

Executive

Councillors; C. D. Christer, O. Johnson, D. Lavin, D. G. Llewellyn, M. J. Malone, C. Marshall, A. Taylor, A. Watson O.B.E

Dear Councillor,

Your attendance is invited at a meeting of the Executive to be held in the Council Chamber, Civic Centre, Consett on 10th November 2008 at 4:30pm for consideration of the undernoted agenda.



MIKE CLARK

Chief Executive Officer

Agenda

1. **APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

2. **REVIEW OF SCRUTINY BOARD DEBATE**

A list of items discussed at Scrutiny Board held on 7th November 2008.

(To be circulated at the meeting)

3. **TO RECEIVE ANY DECLARATIONS OF INTEREST FROM MEMBERS.**

To receive any disclosure by Members of personal interests in matters on the agenda, identify the item on the agenda, the nature of any interest and whether the Member regards the interest as prejudicial under the terms of the Code of Conduct.

4. **MINUTES**

To approve the minutes of the meeting held on 8th September 2008 as a correct record. (Herewith 'A')

Attached Documents:

[MINUTES](#)

5. **COUNCIL PERFORMANCE - REVIEW OF PERFORMANCE SECOND QUARTER 2008/09**

To consider the report of the Director of Corporate Administration and Policy. (Herewith 'B')

Attached Documents:

[COUNCIL PERFORMANCE - REVIEW OF PERFORMANCE SECOND QUARTER 2008/09](#)

6. **EXCLUSION**

THE PRESS AND PUBLIC ARE LIKELY TO BE EXCLUDED FROM THE MEETING FOR THE FOLLOWING ITEMS OF BUSINESS ON THE GROUNDS THAT THEY INVOLVE THE LIKELY DISCLOSURE OF EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 3 OF PART 1 OF SCHEDULE 12(A) OF THE LOCAL GOVERNMENT ACT 1972 (AS AMENDED).

7. **TRANSFER OF LAND AT HADRIANS WAY EBCHESTER**

To consider the report of the Deputy Chief Executive. (Herewith 'C')

8. **LOUISA CENTRE ANNEXE STANLEY**

To consider the report of the Deputy Chief Executive. (Herewith 'D')

Agenda prepared by Elaine Renton, Democratic Services
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Date: 31 October 2008

EXECUTIVE

Minutes of a meeting of the Executive held in the Council Chamber, Civic Centre, Consett on Monday 8th September 2008 at 4.30 p.m.

Present:

Councillor A. Watson (Chairman)

Councillors: D. Lavin, D.G. Llewellyn, C. Marshall, M.J. Malone and A. Taylor.

Apologies for Absence:

Apologies for absence were submitted on behalf of Councillors C. Christer and O. Johnson.

In Attendance:

Councillors W. Stelling, W. Tyrie and J. Williams.

8. REVIEW OF SCRUTINY BOARD DEBATE

A list of items discussed at Scrutiny Board were circulated, the Chair advised that the comments, if any would be referred to as each agenda item was discussed.

9. DECLARATIONS OF INTEREST

Councillor M. Malone declared an interest in the following report – Community Groups – Applications for financial support.

Councillor C. Marshall declared an interest in the following two reports

i) Sale of land at Greenwood Avenue, Burnhope and ii) Sale of land at Vale View, Burnhope.

10. MINUTES OF MEETING HELD 9th JUNE 2008

RESOLVED: That the minutes of the meeting held 9th June 2008 be agreed as a correct record.

Matters arising from the minutes

Councillor Taylor referred to minute number 7 – Louisa Centre Annexe, Stanley which had been referred to the County Council and asked whether there was any priority status or time frame for the County to make a decision on this issues and

the type of methodology used to decide which projects moved forward. In response the Director of Corporate Administration and Policy advised that this issue had been raised with Officers at the County via two routes. Namely, a submission of a 'Business as Usual' process and secondly via Children's Services - a response was awaited.

The Head of Finance advised that he was not aware of any prioritisation process operated by the County however, some items had already been referred and agreed via the 'Business as Usual' process. A report had been prepared on the 'Business as Usual' process (Louisa Centre Annexe was mentioned) and was due to be discussed by Members at Scrutiny on 9th September 2008.

11. COUNCIL PERFORMANCE – REVIEW OF PERFORMANCE FIRST QUARTER 2008/09

Councillor Malone presented the report which provided members with an update for performance for all local Key and National Indicators measured to a district level for the first quarter of 2008/09. Appendix 1 detailed the performance for all indicators and was included for Members' information.

The main text of the report concentrated upon areas where performance was a concern or where significant increases in performance had occurred. A detailed analysis of performance for all red risk indicators for the first quarter of 2008/09 was included in paragraphs 3.5, 3.6 and 3.7. In addition, significant falls or gains in performance for amber risk indicators were highlighted in paragraphs 3.7 to 3.10 along with a short summary of performance for green rated indicators.

A round-up of quarter 1 performance revealed that out of the five red risk indicators, two had demonstrated an improvement in performance this quarter. On a positive note, the number of potential homeless cases prevented had significantly improved in comparison to both the Q1 and year-end figure of 2007/08. However, sickness and absence levels continued to rise and remained in the lowest performing quartiles nationally. In addition, the number of planning applications determined during the first quarter of 2008/09 was lower than at the same period last year. This situation was due in part to reduced staffing capacity, possibly as a result of LGR, and measures to address this situation were currently being explored.

Almost 60% of amber rated indicators had either demonstrated an improvement in performance this quarter or retained their performance within the top performing quartiles nationally.

All green indicators continued to perform in the higher performing quartiles nationally and therefore posed no concern at this stage in the year.

It was worthy to note that the majority of Housing Benefit, Recycling and Waste collection indicators continued to improve and remained within the top performing quartiles.

