



## **Corporate Overview and Scrutiny Management Board**

**Date**                    **Monday 29 January 2018**  
**Time**                   **9.30 am**  
**Venue**                **Committee Room 2, County Hall, Durham**

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### **Business**

#### **Part A**

**Items during which the Press and Public are welcome to attend. Members of the Public can ask questions with the Chairman's agreement.**

1. Apologies for Absence
2. Substitute Members
3. Minutes of the meeting held on 18 December 2017 (Pages 3 - 12)
4. Declarations of Interest
5. Medium Term Financial Plan (8), Council Plan, Service Plans 2018/19-2021/22 - Joint Report of the Director of Transformation and Partnerships and Corporate Director of Resources (Pages 13 - 14)  
(Report to follow)
6. Customer Feedback Report Quarter 2, 2017/18 - Report of the Corporate Director of Resources (Pages 15 - 30)
7. Update in relation to Petitions - Report of Head of Legal and Democratic Services (Pages 31 - 40)
8. Notice of Key Decisions - Report of Head of Legal and Democratic Services (Pages 41 - 48)
9. Information Update from the Chairs of the Overview and Scrutiny Committees - Report of Director of Transformation and Partnerships (Pages 49 - 54)
10. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

**Helen Lynch**  
Head of Legal and Democratic Services

County Hall  
Durham  
19 January 2018

To: **The Members of the Corporate Overview and Scrutiny Management Board**

Councillor R Crute (Chairman)  
Councillor A Patterson (Vice-Chairman)

Councillors E Adam, A Batey, R Bell, D Boyes, J Chaplow, M Clarke, K Hawley, P Jopling, H Liddle, L Maddison, J Makepeace, C Martin, O Milburn, P Oliver, C Potts, L Pounder, J Robinson, J Rowlandson, M Simmons, H Smith, F Tinsley, J Turnbull, M Wilkes and A Willis

**Faith Communities Representatives:**  
Mrs M Elliott

**Parent Governor Representatives:**  
Mr R Patel

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**Contact: Lucy Gladders**

**Telephone: 03000 269712**

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**DURHAM COUNTY COUNCIL**

At a Meeting of **Corporate Overview and Scrutiny Management Board** held in Committee Room 2, County Hall, Durham on **Monday 18 December 2017 at 9.30 am**

**Present:**

**Councillor R Crute (Chairman)**

**Members of the Committee:**

Councillors A Patterson (Vice-Chairman), E Adam, A Batey, R Bell, M Clarke, P Jopling, H Liddle, L Maddison, C Martin, O Milburn, L Pounder, M Simmons, J Turnbull, M Wilkes and A Willis

**1 Apologies for Absence**

Apologies for absence were received from Councillors J Chaplow, K Hawley, C Potts, J Rowlandson, F Tinsley, and Mrs M Elliott

**2 Substitute Members**

There were no substitute members.

**3 Minutes of the meeting held on 27 October 2017**

The minutes of the meeting held on 27 October 2017 were confirmed as a correct record and signed by the Chairman.

Matters arising

The Head of Strategy referred members to page 3 and the redundancy figures which had been requested by Councillor Jopling. She advised that this issue would be picked up under item 6 on the agenda.

Page 5 of the minutes, which referred to the MTFP, the Head of Strategy advised that the response of the Portfolio Holder would be circulated to the Corporate Overview and Scrutiny Management Board following the meeting.

The Head of Strategy further advised that the query raised by Councillor Tinsley regarding the petitions scheme and consideration of planning matters had been responded to by the service.

**4 Declarations of Interest**

There were no declarations of interest.

**5 Appeal against the response to petition 306 - Neville's Cross 30mph and road safety review**

The Board considered a report of the Director of Transformation and Partnerships which advised of the receipt of an appeal regarding the response to Petition 306, Neville's Cross 30mph and road safety review (for copy see file of Minutes).

The Head of Strategy advised that an e-petition with the title 'Neville's Cross 30mph and road safety review' was received on 20 April 2017. The e-petition ran from 20 April 2017 – 30 June 2017 and closed with 184 signatures. In addition a further paper petition was submitted which contained 150 signatures. A response to the petition was sent on 25 July 2017. In accordance with the petitions scheme a letter was received from the petitioner asking that the Corporate Overview and Scrutiny Management Board review the Council's response.

The Chairman welcomed Mr Boughton, Lead Petitioner, to the meeting and asked him to give his presentation. He was allocated up to 10 minutes to do so.

Mr Boughton advised that he had been a resident of Neville's Cross since 1999 and his children attended both primary and secondary schools in the area concerned. He explained that there were 3 schools in the immediate area with approximately 2000 pupils across the 3 schools. Many of the children walked to and from school on a daily basis.

He went on to provide a detailed presentation (for copy see file of Minutes) which outlined the current highways arrangements at Neville's Cross which included aerial photographs of the area and illustrations of the speed limits and signage across the area concerned. He reported that only last week a parent had been hit by a car at a crossing patrol.

Further slides highlighted accident locations at Sheraton Park and Ustinov College including details of an accident where a car had been overturned on the A167 where 2 lanes merged into 1 next to a pedestrian island crossing. In addition further incidents had been noted including that where a lamp post had been knocked down and subsequently relocated further back on the footpath.

Members then were able to view some dash cam footage which Mr Boughton provided, highlighting the speed of traffic approaching the traffic lights at a junction in the area and a near miss accident.

Mr Boughton had also circulated to the Board copies of a sample of quotes from Neville's Cross residents in support of the 30mph campaign.

The presentation went on to highlight the sad story of St Margaret's school pupil, Laura Burrows-Schofield who was tragically killed by a car just yards from her home 14 years ago. Examples of recent damage to street furniture in the same area were also presented.

Further details were reported with regard to a case in a neighbouring council area. A young boy had too been tragically killed in a 40 mph zone in the Guisborough area. His mother had been told by the Coroner that had her son been hit by a car at 30mph, he would have had a good chance of survival.

Members were then shown a short government video on road safety and speeding.

In conclusion Mr Boughton advised that details of recent Neville's Cross accident history was provided in the papers circulated. He noted that his only aim was to reduce the risk of fatalities and severe injuries.

The Chair then welcomed Councillor E Scott to make her representations.

Councillor Scott advised that she was a mother of 4 children who regularly walked her children to school and knew first-hand the dangers faced by pedestrians on this stretch of road. She explained that one of her election pledges was improve highway safety in the Neville's Cross division. She went on to explain that she had huge concerns about the 20 mph limits around schools moving into 40 mph zones and in doing so, would cause further confusion for motorists.

The area itself comprised of mainly residential and student housing and further development of the area would continue to increase footfall.

The A167 was classified a trunk road in the 1970s prior to the opening of the A1 when only 6,000 houses were in the area. There were now upwards of 10,000 homes rising to 13,000 in the next few years.

Councillor Scott further provided data in respect of traffic accidents and highlighted disparities between data provided by the police and that recorded by the council.

The Chairman then asked the Board to ask any questions of the petitioner.

Councillor Turnbull commented that he regularly travelled the A167 during peak hours and at times could only reach a speed of 5mph due to the volume of traffic and congestion in the area, which prevented traffic from travelling any quicker. He asked at what times of the day accidents were happening given these low traffic speeds he noted. He further made reference to the large number of pedestrian crossing areas and commented that he felt that there must be another solution to the overall problem in this area. He noted that the road is an important access route for neighbouring villages.

Mr Boughton agreed that at times traffic would only allow for speeds of 5mph however cars tended to accelerate when the lanes merged in order to get to the front of the queue at the traffic signals.

Councillor Bell asked if clarification could be provided as to what the committee were being asked to do. The Chairman provided an explanation of the petition appeals process.

Councillor Adam asked whether it was known from the data supplied what time of day the accidents had occurred and at what speed. Mr Boughton advised that the software 'crashmap' provided this level of detail however he did not have the information available.

Councillor Adam further asked whether Mr Boughton was satisfied with the way in which the petition process had been conducted. Mr Boughton advised that in his opinion he felt that the response relied too much on technicalities and government documents and that the local considerations which could have been taken into account, had not.

The Chair then invited the service to make their representations. The Head of Technical Services provided a detailed presentation which provided information regarding speed limit reviews, vehicle speed analysis and accident locations. Members were advised that Neville's Cross was a strategic route, with 20,000 vehicles travelling daily on the A167 and approximately 17,000 on the A690.

It was also explained that there was extensive provision of crossing points in the area with the recent addition of a further pedestrian crossing at Durham Johnston Comprehensive school following a recent survey which had been undertaken.

The Head of Technical Services went on to provide details of the consequences of providing a non-credible 30mph speed limit in this area and noted that Royal Society for the Prevention of Accidents (RoSPA) research, indicated that speed limit changes made by signs alone reduces the speed of vehicles by only 1mph. In addition speed surveys for this road indicated that a 30mph limit would likely lead to an average of 47% of traffic in the police enforcement category of 35mph leading to an unsustainable demand for enforcement which could simply not be met.

The Traffic Assets Manager further explained that vehicle speed analysis demonstrated relatively low traffic speeds. He went on to provide a detailed analysis of accidents in the area over the last four years, which highlighted that there had been 22 accidents of which 2 involved pedestrian. He explained that both of the pedestrian accidents were attributed to the pedestrian failing to look properly.

