



RECORD OF EXECUTIVE DECISIONS

The following is a record of the decisions taken at the meeting of **CABINET** on **Tuesday 20 June 2017**. The decisions will come into force and may be implemented from **Friday 30 June 2017** unless the Overview and Scrutiny Management Committee or its Committees object to any such decision and call it in.

Annual Enforcement Programme Children and Young Persons (Protection from Tobacco) Act 1991 and Anti-Social Behaviour Act 2003

Summary

The Cabinet considered a report of the Corporate Director of Adult and Health Services which reviewed enforcement activities under the Children and Young Persons (Protection from Tobacco) Act 1991 and Anti-Social Behaviour Act 2003 and the Licensing Act 2003 for the period April 2016 to March 2017 and sought approval of a new enforcement programme 2017/18.

The County Council has a statutory duty to consider, at least once a year, the extent to which the Authority should carry out a programme of enforcement under the relevant legislation. The County Council has a statutory responsibility for enforcement of age restricted products and the Authority has also elected to enforce the age-restricted sales of solvents, glues and knives, and, access to gaming establishments and access to sunbed premises. A review of activities of 2016/17 was contained in Appendix 2 to the report. The report provided details of the enforcement programme for 2017/18 which includes the following activities:

- (a) An intelligence led approach to under age sales enforcement and tobacco.
- (b) Investigation of all consumer and trader complaints.
- (c) Continuation of joint working with the Police Harm Reduction Unit and other agencies to adopt a holistic approach to solving problems associated with the accessibility and misuse of age related products.
- (d) The holding of events to raise public awareness of the harms associated with illicit tobacco, to publicise the work of the service and encourage reporting of this criminal activity.
- (e) Continuation of the 'Do You Pass' retailer training as a way of assisting business.
- (f) Continuation of work in partnership with the police, HMRC and other agencies to tackle sales from private premises to children, particularly in relation to alcohol and tobacco.

- (g) Continuation with a practice of reviewing premises when appropriate.
- (h) Continuation of work to tackle health inequalities and antisocial behaviour associated with the misuse and illegal supply of age-restricted products, in particular alcohol and tobacco.
- (i) Deliver business advice on and carry out enforcement of new legislation for which the authority may be statutorily responsible including all new legislation.

The agreement of the proposed Enforcement Programme for 2017/2018 will ensure that the Council continues to address the problem of underage sales and access to age restricted products by those under age, as well as the wider health and criminal issues surrounding these products.

Decision

The Cabinet approved the proposed Enforcement Programme for 2017/2018.

Quarter Four 2016/17 Performance Management Report

Summary

The Cabinet considered a report of the Corporate Director of Transformation and Partnerships which presented progress against the council's corporate performance framework by Altogether priority theme for the fourth quarter of the 2016/17 financial year.

The Council continues to prioritise improving or maintaining performance in many key areas. The employment rate has notably increased this quarter, the highest rate recorded since 2008. Both women and men are generally living longer but this continues to be below national averages. First time entrants to the youth justice system remain low with a significant reduction since 2010. Street and environmental cleanliness is good and the council has achieved improvement in maintenance of major roads and overall satisfaction with maintenance and the condition of our highways.

In other areas there is a pattern of increasing needs or demand, and some performance challenges. There has been a significant increase in the number of looked after children. The increased rate in Durham has been steadily rising since 2008 and is reflective of the regional picture but is significantly higher than national levels. Increases are also evident in the number of children with a child protection plan, which has gradually increased over the past six successive quarters and is the highest recorded since 2014. Successful alcohol and drug treatment completions remain low. Fly-tipping incidents increased from last year although other local authorities across the country are experiencing rises in this area.

Decision

The Cabinet agreed the changes to the Council Plan outlined overleaf:

Altogether Wealthier

- (i) Informing and supporting Regional/National policy development across the North East Combined Authority and Local Enterprise Partnership is behind target from March 2017 to September 2017 due to a delay with to the Housing White Paper and the response to it.
- (ii) Agreeing a programme of works for Festival Walk at Spennymoor is behind target from March 2017 to September 2017 due to a delay in the property purchase process.
- (iii) Adoption of the County Durham Plan has been paused until the implications of the Housing White Paper published in February 2017 are known.
- (iv) Agreeing a proposal for North Road has been delayed from March 2017 due to ongoing reassessment of viability and delivery options. The revised date is to be confirmed.
- (v) The review of Durham Town Hall and development of a new operating model to improve the visitor experience and maximise the revenue streams is delayed from March 2017 to March 2018. The work is presently on hold and will now be considered as part of the wider Millennium Place project.
- (vi) Development of a new operating model for Bishop Auckland Town Hall to increase income generation through improving the range of facilities, public interest and access by March 2017 is behind target with the completion date revised to August 2017. A feasibility study is almost complete.

Altogether Safer

- (vii) Working with responsible authorities to deliver the County Durham Alcohol Harm Reduction Strategy 2015 -2020 is delayed from May 2017 to September 2017 due to staff capacity issues delaying the project to target underage drinking.

Altogether Greener

- (viii) Reviewing current operational practices for the collection of clinical waste, developing a Clinical Waste Protocol that will harmonise the collection arrangements across the county is delayed from March 2017 to September 2017. Progress has been made with contractual collections brought in-house using existing resources. A working group has been set up and is now considering options to form a new countywide policy.
- (ix) Work to develop and improve the strategic cycle route network across County Durham has been further delayed from March 2017 to March 2018 as negotiations to purchase land failed and an alternative option to reconfigure the carriageway will need be investigated and designed.

