



RECORD OF EXECUTIVE DECISIONS

The following is a record of the decisions taken at the meeting of **CABINET** held on **Wednesday 10 July 2024**. The decisions will come into force and may be implemented from **Monday 22 July 2024** unless the Corporate Overview and Scrutiny Management Committee or its Committees object to any such decision and call it in.

Climate Emergency Response Plan 3 **Key Decision: NCC/2024/002**

Summary

The Cabinet considered a report of the Corporate Director of Neighbourhoods and Climate Change which provided a final update on progress of the Council's Climate Emergency Response Plan (CERP2). The report also presented a third Climate Emergency Response Plan for the period 2024-27 (CERP3) and sought agreement to its adoption.

On 20th February 2019 Durham County Council declared a Climate Emergency and following extensive consultation developed a Climate Emergency Response Plan (2020-22) which detailed a two-year costed delivery programme to chart key early actions towards meeting Council and countywide targets.

Progress against the first CERP was significant (and notwithstanding the additional temporary reductions in emissions from transport and buildings arising from the covid pandemic), allowed the Council with partners as part of CERP2 (2022-24) to raise the level of challenge to new targets of Net Zero emissions from operations, with at least an 80% actual reduction in emissions (from a 2008/09 baseline) for Council activities, as well as bring forward the countywide achievement of net zero from 2050 to 2045 (from a 1990 baseline).

The CERP2 contained 150 detailed and costed actions (with 124 either complete or on track) that the Council with partners would be undertaking to meet its targets, and the progress reported to Cabinet on 11th October 2023 has been maintained and can be summarised as follows:

- (a) **Council emission reductions:** heat decarbonisation projects are now complete at Comeleon House as well as Peterlee, Abbey and Newton Aycliffe Leisure Centres (with Teesdale due to be complete in August); a major exemplar operational transformation to a low carbon depot is now complete at Morrison Busty; a significant proportion of electric vehicles are now part of the Council fleet as part of the transport decarbonisation with new vehicles being procured every year, with the ambition to have a fully electric fleet by 2030; additional solar arrays have been installed across 9 key buildings; three new energy management systems are in place; awareness is being raised through e-learning courses; monitoring systems embedded through Investors in Environment programme and a wide range of work on Council open spaces has been undertaken from re-wilding to tree planting schemes which are contributing to offsetting.
- (b) For the Council target, maintaining all methodology and baselines from the previous CERP3 there would be a reduction of 61% in 2022/3 from 2008/9 baselines, a yearly fall of 4% validated by internal audit assessment (2024). As part of the development of the new CERP3 however a re- calculation of the emissions has been necessary to accord with the global standard Greenhouse Gas Emissions Protocol by removing those elements especially school academies, from both the baseline and the reported yearly performance as the Council no longer has operational control of these assets. This results in a revised figure of 62.7% reduction. Both figures are presented in this report for transparency purposes. The GHG Protocol requires organisations to have a re-calculation policy where assets fall out of operational control, and it is suggested that any variance of 3% should trigger such an exercise and be undertaken prior to the 2030 in any event.
- (c) **Countywide emissions.** Work here has included the delivery of a wide range of fuel poverty and energy efficiency programmes and completion of local cycling and infrastructure plans for 9 towns; energy efficiency advice or grants for over 500 businesses, progress with the Seaham Garden Village minewater heat programme, over 1000 hectares of blanket bog restoration projects completed; continued success with the local electric vehicle infrastructure (LEVI) programme with a recent award of over £4M for 250 new community charge points.
- (d) The latest Countywide data (from 2021) confirms a 54% reduction in emissions from the 1990 baseline, and whilst this represents an increase of 2% from the previous year arising from the post covid recovery, it is still down from 2019 levels.

Whilst there has been considerable progress in carbon reductions, a further 17.3% fall in emissions from Council operations is still required over the next six years, and broadly similar challenges on a countywide level. This third CERP3 Action Plan covers the period 2024-2027 and sets out costed programmes of work agreed across multiple services, departments, and partner organisations, with funding identified where possible.

