

Public Document Pack

21 February 2008

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 March 2008 at 3.00 pm**

Yours sincerely

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

R TEMPLEMAN

Chief Executive

AGENDA:

1. Apologies for Absence
2. Minutes of the Meeting held 4 February 2008 (Pages 1 - 6)
3. Minutes of Special Meeting of Executive held 18 February 2008
4. Public Speaking
5. To Receive Declarations of Interest
6. Forward Plan and Work Programme (Pages 7 - 20)
7. Executive Decision Tracker (Pages 21 - 30)
8. Corporate Performance April to December 2007 (Pages 31 - 122)

9. Partnerships for Futures (Pages 123 - 130)
Report Of Economic Development and Tourism Officer
10. Revision of Contaminated Land Strategy (Pages 131 - 192)
Report Of Chief Environmental Health Officer
11. Referrals from the Overview and Scrutiny Panels
 - (i) Partnership and Efficiency
 - (ii) Regeneration and Housing
 - (iii) Leisure and Neighbourhood

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 4 February 2008 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: I Forster (Director of Corporate Services), J Henderson (Acting Head of Resources Directorate), L Dawson (Acting Head of Regeneration), J Lunn (External Funding and Regeneration Officer), M Mansbridge (Asset Management Assistant), D Allinson (Democratic Services Assistant) and A Stephenson (Executive Assistant)

128. APOLOGIES FOR ABSENCE

Apologies for absence were submitted by the Chief Executive.

129. MINUTES OF THE MEETING HELD 7 JANUARY 2008

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

RESOLVED: "That the minutes of the meeting held 4 February 2008, copies of which had previously been circulated to Members be agreed as a correct record."

The Leader proceeded to sign the minutes.

130. PUBLIC SPEAKING

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

131. TO RECEIVE DECLARATIONS OF INTEREST

Councillor Henig declared a personal interest in Item number 9 on the agenda in his capacity as an employee of Kevan Jones MP who will be taking up residence at Sacriston Community Centre.

132. FORWARD PLAN AND WORK PROGRAMME

The Leader introduced the Forward Plan and Work Programme and advised that this was to be revised following the Corporate Plan and Budget setting exercise.

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

133. EXECUTIVE DECISION TRACKER

Members considered the Decision Tracker and were updated on the progress on the Communities for Health Programme by Councillor Westrip.

He advised that an action plan had been agreed which would be circulated to the Executive in due course. The project was progressing and that there was a Meeting this week to discuss the mental health awareness course and mental health first aid workshop. The Council would be a major beneficiary of the project as well as other businesses.

The Leader advised that it was good to see this project progressing and queried the level of interest from other businesses and employers. Councillor Westrip advised that MIND had written out to 119 voluntary sector businesses and the schools in the area and that they were awaiting the return of expressions of interest. He was hopeful that there may be additional funding next year to continue the project.

RESOLVED: "That the Decision Tracker be noted."

134. DRAFT EMPLOYEE SURVEY RESULTS

Consideration was given to a report from the Director of Corporate Services to advise Members of the draft results of the employee survey. He advised that this was the draft version of the survey, which gave the headline results, however a final report was expected soon detailing a full appraisal. The report highlighted the results from the Consultants who had identified the key indicators.

The Director of Corporate Services advised that the results were generally positive and showed some significant improvements, which were listed in section 5.2 of the report. He advised that although there were some negative comparisons with last year as listed in Appendix 1 of the report; the Consultants felt that these negative results were statistically insignificant. He advised that a detailed analysis and action plan review would be undertaken once the final report was received.

Questions ensued by Members on the findings, particularly in relation to bullying and harassment, which were addressed by the Head of Corporate Services.

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

RESOLVED:

- “ 1. That Members note the headline results of the survey.
2. That Members agree to a detailed analysis of the Final Report once received.
3. That a further report be provided to Executive once this has been achieved.”

135. APPROVAL FOR DIRECTOR OF CORPORATE SERVICE TO EXERCISE URGENT POWERS FOR ROOF REPAIR CONTRACT

Consideration was given to a report from the Director of Corporate Services to seek endorsement by the Executive for the exercising of urgent business powers, granted to the Director of Corporate Services to enter into contract with the approved roofing contractor to allow works to commence on 4 February 2008.

He advised that the carrying out of works to the Civic Centre roof had been agreed through the Capital Working Group and a tendering process had been undertaken through the relevant procedures and a preferred contractor had been selected as a result. He explained that it was necessary in this case to use urgent powers in accordance with the Constitution to sign the contract therefore he had consulted with the statutory Officers and Members to secure delegated authority. The Monitoring Officer and Section 151 Officer were kept fully informed and were satisfied with the proposals. He confirmed that delegated powers had therefore been exercised and the contract was signed under the common seal on 21 January 2008.

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

RESOLVED: “That the action taken to use urgent business powers to secure delegated authority by the Director of Corporate Services to sign the contract to initiate required roof repairs be endorsed.”

136. SACRISTON AREA DEVELOPMENT FRAMEWORK

Consideration was given to a report from the Acting Head of Regeneration to provide an update and action plan on interventions identified as early priorities within the Sacriston Area Development Framework.

The Acting Head of Regeneration briefed Members on the comprehensive regeneration plan for the village and the recommendations for a programme of activity to regenerate the village including the priorities and phasing for each area of the village.

She advised of work that was already underway to progress some of the aims deliverable as early priorities. She spoke in particular on the Heart of the Village and the securing of £150,000 funding to deliver on the village square with the possible relocation of the war memorial.

It was noted that the building of the new community centre was well under way and that there was a possibility of additional funding to help this project. The Acting Head of Regeneration also spoke in relation to the disposal of land at Mafeking Terrace and the discussions with the Planning Department in relation to housing density, which was progressing well.

Councillor Jukes felt that the Development Framework was in line with what was deliverable over the next 14 months and that he was fully in support of the recommendations in the report.

Councillor Barr praised the Regeneration staff for the way they had handled both this project at Sacriston and the Heart of the Village in Pelton Fell.

Discussion ensued in relation to the war memorial and ensuring that this matter was dealt with as sensitively as possible.

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

RESOLVED:

- “1. That the action plan and early delivery priorities contained with the plan be approved.
2. That the early delivery plan progress be noted.”

137. REFERRALS FROM THE OVERVIEW AND SCRUTINY PANELS

There were no referrals from the Overview and Scrutiny Panels.

138. 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 and press 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 to the Local Government Act 1972.”

139. LAND MATTERS

Consideration was given to a report from the Acting Head of Regeneration relating to various land matters. The Acting Head of Regeneration briefed Members on the three requests that had been received.

The Leader referred to the request for an area of land at 17 Arlington Close, Bournmoor and suggested that the viability of the business be investigated and the outcome be reported back to a future meeting.

Members discussed each disposal as outlined within the report.

The following recommendations were proposed and seconded by Members.

RESOLVED:

“Wayleave agreement at Lingey House Farm, Sacriston

- 1 That a wayleave be granted subject to the applicant being responsible for all the Council’s costs associated with the disposal of land in accordance with the Council adopted Land Disposal Policy and procedures.
- 2 That the District Council works closely with NEDL to ensure that a minimum amount of damage is caused to the hedge and that no damage is caused to the root structure.

Land adjacent to 17 Arlington Close, Bournmoor

- 3 That the request to purchase an area of land, for the purposes of an extension be investigated further and the outcome be reported back to a future Executive Meeting.

Land adjacent to 85 Bradley Close, Ouston

- 4 That the land is not declared surplus to requirements and that the request to dispose of the land be not approved.”

The meeting terminated at 3.40 pm

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Chester-le-Street
District Council

Executive Forward Plan and Work Programme



March 2008

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: amandastephenson@chester-le-street.gov.uk.



Chester-le-Street
District Council

Part One: Executive Forward Plan



March 2008



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)
Partnership for futures	Executive	March 2008	Roy Templeman 0191 3872000	Executive Members Relevant Officers Potential external partners	In writing or by telephone to Roy Templeman Chief Executive or by email to roytempleman@chester-le-street.gov.uk
Land Matters	Executive	March 2008	Leila Dawson 0191 3872233	Portfolio Holder Corporate Management Team	In writing or by telephone to the Acting Head of Regeneration or by email to leiladawson@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)
Bad Debt report Quarterly Report	Executive	April 2008	Ian Herberson 0191 3872343	Head of Revenue and Benefits Accountancy Manager Internal Auditor	In writing or by telephone, to the Head of Corporate Finance or by email to ianherberson@chester-le-street.gov.uk
Land Matters	Executive	April 2008	Leila Dawson 0191 3872233	Portfolio Holder Corporate Management Team	In writing or by telephone to the Acting Head of Regeneration or by email to leiladawson@chester-le-street.gov.uk
Review of the Community Partnerships Report from Partnership and Efficiency Overview and Scrutiny Panel	Executive	Revised date April 2008	Nigel Cummings	OSMB Relevant Executive Members Key Stakeholders & Partners	In writing or by telephone to the Scrutiny Officer or by email to nigelcummings@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)
Land Matters	Executive	May 2008	Leila Dawson 0191 3872233	Portfolio Holder Corporate Management Team	In writing or by telephone to the Acting Head of Regeneration or by email to leiladawson@chester-le-street.gov.uk
Communities Facilities Working Group Report	Executive	May 2008	Jorge Lulic 0191 387 2232	Relevant Executive Members Corporate Management Team	In writing or by telephone to the Community Development Manager or by email to jorgelulic@chester-le-street.gov.uk



Chester-le-Street
District Council

Part Two: Executive Work Programme



March 2008



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)
Review into Environmental Enforcement in relation to the Clean Neighbourhoods and Environments Act 2005 - Cost Benefit Analysis Report	Executive	Revised date March 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
Contaminated Land Strategy	Executive	Revised date March 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)
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
Housing Strategy	Executive	Revised date April 2008	Leila Dawson 0191 3872233	Relevant Executive Members Corporate Management Team	In writing or by telephone to the Acting Head of Regeneration or by email to leiladawson@chester-le-street.gov.uk
Empty Property Strategy	Executive	Revised date April 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)
Regeneration Quarterly Report	Executive	April 2008	Leila Dawson 0191 3872233	Relevant Executive Members Corporate Management Team	In writing or by telephone to the Acting Head of Regeneration or by email to leiladawson@chester-le-street.gov.uk
Employee Survey Results	Executive	April 2008	Ian Forster 0191 3872130	Corporate Management Team Portfolio Holder Employees Trade Unions	In writing or by telephone to the Director of Corporate Affairs or by email to ianforster@chester-le-street.gov.uk
Review of Medium Term Financial Strategy	Executive	May 2008	Ian Herberson 0191 3872343	Corporate Management Team	In writing or by telephone, to the Head of Corporate Finance or by email to ianherberson@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 Report April 2007 to March 2008	Executive Corporate Performance and covering report	June 2008	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
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
Regeneration Quarterly Report	Executive	July 2008	Leila Dawson 0191 3872233	Relevant Executive Members Corporate Management Team	In writing or by telephone to the Acting Head of Regeneration or by email to leiladawson@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)
<p>Review of Industrial/Business Sites</p> <p>Findings of Overview and Scrutiny Ad Hoc Panel</p>	<p>Executive</p>	<p>February 2009</p>	<p>Leila Dawson 0191 3872233</p>	<p>Relevant Executive Members Corporate Management Team Ad-hoc scrutiny panel on industrial estates Industrial Estate tenants</p>	<p>In writing or by telephone to the Acting Head of Regeneration or by email to leiladawson@chester-le-street.gov.uk</p>

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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. 	April 2008	Ongoing	Work started on site on 26 th February and is nearing completion.	Leila Dawson

	<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 	April 2008	On target	<p>Key future milestones:</p> <p>Phase 1 new build: ongoing.</p> <p>Scheme complete: 2009.</p>	Leila Dawson
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. ▪ The Council is working closely with the communities in Waldrige Village to produce an action plan that will identify areas for improvement delivery. ▪ Executive Members agreed to visit Waldrige Village. 	New date required	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. 	New date required.	Progressing	Negotiations under way with landowners and prospective interested parties in the village.	Leila Dawson
	3 December 2007	<ul style="list-style-type: none"> ▪ The option of a refurbishment / conversion of the existing village hall at Pelton Fell, as a new community facility was agreed. ▪ It was agreed that £350,000 from the SHIP resources be put towards the heart of the village at Pelton Fell (including the community resource centre). ▪ The revised plans for the Heart of the Village, Pelton Fell will be presented to the people of Pelton Fell for consultation. 				

	<u>Date of decision</u>	<u>Decision</u>	<u>Progress/ Key Date</u>	<u>Status</u>	<u>Comments</u>	<u>Officer Lead</u>
5	5 November 2007	<p><u>Procurement Strategy Action Plan</u></p> <ul style="list-style-type: none"> To be included in the Quarterly Corporate Performance Report. 	April 2008	Ongoing		Linda Chambers/Ian Forster
6	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. 	April 2008	Ongoing	<p>July 2007 update:</p> <p>Update included in the quarterly regeneration report.</p>	Leila Dawson
7	3 July 2006	<p><u>Single Housing Investment Programme (SHIP 1)</u></p> <ul style="list-style-type: none"> 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, April 2008.</p>	Ongoing	<p>July 2007 update:</p> <p>Update included in the quarterly regeneration report.</p>	Leila Dawson

	<u>Date of decision</u>	<u>Decision</u>	<u>Progress/ Key Date</u>	<u>Status</u>	<u>Comments</u>	<u>Officer Lead</u>
9	<p>2 April 2007</p> <p>1 October 2007</p> <p>3 December 2007</p>	<p><u>Communities for Health Programme</u></p> <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. ▪ The Action Plan/Work Programme was circulated to Executive Members. Delegated authority was granted to the Portfolio Holder for Neighbourhood Services to agree the Action Plan/Work Programme. 	April 2008	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>
10	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. ▪ 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. 	Report to February 2009 Executive	Ongoing	Report submitted to September 2007 Executive.	Leila Dawson
	3 September 2007					

	<u>Date of decision</u>	<u>Decision</u>	<u>Progress/ Key Date</u>	<u>Status</u>	<u>Comments</u>	<u>Officer Lead</u>
11	4 June 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 	Update to be provided April 2008	Ongoing	Ongoing	Leila Dawson
	1 October 2007	<ul style="list-style-type: none"> ▪ 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. 				
	3 December 2007	<ul style="list-style-type: none"> ▪ The Council will open discussions with the Enterprise Agency about MILE House, with a view to extend the lease on existing terms. The Leader and Chief Executive were granted delegated authority to resolve this matter. A verbal report will be provided to the Executive once a resolution has been identified. ▪ The Executive re-iterated their support for the principle of transfer of the asset, the Pelton Fell community resource centre, and provide support on how to manage resources through the Council's Community Development Team. ▪ That it be recommended to Council that the Council open discussions with the CVS about Bullion Hall, with a view to extend the lease on existing terms. Delegated authority for resolving this matter was granted to the Chief Executive and Portfolio Holder for Regeneration and Strategic Planning. A verbal report will be provided to the Executive once a resolution has been identified. 				

	<u>Date of decision</u>	<u>Decision</u>	<u>Progress/ Key Date</u>	<u>Status</u>	<u>Comments</u>	<u>Officer Lead</u>
12	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. 	New date required.	Ongoing	Ongoing	Ian Forster/Chris Potter/Nigel Cummings
13	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 	March 2008	Ongoing	Report to be submitted to September Executive	Tony Galloway
14	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. 	April 2008	Ongoing	Further investigations to be carried out.	Leila Dawson

	<u>Date of decision</u>	<u>Decision</u>	<u>Progress/ Key Date</u>	<u>Status</u>	<u>Comments</u>	<u>Officer Lead</u>
15	6 August 2007 4 February 2008	<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. The action plan and early delivery priorities contained within the plan were approved. 	April 2008	Ongoing	Action plan has been drafted.	Leila Dawson
16	1 October 2007	<p><u>Updates Community Resource Centre at Sacriston</u></p> <ul style="list-style-type: none"> Regular updates to be given to Executive on the progress on the Community Resource Centre 	Verbal update March 2008 Executive.	Ongoing		Tony Galloway
17	1 October 2007	<p><u>Corporate Governance Framework Action Plan</u></p> <ul style="list-style-type: none"> Regular updates to be given to Executive on the progress of the Corporate Governance Framework action plan 	New date required	Ongoing		Ian Forster
18	13 December 2007	<p><u>Update of the Communities Facilities Working Group</u></p> <ul style="list-style-type: none"> Consultations have taken place and there will be three stages for the review into Community Facilities. Terms of reference have been created for the Communities Facilities Working Group. 	April 2008	Ongoing		Jorge Lulic



Chester-le-Street
District Council

REPORT TO: Executive

DATE OF MEETING: 3rd March 2008

REPORT OF: Director of Corporate Services

SUBJECT: Corporate Performance Report Summary
April 2007 – December 2007

ITEM NUMBER: 8

1 PURPOSE AND SUMMARY

- 1.1 The Council is seeking to improve 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 separately made 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.

3. 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.

4. IMPLICATIONS

4.1 Financial implications and value for money statement

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.

4.2 Local Government Reorganisation Implications

There are no direct implications of the recommendations of this report to Local Government Review. The Corporate Performance Report will identify issues relating to progress and performance on LGR from the council's perspective. The Corporate Performance report does advise that the council is in the process of developing a Transition Plan which will have LGR implications. These will be reported when the Transition Plan is reported to full council.

4.3 Legal

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

4.4 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.

4.5 Other Services

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

4.6 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 quarter'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.

4.7 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.

4.8 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.

4.9 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.

4.10 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 achievements and non-achievements while identifying learning and remedial action where appropriate.

5.3 The key issues of overall performance are:

While there is some disappointing performance on BVPI's generally there remains to be a positive direction of travel overall:

- The corporate plan proposals and priorities are under review through the development of a Transition Plan which will be reported to council for adoption in March;
- While 57% of indicators have achieved targets less are showing improvement, slightly less show top quartile information and more show bottom quartile. However it is hoped that the year end figures will show a better reflection of achievement;
- In terms of the 19 key indicators in need of improvement, 59% have seen targets achieved, 36% have improved, 36% show an improving trend and there are now more in top quartile and less in bottom quartile;
- Local indicators continue to show performance improvement as 51% have improved from last year;
- 75% of actions in the Risk Strategy have been completed and work has commenced on the remaining 25%, strategic risks will be re-

assessed as a result of the adoption of the emerging Transition Plan;

- Sickness levels within the council have started to improve and there is strong HR performance including the achievement of Investors in People. Staff turnover is high for the first time this year with a 12% turnover rate being recorded;
- There are no actions behind target in the Equality Plan action plan;
- It has been agreed that the work of the Modernisation Team has been achieved and the Team no longer meets;
- The Improvement and Recovery Plan (IRP2) has been drawn to a close following the council officially coming out of intervention. This has been replaced by an Improvement plan which will be accommodated in the Transition Plan;
- There have been no Audit Commission reports in the last quarter although the IIP accreditation proves the progress the council has made in supporting and developing its people;
- There have been significantly less complaints this year than last (209 compared with 261 this time last year) and the proportion of compliments, 1 compliment for every 1.3 complaints, is improving. Only 25% of complaints were considered justified compared to over 40% this time last year;
- Response times to corporate standards remain cause for concern but continue to improve overall;
- Significant progress has been made on Data Quality and it is anticipated that a good Audit Commission Data Quality audit will be received before the end of the year and be reflected in the Annual Audit letter and Direction of Travel Statement; and
- Local Government Reorganisation has begun to impact on the work of the council.

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. It is proposed that the next Corporate Performance Report will include Health and Safety performance and performance against the council's Corporate Government arrangements. Modernization Team progress will no longer be reported as the work of this service improvement team has been successfully achieved.

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 Investors in People Assessors Report October 2007
- 7.7 Corporate Plan 2006/2009 and 2007/2010

Ian Forster
Director of Corporate Services
12th February 2008
Version 1.0

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



Chester-le-Street
District Council

Chester-le-Street District Council

Corporate Performance Report Summary April 2007 – December 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 Director of Corporate Services 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 – December 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 were considered by the Executive in December. However the council is embarking on the development of a Transition Plan which will further review what can be achieved in the remaining lifetime of the Council. In addition key staff and members are now becoming significantly engaged in Local Government Reorganisation work. In view of this it is not felt that reporting of progress against the Corporate Plan is valuable until proposals have been updated and there is a clear agreement of where the council's priorities do lie. Progress against the Plan will therefore 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.

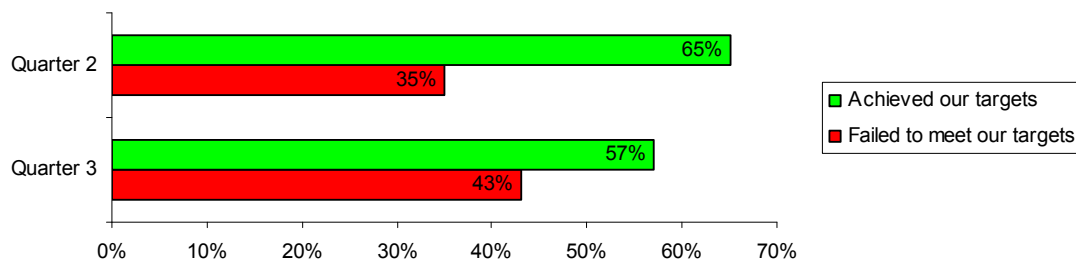
Best Value Performance Indicators

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

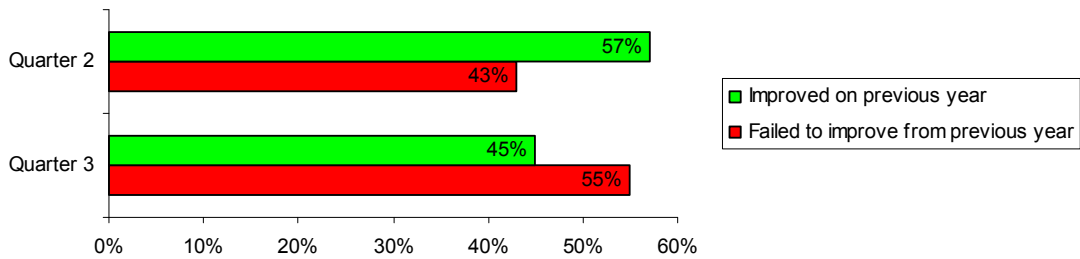
- 57% (65%) have achieved target
- 43% (35%) have failed to meet targets
- 45% (57%) have shown an improvement from last year
- 55% (43%) have failed to improve from last year
- 52% (54%) show an improvement against same period last year
- 48% (46%) have failed to improve against same period last year
- 40% (41%) show best quartile performance
- 30% (21%) show worst quartile performance

(Note: Quartile figures now show a more accurate position as we are able to compare performance against the National District Councils 2006/07 outturns recently published by the Audit Commission.)

