

## **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, 1 December 2008 at 3.00 pm

### PRESENT:

Councillor L Ebbatson (Leader of the Council)

Councillor L Armstrong, (Portfolio Holder for Resources and Value for Money)  
Councillor M Sekowski, (Portfolio Holder for Community Engagement and Partnerships)

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

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), C Symmons (Assistant Solicitor), I Herberson (Head of Corporate Finance), J Elder (Acting Head of Resources), T Galloway (Director of Development Services), N Tzamarias (Assistant Director of Development Services), S High (Leisure Services Manager), M Keenlyside (Environmental Strategy Co-ordinator), L Dawson (Acting Head of Regeneration), J Johns (Economic Development and Tourism Officer), A Stephenson (Executive Assistant) and D Humble (Democratic Services Assistant)

### **66. APOLOGIES FOR ABSENCE**

There were no apologies for absence received from Members.

### **67. MINUTES OF MEETING HELD 3 NOVEMBER 2008**

RESOLVED: "That the minutes of the meeting held 3 November 2008, copies of which had previously been circulated to Members, be agreed as a correct record."

The Leader proceeded to sign the minutes.

### **68. PUBLIC SPEAKING**

There were no questions or representatives received from Members of the public.

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

There were no declarations of interest received from Members.

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

The Leader introduced the Forward Plan and Work Programme and suggested items that should be included between January and March 2009.

It was agreed that the following items be added to the Executive Forward Plan and Work Programme for February 2009:-

- Handing over the Baton Report
- Market Report
- Parish/Town Councils Report
- Presentation of the outcomes of the Action Learning Sets for Developing People and Place

Councillor Westrip spoke in relation to the Communities for Health – Mental Health Project Final Report which was scheduled to be presented to Executive in March and advised that further funding had been allocated towards this project.

He advised of a sub-group meeting that was to be held in January to consider arrangements within the New Authority and he hoped to get MIND to produce their final report sooner to tie in with that.

The Leader advised of a Meeting that she was due to attend with MIND and suggested that either the Director of Development Services or the Assistant Director of Development Services attend also.

The Director of Development Services suggested that following discussions, a report on proposals for the additional funding be included in the Work Programme.

It was suggested that clarification be sought on whether Durham County Council approval would be required on allocating this funding and that draft proposals be prepared in the meantime.

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

## **71. EXECUTIVE DECISION TRACKER**

The Leader spoke in relation to the Decision Tracker. A number of verbal updates were given on Heart of Pelton Fell, Budget 2009/10, Sacriston Community Resource Centre.

The Acting Head of Regeneration spoke in relation to the Heart of Pelton Fell and advised that work was well underway and the contractors had started on site on the refurbishment. Regular budget meetings were being held with Capita and everything was within budget and timescale.

The Chief Executive advised of negotiations that were ongoing on the delivery vehicle at Pelton Fell to go beyond 2008/09.

The Head of Corporate Finance gave an update in relation to the budget which was being Officer led and driven by the County Council and explained the budget process.

The Chief Executive clarified that there had been no senior management or member involvement from this Authority in the prioritisation of budgets and that Officers had only provided information on possible savings.

The Acting Head of Regeneration gave an update on the Community Resource Centre in Sacriston that was now opened and that it was being well used by the community. The land adjacent to the Community was now ready to be developed as part of the village which was due to be started in February for completion in March.

The Leader referred to Item No. 4 of the decision tracker and queried whether a response had been drafted on the website to the petition on car parking. It was agreed that the Director of Development Services ensure that this was added.

The Director of Corporate Services referred to the employee survey and advised that in light of the Local Government Review it was now irrelevant to produce an action plan to deal with this.

He advised that Durham County Council had employed consultants to carry out a web-based employee survey on the value of their current employer and the future with the new authority and that there had been a 16% return across the County. The findings would be presented to CMT and then brought to Executive as well being included as part of the 'handing over the baton' report. It was agreed to remove this item from the Decision Tracker.

The Economic Development and Tourism Officer updated Members on the Hanlon tracking system that had gone live that day. She advised that once the Head of Service for Economic Development was appointed that she and a representative from Sedgefield District Council would meet with them to ensure this was taken over into the new unitary authority. It was agreed to remove this item from the Decision Tracker.

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

**72. IMPLEMENTING THE TRANSITION PLAN: DEVELOPING 'PEOPLE AND PLACE'**

The Director of Corporate Services gave an update in relation to the Developing People and Place report and highlighted the progress made to date. On Strengthening Partnerships he advised of the progress on the Community Cohesion project. Thanks were conveyed to Lesley Lines for keeping the 'What Wonderful Women' project on track.

He advised that there would be a presentation made to Executive in February on the Action Learning Set achievements.

RESOLVED:

- “1 That the progress to date on implementing the Transition Plan be noted.
- 2 That the progress made in respect of individual progress and the comments made be noted.”

**73. CORPORATE PERFORMANCE REPORT JULY 2008 TO SEPTEMBER 2008**

The Director of Corporate Services updated Members on the Corporate Performance Report July 2008 to September 2008 and summarised the achievements, non-achievements and the remedial action that had been taken that were listed within section 5.3 of the report.

The Leader proceeded to go through the contents of the performance information in the report and sought clarification on a number of issues. The Director of Corporate Services gave an explanation on the non-achieving performance indicators and confirmed that these issues would be flagged up at the next performance clinic.

