



Cabinet

Date **Wednesday 18 December 2013**
Time **9.30 am**
Venue **The Main Hall, Durham Town Hall, Market Place, Durham**

Public Question and Answer Session

9.30 a.m. to 10.00 a.m.

An opportunity for local people to have a 30 minute informal question and answer session with Cabinet Members.

Cabinet Business

10.00 a.m. onwards

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. Minutes of the meeting held on Wednesday 20 November 2013 (Pages 1 - 6)
2. Declarations of interest

Key Decisions:

3. Calculation of Council Tax Base 2014/15 - Report of Corporate Director, Resources [Key Decision: CORP/R/13/04] (Pages 7 - 20)
4. 2014/15 Budget, Medium Term Financial Plan(4) 2014/15 - 2016/17 and Service Plans - Joint Report of Corporate Director, Resources and Assistant Chief Executive [Key Decision: CORP/R/13/02] (Pages 21 - 32)
5. Draft Tree Management Policy - Joint Report of Corporate Director, Neighbourhood Services and Corporate Director, Regeneration and Economic Development [Key Decision: NS/25/13] (Pages 33 - 70)
6. Climate Change Strategy and Delivery Plan - Report of Corporate Director, Regeneration and Economic Development [Key Decision: R&ED/12/13] (Pages 71 - 98)

7. Proposals for the Development of Market Rent and Market Sale Housing in Durham - Joint Report of Corporate Director, Regeneration and Economic Development and Corporate Director, Resources [Key Decision: R&ED/18/13] (Pages 99 - 112)
8. Response to Secretary of State Consultation - Creation of a Combined Authority for the North East - Report of Corporate Director, Regeneration and Economic Development [Key Decision: R&ED/20/13] (Pages 113 - 152)
9. Review of Care Connect - Joint Report of Corporate Director, Regeneration and Economic Development and Corporate Director, Children and Adults Services [Key Decision: R&ED/23/13] (Pages 153 - 174)

Ordinary Decisions:

10. World War 1 Centenary Activity Programme - Report of Corporate Director, Neighbourhood Services (Pages 175 - 184)
11. Boundary Amendments and Character Appraisals for Gainford Conservation Area - Report of Corporate Director, Regeneration and Economic Development (Pages 185 - 208)
12. Such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration.
13. Any resolution relating to the exclusion of the public during the discussion of items containing exempt information.

Part B

Items during which it is considered the meeting will not be open to the public (consideration of exempt or confidential information).

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

Colette Longbottom
Head of Legal and Democratic Services

County Hall
Durham
10 December 2013

To: **The Members of the Cabinet**

Councillors S Henig and A Napier (Leader and Deputy Leader of the Council) together with Councillors J Brown, N Foster, L Howvells, O Johnson, M Nicholls, M Plews, B Stephens and E Tomlinson

Contact: Ros Layfield

Tel: 03000 269708

DURHAM COUNTY COUNCIL

At a Meeting of **Cabinet** held in Committee Room 2, County Hall, Durham on **Wednesday 20 November 2013 at 10.00 a.m.**

Present:

Councillor S Henig (Leader of the Council) in the Chair

Members of Cabinet:

Councillors N Foster, L Hovvels, O Johnson, A Napier, M Nicholls, M Plews, B Stephens and E Tomlinson

Apologies:

An apology for absence was received from Councillor J Brown

Other members:

Councillors J Armstrong, D Bell, J Chaplow, J Clare, M Dixon, J Gray, O Gunn, S Guy, I Jewell, C Kay, C Potts, J Shuttleworth, P Stradling and R Todd.

1 Minutes

The minutes of the meetings held on 9 and 30 October 2013 were confirmed as a correct record and signed by the Chairman.

2 Declarations of interest

Councillor E Tomlinson, declared an interest in item 7, due to his position as Chairman of North Pennines AONB.

**3 Proposal to change the age range of Sacriston Nursery and Infant School from 3-7 to 3-11 from 1 September 2014 to create a Primary School and to discontinue the use of Sacriston Junior School from 31 August 2014
Key Decision: CAS/05/13**

The Cabinet considered a report of the Corporate Director of Children and Adult Services which sought approval to change the age range of Sacriston Nursery and Infant School from 3-7 to 3-11 from 1 September 2014 to create a Primary School and to discontinue the use of Sacriston Junior School from 31 August 2014 (for copy see file of minutes).

Resolved:

That the recommendations contained in the report be approved.

- 4 Proposal to change the age range of Delves Lane Junior School from 7-11 to 3-11 from 1 April 2014 to create a Primary School and to discontinue the use of Delves Lane Infant School from 31 March 2014**
Key Decision: CAS/04/13

The Cabinet considered a report of the Corporate Director , Children and Adult Services which sought approval to change the age range at Delves Lane Junior School from 7-11 to 3 – 11 from 1 April 2014 to create a primary School and to discontinue the use of Delves Lane Infants School from 31 March 2014 (for copy see file of minutes).

Resolved:

That the recommendations contained in the report be approved.

- 5 Shildon Masterplan**
Key Decision: R&ED/01/13

The Cabinet considered a report of the Corporate Director Regeneration and Economic Development which provided a detailed programme of activity that would be undertaken in the Shildon town centre over the next 3-5 years to ensure future sustainability through investment and marketing of the town's key development opportunities.

The Masterplan also provided the strategic context for delivery and sought to establish key principles to co-ordinate and guide this activity (for copy see file of minutes).

Resolved:

That the recommendations contained in the report be approved.

- 6 Energy Reduction Proposals for Chilton: Creation of a Social Enterprise**
Key Decision: R&ED/04/13

The Cabinet considered a report of the Corporate Director Regeneration and Economic Development which advised of recent progress towards creating a social enterprise group in the Chilton community for the delivery of the Green Energy Fund, and sought agreement for the selection, administration and governance procedures of such a group (for copy see file of minutes).

Cabinet members congratulated all those who had been involved in setting up the group. Councillor C Potts, one of the local members who had been involved expressed her thanks and appreciation for the assistance provided.

Resolved:

That the recommendations contained in the report be approved.

7 Street Lighting Policy Review
Key Decision: NS/21/13

The Cabinet considered a report of the Corporate Director Neighbourhood Services which sought approval for adoption of a revised Street Lighting policy following consultation (for copy see file of minutes).

Councillor Shuttleworth sought clarification on why there is a general presumption that street lighting should not be provided in national parks, areas of outstanding national beauty, sites of scientific interest and other dark areas, and suggested that if implemented this may be detrimental to road safety and fear of crime. In responding Councillor Stephens advised that the policy details where street lighting would be provided, and in-line with national standards it should not be provided on rural roads in this zone due to light pollution and loss of amenity. It would still be provided if there was an overriding road safety issue which could not be overcome through other means, and lighting will not be removed from residential areas whether in urban or rural areas. He advised that there will be consultation with local members, and Town and Parish Councils on the removal of any street light.

Resolved:

That the recommendations contained in the report be approved.

8 County Durham Partnership Update

The Cabinet considered a report of the Assistant Chief Executive which provided an update on issues being addressed by the County Durham Partnership (CDP) including summaries from the Board, the five Thematic Partnerships and all Area Action Partnerships (AAPs). The report further included updates on other key initiatives being carried out in partnership across the County (for copy see file of Minutes).

Cabinet members commented upon the high level of public participation and success of the AAPs consultation events on the Council's MTFP. Members of the public were able to discuss council services and influence how the savings could be achieved. Although the events were ongoing, with the final ones in December, members thanked all those who had been involved.