Altogether Better Council

- (x) The streamlining of corporate planning arrangements including the Council Plan and Sustainable Community Strategy has been delayed from January 2017 to October 2017 to allow input on the new vision of the council following the elections in May.
- (xi) The review of corporate management development to meet organisational priorities and the changing needs of the organisation linked to the office accommodation programme is delayed from March 2017 to October 2017 to coincide with the timescale of the action above.
- (xii) The review of public conveniences to ascertain the distribution and standard of provision to inform future countywide proposals by March 2017 is behind target with a revised completion date of May 2017. A report on options is being considered.
- (xiii) Improving the overall approach to managing DCC buildings to ensure building compliance and provide an improved working environment is delayed from March 2017 to March 2018. A number of improvements have been achieved with some service areas retaining their responsibilities for properties.
- (xiv) Embedding the RED Project Management programme has been delayed from March 2017 due to corporate restructure. The revised date is to be confirmed.
- (xv) The Corporate Transport Review in liaison with Children and Adult Services has been delayed from March 2017 to March 2018. The improvement in invoicing process was delayed by Information and Communications Technology (ICT) bidding.

Deleted actions

Altogether Better Council

- (xvi) As part of the renewal of the County Durham Partnership (CDP), the development and implementation of a programme of change is to be deleted as this now forms part of the Transformation Programme.

Transport Asset Management Plan - Annual Update

Summary

The Cabinet considered a report of the Corporate Director of Regeneration and Local Services which provided Cabinet with an annual update on the Transport Asset Management Plan (TAMP).

The highway network is the Council's largest and highest value asset. It is vital to ensure that investment is well directed to ensure a safe, serviceable and sustainable highway network. A TAMP is a key tool in delivering this. It provides an opportunity to systematically understand the condition of the highway asset, and to establish policy and priorities regarding investment.

The TAMP puts the Council in a good position for establishing a clear case for investment, particularly from the Department for Transport. The TAMP was set out in full in the report at Appendices 2 and 3.

It was reported that the condition of A, B and C principal roads have improved in recent years and are close to the national average. This reflects that the Council has prioritised budgets at maintaining principal roads which have the highest usage. Structures are generally in 'good to fair' condition. Key issues include that the condition of unclassified roads is below the national average, a high proportion of footways require resurfacing and a significant number of street lighting columns have reached the end of their service life. The report noted that the maintenance backlog in relation to carriageways, footways and street lighting has reduced from 2015/16.

Despite unprecedented reductions in government funding since 2010, the Council has protected and continued to prioritise investment in programmed capital maintenance. The Council has achieved the maximum Band 3 efficiency rating under the Department for Transport's Incentive Fund which was introduced in 2016. Durham was one of only two Highway Authorities to achieve this maximum efficiency rating out of 119 participating Highway Authorities in England in 2016 and has maintained the maximum Band 3 efficiency rating in 2017. This rating will help ensure the Council maximises funding from the Department for Transport's Incentive Fund going forward.

The Council has led the development and implementation of the North East Highways Alliance which was formally established in September 2013. This is a forum for collaborative working for all 12 North East Councils. The North East Highways Alliance has delivered a number of initiatives that are helping all Councils involved, including Durham, maximise efficiencies in highways through sharing resources, collaborative procurement and knowledge sharing. This partnership working together with on-going collaborative working of the in-house Highway Services team with the supply chain of competitively procured external sub-contractors has led to the Council being one of the first in the UK to be awarded British Standard BS11000 – Collaborative Business Relationships. This will assist in maximising funding from the Department for Transport.

In addition to the TAMP the Council has a Highway Maintenance Plan (HMP) which sets out the Council's service levels for inspections, reactive maintenance and routine maintenance in accordance with national codes of practice. This includes the highway safety inspection regime which helps ensure that the adopted highway throughout the County is maintained in a safe condition as far as reasonably practicable.

Like most Highway Authorities, the Council has a highways maintenance backlog and faces considerable challenges to maintain the condition of the highway network. However, the TAMP demonstrates that work is progressing well in helping to maximise the condition of the highway for the available budget. The Council has been steadily increasing its own investment and has also been proactive in attracting considerable funding from Department for Transport. This TAMP, together with the top efficiency rating will ensure that it is well placed to maximise the much needed funding from the Department for Transport going forward.

Decision

The Cabinet:

- a) Approved the annual update report; and
- b) Noted the substantial investment in programmed capital maintenance and the ongoing work to maximise funding going forward.

Annual Report of the Director of Public Health 2016/17

Summary

The Cabinet considered a report of the Corporate Director of Adult and Health Services which presented the Annual Report of the Director of Public Health for County Durham.

The 2016 Director of Public Health annual report focuses on the importance of good work with a specific emphasis on our mid-life population (age 40 -70 years). As the UK workforce continues to age and stay in work longer and more workers develop long term health conditions; policy makers, employers, clinicians and older workers themselves will need to work together to improve their health and employment outcomes. Whilst there remains much to be done to support those not in employment, this report focuses on keeping those already in employment productive and functioning well. The recommendations of the report include outcomes working towards reducing the gap in healthy life expectancy, emphasising self-help and encouraging small changes.

Decision

The Cabinet:

- a) received the 2016/17 annual report of the Director of Public Health, County Durham.
- b) Endorsed and championed the recommendations within the report.

Clare Pattinson
Interim Head of Legal & Democratic Services
22 June 2017