Implement the following improvements;</p> <ul style="list-style-type: none"> ■ Use the PDP process to set measurable objectives to enable a closer tie between team and individual objectives ■ Review management competencies to establish expected behaviours ■ Improve promotion of Training Champion and Trade Union representative contacts ■ Review induction process to ensure agency staff are given an appropriate introduction to the council and its aims and priorities. ■ Continue to develop a thank you culture in the organisation to ensure individual and team contributions are recognised. 	<p>Ian Forster</p>	<p>April 2009</p>	<p>The council continues to improve the way it develops, supports and reward its workforce.</p>



Chester-le-Street
District Council

REPORT TO: Executive

DATE OF MEETING: 3rd December 2007

REPORT OF: Assistant Chief Executive

SUBJECT: Corporate Performance Report Summary
April 2007 – September 2007

ITEM NUMBER:

1 PURPOSE AND SUMMARY

- 1.1 The Council is seeking to improve its monitoring of its performance as part of its performance management framework. Previously it has reported performance in a range of ways. This report provides a summary of key areas of performance from achieving the corporate plan to complaints. The document attached in Appendix 1 is a summary of a more detailed document which has been made separately available to Executive Members. It includes full details of performance on Best Value Performance Indicators for the quarter. It is considered that the council continues to make progress on corporate issues although there remains a great deal to be done.
- 1.2 Members are recommended to consider and comment on the progress on improvements and the contents of the Performance Report in Appendix 1 of the Report, address the learning and remedial measures identified and identify any other areas where improvements are required to corporate performance.

2. CONSULTATION

- 2.1 The Chief Executive and Directors, have been engaged in challenging the performance identified in the Corporate Performance Report and views have been accommodated in revised documents.
- 2.2 No other consultations were considered necessary at this stage including external consultations or engagement.

CORPORATE PLAN AND PRIORITIES

- 3.1 The performance management framework is a principle part of the Council's Corporate Plan. This framework includes the reporting of performance to Executive and subsequently all Scrutiny panels on a quarterly basis. This report is part of the embedding of the framework.
- 3.2 The contents of this report not only includes progress on the plan but provides information on performance on corporate issues and all the priorities set out in the plan.

IMPLICATIONS

Financial implications and value for money

While there are no specific financial implications to this report a summary of financial performance information is incorporated within it. Any corrective or remedial action required by under-performance may have financial impacts. These impacts will be picked up in any proposals to address under-performance by relevant service team managers. From a value for money point of view the report shows that performance across the organisation is generally good and there is evidence of continued improvement in many areas.

Legal

There are considered to be no direct legal issues of significance arising out of this report.

Personnel

While there are no specific human resource implications to this report any choice of action to address under-performance may have an impact on human resources. This impact will be taken into account by service team managers in addressing remedial action to address under-performance.

Other Services

The corporate performance relates to all Services within the Council and has implications for improvement in Service Delivery.

Diversity

Progress on Equality and Diversity is a key issue in respect of the report. The council is improving on equality and diversity issues. The report has no implications on excluding any customer from accessing services delivered by the council. This month's diagrams have been improved to provide greater accessibility when copied in black and white. In addition full details of Best

Value Performance Indicators have been included to help better understanding of definitions.

4.6 Risk

There are clear risks to the organisation in failing to measure performance and not taking remedial action to put things right if they go wrong or stray off target. The purpose of this report is to assist in addressing this risk. The council is progressing well in terms of improving risk management and details are provided in Section 5 of Appendix 1.

4.7 Crime and Disorder

It is not felt there are any specific implications of the report on Crime and Disorder. However the report covers progress on agreed priorities and performance indicators relating to this area of the council's activities.

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

The report does not relate to a key decision. It is considered that the information can be communicated to the community by inclusion on the web – site. While the report has no specific impact on e-government proposals the work of the Modernisation team is a key area of performance reported. The report raises no key issues in respect of procurement, service planning, sustainability, human rights or social inclusion outside the consideration of relevant performance indicators and corporate plan progress.

5. BACKGROUND, POSITION STATEMENT AND OPTION APPRAISAL

5.1 The report is the result of improvements the council continues to make in embedding its performance management framework. The Corporate Performance Summary Report attached as Appendix 1 is a summary of a more detailed document which has been made available to Executive Members. Members may wish to refer to that document to understand how summarised conclusions have been drawn. This format is as agreed at the CMT/Executive Away Day on 1st July 2005. It includes performance against:

- The corporate plan, where appropriate;
- Best Value Performance Indicators;
- Local Performance Indicators where available ;
- Financial monitoring when appropriate;

- Risk management;
- Human resources;
- Equality and Diversity;
- The Improvement and Recovery Plan;
- The Modernisation Team;
- Audit Reports;
- Partnerships;
- Data Quality; and
- Compliments, Comments and Complaints.

5.2 The Summary sets out achievement and non-achievements while identifying learning and remedial action where appropriate.

5.3 The key issues of overall performance are:

The council generally is continuing on a forward direction of travel. The key messages from this quarter's performance are as follows:

- The corporate plan is now under review as a result of Local Government Re-organisation.
- Progress on Best Value Performance Indicators continues to show improvement in terms of target achievement and improvement on last year. There is a drop in national top quartile indicators although this is compensated for by decrease in national bottom quartile indicators.
- In terms of the basket of indicators that we are focusing upon, 56% of these are achieving targets and more than half are showing an improving trend while there is an improvement in those that are both top and bottom quartile.
- Local Indicators are showing 61% improvement although only 53% are achieving targets.
- 75% of Corporate Risk Strategy actions that needed to be achieved have been achieved.
- Significant progress is being made in HR and organizational development. Unfortunately staff sickness has shown an increase this quarter and is being raised at the next Performance Clinic in order that it may be addressed.
- 82% of actions within the Equalities plan have been achieved and none are behind target.
- The Improvement and Recovery Plan is shortly to be replaced by a new strategic improvement plan. No current IRP proposals are behind target.
- Progress on electronic service delivery continues and the ICT achieved Charter Mark accreditation during the quarter. This is a fantastic achievement for the team and the council. Website hits reduced from 33,402 to 31,504 during the quarter.
- There was one Audit report in the quarter and this was the result of the national Benefits Pilot Inspection. The Commission judged the benefits service to be 'good with promising prospects of improvement'. This

was the best outcome in all of the services that took place in the pilot across the country.

- In terms of complaints less have been received and less are considered to be justified. The proportion of complaints to compliments is improving.
- Service standards performance continues to improve but there remain concerns which will be addressed through the performance clinics and the continual performance improvement process.
- Progress continues in terms of data quality and partnerships.
- A Local Government Review Project Team was set up during the quarter and is co-ordinating the council's contribution to setting up the new unitary organisation.

5.4 Members are advised that the report includes summaries of audit reports that have been received during the quarter. Action Plans have been agreed by officers to address recommendations made by the Audit Commission. This is considered to be the best way to bring these to the attention of the Executive.

6. **RECOMMENDATIONS**

6.1 Members are recommended to consider and comment on the progress on improvements and the contents of the Performance Report in Appendix 1 of the Report, address the learning and remedial measures identified and identify any other areas where improvements are required to corporate performance.

7. **BACKGROUND PAPERS / DOCUMENTS REFERRED**

- 7.1 Corporate Performance Report April 2006 – March 2007
- 7.2 Corporate Performance Report April – September 2007
- 7.3 Corporate Performance Report April – June 2007
- 7.4 Audit Commission Benefits Service Pilot Inspection September 2007
- 7.5 Charter Mark Assessors Report August 2007
- 7.6 Corporate Plan 2006/2009 and 2007/2010

Ian Forster
Assistant Chief Executive
5th November 2007
Version 1.0

Ian Forster Tel 0191 3872130 e mail IanForster@chester-le-street.gov.uk

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Chester-le-Street
District Council

Chester-le-Street District Council

Corporate Performance Report Summary April 2007 – September 2007

Report of Corporate Management Team

Data Quality

Every effort has been made to ensure the accuracy and timeliness of the information presented in this Report. The council is committed to improving its data quality management. As part of this it has developed a Self Assessment, a Data Quality Policy and a Data Quality Strategy was developed in September 2006. The Assistant Chief Executive has officer responsibility for data quality and the Executive member for Community engagement and Partnerships is Data Quality Member Champion. The Audit Commission has concluded that there are at least adequate arrangements in place to endure good data quality across all their Key Lines of Enquiry.



Chester-le-Street
District Council

This report is a summary of the detailed document entitled **Corporate Performance Report April 2007 – September 2007**. This is available on request. It provides a summary of the council's progress on key areas of its performance, what learning is taking place and how any under achievement is being addressed.

Contents:

- 1. Corporate Plan Progress**
- 2. Best Value Performance Indicator Performance**
- 3. Local Performance Indicator Progress**
- 4. Financial Position**
- 5. Risk Management Progress**
- 6. Human Resource Progress**
- 7. Equality and Diversity Position Statement**
- 8. Improvement and Recovery Plan Position Statement**
- 9. Modernisation Team Progress**
- 10. Audit Feedback**
- 11. Customer Comments, Compliments and Complaints**
- 12. Partnerships Progress**
- 13. Data Quality Progress**
- 14. Local Government Review**
- 15. Overall Performance**

1. Corporate Plan Progress

1.1 Summary

The new Corporate Plan was published at the end of June. Progress against the plan has been delayed because of the uncertainty around Local Government Review. At the meeting of the Executive in October Members agreed a revised approach to re-assessing priorities and proposals. Revisions will be considered by the Executive in December. It is not felt that reporting of progress against the Corporate Plan is valuable until proposals have been updated. Progress against the Plan will be reported in the next corporate performance report.

2. Best Value Performance Indicators

2.1 Summary

There have been a number of indicators removed from the BVPI set for this financial year. There are now 44 Best Value Performance Indicators which the authority are required to collect and report for 2007/2008. These equate to 74 individual returns.

Best Value Performance Indicators

Performance for the 74 individual Best Value Indicators is as follows (comparisons against last quarter outturn figures are shown in brackets):

65% (58%) have achieved target

35% (42%) have failed to meet targets

57% (53%) have shown an improvement from last year

43% (47%) have failed to improve from last year

54% (58%) show an improvement against same period last year

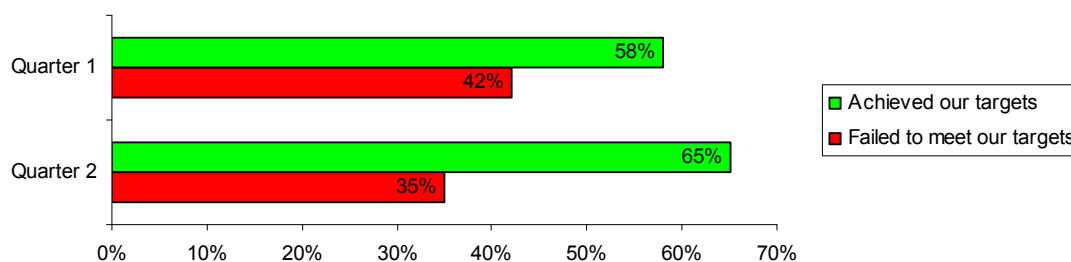
46% (42%) have failed to improve against same period last year

41% (49%) show best quartile performance

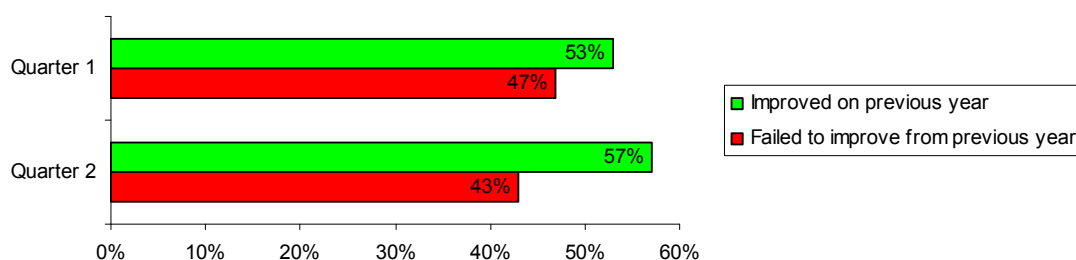
21% (23%) show worst quartile performance

(Note: quartile comparisons are estimated figures and are based on the National District Councils 2005/06 outturns published by the Audit Commission.)

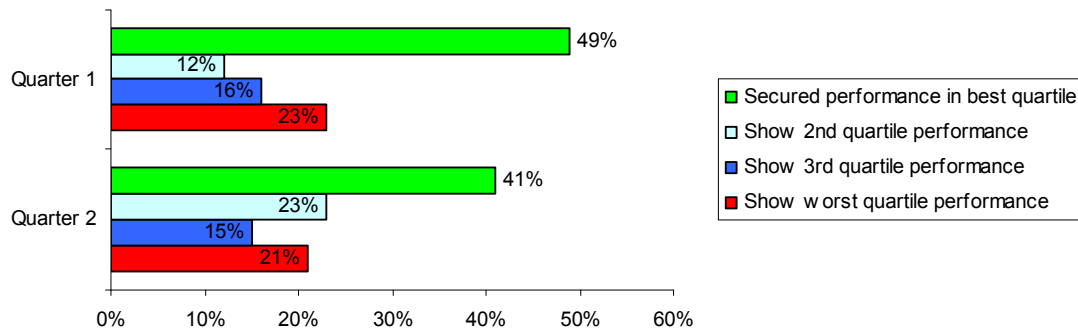
BVPI Achievement against Target



BVPI Improvement from last year



BVPI Quartile Comparisons



Figures continue to show improved performance over the second quarter of this year in terms of achieved targets, improvement trend with less worst quartile performers. (It must be noted that some indicators do not show a true reflection of their overall performance due to the frequency of reporting but this is resolved later in the year.)

Corporate Performance Clinics

There have been no Corporate Performance Clinics held within this reporting period. The next Clinic is scheduled for 23 November and will principally focus on the Key 19 Performance Indicators (listed below), Sickness Monitoring, Equality & Diversity Indicators and Data Quality issues.

Key 19 Best Value Performance Indicators

A set of 19 key Best Value indicators have been identified from last year's annual performance as requiring additional focus throughout this year. These indicators either: did not achieve target, did not improve, did not show an improvement trend, or were within the worst quartile performers.

The set of 19 indicators are listed in the table below. (Those highlighted in bold were also included in the key 20 indicators monitored last year.)

BVPI	Description	Why focus?
8	% invoices paid in 7 days	Target not achieved Worst Quartile
9	% council tax collected	Target not achieved No improvement Downward trend Worst Quartile
10	% non domestic rates due	Target not achieved Worst Quartile
11a	Percentage of top-paid 5% of staff who are women	Target not achieved No improvement

BVPI	Description	Why focus?
		Downward trend
12	No days lost as a result of sickness	Worst Quartile
64	Number unfit private dwellings returned into occupation	No improvement Downward trend Worst quartile
66a	Rent collected by the local authority as a proportion of rents owned on Housing Revenue Account (HRA) dwellings	Target not achieved No improvement Downward trend
66d	Percentage of local authority tenants evicted as a result of rent arrears	Worst quartile
184a	% non decent homes	Target not achieved No improvement Worst Quartile
184b	% proportion of non decent homes	Target not achieved Worst Quartile
212	Average time to re-let homes	Target not achieved No improvement Downward trend
202	The number of people sleeping rough on a single night within the area of the authority	No improvement Downward trend Worst quartile
76c	The number of Housing Benefit and Council Tax Benefit fraud investigations carried out by the Local Authority per year, per 1,000 caseload	Target not achieved No improvement Downward trend
78a	The average processing time taken for all new Housing and Council Tax Benefit claims submitted to the Local Authority, for which the date of decision is within the financial year being reported	Target not achieved No improvement Downward trend
82a(ii)	Total tonnage of household waste arisings sent by the Authority for recycling	Worst quartile
199b	The percentage of relevant land and highways from which unacceptable levels of graffiti are visible	Target not achieved No improvement Downward trend Worst quartile
200b	Has the local planning authority met the milestones which the current Local Development Scheme sets out?	Target not achieved No improvement Downward trend
127a	Violent crime per 1,000 population in the Local Authority area	Target not achieved No improvement Downward trend

BVPI	Description	Why focus?
174	The number of racial incidents reported to the Local Authority, and subsequently recorded, per 100,000 population	Target not achieved No improvement Downward trend

Performance against the 19 key indicators is as follows (comparisons against last quarter outturn figures are shown in brackets):

- 56% (53%) have achieved target
- 44% (47%) have failed to meet targets
- 50% (50%) show an improvement
- 50% (50%) have failed to improve
- 50% (47%) direction of travel shows an improvement trend
- 30% (27%) direction of travel shows a declining trend
- 11% (10%) show best quartile performance
- 44% (60%) show worst quartile performance

Figures show improved performance over the second quarter of this year in terms of achieved targets, improvement trend and best quartile performers with less worst quartile performers. These indicators still, however, require clear focus and monitoring against improvement.

2.2 Detailed performance Information

Detailed performance information to support the above figures is available on the attached spreadsheet. This information will be used for the purpose of the next Performance Clinic.

2.3 Learning and remedial action

Remedial measures to improve performance are agreed as part of the action planning and Performance Clinic work.

We continue to drive performance improvement through ensuring that:

- people are clear as to what has to be achieved;
- an action plan to deliver is in place;
- procedures are changed to provide capacity to improve; and
- careful monitoring of measures are in place.

3. Local Performance Indicators

3.1 Summary

We continue to measure performance of the local performance indicators which were developed for 2006/2007. These are not statutory indicators, but indicators that show our performance in other areas of service provision that are of local, rather than national, interest. This year there are 34 local performance indicators. These equate to 37 individual returns. Performance for the local performance indicators is as follows (comparisons against last quarter outturn figures are shown in brackets):

53% (58%) have achieved target

47% (42%) are behind target

61% (57%) have shown an improvement from last year

39% (39%) have failed to improve from last year

53% (55%) show an improvement against same period last year

47% (45%) have failed to improve against same period last year

Figures show improved performance over the second quarter of this year in terms of improvement trend.

3.2 Detailed Performance Information

Detailed performance information to support the above figures is available on the attached spreadsheet.

3.3 Learning and Remedial Action

Remedial measures to improve performance are agreed as part of the action planning. We will continue to work to refine these indicators.

4. Financial Monitoring Position

The mid year financial monitoring report will be considered by the Executive in December. Progress of financial performance will be reported in the next corporate performance report.

5. Risk Management

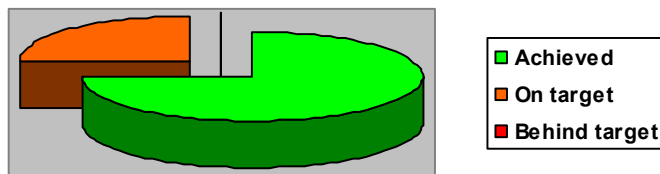
5.1. Summary

Implementation of the Corporate Risk Management Strategy for 2007-08 comprises 24 key actions which include the following achievements within the current period:

- BCP Updates Produced by Managers
- BCP Draft Flu Pandemic Plan
- CDC Insurance Renewal
- Support to Stock Transfer

The successful delivery of the strategy continues with 9 of the 12 actions due to date completed and the remaining 3 on target to complete to timescale.

Progress on the Strategy is therefore as follows:



The Corporate Plan set out 20 Key Strategic risks and it is considered that these have been effectively managed over the current year. The Strategic Risk Profile has been updated and a full review is due to take place alongside the review of priorities as part of the 2007-08 planning cycle.

5.2 Learning and remedial action

The council has committed to re-assess its key strategic risks as a result of its learning and this has been identified within the corporate planning cycle. Risk management will also be further embedded through the next round of service planning and key decision making. Progress is good in terms of the implementation of the strategy and no remedial action is considered necessary.

6. Human Resources

6.1 Summary

At the end of the period the council employed 561 staff. Staff turnover for the year was 4.99%. Significant progress is being made;

- Staff sickness was an average of 12.5 days per staff member for the quarter, which can be broken down as follows;

<u>Authority total:</u>	12.5 days average 7.3 days (long term) 4.6 days (short term/occasional)
<u>Directorates:</u>	
Resources	7.5 days average 2.7 (long term) 4.8 (short term/occasional)
Development	13.0 days average 7.8 days (long term) 5.2 (short term/occasional)
Community	16.9 days average 10.8 days (long term) 6.1 (short term/occasional)
CE/ACE Teams	9.7 days average 6.0 days (long term) 3.7 days (short term/ occasional)

A total of 164 employees achieved 100% Attendance for 2006/07.

- 6 employee suggestions were made through the employee scheme.
- The action plan for the last Employee Survey was completed
- The employee survey 2007 was conducted during September 2007
- The Authority took part in Investors in People Assessment during September 2007. Currently awaiting results.
- The Organisational Development Programme for 2007, "Rising Stars" commenced. Corporate projects have also been agreed for the next phase of action learning, as part of this programme.
- Service Team Managers have taken part in 360 degree appraisal and received personal coaching and group development
- A programme of training for Elected Members continues

- Executive members have taken part in 360 degree appraisal.
- Corporate Management Team took part in 360 degree appraisal and have received individual and group coaching.
- Single Status, part 2 has been addressed and concluded.
- New Policies on Home-working and Managing Organisational Change, including policies on Handling Re-structures, Redundancy, Retirement and Redeployment were approved
- The Organisational Development Strategy is being implemented and actions are 100% on target.
- The Corporate Workforce Development Plan is being implemented
- Guidance on Succession Planning was developed, approved and embedded
- Workforce development planning was integrated into service planning and service team workforce development plans produced and approved for all service teams.
- A corporate Training and Development Plan was developed and is currently being implemented
- A corporate end of year training and development evaluation report was considered by the Council's Corporate Management Team with a view to evaluating the cost benefit analysis of corporate training undertaken.
- Action plans have been developed for performance indicators in relation to equalities and diversity
- All action plans on target.

6.2 Learning and remedial action

Significant progress is being made in terms of HR performance. All action plans are on target. Progress has been made in this quarter in improving sickness performance indicators. An action plan has been agreed to address this and this has been addressed as part of the performance clinic work. The Team's Service Plan is also on target. Action Plans will be developed where improvement is not being achieved.

The Organisational Development Programme has been significantly progressed and learning from this has been built in the Corporate Training Plan and Learning Strategy. In particular 11 Action learning Sets concluded work on a range of topics to meet the councils priorities in the Corporate Plan and the Improvement and Recovery Plan. This approach will take place once again during 2007/2008 as part of the next organisational development programme. Not only will services improve as a result of implementing recommendations but the learning can be applied to action learning set development in the future.

In addition a programme of CPI (continuous process improvement) projects were also undertaken and completed during the year. These resulted in both measurable outcomes organisationally and individually for those involved and

increased learning and development. Similar projects and learning will take place again as part of the Organisational Development Programme for 2007/08.

7. Equality and Diversity Position Statement

7.1 Summary

The revised Diversity Impact Assessment methodology will be implemented by Service Team Managers from September. It now forms part of the service planning arrangements. Training has been provided for managers and relevant staff.

Local Government Review will impact in the following ways:

- The Corporate Equality Plan will not be revised in January, but will remain unchanged. Progress will continue to be monitored quarterly at Equality and Diversity Working Group. Checks will be made to ensure that requirements of the revised Equality Standard for Local Government are being met.
- Although it is anticipated that the Authority will be meeting the requirements of Level 3 of the Equality Standard for Local Government, external validation will not be sought, and therefore we will not be able to declare our Level 3 target at the end of March.

Corporate Equality Plan actions:

	Number of actions	% completed	% on target	% behind target
Corporate Equality Plan	115	82% (80%)	18% (20%)	0%
Equality Scheme	53	58%	42%	0%
Total	168	73%	37%	0%

Equality & Diversity Working Group work programme:

Number of completed actions to date (Dec 05 to September 07) - 113

Number of outstanding actions (as at 30 September 07) - 14

7.2 Learning and remedial action

Attendance at the Equality and Diversity Working Group has been declining further, which in part may still be due to capacity problems. A review of the function of EDWG has been undertaken, and a decision made to move to a quarterly rather than monthly meeting. This may help in terms of capacity, but it is felt that it will enable progress on actions to be seen more clearly. In addition to the performance management aspects, a number of events (one per quarter) will be agreed and delivered by EDWG task groups. Terms of Reference will need to be revised accordingly.

In addition, the Assistant Chief Executive as Officer Equalities Champion, will reiterate the need for departmental representatives to fully take on their roles as service equality champions.

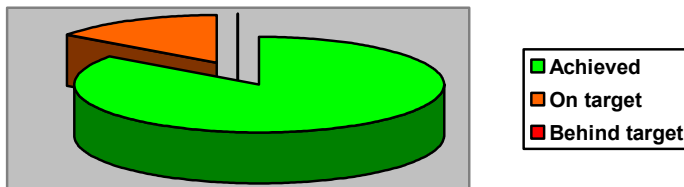
8. IRP Position Statement

8.1 Summary

The Council has now received formal notification that we are out of intervention, and that no further Monitoring Board meetings were necessary. Although the Improvement and Recovery Plan (2) is still in operation, a decision has been made to report progress to Executive only as part of this quarterly performance report, and not monthly as was previously the case. In addition, the Programme Management Board, which monitors progress on IRP2, has also been reduced to a quarterly forum.

It is anticipated that a new Improvement Plan for the council will be drawn up by Members and senior managers once the position with Local Government Review and political priorities has become clearer.

There are 137 key actions in the Improvement and Recovery Plan 2. At the end of September 85% (83%) had been achieved, 15% (17%) remain on target, 0% (0%) were behind target. Remedial action was agreed and monitored at monthly Programme Management Board meetings



8.2 Learning and remedial action

Positive feedback from the Audit Commission on the robustness of performance management across the council has led to a less stringent approach and reduced need for reporting.

9. Modernisation Project Team Progress

9.1 Summary

The Modernisation Project Team have shifted its emphasis from priority shared outcome implementation to electronic service delivery take up, implementation of the authority's ICT Strategy and continued web site improvement.

Throughout the year, targets and action plans for electronic service take up have been monitored with all service teams. The Modernisation Team has invoked the Modernisation Communications Strategy to publicise the availability of electronic services for increased take up by customers.

In the second quarter of 2007, the authority has continued to make progress on a number of projects; including further development of the authority's Intranet, the CRM System, making the council Email and Intranet system available from outside the council offices and working with Cestria Community Housing to set up their new ICT infrastructure.

In August 2007 the ICT service successfully achieved the Chartermark Standard for service delivery.

The council website continues to be developed and between July to September 2007 the authority saw 31,504 visitors to the website, a slight decrease from the previous quarter of 33,402 visitors.

9.2 Learning and remedial action

The Council has learned from good practice elsewhere. It has developed a Modernisation Team on the basis of best practice.

Continual work with the CRM system within the County Durham E-Government Partnership allows the authority to share best practice use of the CRM system with its partners and apply lessons learned by other authorities into the deployment of new service requests.

As the Modernisation Team shifts its emphasis towards Transformational Government and in response to the Varney Review, the group will continue to learn and develop new ways of working from the experience of partners and other organisations.

The Modernisation Team is committed to seeking continual improvement for the council website.

10. Audit Feedback & Summary

10.1 Summary

The formal CPA Judgement was received in June and was reported in the last quarterly report. Chester-le-Street has moved from a 'poor' to a 'good' council.

There was only one key Audit Commission Report published during the second quarter. This was the result of the Pilot Benefits Inspection.

Earlier this year the Benefits Team volunteered to take part in an Audit Commission Pilot to help develop a new Inspection Framework for the Benefits Service. The learning from the pilot is intended to establish a completely new inspection regime following the merger of the former Benefits Fraud Inspectorate's merger with the Audit Commission.

The process is a 'harder test' based on customer outcomes rather than the previously process orientated performance standards approach. An inspection was undertaken in June and an Inspection report was issued in August. The Inspectors found that the service was now a 'good' service with 'promising prospects for improvement'. This was the best result out of all the pilots. We unofficially now have a better service than the likes of Bradford and Tower Hamlets.

This is another excellent result for the council and shows how much progress the benefits team has made. They were labeled a poor service in 2004.

10.2 Learning and remedial action

The council has learned much from the CPA and Pilot experiences and service improvement has been undertaken as a result. Most importantly the council volunteered for both inspections.

11. Compliments, comments and complaints Analysis

11.1 Summary

Throughout 2007 -2008 the Council continues to focus upon embedding the culture of handling and responding to complaints in a timely and positive manner. Complaints should be seen as an opportunity for feedback from customers and a way to influence the way we deliver services in the future. In addition, with effect from July 2007, the e-govt partnership CRM will be used for the control of complaints across the Council and we would expect this to enhance performance once time is given for it to bed in.

Total Complaints

The following statistics represent the information received for the period April 2007 – September 2007. Figures for the same period last year are indicated in brackets.

168 (187) formal complaints were received by the Council.
24 % (45 %) were considered to be justified
76 % (55 %) were considered to be unjustified

6 (1) Ombudsman complaints were received during the period.
No (No) complaints were upheld by the Ombudsman
1 (1) complaints are being investigated

112 (135) compliments/letters of thanks were registered during the period.

11.2 Formal Complaints April 2007 – September 2007

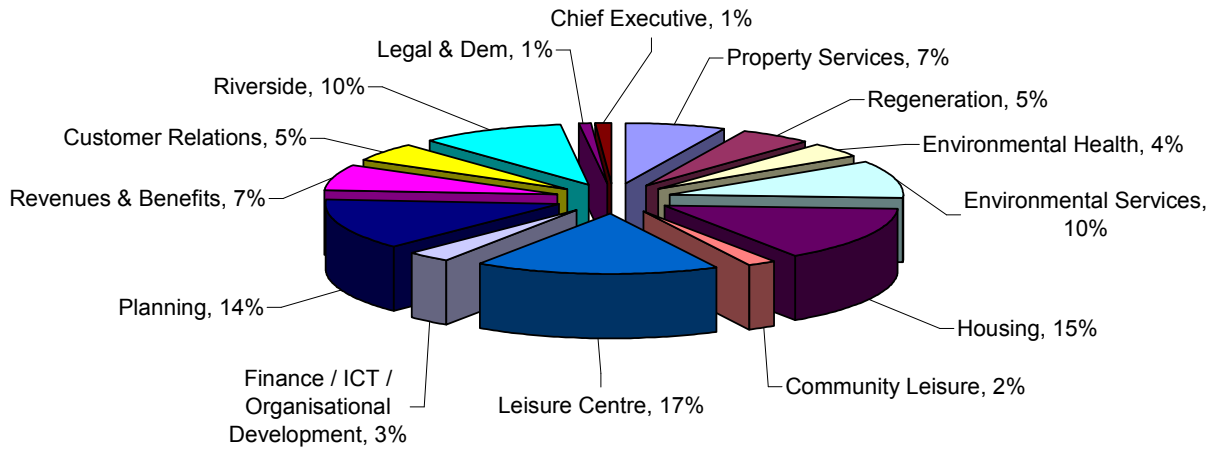
A total of 168 (187) formal complaints were submitted in the period

Nature of Complaints – Service Teams

7 % (11 %) related to the Revenue and Benefits service
10 % (22 %) related to the Environmental Services
7 % (15 %) related to the Property Services
15 % (11 %) related to Housing Services
29 % (24 %) related to the Leisure Services
14 % (5 %) related to Planning Services
5 % (3 %) related to Regeneration
4 % (2 %) related to Environmental Health Services

5 % (2 %) related to Customer Relations
 3 % (3 %) related to Finance / ICT & Organisational Development

% of complaints received by Service Area

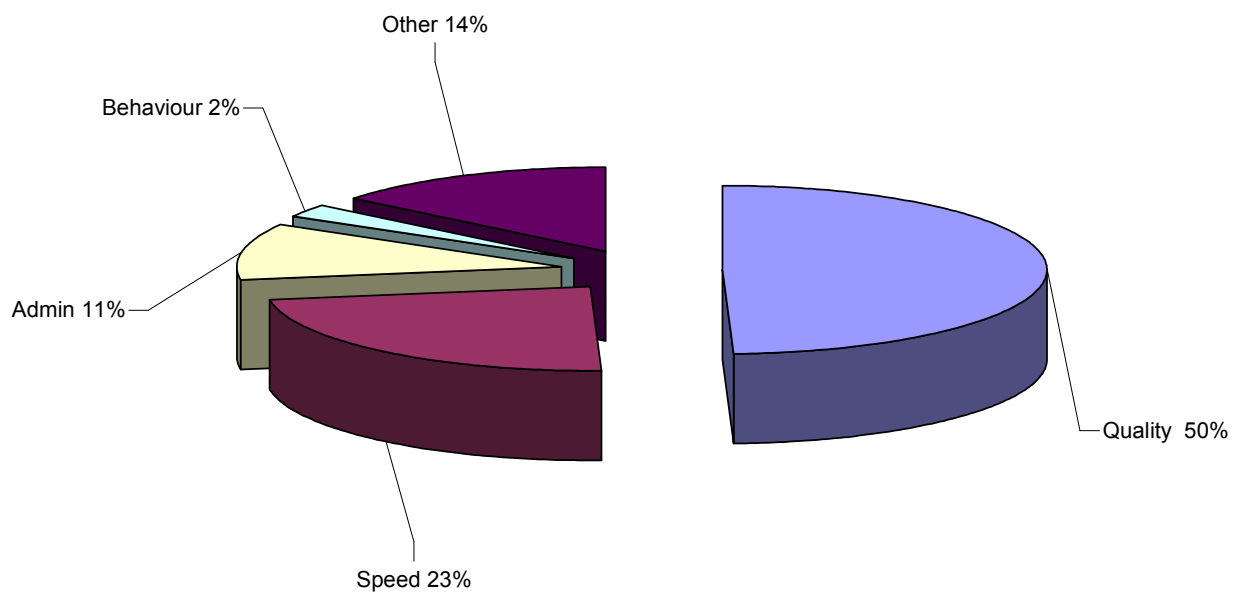


Property Services	Regeneration	Environmental Health
Environmental Services	Housing	Community Leisure
Leisure Centre	Finance / ICT / Organisational Development	Planning
Revenues & Benefits	Customer Relations	Riverside
Legal & Dem	Chief Executive	

Nature of Complaints – Complaint Types

50 % (52 %) were in respect of *quality of service*
11 % (3 %) were in respect of *administration of services*
2 % (0 %) was in respect of *behaviour of staff*
23 % (6 %) were in respect of the *speed of service provided*
14 % (39%) were in respect of other reasons

Nature of complaint 2007/2008

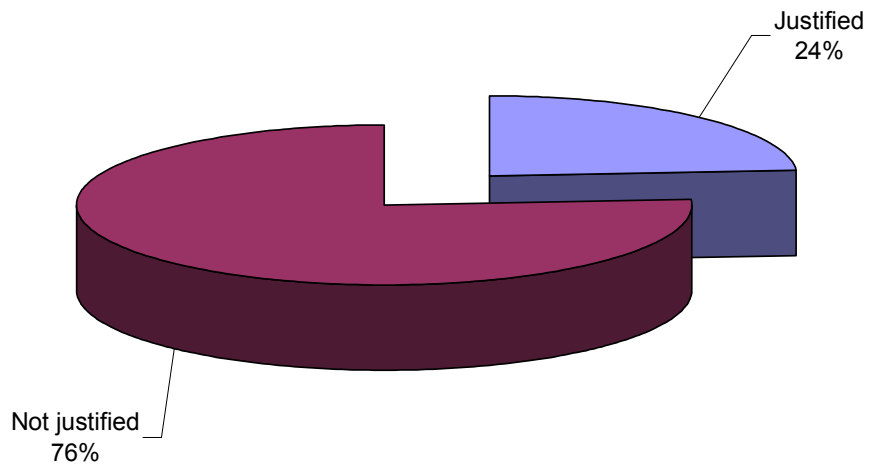


Outcome

24 % (23 %) were considered to be justified

76 % (77 %) were considered to be unjustified

Proportion justified / unjustified complaints 2007/2008



11.3 Ombudsman Complaints April 2007 – June 2007

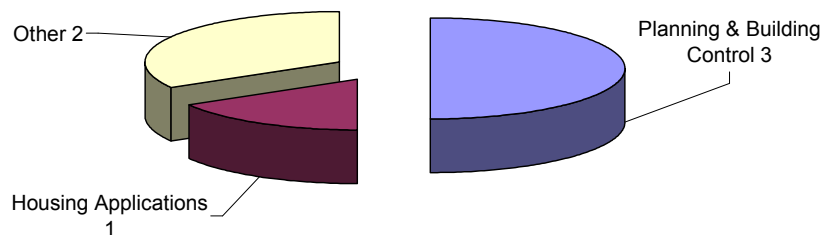
6 (7) Ombudsman complaints were received during the period.