All red risk indicators had now completed action plans for 2008/09 and action plans for Quarter 1 had been referred to the Learning and Economy and Leader/Deputy Leader Scrutiny Panel held on 23rd July 2008. Appendix 2 included details of the Action Plans for all Red Risk indicators for the first quarter of 2008/09 and updates with regard to progress against these plans would be presented to the relevant Scrutiny Panel throughout 2008/09 within the agreed reporting mechanism.

Notes of Scrutiny Board held 5th September 2008: *Members considered the report and the following issues/observations were made:*

- *Planning Service – The Director of Environmental Services referred to previous debates and advised Members on progress being made with regards the temporary employment of two number Senior Planning Officers by way of agency and consultants.*
- *Sickness Absence – Members questioned the impact of the L.G.R. process in relation to staff absences. Special reference was made to the demands on staff to maintain business as usual whilst at the same time contributing to the L.G.R. process. The Director of Environmental Services advised that Corporate Management Team were continuing to monitor the situation particularly with regards sickness / absence which could be contributed to the process.*

Options: Whether or not to commission further investigation by the relevant scrutiny panel of any of the performance indicators detailed.

RESOLVED: That the information contained in the report regarding the performance of the Council against Best Value Performance Indicators be noted.

Reasons:

- (i) To investigate innovative solutions to address any falling performance.
- (ii) To enable any slippage in performance to be noted and risk bandings re-assessed throughout the year.

12. REVENUE & CAPITAL OUTTURN 2007/08

Councillor C. Marshall presented the report which advised Members on the authority's Revenue and Capital Outturns for the financial year ended 31 March 2008. The report summarised the positions of both the General Fund and the Housing Revenue Account (HRA) as well as the Capital Programme and the financing thereof. In addition, details were provided of available General Fund and HRA Reserves after accounting for all known commitments.

Notes of Scrutiny Board held 5th September 2008: *Members considered the report and the following issues were highlighted:*

- *Planning fees – The Director of Environmental Services advised that planning fees were being affected due to the current economic climate.*
- *Right to buy sales – Members expressed some concern with regards the potential impact of the current economic climate on Right to Buy sales.*

Options: Whether to approved, amend or reject the proposals in the report for capital expenditure.

RESOLVED:

1. That the Revenue Outturn position for the Council for the year ended 31st March 2008 be noted.
2. That the position with regard to reserves and balances as shown on Appendix 3 to the report be noted.
3. That the capital financing of the capital programme in 2007-08 as shown in paragraph 3.6 of the report be approved.

Reasons: To confirm Council approval for the capital financing arrangements for the financial year 2007-08.

In accordance with the provisions of the Local Government Act 1972 and Standing Order 33, Councillor M. Malone declared a prejudicial interest in the following item of business paragraph 2.3 – West Durham Catholic Partnership (as a member of the committee). He left the meeting at this point and took no part in the discussion or decision made.

13. COMMUNITY GROUPS – APPLICATIONS FOR FINANCIAL SUPPORT

Councillor A. Watson presented the report which advised that the Council had received a number of requests from community-based care and sporting organisations for financial support with a range of projects associated either with their sustainability or the provision of services for various vulnerable and youth-related groups. Most of the applications for financial support were exceptional in that they did not directly refer to specific activities of the Council and fell outside of current financial arrangements, which the Council had in place to support such organisations.

In response to questions The Head of Financial Services advised that these items may have to be referred to the County Council under the 'Business as Usual' protocols. In general, the Council was allowed to spend what had been allocated in the budget

The following requests were discussed:

- (i) Open Arms Group

The Open Arms Group was based in Leadgate, is a registered charity and is a social befriending group for some of the most vulnerable adults in Derwentside, promoting social inclusion and reducing isolation within the community. For many members the events and activities organised by the Open Arms Group is the only interaction they get with the outside world and their members include people with learning difficulties, mental health problems, lonely and elderly people.

(ii) West Durham Catholic Partnership

The West Durham Catholic Partnership had forwarded a request to the Council to assist with the refurbishment costs of the John F. Kennedy Centre in Blackhill. The group were requesting that the Council make a contribution of £20,000 towards the cost of refurbishment (estimated to be approximately £55,000) in an attempt to achieve the objective of the centre which was to *“encourage and facilitate communication and understanding within the local community in that all members of the local community might have the fullest opportunity within their community to develop to their fullest potential, regardless of age, sex, race, politics or religion”* and *“to develop the resources of the community and in particular the John F. Kennedy Centre in Blackhill to achieve this objective”*.

(iii) Hobson Golf Club

The Hobson Golf Club was owned by Derwentside District Council but leased to the golf club having been taken over by a Management Committee on the 1st April 2002. The financial arrangement with the golf club was such that although the facility was owned by the District Council, they are required to operate and maintain the facility providing access for those wishing to play the sport within and outside the district.

Councillors D. Lavin commented that the golf club had had problems maintaining the facilities and he was in favour of offering help. Councillor A. Taylor commented that the club was in need of refurbishment so she also supported the recommendation. Councillor C. Marshall added his support and wanted to ensure that the golf club management committee are made aware that future maintenance was built into their budget. Councillor Watson agreed with these comments and wanted to emphasise that the Golf Club Management Committee needed to plan a budget for maintenance for future years. The Deputy Chief Executive advised that the Council had agreed to help the Golf Club by keeping rent at the same level as last year. The lease also stated that this was not operated as a private club, they were encouraged to make the facilities widely available to the community.

(iv) Berry Edge Gardens

A request had been received from Councillor O. Temple on behalf of a group of residents seeking to refurbish an area of land adjacent to Berry Edge Gardens in Consett. The residents group was currently attempting to raise resources to

facilitate the environmental improvement of an area of land creating a community garden for the benefit of residents in the area. The land in question was currently overgrown and not maintained and although attempts had been made to identify the owners of the land, ownership currently remained uncertain.

