



RECORD OF EXECUTIVE DECISIONS

The following is a record of the decisions taken at the meeting of **CABINET** on **10 OCTOBER 2012**.

The decisions will come into force and may be implemented from **22 OCTOBER 2012** unless the Overview and Scrutiny Management Committee or its Committees object to any such decision and call it in.

Medium Term Financial Plan (3), Council Plan and Services Plans 2013/14 – 2016/17

Key Decision CORP/A/10/12/1

Summary

The Cabinet considered a joint report of the Corporate Director, Resources and Assistant Chief Executive on the development of the planning frameworks which will enable the Council to develop the 2013/14 Budget, the 2013/14 – 2016/17 Medium Term Financial Plan (MTFP) and Council Plan/Service Plans.

The report further sought approval for Corporate Directors to continue to utilise delegated powers where relevant to action savings plans to ensure financial targets were met.

At this stage in the process the following key areas were considered:-

- (i) 2013/14 Budget Planning and Changes since 11 July Cabinet Report.
- (ii) The Government's proposed Business Rate Retention Scheme and its impact on Durham.
- (iii) Development of 2013/14 – 2016/17 MTFP (3) Model.
- (iv) Development of Council Plan and Service Plans.
- (v) Equality Impact Assessments.
- (vi) Consultation Process.

The report further outlined the importance of early action against the above points to ensure that progress can be made in achieving savings to achieve the challenging targets set for 2013/14. Some of the savings options proposed by Service Groupings can be actioned under the officer delegation scheme by Corporate Directors in consultation with Portfolio Holders. In addition any process commenced will include consultation with staff and Trade Unions.

Decision

The Cabinet agreed:

- (a) to note the impact upon the estimated reduction in Government grant in 2013/14;
- (b) the reported position to the Business Rate Retention consultation;
- (c) the adjustments to the 2013/14 MTFP model which result in the achievement of a balanced budget position for 2013/14;
- (d) the broadly balanced budget position forecast at this stage for 2013/14;
- (e) to note the risks identified in relation to MTFP (3);
- (f) to note the £46m MTFP (3) Model shortfall for the period 2014/15 – 2016/17;
- (g) to note the updated position in relation to the development of council and service plans;
- (h) the updated position in relation to Equality Impact Assessments;
- (i) the outlined position in relation to consultation.
- (j) that Corporate Directors/Assistant Chief Executive review their operations and within the parameters of their delegations as contained in the constitution, devise proposals for savings (including where required: staffing reductions, restructures, implementation of review of charges, service reviews) in order to achieve the savings required. Having devised such proposals, consult upon them and take into account the outcomes of such consultation.

Corporate Peer Challenge

Summary

The Cabinet considered a report of the Assistant Chief Executive which provided details of the key findings of the recent peer challenge review along with identifying areas for future development.

The council agreed to request a peer challenge visit three years on from local government reorganisation in order to:-

- Measure progress since reorganisation in April 2009
- Report on progress to local residents and the Government
- Provide a useful external challenge to our vision and direction of travel
- Access learning and ideas from other areas.

In July 2012 the council were subject to the peer challenge by the LGA, which involved five days on site. The peer challenge process included some core elements common to all councils which focused on leadership and corporate capacity. In Durham, it was agreed that the focus would be upon:-

- The councils approach to community engagement and partnership working. Strong connections and engagement with local communities was a key priority for the new council and was a major feature of the LGR bid.
- Our strategic approach to economic development, reflecting the top priority placed on the Altogether Wealthier theme.

The full findings of the review were appended to the report and in summary had shown that overall the Council has had a successful first three years. The report

further identified potential development areas for the next stage of the council's improvement journey.

Most development areas were in line with the council's direction of travel, as outlined within the Council Plan 2012-16. Linked council plan priorities supporting key peer challenge findings were summarised within Appendix 3 of the report, alongside 5 new proposed high level actions.

Decision

The Cabinet agreed:

- (a) that the content of the peer challenged be noted.
- (b) the draft high level action plan, as set out in Appendix 3 of the report.

A167/B6300 Sunderland Bridge Junction Improvement

Summary

The Cabinet considered a report of the Corporate Director, Regeneration and Economic Development which sought authority to:

- (a) make a Compulsory Purchase Order under the provisions of sections 239 and 240 of the Highways Act 1980 and Acquisition of Land Act 1981 in order to acquire the land required for the construction of a new roundabout at the A167/B6300 Sunderland Bridge junction.
- (b) make a Side Roads Order under Section 14 of the Highways Act 1980 in order to stop up sections of the Highways cross or enter the new highway layout.

