

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 15th December 2008 at 4.30 p.m. 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 12th December 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 10th November 2008 as a correct record. (Herewith 'A')

Attached Documents:

[MINUTES \(A\)](#)

5. **COUNTY DURHAM LOCAL DEVELOPMENT FRAMEWORK: LOCAL DEVELOPMENT SCHEME AND ANNUAL MONITORING REPORT**

To consider the report of the Director of Environmental Services (Herewith 'B')

Attached Documents:

[COUNTY DURHAM LOCAL DEVELOPMENT FRAMEWORK: LOCAL DEVELOPMENT SCHEME AND ANNUAL MONITORING REPORT \(B\)](#)

6. **DERWENTSIDE EMPLOYMENT LAND REVIEW**

To consider the report of the Deputy Chief Executive and Director of Environmental Services (Herewith 'C')

Attached Documents:

[DERWENTSIDE EMPLOYMENT LAND REVIEW \(C\)](#)

7. **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).

8. **CONSETT WAR MEMORIAL**

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

9. **ALLOTMENTS AT CRAGHEAD**

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

Agenda prepared by Lucy Stephenson, Democratic Services

Tel: 01207 218249 Email: l.stephenson@derwentside.gov.uk

Date: 4th December 2008

EXECUTIVE

Minutes of a meeting of the Executive held in the Council Chamber, Civic Centre, Consett on Monday 10th November 2008 at 4.30 p.m.

Present:

Councillor A. Watson (Chairman)

Councillors: O. Johnson, D. Lavin, D.G. Llewellyn, M. J. Malone and A. Taylor.

Apologies for Absence:

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

In Attendance:

Councillors: W. Stelling and W. Tyrie.

19. REVIEW OF SCRUTINY BOARD DEBATE

A list of items discussed at Scrutiny Board at the meeting held 7th November 2008 were circulated, the Chairman advised that the comments, if any, would be referred to as each agenda item was discussed.

20. DECLARATIONS OF INTEREST

There were no declarations of interest made.

21. MINUTES OF MEETING HELD 8th SEPTEMBER 2008

RESOLVED: That the minutes of the meeting held 8th September 2008 be agreed as a correct record.

22. COUNCIL PERFORMANCE – REVIEW OF PERFORMANCE – SECOND 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 second 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 second quarter of 2008/09 was also included. In addition significant falls or gains in performance for amber risk indicators were highlighted along with a short summary of performance for green rated indicators.

A round-up of performance showed that out of the 4 red risk indicators, 3 had demonstrated an improvement in performance in this second quarter. On a positive note the number of planning applications determined had significantly increased in performance which was pleasing considering the staffing issues this service area had experienced in recent months. Concerns were noted that sickness and absence levels had continued to rise and remained in the lowest performing quartile nationally.

75% of amber rated indicators had either demonstrated an improvement in performance in the second 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 worth of note that the majority of housing benefit, recycling and waste collection indicators had continued to improve, along with reduced the number of homeless cases prevented and a reduced number of incidences of violent crime.

All the red risk indicators had now completed actions plans for 2008/09 and all action plans had been referred to the Learning and Economy and Leader/Deputy Leader 'Business as Usual' Scrutiny Panel.

Notes of Scrutiny Board held 7th November 2008: *Concerns were expressed in relation to the increased levels of sickness absence and the potential impact of L.G.R. on the figures. The Deputy Chief Executive indicated that the Council had a comprehensive package of policies and procedures which assisted in the management of sickness absence. With regards the impact of L.G.R. on the figures he suggested that this could be a contributory factor however, the majority of sickness absence related to long-term sickness. He advised that the appropriate scrutiny panel would be examining performance data and action at its meeting in December where data in relation to long and short term absence would be circulated. Members had welcomed the report in terms of the improvement in performance of most of the services which had been identified as red/amber.*

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 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.

23. EXCLUSION OF PRESS AND PUBLIC

ON THE MOTION OF COUNCILLOR M. MALONE SECONDED BY COUNCILLOR O. JOHNSON 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 PARAGRAPH 3 OF THE LOCAL GOVERNMENT ACT 1972 (AS AMENDED).