Councillor Watson also read out a letter from D. Haney, Acting Chairman Berry Edge Residents Association which advised that the project was to be managed by Groundwork and that Durham County Council had granted funding of £25,000 for the project.

Councillor A. Taylor expressed her congratulations to Berry Edge Partnership for bringing this project forward however, she had some concerns that the ownership of the land was in question and problems which may arise if the land is claimed in future. In response the Deputy Chief Executive advised that work was in progress for the land to be leased by the Council for use for the community group. In addition, the group were aware of the land ownership issues and if necessary will take the required action to ensure relevant insurances are put in place to mitigate any future challenge which may be received either during or once work was complete.

Councillor Watson commented that not all the funding to facilitate this project was in place and he suggested that this request be 'agreed in principle' on the understanding that the outstanding land issues were resolved before the money was released.

(v) Lintz Cricket Club

A request had been received from the Lintz Cricket Club in Burnopfield to assist with the replacement of the concrete panelled fence which surrounds the playing pitch and club house.

(vi) South Moor Juniors A.F.C.

South Moor Juniors A.F.C. were currently developing a project for the provision of a new multi-purpose sporting facility on their existing site. The purpose of the bid was to deliver a world class youth facility driven by the active participation of young people in order to provide young people with exciting and safe places to play. The bid will provide a range of both indoor and outdoor facilities helping to ensure that the activities carried out can be developed over a 12 month period.

Councillor A. Taylor commented that this was a very worthy cause in an area of high deprivation and gave her support to the recommendation. Councillor C. Marshall added that this was an established, well run club which served the Stanley area and beyond and he hoped this would fit in and link with other schemes in the area. In response the Deputy Chief Executive advised that this proposal had come forward from community groups.

Notes of Scrutiny Board held 5th September 2008:

Declaration of interest – Councillor M. Westgarth in respect of Berry Edge Gardens application.

Declaration of interest – Councillor T. Parry due to a number of organisations which were supported by her employer.

Members, in considering the report, supported all of the applications made.

Members, however, pointed to the need for an element of caution that such applications did not set a precedent for further applications.

Options: Whether to agree, amend or reject the requests for financial assistance which were detailed in the report.

RESOLVED: That the financial commitments detailed below and the allocation of budget is resolved between the Chief Executive, Section 151 Monitoring Officer in conjunction with the Leader of the Council. In the first instance resources to be identified from within existing budgets utilising savings and if necessary, seeking the agreement of Durham County Council through the adopted Business as Usual protocol. Subject to the above the Executive agree to:

- (i) grant-aid the Open Arms Group to an amount of £4,400.
- (ii) provide £20,000 grant-aid towards the costs of refurbishment of the J.F.K. Centre in Blackhill.
- (iii) the provision of £10,000 for the purpose of assisting with the refurbishment of the Hobson Golf Club facilities.
- (iv) agree in principle to the contribution of £10,000 to the cost of regeneration of this area of land in Consett subject to other funding being identified, enabling the full cost of the project to be put in place.
- (v) the provision of £8,960 plus V.A.T. for the purpose of replacing the existing dangerous elements of the existing boundary fence.
- (vi) to the provision of £20,000 to assist in the delivery of a new sports facility at South Moor, subject to other finance being available to support the project.

Reasons: The above organisations had put forward requests to the Council for financial assistance with a range of activities which are important to the communities within which they are located and a range of users, some of whom are amongst the most vulnerable groups within the community.

Councillor M. Malone returned to the meeting at this point.

14. EXCLUSION OF PRESS AND PUBLIC

ON THE MOTION OF COUNCILLOR M. MALONE SECONDED BY COUNCILLOR D.G. LLEWELLYN THAT UNDER SECTION 100(A) OF THE LOCAL GOVERNMENT ACT 1972, THE PRESS AND PUBLIC BE EXCLUDED FROM THE MEETING FOR THE FOLLOWING ITEMS OF BUSINESS ON THE GROUNDS THAT THEY INVOLVE THE LIKELY DISCLOSURE OF EXEMPT

INFORMATION AS DEFINED IN PARAGRAPHS, 3 OF THE LOCAL GOVERNMENT ACT A1972 (AS AMENDED).

15. DISPOSAL OF LAND AT WHITE-LE-HEAD

Councillor C. Marshal presented the report which advised Members of an objection received to a disposal of public open space and to obtain authority to proceed with its disposal.

Notes of Scrutiny Board held 5th September 2008: *Members considered the report and there were no issues of concern.*

Options:

1. Continue with the sale to the applicant.
2. Give both parties the opportunity to submit a highest and final offer for the land.
3. Advertise the availability of the land on the open market.

RESOLVED: That authority be granted to continue with the sale to the applicant on the terms outlined in the report.

Reasons:

1. The objection to the disposal of open space was not related to the actual loss of public open space but because the objector wished to acquire the land for herself.
2. The objector had apparently been occupying Council land without a formal agreement for a number of years.
3. The Council was following the precedent established for the disposal of its Grazing Sites in giving the actual occupier the first opportunity to acquire the land.

16. STANLEY TOWN CENTRE – PHASE 2 REGENERATION

Councillor C. Marshall presented the report which advised Members of a significant development with the proposed scheme and to request a decision on how to proceed. At a meeting of the Executive held 12th February 2007 authority was given to conclude a Development Agreement for the redevelopment and regeneration of Stanley Town Centre with a scheme comprising retail units, a food store, indoor bowling club, car park and leisure facilities. The agreement was duly completed in July 2007, with an end date of 31st January 2009, subject to allowable extensions. The company had been providing officers with regular updates on progress but sometime ago it became apparent that the scheme was not progressing as quickly as envisaged. The company then indicated that they were considering reducing the size of the proposed development and a formal request had now been received to amend both the Development Agreement and the Scheme.