Within the Local Transport Plan 3 a selection of important Economic / Transport Corridors are identified on which the significant key junctions have been highlighted as requiring improvement. A number of these junctions suffer from congestion, affecting their economic performance and resulting in a lack of reliable and predictable journey times.

A scheme to improve the junction of the A167 and B6300 was ranked as second priority in the minor schemes review.

The current T-junction arrangement can cause delays accessing the B6300 from the north, and more significantly vehicles exiting from the B6300 south onto the A167.

Funding for the cost of scheme together with land costs of £1.75m has been secured and will be provided by the Durham County Council Corporate Capital Programme. The scheme was identified under the LTP3 Economic Transport Corridor theme.

In order to construct the revised junction several small areas of land will be required to form part of the new Highway together with a licence area which will form a compound and working area. Negotiations with the two adjacent landowners have unfortunately not proved to be successful thus far and therefore, it is necessary for the County Council to acquire the land using powers under the provisions of Highways Act 1980 and the Acquisition of Land Act 1981 and other enabling powers.

It will also be necessary to stop up existing sections of highway which enter or cross the route of the improved highway. Any changes which are brought about due to the small areas of stopping up will not affect negatively the use of the highway network.

Decision

The Cabinet agreed to use the Compulsory Purchase order powers for the purposes of acquiring the land shown on the plan for the roundabout at Sunderland Bridge, and that the Head of Legal Services be authorised to:-

- (a) Take all necessary steps to secure the making, confirmation and implementation of the Compulsory Purchase Order under the provisions of section 239 and 240 of the Highways Act 1980 and the Acquisition of Land Act 1981, including the publication and service of all notices and the presentation of the Council's case at any Public Inquiry.
- (b) Acquire interest in land and new rights within the compulsory purchase order either by agreement or compulsorily.
- (c) Approve agreements with land owners setting out the terms for the withdrawal of objections to the Order, including where appropriate seeking exclusion of land rights from the Order.
- (d) Confirm the order, if unopposed, when referred to the authority by the Department for Transport.
- (e) To take all necessary steps to secure the making confirmation and implementation of a Side Roads Order.

New Tenancy Strategy and Tenancy Policy for Durham County Council

Summary

The Cabinet considered a report of the Corporate Director Regeneration and Economic Development which sought approval and adoption of two new housing policy papers as follows:

- (a) The County Durham tenancy strategy.
- (b) The tenancy policy for Durham County Council's housing stock.

The tenancy strategy is an over-arching strategy that sets the framework within which all social housing providers (ie registered providers) in the County should be granting tenancies. The tenancy policy however is a policy which explains to tenants and applicants how Dale and Valley Homes, Durham City Homes and East Durham Homes grant tenancies on behalf of the County Council.

The Government has been aiming to make changes to the system of allocating social homes – with the stated intention of making it fairer. Their overriding policy objective is to establish a system where social landlords can establish a system where social landlords can use greater freedom and flexibilities to firstly, manage their stock efficiently and secondly, to meet the housing needs and aspirations of a greater proportion of their tenants and applicants.

The Localism Act 2011, in particular, introduced a range of reforms intended to reform social housing and authorities' waiting lists through allowing changes to eligibility; moving homelessness obligations to the private sector where appropriate and increasing rents to nearer market rents. It further enabled fixed term tenancies to be used as an alternative to secure or assured tenancies.

The Act further specifies that local authorities must prepare and publish a tenancy strategy by 15 January 2013.

Durham's proposed tenancy strategy gives housing providers room to be more flexible when issuing tenancies. So fixed term or 'flexible' tenancies can be used in limited circumstances if the provider thinks that is best.

The new strategy recognises, however, that it is not always appropriate to issue fixed term tenancies, so the council's own providers, Dale & Valley Homes, Durham City Homes and East Durham Homes will not be issuing this type of tenancy.

All housing providers who manage houses in the county have worked with the council to produce the draft strategy and been given the opportunity to comment.

Decision

The Cabinet agreed:

- (a) to adopt the tenancy strategy and tenancy policy;
- (b) to monitor and review compliance and applicability to the local housing market.

Colette Longbottom
Head of Legal and Democratic Services
12 October 2012