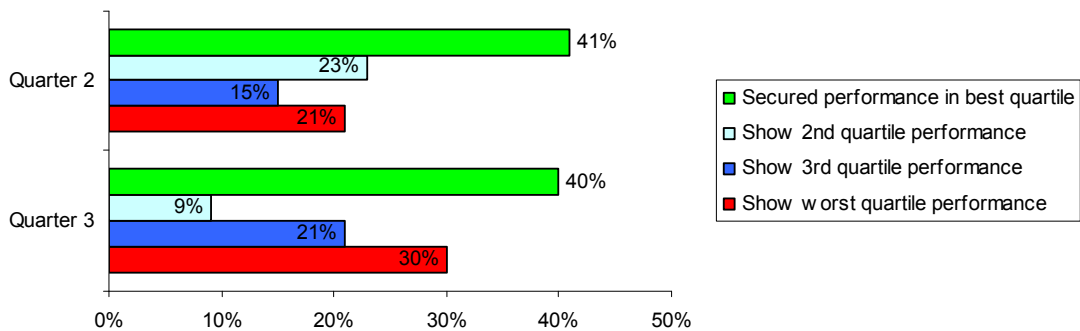
BVPI Achievement against Target



BVPI Improvement from last year



BVPI Quartile Comparisons



Figures continue to show improved performance over the third quarter of this year with 40% of indicators comparing favourably with best quartile performers. There has been a slight dip in performance in terms of achieving targets; improvement from last year and the number of indicators within worst quartile but it is anticipated that this should show improvement by the year end. 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 in the year end reported figures.

Corporate Performance Clinics

Corporate Performance Clinics continue to be held each quarter and prove to be very effective. The Audit Commission has also acknowledged that the Clinics add value to data use and reporting and suggest it would be beneficial to continue with them.

The last Clinic held 23 November 2007 principally concentrated on the second quarter performance report; the key 19 Best Value indicators requiring additional focus throughout the year; corporate service standards; the new National Indicator set to be introduced from 2008/09 and data quality issues. The next Clinic is scheduled to take place on 22 February 2008.

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 30 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 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	Target not achieved No improvement Downward trend

BVPI	Description	Why focus?
	Authority per year, per 1,000 caseload	
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
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):

59% (56%) have achieved target
41% (44%) have failed to meet targets
36% (50%) show an improvement
64% (50%) have failed to improve
36% (50%) direction of travel shows an improvement trend
36% (30%) direction of travel shows a declining trend
20% (11%) show best quartile performance
60% (44%) show worst quartile performance

Figures show improved performance over the third quarter of this year in terms of achieved targets and best 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 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):

56% (53%) have achieved target
44% (47%) are behind target
61% (61%) have shown an improvement from last year
39% (39%) have failed to improve from last year
56% (53%) show an improvement against same period last year
44% (47%) have failed to improve against same period last year

Figures show improved performance over the third quarter of this year in terms of achieved target and 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 was considered by the Executive in December. Progress of financial performance will be reported in the next corporate performance report.

5. Risk Management

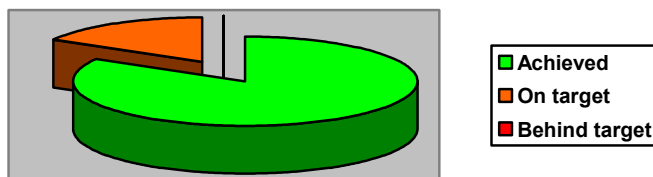
5.1. Summary

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

- Environmental Risk Review
- Annual Service Planning & Risk
- Support to Stock Transfer Insurance

The delivery of the strategy continues with 15 of the 18 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 was updated for the current Corporate Plan and a more comprehensive review is due to be undertaken later in 2007-08 alongside the review of priorities and development of the transition plan.

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. Strategic risks will be assessed as part of the process of the adoption of the Transition Plan. 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 542 staff. Staff turnover for the year was 12%. Significant progress is being made;

- Staff sickness was an average of 11.7 days per staff member for the quarter, which can be broken down as follows;

<u>Authority total:</u>	11.7 days average 6.7 days (long term) 5.1 days (short term/occasional)
<u>Directorates:</u>	
Resources	8.6 days average 3.1 days (long term) 5.4 days (short term/occasional)
Development	11.8 days average 6.4 days (long term) 5.4 days (short term/occasional)
Community	15.8 days average 10.2 days (long term) 5.5 days (short term/occasional)
CE/ACE Teams	8.9 days average 5.3 days (long term) 3.5 days (short term/ occasional)

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

- 7 employee suggestions were made through the employee scheme, over the period.
- The authority took part in Investors in People assessment in September 2007 and has successfully been awarded the IIP accreditation.
- The Councils Organisational Development Programme for 2007 “Rising Stars” is underway.
- 360 degree appraisals have now been concluded for Service Team Managers, the Council’s Corporate Management Team and for Executive members.
- The Council’s Organisational Development Strategy was on target.

- The Employee survey 2007 was issued to staff in September 2007 and we are currently awaiting the full report.
- TUPE transfer of employees to Cestria Community Housing Association was in the final stages.
- Service Team Managers have taken part in 360 degree appraisal and received personal coaching and group development
- 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 is now being implemented by Service Team Managers as part of the service planning process. Completed DIA timetables will be submitted to EDWG in February to aid scheduling of assessment monitoring and so that relevant consultation can be co-ordinated.

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. A report will be submitted to Council in January setting out this position, and providing information so Members can be assured of our continued compliance.
- 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.

The Equality and Diversity Working Group is now meeting quarterly rather than monthly. It will continue to monitor progress and performance, but has determined to focus on key events over the next 15 months, covering all 6 strands of the equality agenda.

Performance

Corporate Equality Plan actions:

	Number of actions	% completed	% on target	% behind target
Corporate Equality Plan	115	84% (82%)	16% (18%)	0%
Equality Scheme	53	79% (58%)	21% (42%)	0%
Total	168	83% (73%)	17% (37%)	0%

Equality & Diversity Working Group work programme:

At the November meeting of EDWG, it was agreed to draw a line under the existing work programme and start afresh in the New Year with a new programme that reflects the group's objectives for the next 15 months.

7.2 Learning and remedial action

Following a review of the Equality and Diversity Working Group's effectiveness, in November it was agreed to move to quarterly meetings. Monitoring and performance management would still take place, but the group agreed to focus on a series of events over the next 15 months that would relate to all 6 strands of the equality agenda. This will be done on a task group basis, and the first 2 events will be:

- ▶ February: LGBT history month – a number of different activities are planned

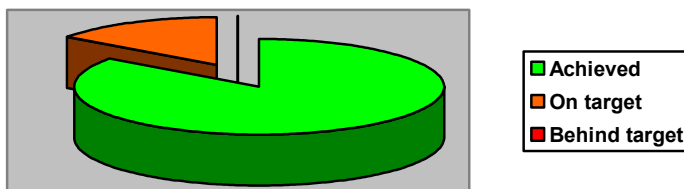
- ▶ April: It's a Knockout – a repeat of the event undertaken by an Action Learning Set in September 2006. There will be mixed participation – those with learning disability, physical disability and able bodied.

8. IRP Position Statement

8.1 Summary

The Council is now out of intervention, and a decision made to draw a line under Improvement and Recovery Plan (2). The remaining objectives to be achieved are about embedding good working practice and it is felt that this will be evidenced in the quarterly performance management report. A new, shorter Improvement Plan has been agreed, and this will be monitored through Programme Management Board. This is focused on the new council priority of People and Place, and will cover the period up to 31 March 2009 when the new unitary authority comes into being. Although the new Improvement Plan has a limited timeframe, it is extremely important that the council continues to ensure improving services for the community during that time.

At the end of December, final performance on IRP 2 was: of the 137 key actions 85% (85%) had been achieved, 15% (15%) remain on target, 0% (0%) were behind target.



8.2 Learning and remedial action

The implementation of 2 Improvement and Recovery Plans has led to an enormous amount of learning for both individuals and the organization as a whole, culminating in the 'good' CPA result. This should place people in a stronger position in terms of finding roles in the new authority.



Chester-le-Street District Council

Corporate Performance

April 2007 – December 2007

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.

In the third quarter of 2007, the Modernisation Team has continued to make progress on a number of projects; including further development of the County-wide CRM System with environmental service requests now built into the system. Both the E-Democracy System and the new Land and Property Asset Management System are now in use, with further work planned for 2008. The Modernisation Team have been working with the Revenues and Benefits service to seamlessly transfer completed online application forms into the service teams Document Management system ready for processing by benefits staff. The Modernisation Team have also been working with Cestria Community Housing to set up their new ICT infrastructure.

The council website continues to be developed and between October to December 2007 the authority saw 32,553 visitors to the website. Despite a reduction of visitors in December, this is a slight increase from the previous quarter of 31,504 visitors.

The Modernisation Team have continued to monitor the take up of electronic services in 2007. Table A shows the take up for the following key electronic

services for the calendar year 2007, comparing the target for take up against the actual take up.

Table A

Electronic Service	Actual Take Up for 2007	Target Take Up for 2007
Change of Address notifications	55	52
Electronic billing of Council Tax and Business Rate Bills	20	26
Council Tax Direct Debit transactions	131093	146288
Business Rate Direct Debit transactions	5033	5000
Swipe-card Council Tax transactions	55539	30000
Benefit fraud referrals via website	8	12
Benefit fraud referrals via Text Message	5	8
Benefit take up enquiry via Text Message	0	8
Mobile benefit assessments	158	8
Online service accounts approved	110	150
Online service requests received via website	25	300
Percentage of planning applications received via website	25%	25%
Job applications received electronically	110	100
Job enquiries made via website	25	200
Percentage of Building Control applications received via website	5%	5%
Number of visitors to the council website	129139	123708
Number of self service payments made via the website	1463	1100
Number of payments made over telephone	9565	7250
Number of self service bookings made for leisure facilities via the council website.	781	-

No major electronic service projects are planned in 2008 in light of the forthcoming new unitary council. The work of the Modernisation Team has now been completed, the team will however continue to monitor the take up of electronic service into 2008.

9.2 Background to progress

The Modernisation Project Team has continued to put in place projects that help to underpin electronic service delivery.

Between October and December 2007 the Modernisation Team has made further progress with the following projects:-

- a) CRM System – Work continues with the County Durham E-Government Partnership. A number of environmental service requests are now recorded in the CRM system; including Bulky Collections, White Goods, Garden Waste, and Rechargeables. A new facility is still planned to enable service requests made from the council website to be seamlessly transferred into the CRM system for action by council staff.
- b) Although the ICT service has not been selected to be the long-term ICT provider for Cestria Community Housing, it will support the Housing Service and Cestria Community Housing for a transitional period until new arrangements are finalised with the association's new ICT provider.
- c) The authority continues to work on the new standard (BS 7666) for sending land and property address data to the National Hub for Land and Property information. The authority continues to work towards the deadline of 2nd Feb 2008 to meet compliance with the new standard.
- d) The Ward Map for members on the Intranet has been extended to include the new Neighbourhood Profiles.
- e) The telephone system has been extended to incorporate a Contact Centre approach to call handing. This allows the authority to identify periods for service teams where call volumes are high and can help managers to identify busy periods where more resource should be allocated to deal with calls more effectively.
- f) The E-Democracy System is now in use and allows democratic staff to handle papers for council meetings. Development of the system will continue to allow internal officers to submit reports and allow council reports to be published on the council Intranet and website.
- g) E-Tendering – As part of the work of the Procurement Strategy Network, the authority is planning to implement a new E-Tendering System. A review is currently being undertaken to decide whether the authority will implement this product in consideration of the delays to implementation, local government review and the benefits that can be achieved before a new unitary is formed.

- h) The Modernisation Team has sent surveys to members in December 2007 to elicit members ICT needs.
- i) A new design for the Intranet has been implemented and the council website continues to be maintained. Recent work on the website includes new pages for the Local Development Framework.
- j) The Modernisation Team have supported the Revenues and Benefits service to implement two new service improvements; a new reporting system to provide more management information for the service and introducing a facility to seamlessly transfer benefit application forms completed on the council website into the service teams document management system, ready for processing by benefits staff.

9.3 Learning and remedial action

Although, the work of the Modernisation Team has now been completed, the authority will continue to work on existing electronic service projects, will continue to seek continual improvement to the council website and Intranet and will monitor the take up of electronic services into 2008.

The work of the Modernisation Project Team and the lessons learned will be taken forward into 2008 and the new unitary council.

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.

In October the council was successful in gaining the Investors in People Accreditation. This is a significant success and proves how well the council supports and develops its workforce in delivering its services.

The only audit Report to be received in the third quarter was confirmation that the Best Value Performance Plan complied with the relevant legislation.

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. Indeed Investors in People is a voluntary accreditation and this proves that the council is open to external scrutiny and evaluation.

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.

209 (261) formal complaints were received by the Council.

25 % (58 %) were considered to be justified

75 % (42 %) were considered to be unjustified

9 (10) Ombudsman complaints were received during the period.

No (2) complaints were upheld by the Ombudsman

155 (154) compliments/letters of thanks were registered during the period.

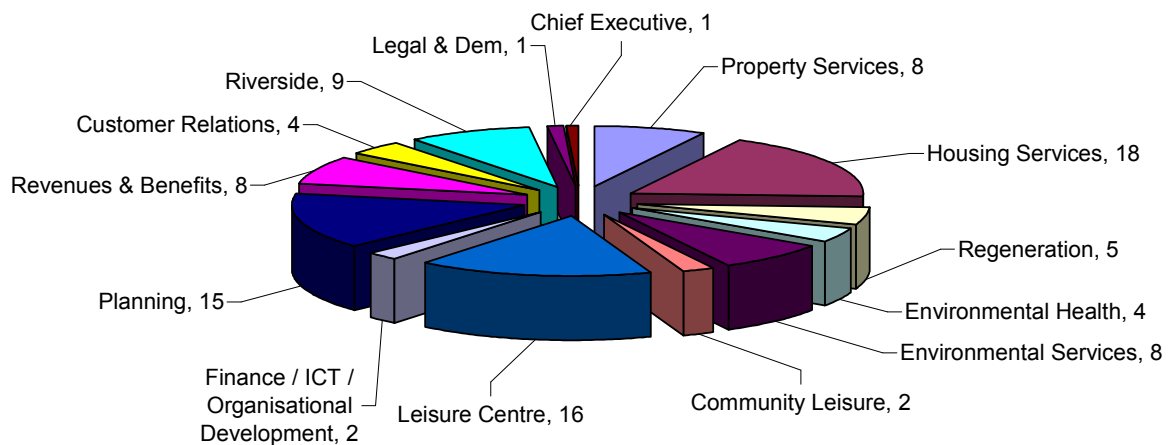
11.2 Formal Complaints April 2007 – December 2007

A total of 209 (187) formal complaints were submitted in the period

Nature of Complaints – Service Teams

- 8 % (19 %) related to the Revenue and Benefits service
- 8 % (20 %) related to the Environmental Services
- 8 % (25 %) related to the Property Services
- 18 % (13 %) related to Housing Services
- 27 % (26 %) related to the Leisure Services
- 15 % (5 %) related to Planning Services
- 5 % (4 %) related to Regeneration
- 4 % (2 %) related to Environmental Health Services
- 4 % (2 %) related to Customer Relations
- 3 % (2 %) related to Finance / ICT & Organisational Development

% of complaints received by Service Area

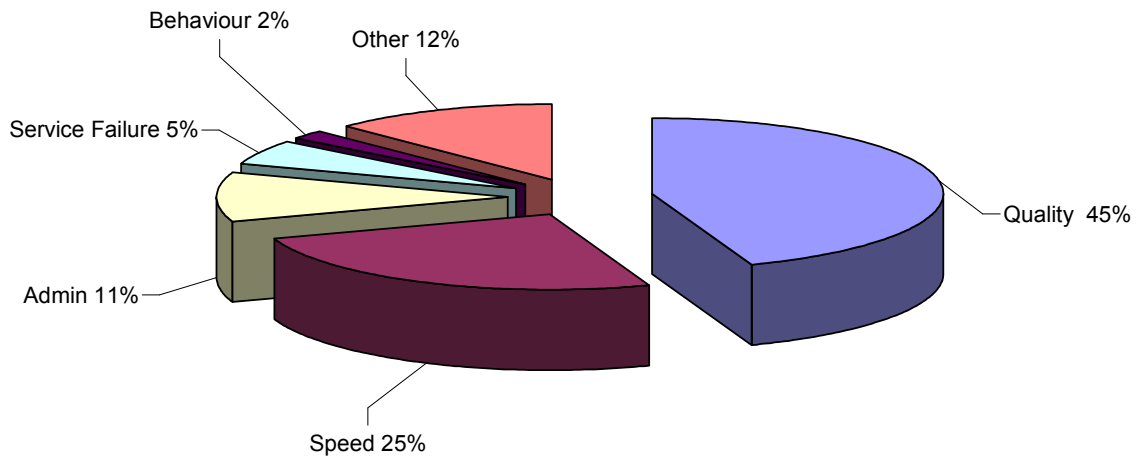


Property Services	Housing Services	Regeneration
Environmental Health	Environmental Services	Community Leisure
Leisure Centre	Finance / ICT / Organisational Development	Planning
Revenues & Benefits	Customer Relations	Riverside
Legal & Dem	Chief Executive	

Nature of Complaints – Complaint Types

- 45 % (67 %) were in respect of *quality of service*
- 11 % (9 %) were in respect of *administration of services*
- 2 % (7 %) was in respect of *behaviour of staff*
- 5 % (0%) were in respect of *service failure*
- 25 % (9 %) were in respect of the *speed of service provided*
- 12 % (8 %) were in respect of other reasons

Nature of complaint 2007/2008

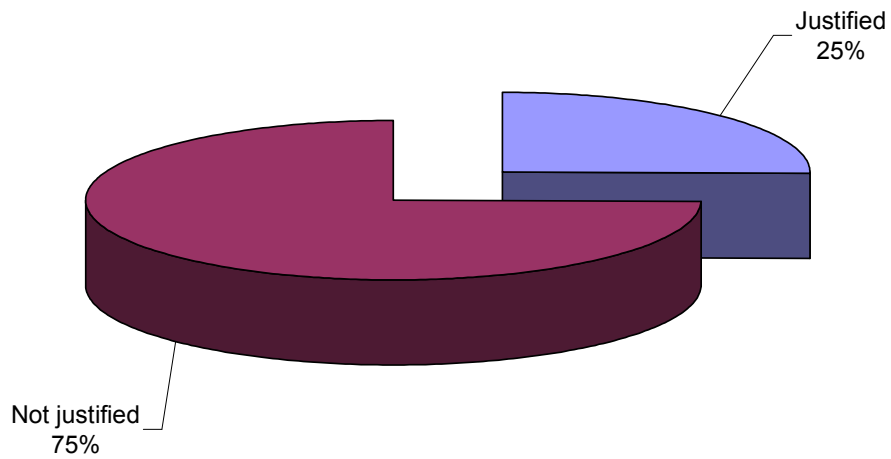


Outcome

25 % (43 %) were considered to be justified

75 % (57 %) were considered to be unjustified

Proportion justified / unjustified complaints 2007/2008



11.3 Ombudsman Complaints April 2007 – December 2007

9 (10) Ombudsman complaints were received during the period.

No (2) complaints were upheld by the Ombudsman

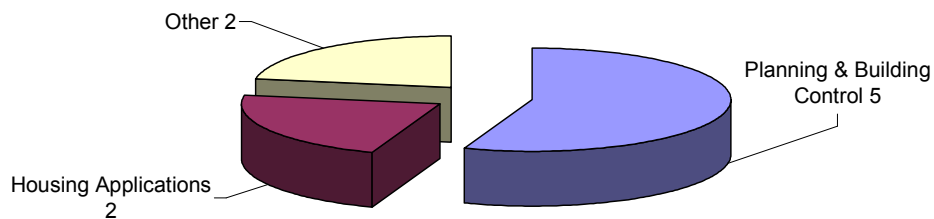
Nature of Complaints

56% related to planning services

22% related to housing services

22% related to other areas

Ombudsman by classification 2007 / 2008

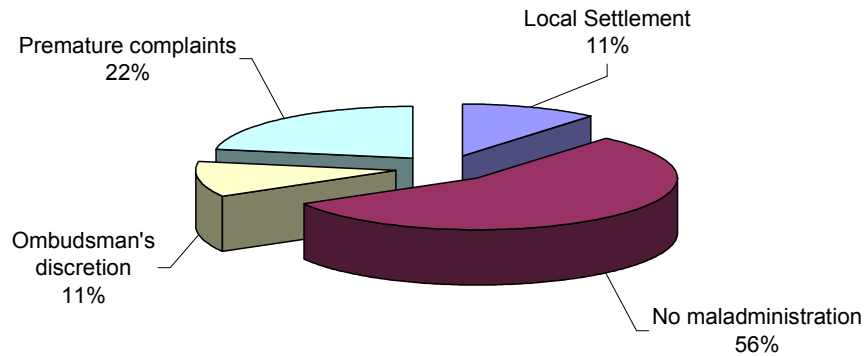


Outcome

The Ombudsman issued 6 decision letters in the period:

Complaints upheld	0%
Local settlement	11%
No or insufficient evidence of maladministration	56%
Ombudsman Discretion	11%
Outside jurisdiction	0%
Premature complaints	22%

Ombudsman decisions 2007 /2008



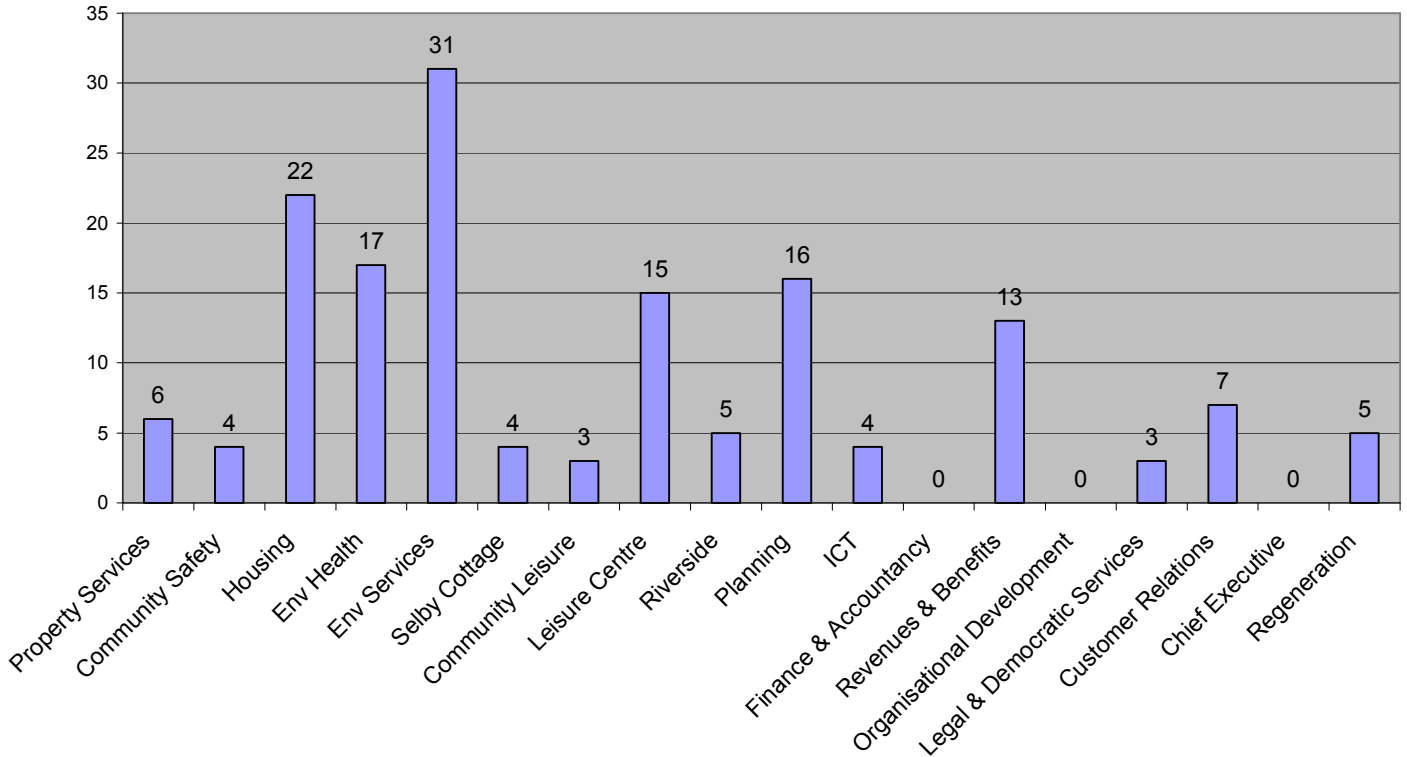
11.4 Compliments April 2007 – December 2007

155 (154) compliments/letters of thanks were registered during the period.