Councillor Llewellyn requested further information on a number of issues; the statement that the scheme was not progressing as quickly as envisaged and why the outstanding highway issues with the County Council had not been progressed. In response the Deputy Chief Executive advised of a number of reasons put forward by the developer for reducing the size of the scheme.

- The developer had to be satisfied that they could deliver a scheme that was financially viable.
- Suitable tenants were available for the site
- The 'credit-crunch' and the current financial climate.
- The impact of the downturn in the economy.

He further advised that his understanding was that neither the developer or the County Council had progressed the outstanding highway issues.

Councillor A. Taylor advised that she supported the recommendation and the investment for Stanley Town Centre. She was disappointed that the highway issues had not been resolved and she wanted the scheme to progress and hoped it would begin a regeneration of the Town Centre.

Councillor C. Marshall advised that there was strong political backing for investment in Stanley Town Centre and he also wished for the scheme to progress.

Councillor D. Lavin commented that he also wanted the project to progress and welcomed the regeneration of Stanley Town Centre. He raised the issue of delays and in response the Deputy Chief Executive advised that there would be a delay in public consultation until the highway issues had been resolved.

Notes of Scrutiny Board held 5th September 2008: *Members considered the report and there were no issues of concern.*

Options:

1. Agree in principle to the revised proposal but authorise officers to seek to negotiate more advantageous terms with the Developer.
2. Advise the Developer that the proposed amendments are unacceptable and that if they are unable to proceed, seek an alternative Developer.
3. Advise the Developer that the proposed amendments are unacceptable and that if they are unable to proceed seek to procure a redevelopment when there is an improvement in the economy.

RESOLVED: That the request from the Developer as detailed in the report be referred to the County Council.

Reason: The financial / service implications are issues for the new Unitary Authority after the District Council is abolished next year.

In accordance with the provisions of the Local Government Act 1972 and Standing Order 33, Councillor C. Marshall declared a personal and prejudicial interest in the following two items of business. He left the meeting at this point and took no part in the discussion or decision made.

17. SALE OF LAND AT GREENWOOD AVENUE, BURNHOPE

Councillor A. Watson presented the report which advised Members of the action taken to accept a tender received in relation to the disposal of an area of land for residential development in Burnhope.

Notes of Scrutiny Board held 5th September 2008: *Members considered the report and there were no issues of concern. The Director of Environmental Services advised that the Deputy Chief Executive was satisfied that the monies to be received from the disposal of the land were at the best consideration in accordance with market conditions.*

Options: The item was for information purposes only.

RESOLVED: That it be noted, the Deputy Chief Executive had exercised his delegated power to accept Tender A as detailed in the report and that legal formalities were in the process of being completed.

Reasons: All Tenders were subject to Site Investigations and possible reductions for abnormal costs. Whilst Tender A was substantially lower than the original offer for the site it was considered to be acceptable bearing in mind the present state of the market, thereby satisfying the requirements to obtain best consideration under Section 123 of the Local Government Act 1972.

In accordance with the provisions of the Local Government Act 1972 and Standing Order 33, Councillor C. Marshall had declared a personal and prejudicial interest in the following item of business. He had left the meeting prior to the previous item and took no part in the discussion or decision made.

18. SALE OF LAND AT VALE VIEW, BURNHOPE

Councillor A. Watson presented the report which advised Members of the action taken to accept a tender in relation to the disposal of an area of land for residential development in Burnhope.

Notes of Scrutiny Board held 5th September 2008: Members considered the report and there were no issues of concern. The Director of Environmental Services advised that the Assistant Chief Executive was satisfied that the monies

to be received from the disposal of the land were at the best consideration in accordance with market conditions.

Options: The item was for information purposes only.

RESOLVED: That it be noted the Deputy Chief Executive had exercised his delegated powers to accept the tender as detailed in the report and that legal formalities were in the process of being completed.

Reasons: Whilst the Tender was subject to Site Investigations and possible reductions for abnormal costs, it was considered to be acceptable bearing in mind the present state of the market, thereby satisfying the requirements to obtain best consideration under Section 123 of the Local Government Act 1972.

Conclusion of meeting

The meeting closed at 5.24 p.m.

Chair.

TITLE:	COUNCIL PERFORMANCE - REVIEW OF PERFORMANCE SECOND QUARTER 2008/09
TO/ON:	EXECUTIVE 10TH NOVEMBER 2008
BY:	DIRECTOR OF CORPORATE ADMINISTRATION AND POLICY
PORTFOLIO HOLDER:	M.J. MALONE, DEPUTY LEADER
STATUS:	PERFORMANCE MONITORING REPORT

1. Purpose of Report

- 1.1. The purpose of this report is to inform members of the performance of red, amber and green rated Performance Indicators for the second quarter of 2008/09.

2. Background

- 2.1. The authority is no longer required to collect and measure Best value Performance Indicators (BVPIs) with effect from 1st April 2008. The Government have, instead introduced a set of new National Indicators to be collected and measured by local authorities and their partners.
- 2.2. To ensure that performance for former Best Value Performance Indicators does not deteriorate during 2008/09 it has been agreed that a number of these indicators will be collected and monitored alongside the new National Indicator Set.
- 2.3. A traffic light risk rating system is currently used to identify the performance indicators where anticipated performance is thought to be at risk of falling into or remaining within the bottom performing quartiles nationally. All red risk indicators are required to complete an Action Plan and all completed Action Plans are referred to the relevant Scrutiny Panel within the agreed reporting mechanism throughout the year.

3. Relevant Material Considerations

- 3.1. Performance for all former BVPIs that are now measured as key local performance indicators is detailed in a series of Tables in Appendix 1 along with the 2007/08 year end performance for each indicator and the anticipated target for the second quarter of 2008/09.
- 3.2. In addition the performance tables in Appendix 1 contain information appertaining to the new National Indicators and where applicable

targets have been set in proportion to the Durham Local Area Agreed targets signed off by Government Office North East in June of this year.

