

## **THE MINUTES OF THE MEETING OF THE EXECUTIVE**

**HELD ON TUESDAY 24 FEBRUARY 2009**

Present: Councillor A Napier (Chair)  
Councillors R Crute, Mrs J Freak, D Myers,  
Mrs A Naylor, G Patterson, F Shaw and R J Todd

Apology: Councillor P G Ward

1. **THE MINUTES OF THE LAST MEETING** held on 3 February 2009, a copy of which had been circulated to each Member, were confirmed.

2. **LOANS DIARY – TRANSACTIONS FOR THE NINE MONTHS ENDED 31 DECEMBER 2008**

Consideration was given to the report of the Executive Member for Resources which gave details of loans transactions for the period ended 31 December 2008, a copy of which had been circulated to each Member.

The report gave details of short term lending/borrowing, treasury account's and long term borrowing.

**RESOLVED** that the information contained within the report, be noted.

3. **HIGHWAY WORKS AT VICTORIA MEWS, EASINGTON VILLAGE**

Consideration was given to the report of the Executive Member for Regeneration which sought authority to purchase land in order to complete highway and drainage works at Victoria Mews, Easington Village to an adoptable standard, a copy of which had been circulated to each Member.

Members were advised that Victoria Mews was a development of nine homes at Easington Village, built by Ashwood Homes Ltd on land sold by the District Council in 2000. At that time, the sale of the Council land did not include the entire development site and the Council retained ownership of a significant proportion of the road required to service the development.

A condition of sale was that the access road and associated footpaths would be constructed to an adoptable standard and planning permission for the development also required completion of the access road.

Whilst some works had been undertaken within the highway, notably drainage works, the highway was still incomplete. Following investigation it was revealed that the Company was dissolved in 2006 and under the terms of Section 1012 of the Companies Act 2006, any property retained by the Company transferred to the Crown. The Asset and Property Manager therefore negotiated with the Treasury to secure 'in principle' agreement to acquire the land, for approximately £5,000, including fees.

To complete the works the Council needed to directly commission and fund the necessary works to an adoptable standard at an estimated cost of £40,000. To ensure that the highway and footpath scheme was built to an adoptable standard it was necessary for the Council to secure the agreement of the County Council to design the road scheme and undertake the necessary works.

**RESOLVED** that;

- (i) approval be granted to acquire the land as outlined in the report,
- (ii) the cost of bringing the estate road up to adoptable standard at an estimated cost of £50,000 be approved,
- (iii) costs be met from the 2008/09 Capital Programme.

**4. PROGRESS WITH THE COUNTY WIDE CHOICE BASED LETTINGS SCHEME**

Consideration was given to the report of the Executive Member for Housing which gave an update on the implementation of Choice Based Lettings (CBL) across County Durham and sought approval to amend the Council's existing Housing Allocations Policy operated by East Durham Homes, a copy of which had been circulated to each Member.

Members were advised that in June 2006 the Council agreed to move towards the introduction of a CBL Scheme, as part of a County Wide approach in line with Government targets for all authorities to introduce CBL by 2010. In December 2007 the Council agreed to adopt CBL for housing allocations in the District as a pathfinder for the development of the County Wide Scheme.

CBL was planned to be introduced across County Durham and would be known as 'Durham Key Options'. The aim of the project was to introduce one 'housing register' and lettings policy for County Durham and to implement Durham Key Options CBL Scheme by the summer of 2009.

The policy for County Durham had been developed around the Easington model although further amendments and improvements may be needed prior to its implementation. Details of the Lettings Policy for County Durham and how the CBL Scheme had worked in Easington from April 2008 to January 2009 were outlined in the report.

In advance of the introduction of the County Wide Policy, minor amendments to Easington's existing Housing Allocations Policy were proposed, details of which were outlined

**RESOLVED** that the changes to the Councils Housing Allocation Policy outlined in paragraphs 6.2 to 6.7 be approved with effect from 1 April 2009 and progress with the County Wide Durham Key Options CBL Scheme, be noted.

**5. ADDITIONAL URGENT ITEMS OF BUSINESS**

In accordance with the Local Government Act, 1972, as amended by the Local Government (Access to Information) Act 1985, Section 100B(4)(b) the Chair, following consultation with the Proper Officer, agreed that two item of business, not shown on the Agenda, be considered as a matter of urgency. However, due to the exempt nature of the items, they be considered following the exclusion of the press and public.

**6. EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED** that in accordance with Section 100A (4) of the Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985 the press and public be excluded from the meeting for the following items of business

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on the grounds that they involved the disclosure of exempt information, as defined in Paragraphs 1 and 3, Part 1 of Schedule 12A of the Act.