Overall, there 232 actions are included across the following themes:

- Energy and Buildings
- Transport and Connectivity
- Business, Green Economy and Skills
- Waste and Resources
- Natural Environment
- Adaption
- Community Awareness and Engagement

For Council reductions a range of measures are included, including the decommissioning of County Hall, a continued decarbonisation programme of operational buildings, further roll out of electric vehicles and associated infrastructure, investment in renewables such as wind turbines at Hackworth Road depot, development of heat network proposals and an expansion of biodiversity/low carbon approaches to Council open spaces.

Countywide reductions include a range of domestic energy efficiency initiatives, expansion of renewable energy schemes from partners such as the University, greater planning controls and guidance for low carbon developments, public transport improvements including investment with park and ride, roll out of the Inclusive Economic Strategy and its support of green economy, development of waste specific carbon footprint measures, supporting community resilience and adaption to climate change, and a wide range of measures supporting carbon reductions emerging from the Local Nature Recovery Strategy currently in development.

In 2021 a high-level cost estimate of the investment needed to reach the Council's target established that a figure of £89M would be required. This averages out at almost £13M per annum for the remaining six years to 2030, which will be a considerable undertaking.

It is clear that access to resources will be a significant risk factor in achievement of both Council and Countywide targets. For the Council in 2021, a high-level cost estimate of the investment needed to reach the target was an estimated £89M additional funding would be required. This averages out at almost £13M per annum for the remaining six years to 2030, which will be a considerable undertaking.

To offset these numbers the Council has a strong track record in attracting external funding for its low carbon initiatives, with sources including European Regional Development Fund, Public Sector Decarbonisation Scheme, Heat Network Delivery Unit, Shared Prosperity Fund and more. This work will need to continue alongside the Councils own Medium Term Financial Planning process, with every opportunity made through the North East Combined Mayoral Authority (NEMCA) arising from the recent regional devolution agreement to secure funding for climate change initiatives as part of its investment plans.

There will be a need to regularly monitor and review performance especially as the 2030 target deadline for the Council draws closer, with an on-going role for the Environment and Sustainable Communities Overview and Scrutiny Committee as well as annual consideration in the Medium-Term Financial Plan cycle.

Decision

The Cabinet:

- (a) noted progress against CERP2 projects which have helped to achieve a Council 61% reduction in tCO₂e (2022/23) since 2008/9 and a Countywide 54% reduction (2021) in tCO₂e from 1990 levels;
- (b) agreed to the adoption of CERP3 as detailed in this report, the success of which will be reliant on a combination of national, regional and local funding;
- (c) noted that as part of the development of CERP3 the performance measurement for the Council has been refined in line with the Greenhouse Gas Reporting Protocol to focus just on those elements that the Council has operational control. This has adjusted Council performance in 2022/3 to 62.7% reduction from baseline; and
- (d) agreed that further refining in line with the Greenhouse Gas Reporting Protocol will be needed if the 2008/09 baseline exceeds a 3% quantitative threshold.

Adoption of Homelessness and Rough Sleeping Strategy 2024-2029 and Delivery Plan

Summary

The Cabinet considered a report of the Corporate Director of Regeneration, Economy and Growth which sought Cabinet's approval to recommend that the County Council agree the adoption of the Homelessness and Rough Sleeping Strategy (HRSS) and the accompanying 12-Month Delivery Plan.

The Homelessness Act 2002 brought about a more strategic approach to tackling and preventing homelessness; in particular, the requirement for the development and publication of a homelessness strategy for every housing authority every five years. The new HRSS (2024-2029) will replace the current strategy adopted by Cabinet in July 2019.

The revised strategy has been developed following a detailed review of homelessness and rough sleeping, as well as two rounds of consultation with partners and stakeholders, including residents. The first round of consultation ran from December 2022 to March 2023 and focused on developing the proposed four priorities for the strategy. The second round focused on the draft strategy, which ran from 30 October 2023 to 18 December 2023. All comments and feedback were reflected in the final version of the strategy.

The strategy establishes four priorities to tackle homelessness between 2024 to 2029; these are:

- (a) priority 1: prevent people from becoming homeless;
- (b) priority 2: improve access to and supply of accommodation;
- (c) priority 3: ensure the appropriate support is available for people who are homeless (work with partners to build resilience in people); and
- (d) priority 4: reduce rough sleeping.