- 3.3. Performance for the majority of the new National Indicators is reported annually. Quarterly information is, however available for a number of these indicators and this performance data is included for Member's information within the tables in Appendix 1 of the report.
- 3.4. The report highlights the performance for the second quarter of 2008/09 for all indicators posing a red risk and demonstrates where performance is a concern and also where improvement in performance has occurred. Any amber rated indicators where performance has significantly fallen or improved by 10% or more during the second quarter of 2008/09 are also highlighted. An update of the performance for green rated indicators is given and any indicators demonstrating deterioration in performance are highlighted and a new risk rating assigned where appropriate.
- 3.5. Where historical performance data is not available, for instance in the case of some of the new National Indicators, then performance for Quarter 2 is compared with performance for the first quarter of 2008/09, thus offering an overview of performance to date.

Red Rated Local Key and National Performance Indicators

- 3.6. There are currently four key local performance indicators that have been allocated a red risk rating for 2008/09 and these are included in Table A in Appendix 1.

Improvements in Performance for Red Rated Indicators

- 3.7. Three of the four red risk indicators have demonstrated a rise in performance for the second quarter of 2008/09 and these are detailed below:

➤ Key Local Indicator 109a, 109b and 109c (contributes to NI 157)

Key Indicator 109a - The proportion of major planning applications determined within 13 weeks for the second quarter of 2008/09 was 83.33%, which represents a marginal increase in performance when compared to the same period during 2007/08 when it was 83%. The performance for this indicator historically fluctuates throughout the year, and in 2007/08 this was due in the main to staffing capacity issues in this service area. The majority of posts are now filled via a number of recruitment methods and it is pleasing to note that this indicator now significantly exceeds a government set target of 63%.

Key Indicator 109b and c - The proportion of minor and other planning applications determined in 8 weeks has demonstrated an improvement in performance in comparison to the same period in 2007/08, Minor applications determined has demonstrated a 37% increase in performance rising to 74.07% in comparison to 54% in Quarter 2 of last year. Similarly the proportion of minor applications determined in 8 weeks has risen from 81% to 84.03%.

All three indicators that contribute to NI 157 are now on track to meet anticipated year end targets.

Red Rated Indicators demonstrating a fall in performance

3.8. The remaining red risk indicator has demonstrated a fall in performance for the second quarter of 2008/09 compared to performance in 2007/08:

➤ **Key Local Indicator 12**

The rate of absence has increased significantly in the second quarter of 2008/09 in comparison to the same period in 2007/08 rising from 4.42 days to 5.73 days per full time employee. This indicator now sits within the bottom performing quartile nationally and if the current rate of performance continues this indicator will not meet a year end target of 9.5 days.

Amber rated Local Key and National Performance Indicators

3.9. Performance for the second quarter of 2008/09 for amber rated indicators is included in Table B in Appendix 1. This table includes the performance for both local key indicators retained during 2008/09 to monitor the delivery of service provision and also performance for the new National Indicators that were introduced on the 1st April 2008, which are collected by the authority to a district level.

Improvement in performance for amber rated indicators

3.10. There has been a number of amber rated indicators that have either performed in excess of 10% for the second quarter of 2008/09 in comparison with performance for the same period in 2007/08 or significantly exceeded set targets and these include:

➤ **Key Local Indicator 106** – there has been a higher percentage of completions on brownfield sites during the second quarter of 2008/09 in comparison to the same period in 2007/08 and the current rate of performance of 79% significantly exceeds an anticipated year end target of 65%.

➤ **Key Local Indicator 127a** – the recorded incidents of violent crime continue to significantly fall in comparison to the same period in 2007/08. The figures supplied by Durham Constabulary for the

second quarter of 2008/09 show that the annualised rate of violent crime has improved from a rate of 16.11 per 1,000 population in the second quarter of 2007/08 to 13.78 for this quarter. Initiatives contributing to this reduction in violent crime include partnership working to address alcohol related violence, which has included close scrutiny of licensed premises and the creation of specific action plans, together with the enforcement of licensing conditions.

- **Key Local Indicator 183b** - The average length of stay in hostel accommodation has demonstrated a significant improvement in performance when compared to the same period in 2007/08 improving from an average stay of 11 weeks to 0 weeks.

This increase in performance is as a result of the More than a Roof project having no clients who fall into the 'family' category at present, thus causing the return figure to be nil for this quarter.

- **Key Local Indicator 213** - The number of households, as a proportion of the total number of households in Derwentside, prevented from becoming homeless due to the intervention of the local authority continues to significantly improve in performance compared to the same period in 2007/08. The figure is measured per total household and has increased from 0.21 to 2.78. This represents 114 households prevented from becoming homeless in the first six months of 2008/09 and performance to date already exceeds the anticipated year end target.
- **National Indicator 154** – This indicator is designed to encourage a greater supply of new homes in England to address the long term housing affordability issue. The Durham County locally area agreed (LAA) target for this indicator is 1,753 net additional homes provided per annum. The total number of homes provided to date in Derwentside is 249 and the authority is therefore on target to meet the LAA target if performance continues at the current rate.
- **National Indicator 156** – This is a revised indicator that measures the number of households in temporary accommodation. Performance has improved from 6 households in the first quarter of 2008/09 to 5 in Quarter 2. The target within the County Durham Local Area Agreement is 44 households or less per quarter for all 7 districts giving an average of 6.2 per district each quarter. Performance to date therefore exceeds this target, which is encouraging at this stage in the year.
- **National Indicator 179** – This indicator measures value for money and monitors the total net value of ongoing cash-releasing value for money gains that have impacted since the start of the 2008/09 financial year. The authority has achieved savings up to 31st March 2008 of £4,457,532, exceeding our target by approximately £3.5 million.

