

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, 3 December 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 S Barr, (Portfolio Holder for Community Engagement and Partnership Working)

Councillor C J Jukes, (Portfolio Holder for Regeneration and Strategic Planning)

Councillor M Potts, (Portfolio Holder for Health and Well-being)

Councillor S C L Westrip, (Portfolio Holder for Neighbourhood Services)

Officers: R Templeman (Chief Executive), I Forster (Assistant Chief Executive), T Galloway (Director of Development Services), J Henderson (Acting Head of Resources), I Herberson (Accountancy Manager), A Ainsley (Acting Head of Housing Services), L Dawson (Acting Manager for Regeneration), J Lulic (Community Development Manager), G MacCallam (Environmental Services Manager), L Howley (Acting Team Leader, Environmental Health), M Keenlyside (Environmental Strategy Co-ordinator), J Bradley (Assistant Solicitor), A Rose (Community Engagement Officer), A Stephenson (Executive Assistant) and K Fletcher (Democratic Services Assistant)

92. APOLOGIES FOR ABSENCE

There were no apologies for absence received from Members.

93. MINUTES OF THE PREVIOUS MEETING

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

RESOLVED: "That the minutes of the meeting held 5 November 2007, copies of which had previously been circulated to Members be agreed as a correct record."

The Leader proceeded to sign the minutes

94. TO RECEIVE DECLARATIONS OF INTEREST

Councillor Ebbatson declared a personal and prejudicial interest in relation to Item No 16 – Community Facilities Review as her partner is the Chair of Chester-le-Street and District CVS

Councillor Barr declared a personal and prejudicial interest in relation to Item No.16 - Community Facilities Review and Item No. 17 – SHIP2 and Village Hearts (Pelton Fell and Sacriston) as he is the trustee of Pelton Fell Community Group.

Councillor Henig declared a personal and prejudicial interest in relation to Item No 12 – Licensing Policy as he was involved with consultations through employment with Kevan Jones MP. He also declared a personal and prejudicial interest in relation to Item No 10 – Mid Year financial Monitoring in particular to budgets relating to Selby Cottage Nursery. Councillor Henig also advised that Councillor Jukes had the same interest in relation to this matter.

The Leader advised that Councillor Jukes had provided notice that he would declare a personal and prejudicial interest in relation to Item No.18 – Disabled Facilities Grant as he had spoken at length with the families involved.

95. PUBLIC SPEAKING

There were no questions or representations received from members of the public.

96. FORWARD PLAN AND WORK PROGRAMME

The Leader introduced the Forward Plan and Work Programme.

The Director of Development Services requested that the Leisure Options Review be considered at the Executive meeting in January 2008. Members agreed to this.

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

97. EXECUTIVE DECISION TRACKER

Members considered the Decision Tracker and were updated on the progress of a number of developments including: Neighbourhood Management; Land Matters; Review into Leisure Services for Young People; Community Resource Centre at Sacriston; and Corporate Governance Framework Action Plan.

The Acting Manager for Regeneration made reference to Land Matters and confirmed that to date only one request had been received from a resident at Henley Avenue, Pelton Fell to purchase the land to the front of their property. She advised that consultations were still ongoing and that a further update would be provided at the January meeting of the Executive.

The Assistant Chief Executive advised that in light of the potential shift in Council priorities the review into Leisure Services for Young People would now be considered as part of the new model for engagement and that a more detailed update would be provided at the January meeting of the Executive.

The Assistant Chief Executive referred to the Corporate Governance Framework Action Plan and advised that currently an action plan had been created but was not ready for publication. He confirmed that a formal update would be provided at the January meeting of the Executive.

It was agreed that Item 9 be removed from the Decision Tracker.

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

98. REVIEW OF CORPORATE PRIORITIES, CORPORATE PLAN PROPOSALS AND IMPROVEMENT PLAN

Consideration was given to a report from the Assistant Chief Executive that reviewed the Corporate Priorities, Corporate Plan and Improvement Plan.

The Assistant Chief Executive advised that it had been necessary to look at the corporate priorities and corporate plan in light of the Local Government Review and Appendix 1 of the report provided suggested proposals.

He confirmed that the report also highlighted that an improvement plan would be prepared to take the Council forward over its remaining life.

The Assistant Chief Executive confirmed that Appendix 2 highlighted areas for change or an area to progress and that Appendix 3 also highlighted clear areas for improvement.

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

RESOLVED:

- "1 That the revised priorities set out in the report and specifically in paragraph 5.8 be agreed and that work commences to develop an appropriate model and project plan for delivery.
- 2 That the revised Corporate Plan proposals set out in Appendix 2 of the report be agreed and the progress against those which remain unchanged were noted.
- 3 That the Improvement Plan set out in Appendix 3 be agreed.
- 4 That the revisions are used to support the budget process and service planning for 2008/2009 and service plan."

99. CORPORATE PERFORMANCE APRIL TO SEPTEMBER 2007

Consideration was given to a report from the Assistant Chief Executive detailing key areas of performance from achieving the corporate plan to complaints.