No (No) complaints were upheld by the Ombudsman
1 (2) complaint is being investigated

Nature of Complaints

50% related to planning services
17% related to housing services
33% related to other areas

Ombudsman by classification 2007 / 2008

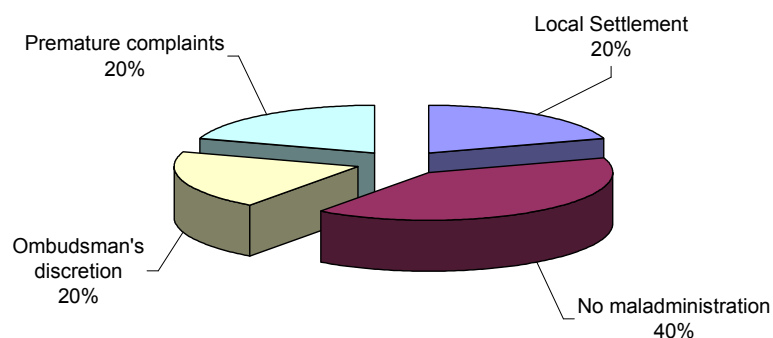


Outcome

The Ombudsman issued 6 decision letters in the period:

Complaints upheld	0%
Local settlement	20%
No or insufficient evidence of maladministration	40%
Ombudsman Discretion	20%
Outside jurisdiction	0%
Premature complaints	20%

Ombudsman decisions 2007 /2008



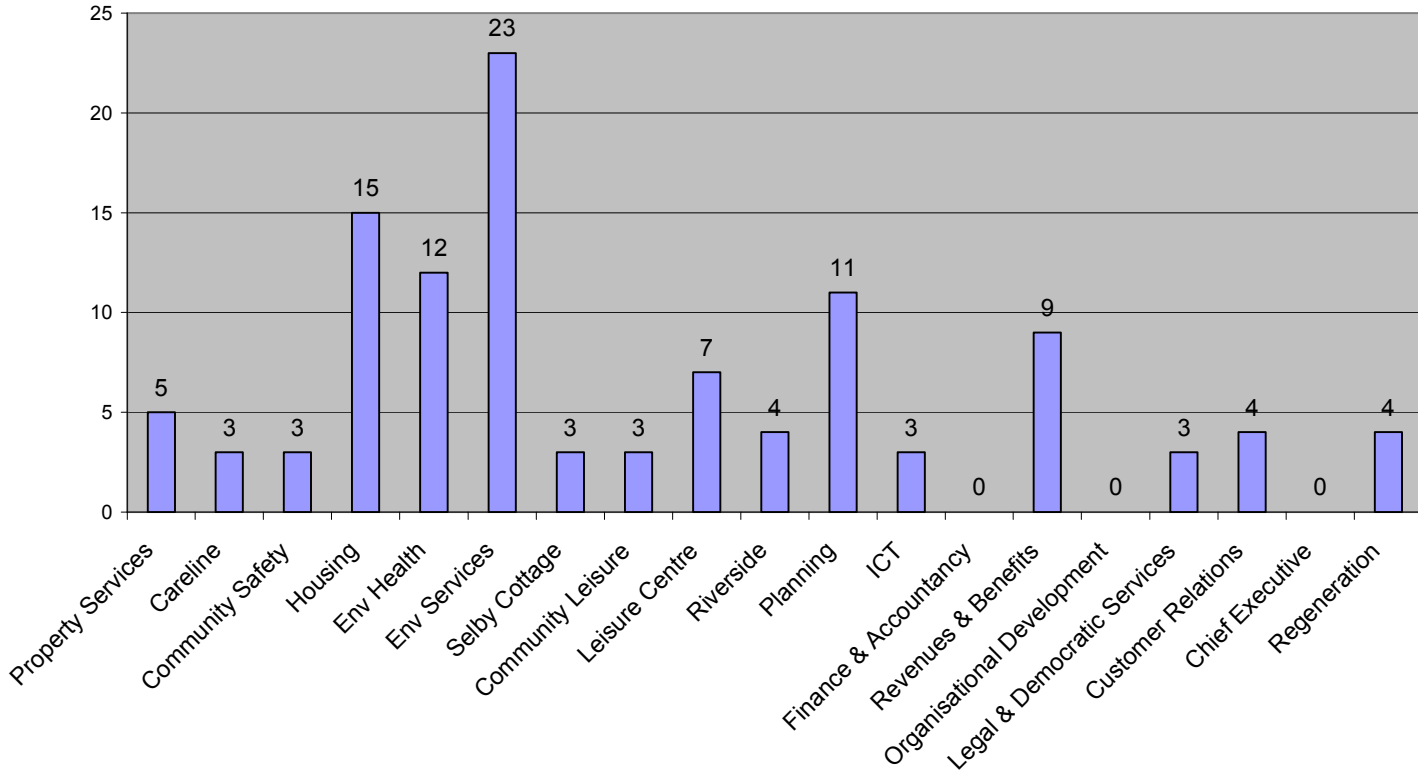
11.4 Compliments April 2007 – September 2007

112 (90) compliments/letters of thanks were registered during the period.

Nature of Compliments

- 9 related to the revenue & benefits service
- 23 related to the environmental services
- 15 related to housing services
- 17 related to the leisure services
- 11 related to planning services
- 12 related to environmental health services
- 4 related to regeneration
- 4 related to customer relations
- 5 related to property services
- 3 related to resources / ICT / organisational development
- 3 related to Careline services
- 6 related to council / combined services

Compliments Received by Teams April - September 2007



11.5 Other Performance Information

New monitoring processes were put in place last year and the following results can be identified:

- 87 % of complaints were responded to in 10 days (target 90%)
- 76 % MP queries were responded to in 10 days (target 90%)
- 100 % Freedom of information enquiries were responded to in 20 working days (target 100%)
- 88 % of e-mail enquiries were responded to within 24hours (target 100%)

11.6 Learning and remedial action

It has become clear over the year that the analysis of complaints at service level is necessary in order that individual services can learn from complaints and share this learning across the organisation. Proposals have been built into the Learning Strategy to embed this throughout the organisation

A further analysis of results shows that:

- The number of complaints received compared to the same period last year has reduced by 10% – 168 compared with 187
- Most complaints related to Leisure Services, Planning and Housing which combined equate to 58% of all complaints received.
- 50% of complaints related to the quality of service people have received.
- The % of justified complaints has reduced from 45% to 24% when compared to the same period in 2006 / 2007.
- Targets set to respond to a range of complaints and enquiries have not been met throughout the year, however there have been clear signs of improvement compared to the same quarter in 2006 / 2007, namely an overall 9% increase in MP enquiries dealt with in target time and also overall handling of complaints within target time has increased by 3% although remains unacceptable and needs to improve in terms of meeting our service standard targets. This issue will be further addressed as part of the 2007 performance clinics. In addition a number of other initiatives will take place in 2007 – 2008, namely:-
 - A wholesale review of complaints procedures and processes as part of the Council's Continuous Process Improvement (CPI) project between October and December 2007.

12. Partnerships Progress

12.1 Summary

As part of the council's Improvement and Recovery Plan there were clear actions to consider and improve the effectiveness of existing partnerships. To add weight for the need of this the Audit Report, identified in Section 10 (page 73), suggested that the council was underperforming in this area. Whilst the council was therefore already aware of this there was a clear need to make change.

The council has responded by approving a Partnership Strategy in November 2006 with a detailed Action Plan. The council has commissioned an electronic Partnership 'toolkit' through the North East Centre of Excellence and provided training to Corporate Support Team. The Chief Executive has been selected as the council's Partnership Champion and the Portfolio holder for Community Engagement and Partnerships is the Member Champion.

It is clear that partnership working is fundamental to what we can achieve in the District. Many of the achievements set out in the Corporate Plan could only have happened by working with others. 'Working in Partnership' is a firm priority and we have developed a Partnership Strategy to help us achieve our vision. The key components of the strategy are:

- understanding what partnerships we are in;
- understanding how effective they are;
- understanding how healthy they are; and
- ensuring that we improve those which need to be.

Programme Management Board is monitoring implementation of this toolkit.

12.2 Learning and Remedial Action

It is too early to measure improvement as a result of the introduction of the Strategy. Similarly it is too early to gain any learning from our experiences and with the use of the toolkit. We have found that some partners are reluctant to engage in our effectiveness activity and we will need to find ways of convincing partner organizations of mutual benefits. Clearly we need to ensure that both the strategy works for the council and meets our objectives and addresses the previous findings of the Audit Commission. Programme Management Board will capture such learning and will consider remedial action against strategy implementation underperformance. The Strategy will be reviewed as part of the process agreed by Executive for reviewing strategies in the light of local government re-organisation.

13. Data Quality Progress

13.1 Summary

The following progress has been made in respect of the implementation of the Data Quality since April 2007:

- Data Quality included in Corporate Training Plan as part of Performance Management training
- Intranet Site developed
- Corporate Guidelines developed and implemented
- Corporate Audit devised and built into intranet, will identify gaps to assist strategy development
- Further awareness undertaken as a result and data quality is communicated more clearly now. Communications plan developed and on intranet
- Data Quality Responsibility Register developed and significantly completed
- Programme Management Board taking stronger role on monitoring of data Quality
- Improved sign off with LPI's following same process as BVPI's
- Data quality incorporated into all corporate reports and built into Report Writing Protocol
- Developed revised Service Plan Guidance
- Staff and Managers Audit undertaken
- Data Quality web page improved and now includes quarterly performance reports

There are no issues of Data Quality failures or exceptions to be reported this quarter.

13.2 Learning and remedial action

Significant progress has been made in respect of the implementation of the Data Quality Strategy largely around corporate awareness. Results of recent Audits will be reported as part of next quarter's performance report.

As a result of the audit we now have a good understanding of where there are potential weaknesses in the Authority and will be able to address these in the future.

No remedial action is required as part of any Data Quality failures or exceptions during the current quarter.

14. Local Government Review Progress

14.1 Summary

In September 2007 a project team was set up to help manage the council's contributions potential transition to a new single unitary authority. The team is led by the Assistant Chief Executive and based around the council's Performance and Improvement Team. It also includes key Human Resources, communications, the trade unions and support staff. So far it has:

- Developed and agreed terms of reference and principles;
- Developed an Intranet Site to allow access to key documents and information for staff and members;
- Developed an Information Request Register and responded to initial data requests where appropriate;
- Developed a communications plan; and
- Published its first newsletter to staff and Members

The team will be commencing development of a project plan as soon as there is clarity on the future following decisions on judicial review.

14.2 Learning and remedial action

Significant progress has been made in establishing a team to assist the council positively contributing to the smooth transition to a new unitary authority.





15. Overall Performance

15.1 Summary of Overall Performance




The council generally is continuing on a forward direction of travel. The key messages from this quarter's performance are as follows:




- The corporate plan is now under review as a result of Local Government Re-organisation.
- Progress on Best Value Performance Indicators continues to show improvement in terms of target achievement and improvement on last year. There is a drop in national top quartile indicators although this is compensated for by decrease in national bottom quartile indicators.
- In terms of the basket of indicators that we are focusing upon, 56% of these are achieving targets and more than half are showing an improving trend while there is an improvement in those that are both top and bottom quartile.
- Local Indicators are showing 61% improvement although only 53% are achieving targets.
- 75% of Corporate Risk Management Strategy actions that needed to be achieved have been achieved.
- Significant progress is being made in HR and organizational development. Unfortunately staff sickness has shown an increase this quarter and is being raised at the next Performance Clinic in order that it may be addressed.
- 82% of actions within the Equalities plan have been achieved and none are behind target.
- The Improvement and Recovery Plan is shortly to be replaced by a new strategic improvement plan. No current IRP proposals are behind target.
- Progress on electronic service delivery continues and the ICT achieved Charter Mark accreditation during the quarter. This is a fantastic achievement for the team and the council. Website hits reduced from 33,402 to 31,504 during the quarter.
- There was one Audit report in the quarter and this was the result of the national Benefits Pilot Inspection. The Commission judged the benefits service to be 'good with promising prospects of improvement'. This was the best outcome in all of the services that took place in the pilot across the country.
- In terms of complaints less have been received and less are considered to be justified. The proportion of complaints to compliments is improving.
- Service standards performance continues to improve but there remain concerns which will be addressed through the performance clinics and the continual performance improvement process.
- Progress continues in terms of data quality and partnerships.
- A Local Government Review Project Team was set up during the quarter and is co-ordinating the council's contribution to setting up the new unitary organisation.


Best Value Performance Indicators - Report for the period April - September 2007


BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
2a	The level of the Equality Standard for local government to which the Authority conforms in respect of gender, race and disability	2	2	2	3		No	x	x	N/A	High	Performance remains the same as at year end, but clear progress is being made against the requirements of the Corporate Equality Plan, and ultimately the ESLG. It is probable that we will meet the requirements at Level 3 of the ESLG by March next year, but unlikely that we will be able to declare this as an external validation is required costing up to £8,000. Given the likely scenario of a new unitary authority by April 2009 which would negate all levels and validations of the constituent authorities, it is felt that this would be unnecessary expenditure. Corrective Action: Data quality issues to be raised at next Performance Clinic, along with collection of evidence on a more regular basis.
2b	The quality of an Authority's Race Equality Scheme (RES) and the improvements resulting from its application	84%	84%	84%	89%		No	x	✓	✓	High	
8	 Percentage of invoices for commercial goods & services paid by the Authority within 30 days of receipt or within the agreed payment terms	90.27%	94.67%	93.45%	95.00%		No	✓	✓	x ₃	High	Although the second quarter results are slightly lower than that of Q1, there is still a marked improvement on the second quarter 2006-07 which was 86.92%. An action plan (CPI Ph2) is in operation to further improve performance on this BVPI. The target should prove to be realistically achievable. Corrective Action: Various actions are planned to drive improvement including further user guidance and training and additional tailored reports for team and individual performance for key areas.


Key Performance Indicator	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Performance Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
9	The percentage of council tax collected by the Authority in the year	97.24%	29.1%	57.60%	Q2 56.00% YE 98.80%		Yes	N/A	✓	N/A	High	Performance is on target. More stringent and proactive recovery procedures are now in operation and direct debit uptake has increased. 73.1% of all Council Tax payers now pay by Direct Debit.
10	The percentage of national non-domestic rates collected in-year	96.69%	28.4%	57.60%	Q2 58.00% YE 97.90%		No	N/A	✗	N/A	High	Performance is slightly below second quarter predicted performance. It is anticipated that with more stringent and proactive recovery procedures, performance achieve target. Direct debit uptake has increased and 48% of all Non Domestic Rate payers now pay by Direct Debit.
11a	Percentage of top-paid 5% of staff who are women	25.00%	29.63%	26.92%	31.00%		No	✓	✗	✗ ₂	High	Performance is slightly below target for 2007/08, however, it is expected that the target will be achieved for the year.
11b	The percentage of the top 5% of Local Authority staff who are from an ethnic minority	3.57%	3.70%	3.85%	2.50%		Yes	✓	✓	✓	High	Performance is ahead of target.
11c	Percentage of the top paid 5% of staff who have a disability (excluding those in maintained schools)	3.57%	7.41%	3.85%	3.00%		Yes	✓	✓	✗ ₂	High	Performance is ahead of target.
12	The number of working days/shifts lost to the Authority due to sickness absence	11.09 days	11.90 days	12.5 days	10.65 days		No	✗	✗	✗ _B	Low	Sickness absence has increased from last year. This is due to an increase in the number and duration of some of the Council's long-term sickness cases.
14	The percentage of employees retiring early (excluding ill-health retirements) as a percentage of the total work force	0.23%	0.25%	0.25%	0.50%		Yes	✗	✗	✗ ₂	Low	Performance is on target.


BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
15	The percentage of local authority employees retiring on grounds of ill health as a percentage of the total workforce	0.00%	0.25%	0.25%	0.00%		No	x	x	x ₂	Low	The authority has not achieved its target and will not now for 2007/08. Corrective Action: There is no corrective action that can be taken as the target was set at 0. The authority has very little control over whether an employee will be granted retirement on the grounds of ill-health.
16a	The percentage of local authority employees with a disability	3.27%	3.38%	3.37%	2.50%		Yes	✓	✓	x ₂	High	Performance is ahead of target.
16b	The percentage of the economically active population in the local authority area who have a disability	18.16%	18.16%	18.16%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	
17a	The percentage of local authority employees from ethnic minority communities	0.9%	1.1%	1.3%	1.5%		No	✓	✓	x ₃	High	Performance is slightly below target for 2007/08, however, it is expected that the target will be achieved for the year. Corrective Action: Ensure baseline information is accurate and write to all employees to update personal records. Keep central database updated through annual checks. Monitor EO data and regular reports. Revisit recruitment and selection procedures and information for candidates annually.






PI	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
156	The percentage of authority buildings open to the public in which all public areas are suitable for, and accessible to, disabled people	23.53%	23.53%	23.53%	40.00%		No	x	x	N/A	High	There have been no changes of circumstances during the current period. The target for 2007/08 is based on the stock transfer to Cestria Community Housing occurring during this year leaving only 5 premises to include in the calculation (Civic centre, Leisure Centre, Riverside Pavilion, Roseberry Grange Golf Course and Pelton Fell Village Hall) and assumes that Roseberry Grange Golf Course will become compliant (requiring works to be carried out) as well as the Riverside Pavilion that already complies.
63	The average SAP rating of local authority-owned dwellings	66	N/A	N/A	67	N/A	N/A	N/A	N/A	N/A	High	THIS INDICATOR IS CURRENTLY COLLECTED ANNUALLY. Once the Savilles stock condition survey has been validated, work to update the database will commence and reporting may then be possible on a quarterly basis.
64 	Number of non-local authority-owned vacant dwellings returned to occupation or demolished during the financial year as a direct result of action by the local authority	0	0	0	2		No	x	x	x _B	High	Updated figures on the number of empty properties were received in October 2007. These were significantly higher than earlier figures and have delayed development of the Empty Property Policy. Corrective Action: Once all ongoing survey work is complete it will be possible to ascertain the underlying causes leading to properties becoming and remaining vacant. A draft Policy will then be developed to address these issues.

BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
66a	Rent collected by the local authority as a proportion of rents owned on Housing Revenue Account (HRA) dwellings	97.52%	89.45%	94.74%	97.80%		No	x	x	x _B	High	The figure calculated at the end of March each year is an accurate indicator of performance. Monthly and quarterly calculations do not provide a true reflection of performance, however, monthly and quarterly comparisons can be made and last year the quarter 2 performance was 92.44%. The performance this year exceeds 2nd quarter performance for both 2004/05 and 2005/06. Performance this year is now on par with last year and the target is achievable by year-end. We have gained ground from quarter 1 (collecting 0.52% more rent than in the same quarter last year). We have collected £6,552,564.00 this year compared to £6,262,285.81 for the same period last year.






BVPI	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
66b	Percentage of local authority tenants with more than seven weeks of (gross) rent arrears	4.93%	5.32%	5.21%	5.25%		Yes	x	✓	x ₂	Low	Performance in quarter 2 exceeds last year's quarter 2 performance of 5.46%. This measure traditionally reduces after the two 'free' rent weeks at Christmas. The calculation used to determine this measure has changed since targets were set which will have an impact on results to target. Previously the end of year calculation was made using a number of tenants 7 weeks or more in arrears as at year end, the calculation is now averaged out across every week of the year. This change benefits those organisations that have early 'free' rent weeks but penalises those organisations that have late 'free' rent weeks. We are on target to achieve this measure.

BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
66c	Percentage of local authority tenants in arrears who have had Notices Seeking Possession served	15.96%	8.34%	14.07%	18.00%		Yes	✓	✗	✗ ₂	Low	<p>The calculation used to determine this figure has changed since targets were set. Previously the number of notices issued was divided by the total number of authority tenants, however, the number of notices issued is now only divided against the number of secure tenants. This has a significant impact on performance to target. The new procedures introduced late last year have led to the issuing of notices at an earlier stage in the recovery process than previously as we see the issuing of notices as good, early prevention work and a fundamental part of the recovery process.</p> <p>Corrective Action: Difference between performance and target is a result of a change in the way the measure is calculated. As targets were set prior to the implementation of this change no corrective action is deemed necessary.</p>




BVPI	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
66d	Percentage of local authority tenants evicted as a result of rent arrears	0.49%	0.14%	0.28%	0.47%		Yes	✓	✓	x ₂	Low	The rate of evictions (12 in total) remains in line with last year's performance (13 last year in the same period). But for the proactive work by the Income Management Team this figure could have been higher. The team have successfully prevented 28 further cases proceeding to eviction stage by negotiating either full repayment of the debts in these cases or entering into 'last chance' repayment programmes that are being successfully maintained.
184a	The percentage of local authority dwellings which were non-decent at the start of the financial year	46%	N/A	N/A	38%	N/A	N/A	N/A	N/A	N/A	Low	THIS INDICATOR IS CURRENTLY COLLECTED ANNUALLY. Once the Savilles stock condition survey has been validated, work to update the database will commence and reporting may then be possible on a quarterly basis.
184b	The percentage change in the proportion of non-decent dwellings between the start and the end of the financial year	0%	N/A	N/A	17.0%	N/A	N/A	N/A	N/A	N/A	High	THIS INDICATOR IS CURRENTLY COLLECTED ANNUALLY. Once the Savilles stock condition survey has been validated, work to update the database will commence and reporting may then be possible on a quarterly basis.




BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
212 	Average time (days) taken to re-let local authority housing	38 days	39 days	44 days	32 days		No	x	x	x ₃	Low	The relet times have increased by 5 days in comparison to the 1st quarter of 2007. We have successfully relet a total of 10 long term voids within this quarter, however this has a detrimental effect on the overall re-let times, and if these properties were removed from the statistics, the re-let times would reduce to a total of 30 days, which is below our target. Corrective Action: Officers are continuing to work towards achieving the 2007/08 target, ensuring wherever possible that they are pre-allocating properties to minimise the relet times. Officers are also endeavouring to complete an accompanied viewing whilst the existing tenant is still occupying the property. This again will assist in minimising the relet times.
183b	The average length of stay in hostel accommodation of households that are unintentionally homeless and in priority need	0.00	0	0	3 weeks		Yes	✓	✓	✓	Low	Target is likely to be met as we rarely use hostel accommodation for pregnant women and households with children.
202 	The number of people sleeping rough on a single night within the area of the authority	5	5	5	0-10		Yes	x	x	x _B	Low	Target will be met as at present local intelligence used for the target and past data. Corrective Action: We are hoping to introduce a monitoring system that will record the number of people sleeping rough within the the LA area.








BVPI	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
213	Number of households who considered themselves as homeless, who approached the local housing authority's housing advice service(s), and for whom housing advice casework intervention resolved their situation	4	1	2	1.6		Yes	✗	✗	✗ ₂	High	We have now exceeded our target. We are continually improving our service and expanding our methods for prevention of homelessness.
76b	The number of fraud investigators employed by the Local Authority, per 1,000 caseload	0.39	0.39	0.39	0.39		Yes	N/A	N/A	N/A	N/A	Target achieved as 2 full time investigators are currently in post.
76c	The number of Housing Benefit and Council Tax Benefit fraud investigations carried out by the Local Authority per year, per 1,000 caseload	48.80	12.29	27.27	Q2 24.00 YE 48.00		Yes	N/A	✓	N/A	High	Performance has exceeded second quarter target. Work is very closely monitored and managed to ensure that the team maintain the number of fraud investigations completed.
76d	The number of Housing Benefit and Council Tax Benefit prosecutions and sanctions, per year, per 1,000 caseload, in the Local Authority area	5.98	2.11	4.20	Q2 3.50 YE 7.00		Yes	N/A	✓	N/A	High	Performance is on target. More emphasis has been placed on obtaining sanctions. Cases are risk assessed and only cases where investigators feel a sanction can be obtained are investigated. This is a better use of investigator's time.
78a	The average processing time (days) taken for all new Housing and Council Tax Benefit claims submitted to the Local Authority, for which the date of decision is within the financial year being reported	25.6 days	19.38 days	21.51 days	24.0 days		Yes	✓	✓	✓	Low	Performance is well on target. Weekly performance monitoring has ensured that a sustained and continual improvement is made.







BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
78b	The average processing time (days) taken for all written notifications to the Local Authority of changes to a claimant's circumstances that require a new decision on behalf of the Authority	6.9 days	7.08 days	6.26 days	7.0 days		Yes	✓	✗	✓	Low	Performance has improved in the second quarter and target has been achieved. Change of circumstance work has been targeted and prioritised during quarter 2 to ensure that performance improved and target was achieved.
79a	The percentage of cases within a random sample for which the Authority's calculation of Housing and Council Tax Benefit is found to be correct	99.60%	100.00%	100.00%	99.10%		Yes	✓	✓	✓	High	Improved accuracy checking and audit controls have ensured that accuracy of processing has improved and is maintaining top quartile performance. A recent internal audit report confirmed that our controls and procedures are 'strong' in relation to Benefit performance.
79b(i)	The amount of Housing Benefit overpayments recovered as a percentage of all HB overpayments	112.48%	63.17%	71.99%	Q2 47.50% YE 95.00%		Yes	N/A	✗	N/A	High	Performance has exceeded second quarter predicted performance. All outstanding overpayments are actively pursued and all available methods of recovery are utilised.
79b(ii)	HB overpayments recovered as a percentage of the total amount of HB overpayment debt outstanding at the start of the year plus amount of HB overpayments identified during the year	70.99%	19.40%	32.85%	Q2 32.50% YE 65.00%		Yes	N/A	✗	N/A	High	Performance has exceeded first quarter predicted performance. All outstanding overpayments are actively pursued and all available methods of recovery are utilised
79b(iii)	Housing Benefit overpayments written off as a percentage of the total amount of HB overpayment debt outstanding at the start of the year, plus amount of HB overpayments identified during the year	1.94%	0.17%	2.56%	Q2 0.50% YE 1.00%		No	N/A	✗	N/A	N/A (Low)	Two large overpayments have been written off during quarter 2 which has resulted in the target not being met. All outstanding overpayments are actively pursued and all available methods of recovery are utilised







BVPI	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
82a(i)	Percentage of household waste arisings which have been sent by the Authority for recycling	17.08%	16.81%	17.77%	16.00%		Yes	✓	✓	x ₃	High	Our recycling performance has continued to improve and there have been some record tonnages collected via the kerbside recycling scheme
82a(ii)	Total tonnage of household waste arisings sent by the Authority for recycling	3683.57	891.72	1887.09	Q2 1712.50 YE 3425		Yes	N/A	✓	N/A	High	If recycling performance continues at the current level then the target will be achieved
82b(i)	The percentage of household waste sent by the Authority for composting or treatment by anaerobic digestion	7.58%	0.00%	3.82%	8.00%		No	x	x	x ₃	High	There have been ongoing problems in sending waste to the Digester for processing. However, Durham County Council have guaranteed that the tonnage of waste we require in order to achieve our 8% target will be put through the process by the end of the year.
82b(ii)	Total tonnage of household waste sent by the Authority for composting or treatment by anaerobic digestion	1634.03	0	405.62	Q2 856 YE 1712		No	N/A	x	N/A	High	There have been ongoing problems in sending waste to the Digester for processing. However, Durham County Council have guaranteed that the tonnage of waste we require in order to achieve our 8% target will be put through the process by the end of the year.
84a	Number of kilograms of household waste collected per head of the population	405.45	99.73	199.62	Q2 211.4 YE 422.8		Yes	N/A	✓	N/A	Low	If collection rates continue at this level it is expected that the end of year target will be achieved
84b	Percentage change from the previous financial year in the number of kilograms of household waste collected per head of the population	0.76%	-6.41%	-4.94%	-4.01%		Yes	✓	x	✓	Low	If collection rates continue at this level it is expected that the end of year target will be achieved
86	Cost of household waste collection per household	£37.36	£5.72	£16.21	Q2 £20.70 YE £41.40		Yes	N/A	x	N/A	Low	If costs remain at the same level, it is likely that the target will be achieved.

BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
91a	Percentage of households resident in the authority's area served by kerbside collection of recyclables (one recyclable)	100.0%	100.0%	100.0%	100.0%		Yes	✓	✓	✓	High	The kerbside recycling scheme is available to all households within the district. Glass, cans and paper can be recycled via the scheme.
91b	Percentage of households resident in the authority's area served by kerbside collection of at least two recyclables	100.0%	100.0%	100.0%	100.0%		Yes	✓	✓	✓	High	The kerbside recycling scheme is available to all households within the district. Glass, cans and paper can be recycled via the scheme.
199a	The percentage of relevant land and highways that is assessed as having combined deposits of litter and detritus that fall below an acceptable level	7.0%	14.0%	N/A	7.0%	N/A	N/A	N/A	N/A	N/A	Low	A survey is currently being undertaken to measure performance against this indicator. The survey period will cease at the end of November. Performance for this indicator will therefore be reported in the next quarter period.
199b	 The percentage of relevant land and highways from which unacceptable levels of graffiti are visible	5%	7.0%	N/A	4.50%	N/A	N/A	N/A	N/A	N/A	Low	A survey is currently being undertaken to measure performance against this indicator. The survey period will cease at the end of November. Performance for this indicator will therefore be reported in the next quarter period.
199c	The percentage of relevant land and highways from which unacceptable levels of fly-posting are visible	0%	1%	N/A	0%	N/A	N/A	N/A	N/A	N/A	Low	A survey is currently being undertaken to measure performance against this indicator. The survey period will cease at the end of November. Performance for this indicator will therefore be reported in the next quarter period.
199d	The year-on-year reduction in total number of incidents and increase in total number of enforcement actions taken to deal with 'fly-tipping'	Good	N/A	N/A	Good	N/A	N/A	N/A	N/A	N/A	Low	THIS INDICATOR IS COLLECTED ANNUALLY. No remedial action required at this stage.