The strategy will address the varying housing and support needs across the 10 main cohorts of people who present to housing as homeless or threatened with homelessness.

Some of the key findings from the review include:

- (a) a large increase in the number of people requiring early advice;
- (b) the number of people being able to remain in their existing home has considerably reduced;
- (c) an increase in the numbers of people with a support need, in particular those with complex needs;
- (d) access to accommodation for certain cohorts is difficult;
- (e) a reduction in affordable accommodation; and
- (f) there is insufficient supported accommodation for rough sleepers.

The scope of the strategy recognises all types of homelessness needs for people who are:

- (a) considering their housing options and require advice;
- (b) at risk of homelessness;
- (c) statutory and non-statutory homeless;
- (d) street homeless and are rough sleeping;
- (e) children who experience homeless; and
- (f) people who are moving on from homelessness (moving from temporary or supported accommodation and require longer term accommodation).

Following feedback from the second phase of the consultation, which took place from October 2023 to December 2023, a 12-month delivery plan has been developed. A homelessness strategy steering group will be established in the coming months and will take responsibility for the development and implementation of the delivery plan.

A light touch review will be carried out annually to address any policy or funding changes as well as taking into consideration any significant differences in demand to the service. The delivery plan will be updated accordingly following the annual review.

Decision

The Cabinet recommended that County Council:

- (a) adopts the Homelessness and Rough Sleeping Strategy (HRSS) as detailed; and
- (b) subject to County Council adopting the HRSS, adopt the 12-month Delivery Plan.

2023/24 Final Outturn for the General Fund and Collection Fund

Summary

The Cabinet considered a report of the Corporate Director of Resources which provided:

- (a) the final revenue and capital outturn for the General Fund for 2023/24;
- (b) the final outturn for the dedicated schools grants and schools for 2023/24;

- (c) the final outturn for the Council Tax and Business Rates collection fund for 2023/24;
- (d) the use of and contributions to earmarked, cash limit and general reserves in 2023/24 together with the closing position regarding balances held at 31 March 2024;
- (e) the achievement of Medium Term Financial Plan (MTFP) (13) savings targets in 2023/24; and
- (f) the outcome of a review of all earmarked reserves, which has resulted in set of proposals to repurpose a range of these reserves.

During 2023/24, the council continued to operate in a period of significant financial uncertainty and volatility. This uncertainty was again driven by continuing short term local government finance settlements, our inherent low tax raising capacity due to our low tax base alongside ongoing significant unfunded inflationary pressures, enduring demographic / cost pressures in Children's Social Care, increased demand and complexity of demand for a range of services and the ongoing inflationary impact of pay awards. The financial outlook for the council is forecast to remain extremely challenging for the foreseeable future.

Throughout 2023/24 the council faced a range of financial challenges which placed pressure upon the council's revenue budget. At the same time the council has continued to strive to control revenue expenditure whilst also delivering against a bold and ambitious capital programme.

The 2023/24 revenue budget approved by Council on 22 February 2023 was based upon the best estimates at that time. A number of pressures were faced during the year however which were not forecast. After the 2023/24 budget was set, the government announcement that national fostering allowances for 2023/24 were to increase by 12.4% - 7.4% points above our 5% forecast, which added £0.590 million to our costs in the year. This additional spending requirement has been built into the base budget in 2024/25 alongside the impact of the further increases announced for this year.

The Local Government Employers 2023/24 pay award agreed in November 2023 set out an increase for 'Green Book' employees of £1,925. This pay deal impacted the vast majority of council employees and equated to a circa 6.5% increase in the council's 2023/24 pay budget given the number of employees on the lower pay bands. This resulted in an additional 1.5% budget uplift requirement, with the base 2023/24 budget assuming a 5% increase would be agreed. This above-budgeted pay-award created a £1.945 million pressure (net of vacancies) during 2023/24 and a £3.711 million per annum budget uplift requirement in 2024/25, where a further 4% uplift in costs is expected once the 2024/25 pay award is settled.