The key areas in which the Authority has achieved savings include:-

- High Council Tax collection rates, coupled with an increase to the debit of approximately £1.5 million;
- Renewal and review of contracts through the Corporate Procurement team, leading to significant cash savings;
- In-house development and implementation of e-solutions;
- Asset Management, leading to the planned disposal of surplus assets;
- Partnership working with other authorities for example InPrint, DurhamNet, Procurement and Human Resources Services.

The ethos of efficiencies achieved is embedded in the authority through its Budgetary Control system, which has helped identify potential savings, and allowed for accurate appraisal and valuation.

- **National Indicator 191** – This indicator monitors the proportion of household waste collected by the authority and is now measured per 1000 household instead of per 1000 population as was the case in previous years. In view of this change in the methodology the figures for 2007/08 have been recalculated to reflect the changes and will therefore differ from previous performance reports presented to members. In order to reflect the validation process of the national WasteDataFlow system it is proposed that this indicator now reports a quarter in arrears to ensure that the quality of information is correct. Provisional figures for Quarter 2 will be included in the performance tables in Appendix 1 as a guide to anticipated performance, however these may change.

NI 191 has improved significantly during the first quarter of 2008/09 in comparison to the same period in 2007/08 with the amount of residual waste collected reducing from 172kg per household to 149kg. It is anticipated that performance will continue during the second quarter of 2008/09 with a projected rate of 150.38kg of waste collected and it is envisaged that the cumulative total collected for the year to date will be 281.30kg, which is encouraging at this stage in the year.

- **National Indicator 192** – The information for this indicator is taken from the WasteDataFlow system and therefore also reports performance a quarter in arrears. Provisional performance figures for the current quarter are given to offer a guide to expected performance.

The percentage of waste recycled and composted continues to improve in 2008/09 rising from a rate of 25.09% in the first quarter of 2007/08 to 41.04% in the first quarter of 2008/09. This performance has continued throughout the second quarter of 2008/09 and it is anticipated that 32.8% of waste will be recycled.

It is therefore anticipated that recycling and composting rates for 2008/09 for the first six months of the year will exceed both a local target of 30% and also the Durham Local Area Agreed target of 35%.

- **National Indicator 195** – This indicator reports every 4 months and monitors the proportion of improved street and environmental cleanliness for litter, detritus, graffiti and fly tipping. Performance is reported for areas that do not meet minimum standards and the proportion of sects failing the inspection has improved from 12% in the first four months of 2007/08 to 7% in 2008/09. Current performance would now cause this indicator to sit with the higher performing councils nationally based upon the performance information published each year by the Audit Commission.

Deterioration in performance for amber rated indicators

3.11. Indicators where performance has slipped by 10% or more either from an anticipated target for Quarter 2 or in comparison with performance for the same quarter in 2007/08 include:

- **Key Local Indicator 126** – the incidents of domestic burglary per household has increased marginally during the second quarter of 2008/09 rising from 6.91 in 2007/08 to 7.61. The current rate of performance remains in the 2nd best performing quartile nationally and this indicator has also demonstrated an improvement in performance in comparison to the first quarter of 2008/09 when the rate was 8.15.

Green rated Local key and National Performance Indicators

3.12. The local key indicators and National Indicators that have been allocated a green risk rating for the second quarter of 2008/09 have all continued to perform in the higher performing quartiles nationally or have improved in comparison to their Quarter 1 performance and therefore pose no concern at this stage in the year.

4. Action Planning and Risk Assessment Ratings

4.1. All red risk indicators are required to complete an Action Plan as part of the current Performance Management Monitoring Framework. All Action Plans were included within the Quarter 1 Performance Monitoring Report to Executive in September in addition to being presented to the Learning and Economy and Leader/Deputy Leader Scrutiny Panel on the 23rd July 2008 as part of the 'Business as Usual' arrangements.

4.2. An advantage of the current Performance Monitoring Risk Rating System is that it enables risk ratings assigned at the beginning of the financial year to be amended throughout the year to reflect slippages or

significant improvements in the overall performance. This re-assessment process is carried out at quarterly intervals throughout the year. As a result of continued performance no indicator has an amended risk rating for Quarter 2.

5. **Conclusion**

- 5.1. It is pleasing to note the number of planning applications determined during the second quarter of 2008/09 has improved in comparison to the same period in 2007/08, which is promising considering the staffing issues that this service area has experience in recent months. Sickness and absence rates, however, continue to pose a concern for the second quarter of 2008/09 and current performance now sits within the bottom performing quartile nationally based upon the 2006/07 Audit Commission quartile boundaries.
- 5.2. All red risk indicators will continue to form part of the action planning process and regular updates will be reported to the Business as Usual Scrutiny Panel via the agreed reporting mechanisms throughout 2008/09.
- 5.3. Overall there have been some positive improvements in performance for the amber and green rated indicators during the second quarter of 2008/09 with over 70% of indicators improving in performance compared with either the first quarter of 2008/09 or in comparison to the same period in 2007/08. This is extremely encouraging considering the challenges that the Council faces during this transition year prior to establishing the unitary authority.

The service areas where high levels of performance continue include Housing Benefit and the waste and recycling indicators, all of which have either demonstrated continuous improvement in the second quarter of 2008/09 or have continued to perform in the top performing quartiles nationally. In addition the levels of recorded violent crime have fallen in comparison to 2007/08 and the number of homeless cases prevented has improved significantly during the first six months of 2008/09.

6. **Recommendation**

- 6.1. Members are requested to note the content of this report and to consider commissioning further reports into the performance of any of the indicators, with a view to incorporating any indicators that pose concern into the Action Planning and Scrutiny process for 2008/09.