The Head of Technical Services concluded that although sympathetic to the petitioner and resident concerns, the introduction of a 30mph speed limit would not help in this instance. He highlighted that the current 40 mph limits on the A167 were supported by the Police and the nature of the road and its surroundings.

Councillor Maddison raised a query regarding the width of the road and whether reduction in lanes would assist. She further asked for clarification to be provided regarding the 20, 30 and 40 mph zones. The Traffic Asset Manager noted that if a lane were to be removed from the signal zones, traffic build up would become worse. Regarding signage provide in the different zones, he advised that providing 30 mph signs on this stretch was not permitted and would be counterproductive.

Councillor Wilkes argued that speed was an issue on this road and noted the dash cam video footage which had been shown. He noted that had the car turning at the junction been hit by the truck travelling at 40mph then serious damage would have been caused to the car and its driver. He added that although the service had explained that 30mph repeater signs could not be displayed, he was of the understanding that an application could be made to the Secretary of State to overrule this, and noted that he had in fact seen 30mph repeater signs in parts of Yorkshire.

He further questioned when the last full review of the entire stretch of road network had been undertaken, what the cost would be of undertaking such and the timescales for completion. He further expressed his concerns regarding the introduction of 20mph zones around school areas only, noting that road users would be confused by the 40 to 20mph decrease. He added that in his opinion it would be appropriate to do a full road safety review when considering 20mph schemes.

In response the Head of Technical Services advised that an application for 30mph repeater signs could not be made. He referred to the principles of the Highway Code and stated that 30mph repeater signs could not be provided where there street lighting was in place and in doing so, would be unlawful and could not be legally enforceable by the police.

Councillor Bell asked for clarification as to whether the petition could be referred to the highways committee of the council given the technical aspects of some of the issues raised. The Head of Strategy provide clarification on the appeals process noting that the consideration of petitions did not fall within the remit of the highways committee. The Head of Technical Services further provided clarity on the role of the highways committee and the statutory processes which must be adhered to.

Councillor Adam noted that given the issues reported it was difficult not to comment on technical aspects, however he did feel that the response and report given by the service were heavily biased towards traffic and ensuring that that road users got as quickly as possible from A to B. He further commented that the government speed awareness advertisement shown, clearly demonstrated that speed was a huge factor in road fatalities and conflicted with information provided by the service. He went on to raise a number of additional points noting that the original petition response did not include any figures or details to evidence the surveys and analysis which had taken place. He further noted that had the petitioner received the level of information which had been provided at today's meeting it may have negated the need for an appeal. In conclusion he advised that he found the response provided in service's letter to be inadequate.

Councillor Scott commented that the last full review undertaken by the council on this stretch was in 2012 however the full detail of that was unable to be retrieved from the council.

The Head of Technical Services, replied by stating that he considered the response provided by the service to be comprehensive and proportionate to the issue. He further noted that the petitioner had been provided with contact details of the relevant officer should any further queries arise from the response.

He further noted that the council's objectives as the highways authority were always focused on the safe expedition of traffic and safe passage for pedestrians, whilst balancing the needs of traffic. In addition he believed there to be adequate safe crossing points provided on this stretch of highway.

In terms of a review of road safety, he added that throughout the process of appeal this had in essence now been undertaken with current traffic speed data and accident trends reported to both Mr Boughton and Members today.

The Chairman asked whether potential future development and increase in footfall could be considered. In response the Head of Technical Services advised that highways were consulted during and throughout the planning process so this had and would continually be considered via consultation with planners.

The Traffic Asset Manager then proceeded to provide an update on the existing 20mph scheme and scheduled completion for existing works.

Councillor Liddle, whilst acknowledging there was a congestion problem at Neville's Cross suggested that the focus should be on raising awareness for pedestrian and road users to help prevent future accidents.

The Head of Technical Services advised that accident data was relatively favourable in this area in comparison to others within the county. The council when assessing roads, based their decisions upon fact and in addition had been endorsed by the police.

Councillor Batey asked whether it was known when the last police traffic survey had been carried out and made reference to ongoing issues within her division, which had resulted in a review of highway safety and subsequent review of arrangements based on its findings. In response the Head of Technical Services advised that the data provided was less than 3 years old, however comprehensive data was held for the Neville's Cross area.

Councillor Wilkes asked what methodology a review would follow as he did not consider the response given to Mr Boughton to be a full review. He further asked whether the issues could be deferred to the highways committee and if not what other course of action could be taken.

In response the Legal Manager advised that the highways committee could not consider the issue and the only other course of action would be to submit a motion to full council for consideration.

At this point the Chairman asked the Head of Strategy to sum up the discussion.

She advised that the committee had considered and noted the following points:

- Recent issues / accidents occurring involving a parent being struck by a car and road furniture damaged.
- Concerns raised regarding the boundary of new speed zones
- Concerns regarding population growth to date and future development plans, and whether the impact of such had been considered
- The need for further clarity on analysis of accident data
- Views expressed that the petition response focused on traffic and more emphasis on pedestrians should have been given
- The need for the petitioner to be provided with a higher level detail and analysis.



Councillor Patterson commented that as a parent she understood Mr Boughton's concerns and noted that she too did not agree with the officer response, noting that its outcomes were not clear nor was enough detail provided.

Following further discussion members concluded that there has been a review of road safety as requested by the petitioner, but they found the level response to be inadequate. The Committee recommended that the officers review the petition response and in doing so provide relevant and up to date information to the lead petitioner in a full report. Members also requested consideration of whether this Committee was the right body in the future to consider such a detailed appeal.

**Resolved:** That the Corporate Overview and Scrutiny Committee;

- i) consider the level of detail provided in the response to be inadequate; and
- ii) that a further review of road safety be undertaken and a full report provided to the petitioner, taking into consideration school pick up and drop off times, future development issues and further analysis of up to date data.
- iii) that the lead petitioner be notified of the Boards decision within 5 working days of this date.

## **6 Update on the delivery of the Medium Term Financial Plan 7**

The Board considered a report of the Director of Transformation and Partnerships which provided an update on the progress made at the end of September 2017 on the delivery of the 2017/18 Medium Term Financial Plan (MTFP7) (for copy see file of Minutes).

The Head of Communications and Information Management reported that by the end of September 2017 over 87% of the savings target for MTFP7 had already been met with almost £20.6 million of savings having been achieved. Savings in the period had been achieved from existing proposals including:

- The review of youth support
- Changes to garden waste charging
- Reducing non-staffing budgets
- Service restructures
- The street lighting energy reduction programme.

Details were also reported with regard to consultation, HR implications and equality impact assessments.

**Resolved:** That the content of the report be noted.

## **7 Quarter Two 2017/18 Performance Management Report**

The Board considered a report of the Director of Transformation and Partnerships which presented progress against the council's corporate performance framework by Altogether priority theme for the second quarter of the 2017/18 financial year (for copy see file of Minutes).

Councillor Wilkes raised a query regarding the number of employees who had not had an appraisal within a 12 month period. In response the Head of Strategy advised that in some cases appraisals were delayed due to service demands and took place slightly outside the limits. She further noted that restructures and movement of staff was a key reason for targets being missed. She added that she could provide data on those completed within 13 months to take account of delays, if required.

Councillor Wilkes further asked for further clarification regarding the poor performance in relation to the processing of Freedom of Information Requests, noting that this function was a statutory requirement of the council. The Head of Strategy advised that there had been some staff sickness within the team which had resulted in some processing delays.

Councillor Maddison asked whether any FOI request had been subject to Ombudsman complaints. The Head of Strategy advised that the Ombudsman would only deal with matters of maladministration.

Councillor Adam in referencing page 55 of the report and employment statistics asked whether this matter had yet been considered by the Economy and Enterprise Overview and Scrutiny Committee. He further queried the figures on number of affordable homes delivered and the Head of Strategy advised that she would forward this information to Councillor Adam after the meeting.

**Resolved:** that the content of the report be noted.

## **8 Quarter 2 September 2017: Forecast of Revenue and Capital Outturn 2017/18**

The Board considered two reports, the first of the Corporate Director Resources and the second of the Director of Transformation and Partnerships which provided details of the updated forecast outturn budget position for the Resources service grouping highlighting any major variances in comparison with the 2017/18 budgets, based on the position to the end of August 2017 (for copy see file of Minutes).

Councillor Wilkes in referencing page 102 of the report asked whether it would be possible to have a representative from ICT to attend a future meeting to provide an update on Digital Durham. He further raised a query regarding Members Neighbourhood Budget spend and asked for clarification regarding monies which had been committed but not yet spent. The Head of Strategy advised that she would refer the queries back to the relevant services and advise the committee of their response accordingly.

**Resolved:** That the content of the reports be noted.

## **9 Notice of Key Decisions**

The Board considered a report of the Head of Legal and Democratic Services which provided a list of key decisions that were scheduled to be considered by the Executive (for copy see file of Minutes).

The Senior Committee Services Officer reported that since the last update the 2018/19 General Fund Revenue and Capital Budget MTFP 8, Council Plan and Service Plans had moved from January to February 2018. In addition, the date for the Aykley Heads Strategic Employment Site, Headquarters Full Business case and County Archives Project had moved from December 2017 to January 2018.