Resolved:

That the report be noted.

9 Quarter 2 2013/14 Performance Management Report

The Cabinet considered a report of the Assistant Chief Executive which presented progress against the council's corporate basket of performance indicators (PIs) and reported other significant performance issues for the second quarter of 2013/14.

Resolved:

That the recommendations contained in the report be approved.

10 Update on the delivery of the Medium Term Financial Plan 3

The Cabinet considered a report of the Assistant Chief Executive which provided an update on the progress made at the end of September 2013 on the delivery of the 2013/14 to 2016/17 Medium Term Financial Plan (MTFP3) (for copy see file of minutes).

Resolved:

That the report be noted.

11 Review of Sustainable Community Strategy (SCS), Council Plan and Service Plans

The Cabinet considered a report of the Assistant Chief Executive which provided an update on the development of the Sustainable Community Strategy (SCS) and Council Plan and agreed the draft objectives and outcomes for each priority theme. The report also includes feedback from the County Durham Partnership (CDP) Away Day and Member seminars and next steps (for copy see file of minutes).

Resolved:

That the recommendations contained in the report be approved.

12 Mid-Year Report for the Period to 30 September 2013 on Treasury Management Service

The Cabinet considered a report of the Corporate Director Resources which provided a mid year treasury review, alongside a forward looking annual treasury strategy and backward looking performance, against the previous strategy (for copy see file of minutes).

Resolved:

That the recommendations contained in the report be approved.

13 Forecast of Revenue and Capital Outturn 2013/14 for General Fund and Housing Revenue Account

The Cabinet considered a report of the Corporate Director Resources which provided a forecast of 2013/14 revenue and capital outturn for the period to 30 September 2013 for the Council's General Fund and Housing Revenue Account (for copy see file of minutes).

Resolved:

That the recommendations contained in the report be approved.

14 Exclusion of the Public

Resolved:

That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A to the said Act.

15 Assistance Given Towards Strategic Companies in County Durham

The Cabinet considered a joint report of the Corporate Director Regeneration and Economic Development and Corporate Director, Resources relating to the Assistance Given Towards Strategic Companies in County Durham (for copy see file of minutes).

Resolved:

That the recommendations contained in the report be approved.

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Cabinet

18 December 2013

Calculation of Council Tax Base 2014/15



Key Decision : CORP/R/13/04

**Report of Corporate Management Team
Don McLure, Corporate Director Resources
Councillor Alan Napier, Portfolio Holder for Finance**

Purpose of the Report

- 1 To determine the Council's Council Tax Base for all domestic properties liable to pay council tax, which is an important component in the Council's budget setting process for 2014/15.

Background

- 2 Regulations made under the Local Government Finance Act 1992 (The Local Authorities (Calculation of Council Tax Base) Regulations 1992 (as amended)) require each billing authority to calculate its 'Council Tax Base' for each following financial year.
- 3 The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 (SI 2012:2914) provides amended statutory guidance to incorporate the changes as a result of the introduction of Local Council Tax Support Schemes (LCTSS's) from 1 April 2013.
- 4 The Council Tax Base is a measure of the County Council's 'taxable capacity', for the purpose of setting its Council Tax. Legislation requires the Council to set out the formula for that calculation and that the tax base is formally approved by Cabinet.
- 5 Section 84 of the Local Government Act 2003 enables authorities to set their Council Tax Base, other than by a decision of the full Council, therefore, allowing Cabinet to take the necessary decisions to determine the Council Tax Base for 2014/15.
- 6 Council on 4 December 2013 resolved to continue with the current Local Council Tax Support Scheme into 2014/15, which retains the same level of support to all council tax payers as the previous Council Tax Benefit Scheme, which was abolished on 1 April 2013.
- 7 The extension to the LCTSS is initially for one more year and the Scheme will be kept under continuous review with a further decision to be considered by Cabinet in September 2014 and Council by January 2015. There are no other discount changes impacting on the Tax Base for 2014/15.

Calculating the Tax Base 2014/15

- 8 Appendix 2 shows the number of dwellings in County Durham, allocated across the various Council Tax Bands. At 31 October 2013 there were 236,957 dwellings in County Durham.
- 9 Some of these properties are exempt from council tax (e.g. dwellings occupied solely by students), whilst in single person households only 75% of the tax is payable. Following decisions taken last year, empty properties no longer receive any discount, neither do second homes and long term empty properties (those empty for more than two years) attract a 50% premium.
- 10 The number of dwellings, therefore, needs to be adjusted to reflect these discounts and exemptions, giving a net property base (chargeable dwellings) for each Council Tax band. Council Tax for a Band A property is 6/9ths of the Band D council tax; Band B is 7/9ths and Band C is 8/9ths. Prior to consideration of the impact of the LCTSS, there are 209,962.6 chargeable properties in County Durham. 84.7% of these are within bands A to C, with 59.6% of all properties being in Band A. (By comparison, Surrey County Council has 424,939 chargeable properties with only 23% of these properties falling within bands A to C, and only 1.5% of all properties being in Band A).
- 11 The Council Tax levied varies between the different bands according to proportions laid down in legislation. These proportions are based around Band D, and are fixed so that the bill for a dwelling in Band A will be a third of the bill for a dwelling in Band H. Applying the relevant proportion to each band's net property base produces the number of 'Band D Equivalent' properties for the area. Prior to consideration of the impact of LCTSS, there are 164,273.2 Band D Equivalent properties in County Durham.
- 12 In determining the Council Tax Base for 2014/15, two further issues must be factored into the calculation:
 - Forecast reductions in the tax base as a result of the move to the LCTSS, which is a discount rather than a benefit payment - including a prudent 2% assumed increase in caseload / costs in 2014/15 over the 2013/14 year to date costs of the current LCTSS; and
 - Provision for non-collection
- 13 In 2013/14, the provision for non-collection was 1.5%, giving a forecast collection rate of 98.5% and based on actual collection performance, it is proposed to retain the same collection rate for 2014/15. In determining the tax base, no provision has been made for new build or other changes in the quantum of discounts and exemptions. This is a prudent approach.
- 14 Taking into account the forecast collection rate and factoring in the adjustments to the Band D Equivalent properties as a result of the LCTSS next year, the Band D Equivalent Tax Base will be 129,047.4 in 2014/15, which compares to the current 2013/14 tax base figure for the County of 128,205.0 – an increase of 842.4 (0.65%).
- 15 The council tax base for the County Council will be used by the Police and Crime Commissioner and the Durham and Darlington Fire and Rescue

Authority to set their council tax precepts for 2014/15, which will be included in the council tax bills sent to every council tax payer in the County.