Nature of Compliments

- 13 related to the revenue & benefits service
- 31 related to the environmental services
- 22 related to housing services
- 27 related to the leisure services
- 16 related to planning services
- 17 related to environmental health services
- 5 related to regeneration
- 7 related to customer relations
- 6 related to property services
- 4 related to resources / ICT / organisational development
- 7 related to council / combined services

Compliments Received by Teams April - December 2007



11.5 Other Performance Information

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

- 84 % of complaints were responded to in 10 days (target 90%)
- 79 % MP queries were responded to in 10 days (target 90%)
- 98 % Freedom of information enquiries were responded to in 20 working days (target 100%)
- 89 % of e-mail enquiries were responded to within 24 hours (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 organization.

A further analysis of results shows that:

- The number of complaints received compared to the same period last year has reduced by 20% – 209 compared with 261
- Most complaints related to Leisure Services, Planning and Housing which combined equate to 60% of all complaints received.
- 45% of complaints related to the quality of service people have received.
- The % of justified complaints has reduced from 43% to 25% 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 11% increase in MP enquiries dealt with in target time and also overall handling of complaints within target time has increased by 2% 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 December 2007 and May 2008.

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 20), 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.

The review of our partnerships has a significant impact on the development of a single priority of 'people and place'. An assessment of the potential gaps in performance of partnerships and what we can do in the council's remaining lifetime to secure sustainable change is part of ongoing work to develop the new priority. Progress will be reported here in due course.

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 Policy since April 2007:

- The adoption of the Strategy and action plan;
- Data quality risks, commitment and proposals built into Corporate plan;
- Data Quality Policy and Strategy communicated to customers through the Internet;
- Data Quality Policy and Strategy communicated to staff and members through the Intranet;
- Data Quality built into Performance Management Handbook and communicated to staff;
- Data Quality considered as part of the Performance Management Review;
- Data quality commitment incorporated as a feature of Corporate Performance Reports and within performance clinics:
- Decisions made not to publish information because data quality was not proved e.g. a decision not to publish BV 166 quarterly statistics because the information as to performance was not dependable, and now resolved.
- 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
- Training presentation provided to all staff
- Data Quality Training provided as part of Members Induction programme
- Data quality built into Performance Clinics
- A review of the Data Quality Strategy Action Plan and the Data Quality Policy is underway

The Audit Commission carried out an audit of Data Quality Arrangements and their conclusions will be identified in the next Corporate Performance Report.

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.

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 Reorganisation 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 Director of Corporate Services and based around the council's Performance and Improvement Team. It also includes key Human Resources, communications, a representative for 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 three newsletters to staff and Members
- Engaged in transitional arrangements.

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

The council has re-organised its senior management to assist it in developing the capacity within the organisation to deliver business as usual while contributing to the transition to the new organization. At the same time the council has commenced developing a transitional plan which will help it focus on a single priority of 'people in place' through to March 2009.

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



While there is some disappointing performance on BVPI's generally there remains to be a positive direction of travel overall:





- The corporate plan proposals and priorities are under review through the development of a Transition Plan which will be reported to council for adoption in March;
- While 57% of indicators have achieved targets less are showing improvement, slightly less show top quartile information and more show bottom quartile. However it is hoped that the year end figures will show a better reflection of achievement;
- In terms of the 19 key indicators in need of improvement, 59% have seen targets achieved, 36% have improved, 36% show an improving trend and there are now more in top quartile and less in bottom quartile;
- Local indicators continue to show performance improvement as 51% have improved last year;
- 75% of actions in the Risk Strategy have been completed and work has commenced on the remaining 25%, strategic risks will be re-assessed as a result of the adoption of the emerging Transition Plan;
- Sickness levels within the council have started to improve and there is strong HR performance including the achievement of Investors in People. Staff turnover is high for the first time this year with a 12% turnover rate being recorded;
- There are no actions behind target in the Equality Plan action plan;
- It has been agreed that the work of the Modernisation Team has been achieved and the Team no longer meets;
- The Improvement and Recovery Plan (IRP2) has been drawn to a close following the council officially coming out of intervention. This has been replaced by an Improvement plan which will be accommodated in the Transition Plan;
- There have been no Audit Commission reports in the last quarter although the IIP accreditation proves the progress the council has made in supporting and developing its people;
- There have been significantly less complaints this year than last (209 compared with 261 this time last year) and the proportion of compliments, 1 compliment for every 1.3 complaints, is improving. Only 25% of complaints were considered justified compared to over 40% this time last year;
- Response times to corporate standards remain cause for concern but continue to improve overall;









- Significant progress has been made on Data Quality and it is anticipated that a good Audit Commission Data Quality audit will be received before the end of the year and be reflected in the Annual Audit letter and Direction of Travel Statement; and
- Local Government Reorganisation has begun to impact on the work of the council.




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



BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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	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, monitored by EDWG quarterly. It should be noted that although it is probable that we will meet the requirements at Level 3 of the ESLG by March next year, it is 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 were raised at the last Performance Clinic and service team managers requested to contribute evidence. A reminder has been issued and evidence is now being collated for the year end.
2b	The quality of an Authority's Race Equality Scheme (RES) and the improvements resulting from its application	84%	84%	84%	84%	89%		No	X	✓	✓	High	



KPI	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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
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%	93.89%	95.00%		No	✓	✓	x ₃	High	Performance has improved slightly, but is still below target. The Section have lost a full time member of staff and others have had to cover the majority of the post. This has reduced the amount of time available for chasing up payments and monitoring performance. Despite this, the performance has not fallen and once the Housing dept transfer, workloads should hopefully be more manageable. 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%	29.1%	57.60%	86.21%	Q3 84.00% 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. The Authority is now authorised for paperless direct debit which will streamline the process for both customer and Local Authority and hopefully help to improve future collection rates.



BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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
10 	The percentage of national non-domestic rates collected in-year	96.69%	28.4%	57.60%	87.10%	Q3 87.00% YE 97.90%		Yes	N/A	✓	N/A	High	Performance is slightly above the third quarter predicted performance. The Authority is now authorised for paperless direct debit which will streamline the process for both customer and Local Authority and hopefully help to improve future collection rates.
11a 	Percentage of top-paid 5% of staff who are women	25.00%	29.63%	26.92%	33.33%	31.00%		Yes	✓	✓	✓	High	Performance is slightly above target for 2007/08.
11b	The percentage of the top 5% of Local Authority staff who are from an ethnic minority	3.57%	3.70%	3.85%	3.70%	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%	3.70%	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	11.74 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. Corrective Action: Continue to monitor and report on sickness absence; Continue to train managers in managing sickness absence; Report to CMT any areas of concern for action to be taken by directors; Take action where RTW interviews and formal reviews are not carried out.




PI	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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
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%	0.52%	0.50%		No	x	x	x ₃	Low	Performance is slightly over target.
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%	0.78%	0.00%		No	x	x	x _B	Low	The Authority has not achieved its target for 2007/08 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%	2.51%	2.50%		Yes	x	✓	x ₃	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%	18.16%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Performance is ahead of target.






BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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
17a	The percentage of local authority employees from ethnic minority communities	0.9%	1.1%	1.3%	1.4%	1.5%		No	✓	✓	x ₃	High	Performance is slightly below target for 2007/08. Corrective Action: Ensure base line information is accurate – write to all employees to update personal records; Keep central database updated through annual checks; Monitor EO data and regular reports; Revisit recruitment & selection procedures and information for candidates annually; Research options for targeted recruitment.
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%	23.53%	40.00%		No	x	x	N/A	High	There have been no changes of circumstances during the current period.
63	The average SAP rating of local authority-owned dwellings	66	N/A	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.




PI	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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
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	0	2		No	X	X	X _B	High	<p>An action plan to improve performance is in place and is currently being implemented. This will include an Empty property Policy/Strategy. Once in place this will provide an accurate baseline from which to set meaningful targets. The Districts empty properties had previously been identified and a 100% inspection programme had been completed prior to the drafting of an appropriate policy. However, the Department received updated figures on the number of empty properties in October 2007. These were significantly higher than earlier figures and have delayed the policy development.</p> <p>Corrective Action: The completion of the survey work is viewed as a priority but is progressing slowly due to capacity issues. A questionnaire survey of the properties owners has been issued and some responses received however, response rates are lower than was hoped. At this point it will be possible to ascertain the underlying causes leading to properties becoming and remaining vacant. Proposals to submit a draft Policy to the Executive in March 08 have been postponed until May 08 to</p>




BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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%	97.19%	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 3 performance was 96.47%. The performance this year exceeds 3rd quarter performance for 2004/05, 2005/06 & 2006/07. Performance this year exceeds that of last year and the target is achievable by year-end. We have collected £9,688,371 to date this year.
66b	Percentage of local authority tenants with more than seven weeks of (gross) rent arrears	4.93%	5.32%	5.21%	5.06%	5.25%		Yes	x	✓	x ₃	Low	Performance in quarter 3 is lower than the figure at same time last year of 5.11%. 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. We are on target to achieve this measure.

KPI	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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%	20.07%	18.00%		No	x	x	x ₂	Low	The calculation used to determine this figure has changed since targets were set. 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 are a fundamental part of the recovery process. 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.
66d	Percentage of local authority tenants evicted as a result of rent arrears	0.49%	0.14%	0.28%	0.45%	0.47%		Yes	✓	x	x _B	Low	The rate of evictions (19 in total) is slightly higher than number last year (15 last year in the same period). However, the proactive work by the Income Management Team, working with the Housing Options Team, has prevented this figure from being higher. The team have successfully prevented numerous 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 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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
184a	The percentage of local authority dwellings which were non-decent at the start of the financial year	46%	N/A	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	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	39 days	44 days	44 days	32 days		No	x	x	x ₃	Low	Our performance has remained the same in comparison to quarter 2. Officers are continuing to pre-allocate properties at the stage of a termination notification being received. They are also utilising their lettibility budgets to assist in the lettings process.
183b	The average length of stay in hostel accommodation of households that are unintentionally homeless and in priority need	0.00	0.00	0.00	0.00	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	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 LA area.



PI	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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	3	1.6		Yes	X	X	X ₂	High	We have now exceeded our target. Corrective Action: 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	0.38	0.38	0.38	0.38	0.38		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	42.59	Q3 36.00 YE 48.00		Yes	N/A	✓	N/A	High	Performance has exceeded third 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	8.02	Q3 5.25 YE 7.00		Yes	N/A	✓	N/A	High	Performance has exceeded annual 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.


BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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
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	19.4 days	21.5 days	20.9 days	24.0 days		Yes	✓	✓	✓	Low	Performance is well on target. Weekly performance monitoring has ensured that a sustained and continual improvement is made.
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	7.1 days	6.3 days	7.3 days	7.0 days		No	✗	✗	✗ ₂	Low	Performance has slipped slightly during the third quarter and target has not been achieved. The section has suffered due to long term sickness absence, vacant post not being filled and also the postal strikes have impacted on change of circumstance notifications. Corrective Action: Change of circumstance work is prioritised and performance monitored weekly to ensure improvements are made on the target. Sickness absence is no longer an issue and work has been reorganised.
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%	99.73%	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.

KPI	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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
79b(i)	The amount of Housing Benefit overpayments recovered as a percentage of all HB overpayments	112.48%	63.17%	71.99%	71.58%	Q3 71.25% YE 95.00%		Yes	N/A	X	N/A	High	Performance has slightly exceeded third 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%	39.62%	Q3 48.75% YE 65.00%		No	N/A	X	N/A	High	Performance is below predicted third quarter performance. Recovery rate has remained constant however more overpayments are being identified as a result of proactive assessment work which has increased our overall outstanding debt. Overpayment recovery needs to reflect the increase in overpayments identified and all outstanding overpayments are actively pursued and all available methods of recovery are utilised. Corrective Action: All overpayments are continuously monitored and pursued
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%	2.25%	Q3 0.75% YE 1.00%		No	N/A	X	N/A	N/A (Low)	All methods of recovery are utilised and write offs are a last resort however this demonstrates that debt is managed effectively.





BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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%	17.98%	16.00%		Yes	✓	✓	x ₃	High	Our recycling performance has continued to improve and the tonnage collected via the kerbside recycling scheme has continued to increase.
82a(ii)	Total tonnage of household waste arisings sent by the Authority for recycling	3683.57	891.72	1887.09	2828.19	Q3 2568.75 YE 3425		Yes	N/A	✓	N/A	High	Our recycling performance has continued to improve and the tonnage collected via the kerbside recycling scheme has continued to increase.
82b(i)	The percentage of household waste sent by the Authority for composting or treatment by anaerobic digestion	7.58%	0.00%	3.82%	3.72%	8.00%		No	x	x	x _B	High	Despite previous assurances from DCC that sufficient tonnage of waste would be processed through the digester to ensure the 8% target would be reached, it is now extremely unlikely that this will be achieved.
82b(ii)	Total tonnage of household waste sent by the Authority for composting or treatment by anaerobic digestion	1634.03	0	405.62	584.96	Q3 1284 YE 1712		No	N/A	x	N/A	High	Despite previous assurances from DCC that sufficient tonnage of waste would be processed through the digester to ensure the 1712 target would be reached, it is now extremely unlikely that this will be achieved.
84a	Number of kilograms of household waste collected per head of the population	405.45	99.73	199.62	295.6	Q3 317.1 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%	-5.49%	-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	£27.05	Q3 £31.05 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







YPI	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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%	100.0%		Yes	✓	✓	✓	High	The kerbside recycling scheme is available to all residents 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%	100.0%		Yes	✓	✓	✓	High	The kerbside recycling scheme is available to all residents 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	14.0%	7.0%		No	✗	✗	✗ ₃	Low	The target has not been achieved and although there is still one further survey to be carried out before the end of the year, it is unlikely that the end of year target will be achieved. Corrective Action: The level of performance has remained at the same level over the two survey periods. When carrying out the next round of inspections officers will identify any problem areas and ensure working practices are amended where appropriate.




BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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
199b	The percentage of relevant land and highways from which unacceptable levels of graffiti are visible	5%	7.0%	N/A	7.0%	4.50%		No	X	X	X _B	Low	The target has not been achieved for the first two survey periods, and the amount of graffiti seen throughout the district has remained at the same level. Corrective Action: Environmental Services now have a system in place for reporting and removing graffiti. This does not prevent graffiti from being carried out, but ensures that it is removed as quickly as possible.
199c	The percentage of relevant land and highways from which unacceptable levels of fly-posting are visible	0%	1%	N/A	1.0%	0%		No	X	X	X _B	Low	The target has not been achieved for the first two survey periods, and although the number of instances of fly-posting has reduced during the second quarter, the same level of performance has been maintained overall. The only area where fly-posting has been observed is Chester-le-Street Front Street (primary retail and commercial). Corrective Action: Although the end of year target will not be achieved, there are still extremely low levels of fly-posting throughout the district. Any fly-posting identified on Council property is removed.
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	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.






YPI	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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%	100.0%		Yes	✓	N/A	✓	High	A number of new procedures and practices were introduced 2006/7 to achieve performance. It is planned that these remain in place and mature enabling this performance to be maintained. Some additional work will be required in particular financial benchmarking, this is currently progressing with a benchmarking exercise. Questionnaires have been issued and are now being returned. Data extraction and interpretation will commence before year end.



BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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
216a	Number of 'sites of potential concern' in the local authority area with respect to land contamination	11	11	150	150	8	N/A	N/A	N/A	N/A	N/A	N/A	On transfer of the function to EH the Authority reported this BVPI as 11. Further investigation with the contractor revealed this was largely a notional figure representing the top "batch" of a list of over 700 sites of potential concern. An ongoing project involving both council staff and a contractor is attempting to rationalise this figure. A figure of 150 represents an approximation total once duplications are removed. This will be subject to revision as the project progresses but is not expected to change dramatically. This approach is broadly in line with the Audit Commission Guidance although does not follow specific DEFRA guidance that advises against basing reports purely on historical use data. The guidance is intended to avoid situations where this approach would identify hundreds of sites and their management becomes problematic. This is not the situation within the District and the approach adopted gives a more meaningful overview of the real situation. Corrective Action: An action plan has been developed and is being implemented. The existing co


BP	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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
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%	0%	9%		No	X	X	X _B	High	Figures supplied earlier in the year (0.7%) have had to be revised following refusal of the Environment Agency to accept this location as a special site. Corrective Action: The revised Contaminated Land Strategy will provide a framework in which to address sites of potential concern. However, this will only be possible once the existing data set developed in response for BVPI 216a is rationalised and prioritised. This work is scheduled to be completed by Autumn 2008.
217	Percentage of pollution control improvements to existing installations completed on time	100%	100%	100%	100%	100%		Yes	✓	✓	✓	High	Significant improvements were made in 2006/7 to achieve the above performance. The recent Departmental Restructure will allow for an increased in house expertise in this area thereby allowing performance to remain at this level.
218a	Percentage of new reports of abandoned vehicles investigated within 24hrs of notification	99.47%	100.00%	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%	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.

BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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
106	Percentage of new homes built on previously developed land	90.11%	100.00%	100.00%	100.00%	65.00%		Yes	✓	✓	✓	High	Target has been achieved. Exceptionally good quarter
109a	Percentage of major applications determined within 13 weeks	87.50%	100.00%	66.66%	57.14%	88.00%		No	✗	✗	✗ _B	High	Performance continues to be below locally set targets. This has occurred due to significant staffing shortages within the team. Measures have been taken to ensure staffing situation is addressed. A new appointment is to be made imminently which will bring the team back up to full establishment. These actions will lead to significantly improved performance from quarter 3 onwards. However this will not be in time to ensure the stretch targets are met by the year end. Corrective Action: Appointment of temporary staff / vacant Senior Planner post following approval of P&EH restructure.
109b	Percentage of minor applications determined within 8 weeks	92.41%	72.00%	68.57%	74.57%	92.00%		No	✗	✗	✗ ₃	High	
109c	Percentage of 'other' applications determined within 8 weeks	95.40%	89.00%	79.68%	82.91%	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		Yes	✓	✓	N/A	N/A	Target has been achieved. This is a Statutory requirement under the Planning Act 2004.
200b	Has the local planning authority met the milestones which the current Local Development Scheme sets out?	No	Yes	Yes	No	Yes		No	✗	✗	N/A	N/A	2 month slippage in the timetable. The issues and options consultation should have commenced in September, but was delayed until November . Corrective Action: It will be difficult to take corrective action unless the vacant post in planning policy can be filled in the near future.

PI	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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
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%	60.0%	25.0%		No	x	x	x _B	Low	Performance is below locally set target. However no reason to believe target will not be achieved by year end. Corrective Action: Officers will continue to ensure committee recommendations to refuse planning permission and delegated decisions to refuse are only taken when there is considered to be a strong chance of successfully defending the decision at appeal. Member training event has been held to raise awareness of issues associated with overturning recommendations with Planning Committee Members
205	The local authority's score against a 'quality of planning services' checklist	100.0%	100.0%	100.0%	100.0%	100.0%		Yes	✓	✓	✓	High	Performance on target. 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%	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

BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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
126a	Domestic burglaries per 1,000 households in the Local Authority area	7.06	2.25	4.8	7.2	Q3 5.18 YE 6.91		No	N/A	X	N/A	Low	Performance below predicted target. Corrective Action: Working with the police on operation Rossmoor, a crime initiative targeting burglary with higher police and enforcement officers visible on the street at weekends and late nights. Continuing to implement crime prevention initiatives including free crime prevention products.
127a	 Violent crime per 1,000 population in the Local Authority area	17.86	4.88	8.8	11.8	Q3 13.26 YE 17.68		Yes	N/A	✓	N/A	Low	On target to achieve. Operation Rossmoor was a police multi crime initiative targeting the night-time economy in particular violent crime with a high police presence. This worked in conjunction with the CCTV operators extended hours.
127b	Robberies per 1,000 population in the Local Authority area	0.47	0.03	0.1	0.2	Q3 0.36 YE 0.46		Yes	N/A	✓	N/A	Low	On target to achieve – Operation Rossmoor targeted shoplifting, purse theft and robbery as a priority by having a higher police presence on the street. This was incorporated with an awareness in the shopwatch scheme in conjunction with CCTV operators.
128	The number of vehicle crimes per 1,000 population in the Local Authority area	6.35	1.39	2.9	4.2	Q3 4.62 YE 6.17		Yes	N/A	✓	N/A	Low	On target to achieve. Targeting known hotspots with a crime prevention initiatives.