24. TRANSFER OF LAND AT HADRIANS WAY, EBCHESTER

Councillor A. Watson presented the report which sought Members' approval for the disposal of public open space at Hadrians Way, Ebchester, in light of a representation received as a result of the statutory consultation process. This letter of objection had been attached as an appendix to the report.

Notes of Scrutiny Board held 7th November 2008: *Members of Scrutiny Board considered the report and supported the views of the Ward Members. It was suggested that should the Executive support the recommendation, that the objector be advised accordingly.*

Options:

- (i) Agree to dispose of the site.
- (ii) Agree to not dispose of the site.

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

Reasons:

- (i) This facilitates a road safety measure.
- (ii) Eliminates an estate management problem.
- (iii) The Council are seen to be proactive in resolving a local resident's problem,
- (iv) The loss of a relatively small area of land does not significantly alter the land available for the enjoyment of the public.
- (v) This reduces the Council's maintenance responsibility.

25. LOUISA CENTRE ANNEXE, STANLEY

Councillor Watson presented the report which advised Members of developments with regard to the Louisa Centre Annexe and sought authorisation to the letting of the property.

Notes of Scrutiny Board held 7th November 2008: *The Deputy Chief Executive advised that there was a significant likelihood that all of the proposed uses detailed in the report would prompt a potential claw-back of grant by the Government Office of approximately £75,000. Mr. Pearson indicated that should this be the situation, it was unlikely that any of the proposals would progress if a form of indemnity was required. Members suggested that Options 1 and 2 on the report would provide the best option for use in terms of a single lease and suggested that Officers be requested to negotiate with Government Office with regards claw-back and to report back to Council on the issue.*

Options: Whether or not to let the building to the applicants detailed in the report.

RESOLVED: That Option 4 on the report be agreed. .

Reason: This would facilitate the development of a project the Council had previously supported.

Conclusion of meeting:

The meeting closed at 4.46 p.m.

TITLE:	County Durham Local Development Framework: Local Development Scheme and Annual Monitoring Report
TO/ON:	Executive – 15th December 2008
BY:	Director of Environmental Services
PORTFOLIO:	Environment
STATUS:	Information Report

STRATEGIC FACTOR CHECKLIST

The Council's Corporate Management Team has confirmed that the Strategic Factor Checklist has been applied to the development of this report, and there are no key issues, over and above those set out in the body of the report, that need to be brought to Members' attention.

1 SUBJECT MATTER AND PURPOSE

- 1.1 This report informs Members' of the preparation of the Local Development Scheme (LDS) and Annual Monitoring Report (AMR) for the new County Durham Local Development Framework. Members' may recall a previous report at the July 15th 2008 Executive, where the early integration of all District and County Council work on the production of Local Development Frameworks (LDF) in anticipation of the forthcoming creation of a unitary authority for County Durham was agreed. At that time it was also agreed that this Council would be informed of the publication of any LDF documents before vesting day. The Local Government (Structural Changes) (Transitional Arrangements) Regulations 2008 came in to force on the 28th November 2008 and formally transferred responsibility for the preparation of the LDF to the County Council.
- 1.2 A full copy of the LDS and AMR are available in the Members' Room and will be also published on the website by 31st December 2008.

2 CONTENT OF THE LOCAL DEVELOPMENT SCHEME

- 2.1 The LDS includes milestones for the following documents and will be submitted to the Government Office for the North East (GONE) by the 31st December deadline:
- **The Core Strategy** - contains the overarching strategy for future development of the County, including minerals and waste, to which all subsequent planning documents must conform. The Core Strategy will cover the period up to 2026. It will include a vision and strategic objectives, a spatial strategy, core policies, strategic development sites and a framework for monitoring and implementation. It is expected that the Core Strategy will be adopted by September 2011.
 - **The South and East Durham Growth Point Area Action Plans** – The South and East Durham Growth Point is one of a number across the

country, which are designed to help the Government meet its housing delivery target of 240000 a year as well as encouraging regeneration. In order to deliver the Growth Point sites will need to be identified in three Area Action Plans covering Central and Eastern Bishop Auckland, Peterlee and Spennymoor. Although three separate Development Plan Documents they will be closely co-ordinated and run parallel to the timeline for the Core Strategy until the Examination stage when they will be staggered by a month to ensure that the Core Strategy is likely to be found sound.

