

# Public Document Pack

21 May 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, 2nd June, 2008 at 3.00 pm**

Yours sincerely

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

**R TEMPLEMAN**

**Chief Executive**

## **AGENDA:**

1. Apologies for Absence
2. Minutes of the Meeting held 12 May 2008 (Pages 1 - 8)
3. Public Speaking
4. To Receive Declarations of Interest
5. Forward Plan and Work Programme (Pages 9 - 18)
6. Executive Decision Tracker (Pages 19 - 22)

## **People and Place Priority**

7. No Items

## Usual Business

8. Corporate Performance Report April 2007 to March 2008 (Pages 23 - 90)  
Report Of Director of Corporate Services
9. Private Sector Empty Property Transitional Policy (Pages 91 - 122)  
Report Of Director of Development Services

## Local Government Review

10. No Items
11. Exclusion of Public and Press. To RESOLVE:  
“That, in accordance with Regulation 21 (1) (b) of the Local Authorities (Executive Arrangements) (Access to Information) Regulations 2000, the public be excluded during the transaction of the following business because it involves the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972.”
12. Land Matters (Pages 123 - 130)  
Report Of Acting Head of Regeneration

## **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, 12 May 2008 at 3.00 pm

### PRESENT:

Councillor L Ebbatson (Leader of the Council)

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

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

Officers: R Templeman (Chief Executive), I Forster (Director of Corporate Services), C Potter (Head of Legal and Democratic Services), I Herberon (Head of Corporate Finance), J Henderson (Acting Head of Resources Directorate), G Clark (ICT Manager), J Brock (Community Strategy Advisor), M Keenlyside (Environmental Strategy Co-ordinator), L Howley (Chief Environmental Health Officer), J Johns (Economic Development and Tourism Officer), A Stephenson (Executive Assistant) and D Allinson (Democratic Services Assistant)

### **170. APOLOGIES FOR ABSENCE**

Apologies for absence were submitted on behalf of Councillors S Barr and S A Henig.

### **171. MINUTES OF MEETING HELD 7 APRIL 2008**

RESOLVED: "That the minutes of the meeting held 7 April 2008, copies of which had previously been circulated to Members be agreed as a correct record."

The Leader proceeded to sign the minutes.

### **172. PUBLIC SPEAKING**

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

### **173. TO RECEIVE DECLARATIONS OF INTEREST**

There were no declarations of interest received from Members.

### **174. FORWARD PLAN AND WORK PROGRAMME**

The Leader introduced the Forward Plan and Work Programme and reminded Officers that the Forward Plan should run for four months ahead and commented on the lack of items included. The Director of Corporate Services advised that this was a matter that was regularly addressed at Corporate

Management Team and even though there were a number of items included in the Forward Plan these were not key decisions.

It was noted that a report from the Communities Facilities Working Group was expected to be presented at this meeting, however the Chief Executive requested that this item be deferred until June 2008 so that the financial implications in the report could be considered further.

The Leader referred to a number of changes within the Work Programme as follows:

Employee Survey Results – Revised date June 2008  
Training and Development Plan – Revised date June 2008  
Taxi Licensing Policy – Revised date July 2008

The Chief Environmental Health Officer referred to the Taxi Licensing Policy, which he felt would be an extensive piece of work, that involved writing the draft policy for the new Authority for next year. He therefore suggested that he bring this report back to Executive at a later date, which Members agreed.

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

## **175. EXECUTIVE DECISION TRACKER**

Members considered the Decision Tracker and the Leader referred to a number of items that were amended on the Tracker as follows:-

Item 3 – Review of Community facilities

The Leader suggested that the second part of this item be removed from the tracker, as this was now complete. It was also agreed that a new date be added for June 2008.

Item 4 – Report into the review into Leisure Services for Young People

It was agreed that this item be removed from the Tracker and be included as part of the ‘People and Place’ priority under ‘Strengthening Partnerships’.

Item 6 – Update on the Community Resource Centre at Sacriston.

The Chief Executive advised that this building was nearing completion however there were issues to be resolved in relation to the land ownership, exchange and access. He confirmed that discussions were currently underway to resolve these issues and get the scheme completed as soon as possible.

The Leader advised that in her capacity as Chair of the District Partnership she had requested that the Community Strategy Advisor arrange an umbrella meeting of the Sacriston Community Partnership to invite people from all groups or organisations who were currently active in Sacriston to give an update on their work. She advised that this invite would be open to everyone in the village.

RESOLVED: "That the Decision Tracker and the amendments be noted."

**176. IMPLEMENTING THE TRANSITION PLAN; DEVELOPING 'PEOPLE AND PLACE'**

Consideration was given to a report from the Director of Corporate Services on the 'People and Place' priority. The Director of Corporate Services spoke in relation to the report to identify what progress had been made and to seek Members agreement in developing the Action Learning Set Delivery Plan. The plan and appendices were discussed.

It was noted that updates on the Delivery Plan would be given as a standing item to the Executive Agenda.

The Leader thanked Ian and the Officers concerned for all the work that had gone into this report.

RESOLVED:

- "1) That the progress to date on implementing the Transition Plan be noted.
- 2) That the high level actions for the 'People and Place' Delivery Plan identified in Appendix 1 be noted.
- 3) That comments on the 'work in progress' People and Place' Delivery Plan as set out in Appendix 2 be noted."

**177. NEW POWER TO ESTABLISH PARISH COUNCILS (INCLUDING TOWN COUNCILS)**

Consideration was given to a report to raise awareness about the new powers of the Council to establish Parish Councils under Part 4 of the Local Government and Public Involvement in Health Act 2007 and to consider whether or not to recommend that a 'community governance review' should be voluntarily undertaken by the Council at this time.

The Head of Legal and Democratic Services spoke in relation to the report which he advised led on from the White Paper that was published in October 2006 which recommended greater local devolution with powers to reorganise Parish Councils at a local level.

The Leader advised that it was about helping the community at large to decide what was the most effective form of local government for them. She advised that there were a number of issues that required further clarification which included the status of the corporate government review in light of the boundary committee review of electoral arrangements of County Durham and the scale and cost of a corporate government review that would need to be discussed with Durham County Council.

The Leader thanked the Head of Legal and Democratic Services for the report which she felt was very informative.

RESOLVED:

- “1. That the new powers to establish parish councils be noted.
2. That clarification be sought and discussions be undertaken with Durham County Council on the status, cost and scale of a corporate governance review taking into consideration the Boundary Committee for England’s proposed review of local authority electoral arrangement, prior to a further report being presented to the Executive to determine how progress can be made.”

**178. REVIEW OF MEDIUM TERM FINANCIAL STRATEGY**

Consideration was given to a report from the Head of Corporate Resources to advise the Executive of the updated Medium Term Financial Strategy.

The Director of Corporate Finance advised that this report had been produced to update Members on the decisions taken on 20 February 2008 on the 08/09 budget and also to take into account the implications of the ‘business as usual’ decision making process in the Local Government Review.

He drew Members attention to page 89 of the report in relation to the Local Government Review process and referred to the fact that Durham County Council had considered our budget summary and had given general consent with regard to revenue and capital plans for which specific finance had been provided within the budget. This would allow spending within the existing budget, however if there was something outside the existing budget, consent would have to be granted from the County Treasurer.

He advised that the County Treasurer had emphasised to the Improvement Executive the onus these arrangements would place on him as the Section 151 Officer and the Chief Executive to bring their attention to any proposals outside the budget.

The Leader informed Members that Councillor Henig would be standing down from his position as Portfolio Holder for Finance.

RESOLVED: “That the Executive considered and approved the updated Medium Term Financial Strategy.”

**179. DISABLED FACILITIES GRANTS REVISED POLICY**

Consideration was given to a report to fully inform Members of the changes to the Disabled Facilities Grants Regime (DFGs) recently introduced by the Government following a major review of the Disabled Facilities Grant programme.

The Chief Environmental Health Officer spoke in relation to the report and explained that the Disabled Facilities Grants Regime was a statutory scheme

that provided financial assistance to adapt houses for elderly and infirm people to allow them to continue living there which had operated effectively for over 10 years.

He outlined the principal changes in the report, which were summarised in Section 1.2 and advised that the changes would affect the Private Sector Housing Renewal Policy, which would need to be reported to the Council Meeting.

The Leader queried whether there were any similar schemes that had been carried out in the past and whether the charges were recoverable.

The Chief Environmental Health Officer referred to the Discretionary Repairs Assistance Scheme and explained that this was a repayable loan scheme twinned to this scheme, which worked quite effectively with no operational problems.

**RESOLVED:**

- “(i) That the report and changes to the Disabled Facilities Grant programme be noted.
- (ii) That it be agreed to amend and incorporate the changes into the Private Sector Housing Renewal Policy, which was agreed by the Council on 24 November 2005 and reviewed by Executive on 1<sup>st</sup> October 2007.
- (iii) That it be agreed to place a charge against adapted properties of owner occupiers where the cost of the Disabled Facilities Grant exceeds £5,000 limited to a maximum charge of £10,000 with charges lasting for a maximum of 10 years.
- (iv) That it be agreed that the Director of Development Services has the discretion to waive a charge where the placement of a charge may cause hardship or where due to the sensitivities of a case a charge should be waived and that any appeal against the Director’s decision to be determined by the Executive whose decision will be final.”

**180. DEPARTMENT OF HEALTH NHS LIFE CHECK ROLL OUT**

Consideration was given to a report from the Director of Development Services to provide members with details of the Life check programme and associated funding to roll out the programme across the District.

Councillor Westrip advised that this was an online resource that was designed to offer advice and support on key areas of health and that there was no cost to be incurred in providing the service. The funding that had been given would be used to roll out the scheme and promote the service to parents and carers of young babies and young people aged 12-15.

The Leader suggested that Councillor Westrip look into the evaluation process to ensure that Members receive feedback on the success of the programme.

RESOLVED: "That it be recommended that delegated responsibility be granted to the Communities for Health Sub Group to produce a programme of activity to support the rollout of the Life check programme and the programme when drafted be brought back to the Executive for approval."

#### **181. COMMUNITIES FOR HEALTH PROJECT**

Consideration was given to a report from the Director of Development Services to provide members with details of the Communities for Health Grant aid for 2008-2009 and proposed areas of expenditure.

Councillor Westrip spoke in relation to the report and advised of the grant that had been given to support the existing schemes to extend the temporary contract for the year and to use the remainder of the grant to further the work with the Mind project.

RESOLVED: "That approval be granted for the proposed expenditure of the additional Communities for Health grant allowing the continuation of the health trainer programme and the mental health awareness programme for another year."

The meeting terminated at 4.05 pm









# 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](http://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:

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

### How do I find out when the Executive is meeting?

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

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

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

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

16 May 2008

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**Chester-le-Street**  
District Council

## Part One: Executive Forward Plan



**June 2008**

16 May 2008

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## Executive Forward Plan

Summary of Key Decision	Decision Taker and Documents to be considered	Decision Date	Contact Officer	Consulted Parties and means of consultation	How to make representations and when by (If making representations in writing, please address them to the Director/Manager named at: Civic Centre, Newcastle Road, Chester-le-Street, DH3 3UT)
Land Matters	Executive	June 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	Revised date July 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
Bad Debt report Quarterly Report	Executive	July 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



**Chester-le-Street**  
District Council

## Part Two: Executive Work Programme



**June 2008**

16 May 2008

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## 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)
Empty Property Strategy	Executive	Revised date June 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
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

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)
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
Employee Survey Results	Executive	Revised date July 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
Training and Development Plan	Executive	Revised date July 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
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)
Tender for the Big Lottery Play work	Executive	July 2008	Tony Galloway 0191 3872100	Relevant Executive Members	By phone, or in writing to the Director of Development Services or by email to Tonygalloway@chester-le-street.gov.uk
Corporate Performance Report April 2008 to June 2008	Executive Corporate Performance and covering report	September 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
Taxi Licensing Policy	Executive	Revised date October 2008	Tony Galloway 0191 3872100	Corporate Management Team Portfolio Holder	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 Report July 2008 to September 2008	Executive Corporate Performance and covering report	December 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 <a href="mailto:ianforster@chester-le-street.gov.uk">ianforster@chester-le-street.gov.uk</a>
Corporate Performance Report October 2008 to December 2008	Executive Corporate Performance and covering report	March 2009	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 <a href="mailto:ianforster@chester-le-street.gov.uk">ianforster@chester-le-street.gov.uk</a>



## 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	6 February 2006  3 December 2007	<p><b><u>Development Framework Principles for the Heart of Pelton Fell</u></b></p> <ul style="list-style-type: none"> <li>▪ 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.</li> <li>▪ Negotiations to take place for the purchase and disposal of land. Report back to Executive prior to any acquisition.</li> <li>▪ The revised plans for the Heart of the Village, Pelton Fell will be presented to the people of Pelton Fell for consultation.</li> </ul>	June 2008	Progressing	Negotiations under way with landowners and prospective interested parties in the village.	Leila Dawson
2	7 April 2008	<p><b><u>Medium Term Financial Strategy</u></b></p> <ul style="list-style-type: none"> <li>▪ It was agreed to receive up to date reports as per forward plan including financial issues arising from Local Government Review as appropriate.</li> </ul>	New date required	Progressing	Report submitted to May 2008 Executive.	Ian Herberson

	<u>Date of decision</u>	<u>Decision</u>	<u>Progress/ Key Date</u>	<u>Status</u>	<u>Comments</u>	<u>Officer Lead</u>
3	1 October 2007	<p><b><u>Review of Community facilities</u></b></p> <ul style="list-style-type: none"> <li>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. It was agreed at the April 2008 Executive that this should be linked to the single priority People and Places.</li> </ul>	New date required	Ongoing	Ongoing	Leila Dawson
4	1 October 2007	<p><b><u>Updates Community Resource Centre at Sacriston</u></b></p> <ul style="list-style-type: none"> <li>Regular updates to be given to Executive on the progress on the Community Resource Centre</li> </ul>	Verbal update June 2008 Executive.	On schedule	Ongoing	Tony Galloway
5	13 December 2007	<p><b><u>Update of the Communities Facilities Working Group</u></b></p> <ul style="list-style-type: none"> <li>Consultations have taken place and there will be three stages for the review into Community Facilities.</li> <li>Terms of reference have been created for the Communities Facilities Working Group.</li> </ul>	June 2008	Ongoing	Ongoing	Jorge Lulic
6	7 April 2008	<p><b><u>Single Housing Investment Programme (SHIP)</u></b></p> <ul style="list-style-type: none"> <li>It was agreed that a summary of SHIP investment and its impact would be presented at the June Executive.</li> </ul>	June 2008	Ongoing	Ongoing	Leila Dawson
7	12 May 2008	<p><b><u>Implementing the Transition Plan: Developing 'People and Place'</u></b></p> <ul style="list-style-type: none"> <li>Regular updates to be given to Executive on the progress of the Transition Plan</li> </ul>	June 2008	Ongoing	Ongoing	Ian Forster

	<u>Date of decision</u>	<u>Decision</u>	<u>Progress/ Key Date</u>	<u>Status</u>	<u>Comments</u>	<u>Officer Lead</u>
8	12 May 2008	<p><b>New Power to establish Parish Councils (including Town Councils)</b></p> <ul style="list-style-type: none"> <li>▪ It was agreed a report would be presented to Executive determining how progress can be made after discussions that will be undertaken with Durham County Council on the status, cost and scale of a corporate governance review taking into consideration the Boundary Committee for England's proposed review of local authority electoral arrangements.</li> </ul>	New date required	Ongoing	Ongoing	Chris Potter
9	12 May 2008	<p><b>Department for Health Project</b></p> <ul style="list-style-type: none"> <li>▪ It was agreed an evaluation of the project would be presented to Executive.</li> </ul>	New date required	Ongoing	Ongoing	Tony Galloway

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**Chester-le-Street**  
District Council

**REPORT TO:** Executive

**DATE OF MEETING:** 2<sup>nd</sup> June 2008

**REPORT OF:** Director of Corporate Services

**SUBJECT:** Corporate Performance Report Summary  
April 2007 – March 2008

**ITEM NUMBER:** 8

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## **1 Purpose and Summary**

- 1.1 The Council is seeking to improve its monitoring of its performance as part of its performance management framework. Previously it has reported performance in a range of ways. This report provides a summary of key areas of performance from achieving the corporate plan to complaints. The document attached in Appendix 1 is a summary of a more detailed document which has been 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 It has been another significantly positive year for the council. This has been against challenges of a time of significant change as a result of local government re-organisation and in terms of transferring its housing function to a registered Social Landlord, Cestria Homes. The council's performance has been captured in the most positive Annual Audit and Inspection Letter received from the Audit Commission in the council's history. During the year the council marked its achievements against its ambitious improvement programme by becoming the first council to move from a 'poor' to a 'good' Comprehensive Performance Assessment categorisation. This has been followed by achieving a significant range of external assessed awards including a Chartermark for ICT, Investors in People accreditation for the whole council and the Quest Accreditation for the Leisure centre.
- 1.3 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. Transition Plan and People and Place Priority**

3.1 The Transition Plan, will, in effect, replace the Corporate Plan 2007/2010. The Transition Plan includes a schedule of proposals from the previous seven priorities which ought to be and can be achieved in the remaining life of the council.

3.2 The council's choice to move towards a single priority of '**People and Place**' priority was considered as part of the budget setting process.