### **PRIOR TO CONSIDERATION OF THE FOLLOWING ITEM OF BUSINESS COUNCILLOR D MYERS DECLARED A PERSONAL BUT NOT PREJUDICIAL INTEREST AND REMAINED IN THE MEETING.**

#### **7. ST JOHN'S SQUARE, SEAHAM**

Consideration was given to the report of the Executive Member for Regeneration which sought approval to a number of actions to enable implementation of the St John's Square, Seaham regeneration project, a copy of which had been circulated to each Member.

**RESOLVED** that;

- (i) approval be granted to enter into a development agreement (Statement of Intent) for the redevelopment of St John's Square with County Durham PCT and Durham County Council and the Acting Director of Regeneration, in consultation with the Executive Member for Regeneration, be authorised to agree final terms,
- (ii) an additional contribution of £20,000 to the joint development fund be approved,
- (iii) the use of capital receipts from the sale of residual land at St John's Square be used to supplement the cost of the public realm works in addition to the proposed £1 million contribution from One North East,
- (iv) the disposal of 1.045 acres of land to County Durham PCT be approved and the Acting Director of Regeneration, in consultation with the Executive Member for Regeneration, be authorised to agree final terms.

#### **8. RE-CYCLING CONTRACT**

The Monitoring Officer reported verbally on a request to renegotiate terms of the contract for the collection of recycling material in the light of the reduction in market prices for the sale of such material.

**RESOLVED** that the Chief Executive, in consultation with the Leader, be authorised to approve a renegotiation of the current price per tonne, until 31 March 2009, with the existing contractor in order to maintain continuity of service.

#### **9. REQUEST FOR EARLY RETIREMENT**

Consideration was given to the report of the Executive Member for Resources which gave details of a request for early retirement, a copy of which had been circulated to each Member.

**RESOLVED** that;

- (i) the request for early retirement be approved on redundancy terms and the costs be met from surpluses in the current year or general reserve,
- (ii) the Officer be awarded a statutory redundancy payment based on actual earnings and 5 years augmented service in accordance with the Council's Early Retirement/Voluntary Redundancy Scheme,

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- (iii) the date of retirement be 29 March 2009,
- (iv) the termination be regulated by way of a Compromise Agreement.

### **10. REQUEST FOR EARLY RETIREMENT**

Consideration was given to the report of the Executive Member for Resources which gave details of a request for early retirement, a copy of which had been circulated to each Member.

**RESOLVED** that;

- (i) the request for early retirement be approved on redundancy terms and the costs be met from surpluses in the current year or general reserve,
- (ii) the Officer be awarded a statutory redundancy payment based on actual earnings and 5 years augmented service in accordance with the Council's Early Retirement/Voluntary Redundancy Scheme,
- (iii) the date of retirement be 29 March 2009,
- (iv) the termination be regulated by way of a Compromise Agreement.

### **11. REQUEST FOR EARLY RETIREMENT**

Consideration was given to the report of the Executive Member for Resources which gave details of a request for early retirement, a copy of which had been circulated to each Member.

**RESOLVED** that;

- (i) the request for early retirement be approved on redundancy terms and the costs be met from surpluses in the current year or general reserve,
- (ii) the Officer be awarded an enhanced redundancy payment based on actual earnings in accordance with the Council's Early Retirement/Voluntary Redundancy Scheme,
- (iii) the date of retirement be 29 March 2009,
- (iv) the termination be regulated by way of a Compromise Agreement.

### **12. REQUEST FOR EARLY RETIREMENT**

Consideration was given to the report of the Executive Member for Resources which gave details of a request for early retirement, a copy of which had been circulated to each Member.

**RESOLVED** that;

- (i) the request for early retirement be approved on redundancy terms and the costs be met from surpluses in the current year or general reserve,
- (ii) the Officer be awarded a statutory redundancy payment based on actual earnings and 5 years augmented service in accordance with the Council's Early Retirement/Voluntary Redundancy Scheme,
- (iii) the date of retirement be 29 March 2009,

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- (iv) the termination be regulated by way of a Compromise Agreement.

### **13. REQUEST FOR EARLY RETIREMENT**

Consideration was given to the report of the Executive Member for Resources which gave details of a request for early retirement, a copy of which had been circulated to each Member.

**RESOLVED** that;

- (i) the request for early retirement be approved on redundancy terms and the costs be met from surpluses in the current year or general reserve,
- (ii) the Officer be awarded a statutory redundancy payment based on actual earnings and 5 years augmented service in accordance with the Council's Early Retirement/Voluntary Redundancy Scheme,
- (iii) the date of retirement be 29 March 2009,
- (iv) the termination be regulated by way of a Compromise Agreement.

On behalf of the Executive the Chair thanked and praised the Officers leaving the authority for their work and commitment to the authority and wished them well for the future.

JT/CB/COM/EXEC/090202  
24 February 2009