For further information contact Anne Smith, Performance Management Officer, Telephone 01207 218208 or E-Mail anne.smith@derwentside.gov.uk

Background Papers:

Derwentside D.C. Best Value Performance Plan 2008;
Learning & Economy and Executive Leader/Deputy Leader Scrutiny Panel – July 2008;
County Durham's 2008-2011 Local Area Agreement Indicators and Targets;
Audit Commission Best Value All England Quartile Data 2006/07.

Table A

Local Key and National Performance Indicators – Red Risk Q2 2008/09

BVPI	Title of Indicator	Top All England Quartile 2007/08	Bottom All England Quartile 2007/08	Outturn Perform 2007/08	Predicted 2007/08 quartile position	Q2 Performance 2007/08	Q2 Target 2008/09	Q2 Performance 2008/09	Actual V Target 2008/09	2007/08 V 2008/09	2006/07 Nearest Neighbour Outturn	Performance comparison with Nearest Neighbours
Local Key Performance Indicators												
12	Number of days/shifts lost to absence	8.09 days	10.73 days	10.30 days	3	4.42 days	4.75 days Year end 9.5 days	5.73 days	x	↔	9.99 days	👎
National Indicator Set												
NI 157	Major planning apps determined in 13 weeks	80.65%	65.22%	60.61%	4	83.00%	Year end = 63.00%	83.33%	✓	↔	72.33%	👎
	Minor planning apps determined in 8 weeks	83.38%	71.40%	64.60%	4	54.00%	Year end = 71.00%	74.07%	✓	↔	78.44%	👎
	Other planning apps determined in 8 weeks	92.46%	84.81%	83.64%	4	81.00%	Year end = 85.00%	84.03%	✓	↔	89.54%	👍

Table B

Local Key and National Performance Indicators Amber Risk Q2 2008/09												
BVPI	Title of Indicator	Top All England Quartile 2006/07	Bottom All England Quartile 2006/07	Outturn Perform 2007/08	Predicted 2007/08 quartile position	Q2 Performance 2007/08	Q2 Target 2008/09	Q2 Performance 2008/09	Actual V Target 2008/09	2007/08 V 2008/09	2006/07 Nearest Neighbour Outturn	Performance comparison with Nearest Neighbours
Local Key Performance Indicators												
2a	Equality Standard (0-5)	Not available	Not available	Level 2	Not available	Level 1	Level 2	Level 2	✓	↗	Level 2	👍
2b	Race equality checklist	84.00%	58.00%	74.00%	2	73.68%	Year end 79.00%	73.68%	Ongoing	↗	56.00%	👍
8	% of invoices paid within 30 days	97.00%	91.00%	94.89%	3	Q1 93.29%	Year end 95.00%	Q1 94.23%	Ongoing	↘	94.92%	👎
9	% of council tax collected	98.48%	96.49%	97.96%	2	58.14%	58.34%	57.87%	✗	↘	97.42%	👍
10	% of non-domestic rates due that were received	99.30%	98.43%	98.76%	3	60.35%	60.74%	60.11%	✗	↘	98.59%	👍
106	% of new homes built on previously develop land	96.92%	65.93%	75.00%	3	67.00%	Year end 65.00%	79.00%	✓	↘	73.16%	👍
126	Domestic burglaries per 1,000 h/hlds	5.80	13.20	7.57	2	6.91	Target not set	7.61	N/A	↘	11.15%	👍
127a	Violent crime per 1000 h/holds	13.10	22.90	14.74	2	16.11	Target not set	13.78	N/A	↘	17.35	👍

Local Key and National Performance Indicators Amber Risk Q2 2008/09

BVPI	Title of Indicator	Top All England Quartile 2006/07	Bottom All England Quartile 2006/07	Outturn Perform 2007/08	Predicted 2007/08 quartile position	Q2 Performance 2007/08	Q2 Target 2008/09	Q2 Performance 2008/09	Actual V Target 2008/09	2007/08 V 2008/09	2006/07 Nearest Neighbour Outturn	Performance comparison with Nearest Neighbours
156	Buildings accessible to people with a disability	Quartile data for 2006/07 not published due to LAs using different versions of Document M.				Not monitored ¼ly	Year end 78.95%	78.95%	✓	Not available		
174	No. of racial incidents per 100,000 pop	All England quartile data for 2006/07 not available				This indicator is collected and monitored annually					Not available	
183b	Homelessness – average stay in hostel	0 weeks	14.11 weeks	9 weeks	3	11 weeks	Year end 9 weeks	0 weeks	✓	↕	4.66 weeks	👎
213	Homeless Prevention per h/hold	5	2	1	4	Cumulative 0.21	Year end = 2	Cumulative 2.78	✓	↕	3	👎
225	Domestic violence checklist	All England quartile data not provided by the Audit Commission for this indicator		60.00%		This indicator is collected and reported annually					63.10%	👎
National Indicator Set												
NI 14	Avoidable contact					Collection and monitoring of NI 14 commences in November 2008			To be set			
NI 154	Net additional homes provided					Q1 08/09 154	Durham LAA =1753	Q2 = 95 YTD = 249	✓			
NI 155	No. of affordable homes delivered					Q1 08/09 0	Durham LAA =150	0	✗			

Local Key and National Performance Indicators Amber Risk Q2 2008/09

BVPI	Title of Indicator	Top All England Quartile 2006/07	Bottom All England Quartile 2006/07	Outturn Perform 2007/08	Predicted 2007/08 quartile position	Q2 Performance 2007/08	Q2 Target 2008/09	Q2 Performance 2008/09	Actual V Target 2008/09	2007/08 V 2008/09	2006/07 Nearest Neighbour Outturn	Performance comparison with Nearest Neighbours
NI 156	No. of h/hlds living in temp accomm					Not monitored	DDC = 6 Durham LAA = 44	5	✓	N/A	Not available	Not available
NI 159	Supply of ready to develop housing sites					Not collected	N/A	Annual 183% as at 1/4/08				
NI 170	Previously developed land – vacant derelict < 5 years					Q1 08/09 0.80%	N/A	1.2%				
NI 179	Value for Money					Not collected	£1m	£4,210,000				
NI 184	Food establishments – broadly compliant with food hygiene law					Collected and monitored on an annual basis						
NI 185	CO ₂ reduction from LA operations					This indicator is being monitored by the Sustainability Working Group and will report performance at the end of this calendar year in Q3						
NI 187	Tackling fuel poverty					This indicator reports annually – The Durham LAA target is a 2% improvement year on year						