- 16 The parish and town councils and the Charter Trust for the City of Durham, council tax bases are set out at Appendix 3 and will be used to calculate the parish and town councils and the Charter Trust for the City of Durham precepts in 2014/15. These will also be added to the council tax bills and sent to every council tax payer in the respective parish and town council areas and includes amendments to the ward boundaries affecting the Cassop-Cum-Quarrington and Shincliffe Parishes, as approved by Full Council on 4 December 2013.
- 17 The Council's formula grant payment includes an element relating to Town and Parish (T&P) Councils and whilst the Council has passed the grant on to the Town and Parish Councils in 2013/14, there is no statutory requirement to do so. Following discussions with Town and Parish Councils, Cabinet on 11 September 2013, resolved to continue to pass on the Town and Parish element of its formula grant in 2014/15 but in doing so apply pro-rata reductions in the Council Tax Support Grant paid to Town and Parish Councils from 2014/15 in line with reductions in the overall formula funding made available to the Council.
- 18 Appendix 4 summarises the financial impact on individual parish and town councils across the county and the Charter Trust for the City of Durham from the combined effects of the changes to tax base, and the distribution of LCTSS grant in 2014/15.
- 19 The LCTSS grant payable to individual Town and Parish Councils has been allocated proportionate to impact on tax raising capacity brought about by the LCTSS, which was agreed as the most appropriate method of distribution.
- 20 In overall terms the reduction in resource next year for the parish and town councils is circa £222,600 – of which £63,400 relates to the Government's withdrawal of the LCTSS transition grant payable in 2013/14 only.
- 21 To maintain spending at current levels, and assuming no efficiencies are achievable to offset these pressures, the average increase in town and parish precepts would be 2.24% in 2014/15.
- 22 Because the level of precepts and Band D Council Tax varies significantly across the various areas, the average actual £ increase varies considerably, ranging from a 1 pence to £5.89 per annum increase at Band A.

Next Steps

- 23 Police, Fire and local parish and town councils have been notified of their indicative Council Tax Bases. Subject to Cabinet consideration of this report, this will be confirmed. Town and Parish Councils have been requested to submit their precept requests by 31 January 2014 to enable these to be incorporated into the 2014/15 Budget and Council tax setting reports to Cabinet and Council in February 2014.

- 24 Officers will continue to carefully track and monitor the Council Tax Base and Collection Fund performance. The quarter 2 forecast of outturn report (based on the position to 30 September 2013) includes details of the Collection Fund performance. For budget setting purposes the Collection Fund is assumed to be balanced at 31 March 2014, i.e. no surplus or deficit on the Fund to be taken into account at Council Tax setting. The major precepting bodies (Police & Fire) have been notified of this.
- 25 In continuing with the current LCTSS next year, members have committed to a full review of the Scheme in early summer of 2014. This review will draw on experiences elsewhere and the impact of the wider welfare reforms in County Durham during 2013/14 and put forward options for consideration by Cabinet in September next year, with a view to consultation on any changes for 2015/16 being in the Autumn of 2014 and a report being presented to Cabinet on the outcome of the consultation in December 2014. The 2015/16 LCTSS scheme will need to be endorsed by Council before 31 January 2015.

Recommendation and reasons

- 26 It is recommended that Cabinet approves the Council Tax Base for the financial year 2014/15 for the County, which has been calculated to be 129,047.4 Band D equivalent properties.

Contact: Paul Darby, Head of Finance Tel : 03000 261 930

Background Papers

- Local Authorities (Calculation of Council Tax Base) Regulations 2012 (SI:2012:2914)
- Welfare Reform Act 2012.
- Welfare reform update and review of Local Council Tax Support Scheme – report to Cabinet 11 September 2013
- Local Council Tax Support Scheme 2014/15 – report to Council 4 December 2013

Appendix 1: Implications

Finance

Council on 4 December 2013 resolved to extend and continue the current Local Council Tax Support Scheme into 2014/15, which retains the same level of support to all council tax payers as the previous Council Tax Benefit Scheme, which was abolished on 1 April 2013.

The extension to the LCTSS is initially for one more year only and the Scheme will be kept under continuous review with a further decision to be considered by Cabinet in July / September 2014 and Council in January 2015. There are no other discount changes impacting on the Tax Base for 2014/15.

The Council will distribute £2.092m of its formula grant to the Town and Parish Councils and the Charter Trust for the City of Durham in 2014/15, reflecting the Town and Parish element of the LCTSS Grant (as reduced in line with Council formula grant reductions). The LCTSS Transition grant, £0.064m in 2013/14, drops out in 2014/15.

Factoring in the Tax Base figures contained in this report, the Council will be able to factor in additional Council tax revenues of c£1.080m into MTFP4 in 2014/15

Staffing

There are no staffing resource implications at this stage. The Revenues and Benefits service has been restructured during 2013/14 linked to the delivery of MTFP savings requirements in 2014/15 (£465,000). The impact of the LCTSS and the changes to discounts and exemptions, plus the Business Rate Retention scheme and the on-going impact of the wider Welfare Reforms has been factored into these considerations.

Risk

The key risks associated with this report are financial, in terms of prudence and accuracy of forecasts used to determine the Tax Base.

The Council's performance on recovery of Council Tax, both in year and the overall recovery rate needs careful monitoring. In 2013/14, the provision for non-collection was 1.5%, giving a forecast collection rate of 98.5% and it is proposed to retain the same collection rate for 2014/15.

The tax base forecasts include provision for a 2% increase in LCTSS costs and no provision has been made for new build or other changes in the quantum of discounts and exemptions. This is a prudent approach.

Officers will continue to carefully track and monitor the Council Tax Base and Collection Fund performance. The quarter 2 forecast of outturn report (based on the position to 30 September 2013) includes details of the Collection Fund performance. For budget setting purposes the Collection Fund is assumed to be balanced at 31 March 2014, i.e. no surplus or deficit on the Fund to be taken into account at Council Tax setting.

Equality and Diversity / Public Sector Equality Duty

None.

Accommodation

None

Crime and Disorder

None.

Human Rights

None

Consultation

Towns and Parish Councils were consulted on the proposals to continue to passport an element of the Councils formula grant, equivalent to the Town and Parish share of the Local Council Tax Support Scheme grant funding within formula grant for 2014/15.

No further consultation has been undertaken as Council resolved on 4 December 2013 to continue with the current Local Council Tax Support Scheme into 2014/15, thereby retaining the same level of support to all council tax payers as the previous Council Tax Benefit Scheme, which was abolished on 1 April 2013

Procurement

None

Disability Issues

See above.

Legal Implications

The Council has a statutory responsibility to set its council tax base for the purpose of levying council tax from its council tax payers in order to raise the required amount of council tax income to balance its 2014/15 revenue budget

There is a statutory requirement for the Council to adopt a local council tax support scheme by 31 January 2014 and Council agreed on 4 December to continue with the current LCTSS into 2014/15.