**Resolved:** That the content of the report be noted.

**10 Information Update from the Chairs of the Overview and Scrutiny Committees**

The Board considered a report of the Transformation and Partnerships which provided an update on overview and scrutiny activity from October 2017 – December 2017 (for copy see file of Minutes).

**Resolved:** That the content of the report be noted.

**11 Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration**

The Chairman advised that at his request the Corporate Overview and Scrutiny Management Board would be trialling the new paperless committee software at their next meeting in January 2018. Members would be contacted early in the New Year to arrange training on the devices.

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**Corporate Overview and Scrutiny  
Management Board**

**29 January 2018**

**Medium Term Financial Plan (8),  
Council Plan, Service Plans  
2018/19-2021/22**



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**Joint Report of Lorraine O'Donnell, Director of Transformation and  
Partnerships and John Hewitt, Corporate Director of Resources**

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**Purpose of the Report**

- 1 To provide Members of Corporate Overview and Scrutiny Management Board (COSMB) with an update on the Medium Term Financial Plan (8).

**Background**

- 2 On 27 October 2017, COSMB Members considered the 18 October 2017 Cabinet report and noted the MTFP (8) timetable.
- 3 It was hoped that an updated report would be presented to Cabinet in January 2018, but due to the late receipt of the local government financial settlement, and elements of the settlement which have still not been received, the report to Cabinet has been delayed until February 2018.
- 4 The Head of Corporate Finance and Commercial Services is preparing a further update report for COSMB but this was not available to be included within the published agenda for today's meeting. This will be provided to members prior to the meeting, as soon as it is available.
- 5 The update report will include information on:
  - i. The Autumn Statement
  - ii. The Local Government Financial Settlement
  - iii. Medium Term Financial Plan 8
  - iv. 2018/19 Council Budget
  - v. High level findings and results from the 2018/19 Budget Consultation exercise.

**Recommendations**

- 6 It is recommended that Members of COSMB:
  - (i) Note the information within this report and that an update report will be issued prior to the meeting.

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**Contact: Jenny Haworth (03000 268071)**

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## **Appendix 1: Implications**

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**Finance** – The report sets out arrangements to scrutinise MTFP (8) proposals.

**Staffing** – The savings proposals in MTFP (8) will impact upon employees.

**Risk** – None specific within this report.

**Equality and Diversity / Public Sector Equality Duty** – Equalities considerations are built into the proposed approach to developing MTFP (8)

**Accommodation** – None specific within this report.

**Crime and Disorder** – None specific within this report.

**Human Rights** – Any human rights issues will be considered for any detailed MTFP (8) proposals as they are developed.

**Consultation** – This report sets out scrutiny input into MTFP (8) consultation.

**Procurement** – None specific to this report.

**Disability Issues** – All requirements will be considered as part of equalities considerations.

**Legal Implications** – None specific within this report.

**Corporate Overview and Scrutiny  
Management Board**

**29 January 2018**

**Customer Feedback Report  
Quarter 2, 2017/18**



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**Report of John Hewitt, Corporate Director of Resources**

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**Purpose of the Report**

- 1 To present to Members the Customer Feedback: Complaints, Compliments and Suggestions report for quarter 2, 2017/18 (full report attached at Appendix 2).

**Background**

- 2 The report in relation to the Council's performance and key issues regarding corporate and statutory complaints, compliments and suggestions provides invaluable insight into customer feedback on service delivery; their perception of how the Council is dealing with issues important to them locally and also how we apply our policies and procedures. It is used, alongside performance data, to identify key areas for improvement and is used to track trends and highlight areas which need further consideration or which are emerging as key issues.
- 3 There are two main areas of complaints; those which are classed as "statutory" complaints which arise from our duties as a local social services authority and "corporate" complaints which cover all other areas. As both aspects are essentially customer feedback on delivery of services, albeit there are different processes supporting resolution, they are all reported quarterly in a combined report which is considered by Corporate Overview and Scrutiny Management Board.

**Quarter 2**

- 4 The report at Appendix 2 provides a breakdown of all Customer Feedback received by the Council during quarter 2, 2017/18. It summarises the Council's performance in dealing with corporate and statutory complaints, explores the themes and identifies the actions we will take to not only put things right for an individual but to improve wider service provision. The report also provides positive feedback in the form of compliments across services and also suggestions from customers as to what they think we should consider to improve service provision.

**Recommendations**

- 5 Members are asked to note the information in the report.

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**Contact:** Mary Readman

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## **Appendix 1: Implications**

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**Finance** – Information on financial remedies in relation to the Local Government and Social Care Ombudsman is included within the report

**Staffing** – None.

**Risk** – None.

**Equality and Diversity / Public Sector Equality Duty** – Complaints regarding any equality and diversity aspect are handled in consultation with the Council's Equality Team.

**Accommodation** – None.

**Crime and Disorder** – None.

**Human Rights** – None.

**Consultation** – None.

**Procurement** – None.

**Disability Issues** – Complaints and suggestions in relation to disability will be considered in line with the Council's Equality approach and Corporate Team.

**Legal Implications** – None.



# Putting our Customers first

## Customer Feedback Report

# Complaints, compliments and suggestions

Quarter 2, 2017/18

*Altogether better*

## Background information

1. Customer feedback is a valuable tool. It not only helps us understand what is important to service users and what we are doing well, it can also indicate widespread issues and offer us the opportunity to put things right and improve our services.
2. Covering a range of customer feedback, this report highlights the main themes throughout quarter 2, 2017/18 (1 July 2017 to 30 September 2017), summarises our performance in dealing with complaints, identifies any lessons learned and states what remedial action we have taken, or plan to take, to put things right and ensure similar mistakes are avoided in the future. As feedback can also highlight opportunities for operational improvement even when the service is delivered properly, the report also includes a selection of customer suggestions and their outcomes, and an overview of comments relating to our decision making.

## Complaints

3. Within this document, there are two types of complaint. Statutory complaints which arise from our duties as a local social services authority and corporate complaints which cover all other complaints. As each complaint type is subject to its own processes and policy, they are reported separately.
4. The first stage in the corporate complaints process enables service areas to resolve the issue in the first instance, providing a service response. Should the customer remain dissatisfied with the service response they can escalate to the Customer Feedback Team, who will either progress with an independent investigation, or advise the service user to contact the Local Government and Social Care Ombudsman (the Ombudsman). Independent investigation of statutory complaints is arranged by the statutory complaint teams.

## Summary:

5. During quarter 2, 2017/18, we received 567 complaints: 52 statutory complaints and 515 corporate complaints.

	Q2 2016/17	Q2 2017/18	change		
<b>number received</b>	<b>500</b>	<b>567</b>	<b>67</b>		<b>13%</b>
- Statutory complaints	50	52	2		4%
- corporate complaints	450	515	65		14%

6. We received almost half of these complaints via our website. The following table shows a breakdown of channels used by customers in relation to complaint submission between 2015/16 and 2017/18.

Channel	Q2 2015/16	Q2 2016/17	Q2 2017/18	Change over last 2 years
Website	37%	43%	48%	11pp
Face to Face	1%	2%	2%	1pp
Telephone	43%	45%	41%	-2pp
Letter / Form / Fax	3%	3%	3%	0pp
E-mail	16%	7%	5%	-11pp

7. We have completed initial investigations into 409 of the 515 complaints received (79%). Of these, almost 62% were upheld (partially or fully).

	Q2 2016/17	Q2 2017/18	change
<b>% upheld (fully or partially)</b>			
- Statutory complaints	35%	35%	↔ 0pp
- corporate complaints (service response)	56%	62%	↑ 6pp
- corporate complaints (independent investigation)	23%	3%	↓ -20pp

8. In addition, during quarter 2 and following initial investigation by service areas, 42 complainants remained dissatisfied and requested their complaint progress to independent review. We have completed independent reviews of 31 corporate complaints, of which one (3%) was partially upheld.
9. During quarter 2, the Ombudsman delivered decisions into 21 matters. Five complaints were upheld.
10. In addition to complaints, we also received 298 compliments, 143 suggestions and 33 comments in relation to our policies and procedures.

## Statutory Complaints: Children's Social Care Services

11. During quarter 2, 2017/18, Children's Social Care Services received 24 statutory complaints, 8% fewer (-2) than quarter 2, 2016/17. One complaint received in quarter 1 progressed in quarter 2 to independent investigation.