Key PI	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
166a	Score against a checklist of best practice for: (a) Environmental Health	100.0%	100.0%	100.0%	100.0%		Yes	✓	N/A	✓	High	A number of new procedures and practices were introduced in 2006/07 to achieve this performance. It is planned that these remain in place and mature enabling this performance to be maintained.
216a	Number of 'sites of potential concern' in the local authority area with respect to land contamination	11	11	150	8	N/A	N/A	N/A	N/A	N/A	N/A	An ongoing project involving Council staff and a contractor has identified an approximation of 150 sites once duplications are removed. This will be subject to revision as the project progresses. The existing contaminated land strategy is being reviewed and the data set rationalised to allow a meaningful prioritisation exercise to be carried out. The existing strategy will be revised and the process of assessing specific sites can begin.
216b	Number of sites for which sufficient detailed information is available to decide whether remediation of the land is necessary, as a percentage of all 'sites of potential concern'	9%	1%	1%	9%		No	x	✓	x _B	High	As the performance of this PI is expressed as a percentage of 216a, it is likely that performance will drop significantly as the number of potential sites increases. This trend will gradually reverse as the strategy matures and site investigation either allows the site to be actioned or discounted.
217	Percentage of pollution control improvements to existing installations completed on time	100%	100%	100%	100%		Yes	✓	N/A	✓	High	Significant improvements were made in 2006/07 to achieve this performance. It is envisaged that the planned departmental restructure will increase in-house expertise in this area thereby allowing performance to remain at this level.

BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
218a	Percentage of new reports of abandoned vehicles investigated within 24hrs of notification	99.47%	100.00%	100.00%	99.00%		Yes	✓	✓	✓	High	Ensuring that abandoned vehicles are removed quickly is an important aspect of neighbourhood management. Investigating reports of abandoned vehicles is a high priority for the enforcement team.
218b	Percentage of abandoned vehicles removed within 24 hours from the point at which the Authority is legally entitled to remove the vehicle	100.00%	100.00%	100.00%	100.00%		Yes	✓	✓	✓	High	Ensuring that abandoned vehicles are removed quickly is an important aspect of neighbourhood management. Investigating reports of abandoned vehicles is a high priority for the enforcement team.
106	Percentage of new homes built on previously developed land	90.11%	100.00%	100.00%	65.00%		Yes	✓	✓	✓	High	Target has been exceeded.
109a	Percentage of major applications determined within 13 weeks	87.50%	100.00%	66.66%	88.00%		No	✗	✗	✗ ₃	High	Performance is below locally set targets (although all are above DCLG national targets). Performance has occurred due to significant staffing shortages within the team. Measures are being taken to ensure staffing situation is addressed, including the appointment of temporary staff and recent approval of the P&EH restructure. These actions will lead to significantly improved performance from quarter 3 onwards. It is unlikely this will be in time to ensure the stretch targets are met by the year end.
109b	Percentage of minor applications determined within 8 weeks	92.41%	72.00%	68.57%	92.00%		No	✗	✗	✗ _B	High	
109c	Percentage of 'other' applications determined within 8 weeks	95.40%	89.00%	79.68%	96.00%		No	✗	✗	✗ _B	High	
200a	Did the local planning authority submit the Local Development Scheme by 28th March 2005 and thereafter maintain a 3-year rolling programme?	Yes	Yes	Yes	Yes		Yes	✓	✓	N/A	N/A	This is a Statutory requirement under the Planning Act 2004.

BVPI	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
200b 	Has the local planning authority met the milestones which the current Local Development Scheme sets out?	No	Yes	Yes	Yes		Yes	✓	✓	N/A	N/A	Revised and updated LDS agreed and submitted to GONE on the 29.03.07
204	The number of planning appeal decisions allowed against the authority's decision to refuse on planning applications, as a percentage of the total number of planning appeals against refusals of planning applications	12.5%	50.0%	60.0%	25.0%		No	✗	✗	✗ _B	Low	Performance is below locally set target. However there is no reason to believe target will not be achieved by year end.
205	The local authority's score against a 'quality of planning services' checklist	100.0%	100.0%	100.0%	100.0%		Yes	✓	✓	✓	High	Performance is on target. There is no reason why year end target should not be met.
219b	Percentage of conservation areas in the local authority area with an up-to-date character appraisal	100%	100%	100%	100.00%		Yes	✓	✓	✓	High	It is not intended or possible to increase the number of conservation areas in the District, therefore, the existing 100% performance will remain constant throughout 2007-08
126a	Domestic burglaries per 1,000 households in the Local Authority area	7.06	2.25	4.8	Q2 3.45 YE 6.91		No	N/A	✗	N/A	Low	Performance slightly below predicted target. Corrective Action: Working with the police on a crime prevention initiative highlighting bogus tradesman callers, talks to residential homes and other vulnerable houses. Operating a market stall with free crime prevention products. Implementing further crime prevention initiatives. Criminal Damage action plan is having an effect on lowering domestic burglaries.

BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
127a	Violent crime per 1,000 population in the Local Authority area	17.86	4.88	8.8	Q2 8.84 YE 17.68		Yes	N/A	x	N/A	Low	On target to achieve. Police operation targeting drug supply is having a positive knock on effect in reducing violent crime.
127b	Robberies per 1,000 population in the Local Authority area	0.47	0.03	0.1	Q2 0.24 YE 0.46		Yes	N/A	✓	N/A	Low	On target to achieve - working in conjunction with Police on a crime prevention initiative targeting purse theft, shoplifting. This includes the shopwatch scheme in conjunction with CCTV as a deterrent.
128	The number of vehicle crimes per 1,000 population in the Local Authority area	6.35	1.39	2.9	Q2 3.08 YE 6.17		Yes	N/A	✓	N/A	Low	On target to achieve. Targeting known hotspots with a crime prevention initiative.
174	The number of racial incidents reported to the Local Authority, and subsequently recorded, per 100,000 population	5.64	1.88	1.88	Q2 4.70 YE 9.40		Yes	N/A	✓	N/A	Low	Performance remains the same as last quarter. Corrective Action: Take proactive measures to engage with minority groups in an effort to encourage the reporting of racial incidents. Hate crime information packs and leaflets distributed to community.
175	The percentage of racial incidents reported to the Local Authority that resulted in further action	100.00%	100.00%	100.00%	100.00%		Yes	N/A	✓	N/A	High	No incidents reported. Corrective Action: Hate crime campaign ongoing to raise awareness
225	Actions against domestic violence. The percentage of questions from a checklist to which a local authority can answer 'yes'.	45.5%	55.0%	45.5%	60.0%		No	x	✓	N/A	High	Although our performance has dropped this is only an increase in 1 repeat homeless case. This has resulted in not being able to count one of the 11 criteria in this BVPI. Corrective Action: We are working alongside the DV Co-ordinator for CLS and Durham to develop services for people fleeing DV. We are hoping to introduce a Sanctuary type scheme for victims of DV.







BVPI	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
226a	Total amount spent by the Local Authority on Advice and Guidance services provided by external organisations	£75,384.99	N/A	N/A	£75,384.99	N/A	N/A	N/A	N/A	N/A	N/A	THIS INDICATOR IS COLLECTED ANNUALLY. No remedial action required at this stage.
226b	Percentage of monies spent on advice and guidance services provision that was given to organisations holding the CLS Quality Mark at 'General Help' level and above	50.27%	N/A	N/A	50.27%	N/A	N/A	N/A	N/A	N/A	High	THIS INDICATOR IS COLLECTED ANNUALLY. No remedial action required at this stage.
226c	Total amount spent on Advice and Guidance in the areas of housing, welfare benefits and consumer matters which is provided directly by the authority to the public	£530,471.19	N/A	N/A	£542,918.58	N/A	N/A	N/A	N/A	N/A	N/A	THIS INDICATOR IS COLLECTED ANNUALLY. No remedial action required at this stage.
YES							40	25	32	16	BEST Q	
NO							22	19	27	9	2ND Q	
NO										6	3RD Q	
WORST QUARTILE										8	WORST Q	
TOTAL							62	44	59	39		
TOTAL N/A							12	30	15	35		
TOTAL OVERALL							74	74	74	74		

23%
15%

Required to produce a total of 44 indicators Equates to 74 separate indicators		COMPARE WITH QTR 1		ACTUALS FOR YTD 2006/07		SAME PERIOD LAST YEAR	
We:							
Achieved our targets	65%		58%		75%		60%
Improved on previous year	57%		53%		67%		45%
Secured best quartile performance	41% <i>Estimated</i>		49% <i>Estimated</i>		47% <i>Estimated</i>		48% <i>Estimated</i>
Improved on same period last year	54%		58%		n/a		60%

BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
Unfortunately we:												
	Failed to meet our targets		35%		42%		25%		40%			
	Failed to improve from previous year		43%		47%		33%		55%			
	Show worst quartile performance		21% Estimated		23% Estimated		18% Estimated		26% Estimated			
	Failed to improve on same period last year		46%		42%		n/a		40%			


Summary of Performance by Category	Achieved Target	Not Achieved Target	Improved from Previous Year	Not Improved from Previous Year	Secured Best Quartile	Show Worst Quartile
Corporate Health	33%	60%	40%	40%	13%	7%
Housing	50%	25%	25%	50%	8%	25%
Benefits & Council Tax	89%	11%	33%	0%	33%	0%
Waste & Cleanliness	58%	17%	33%	8%	25%	0%
Environmental Health	67%	17%	67%	17%	67%	17%
Planning	50%	50%	50%	50%	25%	38%
Culture & Related Services	100%	0%	100%	0%	100%	0%
Community Safety & Wellbeing	50%	20%	0%	10%	0%	0%





KEY:	
	CPA performance indicators
	LAA performance indicators
	Better than Target Performance
	On Target Performance
	Worse than Target Performance
Best Quartile	Quartile comparisons are based on National District Council's 2005/06 audited data
	Key 19 indicators identified from 2006/2007 outturns where improvement is required. (Those highlighted in bold were also included in the key 20 indicators monitored last year.)


BVPI	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
		✓	Yes									
		✗	No									
		✗ ₂	No - 2nd best quartile performance									
		✗ ₃	No - 3rd best quartile performance									
		✗ _B	No - worst quartile performance									





Local Performance Indicators - Report for the period April - September 2007






LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Good Perf	Explanation, Reasons & Actions
CSS03	% of telephone calls answered within 15 seconds	94.6%	N/A	N/A	92%	N/A	N/A	N/A	N/A	High	We are unable to report performance for this period due to a technical fault currently experienced with the telephone system. It is anticipated that this fault will be rectified and performance reported in the next quarter.



LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Good Perf	Explanation, Reasons & Actions
CSS07	% complaints responded to within 10 working days	82.3%	86%	87%	90%		No	✓	✓	High	<p>Although we have not achieved the target established within the service standards, the overall performance continues to maintain the highest overall performance following the introduction of the corporate performance standards in 2005. The CRM system also became live in July 2007 and it is pleasing to note that the changing of systems has not had an adverse effect on the overall performance.</p> <p>Corrective Action: Although performance is below target, improvements continue. Advanced reports are being developed within the CRM system to allow teams to further target / highlight any problem areas and focus their efforts on improving performance. It is hoped that this will have a positive effect on next quarter's performance.</p>





LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Good Perf	Explanation, Reasons & Actions
HRLP01	% of voluntary leavers as % of staff in post	6.32%	2.70%	4.27%	5.5%		Yes	✓	✗	Low	Performance is slightly behind target after the second quarter, which is due to a large number of leavers in the first and second quarter. Corrective Action: Employee survey and action planning; Monitor exit interviews and report concerns; Monitor grievances and other forms of staff dissatisfaction and report on concerns; Look at staff retention.
HRLP04	% of disciplinaries as a % of staff in post	3.05%	0.45%	1.12%	1.0%		No	✓	✓	Low	Performance has exceeded the target for 2007/08 due to a higher than expected number of disciplinary cases.
HRLP05	% of grievances as a % of staff in post	1.09%	0.22%	0.89%	1.0%		Yes	✓	✗	Low	Performance is slightly behind target but hopefully will be achieved by the end of 2007/08.
HRLP14	% of recruitment enquiries responded to within 48 hours	100%	100%	100%	80%		Yes	✓	✓	High	Performance is ahead of target.




LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Good Perf	Explanation, Reasons & Actions
ITLP16	% of customer satisfaction regarding information and services available on the council website and associated portals	66%	50%	50%	70%		No	x	✓	High	The satisfaction of the website remains at 50% This matches the satisfaction from the previous quarter. At present there is not a likelihood of reaching the end of year target of 70%. Corrective Action: Most users who respond to the 'Rate this Page' facility state the main concern is that information on the council website is not kept up to date. As a result of the performance last quarter, we have also introduced a scheme called 'Pride in our Neighbourhood' and asked all staff to make a note of any out of date content on the website and forward this to the service team responsible for keeping it up to date. We will remind staff to prompt people when they come across areas of the website that are not up to date. The authority needs more information as to the reasons for satisfaction of the website and plan to work with regeneration to consult with citizens and business users of the website to seek further information regarding satisfaction and proposed changes and improvements. These will need to be considered and built into the new website to try and gain in




LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Good Perf	Explanation, Reasons & Actions
ITLP17	Increase in the use of the authority's website	105,652	33,402	64,906	Q2 54473 YE 108946		Yes	N/A	✓	High	If the first six months are projected throughout the year, the target will be reached with approx 129,812 visits compared to the target of 108946. Corrective Action: Visits for the previous quarter was 33402. This quarter shows a slight drop with 31,504 visits. The change is slight and takes account of a reasonable shift in visitors to the website. As there is no major concerns at this stage I anticipate no further corrective action at present
FSLP12	% of registered invoices approved/actioned within 7 days	90.91%	91%	89%	90%		No	✗	✗	High	Performance has dropped slightly below the target, but this is during the popular holiday period and we hope it will improve again in the following quarter. Corrective Action: To continue to monitor invoice approvals and try to establish where the problem areas are.
FSLP13	% of sundry debtors raised within 5 days of request	93.89%	99.36%	99.62%	95%		Yes	✓	✓	High	The target is realistic and achievable for 2007-08
FSLP31	% of actions completed from Risk Management Strategy	95.83%	100%	75%	100%		No	✗	✗	High	9 from 12 actions due are complete the remaining are underway and the target remains realistic and achievable for 2007-08.



LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Good Perf	Explanation, Reasons & Actions
FSLP40	% of actions completed from Procurement Strategy	94.64%	100%	85%	100%		No	X	X	High	The actions are progressed through the Procurement Strategy Network (PSN) and monitored at the Procurement Strategy Group (PSG). The Procurement Strategy is progressing according to plan, with some items rescheduled within year when this is appropriate and agreed.
FSLPACC10	Statement of Accounts presented to Council within statutory deadline	Yes	Yes	Yes	Yes		Yes	✓	✓	N/A	The performance target has been met.
HSLPPS1	% of urgent repairs completed within Government time limits	96.27%	91.36%	94.60%	97.5%		No	X	X	High	23 jobs within this category were completed late. Corrective Action: Close monitoring over the next quarter will re-align the performance to the target.
HSLPPS2	Average time taken to complete non-urgent responsive repairs	25.18 days	15.13 days	14 days	22 days		Yes	✓	✓	Low	The majority of works orders within this category are carried out on the appointments system. The planned register works are also within this category; however to date no planned works have been scheduled.
HSLPPS3	% of repair appointments that were made and kept by the authority	93.79%	91.88%	92.00%	94%		No	X	X	High	Performance is just falling short of target. The position has marginally improved, however the present system underestimates the true position but this will be rectified by the new contractors' system.



LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Good Perf	Explanation, Reasons & Actions
HSLPTP2	% of tenants involved in the housing services	40%	40%	40%	35%		Yes	✗	✗	High	We are continuing to engage with our Tenants following the Yes vote to transfer the housing stock. The use of focus groups, meetings and home visits allows us to engage with our tenants and actively involve them in the housing service. At the present time we are exceeding our year end target by 5%.
HSLPIM1	Former tenant arrears as a % of rent roll	1.04%	1.08%	0.90%	0.93%		Yes	✓	✓	Low	We are currently on target for this measure and have improved on the same period last year (1.02%)
HSLPIM2	% of rent written off	0.63%	0.01%	0.43%	0.73%		Yes	✓	✗	Low	As per government guidelines we have now cleared all debt older than 5 years where we have received no repayments. This has led to slightly higher write off's for this period. Now this exercise is complete we anticipate a fall in the level of write off's in the second half of the year which will lead to us falling in line with the agreed target.

LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Good Perf	Explanation, Reasons & Actions
HSLPIM3	Current rent arrears as a % of rent roll	2.46%	2.51%	2.46%	2.46%		Yes	✓	✓	Low	Our current performance exceeds performance for quarter 2 last year which was 2.56%. We have 104 fewer tenants in arrears for this period compared to the same period last year. The performance in this measure is traditionally higher in the first three quarters of the year and reduces considerably following the two 'free' rent weeks at Christmas. We remain on target to achieve this measure by year-end.
HSLPSH1.07	All new housing development in the district of Chester-le-Street to include 30% affordable homes	0	100%	100%	30%		Yes	✓	✓	High	The following sites are under development with 30% affordable homes included: Sacriston Holly Cross & Vigo Lane - with further sites at Lingey House Farm and Newfield currently being considered.
HSLPSH2.07	The number of households threatened with Homelessness re-housed in the private rented sector	0	5	13	8		Yes	✓	✓	High	Target has been met.
HSLPSH3	% of homeless households re-housed in Social Rented Sector (RSL Accommodation)	2	0	0	15		No	✗	✗	High	Target has not be achieved. Corrective Action: Nomination agreements are in place with existing RSL's and work is currently underway on the same with Cestria. With Cestria being the largest RSL in the area this target should be met at the year end.

LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Good Perf	Explanation, Reasons & Actions
HSLPSH4	The number of Private Landlords who are members of Chester-le-Street's Landlord Accreditation Scheme	41	41	42	46		No	✓	✓	High	Target has not been met. Corrective Action: The Private Landlord Accreditation post has recently been vacant, however, with a new person appointed from 1 July 2007 they will work at promoting the scheme and encouraging new landlords to join the scheme.
HSLPSH5	The number of accredited properties in the Private Landlord Accreditation Scheme	80	82	84	90		No	✓	✓	High	Target has not been met. Corrective Action: There are currently 68 properties belonging to Landlords on the Private Landlord Association scheme that are not accredited. The PLA Officer is working to a programme to accredit these properties therefore this target should be met.
ESLP10	% of designated grass areas cut within 10 working day cycle	98.1%	95.8%	95.8%	90%		Yes	✗	✗	High	We have continued to exceed the target and as there is only one scheduled cut left for the remainder of the grass cutting season, it is expected that the target will be achieved at the end of the year. Due to weather conditions, grass cutting has been suspended from 19 September - 15 October so one cut scheduled for September and October have been cancelled.

LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Good Perf	Explanation, Reasons & Actions
EHLP04	% of primary food hygiene inspections achieved of those planned	98%	100%	100%	95%		Yes	✓	✓	High	Of the 92 primary inspections due on the risk-based inspection programme covering up to end of September 2007, all premises have been inspected within the due date for inspection. We are therefore on course to achieve our stated target.
PLL33a	% of pre-application enquiries responded to within target (major)	78.10%	42%	81.25%	90%		No	✓	✗	High	This below target performance has occurred due to significant staffing shortages and the decision to focus remaining resources on the higher profile BVPI 109. Measures have been taken to ensure staffing situation is improved, including the appointment of an Asst Planning Officer and a temporary agency Officer. The proposed P&EH restructure will also enable the filling of the vacant Senior Officers Post. Once achieved this will ensure performance is back on course to meet targets for minor enquiries although it is unlikely this will be in time to ensure the target for major enquiries is met;
PLL33b	% of pre-application enquiries responded to within target (minor)	70.10%	55%	67.92%	90%		No	✗	✗	High	Corrective Action: Appointment of vacant Senior Planners post

LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Good Perf	Explanation, Reasons & Actions
PLLPO2	% of householder planning applications determined in 8 weeks	97.32%	90.0%	82.75%	95%		No	✘	✘	High	Performance is below locally set target. Performance has occurred due to significant staffing shortages. Measures are being taken to ensure staffing situation is addressed, including the appointment of temporary staff and recent approval of the P&EH restructure. These actions will lead to significantly improved performance from quarter 3 onwards. It is unlikely this will be in time to ensure the stretch target is met by the year end.
PLL29a	% of planning enforcement enquiries responded to within target (Category 1 cases)	100%	100%	100%	90%		Yes	✓	✓	High	83 cases in total were received. Cat 1 - 1 case received was investigated and a response provided within 24 hours.
PLL29b	% of planning enforcement enquiries responded to within target (Category 2 cases)	100%	100%	N/A	90%	N/A	N/A	N/A	N/A	High	No category 2 cases were received.

LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Good Perf	Explanation, Reasons & Actions
PLL29c	% of planning enforcement enquiries responded to within target (Category 3 cases)	99.5%	27%	39%	90%		No	X	X	High	Category 3 enquiries accounted for 98.8% of all cases. Of the 82 received, 32 were responded to within the target response times. Failure to achieve this target has been attributed to the significant staff shortages and resultant lack of resources. Corrective Action: It is envisaged that the target response times will be met during the next quarter due to the appointment in September of additional staff.
LDLP25	% of standard searches carried out in 10 working days (originally BV179 deleted from 2006/07 set)	98.91%	100%	100%	99%		Yes	✓	✓	High	The target has currently been exceeded.
LSLP11	Net spend per head of population (of the broad spectrum of services currently provided by the Leisure Services Team)	£40.31 (Estimated figure)	N/A	N/A	£38.50	N/A	N/A	N/A	N/A	Low	THIS INDICATOR IS COLLECTED ANNUALLY. No remedial action required at this stage.
LSLP14	Total number of user visits to all the main 4 leisure sites (Leisure Centre, Riverside (including Park), Golf complex, Selby Cottage) and the services and activities provided by the community leisure team	902,246	N/A	N/A	975,000	N/A	N/A	N/A	N/A	High	THIS INDICATOR IS COLLECTED ANNUALLY. No remedial action required at this stage.










LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Good Perf	Explanation, Reasons & Actions
LSLP15	% of young people (those under 16 yrs old) within the total user visits to the 4 main leisure sites (excluding Riverside Park) and the services and activities provided by the community leisure team	35.06%	N/A	N/A	42.5%	N/A	N/A	N/A	N/A	High	THIS INDICATOR IS COLLECTED ANNUALLY. No remedial action required at this stage.
YES							17	19	17		
NO							15	12	15		
TOTAL							32	31	32		
TOTAL N/A							5	6	5		
TOTAL OVERALL							37	37	37		







Report a total of 34 Indicators		COMPARE WITH QTR 1	ACTUALS FOR YTD 2006/07	SAME PERIOD LAST YEAR
Equates to 37 separate indicators				
We:				
Achieved our targets	53%	58%	51%	61%
Improved on previous year	61%	57%	n/a	n/a
Improved on same period last year	53%	55%	n/a	n/a
Unfortunately we:				
Failed to meet our targets	47%	42%	49%	39%
Failed to improve on previous year	39%	39%	n/a	n/a
Failed to improve on same period last year	47%	45%	n/a	n/a







Summary of Performance by Category	Achieved Target	Not Achieved Target	Improved from Previous Year	Not Improved from Previous Year
Corporate Health	46%	46%	54%	31%
Housing	58%	42%	67%	33%
Waste & Cleanliness	100%	0%	0%	100%
Environment	100%	0%	100%	0%
Planning	29%	57%	43%	43%






LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Good Perf	Explanation, Reasons & Actions
	Culture & Related Services		0%	0%	0%	0%					














Key 19 Performance Indicators - Report for the period April - September 2007



BVPI No.	Description	Actual 2006/07	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Direction of Travel	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
8 	Percentage of invoices for commercial goods & services paid by the Authority within 30 days of receipt or within the agreed payment terms	90.27%	93.45%	95.00%		No				High	Although the second quarter results are slightly lower than that of Q1, there is still a marked improvement on the second quarter 2006-07 which was 86.92%. An action plan (CPI Ph2) is in operation to further improve performance on this BVPI. The target should prove to be realistically achievable. Corrective Action: Various actions are planned to drive improvement including further user guidance and training and additional tailored reports for team and individual performance for key areas.
9 	The percentage of council tax collected by the Authority in the year	97.24%	57.60%	Q2 56.00% YE 98.80%		Yes	N/A	N/A	N/A	High	Performance is on target. More stringent and proactive recovery procedures are now in operation and direct debit uptake has increased. 73.1% of all Council Tax payers now pay by Direct Debit.
10 	The percentage of national non-domestic rates collected in-year	96.69%	57.60%	Q2 58.00% YE 97.90%		No	N/A	N/A	N/A	High	Performance is slightly below second quarter predicted performance. It is anticipated that with more stringent and proactive recovery procedures, performance achieve target. Direct debit uptake has increased and 48% of all Non Domestic Rate payers now pay by Direct Debit.

BVPI No.	Description	Actual 2006/07	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Direction of Travel	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
11a 	Percentage of top-paid 5% of staff who are women	25.00%	26.92%	31.00%		No	✓	↗	x ₂	High	Performance is slightly below target for 2007/08, however, it is expected that the target will be achieved for the year.
12 	The number of working days/shifts lost to the Authority due to sickness absence	11.09 days	12.5 days	10.65 days		No	x	↘	x _B	Low	Sickness absence has increased from last year. This is due to an increase in the number and duration of some of the Council's long-term sickness cases.
64 	Number of non-local authority-owned vacant dwellings returned to occupation or demolished during the financial year as a direct result of action by the local authority	0	0	2		No	x	→	x _B	High	Updated figures on the number of empty properties were received in October 2007. These were significantly higher than earlier figures and have delayed development of the Empty Property Policy. Corrective Action: Once all ongoing survey work is complete it will be possible to ascertain the underlying causes leading to properties becoming and remaining vacant. A draft Policy will then be developed to address these issues.

BVPI No.	Description	Actual 2006/07	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Direction of Travel	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
66a 	Rent collected by the local authority as a proportion of rents owned on Housing Revenue Account (HRA) dwellings	97.52%	94.74%	97.80%		No	x		x_B	High	The figure calculated at the end of March each year is an accurate indicator of performance. Monthly and quarterly calculations do not provide a true reflection of performance, however, monthly and quarterly comparisons can be made and last year the quarter 2 performance was 92.44%. the performance this year exceeds 2nd quarter performance for both 2004/05 and 2005/06. Performance this year is now on par with last year and the target is achievable by year-end. We have gained ground from quarter 1 (collecting 0.52% more rent than in the same quarter last year). We have collected £6,552,564.00 this year compared to £6,262,285.81 for the same period last year.
66d 	Percentage of local authority tenants evicted as a result of rent arrears	0.49%	0.28%	0.47%		Yes	✓		x₂	Low	The rate of evictions (12 in total) remains in line with last year's performance (13 last year in the same period). But for the proactive work by the Income Management Team this figure could have been higher. The team have successfully prevented 28 further cases proceeding to eviction stage by negotiating either full repayment of the debts in these cases or entering into 'last chance' repayment programmes that are being successfully maintained.

BVPI No.	Description	Actual 2006/07	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Direction of Travel	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
184a 	The percentage of local authority dwellings which were non-decent at the start of the financial year	46%	N/A	38%	N/A	N/A	N/A	N/A	N/A	Low	THIS INDICATOR IS CURRENTLY COLLECTED ANNUALLY. Once the Savilles stock condition survey has been validated, work to update the database will commence and reporting may then be possible on a quarterly basis.
184b 	The percentage change in the proportion of non-decent dwellings between the start and the end of the financial year	0%	N/A	17.0%	N/A	N/A	N/A	N/A	N/A	High	THIS INDICATOR IS CURRENTLY COLLECTED ANNUALLY. Once the Savilles stock condition survey has been validated, work to update the database will commence and reporting may then be possible on a quarterly basis.
212 	Average time (days) taken to re-let local authority housing	38 days	44 days	32 days		No	x		x ₃	Low	The relet times have increased by 5 days in comparison to the 1st quarter of 2007. We have successfully relet a total of 10 long term voids within this quarter, however this has a detrimental effect on the overall re-let times, and if these properties were removed from the statistics, the re-let times would reduce to a total of 30 days, which is below our target. Corrective Action: Officers are continuing to work towards achieving the 2007/08 target, ensuring wherever possible that they are pre-allocating properties to minimise the relet times. Officers are also endeavouring to complete an accompanied viewing whilst the existing tenant is still occupying the property. This again will assist in minimising the relet times.

BVPI No.	Description	Actual 2006/07	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Direction of Travel	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
202 	The number of people sleeping rough on a single night within the area of the authority	5	5	0-10		Yes	x	→	x_B	Low	Target will be met as at present local intelligence used for the target and past data. Corrective Action: We are hoping to introduce a monitoring system that will record the number of people sleeping rough within the the LA area.
76c 	The number of Housing Benefit and Council Tax Benefit fraud investigations carried out by the Local Authority per year, per 1,000 caseload	48.80	27.27	Q2 24.00 YE 48.00		Yes	N/A	N/A	N/A	High	Performance has exceeded second quarter target. Work is very closely monitored and managed to ensure that the team maintain the number of fraud investigations completed.
78a 	The average processing time (days) taken for all new Housing and Council Tax Benefit claims submitted to the Local Authority, for which the date of decision is within the financial year being reported	25.6 days	21.51 days	24.0 days		Yes	✓	↗	✓	Low	Performance is well on target. Weekly performance monitoring has ensured that a sustained and continual improvement is made.
82a(ii) 	Total tonnage of household waste arisings sent by the Authority for recycling	3683.57	1887.09	Q2 1712.50 YE 3425		Yes	N/A	N/A	N/A	High	If recycling performance continues at the current level then the target will be achieved
199b 	The percentage of relevant land and highways from which unacceptable levels of graffiti are visible	5%	N/A	4.50%	N/A	N/A	N/A	N/A	N/A	Low	A survey is currently being undertaken to measure performance against this indicator. The survey period will cease at the end of November. Performance for this indicator will therefore be reported in the next quarter period.
200b 	Has the local planning authority met the milestones which the current Local Development Scheme sets out?	No	Yes	Yes		Yes	✓	↗	N/A	N/A	Revised and updated LDS agreed and submitted to GONE on the 29.03.07
127a 	Violent crime per 1,000 population in the Local Authority area	17.86	8.8	Q2 8.84 YE 17.68		Yes	N/A	N/A	N/A	Low	On target to achieve. Police operation targeting drug supply is having a positive knock on effect in reducing violent crime.