APPENDIX 3 - Durham County Council & Parish Council Tax Base 2014/15

Tax Base for Council Tax purposes 2013/14	Locality	Parish Area	Number of Dwellings on the Valuation Office List	Band D Equivalent Properties	Tax Base for Council Tax purposes 2014/15	Increase / (Decrease) in Tax Base from 2013/14
No.			No.	No.	No.	No.
1,693.1	Barnard Castle	Barnard Castle	2,684.0	1,718.9	1,693.1	0.0
80.4	Barnard Castle	Barningham	85.0	83.0	81.8	1.4
50.7	Barnard Castle	Boldron	51.0	49.0	48.3	(2.4)
162.7	Barnard Castle	Bowes	200.0	162.7	160.3	(2.4)
369.7	Barnard Castle	Cockfield	791.0	384.5	378.7	9.0
246.9	Barnard Castle	Cotherstone	280.0	251.3	247.5	0.6
180.4	Barnard Castle	Eggleston	212.0	183.1	180.4	0.0
630.4	Barnard Castle	Etherley	984.0	649.3	639.6	9.2
630.1	Barnard Castle	Evenwood and Barony	1,238.0	644.1	634.4	4.3
54.9	Barnard Castle	Forest and Frith	82.0	59.6	58.7	3.8
474.2	Barnard Castle	Gainford & Langton	618.0	480.7	473.5	(0.7)
179.2	Barnard Castle	Hamsterley	199.0	182.2	179.5	0.3
46.5	Barnard Castle	Hutton Magna	49.0	47.1	46.4	(0.1)
178.6	Barnard Castle	Ingleton	207.0	183.0	180.3	1.7
57.8	Barnard Castle	Lartington	60.0	62.2	61.3	3.5
41.8	Barnard Castle	Lunedale	44.0	42.7	42.1	0.3
383.1	Barnard Castle	Lynesack and Softley	593.0	387.3	381.5	(1.6)
189.9	Barnard Castle	Marwood	241.0	194.5	191.6	1.7
168.3	Barnard Castle	Mickleton	217.0	171.1	168.5	0.2
453.9	Barnard Castle	Middleton in Teesdale & Newbiggin in Teesdale	704.0	455.6	448.8	(5.1)
66.1	Barnard Castle	Ovington	68.0	68.0	67.0	0.9
68.1	Barnard Castle	Rokerby, Brignall and Egglestone Abbey	76.0	67.6	66.6	(1.5)
87.2	Barnard Castle	Romaldkirk	94.0	87.3	86.0	(1.2)
75.5	Barnard Castle	South Bedburn	75.0	77.2	76.0	0.5
431.0	Barnard Castle	Staindrop	606.0	440.7	434.1	3.1
341.1	Barnard Castle	Startforth	413.0	347.5	342.3	1.2
151.7	Barnard Castle	Streatlam & Stainton	214.0	154.8	152.5	0.8
401.0	Barnard Castle	Unparished Areas	402.0	401.3	395.3	(5.7)
105.3	Barnard Castle	Whorlton & Westwick	119.0	107.4	105.8	0.5
190.4	Barnard Castle	Winston	213.0	198.2	195.2	4.8
76.9	Barnard Castle	Woodland	121.0	75.9	74.8	(2.1)
567.0	Chester-le-Street	Bournmoor	919.0	582.4	573.7	6.7
136.3	Chester-le-Street	Edmondsley	275.0	139.5	137.4	1.1
1,010.3	Chester-le-Street	Great Lumley	1,653.0	1,028.5	1,013.1	2.8
413.6	Chester-le-Street	Kimbleworth and Plawsworth	736.0	421.7	415.4	1.8
472.9	Chester-le-Street	Little Lumley	711.0	470.9	463.8	(9.1)
900.9	Chester-le-Street	North Lodge	1,001.0	913.8	900.1	(0.8)
800.0	Chester-le-Street	Ouston	1,267.0	820.9	808.6	8.6
1,365.5	Chester-le-Street	Pelton	2,952.0	1,395.3	1,374.4	8.9
1,194.8	Chester-le-Street	Sacriston	2,414.0	1,252.2	1,233.4	38.6
5,328.9	Chester-le-Street	Unparished Areas	9,706.0	5,495.2	5,412.8	83.9
1,025.8	Chester-le-Street	Urpeth	1,558.0	1,041.0	1,025.4	(0.4)
1,441.1	Chester-le-Street	Waldrige	1,759.0	1,473.6	1,451.5	10.4
3,884.6	Crook	Bishop Auckland	7,834.0	3,979.9	3,920.2	35.6
650.4	Crook	Dene Valley	1,309.0	698.2	687.7	37.3
1,635.5	Crook	Greater Willington	3,322.0	1,666.4	1,641.4	5.9
1,531.7	Crook	Stanhope	2,391.0	1,535.4	1,512.4	(19.3)
425.4	Crook	Tow Law	1,014.0	438.7	432.1	6.7
6,619.3	Crook	Unparished Areas	12,632.0	6,787.4	6,685.6	66.3
561.8	Crook	West Auckland	1,238.0	570.1	561.5	(0.3)
284.1	Crook	Witton le Wear	325.0	288.8	284.5	0.4
925.6	Crook	Wolsingham	1,293.0	940.3	926.2	0.6
514.6	Durham	Bearpark	992.0	527.3	519.4	4.8
2,786.9	Durham	Belmont	4,146.0	2,812.9	2,770.7	(16.2)
209.2	Durham	Brancepeth	188.0	220.0	216.7	7.5
4,509.9	Durham	Brandon & Byshottles	8,845.0	4,579.1	4,510.4	0.5
1,317.0	Durham	Cassop-cum-Quarrington Hill	2,592.0	1,370.7	1,350.2	33.2
1,162.6	Durham	Coxhoe	1,959.0	1,210.7	1,192.5	29.9
300.5	Durham	Croxdale & Hett	472.0	291.1	286.7	(13.8)
1,605.6	Durham	Framwellgate Moor	2,467.0	1,652.5	1,627.7	22.1
303.0	Durham	Kelloe	687.0	311.8	307.1	4.1
457.9	Durham	Pittington	677.0	465.0	458.0	0.1
525.0	Durham	Shadforth	1,002.0	538.9	530.8	5.8
827.0	Durham	Sherburn	1,474.0	833.0	820.5	(6.5)
713.3	Durham	Shincliffe	705.0	728.6	717.6	4.3
7,240.8	Durham	Unparished Areas	11,888.0	7,250.4	7,141.6	(99.2)
665.7	Durham	West Rainton	1,143.0	669.4	659.4	(6.3)
715.0	Durham	Witton Gilbert	1,208.0	728.9	718.0	3.0