3.3 The performance management framework is a principle part of the Council's Transition Plan. This framework includes the reporting of performance to Executive and subsequently to Scrutiny on a quarterly basis. This report is part of the embedding of the framework.

3.4 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. The Annual Audit and Inspection letter includes specific positive comments about value for money.

#### 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 month's diagrams have been improved to provide greater accessibility when copied in black and white. In addition full details of Best Value Performance Indicators have been included to help better understanding of definitions.

#### 4.7 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, valid, reliable, timely, relevant and complete. 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 was 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 1<sup>st</sup> 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;
- Contribution to Local Government Re-organisation;
- Corporate Governance; and

■ Compliments, Comments and Complaints.

- 5.2 The Summary sets out achievements and non-achievements while identifying learning and remedial action where appropriate. It is considered that the previous year was an incredibly successful year for the council. Since the CPA success in June 2008 the council received a significant set of accolades which showed that it was on the road towards excellence.
- 5.3 It has been another significantly positive year for the council. This has been against challenges of a time of significant change as a result of local government re-organisation and in terms of transferring its housing function to a registered Social Landlord, Cestria Homes. The council's performance has been captured in the most positive Annual Audit and Inspection Letter received from the Audit Commission in the council's history. During the year the council marked its achievements against its ambitious improvement programme by becoming the first council to move from a 'poor' to a 'good' Comprehensive Performance Assessment categorisation. This has been followed by achieving a significant range of external assessed awards including a Chartermark for ICT, Investors in People accreditation for the whole council and the Quest Accreditation for the Leisure centre.

The council's performance over the last year can be summarised as follows:

- The corporate plan proposals and priorities have been reviewed through the development of a Transition Plan which was adopted by the council at the end of March 2008. The council now has a single priority 'People and Place' which it is now actively working to achieve;
- While 57% of indicators have achieved targets less are showing improvement since last year (57% compared with 67%), 47% of indicators show top quartile performance compared with only 40% last year although more also show bottom quartile performance.
- In terms of the 19 key indicators in need of improvement, 57% have seen targets achieved, 69% have improved, 62% show an improving trend and there are now more in top quartile and less in bottom quartile. This shows a significant improvement since last year;
- Local indicators continue to show performance improvement as 70% have improved last year compared with only 51% last year;
- 75% of actions in the Risk Strategy have been completed and work commenced on the remaining 25%, strategic risks will be re-assessed as a result of the adoption of the emerging Transition Plan;
- There is strong HR performance at a time of reduced capacity which not only included the transfer of a significant number of staff to Cestria but also included the achievement of Investors in People. Sickness levels within the council have improved. Staff turnover is high for the first time this year with a 15% turnover rate being recorded, reflecting the impact of uncertainty around LGR;
- There are no actions in the Equality Plan action plan behind target and the council now leads on equality in terms of Local Government Review;

- 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 is now accommodated in the Transition Plan;
- During the year the council has received some crucial and significant Audit Commission reports including a 'good' CPA report, a significantly and seriously positive Annual Audit and Inspection letter including a positive Direction of Travel statement following CPA recategorisation. In addition the council has achieved IIP accreditation (which proves the progress the council has made in supporting and developing its people), a Charter Mark for ICT, Quest accreditation for Leisure Services, Golden Green Apple Award, Green Flag Awards and a significantly positive Pilot Benefits Inspection judgement. The council also won the first regional Shine Improvement Award for proving to be the most improved council in the country;
- There have been significantly less complaints this year than last (234 compared with 339 this time last year) and the proportion of compliments, is improving towards one compliment being received for every one complaint received. Only 27% of complaints were considered justified compared to 44%% this time last year;
- Response times to corporate standards continued to improve overall;
- Significant progress has been made on Data Quality and a good Audit Commission Data Quality audit was received before the end of the year and was reflected in the Annual Audit letter and Direction of Travel Statement. At the end of the year the council reviewed its Data Quality Policy and its Data Quality Strategy Action Plan;
- Local Government Reorganisation has begun to impact on the work of the council and the council is taking a significant role in the programme; and
- Strong and positive arrangements in corporate governance exist and are improving.

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. Modernisation 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 Corporate Performance Report April 2007 – March 2008
- 7.5 Audit Commission Corporate Assessment June 2008
- 7.6 Audit Commission Benefits Service Pilot Inspection September 2007
- 7.7 Audit Commission Annual Audit and Inspection Letter March 2008
- 7.8 Charter Mark Assessors Report August 2007
- 7.9 Investors in People Assessors Report October 2007
- 7.10 Transition Plan 2008/2009 March 2008
- 7.11 Corporate Plan 2006/2009 and 2007/2010

**Ian Forster**  
**Director of Corporate Services**  
**16<sup>th</sup> May 2008**  
**Version 1.0**

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**Chester-le-Street**  
District Council

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

### **Annual Corporate Performance Report Summary April 2007 to March 2008**

### **Report of Corporate Management Team**

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#### **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 – March 2008**. 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**
- 10. Audit Feedback**
- 11. Customer Comments, Compliments and Complaints**
- 12. Partnerships Progress**
- 13. Data Quality Progress**
- 14. Local Government Reorganisation Progress**
- 15. Corporate Governance Progress**
- 16. Overall Performance**

# 1. Corporate Plan & Transition Plan Progress

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## 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.

As a result of Local Government re-organisation, a new unitary Council will come into being in April 2009 and Chester-le-Street District Council will cease to exist. In order to set out a framework as to how the Council will conduct its business during this final year a Transition Plan has been adopted.

The objectives of the Transition Plan are to:

- state the Council's aims, objectives and priorities during the transition period
- build on the council's learning and continue its improvement programme
- set out revised corporate activity and funding arrangements for transition period
- clarify corporate transition programme management arrangements
- identify how we will support and motivate staff through the process
- set out the values and principles by which the Council will operate during transition;and
- establish terms of engagement with 'County Durham Council' Change Programme

This plan is now the overarching plan for Chester-le-Street District Council during the transition period, and as such sets out how services and projects will be facilitated, delivered and resourced. It incorporates a review of the Corporate Plan 2007/2010 and sets out the Council's new priority of **'People and Place'**.

The Plan was only adopted at the end of March 2008 and therefore it is too early to measure performance against. At the time of writing this report significant progress had been made.

## 2. Best Value Performance Indicators

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### 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.

At the time of reporting, where indicators relate to Cestria, the data was not available to us. Performance for these indicators will be reported through the Best Value Performance Plan. For the purpose of this report, the analysis below is based on performance against the remaining set of indicators.

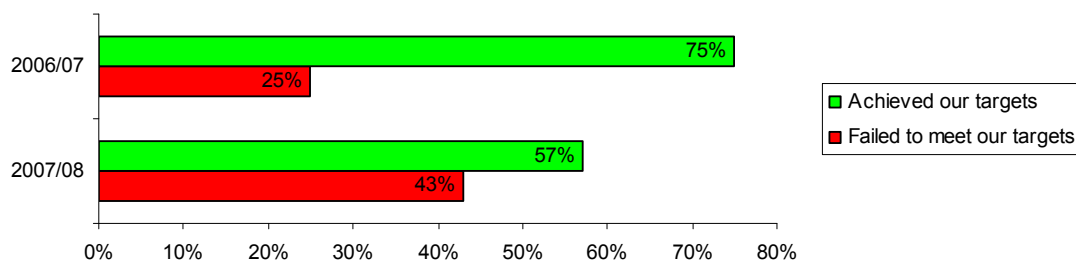
#### Best Value Performance Indicators

Performance for the Best Value Indicators is as follows (comparisons against last year's outturn figures are shown in brackets):

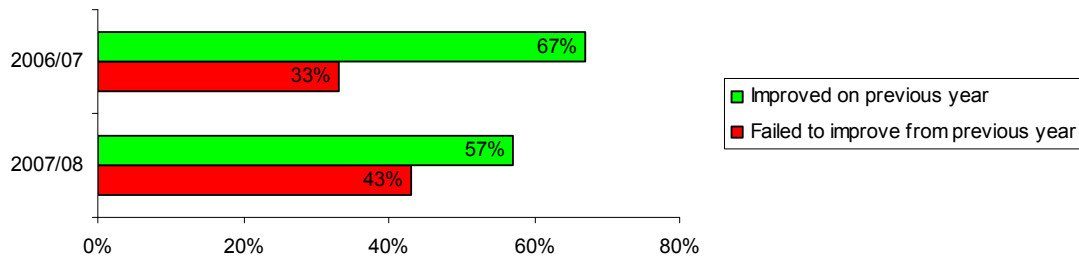
57% (75%) have achieved target  
43% (25%) have failed to meet targets  
57% (67%) have shown an improvement from last year  
43% (33%) have failed to improve from last year  
57% (65%) have shown an improvement over 3 years  
33% (27%) have failed to improve over 3 years  
47% (40%) show best quartile performance  
28% (22%) show worst quartile performance

(Note: Quartile figures are estimated figures comparing performance against the National District Councils 2006/07 outturns published by the Audit Commission.)

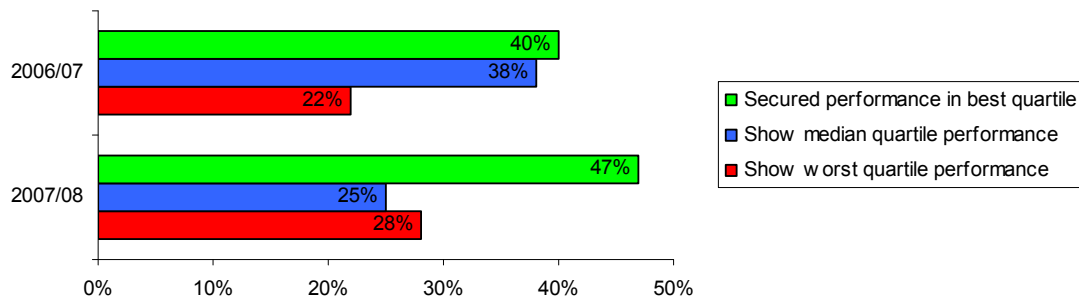
#### BVPI Achievement against Target



### BVPI Improvement from last year



### BVPI Quartile Comparisons



Figures indicate a dip in performance in terms of achieving targets and improvement from last year as well as showing an increase in the number of indicators within worst quartile. However, figures continue to show improved performance over the year in terms of securing best quartile performance.

### 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 Clinic held on 22 February 2008 principally focused on April to December 2007 performance; Data Quality Audit; Data Quality Policy; Data Quality Strategy Action Plan; Access to Services Inspection; and the National Indicator Set update. The Clinic held 22 April 2008 principally focused on LGR; Target Setting for the new National Indicator set; Data collection; Best Value Performance Plan; and the Annual Audit and Inspection Report. The next Clinic is scheduled to take place in August 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.)

<b>BVPI</b>	<b>Description</b>	<b>Why focus?</b>
<b>8</b>	<b>% invoices paid in 30 days</b>	<b>Target not achieved Worst Quartile</b>
<b>9</b>	<b>% council tax collected</b>	<b>Target not achieved No improvement Downward trend Worst Quartile</b>
<b>10</b>	<b>% non domestic rates due</b>	<b>Target not achieved Worst Quartile</b>
11a	Percentage of top-paid 5% of staff who are women	Target not achieved No improvement Downward trend
<b>12</b>	<b>No days lost as a result of sickness</b>	<b>Worst Quartile</b>
<b>64</b>	<b>Number unfit private dwellings returned into occupation</b>	<b>No improvement Downward trend Worst quartile</b>
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
<b>184a</b>	<b>% non decent homes</b>	<b>Target not achieved No improvement Worst Quartile</b>
<b>184b</b>	<b>% proportion of non decent homes</b>	<b>Target not achieved Worst Quartile</b>
<b>212</b>	<b>Average time to re-let homes</b>	<b>Target not achieved No improvement Downward trend</b>
202	The number of people sleeping rough on a single night within the area of the authority	No improvement Downward trend Worst quartile
76c	The number of Housing Benefit and Council Tax Benefit fraud investigations carried out by the Local Authority per year, per 1,000 caseload	Target not achieved No improvement Downward trend
78a	The average processing time taken for all new Housing and Council Tax Benefit claims submitted to the Local Authority, for which the date of decision is within the financial year being reported	Target not achieved No improvement Downward trend

<b>BVPI</b>	<b>Description</b>	<b>Why focus?</b>
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:

46% have achieved target  
54% have failed to meet targets  
69% show an improvement  
31% have failed to improve  
62% direction of travel shows an improvement trend  
31% direction of travel shows a declining trend  
10% show best quartile performance  
50% show worst quartile performance

Figures show improved performance over the year in terms of achieved targets and improvement from last year. However, there is a dip in performance in respect to securing best quartile performance as well as an increase in the number of indicators within worst quartile.

## **2.2 Detailed performance Information**

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

## **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.

## **2.4 New National Indicators**

From 2008/2009 the Best Value Performance indicators will be abolished and replaced with a new single set of National Indicators to measure the Government's national priorities. The new performance framework is focused on outcomes and their delivery through stronger partnership working.

As some of the Best Value Performance Indicators have proved to be useful in measuring our performance we are to retain a small number of these indicators to be monitored in-house.



## 3. Local Performance Indicators

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### 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.

At the time of reporting, where indicators relate to Cestria, the data was not available to us. Performance for these indicators will be reported through the Best Value Performance Plan. For the purpose of this report, the analysis below is based on performance against the remaining set of indicators.

Performance for the local performance indicators is as follows (comparisons against last year's outturn figures are shown in brackets):

56% (51%) have achieved target  
44% (49%) are behind target  
70% (n/a) have shown an improvement from last year  
30% (n/a) have failed to improve from last year

Figures show improved performance over the 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**

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The mid year financial monitoring report was considered by the Executive in December. It has not been possible to report final outturns at the time of writing this report. Details will be provided as soon as this is available.

## 5. Risk Management

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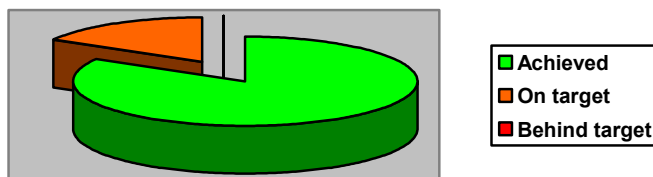
### 5.1. Summary

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. 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

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### 6.1 Summary

At the end of the period the Council employed 350 staff. Staff turnover for the year was 15%, which includes Casual staff.

Staff sickness was an average of 11.0 days per employee for the period, which can be broken down as follows;

Authority total:                      11.0 days average  
   6.2 days (long term)  
   4.8 days (short term/occasional)

Directorates:

Resources                              9.5 days average  
   4.1 (long term)  
   5.3 (short term/occasional)

Development                           11.4 days average  
   6.4 days (long term)  
   5.0 (short term/occasional)

Community                             13.7 days average  
   8.1 days (long term)  
   5.6 (short term/occasional)

CE/Corporate Services              8.1 days average  
   4.9 days (long term)  
   3.2 days (short term/ occasional)

A total of 105 employees achieved 100% attendance for 2007/08.

- 8 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 Council's 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 is on target.

- The Employee survey 2007 was issued to staff in September 2007 and we have recently received the results.
- TUPE transfer of employees to Cestria Community Housing Association has been completed.
- A procedure for devising Personal Profiles for all employees is currently being designed, prior to briefing sessions and implementation.

## **6.2 Learning and remedial action**

Significant progress is being made in terms of HR performance. All action plans are on target. Action Plans will be developed where improvement is not being achieved. Progress has been made in improving sickness performance, from 11.8 days per employee for 2006/07 to 11 days for 2007/08.

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 council's priorities in the Corporate Plan and the Improvement and Recovery Plan. This approach has taken place once again during 2007/2008 as part of the next organisational development programme, with the three Action Learning Sets due to present their findings in May 2008. 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.

The HR service has contributed to the transfer of staff over to Cestria Homes and the led the approach leading to the successful Investors in People Accreditation during the year.

# 7. Equality and Diversity Position Statement

## 7.1 Summary

The revised Diversity Impact Assessment methodology has been implemented by Service Team Managers as part of the service planning process. Completed DIA timetables were submitted to EDWG in February and a schedule of assessment monitoring drawn up. Consultation requirements will be co-ordinated centrally. As part of the LGR process, new impact assessment toolkits have been developed, and these will be rolled out in all 8 councils over the next year.

Local Government Re-organisation will impact in the following ways:

- The Corporate Equality Plan was not revised in January, but will remain unchanged until March 2009. 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 was submitted to Council in January setting out this position and providing information so Members can be assured of our continued compliance.
- Although it is believed that the Authority meets 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.
- A number of actions contained within the Corporate Equality Plan action plans have been put on hold. These are primarily Level 4 actions, and therefore do not impact upon our declaration of Level 2.

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 year, covering all 6 strands of the equality agenda.

### Performance

*Corporate Equality Plan actions:*

	<b>Number of actions</b>	<b>% completed</b>	<b>% on target</b>	<b>% behind target</b>
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 following 15 months that would relate to all 6 strands of the equality agenda. This will be done on a task group basis, first 2 events being:

- ▶ February: LGBT history month. A number of activities were carried out including staff quiz within TeamTalk; a dedicated page on our website which contained historical and other interesting information, quizzes and useful links to other websites; and an information stand was set out in the Civic Centre mall.
  
- ▶ 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.