Attendance and use of leisure centres has not returned to pre-pandemic levels, resulting in an under recovery against income budgets, which remained at pre-pandemic levels of usage. The impact on leisure income suffered over the past two years has continued into 2023/24 with a year-end shortfall in the underlying budget position of £0.820 million, which has been addressed in the 2024/25 base budget. In addition, reduced income of £0.735 million in 2023/24 as a result of leisure centres being closed for periods of time whilst refurbishment works are undertaken as part of the Leisure Transformation Programme has further increased the budget shortfall. The underachievement of leisure income has been treated as outside the Directorate's cash limit budget during 2023/24.

The pandemic accelerated growth in the use of temporary accommodation, which has continued post pandemic and into 2023/24. The Housing Benefit Subsidy Grant does not allow for full recovery of housing benefit payments linked to temporary and supported accommodation, leading to a shortfall in recoverable income of £2.4 million in 2023/24. This ongoing budget pressure has been addressed in the 2024/25 budget and will be closely monitored throughout the year.

The MTFP(13) forecasts anticipated that energy prices would fall based on the advice from industry experts, however during the year prices fell further and more quickly than was anticipated previously. Energy costs (net of Joint Stocks power generation income shortfall) reduced by £2.791 million during 2023/24.

A number of net pressures (including those above) have been funded outside of service cash limit and via corporate contingencies. These have totalled £1.483 million during 2023/24.

After taking this into account, service grouping cash limit budgets overspent in 2023/24 by £3.914 million. The majority of this related to Children and Young People's Services with a year-end overspend of £8.390 million (compared to a forecast £8.102 million overspend at quarter three). The service does not have a cash limit reserve to offset this overspend so, as in previous years, this overspend has been financed from the General Reserve.

Having excluded the CYPS position, the services net cash limits show an underspend of £4.476 million, compared to a forecast net £2.479 million underspend forecast at quarter three.

Overspends met corporately have been offset by underspends within corporate contingencies of £2.629 million, capital financing budgets of £3.877 million, and an over recovery in the interest investment budget of £7.691 million due to higher than anticipated interest rates on investments and a managed delay in taking out new borrowing.

The corporate underspends reflect the one off receipt of a £1.721 million gain share payment from the Digital Durham programme and a revaluation impairment adjustment of £0.627 million in relation to the airport loans.

Neither of these issues were factored into the quarter three forecasts.

In addition, in the Local Government Settlement on 5 February 2024, the Government announced a £100 million return across the sector from the allocation of a national business rates levy account in 2023/24. The return from the business rate levy account of £1.068 million has been received in 2023/24 by the Council. This was not known when the quarter three forecast was prepared.

The Government has also announced a 2023/24 Business Rates Green Plant and Machinery exemption compensation allocation to local authorities. The council's allocation was £0.174 million.

Additional Business Rates Section 31 grant was also received at the year-end totalling £0.501 million.

Overall, therefore, after taking into account the outturn position on corporate budgets, the General Reserve position has increased by £6.044 million as at 31 March 2024. At quarter three there was a forecast £4.336 million increase in the General Reserve, resulting in a net change of £1.708 million at final outturn – largely reflecting the gain share payment from the Digital Durham programme and the airport loan impairment adjustment.

The MTFP(14) report to Council on 28 February forecast a £37.833 million funding shortfall for the council from 2025/26 to 2027/28 – with the updated forecasts, which will be presented to Cabinet in September 2024, showing an even more challenging position. Against this backdrop it is essential that the council has a strong balance sheet and access to earmarked reserves which are available to support future budget shortfalls. With this in mind a thorough review of all earmarked reserves has been completed as part of the 2023/24 final outturn process with a key aim of seeking to replenish and increase corporate reserves such as the MTFP Support Reserve and the Early Retirement/Voluntary Redundancy (ER/VR) reserve to ensure corporate capacity is in place to support future MTFPs.

The redirection to corporate reserves ensures that there is sufficient capacity in place to meet corporate commitments going forward and strengthen the council's ability to set balanced budgets over the coming years.