The Assistant Chief Executive advised that an Executive/officer performance clinic had been held to discuss under-performance, although the overall direction of travel continued to show improvement.

He highlighted however that the speed in determining and responding to complaints needed to improve and that this matter would be undertaken as part of a CPI process.

The Leader commented that she had attended the performance clinic which she felt was constructive and positive.

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

RESOLVED: "That the progress on improvements and the contents of the Performance Report attached as Appendix 1 be noted."

100. IRRECOVERABLE HOUSING DEBT - QUARTERLY REPORT

Consideration was given to a report from the Acting Head of Housing Services to write off irrecoverable housing debt.

The Acting Head of Housing Services outlined the cases within the report whereby all options to recover the debt had been undertaken.

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

RESOLVED: "That the write off of the irrecoverable housing debt for the cases set out in Table 1 of the report be agreed."

Councillor Jukes entered the meeting at 3.35pm

101. MID YEAR FINANCIAL MONITORING

Consideration was given to a report from the Accountancy Manager detailing the Council's actual financial performance for the first six months of the year as compared with its estimated position.

General Fund

The Accountancy Manager advised that the position to date showed a potential overspend of £287,000.

He confirmed that all managers had been advised that a freeze had been put on certain budgets and a specific request needed to be made to the Accountancy Manager and Chief Executive to release expenditure. Also if any vacant posts arose within the authority, careful consideration would need to be taken by the Chief Executive, Head of Organisational Development and the Accountancy Manager to approve that the vacancy could be filled.

The Accountancy Manager advised that Corporate Management Team and Heads of Service were working together to ensure that there would be no overspend at the end of the financial year.

Housing Revenue Account

The Accountancy Manager advised that the position to date showed an underspend of £267,149.

He confirmed that there are variations within the planned responsive repairs budgets at the half year stage however it was expected that these will even out by the transfer date.

The Accountancy Manager also confirmed that it was expected that the DLO account would break even at the end of the trading period.

General Fund Capital Programme

The Accountancy Manager advised that section 7.2 of the report demonstrated schemes for the year however a total of £940,000 of the 2007/08 approved capital programme remained unreleased at the mid year position and the release of further schemes was dependent on asset sales.

Housing Capital Programme

The Accountancy Manager highlighted how best use would be made of monies made available from the Major Repairs Allowance to fund the capital programme.

Asset Sales

The Accountancy Manager advised that monies generated from asset sales along with the proceeds from the final Pelton Fell receipt had been fully allocated to approved schemes.

2008/09 Budget Process

The Accountancy Manager advised that this section of the report provided an overview of the budget process and that he would be liaising with Democratic Services to ensure the involvement of the Overview and Scrutiny Panels to consider the services within their remits.

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

REVOLVED: "That the financial monitoring information detailed in sections 5-9 of the report be noted and that the proposed 2008/09 budget process detailed in section 10 of the report be approved."

102. COMMUNITIES FOR HEALTH - ACTION PLAN

Consideration was given to a report from the Director of Development Services to update Members on the commissioning process for an Intervention Programme under the Department of Health's Communities for Health Programme.

The Leader advised that as the action plan had not been fully prepared or circulated, delegated authority be given to the Portfolio Holder for Neighbourhood Services to agree the action plan and that an update be provided at the January meeting of the Executive.

RESOLVED:

- "1 That the Action Plan/Work Programme be circulated to Members and that delegated authority be granted to the Portfolio Holder for Neighbourhood Services to agree the Action Plan/Work Programme.
- 2 That an update be provided at the January meeting of the Executive."

Prior to consideration of the following item Councillor S A Henig declared a personal and prejudicial interest and left the meeting.

103. LICENSING POLICY

Consideration was given to a report from the Acting Team Leader, Environmental Health regarding the review of the Council's Statement of Licensing Policy.

A revised Appendix B was circulated at the meeting which included all consultation responses received.

The Acting Team Leader advised that the Licensing Act 2003 requires the Council to publish a Statement of Licensing Policy and review it every three years and that the first review date for the Council was 7 January 2008.

He confirmed that the draft revised policy had incorporated new guidance and best practice and had been subject to consultation, which had raised few points that required significant alteration to the policy.

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

RESOLVED: “That the draft revised Statement of Licensing Policy be recommended to Council for approval.”

Councillor S A Henig returned to the meeting.

104. ENFORCEMENT POLICY FOR PLANNING AND ENVIRONMENTAL HEALTH

Consideration was given to a report from the Head of Planning and Environmental Health detailing the proposed Draft Environmental Health Enforcement Policy.

The Acting Team Leader, Environmental Health advised that the draft Enforcement Policy amalgamated and updated existing individual policies required by legislation, along with statutory codes of practice into a single document and that it also clarified the Council’s approach to Environmental Health enforcement activities.

He confirmed that this was a draft policy that was yet to be sent out to consultation.

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

RESOLVED: “That the draft Enforcement Policy, attached as Appendix A be recommended to Council as a version suitable for public consultation and that Officers carry out an appropriate consultation exercise.”

105. REFERRALS FROM THE OVERVIEW AND SCRUTINY PANELS

There were no referrals from the Overview and Scrutiny Panels.