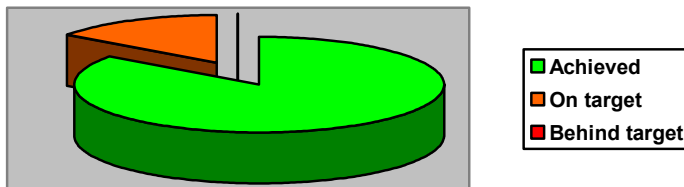
## 8. IRP Position Statement

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### 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, aligned to the LGR Transition Plan, has been agreed, and this will be monitored through Programme Management Board, starting from April 2008. 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.



## 10. Audit Feedback & Summary

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### 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 August the ITC section received the Charter Mark accreditation, the first in the region to do so.

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. In the same month Leisure services achieve the Quest Accreditation. The council has received many other accolades through external assessment such as the 'Loo of the year award', the Golden Green Apple award and Green Flags.

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

The audit commission submitted its Annual Audit and Inspection letter to the council at the end of March 2008. This was reported to Council at the end of the month and is available on the Council's website.

Every year the Audit Commission publish their Annual Audit and Inspection letter. This year's letter was issued at the end of March and can be downloaded from the link at the right hand side of this page.

It provides an overall summary of the Audit Commission's assessment of the Council. It draws on the most recent Comprehensive Performance Assessment (CPA), the findings and conclusions from the audit of the Council for 2006/07 and from any inspections undertaken since the last Annual Audit and Inspection Letter. It includes the council's Direction of Travel report for the previous year. The letter provides some very positive messages about the council's progress over the last couple of years.

It is considered that the Annual Audit and Inspection report demonstrates the massive progress the council has made over the last few years. The report acknowledges that the council was the first council in the country to make such a significant improvement in its CPA and considers the council's performance improvement to be 'impressive'. The letter identifies that overall Use of Resources judgement has improved to a Level 3 and the Value for Money judgement has been maintained at a level 2.

The key messages arising from the Commission's inspection work are:

- The Council has continued to improve its services in its priority areas and overall. The scale of the Council's improvement is now reflected in its Comprehensive Performance Assessment (CPA) category which has improved from 'poor' to 'good' as a result of a CPA inspection in June 2007. The Council was the first District Council to achieve such a significant improvement in its CPA category.
- Progress against the Council's priorities and contribution to wider community outcomes is good. There are many examples of where the Council has worked closely with residents and partners in delivering significant improvements.
- In common with Councils across Durham, the Council has implemented good regeneration projects. However, the Councils are not working together well enough to close the gap between economic prosperity in Durham and the rest of the country.
- The Council has good arrangements for further improvement.

The Key messages arising from their audit work are:

- they were able to issue an unqualified opinion on the Council's accounts
- the Council considered stakeholder views when deciding not to produce an annual report

- the Council continues to ensure that its medium term financial strategy, budgets and capital programme are soundly based and designed to deliver its strategic priorities;
- the Council has continued to improve arrangements for controlling spending and reported an overall underspend in 2006/07;and
- the Council has improved arrangements in internal control and continues to perform well in this area

### **Other Key messages**

The Government has decided to take forward the option of local government reorganisation in County Durham. The Council will demise next year and its functions will be transferred to a new unitary council that will cover the whole of County Durham. Early indications are that the Council is making a positive contribution to making a success of the new Council but this early impetus needs to be maintained over the coming months. In particular the Commission recommended that the Council should:

- Prioritise making a positive contribution to transitional working designed to establish the new Council
- Set aside or secure sufficient resources to make the above contribution; and
- Ensure that attention is given to maintaining key public services in the transition period

## **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.

This has been an excellent year for the council in terms of progress in its improvement programme which is clearly shown by external assessment responses and successes.

The council's progress has been recognised at regional level when the council won the first Shine Improvement Award.

# 11. Compliments, comments and complaints Analysis

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## 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. To further embed the complaints culture into the organisation, a continual process improvement project commenced in December 2007 with specific aims to raise awareness of the importance of dealing with complaints and also to evaluate and improve the process overall.

### Total Complaints

The following statistics represent the information received for the period April 2007 – March 2008. Figures for the same period last year are indicated in brackets.

234 (339) formal complaints were received by the Council.

27 % (44 %) were considered to be justified

73 % (56 %) were considered to be unjustified

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

No (No) complaints were upheld by the Ombudsman

191 (224) compliments/letters of thanks were registered during the period.

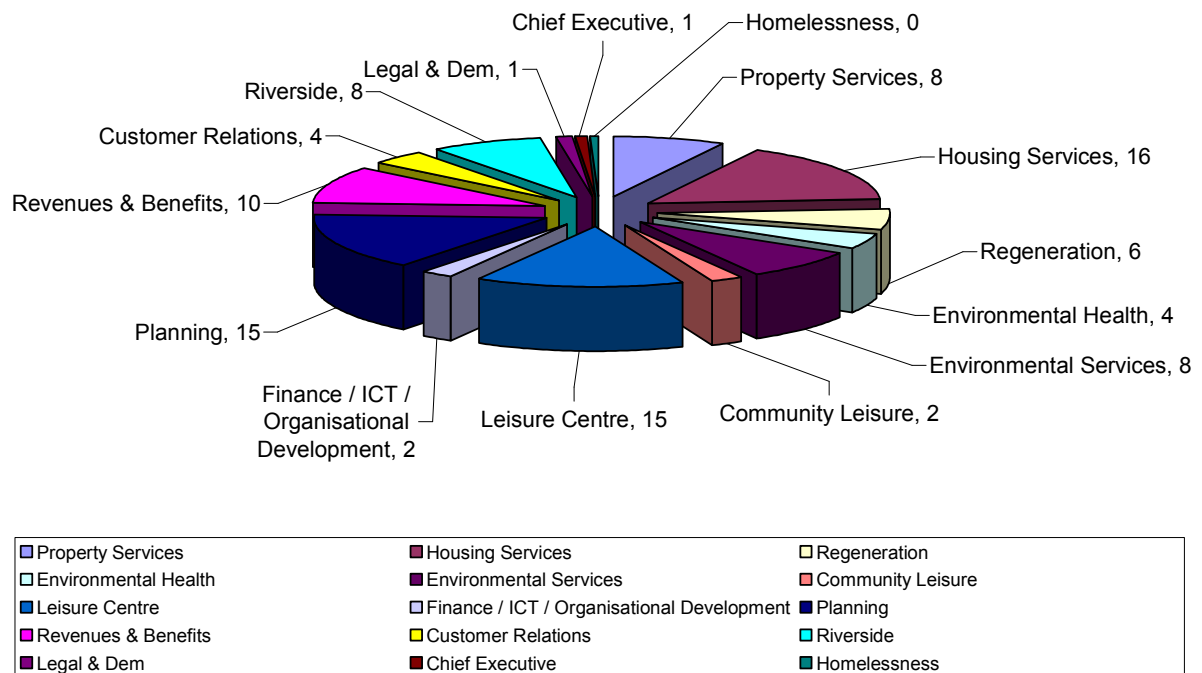
## 11.2 Formal Complaints April 2007 – March 2008

A total of 234 (339) formal complaints were submitted in the period

### Nature of Complaints – Service Teams

- 10 % (8 %) related to the Revenue and Benefits service
- 8 % (8 %) related to the Environmental Services
- 8 % (8 %) related to the Property Services
- 16 % (18 %) related to Housing Services
- 25 % (27 %) related to the Leisure Services
- 15 % (15 %) related to Planning Services
- 6 % (5 %) related to Regeneration
- 4 % (4 %) related to Environmental Health Services
- 4 % (4 %) related to Customer Relations
- 2 % (2 %) related to Finance / ICT & Organisational Development

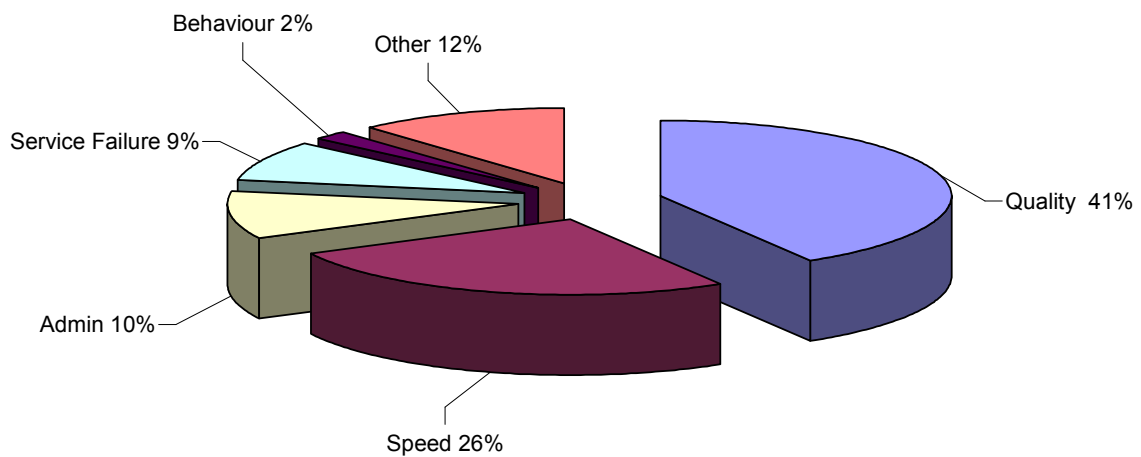
**% of complaints received by Service Area  
April 2007 - March 2008**



## Nature of Complaints – Complaint Types

41 % (45 %) were in respect of *quality of service*  
10 % (11 %) were in respect of *administration of services*  
2 % (2 %) was in respect of *behaviour of staff*  
9 % (5%) were in respect of *service failure*  
26 % (25 %) were in respect of the *speed of service provided*  
12 % (12 %) were in respect of other reasons

Nature of complaint 2007/2008

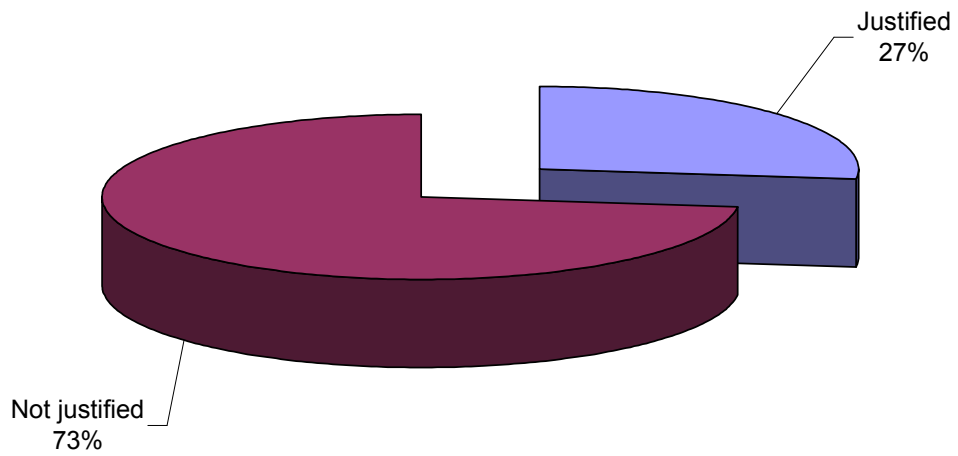


**Outcome**

27 % (44 %) were considered to be justified

73 % (56 %) were considered to be unjustified

**Proportion justified / unjustified complaints 2007/2008**



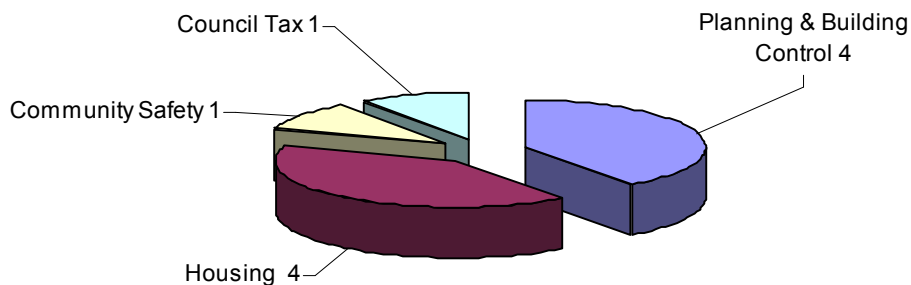
### 11.3 Ombudsman Complaints April 2007 – March 2008

- 10 (14) Ombudsman complaints were received during the period.
- No (No) complaints were upheld by the Ombudsman
- The overall number of complaints raised against the council has reduced by 29% compared to 2006 – 2007
- All complaints were responded to within the Ombudsman’s target time (29 days)

#### Nature of Complaints

40% related to planning services  
40% related to housing services  
10% related to council tax  
10% related to community safety

Ombudsman by classification 2007 / 2008



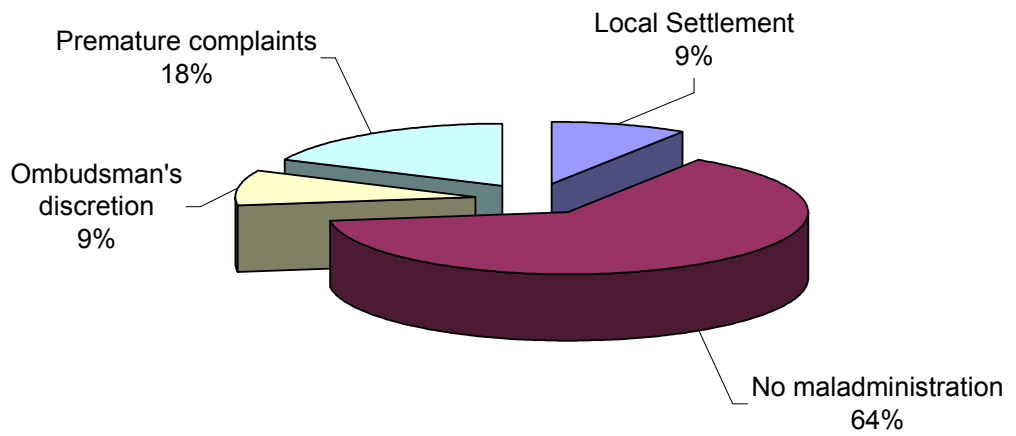
#### Outcome

The Ombudsman issued 6 decision letters in the period – no complaints were upheld against the Council:



Local settlement	9%
No evidence of maladministration	64%
Ombudsman Discretion	9%
Premature complaints	18%

Ombudsman decisions 2007 /2008



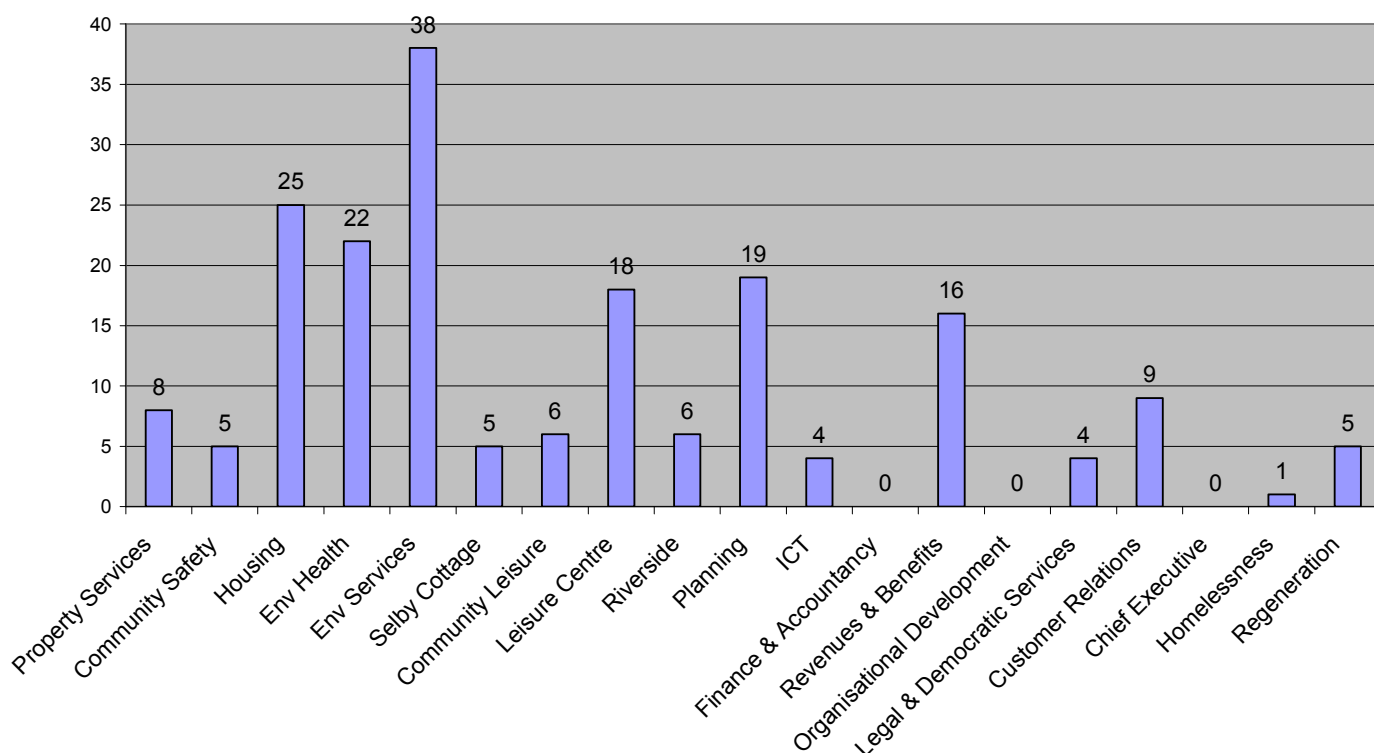
## 11.4 Compliments April 2007 – March 2008

191 (224) compliments/letters of thanks were registered during the period.