In total, £18.330 million of reserves have been repurposed to replenish corporate reserves, with those reserves increased as follows:

Corporate Reserve	Amount £ Million
MTFP Support Reserve	9.330
Commercial Reserve	5.000
ER/VR Reserve	2.500
Elections Reserve	1.000
Culture Reserve - Lumiere	0.500
Total	18.330

Total earmarked and cash limit reserves (excluding schools reserves) reduced by a net £20.226 million in 2023/24, from £196.535 million at 31 March 2023 to £176.309 million at 31 March 2024. The year end reserve balances are higher than forecast at quarter three, when the in-year reduction was forecast to be £34.353 million. Full details of the movement on Reserves are shown in Appendix 4 to the report.

The year end outturn position shows a General Reserve of £32.061 million – which equates to 5.67% of the 2024/25 net budget requirement. This is within the council's reserves' policy for 2024/25 agreed at Council on 28 February 2024 of holding a General Reserve of between £28.2 million and £42.4 million.

The overall council reserves position, including the General Reserve, is considered to be adequate and prudent given our financial commitments and the financial challenges and uncertainties facing the council and the whole of local government from 2024/25 onwards.

The year end position for all current maintained schools shows a net contribution to reserves of £2.902 million (£10.695 million improvement from the original 2023/24 budget forecast where a £7.793 million drawdown from reserves was expected). The quarter three forecast position forecast that maintained schools would utilise £2.286 million of reserves in year. The change in position between quarters is mainly due to additional income. At the year-end there were 46 schools drawing circa £2.880 million from their retained reserves in year (to offset in year overspending) and 99 schools who contributed circa £5.782 million to their reserves (to reflect in year underspending).

The year end position for Dedicated Schools Grant centrally retained block shows a net £1.196 million overspend, including a £1.960 million overspend in relation to High Needs Block, which has increased the accumulated deficit from £8.635 million at 31 March 2023 to £10.595 million at 31 March 2024.

The main area of spending pressure within the High Needs Block relates to top up funding in mainstream schools where demand for both Education Health and Care Plans (EHCP) and special Education Need (SEN) support has increased significantly.

The council has an ambitious capital programme and delivery against plans have progressed significantly throughout the year. In terms of the council capital programme, the final capital outturn position for 2023/24 shows capital expenditure totalling £233.010 million. Although the final outturn is £36.177 million lower than the revised capital budget of £259.187 million agreed by Cabinet in year, the final outturn of £233.010 million of capital expenditure being incurred is significantly higher (62% higher) than the highest previous capital expenditure in one year of £143 million.

During 2023/24 the council has invested £24.900 million in repairing and maintaining highways, there has been an initial investment of £18.300 million towards the £60 million scheme at NetPark Phase 3, the council invested an initial £16.200 million towards a £38 million investment in a new primary and secondary school at Belmont, there has been investment of £13 million as part of the Leisure Transformation Programme and £9.400 million invested from the disabled facilities programme to ensure vulnerable people are able to stay in their own homes.

In addition to the above investments, major schemes at Durham Bus Station, The Story and at Spennymoor Primary School have neared completion. Overall, the council capital programme is significantly improving the infrastructure, the Councils facilities and services provided to the public with a capital programme of £361.901 million budgeted for 2024/25 and a £232.533 million budget for 2025/26 to continue the significant progress made in investing and maintaining the county's and council infrastructure.

Performance against the various treasury management prudential indicators agreed by County Council in February 2023 is set out at paragraphs 175-182 and shows that the council continues to operate within the targets and boundaries agreed. The detailed Treasury Management Outturn Report, which was scrutinised by the Audit Committee on 28 June 2024, will be presented to County Council on 17 July 2024.

The 2023/24 outturn for the Council Tax element of the Collection Fund shows an in-year deficit of £1.539 million, and a cumulative deficit of £1.774 million to 31 March 2024. Durham County Council's share of this net deficit is £1.491 million. At quarter three the in-year deficit was forecast to be £2.408 million, with a cumulative deficit of £2.643 million to 31 March 2024. Durham County Council's share of this forecast net deficit was previously forecast to be £2.220 million. The council's year end position has therefore improved by circa £0.729 million from the quarter three reported position.