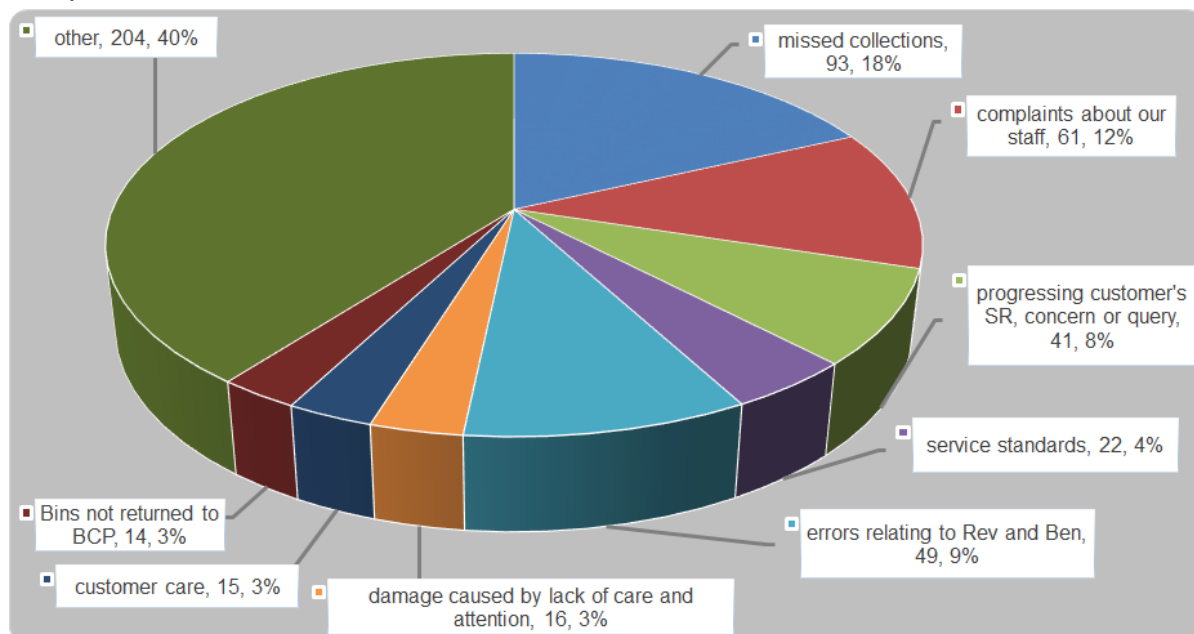
12. Of the 23 completed complaints, 21 were resolved within their prescribed timescale (91%) and two outside their prescribed timescale (9%). Of the 23 complaints: 15 were not upheld (65%), three were upheld (13%) and five partially upheld (22%).
13. 6 complaints were declined; 4 due to the complainant being ineligible to act on the child's behalf, and 2 due to concurrent criminal investigations.
14. During quarter 2, a number of actions were taken in response to complaints, including:
  - Ensuring transition processes (when a new social worker takes over a case) are discussed at the social worker's supervision meetings, including timescales for the process.
  - Reminding managers and staff that a supervision / handover meeting must take place to discuss all the cases of any social worker who is intending to leave, thereby recording vital information in preparation for when the case is re-allocated.
  - Reminding staff to share the notes of supervised contact sessions with parents in a timely manner.

## **Statutory Complaints: Adult Social Care Services**

15. During quarter 2, 2017/18, Adult Social Care Services received 28 statutory complaints, 17% more (+4) than quarter 2, 2016/17.
16. Nearly a third of these complaints related to Older People / Physical Disabilities / Sensory Impairment (9) with Finance being the second most complained about service area (6). The most common reason for complaint was a disputed decision where a service user disagrees with an explanation or decision.
17. 25 complaints were resolved during quarter 2, 2017/18, all within their agreed timescale. Of the 25 resolved complaints: 16 were not upheld (64%), two were upheld (8%) and seven partially upheld (28%). Three were still being investigated at the time of writing this report.
18. During quarter 2, a number of actions were taken in response to complaints, including:
  - Reminding staff to obtain medical information to inform clinical decisions before making recommendations.
  - Reminding staff to seek clarification with service users and their families as to their preferred method of communication.
  - Reminding staff to raise any excessive delays in equipment provision with the Commissioning Service so it can be addressed with the provider.

## Corporate Complaints

19. During quarter 2, 2017/18, we received 515 corporate complaints, 65 more than the same quarter last year. Of the 409 complaints investigated during quarter 2, almost 62% were upheld (fully or partially).
20. Further analysis has identified eight topics that collectively account for 60% of complaints.



## Missed Collections

21. In line with previous reports, missed collections remains the most frequent cause of complaint across the council, although during quarter 2, 2017/18, we received 93 complaints, which is a 36% decrease (53 fewer) when compared to the same quarter last year.
22. Of the 93 complaints, 42 related to kerbside refuse and recycling, 39 to garden waste, 10 to bulky collections, 1 to trade waste and 1 to clinical waste.
23. Investigations have been completed into 86 complaints and 84% were upheld (62 fully and 10 partially).
24. When considering these complaints, it is important to note that every quarter our refuse and recycling crews complete more than 3 million refuse and recycling collections, 400,000 garden waste collections and 8,000 bulky collections.

## **Complaints about our staff**

25. During quarter 2, 2017/18, we received 61 complaints about our staff: a slight decrease on the 64 received during the same period in 2016/17. There were four main causes of complaint.
26. Nineteen complainants witnessed our staff driving council vehicles, mainly vans / trucks (9) but also refuse wagons (5), grass cutters (4) and road sweepers (1) in a dangerous manner. Eight of the complaints concerned near misses, five were due to speeding, three involved mobile phones, one driving on a footpath and two involved tailgating. Investigations have been completed into seven complaints and six were upheld (four fully and two partially).
27. Seventeen customers felt staff behaved toward them in an aggressive or intimidating way, often using foul, obscene or insulting language. The majority (11 complaints) involved our refuse and recycling service, both kerbside collection and Household Waste Recycling Centres. Investigations have been completed into 13 complaints and eight were upheld (five fully and three partially).
28. Ten residents complained our staff were rude, abrupt or dismissive of their issue or query. The complaints related to a wide range of service areas in small numbers. Investigations have been completed into nine complaints and three were upheld (two fully and one partially).
29. Two customers complained our staff were deliberately unhelpful, obstructive or unreasonable. One related to waste permits and the other to Household Waste Recycling Centres. Investigations have been completed into both complaints and both were upheld (one fully and one partially).
30. The remaining complaints included refuse and recycling staff not closing bin lids, throwing / kicking recycling boxes or starting work at inappropriate times (e.g. early morning or weekend).
31. We expect the highest standards from all our employees and we deal with any alleged misconduct through our HR policies and procedures. We pass all complaints relating to non-DCC employees to the appropriate contractor for them to address under their own procedures. The contractor feeds back the results of their investigations to ourselves.

## **Process and Procedure in the Revenues and Benefits Service**

32. Each quarter, we process in the region of 7,000 new claims and 70,000 changes relating to Council Tax, Housing Benefit and Council Tax Reduction. All of these areas are complex, subject to frequent change and highly legislated. During quarter 2, we received 49 complaints, mainly in relation to staff failing to follow process and procedure or due to

human error where manual input was required. We have completed investigations into all of these complaints and 53% were upheld.

33. In all cases, we refer the error or omission back to the responsible member of staff for correction. We also seek to minimise the risk of error by automating processes to reduce manual interventions and carrying out quality assurance interventions. We use any identified trends and patterns to further develop training plans and inform process reviews.

### **Progressing a customer's request for service, concern or query**

34. Each quarter, we receive more than 425,000 contacts, the majority of which require us to action a request or resolve an issue. During quarter 2, 2017/18, we received 41 complaints from customers unhappy that there had been no action in response to their request, concern or query. This is broadly in line with the 39 received during the same period in 2016/17. We have completed investigations into 33 complaints and 48% were upheld (11 fully and five partially).
35. Analysis of the data shows that there were two main areas of complaint.
36. 11 complainants were unhappy we had not actioned their report of an enviro-crime: four related to fly-tipping, three to littering, two to an abandoned vehicle, one to dog fouling and one to graffiti. We have completed investigations into eight of these complaints and four were upheld (two fully and two partially). Every quarter we respond to around 2,000 reports of enviro-crime.
37. A further 11 complainants believed we failed to action their service request relating to grounds maintenance, mainly overgrown trees and hedges. We have completed investigations into eight of these complaints and three were fully upheld.
38. The remaining complaints included customers unhappy that we had not repaired or replaced their bin, repaired a street lighting fault, permanently removed their garden waste bin, resolved their drainage issue, carried out a highway repair or processed a refund.

### **Service Standards**

39. We received 22 complaints from people who felt the standard of our work was inadequate. Sixteen related to the standard of work and the remaining six related to leaving the area in an unacceptable condition after we had completed the work.
40. We have completed investigations into 19 complaints and 63% were upheld (seven fully and five partially).

41. More than half of these complaints related to grass cutting (13 complaints). The remaining complaints related to the following service areas in small numbers: street lighting, street cleansing and refuse and recycling.

### **Damage to property**

42. The basis of 16 complaints was that staff had damaged property, either theirs or the Council's, due to a lack of care and attention whilst undertaking their duties. This is a decrease on the 30 complaints received during the same period in 2016/17.
43. Nearly all of the complaints involved our frontline refuse and recycling, grounds maintenance and highways teams.
44. The most frequent causes for complaint were damage caused to grassed areas or lawns (6), cars (3) and walls, fences or paving (3). The remaining complaints related to trees, headstones and recycling bins.
45. Investigations have been completed into 13 complaints and ten were upheld (eight fully and two partially).

### **Bins not returned to Bin Collection Point**

46. We received 14 complaints objecting that our refuse and recycling crews were not returning bins to their collection point. We have completed investigations into 12 complaints and all were fully upheld.