Tax Base for Council Tax purposes 2013/14	Locality	Parish Area	Number of Dwellings on the Valuation Office List	Band D Equivalent Properties	Tax Base for Council Tax purposes 2014/15	Increase / (Decrease) in Tax Base from 2013/14
No.			No.	No.	No.	No.
303.8	Easington	Castle Eden	276.0	302.1	297.6	(6.2)
476.8	Easington	Dalton-le-Dale	676.0	481.9	474.7	(2.1)
1,076.2	Easington	Easington Colliery	2,499.0	1,102.8	1,086.3	10.1
669.8	Easington	Easington Village	1,016.0	692.0	681.6	11.8
444.6	Easington	Haswell	888.0	442.8	436.2	(8.4)
202.4	Easington	Hawthorn	228.0	206.0	202.9	0.5
1,533.7	Easington	Horde	3,944.0	1,555.7	1,532.4	(1.3)
406.6	Easington	Hutton Henry	731.0	401.3	395.3	(11.3)
1,347.7	Easington	Monk Hesleden	2,871.0	1,365.0	1,344.5	(3.2)
1,644.9	Easington	Murton	3,538.0	1,695.9	1,670.5	25.6
4,160.4	Easington	Peterlee	9,032.0	4,221.2	4,157.9	(2.5)
4,312.0	Easington	Seaham	9,154.0	4,447.7	4,381.0	69.0
404.6	Easington	Seaton with Slingley	535.0	408.4	402.3	(2.3)
880.8	Easington	Shotton	2,030.0	892.6	879.2	(1.6)
661.5	Easington	South Hetton	1,332.0	672.2	662.1	0.6
556.8	Easington	Thornley	1,177.0	582.5	573.8	17.0
327.9	Easington	Trimdon Foundry	692.0	343.7	338.5	10.6
53.6	Easington	Unparished Areas	54.0	56.4	55.6	2.0
592.5	Easington	Wheatley Hill	1,431.0	599.5	590.5	(2.0)
972.5	Easington	Wingate	1,849.0	986.0	971.2	(1.3)
399.4	Spennymoor	Bishop Middleham	581.0	407.5	401.4	2.0
56.8	Spennymoor	Bradbury	55.0	60.2	59.3	2.5
837.2	Spennymoor	Chilton	1,845.0	859.1	846.2	9.0
586.5	Spennymoor	Cornforth	1,337.0	600.8	591.8	5.3
82.1	Spennymoor	Eldon	208.0	81.3	80.1	(2.0)
2,202.2	Spennymoor	Ferryhill	5,060.0	2,210.5	2,177.3	(24.9)
613.8	Spennymoor	Fishburn	1,186.0	628.8	619.4	5.6
6,230.4	Spennymoor	Great Aycliffe	11,833.0	6,390.1	6,294.2	63.8
115.9	Spennymoor	Middridge	152.0	116.9	115.1	(0.8)
110.4	Spennymoor	Mordon	109.0	115.6	113.9	3.5
1,821.5	Spennymoor	Sedgefield Town Council	2,321.0	1,841.5	1,813.9	(7.6)
1,973.5	Spennymoor	Shildon	4,969.0	2,009.1	1,979.0	5.5
5,018.5	Spennymoor	Spennymoor Town Council	9,539.0	5,227.4	5,149.0	130.5
1,024.6	Spennymoor	Trimdon	2,188.0	1,069.9	1,053.9	29.3
110.4	Spennymoor	Windlestone	115.0	108.8	107.2	(3.2)
373.6	Stanley	Burnhope	745.0	385.4	379.6	6.0
243.1	Stanley	Cornsay	500.0	246.1	242.4	(0.7)
1,305.5	Stanley	Esh	2,296.0	1,326.2	1,306.3	0.8
83.0	Stanley	Greencroft	88.0	82.6	81.4	(1.6)
486.6	Stanley	Healeyfield	714.0	503.1	495.6	9.0
54.4	Stanley	Hedleyhope	84.0	56.8	55.9	1.5
1,413.7	Stanley	Lanchester	1,926.0	1,433.1	1,411.6	(2.1)
42.5	Stanley	Muggleswick	56.0	43.3	42.7	0.2
117.0	Stanley	Satley	131.0	119.6	117.8	0.8
6,993.8	Stanley	Stanley	15,573.0	7,213.3	7,105.1	111.3
11,583.0	Stanley	Unparished Areas	20,699.0	11,870.9	11,692.8	109.8
128,205.0			236,957.0	131,011.9	129,047.4	842.5
23,854.0	Durham	Chartered Trust	40,445.0	24,190.3	23,827.3	(26.7)

APPENDIX 4 - Impact on Parish & Town Councils & The Chartered Trust for the City of Durham 2014/15										
Locality	Parish Area	Increase / (Decrease) in Council Tax Base Band D Equivalent in 2014/15 -	Band D Council Tax 2013-14	Increase / (Loss) of Tax Raising Capacity	Parish element of LCTSS Grant 2013/14	Parish element of LCTSS Grant 2014/15	Net Position After Distribution of LCTSS Grant	Increase / (Decrease) in Band D Council Tax Required to retain current Precept	Increase / (Decrease) in Band D Council Tax Required to retain current Precept	Additional Council Tax Amount payable at Band A to retain current Precept
		No.	£	£	£	£	£	%	£	£
Barnard Castle	Barnard Castle Town Council	0.0	87.29	0.00	(16,467.00)	14,881.00	(1,586.00)	1.07%	0.94	0.62
Barnard Castle	Barningham Parish Council	1.4	7.46	10.44	(2.00)	0.00	8.44	-1.41%	-0.10	(0.07)
Barnard Castle	Boldron Parish Council	(2.4)	7.40	(17.76)	(11.00)	26.00	(2.76)	0.74%	0.06	0.04
Barnard Castle	Bowes Parish Council	(2.4)	21.86	(52.46)	0.00	47.00	(5.46)	0.15%	0.03	0.02
Barnard Castle	Cockfield Parish Council	9.0	39.86	358.74	(4,417.00)	3,667.00	(391.26)	2.66%	1.03	0.69
Barnard Castle	Cotherstone Parish Council	0.6	23.78	14.27	(228.00)	193.00	(20.73)	0.35%	0.08	0.06
Barnard Castle	Eggleston Parish Council	0.0	33.26	0.00	(161.00)	145.00	(16.00)	0.27%	0.09	0.06
Barnard Castle	Etherly Parish Council	9.2	29.64	272.69	(2,071.00)	1,625.00	(173.31)	0.93%	0.27	0.18
Barnard Castle	Evenwood and Barony Parish Council	4.3	27.29	117.35	(3,121.00)	2,714.00	(289.65)	1.68%	0.46	0.30
Barnard Castle	Forest and Frith Parish Council	3.8	-	0.00	(74.00)	67.00	(7.00)	0.00%	0.12	0.08
Barnard Castle	Gainford & Langton Parish Council	(0.7)	77.22	(54.05)	(1,390.00)	1,305.00	(139.05)	0.38%	0.29	0.20
Barnard Castle	Hamsterley Parish Council	0.3	15.35	4.61	(88.00)	75.00	(8.39)	0.31%	0.05	0.03
Barnard Castle	Hutton Magna Parish Council	(0.1)	10.15	(1.02)	(28.00)	26.00	(3.02)	0.64%	0.07	0.04
Barnard Castle	Ingleton Parish Council	1.7	24.93	42.38	(230.00)	170.00	(17.62)	0.40%	0.10	0.07
Barnard Castle	Lartington Parish Council	3.5	14.36	50.26	(44.00)	0.00	6.26	-0.75%	-0.10	(0.07)
Barnard Castle	Lunedale Parish Council	0.3	4.78	1.43	0.00	0.00	1.43	-0.72%	-0.03	(0.02)
Barnard Castle	Lynesack and Softley Parish Council	(1.6)	21.13	(33.81)	(706.00)	669.00	(70.81)	0.87%	0.19	0.12
Barnard Castle	Marwood Parish Council	1.7	8.16	13.87	(46.00)	29.00	(3.13)	0.20%	0.02	0.01
Barnard Castle	Mickleton Parish Council	0.2	23.26	4.65	(85.00)	73.00	(7.35)	0.19%	0.04	0.03
Barnard Castle	Middleton in Teesdale & Newbiggin in Teesdale Parish Council	(5.1)	25.25	(128.77)	(947.00)	972.00	(103.77)	0.91%	0.23	0.15
Barnard Castle	Ovington Parish Council	0.9	16.40	14.76	(60.00)	41.00	(4.24)	0.39%	0.06	0.04
Barnard Castle	Rokerby, Brignall and Egglestone Abbey Parish Council	(1.5)	19.82	(29.73)	0.00	27.00	(2.73)	0.20%	0.04	0.03
Barnard Castle	Romaldkirk Parish Council	(1.2)	22.65	(27.18)	(25.00)	47.00	(5.18)	0.26%	0.06	0.04
Barnard Castle	South Bedburn Parish Council	0.5	9.93	4.97	(11.00)	5.00	(1.04)	0.14%	0.01	0.01
Barnard Castle	Staindrop Parish Council	3.1	28.01	86.83	(1,333.00)	1,126.00	(120.17)	1.00%	0.28	0.18
Barnard Castle	Startforth Parish Council	1.2	18.21	21.85	(288.00)	241.00	(25.15)	0.40%	0.07	0.05
Barnard Castle	Streatlam & Stainton Parish Council	0.8	21.09	16.87	(163.00)	132.00	(14.13)	0.44%	0.09	0.06
Barnard Castle	Whorlton & Westwick Parish Council	0.5	31.34	15.67	(120.00)	94.00	(10.33)	0.31%	0.10	0.07
Barnard Castle	Winston Parish Council	4.8	20.75	99.60	(106.00)	6.00	(0.40)	0.01%	0.00	0.00
Barnard Castle	Woodland Parish Council	(2.1)	15.99	(33.58)	(115.00)	134.00	(14.58)	1.19%	0.19	0.13

