



## **RECORD OF EXECUTIVE DECISIONS**

The following is a record of the decisions taken at the meeting of **CABINET** on **WEDNESDAY 7 MARCH 2012**.

The decisions will come into force and may be implemented from **19 March 2012** unless the Overview and Scrutiny Management Committee or its Committees object to any such decision and call it in.

### ***Street Naming and Numbering Policy***

#### ***Key Decision NS/17/12***

#### **Summary**

The Cabinet considered a report of the Corporate Director, Neighbourhood Services which sought endorsement of the draft policy covering Durham County Council's statutory duty for Street Naming and Numbering.

Decisions relating to street naming and numbering are controlled by Durham County Council. The purpose of this control is to ensure that any new street names and numbers are allocated logically to ensure, along with other issues, the effective delivery of mail and the location of addresses by the emergency services. Clear, unambiguous property addresses are therefore essential.

Anyone seeking an address change, or the creation of an address for a new property, must apply following the procedures outlined in the new policy.

Under the provision of Section 93 of the Local Government Act 2003, the Authority reserves the right to make an administrative charge for the provision of the service. In doing so, the income from charges must not exceed the cost of providing the service. Charging for this service commenced in April 2011 on a trial basis. The fees and charges applicable for street naming and numbering will be reviewed annually during Durham County Council's budget setting process.

#### **Decision**

The Cabinet endorsed the draft Street Naming and Numbering Policy along with associated fees and charges.

## **Stanley Town Centre Masterplan**

### **Key Decision R&ED/01/12**

#### **Summary**

The Cabinet considered a report of the Corporate Director, Regeneration and Economic Development that sought approval for the Stanley Town Centre Masterplan and to establish timescales for the delivery of the initial elements of the proposed regeneration programme. Subject to approval of the masterplan, approval was also sought to the principle of the use of Compulsory Purchase Powers to facilitate the completion of land acquisition needed to implement a consented development highlighted in the masterplan.

The Council is committed to improving the County's main towns and villages. A key first step is identifying how this can best be achieved and to this end a series of plans and frameworks are being drawn up to help facilitate this.

As one of the main priority towns in North Durham, Stanley presents significant opportunities for regeneration and improvement. In recent years there have been successful developments in the town while additional investment is planned including the Academy and a food retail scheme at the Clifford Centre.

It is apparent however that the town centre is underperforming and does not function as well as it could, and indeed should. There remains a pressing need to set out a clear plan for how the town should be developed and improved. The Masterplan is a mechanism to ensure new developments are successfully integrated into the town and give confidence for businesses to invest in Stanley. The plan will also help to maximise the potential of the numerous development opportunities.

The document provides a guide for regeneration and investment over the next 15 years, creating a vision for the town in terms of its distinctive role and identity within the County. The results from the consultations have been used alongside Sustainability Appraisal and a Baseline Report to inform the selection of the most appropriate suite of Proposed Actions to be taken forward in the Masterplan.

Committed investment by both public and private sector partners in support of the place shaping aspirations is detailed in the Delivery Plan section of the Masterplan. More fundamentally, whilst public sector expenditure is expected to be limited for the foreseeable future, its sensible use should seek to stimulate and work with the local property market to deliver the long term objectives of the framework.

One of the key issues in developing the Masterplan has been to ensure that the proposals contained within the plan are deliverable, particularly given current commercial markets and public sector funding constraints. One of the major development areas, identified within the Masterplan for significant private sector investment, is the redevelopment of the Clifford Road site. This site currently has planning consent for a major foodstore development and associated car parking, which is an investment of approximately £30 million and anticipated to create in excess of 400 jobs.

The developer for the scheme has progressed to an advanced stage with the site assembly associated with the project. However, after protracted negotiations, an impasse has been reached for the freehold acquisition of the remaining plots across the site, preventing the delivery of the Foodstore project.

In view of the central nature of the proposed development to the aims of the masterplan, the Council has been approached by the developer to consider the use of Compulsory Purchase powers to secure remaining land interests within the development site and allow the new development to come forward.

It is anticipated that the Clifford Road scheme will deliver a range of significant economic, social and environmental benefits to an area which is much in need of regeneration and improvement. Details of these benefits, the need and justification for the Compulsory Purchase Order (CPO), and the Council's purpose in seeking to acquire land for the scheme, would be required to be set out in detail in a 'Statement of reasons' for consideration before an order can be published.

Under the use of such powers if approved, there will be an opportunity for all affected parties to object to the Order, possibly culminating in a Public Inquiry. Should the Compulsory Purchase Order be confirmed by the Secretary of State, appropriate compensation will be available to those entitled to claim under the relevant statutory provisions.