Particular concern was raised by the Leader on the homelessness indicators and especially the length of time taken to assess a homelessness application. She felt that the actions proposed were unsatisfactory and that improvements needed to be made. The Chief Executive advised that because of the unsatisfactory performance he had held discussions with Cestria housing on the homelessness service and suggested that he discuss this further with the Leader to address the concerns that she had raised.

Councillor Westrip referred to the sickness performance indicators that were improving which he felt were worthy of acknowledgement.

RESOLVED: “That it be noted that Members considered and commented on the progress on improvements and the contents of the Performance Report in Appendix 1 of the report and it was agreed that the concerns raised by the Leader be addressed.

**At this point Councillor Jukes entered the Meeting at 4pm.**

#### **74. POSITION STATEMENT IN REGARD TO SECTION 106 AGREEMENTS**

The Assistant Director of Development Services gave a background to the report in relation to the financial contributions held by the Authority that have been secured through Section 106 Agreements.

He outlined the current allocated funds and committed schemes that were to receive this funding throughout the District. He also spoke in relation to two 106 agreements that had unallocated monies attached to them and of the two potential schemes being considered by the Ward Members.

Councillor Sekowski sought clarification on the £10800 that was earmarked from the Miller Homes development at Pelton Lane Ends. He advised that discussions had been held on suggested schemes including a play area and Councillor Laverick's suggestion of a community garden within Pelton Roseberry Primary School but felt that the residents should be consulted on these schemes.

The Assistant Director of Development Services noted the comments expressed by Councillor Sekowski and confirmed that this matter was in hand.

In response to a query from the Leader on paragraph 4.2.3 of the report the Head of Legal and Democratic Services outlined the legal position on whether the new Authority would be bound by the decisions taken by this Authority. The Director of Corporate Services clarified that 106 agreements had to be relevant to the development and must be necessary as a result of that development.

In response to a query from Councillor L Armstrong, the Leisure Services Manager gave clarification in relation to Item No. 19 of the Section 106 Agreements in relation to the site of former Highfield Hospital, Highfield Rise and the access to the Northlands play area.

RESOLVED: "That the Executive notes the position in relation to Section 106 Agreements entered into by the Authority as detailed in the report and attachments."

#### **75. MID YEAR FINANCIAL MONITORING POSITION**

The Head of Corporate Finance spoke in relation to the Mid Year Financial Monitoring Position and outlined the key issues arising from this process and the actions taken to address them. He advised of the impact on reserves due to Local Government Reorganisation and the economic climate.

A summary was given on the Initial general fund forecast outturn as outlined in the table in section 5.2 and the action that had been undertaken to ensure that there was no overspend at the end of the financial year.

He referred to the table on 5.4 which indicated the impact the actions had already had on the revised expected end of year position and outlined a

number of solutions that had been identified to close the gap. Managers were working to ensure that the overspend was reduced but with minimal impact on service delivery.

The Head of Corporate Finance also spoke in relation to the General Fund Revenue Account and the consent to close the Housing Revenue Account on 31 March 2009.

Clarification was sought from the Leader on a number of projected overspends within Appendix B of the report including CCTV, Selby Cottage Childcare Centre, Golf Complex, Arts Development which were explained by the relevant Officers.

The Leader thanked Officers for the work that they had undertaken on the budget and asked that she be provided with a detailed analysis of reserves.

The Chief Executive explained the reasoning behind the recommendation in 11.2 in the report which was to approve the use of the HRA balance to fund the shortfall in projected Right to Buy sales.

RESOLVED:

- “1 That the Executive notes the financial monitoring information detailed in sections 5-7 of the report.
- 2 That the Executive approves the use of the HRA balance to fund the shortfall in projected Right to Buy sales amounting to £109,990.”

## **76. EXCLUSION OF PUBLIC AND PRESS. TO RESOLVE:**

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

## **77. LAND MATTERS**

Consideration was given to a report from the Acting Head of Regeneration on various land matters.

### 14 Redmires Close, Urpeth Grange

“RESOLVED: “That the application to acquire the land identified in Appendix A is refused on the basis that it is located in an open plan estate and to do otherwise could introduce an undesirable precedent that could undermine the general amenity of the area.

24 Gibside, Chester-le-Street

RESOLVED: That subject to the business as usual agreement with the County Council, the land be disposed of to the applicant for the purpose of a domestic garden in accordance with the terms and conditions of the Council's approved Land Disposal Policy.

36 Sydney Street, High Handenhold

RESOLVED: That subject to the business as usual agreement with the County Council, the site be sold subject to the standard terms set out in the approved land disposal policy and subject to written confirmation that the applicant had successfully removed the restrictive covenant that prevents development on this site. Also, should it be necessary, in order to facilitate the proposed future use, to relocate the multi-utility mast, then the costs of doing so should be covered by the applicant.

Land at Stella Gill Industrial Estate

RESOLVED: That officers are authorised to work with the applicant to identify alternative options to facilitate safe and well connected pedestrian access and report back to Executive with a preferred option.

6a Moor Court, Bournmoor

RESOLVED: That subject to the business as usual agreement with the County Council, a Deed of Release be issued to remove the restrictive covenant subject to the terms and conditions of the Council's approved Land Disposal Policy.

Wayleave agreement at Lingey House Farm, Sacriston

RESOLVED: That subject to the business as usual agreement with the County Council, and the applicant being responsible for all of the associated costs as set out in the Council's approved Land Disposal Policy approval be granted to issue a Wayleave to allow for the installation of the cables."

The meeting terminated at 5.05 pm