KPI	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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
174	The number of racial incidents reported to the Local Authority, and subsequently recorded, per 100,000 population	5.64	1.88	1.88	1.88	Q3 7.05 YE 9.40		Yes	N/A	✓	N/A	Low	Performance remains unchanged. Corrective Action: Taken proactive measures to engage with minority groups in an effort to encourage the reporting of racial incidents. Children's community safety carousel at Riverside where different schools attended over a 2 week period, literature was distributed regarding hate crime. Not in my neighbourhood week - market stall with racial hate literature and reporting advice distributed. Local democracy week - racial hate literature and reporting advice distributed at a range of events through out the week. Leaflets made available at Citizens Advice and Civic Centre reception.
175	The percentage of racial incidents reported to the Local Authority that resulted in further action	100.00%	100.00%	100.00%	100.00%	100.00%		Yes	N/A	✓	✓	High	No incidents reported. Corrective Action: Hate crime campaign ongoing to raise awareness












BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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
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%	45.0%	60.0%		No	X	X	N/A	High	Although our performance has dropped this is only an increase of 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 Chester le Street and Durham to Develop Services for people fleeing DV. Services still need to be developed to improve this indicator. We are hoping to introduce a 'Sanctuary Type' Scheme for Victims of Domestic Violence.
226a	Total amount spent by the Local Authority on Advice and Guidance services provided by external organisations	£75,384.99	N/A	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	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	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								37	21	33	17	BEST	40%

PI	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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
	NO							28	26	30	4	2ND Q	9%
	NO										9	3RD Q	21%
	WORST QUARTILE										13	WORS	30%
	TOTAL							65	47	63	43		
	TOTAL N/A							9	27	11	31		
	TOTAL OVERALL							74	74	74	74		

		COMPARE WITH QTR 2	COMPARE WITH QTR 1	ACTUALS FOR YTD 2006/07	3RD QTR PERIOD PREVIOUS YEAR
Required to produce a total of 44					
Equates to 74 separate indicators					
We:					
Achieved our targets	57%	65%	58%	75%	60%
Improved on previous year	45%	57%	53%	67%	45%
Secured best quartile performance	40% Estimated	41%	49% Estimated	47% Estimated	48% Estimated
Improved on same period last year	52%	54%	58%	n/a	60%
Unfortunately we:					
Failed to meet our targets	43%	35%	42%	25%	40%
Failed to improve from previous year	55%	43%	47%	33%	55%
Show worst quartile performance	30% Estimated	21%	23% Estimated	18% Estimated	26% Estimated
Failed to improve on same period last year	48%	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	40%	53%	33%	47%	20%	13%
Housing	42%	33%	17%	58%	8%	33%
Benefits & Council Tax	67%	33%	22%	11%	22%	0%
Waste & Cleanliness	58%	42%	33%	33%	25%	25%
Environmental Health	67%	17%	67%	17%	67%	17%
Planning	38%	63%	38%	63%	25%	38%







BVPI No.	Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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
	Culture & Related Services	100%	0%	100%	0%	100%	0%						
	Community Safety & Wellbeing	50%	20%	0%	10%	10%	0%						



KEY:	
	CPA performance indicators
	LAA performance indicators
	Better than Target Performance
	On Target Performance
	Worse than Target Performance
Best Quartile	Quartile comparisons have been updated from 3rd quarter period and are now based on National District Council's 2006/07 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.)
	Yes
	No
	No - 2nd best quartile performance
	No - 3rd best quartile performance
	No - worst quartile performance





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





BVPI No.	Description	Actual 2006/07	Quarter 3 Apr - Dec 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%	93.89%	95.00%		No	✓		x ₃	High	Performance has improved slightly, but is still below target. The Section have lost a full time member of staff and others have had to cover the majority of the post. This has reduced the amount of time available for chasing up payments and monitoring performance. Despite this, the performance has not fallen and once the Housing dept transfer, workloads should hopefully be more manageable. 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%	86.21%	Q3 84.00% 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. The Authority is now authorised for paperless direct debit which will streamline the process for both customer and Local Authority and hopefully help to improve future collection rates.

BVPI No.	Description	Actual 2006/07	Quarter 3 Apr - Dec 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Direction of Travel	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
10 	The percentage of national non-domestic rates collected in-year	96.69%	87.10%	Q3 87.00% YE 97.90%		Yes	N/A	N/A	N/A	High	Performance is slightly above the third quarter predicted performance. The Authority is now authorised for paperless direct debit which will streamline the process for both customer and Local Authority and hopefully help to improve future collection rates.
11a 	Percentage of top-paid 5% of staff who are women	25.00%	33.33%	31.00%		Yes	✓	↗	✓	High	Performance is slightly above target for 2007/08.
12 	The number of working days/shifts lost to the Authority due to sickness absence	11.09 days	11.74 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. Corrective Action: Continue to monitor and report on sickness absence; Continue to train managers in managing sickness absence; Report to CMT any areas of concern for action to be taken by directors; Take action where RTW interviews and formal reviews are not carried out.

BVPI No.	Description	Actual 2006/07	Quarter 3 Apr - Dec 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Direction of Travel	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
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	An action plan to improve performance is in place and is currently being implemented. This will include an Empty property Policy/Strategy. Once in place this will provide an accurate baseline from which to set meaningful targets. The Districts empty properties had previously been identified and a 100% inspection programme had been completed prior to the drafting of an appropriate policy. However, the Department received updated figures on the number of empty properties in October 2007. These were significantly higher than earlier figures and have delayed the policy development. Corrective Action: The completion of the survey work is viewed as a priority but is progressing slowly due to capacity issues. A questionnaire survey of the properties owners has been issued and some responses received however, response rates are lower than was hoped. At this point it will be possible to ascertain the underlying causes leading to properties becoming and remaining vacant. Proposals to submit a draft Policy to the Executive in March 08 have been postponed until May 08 to

BVPI No.	Description	Actual 2006/07	Quarter 3 Apr - Dec 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%	97.19%	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 3 performance was 96.47%. The performance this year exceeds 3rd quarter performance for 2004/05, 2005/06 & 2006/07. Performance this year exceeds that of last year and the target is achievable by year-end. We have collected £9,688,371 to date this year.
66d 	Percentage of local authority tenants evicted as a result of rent arrears	0.49%	0.45%	0.47%		Yes	✓	↗	x _B	Low	The rate of evictions (19 in total) is slightly higher than number last year (15 last year in the same period). However, the proactive work by the Income Management Team, working with the Housing Options Team, has prevented this figure from being higher. The team have successfully prevented numerous 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 3 Apr - Dec 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	Our performance has remained the same in comparison to quarter 2. Officers are continuing to pre-allocate properties at the stage of a termination notification being received. They are also utilising their letability budgets to assist in the lettings process.
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 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	42.59	Q3 36.00 YE 48.00		Yes	N/A	N/A	N/A	High	Performance has exceeded third quarter target. Work is very closely monitored and managed to ensure that the team maintain the number of fraud investigations completed.

BVPI No.	Description	Actual 2006/07	Quarter 3 Apr - Dec 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Direction of Travel	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
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	20.89 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	2828.19	Q3 2568.75 YE 3425		Yes	N/A	N/A	N/A	High	Our recycling performance has continued to improve and the tonnage collected via the kerbside recycling scheme has continued to increase.
199b	The percentage of relevant land and highways from which unacceptable levels of graffiti are visible	5%	7.0%	4.50%		No	✗	↘	✗ _B	Low	The target has not been achieved for the first two survey periods, and the amount of graffiti seen throughout the district has remained at the same level. Corrective Action: Environmental Services now have a system in place for reporting and removing graffiti. This does not prevent graffiti from being carried out, but ensures that it is removed as quickly as possible.
200b	Has the local planning authority met the milestones which the current Local Development Scheme sets out?	No	No	Yes		No	✗	→	N/A	N/A	2 month slippage in the timetable. The issues and options consultation should have commenced in September, but was delayed until November . Corrective Action: It will be difficult to take corrective action unless the vacant post in planning policy can be filled in the near future.

BVPI No.	Description	Actual 2006/07	Quarter 3 Apr - Dec 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Direction of Travel	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
127a	Violent crime per 1,000 population in the Local Authority area	17.86	11.79	Q3 13.26 YE 17.68		Yes	N/A	N/A	N/A	Low	On target to achieve. Operation Rossmoor was a police multi crime initiative targeting the night-time economy in particular violent crime with a high police presence. This worked in conjunction with the CCTV operators extended hours.
174	The number of racial incidents reported to the Local Authority, and subsequently recorded, per 100,000 population	5.64	1.88	Q3 7.05 YE 9.40		Yes	N/A	N/A	N/A	Low	Performance remains unchanged. Corrective Action: Taken proactive measures to engage with minority groups in an effort to encourage the reporting of racial incidents. Children's community safety carousel at Riverside where different schools attended over a 2 week period, literature was distributed regarding hate crime. Not in my neighbourhood week - market stall with racial hate literature and reporting advice distributed. Local democracy week - racial hate literature and reporting advice distributed at a range of events through out the week. Leaflets made available at Citizens Advice and Civic Centre reception.
YES						10	4	4	2	BEST Q	20%
NO						7	7	4	0	2ND Q	0%
NO									2	3RD Q	20%
BOTTOM QUARTILE									6	WORS	60%
CONSTANT TREND									3		
TOTAL						17	11	11	10		
TOTAL N/A						2	8	8	9		
TOTAL OVERALL						19	19	19	19		

BVPI No.	Description	Actual 2006/07	Quarter 3 Apr - Dec 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Direction of Travel	Secured Best Quartile	Good Perf	Explanation, Reasons & Actions
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3rd Quarter		
19 separate indicators		
We:		
Achieved our targets		59%
Improved on previous year		36%
Secured best quartile performance		20%
Direction of travel shows an improvement		36%
Unfortunately we:		
Failed to meet our targets		41%
Failed to improve from previous year		64%
Show worst quartile performance		60%
Direction of travel shows a decline		36%

Estimated

Estimated


COMPARE WITH QTR 2	COMPARE WITH QTR 1
56%	47%
50%	45%
11%	20%
50%	45%
44%	53%
50%	55%
44%	50%
30%	36%





Estimated


Estimated



Key:	
→	Remaining constant
↘	Deteriorating performance
↗	Improving performance





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





LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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	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.
CSS07	% complaints responded to within 10 working days	82.3%	86%	87%	84%	90%		No	✓	✓	High	Performance has dropped over the 3 rd quarter which may be as a result of the ongoing changes linked to LGR, Cestria housing association and the resultant reduction in resources. Corrective Action: 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. In addition the CPI project is gathering pace and detailed analysis of performance charts should show problems within the process.






LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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%	12.00%	5.5%		No	✘	✘	Low	This increase is mainly down to casual posts being terminated as clean up of payroll system. Corrective Action: Employee survey and action planning; Monitor exit interviews and report concerns; Monitor grievances etc 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%	1.00%	1.0%		Yes	✓	✓	Low	Performance is on target for this quarter
HRLP05	% of grievances as a % of staff in post	1.09%	0.22%	0.89%	0.95%	1.0%		Yes	✓	✘	Low	Performance is on target for this quarter
HRLP14	% of recruitment enquiries responded to within 48 hours	100%	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	Quarter 3 Apr - Dec 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%	67%	70%		No	✓	✓	High	Satisfaction has improved but is slightly below the target. Corrective Action: The authority continues to maintain the website and work towards improving the content and accessibility of the website. As the website is monitored for accessibility, this often draws out issues that staff need to be reminded of when updating content. We will continue to remind staff of the standards required for the website content. The authority will consider whether 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 improved performance for satisfaction.



LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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	97,459	Q3 81709.5 YE 108946		Yes	N/A	✓	High	If the first nine months are projected throughout the year, the target will be reached with approx 129,945 visits compared to the target of 108946. Corrective Action: It is noted that the visits for the previous quarter was 31,504. This quarter there is a slight improvement with 32,553 visits. The improvement is slight and takes into an account of a drop in visitors in December, most likely due to the Xmas holiday period. 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%	89%	90%		No	✗	✗	High	Performance has remained the same as the previous quarter results. October and November performance improved to 91% and 92% respectively but dropped again in December to 79% which is due to the Christmas closedown which has affected the overall 3rd quarter performance. Corrective Action: To continue to monitor invoice approvals and try to establish where the problem areas area.




LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Good Perf	Explanation, Reasons & Actions
FSLP13	% of sundry debtors raised within 5 days of request	93.89%	99.36%	99.62%	N/A	95%	N/A	N/A	N/A	N/A	High	We are unable to report performance for this period. Performance will be reported in the next quarter.
FSLP31	% of actions completed from Risk Management Strategy	95.83%	100%	75%	83%	100%		No	X	X	High	15 from 18 actions due are complete the remaining are underway and the target remains realistic and achievable for 2007-08.
FSLP40	% of actions completed from Procurement Strategy	94.64%	100%	85%	75%	100%		No	X	X	High	The Procurement Strategy is progressing according to plan, with some items rescheduled within year when this is appropriate and agreed. The implementation of the e-tendering system is now programmed to commence in 4 th Qtr 2007-08.
FSLPACC 10	Statement of Accounts presented to Council within statutory deadline	Yes	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%	96.12%	97.5%		No	X	X	High	Current performance matches that of last years. The position has improved over the last quarter and now meets the performance target. Close monitoring over the final quarter will ensure the performance is maintained at year end.



LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Good Perf	Explanation, Reasons & Actions
HSLPPS2	Average time taken to complete non-urgent responsive repairs	25.18 days	15.13 days	14 days	15 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, as some planned works have been undertaken the average time to complete these non-urgent repairs has extended.
HSLPPS3	% of repair appointments that were made and kept by the authority	93.79%	91.88%	92.00%	94.00%	94%		Yes	✓	✓	High	Current performance exceeds that of last years. The position has improved over the last quarter and now meets the performance target. Close monitoring over the final quarter will ensure the performance is maintained at year end.
HSLPTP2	% of tenants involved in the housing services	40%	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, conferences, 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%	1.15%	0.93%		Yes	✗	✗	Low	Target has not been achieved

LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Good Perf	Explanation, Reasons & Actions
HSLPIM2	% of rent written off	0.63%	0.01%	0.43%	0.55%	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 which will lead to us falling in line with the agreed target.
HSLPIM3	Current rent arrears as a % of rent roll	2.46%	2.51%	2.46%	1.99%	2.46%		Yes	✓	✓	Low	Target has been achieved. No remedial action required.
HSLPSH1.07	All new housing development in the district of Chester-le-Street to include 30% affordable homes	0	100%	100%	100%	30%		Yes	✓	✓	High	The following sites are under development with 30% affordable homes included: Sacriston Holly Cres; 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	20	8		Yes	✓	✓	High	Target met
HSLPSH3	% of homeless households re-housed in Social Rented Sector (RSL Accommodation)	2	0	0	2	15		No	✗	✗	High	Nomination agreements are in place with existing RSLs and work is currently underway on the same with Cestria. With Cestria being the largest RSL in the area this target should be met.

LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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	40	46		No	✘	✓	High	We have recently carried out a revision of the Accredited landlords as some landlords were not active members. We have plans in place to commence 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	81	90		No	✓	✓	High	There are currently 73 properties belonging to Landlords on the Private Landlord Association scheme that are not accredited. We have also recently carried a revision to the Accredited Landlords as many landlords were not active members. Corrective Action: 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%	94.5%	90%		Yes	✘	✘	High	The grass cutting season ended in October so the target has been achieved for the year 2007/2008.
EHLPO4	% of primary food hygiene inspections achieved of those planned	98%	100%	100%	100%	95%		Yes	✓	✓	High	Of the 147 primary inspections due on the risk-based inspection programme covering up to the end of December 2007, all premises have been inspected within the due date for inspection. We are therefore on course to achieve our stated target.

LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Good Perf	Explanation, Reasons & Actions
PLL33a	% of pre-application enquiries responded to within target (major)	78.10%	42%	81.25%	86.32%	90%		No	✓	✓	High	This below target performance has occurred due to significant staffing shortages within the team, 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 as Assistant Planning Officer and a Senior Planning Officer.
PLL33b	% of pre-application enquiries responded to within target (minor)	70.10%	55%	67.92%	72.00%	90%		No	✓	✗	High	Measures have been taken to ensure staffing situation is improved, including the appointment of as Assistant Planning Officer and a Senior Planning Officer. This should ensure performance is back on course to meet targets for minor enquiries by the end of the year; although it is unlikely this will be in time to ensure the target for major enquiries is met

LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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%	84.98%	95%		No	X	X	High	Performance is below locally set targets. This below target performance has occurred due to significant staffing shortages within the team. However measures have now been taken to ensure staffing situation is addressed. Another appointment is to be made imminently which will bring the team up to full establishment. Once this has been achieved this will lead to significantly improved performance. However this will not be in time to ensure the stretch targets are met by the year end. Corrective Action: Appointment of temporary staff / vacant Senior Planners post
PLL29a	% of planning enforcement enquiries responded to within target (Category 1 cases)	100%	100%	100%	100%	90%		Yes	✓	✓	High	112 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	100%	90%		Yes	✓	✓	High	Category 2 - 2 cases received were investigated and a response provided to the complainant within 7 days.

LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 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%	55%	90%		No	X	X	High	Category 3 enquiries accounted for 97.3% of all cases. Of the 109 received, 60 were responded to within the target response times. Although the target response times for this category have not been achieved, significant inroads have been made into improving performance. Indeed this quarter has seen a 16% increase in the turnaround and target response times which has been attributed to the additional staff and resources being made available.
LDLP25	% of standard searches carried out in 10 working days (originally BV179 deleted from 2006/07 set)	98.91%	100%	100%	100%	99%		Yes	✓	✓	High	The target is 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	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	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	Quarter 3 Apr - Dec 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	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								18	19	18		
NO								14	12	14		
TOTAL								32	31	32		
TOTAL N/A								5	6	5		
TOTAL OVERALL								37	37	37		

Report a total of 34 Indicators	
Equates to 37 separate indicators	
We:	
Achieved our targets	56%
Improved on previous year	61%
Improved on same period last year	56%
Unfortunately we:	
Failed to meet our targets	44%
Failed to improve on previous year	39%
Failed to improve on same period last year	44%

COMPARE WITH QTR 2	COMPARE WITH QTR 1
53%	58%
61%	57%
53%	55%
47%	42%
39%	39%
47%	45%

ACTUALS FOR YTD 2006/07
51%
n/a
n/a
49%
n/a
n/a

3RD QTR PERIOD PREVIOUS YEAR
61%
n/a
n/a
39%
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	38%	46%	46%	31%
Housing	67%	33%	58%	42%

LPI No.	LPI Description	Actual 2006/07	Quarter 1 Apr - Jun 2007	Quarter 2 Apr - Sept 2007	Quarter 3 Apr - Dec 2007	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Improved on same period last year?	Good Perf	Explanation, Reasons & Actions
	Waste & Cleanliness		100%	0%	0%	100%						
	Environment		100%	0%	100%	0%						
	Planning		43%	57%	71%	29%						
	Culture & Related Services		0%	0%	0%	0%						

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Chester-le-Street
District Council

Report to: Executive

Date of Meeting: 3 March 2008

Report from: Economic Development & Tourism Officer

Title of Report: Partnerships for Futures

Agenda Item Number: **TBC**

1. PURPOSE AND SUMMARY

- 1.1 The purpose of this report is to recommend to Executive the establishment of a dedicated resource, Partnerships for Futures which will aim to address the district's skills shortages based on the short, medium and long-term needs of Chester-le-Street employers. Partnerships for Futures will add capacity where it is otherwise unavailable to work with employers to undertake workforce planning and to work with schools and colleges to influence future skills provision to ensure that meaningful and sustainable employment is available to young people and they are equipped with the skills needed to access it.
- 1.2 Partnerships for Futures will be constituted as a not-for-profit company limited by guarantee as recommended by the Partnerships for Futures business plan. A critical element of Partnerships for Futures is that it will be focused on the needs of real businesses, therefore it will be essential that employers are engaged in setting priorities for action.
- 1.3 In line with council priorities to be discussed as part of the budget process and subject to council decision on budget the Executive is asked to approve resources of £90,000 (composed £80,000 revenue, £10,000 capital). It is also recommended that Executive assist in establishing a board, appointing an Executive Director and developing a business plan for the initiative.

2. CONSULTATION

- 2.1 Key employers have been consulted to ensure that the initiative is demand driven, and is shaped to meet the needs of their respective organisations. Employers recognise that they are unable to make the necessary transformation

working independently as their individual reach and influence is limited. Through working in partnership with other employers, sufficient momentum is likely to stimulate a measurable change.

- 2.2 The education sector has been consulted, with secondary school head teachers recognising the importance of Partnerships for Futures in matching young people with real jobs, and to also influence the design of vocational training to meet the needs of employers.
- 2.3 Support agencies such as Connections and Job Centre Plus have also been consulted to ensure that Partnerships for Futures will not duplicate existing activity.
- 2.4 Partnerships for Futures has already stimulated significant interest from the business community, with key organisations in both the private and public sector making a commitment to sit on the board for Partnerships for Futures. Those organisations are: Durham County Cricket Club, Beamish, Cestria Community Housing (tbc), New College Durham, and Chester-le-Street & City of Durham Enterprise Agency.
- 2.5 Internally, the Acting Head of Regeneration and the Head of IT have been consulted to ensure they are able to provide support in the establishment of Partnerships for Futures. The Head of Legal Services has also been consulted to obtain advice in relation to establishing the company structure.

3. CORPORATE PLAN AND PRIORITIES

- 3.1 Partnerships for Futures will contribute to the achievement of a number of previous corporate priorities, specifically including:
 - Priority 2: Working in Partnership to Deliver the Sustainable Community Strategy – by up-skilling residents, reducing the number of NEET (not in education, employment or training), encouraging the number of working age adults to achieve NVQ Level 2.
 - Priority 4: Regenerating the District – by maximising the learning and skills attainment of residents of the district and by working with employers to access skills.
- 3.2 As part of the establishment of a new corporate priority for 2008/09, People and Place, Partnerships for Futures will address key sub-priority objectives to address worklessness in the district.

4. IMPLICATIONS

4.1 Financial and Value for Money Statement

There will be financial implications involved in establishing Partnerships for Futures. Initial 'pump priming' resource will be required from the council to

establish the initiative. Funding required to establish Partnerships for Futures will be £90,000, which relates to 2008/09 activity. The business plan is based on the premise that Partnerships for Futures will become self sustaining through membership fees and private sector investment. At this stage there is no commitment required for public sector funding beyond 2008/09. The new unitary authority will be required to consider further public funding to be injected into Partnerships for Futures in future years.

Durham County Cricket Club have made a financial commitment to Partnerships for Futures for 2008/09, and Beamish have also made a commitment of in-kind match funding to deliver training courses.

Partnerships for Futures must be able to demonstrate its medium and long-term viability by achieving financial independence. This will be achieved through commercial income derived from consultancy activity and membership fees.

4.2 Local Government Reorganisation Implications

At this stage no LGR implications arise from the establishment of Partnerships for Futures, as the organisation will be established as a completely separate entity to the Council, and will be constituted as a company limited by guarantee.

4.3 Legal

The development of Partnerships for Futures will have legal implications, and the legal structure of the organisation will need to be established. The Business Plan for Partnerships for Futures recommends the legal structure of the operation to be constituted as a company limited by guarantee. Those organisations who have made a commitment to sit on the board for Partnerships for Futures include: Durham County Cricket Club, Beamish, Cestria Community Housing (tbc), New College Durham, and Chester-le-Street & City of Durham Enterprise Agency.

Legal services have advised that the following statutory requirements need to be undertaken in establishing a company limited by guarantee; preparation of statutory books, registering the company name; development of memorandum of association and articles of association; and registering the company with Companies House. Legal Services have advised that external specialist legal assistance will be required in establishing a company limited by guarantee, and also to ensure a conflict of interest does not arise.

4.4 Personnel

The success of Partnerships for Futures will depend largely on the quality of the team delivering the initiative. The business plan recommends the appointment of an Executive Director who will have ultimate responsibility in delivering the Partnerships for Futures initiative.

The Executive Director will be supported by an officer who will be seconded from the Regeneration Team, and will be available to start working on Partnerships for Futures prior to the Executive Director starting in post.

Administrative support has been confirmed by CDC Enterprise Agency who will provide services at MILE house, where the Partnerships for Futures team will be based.

4.5 Other services

The main impact on other services arising from the establishment of Partnerships for Futures will include back-filling of the seconded post from the regeneration team, and support from IT to ensure required equipment and software is installed at MILE House.