The 2023/24 outturn for the Business Rates element of the Collection Fund is an in-year surplus of £6.482 million, and a cumulative surplus of £5.774 million. Durham County Council's share (49%) of this surplus is £2.830 million. At quarter three the in-year surplus was forecast to be £6.971 million, with a cumulative surplus of £6.263 million. Durham County Council's share (49%) of this forecast surplus was previously forecast to be £3.069 million. The year end position shows a reduced surplus position of £0.239 million when compared with the quarter three position.

The final outturn on the overarching Collection Fund is a £1.339 million surplus. When the budget was set for 2024/25 it was forecast that the surplus would be £0.686 million. This will result in an undeclared surplus of £0.653 million being accounted for as part of the 2024/25 Collection Fund.

On 22 February 2023, County Council agreed a net revenue budget of £520.176 million for 2023/24. Factoring in any reductions in government grants, inflation and other budget pressures, £12.383 million of savings were required to be delivered in 2023/24.

The report provided an update on the delivery of the £12.383 million MTFP(13) savings target included in the 2023/24 budgets which brings the overall savings target for the period 2011/12 to 2023/24 to circa £262 million. In total, £11.761 million (95.0%) of the total savings requirement were achieved in year in 2023/24. The final outturn for 2023/24 was prepared as part of the production of the Annual Statement of Accounts, which were published on the Council's website on 31 May 2024.

Decision

The Cabinet noted:

- (a) the 2023/24 final revenue outturn underspend position of £6.044 million which represents 1.11% of the 2023/24 revised net expenditure budget of £542.331 million;
- (b) the 2023/24 overall cash limit overspend position of £3.914 million including CYPS overspend of £8.390 million (£4.476 million underspend excluding CYPS) and closing cash limit reserves of £9.865 million. These sums will continue to be available for service groupings to manage their budgets;
- (c) the overall net council underspend in 2023/24 of £10.520 million;
- (d) the closing General Reserve balance of £32.061 million which is within the council's general reserves policy of retaining a balance of between 5% and 7.5% of the net budget requirement (£28.2 to £42.4 million);

- (e) the closing balance on earmarked reserves (excluding cash limit and schools reserves) at 31 March 2024 of £166.444 million, an in-year reduction of £22.036 million;
- (f) the Dedicated Schools Grant and Schools outturn position and closing balances on DSG/ Schools reserves of £27.231 million – an in year reduction of £1.232 million;
- (g) the performance against the various prudential indicators agreed by Council in February 2023;
- (h) the outturn position the Collection Funds in respect of Council Tax and Business Rates; and
- (i) the amount of savings delivered against the 2023/24 targets and the total savings that will have been delivered since 2011.

Cabinet approved:

- (a) the transfer of reserves as part of the review of reserves;
- (b) the revised capital budget £645.123 million for the period 2024/25 to 2027/28

Adoption of the County Durham Housing Strategy and Delivery Plan

Summary

The Cabinet considered a report of the Corporate Director of Regeneration, Economy and Growth which sought Cabinet's approval to recommend that County Council agree the adoption of the County Durham Housing Strategy (CDHS) and the accompanying 12-Month Delivery Plan.

The current housing strategy was adopted in 2019. The wider economy has changed significantly since then, with the impact of covid, the cost of living crisis, and rising levels of homelessness requiring a new strategy and vision for housing in County Durham.

The CDHS has been developed to consider housing issues across County Durham up to 2035. The strategy provides a strategic framework to inform the actions and investment of the council and its partners and has been developed to ensure the council is well positioned to maximise future opportunities for funding support. The CDHS 2024 will replace the current housing strategy adopted in 2019.

The strategy has been developed following two rounds of consultation with partners and stakeholders, including local residents, which was undertaken in parallel with the Homelessness Strategy.

The first round of consultation focused on developing the high-level principles and priorities for the strategy, with a second round focusing on the draft strategy itself. This was undertaken between 30 October 2023 and 18 December 2023. The council engaged with residents and interested parties through:

- a) its partnership structure;
- b) online engagement events;
- c) tailored surveys; and
- d) a presentation to Overview and Scrutiny Committee.

The consultation determined that there was overwhelming support for the proposed vision, principles and priorities. Amongst other things, the importance of meeting housing needs, issues with concentrations of private rented sector housing stock, and the importance of energy efficient housing and partnership working came through the consultation. A number of changes were made to the draft housing strategy as a result of the consultation as set out in the Statement of Consultation.