BVPI No.	Description	Actual 2006/07	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Direction of Travel	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
174 	The number of racial incidents reported to the Local Authority, and subsequently recorded, per 100,000 population	5.64	1.88	Q2 4.70 YE 9.40		Yes	N/A	N/A	N/A	Low	Performance remains the same as last quarter. Corrective Action: Take proactive measures to engage with minority groups in an effort to encourage the reporting of racial incidents. Hate crime information packs and leaflets distributed to community.
YES						9	5	5	1	BEST Q	
NO						7	5	3	2	2ND Q	22%
NO									2	3RD Q	22%
BOTTOM QUARTILE									4	WORST Q	
CONSTANT TREND								2			
TOTAL						16	10	10	9		
TOTAL N/A						3	9	9	10		
TOTAL OVERALL						19	19	19	19		

ACTUALS FOR YTD 2006/07		
19 separate indicators		
We:		
Achieved our targets		56%
Improved on previous year		50%
Secured best quartile performance	11%	Estimated
Direction of travel shows an improvement		50%
Unfortunately we:		
Failed to meet our targets		44%
Failed to improve from previous year		50%
Show worst quartile performance	44%	Estimated
Direction of travel shows a decline		30%

COMPARE WITH QTR 1
47%
45%
20%
45%
53%
55%
50%
36%

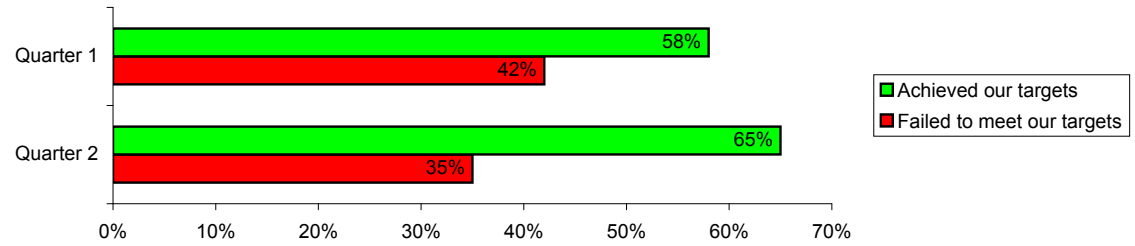
Key:

BVPI No.	Description	Actual 2006/07	Quarter 2 Apr - Sept 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Direction of Travel	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
➔	Remaining constant										
⬇	Deteriorating performance										
➔	Improving performance										

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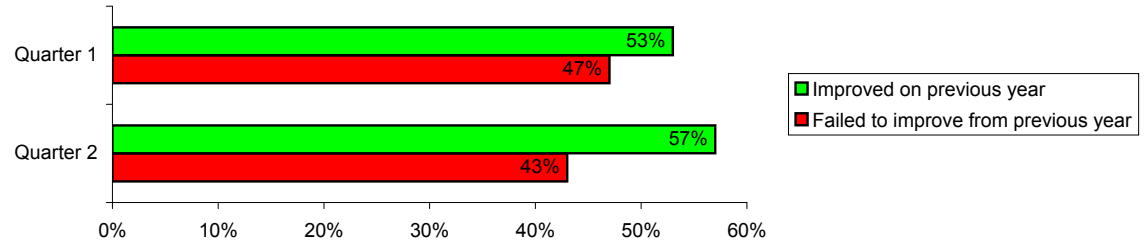
BVPI Achievement against Target

	Quarter 2	Quarter 1
Failed to meet our targets	35%	42%
Achieved our targets	65%	58%



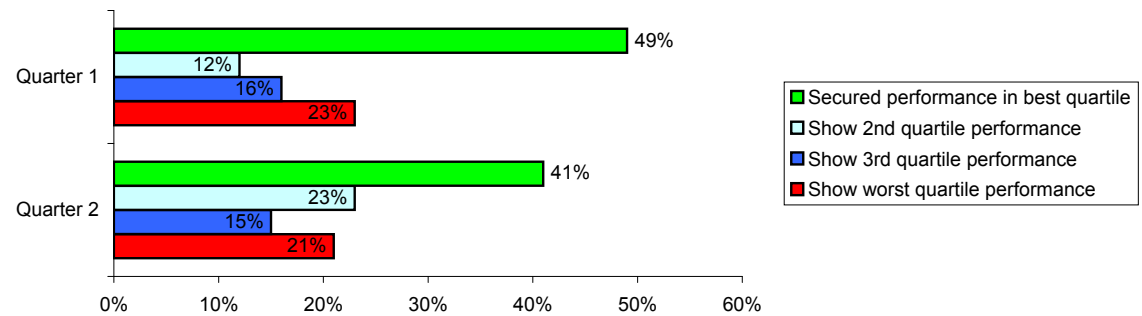
BVPI Improvement from last year

	Quarter 2	Quarter 1
Failed to improve from previous year	43%	47%
Improved on previous year	57%	53%



BVPI Quartile Comparisons

	Quarter 2	Quarter 1
Show worst quartile performance	21%	23%
Show 3rd quartile performance	15%	16%
Show 2nd quartile performance	23%	12%
Secured performance in best quartile	41%	49%





Chester-le-Street District Council

Report to:	Executive
Date of Meeting:	03 December 2007
Report from:	Director of Community Services
Title of Report:	Irrecoverable Housing Debt
Agenda Item Number:	

1. Purpose and Summary

- 1.1 The purpose of this report is to secure the approval of the Executive to write off irrecoverable housing debt.
- 1.2 The Executive are recommended to agree to:
 1. Writing off £11943.51 of irrecoverable housing debt.

2. Consultation

- 2.1 The Director of Resources has been consulted in connection with this report.
- 2.2 Housing staff were consulted to establish the whereabouts of any of the tenants included in this report. No responses were received.

3. Corporate plan and Priorities

- 3.1 This report does not directly support any of the Corporate Plan priorities. The writing off of irrecoverable housing debt is seen as good practice and is an essential requirement for the proper management of the Housing Revenue Account.

4. Implications

4.1 Financial Implications and Value for Money Statement

The Service has identified 7 cases where it is considered that housing debt relating to former tenants rent arrears cannot be recovered. The Housing Revenue Account has made provision for a total of £295.044 for bad-debts and write-offs during 2007/8 and the amounts set out in the body of this report can be written off against that provision.

4.2 Legal

There are no legal implications associated with this report.

4.3 Personnel

There are no specific personnel issues associated with this report.

4.4 Other Services

There are no Other Service implications associated with this report.

4.5 Diversity

There are no Diversity implications associated with this report.

4.6 Risk

The Council is required to make real cash provision in its Housing Revenue Account for bad debts, equivalent to 90% of the total bad debt. The writing off or irrecoverable housing debt free up resources that can be deployed to meet service priorities.

4.7 Crime and Disorder

There are no Crime and Disorder issues associated with this report.

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.

4.8 Other Implications

There are no Other Implications associated with this report.

5. Background, Position Statement and Option Appraisal

5.1 The Council has made a provision of £295.044 to meet bad debts in 2007/2008.

5.2 There are a total of 7 cases of irrecoverable housing debt as set out in the table overleaf:

Table 1
Uncollectible Debt Profile

No Response from last forward address	Rechargeable Repairs	Rent Arrears	Total
1		£1479.60	£1479.60
2		£1100.46	£1100.46
Sub Total		£2580.06	£2580.06
No forward address	Rechargeable Repairs	Rent Arrears	Total
3	1197.23	£2911.63	£4108.86
4		£1309.57	£1309.57
5		£1093.46	£1093.46
6		£1237.61	£1237.61
7		£1613.95	£1613.95
Sub Total	1197.23	£8166.22	£9363.45
Grand Total	£1197.23	£10746.28	£11943.51

NOTE: No forwarding address means that the tenants have abandoned the property and all possible tracing methods have been undertaken.

No response from a forward address means that all possible recovery procedures have been taken to recover the outstanding amounts from the forward address given.

5.3 There are no options to appraise in relation to this report

6. Recommendations

6.1 It is recommended that:-

1. The Executive agree to write off the irrecoverable housing debt for those cases set out in Table 1 in the body of the report.

7. Background Papers/ Documents referred to

7.1 There are no Background Papers associated with this report.

Kirk Groundwater
Income Management Team Leader
12 November 2007
VERSION 1.0

Kirk Groundwater Tel 0191 3872049 e mail Kirkgroundwater@chester-le-street.gov.uk



Chester-le-Street
District Council

Report to: Executive

Date of Meeting: 3 December 2007

Report from: Accountancy Manager

Title of Report: Mid Year Financial Monitoring Position

Agenda Item Number:

1. PURPOSE AND SUMMARY

- 1.1 The report summarises the Council's actual financial performance for the first six months of the year as compared with its estimated position. It identifies key issues arising from the financial monitoring processes and advises the Executive of actions taken to address these. It also summarises the proposed 2008/09 budget process.
- 1.2 The Executive is recommended to note the financial monitoring information detailed in sections 5–9 of the report and approve the 2008/09 budget process outlined in section 10.

2. CONSULTATION

- 2.1 Corporate Management Team has been consulted on the report.

The financial monitoring data has been discussed with Heads of Service and the extrapolated full year position has been based on the outcome of these discussions.

3. CORPORATE PLAN AND PRIORITIES

- 3.1 The Council's budget sets out the financial resources which will be used to deliver the Council's plan and corporate priorities.

The financial monitoring process is used to develop the Council's Medium Term Financial Strategy and clearly affects next year's budget plans.

4. IMPLICATIONS

4.1 Financial

The financial implications are detailed throughout the report.

4.2 Legal

There are no legal implications arising from the report.

4.3 Personnel

There are no personnel implications.

4.4 Other Services

It has been necessary for some service areas to identify savings to help address some of the potential problem areas identified during the financial monitoring process.

4.5 Diversity

There are no diversity implications.

4.6 Risk

The financial monitoring information and, more importantly, the corrective actions taken, help manage the risks associated with potential problem areas in the budget. The risk analysis which supported the 2007/08 budget process identified that income projections were a key area of risk.

The action to manage this was to ensure that income levels were carefully monitored and reported and that if income is below budget, action will have to be taken to identify compensating savings or additional income elsewhere.

4.7 Crime and Disorder

There are no Crime and Disorder 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

There are no other implications.

5. GENERAL FUND REVENUE

5.1 Appendix A shows the general fund revenue position to date for each service area and forecasts this to the end of the year.

5.2 Based on the position to date, the expected end of year position compared with the 2007/08 budget is summarised below:-

	£000
Leisure Services	+ 210
Environmental Health and Planning	- 50
Environmental Services	+ 58
Community Services	+ 7
Revenues and Benefits	- 25
Finance and Accountancy	0
Human Resources	0
Regeneration	+ 67
Corporate Development Unit	- 25
Legal and Democratic Services	0
Income Targets	+ 45
	+ 287

5.3 Clearly this forecast is not acceptable and Corporate Management Team and Heads of Service have been working together to ensure there is no overspend at the end of the financial year. The following actions have been taken to correct the situation highlighted by the mid year monitoring position:-

- Corporate Management Team met with specific Heads of Service to consider proposals to offset overspends in their service areas.
- All Heads of Service have been notified that there is a freeze on all supplies and services related expenditure. If there is a need to spend any of these budgets approval has to be sought from the Chief Executive or myself before an order can be raised.
- All vacant posts that arise are carefully considered by the Chief Executive, Head of Organisational Development and myself for approval.

5.4 The following table indicates the impact the above actions have already had on the revised expected end of year position.

	£000
Leisure Services	+ 120
Environmental Health and Planning	- 50
Environmental Services	+ 30
Community Services	+ 7
Revenues and Benefits	- 33
Finance and Accountancy	0
Human Resources	0
Regeneration	+ 45
Corporate Development Unit	- 25
Legal and Democratic Services	0
Income Targets	+ 45
	+ 139

5.5 Leisure Services

The end of year position for leisure services is expected to show an overspend against budget of £120,000. This can be further analysed as follows:-

	£000	
Leisure Centre	35	Mainly Sickness Cover
Golf Course	45	Shortfall in Income
Selby Cottage	45	Agency Fees
Special Events	25	Shortfall in Income
Riverside	20	Various
Shortfall in Vacancy Savings	30	(£51k target v £21k projected)
Shortfall in Procurement Efficiencies	10	
Less: Savings identified by Leisure Services	(90)	
	120	

5.6 Environmental Health and Planning

This service area is expected to show an overall underspend against its budget for the year, mainly due to development control income being above budget.

5.7 Environmental Services

There are a number of overspends within Environmental Services as a result of the impact of Single Status as well as an additional costs from a number of Job Re-evaluations. Together these are expected to result in an overall overspend against budget for the year of £89,000. However additional income has been generated amounting to £31,000 which was reflected in the original projections and further savings of £28,000 have been identified which reduce the net projected overspend for the year to £30,000.

5.8 Community Services

The forecast overspend is due to utility costs.

5.9 Revenues and Benefits

The service is expected to show a net underspend against budget for the year of approximately £33,000; £25,000 is due the recovery of legal fees; in addition savings of £8,000 have been identified.

5.10 Regeneration

There is a forecast shortfall in market income of £60,000 for the year, offset to some extent by additional income from the Industrial Units amounting to £15,000.

5.11 Corporate Development Unit

The forecast underspend of £25,000 for the year is due to income received in the year which was not budgeted for.

5.12 Additional Income

The 2007/08 budget includes an amount of £45,000 from additional income from fees and charges (excluding Leisure Services). Planning and Environmental Services have contributed towards this target, however the additional income has been reflected in the projected outturn figures for the relevant service area.

5.13 Summary of General Fund Position

Based on the mid-year monitoring information, the overall end of year forecast for the General Fund Revenue account shows an overspend of £139,000.

Action has already been taken as highlighted in 5.3 above to limit expenditure against controllable budgets to ensure offsetting savings are identified so there is no call on the general fund balance at the year end. There are also a number of senior level vacancies that will have an impact on reducing the level of overspend further. Heads of Service will also continue to work with budget holders to explore what else can be done to reduce expenditure.

If the overspends and shortfall in income cannot be offset by compensating savings, then these can only be funded from reserves, and this will have to include earmarked reserves, such as the Venture Fund.

6. HOUSING REVENUE ACCOUNT

6.1 Appendix B shows the Housing Revenue Account position to date which is an underspend on profiled budget amounting to £267,149.

6.2 The net underspend to September is mainly attributable to salary savings (£110,000), IT Modules (£150,000) and Stock Transfer Contingency budgets (£41,000).

6.3 The planned and responsive repairs budgets are within the Property Services heading as highlighted in Appendix B. There are variations within this budget area at the half year stage but it is expected that these will even out by the transfer date.

- 6.4 The forecast underspend for the full year - as shown in Appendix B is estimated at £341,000. The actual balance on the HRA as at 31 March 2007 on closure of the 2006/2007 accounts was £1,300,310 meaning that the projected balance at the end of the year is £1,641,310. This is on the assumption that the DLO trading account breaks even.
- 6.5 The financial position of the DLO as at the end of September is a deficit of £6,363. It is expected that the account will break even at the end of the trading period.

7. GENERAL FUND CAPITAL PROGRAMME

- 7.1 Appendix C summarises the General Fund Capital Programme.
- 7.2 The approved General Fund Capital Programme amounts to £5.369 million in total.

	£000
General Fund Slippage from 2006/07	618
Regeneration Slippage from 2006/07	1,061
2007/08 Regeneration Schemes	845
2007/08 General Fund Schemes	1,339
SHIP 2	1,293
Staff time charged to capital schemes	213
	5,369

Funded by	£000
Housing Capital Receipts	2,061
Other Capital Receipts	1,888
Specified Capital Grant	127
SHIP 2 Funding	1,293
	5,369

7.3 The following 2007/08 General Fund Schemes remain unreleased:-

Health and Safety Requirements	£000
Industrial Sites (£12,000 released)	313
Civic Centre (Roof repairs to be funded from the 2006/07 Civic Centre provision which is included in the slippage)	200
Cemeteries, footpaths, headstones, memorials (£10,000) released	110
Car Parking Repairs	22
Fire detection equipment – depot	10
Signage at the Leisure Centre (6,000 released)	10
	665

Business Critical	£000
Wheelie Bins (£8,000 released)	9
Web Replacement (£3,000 released)	7
CAPS Upgrade	5
CRM Integration	14
Boiler Systems at Riverside	5
Electoral Roll Upgrade	5
Floodlighting	9
Gym Equipment	7
	61

Statutory Requirements	£000
Disabled Facilities Grants (£84,000 released)	48
COSY	160
Secure e-payments system	6
	214

7.4 A total of £940,000 of the 2007/08 approved capital programme therefore remains unreleased at the mid year position.

The release of further schemes is entirely dependent on asset sales.

8. HOUSING CAPITAL PROGRAMME

8.1 Appendix D shows expenditure to date on the Housing Capital Programme.

8.2 The total programme amounts to £2,537,475 and is funded by the Major Repairs Allowance (MRA) of £1,837,475, capital receipts of £310,000, and direct revenue financing of £390,000.

- 8.3 The original housing capital programme was based on funding from the MRA for nine months of the year, assuming the housing stock transferred at the beginning of January; given the fact that the transfer is now scheduled for early February, an additional £198,608 will be available from the MRA to fund the capital programme.

9. ASSET SALES

- 9.1 The Medium Term Financial Strategy assumed new asset sales would generate £2.5million in 2007/08; in addition to the receipt already expected from Phase 3 of the Pelton Fell land sale.

- 9.2 To date, asset sales amounting to approximately £350,000 have been agreed and will be received in the current financial year.

The proceeds from these, along with the final Pelton Fell receipt, have been fully allocated to approved schemes.

- 9.3 Land estimated to realise approximately £1.2 million is now being marketed. It is expected that at least some of these sales will proceed in the current financial year. This funding cannot be released at present, however, to support further capital schemes until it is certain that the proceeds will be received this year.

10. 2008/09 BUDGET PROCESS

- 10.1 The 2008/09 budgetary process has, effectively, already started.

- 10.2 The mid year financial position summarised in this report will inform the budget process. Each Overview and Scrutiny Panel will consider the position of services within its remit throughout December.

- 10.3 The Executive's Forward Plan includes the 2008/09 revenue budget and capital programme for both its January and February meetings.

- 10.4 It is proposed that the Executive considers overall budget proposals for 2008/09 and reviews the Medium Term Financial Strategy at its meeting on 7 January 2008.

- 10.5 During January, Overview and Scrutiny Panels will consider budget proposals for the services within their remits.

- 10.6 It is proposed that the Executive considers the outcome of the Scrutiny Panels' work and its final budget and council tax proposals at a special meeting on 18 February 2008.

- 10.7 At its meeting on 28 February, Council will then determine its budget and council tax for 2008/09.

11. RECOMMENDATIONS

- 11.1 The Executive is recommended to note the financial monitoring information detailed sections 5-9 of the report and to approve the proposed 2008/09 budget process detailed in section 10.

AUTHOR NAME: Ian Herberson
DESIGNATION: Accountancy Manager
DATE OF REPORT December 2007
VERSION NUMBER: 2.0

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Service Area	Budget for Year £000	Profiled Budget to end of September £000	Actual Exp. to end of September £000	Half Year Variance £000	Comments	Projected Variance for full year £000
Leisure Services	1,978.4	499.9	641.7	+ 141.8	Mainly due to Agency Fees at Selby Cottage and a shortfall in income at the Golf Course, the Leisure Centre and Special Events at the Riverside.	+ 210.0
Environmental Health and Planning	797.3	417.0	374.9	- 42.1	Mainly due to additional income from Development Control.	- 50.0
Environmental Services	2,696.8	1,184.3	1,224.0	+ 39.7	Mainly due to increased expenditure on overtime, wages (single status) and salary regradings	+ 58.0
Community Services	20.3	4.0	11.0	+ 7.0	Utilities expenditure at Chester Moor Community Centre.	+ 7.0
Revenues and Benefits	720.6	360.0	282.8	- 77.2	Better than expected performance on Legal Fees Recovered.	- 25.0
Finance and Accountancy	11.4	114.4	85.2	- 29.2	-	0
Human Resources	178.5	95.4	68.8	- 26.6	-	0
Regeneration	888.4	377.3	464.9	+ 87.6	Shortfall in projected Market Income.	+ 67.0
Corporate Development Unit	1,431.2	704.7	656.7	- 48.0	Additional Income not budgeted for.	- 25.0
Legal and Democratic Services	280.0	137.8	233.5	+ 95.7	-	0
Corporate Functions	947.6	632.2	627.0	- 5.2	Additional Audit Fee in respect of LSVT work.	0
Additional Income	- 45.0	- 22.5	0.0	+ 22.5	Overall target for additional income (Planning and Environmental Health and Environmental services).	+ 45.0
				+ 166.0		+ 287.0

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BUDGETARY CONTROL TO SEPTEMBER 2007 HOUSING REVENUE ACCOUNT						
	Budget 2007/08 £	Profiled Budget to Sept 07 £	Actual Expenditure to Sept 07 £	Half Year Variance £	Comments/Issues Arising	Projected Full Year Variance £
<u>HOUSING REVENUE ACCOUNT</u>						
<u>CONTROLLABLE ITEMS WITHIN THE BUDGET</u>						
Contribution to Repairs Account						
Property Services	2,629,290	1,347,013	1,397,544	-50,531	Overspending areas include Empty Properties £66k and one-off boiler replacements £30k, which are offset by underspends in boiler services £100k and routine repairs £72k. Includes WIP (£131K)	71,000
General Management						
Central Costs	461,780	218,220	182,432	35,788	All Salaries	83,000
Estates Management	731,850	466,075	475,083	-9,009	Underspend on profiled budget on salaries £11k and third party payments £33k. Includes Furnished Tenancies expenditure of £87k against profile of £27k, income is included in the rent account.	10,000
Income Management	278,090	133,980	128,998	4,982	Small underspend on salaries	
IT and Accounts	522,490	324,910	147,905	177,005	Underspend in salaries £35k, Sx3 Modules £123k, repair finder £10k and Financial Services £6k	107,000
Tenant Empowerment	301,070	148,535	103,882	44,653	Underspends on salaries £30k, equipment £5k, legal costs £6k and newsletter £4k	10,000
Exeptional Items	118,100	59,050	53,290	5,760	Overspends on DLO Health Check £17k and CPI £14k, offset by underspends in Knoweldge Management System £27k and Tenant Satisfaction Survey £8k	60,000
Stock Options/Transfer	100,000	50,000	9,450	40,550	Underspend on stock transfer contingency	
Contribution to General Fund		0	0	0		
Special Services						
Care for the Elderly & Careline	41,490	100,724	108,094	-7,370	Overspends on communal wardens £3k and Telephones £5k, Under profile on income for Supporting People and Preventative Technologies Grant.	0
Special Services - Sheltered Housing	244,460	127,825	104,267	23,557	Underspend on AP Units	0
Council House Sales	0	44,525	42,763	1,762		0
	0	0	0	0		0
	5,428,621	3,020,857	2,753,708	267,149		341,000

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	Budget Allocation 2007/2008 £000s	Actual Expenditure to September 2007 £000s
<u>Carried Forward Slippage from 2006/07</u>		
<u>General Fund</u>		
Implementing Electronic Government	142	63
Careline	105	105
Disabled Facilities Grants	50	Included in New Schemes
Athletics Track	12	0
Play Areas	60	59
Fire Alarm Upgrades-Leisure	6	9
Bournmoor Churchyard	31	20
Civic Centre Works	200	9
Retentions	12	30
	618	295
<u>Regeneration</u>		
Town Centre	1,011	1,008
Pelton Fell Relocation Grant	25	0
Riverside Investment Appraisal	25	16
	1,061	1,024
<u>Approved Schemes 2007/08</u>		
<u>Regeneration</u>		
A693 Roundabout	100	0
Riverside Sports Pitches	25	0
Poets' Estate Environmental Improvements	600	0
Pelton Fell Relocation Grant	50	0
Pelton Fell-Security Works	30	27
	805	27
<u>General Fund</u>		
Town Centre Regeneration Officer	40	0
Grass Cutting Equipment	25	26
Electrical Works-Stella Gill	12	0
Wheelie Bins	8	8
IBS Open Query System	19	1
Server Replacement	20	14
Disabled Facilities Grants	211	114
Ropery Lane Cemetery	10	7
Electrical Works-Leisure Centre	18	0
Synthetic Pitch-Riverside	7	3
Leisure Centre PA System	6	0
PC Replacement	60	6
Website Development	3	3
	439	182
SHIP 2	1,293	70
Staff Time Charged to Capital Schemes	213	66
	4,429	1,664



HOUSING CAPITAL PROGRAMME 2007/08

APPENDIX D

Project	Cost Centre	Budget 2007/2008	Expenditure as at September 2007	% Spent	Budget Remaining	Estimated Outturn	Comments
		£	£		£	£	
CAPITAL PROGRAMME - RETENTION PAYMENTS							
04/05 Central Heating Systems	AT161	0	497		-497	497	
5 Middlefield, Pelton	AT200	0	1,469		-1,469	1,469	
Door & Window Replacement Ph. 4	AT268	0	6,052		-6,052	6,052	
					0		
Total Retention Payments		0	8,018		-8,018	8,018	
CAPITAL PROGRAMME 2007/08							
Adaptations	AT260	310,000	172,960	56%	137,040	310,000	
Ph 1 - FHM	AT301	0	307	0%	-307	307	
Ph 1 - Sunters	AT302	0	684	0%	-684	684	
Structural Works / Dampness	AT310	30,000	4,864	16%	25,136	30,000	
Office Alterations - Bullion Depot	AT315	0	2,334	0%	-2,334	2,334	
Structural Work 41 Conyers Avenue	AT316	0	38,654	0%	-38,654	50,000	
Sunter - Heating	AT320	264,225	250,892	95%	13,332	250,892	
Sunter - Kitchens & Bathrooms	AT321	222,778	214,710	96%	8,067	217,129	
FHM - Heating	AT322	268,226	219,794	82%	48,432	254,409	
FHM - Kitchens & Bathrooms	AT323	209,303	204,004	97%	5,299	212,000	
Dunelm - Heating	AT324	220,912	217,992	99%	2,920	217,992	
Dunelm - Kitchens & Bathrooms	AT325	255,645	215,937	84%	39,708	255,645	
DLO - Doors & Windows	AT326	319,660	127,791	40%	191,870	319,660	
Electrical Testing (DRF)	AT327	50,000	0	0%	50,000	50,000	
Demolish unsafe garage at 29 Medway		0	0	0%	0	16,088	
Boundary works to West Pelton Methodist Church		0	0	0%	0	7,655	
Structural works to 51 Jubilee Close		0	0	0%	0	2,000	
Structural works to 52 Second Avenue		0	0	0%	0	1,000	
Contingency		76,966	0	0%	76,966	21,902	
Professional Fees / Support Services Charges	YK009	309,760	188,022	61%	121,738	309,760	
CAPITAL PROGRAMME 2007/08		2,537,475	1,858,945	73%	678,530	2,529,457	
TOTAL CAPITAL PROGRAMME		2,537,475	1,866,963	74%	670,512	2,537,475	

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Chester-le-Street
District Council

Report to: Executive Committee

Date of Meeting: 3 December 2007

Report from: Director of Development Services

Title of Report: Communities for Health – Action Plan

Agenda Item Number:

1. PURPOSE AND SUMMARY

- 1.1 The purpose of the report is to update Member on the commissioning process for an Intervention Programme under the Department of Health's Communities for Health Programme.
- 1.2 The programme will meet gaps in current provision and build on awareness of mental health issues within the District. It is proposed that the organisation commissioned will secure matched funding to extend the life of the programme, ensure awareness of use of evidence based best practice and seek to influence/establish the policies of organisations with whom the programme works.
- 1.3 Expressions of Interest were sought on the open market and a preferred provider selected was Chester-le-Street MIND. A Service Level Agreement has been produced and signed by both parties.
- 1.4 The revised S.M.A.R.T Action Plan/Work Programme will be provided to members of the Executive under separate cover the week beginning Monday 26th November 2007 for consideration and approval by the Executive at its meeting of Monday 3rd December 2007.
- 1.5 It is recommended that :
 - Members note the attached report
 - Agree the revised detailed Action Plan/Work Programme sent under separate cover.

2. CONSULTATION

- 2.1 A consultation exercise has been carried out with the Corporate Management Team, the District Partnership; the Chairs of each of the Policy Groups of the Local Strategic Partnership and the Portfolio Holder for Neighbourhood Services. All of whom were supportive of the process.

3. CORPORATE PLAN AND PRIORITIES

- 3.1 The proposal particularly supports Priority 2 “*Working in Partnership to Deliver a Sustainable Community Strategy*” by addressing a number of the specific actions contained within the strategy itself and by adopting a partnership approach to delivering the programme.

4. IMPLICATIONS

4.1 Financial Implications and Value for Money Statement

The council is in receipt of £50,000 grant aid from the Department of Health for support of the partnership element of its Communities for Health programme. There will be no additional cost to the District Council for funding the programme.

The programme represents value for money for the council because we are confident that the commissioned organisation will be able to attract match funding to extend the programme beyond March 2008. The training of volunteers in the community will increase capacity to ensure continued delivery of the programme beyond the employment of the Officer post. The officer will seek to embed good working practices and transferable skills within the organisation and staff as part of the programme. The Officer and the commissioning organisation will also seek to influence partner organisations policies and training plans to ensure that the programme is sustainable beyond the March 2008.

4.2 Legal

A Service Level Agreement has been produced and signed for the Communities for Health programme.

4.3 Personnel

There are no personnel implications.

4.4 Other Services

The proposed programme will work closely with staff from the Community Health Development Team in addressing the issues of mental health within the District.

4.5 Diversity

The primary focus of the Communities for Health Programme is to address health inequalities in the District and as such will be working with some off the most volunteer members of local communities. The focus on mental health has been specifically highlighted in the report of the Direct of Public Health, as an area for particular attention in Chester-le-Street.

4.6 Risk

Should Members choose not to support the proposed programme the grant of £50,000 would be refundable to the Department of Health and is likely to jeopardise any consideration for future funding in the District. It would also mean that some of the actions in the Sustainable Community Strategy may not be achieved.

4.7 Crime and Disorder

Some aspects of mental health issues, particular around substance and alcohol misuse can lead to associated crime and disorder issues. The Communities for Health Programme in helping to address the issues around substance and alcohol misuse and employability may help to reduce the incidences of crime and disorder.

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.

5. BACKGROUND

5.1 At its meeting of Monday 1st October 2007 members of the Executive considered the Action Plan/Work Programme for the Communities for Health Programme produced by MIND.

5.2 Members approved the commissioning process and the selection of MIND as the preferred bidder and recommended that the Action plan be revised to be more Specific, Measurable, Achievable, Realistic and Time framed (S.M.A.R.T) and that the revised action plan be brought back to the Executive for information.

5.3 Officers of the council have met with Officers from MIND on a number of occasions and have agreed changes to the Action Plan to make it more S.M.A.R.T.

5.4 Officers have also entered into a Service Level Agreement with MIND and the Chester-le-Street Communities for Health Mental Health Project commenced on 30th November 2007.

6. RECOMMENDATIONS

6.1 Members note the attached report

6.2 Agree the detailed Action Plan/Work Programme sent under separate cover.

7. BACKGROUND PAPERS / DOCUMENTS REFERRED TO

7.1 Report to the Executive of October 2007

AUTHOR NAME: Tony Galloway
DESIGNATION: Director of Development Services
DATE OF REPORT; 21 November 2007
VERSION NUMBER: 1.0

AUTHOR CONTACT DETAILS: Telephone: 0191 387 2100
E-Mail: tonygalloway@chester-le-street.gov.uk



Chester-le-Street District Council

Report to:	Executive
Date of Meeting:	3 December 2007
Report from:	Acting Environmental Health Team Leader
Title of Report:	The Licensing Act 2003 – Review of Statement of Licensing Policy
Agenda Item Number:	

1. PURPOSE, SUMMARY AND RECOMMENDATIONS

- 1.1 The purpose of the report is to ask Members to consider a review of the Council's Statement of Licensing Policy made under the Licensing Act 2003 and to recommend to Council a version of the policy suitable for adoption.
- 1.2 The Licensing Act 2003 (the Act) requires the Council to publish a Statement of Licensing Policy and review it every three years. The first review date is 7 January 2008. A draft revised policy has been produced by Officers. This revised policy has incorporated new guidance and best practice and has been the subject of broad consultation. The consultation raised few points that required significant alteration to the policy. A copy of the revised policy is attached as Appendix A.
- 1.3 Executive are recommended to:
 - (i) Consider the summary of consultation comments and responses to them and agree amendments to the policy if required
 - (ii) Agree a final version of the revised policy and recommend its adoption to Council

2. CONSULTATION

- 2.1 The Act outlines a minimum consultation framework consisting of a number of statutory bodies and representatives of the main stakeholders. The Council's consultation exercise far exceeds this requirement. A list of the consultees is provided at page seven of the policy, in total over 200

individual consultations were issued. The consultation was in the form of a questionnaire. A summary of the replies and responses to them is attached as Appendix B. Public consultation was strengthened via the use of a focus group consisting of representatives from local residents groups. To maximise the length of the consultation period, the closing date was extended to 30 November 2007. As this date is after the deadline for this report Members are advised further consultation responses may be presented at the meeting.

3. CORPORATE PLAN AND PRIORITIES

- 3.1 The Licensing Policy contributes directly to priority five and eight of the Sustainable Community Strategy for Chester-le-Street and therefore, contributes to priority two of the Corporate Plan.
- 3.2 Priority five, to make the District a safer place to live, work and visit; to further reduce crime and disorder and increase public reassurance.
- 3.3 Priority eight, to champion the development and promotion of culture, leisure, sport and the arts in contributing to the well being of residents and local communities.

4. IMPLICATIONS

4.1 Financial Implications and Value for Money Statement

- 4.1.1 The costs of consultation and publication of the revised policy will be met from existing budgets.
- 4.1.2 The report has few value for money implications. The use of a focus group to improve public consultation has significantly reduced the cost of the overall consultation process. Previous consultation exercises had used multiple public meeting and newspaper adverts with little significant return.

4.2 Legal

- 4.2.1 The Licensing Act 2003 s.(5) and Licensing Act 2003 (First Appointed Day and Personal Licences Transition Period) Order 2004 No 1739 create a regime whereby the Council was required to publish its Licensing Policy 7 January 2005 and review it every three years.

4.3 Personnel

- 4.3.1 There are no immediate personnel implications arising from this report.

4.4 Other Services

4.4.1 There are no significant implications on other services arising from this report.

4.5 Diversity

4.5.1 A Diversity Impact Assessment (DIA) is scheduled to be carried out as part of a programme of Environmental Health DIA's in early 2008. Any significant findings will be reported back to Executive.

4.6 Risk

4.6.1 The policy fulfils two principal purposes; firstly it provides advice to businesses and the public on the Council's overall position. Secondly, it provides a decision making framework for the Council via its Licensing Committee to exercise its quasi judicial functions under the Act.