Local Key and National Performance Indicators Amber Risk Q2 2008/09

BPVI	Title of Indicator	Top All England Quartile 2006/07	Bottom All England Quartile 2006/07	Outturn Perform 2007/08	Predicted 2007/08 quartile position	Q2 Performance 2007/08	Q2 Target 2008/09	Q2 Performance 2008/09	Actual V Target 2008/09	2007/08 V 2008/09	2006/07 Nearest Neighbour Outturn	Performance comparison with Nearest Neighbours	
NI 188	Adapting to climate change					This indicator reports annually – the Durham LAA target is 1							
Reported a quarter in arrears as per Durham County	NI 191	Residual h/hld waste per head	The methodology for calculating this indicator has been amended		646kg	2	Indicator amended 2008/09 Est. Q1 170 kg	DDC – to be set Durham LAA = 741 kg	Q1 130.93kg (Q2 Provisional 150.38kg)	N/A	↕		
	NI 192	Percentage of waste recycled	22.88%	15.59%	23.42%	1	Q1 25.09%	DDC 30% Durham LAA = 35%	Q1 41.04%	✓	↕	20.37%	
		Percentage of waste composting	15.53%	5.49%	1.50%	4	Q2 25.15%		(Q2 Provisional 32.8%)			10.19%	
	NI 192	Cumulative Total to date	38.41%	21.08%	24.92%	Est 2	Q1 + Q2 25.00%	30.00%	Q1 + Q2 37.10%	✓	↕	30.56%	👎
	NI 193	Municipal waste land filled	55.63%	71.69%	75.08%	4	Q1 74.92%	DDC = Year end 70%	Q1 63.43%	✓	↕	Not available as not formerly a district PI	
NI 194	Level of air quality – reduction in emissions through LA operations					This indicator is being monitored by the Sustainability Working Group and will report performance at the end of this calendar year in Q3							

Local Key and National Performance Indicators Amber Risk Q2 2008/09

BVPI	Title of Indicator	Top All England Quartile 2006/07	Bottom All England Quartile 2006/07	Outturn Perform 2007/08	Predicted 2007/08 quartile position	Q2 Performance 2007/08	Q2 Target 2008/09	Q2 Performance 2008/09	Actual V Target 2008/09	2007/08 V 2008/09	2006/07 Nearest Neighbour Outturn	Performance comparison with Nearest Neighbours
NI 195	Street & environmental cleanliness - litter	7.0%	17.0%	12.0%	2	First 4 months 12.0% (combined)	DDC = 10% Durham LAA Litter = 10.6% Detritus = 15.4%	First 4 months Litter = 10% Detritus = 4% DDC Combined = 7.0%	✓	↕	9.8%	👎
	Street & environmental cleanliness - detritus				New indicator							
	Street & environmental cleanliness - graffiti	1%	5%	0%	1	First 4 months 1%	DDC = 0% Durham LAA = 3.1%	First 4 months 0%	✓	↕	1.89%	👍
	Street & environmental cleanliness – fly-posting	0%	1%	0%	1	First 4 months 0%	DDC = 0% Durham LAA = 0.5%	First 4 months 0%	✓	↕	0.37%	👍
NI 196	Street & environmental cleanliness – fly tipping	1	3	1	Not available	This indicator reports annually DDC Target = 1 LAA Target = 3					2.36%	👍
NI 197	Local Sites where active conservation management is being achieved					This indicator reports annually via the County Council						

Table C

Local Key and National Performance Indicators –Green Risk Q1 2008/09

BVPI	Title of Indicator	Top All England Quartile 2006/07	Bottom All England Quartile 2005/06	Outturn Perform 2006/07	Predicted 2006/07 quartile position	Q 2 Performance 2007/08	Q 2 Target 2008/09	Q 2 Performance 2008/09	Actual V Target 2008/09	2007/08 V 2008/09	2006/07 Nearest Neighbour Outturn	Comment
Local Key Performance Indicators												
64	No. of private sector dwellings returned into occupation	District Quartiles 55 4		43	2	This indicator is collected and reported annually					22	
127b	Robberies per 1000 pop	0.30	1.30	0.25	1	Annualised 0.21	Not set	Annualised 0.28	N/A		0.56	
128	Vehicle crimes per 1000 population	7.00	13.90	7.09	2	Annualised 7.16	Not set	Annualised 5.41	N/A		11.4	
175	% Racial incidents resulting in further action	100	100	N/A	N/A	This indicator is collected and reported annually					91.88%	N/A
218a	Abandoned vehicles - Investigated	98.55%	82.00%	100.00%	1	100.00%	100.00%	100.00%	✓		95.43%	
218b	Removed	97.87%	75.50%	100.00%	1	100.00%	100.00%	100.00%	✓		87.62%	
National Indicator Set												
NI 180	Changes in Housing Benefit/Council Tax Benefit	Definition of indicator amended			Est. 2	N/A	Unable to calculate in Q1 and Q2 due to missing data from DWP Q2 = 19.28% excluding terminations			N/A		
NI 181	Time taken to process HB/CTB new claims and change events	Definition of indicator amended			Est. 2	New indicator – Q1 = 15.8 days	15.00 days	13.45 days	✓	 Compared to Q1		