4.6 Diversity

Partnerships for Futures will undertake a positive approach towards equality and diversity. The initiative will ensure no groups are excluded from its reach by developing and adhering to recommendations of impact assessments.

4.7 Risk

The key strategic risk arising from not having Partnerships for Futures in place is that the current scenario will prevail. It will be increasingly important for employers to source people with the right skills in a timely manner to meet the needs of their organisation, and for the education sector to have a good understanding of the real needs of businesses in relation to workforce planning. Currently, local employers are finding that they are recruiting from outside of the district, county and in some cases the region to fill posts within their organisations, which further reduces opportunities for residents to access employment.

The viability of Partnerships for Futures in the longer-term will depend on the ability of the project team to generate revenue through consultancy activity. If Partnerships for Futures fails to generate significant income, there will be risk associated with the longer term sustainability of the initiative.

4.8 Crime and Disorder

Partnerships for Futures will strive to make a positive impact on the lives of young people, and allow them to access a better future through finding meaningful employment. This in turn will create positive role models for young people, who otherwise may be distracted by a small minority of individuals who participate in anti-social behaviour.

4.9 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.

4.10 Other implications

The following implications have been considered:

4.11 Key Decisions

A key decision is required due to the level of resource requested. Partnerships for Futures appears on the forward plan.

4.12 Communications

The Partnerships for Futures board/team will identify what communications activity will be required to ensure local employers and residents are able to benefit from the initiative.

4.13 E and T-Government

IT implications that arise from Partnerships for Futures are ensuring the necessary IT equipment and software are installed at MILE House.

4.14 Procurement

Partnerships for Futures will adhere to the Council's procurement procedures.

4.15 Service Plan

This report relates to the Regeneration Service Plan 2006/2009 objective 4, to Develop Partnerships for Futures project to meet identified skills gap.

4.16 Performance Management and Scrutiny

Partnerships for Futures will be measured against key milestones and outputs and day-to-day management of this will be the responsibility of the Executive Director. Formal reporting will be made to the Partnerships for Futures board.

Partnerships for Futures will not impact on other council services, policies or procedures.

4.17 Sustainability

Partnerships for Futures will have no adverse environmental impact, and will adhere to the Council's Environmental Strategy once it has been adopted.

4.18 Expenditure related to well-being powers

Partnerships for Futures will positively impact on the economic well-being of the district by enabling enabling employers to access a skilled workforce from the local labour market.

4.19 Human Rights

There are no issues arising from Partnerships for Futures relevant to the Human Rights Act 1998.

4.20 Social Inclusion

Partnerships for Futures will ensure there is a positive approach towards social inclusion. Specifically, the initiative will ensure that young people are fully engaged in the initiative though working with secondary schools, further education establishments, and other support agencies. By doing this, and initiating apprenticeships young people will be fully engaged in opportunities to access training and employment.

4.21 Monitoring and Review

Partnerships for Futures will establish effective monitoring and review systems to ensure finance and output measures are achieved. Formal reporting of activity will be made to the Partnerships for Futures board.

5. BACKGROUND, POSITION STATEMENT AND OPTION APPRAISAL

5.1 Local employers, including Durham County Cricket Club and Beamish have reported they are experiencing a gap between their current and future skills needs and the local available workforce, both with respect to training existing staff, and recruiting new people.

5.2 The scope of activity proposed to be undertaken by Partnerships for Futures will include workforce development planning with employers, helping them to genuinely understand their skills needs, and then making the appropriate connections with support agencies, other employees, prospective employees and apprenticeships. A critical aspect of Partnerships for Futures will relate to working with the education sector to influence the skills supply of the future workforce.

5.3 The role of Partnerships for Futures will be to add capacity, and to campaign, innovate, support, inform, promote and challenge to ultimately enhance the future for both local employers and the job opportunities for residents.

5.4 Some of the critical milestones in the establishment of Partnerships for Futures will be as follows:

- March 2008: Approval of funding for £90,000 from Chester-le-Street District Council.
- March 2008: Establishment of Company Limited by Guarantee.
- April 2008: Initial meeting of board members to establish and agree remit, membership, company structure and objectives.
- April 2008: Commencement of appointment process for Executive Director.
- April 2008: Seconded from Regeneration Team to commence working on Partnerships for Futures, and administrative support provided by CDC Enterprise Agency.
- May 2008: Executive Director appointed.
- June/July 2008: Partnerships for Futures commences (depending upon successful appointment of Executive Director/notice period)

5.5 The following options have been considered:

- Do nothing: If no intervention is made the current situation will prevail, and employers will continue to face difficulties in accessing the right skills, and residents will continue to be disadvantaged in the labour market as they will be unable to access the relevant skills to meet the needs of local employers as indicated following consultation with local employers.
- Private sector led intervention: Individual employers working in isolation of other employers and support agencies will be limited to the difference they will be able to make on their own merit. Similarly a co-ordinated approach initiated by the private-sector is likely to incur difficulties due to the capacity needed to co-ordinate an initiative such as this on the scale needed to make a measurable difference to the economy of the district.

5.6 It is recommended that Partnerships for Futures is established as a company limited by guarantee and supported by a board made up of representatives from the public and private sector. The Partnerships for Futures team will add capacity where it is otherwise unavailable to co-ordinate activity with employers, the education sector, support agencies and residents.

6. RECOMMENDATIONS

6.1 Executive are required to:

1. Approve a commitment of £90,000 in 2008/09 budget to assist in the establishment of Partnerships for Futures, subject to council approving budget for 2008/09.
2. Support the establishment of a Partnerships for Futures board, to support in the appointment process of an Executive Director and to support in the development of a revised business plan for Partnerships for Futures.

7. BACKGROUND PAPERS

7.1 Partnerships for Futures Business Plan

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Report to:	Executive Committee
Date of Meeting:	3 March 2008
Report from:	Chief Environmental Health Officer
Title of Report:	Revision of Contaminated Land Strategy
Agenda Item Number:	11

1. PURPOSE AND SUMMARY

- 1.1 The purpose of this report is to ask members to consider the revised Contaminated Land Strategy which is attached as Appendix A. The revision has been necessary due to the restructuring of the Council and changes to the legislation which drives Contaminated Land.
- 1.2 The Committee is requested to agree the revised Contaminated Land Strategy and recommend a version to full Council.

2. CONSULTATION

- 2.1 Consultation has been undertaken with the Head of Legal and Democratic Services, the Officers from the CMT, including the Acting Head of Resources, the Acting Head of Regeneration, the Planning and Building Control Manager, and the Regeneration and Planning Strategy Manager.
- 2.2 External consultation has not been undertaken as the revision has been technical in nature and in response to changes within the Council itself.

3. CORPORATE PLAN AND PRIORITIES

- 3.1 The Strategy will contribute towards Priority One of the Corporate Plan 'Customer Excellence' in that it makes the prioritisation and remediation of Contaminated Land both responsive and accountable to the Community. It is intended that the communities involved will be both consulted and involved in the decision-making process wherever possible.
- 3.2 The Strategy outlines the manner in which we will 'work in partnership to deliver the Community Strategy (Priority 2 of the Corporate Plan) and also contributes towards Priority 10 of the Sustainable Community Strategy 'to manage the built and natural environment to promote biodiversity whilst creating greener, cleaner, more sustainable communities.'

- 3.3 The Strategy contributes towards Priority Four of the Corporate Plan 'Regenerating the District' in that it will contribute towards the protection and enhancement of the natural and built environment.

4. IMPLICATIONS

4.1 Financial

- 4.1.1 The cost implications of initial inspection and limited soil sampling can be met from existing budgets. Additional funding is available from DEFRA under the 'Contaminated Land Capital Projects Programme' should a full intrusive investigation become necessary. This is obtained through a competitive bidding process; however extensive advice regarding both the application process and likelihood of success can be obtained from DEFRA and the Environment Agency. This funding can also be used to pay for Officer time to project manage these investigations.

- 4.1.2 The funding available from DEFRA is in the form of the Capital Grants Programme. This consists of a set amount of funding per year and Local Authorities are required to bid for the funds required. There are a number of factors taken into account including, the likely pollutant linkages (e.g. Human Health, Controlled Waters), the quality of the technical assessment, and the scale of the environmental impact.

4.2 Local Government Review

There are no direct implications for Local Government Review.

4.2 Legal

- 4.2.1 Under Part 2a of the Environmental Protection Act 1990, as inserted by Section 57 of the Environment Act 1995 all Councils are required to inspect their area for Contaminated Land. This legislation includes a requirement to produce a Strategy to define the manner in which this would be carried out.

- 4.2.2 Should contamination be considered likely, a risk assessment must be carried out, and if necessary, the site is declared as Contaminated Land, and action taken to remediate the site to a suitable standard.

4.3 Personnel

There are no obvious personnel implications.

4.4 Other Services

- 4.4.1 The implementation of this Strategy will involve a number of different departments within the Council, during the later stages of implementation.

- 4.4.2 This will include the Planning Section; to ensure that no future plans have been made for the sites in question, and also should any remediation have already taken place, this will need to be assessed to ensure that satisfactory remediation has taken place. This can often occur on sites that have been previously developed, but due to further research on potential contaminants, have not been remediated to today's standards.
- 4.4.3 Should remediation become necessary on a site, this could involve permission being sought from the Planning Team for development, demolition, or other procedures. The Planning and Building Control Manager has confirmed that this can be met from within existing budgets.
- 4.4.4 The Contaminated Land Strategy also has significant legal implications and as such the support of the Legal Team will be required should determination become necessary, as detailed in 4.3.3.
- 4.4.5 The Health and Safety Team will require consultation on site procedures.
- 4.4.6 The Regeneration Section will also be impacted, consultation with this section will guide the order in which sites are inspected, and integration of the Strategy into this will help to drive the Regeneration of the area, as detailed in 4.3.3.
- 4.4.7 It may also be necessary to form a working group prior to the determination of a site, and this will draw in relevant experience from a number of different sections, however, this is entirely dependant on the circumstances of the site involved.
- 4.4.8 It is not considered that the burden on other departments will be particularly onerous, other than that on the Legal Team, should determination become necessary. It may also be necessary to liaise with other Agencies and Councils, in order to achieve a cost-effective outcome.

4.5 Diversity

- 4.5.1 A Diversity Impact Assessment will be carried out as part of the Environmental Health Programme in 2008/9.

4.6 Risk

- 4.6.1 The legislation has a number of risk implications, which are considerably varied. These are outlined below:
- 4.6.2 Should a site be considered to be potentially Contaminated Land following a detailed desk study and risk assessment, an Intrusive Site Investigation will be required. This will require a full Health and Safety Assessment, taking into account working methods, and access to the site by the public, however, since it will be necessary to employ specialist contractors for such investigations, a full Health and Safety Schedule will be required prior to work commencing.

4.6.3 Of much greater concern is the risk of blight to land under investigation. Frequently householders experience difficulty obtaining new mortgages or selling homes which are under investigation due to Part 2a. This can cause considerable stress to those involved and reduce the value of the property until remediation has been achieved. It is partly for this reason that it not intended to make the prioritised list available to the public.

4.6.4 It is intended to produce a Risk Communications Strategy to detail the manner in which the Council will address communications with stakeholders such as residents, landowners and the Press.

4.7 Crime and Disorder

4.7.1 There are no Crime and Disorder implications associated with this report.

Data Quality

4.8 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

Communications

4.9.1 This is a revised Strategy and as such, should simply replace the current Strategy in that should a copy be requested this version will be supplied. It is also intended to publish the document on the Council's website. It is recommended that a Press Release is published, since this subject can be particularly contentious. This will ensure that the Strategy is released in as open a manner as possible.

4.9.2 Following the decision to investigate a site, communications will be of paramount importance. These will need to be sensitively handled to ensure that the community affected is appropriately informed and involved. As mentioned in Section 4.6.4, a Risk Communications Strategy will be produced, outlining the manner in which the Council will manage communications.

5. BACKGROUND, POSITION STATEMENT AND OPTION APPRAISAL

5.1 Part 2a of the Environmental Protection Act 1990, as inserted by Section 57 of the Environment Act 1995, supported by the Contaminated Land Regulations (England) 2006, and the DEFRA Guidance Note CLAN 01/2006, requires all Councils to inspect their district for Contaminated Land.

5.2 Land is considered to be contaminated within the definition, when:

“any land which appears to the LOCAL AUTHORITY in whose area it is situated to in such a condition, by reason of substances in, on or under the land, that –

“(a) SIGNIFICANT HARM is being caused or that there is a SIGNIFICANT POSSIBILITY of such harm being caused; or

“(b) POLLUTION OF CONTROLLED WATERS is being, or is likely to be, caused”

In addition:

Where HARM is attributable to radioactivity, the definition of CONTAMINATED LAND has been modified as:

“any land which appears to the LOCAL AUTHORITY in whose area it is situated to be in such a condition, by reason of substances in, on or under the land, that

“(a) HARM is being caused, or

“(b) there is a SIGNIFICANT POSSIBILITY of such harm being caused”.

- 5.3 It is for the Local Authority to decide if significant harm or the possibility of significant harm is being caused. A number of Soil Guideline Values (SGV's) have been produced by DEFRA, however these are considered to be too conservative to serve as sufficient to determine land as Contaminated. This had led to some discussion as to the level of contamination required to determine a site as Contaminated Land, however, the risk assessment process has now developed considerably and this is becoming less difficult.
- 5.4 Each site is assessed on its own individual merits, with various factors taken into account, such as current land use, proximity to receptors, potential of take-up by vegetables, and mobility of contaminants.
- 5.5 Each Council was required to produce a Strategy outlining the method by which this would be done. The District's Contaminated Land Strategy was first published in June 2004, when responsibility for Contaminated Land rested with the Economic Regeneration Team.
- 5.6 Due to a lack of in-house expertise in this area, progress on the investigation and remediation of potentially Contaminated Land, was difficult following the publication of the Strategy, however, the known previous industrial land uses of the area were isolated, resulting in some 700 'sites' identified across the District. Responsibility for Contaminated Land was transferred to the Planning and Environmental Health Department in January 2007.
- 5.7 Since the transfer of responsibility, Chester-le-Street District Council has employed a consultant (Entec UK) to rationalise the sites of potential concern within the district, since there were a number of overlaps on the identified sites. This task has now been completed and the process of prioritising the

sites can begin. This process is essential to ensure that the most potentially urgent sites are dealt with first.

- 5.8 Each site will be initially subjected to a thorough desk top survey in the first instance. This is an office-based activity, which can also include a brief walk-over of the site. All information available is located and incorporated into the study, this leads to the formation of a Conceptual Contamination Model, which is a graphical or tabular representation of conditions on site.
- 5.9 The Conceptual Contamination Model may indicate that a site is unlikely to be a risk in its current condition. However, it is also possible that the study will indicate that further study is needed. This would be in the form of a minor sampling investigation, to establish the condition of the site. This would involve an Officer from the Council taking samples from the site in question, and a basic analytical suite of testing commissioned.
- 5.10 This testing will allow the Council to discount many sites without the expense or controversy that a full investigation would cause. However, the results maybe such that further investigation is required.
- 5.11 At this stage it would be necessary to engage a specialist contractor, and funds would be sought from DEFRA in order to finance this. The funding is explained in Section 4.1.2. This would also be the stage at which stakeholders in the particular site would be informed of the investigation.
- 5.12 Stakeholders, or interested parties, will be identified during the desk-study phase of the investigation, wherever possible. Once the decision has been made to carry out a full site investigation on a site, it is necessary to speak to stakeholders and attempt to gain their co-operation in the project. Informing stakeholders prior to this would increase the risk of blight, on sites which may not be a risk.
- 5.13 The implementation of the Strategy is expected to progress much more rapidly following the appointment of a specialist Technical Officer within the Non-Commercial Environmental Health Team. It is expected that the process of prioritisation will be completed by Summer 2008, allowing progress to the investigation phase of the Strategy.

6. RECOMMENDATIONS

- 6.1 Executive are recommended to consider the draft Contaminated Land Strategy and recommend its adoption by Council.

7. BACKGROUND PAPERS / DOCUMENTS REFERRED TO

- 7.1 Part 2a of the Environmental Protection Act 1990, as inserted by Section 57 of the Environment Act 1995.
The Contaminated Land Regulations (England) 2006
DEFRA Guidance Note CLAN 01/2006

Planning Policy Statement (PPS) 23: Planning and Pollution Control, Annex 2:
Development on Land Affected by Contamination

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Chester-le-Street District Council

Contaminated Land Inspection Strategy

February 2008



Chester-le-Street District Council



Certificate No. FS 13881



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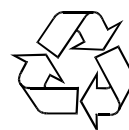
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Executive Summary

The statutory regime for the identification and remediation of contaminated land came into force on 1 April 2000. Under this regime, all Local Authorities are obliged to develop a Contaminated Land Strategy. The Strategy outlines how each authority will inspect its area to identify historic sources of contamination. The authority can then work with land owners to prevent, remedy or mitigate any harm or pollution that may have resulted.

This document is the Contaminated Land Strategy for Chester-le-Street District. Its aims are:

- To implement a means of assessing land within the District from a contaminated land perspective;
- To identify those sites where land contamination is presenting unacceptable environmental risks and ensure that remediation takes place, using a process of prioritisation to concentrate resources on the most serious sites;
- To provide information to the Environment Agency for its report on contaminated land;
- To reduce the Council's impact on the environment by identifying and remediating contamination on Council-owned land;
- To embed the regulation of contaminated land within the Council's wider regeneration objectives as set out in our Corporate Plan;
- To integrate contaminated land regulation with development control, identifying sites where regeneration and redevelopment could facilitate remediation; and
- To improve understanding within our community of contaminated land issues.

The Strategy sets priorities for inspecting land within the District, taking the protection of human health as the highest priority overall. All land will be considered on an equal basis, without dealing with any particular landownings (such as the Council's own land) separately. Nonetheless, the Council will take action in relation to any site where there is already strong evidence that a problem exists, without waiting for it to emerge from a prioritisation process.

The Strategy also outlines the way in which the Council will communicate information about contaminated land, including the establishment of a Public Register to include all action taken in respect of the remediation of contaminated sites within the District.

Control Sheet

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1. Introduction

1.1 Introduction

The regime for the prioritisation, identification, and remediation of 'contaminated land' was introduced by Part 2a of the Environmental Protection Act 1990, as inserted by Section 57 of the Environment Act 1995. This required that all Local Authorities produce and implement a Contaminated Land Strategy.

Chester-le-Street District Council first published its Contaminated Land Strategy in June 2004, since then a number of changes have taken place, both legislative and within the council Structure which have necessitated the publication of this updated version of the Contaminated Land Strategy.

The purpose of this Strategy is to ensure that Contaminated Land within the Chester-le-Street District Council area is investigated and remediated in a manner which:-

- Is rational, ordered and efficient
- Is proportionate to the seriousness of any actual or potential risk
- Seeks to ensure that the most pressing and serious problems are located first
- Ensures that resources are concentrated on investigating in areas where the authority is most likely to identify contaminated land; and
- Ensures that the local authority efficiently identifies requirements for the for the detailed inspection of particular areas of land

1.2 General Policy of the Council

1.2.1 Corporate Strategy

The Contaminated Land Strategy takes its lead from the Corporate Plan, 2007/2010. This sets out Chester-le-Street District Councils' Priorities for the three-year period and our achievements so far. These Priorities are based on a good understanding of local need, informed by feedback from residents, and supplemented by periodic reviews. There are seven priorities, as follows:

- Priority 1: Customer Excellence
 - Priority 2: Working in Partnership to deliver the Community Strategy
 - Priority 3: Meeting the Decent Homes Standard
 - Priority 4: Regenerating the District
-

Priority 5: Neighbourhood Management

Priority 6: New ways of working in Leisure

Priority 7: Maximising Efficiencies

This Strategy will contribute to three of these Priorities, as follows:

Priority 1 - Customer Excellence in that it makes the prioritisation and remediation of Contaminated Land both responsive and accountable to the Community. It is intended that the communities involved will be both consulted and involved in the decision-making process wherever possible.

Priority 2 - Work in Partnership to deliver the Community Strategy - to manage the built and natural environment to promote biodiversity whilst creating greener, cleaner, more sustainable communities. This will be achieved by not only consulting with bodies such as Natural England and the Environment Agency, but also by consulting with the communities involved in the investigation process, and working together to achieve remediation of land.

Priority 4 - Regenerating the District - in that it will contribute towards the protection and enhancement of the natural and built environment. The Contaminated Land Survey will work alongside the Development Control Team to ensure that new developments in the District are suitable for use.

The Strategy also contributes towards Priority 10 of the Community Strategy - to manage the built and natural environment to promote biodiversity whilst creating greener, cleaner, more sustainable communities

1.2.2 Environmental Strategies

The Council believes that the implementation of a Contaminated Land Strategy is an implicit component of regeneration, and has clear links to our statutory duty to promote the social, economic and environmental well being of the district. Fundamentally, the Council believes that the implementation of our Contaminated Land Strategy will have important positive implications for the quality of life of our residents.

Local Action 21

In Chester-le-Street a robust partnership of individuals, representatives from community groups, organisations, agencies, and the District and County Councils has prepared the district's own Local Agenda 21 Strategy, ***Living Today: Looking After Tomorrow***. The Plan outlines a vision for the future and suggests actions that can be taken either by individuals or organisations, that will help create a more sustainable District.

The key aims are:

- To preserve and enhance our natural environment, to use energy efficiently and to cut down waste.

- To reduce use of the car in favour of walking, cycling and public transport and lower the levels of pollution.
- To create pleasant, resource-efficient settlements, where our needs are provided for locally, including satisfying work, and where employers are environmentally and socially aware.
- To ensure that everybody's basic needs are met, to encourage people to participate in society and to live healthy, fulfilled and sustainable lives in supportive communities.

The district's LA21 Partnership has now been embedded within the policy development structure of the LSP and takes a critical role within the Environment and Housing Policy Group. This Contaminated Land Strategy will ensure that the policy group has a close and influential role in the development and implementation of the Council's contaminated land function.

Environmental Policy

Closely associated with the District LA21 policy, the Council has approved an Environmental Policy that identifies the contribution our organisation can make to promote sustainability and environmental protection. The Environmental Policy is outlined in Appendix A.

The Contaminated Land Strategy is anticipated to be a key tool in realising the principles of our Environmental Policy, particularly those concerning biodiversity.

Planning Policy

The underlying objective of the Local Development Framework (LDF), which is currently being developed, is to meet the social and economic needs of the District, without detriment to the environment. The LDF states that it is essential that new developments seek to preserve and where possible enhance the environment in order to achieve our aim of sustainability. It promotes the development of brownfield rather than greenfield sites and in doing so brings into sharp focus the need for clear risk management principles to avoid creating contamination problems.

The Contaminated Land Strategy will be key to the LDF, because the Strategy will provide the framework for identifying potentially contaminated land for remediation and sustainable and productive redevelopment.

In turn, future strategic planning policy will take full cognisance of the emerging planning advice, to ensure that there is a synergy between planning and environmental policy.

1.2.3 Public Access to Information

The Council acts in accordance with the requirements of the following statutes and regulations in making environmental information accessible to the public.