### Nature of Compliments

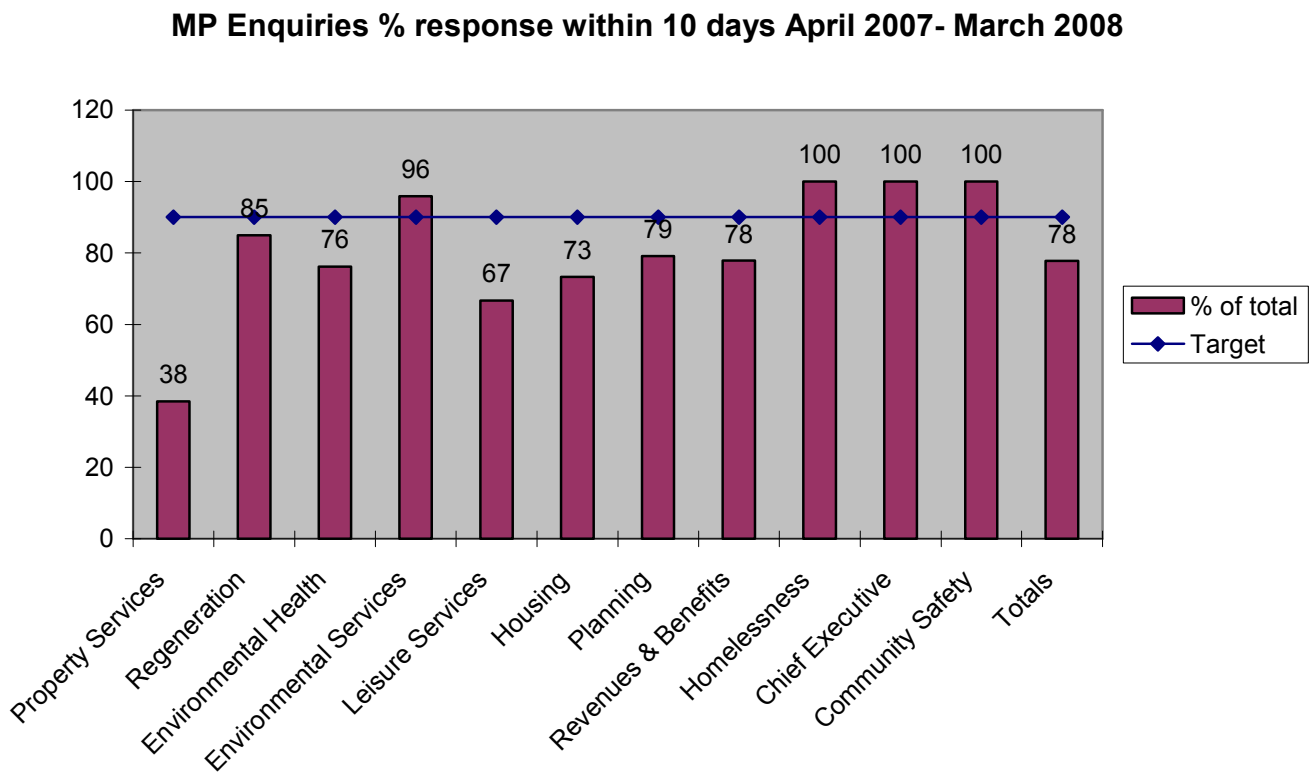
- 16 related to the revenue & benefits service
- 38 related to the environmental services
- 25 related to housing services
- 27 related to the leisure services
- 19 related to planning services
- 22 related to environmental health services
- 5 related to regeneration
- 9 related to customer relations
- 4 related to resources / ICT / organisational development
- 10 related to council / combined services

Compliments Received by Teams April - December 2007



### 11.5. Response to MP Enquiries within 10 Working Days

The graph below shows the performance by each service team in dealing with MP enquiries within the agreed service standard performance of 10 working days.



<b>Total Number of Enquiries Received from MP</b>	
Total Number of MP enquiries / complaints received 2007 / 2008	151
Total Number which were MP enquiries	122
Total Number which were MP complaints about the Council	29

Performance has dropped slightly by 1% compared to the previous quarter but has increased by 2% against the same period in 2006 / 2007. IF we were to discount the performance of the services transferred to Cestria, the overall performance of the remaining council services would increase to 84% for the whole 2007 – 2008 period.

## 11.5 Other Performance Information

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

- 85 % of complaints were responded to in 10 days (target 90%)
- 78 % MP queries were responded to in 10 days (target 90%)
- 97 % Freedom of information enquiries were responded to in 20 working days (target 100%)
- 93 % 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 logged compared to the same period last year has reduced by 31% – 234 compared with 339, however part of this can be attributed to the handover of housing services to Cestria Community Housing Group in February 2008.
- Most complaints related to Leisure Services, Planning and Housing which combined equate to 58% of all complaints received.
- 41% of complaints related to the quality of service people have received.
- The % of justified complaints has reduced from 44% to 27% 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 2% increase in MP enquiries dealt with in target time and also overall handling of complaints within target time has increased by 2.7%. It is also encouraging to note that the remaining council services all achieved a 100% target achievement for the final ¼ of the financial year and this issue will continue to be addressed and promoted as part of the 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

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### 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 17), 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.

The Transition Plan has addressed what needs to be done and a significant part of the '**People and Place**' priority is to develop the partnerships as part of the 'Strengthening Partnerships' Action Learning Set. At the time of writing this report a Delivery Plan to address improving partnerships had been agreed by the Executive.

## 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 **'People and Place'** .priority delivery plan implementation underperformance. The Strategy itself 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

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## 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 has been completed

- A Revised Policy and Strategy Action Plan was agreed at the end of March

The Audit Commission has carried out an audit of Data Quality Arrangements. This has proved to be positive with few recommendations made. The council has reviewed its action Plan in the light of the recommendations made.

There are no issues of Data Quality failures or exceptions to be reported during this year

### **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. The Audit Commission produced a positive audit report.

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

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



# 14. Local Government Reorganisation Progress

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## 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 organisation. At the same time the council has commenced developing a transitional plan which will help it focus on a single priority of 'people and place' through to March 2009.

The council is now significantly engaged in assisting the transition to the new authority .It has key officers who are leading and engaging in the workstreams and taking best practice into the new council.

## 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. Corporate Governance Progress

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## 15.1 Summary

The council has taken corporate governance seriously as part of its Improvement Programme. During the year the corporate working group which drives corporate Governance improvement – the Corporate Governance Group (CGG) lost two key members of the team as a result of them moving to other appointments outside the authority. The team has regrouped and is now chaired by the Director of Corporate Services providing a key steer from the corporate centre. Members of the group have ensured progress and the CGG has

- Developed and secured council approval of the Local Code of Governance;
- Implemented the associated action Plan;
- Commenced work on this years Annual Governance Statement;
- Commenced work on this years Use of Resources submission;
- Contributed to the development and review of the Data Quality Policy and Strategy action plan, agreed by the Council in March 2008;
- Developed an Intranet site to allow access to key documents and information for staff and members;
- Considered reports on the effectiveness of Internal Audit and the Annual Internal Audit report which both show positive achievement of internal audit at a time of change;
- Set out Strategic risk assessments for the Transition Plan and agreed key strategic corporate risks with Corporate Management Team;
- Commented on the Audit commissions annual Audit and Inspection letter; and
- Raised awareness of corporate governance through a range of LGR workstreams

Significant progress has therefore been made and it is considered that the council is strong in terms of its commitment and delivery to corporate governance. It is considered that the very positive Annual Audit and Inspection letter from the Audit Commission reflects this point of view.

## 15.2 Learning and remedial action

Significant progress has been made in maintaining a team to assist the council in ensuring high standards of effectiveness of corporate governance.

## 16. Overall Performance

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### 16.1 Summary of Overall Performance









It has been another significantly positive year for the council. This has been against challenges of a time of significant change as a result of local government re-organisation and in terms of transferring its housing function to a registered Social Landlord, Cestria Homes. The council's performance has been captured in the most positive Annual Audit and Inspection Letter received from the Audit Commission in the council's history. During the year the council marked its achievements against its ambitious improvement programme by becoming the first council to move from a 'poor' to a 'good' Comprehensive Performance Assessment categorisation. This has been followed by achieving a significant range of external assessed awards including a Chartermark for ICT, Investors in People accreditation for the whole council and the Quest Accreditation for the Leisure centre.

The council's performance over the last year can be summarised as follows:






- The corporate plan proposals and priorities have been reviewed through the development of a Transition Plan which was adopted by the council at the end of March 2008. The council now has a single priority 'People and Place' which it is now actively working to achieve;
- While 57% of indicators have achieved targets less are showing improvement since last year (57% compared with 67%), 47% of indicators show top quartile performance compared with only 40% last year although more also show bottom quartile performance.
- In terms of the 19 key indicators in need of improvement, 57% have seen targets achieved, 69% have improved, 62% show an improving trend and there are now more in top quartile and less in bottom quartile. This shows a significant improvement since last year;
- Local indicators continue to show performance improvement as 70% have improved last year compared with only 51% last year;
- 75% of actions in the Risk Strategy have been completed and work commenced on the remaining 25%, strategic risks will be re-assessed as a result of the adoption of the emerging Transition Plan;
- There is strong HR performance at a time of reduced capacity which not only included the transfer of a significant number of staff to Cestria but also included the achievement of Investors in People. Sickness levels within the council have improved. Staff turnover is high for the first time this year with a 15% turnover rate being recorded, reflecting the impact of uncertainty around LGR;
- There are no actions in the Equality Plan action plan behind target and the council now leads on equality in terms of Local Government Review;





- 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 is now accommodated in the Transition Plan;
- During the year the council has received some crucial and significant Audit Commission reports including a 'good' CPA report, a significantly and seriously positive Annual Audit and Inspection letter including a positive Direction of Travel statement following CPA recategorisation. In addition the council has achieved IIP accreditation (which proves the progress the council has made in supporting and developing its people), a Charter Mark for ICT, Quest accreditation for Leisure Services, Golden Green Apple Award, Green Flag Awards and a significantly positive Pilot Benefits Inspection judgement. The council also won the first regional Shine Improvement Award for proving to be the most improved council in the country;
- There have been significantly less complaints this year than last (234 compared with 339 this time last year) and the proportion of compliments, is improving towards one compliment being received for every one complaint received. Only 27% of complaints were considered justified compared to 44%% this time last year;
- Response times to corporate standards continued to improve overall;
- Significant progress has been made on Data Quality and a good Audit Commission Data Quality audit was received before the end of the year and was reflected in the Annual Audit letter and Direction of Travel Statement. At the end of the year the council reviewed its Data Quality Policy and its Data Quality Strategy Action Plan;
- Local Government Reorganisation has begun to impact on the work of the council and the council is taking a significant role in the programme; and
- Strong and positive arrangements in corporate governance exist and are improving.

## Best Value Performance Indicators - 1 April 2007 to 31 March 2008








BVPI No.	Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Trend over 3 years	Secured Best Quartile	Good Perf	Comments, Remedial Measures and Action
2a	The level of the Equality Standard for local government to which the Authority conforms in respect of gender, race and disability	2	2	3		No	x	→	N/A	High	Although we meet the criteria at Level 3 of the ESLG, we are unable to declare this as an external validation is required costing up to £8,000. Given the move to a new unitary authority by April 2009 which would negate all levels and validations of the constituent authorities, it is felt that this is unnecessary expenditure.
2b	The quality of an Authority's Race Equality Scheme (RES) and the improvements resulting from its application	84%	95%	89%		Yes	✓	↗	✓	High	Further embedding of equality and diversity into service delivery has led to improved performance.
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%	93.68%	95.00%		No	✓	↗	x <sub>3</sub>	High	Performance has improved since last year due principally to the undertaking of a CPI project to drive improvement.
9 	The percentage of council tax collected by the Authority in the year	97.24%	97.53%	98.80%		No	✓	↘	x <sub>3</sub>	High	Performance has improved since last year. More stringent and proactive recovery procedures are now in operation and direct debit uptake has increased.
10 	The percentage of national non-domestic rates collected in-year	96.69%	98.20%	97.90%		Yes	✓	↗	x <sub>B</sub>	High	Performance has improved since last year. A new effective bailiff was appointed who has contributed significantly to the NNDR recovery rate. More stringent procedures and recovery methods are utilised to maximise NNDR collection.




PI	Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Trend over 3 years	Secured Best Quartile	Good Perf	Comments, Remedial Measures and Action
11a	Percentage of top-paid 5% of staff who are women	25.00%	30.00%	31.00%		No	✓	↗	x <sub>2</sub>	High	Performance has improved since last year principally due to the decrease in the number of staff as transfers to Cestria Community Housing Association took place in February 2008.
11b	The percentage of the top 5% of Local Authority staff who are from an ethnic minority	3.57%	5.00%	2.50%		Yes	✓	↗	✓	High	Performance has improved since last year principally due to the decrease in the number of staff as transfers to Cestria Community Housing Association took place in February 2008.
11c	Percentage of the top paid 5% of staff who have a disability (excluding those in maintained schools)	3.57%	0.00%	3.00%		No	x	↘	x <sub>B</sub>	High	Target has not been achieved due to the decrease in the number of staff as transfers to Cestria Community Housing Association took place in February 2008. There are now less staff in the top 5% earners who have a disability.
12	<b>The number of working days/shifts lost to the Authority due to sickness absence</b>	11.09 days	11.01 days	10.65 days		No	✓	↗	x <sub>B</sub>	Low	Performance has improved from last year. This can be attributed to the reduction of long term sickness cases.
14	The percentage of employees retiring early (excluding ill-health retirements) as a percentage of the total work force	0.23%	1.39%	0.50%		No	x	↗	x <sub>B</sub>	Low	Target has not been achieved due to the decrease in the number of staff as transfer to Cestria Community Housing Association took place in February 2008.
15	The percentage of local authority employees retiring on grounds of ill health as a percentage of the total workforce	0.00%	1.05%	0.00%		No	x	↘	x <sub>B</sub>	Low	Target has not been achieved due to the decrease in the number of staff as transfer to Cestria Community Housing Association took place in February 2008.
16a	The percentage of local authority employees with a disability	3.27%	1.81%	2.50%		No	x	↘	x <sub>B</sub>	High	Target has not been achieved due to the decrease in the number of staff as transfer to Cestria Community Housing Association took place in













BVPI No.	Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Trend over 3 years	Secured Best Quartile	Good Perf	Comments, Remedial Measures and Action
16b	The percentage of the economically active population in the local authority area who have a disability	18.16%	18.16%	N/A	N/A	N/A	N/A	N/A	N/A	N/A	Housing Association took place in February 2008.
17a	The percentage of local authority employees from ethnic minority communities	0.9%	1.8%	1.5%		Yes	✓	↗	x <sub>2</sub>	High	Performance has improved since last year principally due to the decrease in the number of staff as transfers to Cestria Community Housing Association took place in February 2008 coupled with an increase in employees from an ethnic minority.
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%	20.00%	40.00%		No	x	↘	N/A	High	The transfer of buildings to Cestria Community Housing in the last quarter of the year has resulted in a change in the calculation and the target becoming unachievable.
63	The average SAP rating of local authority-owned dwellings	66	To follow	67	N/A	N/A	N/A	N/A	N/A	High	Transfer to Cestria Housing - Data is currently unavailable to report this indicator. When available, this will be reported through the Best Value Performance Plan.
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 <sub>B</sub>	High	This area of work was a service priority in 2007/8, however, the action plan was significantly delayed as we did not have accurate baseline information.
66a	 Rent collected by the local authority as a proportion of rents owned on Housing Revenue Account (HRA) dwellings	97.52%	To follow	97.80%	N/A	N/A	N/A	N/A	N/A	High	Transfer to Cestria Housing - Data is currently unavailable to report these indicators. When available, these will be reported through the Best Value Performance Plan.
66b	Percentage of local authority tenants with more than seven weeks of (gross) rent arrears	4.93%	To follow	5.25%	N/A	N/A	N/A	N/A	N/A	Low	
66c	Percentage of local authority tenants in arrears who have had Notices Seeking Possession served	15.96%	To follow	18.00%	N/A	N/A	N/A	N/A	N/A	Low	





PI	Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Trend over 3 years	Secured Best Quartile	Good Perf	Comments, Remedial Measures and Action
66d	Percentage of local authority tenants evicted as a result of rent arrears	0.49%	To follow	0.47%	N/A	N/A	N/A	N/A	N/A	Low	
184a	The percentage of local authority dwellings which were non-decent at the start of the financial year	46%	To follow	38%	N/A	N/A	N/A	N/A	N/A	Low	
184b	The percentage change in the proportion of non-decent dwellings between the start and the end of the financial year	0%	To follow	17.0%	N/A	N/A	N/A	N/A	N/A	High	
212	Average time (days) taken to re-let local authority housing	38 days	To follow	32 days	N/A	N/A	N/A	N/A	N/A	Low	
183b	The average length of stay in hostel accommodation of households that are unintentionally homeless and in priority need	0.00	0.00	3 weeks		Yes	✓	↗	✓	Low	Performance remains constant and within top quartile. We have not temporarily accommodated anyone in refuges or hostels as this is rarely accepted by homeless families.
202	The number of people sleeping rough on a single night within the area of the authority	5	5	0-10		Yes	✗	→	✗ <sub>B</sub>	Low	The figure is an estimate as we have to rely on local intelligence. We are currently within target.
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	4	1.6		Yes	✗	↗	✓	High	We have met our target due to the increase in prevention methods available.
76b	The number of fraud investigators employed by the Local Authority, per 1,000 caseload	0.39	0.38	0.38		Yes	N/A	→	N/A	N/A	We have met our target. The number of fraud investigators employed has not changed since last year.
















