

DURHAM COUNTY COUNCIL

OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

At a Meeting of the **Overview and Scrutiny Management Committee** held at County Hall, Durham on **Monday 10 November 2008** at **10.00 a.m.**

Present:

Councillor J Armstrong in the Chair

Members:

Councillors Alderson, Arthur, Avery, Blakey, Boyes, Burnip, Campbell, Chaplow, Hopgood, Maddison, Martin, Murphy, Myers D, Napier, Ord R, Southwell, Stradling and Tennant.

Other Members:

Councillor Carr, Walker and Wilkes.

Co-opted Members:

B Birch and M Sands.

Apologies for absence were received from Councillors Jopling and Moran, Ms L Bailey, and Mrs P Spurrell.

A1 Minutes

The Minutes of the meetings held on 24 September and 3 October 2008 were confirmed as a correct record and signed by the Chairman.

A2 Notes of Working Group

The Notes of the meeting of the Working Group to consider the Local Area Agreement Review held on 7 October 2008 were noted.

A3 Declarations of Interest

There were no declarations of interest.

A4 Items from Co-opted Members

There were no items from Co-opted Members.

A5 LGR Update

Roger Goodes, Senior Programme Manager, LGR Programme gave an update to the Committee on the work towards a Unitary Authority.

- The recruitment process for the new Corporate Directors and Assistant Chief Executive has now been successfully completed.
- There has been a series of seminars to allow Members an opportunity to contribute to the development of the LGR programme and critical policy decisions are continuing. These have included a seminar on the development of a county wide policy for Licensing and Gambling, and one on Taxi Licensing, general LGR matters which also covered progress on some of the key HR issues and an update on the next round of consultation for the Area Action Partnerships. Members were briefed on proposed changes to council tax, including proposed policy changes which affect the recovery timetables and enforcement methods for council tax and business rates, council tax on second homes and benefit fraud. Further seminars were to be held in due course.
- Area Action Partnerships – Next Stage Consultation- following the decision on the focal points for the 14 Area Action Partnerships a number of key areas remain outstanding including:
 - Finalising geography (boundaries)
 - Formally clarifying AAP function (role and responsibilities)
 - Agreeing governance arrangements (membership / decision making)
 - Agreeing transition arrangements from LSPs to AAPs
 - Agreeing protocol / parameters around both AAP and members' budgets

The workstream have been developing the proposals for how this work will be taken forward and have put forward two separate consultation exercises which will resolve the final geography of the AAPs and develop the actual functionality and operation of the AAPs from next April. Positive feedback had been received.

- LGR Programme Priorities- alongside the continuing work on the 'must haves' the LGR programme workstreams have been working to support the new Directorate structures by producing a transition document for each. Of the 98 must have 11 have now been completed and 40 are over 50 % complete.

Early Expressions of interest for Early Retirement / Voluntary Redundancy has been requested from members of staff.

In response to a question from Councillor Martin regarding the role of the AAPs and neighbourhood workings he believed that the role of the AAP was more strategic and it would be through neighbourhood boards where the roles did not yet seem to have been identified. He was concerned about the role for supporting members to work with their communities. Roger advised that there would be paper brought to Cabinet in the next month on the work undertaken through the work streams on service delivery. Members are very conscious of the impact this will have on localities and need to be supported in the process. It was suggested that they could look at other authorities to identify how they have done this.

A6 Policing Green Paper- Consultation

The Committee considered a report of the Head of Overview and Scrutiny regarding to the responses to the Policing Green Paper “From the Neighbourhood to the National: Policing our Communities Together”, from Durham Police Authority and the joint response from the County Council and the Community Safety Partnership Board (for copy see file of Minutes).

A presentation by Peter Thompson, Chair of Durham Police Authority and Siobhan Weightman, Deputy Chief Executive of Durham Police Authority was given on the Police Authority response to the paper (for copy of slides of presentation see file of Minutes).

It was explained that the Police Authority had particular concerns with some of the proposals relating to Chapter 1 of the Green paper ‘Improving the connection between the Public and the Police’. Those concerns related to the introduction of directly elected Crime and Disorder representatives, and the potential inherent dangers which may come with the adoption of the initiative. The proposal set out in the Green Paper would mean that member capacity of Durham Police Authority would be reduced by 50%. The Committee was advised that as part of the Police Authority’s response a proposal had been developed by the Police Authority which serves to mitigate the risk of knowledge and expertise lost, will improve capacity and address critical partnership governance issues.

It was noted that the closing date for the consultation process had passed although it was understood that the Government would still listen to any further comments made.

Councillor Southwell declared an interest in this item as a Member of the Police Authority and took no part in the discussion.

Councillor Martin, advised that he was a former Member of the Police Authority and was aware of the workload for Members of the Police Authority, and that there was representation from there for every part of the county. He was concerned that the proposals in the Green Paper may mean that the Police Authority was too small and

would be a threat to representation for the whole of the county. He advised that members of the Police Authority are selected through their talent and work well.

Mr Birch emphasised that much in the Police Authority's response to the Paper was based on geography and he questioned whether the protection of gay, and gypsy and travellers was as important, and whether any impact assessments had taken place in terms of neighbourhoods. The Chairman of the Police Authority advised that there was joint agreement in relation to equality, and the Police Authority is extremely active in those groups, and questioned whether there was anything lacking in the framework.