Locality	Parish Area	Increase / (Decrease) in Council Tax Base Band D Equivalent in 2014/15 -	Band D Council Tax 2013-14	Increase / (Loss) of Tax Raising Capacity	Parish element of LCTSS Grant 2013/14	Parish element of LCTSS Grant 2014/15	Net Position After Distribution of LCTSS Grant	Increase / (Decrease) in Band D Council Tax Required to retain current Precept	Increase / (Decrease) in Band D Council Tax Required to retain current Precept	Additional Council Tax Amount payable at Band A to retain current Precept
		No.	£	£	£	£	£	%	£	£
Chester-le-Street	Bournmoor Parish Council	6.7	19.14	128.24	(1,847.00)	1,553.00	(165.76)	1.53%	0.29	0.19
Chester-le-Street	Edmondsley Parish Council	1.1	35.64	39.20	(1,379.00)	1,211.00	(128.80)	2.65%	0.94	0.62
Chester-le-Street	Great Lumley Parish Council	2.8	17.10	47.88	(2,728.00)	2,422.00	(258.12)	1.49%	0.25	0.17
Chester-le-Street	Kimbleworth and Plawsworth Parish Council	1.8	18.59	33.46	(1,358.00)	1,197.00	(127.54)	1.66%	0.31	0.20
Chester-le-Street	Little Lumley Parish Council	(9.1)	12.69	(115.48)	(654.00)	695.00	(74.48)	1.24%	0.16	0.11
Chester-le-Street	North Lodge Parish Council	(0.8)	18.97	(15.18)	(693.00)	640.00	(68.18)	0.40%	0.08	0.05
Chester-le-Street	Ouston Parish Council	8.6	25.00	215.00	(2,023.00)	1,634.00	(174.00)	0.87%	0.22	0.14
Chester-le-Street	Pelton Parish Council	8.9	80.22	713.96	(23,274.00)	20,387.00	(2,173.04)	1.98%	1.58	1.05
Chester-le-Street	Sacriston Parish Council	38.6	40.82	1,575.65	(9,426.00)	7,094.00	(756.35)	1.55%	0.61	0.41
Chester-le-Street	Urpeth Parish Council	(0.4)	28.27	(11.31)	(2,299.00)	2,088.00	(222.31)	0.77%	0.22	0.14
Chester-le-Street	Waldridge Parish Council	10.4	20.82	216.53	(695.00)	432.00	(46.47)	0.15%	0.03	0.02
Crook	Bishop Auckland Town Council	35.6	28.59	1,017.80	(23,969.00)	20,740.00	(2,211.20)	1.99%	0.56	0.38
Crook	Dene Valley Parish Council	37.3	16.38	610.97	(1,854.00)	1,123.00	(120.03)	1.13%	0.17	0.12
Crook	Greater Willington Town Council	5.9	40.02	236.12	(12,357.00)	10,953.00	(1,167.88)	1.78%	0.71	0.47
Crook	Stanhope Parish Council	(19.3)	18.09	(349.14)	(2,878.00)	2,916.00	(311.14)	1.12%	0.21	0.14
Crook	Tow Law Town Council	6.7	58.92	394.76	(7,504.00)	6,424.00	(685.24)	2.73%	1.59	1.06
Crook	West Auckland Parish Council	(0.3)	28.48	(8.54)	(5,094.00)	4,611.00	(491.54)	3.07%	0.88	0.58
Crook	Witton le Wear Parish Council	0.4	19.04	7.62	(139.00)	119.00	(12.38)	0.23%	0.04	0.03
Crook	Wolsingham Parish Council	0.6	26.87	16.12	(2,467.00)	2,215.00	(235.88)	0.95%	0.25	0.17
Durham	Bearpark Parish Council	4.8	22.54	108.19	(2,267.00)	1,951.00	(207.81)	1.79%	0.40	0.27
Durham	Belmont Parish Council	(16.2)	24.76	(401.11)	(4,923.00)	4,811.00	(513.11)	0.74%	0.19	0.12
Durham	Brancepeth Parish Council	7.5	42.91	321.83	(101.00)	0.00	220.83	-2.46%	(1.02)	(0.68)
Durham	Brandon & Byshottles Parish Council	0.5	29.93	14.97	(24,498.00)	22,124.00	(2,359.04)	1.75%	0.52	0.35
Durham	Cassop-cum-Quarrington Hill Parish Council	33.2	15.43	512.28	(4,104.00)	3,246.00	(345.72)	1.70%	0.26	0.17
Durham	Coxhoe Parish Council	29.9	58.44	1,747.36	(6,788.00)	4,555.00	(485.64)	0.71%	0.41	0.27
Durham	Croxdale & Hett Parish Council	(13.8)	33.28	(459.26)	(856.00)	1,189.00	(126.26)	1.26%	0.44	0.29
Durham	Framwellgate Moor Parish Council	22.1	24.98	552.06	(2,014.00)	1,321.00	(140.94)	0.35%	0.09	0.06
Durham	Kelloe Parish Council	4.1	30.21	123.86	(2,545.00)	2,188.00	(233.14)	2.55%	0.76	0.51
Durham	Pittington Parish Council	0.1	33.85	3.39	(1,006.00)	906.00	(96.61)	0.62%	0.21	0.14
Durham	Shadforth Parish Council	5.8	22.06	127.95	(2,421.00)	2,072.00	(221.05)	1.91%	0.42	0.28
Durham	Sherburn Village Parish Council	(6.5)	24.54	(159.51)	(3,848.00)	3,621.00	(386.51)	1.90%	0.47	0.31
Durham	Shincliffe Parish Council	4.3	19.68	84.62	(73.00)	0.00	11.62	-0.08%	(0.02)	(0.01)
Durham	West Rainton Parish Council	(6.3)	37.55	(236.57)	(3,603.00)	3,470.00	(369.57)	1.48%	0.56	0.37
Durham	Witton Gilbert Parish Council	3.0	37.14	111.42	(2,945.00)	2,561.00	(272.58)	1.03%	0.38	0.25