- Local Government (Access to Information) Act 1985
 - Environmental Information Regulations 1992
-

- Environmental Information (Amendment) Regulations 1998
- Data Protection Act 1998
- Human Rights Act 1998
- Freedom of Information Act 2000

1.3 Regulatory Context

1.3.1 The Contaminated Land Regime

The statutory regime for the identification and remediation of contaminated land came into force on 1 April 2000. The primary legislation is contained in Part 2a of the Environmental Protection Act (1990). It is complemented by the Contaminated Land (England) Regulations 2006, and the Statutory Guidance laid out by the Department for the Environment, Food and Rural Affairs (DEFRA) Circular 01/2006: *Contaminated Land*.

The regime sets out a framework for the identification and remediation of 'contaminated land', in circumstances where there has not been any identifiable breach of a pollution prevention regime. The regulations reinforce the **suitable for use** approach to the assessment and remediation of contaminated land, which recognises that the risks presented by contamination vary according to the current use and environmental setting. Risks posed by contaminated land therefore have to be assessed on a site by site basis. This approach ensures that any remedial requirements are reasonable, and tailored to the needs of individual sites.

The regime was designed and intended to encourage and support voluntary remediation, with the service of notices and entry onto the Contaminated Land Register taking place only when other measures have failed. Indeed, where the Local Authority is satisfied that remediation will take place through another regulatory system, such as Development Control, a remediation notice under Part 2a cannot be served.

1.3.2 Definition of Contaminated Land

Under Part 2a, contaminated land is defined as

“any land which appears to the LOCAL AUTHORITY in whose area it is situated to be in such a condition, by reason of substances in, on or under the land, that –

“(a) SIGNIFICANT HARM is being caused, or that there is a SIGNIFICANT POSSIBILITY of such harm being caused; or

“(b) POLLUTION OF CONTROLLED WATERS is being, or is likely to be caused”.

Where HARM is attributable to radioactivity, the definition of CONTAMINATED LAND has been modified by regulation 4(a) of the Modification Regulations as:

“any land which appears to the LOCAL AUTHORITY in whose area it is situated to be in such a condition, by reason of substances in, on or under the land, that

“(a) HARM is being caused, or

“(b) there is a SIGNIFICANT POSSIBILITY of such harm being caused”.

The situations where harm is to be regarded as significant are defined in the Statutory Guidance, and an environmental risk assessment is required to establish whether harm or pollution is likely to occur.

The Risk Assessment is based on the **Source → Pathway → Receptor** principle as detailed below:

Source: A contaminant in, on or under land, which has the potential to cause harm or pollution of controlled waters.

Pathway: One or more routes or means by, or through, which a receptor:

- (a) is being exposed to, or affected by, a contaminant, or
- (b) could be so exposed or affected.

Receptor: either:

(a) a living organism, a group of living organisms, and ecological system or a piece of property which

- (i) is in a category listed in Appendix B as a type of receptor; and
- (ii) is being, or could be, harmed, by a contaminant; or

(b) controlled waters which are being, or could be, polluted by a contaminant; or

(c) any person who is, or could be, subject to lasting exposure so far as attributable to radioactivity.

A **pollutant linkage** is said to exist where there is some evidence that a contaminant source in, on or under the land is impacting upon a relevant receptor via a feasible pathway. Central to the requirements for the assessment of risk is the development of a site **conceptual model** setting out all the pollutant linkages identified in the context of the site environmental setting. Examples of Conceptual Site Model showing pollutant linkages are presented in Appendix C.

Land can only be determined as contaminated land if there is at least one **significant pollutant linkage** (SPL) present. A pollutant linkage is significant when it:

- Is resulting in significant harm being caused to the receptor in the pollutant linkage;
- Presents a significant possibility of significant harm being caused to that receptor;
- Is resulting in the pollution of the controlled waters which constitute the receptor, or
- Is likely to result in such pollution.

The situations when harm or pollution is to be regarded as significant are shown in Appendix B.

1.3.3 The Regulatory Role of the Council

As the local authority, the Council is the primary regulator for its district under Part 2a.

Its main duties are to:

- Prepare and publish a strategy for inspecting the District for contaminated land;
- Implement the strategy in a rational and efficient manner, identifying the most pressing and serious problems first, and concentrating resources on areas where contaminated land is most likely to occur;
- Determine which sites meet the definition of ‘contaminated land’ and whether such sites should be designated **special sites** (see 1.3.4);
- Identify appropriate persons, attribute liability under the ‘polluter pays’ principle, and ensure that the appropriate remediation of contaminated land takes place (through encouraging voluntary remediation or serving remediation notices); and
- Maintain a public register of Part 2a regulatory action.

The Council is also responsible for enforcement activities relating to a variety of issues including environmental health, land management and planning policy.

1.3.4 The Role of the Environment Agency

Under Part 2a, the Environment Agency generally has a secondary role, assisting local authorities and providing site-specific guidance.

However, in certain circumstances, particularly when water pollution is involved, contaminated land may be designated a **special site** in accordance with the Contaminated Land (England) Regulations 2006. The responsibility for regulation of such sites then passes from the Local Authority to the Environment Agency.

The main duties of the Environment Agency are:

- To provide information to local authorities on land contamination;
- To ensure remediation of special sites;
- To maintain a register of special sites remediation;
- To provide advice to local authorities on identifying and dealing with pollution of controlled waters;
- To provide advice to local authorities on the remediation of contaminated land; and
- To prepare a national report on the state of contaminated land

The Council will seek to develop and maintain a strong partnership with the Environment Agency, noting that they have a key supporting role and are a source of professional advice on site-specific issues. The Council recognises the Environment Agency’s statutory role in regulating contaminated land **special sites** as defined in the legislation.

1.3.5 Contaminated Land and the Development Control Regime

Part 2a was developed specifically to deal with the legacy of historical contamination. It does not consider the future use of a site, only the suitability of the land for its current use. The Planning Regime considers the suitability of sites for an intended future use. The Council recognises that these two regimes are closely related and interconnected.

The Town and Country Planning regime recognises that land contamination, or the possibility of it, is a material planning consideration. In respect of any proposed development, a planning authority should satisfy itself that the potential for contamination is properly assessed, and the development incorporates any appropriate remediation measures necessary to satisfy the 'suitable for use' criteria.

DEFRA Planning Policy Statement 23 (PPS23) *Planning & Pollution Control* provides local planning authorities with advice on the relationship between controls over development under planning law, and those controls managed by pollution control legislation. It places a substantial emphasis on consultation with pollution control authorities and to securing sufficient information on which to base development control decisions.

Where a contaminated site can be properly dealt with through the Development Control regime, there should be no need to apply Part 2a to the same site. However, if undiscovered contamination issues emerge at a later date, then the use of Part 2a may need to be reconsidered. For this reason, it is important to ensure that all sites being dealt with under the development process are thoroughly investigated and remediated to a standard suitable for both current and future permitted use.

1.3.6 Contaminated Land and Other Regulatory Regimes

Part 2a deals with any harm or pollution that may arise from historic contamination of land as it affects current use. Some active sites, processes and land uses are regulated under other legislation, such as the Waste Management or Pollution Prevention and Control regimes.

Where a site is already regulated, there will generally be no need to apply Part 2a. Should Part 2a inspections provide evidence that a breach of another pollution prevention regime is occurring, action will normally be taken under that regime.

1.4 Development of the Strategy

1.4.1 Roles and Responsibilities

The responsibility for development of the Contaminated Land Strategy rests with the Council's Chief Environmental Health Officer. Some duties may be delegated to the Environmental Health Team as necessary.

1.4.2 Consultation

Partnership between the Council and other interested parties is essential to the successful implementation of the Contaminated Land Strategy. A critical aspect of this

partnership was to provide the opportunity for all key consultees to comment during the development of the strategy. This was achieved by an in-depth consultation following the drafting of the first version of the Strategy. It has not been considered necessary to consult on this revised version as the changes have been technical and in response to internal changes in the way that the Council operates.

1.4.3 Strategic Approach Requirements

The Council recognises that change in the manner in which it deals with environmental protection and contaminated land throughout the District requires a long-term strategic approach. The Contaminated Land Strategy is intended to enable step change, introducing a number of key elements in a controlled manner over the next few years.

1.4.4 Strategy Document Objectives

Key objectives relating to this strategy are:

- To implement a means of assessing land within the District from a contaminated land perspective;
- To identify those sites where land contamination is presenting unacceptable environmental risks and ensure that remediation takes place, using a process of prioritisation to concentrate resources on the most serious sites;
- To provide information to the Environment Agency for its report on contaminated land;
- To reduce the Council's impact on the environment by identifying and remediating contamination on Council-owned land;
- To embed the regulation of contaminated land within the Council's wider regeneration objectives as set out in our Corporate Plan;
- To integrate contaminated land regulation with development control, identifying sites where regeneration and redevelopment could facilitate remediation; and
- To improve understanding within our community of contaminated land issues.

The Council's performance against these key objectives will form the basis of future reviews of this strategy and will be monitored in the Best Value Performance Plan.

2. Characteristics of the District

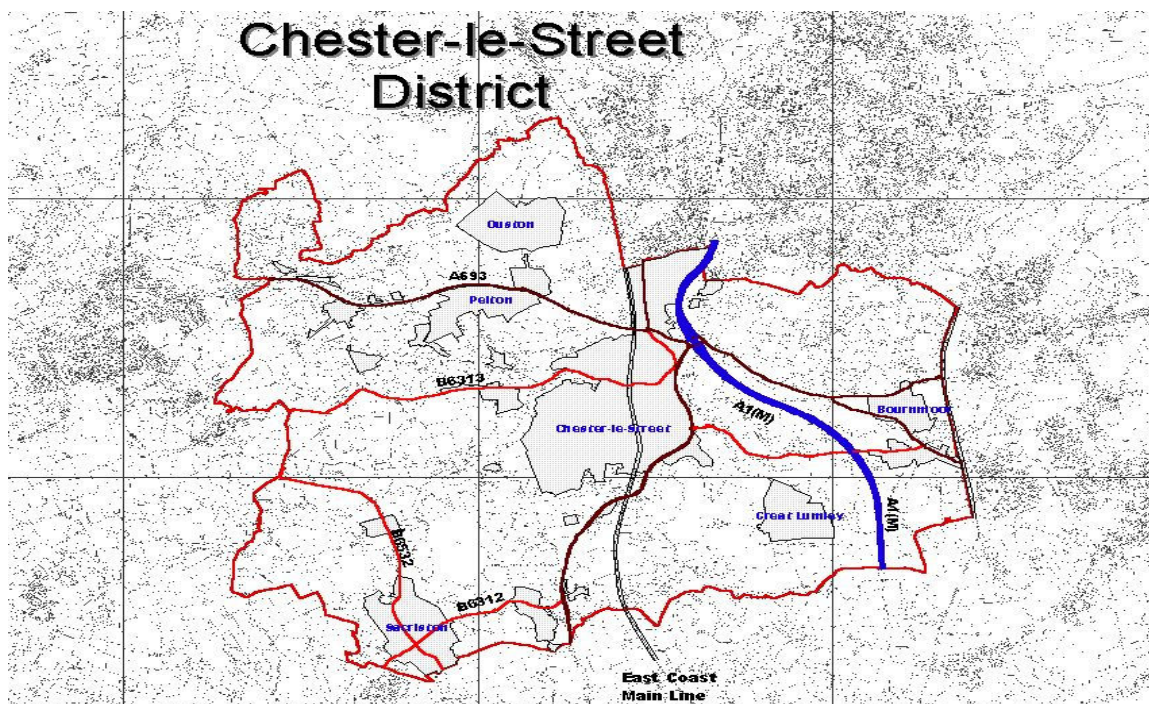
It is essential that the Contaminated Land Strategy be based on a good understanding of the District and the suitability of the land for its current use. Local circumstances, characteristics and historical land use are extremely important. This section describes these local characteristics.

2.1 Geography

Location and Setting

Chester-le-Street is the smallest (6,800 hectares – 28 square miles) and the most densely populated district in County Durham (8 people per hectare). It is located in the centre of County Durham south of the Tyne/Wear conurbation astride main national road and rail routes. The District, although formerly a coal mining area, now largely serves commuters and the area currently has a relatively small and diverse employment base. The geographical position of Chester-le-Street bisected by the main communication arteries of the County – the A1(M) and A167 roads, and the East Coast Mainline railway – and its proximity to the Tyne & Wear conurbation has meant that the last three decades have seen a 24% increase in population growth. Chester-le-Street District had an estimated population of 53,200 at June 2006 (Office of National Statistics, Resident Population Estimates, June 2006 dataset).

The population density and the proximity of the District's settlements to each other, in addition to a significant amount of housing developments on greenfield land over the past two decades, have led to the erosion of open countryside. In addition, there has been a threat of the coalescence of certain settlements, to the extent that some parts of the District have reached their environmental capacity. This has inevitably led to increasing pressure for development on brownfield sites and reinforces the need to integrate the contaminated land regime with planning policy.



Industrial Heritage

Chester-le-Street district has a rich and varied industrial heritage dominated by its location in the heart of the Durham coalfield. The coal industry has played an important part in the growth of the town and its surrounding villages since the seventeenth century.

Underground extraction has now ceased, and many of the colliery sites have been reclaimed. Associated industries, such as coke works and related by products, have also affected the district and some of these industries remain, either in use or un-reclaimed.

Opencast extraction of coal has also taken place in the area and in these cases full treatment of shallow workings will have been achieved. In other cases, particularly historic workings, only partial reclamation may have been carried out, if at all, resulting in sites of concern with regard to contamination and geotechnical stability. In such cases, it would be sensible to give the site a high priority during the risk assessment stage.

Brick clay extraction was at one time prevalent in the district from workings in the laminated clay, leaving voids at the surface, many of which have been filled with waste. The impact of the infilling depends on the date of the operation. For example, earlier deposits have higher proportions of ash, and less biodegradable matter, which are likely to produce less landfill gas and fewer leachate problems compared to later deposits.

2.2 Natural Environment and Setting

2.2.1 Geology

Solid Geology

The solid geology of the District is dominated by the Upper Carboniferous Coal Measures, i.e. the Middle Coal Measures (Westphalian B and C Series). These strata outcrop at various locations across the district. The Coal Measures typically comprise interbedded layers of mudstone, sandstone, siltstone, limestone and coal.

Drift Geology

The drift geology of the District in general comprises Glacial Till which is typically 10 to 30 m in thickness.

Laminated Clay and Silt

These dark brown clays are principally composed of illite and kaolinite with subordinate chlorite and silt-grade quartz. The lamination results from slight variations in the content of silt-grade quartz. Films of pale brown, very fine micaceous sand are common. Thick deposits of laminated clay are found in buried channels in the Glacial Till. Laminated clay has been worked for brick and tile making in the Birtley area for many years.

Glacial Sand and Gravel

Thick glacial sands and gravel are, like the laminated clays, generally associated with buried channels.

Recent Deposits

Spreads of alluvium bordering most streams and terraces are developed in places. Alluvium varies from coarse gravel to fine silts and muds and includes beds of peat in places. There are small areas of head, which is a sandy, pebbly clay formed by solifluxion.

Made Ground is extensive; most of it is backfill in opencast coal sites, but in the area, domestic and industrial refuse deposits are over 20 m thick in places.

Coal Workings

A serious geological constraint in this district is old coal workings. Numerous individually named coals have been widely worked, and other thin coals have been worked locally near outcrop. Seams near the surface with little or no drift cover have been worked since the thirteenth century with extensive workings in the seventeenth and eighteenth centuries. Rudimentary ventilation allowed only limited working from each shaft, and this resulted in a multitude of small shafts in some areas. Although many of these old shafts and associated workings have collapsed, seams with strong sandstone roofs and little load from the overlying strata can provide conditions where cavities still exist. The absence of mine plans for many of these increases the problem. Careful site investigation is necessary in all areas where Coal Measures are near the surface, regardless of whether or not geological maps or mine plans indicate coal workings.

2.2.2 Hydrology

The River Wear and associated tributaries are the main water body within the District. Within the District, the Wear is predominantly classified by the Environment Agency as having a water quality of good to poor (B to D), while tributaries of the Wear have water quality designations ranging from fairly good to bad, reflecting a major fluctuation in water quality.

2.2.3 Hydrogeology

The District is located on a minor aquifer associated with the presence of bedrock comprising coal measures. Minor aquifers can be locally important with regard to local supplies of water and river base flow.

The eastern and western parts of the district benefit from soils with a low (and locally intermediate) leaching potential with regard to impact on the underlying Minor Aquifer. The leaching potentials of soils underlying the urban area of the town, in the centre of the District, are unclassified due to limited information on their nature and quality. However, they are expected to be similarly low or intermediate, as this classification is based on the presence of Glacial Till, which is present across the most of the District.

2.2.4 Landscape Character

Chester-le-Street District can be categorised into two distinct regional character areas:

Coalfield Pennine Fringe

The presence of urban land use and infrastructure has a significant influence on the character of the coalfield landscape. Some valleys are entirely rural in character with development restricted to agricultural settlements. Other valleys, while remaining largely rural, are heavily influenced by the presence of mining or industrial settlements. These may be described as semi-rural landscapes and are particularly characteristic of the coalfield.

Wear Lowlands

This can be broadly divided into three sub-regions:

- the “Incised valley” landscapes of the River Wear, characterised by narrow ravines and broader floodplains bounded by steep wooded bluffs;
- the “Transitional valley” landscapes lying to the west, covering the lower reaches of the Pennine fringe valleys as they merge with the broader valley of the Wear, which are characterised by riparian woodlands along incised lower valleys and open undulating arable farmland and heath land; and
- “Valley terrace” landscapes of undulating arable farmland lying to the east of the District.

2.2.5 Nature Conservation

The District contains some areas protected for their nature conservation interests in both urban and rural locations.

Waldridge Fell is of considerable importance as the only lowland site where semi-natural vegetation is widely developed over acidic substrates. It includes a range of heathland, grassland, wetland and woodland habitats, several of which are rare or absent in the rest of the County. The Fell constitutes the District's only Site of Special Scientific Importance (SSSI) – a site of both national and county ecological importance. As a SSSI, Waldridge Fell is given special protection under Part 2a.

At the regional / county and district level, twenty-six sites are currently designated for their nature conservation value. These are collectively described as Sites of Nature Conservation Importance.

2.3 Built Environment

Chester-le-Street District has a rich history. The County Durham Sites and Monuments Record (the database of all known sites in the county) currently shows 171 recorded sites for Chester-le-Street district. These range from prehistoric settlements and Roman sites, through Anglo-Saxon and medieval periods, to post-medieval and industrial remains. Many sites have policies protecting them in the County Structure Plan and District Plan.

2.3.1 Ancient Monuments

Chester-le-Street District currently contains four Ancient Monuments, which as such are given special protection under Part 2a. Brief details are given below (courtesy Durham County Council):

Concangis Roman Fort

Durham County Monument no. 105, NZ 276513

The Roman fort of Chester-le-Street, where numerous Roman finds have been made, it is believed to have been a cavalry fort founded in A.D.216.

Excavation in 1990 at Church Chare and again in 1993 at Park View School identified an earlier clay and timber fort belonging to the first half of the second century AD.

An earlier series of excavations between 1958 and 1978 revealed a range of detail about the internal structure of the fort. The main building uncovered was the Commanders house which went through two phases of use, initially as residential quarters. Secondly, it was modified by the division into smaller units, one of which contained a small furnace and a small bath house. The building had a fairly comprehensive hypocaust system. Some sections of the inter-vallum road were uncovered, most notably in the south east corner. The defences were composed of a rampart and a series of three external ditches, the rampart having been made by material thrown up from the innermost ditch. A stone revetment was later added to the outer face of the rampart. The ditches showed signs of having been periodically cleaned out and re-cut.

Settlement SW of Harbour House Farm

Durham 132, NZ 280481

An archaeological site comprising two possible short stretches of ditch and other marks, identified from an aerial photograph. Apart from the original identification, no further work has been carried out and so no firm idea of type of site or historical period can be given.

Harbour House Chapel

Durham 135, NZ 28234831

In 1432, Bishop Langley licensed a domestic chapel within the manor of Harbourhouse. By 1954 it was still standing, but in a poor condition with holes in the walls and roof: "The chapel measures 8.5m x 4.5m and is in use as a hen house. There is no trace of the piscina or altar, the lancet window is partially blocked up and the east window is completely blocked up."

Chester New Bridge

Durham 7, NZ 28455228

A bridge of four pointed arches, each having five wide ribs with chamfered corners. The total span is about 60 yards and the roadway is 16 feet wide. It is mentioned in 1528 as "Newbrigge" and described by Leland as "Chester Bridge".

2.3.2 Historic Conservation Areas

While Conservation Areas have no special status under Part 2a, development proposals within a Conservation Area are controlled to ensure that the Area's special character is not harmed. Works within Conservation Areas are likely to require 'Conservation Area Consent'.

There are currently two Conservation Areas within the District: Chester-le-Street Town Centre and Plawsworth.

2.3.3 Buildings of Special Interest

The District contains three buildings of exceptional architectural or historic interest, as recognised under the Planning (Listed Buildings and Conservation Areas) Act 1990. These are **Biddick Hall** in Bournmoor, the 13th century **Church of St. Mary and St. Cuthbert** in Church Chare, and **Lumley Castle**.

The District also contains six Grade II* and 56 Grade II listed buildings and structures. These are listed, along with the Grade I buildings, in the 6th List of Buildings of Special Architectural or Historic Interest, District of Chester-le-Street (Durham) and amendments.

None of these buildings have any special status under Part 2a, but works that are likely to affect them may be controlled.

3. Overall Approach of the Strategy

3.1 Aims and Priorities

The principal aim of the strategy is to identify land within the District that is deemed to be contaminated, in accordance with the Contaminated Land Regime.

Once a site is identified as contaminated land, the Council will ensure that it is remediated such that it is suitable for its current use.

In essence, this strategy is expected to achieve:

- Efficient use of resources;
- A focus on the most serious risks;
- Effective prioritisation; and
- Prompt inspection of those sites where solutions are most urgently needed.

When considering the setting of priorities, the Council will:

- Consider all land within the District on an equal basis, without dealing with any particular landownings (such as the Council's own land) separately;
- Consider the protection of human health as the highest priority overall;
- Take action in relation to any site where there is already strong evidence that a problem exists, without waiting for the site to emerge from a prioritisation process.

3.2 Effective Delivery

Recognising that the work to achieve these aims must occur in parallel with other Council activities such as development control and urban regeneration, the Council will work to optimise the use of its resources to achieve efficient delivery.

The Environmental Health Department

Management of the Council's functions within the Contaminated Land Regime will sit within the Planning and Environmental Health Department.