## **Decision**

The Cabinet:-

- agreed to support the regeneration of Stanley, and approved the Stanley Town Centre Masterplan and its associated Delivery Plan.
- gave approval to develop further a Compulsory Purchase Order to complete land acquisition and facilitate development of the foodstore site at Clifford Road, Stanley, with a further detailed report to be presented detailing all relevant information required to prepare the order for submission to the Secretary of State.

## **School Admission Arrangements September 2013 and Beyond**

**Key Decision: CYP5/05/12**

### **Summary**

The Cabinet considered a report of the Corporate Director, Children and Young People's Services to consider the proposed admission arrangements for Community and Voluntary Controlled Schools for the 2013/14 academic year and beyond.

The Authority is required to consult widely about its admission arrangements for all Community and Voluntary Controlled Schools and ensure that the determined arrangements comply with the mandatory provisions of the

School Admissions Code. Failing to comply would mean that the Authority would fail to meet its statutory duty.

The Local Authority (LA) is the admission authority for Community and Voluntary Controlled Schools, while the governing body is the admission authority for Voluntary Aided and Foundation Schools and Academies. All admission authorities must publish admission arrangements, to include:

- the number of pupils to be admitted in each year group;
- application procedures;
- the criteria to be used in the event of over-subscription;
- any separate entry requirements and oversubscription criteria for Year 12 or nursery places; and
- information on waiting lists and how late applications will be handled.

There were only 7 responses received, one from a parent and 3 from head teachers with other types of respondents not known. Not all respondents answered each question. In response to the comments from the consultation, it is not possible to give siblings the highest priority in a school's oversubscription criteria as the School Admissions Code states this must be given to children who are 'looked after' or a child who was previously looked after but immediately after being looked after became subject to an adoption, residence, or special guardianship order. However, in recognition of the importance of siblings being placed together in the same school wherever possible, priority is afforded to them over some other applicants within the oversubscription criteria. In relation to post 16 priorities it is important that we seek to ensure that students attending 11-16 school have the opportunity to attend appropriate post 16 provision.

It is a statutory requirement that admission arrangements for 2013/2014 are determined by 15 April 2012 and published (public notice in local newspapers) not later than 1 May 2012.

Since the consultation a new Admissions Code applies to admission arrangements determined in 2012 for admission to the school year 2013/14. Some elements are mandatory and these have been incorporated into the Authority's admission arrangements as appropriate.

A risk assessment has been undertaken on the proposed Admission Arrangements for 2013/2014. There will be a breach of statutory duty imposed on the Authority if Admission Arrangements are not determined by 15 April 2012 and published by 1 May 2012. Any parents or others unhappy with the Council's arrangements may object to the Schools Adjudicator who can amend the Council's arrangements.

## **Decision**

The Cabinet agreed:

- a) That the proposed oversubscription criteria for each and every Community and Voluntary Controlled Nursery School and Unit, at Appendix 7 to the report, be approved.
- b) That the proposed oversubscription criteria for each and every Community and Voluntary Controlled Infant, Junior and Primary School, at Appendix 8 to the report, be approved.
- c) That the proposed oversubscription criteria for each and every Community and Voluntary Controlled Secondary School, Appendix 9 to the report, be approved.
- d) That the proposed oversubscription criteria for each and every Community and Voluntary Controlled Sixth Form, at Appendix 6 to the report, be approved.
- e) That the Co-ordinated Admission Schemes and Application Procedures Primary and Secondary, at Appendix 3 and 4 to the report, be approved.
- f) That the admission numbers (PANS), as recommended in Appendix 5 to the report, be approved.

## **Quarter 3 2011/12 Performance Management Report**

### **Summary**

The Cabinet considered a report of the Assistant Chief Executive that set out progress against the council's corporate basket of performance indicators (PIs) and reported other significant performance issues for the third quarter of 2011/12, and sought agreement to make changes to the Council Plan.

The report set out an overview of performance and progress by Altogether priority themes. The major impact on the council continues to be performance of the UK economy with it affecting a number of tracker and target indicators.

Some Council Plan actions need to be amended or deleted to reflect current circumstances.

The quarterly report has highlighted a number of performance issues which require further investigation or intervention.

### **Decision**

The Cabinet:

- a. Noted the performance of the council at quarter 3 and the actions to remedy under performance.

b. Agreed changes to the Council Plan as outlined below:

### **Altogether Wealthier**

- Implement walking and cycling provision based on the 2010 audit of facilities - December 2011 - Revised date April 2012
- Undertake a review of markets managed by or on behalf of the council - October 2011 - Revised date September 2012
- Business park at Hawthorn in Murton for B1, B2, B8 uses. Marketing site in collaboration with the Homes and Communities Agency – October 2011 - Revised date 2013

### **Altogether Greener**

- Develop biodiversity and landscape policies for the County Durham Plan and develop criteria based policies through subsequent development planning documents - December 2011 – Revised date December 2012
- Develop an Open Space Strategy to incorporate countryside play events, playing pitches, parks, allotments - December 2011- Revised date December 2012

### **Altogether Better Council**

- Produce a corporate accessibility strategy - December 2011 – Revised date March 2012
- Undertake a baseline assessment of comparative cost and performance of all council services – March 2012 - Revised date May 2012

## **Transfer of Public Health Functions to the Local Authority**

### **Summary**

The Cabinet considered a joint report of the Corporate Director, Adults, Wellbeing and Health, Corporate Director of Children and Young People's Services, and Director of Public Health, NHS County Durham that sought agreement on the public health transition arrangements which are included in the NHS County Durham and Darlington Public Health Transition Plan 2012-2013, and the date of transfer of public health functions to Durham County Council.