BVPI No.	Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Trend over 3 years	Secured Best Quartile	Good Perf	Comments, Remedial Measures and Action
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	56.55	48.00		Yes	✓	↗	N/A	High	Performance has exceeded last years outturn. 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	10.89	7.00		Yes	✓	↗	N/A	High	Performance has exceeded last year's outturn. More emphasis has been placed on obtaining sanctions. Cases are risk assessed and only cases where investigators feel a sanction can be obtained are actually investigated.
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	23.4 days	24.0 days		Yes	✓	↗	✓	Low	Performance has exceeded last years out turn. Performance is very closely monitored to ensure that it remains in top quartile and work is prioritised accordingly.
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	8.1 days	7.0 days		No	✗	↘	✗ <sub>2</sub>	Low	Performance has dipped from last year. This is due to less experienced/trainees working on changes of circumstances as part of their individual training plans.
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%	99.60%	99.10%		Yes	✗	→	✓	High	Improved accuracy checking and audit controls have ensured that accuracy of processing has improved and is maintaining top quartile performance.









PI	Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Trend over 3 years	Secured Best Quartile	Good Perf	Comments, Remedial Measures and Action
79b(i)	The amount of Housing Benefit overpayments recovered as a percentage of all HB overpayments	112.48%	70.44%	95.00%		No	x	↘	x <sub>3</sub>	High	Due to operational staffing issues in the final quarter only minimum overpayment work was completed. It is fair to assume that outstanding debt is increasing due to the identification of more overpayments as a result of increased processing and identifying higher levels of fraud and error. The team is more proactive in finding errors, which cause overpayments.
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%	45.63%	65.00%		No	x	↘	✓	High	Due to operational staffing issues in the final quarter only minimum overpayment work was completed. Processing work is the main priority of the service and due to current staffing difficulties only the minimum amount of overpayment recovery work is being completed. Assistance is being provided by other members of the service team to ensure that the slippage is controlled.
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%	1.78%	1.00%		No	✓	↗	N/A	Low	The amount of debt written off has reduced compared with 2006/2007 performance. However, we believe this shows an improved performance. Debt is managed and progressed much more effectively, with a dedicated overpayment resource for three quarters of the year, which has reduced the requirement to write off. Old debt is managed much more effectively however, and is written off where appropriate.

BVPI No.	Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Trend over 3 years	Secured Best Quartile	Good Perf	Comments, Remedial Measures and Action
82a(i)	Percentage of household waste arisings which have been sent by the Authority for recycling	17.08%	To follow	16.00%	N/A	N/A	N/A	N/A	N/A	High	Due to issues surrounding the treatment of waste sent for recycling by Premier Waste, performance figures for these indicators will be delayed pending discussions with Durham County Council.
82a(ii)	Total tonnage of household waste arisings sent by the Authority for recycling	3683.57	To follow	3425	N/A	N/A	N/A	N/A	N/A	High	
82b(i)	The percentage of household waste sent by the Authority for composting or treatment by anaerobic digestion	7.58%	To follow	8.00%	N/A	N/A	N/A	N/A	N/A	High	
82b(ii)	Total tonnage of household waste sent by the Authority for composting or treatment by anaerobic digestion	1634.03	To follow	1712.00	N/A	N/A	N/A	N/A	N/A	High	
84a	Number of kilograms of household waste collected per head of the population	405.45	To follow	422.8	N/A	N/A	N/A	N/A	N/A	Low	
84b	Percentage change from the previous financial year in the number of kilograms of household waste collected per head of the population	0.76%	To follow	-4.01%	N/A	N/A	N/A	N/A	N/A	Low	
86	Cost of household waste collection per household	£37.36	£39.84	£41.40		Yes				Low	Costs have increased by just over 6% since last year but still remain under the target amount.
91a	Percentage of households resident in the authority's area served by kerbside collection of recyclables (one recyclable)	100.0%	100.0%	100.0%		Yes				High	Performance is consistent with last year and remains within top quartile. All residents are served by kerbside collections of recyclables.
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%		Yes				High	Performance is consistent with last year and remains within top quartile. All residents are served by kerbside collections of recyclables.

PI	Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Trend over 3 years	Secured Best Quartile	Good Perf	Comments, Remedial Measures and Action
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%	11.0%	7.0%		No	x	↘	x <sub>3</sub>	Low	Performance has deteriorated since last year. This may partly be attributable to the transects which were selected to be surveyed this time around which are different to those selected last year. The number of complaints we have received about litter during this year has actually fallen compared to last year.
199b	The percentage of relevant land and highways from which unacceptable levels of graffiti are visible	5%	6.0%	4.50%		No	x	↘	x <sub>B</sub>	Low	The level of graffiti seen throughout the district has increased slightly since last year. This may be partly be attributable to the transects which were selected to be surveyed this time around which are different to those selected last year.
199c	The percentage of relevant land and highways from which unacceptable levels of fly-posting are visible	0%	0.0%	0%		Yes	✓	↗	✓	Low	No incidents of fly-posting were detected in selected transects.
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	To follow	Good	N/A	N/A	N/A	N/A	N/A	Low	DEFRA will produce the performance figure based on information inputted onto the Flycapture database. Data will not be available until July/August 2008
166a	Score against a checklist of best practice for: (a) Environmental Health	100.0%	100.0%	100.0%		Yes	✓	↗	✓	High	Performance remains constant and within top quartile.

BVPI No.	Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Trend over 3 years	Secured Best Quartile	Good Perf	Comments, Remedial Measures and Action
216a	Number of 'sites of potential concern' in the local authority area with respect to land contamination	11	134	8	N/A	N/A	N/A	N/A	N/A	N/A	The authority reported 11 sites last year. Further investigation with the contractor responsibly revealed this was largely a notional figure representing the top "batch" of a list of over 700 sites of potential concern. During 2007/8 the data set has been rationalised via the removal of historic duplications and amalgamations of relevant adjacent sites.
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%	0%	9%	N/A	N/A	N/A	N/A	N/A	High	The service is not yet at a stage where we can actively address this issue and the main thrust of activities to date has been concentrated on the production of a meaningful data set and the prioritisation of the sites.
217	Percentage of pollution control improvements to existing installations completed on time	100%	100%	100%		Yes	✓	↗	✓	High	Performance remains constant and within top quartile.
218a	Percentage of new reports of abandoned vehicles investigated within 24hrs of notification	99.47%	100.00%	99.00%		Yes	✓	↗	✓	High	Performance has improved since last year and remains within top quartile.
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%		Yes	✓	↗	✓	High	Performance remains constant and within top quartile.
106	Percentage of new homes built on previously developed land	90.11%	100.00%	65.00%		Yes	✓	↗	✓	High	Performance has improved and is within top quartile.
109a	Percentage of major applications determined within 13 weeks	87.50%	66.67%	88.00%		No	✗	↘	✗ <sub>B</sub>	High	Performance is well below locally set targets. This has occurred due to unforeseen resource issues across most of the financial year. It is of some comfort to note that although the performance is below local targets it nevertheless meets CLG minimum targets as defined in Audit
109b	Percentage of minor applications determined within 8 weeks	92.41%	75.00%	92.00%		No	✗	↘	✗ <sub>3</sub>	High	

PI	Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Trend over 3 years	Secured Best Quartile	Good Perf	Comments, Remedial Measures and Action
109c	Percentage of 'other' applications determined within 8 weeks	95.40%	85.67%	96.00%		No	x	↘	x <sub>3</sub>	High	Commission advice (of 60%, 65% and 80% respectively).
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	✓	↗	N/A	N/A	Performance has remained constant.
200b	Has the local planning authority met the milestones which the current Local Development Scheme sets out?	No	No	Yes		No	x	↘	N/A	N/A	The target has not been achieved due principally to a 2 month delay in publishing the issues and options consultation programmed for September but not achieved until November.
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%	25.0%		No	x	↘	x <sub>B</sub>	Low	Target has not been achieved. Only 6 decisions reported for 07/08, compared to 8 in 2006/07 therefore date taken from smaller field and hence more subject to sharp fluctuations.
205	The local authority's score against a 'quality of planning services' checklist	100.0%	100.0%	100.0%		Yes	✓	↗	✓	High	Performance remains constant and within top quartile.
219b	Percentage of conservation areas in the local authority area with an up-to-date character appraisal	100%	100%	100.00%		Yes	✓	↗	✓	High	Performance remains constant and within top quartile.
126a	Domestic burglaries per 1,000 households in the Local Authority area	7.06	10.21	6.91		No	x	↘	x <sub>B</sub>	Low	The target has not been achieved. We continue to work with the Police on a crime initiative targeting burglary. We also continue to work with Neighbourhood Watch to implement crime prevention initiatives.

BVPI No.	Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Trend over 3 years	Secured Best Quartile	Good Perf	Comments, Remedial Measures and Action
127a 	Violent crime per 1,000 population in the Local Authority area	17.86	15.02	17.68		Yes	✓	↗	x <sub>3</sub>	Low	Performance has improved since last year as we continue to work with the Police on a multi crime initiative as well as work in conjunction with the CCTV operators. A further Police operation which targeted drug supply has had a positive effect on violent crime.
127b	Robberies per 1,000 population in the Local Authority area	0.47	0.30	0.46		Yes	✓	↗	x <sub>2</sub>	Low	Performance has improved since last year. Police operations targeted shoplifting, purse theft and robbery as a priority with higher Police presence on the street. We also run a shopwatch scheme in conjunction with CCTV operators.
128	The number of vehicle crimes per 1,000 population in the Local Authority area	6.35	5.64	6.17		Yes	✓	↗	✓	Low	Performance has improved since last year principally due to targeting known hotspots with crime prevention initiatives.
174 	The number of racial incidents reported to the Local Authority, and subsequently recorded, per 100,000 population	5.64	3.76	9.40		Yes	✓	↗	N/A	Low	Performance has improved since last year. We have engaged with minority groups in an effort to encourage the reporting of racial incidents. Leaflets and literature have been distributed at various events regarding racial hate crime.
175	The percentage of racial incidents reported to the Local Authority that resulted in further action	100.00%	100.00%	100.00%		Yes	✓	↗	✓	High	Performance has remained on target with all cases resulting in further action.
225	Actions against domestic violence. The percentage of questions from a checklist to which a local authority can answer 'yes'.	45.5%	54.5%	60.0%		No	✓	↗	N/A	High	We have been unable to meet the target due to time constraints over prior months. We continuously strive to increase our methods of homeless prevention and ensure that customers are provided with timely support and advice to prevent domestic violence.

KPI	Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Trend over 3 years	Secured Best Quartile	Good Perf	Comments, Remedial Measures and Action
226a	Total amount spent by the Local Authority on Advice and Guidance services provided by external organisations	£75,384.99	£75,384.99	£75,384.99		Yes	N/A	N/A	N/A	N/A	Spend has remained constant as there has been no growth in budgets for funding of external agencies.
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%	50.27%	50.27%		Yes	x	➔	N/A	High	Spend has remained constant as there has been no growth in budgets for funding of external agencies.
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	£542,918.58	£542,918.58		Yes	N/A	N/A	N/A	N/A	This is the same amount of time as last year however amount differs to reflect increase in salaries. No change in services provided therefore no change in amount spent
<b>YES</b>						<b>32</b>	<b>30</b>	<b>31</b>	<b>20</b>	<b>BEST Q</b>	<b>47%</b>
<b>NO</b>						<b>24</b>	<b>23</b>	<b>18</b>	<b>4</b>	<b>2ND Q</b>	<b>9%</b>
<b>NO</b>									<b>7</b>	<b>3RD Q</b>	<b>16%</b>
<b>WORST QUARTILE</b>									<b>12</b>	<b>WORS</b>	<b>28%</b>
<b>CONSTANT TREND</b>								<b>5</b>			
<b>TOTAL</b>						<b>56</b>	<b>53</b>	<b>54</b>	<b>43</b>		
<b>TOTAL N/A</b>						<b>18</b>	<b>21</b>	<b>20</b>	<b>31</b>		
<b>TOTAL OVERALL</b>						<b>74</b>	<b>74</b>	<b>74</b>	<b>74</b>		










<b>Required to produce a total of 44 indicators</b>	
<b>Equates to 74 separate indicators</b>	
<b>We:</b>	
Achieved our targets	57%
Improved on previous year	57%
Secured best quartile performance	47% <i>Estimated</i>
Direction of Travel shows improvement over 3 years	57%
<b>Unfortunately we:</b>	
Failed to meet our targets	43%
Failed to improve from previous year	43%

ACTUALS FOR YTD 2006/07	ACTUALS FOR YTD 2005/06	ACTUALS FOR YTD 2004/05
75%	66%	47%
67%	79%	53%
40%	33%	32% <i>Actuals</i>
65%	68%	44%
25%	34%	53%
33%	21%	47%















BVPI No.	Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Trend over 3 years	Secured Best Quartile	Good Perf	Comments, Remedial Measures and Action
	Show worst quartile performance		28%	Estimated		22%	30%	36%	Actuals		
	Direction of Travel shows a decline over 3 years		33%			27%	17%	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	27%	67%	53%	40%	13%	40%
Housing	25%	8%	8%	25%	17%	17%
Benefits & Council Tax	56%	44%	44%	44%	33%	0%
Waste & Cleanliness	33%	17%	25%	25%	33%	8%
Environmental Health	67%	0%	67%	0%	67%	0%
Planning	38%	63%	38%	63%	25%	0%
Culture & Related Services	100%	0%	100%	0%	100%	0%
Community Safety & Wellbeing	80%	0%	60%	20%	20%	10%














KEY:	
	CPA performance indicators
	LAA performance indicators
	Better than Target Performance
	On Target Performance
	Worse than Target Performance
<b>Best Quartile</b>	Quartile comparisons are based on National District Council's 2006/07 audited data
	Key 19 indicators identified from 2006/2007 outturns where improvement is required. <b>(Those highlighted in bold were also included in the key 20 indicators monitored last year.)</b>
	Yes
	No
	No - 2nd quartile performance

YPI	Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Trend over 3 years	Secured Best Quartile	Good Perf	Comments, Remedial Measures and Action
		<b>x<sub>3</sub></b>	No - 3rd quartile performance								
		<b>x<sub>B</sub></b>	No - worst/bottom quartile performance								
		<b>→</b>	Remaining constant								
		<b>↘</b>	Deteriorating performance								
		<b>↗</b>	Improving performance								

## Key 19 Performance Indicators - 1 April 2007 to 31 March 2008




BVPI No.	Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Direction of Travel	Secured Best Quartile	Good Perf	Comments, Remedial Measures and Action
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%	93.68%	95.00%		No	✓	↗	x <sub>3</sub>	High	Performance has improved since last year due principally to the undertaking of a CPI project to drive improvement.
9 	The percentage of council tax collected by the Authority in the year	97.24%	97.53%	98.80%		No	✓	↘	x <sub>3</sub>	High	Performance has improved since last year. More stringent and proactive recovery procedures are now in operation and direct debit uptake has increased.
10 	The percentage of national non-domestic rates collected in-year	96.69%	98.20%	97.90%		Yes	✓	↗	x <sub>B</sub>	High	Performance has improved since last year. A new effective bailiff was appointed who has contributed significantly to the NNDR recovery rate. More stringent procedures and recovery methods are utilised to maximise NNDR collection.
11a 	Percentage of top-paid 5% of staff who are women	25.00%	30.00%	31.00%		No	✓	↗	x <sub>2</sub>	High	Performance has improved since last year principally due to the decrease in the number of staff as transfers to Cestria Community Housing Association took place in February 2008.
12 	The number of working days/shifts lost to the Authority due to sickness absence	11.09 days	11.01 days	10.65 days		No	✓	↗	x <sub>B</sub>	Low	Performance has improved from last year. This can be attributed to the reduction of long term sickness cases.
64 	Number of non-local authority-owned vacant dwellings returned to occupation or demolished during the financial year as a direct result of action by the local authority	0	0	2		No	x	↘	x <sub>B</sub>	High	This area of work was a service priority in 2007/8, however, the action plan was significantly delayed as we did not have accurate baseline information.