3.3 Objectives

The Council recognises that there are major tasks in the implementation and initial operation of the Contaminated Land regime. These are set out below along with likely duration of each task and, where appropriate, target dates by which each stage of the work is expected to be completed. The original Strategy was published in June 2004; following this all known previous industrial land uses within the district have been

identified and mapped onto a theme in the Council's Geographical Information System (GIS). Following this, the data produced was checked for data quality and the areas identified rationalised into recognisable areas, to form sites for investigation. The Council is now ready to prioritise these sites, to ensure that those that potentially pose the highest risk are investigated first. The Council's major objectives are outlined below:

Table 1: Milestones for the Contaminated Land Strategy

Task description	Period of activity
Adoption of the Revised Strategy	March 2008
Set up a Public Register to record information required under the legislation in relation to each site found to be contaminated land	Within 1 month of first Determination date
Inspect sites where there is already evidence of significant harm or pollution	In progress
Undertake initial screening of the whole District to identify sites where it is possible that pollutant linkages exist	Completed August 2007
Prioritise sites for inspection	February 2008 to Summer 2008
Conduct detailed inspections of sites identified in the initial screening, and where necessary formally determine them to be contaminated land	Rolling programme beginning Summer 2008
For each contaminated site, identify appropriate persons, select a remediation package and enforce its implementation	Rolling programme
Review of the Strategy from time to time.	Every 2 years from January 2008

4. Priority Actions

4.1 Consultation Process

4.1.1 Statutory Consultation

In developing the original Contaminated Land Strategy in June 2004, the Council consulted the following organisations:

- the Environment Agency;
- Natural England;
- English Heritage;
- the Department of the Environment, Food and Rural Affairs (DEFRA); and
- the Regional Development Agency, One NorthEast.

This consultation has not been repeated for the reasons given in Section 1.4.2.

4.1.2 Community Consultation

Developing a strong and pragmatic relationship with our communities is a fundamental priority for the Council, and this is no better demonstrated than in engaging the local residential and business communities in the development of our contaminated land function. Input from the community within the district was gained through a number of arrangements, again in June 2004. The following methods of consultation were used:

- Through the Local Strategic Partnership (LSP);
- Presentation of the strategy at key buildings throughout the district including the Civic Centre, local libraries, community centres and chamber of commerce;
- Presentation of the strategy on the Council web site; and
- The inclusion of an executive summary of the Contaminated Land Strategy within the District News, which has been delivered to every home within the District, and to every community association, residents association and Parish Council in the District.

Following the approval of the revised Contaminated Land Strategy, an article will be published in District News to publicise this.

4.1.3 Internal Liaison Procedures

The Council will ensure that all of its relevant service teams are involved in development of the Contaminated Land Strategy. This will require that liaison is made with key contacts within various sections, most notably, the Development Control and Regeneration.

4.2 The Public Register

In accordance with the requirements of Part 2a, the Council will establish and maintain a Public Register to act as a full and permanent record of sites determined to be contaminated land, where remediation action is in hand or has been completed. The Public Register will be open for public inspection.

The Register will include all action taken by the Council in respect of the remediation of contaminated sites. It will *not* be a register of

- land that has been determined to be contaminated, but for which no Remediation Notice has yet been served;
- land that is affected by contamination from other sites; or
- land that may be contaminated land, but has yet to be officially determined as such.

The Public Register will be created within 1 calendar month, immediately following the first determination of a contaminated site, so that it can begin recording information in compliance with the legislation.

5. Identifying Potentially Contaminated Land

The first stage in identifying potentially contaminated land involved preliminary screening of key data sets relating to all land within the District, to identify sites where potential pollutant linkages exist.

These data sets include:

- The database of past potentially contaminative land uses
- Geological maps
- Land use data
- Historical maps
- Environment Agency data including landfill licensing
- Information from Natural England on environmentally sensitive sites

The Council used its existing GIS system, to collate this information and produce a set of identified previous industrial uses. This data was then rationalised by a consultant (Entec UK) to produce a list of sites that are considered to be potentially contaminated.

5.1 Screening and Prioritisation

Sites will be screened and prioritised using an applicable tool, similar to that presented in the Department of the Environment's Contaminated Land Research Report 6 – *Prioritisation and categorisation procedure for sites which may be contaminated* (CLR6).

CLR6 provides a basic prioritisation, in the form of analysis of proximity to sensitive receptors, such as residential housing, allotments and schools, groundwaters and surface waters. This can easily be adapted to create a scoring system, which will begin the prioritisation process. Factors such as the type of industry or potential pollutants and the duration of works on-site will also be included to ensure that the sites most likely to cause harm are investigated first.

Initial Screening

A consultant (Entec UK) was employed to identify previous industrial land uses based on historical maps of the area. These have now been condensed into a single layer of data, capable of showing all the previous land uses of a particular site.

Prioritisation

All the sites identified have the potential to be considered as contaminated land under the legislation. However, the risk posed by these sites will vary considerably. Therefore, the screening tool will rank all the sites, so that the sites that initially appear to pose the greatest risk are the first to undergo detailed inspection.

To make this initial determination of risk, the screening tool will consider a number of elementary factors. These elementary factors may include:

- The historical use of the site;
- The extent of the historical use;
- How close the site is to the critical receptor.

5.2 Timescales

The sites have already been rationalised by Entec UK, and the process of prioritisation will begin in February 2008.

Once the priority list of potentially contaminated sites has been compiled, the Council will then begin the process of detailed inspection, to determine whether any sites within the District are actually contaminated land, in the terms of the contaminated land regime and the 'suitable for use' philosophy. The priority list is scheduled to be completed by Summer 2008.

6. The Detailed Inspection Process

6.1 Detailed Inspection

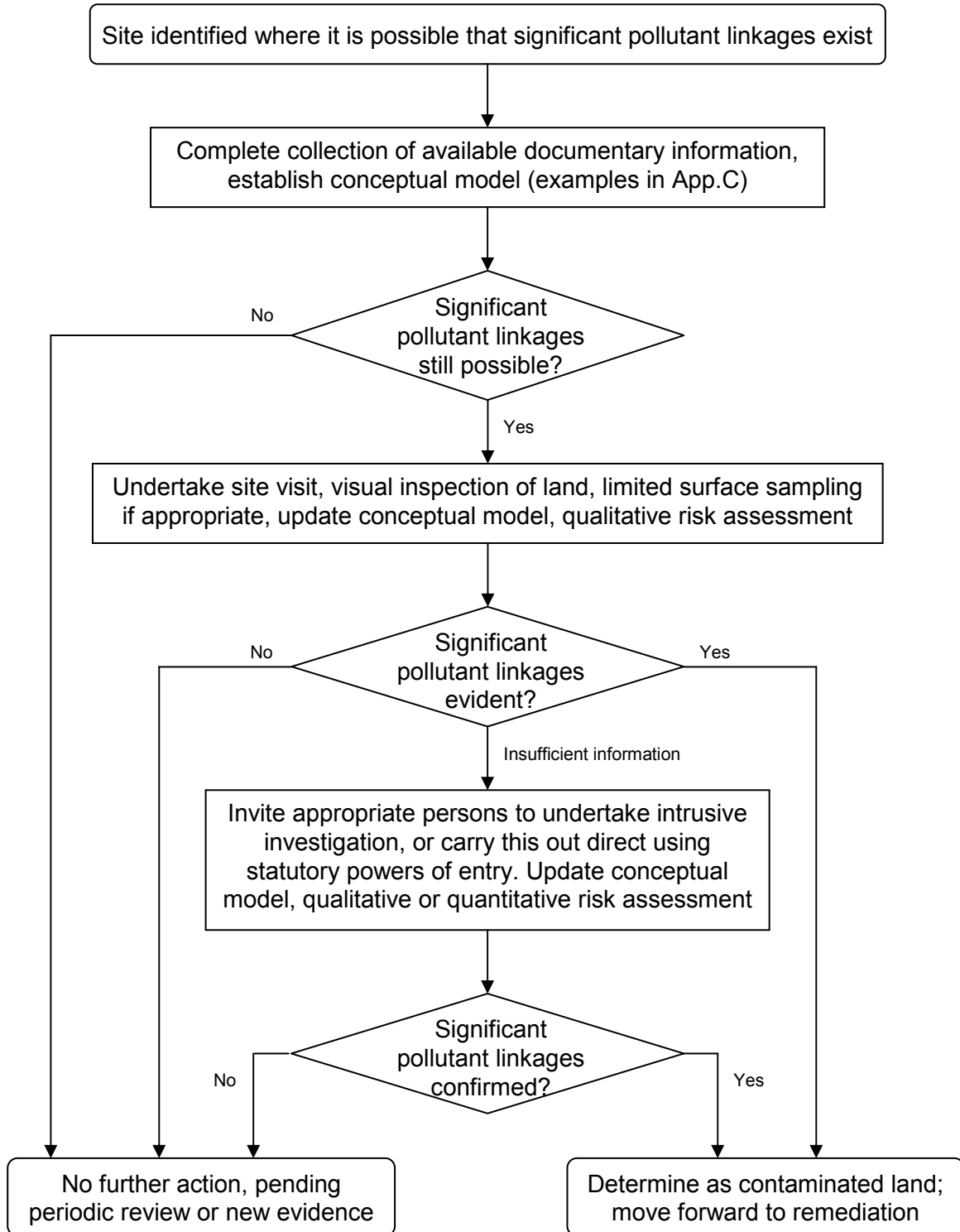
If the Council considers that there is a reasonable possibility that a significant pollutant linkage exists in respect of any land, it will carry out a detailed inspection (see Figure 1) to obtain sufficient information to determine that the land appears to be contaminated land, and whether it is a **special site**.

The process of detailed inspection will follow the requirements of the Statutory Guidance and may include the following activities:

- An additional desk study to gather and assess further information;
- A site visit for visual inspection and possibly limited sampling to determine the likelihood of contamination/pathways being present; and / or
- An intrusive site investigation, involving the sampling and analysis of soils and groundwater, to characterise actual or potential pollutant linkages.

This stage work will also begin the process of identifying those parties responsible for any contamination at the site, and attribution of liability.

Figure 1 Site Inspection Procedure



6.2 Site Inspection

In all circumstances the Council will aim to gain the approval of the landowner / tenant prior to undertaking a site inspection. The Council recognises that investigations can be disconcerting to local residents, and will endeavour to communicate in a responsible and open fashion, taking account of advice given in *Communicating Understanding of Contaminated Land Risks*, by the Scotland & Northern Ireland Forum for Environmental Research (SNIFFER) 1999.

Nonetheless, the Council has the power, under section 108 of the Environment Act 1995, to carry out an inspection using statutory powers of entry, so long as it is satisfied that there is a reasonable possibility that a pollutant linkage exists on the land. The Council will not exercise these powers if detailed information on which it could make a determination can be provided.

Requests for Environment Agency Site Inspections

If land has been determined to be contaminated land and possibly falls within the **special site** criteria, then the Environment Agency becomes the enforcing authority. In such cases, the Council will request in writing that the Agency inspect the site on their behalf. Where the Council asks the Agency to carry out an inspection they will, where necessary, authorise a person nominated by the Agency to exercise the powers of entry conferred by Section 108 of the Environment Act 1995. All relevant documentation for each site will be copied to the Agency for the purposes of their inspection.

6.3 Intrusive Investigation

The site investigation procedures to be followed will comply with current best practice, including:

- Environment Agency, *Technical Aspects of Site Investigation*; R&D technical report P5-065/TR
- BS 10175: 2001 – *The Investigation of Potentially Contaminated Sites – Code of Practice*.
- BS 5930: 1999 – *Codes of Practice for Site Investigations*
- H&S Executive HS(G)66 – *Protection of Workers and the General Public during the Development of Contaminated Land*

6.4 Assessing Contamination

Evaluation of chemical data will be undertaken in accordance with current UK best practice. Analytical results will initially be subjected to a risk-based assessment, taking into account current UK best practise and guidance including:

- Soil Guideline Values generated by the Contaminated Land Exposure Assessment (CLEA) Model developed by the Environment Agency and DEFRA;

- Thresholds of the DEFRA Soil Code;
- The SNIFFER Framework
- The Water Supply (Water Quality) Regulations 2000;
- The Water Framework Directive 2000/60/EC

Where no national guidance is available for a particular contaminant, the Council may consider comparison with European guidelines or other relevant guidance in line with the hierarchy presented in the DETR document Guidelines for Environmental Risk Assessment and Management (2000) where these can be shown to be relevant, in accord with the UK policy approach, and appropriate for the site conditions encountered.

All sites will be subject to a site-specific risk assessment when making judgements about whether land meets the definition of contaminated land.

Determination as Contaminated Land

Consistency with other statutory bodies is highly desirable. To this end, in making a determination that relates to an ecosystem effect, the Council will consult Natural England before making its decision. In making a determination that relates to controlled waters, the Council will consult the Environment Agency before making its decision. The Council will also liaise with the Health Protection Agency, Food Standards Agency, or any other appropriate agency, as appropriate.

If the Council finds that a **significant pollutant linkage** is likely to be present and that it is likely to cause **significant harm or pollution**, or obtains evidence that **significant harm or pollution** has been caused, it will formally determine the site to be contaminated land, and give written notice to:

- The Land Owner if applicable
- Any person who appears to be the occupier of the land
- Each person who appears to be an **appropriate person**
- The Environment Agency

Details of the site and the circumstances of the determination will then be entered into the Public Register.

6.5 Special Sites

Whenever the Local Authority has identified any potential contaminated land, it will be assessed to see if it meets one or more of the prescribed descriptions in the regulations that would cause it to be designated as a **special site**.

There are four broad categories of site that may be considered 'special sites' under the legislation, these are as follows:

1. Water Pollution cases where the wholesomeness of drinking water, the surface-water classification criteria, or a major aquifer is affected.

2. Industrial cases involving waste acid tar lagoons, oil refining, explosives, Integrated Pollution Control sites, Pollution Prevention and Control sites, and Nuclear sites.
3. Defence cases where the contaminated land involves the Ministry of Defence estate.
4. Radioactivity cases.

The Council will liaise with the Environment Agency in advance of any formal action to agree on the basis of any possible designation, bearing in mind that the Agency will become enforcing authority in due course. The status of any such site will be kept under review as further information becomes available. The Council will act in accordance with the Statutory Guidance in the determination of land that may be a special site (See DEFRA Circular 01/2006 B.26-B.30)

If the land is required to be designated (under Section 78C (3)) then the authority will give written notice to: -

- The Environment Agency
- The Land Owner if applicable
- Any person who appears to be the occupier of the land
- Each person who appears to be an appropriate person

At formal designation stage, the Environment Agency will consider whether it agrees with the Council that the land should be so designated. If it does not agree, then it must notify the Council in writing within 21 days of the Council notification, giving a statement and reasons for its decision.

If the Environment Agency agrees with the Council then the contaminated land in question will be designated as a **special site**. If the Environment Agency does not agree with the Local Authority decision to designate a site then the decision is referred to the Secretary of State.

Copies of all documentation relating to the site will be copied and forwarded to the Environment Agency for their records. The Council will request that any additional work carried out after the site has been formally transferred, is documented and copies are sent back to the Council for their records.

7. Remediation

7.1 The Enforcing Authority

Where a site is determined as contaminated land, the enforcing authority will generally be the Council, except for those sites designated as Special Sites, for which the Environment Agency will be the enforcing authority. The enforcing authority is under a duty to require appropriate remediation.

7.2 Liability

The liability for the costs of remediation falls on the **Appropriate Person**, who is defined by the application of the **polluter pays principle** – anyone “who caused or knowingly permitted the contaminating substance to be on, in or under the land”. This is also referred to in the legislation as a **Class A** person. It is intended that, wherever practicable, remediation should proceed by agreement with the appropriate person, rather than by formal action of the enforcing authority.

If a Class A person cannot be found, then the liability may transfer to a **Class B** person, which is the current owner or occupier. There is a complex system of exclusions and apportionment which takes into account the possibility of the existence of several persons being held responsible to differing degrees.

Should no Appropriate Person be identified, the Enforcing Authority (either the Council or the Environment Agency) will bear the cost of any remediation; however funding is available from DEFRA to assist with this. The funding available from DEFRA is in the form of the Capital Grants Programme. This consists of a set amount of funding per year and Local Authorities are required to bid for the funds required.

The process is competitive, however in recent years the fund has been significantly under-subscribed. There are a number of factors taken into account when assessing a bid, including the amount of funding contributed by the Local Authority, the quality of the investigation so far, and the potential severity of the contamination.

7.3 Definition

Following the **suitable for use** philosophy, the requirement of remediation is to restore the land to a condition necessary to prevent unacceptable risks to human health and the environment, assessed on the basis of the present use of the site and the circumstances of the land. The land does not have to be returned to its original condition, or made suitable for some future use, although the **appropriate person** is always open to voluntarily carry out a remediation that achieves these wider objectives.

A remediation package should specifically aim to:

- prevent, or reduce the likelihood of, the occurrence of any significant harm, or pollution of controlled waters; and
- remedy or mitigate the effect of any significant harm, or any significant water pollution, that has been caused, or might be caused.

The remediation must deal with every significant pollutant linkage at the site.

Harm or pollution can be prevented by doing one or more of the following:

- removing or treating the source;
- breaking or removing the pathway; or
- protecting or removing the receptor.

The Council will encourage the **appropriate persons** to take voluntary action to deal with the contaminated land. If such action is not forthcoming, then the Council will serve a Remediation Notice requiring action to be taken, or undertake the work itself and seek to reclaim the costs from the **appropriate persons**.

Regardless of who proposes a remediation package, the enforcing authority has to be satisfied that a remediation package represents the best practicable option for remediation in terms of:

- The extent to which the package would achieve the above objectives;
- Whether the package would be reasonable having regard to the cost which is likely to be involved and the seriousness of the harm or of the pollution of controlled water involved;
- Whether the package represents the best combination of practicality, effectiveness and durability.

Timescale

The programme for remedial action will be site-specific, but the Council will seek to bring about action at each site in a timely manner.

Urgent Remediation

If it appears to the Enforcing Authority that there is imminent danger of serious harm, serious pollution of controlled water or serious harm attributable to radioactivity, the authority does have the power to waive the usual consultation and notification period and serve a remediation notice immediately following service of a determination notice. Furthermore, should the authority consider that this would not lead to remediation soon enough, it may carry out the remediation itself and prepare and publish a suitable remediation strategy, the cost of this can be recouped following the remediation.

8. Procedures

8.1 Internal Management Arrangements

8.1.1 Making information available

Information on how to access information about the contaminated land regime and the Council inspection process is given in Section 9.

8.1.2 Regulatory and enforcement duties

As a Contaminated Land Enforcing Authority under Part 2a, the Council will ensure that the regime established in the Act is undertaken in a consistent, equitable and efficient manner. However, the Council will seek, where possible, to facilitate voluntary remediation of sites and will only issue remediation notices when it is clear that negotiations with those liable have failed. The Council will also be responsible for follow up action to ensure that the approved remediation action has been carried out adequately and satisfactorily.

The Council will ensure that all actions taken conform to the current Enforcement Policy (insert ref here...)

8.1.3 Legal & Democratic Services – Local Land Charges

Following the implementation of Part 2a and the requirement for each local authority to keep a Public Register of its regulatory activity, a question (3.12) referring to Contaminated Land has been added to the Form CON29; Enquiries of Local Authorities. The Environmental Health Team answers the questions on this form as part of the search carried out every time a property transaction takes place.

The information obtained through Part 2a inspection will assist in answering this question (3.12).

8.2 Consideration of Council Owned Land

The Council is of the opinion that it is important to differentiate between its role as landowner and its statutory regulatory duty under Part 2a.

In undertaking the role as contaminated land authority, the Council will develop and implement a prioritisation model for inspections based on an objective risk assessment of all land within the District irrespective of ownership. Where land within our ownership is determined as contaminated, the Council, as a responsible landowner, will lead by example in the remediation of the site.

Again, it may be possible to obtain DEFRA Capital Grants for the funding of such remediation. The mechanism for this is detailed in Section 7.2.

9. Liaison and Communication Procedures

9.1 Principles

The Council will strive to work in co-operation with all owners, occupiers and other interested parties in the development and implementation of the strategy.

The Council recognises that public perception of the risks associated with contaminated land is critical to the success of the Contaminated Land Strategy. A site cannot be considered **suitable for use** unless the public can have confidence in the methods employed to assess it, and in any remedial activity carried out. Accordingly, the Council will aim to communicate information in a clear, consistent and concise manner at all times.

Requests for Service and Complaints

Information and complaints received by the Council will be dealt with in accordance with current Requests for Service Procedure. This states that in all cases an acknowledgement letter will be sent to the complainant within one working day, followed by initial contact with the complaint within five working days.

Once information regarding a site is received, the site will be investigated on a risk assessment basis, consisting of, in the first instance, a desk-top study and walk-over survey of the site. Should this study indicate low to minimal risk, it is unlikely that a sampling regime will be implemented; however each site will be assessed on an individual basis.

It should be noted that whilst our Requests for Service Procedure states that the department will endeavour to determine all requests for service in forty working days, further investigation of contaminated land can take considerably longer than this. Chester-le-Street District Council will, however, endeavour to complete all investigations in a timely manner, without unnecessary delays.

If a complainant wishes to make a complaint regarding the service received, this will be subject to the Corporate Complaints Procedure, which can be viewed at the following address <http://www.chester-le-street.gov.uk/index.cfm?articleid=6312>

Anyone can provide the Council with information via any of the Key Contacts listed in section 11.

9.2 Information Management

Information will be managed in a logical manner ensuring its efficient use and availability. The Council will strive to continue improvement relating to Information Management.

9.2.1 Storage

As far as is reasonably possible the Council will aim to store information in an electronic format, within the GIS system.

Paper based information will be contained at a single location within the Council offices and will be registered via the GIS system.

9.2.2 Administration

Management of information within the Inspection Strategy will be administered by the Environmental Health Team.

Information held by the Environmental Health Team as part of the Inspection Strategy will be made available for use by other the Council teams, as and when appropriate.

9.2.3 Confidentiality

Information produced or provided and used within the Inspection Strategy will be treated as confidential. The Council will act in accordance with the Data Protection Act 1998 and Environmental Information Regulations 2004. Accuracy of information will be reviewed prior to use within the Inspection Strategy.

9.3 Public Access to Information

Chester-le-Street District Council takes great pride in the transparent and open manner in which it operates and recognises our citizens' fundamental right to information. The Council therefore acts in accordance with the requirements, statutes, and regulations, as detailed in section 1.2.3 of this report, in making environmental information accessible to the public.

Given the possible emotive and technical nature of the contaminated land regime and its sensitivity, the Council will seek to balance the public's right to clear and substantiated environmental information with the Council's requirement to avoid blight. The information that will be provided is detailed below.

In compliance with the above and also the requirements of the Contaminated Land (England) Regulations 2006, information held on the Council's Part 2a Public Register, will be accessible by the public and will be available for viewing at the Civic Centre during normal office hours.

Providing Information to Third Parties

The Council recognises the amount and type of baseline information about sources; receptors and pathways that need to be collated to develop the prioritisation scheme, and the running of the prioritisation model may be of interest to third parties. This may be site-specific information or data relating to the entire District. Particular attention will be paid to liaison with the Environment Agency in accordance with agreed national guidelines.

Whilst the Council wishes to make this information as accessible as possible, it is also recognised that the release of certain information, such as the prioritisation list may be harmful to the public, causing the perception of blight on properties.

For this reason, factual site-specific information such as historical land uses only will be made available to the public, conveyancers or other interested parties on request in writing. However, at the Council's discretion, certain information, which is deemed to be either confidential or personal, will be withheld. The Council will of course comply with the legal requirements governing public access to information.

Requests must be made in writing to the Chief Environmental Health Officer and should include a plan clearly identifying the site boundaries. There is currently no fee for the provision of this information. It is our long-term intention to integrate this service on-line but in the meantime, information will be provided on hard copy.