### **Other**

47. The remaining 43% of corporate complaints related to a wide variety of issues in smaller volumes.

## **Corporate complaints subjected to independent investigation**

48. During quarter 2, 2017/18, 42 complainants requested that we escalate their complaint to the next stage. We agreed it would be appropriate that 36 complaints be subject to an independent investigation by the Customer Feedback Team. We based this decision on the service response, any remedy already offered and the reasons given by the customer for wanting to take the complaint to the next stage. Where we declined to conduct an independent investigation, we informed the customer that their next step would be to seek advice from the Ombudsman.
49. During the same period, we completed investigations into 31 complaints. Of these, one was partially upheld, as shown in the table below:



Outcome	Complaint	Action to be taken
Partially upheld	We did not collect a bulky collection from the back garden as agreed. We did not return telephone calls from the customer who was trying to resolve the issue.	The Council apologised and returned to collect the bulky waste.  The Council has also revised the customer's Bin Collection Point.

## Complaints to the Local Government and Social Care Ombudsman (the Ombudsman)

50. During quarter 2, 2017/18, the Ombudsman delivered decisions in relation to 21 complaints. Conclusions were reached based on details supplied by complainants and supplemented in some instances with contextual information from Council officers.
51. The 21 complaints related to a number of service areas including environmental health, licensing, revenues and benefits, adult care services and planning. Of these complaints, no further action was proposed in 16 cases. The Ombudsman upheld five complaints as detailed in the following table:

Ombudsman's final decision	Action to be taken
The Council was wrong to include the value of the joint home the complainant shares with her daughter and son-in-law in its assessment of the contributions she would need to pay if admitted to a care home.	The Council has now revised that decision, agreed to apologise, review its procedures and pay the family £500 for the distress at the prospect of having to sell their home.
The Council was not at fault when it made the complainant's wife the sole liable person for Council Tax after she moved into the complainant's rented property.  The Council was at fault for not discussing the account with the complainant when the matter escalated to court action against his wife for the unpaid bill.	The Council has agreed to pay £100.
The Council was at fault because Care Connect did not have a proper process in place for accessing the property of the complainant's mother.  There was a delay in contacting the emergency services and the operator placed the complainant's mother on hold without telling her why.  Care Connect also failed to update the complainant's contact details.	The Council has agreed to pay the complainant £350 in recognition of the distress caused and a further £350 in recognition of the uncertainty caused.  The Council has also changed some of its procedures.

Ombudsman's final decision	Action to be taken
<p>There was fault in the way the Council communicated decisions regarding changes to the care service provided to the complainant's son.</p> <p>Although the Council was entitled to decide that service provision should change, it should have discussed this significant change before implementing it.</p>	<p>The Council has agreed to pay the complainant £150 in recognition of the shock and distress caused.</p> <p>The Council will offer to meet with the complainant and his son to discuss the change to service provision and determine whether a different configuration would be more appropriate to their needs.</p>
<p>The Council assessed the social needs of the complainant's father each time he was discharged from hospital. It also considered the professional judgement of those involved with his medical care when planning his social care.</p> <p>However, there is no evidence to show the Council explained residential care charges to the complainant, who made an uninformed decision and incurred avoidable top-up fees.</p>	<p>The Council has agreed to apologise, remind officers of the importance of providing notice to families and service users about meetings and to reimburse the top up fees incurred.</p> <p>The Council has also agreed to inform the Ombudsman of the measures it has in place – or intends to put in place – to ensure service users and their families are given clear advice about social care funding to enable them to make well informed decisions.</p>

52. During quarter 1, the Ombudsman delivered two decisions relating to Disabled Facilities Grants (DFG). The Council has since implemented service improvements to prevent any future issues. All clients now receive a flowchart of the DFG process at their first visit. This flowchart sets out timescales and the service area responsible at each stage. We have made this information publically available on the Council's website. We have also reviewed all procedures and timescales within the DFG process to ensure there are no undue time delays for clients. Team leaders across the service areas, with particular focus within the Home Improvement Agency, are monitoring the impact of these improvements.

## Compliments

53. We also receive many positive comments about our staff and the services we provide, and we believe that understanding what is working well and valued is as important as knowing what is not working as well.
54. During quarter 2, 2017/18, we received 298 compliments, 52 in relation to social care services and 246 in relation to other services. These compliments recognise not only the motivation, dedication and hard work of our staff but also the high standard and value of the services we provide. The majority of the compliments related to satisfaction with service provision but a number of compliments conveyed thanks to specific individuals.
55. Customers were particularly complimentary about our frontline staff and service provision, the most common themes being standard of work and prompt service. Our

Clean and Green Team received the most compliments, almost 31% of all received, with customers appreciating our efforts to keep their local environment clean and tidy. Thirteen compliments praised the wildflower planting on roundabouts and grass verges.

56. Other frontline services that received customer recognition were our refuse and recycling service, both the household collection service and the Household Waste Recycling Centres, our Highway Maintenance Team, Neighbourhood Wardens and Care Connect.
57. Customers were also complimentary about the Durham County Record Office, praising both the staff and the service, particularly in relation to a quick response to queries, helpfulness and efficiency service provision.
58. Many of the compliments received were from customers who wished to express their gratitude where staff have gone the extra mile. As far as we are able, we have passed these thanks onto the individuals concerned.
59. A small sample of extracts are included in the table below

Customer's Comments
The team that sorted out the problem were two of the most courteous, efficient and helpful men I have come across and nothing seemed to be too much trouble for them.
Thank you to our bin men. They do a great job and are so friendly. They wave and speak to my children every week.
How professional the officer was in his work ethic to treating pests for resident, very polite and done a fantastic job.
Credit to the park attendant in Chester-le-Street Riverside Park. He is one of the most polite friendly young men we have met in a long time. He does his work with pride and always has a friendly chat as he does so.
Thanks to Street Cleansing for doing a fantastic job of cleaning the play area this morning. They spent a great deal of time and managed to retrieve several bin liners full of rubbish that had been discarded once again thanks for a first class job at Glenholme Park.
Customer called to thank staff for the recent repairs done on road outside her house, said workmen were great.
Thanks to the street cleaner who does a fantastic job of clearing litter along the main road (full length) through Coundon.
To thank the local grass cutter for helping her this morning when her shopping fell out of her bag - lady got off her grass-cutting machine and helped the lady up with the shopping and is very grateful and wish everyone was as nice as the DCC employee.

The officer was extremely helpful and professional, she explained the procedure to me and supported me through the whole process. Even though I was anxious and had to get in touch several times, she was helpful, professional and supportive. I would like to make express my gratitude towards this person and the rest of her team.

The family would like to thank Care Connect for their care and kindness looking after their mother.

The query was complicated but the officer made light work of this and explained fully so the customer understood exactly what was going on. The officer kept the customer informed of what she was looking at on the system and there were no long silences. The officer was very polite and professional and would like us to be aware of this member of staff positive attitude towards her work - and how she treats customers and makes them feel valued.

## Feedback relating to our policies and procedures

60. Our service provision is reflected in our policies and procedures, and during quarter 2, 2017/18, we received 33 items of feedback as a direct consequence of carrying out actions in line with those policies and procedures.
61. Two key areas accounted for half of this feedback: our household waste policies and procedures (11 contacts) and our fees and charges (six contacts).
62. The most frequent cause for feedback in relation to our household waste policies and procedures (four instances) was our policy of only providing residents with an additional refuse bin if the household has six or more people permanently living there. A further three contacts related to not emptying or permanently removing bins due to contamination. Contacts relating to contamination continue to decline, partly due to the decision to remove bins after a third contamination, and partly due to the continuation of our educational programme which includes waste awareness campaigns including Bin it Right, door knocking, roadshows and school educational sessions. The remaining contacts related to procedures at our Household Waste Recycling Centres and our policy for collecting refuse and recycling bins from properties situated on private un-adopted lanes and farm tracks.
63. Six contacts related to our fees and charges, which we review annually and allow us to provide local services that might not otherwise be possible. Five of the six cited dissatisfaction with the £20 administration and delivery charge to replace a bin lost, stolen or damaged beyond repair. The remaining contact objected to the garden waste charge.
64. The remaining contacts covered a wide range of areas in small numbers including our policy that all unoccupied properties are subject to 100% council tax for the first two years, and then 150% if they remain unfurnished, care connect transportation, our pest control procedure, and our refusal to cut down healthy trees.