The CDHS sets out the vision and strategic direction for housing activity in County Durham to provide:

- a) good quality housing that meets everyone's needs;
- b) good quality housing that is affordable for local people; and
- c) supports the creation of great places to live.

The strategy will also help deliver the ambitions of the council's Inclusive Economic Strategy (IES) that recognises that housing is a major enabler to achieving economic growth and better social outcomes for the council's communities. The council also recognises that the housing strategy and delivery plan are being developed in the context of emerging devolution work including a Strategic Place Partnership between NECA and Homes England.

The strategy contains seven principles that establish the foundation and rationale underpinning decisions and five priorities for action.

A key response to the consultation, including from Economy and Enterprise Overview and Scrutiny Committee, was the need for a delivery plan to be included in this version of the housing strategy. It was always the intention to prepare a delivery plan following adoption of the strategy but, to address these comments, a 12-month delivery plan has been prepared and attached to the housing strategy, as detailed at Appendix 3. This is to ensure the council can "hit the ground running" once the strategy is adopted rather than delay delivery until a delivery plan is developed.

A more long-term delivery plan will still be prepared following adoption, working with partners including the Housing Forum, and adopted by Cabinet.

A review of progress of delivery of the strategy will be carried out annually and reported to Cabinet. This will also address any policy or funding changes including emerging work relating to devolution, and differences in demand to the service. The delivery plan will be updated accordingly following the annual review.

Decision

The Cabinet:

- (a) recommended that County Council adopts the Co Durham Housing Strategy; and
- (b) subject to County Council adopting the Co Durham Housing Strategy, adopt the 12-Month Delivery Plan.

Home to School Transport Services – Proposals and Policy Update

Summary

The Cabinet considered a joint report of the Corporate Director of Children and Young People's Services, Corporate Director of Regeneration, Economy and Growth and the Corporate Director of Resources which presented proposals in relation to the Maintained Concessionary scheme, a revised Personal Travel Budget offer and an updated Home to School Transport policy.

The Local Authority has a statutory duty to provide Home to School Transport to children and young people who meet circumstances prescribed in legislation. This is set out in statutory guidance from the Department for Education. Much has changed since the home to school transport legislation was first introduced in 1944 and the legislative framework has not been updated to reflect the realities of the 21st century.

The Home to School Transport offer for eligible children and young people is currently set out in the Durham County Council "Home to Primary, Secondary and Special School and College Travel and Transport Policy.

The existing Home to School Transport (H2ST) service providing daily transport to over 9,000 children and young people, with over 1,000 contracts in place with Transport Providers.

On 14 June 2023, following an external review and a detailed public consultation, Cabinet agreed to implement a programme to review and transform the Councils Home to School Transport arrangements.

The review is being undertaken in the context of increasing expenditure on statutory Home to School Transport. Net expenditure in 2023/24 was £28.65 million, which is £5.228 million more than in 2022/23. To meet forecast demand and cost pressures, the budget has been further increased in 2024/25 to £32.736 million. This is an increase of £3.550 million (circa 12%) from £29.186 million in 2023/24.

Transport costs are also forecasted to rise further in future years with continuing price inflation, increases in the National Minimum Wage and forecast increases in the number of young people with an Education Health and Care Plan requiring transport.

The review work undertaken to date has enabled proposals to be developed in the following areas:

- (a) The removal of Durham County Council's Maintained Concessionary Home to School Transport Scheme. These proposals will be reviewed by Cabinet and the subject of a future report.
- (b) An updated process for considering personal travel budgets for parents/carers of pupils with SEND with proposals to introduce enhanced payment rates per mile for parents of children with special educational needs to encourage greater take up of personal transport budgets by parents and reduce the reliance on single person transport
- (c) An updated Home to School Transport Policy which reflect recent changes to statutory guidance and provides greater clarity to parents and stakeholders in relation to eligibility and processes. There are no material changes that require county wide consultation.

Decision

The Cabinet:

- a) Agreed to a new Personal Travel Budget provision which includes two payment rates of 45p per mile at the standard rate and an enhanced payment of 75p per mile where young people have additional support needs on transport.
- b) Agreed the updated Home to School Transport Policy.