BVPI No.	Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Direction of Travel	Secured Best Quartile	Good Perf	Comments, Remedial Measures and Action
66a	Rent collected by the local authority as a proportion of rents owned on Housing Revenue Account (HRA) dwellings	97.52%	To follow	97.80%	N/A	N/A	N/A	N/A	N/A	High	Transfer to Cestria Housing - Data is currently unavailable to report these indicators. When available, these will be reported through the Best Value Performance Plan.
66d	Percentage of local authority tenants evicted as a result of rent arrears	0.49%	To follow	0.47%	N/A	N/A	N/A	N/A	N/A	Low	
184a	The percentage of local authority dwellings which were non-decent at the start of the financial year	46%	To follow	38%	N/A	N/A	N/A	N/A	N/A	Low	
184b	The percentage change in the proportion of non-decent dwellings between the start and the end of the financial year	0%	To follow	17.0%	N/A	N/A	N/A	N/A	N/A	High	
212	Average time (days) taken to re-let local authority housing	38 days	To follow	32 days	N/A	N/A	N/A	N/A	N/A	Low	
202	The number of people sleeping rough on a single night within the area of the authority	5	5	0-10		Yes	x	➔	x <sub>B</sub>	Low	The figure is an estimate as we have to rely on local intelligence. We are currently within target.
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	56.55	48.00		Yes	✓	↗	N/A	High	Performance has exceeded last years outturn. Work is very closely monitored and managed to ensure that the team maintain the number of fraud investigations completed.
78a	The average processing time (days) taken for all new Housing and Council Tax Benefit claims submitted to the Local Authority, for which the date of decision is within the financial year being reported	25.6 days	23.4 days	24.0 days		Yes	✓	↗	✓	Low	Performance has exceeded last years out turn. Performance is very closely monitored to ensure that it remains in top quartile and work is prioritised accordingly.








BVPI No.	Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Direction of Travel	Secured Best Quartile	Good Perf	Comments, Remedial Measures and Action
82a(ii) 	Total tonnage of household waste arisings sent by the Authority for recycling	3683.57	To follow	3425	N/A	N/A	N/A	N/A	N/A	High	Due to issues surrounding the treatment of waste sent for recycling by Premier Waste, performance figures for these indicators will be delayed pending discussions with Durham County Council.
199b 	The percentage of relevant land and highways from which unacceptable levels of graffiti are visible	5%	6.0%	4.50%		No	x		x <sub>B</sub>	Low	The level of graffiti seen throughout the district has increased slightly since last year. This may be partly be attributable to the transects which were selected to be surveyed this time around which are different to those selected last year.
200b 	Has the local planning authority met the milestones which the current Local Development Scheme sets out?	No	No	Yes		No	x		N/A	N/A	The target has not been achieved due principally to a 2 month delay in publishing the issues and options consultation programmed for September but not achieved until November.
127a 	Violent crime per 1,000 population in the Local Authority area	17.86	15.02	17.68		Yes	✓		x <sub>3</sub>	Low	Performance has improved since last year as we continue to work with the Police on a multi crime initiative as well as work in conjunction with the CCTV operators. A further Police operation which targeted drug supply has had a positive effect on violent crime.
174 	The number of racial incidents reported to the Local Authority, and subsequently recorded, per 100,000 population	5.64	3.76	9.40		Yes	✓		N/A	Low	Performance has improved since last year. We have engaged with minority groups in an effort to encourage the reporting of racial incidents. Leaflets and literature have been distributed at varrious events regarding racial hate crime.
<b>YES</b>						<b>6</b>	<b>9</b>	<b>8</b>	<b>1</b>	<b>BEST Q</b>	<b>10%</b>
<b>NO</b>						<b>7</b>	<b>4</b>	<b>4</b>	<b>1</b>	<b>2ND Q</b>	<b>10%</b>











BVPI No.	Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Direction of Travel	Secured Best Quartile	Good Perf	Comments, Remedial Measures and Action	
	NO									3	3RD Q	30%
	BOTTOM QUARTILE									5	WORS	50%
	CONSTANT TREND							1				
	TOTAL					13	13	13	10			
	TOTAL N/A					6	6	6	9			
	TOTAL OVERALL					19	19	19	19			

19 separate indicators	
<b>We:</b>	
Achieved our targets	46%
Improved on previous year	69%
Secured best quartile performance	10% <i>Estimated</i>
Direction of travel shows an improvement	62%
<b>Unfortunately we:</b>	
Failed to meet our targets	54%
Failed to improve from previous year	31%
Show worst quartile performance	50% <i>Estimated</i>
Direction of travel shows a decline	31%






Key:	
	Remaining constant
	Deteriorating performance
	Improving performance














## Local Performance Indicators - 1 April 2007 to 31 March 2008







LPI No.	LPI Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Good Perf	Comments, Remedial Measures and Action
CSS03	% of telephone calls answered within 15 seconds	94.6%	n/a	92%	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.
CSS07	% complaints responded to within 10 working days	82.3%	85%	90%		No	✓	High	Overall performance has steadily increased throughout the year. The greater concern is that we have consistently failed to reach our target, however, it is pleasing to note that all remaining council teams i.e. those not including Cestria services achieved a 100% target for the final quarter of the financial year.
HRLP01	% of voluntary leavers as % of staff in post	6.32%	15.00%	5.5%		No	✗	Low	Performance is higher than last year due to a clean up of the payroll system with casual posts being terminated. Also changes with LGR has resulted in a rise in resignations this year.
HRLP04	% of disciplinaries as a % of staff in post	3.05%	1.08%	1.0%		No	✓	Low	Performance is above target due to a number of disciplinary cases coupled with a drop in staff numbers. Staff numbers decreased dramatically due to staff transferring to Cestria Housing Association.
HRLP05	% of grievances as a % of staff in post	1.09%	0.86%	1.0%		Yes	✓	Low	Performance is ahead of target. This is principally because of the decrease in number of staff due to TUPE transfer of Departments.
HRLP14	% of recruitment enquiries responded to within 48 hours	100%	100%	80%		Yes	✓	High	Performance is ahead of target.
ITLP16	% of customer satisfaction regarding information and services available on the council website and associated portals	66%	67%	70%		No	✓	High	Satisfaction levels have improved as more services are made available on the website. Improved content from web content guidelines. Changing the Home Page design to make transactional services easier to find.
ITLP17	Increase in the use of the authority's website	105,652	135,628	108,946		Yes	✓	High	We have seen an increase in the use of the website. Improved communications regarding electronic services leading to increased take up. Based on last years take up we set a target to increase take up by about 3% and expected visits each quarter to be about the 27,000 figures. Instead the average quarterly visit was nearly 40,000 visits.

LPI No.	LPI Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Good Perf	Comments, Remedial Measures and Action
FSLP12	% of registered invoices approved/actioned within 7 days	90.91%	89.00%	90%		No		High	The slight under performance was minimal against target. The variance is relatively small percentage and the exchequer section relies heavily on the performance of other Service Teams in promptly passing invoices for payment. The section also lost a member of staff to Cestria during December 2007.
FSLP13	% of sundry debtors raised within 5 days of request	93.89%	99.47%	95%		Yes		High	The performance has been driven up by a planned approach and multi-tasking by staff.
FSLP31	% of actions completed from Risk Management Strategy	95.83%	90.09%	100%		No		High	As a result of LGR the Risk Management Strategy for Chester-le-Street DC has to a large extent been subsumed into work that is ongoing for the creation of the new Unitary Authority for County Durham. Of the 24 original actions, 20 were completed, 2 were deferred to LGR activity and 2 remain on target for completion during Qtr 1 2008-09.
FSLP40	% of actions completed from Procurement Strategy	94.64%	75.00%	100%		No		High	As a result of LGR the Procurement Strategy for Chester-le-Street DC has been subsumed into work that is ongoing for the creation of the new Unitary Authority for County Durham. The initiatives completed to date have proved successful and have helped to lay foundations for Procurement at the new authority.
FSLPACC 10	Statement of Accounts presented to Council within statutory deadline	Yes	Yes	Yes		Yes		N/A	The performance target has been met.
HSLPPS1	% of urgent repairs completed within Government time limits	96.27%	To follow	97.5%	N/A	N/A	N/A	High	Transfer to Cestria Housing - Data is currently unavailable to report this indicator. When available, this will be reported through the Best Value Performance Plan.
HSLPPS2	Average time taken to complete non-urgent responsive repairs	25.18 days	To follow	22 days	N/A	N/A	N/A	Low	Transfer to Cestria Housing - Data is currently unavailable to report this indicator. When available, this will be reported through the Best Value Performance Plan.
HSLPPS3	% of repair appointments that were made and kept by the authority	93.79%	To follow	94%	N/A	N/A	N/A	High	Transfer to Cestria Housing - Data is currently unavailable to report this indicator. When available, this will be reported through the Best Value Performance Plan.



LPI No.	LPI Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Good Perf	Comments, Remedial Measures and Action
HSLPTP2	% of tenants involved in the housing services	40%	To follow	35%	N/A	N/A	N/A	High	Transfer to Cestria Housing - Data is currently unavailable to report this indicator. When available, this will be reported through the Best Value Performance Plan.
HSLPIM1	Former tenant arrears as a % of rent roll	1.04%	To follow	0.93%	N/A	N/A	N/A	Low	Transfer to Cestria Housing - Data is currently unavailable to report this indicator. When available, this will be reported through the Best Value Performance Plan.
HSLPIM2	% of rent written off	0.63%	To follow	0.73%	N/A	N/A	N/A	Low	Transfer to Cestria Housing - Data is currently unavailable to report this indicator. When available, this will be reported through the Best Value Performance Plan.
HSLPIM3	Current rent arrears as a % of rent roll	2.46%	To follow	2.46%	N/A	N/A	N/A	Low	Transfer to Cestria Housing - Data is currently unavailable to report this indicator. When available, this will be reported through the Best Value Performance Plan.
HSLPSH1.07	All new housing development in the district of Chester-le-Street to include 30% affordable homes	0	100%	100%		Yes	✓	High	The target has been achieved as all new housing developments include 30% affordable homes.
HSLPSH2.07	The number of households threatened with Homelessness re-housed in the private rented sector	0	26	8		Yes	✓	High	We have increased our homeless prevention methods and work closely with PLA officer to prevent homelessness. More cases rehoused in the private sector.
HSLPSH3	% of homeless households re-housed in Social Rented Sector (RSL Accommodation)	2	16	15		Yes	✓	High	We have exceeded our target. We have increased our homeless prevention measures and in addition to this we no longer have LA stock therefore a high percentage of preventions will now be RSL due to the transfer of stock to Cestria.
HSLPSH4	The number of Private Landlords who are members of Chester-le-Street's Landlord Accreditation Scheme	41	33	46		No	✗	High	A review of the scheme has taken place and a number of landlords subsequently left the scheme. 8 landlords have left the Scheme in the last year. No recruitment drive has yet taken place.
HSLPSH5	The number of accredited properties in the Private Landlord Accreditation Scheme	80	67	90		No	✓	High	Unfortunately we have not met our target this year due to a number of landlords leaving the scheme resulting in a decrease in properties that are accredited.

LPI No.	LPI Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Good Perf	Comments, Remedial Measures and Action
ESLP10	% of designated grass areas cut within 10 working day cycle	98.1%	94.5%	90%		Yes		High	This year's target has been achieved although we have not achieved the same level of performance as last year. The previous year's performance was enhanced by exceptional weather conditions during the cutting season.
EHLP04	% of primary food hygiene inspections achieved of those planned	98%	99%	95%		Yes		High	We have exceeded our stated target this year.
PLLP33a	% of pre-application enquiries responded to within target (major)	78.10%	92%	90%		Yes		High	Major enquiry performance has improved in comparison to last year. This has been achieved as a result of the hiring of a temporary consultant to mitigate for the vacant officer post and the fact that the Team were (for the most part) fully staffed for the final quarter of the year. The investment in IT has also helped improve major enquiry performance.
PLLP33b	% of pre-application enquiries responded to within target (minor)	70.10%	74%	90%		No		High	Performance has significantly improved for minors due to a new officer appointment in September 2007. This is a key post within the team for dealing with minor pre-application enquiries. In addition the decision to 'train up' an Admin Officer to be able to deal with minor enquiries has also been instrumental in improving performance.
PLLP02	% of householder planning applications determined in 8 weeks	97.32%	87.0%	95%		No		High	Performance has fallen in comparison to last year. The reason this has occurred has been due to significant staffing shortages within the team across most of the financial year. Measures have been taken to address this and there is every reason to believe that performance will be back on target for next year.
PLLP29a	% of planning enforcement enquiries responded to within target (Category 1 cases)	100%	100%	90%		Yes		High	The single category 1 case received was investigated and a response provided to the complainant within 24 hours.
PLLP29b	% of planning enforcement enquiries responded to within target (Category 2 cases)	100%	100%	90%		Yes		High	13 category 2 cases were received. These were investigated and a response provided to the complainant within 7 days.

LPI No.	LPI Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Good Perf	Comments, Remedial Measures and Action
PLL29c	% of planning enforcement enquiries responded to within target (Category 3 cases)	99.5%	67.8%	90%		No		High	152 category 3 cases were received. Enquiries accounted for 91.6% of all cases received and of the 152 cases received, 103 were responded to within the target response times. The change in performance with regard to category 3 cases has largely been attributed to the significant staffing and resources implications experienced during the Spring and Summer months of 2007.
LDLP25	% of standard searches carried out in 10 working days (originally BV179 deleted from 2006/07 set)	98.91%	99.39%	99%		Yes		High	Performance has exceeded last year's outturn. New staff now in post and cover provided when required.
LSLP11	Net spend per head of population (of the broad spectrum of services currently provided by the Leisure Services Team)	£33.66	£31.27 (estimated figure)	£38.50		Yes		Low	This is only an interim figure based on the probable outturn reported to members in February. It is anticipated that the actual outturn for leisure services will be very similar and so have minimal impact on the figure.
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	To follow	975,000	N/A	N/A	N/A	High	Data is currently unavailable to report this indicator. When available, this will be reported through the Best Value Performance Plan.
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%	To follow	42.5%	N/A	N/A	N/A	High	Data is currently unavailable to report this indicator. When available, this will be reported through the Best Value Performance Plan.
<b>YES</b>							<b>15</b>	<b>19</b>	
<b>NO</b>							<b>12</b>	<b>8</b>	
<b>TOTAL</b>							<b>27</b>	<b>27</b>	
<b>TOTAL N/A</b>							<b>10</b>	<b>10</b>	
<b>TOTAL OVERALL</b>							<b>37</b>	<b>37</b>	

Report a total of 34 Indicators	
Equates to 37 separate indicators	
We:	

**ACTUALS  
FOR YTD  
2006/07**

LPI No.	LPI Description	Actual 2006/07	Actual 2007/08	Target 2007/08	Current Perf Status	Achieved Target?	Improved on previous year?	Good Perf	Comments, Remedial Measures and Action
	Achieved our targets	56%		51%					
	Improved on previous year	70%		n/a					
	<b>Unfortunately we:</b>								
	Failed to meet our targets	44%		49%					
	Failed to improve on previous year	30%		n/a					



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

<b>Report to:</b>	Executive
<b>Date of Meeting:</b>	2 June 2008
<b>Report from:</b>	Director of Development Services
<b>Title of Report:</b>	Private Sector Empty Property Transitional Policy
<b>Agenda Item Number:</b>	9

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

- 1.1 The purpose of the report is to ask Members to endorse and approve Chester-le-Street's Private Sector Empty Property Transitional Policy which is attached at Appendix 1. The Policy demonstrates the Council's commitment to the effective management of empty homes in the District as well as fulfilling key actions identified in The Housing Strategy 2008.
- 1.2 The Empty Property Transitional Policy Strategy sets out the key objectives that the Council and its partners will work towards achieving in order to reduce the number of empty properties within the District. The overall outcome of the Policy is to deal with empty properties efficiently so as to result in properties standing empty for shorter periods of time leading to fewer empty properties in the district.
- 1.3 The Policy covers private sector houses which have been empty for more than 12 months. The Strategy will be reviewed on a regular basis so as to incorporate any changes which may occur in both local and national policy.

### **2. CONSULTATION**

- 2.1 Consultation has taken place with Housing Strategy, Legal Services, the Council's Home Improvement Agency and externally with officers from Gateshead and South Tyneside local authorities. The Strategy attached at Appendix 1 is viewed as an interim strategy to take the Council up to reorganisation when a new overarching strategy will be developed for the new Council. Nevertheless all are agreed on the present

need to develop and implement an effective and imaginative Empty Property Policy in order to reduce the number of vacant homes within the District.

### **3. TRANSITION PLAN AND PEOPLE AND PLACE PRIORITY**

- 3.1 The Empty Property Strategy clearly linked into the Corporate Plan especially Priority 4 “Regenerating the District”. Ensuring that empty homes become occupied results in improved environmental and social conditions as well as being a sustainable way to meet future housing demand. Consequently it will now contribute to two of the elements of the new single “People and Place Priority” namely Strengthening Partnerships and Neighbourhoods. This will sustain existing community engagement as well as supporting the Council’s Housing Strategy 2008. It also illustrates the Council’s multi-disciplined approach to improving the quality of life for residents in the Council’s district. Finally the Strategy supports the Private Sector Housing Renewal Policy by working to improve the condition of empty properties and bring them back into use.

### **4. IMPLICATIONS**

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

All costs of implementing the Empty Property Strategy at this stage can be met from existing budgets. However, there may be future resource implications for Environmental Health and Legal Services associated with an increased level of enforcement activities when dealing with empty properties. Any required increase in financial support would of course be the subject of further Member consideration in due course.

#### **4.2 Local Government Reorganisation**

The Strategy and actions made under it, in particular establishing and maintaining a database and enabling local solutions to be developed will allow the Council to take a fuller part in the LGR process in this area.

#### **4.3 Legal**

The Council has clearly defined statutory duties and powers in relation to improving standards in private sector housing. The Housing Act 2004 includes duties to keep housing conditions in the Council’s district under review and to take action when conditions fall below a certain standard. The development and subsequent implementation of the Empty Property Strategy will assist in ensuring that those duties and powers are appropriately met.

#### 4.4 Personnel

There are no immediate implications for personnel. The duties of the Empty Property Officer can be absorbed by existing environmental health staff.