## Suggestions

65. We believe suggestions are essential to the ongoing development and improvement of our services, and carefully consider all received. During quarter 2, 2017/18, we received 143 suggestions.
66. Many of the suggestions received related to our waste collection and disposal service. Several people suggested simplifying the process for issuing waste permits for use at our Household Waste Recycling Centres (HWRCs) to reduce application and waiting times, as well as increasing the number customers can request in each application. We are currently developing a new project to look at the options around digitising waste permits.
67. Two residents suggested that we increase the number of recycling points, one countywide and one within Durham City. We have 12 fixed HWRCs geographically spread across the county, a mobile service in Weardale and around 45 bring sites located around the county including bottle and textile banks. We have trialled street recycling in the past but experienced very high levels of contamination as people used them more as general litter bins so unfortunately the bins were removed.
68. One customer suggested we updated the Bin It Right information, as it was unclear. We are about to refresh the campaign and this suggestion will be included within the review. Another suggestion was for us to provide stickers for refuse and recycling bins so we can return them to their rightful owner if stolen. We do encourage residents to mark their own bins with their house number / street name as a way to identify their bins after collection. Those residents who have done this have found it to be successful.
69. Another resident suggested using the wheeled bins for glass collection rather than recycling boxes as these tend to disappear in windy conditions. However, this is not viable as our wheeled bins are 240 litres in size and if filled with glass, they would be too heavy for the lifting mechanism on our vehicles.
70. Some customers would like us to introduce a collection and recycling service for food waste from homes. We are currently reviewing whether the collection of segregated food waste is feasible and would be cost effective within the County. We are working on this project with a national organisation called WRAP (Waste Resources Action Programme) which is the national advisory body on waste and recycling and is providing the funding for this research.
71. Another waste suggestion was to educate schoolchildren about waste recycling and disposal through schools. During 2017, we delivered 86 recycling talks in the community and worked with 45 schools. We also have an open offer to schools, which we advertise on the extranet system, for waste and recycling assemblies where we run interactive sessions. There is an online resource for teachers that includes lesson plans, worksheets and resources based around the national curriculum, which will allow teachers to deliver their recycling messages in the classroom. In addition, we offer advice and guidance

directly to the schools about their internal waste management and recycling practices. Recycling collection services are also available for schools to take up if they wish.

72. Suggestions are frequently received which propose changes to our road system. However, when looked at in the context of countywide traffic flows, many would have knock on effects to the traffic flows elsewhere if they were to be implemented. During quarter 2, we received five suggestions that involved installing traffic lights or traffic calming measures.
73. Within the Revenues and Benefits service, one customer suggested that we round up Council Tax payments for those who can afford slightly more in order to support council services that might otherwise be cut. However, as Council Tax is governed by legislation, it is not possible to implement this suggestion.
74. Another customer suggested that letters refusing to back date second adult rebates should be tailored toward the recipient rather than being generic. The letters we issue must comply with complex housing benefit legislation and contain full details of the regulations under which we made the decision. We make decisions on an individual basis and the letters provide detailed reasons for refusal. We regularly review the content of letters to ensure they continue to comply with legislation and remain relevant.
75. We received a suggestion in relation to the annual review of student properties, which allows the Awards Team to apply the relevant discounts and exemptions to properties solely occupied by students. We issue initial requests for information to property owners in June and reminders in July and again in August. The suggestion was that as it is not always possible to confirm student ID before the letting begins in July, we issue the first reminder too early and could save resources by only issuing at the later dates. We will implement this suggestion for future student reviews.
76. We have also updated our web form so customers can report nuisance bonfires causing public health issues following a suggestion from a member of the public.

**Corporate Overview and  
Scrutiny Management Board**

**29 January 2018**



**Update in relation to Petitions**

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**Report of Helen Lynch, Head of Legal and Democratic Services**

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**Purpose of the Report**

1. To provide for information the quarterly update in relation to the current situation regarding various petitions received by the Authority.

**Background**

2. Following the introduction of The Local Democracy, Economic Development and Construction Act 2009, the administration of the petitions process was passed to Democratic Services.
  - 2.1 Overview and Scrutiny Management Board have received update reports on petitions since September 2008, and this function has now passed to the new committee.
  - 2.2 From the 15 December 2010, the Authority has provided a facility for members of the public to submit e-petitions on the Council's website.

**Current Position**

- 3 Since the last update 6 e-petitions have been submitted. Of these, 4 did not qualify under the Council's Petition Scheme - 1 was in relation to a planning matter, 1 where other procedures applied, 1 was about a Cabinet decision already implemented and 1 has been created via a third party website and therefore could not be verified. There are currently 2 e-petitions live on the website.
  - 3.1 In addition, 5 new paper petitions have been submitted and 1 has completed the petition process. 1 was rejected as related to a consultation. A list giving details and current status of all active petitions is attached as Appendix 2 to the report.

**Recommendation**

4. Members are requested to note the update report on the status of petitions and e-petitions received by the Authority.

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**Contact:** Ros Layfield, Committee Services, Member and Civic  
Services Manager  
**Tel:** 03000 269 708 **E-mail:** [ros.layfield@durham.gov.uk](mailto:ros.layfield@durham.gov.uk)

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**Appendix 1: Implications**

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**Finance :** None

**Staffing:** None

**Risk:** None

**Equality and Diversity/ Public Sector Equality Duty:** None

**Accommodation:** None

**Crime and Disorder:** None

**Human Rights:** None

**Consultation:** Petitions which refer to a consultation exercise are reported to committee for information and forwarded to the relevant officer for consideration

**Procurement:** None

**Disability Issues:** None

**Legal Implications:** None

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Nature of Petition	Appropriate Service/Officer	Summary of Information	Status of Petition
<p>Petition 312</p> <p>Stop Roundabout Advertising</p> <p><b>E-Petition</b></p> <p>No. of signatures – 11</p> <p>Petition received – 20.6.17</p>	<p>Adrian White Head of Transport and Contract Services/ John Reed, Head of Technical Services</p>	<p>Petition asking the Council to stop roundabout advertising.</p> <p>e-Petition ran from 20.6.17 – 12.11.17</p> <p>Most Councils across the country now allow sponsorship of roundabouts and therefore the Council is in line with national practice. All profits from sponsorship of roundabouts are re-invested to help maintain the highway in a safe and serviceable condition for the benefit of all highway users.</p> <p>Road safety is of paramount importance to the Council and therefore all sponsorship signage is discreet in both size and content. The size of the signs (to 1.2 x 0.5m) is restricted and the content of the sign is also restricted so as not to present a distraction to motorist. Any proposals for signs with a high degree of content, that may be considered a distraction and, hence a risk to road safety, are not permitted.</p> <p>A road traffic collisions database is shared with Durham Constabulary that records all road traffic collisions that are reported to the Police. Roundabout sponsorship has not caused any road traffic collisions to date.</p> <p>In summary, the Council believe that roundabout sponsorship is safe and provides a helpful financial contribution towards maintaining the highway.</p>	<p>Petition <b>CLOSED</b></p>

Nature of Petition	Appropriate Service/Officer	Summary of Information	Status of Petition
<p>Petition 321</p> <p>Repair Kenneth's Bridge, Frosterley</p> <p>Petition received – 20.10.17</p> <p>No. of signatures - 573</p>	<p>Paul Newman Structures Manager</p>	<p>Petition asking the Council to carry out repairs to Kenneth's bridge, Frosterley and restore passage along public footpath 35, Frosterley in fulfilment of authorities duties under sections 41 and 130 of the Highways Act 1980.</p> <p>The Environment Agency (EA), have asked that DCC consider the proposed remedial works to a number of sites in the area as a whole and the potential implications these works could have on each other to ensure that the works provide a permanent solution and do not create or exacerbate issues elsewhere on this length of river. In order to progress this the Council appointed a specialist consultant to undertake the initial hydraulic assessment and scoping assessment of the River Wear in this area.</p> <p>The results of the initial hydraulic assessment along the length of the river in question and a scoping assessment which includes identification of options to manage two landslip sites, ongoing erosion at Frosterley Road Bridge and bank erosion at Kenneth's Footbridge have been received.</p> <p>This study has identified a number of initial options to resolve the issues at the sites on the river including Kenneth's Footbridge but additional studies will be required to develop a full understanding of the complex and inter-linked issues between all three erosion sites, and to develop remedial measures.</p> <p>Additional work to be considered includes:</p> <ul style="list-style-type: none"> <li>• Feasibility assessment and outline/detailed design of options;</li> <li>• Further hydraulic modelling and/or hydromorphological modelling will be required to further understand and determine</li> </ul>	<p>Petition <b>CLOSED</b></p>

Nature of Petition	Appropriate Service/Officer	Summary of Information	Status of Petition
		<p>the benefits of each option;</p> <ul style="list-style-type: none"> <li>Any proposed changes to the existing channel geometry will require a detailed environmental assessment before implementation, including topographical survey, geotechnical investigation, ecology and aquatic surveys, detailed geomorphological assessment, sediment transport and channel migration modelling;</li> <li>Any options with the potential to affect the river will require Flood Risk Assessment and Water Framework Directive Assessment;</li> <li>Ground investigation will be required at Kenneth's Footbridge comprising exploratory boreholes at the location of the proposed replacement bridge abutment to determine geotechnical properties of the soils for foundation design.</li> </ul> <p>Discussions are ongoing with consultants and the Environment Agency to determine the full extent of the additional study work required. Following a meeting with the EA in early September approval to progress with the scheme which will allow to progress the ground investigation and detailed design of repairs to Kenneth's Footbridge has been received. This will ensure that works are ready to start on site as soon as EA restrictions allow. A number of restrictions can apply relating to both the temporary and permanent works depending on the type of work being undertaken. The main restriction with regard to timing of the works within a watercourse is that works can only be undertaken outside of the relevant fish breeding season. The relevant fish breeding season for the River Wear is 1st October to 31st May inclusive and therefore works will be allowed to start on 1st June 2018.</p> <p>DCC are aware that requests have been made for a temporary footbridge to be installed in the meantime but the cost of a temporary bridge would be significant given the width of the river</p>	