4.6.2 As such, the Policy must balance the legitimate needs of businesses and demand for leisure and cultural activities alongside the need to protect those adversely affected by activities. A failure to achieve the correct balance could lead to a policy, which was either overly prescriptive and thus open to challenge from businesses. Or alternatively, ineffective in controlling businesses and thus fails to protect local residents or promote the licensing objectives effectively.

4.6.3 The Policy must also effectively integrate and contribute towards a broad range of other policies and strategies.

4.7 Crime and Disorder

4.7.1 The Council's licensing policy forms a central part of the control and regulation of the evening and night time economies. As such, it can be viewed as having a pivotal role in the prevention of alcohol related crime and disorder.

4.7.2 The effective control of licensed premises via appropriate conditions or restrictions on licences can significantly reduce the potential for alcohol related issues or mitigate their effects. This coupled with monitoring and enforcement and the appropriate use of the review process can significantly contribute towards crime reduction and an increase in public reassurance.

4.8 Data Quality

4.8.1 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

4.9.1 There are no other implications arising from this report.

5. BACKGROUND, POSITION STATEMENT AND OPTION APPRAISAL

5.1 The Licensing Act 2003 came into effect in November 2005 and represented the first major reform of alcohol licensing for 40 years. As well as transferring the responsibility for alcohol licensing from Magistrates' to Local Authorities, the Act amalgamated six separate licensing regimes. A single piece of legislation now regulates; the sale and supply of alcohol, regulated entertainment, late night refreshment, cinemas and theatres.

5.2 The Act required the Council to consult on, publish and review triannually, a statement of licensing policy. Chester-le-Street's policy was published in January 2005 and is therefore due for review. The review is required to follow a statutory process. However, the Council's consultation will significantly exceed these requirements.

5.3 Officers have produced a draft revised Statement of Licensing Policy that is attached as Appendix A. This has been produced with due regard to new national guidance by the Local Authorities Coordinators of Regulatory Services (LACORS) and new guidance produced by Department of Culture Media and Sport under s.182 of the Act.

5.4 A broad range of bodies have been consulted on the draft revised policy, a full list is shown in the Policy. Additionally, a focus group was arranged for representatives of local residents groups on 22 November 2007.

5.5 The results of the consultation along with a discussion of them and proposed changes to the policy are attached as Appendix B.

6. RECOMMENDATIONS

6.1 Executive are recommended to:

- (i) consider the attached draft Revised Statement of Licensing Policy and recommend its adoption by Council

7. BACKGROUND PAPERS / DOCUMENTS REFERRED TO

- 7.1 The Licensing Act 2003, Guidance issued under section 182 of the Licensing Act 2003 (Department for Culture Media and Sport 2007) and LACORS Best Practice Framework for review of Licensing Policy Statements.

Liam J Howley
Acting Environmental Health Team Leader
18 November 2007
2.0

0191 3872192
liamhowley@chester-le-street.gov.uk

Consultation Responses (Questionnaires)

Consultee	Adequately deals with Crime & Disorder	Adequately deals with Public Safety	Adequately deals with the Prevention of Public Nuisance	Adequately deals with Protection of Children from Harm	Revised policy appropriate for next 3 years	Balances between needs of local businesses and local residents	Further revisions to the Licensing Policy Statement Required	Further comments
Roseberry Sports & Community College	Yes	Yes	Yes	Yes	Yes	Yes	No	No
Costcutter – Garden Farm Estate	Yes	Yes	Yes	Yes	Yes	Yes	No	No
Chester-le-Street Golf Club	Yes	Yes	Yes	Yes	Yes	Yes	No	CLS golf club is in a remote and quiet location of the town and is far from public nuisance etc * ⁽¹⁾
Café Neena's	Yes	Yes	Yes	Yes	Yes	Yes	No	No
Trading Standards	Yes	Yes	Yes	Several months plans submitted with applications have rarely indicated the position of cigarette vending machines and/or gambling machines. This may be a deliberate ploy as to prevent this service submitting objections thus delaying the licensing process.* ⁽²⁾	Yes	Yes	No	No
Pelton RAOB Club	Yes	Yes	Yes	Yes	Yes	Yes	No	No

The Plough Inn	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No
Lumley Castle Hotel	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No
Chester-le-Street Central Residents Association	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No
Osborne WMC	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No
Ainsworth's – Fencehouses	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No
Relton Terrace WMC	No Comment	No Comment	No Comment	No Comment	No Comment	Yes	Yes	Yes	Yes	No	No
Ian McKay – Hackney Carriage Proprietor	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No
John Biggs – Hackney Carriage Proprietor	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No
Burnside WMC	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No
Nigel Jones - Equity											A quick observation: I have read dozens of these from other Local Authorities. Often licensable activity is regulated as something to be curbed to prevent unpleasant consequences. Your policy document is refreshing in that it is positive in seeing an opportunity to encourage culture and entertainment and recognises the values of the WMC's. In particular, para 1.6, 1.7, 1.8, 2.42, 2.44, 2.50, 6.1 are helpful.* (3)
Alcoholics Anonymous	No Comment	No Comment	No Comment	No Comment	No Comment	No Comment	No Comment	No Comment	No Comment	No Comment	No Comment
Newfield and Pelton Lane Ends Tenants and Residents	Insufficient attention has been given to the impact of alcohol bought	Yes	Staggered closing times and the creation of a second taxi rank have both	Yes – Though it would be beneficial to licensed premises and	Yes – though see earlier comments about off licences and	Yes	No	How will creation of single unitary authority and the abolition of local district councils and the need to maintain a licensing policy			

Association	at off licences or in supermarkets e.g. access by underage drinkers, noise/rubbish, incidents of anti-social behaviour in streets / parks etc *(4)	helped to reduce incidences of nuisance/violence at weekends. However, re-siting the new taxi rank to the side road adjacent to the model shop etc would alleviate traffic congestion and make it easier for pedestrians. Also queue Marshals as used in Newcastle, Sunderland etc (funded by licensees and Council) would help further to alleviate problems *(5)	to other customers if parents were reminded that how their children conduct themselves whilst on such premises is their responsibility *(6)	supermarkets *(7)	manifest itself in terms of responsibility and accountability? Further, what structure / organisation will be in place to ensure councils can deliver this service? *(8)
Kevin Jones MP – Member of Parliament for North Durham	Yes	Yes	You may wish to include university / student I.D. cards as a form of acceptable I.D. as more and more Durham university students are now living in the District. *(10)	Same reasons as previous comment	Yes
			Item 2.39 of the statement is very weak. It suggests Chester-le-Street DC cannot impose conditions on a licence unless representations are received from Police, County Council, or other bodies. This is inadequate – Chester-le-Street DC as Licensing Authority should also have the power to impose		No

L W Lauchlan Chester-le-Street Town FC	Yes	Yes	Yes	Yes	area. *(9)	Yes	Yes	Yes	Yes	conditions where they themselves identify a problem or concern. *(11) No	As always a policy is only as good as the enforcement of it allows. The public (and to a lesser extent the licence holders) need to see policy enforced and a balance must be struck between licence holders and the enforcement agencies to enable all to see that this policy can work. *(12)
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Consultation Responses (non questionnaire)

CONSULTEE	COMMENTS
Chairman of the Licensing Statutory Committee	<p>1. The Licensing Policy balances the needs of businesses, voluntary and community groups equitably.</p> <p>2. The Licensing Policy provides an effective framework for licensing decisions.</p> <p>3. The Licensing Policy provides an effective framework in which to conduct reviews.</p> <p>4. The Licensing Policy provides sufficient, relevant information to applications.</p> <p>5. The Licensing Policy is accessible and useable, however, there is a need to investigate into a more adequate consultation process with residents / members of the public and for the need to investigate the possibility of informing Members weekly of any applications received. *(13)</p>
Development and Building Control Manager	<p>1. I would suggest the following alternative wording for paragraph 2.48: <i>“The law requires that the relevant Planning and Licensing regimes must operate to different agendas, assessing, as material considerations, separate issues. This ensures that licensing applications are not merely a re-run of planning applications (and vice versa). However, the Council is committed to high standards of customer care, including as part of this the provision of a high quality one stop shop service for customers seeking advice on both planning and licensing issues. As such officers will always endeavour to work together to provide meaningful, joined up advice to customers seeking advice on a matter which raises both Licensing and Planning issues”</i> *(14)</p> <p>2. Paragraph 2.48 – page 13 – line 2. I'm not too sure about the reference to 'decisions made by the Licensing Department will be reported back to Planning Committee on a regular basis'. As you will appreciate this does not occur at present; and moreover I am not too sure what this would achieve. *(15)</p> <p>3. Page 24 – Our consultation address should be amended to 'Development and Building Control Manager'. *(16)</p>
British Beer and Pub Association	<p>1. Paragraph 2.33 - Proof of Age cards. Please note that the Citizen Card is but one of several PASS accredited cards, all of which are supported by the Government. It is therefore unnecessary to make specific reference to this particular card. *(17)</p> <p>2. Enforcement - We would welcome recognition at para 7.5 of the Hampton principles of inspection and enforcement in this section, which include the following:</p> <ul style="list-style-type: none"> • No inspection should take place without a reason <p>Regulators should recognised that a key element of their activity will be to allow or even encourage, economic progress and only to intervene when there is a clear case for protection *(18)</p>
Sgt Tim Robson – Durham Constabulary	<p>This is a comprehensive document that addresses effectively the changes in the licensing economy and it encompasses all relevant issues impacting on the legislation. The police do recommend that consideration should be given by licence holders impacting on the night time economy and in increasing the populous in town centres through the operation of their establishments to consider the use of taxi marshals to address the impact on the objectives in the immediate vicinity of premises especially those retailing alcohol. *(19)</p>
Focus Group Comments	<p>Please see attached</p>

**Proposed Responses to
Consultation Comments**

Comment No	Discussion	Suggested amendment to policy
1 Questionnaires	Comment not relevant to policy	None
2 Questionnaires	The Council are unable to insist on this as the information to be supplied on plans is specified in legislation	Policy to be amended to encourage applicants to specify location of cigarette vending machines.
3 Questionnaires	Observation	None
4 Questionnaires	Applications for retail outlets such as supermarkets are subject to the same process as applications for premises such as public houses. Operating schedules are still expected to show appropriate control are in place. Licensing Committee can impose additional conditions on licenses at hearing or on review	None
5 Questionnaires	The location of the Front Street (south) taxi rank has recently been the subject of a detailed review. No alternative locations are suitable and the local Police Intelligence Cell confirmed no significant rise in reported crime since the rank was commissioned.	The terms taxi marshals be added to the general list of suggested control strategies listed at 2.9 of the Policy
6 Questionnaires	The overall responsibility for all persons on a premises including children is the responsibility of the Designated Premises Supervisor Licensing Committee can impose appropriate additional conditions on individual licenses at hearing or on review	None
7 Questionnaires	Dealt with under point 3	None
8 Questionnaires	Whilst a valid question the Council is not yet in a position to answer these issues	None, but a written reply to Residents Association
9 Non-Questionnaires	Each application must be dealt with on its own merits. Statutory guidance specifically advises against the implication of blanket conditions covering all premises. The policy states that applicants are expected to identify appropriate control measures in their operating schedule. Licensing Committee also have a pool of model conditions to draw upon should they require it.	None
10 Non-Questionnaires	The Policy specifically highlights national identification schemes rather than ad hoc local schemes this is to overcome counterfeit cards.	None
11 Non-Questionnaires	The Act does not allow the Licensing Authority to raise relevant representations itself. The Local Authority Environmental Health Noise team and Planning Team are statutory consultees and can therefore raise representations.	None

12 Non-Questionnaires	Monitoring and enforcement are key requirements for the regime to run effectively. The policy contains an adequate section on this.	None, however licensing enforcement is now subject to a local performance indicator
13 Non-Questionnaires	The Act specifies the consultation process to be adopted for various different kinds of application. Significant variation from this process could lead the Authority open to legal challenge from applicants	None but future application for premises licenses or variations to be displayed on the Council's website for the duration of the consultation period and notified to all Members in confidence
14 Non-Questionnaires	Suggested alternative wording agreed	Policy amended accordingly
15 Non-Questionnaires	Advice appears to be based on Council structures where the Planning Committee is responsible for Planning Policy. As this is not the case in Chester-le-Street the proposed reporting would achieve little. Alternative wording agreed	Policy amended to remove the reporting link between Licensing and Planning Committees
16 Non-Questionnaires	Alternative wording agreed	Policy amended accordingly
17 Non-Questionnaires	As proof of age schemes are constantly changing it would be useful to have some flexibility built into the Policy in this area.	Policy amended to reflect any appropriate national proof of age scheme
18 Non-Questionnaires	The Environmental health Dept is currently consulting on a cross cutting Enforcement Policy. Hampton principals will be incorporated into this.	None
19 Non-Questionnaires	Taxi marshals have been addressed in point 5	See response 5



Chester-le-Street District Council

Draft Review
of Licensing Act 2003
Statement of Licensing Policy

November 2007

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Introduction - The Licensing Act (2003) and Chester-le-Street District

1.1 Chester-le-Street is the business, residential and shopping centre of one of the smallest English Districts. Situated in the northern part of County Durham, between Durham City and Gateshead in Tyne and Wear, the district has a population of 57,000. The area has many attractions, from beautiful countryside to a rich heritage.

1.2 The District consists of a central conurbation, including a busy town centre and market area and a number of outlying villages. Historically, the town was dominated by the coal industry, however, with the decline of traditional industry, some areas are now experiencing socio-economic problems. Nationally and internationally recognised leisure and tourist attractions such as Beamish Museum, Durham County Cricket Club and the Riverside development together with historic landmarks such as Lumley and Lambton Castles contrast with some of the most deprived wards in England. The table below outlines the current age profile of the population in the district.

Population Profile of Chester le Street District by Age

Age Band	Chester-le-Street District
0-14	9,000
15-24	6,000
25-34	5,700
35-44	8,900
45-54	7,500
55-64	7,100
65+	9,000
Total	53,200

1.3 The towns close proximity to the A1(M) and the re-instatement of the railway station on the main east coast line establish Chester-le-Street firmly into both regional and national transport infrastructures.

1.4 The Council believes that in partnership with businesses, residents and responsible authorities that a healthy equilibrium has been achieved of the interests of the partners. Businesses have benefited from less red tape and more flexibility (e.g. increased opening hours and diversification of forms of entertainment) than the previous regime but only by working hard towards achieving all four of the licensing objectives. This has lead to residents and visitors benefiting by the responsible authorities requiring higher standards for new and refurbished premises through schemes such as increased acoustic insulation, CCTV and membership of the Pubwatch initiative.

1.5 Many of the well established licensed premises have undergone extensive refurbishment to the benefit of all, whilst new establishments have been created, raising standards and augmenting the local economy.

1.6 The Council has continued to encourage diversity of entertainment and a number of premises throughout the district provide facilities for live music on a limited scale. On a much greater scale, international events continue at the Riverside both in terms of International Sporting Events and musically in the form of internationally renowned acts.

1.7 The recent licensing of the Riverside Park area has laid the foundation for more extensive musical and cultural events to be held and the planned licensing of the newly regenerated Civic Heart will provide a focal point for future cultural events in the town centre.

1.8 Diverse events are already being scheduled through the use of Temporary Event Notices (TENs) at the Civic Heart and indeed their use throughout the wider district has seen such diverse events as boxing tournaments, ceilidhs, rowing regattas, jazz quartet, storytelling, swimming galas, ale festivals and the Durham County Council Elements Touring Theatre Scheme in the outlying areas of the district. To date, over one hundred TENs have been received by the Council since they came into use in November 2005.

1.9 The Council recognises, however, that not all of the changes created by the Act have been wholly beneficial. In particular, the new regime has highlighted the large number of centralised alcohol and fast food establishments in close proximity to residential areas and the resultant public nuisance that can be caused. Working towards the correct balance of business and resident's needs is an ongoing task involving all key partners, including monitoring and enforcement by the Licensing Team and its relevant partners.

1.10 From a diversity point of view the Council also recognises that the District still lacks a permanent bingo hall, theatre or cinema, though they do exist on a smaller or temporary scale.

1.11 The highest concentration of licensed premises is found in the town centre. This is characterised by a high density of residential, commercial and leisure premises in close proximity. The majority of existing licensed premises are traditional in origin and were constructed in an era before the development of the night-time economy and the associated modern drinking culture. The table below outlines the breakdown of licensed premises by type.

Number of Alcohol Premises Licences	Number of Non Alcohol Premises Licences	Number of Non Alcohol Premises Licences (Vehicles)	Number of Club Premises Certificates	Number of Personal Licences	Number of TENs with Alcohol	Number of TENs without Alcohol
119	26	2	22	288	75	32

1.12 In recent years, the town centre has experienced a significant development in its licensed premises sector. The south end of the town centre has seen particularly rapid development. Between 2002 and 2004 planning permission was granted for a number of licensed premises. These developments could see the overall capacity of town centre licensed premises rise by over 2,000.

1.13 The Licensing Act 2003 (the Act) intends to create a modern, responsive regulatory regime. It ensures that premises that are causing problems within the community can be dealt with appropriately. But it also provides that businesses and community activities that benefit and enhance people's lives by providing important opportunities for the enjoyment of leisure time will be afforded a lighter touch.

1.14 Prior to the Act, the Council believes it had already developed a flexible and progressive attitude towards licensing. This was clearly demonstrated in the months preceding the implementation of the Act. The District not only saw an overall expansion within the night-time economy but also a substantial move towards staggered closing times with a number of premises benefiting from extended hours.

1.15 The Council's policy is outlined at 2.38-2.45. This document expands upon the policy and how it will be implemented in practice. In particular, it will detail how the Council will use the discretionary powers the Act affords. It does not give the detail of specific procedures, nor does it outline the procedures to be followed in situations where the Council is not afforded discretion. In these instances, the information is contained in other documents including:

- The Act itself / statutory instruments made under it
- The guidance issued by the Department for Culture, Media and Sport under section 182 of the Act

1.16 The Review of the Statement of Licensing Policy will be formally adopted on 20 December 2007 and will come into force 7 January 2008.

BACKGROUND

The Licensing Act 2003

2.1 The Licensing Act 2003 (the Act) received Royal Assent in July 2003 and the Provisions of the Act came into force on 7 February 2005. The Act requires Chester-le-Street District Council (the Council) to carry out its functions under the legislation with a view to promoting four licensing objectives:

- a) The Prevention of Crime and Disorder
- b) Public Safety
- c) The Prevention of Public Nuisance
- d) The Protection of Children from Harm

2.2 The Council recognises that balancing the interests of owners, employees, customers and neighbours of licensed premises such as pubs, clubs and off-licences will not always be straightforward, but it will always be guided by the four objectives of the Act.

2.3 The Act required the Council to prepare a statement of licensing policy that stated its position in relation to its duties under the Act. The Council welcomed the new powers granted to it by the Act and has used them, in consultation with responsible authorities, licensees and with the general public, in a socially responsible way. The original Statement on Licensing Policy was published in January 2004 and this revised policy was to be published in January 2008.

2.4 This revised policy, as with the original policy, covers the following licensable activities:

- a) The licensing of individuals for the sale of alcohol (Personal Licence)
- b) The licensing of premises for the sale of alcohol, provision of regulated entertainment or late night refreshment (Premises Licence)
- c) The supply of alcohol or the provision of regulated entertainment to certain clubs (Club Premises Certificates)
- d) The permitting of certain licensable activities on a temporary basis (Temporary Event Notices)

2.5 The Council recognises that individual licensees and others in possession of relevant authorisations cannot be held responsible for incidents that do not occur in the vicinity of their licensed premises. In cases of dispute the question of "in the vicinity" will ultimately be decided by the courts. Nonetheless, the Council also believes that a responsible attitude towards issues such as drinks promotions, training of bar staff and proper management of premises can have a significant effect on the behaviour of patrons once they have left the premises.

2.6 This revised Statement of Policy does not seek to undermine the right of any individual to apply under the terms of the Act for a variety of permissions and to

have each application considered on its individual merits. It does not seek to override the right of any person to make representations on an application or seek a review of a Licence or Certificate where provision has been made for them to do so in the Act. In all cases of doubt arising from the contents of this policy and the governing legislation, the overriding consideration will be towards the governing legislation.

Consultation Process

2.7 In preparing this statement the Council has consulted with and considered the views of a wide range of people and organisations (see list below). In addition to this, a focus group was held on 20 November at the Civic Centre to which all formally constituted residents' groups in the area were invited with local councillors and officers. The consultation document was also posted on the Chester le Street District Council website (www.chester-le-street.gov.uk.)

Review Consultees 2007

- a) Durham Constabulary;
- b) County Durham and Darlington Fire and Rescue Service;
- c) Existing Premises Licence holders;
- d) Existing Club Premises Certificate holders;
- e) Global Online Assessment for Learning (GOAL)
- f) British Institute of Inn Keeping (BIIB)
- g) British Beer and Pub Association
- h) BEDA (Bar Entertainment & Dance Association)
- i) Representatives of Residents in the Council area (i.e. Community and Residents Associations)
- j) Representatives of businesses (inc. Pubwatch)
- k) Equity
- l) Chester-le-Street District Branch of the Parish and Town Councils Association
- m) Security Industry Authority
- n) Durham County Council (Trading Standards / Tourism / Education / Social Services / Planning / Highways)
- o) Alcoholics Anonymous
- p) Other Council Departments (Planning, Community Safety)
- q) Local MP and MEP's
- r) Durham and Chester-le-Street Primary Care Trust
- s) All Chester-le-Street District Councillors

Chester-le-Street and the Night-Time Economy

2.8 The term night-time economy incorporates traditional matters such as alcohol consumption and the general infrastructure of the licensed sector and its associated problems, such as alcohol related crime and anti-social behaviour. However, it also includes a range of broader issues including late night transport,

entertainment including non-alcohol related activities, food establishments and policing.

2.9 The night-time economy is complex and its regulation depends on many factors. Whilst the overall number of premises and general capacity are important, so too are the management of both individual premises and the night-time economy as a whole. Therefore businesses have been and will continue to be expected to make appropriate use of control strategies such as closed circuit television (CCTV), door supervision, bar staff training, taxi marshals, paid for policing, drug and violence policies. They will also be expected to recognise and manage the impact that amplified music, drinks promotions and dispersal of patrons leaving the premises will have on the local environment.

2.10 The night-time economy in the district benefits from a town centre CCTV system, efficient taxi service, Pubwatch scheme and a dedicated Police Licensing Unit. The Council, in partnership with other relevant agencies, will continue to monitor appropriate provisions relevant to the night-time economy. The Council recognises the critical role other agencies, in particular the Police, play in the control and management of this issue. The Council seeks to create an environment where all businesses and agencies are working together to create a safe, diverse and sustainable night-time economy, where individual and collective efforts can work synergistically.

2.11 The Council recognises that the Act does not just apply to the town centre. It must also administer the sale of alcohol and provision of regulated entertainment throughout the entire district. The busy town centre area contrasts with the more rural and decentralised areas of the district that experience different issues. These do not have the high concentrations of licensed premises found in the town centre, however, noise and alcohol related crime and anti-social behaviour can, and still do occur.

Chester-le-Street and the Licensing Objectives Prevention of Crime and Disorder

2.12 In considering all issues the Council recognises the stringent powers the Act affords as well as the broad freedom and flexibility it offers. Whilst seeking to work in partnership with businesses, the Council will not hesitate to take action against those that are not making a reasonable effort to promote the licensing objectives.

2.13 Licensed premises, especially those offering late night entertainment, alcohol and refreshment can be a source of crime and disorder problems. Therefore the Council will have particular regard to the likely impact of crime and disorder related to licensing within the District, particularly when considering the location and impact of any application.

2.14 In accordance with 'the prevention of crime and disorder' objective, applicants will be expected to demonstrate in their Operating Schedule that sufficient measures have been identified, implemented and maintained to address crime and disorder in the 'vicinity' of their premises. Controls must be relevant to the style and characteristics of the proposed activities.

2.15 The Council recognises that only a minority of customers will behave badly and this Policy Statement cannot address issues relating to behaviour of individuals or groups unless they are in the immediate vicinity of the applicant's licensed premises. However, applicants should note that this Policy Statement is an integral part of a coordinated approach to reducing crime and disorder and should therefore demonstrate in their Operating Schedules, and day-to-day operations, how they participate in promoting and satisfying local policies and initiatives including local crime prevention strategies. The term 'vicinity' can only be defined when having regard to the individual circumstances of an application and also having due regard to any objections or observations received from responsible authorities or interested parties wishing to minimise such risks.

Public Safety

2.16 The Public Safety objective is concerned with the physical safety of the people using the relevant premises and not with public health, which is dealt with in other legislation. The Health and Safety at Work etc Act 1974 (and associated secondary legislation/guidance) and Fire Safety Legislation will in most instances be the primary mechanism for securing adequate standards of public safety. However, some premises may not be subject to the provisions of this legislation. Additionally, licensed premises can present some unique safety risks which are difficult to address via traditional legislation. These can arise because it is often difficult to anticipate peoples' behaviour whilst intoxicated. Conventional approaches to controlling safety risks such as signage and physical barriers may need to be reconsidered. In these instances the Council may impose additional suitable conditions to supplement the existing health and safety law.

2.17 A commitment in the Operating Schedule to higher standards of safety, such as the use of British Standard Specification accreditation for safety measures would be encouraged and positively considered.

2.18 It is essential that premises covered by this Policy Statement are constructed or adapted and operated so as to safeguard users of these premises against these risks.

2.19 The Council will work closely with the Fire and Rescue Service in accordance with the joint enforcement protocol issued by the Fire and Rescue Service. A copy of this document is available from the Licensing Department of the Council.

2.20 The Council will pay particular regard to representations from its Officers as well as from the Fire and Rescue Service and the Police to determine if measures proposed are sufficient to ensure the safety of the public. The Council will not normally grant an application for a licence, or variation, where representations are made by one of these bodies expressing serious concern regarding public safety, unless the applicant can demonstrate compelling reasons why the application should be approved in the light of these representations.

2.21 Prior to the determination of an application, an applicant must ensure the Council has been provided with such certificates as are necessary to ensure the safety of the premises. These may include:

- Electrical inspection report certificate
- Fire alarm test inspection report
- Emergency lighting inspection and test report
- Fire fighting equipment
- Flame retardant properties of materials certificate (new premises or upholstery)
- Ceiling certificate (in the case of cinemas)
- Gas safety certificate

2.22 The Council will consider attaching conditions to licences and permissions to promote safety, and these may include conditions drawn from the pool of model conditions, which will be published separately to the Policy Statement.

2.23 To ensure Operating Schedules adequately address these issues, applicants are advised to seek advice from the Health and Safety Officers of the Environmental Health Team at the Council (or the Health and Safety Executive, where appropriate) and the Fire and Rescue Service before preparing their plans and Schedules.

Prevention of Public Nuisance

2.24 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances that can impact on people living, working or sleeping within the vicinity of the premises.

2.25 The concerns mainly relate to noise nuisance, light pollution and noxious smells and due regard will be taken on the impact these may have. Accordingly, the Council will expect Operating Schedules to satisfactorily address these issues and provide information as to how the potential nuisances will be prevented.

2.26 The Council will consider attaching conditions to licences and permissions to prevent public nuisance and these may include conditions drawn from the

model pool of conditions which can be found in Appendix D of the Guidance issued under Section 182 of the Licensing Act 2003. (www.culture.gov.uk)

2.27 The extent to which the above matters need to be addressed will be dependent upon the nature of the area where the premises are situated, the type of premises, the licensable activities to be provided, operational procedures and the needs of the local community. In general, the Council will expect more comprehensive measures to be in place at late night entertainment venues or in premises with a history of public nuisance problems.

Protection of Children from Harm

2.28 The general relaxation in the Licensing Act giving accompanied children greater access to licensed premises is a positive step, aimed at bringing about a social change in family friendly leisure. Clearly this relaxation places additional responsibilities upon licence holders. However, it is also recognised that parents and other individuals accompanying children also have responsibilities.

2.29 Access by children to licensed premises will, generally, be a matter for the business unless the Council considers that conditions are required in order to promote the licensing objective of the “protection of children from harm”. Accordingly, the Council expects Operating Schedules to identify the control measures to demonstrate compliance with this objective.

2.30 The Council recognises the Social Care & Health department of Durham County Council as being competent to advise on matters relating to the protection of children from harm.

2.31 It is obviously not possible to properly anticipate every issue of concern that could arise in respect of children with regard to individual premises. Each application will be considered on its individual merits. However, applicants will be expected to demonstrate, and provide evidence that, suitable controls are in place. Such matters should include proposals or arrangements to prevent children from:

- Acquiring or consuming alcohol;
- Being exposed to drugs, drug taking or drug dealing;
- Being exposed to gambling;
- Being exposed to entertainment of an adult or sexual nature;
- Being exposed to incidents of violence or disorder;
- Being exposed to excessive noise;
- Being exposed to tobacco smoking and its effects;
- Purchasing cigarettes from vending machines;

2.32 In premises where there are Amusement With Prizes (AWP) machines and cigarette vending machines, the Council will expect Operating Schedules to

demonstrate the measures to be taken to prevent access by children in accordance with the Gambling Commission's Gaming Machine Permits Code of Practice available at www.gamblingcommission.gov.uk and to encourage applicants of premises a licence to show both AWP and cigarette vending machines on the plan.

2.33 The Council expects licensees to be able to demonstrate in their Operating Schedule that they have in place satisfactory arrangements to prevent sales of alcohol to children, including a proof of age scheme. The Council recommends that the following documents should be used as proof of age:

- Passport;
- Photo card driving licence
- Proof of Age scheme card (e.g. P.A.S.S. - www.pass-scheme.org.uk)
- Citizen Card supported by the Home Office (details from www.citizencard.net)

The Council commends the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks which can be found at www.portman-group.org.uk

2.34 The protection of children from harm includes the protection of children from moral, psychological and physical harm and in relation to the exhibition of films, or transmission of programmes or videos, this includes the protection from exposure to strong language and sexual expletives. In relation to film exhibition premises, a mandatory condition will be applied requiring access to be restricted to those who meet the required age limit in accordance with any certificate granted by the British Board of Film Classification. In certain circumstances children are more vulnerable and their needs will require special consideration. Examples would include topless bar staff, striptease, lap, table or pole dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language. This vulnerability includes their susceptibility to suggestion, peer group influences, inappropriate example, and the unpredictability of their age and the lack of understanding of danger.

2.35 Provided that there is no risk to children, the Council has no intention of imposing conditions regarding the admission of children and where no licensing restriction is necessary, admission of children will remain entirely a matter for the discretion of the individual licensee, club, or person who has given a temporary event notice.

2.36 However, applicants/notice givers will be expected to demonstrate in their operating schedule that suitable and sufficient measures have been identified and will be implemented and maintained to protect children from harm, relevant to the individual style and characteristics of their premises and events. Such

measures should include the need for the presence of a sufficient number of adult staff to ensure the well being of children during an emergency.

2.37 Whilst children may be adequately protected from harm by the action taken to protect adults, they may also need special consideration and no policy can anticipate every situation. When addressing the issue of protecting children from harm, the applicant must demonstrate that those factors that impact on harm to children have been considered. Areas that will give particular concern in respect of children include premises:

- where entertainment or services of an adult or sexual nature are commonly provided
- where there have been convictions of members of the current staff at the premises for serving alcohol to minors or where concerns exist regarding underage drinking
- with a known association with drug taking or dealing
- where there is a strong element of gambling on the premises
- where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

POLICY STATEMENT

2.38 The Council continues to welcome the inward investment and town centre regeneration the development of the night-time economy brings. However, the Council will always attempt to safeguard the security and quality of life of residents. The Council expects businesses to promote the four licensing objectives and in doing so identify, implement and successfully manage a full range of control strategies, work in full harmony with all regulatory agencies and have particular regard to their neighbours and the wider environment.

2.39 The Council will consider all applications on their own merits but if no relevant representations are made there is no provision for the Council to impose conditions on a licence other than those volunteered by the applicant. Subsequently, if no representations are made, the Council will issue the licence on the terms sought.

2.40 The Council will monitor and review the operation of the policy where appropriate, above and beyond the minimum statutory requirements. This recognises the fluid nature of the night time economy and the rapid developments that can occur within it.

2.41 If a Responsible Authority identifies or receives any complaint that an area that is suffering problems due to a high concentration of certain types of premises the Council will investigate this matter and if necessary act upon its finding.

2.42 The Council will attempt to use the flexibility afforded by this regime to encourage a diverse range of cultural and leisure activities to avoid creating a mono-culture based on the heavy consumption of alcohol. The Council recognises the need for a greater diversity in the night-time economy to meet the wider expectations of all residents. Thus it will seek to facilitate a more diverse provision of live music, entertainment, street trading, café bars and restaurants. Only conditions strictly necessary for the promotion of the licensing objectives should be attached for activities of this nature and the Council is aware of the need to avoid measures that deter live music, dancing and theatre by imposing indirect costs of a substantial nature.

2.43 To ensure that licensed activities are carried out in accordance with licence conditions and therefore support the licensing objectives, the Council will carry out appropriate monitoring at licensed premises and activities. Where necessary, this will be in conjunction with other relevant agencies.