#### 4.5 Other Services

The Empty Property Strategy may well impact upon the work of other council departments in particular:

- (i) Finance Section. Fees and charges associated with empty properties and enforcement action.
- (ii) Legal Services. Proceedings resulting from enforcement action, land searches and land charges.
- (iv) Community Safety. Bringing empty properties back into use should bring about a reduction in anti-social behaviour and a reduction in crime statistics.

#### 4.6 Diversity

The Empty Property Strategy will provide a key source of assistance to vulnerable people particularly in the private rented sector by bringing empty properties back into use and thereby securing improvements to privately rented houses. This will improve housing conditions and property management which in turn will also help create more sustainable communities. The Empty Property Strategy is an effective means of intervention for vulnerable private sector residents.

#### 4.7 Risk

There are a number of risks associated with not implementing the Empty Property Policy. It would reduce the Council's contribution towards effective regeneration of neighbourhoods and the promotion of sustainable communities. It could also contribute to housing market decline and possible market failure.

It may attract criticism from the Audit Commission because the Government expects local authorities to adopt an Empty Property Strategy.

#### 4.8 Crime and Disorder

Clear links exist between the proposed interventions as a result of the Empty Property Strategy and the Council's remit to tackle crime and

disorder. The Empty Property Strategy will help reduce the crime and anti-social behaviour associated with empty properties

#### 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 are accurate, timely, consistent and comprehensive. The Council's Data Quality Policy has been fully complied with in producing this report.

#### 4.10 Other Implications

There are no other implications associated with this report.

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

#### 5.1 Chester-le-Street's Empty Property Transitional Policy is attached at Appendix 1 to this report.

The number of empty homes is a significant issue locally and whilst there will always be a need to build new homes, bringing empty properties back into use will provide much needed affordable housing which is more economically viable than new build. The attached Policy sets out the overall vision for reducing the number of empty homes in the District through a combination of partnership working, media publicity, enforcement and the use of all sources of available funding. It sets out the objectives and priorities which will turn this vision into reality.

Ensuring that empty homes become re-occupied results in improved social conditions as well as a reduction in crime, anti-social behaviour and blight often associated with empty, derelict properties and the surrounding neighbourhoods. Environmentally it is essential to make every effort to renovate existing properties and by doing so minimise the need to develop greenfield sites.

The implementation of this Strategy will work towards minimising the number of empty properties within the Council's district. Initially it is intended to target properties in the worst physical condition, those which have been unoccupied the longest and those with a history of complaints. An action plan has been developed around the strategic objectives supporting the Policy. Performance against the action plan will be reviewed at regular intervals and Members will be kept informed of progress made.



## **6. RECOMMENDATIONS**

- 6.1 Members are asked to approve and endorse the Empty Property Strategy attached at Appendix 1 to this report.

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

- 7.1 Government: "Empty Properties – Unlocking the Potential."

DCLG: "A Cure for Empty Properties."

Gateshead Council: Empty Property Strategy 2005-2008.

South Tyneside: Private Sector Empty Property Strategy.

Chester-le-Street: Private Sector Housing Renewal Policy.

Chester-le-Street District Council: Draft Housing Strategy 2008.

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**DATE OF REPORT:** 9th May 2007  
**VERSION NUMBER:** 1.0

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# **Private Sector Empty Property Transitional Policy 2008/9**

# PRIVATE SECTOR EMPTY PROPERTY TRANSITIONAL POLICY 2008/9

## Background

### Introduction

1. Chester-le-Street District Council's Empty Property Transitional Policy has been introduced to reduce the number of empty homes within the Council's district. The need to reduce the number of empty homes has been widely recognised for several years mainly through the campaigning of organisations such as the Empty Homes Agency and in response the Government has introduced a number of measures aimed at encouraging the reuse of empty homes. The Government has proposed that each Local Authority adopts an Empty Property Strategy and appoints an Empty Property Officer. Chester-le-Street District Council has designated an Officer to act as its Empty Property Officer to oversee and take appropriate action in respect of empty properties within the Council's district. In developing the Council's Empty Property Strategy consideration has been given to government's guidance to both owners and local authorities entitled "*Empty Properties-Unlocking the Potential*". A Housing Green Paper was published on July 2007 entitled "*Homes for the Future: More affordable, More sustainable*". In this paper the government states that local authorities, as part of their strategic housing role, should make better use of empty homes when looking to increase the housing supply. The overall outcome that this strategy sets out to achieve is to provide a corporate response to deal with empty properties promptly and efficiently resulting in properties standing empty for shorter periods of time and consequently fewer empty properties within the Council's district.

2. The Empty Property Policy has been developed to target and deal with empty private sector properties which have been empty for 12 months or more. It sits alongside and links into a range of other key Council plans and policies especially the Corporate Plan, the Housing Strategy, the Community Strategy and the Private Sector Housing Renewal Policy all of which identify the aims and objectives for achieving the Council's vision for Chester-le-Street by setting out priorities for improvement in areas such as health, employment, crime and anti-social behaviour, education, private sector housing and employment. In particular the Private Sector Empty Homes Policy supports our wider strategic housing objectives which are set out in our Housing Strategy Statement and Private Sector Housing Renewal Policy.

3. Chester-le-Street District Council are committed to providing the best possible services for everyone within the district. Our Corporate Policy Framework is designed to ensure we have a joined-up approach to policy development across the Council. This ensures that our policies, plans and strategies are absolutely

focused on delivering our priorities and that all plans and strategies are consulted on and are based on robust policy and data analysis. Chester-le-Street District Council recognises the need to develop and implement an effective and imaginative Empty Homes Policy in order to reduce the number of vacant homes within its district.

In light of the forthcoming Local Government Review in April 2009 the policy has been written as a transitional policy with an emphasis on;

- building an accurate local picture and awareness raising
- identifying underlying causes locally
- developing practical options

This should enable the legacy of the Policy to be incorporated into any potential longer term County-wide policy.

### **The National Perspective**

4. Bringing empty homes back into use links into wider government objectives at the heart of which is one overarching aim to create thriving, vibrant, sustainable communities which will improve everyone's quality of life. A sustainable community is a place where people want to live and work now and in the future. The government's agenda also includes tackling low demand housing and market failure, anti-social behaviour, the provision of affordable homes and ensuring that homes meet the decent homes standard. The Empty Property Strategy clearly aligns itself with these central government objectives.

5. Local Government has a key role to play. The emerging policy agenda around "place-shaping" describes how Local Government can work with residents to develop and deliver high quality public services that meet the needs and preferences of local people. The "place-shaping" role brings together local partners and communities giving the Council a stronger role in improving services as well as developing and shaping the local economy and identity. This forms the basis for much that we do in Chester-le-Street including our approach to empty homes.

6. The Empty Homes Agency (EHA) is an independent charity set up to highlight the waste of empty properties represent. They have been successful in their campaign to allow Local Authorities the discretion to set the level of Council Tax charged on empty properties, and have been the main driving force behind new legislation in the Housing Act 2004, which gives Local Authorities new powers to tackle the problems of long-term empty properties.

7. They have also been instrumental in bringing about changes in the VAT system which has gone some way to reducing the levels of VAT charged when

renovating long-term empty properties. They are currently campaigning on a number of issues including:

- The complete harmonisation of VAT charged for repairs to empty properties against that of new build properties;
- A requirement for Local Authorities to have an empty property component in their Housing Strategy;
- Support for a housing market renewal fund to tackle the issue of low demand;
- Occupation of Public Sector empty properties;
- Regional Mobility Schemes, which encourage people living in areas of high housing, demand to move to areas of low housing demand;
- Promoting Short-life Housing Schemes, and the option for Local Authorities to charge higher levels of Council Tax on long term empty properties.

8. Statistics produced by the then Office of the Deputy Prime Minister (ODPM) in 2004 showed that there were over 689,000 empty homes in England. In the North East region alone it has been estimated there were a total of 46,669 empty properties of which 34,879 (75%) were in the private sector. In some areas these numbers were increasing due to problems of low demand. Overall however figures from the Empty Property Agency have shown that the numbers of empty properties in the north are declining and recently stood at 34,597, although it stressed that more work is needed if this situation is to continue.

9. The Housing Act 2004 granted councils increased powers to tackle empty properties. It enables local authorities to make Empty Homes Management Orders on long-term empty properties to bring them back into use where there is a good case for this. In developing this strategy we have considered the Government's Guidance Note on Empty Dwelling Management Orders, which sets out in detail the mechanisms to be used in implementing the powers contained in the Housing Act 2004 to deal with empty homes.

10. The government until April 2008 measured and compared local authority performance on empty properties using Best Value Performance Indicator 64 (BVPI64). This requires authorities to report annually the number of empty properties brought back into use as a result of direct action by the local authority. This indicator will be retained locally to allow the impact of the policy to be assessed.

## **Existing legislative provisions to deal with empty properties.**

11. The main legislative provisions available to the Local Authority in respect of empty properties are shown attached in Appendix 1. The Council has a wide range of legislative mechanisms available to deal with the problems associated with empty homes and these have now been supplemented with the Empty Dwelling Management Order provisions in the Housing Act 2004.

## **The Local Perspective**

### **Introduction**

12. The District currently has 292 empty properties (as at April 2008). As properties are identified they are externally inspected to establish their condition and a questionnaire is issued to the owner to ascertain their intention for the property and reason for it being empty. By April 2008 over 140 questionnaires had been issued and 70 properties inspected. Table One provides a breakdown of the number of properties and the length of time they have been unoccupied

**Table One**

### **Length of Time Properties Have Been Empty**

	<b>Time</b>			
	<b>6 months</b>	<b>6-12 months</b>	<b>12-24 months</b>	<b>Over 24 months</b>
<b>Number of Properties</b>	<b>3</b>	<b>121</b>	<b>62</b>	<b>106</b>

Table two provides a breakdown of the condition of the properties inspected to date using the criteria discussed at paragraph 27.

**Table Two**

### **Property Condition**

<b>Percentage of Properties</b>	<b>Condition Category</b>
<b>2%</b>	<b>A</b>
<b>5%</b>	<b>B</b>
<b>8%</b>	<b>C</b>
<b>20%</b>	<b>D</b>
<b>65%</b>	<b>E</b>

Table three summarises the results of the questionnaire survey of property owners for the reasons properties are unoccupied.

**Table Three**

**Reasons for Properties Being Unoccupied**

<b>Property condition</b>	<b>Percentage of total</b>
Second home	8%
Unable to sell	13%
Bought as an investment	8%
Refurbishing	20%
Left in a will/other legal reasons	10%
Holiday home	3%
<b>Not specified</b>	<b>38%</b>

**Issues affecting the Empty Property Strategy**

**Introduction**

13. Empty properties represent an enormous inefficiency and waste of resources from the housing market to the wider economic, social and environmental fabric of the community. Consequently the empty property issue will continue to maintain a high profile with Local Authorities who are under constant pressure from Government and other external agencies to adopt a robust strategy which will result in a worthwhile reduction in the number of empty properties in their area.

14. Whilst there will continue to be a need to build new homes, extension of the built environment can be limited by taking the opportunities offered by existing under-used or empty properties. Bringing them back into use provides much needed, high quality, affordable housing and is more economically viable than new-build.

15. Although the number of empty homes within our district is not currently a major issue nevertheless it is essential to make every effort to bring them back into use and utilise unused space in order to minimise the need to develop Greenfield sites. Ensuring that empty homes become occupied can result in improved environmental and social conditions as well as improving the sustainability of an area as a result of a reduction in the level of crime, anti-social behaviour and blight often associated with empty derelict properties and the surrounding neighbourhoods.



### **What is an empty home?**

16. Empty homes occur for a variety of reasons and those reasons are detailed below. Some are empty for short periods while they are being sold or let and come back into occupation fairly quickly without causing problems. Others will remain empty while they are being renovated or improved. The primary focus of this strategy is to deal with those properties which remain empty for significant periods of time and are not likely to be brought back into use without addressing the underlying reasons for them being empty. For the purposes of this policy therefore our definition of a long term empty home is **“a residential property which has been unoccupied for at least 12 months”**.

### **Why do properties become and remain vacant?**

17. There are a number of reasons why properties become and remain empty for protracted periods of time. These include:

- Abandonment by owners leaving areas with poor reputations.
- Low desirability of particular types of accommodation in certain locations.
- Transitional empty properties pending a change of owner.
- Extensive maintenance problems combined with low value of the property.
- Perceived problems with renting the property.
- Owners not being aware or understanding the options available to bring properties back into use.
- Properties which are left empty by the resident moving into residential care.
- Properties where the owner has died and the property is in probate.
- Owner awaiting an upturn in the market and other housing market conditions such as leaving houses empty in order to achieve a quick sale.
- Properties bought as buy to let with initial vacancies.
- Lack of funding for repair work.
- Family disputes/Divorce settlements.
- Repossessions.
- Lack of suitable information and advice.

### **What are the effects of long term empty properties?**

18. This strategy is committed to reducing the number of long-term empty properties in the district particularly those which cause continuing problems and affect the sustainability of an area. Properties that are left empty for long periods of time have a number of negative effects on the local area as follows:

- They are a wasted resource both financially and in terms of potential housing or community use. Council tax revenues are reduced because of empty property discounts.
- They attract crime and anti-social behaviour including vandalism, litter and sometimes arson.

- Market values are often reduced as neighbours move away and confidence is reduced.
- The reduced spending power of the local area impacts on local businesses and the general economic stability of the area.
- There are also implications for public services such as schools or leisure activities if the population of a particular area is reduced.

19. This strategy brings together all of the work being done in relation to empty properties in Chester-le-Street and sets the approach for future action. The implementation of this strategy will tackle the issues associated with empty properties by reducing the number that are empty and making Chester-le-Street a more attractive place to live and work.

### **What are the benefits of bringing empty properties back into use?**

20. Bringing empty homes back into use will have significant benefits for the residents of the district including:

- Enhancing the Local Environment - boarded up or derelict properties do not look attractive and can seriously affect the value of neighbouring properties. Bringing a property back into use can dramatically improve the local environment.
- Reducing Vandalism and Anti-social Behaviour - vandalism and anti-social behaviour are often associated with empty properties. Returning empty properties back to use has a positive effect in reducing such problems and contributes to the 'Respect Agenda'.
- Increasing the Provision of Affordable Housing - with the continually increasing costs of purchasing properties there is an increasing demand for quality affordable housing.
- Reducing the Need for New Build on Greenfield Sites - we are facing increasing pressure to build more new homes, taking up valuable Greenfield sites. Using space we already have is a vital part of relieving this pressure.
- Regenerating Run-down Areas - re-occupying empty properties has a positive impact on regenerating run-down or deprived areas, particularly in areas where large numbers of properties are vacant.
- Improving Housing Standards - many of the empty properties are below current legal standards or in a state of disrepair. Renovating such properties contributes to the raising of housing standards.
- Helping to Tackle Homelessness - returning properties to the housing stock is a positive step towards tackling homelessness in the Borough.
- Bringing New Life into Town Centres - converting space within existing commercial premises into units of accommodation contributes to the vitality of our town centres.
- Increasing the Availability and Range of Tenanted Properties - the need for additional housing, particularly in the private rented sector can be offset by making long-term empty properties available to rent.

- Increase in Council Tax Revenues - currently empty properties receive a 50% reduction in council tax which would not apply if the property was brought back into use.

### **Council Tax Issues.**

21. Owners of empty unfurnished properties which are in a habitable condition can currently apply for a 6 month exemption from council tax followed by a 50% reduction in the charge until the property is re-occupied. Recent changes to council tax legislation allow local authorities the discretion to set the levels of discount awarded for empty properties. Imposing a greater charge on long term problematic empty properties is an effective tool for encouraging owners to bring them back into use and is an option which needs to be considered.

### **Targeting the Problem.**

#### **Introduction.**

22. In order to effectively target the problem of empty properties in the District this strategy must have clearly defined aims as well as providing a framework within which the Council can work with other organisations and private individuals to bring empty properties back into use. These aims are as follows:

- To support the sustainable regeneration and growth of the district.
- To reduce the number of empty properties within the district and to limit the effect of empty properties within the community.
- To deal effectively with any problems associated with empty properties.
- To minimise the need for future development of Greenfield sites.
- To support Brownfield development sites and improve the existing built environment.
- To work in partnership with other organisations involved with empty properties.
- To be proactive in the identification of empty properties and raise awareness of empty property issues.
- To ensure the re-use of empty properties through encouragement and advice.
- To effectively use enforcement powers to secure the re-use of empty properties as well as preventing the problems that empty properties can create.
- To create good quality, affordable housing for those in housing need.
- To provide a strategic fit with other corporate objectives and create effective cross-departmental working relationships.

#### **Types of Empties.**

23. In order to function effectively the housing market needs vacant homes to allow for residential mobility, redevelopment and improvements to take place and

consequently at any given time there will be a period of vacancy between changes in occupation. It is important therefore to define what is considered to be an empty property within the context of this strategy so as to be able to target resources and remedial action in the best possible way. Research has shown that there are two main types of empty properties:

- Transitional vacancies - these are a normal part of the operation of the housing market and seldom cause problems or require the intervention of the Council.
- Problematic vacancies – these are the long term empty properties that are inactive in the housing market and are the subject of complaints to the Council because of problems with vandalism, long term disrepair, nuisance and being open to access. These are the properties which will need to be considered when assessing the extent of the problem and how best to selectively target and prioritise action on a worst first basis.