Resolved:-

That the Home Office be advised of the concerns of the Committee at the proposal in relation to chapter 1 of the Paper concerning the membership of the Police Authority, and supported the alternative proposal put forward by the Police Authority.

A7 Work of Groundwork UK

The Committee received a presentation from Peter Richards and Julie Form of Groundwork UK (for copy of slides of presentation see file of Minutes).

Their presentation included the Strategy, and focus, levels of activity, issues regarding the move to the unitary authority, and the sources of their budget.

In response to question from Councillor Wilkes, it was pointed out that that there would be dedicated members of staff for each of the AAPs. These members of staff would be backed up by a team, however this would depend on the workload as each area differed in size.

Councillor Burnip enquired about the position of the offices at Seaton Holme as he understood the lease would be expiring shortly. In response Peter Richards advised that there was to be a meeting to discuss the lease, however there had been an office there for 22 years and they would continue to have an office in Easington.

The Chairman welcomed their presentation and look forward to working with Groundwork Trust in the future.

A8 Personalisation- Putting People First

The Committee considered a report and received a presentation from Phil Malyan, Personalisation Development Manager of Adult and Community Services (for copy of report and slides of presentation see file of Minutes).

His presentation included an outline of the key drivers behind the agenda, the intended outcomes of this change in philosophy, and the challenges and building blocks required for it to be transformational. Part of a film was shown that provided an example of how this would affect people's lives.

In response to a question from Councillor D Myers at the effect this may bring on communal facilities, Peter Appelton advised that there were no guarantees that traditional services provided would continue. Changes would start to be made when people start to spend the money received. He believed there would be challenging times ahead.

Councillor Napier welcomed the proposal and believed it would give those vulnerable people empowerment and ownership of their services.

Councillor Campbell enquired about the checks and balances that would be made on the service and Phil Malyan explained that there is still a duty of care on the authority, and that risk is a big issue with this agenda. They would need to review services regularly. There are already 750 people in receipt of direct payments and so far there have been no major problems, however work will be done on the risks.

In response to Mr Birch, Phil Malyan advised that is employment legislation for individuals and that support and training programmes will be in place.

Councillor Burnip advised that he welcomed this development and hoped that it would be monitored very carefully.

Peter Appelton advised that that following the mistakes made though care in the community massive changes have been made, there are risks however they will seek to eradicate these.

The Chairman suggested that Members would interested to see how this develops and suggested that it could be taken to a future meeting of the County Council.

A9 County Durham Local Development Framework: Local Development Scheme

The Committee considered a report on the County Durham Local Development Framework: Local Development Scheme- Report of Head of Corporate Director, Environment (for copy of report see file of Minutes).

Mike Allum of Derwentisde District Council gave a presentation to the Committee about the Local Development Scheme (for copy see file of Minutes). This included the structure, role of the Core Strategy, Area Action Plans, Supplementary Planning Documents, South and East Durham growth point, milestones, member input, political management, and community involvement.

The Local Development Framework comprises a folder of documents that together make up the development strategy for an area. These documents will allocate sites for development, set out the criteria for determining planning applications, and set out how Community and Corporate Development Plans and other strategies will be implemented though local spatial planning, including waste and minerals.

In response to a question from Councillor Chaplow, concerning the number of empty retail units in Durham City centre, Rod Lugg, advised that information such as this in the retail market had been gathered and would be used as evidence in working towards the framework. He went on to advise that the current economic climate is not helping the situation.

Councillor Napier advised that as the country is suffering the worst economic downturn for some time something must be done to trigger the economy. He was aware that there was bureaucracy in planning but questioned whether there could be any flexibility in the planning rules. He suggested that the infrastructure must be ready for when the market kicks off but in the meantime they must do something to kick start the economy.

Bob Hope advised that they must work towards stimulating development, and they could look at bringing forward the sites for development to the market. They could actively promote for development the sites in the pipeline, thus looking at the sites they have, and facilitate development rather than control. They must work with the industry to ensure they are ready and have a more holistic approach to the framework.

Councillor Burnip suggested that with the current housing market there may well be more demand for rented accommodation.

Bob Hope advised that they had been working with private sector landlords to bring sites forward, and it could be that the Government could let local authorities take forward these sites for development. It was pointed out that the Regional Spatial Strategy is now complete and the region is now able to build more new houses than was prescribed at the beginning of the consultation process.

Councillor Stradling suggested that new housing must suit the requirements for that area as in the type, size, and tenure, and it was so important to have plans and policies ready.

Councillor Campbell pointed out that it seemed that the designation of business units in the past has been detrimental to small businesses, and suggested that with the current economic climate there be more flexibility. It was critical that they look at the units they have and what they could be used for.

Rod Lugg advised that the unitary authority would bring together housing, regeneration, transport, and planning control as part of one directorate.

Bob Hope advised that work is taking place with the Durham Coalfields programme and through this they would stimulate market demand as land would become available at a low cost.

Resolved:-

That the OSMC inform Cabinet of their discussion pointing out the importance of building a platform to kick start the process for responding to economic downturn.

Key principles for this process to include flexibility in the planning process to spur economic activity by promoting developmental management and investing in a holistic approach with partners playing into the thinking and planning for how we do this.