2.44 Where monitoring indicates enforcement may be necessary, this will be considered and where necessary carried out in accordance with both the Enforcement Concordat and relevant enforcement policies. Such monitoring will include an assessment of whether diverse cultural events are being deterred by the policy and if this is found to be the case, the policy will be reviewed.

2.45 The Council will ensure that there is no unnecessary duplication between licence conditions under the Act and those imposed under other legislation. However, a consequence of this approach is that it may be necessary on occasions to use powers outside of the Act to deal with problems arising from licensed premises and the management thereof.

Integration with other Strategies / Partnership Working

2.46 The Council takes the view that the Act cannot resolve all community problems. However, it will form a cornerstone of its input into the management and regulation of the nighttime economy, as well as being an integral part of the delivery of its key strategies in respect of crime and disorder and anti-social behaviour.

2.47 The Council recognises the important relationship between the Act and other legislation in particular the Crime and Disorder Act 1998 and the Anti-social Behaviour Act 2003 and the essential role partnership working will play in the effective delivery of these key aims. A central partnership will be with the Police, however, the Council appreciates that there are a multitude of other agencies that indirectly impact upon the four licensing objectives.

2.48 Educative measures such as the Safer Clubbing Guide (www.drugs.gov.uk) and Alcohol Harm Reduction Strategy (www.strategy.gov.uk) provide

authoritative guidance. Non-statutory agencies such as the National Proof of Age Standards Scheme, Portman Group and the local Pubwatch scheme provide valuable advice. Other Council departments such as Planning and Environmental Services play important roles both in the development of the night-time economy and in minimising any less welcome aspects of its impact. The law requires that the relevant statutory Planning and Licensing regimes must operate to different agendas, assessing, as material considerations, separate issues. This ensures that licensing applications are not merely a re-run of planning applications (and vice versa) However, the Council is committed to high standards of customer care, including as part of this the provision of a high quality one stop shop service for customers seeking advice on both planning and licensing issues. As such officers will always endeavor to work together to provide meaningful joined up advice to customers seeking advice on a matter which raises both licensing and planning issues.

2.49 The Council responds to this challenging situation in three ways:

- Undertaking a diverse and wide ranging initial consultative process
- Actively seeking and responding to the views of all responsible authorities and interested parties throughout the lifetime of the policy
- Facilitating a suitable multi-agency forum to encourage dialogue and the proper integration of the Licensing Policy with other policies that may impact upon it

2.50 This policy encourages the provision of a broader range of cultural activities, in particular live music. As such, only proportionate and reasonable licence conditions will be imposed on such events. The impact of the policy on relevant cultural activities will be assessed via the County Durham Cultural Strategy Steering Group. This group which includes representatives from County and District Councils and other relevant bodies, monitors the County Durham Cultural Strategy “Yeast in the Dough”.

Cumulative Impact

2.51 The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter which the Council can take into account. This should not, however, be confused with ‘need’ which relates more to the commercial demand for a particular type of premises e.g. a pub, restaurant or hotel. The issue of ‘need’ is therefore a matter for planning consideration or for the market to decide and does not form part of this Licensing Policy Statement.

2.52 The Council may receive representations from either a responsible authority or an interested party that the cumulative impact of new licences is leading to an area becoming saturated with premises of a certain type. Such representations may claim that the cumulative impact creates a focal point for large groups of people to gather, creating exceptional problems of disorder and nuisance over and above the impact from the individual premises themselves. In such cases the

issue of cumulative impact can be taken into account when considering the individual merits of any application.

2.53 The Council will not operate a quota of any kind, which would predetermine any application, nor will it seek to impose general limitations on trading hours in particular areas. Instead, regard will be given to the individual characteristics of the premises concerned within a given area. It is recognised that pubs, nightclubs, restaurants, hotels and other clubs all sell alcohol, serve food and provide entertainment but with contrasting styles and characteristics. Proper regard will be given to those differences and the differing impact they are likely to have on the local community.

2.54 In determining whether to adopt a 'saturation' policy for a particular area the Council may;

- gather evidence of identification of serious concern from a responsible authority or local residents about actual nuisance and disorder, or the imminent threat of it
- identify the area from which problems are arising and the boundaries of that area and make an assessment of the causes
 - consult with those specified in section 5(3) of the 2003 Act and subject to the outcome of the consultation;
- adopt a policy about future applications for premises within that area

2.55 The Council is keen to stress that as well as the powers under the Act, there are a number of other mechanisms for addressing issues associated with the night-time economy, that have a negative impact. Prior to the implementation of the Act, the following controls were in place:

- Aspects of the planning process
- Street cleansing
- CCTV surveillance to the town centre
- A well established taxi service
- A dedicated Police Licensing Unit

2.56 The Council recognises further powers granted under the Act, including:

- Additional Police and Environmental Health Officer powers to close premises
- Review of licences / certificates

2.57 Additionally, the Council as part of its ongoing strategy for its management of the night-time economy will consider the feasibility of further measures including;

- Adoption of street trading byelaws
- Adoption of legislation relating to drinking in public places

2.58 These measure will be supplemented by other local or national initiatives where appropriate.

NON DISCRETIONARY POWERS UNDER THE ACT

3.1 This section of this document does not set out how the Council will administer the regime. It identifies key areas of the Act where the Council has power(s), but has little or no discretion in how it uses it. That is, areas where the Act has identified a clear procedure to be followed and clear criteria which must be met. In these instances, the Council is required to follow a course of action identified by the Act.

Reviews

3.2 Following the grant of a licence a responsible authority or interested party may request the Council to review the licence/certificate where problems associated with the four licensing objectives have arisen. It is important to note that the Council does not have the power to instigate a review, however once a review of a licence has instigated, the council will administer and determine its outcome at a hearing where an evidential-basis for the allegations made will need to be submitted. However, the Council expects responsible authorities to try to give licensees early warning of any concerns identified at a premises. Revocation of a licence will be seriously considered, even for a first offence, if the prevention of crime objective is being undermined.

3.3 Requests for reviews may be rejected where, in the view of the Council, the complaint is not relevant to the licensable objectives or is frivolous, vexatious or repetitious (see glossary).

Provisional Statements

3.4 Where premises are being or are about to be constructed for the purpose of being used for one or more of the licensable objectives, or are being or about to be extended or otherwise altered for that purpose, applicants may apply for a provisional statement if they have an interest in the premises. This will give the owner some reassurance about whether a licence would be granted if the premises was built as set out in the application for the provisional statement. However, a provisional statement is not an authorisation, so the relevant permission must still be obtained in order to carry on licensable activities.

Interim Authorities

3.5 If a premises licence holder dies, becomes bankrupt or mentally incapable then the licence will lapse. However, if within a seven-day period of such circumstances a person who had an interest in the premises or who is connected to the former holder of the licence, gives the Council an "Interim Authority Notice", the premises licence will be reinstated for a period of 2 months.

Personal Licences

3.6 The Council has very little discretion with regard to the issuing of personal licences. Applications for personal licences will be granted provided the applicant holds a relevant licensing qualification (go to www.culture.gov.uk for a list of the current accredited licence qualification providers) and has not been convicted of a relevant offence. Exceptionally the Police may object, although only on the grounds of crime and disorder. In these instances, a hearing will be held to decide the application.

3.7 In the event of a hearing, the Council will carefully consider whether the granting of a licence will be in the interests of the crime prevention objective. It will consider the seriousness and relevance of the conviction(s), the period that has elapsed since the offence(s) were committed and any mitigating circumstances.

3.8 The Council will produce guidance and application packs/procedures once the Department for Culture, Media and Sport (DCMS) has published the appropriate regulations.

Appeals

3.9 Should an applicant wish to appeal against the decision of the Council, they should give a notice of appeal to the justices' chief executive for the Magistrates' Court within a period of 21 days beginning with the day on which they were notified of that decision. Details of local Magistrates' Courts are available from the Licensing Department.

Temporary Event Notices

3.10 Temporary Event Notices (TENs) are intended to allow charities, community and voluntary groups, schools, churches and hospitals to hold relatively small-scale short-term events. However, the Council realises that there is potential for this intended aim to be open to misuse or misinterpretation. Where this situation occurs and the Council has grounds to believe it may lead to events that are unsafe, unsuitable or inappropriate for either attendees or other parties it may seek a remedy outside of the Act, either by recourse to other appropriate legislation or legal mechanism such as an injunction. The Council encourages those who seek to utilise such notifications to give as long a period of notification as practicable, as the ten day deadline is an absolute minimum. The address that TENs should be served on Durham Constabulary can be found in paragraph 8.1

DISCRETIONARY POWERS UNDER THE ACT

4.1 The Council's functions as a Licensing Authority are to be carried out by its Licensing Committee. As many of the decisions and functions will be purely administrative in nature, officers will be given appropriate delegated powers. The scheme of delegation is outlined below:

Table 1 – Delegated Powers

Matter to be dealt with	Full Committee	Statutory	Officers
Review of Policy	All cases		
Change in Act	All cases		
Change in Regulations	All Cases		
Application for personal licence		If a Police objection	If no objection made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for Provisional Statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a Police objection	All other cases
Request to be removed as designated premises supervisor		All cases	
Application to transfer of premises licence		If a Police objection	All other cases
Application for interim authorities		If a Police objection	All other cases
Application to review premises licence/club certificate		All cases	
Decision on whether a complaint is irrelevant frivolous vexatious		All cases	
Decision to object when local authority is a consultee and not the relevant authority considering the application			All cases
Determination of a Police objection to a temporary event notice		All cases	

Where there are no relevant representations/objections to the grant of premises licences, club certificates, personal licences or temporary activities, officers dealing with these applications will report the outcomes back regularly to licensing committee so that they maintain an overview of the general situation.

Hearings

4.2 A hearing will be arranged to deal with any applications which cannot be dealt with under delegated powers or resolved by agreement between applicants, interested parties and/or responsible authorities.

4.3 Each case will be decided on its own merits.

4.4 Hearings will be held at the earliest opportunity and have regard to the laws of natural justice and the Committee will conduct a quasi-judicial consideration of the application, objections and representations.

4.5 A legal advisor, advocate or friend may represent applicants where they do not choose to represent themselves.

4.6 Conditions may be attached to licences. A list of Pool of Conditions is available on the DCMS website at www.culture.gov.uk. Any condition may be drawn from the list, or be based upon such a condition or may be devised having regard to the particular circumstances of the application. The Council recognises that it cannot impose blanket standard conditions.

4.7 Any condition attached to a licence will be related to one or more of the licensing objectives.

Premises Licences

5.1 A premises licence is required for any premises where it is intended that a licensable activity is to take place, with the exception of permitted temporary activities.

5.2 To assist the efficient administration of all application processes, the Council will produce a range of guidance documents/application packs for the applicants. These will detail the relevant procedures and what information should be submitted with an application for a premises licence. This process should include the submission of an operating schedule. The Council recognises that the regulatory regime encompasses a broad range of premises that will vary in size, style and character. Operating schedules will similarly vary in both scope and detail. In respect of some premises it is possible that no measures will be needed to promote one or more of the licensable objectives. However, for larger venues offering late night entertainment, operating schedules need to contain detailed

and justified risk based decisions on the promotion of the four licensing objectives. The section below outlines a non-exhaustive checklist businesses should use in writing their operating schedule. Further detail on each licensing objective may be found in sections 2.12 – 2.37.

5.3 Prevention of Crime and Disorder

- Is there is a history of crime, violence, disorder or drugs?
- Ways to deter drug problems/abuse – for guidance please refer to the Safer Clubbing Guide
- Current controls (e.g. searches, signage, training of staff, radio links to Careline, Pubwatch and other public houses, provision of door supervisors and female attendants)
- Culture / age profile of patrons
- Approach, management and likely local impact relating to drinks promotions whilst not specifying a minimum price condition, the Council will expect operators to consider the destabilising effect irresponsible discounting can have on the market)

5.4 Premises with any indication or history of drugs misuse shall include a ‘Drugs Misuse Action Plan’ as part of their operating schedule. Additionally, an action plan will be required if the character of the premises is considered to lead to an increased risk of drugs use.

5.5 Public Safety

- The Council recognises that the majority of licensed premises are subject to the Health and Safety at Work etc Act 1974. It is not necessary to detail existing health and safety arrangements within the operating schedule except where the general duties specified do not adequately cover specific issues which arise on the premises, for instance a spillage/breakage policy would have to recognise the potential for some customers to remove footwear whilst on the dance floor
- Where regulated entertainment includes dancing, this should be risk assessed. The Council recognises that dance floors may be a flashpoint for potential violence and disorder, the risk assessment should consider adequate supervision, safe location for DJ or entertainers, potential of special effects and lighting, area for safe bottle or glass storage, use and consumption of drinks on dance floors.
- Ways to monitor numbers and deal with overcrowding issues (Provision of door supervisors)

5.6 Prevention of Public Nuisance

- Assessment of likely noise levels in the premises
- Assessment of likely noise levels if outdoor drinking is allowed
- The sound insulation the building will provide (e.g. double glazing, open-able windows, double doors/lobbies to entrances)
- The distance and direction to the nearest noise sensitive premises
- Likely noise sources outside of the premises (e.g. emptying bottle bins, taxis, unruly customers leaving the premises)
- Availability of toilets after closure of premises
- Dispersal of patrons – where necessary the Council will expect a dispersal policy for patrons at the end of the evening. The policy will specify such issues as alterations to the style and volume of music played, public address announcements and use of appropriate signage at exits.
- Ways to limit noise/disorder from patrons leaving the premises

5.7 Protection of Children from Harm

- Ways to prohibit unaccompanied children accessing the premises
- Is there entertainment or services of an adult or sexual nature provided?
- Has there have been convictions of members of the current staff at the premises for serving alcohol to minors or a reputation for underage drinking?
- Is there a known association with drug taking or dealing?
- Is there a strong element of gambling on the premises?
- Is the supply of alcohol for consumption on the premises the exclusive or primary purpose of the services provided at the premises?

5.8 The Council strongly advises that the applicant seeks the views of responsible authorities on their risk assessment, operating schedule and plans relating to the licensable activities to be conducted, at the earliest opportunity. This should make the full application process much easier for all parties.

5.9 It will be a criminal offence enforceable by law to fail to comply with licence conditions.

5.10 The Council reserves the right to address individual opening hours at premises on each individual case. Restrictions may be put in place when certain licensable activities take place even though the premises may be open to the public at such times. For example, the playing of recorded music in a public house after a certain time may be prohibited even though other licensable activities are permitted to continue. However, there will be a presumption to grant the hours requested unless there are specific objections to those hours raised by responsible authorities or interested parties on the basis of the licensing objectives.

5.11 The Council recognises that in some circumstances, flexible licensing hours for the sale of alcohol can help to ensure that concentrations of customers leaving premises simultaneously are avoided.

5.12 With regards to shops, the presumption will be to provide sales of alcohol for consumption off the premises at any time when the retail outlet is open for shopping, unless representations raise very good reasons, based on licensing objectives, for restricting those hours.

Club Premises Certificates

6.1 The Council recognises that premises to which public access is restricted and where alcohol is supplied other than for profit, give rise to different issues than those presented by commercial enterprises selling direct to the public. These premises make an important and traditional contribution to the life of many communities and bring significant benefits. Clubs will still be required to submit a club operating schedule and should still therefore have regard to section 5. However, the Council recognises that their activities take place on premises to which the public do not generally have access and they operate under codes of discipline applying to members and their guests. The Council will have due regard to this when determining what conditions will be included in certificates. Conditions will only be applied when strictly necessary.

6.2 In order to qualify for this exemption clubs must satisfy the conditions specified in Sections 62-64 of the Act.

Monitoring and Enforcement

7.1 The licensing objectives create a broad range of possible offences, including carrying on licensable activities without a relevant permission or failing to comply with the conditions of a licence. The Council acknowledges the wide range of options available under the Act, to prevent, control or mitigate potential problems, and also understands that it is not the only authority or agency involved. Likewise, the Act itself is only one of several pieces of legislation applicable in these circumstances. In all instances, the Council will be guided by the principles outlined in the Enforcement Concordat and its own enforcement policies.

Monitoring

7.2 Monitoring refers to the various processes by which the Council and other agencies involved gather information concerning this policy, its impact and individual and collective compliance with it. Given the diversity of both the district, premises and businesses involved, monitoring will take a variety of forms encompassing both proactive and reactive visits. Effective monitoring will serve a variety of purposes. In the first instance it will allow for the identification of problems and early intervention in them in order to avoid the need for formal

action. In more serious situations it will act as the basis for gathering intelligence/evidence necessary to take formal action. Over time, monitoring activities will allow the Council to build an accurate picture of the effectiveness of its policy in meeting the licensing objectives, allowing for its continual review and improvement. Where necessary monitoring will focus, in particular, on areas that appear to be suffering specific problems that are caused by a high density of certain types of licensed premises.

7.3 The Council as the Licensing Authority has a central role in collating and disseminating information and intelligence to and from key partners including the Police, Fire and Rescue Service, Trading Standards Officers, Security Industry Authority, Licence holders, other Council departments, Pubwatch, the taxi trade and public representatives. The Council will attempt to achieve this by establishing appropriate working / liaison groups, producing publicity material and holding public meetings where appropriate.

7.4 Notwithstanding the generality of 7.3, given the common thread the issue of under age sale of alcohol has to many of the licensing objectives, the Council will, in particular, monitor complaints or intelligence on this issue. It will endeavour to work closely with key partners, using test purchases or other appropriate measures to investigate or take necessary action.

Enforcement

7.5 The Council in the first instance will attempt to balance the needs and rights of all parties concerned and resolve issues without recourse to formal legal action. Notwithstanding this the Council recognises its duty to protect the security and quality of life of the public. In doing so due regard will be given not only to the powers contained in this Act but also to other appropriate legislation for example; the Environmental Protection Act 1990 and the Health and Safety at Work etc Act 1974.

7.6 This approach will be particularly evident when dealing with Permitted Temporary Activities. The Council embraces the concept of Temporary Event Notices (TENs) and the freedom they allow to charities, community and voluntary groups, schools, churches and hospitals to hold relatively small-scale short-term events. However, the Council realises that this intended aim is open to misuse and misinterpretation by less worthy causes. Commercial or even criminal organisations may attempt to use this relaxation for purposes other than those intended by the Act. Where this situation occurs and the Council has grounds to believe it may lead to events that are unsafe, unsuitable or inappropriate for either attendees or other parties it may seek a remedy outside of the Act, either by recourse to other appropriate legislation or legal mechanism such as an injunction.

Contact Information

8.1 The Council would encourage informal discussion prior to application/notification, and can provide general advice and guidance. The Licensing Department can be contacted at:

The Licensing Department
Chester le Street District Council
Civic Centre
Newcastle Road
Chester le Street
County Durham
DH3 3UT

Telephone: 0191 3872202

E-mail: licensing@chester-le-street.gov.uk

Fax: 0191 387 2165

Further information can be found on our website at www.chester-le-street.gov.uk

Responsible Authorities

Environmental Health Manager
Chester-le-Street District Council
Civic Centre
Newcastle Road
Chester-le-Street
County Durham
DH3 3UT

County Durham and Darlington Fire and Rescue Service
Fire Brigade Headquarters
Framwellgate Moor
Durham
DH1 5JR

Social Services
Durham County Council
129 Front Street
Chester-le-Street
County Durham
DH3 3BL

Durham Constabulary
Licensing Unit
Newcastle Road
Chester-le-Street
County Durham

Development and Building Control Manager
Chester-le-Street District Council
Civic Centre
Newcastle Road
Chester-le-Street
County Durham
DH3 3UT

Equal Opportunity

8.2 This Statement of Licensing Policy recognises that the Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000, places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different racial groups.

GLOSSARY OF TERMINOLOGY

Entertainment Facilities

Facilities for enabling persons to take part in entertainment of a description falling within those mentioned above for the purpose, or for the purposes which include the purpose, of being entertained. The descriptions of entertainment are making music, dancing, and entertainment of a similar description to that falling within those mentioned above. This definition is subject to Part 3 of schedule 1 to the Licensing Act 2003.

Frivolous Representation

This matter is decided on its own merits, however these representations are categorised by a lack of seriousness.

Incidental Music:

Where in certain circumstances the performance of live music, or the playing of recorded music is incidental to another activity, which is not in itself entertainment or entertainment facilities. If the volume of the live or recorded music predominates over the other activities, this would generally not be regarded as incidental. As the Act does not define “incidental” the Council will judge whether music of this kind is incidental to other activities on a case by case basis.

Interested Party

- i) a person living in the vicinity of the premises
- ii) a body representing persons who live in that vicinity
- iii) a person involved in a business in that vicinity
- iv) a body representing persons involved in such businesses

Late Night Refreshment

The provision of hot food or hot drink to members of the public, or a section of the public, on or from any premises, whether for consumption on or off the premises between 11p.m. and 5a.m. **or** at any time between those hours when members of the public, or a section of the public, are admitted to any premises, a person supplies, or holds himself willing to supply, hot food or hot drink to any persons, or to persons of a particular description, on or from those premises, whether for consumption on or off the premises. Where ‘hot food or hot drink’ is defined as; ‘Food or drink supplied on or from any premises is ‘hot’ for the purposes of schedule 2 to the Act if the food or drink, or any part of it:

- i) before it is supplied, is heated on the premises or elsewhere for the purpose of enabling it to be consumed at a temperature above the ambient air temperature and, at the time of supply, is above that temperature, or
- ii) after it is supplied, may be heated on the premises for the purpose of enabling it to be consumed at a temperature above the ambient air temperature.

Licensable Activities and Qualifying Club Activities

- i) the sale by retail of alcohol
- ii) the supply of alcohol by or on behalf of a club, or to the order of, a member of the club
- iii) the provision of regulated entertainment
- iv) the provision of late night refreshment for those purposes the following licensable activities are also qualifying club activities;
 - i) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club for consumption on the premises where the supply takes place
 - ii) the sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place
 - iii) the provision of regulated entertainment where that provision is by or on behalf of a club for members of the club or members of the club and their guests

Operating Schedule

The operating schedule is the part of the application form for a premises licence or club certificate, where the applicant sets out various details about how they propose to operate the premises when carrying on licensable activities; proposed opening hours and times for licensable activities; proposed duration of the licence or certificate; and a statement of the steps the applicant proposes to take to promote the licensing objectives (for example, arrangements for door security to prevent crime and disorder). The significance of the operating schedule is that if the application for the premises licence or club premises certificate is granted, it will be incorporated into the licence or certificate itself and will set out the permitted activities and the limitations on them.

Private Event

An event, where a licensable or other activity takes place, to which the public do not have access. Such an event would be defined as regulated entertainment, and therefore licensable, only if it is provided for consideration and with a view to a profit. For example, a charge to those attending a private event to cover the costs of the entertainment, and no other purpose, would not make the entertainment licensable, as this would not be with a view to a profit. It would be irrelevant if a profit might inadvertently be made as long as there had not been an intention to make a profit.

Regulated Entertainment

- (a) a performance of a play
- (b) an exhibition of a film
- (c) an indoor sporting event
- (d) a boxing or wrestling entertainment
- (e) a performance of live music
- (f) any playing of recorded music
- (g) a performance of dance
- (h) entertainment of a similar description to that falling with paragraph (e), (f) or (g) where the entertainment takes place in the presence of an audience and is

provided for the purpose, or for the purposes which include the purpose, of entertaining that audience. Any reference to an audience includes a reference to spectators. This definition is subject to Part 3 of schedule 1 to the Licensing Act 2003

Relevant Representation

A representation would only be 'relevant' if it relates to the likely effect of the grant to the licence on the promotion of at least one of the four Licensing Objectives. For example, a representation from a local businessman which argues that his business would be commercially damaged by a new business for which an application is being made under Part 3 of the Act would not be relevant – this is a commercial matter. However, if a representation to the effect that nuisance caused by the new business would deter customers from entering the area and the steps proposed by the applicant to control the nuisance are inadequate would amount to a relevant representation.

Repetitious Representation

This matter is decided on its own merits, however a 'repetitious representation' would be categorised as being similar, or of a similar nature, to a previous representation which has already been decided upon.

Responsible Authority

- i) the Chief Officer of Police for any Police area in which the premises are situated
- ii) the Fire Authority for any area in which the premises are situated
- iii) the enforcing authority within the meaning given by Section 18 of the Health and Safety at Work etc. Act 1974 for any area in which the premises are situated
- iv) the local planning authority within the meaning given by the Town and Country Planning Act 1990 (c.8) for any area in which the premises are situated
- v) the local authority by which statutory functions are exercisable in any area in which the premises are situated in relation to minimising or preventing the risk of pollution of the environment or of harm to human health
- vi) a body which:
 - (a) represents those who, in relation to any such area, are responsible for, or interested in, matters relating to the protection of children from harm, and
 - (b) is recognised by the licensing authority for that area for the purposes of this section as being competent to advise it on such matters
- vii) any licensing authority (other than the relevant licensing authority) in whose area part of the premises is situated
- viii) in relation to a vessel:
 - (a) a navigation authority (within the meaning of section 221(1) of the Water Resources Act 1991 (c.57) having functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is, or is proposed to be, navigated at a time when it is used for licensable activities
 - (b) the Environment Agency
 - (c) the British Waterways Board, or

(d) the Secretary of State

(e) a person prescribed for the purpose of this subsection.

Temporary Event

The use of premises for one or more of the licensable activities during a period not exceeding 96 hours usually where a premises licence covering the licensable activity is not in place.

Vexatious Representation

This matter is decided on its own merits, however vexation may arise because of disputes between rival businesses or persons.



Chester-le-Street
District Council

Report to: Executive

Date of Meeting: 3 December 2007

Report from: Head of Planning and Environmental Health

Title of Report: Draft Environmental Health Enforcement Policy

Agenda Item Number:

1. PURPOSE, SUMMARY AND RECOMMENDATIONS

- 1.1 The purpose of the report is to consider the proposed Draft Environmental Health Enforcement Policy which is attached as Appendix A.
- 1.2 The Draft Enforcement Policy amalgamates and updates existing individual policies required by legislation and statutory codes of practice into a single document and clarifies the Council's approach to Environmental Health enforcement activities.
- 1.3 Executive is requested to adopt the draft policy as a version suitable for public consultation and request Officers to carry out an appropriate public consultation exercise.

2. CONSULTATION

- 2.1 Consultation was undertaken with the Head of Legal and Democratic Services, Head of Planning and Environmental Health, Acting Environmental Health Team Leader and Officers of the Environmental Health Team who specialise in the specific functions of the service to which the Enforcement Policy relates. The Performance and Improvement Manager was consulted regarding the diversity implications and the Risk and Financial Services Manager on risk management implications. Comments received are incorporated within the draft policy document.

3. CORPORATE PLAN AND PRIORITIES

- 3.1 The adoption of a draft Enforcement Policy contributes directly to priority NM12 of the Corporate Plan 2006-2009.

- 3.2 An environmental Health Enforcement Policy is required to meet the requirements of BVPI 166.
- 3.3 The Enforcement Policy through its promotion of consistency and fairness reflects the Council's priorities of customer excellence.

4. Implications

4.1 Financial Implications

- 4.1.1 Adoption of the Enforcement Policy including the cost of producing and distributing the draft policy for consultation, the publication of the approved Enforcement Policy on the Council's website and the production and distribution of a summary leaflet for the public and businesses will be met from within existing budgets.
- 4.1.2 There are a number of enforcement activities which can generate income. These include the service of fixed penalty notices and the setting up of charges. This report does not seek to alter these charges which were previously agreed via specific reports and are set to recover costs only.

Value for Money Statement

- 4.1.3 The adoption of the draft Enforcement Policy will ensure more efficient and effective working and improve performance against local and national performance indicators.
- 4.1.4 The draft Enforcement Policy takes a risk-based approach to regulatory activity. This provides the most efficient use of resources and provides protection for the consumer, whilst minimising burdens on compliant businesses.
- 4.1.5 This risk-based assessment approach informs all aspects of the enforcement processes within the Enforcement Policy, from the selection of the most appropriate level of enforcement through to the collection of data, inspection and prosecution. Undertaking risk assessment takes into account the nature of a business and external factors affecting risk. Resources will be directed where they are most effective which will result in reducing unnecessary inspections or data requests from low-risk businesses. It will enable the identification of those businesses that need more regular inspection and release resources to improve broader advice services and to address service priorities.

4.2 Legal

4.2.1 Subject to para 4.2.2. the Enforcement Policy does not arise from a specific statutory power or requirement. Rather it relates to how the Council will approach the issue of the enforcement of a raft of diverse legislation enforced by the Environmental Health Service.

4.2.2. The Enforcement Policy does address two specific statutory requirements in relation to the 'Framework Agreement for Food Safety' issued under the Food Standards Act 1999 and Health and Safety at Work Etc. Act 1974 Section 18 Guidance, both of which require an enforcement policy.

4.2.3 The adoption of the Enforcement Policy will reduce the risk of a successful legal challenge when enforcement action is taken.

4.3 Personnel

4.3.1 There are no human resource implications arising from this report.

4.4 Other Services

4.4.1 As the policy does not fundamentally alter the Council's approach to enforcement rather it amalgamates and expands a number of existing documents it is not expected that the adaptation of the policy itself will lead to any increase in workload.

4.5 Diversity

4.5.1 Consultation on the diversity aspects of the Enforcement Policy was undertaken with the Performance and Improvement Manager and comments have been incorporated in the Enforcement Policy.

4.5.2 The range of proactive enforcement activities which are contained in the Enforcement Policy form an invaluable mechanism for the Council to both engage with and educate many employers and employees from minority backgrounds. Workers from minority groups can be particularly vulnerable in workplace situations. Proactive measures are essential to safeguard the health, safety and welfare of the business community and the public.

4.6 Risk

4.6.1 Existing enforcement policies within Environmental Health are out of date and new legislation requires additional enforcement functions to be addressed within the service. It is considered that the adoption of the enforcement policy will reduce the risk of inappropriate enforcement or successful legal challenge.

4.7 Crime and Disorder

4.7.1 The adoption of the Enforcement Policy will enhance the delivery of a robust service in relation to environmental crime and breaches of legislation dealt with by the Environmental Health service.

4.8 Data Quality

4.8.1 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

4.9.1 There are no other implications arising from this report.

5. BACKGROUND, POSITION STATEMENT AND OPTION APPRAISAL

5.1 The Council's Environmental Health Service has a statutory duty to enforce a wide range of legislation. Its overall approach to enforcement takes into account the six principles of 'good enforcement' set out in the Enforcement Concordat which the Council signed in 1998. The principles are associated with fair, transparent and balanced enforcement decision making. The principles are:

- Performance will be measured against published standards
- There will be openness in dealing with businesses and others
- Enforcement officers will be helpful, courteous and efficient
- Complaint procedures will be published
- Enforcement decisions will be proportionate to the circumstances
- Enforcement officers will strive for high standards of consistency

5.2 The principles of the Enforcement Concordat are substantially reinforced through the introduction of Best Value Performance Indicator 166, which sets out a framework to measure and score enforcement performance. The main provisions relate to:

- Written and published enforcement policy
- Planning of enforcement activity
- Reactive enforcement activity
- Appropriate resources
- Consultation and satisfaction levels

5.3 Existing position

5.3.1 The Environmental Health team currently only has one enforcement policy that has been properly adopted by the Council, this relates to the enforcement of food safety law.

5.3.2 Two other enforcement policies, the first relating to Health and Safety enforcement and the second a generic policy were developed but subsequently suspended when a corporate enforcement policy was proposed.

5.4 Proposed enforcement arrangements

The draft Policy provides a practical opportunity not only to update existing policies but also to rationalise them into one document that has the advantage of being readily accessible and a single point of reference to officers and the public.

5.5 The proposed Policy bridges the gap between the high level issues of proportionality, transparency and consistency of enforcement action with the practical issues faced by Officers.

5.6 The policy is effectively in two parts, the first addresses generic enforcement issues and principles. The second, presented as a series of appendixes provide service specific guidance and details of the enforcement options available in each area. This approach has been adopted in preference to the continued adoption of service specific enforcement policies such as those for food and health & safety as it provides a simpler more comprehensive document and provides for more efficient and effective consultation.

6. **RECOMMENDATIONS**

6.1 Executive is requested to recommend to Council that the Draft Enforcement Policy attached as Appendix A be approved as a version suitable for public consultation and Officers be requested to carryout an appropriate public consultation exercise.