- **Design and Sustainability Supplementary Planning Document** – will provide guidance on how new development should be designed and constructed. This will help achieve high design standards to reflect the aims and ambitions of national advice and guidance and local aims and objectives. It is also intended to address some of the causes of climate change.

2.2 Given uncertainty over Local Government Review it is difficult to know exactly what staff and monetary resources will be available to the new County Durham Development Plans Team. It is therefore necessary to prioritise those Local Development Documents that are clearly vital to spatial planning in the County or where resources have already been committed. However there are other Local Development Documents that will be produced when the time and resources are available and others, which may be produced if it becomes clear that they are required. These are listed below:

- Minerals and Waste Policies and Allocations Development Plan Document
- Site Allocations Development Plan Document
- The Stanley Town Centre Area Action Plan
- Consett Area Action Plan
- Newton Aycliffe Area Action Plan
- The Durham City Centre Area Action Plan
- The Barnard Castle Town Centre Area Action Plan
- The Chester-le-Street Area Action Plan
- Affordable Housing Supplementary Planning Document
- CIL/Planning Contributions Supplementary Planning Document
- Green Infrastructure Supplementary Planning Document

3 ANNUAL MONITORING REPORT

3.1 The AMR must be submitted to the Secretary of State before the end of December. Due to Local Government Review it has been agreed with GONE that a joint AMR for County Durham should be prepared. The AMR covers the period from April 2007 to March 2008 and addresses progress in delivering economic, social and environmental benefits against national and local indicator measures. It also documents the progress of the seven Districts and the County on progress with the preparation of their individual Local Development Framework documents.

3.2 The AMR will be used by the new authority to help identify matters to be addressed in the preparation of the new County Durham LDF. The

Department of Communities and Local Government also use the information contained in the report for the purposes of calculating Housing and Planning Delivery Grant awards.

4 RECOMMENDATIONS

4.1 Council is recommended to:

- i) Welcome the publication of the County Durham Local Development Scheme and Annual Monitoring Report 2007/08.

Background Papers

Local Government (Structural Changes) (Transitional Arrangements) Regulations 2008
Planning Policy Statement 12 (PPS12) Local Spatial Planning – June 2008

For further information contact Mike Allum, Development Plans Manager, Telephone: 01207 218278 or
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TITLE:	Derwentside Employment Land Review
TO/ON:	Executive – 15th December 2008
BY:	Deputy Chief Executive and Director of Environmental Services
PORTFOLIO:	Economy & Environment
STATUS:	Report

STRATEGIC FACTOR CHECKLIST

The Council's Corporate Management Team has confirmed that the Strategic Factor Checklist has been applied to the development of this report, and there are no key issues, over and above those set out in the body of the report, that need to be brought to Members' attention.

1 SUBJECT MATTER AND PURPOSE

- 1.1 This report informs Members' of the preparation of an Employment Land Review (ELR) for Derwentside and requests approval for publication of the document. The document must receive approval from Members if it is to be used as evidence in future planning inquiries and in order for it to form part of the evidence base for the new County Durham Local Development Framework.
- 1.2 The ELR is a very comprehensive document of 161 pages plus maps and tables. This report picks out the key recommendations but a full copy of the ELR is available in the Members' Room and will be also published on the Council's website.