Due to the specialist nature of contaminated land site investigations, interpretative data resulting from specific site inspections will not be made publicly available. These documents are internal to the Council and are a prerequisite of the decision making process implicit in this statutory role. Where a site is determined as 'Contaminated Land' and a remediation notice served, this information will be placed on the register as part of the 'reason for determination'.

Content of the Public Register

The following contents will form the Public Register as detailed within the Contaminated Land Regulations:

- Site information – location, area, land use,
- Reason for determination as contaminated;
- Determination of sites as 'special sites';
- Remediation notices issued;
- Environment Agency site specific guidance;
- Details of site reports obtained by the Council in relation to remediation notices;
- Remediation declarations and statements;
- Appeals lodged against remediation and charging notices;
- Convictions under Section 78M (failure to comply with a remediation notice);
- Guidance issued under section 78V(1);
- Details of other environmental controls.

It must be stressed that the Public Register is not a register of all sites affected by contamination and will only contain details about sites which have been formally determined as contaminated land, and remediation action has been agreed.

9.4 Provision of Information to the Environment Agency

The Environment Agency is obliged to prepare and publish a report on the state of Contaminated Land in England. To do this the Agency will collate information it holds and any information held by Local Authorities. Much of this information is needed in a summarised format for ease of handling. Part 2a of the Environmental Protection Act 1990 requires each Local Authority to provide any information necessary to produce this report. This information is limited to the information that local authorities may have. The Council will provide information on any determination of contaminated land as it arises and any other information requested on an annual basis. A standard format for the provision of information has been agreed nationally for this purpose.

The implementation of this Inspection Strategy requires that there are strong liaison links with the Agency on water protection issues and dealing with Special Sites. Some of the information gathered as part of the Inspection Strategy will relate to this aspect and such information will be made available to the Agency as required or requested. It is envisaged that this will normally be necessary whenever it is necessary to determine whether land is to be classified as a special site.

10. Review Mechanisms

10.1 Triggers for Further Work

Changes in circumstances

The Council will review the status of land in the District from time to time. Should circumstances change on an area of land that has already been reviewed under Part 2a and found not to require action, this periodic review may trigger further inspection. Such changes might include:

- Change of use at a site that may introduce a further receptor or make a current receptor more risk sensitive. This may be dealt with through the planning process if the change of use requires permission; otherwise it will be dealt with under Part 2a.
- New information relating to a site is obtained, which significantly changes the apparent risk posed by the site.
- Unforeseen pollution occurs which cannot be dealt with by other regulatory mechanisms.

Changes in knowledge of substances

Assessments of sites will be carried out using the most recent criteria available on the hazards that particular substances might pose, and the toxicity of the substances. Where new scientific knowledge changes the understanding of the risks posed by a particular substance, then this may lead to a reduction in acceptable exposure levels, and this may lead to reassessment of particular sites in the light of the new knowledge.

10.2 Review of Strategy Document

The Statutory Guidance requires that the Council review its Inspection Strategy periodically.

This is the first review of the Contaminated Land Strategy that the Council has produced and as such it is our opinion that an early second review is desirable.

This will allow us to take consideration of:

- improved site specific information on potentially contaminated sites;
- our experience in developing and implementing prioritisation and initial inspection model;
- new guidance or emerging best practice.

Therefore, the second review is to be undertaken in January 2010, however, the Council may release updated versions of the Strategy, earlier than this should minor administrative changes occur. Such revisions would not introduce changes to the

mechanism of the Strategy; rather ensure that contacts and titles are as up-to-date as possible.

Otherwise the Council has a duty to fundamentally review all of its services over a five-year period under Best Value legislation, and this will determine future review milestones.

11. Key Contacts

11.1 Chester-le-Street District Council

Key Contact Points with regard to the Contaminated Land Regime within the Council are:

In writing	Chief Environmental Health Officer Chester-le-Street District Council Civic Centre Chester-le-Street Co. Durham DH3 3UT
By telephone	0191 387 2200
By fax	0191 387 1583
Email	Contaminatedland@chester-le-street.gov.uk
On-line	www.chester-le-street.gov.uk
In person	Chester-le-Street District Council Civic Centre Chester-le-Street Co. Durham DH3 3UT

11.2 Other Bodies

11.2.1 Neighbouring Local Authorities

Derwentside District Council

Environmental Services Department

Civic Centre

Medomsley Road, Consett

Co. Durham

DH8 5JA

Telephone: 01207 218 288

Fax: 01207 218 396

Email:

Website: <http://www.derwentside.gov.uk>

Durham City Council

Environmental Health

Byland Lodge

Hawthorn Terrace, Durham

DH1 4TD

Telephone: 0191 301 8793 or 8799

Email: envhealth@durhamcity.gov.uk

Gateshead City Council

Planning and Environmental Strategy

Gateshead Council

Civic Centre

Regent Street, Gateshead

NE8 1HH

Telephone: 0191 433 3000

Email: enquiries@gateshead.gov.uk

Website: <http://www.gateshead.gov.uk>

Sunderland City Council

Director of Community & Cultural Services

P.O. Box 107

Civic Centre

Burdon Road, Sunderland

SR2 7DN

Or Pollution Control Section

Telephone 0191 553 1661

Fax 0191 553 1658

Email: public.health@sunderland.gov.uk

Web enquiries: www.sunderland.gov.uk

11.2.2 County Archaeologist's Office

Archaeology Section

Cultural Services Department

County Hall, Durham

DH1 5TY

Telephone: 0191 383 4212

Fax: 0191 384 1336

Email: archaeology@durham.gov.uk

Web enquiries: www.durham.gov.uk

Appendix A

Chester-le-Street District Council – Environmental Policy

At Chester-le-Street District Council we recognise that all our actions have an impact upon the world around us and have put together this policy to demonstrate that we accept responsibility for the effects our activities have on the environment.

We are committed to complying with environmental regulations but also to exceed these minimum standards by continually seeking to improve our environmental performance.

The following set of principles has been adopted throughout the authority and we will implement them, wherever feasible, within existing financial constraints.

Environmental Policy

WE WILL STRIVE TO:

Protect our Natural Resources

- Reduce our consumption of all materials
- Minimise the use of non-renewable resources
- Cut down on our water consumption
- Minimise energy use and seek renewable energy provision

Minimise Waste and Paper Consumption

- Follow the 'Best Possible Environmental Option' for our internal waste management practices, applying the waste hierarchy principles as positive guidance (reduce ?reuse/repair ?recycle)
- Implement waste reduction and recycling schemes for all relevant waste streams, in particular relating to our paper consumption
- Encourage the use of technology such as IT to reduce the production of waste

Limit Pollution

- Minimise air, water, noise and other pollution by adopting good management and safe disposal practices for any substances or machinery we use

Reduce our Impacts from Transport

- Encourage staff to use their cars less on their journeys to work and at work
- Reduce the overall mileage of our fleet by planning routes carefully
- Investigate environmental improvements in our fleet operation and car user allowance systems

Operate sustainable Purchasing Practices

- Buy stationary, equipment, materials etc. that are environmentally friendly
- Preferably, obtain supplies and services locally
- Encourage our suppliers and contractors to have an environmental policy and work towards an environmental management system

Enhance Biodiversity

- Identify, protect and improve existing wildlife habitats under our management
- Increasingly, adopt environmentally friendly land management regimes
- Ensure that our land development practices are favourable to the environment

Implementation

We will ensure that all members of staff are aware of their environmental responsibilities according to this policy.

We will aim to continually improve our performance through concentrating on specific actions each year, which will be reflected in our Corporate Plan and Service Plans. We intend to establish targets and publish our performance annually.

A review of this policy will be carried out at least every five years or earlier, if it seems necessary.



Chester-le-Street
District Council

Appendix B
Definitions of Significant Harm and
Significant Possibility of Significant Harm

Table A – Categories of Significant Harm

	Type of Receptor	Description of Significant Harm
1	Human Beings	<p>Death, disease, serious injury, genetic mutation, birth defects or the impairment of reproductive functions.</p> <p>For these purposes, disease is to be taken to mean an unhealthy condition of the body or a part of it and can include, for example, cancer, liver dysfunction or extensive skin ailments. Mental dysfunction is included only insofar as it is attributable to the effects of a pollutant on the body of the person concerned.</p>
2	<p>Any ecological system, or living organism forming part of such a system, within a location which is:</p> <p>an area notified as an area of special scientific interest under section 28 of the Wildlife and Countryside Act 1981;</p> <p>any land declared a national nature reserve under section 35 of that Act;</p> <p>any area designated as a marine nature reserve under section 36 of that Act;</p> <p>an area of special protection for birds, established under section 3 of that Act;</p> <p>any European Site within the meaning of regulation 10 of the Conservation (Natural Habitats etc) Regulations 1994 (i.e. Special Areas of Conservation and Special Protection Areas);</p> <p>any candidate Special Areas of Conservation or Potential Special Protection Areas given equivalent protection;</p> <p>any habitat or site afforded policy protection under paragraph 13 of Planning Policy Guidance Note 9 (PPG9) on nature conservation (i.e. candidate Special Areas of Conservation, potential Special Protection Areas and listed Ramsar sites); or</p> <p>any nature reserve established under section 21 of the National Parks and Access to the Countryside Act 1949.</p>	<p>For any protected location:</p> <p>harm which results in an irreversible adverse change, or in some other substantial adverse change, in the functioning of the ecological system within any substantial part of that location; or</p> <p>harm which affects any species of special interest within that location which endangers the long-term maintenance of the population of that species at that location.</p> <p>In addition, in the case of a protected location which is a European Site (or a candidate Special Area of Conservation or a potential Special Protection Area); harm, which is incompatible with the favourable conservation status of natural habitats at that location or species typically found there.</p> <p>In determining what constitutes such harm, the local authority should have regard to advice of English Nature and the requirements of the Conservation (Natural Habitats etc) Regulations 1994.</p>
3	<p>Property in the form of:</p> <p>Crops, including timber;</p> <p>Produce grown domestically, or on allotments, for consumption;</p> <p>Livestock;</p> <p>Other owned or domesticated animals;</p> <p>Wild animals which are the subject of shooting or fishing rights.</p>	<p>For crops, a substantial diminution in yield or other substantial loss in their value resulting from death, disease or other physical damage. For domestic pets, death, serious disease or serious physical damage. For other property in this category, a substantial loss in its value resulting from death, disease or other serious physical damage.</p> <p>The Council should regard a substantial loss in value as occurring only when a substantial proportion of the animals or crops are dead or otherwise no longer fit for their intended purpose. Food should be regarded as being no longer fit for purpose when it fails to comply with the provisions of the Food Safety Act 1990. Where a diminution in yield or loss in value is caused by a pollutant linkage, a 20% diminution or loss should be regarded as a benchmark for what constitutes a substantial diminution or loss.</p>

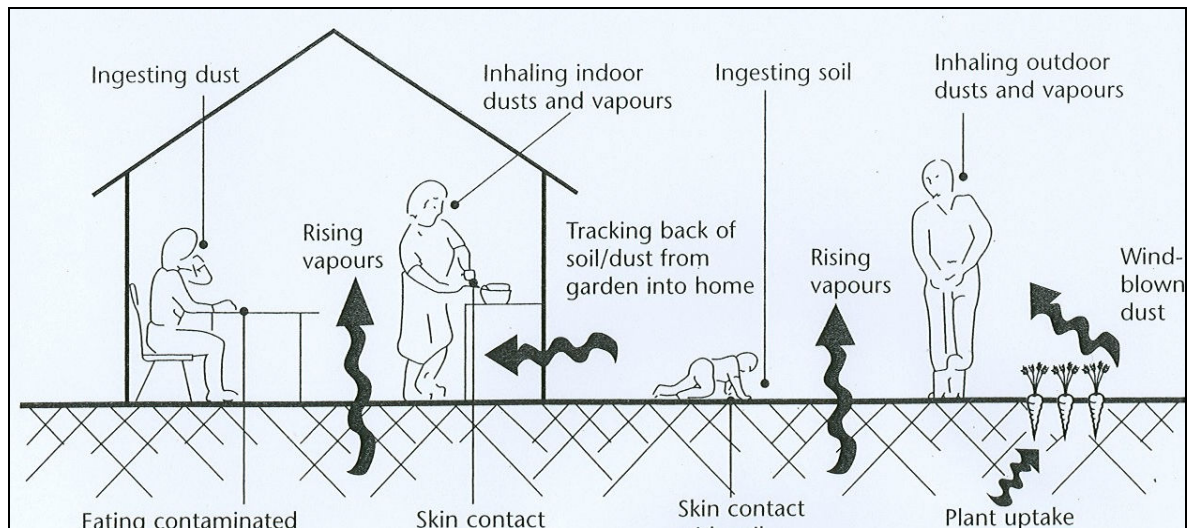
	Type of Receptor	Description of Significant Harm
4	<p>Property in the form of buildings.</p> <p>For this purpose, "building" means any structure or erection, and any part of a building including any part below ground level, but does not include plant or machinery comprised in a building.</p>	<p>Structural failure, substantial damage or substantial interference with any right of occupation.</p> <p>For this purpose, the Council should regard substantial damage or substantial interference as occurring when any part of the building ceases to be capable of being used for the purpose for which it is or was intended.</p> <p>Additionally, in the case of a scheduled Ancient Monument, substantial damage should be regarded as occurring when the damage significantly impairs the historic, architectural, traditional, artistic or archaeological interest by reason of which the monument was scheduled.</p>

Table B - Significant Possibility of Significant Harm

	Descriptions of Significant Harm (as defined in Table A)	Conditions For There Being A Significant Possibility Of Significant Harm
1	Human health effects arising from <ul style="list-style-type: none"> • the intake of a contaminant, or • other direct bodily contact with a contaminant 	<p>If the amount of the pollutant in the pollutant linkage in question:</p> <ul style="list-style-type: none"> • which a human receptor in that linkage might take in, <p>or</p> <ul style="list-style-type: none"> • to which such a human might otherwise be exposed, as a result of the pathway in that linkage, would represent an unacceptable intake or direct bodily contact, assessed on the basis of relevant information on the toxicological properties of that pollutant. <p>Such an assessment should take into account:</p> <ul style="list-style-type: none"> • the likely total intake of, or exposure to, the substance or substances which form the pollutant, from all sources including that from the pollutant linkage in question; • the relative contribution of the pollutant linkage in question to the likely aggregate intake of, or exposure to, the relevant substance or substances; and • the duration of intake or exposure resulting from the pollutant linkage in question. <p>The question of whether an intake or exposure is unacceptable is independent of the number of people who might experience or be affected by that intake or exposure.</p> <p>Toxicological properties should be taken to include carcinogenic, mutagenic, teratogenic, pathogenic, endocrine-disrupting and other similar properties.</p>
2	All other human health effects (particularly by way of explosion or fire).	<p>If the probability, or frequency, of occurrence of significant harm of that description is unacceptable, assessed on the basis of relevant information concerning:</p> <ul style="list-style-type: none"> • that type of pollutant linkage, or • that type of significant harm arising from other causes. <p>In making such an assessment, the local authority should take into account the levels of risk which have been judged unacceptable in other similar contexts and should give particular weight to cases where the pollutant linkage might cause significant harm which:</p> <ul style="list-style-type: none"> • would be irreversible or incapable of being treated; • would affect a substantial number of people; • would result from a single incident such as a fire or an explosion; or • would be likely to result from a short-term (that is, less than 24-hour) exposure to the pollutant.
3	All ecological system effects.	<p>If either:</p> <ul style="list-style-type: none"> • significant harm of that description is more likely than not to result from the pollutant linkage in question; <p>or</p> <ul style="list-style-type: none"> • there is a reasonable possibility of significant harm of that description being caused, and if that harm were to occur, it would result in such a degree of damage to features of special interest at the location in question that they would be beyond any practicable possibility of restoration. <p>Any assessment made for these purposes should take into account relevant information for that type of pollutant linkage, particularly in relation to the ecotoxicological effects of the pollutant.</p>
4	All animal and crop effects	<p>If significant harm of that description is more likely than not to result from the pollutant linkage in question, taking into account relevant information for that type of pollutant linkage, particularly in relation to the ecotoxicological effects of the pollutant.</p>
5	All building effects	<p>If significant harm of that description is more likely than not to result from the pollutant linkage in question during the expected economic life of the building (or, in the case of a scheduled Ancient Monument, the foreseeable future), taking into account relevant information for that type of pollutant linkage.</p>

Appendix C

Example of a Conceptual Site Model



Environment Agency (2001) Guide to Good Practice for the Development of Conceptual Models and the Selection and Application of Mathematical Models of Contaminant Transport Processes in the Subsurface, Report NC/99/38/2

Appendix D

Glossary of Terms

The statutory guidance uses a number of terms that are defined in Part IIA of the Environmental Protection Act 1990, other Acts or in the guidance itself. The meanings of the most important of these terms are set out below, along with a reference to the section in the Act or the paragraph in DEFRA Circular 01/2006 (*in italics*) in which the relevant term is defined. Terms that are defined in statutes (mostly in section 78A of the 1990 Act) are underlined.

Appropriate person: ‘any person who is an appropriate person, determined to bear responsibility for any thing which is to be done by way of remediation in any particular case.’

Building: any structure or erection, and any part of a building including any part below ground, but not including plant or machinery comprised in a building.

Building effect: an effect on a building that causes significant harm

Class A liability group: a liability group consisting of one or more Class A persons.

Class A person: a person who is an appropriate person by virtue of section 78F(2) (that is, because he has caused or knowingly permitted a pollutant to be in, on or under the land.

Class B liability group: a liability group consisting of one or more Class B persons.

Class B person: a person who is an appropriate person (that is, because he is the owner or occupier of the land in circumstances where no Class A person can be found with respect to a particular remediation action).

Contaminant: a substance which is in, on or under the land and which has the potential to cause harm or to cause pollution of controlled waters

Contaminated land: defined in the Statutory Guidance as
‘any land which appears to the local authority in whose area it is situated to be in such a condition, by reason of substances in, on or under the land, that -
‘(a) significant harm is being caused or there is a significant possibility of such harm being caused, or;
‘(b) pollution of controlled waters is being, or is likely to be, caused.’

Controlled waters: this embraces territorial and coastal waters, inland fresh waters, and ground waters.

Current use: any use which is currently being made, or is likely to be made, of the land and which is consistent with any existing planning permission (or is otherwise lawful

under town and country planning legislation). This definition is subject to the following qualifications:

(a) the current use should be taken to include any temporary use, permitted under town and country planning legislation, to which the land is, or is likely to be, put from time to time;

(b) the current use includes future uses or developments that do not require a new, or amended, grant of planning permission;

(c) the current use should, nevertheless, be taken to include any likely informal recreational use of the land, whether authorised by the owners or occupiers or not, (for example, children playing on the land). However, in assessing the likelihood of any such informal use, the local authority should give due attention to measures taken to prevent or restrict access to the land;

and

(d) in the case of agricultural land, however, the current agricultural use should not be taken to extend beyond the growing or rearing of the crops or animals that are habitually grown or reared on the land.

Enforcing authority: defined as:

(a) in relation to a special site, the Environment Agency;

(b) in relation to contaminated land other than a special site, the local authority in whose area the land is situated.

Harm: defined as:

'harm to the health of living organisms or other interference with the ecological systems of which they form part and, in the case of man, includes harm to his property.'

Human health effect: significant harm of a type listed in box 1 of *Table A of Chapter A*

Intrusive investigation: an investigation of land (for example by exploratory excavations) which involves actions going beyond simple visual inspection of the land, limited sampling or assessment of documentary information. *Paragraph B.20(c)*

Local authority: defined as meaning any unitary authority, district council, the Common Council of the City of London, the Sub-Treasurer of the Inner Temple and the Under-Treasurer of the Middle Temple.

Part IIA: Part IIA of the Environmental Protection Act 1990.

Pathway: one or more routes or means by, or through, which a receptor:

(a) is being exposed to, or affected by, a contaminant, or

(b) could be so exposed or affected.

Pollutant: a contaminant which forms part of a pollutant linkage.

Pollutant linkage: the relationship between a contaminant, a pathway and a receptor.

Pollution of controlled waters: defined as:

'the entry into controlled waters of any poisonous, noxious or polluting matter or any solid waste matter.'

Possibility of significant harm: a measure of the probability, or frequency, of the occurrence of circumstances that would lead to significant harm being caused.
Paragraph A.27

Receptor: either:

(a) A living organism, a group of living organisms, an ecological system or a piece of property which:

(i) Is in a category listed in Table A in Chapter A as a type of receptor, and
(ii) Is being, or could be, harmed, by a contaminant; or

(b) Controlled waters which are being, or could be, polluted by a contaminant.

Relevant land or waters: the contaminated land in question, any controlled waters affected by that land and any land adjoining or adjacent to the contaminated land on which remediation might be required as a consequence of the contaminated land being such land.

Remediation: defined as

‘(a) the doing of anything for the purpose of assessing the condition of -

‘(i) the contaminated land in question;

‘(ii) any controlled waters affected by that land; or

‘(iii) any land adjoining or adjacent to that land;

‘(b) the doing of any works, the carrying out of any operations or the taking of any steps in relation to any such land or waters for the purpose -

‘(i) of preventing or minimising, or remedying or mitigating the effects of any significant harm, or any pollution of controlled waters, by reason of which the contaminated land is such land; or

‘(ii) of restoring the land or waters to their former state; or

‘(c) the making of subsequent inspections from time to time for the purpose of keeping under review the condition of the land or waters.’

Remediation notice: defined as a notice specifying what an appropriate person is to do by way of remediation and the periods within which he is required to do each of the things so specified.

Remediation package: the full set or sequence of remediation actions, within a remediation scheme, which are referable to a particular significant pollutant linkage.

Remediation scheme: the complete set or sequence of remediation actions (referable to one or more significant pollutant linkages) to be carried out with respect to the relevant land or waters.

Remediation statement: a statement prepared and published by the responsible person detailing the remediation actions that are being, have been, or are expected to be, done as well as the periods within which these things are being done.

Risk: the combination of:

(a) the probability, or frequency, of occurrence of a defined hazard (for example, exposure to a property of a substance with the potential to cause harm); and

(b) the magnitude (including the seriousness) of the consequences.

Significant harm: means any harm which is determined to be significant in accordance with the statutory guidance in Chapter A (that is, it meets one of the descriptions of types of harm in the second column of Table A of that Chapter, shown as App. B of this report).

Significant pollutant: a pollutant which forms part of a significant pollutant linkage.
Paragraph A.20

Significant possibility of significant harm: a possibility of significant harm being caused which, is determined to be significant in accordance with the statutory guidance in *Chapter A* (reproduced in App. B).

Special site: these are described more fully in DEFRA Circular 01/2006, Annex 4. However as a brief guide, sites are considered to have special site status in the following cases:

- Water Pollution Cases where the contamination affects:
 - Wholesomeness of Drinking water
 - Surface-water Classification Criteria
 - Major Aquifers
- Industrial Cases where the contamination is caused by:
 - Waste acid tar lagoons
 - Oil refining
 - Explosives
 - IPC (Integrated Pollution Control) Sites
 - PPC (Pollution Prevention and Control) Sites
 - Nuclear Sites
- Defence Cases
- Radioactivity Cases