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

7.1 The Enforcement Concordat
The Code for Crown Prosecutors
Best Value Performance Indicator 166 Guidance DETR 2004
Food Law Code of Practice

Christine Ditchburn (Principal Environmental Health Officer)

DATE OF REPORT 16 August 2007

VERSION NUMBER 2.0

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CHESTER-LE-STREET DISTRICT COUNCIL
ENVIRONMENTAL HEALTH SERVICE
ENFORCEMENT POLICY

(DRAFT)

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Environmental Health Service Enforcement Policy (Draft)

1. Introduction

- 1.1 The Council has a statutory duty to enforce a wide range of legislation in order to maintain standards relating to environmental health, housing and licensing. In exercising its enforcement role the Council is not acting on behalf of any individual, but is acting in order to promote the wider public interest.
- 1.2 The Environmental Health Service (the Service) is committed to ensure delivery of its regulatory responsibilities for promoting, protecting and enhancing the health, safety, welfare and overall wellbeing of all residents, workers and visitors to the District. The Council has adopted the Enforcement Concordat and fully endorses its principles relating to consistent, fair, proportional and open enforcement.
- 1.3 The Service recognises that securing compliance with regulatory requirements using enforcement powers plays an important part in achieving this aim. A graduated approach and compliance achieved through education, advice and guidance will be considered in order to adopt a balanced approach to decisions regarding enforcement to those it regulates. Each case is unique and must be considered on its own merits. There are, however, general principles that apply in the way each case must be approached. These are laid out in this Enforcement Policy (Policy) and in the Enforcement Concordat.
- 1.4 The Service seeks to secure co-operation avoiding bureaucracy, ensuring efficient compliance with legislation whilst, at the same time minimising the burden on businesses, individuals, organisations and the Council itself. The Service encourages individuals, landlords and businesses to put safety first and to integrate good working practices into normal working methods.
- 1.5 The Service applies this Policy so that it can make fair and consistent decisions on enforcement action and will take into account the risk to health, safety and well being of the public and the environment and the seriousness of the offence. The Service recognises that a decision on enforcement action can have serious implications for all involved affecting the general public, businesses, tenants, landlords, victims, witnesses and defendants.

- 1.6 The Service works in association with Central Government and other Regulators to help ensure coherent regulation. They will also work with voluntary and community groups and non-governmental organisations in order to achieve common goals.
- 1.7 The purpose of this Policy is to provide a general policy that outlines the overarching principles applied to making enforcement decisions and the process officers will use when deciding what action to take when carrying out their statutory duties on behalf of Council.
- 1.8 The Policy applies to enforcement activities carried out under legislation enforced under the Council's Environmental Health regulatory function. Enforcement in the context of this policy includes action carried out in the exercise of, or against the background of statutory enforcement powers.
- 1.9 The regulatory functions delivered by the Environmental Health Service are extensive and include food safety, occupational health and safety, infectious disease control, private sector housing, environmental protection (including statutory nuisance), contaminated land, air quality, pest control, public health and licensing functions.
- 1.10 The Policy does not directly concern itself with operational matters and is not a definitive procedural guide, but aims to outline the policy issues associated with enforcement decision making. It defines the approach to enforcement and instances when enforcement powers are initiated and under what circumstances. Powers relating to the specific regulatory functions delivered by the Service are detailed in the appendices to this document. Due to the individual nature of many cases considered by the Service, the Policy cannot be considered to be exhaustive.
- 1.11 Management systems will be maintained to monitor the quality and nature of enforcement activity undertaken and to ensure as far as practicable, uniformity and consistency in the approach and quality of the Service.

2. Departure from the Enforcement Policy

- 2.1 All authorised officers will abide by this Policy when making enforcement decisions.
- 2.2 Any departure from the Policy will only be accepted in exceptional circumstances, be capable of justification, and only after full consideration and authorisation by the Head of Planning and Environmental Health, unless there is a demonstrable, significant and imminent risk to the public or environment in delaying enforcement.

- 2.3 Instances of non-compliance with this Policy will be recorded and reported directly to the Head of Planning and Environmental Health

3. Responsibility and Authorisation

- 3.1 The Council is responsible for approval of this Policy and any amendment to it.
- 3.2 Responsibility for implementation of the Policy rests with the Head of Planning & Environmental Health.
- 3.3 Authorised officers of the Service carry out the day-to-day enforcement activities. Officers are authorised in accordance with relevant Codes of Practice or National Guidance to carry out inspections, sampling, complaint investigations, deal with requests for service and, where necessary, offer advice and training.
- 3.4 The relevant Environmental Health Service Manager is responsible for the planning, organising and subsequent monitoring of all aspects of the Policy.
- 3.5 The Policy should be read in conjunction with the Council's Constitution, which sets out the specific areas of delegated powers and responsibilities of officers.
- 3.6 Enforcement action will be initiated by suitably qualified, experienced and competent enforcement officers. Officers who are competent through training, qualification and/or experience will be authorised in writing to undertake enforcement action.
- 3.7 Officers who undertake criminal investigations will be conversant with the provisions of the Police and Criminal Evidence Act 1984 (PACE), the Criminal Procedure and Investigations Act 1996 (CPIA), the Data Protection Act 1998, the Human Rights Act 1998, the Disability Discrimination Act 1995 and the Regulation of Investigatory Powers Act 2000.
- 3.8 All staff will recognise and comply with the Council's Corporate Equality Plan incorporating the Race Equalities Scheme and Equality Policy. The plan provides a framework setting out how the Council will promote the wide ranging equalities agenda to the community and to its employees.
- 3.9 All statutory notices will be authorised and signed by either the relevant Environmental Health Manager or investigating officer unless specific authorisation has been granted to another officer.

- 3.10 The issue of a simple caution and any decision to prosecute will only be administered or approved by the Head of Planning and Environmental Health or relevant Environmental Health Service Manager in liaison with the Head of Legal and Democratic Services.
- 3.11 Where a prosecution is determined in accordance with the Policy, the relevant Environmental Health Manager in consultation with an authorised officer shall consider sanctioning expert assistance from external bodies where relevant. Assistance may include reports and certificates of analysis from the Public Analyst, the Health and Safety Executive or the Environment Agency.

4. Regulation of Investigatory Powers Act 2000

- 4.1 The Service may, from time to time, undertake covert surveillance for the purpose of gathering evidence in connection with its operations in relation to planned inspections of premises, the initiation of investigations following a complaint or notification and in the use of surveys or enforcement initiatives. Any covert surveillance will be strictly controlled in accordance with the Regulation of Investigatory Powers Act 2000 (RIPA).

5. Release of Targeted Regulatory Data

- 5.1 The Council recognises the importance of open government and the national statutory framework relating to the disclosure of information as provided by the Freedom of Information Act 2000 and the Environment Information Regulations 2004.
- 5.2 Individual requests for information will be considered on their merits having regard to the law and code of best practice.

6. Data Protection

- 6.1 Authorised officers will be mindful of the requirements of the Data Protection Act 1998. The Council follows the requirements placed on it by the Act.
- 6.2 Businesses or the public may request to receive information on regulatory issues electronically. The Council will ensure that Data Protection Act requirements will be followed for the use of Emails and businesses will be asked to confirm in writing that they wish to receive information in this way.

7. General Principles

- 7.1 The Council through its Corporate Equality Plan (incorporating the Equalities Scheme and Equality Policy) is committed to ensuring that all citizens in the District, its staff and all those associated with the Council receive fair and appropriate services and treatment.
- 7.2 The Corporate Equality Plan brings together all work undertaken in respect of legislation relating to Race Relations, Disability Discrimination, the Equality Standard for Local Government and all other legislation, policies and themes which cover the approach to equality and diversity.
- 7.3 The Council recognise that the communities they serve and their individual needs are many and diverse. Each case is unique and will be considered on its own merits. The general principles set out in the Enforcement Concordat and within this Policy which will be applied in each case.
- 7.4 Staff must be fair, independent and objective. They must not allow any personal views to influence the exercise of their duty as officers of the Council. They must not be affected by improper or undue pressure from any source.
- 7.5 The Environmental Health Service is committed to equality of opportunity and treatment under the law and will not permit issues such as nationality, ethnicity, race, sex, marital status, disability, religion or belief, sexual orientation, age or other social factor of the suspected offender, victim or any witness to affect decisions which are made in accordance with this Policy.
- 7.6 The Council is a public authority for the purposes of the Human Rights Act 1998 and officers of the Environmental Health Service shall apply the principles of the European Convention in accordance with the Act.

8. Enforcement Concordat

- 8.1 The Enforcement Concordat sets out good practice principles and procedures for consistent enforcement of regulations in a way that is fair, practical and which emphasises prevention over cure. It sets out what businesses and others being regulated can expect from enforcement officers. It commits us to good enforcement policies and procedures. The principles underlying the Enforcement Concordat require a policy of firm but fair regulation.

8.2 The Policy is based around the general principles of the Enforcement Concordat, taking into account:

- policy standards
- transparency and openness
- helpfulness to service users
- proportionality of the service response
- consistency of the service
- targeting of enforcement action
- accountability of the service
- complaints about the service

8.3 Commitment to the principles of the Enforcement Concordat will be demonstrated by:

- Taking all enforcement decisions in a proportionate manner
- Striving for high standards of consistency
- Ensuring that all enforcement staff are helpful, courteous and efficient
- Measuring our performance against agreed standards, where appropriate.

9. Principles of Enforcement

9.1 Policy Standards

In consultation with businesses and other relevant interested parties, including experts where appropriate, we will draw up clear standards setting out the level of service and performance the public and business people can expect to receive. Details of these standards and targets together with reports will be available together with reports on performance against these stated targets. We will produce written statements defining what level of service can be expected and where performance targets exist they will be clearly stated in the Planning and

Environmental Health Service Plan. We will provide information in other languages and formats upon request.

9.2 Transparency and Openness

9.2.1 Transparency and openness is vitally important in maintaining public confidence in the ability to regulate. It means helping both those regulated and others to understand what is expected of them and what they should expect from the Service. It also means making clear why an officer intends to, or has taken enforcement action.

9.2.2 Transparency is an integral part of the role of the Council's officers and the Service continues to train its staff and to develop its procedures to ensure that:

- Where remedial action is required, it is clearly explained (and confirmed in writing if requested) why the action is necessary and when it must be carried out. A clear distinction will always be made between legal requirements and best practice advice.
- Opportunity is provided to discuss the circumstances of the case, clarify what is required to comply with the law and if possible, resolve any points of difference, before formal enforcement action is taken, unless urgent action is required, for example, to prevent serious harm or to prevent evidence being destroyed.
- Where urgent action is required, a written explanation of the reasons is provided as soon as practicable after the event.
- Written explanation will be given of any rights of appeal against formal enforcement action at the time the action is taken. This will explain the appeal procedure, where and when an appeal may be made, as well as confirming the grounds on which it may be brought. It will make clear where action will be suspended pending the outcome of the appeal.

9.2.3 Every effort will be made to ensure that information and advice is provided in plain language without abbreviations or jargon and is distributed as widely as possible. The Council has interpreting and translation services available for businesses and the public who do not have English as a first language. Information and advice can also be provided in alternative formats such as Braille and audiotape upon request.

9.2.4 The Service will be open about how it sets about its work including any charging that it sets for any of its services and arrangements for consulting with its stakeholders will be made freely available.

9.2.5 Copies of the Policy will be made available to businesses and individuals and will be published. The Policy will be made available in alternative formats on request.

9.3 Helpfulness to Service Users

9.3.1 Advice and assistance is regarded as central to the implementation of the Policy and is used to inform both businesses and individuals of their rights and responsibilities. Help will be given to businesses, voluntary or community groups, workplace representatives and the public to assist them to comply with regulatory requirements.

9.3.2 By adopting this approach and by positively encouraging businesses and others to seek advice and information, many issues can be resolved without having to resort to the more formal levels of enforcement action.

9.3.3 A courteous approach and efficient service will be provided with all staff identifying themselves by name. The purpose of any visit will be properly explained and a contact point or telephone number for any further dealings will be given when required.

9.3.4 Applications for licenses, registrations, approvals etc. will be dealt with efficiently and promptly and every effort will be made to ensure that, wherever practicable, the Council's enforcement services are effectively coordinated to minimise unnecessary overlaps and time delays.

9.3.5 The Service operates a flexible approach to service delivery, which takes account of the diverse needs of the public and business community. Services will be made available by prior arrangement, out of hours and will be tailored to meet the specific needs of both individuals and businesses as far as practicable. In delivering services the Council will recognise its responsibilities in making them accessible to all.

9.3.6 Customer satisfaction surveys across all environmental health functions will be undertaken to obtain information on customer opinion and expectations of the Service and will be used to monitor our performance and to identify areas for further improvement. When conducting and analysing feedback from surveys, we will consider cultural differences and be sensitive to the needs and requirements of minority groups.

9.4 Proportionality of the Service Response

- 9.4.1 We will recognise the cost of compliance for business by ensuring that any action we require is proportionate to the risks. As far as the law allows, we will take account of the circumstances of the case and the attitude of the operator when considering action. We will take particular care when working with small and medium-sized businesses which are predominant within the District and to voluntary and community organisations and the public to allow them to meet their legal obligations without unnecessary expense where practicable.
- 9.4.2 Some incidents or breaches of regulatory requirements cause or have the potential to cause serious damage to health or to the environment. Others may interfere with people's enjoyment or rights or the Services ability to carry out its enforcement activities. The first response will be to prevent harm from occurring or continuing. We will ensure that costs of compliance are kept to a minimum by ensuring that any enforcement action taken is strictly proportionate to the risks posed and to the seriousness of any breach of the law.

9.5 Consistency of the Service

- 9.5.1 Consistency means taking a similar approach in similar circumstances to achieve similar ends. All those involved need to know that they are being treated fairly and businesses are competing with one another on level terms. The Service will endeavour to ensure that all enforcement decisions are consistent, balanced, and fair and relate to common standards. In coming to any decision, account will be taken of the seriousness of the offence, past history, confidence in management, the consequences of non-compliance, and any evidence of genuine remorse and the likely effectiveness of the various enforcement options.
- 9.5.2 It is, however, recognised that consistency does not mean simple uniformity. Officers need to take account of many variables, such as the scale of impact on health or the environment, the attitude and actions of those responsible and the history of previous incidents or breaches. Officers will need to exercise their professional judgment and discretion according to the circumstances of each individual case.
- 9.5.3 Arrangements are in place to promote consistency in the interpretation and enforcement of legislation through liaison with other local authorities throughout County Durham, Northumberland, Tyne and Wear and Tees Valley. We subscribe to the Local Authority Coordinating Body on Regulatory Services (LACORS) and the Health and Safety Executive/Local Authority Enforcement Liaison Committee (HELA). We also have regard to statutory Codes of Practice, the Health and Safety

Executive's Enforcement Management model (EMM) and to guidance and advice provided by LACORS, HELA and from Central Government departments.

9.6 Targeting

9.6.1 Targeting means making sure that regulatory effort is directed primarily towards those whose activities give rise to the most serious risks or where the hazards are poorly controlled or against deliberate or organised crime. Action will be primarily focused on those that break the law or those directly responsible for the risk and who are best placed to control it.

9.6.2 The Service has systems for prioritising regulatory effort and will ensure that resources are targeted towards responding to complaints from the community about regulated activity, the inspection of premises according to the risks posed and the gathering and acting on intelligence about illegal activities.

- Commercial premises will receive inspection visits in accordance with their perceived risk so that the public can be assured that potentially serious risks continue to be effectively managed.
- Houses in Multiple Occupation operated by private sector landlords will be risk assessed and proportionate regulatory effort pursued.
- Action will be primarily focused on lawbreakers and those who are directly responsible for the risk and who are in the best position to carry out controls.

9.7 Accountability of the Service

9.7.1 It is accepted that despite best efforts users may occasionally be unhappy with the service provided. We recognise the role service complaints can play in identifying areas for improvement. To this end we will provide well-publicised, effective and timely complaints procedures easily accessible to businesses, the public, employees and consumer groups. In cases where disputes cannot be resolved, any right of complaint or appeal will be explained, with details of the process and likely timescales involved.

10. Levels of Enforcement Action

The objectives of the Service are underpinned by a wide range of legal duties and powers. Whilst the core aim of the Service is to safeguard public health through the provision of education and professional advice,

there will be instances where enforcement action is warranted in order to protect the environment, health or the quality of life for the businesses and the public.

There are a number of enforcement options open to officers when they encounter non-compliance with legislative duties and these are summarised below:

10.1 Promotion and Prevention

10.1.1 The Service considers that promotion is an essential part of this Policy. It raises awareness of Environmental Health services, informs people of their legal responsibilities and encourages co-operation between officers, businesses and the general public. A strong element of self-regulation is considered essential and support for this will be provided by methods including training courses, workshops, seminars, the issuing of press releases, the Council's website, the production of leaflets, other forms of written guidance and the opportunities presented by day-to-day contact with businesses and customers.

10.1.2 Prevention is an important level of enforcement by ensuring policy compliance and preventing contraventions of the law by raising awareness and promoting good practice. Proactive inspections at various types of premises are carried out each year at a frequency determined by risk. This proactive approach is seen as a means of building positive relationships between the Service and the operators and proprietors of premises and is particularly applied when officers are not aware of any specific contravention of the law.

10.1.3 The Service provides a range of approvals, licences, authorisations and permits as specified by individual pieces of legislation. These are an important part of the preventative aspect of our work.

- Applicants will be helped to understand what is required to obtain approval through pre-application advice, published guidelines and post application discussion. However, we will not prepare or design applications in order not to compromise our independence in deciding whether to approve the application.
- Applications may be approved as they are submitted, varied by agreement and then approved, approved subject to conditions or rejected. Applicants or their agents will always be notified in writing of the outcome of their application, including the reasons if rejected. Any rights of appeal will be provided at the time the decision is notified.

- Depending on which service is provided, the types of circumstances in which conditions may be attached include (but are not restricted to):
 - Conditions as necessary to ensure that the purpose of an approval, licence, or registration is adhered to (for example animal welfare conditions for a Pet Shop licence), or
 - Where a food premises meets all the infrastructure and equipment requirements for approval but does not fully comply with some other requirement
- Circumstances in which applications may be refused include (but are not restricted to):
 - Where contraventions exist
 - Where there is any reason that the applicant will not comply with the purpose of the licence or registration or any conditions attached to it (for example where there have been previous infringements)
 - Where a food business operator fails to meet all the infrastructure and equipment requirements
- An applicant or their agent will be informed of the reasons for refusal and any right of appeal.

10.2 Informal action

10.2.1 Informal action to secure compliance with legislation includes offering advice, verbal warnings and requests for action, the use of letters and the issue of inspection reports and schedules of work, including those generated on premises following an inspection, investigation or visit. Where necessary, such information will be provided in an appropriate language or format.

10.2.2 Such enforcement action may be appropriate in any of the following circumstances:

- The act or omission is not serious enough to warrant formal action
- The individual or company's past history, suggests informal action will achieve compliance
- Confidence in the individual or company's management is high
- The consequences of non-compliance will not pose a significant risk to public health and safety or demonstrable harm to the amenity of the area
- The action is being taken on behalf of a customer, who prefers the matter to be handled informally
- Even where some of the above criteria are not met, there may be circumstances in which informal action will be more effective than a formal approach. This may, for example, apply to enterprises associated with voluntary and community organisations using volunteers.

10.2.3 Persons receiving an Informal Notice (verbal or written) will be given the opportunity to discuss the requirements with an officer and agree an appropriate work plan and timetable for completion. Regular contact with the investigating officer will be encouraged as the works progress for further clarification or query.

10.3 Formal Action

10.3.1 The use of enforcement action will at all times be consistent with the principles set out in the Enforcement Concordat. In coming to a decision, officers will have regard to:

- The seriousness of the offence
- The individual's or company's past history in terms of compliance
- Confidence in management
- The consequences of non-compliance in terms of risk to people, property, the community and the environment
- The likely effectiveness of the various enforcement options
- The risk to public health
- Public interest issues
- Formal action is expected to achieve the desired outcome without incurring expense or inconvenience that is disproportionate to the risks
- Legal requirements, relevant formal guidance, or other Council policies or strategies may require formal action to be taken.

10.3.2 In most situations before formal action is taken, an opportunity will be provided to discuss matters with the intention of resolving points of difference. The extent of this will depend on the seriousness of the contravention, and may not be possible where immediate action is necessary, such as where there is an imminent risk to health, safety or the environment.

10.3.3 Officers who have reached a sufficient level of competence will be given the delegated authority to take formal action. Formal action can take any form that the Council is empowered to take. The following actions will be the most commonly used:

10.4 Statutory Notices

- 10.4.1 Notices are served to require offenders to cease contravening activities, or to give offenders reasonable time to rectify a contravention. Notices may require contravening activities to cease immediately where the circumstances relating to health, safety, environmental damage or nuisance demand this. In other circumstances, the time allowed must be reasonable, but must take into account the health, safety, and environmental damage or nuisance implications of the contravention. Information regarding any relevant appeal procedure will be made available at the time when the notice is served, as will the potential penalties for non-compliance.
- 10.4.2 Where there is a statutory provision that provides for the Council to levy a charge for the costs associated with the service of a formal notice, then such a charge should be made and may be pursued as a civil debt.

10.5 Works in default

- 10.5.1 Where provided for under specific legislation, the Council is empowered to execute works instead of, or as well as, taking enforcement action. In such cases, the expenses associated with default works will usually be recovered from the relevant party. Where appropriate these costs may be recovered by way of a land charge.
- 10.5.2 The Council will consider exercising work in default powers in all cases where it is legally possible and reasonable to do so. For example, in the interests of public health and safety the Council may consider an immediate remedy to a defect using its default powers rather than seeking compliance through prosecution which could result in significant delays. Alternatively, it may be appropriate to exercise default powers where a prosecution has failed to secure compliance or is unlikely to be an effective remedy.
- 10.5.3 Notification of the intention to do work in default will be given to all interested parties in accordance with the law wherever practicable. In certain circumstances, such as where the Council is seeking to abate a noise nuisance, it may be necessary to carry out the works and notify the person(s) responsible retrospectively.
- 10.5.4 Immediate action without any prior notice will only be considered in situations where there is a risk of danger or a danger to public health. Where the law allows the Council to act immediately, an explanation will be given at the time (if appropriate) and a written confirmation will be given.

10.6 Revisits of premises

10.6.1 Following a statutory notice or any written or verbal warning given, a revisit of the premises involved will generally be carried out to check compliance has been achieved. A revisit may not always be necessary for very minor contraventions and is a matter of judgment.

10.6.2 Officers will decide whether to revisit depending upon the health, safety, environmental damage, or nuisance implications of the contravention and the perceived likely response of the offender to any advice or request.

10.7 Revocation or Suspension of Licence, Authorisation, or Permit

10.7.1 In order to warrant revocation of a license, authorisations or permit, the individual or organisation must normally meet one or more of the following criteria:

- deliberately or persistently breached legal obligations, which are likely to cause material loss or harm to others
- deliberately or persistently ignored written warnings or formal notices
- endanger to a serious degree, the health, safety or well being of people, animals or the environment
- obstructed an officer while undertaking their duties
- convicted of a breach of an absolute legal obligation

10.7.2 If revocation action is taken, the relevant parties will be made aware of any rights of appeal at the time.

10.8 Seizure

10.8.1 The Service will use powers of seizure under various pieces of legislation to:

- seize unwholesome or contaminated food
- seize equipment responsible for causing a noise nuisance
- seize goods or equipment likely to cause danger to health and safety

In order to prevent them causing nuisance or harm to consumers, or other residents.

10.8.2 When officers seize goods or equipment a receipt will be supplied to the person from whom the goods are taken. The goods may subsequently be liable to forfeiture by the courts. If officers seize unfit food, it will be produced before a Magistrate as soon as possible for them to confirm the seizure and consider the fitness of the food. In certain circumstances, documents (hard copy or electronic) may be removed to ascertain if they are required by evidence. Officers will give full details of their actions to the offender when they exercise this power

10.9 Injunctions

10.9.1 In exceptional cases, it may be considered that an injunction is the more appropriate course of action to remedy contraventions or dangerous circumstances.

10.9.2 An injunction may be sought from the courts where the circumstances of any case cause a significant problem or threat to an individual's health, and the normal process of law (statutory notices, prosecution or work in default) is likely to be ineffective due to the person responsible showing blatant disregard for earlier similar requests for action, or where the process of law would take an unacceptable period of time having regard to the particular circumstances.

10.10 Fixed Penalty Notices

10.10.1 Where legislation permits the use of fixed penalty notices, the Service will consider use of them as an alternative to prosecution. Examples of where they may be appropriate are:-

- To deal quickly and simply with less serious offences
- To divert less serious cases away from the court process
- To deter repeated offences

10.10.2 Before a fixed penalty is administered the authorised officer will ensure that there is evidence of the offender's guilt sufficient to sustain a prosecution.

10.10.3 Where legislation gives the Council flexibility to set the level of a fixed penalty charge, there will be regard to:-

- Any Government guidance on the level at which the fixed penalty is to be set
- The likely level of fine which a court would impose for a similar offence
- The need to deter offenders from opting for prosecution because they believe that the court would impose a lower level of penalty
- The cost of bringing a prosecution where fixed penalties were not paid

10.10.4 Where a fixed penalty notice is not paid within the specified time limit (usually 14 days) then the offender will always be prosecuted unless there are exceptional circumstances. Where it is decided that an unpaid fixed penalty notice should not be pursued by way of prosecution the reason for not pursuing the notice must be reported in the first instance to the Head of Planning and Environmental Health.

10.10.5 There is no right of appeal against a fixed penalty notice covered by this Policy as it only deals with criminal offences. A person served with a fixed penalty notice who believes they did not commit the offence has the right for their case to be heard in court.

10.11 Simple Caution

10.11.1 This procedure is used as an alternative to a prosecution. It derives from advice issued in Home Office Circular 30/2005 'Cautioning of Adult Offenders' and LACORS (Local Authority Coordinators of Regulatory Services) guidance.

10.11.2 For a Simple Caution to be issued, a number of criteria must be satisfied:

- sufficient evidence to prove the case
- the offender must admit the offence
- the offender must agree to be cautioned
- where the offence is not a serious one and could be dealt with swiftly to divert a less serious offence away from court

10.11.3 If the offender pleads guilty to, or is guilty of, committing another offence anywhere in England and Wales, the caution may be sited in court and this may influence the severity of the sentence that the court imposes for any subsequent offence.

11. Prosecution

11.1 The decision to prosecute is a serious and important part of enforcement that should be taken after full consideration of the implications and consequences. Decisions about prosecution will take account of Council policies and procedures, legal advice and opinion, specific guidance on enforcement action contained in Codes of Practice, guidance documents issued by the relevant coordinating bodies and the Code for Crown Prosecutors. Where appropriate, decisions to prosecute should be taken at the earliest opportunity.

11.2 The Council will only start or continue with a prosecution when the case has passed both stages of the full code test as detailed in the Code for Crown Prosecutors. These factors are not exhaustive and those, which apply, will depend on the particular circumstances of each case. The importance of each factor will be determined in the circumstances of each case and will be used to make an overall assessment.

11.3 As a general rule, a prosecution will not be undertaken without the offender being given a reasonable opportunity to comply with the law and every identified breach of legislation will not automatically result in the institution of legal proceedings. However, there are circumstances where a contravention is particularly serious or there is a blatant or reckless disregard for the law and it is right to prosecute without a prior warning. Failure to comply with a Statutory Notice will normally result in a prosecution, except in cases where works in default may be more appropriate.

11.4 When considering the particular circumstances of a case, it may be appropriate to take more than one course of action. For example, statutory notices may be used to secure compliance in addition to the prosecution of the recipient of a notice for the non compliance with the requirement addressed by the notice.

11.5 Where there has been a breach of the law leading to a work-related death, the Council will liaise with the police, coroner and Crown Prosecution Service (CPS) and, if there is evidence of manslaughter, will pass the case to the police.

11.6 The following circumstances are likely to characterise initiation and referral to the Head of Legal and Democratic Services

- The alleged offence involves a flagrant breach of the law such that employees, the public or the environment are put at risk of harm (or where significant commercial advantage is being gained as a result of the breach).
- There appears to be reckless disregard for the health and safety of or nuisance to employees, the public, animal health and welfare or the environment.
- There have been repeated breaches of legal requirements in an establishment (or in various branches of a multiple concern) and it appears that any person responsible is either unwilling or incapable of dealing with them.
- The particular type of offence is prevalent in an area or activity.
- There has been a serious accident, nuisance or case of ill health resulting from a substantial legal contravention.
- Where a particular contravention or situation has caused serious public alarm or concern.
- Where there are persistent poor standards for control of health and safety hazards, nuisance or harm to the environment.
- The alleged offence or situation involves a failure by the alleged offender to correct identified serious potential risks to health and safety, nuisance or harm to the environment, after having been given a reasonable opportunity to comply with statutory requirements.
- The offence involves a failure to comply in full or in part with the requirements of a statutory notice or the simple caution procedure.
- Where an enforcement officer has received verbal or physical threats or has otherwise been obstructed in the performance of their duties. In this instance, the prosecution would be considered in relation to the offence of obstruction of an officer, notwithstanding the nature or extent of the remaining breaches, (if any).

- Any other relevant matters that are contained within guidance issued by Government or Official Bodies.
- 11.7 Criminal proceedings will be taken against those persons who are responsible for the offence where necessary. Where a company is involved, it will be usual practice to prosecute the company where the offence resulted from the company's activities. Action may also be taken against such officers (as well as the company) where it can be shown that the offence was committed with their consent, was due to their neglect or they chose to ignore the offence or the circumstances leading to it. In appropriate cases, consideration will be given to seeking the prohibition of the business proprietor under the appropriate specific statutes.
- 11.8 Enforcement action against employees will receive special consideration. Where appropriate, a warning letter will be preferred unless the matter is serious or the employee had received a prior warning from either his employer or the Council.
- 11.9 All cases will be kept under review and any changes in circumstances will be considered.

12. Court Proceedings

- 12.1 An authorised officer involved in a case will attend a court hearing, even if a guilty plea is entered and will be prepared to assist the court where necessary.
- 12.2 An authorised officer involved in a case will, where appropriate inform the Chartered Institute of Environmental Health or Health and Safety Executive of every conviction and will include such other information as necessary so as to facilitate use by other Local Authorities and enforcing authorities.
- 12.3 An authorised officer will inform any Lead Authority or relevant agency of all formal action taken and the results of the prosecution and will notify where appropriate, any complainant or witness of the results of legal proceedings.
- 12.4 In cases of sufficient gravity, for example serious breaches of food safety or health and safety legislation, where circumstances allow, consideration will be given to requesting the Magistrates to refer the case to the Crown Court.

- 12.5 The existing law gives the courts considerable scope to punish offenders and to deter others. Unlimited fines and, in some cases, imprisonment may be imposed by the higher courts. The Council will continue to raise the awareness of the courts to the gravity of specific offences brought before them and will encourage the courts to make full use of their powers.
- 12.6 The Service will always seek to recover the costs of investigation and court proceedings.

13. Accepting Guilty Pleas

- 13.1 Defendants may wish to plead guilty to some, but not all of the charges put forward. Alternatively, they may want to plead guilty to a different, possibly less serious charge because they are admitting only part of the offence. The enforcement officer responsible for the case, in liaison with the Head of Planning and Environmental Health and the Council's Legal and Democratic Services Manager, should only accept the defendant's plea if they think the court is able to pass a sentence that reflects the seriousness of the offence. A guilty plea will never be accepted because it is convenient to do so.
- 13.2 In cases where a defendant pleads guilty to the charges but on the basis of facts that are different from the prosecution case, and where this may significantly affect sentence, the court should be invited to hear evidence to determine what happened, and then sentence on that basis.

14. Powers of Enforcement Officers

- 14.1 Enforcement officers have a variety of delegated powers to assist them in carrying out investigations. This can include the power to require answers to questions and the power to enter premises, usually during reasonable hours.
- 14.2 Access to properties is normally achieved by informal means by appointment with the occupier. If, however, there is a need to enter a premises and prior notice would be counterproductive or impracticable, a visit will be made without giving prior notice.
- 14.3 In appropriate circumstances, a Notice of Entry will be served or an application made to the Magistrates Court for a warrant to enter i.e. where access is refused, or the premises are vacant, or where giving notice would be counterproductive or impracticable.

15. Liaison and Working with Regulatory and Other Bodies

- 15.1 Where the Council has a shared or complementary regulatory role with other agencies they will liaise with that agency and inform them of an appropriate incident or occurrence.
- 15.2 External regulatory agencies include (but are not restricted to) the Police Authority, Health and Safety Executive, Other District and County Council services, Utility Providers, Fire Authority, Environment Agency and the Food Standards Agency.
- 15.3 The Service will not generally investigate or enforce where more specific legislation is enforced by another regulatory body or service. However, prompt liaison will be carried out with that other regulatory body to ensure the most efficient and effective outcome through co-ordination so as to avoid inconsistencies or duplication and to ensure that any action is taken by the most appropriate body and for the most appropriate legislative breach.

16. Home Authority Principle/ Lead Authority Partnership

- 16.1 Chester-le-Street District Council is committed to the Home Authority Principle and Lead Authority Partnership and will seek to promote them in accordance with the guidance issued by LACORS and the Health and Safety Executive where required.
- 16.2 The purpose of the scheme is to help businesses avoid contraventions of food and health and safety laws. Officers from the Council will offer advice at source, and encourage any other enforcement authority to work in liaison with the Council on enforcement issues concerning that business. These arrangements, however, can only be made where the head office is located within the district and the company has made an approach for Home or Lead Authority liaison.
- 16.3 When enforcement action is being considered against an organisation that has entered into a Home Authority partnership, officers will contact the home authority prior to the issue of proceedings or service of a statutory notice.