106. EXCLUSION OF PUBLIC AND PRESS. TO RESOLVE:

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 paragraphs 1, 2, 3, 4 and 5 of Part 1 of Schedule 12A to the Local Government Act 1972”

Prior to consideration of the following item, the Leader and Councillor S Barr declared their personal and prejudicial Interests and left the meeting.

Councillor Henig took the Chair.

107. COMMUNITY FACILITIES REVIEW - SECOND STAGE REPORT

Consideration was given to a report from the Community Development Manager detailing 'early wins' of Community Facilities assets transfer in Chester-le-Street.

The Community Development Manager advised that the report followed on from that presented to the Executive in July 2007 and identified three possible 'quick wins' for which he proceeded to outline to Members.

Comments were raised by Members in relation to the support to be provided to the Pelton Fell Community Resource Centre and the Community Development Manager advised that it would not be monetary support, but would include: assistance with funding applications; community engagement; general advice (relating to community development matters); and management committee training.

It was also highlighted that as the Leader had declared a personal and prejudicial interest in relation to this matter the delegated authority for resolving matters for Bullion Hall be changed from the Leader to the Portfolio Holder for Regeneration. Members agreed to this.

It was proposed and seconded that the recommendations to the report be agreed, subject to amendments discussed at the meeting.

RESOLVED:

Mile House

- "1 That it be recommended to Council that discussions be opened with the Enterprise Agency, with a view to extend the lease on existing terms, and that the Council grant delegated authority to the Leader and Chief Executive to resolve this matter.
- 2 That a verbal report be provided to the Executive once a resolution has been identified.

Pelton Fell Community Resource Centre

"The Executive re-iterated their support for the principle of transfer of the Community Resource Centre, and that officer support be provided through the Council's Community Development Team, on how to manage resources."

Bullion Hall

- “1 That it be recommended to Council that discussions be opened with the CVS, with a view to extend the lease on existing terms and that that the Council grant delegated authority to the Portfolio Holder for Regeneration and Strategic Planning and the Chief Executive to resolve this matter.
- 2 That a verbal report be provided to the Executive once a resolution has been identified.”

“That subject to approval by Council, as necessary, the Community Facilities Review progresses onto Stage 3”.

The Leader returned to the meeting and took the Chair.

Councillor Jukes declared a Personal and Prejudicial interest prior to consideration of the following item as he is the Chair of the Board and left the meeting.

108. SHIP2 AND VILLAGE HEARTS (PELTON FELL AND SACRISTON)

Consideration was given to a report from the Head of Regeneration providing an update on progress in relation to the development of the heart of the village at Pelton Fell and recommendations on usage of further SHIP2 funding.

The Acting Manager for Regeneration updated Members on the outcome of consultations held for proposals for the heart of the village Pelton Fell, the outcome of the application to the Big Lottery Fund and the usage of further SHIP2 funding, maximising its strategic impact.

The Leader raised concerns with regard to the land at Pelton Fell that would not be developed and requested that an amended plan be produced and presented to the Executive meeting in January.

Queries were also raised with regard to the allocation of SHIP funding and clarification was provided by the Chief Executive.

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

RESOLVED:

- “1 That the option of a refurbishment / conversion of the existing village hall at Pelton Fell, as a new community facility be agreed.

- 2 That the Acting Manager for Regeneration be authorised to pursue, with landowners, a joint disposal of the land at the village heart at Sacriston.
- 3 That from the additional SHIP resources available, an additional £350,000 towards the heart of the village at Pelton Fell (including the community resource centre) be agreed and an additional £150,000 on environmental improvements at Sacriston, as outlined in the report be agreed.
- 4 That the recommendations above were agreed on the proviso that completion takes place within 12 months and that a revised plan for the Heart of the Village, Pelton Fell (in light of the decision) be created, and brought back to the Executive in January 2008.”

Councillor Barr returned to the meeting at this point.

109. DISABLED FACILITIES GRANT

Consideration was given to a report from the Director of Development Services providing details of a Disabled Facilities Grant Application.

The Director of Development Services advised of the change of circumstances to the application which was previously considered and agreed by the Executive in August 2007.

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

RESOLVED: “That the recommendation in the Occupational Therapists report, to make an additional awarded of £39,327.76 in respect of the Disabled Facilities Grant application, as proposed in the Executive report of 6 August 2007 be agreed.”

Councillor Jukes returned to the meeting at this point.

110. KERB-IT TENDERS

Consideration was given to a report from the Environmental Services Manager to award a contract for the delivery of a service for the kerbside collection of materials for recycling within Chester-le-Street District.

The Environmental Services Manager provided an update on the background of the existing contract for the delivery of services and collection of material for recycling which terminates on 31 March 2008.

He advised that tenders for the service had been received by the deadline of 26 October 2007 and provided details of the preferred tender.

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

RESOLVED: "That the award of the Contract to the company Greencycle Ltd at a net cost to the Council of £89,804, based on a 25% recycling rate be agreed."

The meeting terminated at 4.47 pm