On 30th November 2010 the Department of Health published 'Healthy Lives, Healthy People: Our Strategy for Public Health in England'. This White Paper set out the Government's long-term vision for the future of public health in England.

'Healthy Lives, Healthy People: Update and Way Forward' was released on 14<sup>th</sup> July 2011 by the Department of Health. This document set out the progress which has been made in developing the Government's vision for public health. It states that subject to Parliament, upper tier and unitary local authorities will take on their new

public health responsibilities in April 2013, at which point they will also take responsibility for Directors of Public Health and their functions.

It also advises that upper tier Local Authorities will have a role across the three domains of public health, health improvement, health protection and health services. In addition to improving the health of the people in its area Local Authorities will also have new functions through regulations for taking steps to protect the health of the population in its area and to ensure NHS Commissioning receive the public health advice they need.

The Health and Social Care Bill was introduced to Parliament on 19<sup>th</sup> January 2011. The Bill is currently at Report Stage in the House of Lords. A report was provided to Cabinet on 25<sup>th</sup> January 2012 which provided an update on recent developments related to the transition of public health functions to Local Authorities from April 2013.

The process to transfer public health functions and reviewing the commissioned public health services is complex. This work is currently being led by NHS County Durham and Darlington.

The County Durham & Darlington Public Health Transition Steering Group has been established to lead the transfer of public health staff and public health functions to the two local authorities (Durham County Council and Darlington Borough Council) and also to Public Health England. The Steering Group includes senior managers from both Durham County Council and Darlington Borough Council and NHS County Durham & Darlington and is led by the Directors of Public Health, County Durham and Darlington. The Steering Group is supported by nine workstreams; all with representatives from Durham County Council, Darlington Borough Council, NHS County Durham & Darlington and others with the specialist skills and knowledge required to progress the transfer.

The County Durham and Darlington draft Public Health Transition Plan 2012-13, jointly developed by Durham County Council, Darlington Borough Council and NHS County Durham & Darlington identifies tasks which need to be undertaken and lead officers responsible for ensuring delivery and implementation by agreed timescales. Currently there are a number of actions within the Transition Plan which are yet to start. A project management approach has been adopted and each of the above workstreams will report progress against milestones to the NHS County Durham & Darlington Transition Steering Group. This is essential to ensure transition issues are progressed to enable DCC and DBC to deliver the new public health responsibilities from 1<sup>st</sup> April 2013.

Outline plans for the transfer of public health functions have been shared with the Shadow Health and Wellbeing Board on 15<sup>th</sup> December 2011. There are significant risks in transferring public health functions to local authorities, which will require careful and diligent resolution in order to achieve an effective transfer.

The next steps for continuing the work on the transitional arrangements to public health are:

- DCC NHS Transition Project Board continues to meet on a monthly basis in relation to the wider NHS Reforms including public health.

- Ongoing discussions will take place on a tripartite basis between NHS County Durham, Durham County Council and Darlington Borough Council.
- The County Durham Shadow Health and Wellbeing Board will receive the proposed model for public health commissioning in DCC in April 2012.
- The agreed Public Health Transition Plan for County Durham will be submitted to the Department of Health on 5<sup>th</sup> April 2012.
- A 'receiver' board established by Durham County Council will manage the transition of public health functions and workforce to DCC.
- Relevant Portfolio Holders will be kept up to date on transitional arrangements.

*Decision*

The Cabinet :-

- Accepted the transition planning project management arrangements set out in the report and embodied in the Public Health Transition Plan to be submitted to the Department of Health on 5<sup>th</sup> April 2012.
- Agreed that the transfer of public health functions from NHS County Durham (the PCT) to the Durham County Council will not take place until the 1<sup>st</sup> April 2013 due to the significant risks that an earlier transfer presents.
- Agreed that the approval of the final version of the Public Health Transition Plan is delegated to the Chief Executive of Durham County Council and the Corporate Director of Adults, Wellbeing & Health in consultation with the Portfolio Holder for Healthier Communities.
- Agreed to receive regular public health transition reports.

Colette Longbottom  
Head of Legal and Democratic Services  
9 March 2012