2 BACKGROUND

- 2.1 In October 2007, Derwentside, Sedgefield and Chester-le-Street Council's jointly commissioned Nathaniel Lichfield & Partners and Storeys:SSP to undertake an ELR for the three areas. The ELR is now complete.
- 2.2 The ELR has been undertaken in accordance with the methodology outlined within the Communities and Local Government's 'Guidance Note on Employment Land Reviews' (December 2004). As stipulated by the government guidance, the employment land assessed by this Employment Land Review focuses primarily on B Use Classes i.e. B1 (office), B2 (industry) and B8 (warehousing/distribution). Needs for other employment generating uses such as retail, health and tourism are excluded from the detailed analysis.
- 2.3 The primary purpose of such a Review is to provide Local Authorities with an assessment of the demand for and supply of employment land. Sites allocated in development plans need to reflect the changing requirements of

businesses and local economies. In essence, the Review helps authorities assess the suitability of sites for employment development, safeguard strategic sites in face of competition from higher values uses, such as housing, and identifies those sites that are no longer suitable for employment development.

3 POLICY FRAMEWORK

- 3.1 The Policy Framework for the ELR is set by a wide variety of policy documents. These include the Regional Economic Strategy (RES), Regional Spatial Strategy (RSS), County Durham Economic Strategy and Derwentside’s Economic Development Strategy (2008-2013).
- 3.2 Key to the ELR is that the Regional Spatial Strategy (RSS) identifies that Derwentside’s Local Development Framework should make provision for 105 hectares of employment land. The RSS acknowledges that this figure is not based on an assessment of need and can therefore be subject to revision following the findings of a local ELR. In any case provision should be sufficient for 25 years, based upon an assessment of supply and take-up of employment land.

4 SOCIO-ECONOMIC CONTEXT

- 4.1 Derwentside is projected to experience a growth in population between 2006 and 2021, primarily as a result of net in-migration, although the working age population is projected to decline. Levels of unemployment are below the Regional average but with recent increased redundancies, above the national average. Employment levels in the District have risen dramatically in recent years with the figure of 80.3% (Nomis) significantly above both the Regional and national average of 74.5% (Nomis) for Great Britain. This reflects the significant levels of out-commuting from the District.
- 4.2 The local business base in Derwentside is expanding, with start-up rates above the regional average and rates of failures below. Small companies dominate the stock of businesses. Nationally the proportion of employment accounted for by manufacturing has declined significantly over the past decade however, it still supports more than one in four jobs in Derwentside District as opposed to one in ten for Great Britain.

5 MAIN FINDINGS AND RECOMMENDATIONS OF THE DERWENTSIDE EMPLOYMENT LAND REVIEW

Understanding the Supply of Existing Premises

- 5.1 In Derwentside, the stock of existing industrial premises is almost equally split between the Consett/Leadgate/ Blackhill urban area and the Stanley/Annfield Plain area, each with around 38% of the total. Other outlying settlements contribute the remaining 22%. The table below shows the size of units available in the District.

	SIZE (sq ft)	Total
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	<1000	1000 - 2500	2500 - 5000	5000 - 10000	10000 - 20000	20000 - 40000	40000 - 75000	>75000	
Derwentside	123	195	125	75	69	39	19	15	660

- 5.2 The availability of modern business floorspace is critical to developing modern, competitive, knowledge based businesses which in turn provides the basis of a robust, self contained local economy.
- 5.3 Derwentside has over 5.5m sq.ft. of business floorspace but with only 33% classed as modern there remains a significant proportion of available stock that is of is poor quality, or is inappropriate to the needs of business sectors with strong growth potential. Derwentside has high levels of occupancy across all types of property but there remains a shortage of high quality offices and large modern factories.
- 5.4 Demand studies show a need for modern, quality premises in Derwentside. The issue of critical concern is the ability of the commercial market to meet this need. It remains the case that the commercial property market continues to fail in Derwentside with the need for the public sector to undertake direct developments of office and factory space or provide gap funding to bridge the difference between cost and value.
- 5.5 Derwentside has achieved on average in excess of 30,000 sq.ft. of additional modern business floorspace over the last five years. The Derwentside Economic Development Strategy has set a target to maintain this rate over the next five years.