Nature of Petition	Appropriate Service/Officer	Summary of Information	Status of Petition
		<p>in this location and the need for any structure to be able to withstand the extreme conditions that we know can occur at this location. The same restrictions specified by the EA as for the permanent structure particularly in relation to working in the river which would prevent any work from being undertaken until spring next year by which time we hope to be constructing the permanent replacement would still apply.</p> <p>The above study will continue to look at other additional remedial measures that could be implemented at this location in addition to the other sites and should any other proposals be identified that may further protect the footbridge these will be considered for implementation in due course.</p> <p>The timescale for a permanent solution may not be as soon as had been hoped but a full understanding of what is happening along this length of river to allow the development of long lasting proposals at each of the sites is required.</p> <p>DCC remain fully committed to replacing this footbridge.</p>	
<p>Petition 322</p> <p>E-Petition</p> <p>No. of signatures –</p> <p>Petition received –</p> <p>18.11.17</p>	<p>Skatepark for Ushaw Moor</p>	<p>Petition asking the Council to build a skatepark for the residents of Ushaw Moor.</p> <p>e-petition to run from 18.11.17 – 1.6.18</p>	
<p>Petition 323</p> <p>Rats in Shotton Colliery</p> <p>Petition received –</p> <p>15.12.17</p> <p>No. of signatures – 106</p>	<p>Joanne Waller</p> <p>Head of Environment, Health &amp; Cons. Prot, /</p> <p>Oliver Sherratt</p> <p>Head of Direct Services</p>	<p>Petition asking the Council to address the rat problem in Shotton Colliery.</p> <p>Officers from Neighbourhood Protection and Environmental Health and Consumer Protection are arranging to meet to discuss the issues and to carry out a survey for the area.</p>	

**Petition Table – Active Petitions**

**Appendix 2**

Nature of Petition	Appropriate Service/Officer	Summary of Information	Status of Petition
<p>Petition 325</p> <p>Traffic Calming Measures outside of Langley Moor Primary School</p> <p>Petition received – 19.12.17</p> <p>No. of signatures – 146</p>	<p>Keith Jameson Traffic Asset Manager</p>	<p>Petition asking the Council to introduce further traffic calming measures outside of Langley Moor Primary School.</p>	
<p>Petition 326</p> <p>Inadequate Broadband Services at Mount Oswald Estate</p> <p>Petition received – 10.1.18</p> <p>No. of signatures – 96</p>	<p>Steve Hodgson Technical Services Manager</p>	<p>Petition asking the Council to address the inadequate broadband on the Mount Oswald Estate.</p>	
<p>Petition 328</p> <p>TRO, Taxi Rank &amp; Car Parking at Ferryhill</p> <p><b>E-Petition</b></p> <p>Petition received – 16.1.18</p> <p>No. of signatures –</p>	<p>Brian Buckley Strategic Highways Manager/ Dave Wafer Strategic Traffic Manager</p>	<p>Petition asking the Council to amend the current TRO to include a 24 hour taxi rank and to review all parking within the same locality in Ferryhill Town Centre.</p>	

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**Corporate Overview and  
Scrutiny Management Board**

**29 January 2018**



**Notice of Key Decisions**

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**Report of Corporate Management Team  
Helen Lynch, Head of Legal and Democratic Services**

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**Purpose of the Report**

- 1 To consider the list of key decisions that is scheduled to be considered by the Executive.

**Background**

- 2 New rules in relation to Executive decisions were introduced by The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, which came into force on 10 September 2012.
- 3 The regulations took away the requirement for the Executive to produce a Forward Plan of key decisions, however introduced that the decision maker cannot make a key decision unless a document has been published at least 28 clear days before the decision is taken, unless either a general exception or special urgency requirements have been met. The document which has to be published must state:
  - a) that the key decision is to be made on behalf of the relevant local authority
  - b) the matter in respect of which the decision is to be made
  - c) where the decision maker is an individual, that individual's name and title if any and where the decision maker is a decision making body, its name and list of its members
  - d) the date on which or the period within which the decision is to be made
  - e) a list of the document submitted to the decision maker for consideration in relation to the matter of which the key decision is to be made
  - f) the address from which, subject to any prohibition or restriction on their disclosure copies of, or extracts from any document listed as available

- g) that other documents relevant to those matters may be submitted to the decision maker
  - h) the procedure for requesting details of those documents (if any) as they become available.
- 4 The requirements also apply to an exempt matter as previously it did not strictly have to be included in the Forward Plan. Now a publicity document must contain particulars of the matter, but may not contain any confidential exempt information or particulars of the adviser or political adviser or assistant.
- 5 Notices of key decisions that are being produced meet the legal requirements of publication, as well as continuing to provide information for a four month period. Members will therefore be able to consider key decisions as previously for the four month period.

### **Current Notice of Key Decisions**

- 6 The notice of key decisions that is attached to the report at Appendix 2, is the latest to be published prior to the papers for the Board being dispatched to members. The notice complies with the requirements for Cabinet to be able to take key decisions at the meeting on 16 January 2018. It also contained information on those key decisions that are currently scheduled to be considered by the Executive up to 31 May 2018.
- 7 The information in the Notice of Key Decisions provides the Board with the opportunity of considering whether it wishes to seek to influence any of these key decisions, or to request further information. Members are asked to note that this version of the Notice has been amended and includes a column which has been added to advise of the relevant Scrutiny activity.
- 8 In responding to the request of the Board for further information to be provided on any items that are removed from the previous notice without being considered by Cabinet, this information will be provided at the meeting. If the Board wished to examine any of the key decisions, consideration would need to be given as to how this could be accommodated in the Overview and Scrutiny Work programme.

### **Recommendation**

- 9 You are recommended to give consideration to items listed in the notice.

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<b>Contact:</b>	<b>Ros Layfield, Committee, Member and Civic Services Manager</b>
	<b>Tel: 03000 269708</b>
	<b>Jenny Haworth, Head of Strategy, Transformation and Partnerships</b>
	<b>Tel: 03000 268071</b>

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## Appendix 1: Implications

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**Finance :** Will be reflected in each individual key decision report to Cabinet.

**Staffing:** Will be reflected in each individual key decision report to Cabinet.

**Risk:** Will be reflected in each individual key decision report to Cabinet.

**Equality and Diversity/ Public Sector Equality Duty:** Will be reflected in each individual key decision report to Cabinet.

**Accommodation:** Will be reflected in each individual key decision report to Cabinet.

**Crime and Disorder** Will be reflected in each individual key decision report to Cabinet.

**Human Rights:** Will be reflected in each individual key decision report to Cabinet.

**Consultation:** Will be reflected in each individual key decision report to Cabinet.

**Procurement:** Will be reflected in each individual key decision report to Cabinet.

**Disability Issues:** Will be reflected in each individual key decision report to Cabinet.

**Legal Implications:** Will be reflected in each individual key decision report to Cabinet.

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## SECTION ONE - CORPORATE

Ref. No.	Date of Decision (i.e. date of Cabinet meeting)	Description of Decision to be Made	Background Documents	Lead Cabinet Member	Main Consultees & Means of Consultation	Contact details for further information	Scrutiny involvement
CORP/R/17/02	07-Feb-18	2018/19 General Fund Revenue and Capital Budget MTFP 8, Council Plan & Service Plans	Reports to Cabinet 12/07/2017 and 18/10/2017	Leader of the Council and Cabinet Portfolio Holder for Finance	The public will be consulted as well as Area Action Partnerships. A broad range of partner organisations will also need to be consulted. A full consultation plan will be developed but methods could include on-line responses, AAP fora and partnership fora.	John Hewitt, Corporate Director of Resources, 03000 261943 and Lorraine O'Donnell, Director of Transformation & Partnerships 03000 268060	Scrutiny will have input into the formulation of MTFP 8 throughout the development process.

## SECTION TWO - CHILDREN AND YOUNG PEOPLE'S SERVICES

Ref. No.	Date of Decision (i.e. date of Cabinet meeting)	Description of Decision to be Made	Background Documents	Lead Cabinet Member	Main Consultees & Means of Consultation	Contact details for further information	Scrutiny involvement
CYPS/02/17	07/02/2018	School Admission Arrangements for Academic Year 2019/20	Consultation documents	Councillor Olwyn Gunn	Staff, Parents, Governors, Local Community, AAPs, Local Members, Diocese, Neighbouring Schools, Trade Unions	Sheila Palmerley, Strategic Manager, School Places and Admissions  Tel. 03000 265 731	
CYPS/03/17	07/02/2018	Proposal to change the age range of Bowburn Junior School from 7-11 to 3-11 from 1 September 2019 and to close Bowburn Infant and Nursery School as a registered school on 31 August	Consultation documents	Councillor Olwyn Gunn	Staff, Parents, Governors, Local Community, AAPs, Local Members, Diocese, Neighbouring Schools, Trade Unions	Sheila Palmerley, Strategic Manager, School Places and Admissions  Tel. 03000 265 731	

**SECTION THREE - ADULT AND HEALTH SERVICES**

<b>Ref. No.</b>	<b>Date of Decision (i.e. date of Cabinet meeting)</b>	<b>Description of Decision to be Made</b>	<b>Background Documents</b>	<b>Lead Cabinet Member</b>	<b>Main Consultees &amp; Means of Consultation</b>	<b>Contact details for further information</b>

## SECTION FOUR - REGENERATION AND LOCAL SERVICES

<div>Page 48</div> <b>Ref No.</b>	<b>Date of Decision (i.e. date of Cabinet meeting)</b>	<b>Description of Decision to be Made</b>	<b>Background Documents</b>	<b>Lead Cabinet Member</b>	<b>Main Consultees &amp; Means of Consultation</b>	<b>Contact details for further information</b>	<b>Scrutiny involvement</b>
ReaL/10/17	TBC	Durham City Sustainable Transport Strategy (Final)		Cabinet Portfolio Holder for Economic Regeneration		Stuart Timmiss, Head of Planning and Assets 03000 267334	



## Corporate Overview and Scrutiny Management Board

29 January 2018



### Information update from the Chairs of the Overview and Scrutiny Committees

## Report of Lorraine O'Donnell, Director of Transformation and Partnerships

### Purpose of the Report

- 1 To present to Members an information update of overview and scrutiny activity from December 2017 – 29 January 2018.