#### **Location of Problematic Empties.**

24. It is essential to know the number and location of empty properties within the Council's district in order to effectively target action and resources. At present long term empty properties are identified from council tax records and using this information an empty homes condition survey is currently being carried out to identify the extent and scale of the problem. This information will be collated and used to decide which properties to target on a worst first basis. It is initially intended to identify and target those properties, in the worst external physical condition, those which have been empty for the longest period of time and those which are associated with anti-social behaviour or have a history of complaints against them. Council tax data will continue to be used to give robust information about the number of empty homes within the district although this will be supplemented with local intelligence as the Policy matures.

#### **Establishing Ownership of Empty Properties.**

25. Establishing ownership is a major problem faced by officers dealing with empty properties especially if owners do not live locally and need to be contacted in order to find out what their intentions are for a particular empty property. The Council's designated Empty Property Officer will have responsibility for establishing ownership of empty properties using various means including enquiries through the following:

- Revenues and benefits.
- Accommodation and managing agents.
- Electoral register.
- Use of neighbours and other local information.
- Land registry.

- Use of Section 16 Local Government (Miscellaneous Provisions) Act 1976 to requisition information regarding ownership.

A questionnaire is currently being sent to known owners of long term empty properties in the district in order to try and find out and understand the underlying reasons why the properties have become long term vacant. It is proposed to carry out this exercise on a regular basis in addition to a regular physical inspection of each property in order to ascertain what plans owners have to bring properties back into use and also to determine the extent of any deterioration which may have occurred and the appropriateness of implementing any enforcement action. This information will be collated and used to help find practical ways of helping owners bring their properties back into use. The questionnaire and condition survey forms are shown attached in Appendix 2.

### **Empty Property Database.**

26. The Council currently maintains a database of information about empty properties. In order to monitor and assess the extent and condition of private sector empty homes within the district it is intended to update this database every month in partnership with Revenues and Benefits using council tax records as baseline information. It is also proposed to link the database with the Council's GIS mapping system to allow clear and precise presentation of analytical data.

### **Categorisation of Empty Properties.**

27. In order to deal with empty properties on a worst first basis as well as targeting resources effectively it is intended to categorise properties according to priority. A simple categorising format will be used to establish priority as follows for properties which have been empty for more than 12 months

Category A – The property is derelict or severely neglected. It may be open to access and its condition attracts fly tipping, vandalism or other anti social behaviour. It is the subject of complaints from the public.

Category B – The property is in a state of serious disrepair and is likely to be currently uninhabitable.

Category C – The property requires repairs to vital areas but it would be habitable with ongoing repairs. The property does not give rise to complaints from the public nor is it causing nuisance to neighbours or the surrounding community.

Category D – The property requires some obvious repairs but could be inhabited immediately.

Category E – The property appears in general good repair and is immediately inhabitable with little or no repair required.

### **Functions of the Empty Property Officer.**

28. In order to have a pro-active and co-ordinated approach when targeting empty properties it is important that the functions and duties of the Council's Empty Property Officer are clearly defined as follows:

- Overall co-ordination, implementation and development of the Empty property Strategy.
- Maintain, establish and extend contacts with internal and external partners (other service areas, landlords, residents, financial institutions, developers, RSLs etc).
- Maximise funding sources.
- Initiate and promote publicity in local/council press.
- Identify empty properties for action according to priority. Establish ownership, make contact and decide on further action.
- Promote the reporting of empty properties through facilitation within communities.
- Actively engage with local residents, residents groups and other stakeholders who are affected by problem properties to acquire local intelligence.
- Work with owners, landlords and landlords agents to offer advice, information and assistance including funding options all with the intention of bringing the property back into use through voluntary action on the owner's part.
- Where negotiation and other options have failed take the appropriate enforcement action to ensure that the property is in a habitable condition and brought back into occupation.

### **Available Options and Solutions to Deal with Empty Properties.**

#### **Introduction.**

29. Dealing with empty properties is a complex and time consuming process which unfortunately is unavoidable if as a Council we are to prevent an increase in the numbers as well as securing the early return to use of empty properties. A coordinated and pro-active approach must be adopted using a comprehensive mix of tools that best suit the challenges faced in the district. This will be achieved using a combination of advice, assistance and enforcement. The overall outcome of this strategy must be to ensure that empty properties are dealt with efficiently resulting in properties standing empty for shorter periods of time and consequently fewer empty properties within the Council's district. If properties are not brought back into use by voluntary means then the Council will consider the use of the wide range of enforcement powers at its disposal. The following options and solutions are available to deal with empty properties.

### **Advice and Information.**

30. It is essential that appropriate advice and information is provided to owners and landlords on the options available to them to deal with empty properties because this alone may result in some empty properties being brought back into use on a voluntary basis. Often the owners of empty properties have acquired their property through inheritance or some other unplanned event so are unsure about the most suitable course of action. Advice will be offered to owners about sale, refurbishment, renovation and health and safety standards and to owners or prospective landlords about the legal aspects of letting the property as well as giving prospective tenants advice about tenancies. It is also important to work with members of the Landlords Forum and the Landlord Accreditation Scheme to provide advice and assistance to those who may wish to let the property and manage it themselves or alternatively purchase empty properties.

### **Partnership Working.**

31. The Council recognises that in order to achieve the aims of the Empty Property Strategy partnership working both internally and externally is essential across all areas of its activities. These partnerships must be developed and maintained in order to deliver this Policy effectively.

32. Internally a corporate approach is essential and in addition to the Private Sector Housing Team within the Environmental Health Department other teams within the Council are important contributors to the success of the Empty Property Strategy as follows:

- Planning and Building Control – refurbishment and conversions.
- Revenues and Benefits – Empty property database information .
- Financial and Legal Services – Advice on financial and legal matters.
- Community Safety – Anti social behaviour associated with empty properties.
- Housing Strategy – Increases to the housing stock.

33. External partnerships are equally important to the success of this Strategy and it is through such partnerships that the assistance available to the owners of empty properties can be increased and help ensure the return to use of empty properties as follows:

- Registered Social Landlords (RSLs) - The Council has an effective communication network with Registered Social Landlords (RSLs) operating within the Chester-le-Street district. Generally RSL's have very low numbers of empty properties but where appropriate we will work in partnership with them. We will also encourage Housing Associations and other RSLs to procure Housing Corporation funds to acquire and renovate empty properties that are currently uninhabitable. Partnership working with local RSLs as

detailed in paragraphs 34, 35 and 36 below can bring many empty properties back into use.

- Private Landlords – Private landlords play an important role in the provision of local housing. It is intended to work closely with private landlords through the Landlords Forum and provide advice, information sharing and assistance to landlords who procure empty properties.
- North East Empty Property Forum – Continued partnership working with members of the forum will ensure an integrated approach across the Northern Region enabling the sharing of good practice.
- Empty Homes Agency – The Council will continue to liaise with the agency who provide excellent support and guidance when tackling problems associated with empty properties. This in turn promotes best practice.
- Police and other Anti Social Behaviour Agencies – Closer partnerships will be developed to assist in the reduction of crime and anti social behaviour in respect of empty properties.
- Other Private Sector Partners – The Council will continue to develop partnerships with private sector partners who are key service providers including letting and estate agents to determine interest in the sale and management of empty properties.

#### **Private Sector Leasing.**

34. This scheme allows owners to lease their properties to the Council or RSL typically for a period of 2-5 years who will in turn sub-let it to a household in housing need. This removes the day to day management responsibility and risk for the owner who will be guaranteed rent for a specific period of time irrespective of whether the property is let or otherwise.

#### **Temporary Social Housing.**

35. Under such a scheme an RSL enters into a lease agreement with the owner of the property for an agreed period of time typically 3-5 years. The RSL effectively becomes the tenant and sub-lets the property to a household in housing need nominated by the Council. This provides a method of utilising properties that owners do not require for occupation in the short or medium term but still wish for the property to be returned to them at some time in the future.

#### **Housing Association Leasing Scheme.**

36. This scheme provides an owner with the opportunity to lease their property to RSLs for periods of 3-5 years in return for which the Council gets nomination rights for the properties. This secures accommodation for households with housing need.



### **Rent Deposit Scheme.**

37. Many homes remain empty because prospective tenants find it difficult to raise the money for the required deposit. The Council finds suitable tenants and sets up an Assured Shorthold Tenancy as well as guaranteeing the owner the rent deposit.

### **Empty Property Grants.**

38. The Private Sector Housing Renewal Policy agreed by the Council in November 2005 allows for repairs assistance to be given in respect of properties which have been empty for a period of 6 months leading up to the date of application and which are in a declared Council Priority Action Area. Currently there are no declared priority action areas.

### **Enforcement.**

39. In the first instance the Council will always seek to work closely with owners of empty properties and provide advice, encouragement and support. However, where owners have refused offers of assistance and can provide no good reason why the property should remain empty then enforcement action will be used as a last resort option. The full range of enforcement options are shown detailed in Appendix 1 to this report.

## Action Plan

Key Actions	Supporting actions	Target Date
Capture information from a number of sources to build a comprehensive picture of empty properties in the District	Develop and maintain a comprehensive database	Feb 2008
	Carry out 100% external survey of all empty properties	Ongoing
	Carry out 100% questionnaire survey of all empty property owners	Ongoing
	Identify problematic cases requiring priority action and appoint Case Officer	Sept 2008
Investigate the wider housing context in which empty properties occur and link this information to housing needs, market conditions and homelessness	Liaise with Private Landlord Accreditation Scheme, local estate agents and Housing Strategy Team to improve information base on market conditions.	Sept 2008
Develop an extensive range of tools, actions and enforcement activities to meet local needs.	Develop comprehensive package of signposting and advice for owners	Sept 2008
	Develop partnerships with key private sector partners – estate agents/letting agents	Ongoing
	Develop partnerships with key voluntary groups and Registered Social Landlords	Ongoing
	Work with members of the Landlords Accreditation Scheme to provide advise and assistance to those who wish to procure empty properties	Sept 2008
	Effectively use Environmental Health legislation to deal with problems associated with empty properties	Ongoing

	Consider the use of EDMOs to return properties to use where other methods have failed	Ongoing
Develop and implement measures aimed at engaging and raising awareness with the community	Improve information on Council website to raise awareness of empty properties	Sept 2008
	Produce appropriate article for District news to raise awareness of issue.	Autumn 2008
	Engage with local residents associations to obtain local concerns and intelligence.	Ongoing

## **Appendix 1**

The following are the main legislative provisions available to the Council to deal with empty properties:

### Local Government Act 2003

Allows local authorities to reduce discounts for homes that have been empty for more than 6 months and also allows for the disclosure of council tax information for the purpose of bringing long term empty homes back into use.

### Section 215 Town and Country Planning Act 1990

This is the main planning power. It provides that where the condition of the land is such that it is having an adverse affect on the amenity of an area, the Council, in its capacity of Local Planning Authority, can serve a notice on the owner and occupier requiring him to take steps to remedy the condition of the land.

### Section 79 Building Act 1984

This allows the Council to serve a notice on the owner of a building or structure which is in a ruinous or dilapidated condition such that it is seriously detrimental to the amenities of a neighbourhood.

Unlike S215, the detriment to the visual amenity of the area must be serious. Section 79 therefore should be used for the more serious cases of detriment.

### Section 77 Building Act 1984

This is a power to apply to the Magistrates' Court for an order requiring the owner to execute works to obviate the danger or to demolish the building. It is exercisable where a building or structure is in such a condition as to be dangerous but immediate action is not required to remove the danger.

### Section 78 Building Act 1984

Where a building or structure is dangerous and it appears to the Council that immediate action should be taken to remove the danger, then this section empowers the Council to take the necessary action to remove the danger

### Section 29 Local Government (Miscellaneous Provisions) Act 1982

This section applies only in respect of buildings and structures. It does not apply to land, which is not built upon. The power arises where:

- a) A building is unoccupied or the occupier is temporarily absent and

- b) The building is not effectively secured against unauthorised entry or is likely to become a danger to public health.

#### Section 4 Prevention of Damage by Pests Act 1949

This power applies to both land and buildings. If the council thinks that steps should be taken on any land for the control of rats and mice, it can serve on the owner or occupier a notice requiring him to take reasonable steps to destroy or keep the land free of rats and mice. This can include requiring a form of treatment to be applied to the land or the carrying out of structural repair

#### Section 34 Public Health Act 1961

This power applies where there is rubbish on any land in the open air which is seriously detrimental to the amenities of the neighbourhood. The Council is empowered to take the steps necessary for removing the rubbish but before it does so it must serve a notice on the owner and occupier specifying the steps they propose to take.

#### Part III Environmental Protection Act 1990

Under Section 79 of the EPA, premises which are prejudicial to health or a nuisance constitute a statutory nuisance. The owner or occupier can be served with an abatement notice under Section 80 and it is a summary offence to fail to comply with the notice.

#### Law of Property Act 1925, section 101

In most cases, failure by the owner to comply with a notice can lead to the Council arranging for the works to be done in default and charging the owner. If the costs cannot be recouped by billing the owner, a charge is placed on the property. These costs may be recoverable by way of an enforced sale. This option can be pursued where one of the following applies:

- Returning the property to use is crucial to the regeneration of the area
- Works in default total £ 500 or more
- The property has been empty for more than two years

#### Planning and Compulsory Purchase Act 2003

This piece of legislation provides the basis for commencement of a compulsory purchase order

## Housing Act 2004

Sections 11, 20, 28, 40 and 43 may be used to remedy Category 1 hazards as determined using the Housing Health and Safety Rating System.

Empty Dwelling Management Orders (EDMO's) – The Housing Act 2004 now enables local authorities to apply to Residential Property Tribunals to make EDMO's on long term, privately owned, empty dwellings where owners are unwilling or unable to co-operate with voluntary measures to secure occupation. The property does not have to be run down or uninhabitable. The fact that it has not been lived in for more than 6 months can be enough to allow an EDMO to be made. The EDMO gives the Council the right to possession of the property and once the EDMO has been made, the Council may do anything the owner would normally be entitled to do with the property.

## Appendix 2

### Empty Property Survey Form



# Chester-le-Street District Council Empty Property Assessment

Reference		
Address		
Signs of Occupation/Sale	Yes/No	Comments
Condition of Property	Comments	
Chimney		
Roof Ridge		
Roof General		
Soffit boards		
Guttering		
Above Ground Drainage		
Lintels/Sills		
Windows/Doors		
Structure		
External Walls		
DPC/Dampness		
Airbricks/Vents		
Garden		
Paths		
Outbuildings		
Boundary Walls		
Miscellaneous		
Any Other Comments		

--	--

Open To Access	
----------------	--

Nature of Neighbourhood	
-------------------------	--

Overall Rating	
----------------	--

- A - Derelict/serious disrepair – obviously uninhabitable
- B - Serious disrepair – probable uninhabitable
- C - Repairs required to vital areas – habitable with ongoing repairs
- D - Some repairs required but obviously habitable
- E – Good repair, habitable with little or no repair required

Date		
Officer		
Photographs	Yes	No



**Empty Property Owner Questionnaire**

**EMPTY PROPERTY QUESTIONNAIRE**

Please complete the questionnaire and return in the prepaid envelope provided, within 14 days.

1. Address of Property:
  
2. How long has the property been unoccupied ?.....
  
3. Please state date of occupation if now occupied .....
  
4. When was the last time either you or a representative visited to check the property?  
.....
  
5. Are you aware of the current condition of the property .....
  
6. Please tick all the relevant boxes as to why the property has been left unoccupied

Unable to sell	<input type="checkbox"/>
Probate difficulties	<input type="checkbox"/>
Left under a will	<input type="checkbox"/>
Bought as an investment i.e. capital appreciation	<input type="checkbox"/>
Matrimonial/divorce settlement issues	<input type="checkbox"/>
Planning Issues	<input type="checkbox"/>
Negative equity	<input type="checkbox"/>
Property condition e.g. not habitable	<input type="checkbox"/>
Temporary relocation with job	<input type="checkbox"/>
Owner moved into nursing home/care	<input type="checkbox"/>
Sale would affect benefit entitlement	<input type="checkbox"/>
Bankruptcy	<input type="checkbox"/>
Absentee joint owners	<input type="checkbox"/>
Joint owners cannot agree on future use of property	<input type="checkbox"/>
Other, please state e.g. property is <b>second home</b>	<input type="checkbox"/>

.....  
.....

7. Would you be interested in receiving help with managing/letting your property? **YES/NO**

8. Have you tried to sell the property? **YES/NO**  
If yes, please specify

No reasonable offers received	
Buyers unable to obtain mortgage	
Survey revealed structural problems	
Blighted area	
Other, please state	

.....  
.....

9. Did you purchase the property as a 'Buy to Let' **YES/NO**

10. Have you considered renting the property **YES/NO**  
If no, please specify

Rent levels insufficient	
Risk of bad tenants	
Repair costs needed to bring property up to standard	
Lack of expertise in managing properties (i.e. Tenants selection and tenancy documentation)	
Delays in obtaining housing benefit payments from the Council	
Others please state	

.....  
.....

11. Would you be interested in renting your property if assistance was available from the Council for renovation or conversion?

Renovation	
Conversion	

12. What would you like to do with the property?

Live in it yourself	
Rent it out	
Sell it	
Other	

.....  
 .....

**13. General comments/further information required:**

.....  
 .....

**14. Name:** .....

Contact Address: .....  
 .....  
 .....  
 .....

Telephone Number: .....

**Thank you for taking time to complete this questionnaire.**

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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