Understanding the Supply of Employment Land

- 5.6 The main characteristics of the supply of employment land in Derwentside are:
- 40 available employment sites have been assessed by the ELR. These sites provide a net total of 100.40ha of land, which with annual take up rate of 2.83 hectares per year, equates to a 35 year supply.
 - The largest employment land allocation in the District, at Berry Edge, has recently received planning consent for mixed use, and its future availability for employment use seems unlikely. This would reduce the forward supply of land by 34.2ha to 66.2ha or 23 years supply.
 - As part of this study, Derwentside District Council has also identified a further three sites with an estimated net area of 12.29 hectares. These do not presently have an employment commitment and are not allocated as employment land in the Adopted Local Plan. They are:

Tanfield Lea North Extension	6.89 hectares net	(7.65 gross)
Tanfield Lea South Extension	3.08 hectares net	(3.62 gross)
Langley Park North Extension	2.32 hectares net	(2.44 gross)

The allocation of these three sites proposed by the Council would increase the supply to 78.49 hectares or 28 years supply. If following further investigation of these sites it becomes clear that it would not be appropriate to allocate them, then alternative sites of a comparable size would need to be found.

Bronze	18.5	29.9	29.3	43.4	0.0	-0.3	47.8	73.0
B/S2	20.9	33.7	36.9	55.4	3.0	4.0	60.9	93.1
Silver	21.4	34.3	41.2	62.1	3.4	4.5	66.0	101.0
High	21.9	35.3	46.2	69.9	3.5	4.7	71.6	109.8

Conclusion

- 5.11 As past take up rates for the District are relatively low compared to the supply of land presently available, and as the manufacturing sector continues to experience structural change for the foreseeable future, the ELR recommends that the lower end of the 73 - 110 hectare range should be used to inform Derwentside's emerging LDF, with allocations weighted towards delivering office/light industrial/general industrial units to accommodate ongoing localised demand.
- 5.12 Derwentside therefore has a projected modest over-supply of sites. However the deallocation of the sites at Carr House, Delves Lane North, Berry Edge Workshops and Spiracon, all of which have now been developed for other uses, as well as the Genesis Business Park, which now has permissions in place for mixed use, the reduction in size of the allocation at Watling Street, together with the allocation of the three new sites mentioned above, would see supply and demand in equilibrium. If following further investigation of the three sites it becomes clear that it would not be appropriate to allocate them, then alternative sites of a comparable size would need to be found.
- 5.13 Current allocations provide a good range of sites by size, although not all are available for purchase. Notably, plots at Hownsgill are only available on a design & build basis. The Council should therefore use whatever opportunities and tools it has to widen the tenure on offer here through discussions with the developer.
- 5.14 Some industrial estates and other employment areas within the District are ageing and during the course of the LDF period, opportunities for redevelopment of sites are likely to arise. As speculative development of employment premises on brownfield sites are unlikely to be viable, consideration needs to be given to a number of ways of providing more modern business space, including direct public sector development, public/private partnerships and through cross-funding when granting consents for alternative uses.
- 5.15 Larger established industrial estates have critical mass that provides a focus for demand. Investment in improvements to estates such as Consett Number One will prolong their market appeal and when buildings become redundant their prospects of redevelopment for employment purposes are improved.
- 5.16 The Council has an excellent track record in providing office accommodation, business support and incubation to service sector businesses. To retain these businesses within Derwentside as they grow will require the identification of sites on business parks that are reserved for office use and which can provide a high quality of environment. Opportunities to reinforce established office

locations, such as Consett Business Park and Ponds Court, should be considered.

- 5.17 Derwentside has a number of strengths such as its quality of life and environment; a good place to start a business; a range of quality offices for small businesses; and a close proximity to the City Regions. Within this context, it may be appropriate to develop a policy response through the LDF to ensure entrepreneurs remain attracted to the area and that there is strong support for the creation of local employment opportunities with a modern business infrastructure.

6 RECOMMENDATIONS

- 6.1 Executive is recommended to:
- i) acknowledge the key findings and recommendations and agree to the publication of the Derwentside Employment Land Review.

Background Papers

Planning Policy Guidance 4: Industrial, Commercial Development and Small Firms - 1992
Employment Land Reviews - December 2004

For further information contact Peter McDowell, Head of Economic and Community Development
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