### Background

- 2 It has previously been agreed that a written report of Chairs' updates would be presented for information only to all Corporate Overview and Scrutiny Management Boards. Members of the Corporate Overview and Scrutiny Management Board (COSMB) are encouraged to get involved in any area of Overview and Scrutiny activity via thematic committees and/or talk to Scrutiny Committee Chairs and OS Officers on areas of project/overview activity.

### Updates

- 3 Updates from Overview and Scrutiny Committees are from 18 December 2017 – 29 January 2018.

### Corporate Overview and Scrutiny Management Board (COSMB)

<b>Update on Previous Reviews</b>	There are no systematic reviews to report for this period.
<b>Scrutiny Review Activity</b>	<p>Pilot of the CRM Member portal:</p> <ul style="list-style-type: none"> <li>• Feedback from the pilot of the CRM Members' portal has been circulated to COSMB Members.</li> </ul>
<b>Overview reports/ Presentations</b>	<p>COSMB on 18 December 2017 received reports and presentations on:</p> <ul style="list-style-type: none"> <li>• Petitions Appeal</li> <li>• MTFP 7 update</li> <li>• Notice of key decisions</li> <li>• Chairs' update.</li> </ul>

## Safer and Stronger Communities Overview and Scrutiny Committee (SSC OSC)

<b>Update on Previous Reviews</b>	There are no systematic reviews to report for this period.
<b>Scrutiny Review Activity</b>	<p>Cybercrime - initial findings from review activity reported to Working Group on 15<sup>th</sup> January 2018. Next stage is to prepare a draft report for consideration by Safer and Stronger Communities OSC.</p> <p>Arson – Cllr Boyes attended Safe Durham Partnership Board on 16<sup>th</sup> January 2018 to report on Working Group activity to reduce arson in the East Durham area.</p>
<b>Overview reports/ Presentations</b>	<p>SSC OSC on 15 January 2018 received reports and presentations on:</p> <ul style="list-style-type: none"> <li>• County Durham Road Safety Partnership</li> <li>• 20mph Speed Limits and Project</li> <li>• County Durham &amp; Darlington Fire &amp; Rescue Service Integrated Risk management Plan three-year plan consultation</li> <li>• Police and Crime Panel – verbal update</li> <li>• Review of Cybercrime – update</li> <li>• Safe Durham Partnership update</li> </ul>

## Economy and Enterprise Overview and Scrutiny Committee (E & E OSC)

<b>Update on Previous Reviews</b>	There are no systematic reviews to report for this period.
<b>Scrutiny Review Activity</b>	<p>Review of retail support provided by DCC – members at the meeting on the 25 January 2018 received:</p> <ul style="list-style-type: none"> <li>• Detail of retail trends nationally, regionally and locally</li> <li>• Any specific challenges in relation to the retail sector in County Durham</li> </ul>
<b>Overview reports/ Presentations</b>	<p>Economy and Enterprise OSC on 11 January 2018 received reports and presentations on:</p> <ul style="list-style-type: none"> <li>• Durham Key Options</li> <li>• Chapter Homes</li> <li>• County Durham Plan and the ‘Planning for the Right Homes in the Right Places’ consultation – progress</li> <li>• Minutes from County Durham Economic Partnership</li> </ul>

## Environment and Sustainable Communities Overview and Scrutiny Committee (Environment OSC)

<b>Update on Previous Reviews</b>	There are no systematic reviews to report for this period.
<b>Scrutiny Review Activity</b>	Members of the Environment OSC Working Group on DCC's future allotment policy on 5 January 2018 received: <ul style="list-style-type: none"> <li>Detail of DCC's current allotment policy, DCC's proposed allotment policy and tenancy agreement and a comparison of DCC's proposed allotment policy with other Local Authority allotment policies on a regional basis.</li> </ul>
<b>Overview reports/ Presentations</b>	Environment OSC on 23 January 2018 received reports and presentations on: <ul style="list-style-type: none"> <li>Highway Maintenance</li> <li>DCC future allotment policy review -verbal update</li> </ul>

## Children and Young People's Overview and Scrutiny Committee (CYP OSC)

<b>Update on Previous Reviews</b>	There are no systematic reviews to report on for this period.
<b>Scrutiny Review Activity</b>	The Review Group looking at the Role of the Social Worker from a child's perspective <ul style="list-style-type: none"> <li>Received information on referral pathways, criteria</li> <li>Visited the Multi-agency Safeguarding Hub (MASH)</li> <li>How cases are allocated to social workers</li> </ul>
<b>Overview reports/ Presentations</b>	CYP OSC on 16 January 2018 received reports and presentations on: <ul style="list-style-type: none"> <li>Neglect in County Durham</li> <li>Analysis of the Rise in Looked After Children Numbers</li> <li>Role of the Social Worker from a Child's Perspective Review – verbal update.</li> </ul>

## Adults, Well-being and Health Overview and Scrutiny Committee (AWH OSC)

<b>Update on Previous Reviews</b>	There are no systematic reviews to report on for this period.
<b>Scrutiny Review Activity</b>	The AWH OSC Review of Suicide Rates and Mental Health and Wellbeing in County Durham has completed its evidence gathering and a further meeting of the Review group will be held to identify key findings and recommendations prior to production of the review report.
<b>Overview reports/ Presentations</b>	AWH OSC on 19 January 2018 received reports and presentations on: <ul style="list-style-type: none"> <li>South Tyneside and Sunderland NHS Partnership Path to Excellent Consultation feedback</li> <li>North Durham clinical Commissioning Group – Rapid Specialist Opinion service audit</li> <li>Decommissioning of Stroke Support Service by County Durham and Darlington CCGs – update</li> <li>Draft Pharmaceutical Needs Assessment 2018 Consultation.</li> </ul>

## **Performance/Budget/Work Programme Reporting**

- 4 Information on both performance and outturn reports continue to be received and commented upon.

## **Regional Scrutiny**

- 5 The North East Regional Member/Officer Scrutiny Network meeting took place on 12 January 2018. The agenda included:
  - i. Appointment of Vice-chair of the NE Regional Member/Officer Scrutiny Network
  - ii. Centre for Public Scrutiny – update from Tim Gilling (CfPS)
  - iii. Inquiry into Overview and Scrutiny in Local Government – presentation from Nick Taylor (Communities and Local Government)
- 6 The Northumberland, Tyne and Wear and North Durham STP Joint Health Scrutiny Committee met on 15 January 2018. The agenda included:-
  - i. A progress update in respect of the STP Prevention Workstream;
  - ii. Information in respect of the development and role of Accountable Care Organisations, and
  - iii. Proposals for the Committee's Work Programme.
- 7 The Durham Darlington and Teesside, Hambleton, Richmondshire and Whitby STP Joint Health Scrutiny Committee met on 17 January 2018 and discussed updates from Alan Foster, STP lead officer covering:-
  - i. Ongoing engagement between with the Chief Executives and Leaders of local authorities in the STP footprint and what the relationship is between that group and this Joint Health Scrutiny Committee;
  - ii. Potential timeframes for the development and commencement of formal consultations in respect of the STP and associated service proposals;
  - iii. Governance and the role of the CCG Joint Committee and the committee of Foundation Trusts;
  - iv. Cross STP boundary work within the North East;
  - v. The development of an Accountable Care System and associated governance arrangements.

## **North East Combined Authority (NECA)**

- 8 The Chair and Vice-Chair of COSMB represent DCC on the NECA Overview and Scrutiny Committee. The agenda for a workshop/meeting on 11 January 2018 is set out below:
  - i. Role of the Committee
  - ii. Decision making
  - iii. Horizon Planning 2018/19
  - iv. North of Tyne Devolution and implications for NECA
  - v. Site visit to Nexus.

## **Recommendation**

9 Members are invited to receive the report and note the information contained therein.

**Background Papers:** Previous committee reports/presentations.

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**Contact: Jenny Haworth Tel: 03000 268071**

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**Appendix 1: Implications**

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**Finance – N/A**

**Staffing – N/A**

**Risk – N/A**

**Equality and Diversity / Public Sector Equality Duty – N/A**

**Accommodation – N/A**

**Crime and Disorder – N/A**

**Human Rights – N/A**

**Consultation – N/A**

**Procurement – N/A**

**Disability Issues – N/A**

**Legal Implications – N/A**