Locality	Parish Area	Increase / (Decrease) in Council Tax Base Band D Equivalent in 2014/15 -	Band D Council Tax 2013-14	Increase / (Loss) of Tax Raising Capacity	Parish element of LCTSS Grant 2013/14	Parish element of LCTSS Grant 2014/15	Net Position After Distribution of LCTSS Grant	Increase / (Decrease) in Band D Council Tax Required to retain current Precept	Increase / (Decrease) in Band D Council Tax Required to retain current Precept	Additional Council Tax Amount payable at Band A to retain current Precept
		No.	£	£	£	£	£	%	£	£
Easington	Castle Eden Parish Council	(6.2)	26.33	(163.25)	(107.00)	244.00	(26.25)	0.33%	0.09	0.06
Easington	Dalton-le-Dale Parish Council	(2.1)	25.51	(53.57)	(935.00)	893.00	(95.57)	0.79%	0.20	0.13
Easington	Easington Colliery Parish Council	10.1	225.65	2,279.06	(69,743.00)	60,964.00	(6,499.94)	2.68%	5.98	3.99
Easington	Easington Village Parish Council	11.8	152.56	1,800.21	(8,923.00)	6,437.00	(685.79)	0.67%	1.01	0.67
Easington	Haswell Parish Council	(8.4)	132.87	(1,116.11)	(13,449.00)	13,162.00	(1,403.11)	2.38%	3.22	2.14
Easington	Hawthorn Parish Council	0.5	31.13	15.57	(110.00)	85.00	(9.44)	0.15%	0.05	0.03
Easington	Horden Parish Council	(1.3)	236.79	(307.83)	(130,639.00)	118,331.00	(12,615.83)	3.47%	8.23	5.49
Easington	Hutton Henry Parish Council	(11.3)	98.20	(1,109.66)	(6,423.00)	6,807.00	(725.66)	1.82%	1.84	1.22
Easington	Monk Hesleden Parish Council	(3.2)	158.05	(505.76)	(51,376.00)	46,883.00	(4,998.76)	2.35%	3.72	2.48
Easington	Murton Parish Council	25.6	158.06	4,046.34	(59,602.00)	50,203.00	(5,352.66)	2.06%	3.20	2.14
Easington	Peterlee Town Council	(2.5)	263.70	(659.25)	(338,498.00)	306,481.00	(32,676.25)	2.98%	7.86	5.24
Easington	Seaham Town Council	69.0	198.84	13,719.96	(218,611.00)	185,151.00	(19,740.04)	2.30%	4.51	3.00
Easington	Seaton with Slingley Parish Council	(2.3)	28.63	(65.85)	(603.00)	604.00	(64.85)	0.56%	0.16	0.11
Easington	Shotton Parish Council	(1.6)	91.21	(145.94)	(25,659.00)	23,319.00	(2,485.94)	3.09%	2.83	1.89
Easington	South Hetton Parish Council	0.6	124.32	74.59	(17,264.00)	15,533.00	(1,656.41)	2.01%	2.50	1.67
Easington	Thornley Parish Council	17.0	193.12	3,283.04	(24,948.00)	19,578.00	(2,086.96)	1.94%	3.64	2.42
Easington	Trimdon Foundry Parish Council	10.6	165.71	1,756.53	(14,106.00)	11,160.00	(1,189.47)	2.19%	3.51	2.34
Easington	Wheatley Hill Parish Council	(2.0)	152.96	(305.92)	(35,747.00)	32,579.00	(3,473.92)	3.83%	5.88	3.92
Easington	Wingate Parish Council	(1.3)	136.76	(177.79)	(22,253.00)	20,270.00	(2,160.79)	1.62%	2.22	1.48

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		No.	£	£	£	£	£	%	£	£
Spennymoor	Bishop Middleham Parish Council	2.0	117.28	234.56	(4,037.00)	3,436.00	(366.44)	0.78%	0.91	0.61
Spennymoor	Bradbury and The Isles Parish Council	2.5	23.35	58.38	(2.00)	0.00	56.38	-4.25%	(0.95)	(0.63)
Spennymoor	Chilton Town Council	9.0	184.71	1,662.39	(43,555.00)	37,857.00	(4,035.61)	2.61%	4.77	3.18
Spennymoor	Cornforth Parish Council	5.3	134.68	713.80	(20,898.00)	18,240.00	(1,944.20)	2.46%	3.29	2.19
Spennymoor	Eldon Parish Council	(2.0)	102.33	(204.66)	(3,249.00)	3,121.00	(332.66)	3.96%	4.15	2.77
Spennymoor	Ferryhill Town Council	(24.9)	204.30	(5,087.07)	(147,849.00)	138,202.00	(14,734.07)	3.27%	6.77	4.51
Spennymoor	Fishburn Parish Council	5.6	105.45	590.52	(11,985.00)	10,297.00	(1,097.48)	1.70%	1.77	1.18
Spennymoor	Great Aycliffe Town Council	63.8	204.10	13,021.58	(296,146.00)	255,847.00	(27,277.42)	2.15%	4.33	2.89
Spennymoor	Middridge Parish Council	(0.8)	52.91	(42.33)	(498.00)	488.00	(52.33)	0.85%	0.45	0.30
Spennymoor	Mordon Parish Council	3.5	17.37	60.80	0.00	0.00	60.80	-3.17%	(0.53)	(0.36)
Spennymoor	Sedgefield Town Council	(7.6)	127.60	(969.76)	(14,459.00)	13,942.00	(1,486.76)	0.64%	0.82	0.55
Spennymoor	Shildon Town Council	5.5	240.47	1,322.59	(182,715.00)	163,916.00	(17,476.42)	3.68%	8.83	5.89
Spennymoor	Spennymoor Town Council	130.5	199.29	26,007.35	(196,922.00)	154,448.00	(16,466.66)	1.65%	3.20	2.13
Spennymoor	Trimdon Parish Council	29.3	139.59	4,089.99	(31,708.00)	24,957.00	(2,661.01)	1.86%	2.52	1.68
Spennymoor	Windlestone Parish Council	(3.2)	19.02	(60.86)	0.00	55.00	(5.86)	0.28%	0.05	0.04
Stanley	Burnhope Parish Council	6.0	12.98	77.88	(1,020.00)	851.00	(91.12)	1.88%	0.24	0.16
Stanley	Cornsay Parish Council	(0.7)	47.31	(33.12)	(2,655.00)	2,429.00	(259.12)	2.25%	1.07	0.71
Stanley	Esh Parish Council	0.8	52.93	42.34	(8,481.00)	7,626.00	(812.66)	1.18%	0.62	0.41
Stanley	Greencroft Parish Council	(1.6)	36.72	(58.75)	(32.00)	82.00	(8.75)	0.29%	0.11	0.07
Stanley	Healeyfield Parish Council	9.0	17.24	155.16	(735.00)	524.00	(55.84)	0.67%	0.11	0.08
Stanley	Hedleyhope Parish Council	1.5	53.09	79.64	(169.00)	81.00	(8.36)	0.29%	0.15	0.10
Stanley	Lanchester Parish Council	(2.1)	35.81	(75.20)	(3,622.00)	3,341.00	(356.20)	0.70%	0.25	0.17
Stanley	Muggleswick Parish Council	0.2	28.24	5.65	(79.00)	66.00	(7.35)	0.61%	0.17	0.11
Stanley	Satley Parish Council	0.8	24.36	19.49	(50.00)	28.00	(2.51)	0.09%	0.02	0.01
Stanley	Stanley Town Council	111.3	83.96	9,344.75	(178,644.00)	152,988.00	(16,311.25)	2.78%	2.30	1.53
		685.4		81,297.48	(2,385,473.00)	2,082,512.00	(221,663.52)	2.24%	n/a	n/a
Durham	The Charter Trust for the City of Durham	(26.7)	3.80	(101.46)	(10,398.00)	9,488.00	(1,011.46)	1.12%	0.04	0.03
		658.70		81,196.02	(2,395,871.00)	2,092,000.00	(222,674.98)			

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Cabinet

18 December 2013



2014/15 Budget, Medium Term Financial Plan(4) 2014/15 – 2016/17 and Service Plans

Key Decision No. CORP/R/13/02

Report of Corporate Management Team

Joint Report of Don McLure, Corporate Director Resources and Lorraine O'Donnell, Assistant Chief Executive

Councillor Alan Napier, Cabinet Portfolio Holder for Finance

Councillor Simon Henig, Leader of the Council

Purpose of the Report

- 1 To provide an update on the 2014/15 Budget, the Medium Term Financial Plan up to 2016/17, the Council Plan and Service Planning process.