17. Customer Requests for Service

- 17.1 In accordance with the Council's Corporate Priority 1 – 'Customer Excellence', the Service will seek to deliver exemplary standards of customer care when dealing with customers in respect of enforcement matters.
- 17.2 This will be achieved in a number of ways depending on the circumstances of the service request and the Council will seek to investigate all requests for service promptly and in accordance with operational procedures.
- 17.3 Anonymous complaints are commonly received and reasons for wishing to remain anonymous vary. Anonymity does hinder investigation and comprehensive assessment of all relevant facts that are needed to come to a just and informed decision on the matter in many cases. However, all matters will be brought to the attention of the relevant investigating officer for any further action deemed appropriate.

18. Complaints about the Service

- 18.1 The Service undertakes regular customer satisfaction surveys and reviews all comments and complaints it receives regarding the nature and quality of its service and enforcement.
- 18.2 Complaints and expressions of dissatisfaction are seen as opportunities to identify possible weaknesses in service delivery and as a step towards making improvements. Information obtained from the investigation of complaints will be used to examine possible action to improve the service.
- 18.3 The Council has a corporate system for dealing with complaints. Complaints can be registered using the Complaints Procedure by contacting any officer within the Council, in writing, by telephone, via e-mail or face-to-face.
- 18.4 The full Corporate Complaints Procedure can be viewed on the Council's website at: www.chester-le-street.gov.uk and an explanatory leaflet 'Have your say - How to make a *compliment, comment or complaint* about the services we deliver' or can be obtained by contacting the Council in writing, by telephone, via e-mail or face-to-face

19. Access to the Enforcement Policy

- 19.1. This Policy will be made available on the Council's web site. Hardcopy versions will also be available on request and can be made available in an alternative language or format.

20. How to Contact Us

By telephone

You can use the telephone number on any correspondence we have sent to you, or telephone the Environmental Health Service (0191 3872199) or the Council's switchboard (0191 3871919).

In person

At the Customer Services Reception located in the Civic Centre Mall in Chester-le-Street (Monday to Thursday, 8.30am to 5pm and 8.30am to 4.30pm on Friday)

In writing

You can write to us at the following address:

Environmental Health
Planning and Environmental Health Services
Chester-le-Street District Council
Civic Centre
Newcastle Road
Chester-le-Street
County Durham
DH3 3UT

By fax 0191 3872165

By e-mail envirohealth@chester-le-street.gov.uk

21. Review

This Policy will be reviewed annually.

FOOD SAFETY ENFORCEMENT

1. Introduction

- 1.1 The Council recognises that it has an important role to play in food safety enforcement. It will ensure that sufficient resources are applied to this area of activity to allow them to achieve the standards prescribed in the Food Standards Agency “Framework Agreement on Local Authority Food Law Enforcement” and Codes of Practice.
- 1.2 The Council is committed to ensuring that food and drink intended for human consumption which is produced, stored, distributed, handled or consumed within the District is without risk to the health and safety of the consumer.
- 1.3 Enforcement action, be it verbal warnings, the issue of written warnings, statutory notices or prosecution, is based primarily upon an assessment of the risk to public health. This risk is the probability of harm to health resulting from non-compliance with food safety law.

2. Inspections

2.1 Primary Inspections

Primary food hygiene inspections shall be carried out in accordance with a planned inspection programme. Premises are selected for inspection using a risk-based priority rating system and in accordance the Food Safety Code of Practice. Delivery of the food premises inspection programme is defined within the Planning and Environmental Health Service Plan.

2.2 Inspection of New Food Businesses

New food businesses will be considered as being due for inspection on the day the section are notified of, or discover, their existence and a primary inspection of the business will take place as soon as practicable.

It is not normally the policy of the Council to prosecute businesses for failure to register where there are otherwise no breaches of food safety legislation. However, businesses that continually refuse to register or where there are major breaches will be considered for formal action in accordance with this Policy.

2.3 Inspection of Council-owned Premises

Council-owned food premises will be inspected in accordance with the same procedures that apply to other commercial premises. This will mean that they will be subject to the same risk-rating and inspection interval scheme. Any breaches of legislation will be reported to the appropriate Head of Service and Director.

3. Enforcement Options

3.1 Having considered all relevant information and evidence, the choices for action are:

- to take no action
- to take informal action
- to use statutory notices
- to use simple cautions
- to prosecute
- to use a combination, thereof

3.2 Guidance on enforcement options is contained in the Food Standards Agency Food Safety Code of Practice

3.3 Compliance should normally be achieved through letters and advice and only in the more serious instances will formal enforcement through serving Hygiene Improvement Notices and Hygiene Emergency Prohibition Notices be considered. Prosecutions are reserved for the most serious offences which either result or could have resulted in serious risk to public health or which represent a blatant disregard by employers, employees or of others in their responsibilities under food safety legislation.

4. Informal Action

- 4.1 Informal action to secure compliance with legislation includes offering advice, verbal warnings and requests for action, the use of letters, and the issue of inspection reports, including those generated on the premises following an inspection.

5. Formal Action

- 5.1 Before formal action is taken, officers will provide an opportunity to discuss the circumstances of the case, and if possible, resolve points of difference, unless immediate action is required (for example, in the interests of health and safety or environmental protection or to prevent evidence being destroyed.)

6. Formal Action: Statutory Notices

The following statutory notices can be applied in the delivery of the food safety service:

6.1 Hygiene Improvement Notices

- 6.1.1 Hygiene Improvement Notices will be issued in any of the following circumstances or a combination thereof:-

- Where formal action is proportionate to risk
- There are significant contraventions of food safety legislation.
- There is a history of non-compliance
- Where an authorised officer has reason to believe that an informal approach will not be successful, such as where confidence in management is low, or where an informal approach has been tried but has not been successful.
- Action needs to be taken quickly to remedy serious and deteriorating conditions.

- 6.1.2. Hygiene Improvement Notices will relate to the risk to health and will not be issued for minor technical contraventions

6.2 Hygiene Emergency Prohibition Notices

6.2.1 A Hygiene Emergency Prohibition Notice will only be considered where an imminent risk of injury to health can be demonstrated and where one or more of the following circumstances exist,

- The consequences of not taking immediate and decisive action to protect public health would be unacceptable.
- The criteria specified within the relevant statutory Code of Practice concerning the conditions where prohibition may be appropriate are fulfilled.
- There is no confidence in the integrity of an unprompted offer made by a proprietor voluntarily to close premises or to cease the use of any equipment, process or treatment associated with the imminent risk.
- A proprietor is unwilling to confirm in writing their unprompted offer of a voluntary prohibition

6.2.2 Hygiene Emergency Prohibition Notices must only be signed by authorised competent officers holding appropriate qualifications with relevant experience and who have witnessed the matters to which the notice relates. In all but exceptional cases, a second officer authorised to serve Hygiene Emergency Prohibition Notices shall also witness the offence.

6.2.3 Where the process or treatment under consideration requires the specialist knowledge of a technical expert, authorised officers will seek an expert opinion before taking a final enforcement decision.

6.2.4 The Head of Legal and Democratic Services must be contacted as soon as a decision is reached to serve a Hygiene Emergency Prohibition Notice to enable an application to the Magistrates' Court. It is a requirement that a Hygiene Emergency Prohibition Order is applied for within 3 working days of the Hygiene Emergency Prohibition Notice. Failure to do so will entitle the proprietor of a business to claim compensation

6.2.5 Consideration must be given to other bodies which should be notified of any formal action and its outcome. Such bodies may include 'home' and 'originating' authorities, the Food Standards Agency and LACORS.

6.3 Voluntary Closure of Food Premises

- 6.3.1 Where any premises, process, treatment or equipment involves an imminent risk of injury to health and consideration is being given to Hygiene Emergency Prohibition Notice action, the proprietor of a business may offer to close voluntarily until the health risk is removed but this will never be prompted.
- 6.3.2 The following criteria must be fulfilled before a voluntary closure agreement is reached:
- There must be no risk of the premises being re-opened without the officer's knowledge and agreement
 - The proprietor must be willing to sign the voluntary closure form
 - The person signing the form, if not the proprietor, must have the authority of the proprietor or employer to agree to such voluntary action.
- 6.3.3 The officer when considering Voluntary Closure should realise that there is no legal sanction against a proprietor who reopens for business after offering to close. However, enforcement action against the actual breaches remains available.
- 6.3.4 The officer should explain that in making the voluntary offer to close any right to compensation if a Court subsequently decides to make a Hygiene Emergency Prohibition Order is lost.
- 6.3.5 The officer will monitor the premises or the process or equipment to ensure that the agreement is complied with. The frequency and timing of inspection will be based on the potential for unauthorised resumption of use. This may require monitoring outside of normal office hours.
- 6.3.6 Where the officer receives a request to reopen the business or reuse the process or equipment they will arrange to visit the premises as soon as possible. If the officer considers there to be a continuing risk to health, they must confirm in writing that the voluntary agreement cannot be lifted and remains in place.
- 6.3.7 If the officer agrees that the health risk condition requiring the premises to close or the process or equipment not be used has been removed, he must confirm in writing that there is no longer a risk to health and that the premises are allowed to reopen or equipment to be reused. All correspondence will be retained on the commercial premises file.

6.3.8 In situations where the voluntary agreement is breached officers must assess if the health risk condition remains. If so, Hygiene Emergency Prohibition procedures and other legal proceedings as appropriate in the circumstances should be taken in accordance with in the Enforcement Policy.

6.4 Seizure and Detention

6.4.1 The use of the detention and seizure powers under food safety legislation will only be initiated in accordance with the prescribed action to be taken as outlined in the statutory Food Law Code of Practice.

6.4.2 Detention powers will be used if there is good reason to suspect that food does not satisfy food safety requirements and seizure powers where there is clear evidence of such a failure. Expert advice will always be obtained when using their powers.

HEALTH AND SAFETY ENFORCEMENT POLICY

1. Introduction

- 1.1 The Council recognises that it has a vital role to play in health and safety enforcement. It will ensure that sufficient resources are applied to this area of activity to ensure improving levels of compliance and to make positive moves towards achieving the government's targets.
- 1.2 The Council is committed to protecting the health, safety and welfare of employees and to safeguard others who are not employed at a workplace, but who are affected by the work activities taking place. This will be achieved through the inspection of premises, the investigation of complaints and accidents and the enforcement of relevant health and safety legislation, as well as proactive publicity and information campaigns aimed at specific issues.
- 1.3 Officers will carry out their duties in a fair and equitable and consistent manner. While officers are expected to exercise judgement in individual cases, arrangements will be in place to promote consistency, including effective arrangements for liaison with other authorities and enforcement bodies such as the Health and Safety Executive and Local Authority Unit. Where there may be a shared or complimentary role with other agencies consideration should be given for effective liaison in appropriate circumstances, such as with Council-owned premises.
- 1.4 Where a Lead Authority Partnership arrangement is in place for a particular employer, the lead authority will be contacted in appropriate cases and will be kept advised on the progress and outcome of any enforcement action.

2. Approach to Enforcement

- 2.1 Having considered all relevant information in the light of the HSE Enforcement Management Model and all other evidence, the choices for action are:
- To take no action
 - To give verbal advice
 - To take informal action
 - To use statutory notices
 - To use simple cautions
 - To prosecute
 - To use a combination, thereof
- 2.2 Compliance will normally be achieved through letters and advice and only in the more serious instances should formal action using improvement or prohibition notices be considered. Prosecutions should be reserved for the more serious offences where either result or could result in serious injury or ill health or which represent a blatant disregard by employers, employees or others of their responsibilities under health, safety or welfare legislation.
- 2.3 The Council recognises the importance of achieving and maintaining consistency in their approach to making all decisions in relation to health and safety enforcement action including prosecution. To achieve this, guidance in statutory codes of practice, HELA Circulars and advice offered in relation to the Lead Authority Principle is always considered and followed where appropriate.
- 2.4 The Council as an enforcing authority will seek to secure compliance with the law. Most of its dealings on which the law places a duty (employers, the self-employed, employees and others) are informal involving the offer of information, advice and support, both verbally and in writing. However, formal enforcement mechanisms, as set out in health and safety law including improvement notices where a contravention needs to be remedied; prohibition notices where there is a risk of serious personal injury, simple caution, or ultimately prosecution.
- 2.5 The Council recognises that education, advice and training of people with responsibilities for health and safety in the workplace as being as important as inspection and enforcement. To this end, it has and will continue to adopt initiatives to ensure a better-informed business community and thus reduce the need to rely solely on the regulatory framework for compliance with health and safety responsibilities.

- 2.6 In carrying out its duties the Council will apply the principles of proportionality, transparency, consistency and openness. In particular, the Council recognises the difficulties many small businesses face and will endeavour to engage with them appropriately.

3. Statutory Notices

- 3.1 Before formal action is taken, officers will provide the duty holder an opportunity to discuss the circumstances of the case and if possible, resolve points of difference, unless immediate action is required.
- 3.2 At the time when formal action is initiated, a copy of the leaflet, such as, "What to expect when a health and safety inspector calls" will be given to the duty holder.
- 3.3 Where immediate action is taken, an explanation of why such action will be required will be given at the time and confirmed in writing in most cases.
- 3.4 An Improvement Notice will be issued only when the officer is of the opinion that there is or has been a contravention of one or more of the relevant statutory provisions at the time of the visit, in circumstances that make it likely that the contravention will continue.
- 3.5 Prohibition Notices can be issued to have an immediate or deferred effect. Notice will only be served if the officer is of the opinion that there is, or will be a risk of serious personal injury.
- 3.6 Where there are rights of appeal to an Employment Tribunal against formal action, advice on the appeal mechanism will be clearly set out in writing at the time the action is taken.
- 3.7 When an Improvement or Prohibition Notice is served, a second copy is enclosed marked for the attention of employee or their representatives.
- 3.8 Officers can consider both prosecution and notice procedures in the following circumstances:
- In a situation where conditions are so hazardous that even when a prohibition notice is served prosecution may also be merited
 - If the prosecution is taken in the circumstances of an accident, a notice may also be used to enforce the remedy. In these situations, the information should not be laid until after the appeal period of the notice has passed. (21 days) and any appeal has been heard.

- 3.9 Simple Cautions will be administered in accordance with the Enforcement Policy. This derives from advice given from the Home Office.

4. Accidents

- 4.1 All accidents reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) at workplaces where the Council are the enforcing authority will be monitored on the Incident Contact Centre (ICC) website.
- 4.2 All accidents will be investigated following departmental operational procedures and with regard to the Health and Safety Executive's Incident Selection Procedure'.
- 4.3 Investigations will be undertaken to identify underlying causes and to learn lessons in order to prevent possible recurrences and to detect legislative breaches. In order to maintain a proportionate response most resources will be devoted to more serious accidents.

5. Work- Related Deaths

- 5.1 Where there has been a breach of law leading to a work-related death, authorised officers will consider whether the circumstances of the case might justify a charge of manslaughter. They will liaise with the police and coroners and the Criminal Prosecution Service (CPS) and where they find evidence suggesting manslaughter is found they will fully co-operate with the police. Where the police or the CPS decides not to pursue a manslaughter case, officers may then proceed to prosecute under health and safety legislation if that is appropriate.

6. The Enforcement Management Model

- 6.1 The Enforcement Management Model was introduced by the HSE to improve transparency and consistency between enforcement bodies. Officers will have regard to the Model which is designed to determine the most appropriate course of action based on the circumstances of a particular case.

PUBLIC HEALTH AND HOUSING ENFORCEMENT POLICY

1.0 Introduction

1.1 The Council recognises its statutory responsibilities for promoting, protecting and enhancing the health, safety, welfare and well being of those who live in or own property within Chester-le-Street District.

1.2 The Service is responsible for enforcing a wide range of statutory provisions relating to housing and environmental conditions affecting health and safety. Our aim is to ensure that residents are protected from sub-standard housing and poor public health conditions.

1.3 The nature and scope of enforcement action applies to all forms of housing. In addition to the Housing Acts, related public health powers can be used and include:

- Regulating standards of repair, amenity and safety in the private rented sector and dealing with housing hazards
- Restoring vacant properties and bringing them back into occupation
- Regulating standards of management, repair, amenity and safety in house in multiple occupation
- Investigation and abatement of public health nuisances in relation to housing. Dealing with statutory nuisances, filthy and verminous premises, accumulations of refuse, securing unoccupied premises where they are open to access or present public health risks, drainage defects and public health infestations
- Investigation and elimination of pests and vermin infesting land and persons as may be appropriate
- Formal declaration of area priorities, such as renewal areas and clearance areas, including any action resulting from the declaration
- The use of compulsory purchase powers

2.0 Enforcement Approach

- 2.1 In exercising their duties and responsibilities, officers will seek to do so in a firm, but fair, open, consistent and helpful way when deciding what action to take to ensure that property owners, tenants, landlords and owner occupiers comply with public health and housing legislation.
- 2.2 We recognise that the majority of property owners, tenants, landlords and owner occupiers want to comply with the law. We will therefore take measures to help these people meet their legal obligations without unnecessary expense while taking action against those who attempt to avoid their responsibilities.
- 2.3 Enforcement officers, by necessity, have considerable discretion in decision making and initiating enforcement action. They will endeavour to ensure compliance with legislation is achieved through informal means, wherever possible. They will strive for a positive working relationship with individuals and businesses and will consider mitigating circumstances when considering appropriate action.
- 2.4 This policy seeks to support the Council's Corporate aims, objectives and strategies with respect to private sector housing, such as improving conditions, increasing the supply of affordable housing and the prevention of homelessness.
- 2.5 In managing the public health and housing enforcement process, the Council is committed to ensure good quality, healthy housing for all, targeting that which presents the greatest risk to health and safety. In order to achieve this priority the Council aims to:
- Work in co operation with owners, agents and tenants through the provision of clear advice, guidance, training, encouragement and the planning of improvements
 - Utilise all appropriate levels of enforcement action to achieve standards in properties found to be jeopardising the health, safety or welfare of individuals and will, where legislation allows, make an appropriate charge for doing so.
 - Regularly review its policy, standards, schemes and methods of assessing risk and will in doing so, consider the views of interested parties and individuals. All such policies and standards will be made available to all interested parties

- Carry out its professional judgement and decision making responsibilities efficiently and effectively in a way which is open, clear and helpful to owners and occupiers and affirms its commitment to achieving consistent, balanced and fair enforcement
- Liaise with other local authorities and consult government guidance to ensure a consistent approach to the interpretation and enforcement of public health and housing legislation.
- Engage in partnership working where there is a shared enforcement role and where it is in the public interest to share information concerning regulatory non compliance.

3.0 Levels of Enforcement

3.1 The Council is granted extensive enforcement powers to secure improvements in the areas of public health and housing. In order to achieve and maintain consistency the following range of enforcement options will be used as appropriate:

- To take no action
- To serve a Hazard Awareness Notice
- To use an Improvement Notice
- To use an Emergency Remedial Action notice
- To use an Emergency Prohibition Notice
- To use a Demolition Order
- To declare a Clearance Order

3.2 The Housing Health and Safety Rating System (HHSRS) is a new method for assessing the living conditions in a dwelling. It is a method of assessing the risk to the health and safety of vulnerable occupants to 29 hazards.

3.3 HHSRS is a technical assessment to obtain a score. A Category 1 Hazard means a hazard that, after calculation using the prescribed method, is banded A, B, or C. Category 2 Hazards are those banded D or lower.

3.4 Authority's have a duty to act on all Category 1 Hazards following inspection and assessment. They have a discretionary power to act on Category 2 Hazards.

3.5 In the case of Category 2 Hazards, the powers of Emergency Remedial Action, Emergency Prohibition notices, Demolition Orders and Clearance Areas are not available.

3.6 The enforcement options available are explained below.

4. Hazard Awareness Notice

4.1 This notice is a method of formally notifying the person in control of a property that hazards exist. There is no appeal and the notice is not registered as a land charge.

4.2 Hazard Awareness notices will normally be used to deal with minor hazards. They may be considered to deal with Category 1 hazards where a landlord has given a written undertaking to carry out work in a specified time or to inform an owner occupier of hazards in their property.

4.3 Officers must be able to justify why a more lenient approach has been taken

5. Improvement Notice

5.1 An Improvement Notice can be served regarding both Category 1 and 2 hazards. It must as a minimum remove all Category 1 hazards and should prevent them recurring for at least 12 months. A notice can relate to more than one hazard, and wherever possible category 1 and 2 hazards in a property will be dealt with in one notice.

5.2 Time scales for remedial works to begin must be 28 days or more from the date of the notice. Different time scales can be set for different hazards in the same notice.

5.3 Any appeal is to the Residential Property Tribunal and must be made within 21 days of the service of the notice.

5.4 Once the notice has been complied with it must be formally revoked in writing. Improvement notices are registered as land charges.

6. Emergency Measures

6.1 Where the officer is satisfied that a Category 1 hazard presents an imminent risk to the health and safety of an occupant or other person, emergency measures may be taken. This could be either:

- Emergency Remedial Action – officers may enter a property with a warrant if necessary, and take action to remove the imminent risk of serious harm. This must be followed by a formal notice within 7 days.
- Emergency Prohibition Order – officers may enter a property with a warrant if necessary, to prohibit the use of part of the property. The Order takes effect immediately and copies must be served on all persons involved as soon as possible.

7. Demolition Order

7.1 This is a possible course of action where Category 1 hazards are found to exist. In deciding to use this power, the Officer would need to consider the following:

- The availability of accommodation to re-house occupants
- The prospective use of the cleared site
- The impact on the local environment of a cleared site

8. Clearance Area

8.1 The Council may declare a clearance area where they are satisfied that each of the residential buildings in the area contain one or more category 1 hazards or where the residential buildings in the area are dangerous or harmful to the health or safety of the inhabitants as a result of their bad arrangement or the narrowness of the streets. Other non-residential buildings may be included in the clearance area.

9. Powers of Entry

- 9.1 Authorised officers have the power to enter properties to carry out their duties. A minimum of 24 hours must be given to the owner and the occupiers of the intention to enter.
- 9.2 If this prior notice is unsuccessful, application may be made to obtain a warrant from a Justice of the Peace. A warrant includes the power of entry by force if necessary.
- 9.3 A warrant may also be obtained in cases where prior warning is likely to defeat the purpose of entry.
- 9.4 Officers have the power, by service of notice, to require documents to be produced in connection with its enforcement. The notice will specify the consequences of not complying.

10. Non-compliance

- 10.1 Where a notice or order has not been complied with, the officer will consider the following options:
- Carry out the work in default
 - Prosecution
 - Carry out the work in default and prosecute
 - Administer a Simple Caution

11. Power to Charge for Enforcement Action

- 11.1 Reasonable charges can be made as a means of recovering expenses incurred in serving an improvement notice or making a prohibition or demolition order.

12.0 Houses in Multiple Occupation (HMO's)

- 12.1 Houses in Multiple Occupation in the District will be identified and an assessment of each property under an approved risk assessment process will be conducted. The risk assessment may result in a schedule of works.
- 12.2 When a complaint is received regarding a House in Multiple Occupation, a similar risk assessment will be carried out.
- 12.3 Formal action will not be taken in relation to fire precaution works without consulting the appropriate Fire Officer.

13.0 Mandatory Licensing of Houses in Multiple Occupation

- 13.1 The Council will ensure that premises which require a licence under the provisions of the Housing Act 2004 are properly licensed and comply with licensing conditions in order to protect the health, safety and welfare of the occupants and those with an estate or interest in the property and in order to secure compliance with the relevant legislation. In addition to any enforcement action, a Management Order may also be made.

14.0 Empty Properties

The Council is committed to reducing the number of empty homes, thereby increasing housing choice, reducing homelessness, improving environmental condition, reducing statutory nuisance to neighbouring properties, aiding neighbourhood renewal and reducing the fear of crime.

POLLUTION PREVENTION CONTROL ENFORCEMENT

1.0 Introduction

- 1.1 The Council will strive to secure efficient and effective compliance with the requirements of the Pollution, Prevention and Control Act 2000 in a way which will ensure a high level of environmental protection and minimise the burden to businesses operating prescribed industrial processes.
- 1.2 The primary responsibility for protecting public health and the quality of the environment lies with those who create the risks, and in particular process operators need to recognise their responsibility.
- 1.3 The Council is responsible to administer the various pollution control regimes in respect of industrial installations and processes which operate in the District known as:
 - Local Authority Integrated Pollution Prevention and Control (LA-IPPC) covering installations known as A2 installations
 - Local Authority Pollution Prevention Control (LAPPC) which covers installations known as Part B installations.

2.0 Enforcement Approach

- 2.1 Enforcement of local authority pollution prevention control will involve the prior consideration of an application and whether to issue or refuse a permit with conditions. The Council will work together with industry to ensure that the complex procedures from application to compliance with permit conditions and the submission of proposals for up-grading are achieved efficiently and effectively.
- 2.2 Process operators are required to comply with both procedural and operational conditions. Failure to do so in either instance could mean a technical offence has been committed. The likelihood of technical contraventions can be reduced considerably if process operators are made fully aware of, and fully understand, their responsibilities in advance.

- 2.3 The Council will give what assistance it can to inform businesses of their responsibilities, any changes resulting from National Air Quality objectives and to ensure that where possible, issues are resolved prior to the formal stages of making an application for a permit or change before submitting proposals for upgrading.
- 2.4 Following the issue of a permit, this Council will want to ensure that permit conditions are complied with. This will be achieved by a combination of self-regulation and local authority monitoring. Depending on the circumstances, this Council will use a variety of ways to ensure that process operators meet their responsibilities under the legislation and under the terms of their permit.
- 2.5 The extent to which a balance between self-regulation and monitoring will be achieved will depend on a risk assessment which will govern inspection priorities. The attitude and general record of the operator and the robustness of the systems in place to ensure compliance will influence this decision in each case.

3.0 Levels of Enforcement

- 3.1 The following levels of enforcement provide a framework in which this Council will determine their action. The framework of enforcement is relevant whether it be in respect of an application for initial permit, an upgrade, or compliance with permit conditions:
- Informal action
 - Enforcement notice
 - Suspension notice
 - Revocation of permit

3.1 Informal Action

- 3.1.1 The Council will assist businesses through pre-application discussion, giving general oral advice as to standards required and advice in writing on minor defects or minor items of non-compliance requiring attention.
- 3.1.2 Premises inspection will be carried out to ensure compliance following issue of a permit through the application of a risk assessment method. Advice, discussion and requests for further action will be determined during inspections.

3.2 Enforcement Notice

3.2.1 Enforcement notices to achieve compliance will be applied where there are more serious breaches of conditions or repeated failure to remedy minor defects or non-compliances.

3.3 Suspension Notice

3.3.1 Suspension notices will be used only where there is concern about imminent risk of serious pollution.

3.4 Revocation of Permit

3.4.1 Revocation of a permit will only be used where other remedies would be considered inadequate or not appropriate to the circumstances.

3.5 Factors considered when deciding on appropriate level of enforcement action

3.5.1 A decision on what level of initial enforcement is necessary will take into account:

- The environmental impact of the offence
- Where the offence or circumstances leading to it are foreseeable
- The intent of the operator
- History of the operator
- Attitude of the operator

LICENSING ENFORCEMENT

1.0 Introduction

1.1 The Council as Licensing Authority is committed to protect the health, safety and welfare of the public, employees and animals who may be exposed to risks from licensed or licensable activities and where appropriate to minimise impact on the environment and community safety.

1.3 The overall aim of the licensing is to ensure that all activities required by statute are licensed and any conditions attached to those licenses are being complied with.

1.4 The Council has the responsibility to advise, determine and enforce a number of licensing regimes. The areas covered by this policy include:

- **Regulated entertainment** involving music, singing and dancing, indoor sports, films and plays
- **Sale and supply of all alcohol** whether for consumption on or off the premises
- **Late Night Refreshment** after 23.00hrs.
- **Animal health and welfare** covering animal boarding establishments, pet shops, riding establishments, dog breeding, zoos, dangerous wild animals and game dealers
- **Fund Raising Activities** including street collections and lotteries.
- **Gambling activities** covering premises licences, permits and registrations.
- **Hackney carriage and private hire** vehicles, drivers and private hire operators and proprietors
- **Miscellaneous activities** including sex establishments, scrap metal dealers, street trading, ear piercing, tattooing and acupuncture

3.0 Approach to Enforcement

- 3.1 Authorised officers will exercise the principles of transparency, helpfulness, proportionality, consistency and targeting in deciding on the correct enforcement approach.
- 3.2 Enforcement activities will be targeted towards situations which carry higher risks or where there is or could be a considerable impact as a result of the non-compliance with the law.
- 3.3 Enforcement activities may also be targeted towards individuals who are primarily responsible, who have the greatest responsibility to ensure compliance with the law or who have been the subject of previous enforcement action.
- 3.4 From time to time, the Council will engage in enforcement initiatives which are directed towards issues where there is a need to draw attention to the existence of legislation and its enforcement.
- 3.3 Each case shall be decided on its merits and an informed decision made which is proportionate to the alleged offence and consistent with other similar cases. When an authorised officer witnesses a breach in licensing legislation they are required to make a decision on what correct action should be taken. This will result in a judgement of the most appropriate level of enforcement to take, such as informal action, formal action and prosecution. Enforcement activities shall always be targeted towards situations which carry higher risks to the public or occupiers of the premises.
- 3.4 The most appropriate legislation and associated enforcement agency shall also be considered. Where there is a breach of planning conditions, planning enforcement may be a more suitable method of dealing with the situation. For some licensing functions, other enforcement agencies may choose to take their own enforcement action, for example, under age sales of alcohol, where Trading Standards may be a more appropriate method of dealing with the situations.

4.0 Levels of Enforcement

- 4.1 The level of enforcement will be dependant upon the degree of risk to persons at work, the public and the environment. Enforcement action may be taken as a result of an incident, a complaint or an inspection. There are two distinct facets to enforcement, which may be taken to mean either of the following:

4.1.1 Enforcement for Compliance

- This ensures that the Council have inspection programmes in place for monitoring compliance by businesses and individuals with the various legislation affecting their operation
- Inspection programmes may be risk-based while other inspections may be set at pre-determined intervals
- In view of the diversity of requirements under different legislation and guidance, it is not practicable in this document to be prescriptive about the ways in which inspection programmes are organised and monitored. However, programmes or visits will be arranged to satisfy the needs of particular legislation.

4.1.2 Enforcement for non-compliance

- The options available for taking action against businesses or individuals for ignoring or otherwise failing to comply with their legal obligations are
 - Written warnings (sometimes known as Informal Notices)
 - Review of Premises Licences
 - Suspension or revocation of a licence/registration

5. **Written warnings**

- 5.1 Written warnings may result from a service request investigation or a routine inspection visit. They will be used in respect of minor offences or where there is a good record of compliance previously known and there is certainty of a written warning achieving the outcome required.

6. **Review of Premises Licences**

Certain licensing regimes in particular the Licensing Act 2003 and Gambling Act 2005 allow the Licensing authority to review licences. In the case of the Licensing Act this process can only be initiated by a responsible authority or interested party whilst the Gambling Act allows the Licensing Authority itself to request a review. In cases where a legitimate request for a review is received the matter will be referred to the Council's Licensing Statutory Committee.

7. Suspension/Revocation

- 7.1 In some circumstances, the suspension or revocation of a Licence or Authorisation may be used as an enforcement tool.
- 7.2. Whilst this is a legitimate enforcement action, it may involve the removal of livelihood. Accordingly, suspension/revocation is used only as a last resort in serious situations, when other sanctions are either inappropriate, or have been tried without success.

If you would like a copy of this information in another language, large print, Braille or audio please contact the number below:

Si usted requiere este documento en otros idiomas, favor de llamar al
0191 387 2199

Si vous voudriez ce document dans un autre langue, contactez s'il vous plaît le centre administratif à l'adresse cidessus ou téléphonez **0191 387 2199**

If you would like help communicating with us in your language, we can arrange for an interpreter to help



Minicom
0191 387 2080

ਜੇ ਤੁਸੀਂ ਇਸ ਦਸਤਾਵੇਜ਼ ਦਾ ਤਰਜਮਾ ਆਪਣੀ ਭਾਸ਼ਾ ਵਿਚ ਕਰਵਾਉਣਾ ਚਾਹੁੰਦੇ ਹੋ, ਤਾਂ ਤੁਸੀਂ ਹੇਠ ਲਿਖੇ ਨੰਬਰ 'ਤੇ ਫੋਨ ਕਰਕੇ ਪੂਰੀ ਜਾਣਕਾਰੀ ਦਿਓ ਕਿ ਅਸੀਂ ਤੁਹਾਡੇ ਨਾਲ ਕਿਵੇਂ ਸੰਬੰਧਤ ਕਰੀਏ।

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इस दस्तावेज़ का अनुवाद यदि आपको अपनी भाषा में चाहिये तो कृपया निम्नलिखित नंबर डायल करके संपर्क के लिये अपना संपूर्ण विवरण दें।

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如欲要求把本文件翻譯成中文，請撥以下電話，向我們提供你的詳細聯絡資料。 **0191 387 2199**

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