Productivity Plan

Summary

The Cabinet considered a report of the Chief Executive which sought approval of the Council's Productivity Plan which demonstrates how the council plans to improve service performance and reduce waste. This year the government introduced a new requirement for all local authorities in England to produce a Productivity Plan which should reference pre-existing plans and strategies. Councils are required to approve and publish a Productivity Plan on their website; to forward a copy to the government by 19 July and to regularly monitor the plan.

Decision

The Cabinet approved the Productivity Plan for Durham County Council.

County Durham Minerals and Waste Policies and Allocations Document Adoption

Summary

The Cabinet considered a report of the Corporate Director of Regeneration, Economy and Growth which sought approval to recommend County Council agree to the adoption of the County Durham Minerals and Waste Policies and Allocations Document (MWPAD) following its independent examination by planning inspectors appointed by the Secretary of State.

The MWPAD has been prepared to supplement the County Durham Plan (CDP) that only includes high level strategic policies and allocations relating to minerals and waste and to replace the remaining saved policies of the County Durham Minerals Local Plan (CDMLP) and County Durham Waste Local Plan (CDWLP), both of which are now dated. The MWPAD covers the whole of the administrative area of County Durham and contains 24 policies including:

- (a) detailed minerals and waste development management policies;
- (b) specific policies for a number of economically important minerals not addressed by the strategic minerals policies of the CDP including lithium; and
- (c) four allocations for minerals and waste development.

The MWPAD has been prepared to be consistent with guidance in the:

- (a) National Planning Policy Framework (NPPF);
- (b) National Planning Policy for Waste (NPPW);
- (c) Planning Practice Guidance (PPG); and

(d) other relevant Government policies.

The MWPAD has also been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 whose provisions require a number of stages of consultation. Three consultation stages occurred in 2021 and 2022, prior to the MWPAD being submitted for examination in July 2023. Public hearings took place in September 2023 followed by further consultation on:

- (a) main modifications (MMs) to the MWPAD;
- (b) changes to the County Durham policies map; and
- (c) upon a Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) addendum in early 2024.

A statement of consultation was then prepared to assist the planning inspectors in preparing their inspector's report.

On 14 May 2024, the Planning Inspectorate provided the council with their report into the examination of the MWPAD for fact checking purposes and then this was formally published by the council alongside a notice under Regulation 25 of the Town and Country Planning (Local Planning) (England) Regulations 2012 on 24 May 2024. The inspector's report concluded that the MWPAD is sound and legally compliant subject to the inspector's MMs. On this basis the MWPAD can proceed to be adopted as part of the statutory development plan for County Durham.

This report recommends that the council, as local planning authority, adopts the MWPAD incorporating all modifications. On adoption of the MWPAD it will replace all remaining saved policies from the former CDMLP (December 2000) and CDWLP (April 2005). As soon as reasonably practical following adoption of the MWPAD, regulations require the council to make available:

- (a) the MWPAD;
- (b) an adoption statement;
- (c) the sustainability report; and
- (d) a SA/Strategic Environmental Assessment (SEA) post adoption statement.

Following adoption of the MWPAD, a person aggrieved by the plan, may under Section 113 of the Planning and Compulsory Purchase Act 2004, make an application to the High Court to challenge it. Such an application must be made within six weeks of adoption.

Decision

The Cabinet:

- (a) considered the contents of the inspector's report into the examination of the County Durham Minerals and Waste Policies and Allocations Document (MWPAD);
- (b) recommended that County Council adopt the Minerals and Waste Policies and Allocations Document, incorporating the main modifications (MMs) and other additional modifications;
- (c) subject to recommendation (b), recommend that the County Council approves the updating of the County Durham Plan (CDP) policies map tiles 22 and 29;
- (d) recommended the County Council authorise the making of any necessary minor textual, presentational or layout amendments to the County Durham Minerals and Waste Policies and Allocations Document (MWPAD); and
- (e) noted the content of the adoption statement prepared in accordance with Regulation 26 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

Helen Bradley
Director of Legal and Democratic Services
12 July 2024