Executive Summary

- 2 The MTFP(4) update report to Cabinet on 9 October 2013 identified the council faced £222m of savings across the period 2011 to 2017. Although the council will have delivered £113m of the required savings by the end of 2013/14 there was estimated savings of £63.1m still to be delivered in 2014/15 and 2015/16.
- 3 Since the last MTFP(4) update report to Cabinet the Government has published its Autumn Statement on 5 December 2013, whilst the review of the council's budget has continued. The Autumn Statement did not announce any further Revenue Support Grant cuts for the council in addition to the 11.5% and 16.1% already announced for 2014/15 and 2015/16 respectively. The council will await the Government's Local Government Finance Settlement on 18 December 2013 to determine whether additional funding reductions could be made to specific grants.
- 4 The Government have reacted to the strong response from local authorities to the draft Local Government Finance Settlement consultation in July 2013 in relation to New Homes Bonus which will now be retained by local authorities in 2015/16 rather than being transferred to Local Enterprise Partnerships (LEPs).
- 5 A major concern for local authorities however is the Institute for Fiscal Studies report that additional public expenditure cuts/tax rises of £20bn are still required nationally to balance the national budget deficit by 2018/19.

- 6 The review of Durham County Council budgets has enabled a balanced budget position to be achieved at this stage for 2014/15. The report identifies that savings of £223m are required in total over the 2011-2017 period with a £63.6m savings shortfall in 2015/16 and 2016/17.
- 7 Previous reports to Cabinet have identified the need to replenish the MTFP Redundancy and Early Retirement Reserve which is forecast to have a £2.5m balance at the end of 2013/14. It is recommended that a transfer of £15m is made from Cash Limit Reserves (£10m) and the General Reserve (£5m) to replenish the MTFP Redundancy and Early Retirement Reserve.

Autumn Statement Impact

- 8 The Autumn Statement was published on 5 December 2013. The Chancellor of the Exchequer announced a slight improvement in the public finances for 2013/14 with borrowing expected to reduce from the forecast £120bn to £111bn. Economic growth is also improving with Gross Domestic Product (GDP) expected to be 1.4% this year against the forecast of 0.8%. The Government's aim is achieve a balanced budget by 2018/19. Analysis by the Institute of Fiscal Studies (IFS) has identified however that to achieve financial balance by 2018/19 would require additional public sector budgets cuts or tax increases of £20bn per annum.
- 9 The forecast grant reductions for the council in the next two years are as follows:

	% Funding Reductions
2014/15	11.5%
2015/16	16.1%

- 10 The Autumn Statement announced that the Department for Communities and Local Government (DCLG) would not face additional cuts in 2014/15 and 2015/16. The council may face additional cuts however, via cuts to funding streams received from other Government departments such as the Department for Education. Clarity in this regard should be received via the Local Government Finance Settlement on 18 December 2013 which should cover both 2014/15 and 2015/16.
- 11 The Government announced a range of policy changes in relation to business rates. Any such policy change has an impact upon the council due to the retention of 50% of all business rates collected under the Business Rate Retention (BRR) Scheme. The policy changes are as follows:
- (i) The doubling of Small Business Rate Relief will continue in 2014/15.
 - (ii) The 3.2% RPI increase for business rates in 2014/15 will be limited to 2%.
 - (iii) There will be a £1,000 discount for all retail, pubs, and cafes with rateable values below £50,000 for two years.
- 12 Each of these policies will result in reduced income for the council. The Government has confirmed however that there will be a cost neutral impact

upon local authorities. It is not clear in practice how this will be actioned. On that basis, the MTFP(4) model has been left unchanged.

- 13 The Government had previously announced that £400m of New Homes Bonus was to be top sliced from local authorities in 2015/16 and transferred to the Local Enterprise Partnerships (LEPs) as part of the Single Local Growth Fund (SLGF). The Government has indicated however that local authorities will now be allowed to retain the New Homes Bonus in 2015/16.

Background

- 14 The 9 October 2013 MTFP Cabinet report provided an update on the 2014/15 Budget and MTFP(4) after taking into account the impact of the 2015/16 Spending Round and the Local Government Settlement Finance Consultation. At that stage a £0.786m shortfall was reported for 2014/15 with an overall savings shortfall over MTFP(4) of £63m. The total savings needing to be delivered over the 2011-2017 period to bring the MTFP into balance was £222m.
- 15 The impact of the 5 December 2013 Autumn Statement has been analysed and included in this report. The Final Local Government Finance Settlement for 2014/15 is expected to be received on 18 December 2013.
- 16 A full analysis of the Local Government Finance Settlement will be reported to 22 January 2014 Cabinet. The report will also include a full analysis of the MTFP(4) consultation process which ended on 7 December and provide a full list of 2014/15 savings.

Update on 2014/15 Budget

- 17 Since the 9 October 2013 MTFP(4) report to Cabinet, further adjustments have been made to the 2014/15 budget model resulting from budget reviews and updated information. The major changes are identified below.

(a) New Homes Bonus

The payment of New Homes Bonus (NHB) is based upon the total number of domestic properties liable for council tax in the county and included in the 'Council Tax Base' (CTB1) return that all local authorities submit to government in October of each year, detailing the tax base as at 30 September. The return has been analysed to enable an assessment to be made of the additional NHB that we estimate to receive in 2014/15. The government will confirm the amount to be paid in the Local Government Finance Settlement but at this stage a sum of **£1.85m** is estimated.

(b) Council Tax Base

The 2014/15 Council Tax Base is based upon the total number of domestic properties, including those occupied by students which are exempt and those occupied by single persons who qualify for 25% discounts, as at 30 September 2013. A report on the tax base is separately reported on this Cabinet agenda and will generate an estimated additional **£1.08m** of council tax income in 2014/15.

(c) **Employer Pension Contributions**

The Pension Fund actuary has recently completed the triennial review of the Pension Fund. Previously it was forecast that this would result in an increase in the contribution the Council would need to make to the Pension Fund both in terms of Employer Contribution and the sum paid to reduce the forecast deficit on the Pension Fund. It was estimated in the previous MTFP (4) model that an additional annual cost from 2014/15 would be £1m. Initial indications are that the 2014/15 position will be better than forecast. The position for 2014/15 will be finalised in the coming weeks but at this stage there is confidence in reducing the pressure from the £1m included in the previous model to £0.3m.

(d) **Energy Price Increases**

Energy price increases for 2014/15 are expected to be slightly higher than previously forecast. The expected increases for 2014/15 are detailed below

Electricity	+5.75%
Gas	+1.6%

Although the Council continues to strive to reduce energy usage, particularly via Invest to Save projects, the price increases detailed above will result in estimated additional costs of **£0.2m** over and above the 1% price inflation allowance to be built into base budgets.

(e) **Insurance Claims**

The Council has a combined public and employer's liability insurance policy. The policy has the following levels of excess for each individual claim i.e. the maximum sum the Council will pay before the external insurance policy will provide financial cover.

	Excess
	£
Employers Liability	250,000
Public Liability	100,000

After local government reorganisation in 2009, an assessment was made of the likely value of insurance claims below the excess levels detailed above. Based upon known information, the budget provision made in this regard was £2.1m per annum.

A review has recently been carried out on the level of claims actually being made and settled against this policy. It is evident that the claims which will be settled (it can take many years for all claims to be settled) are likely to significantly exceed the £2.1m budget provision. A more realistic and prudent budget for insurance claims below the excess is £3.1m. On that basis it is recommended that the insurance budget is increased by **£1m** per annum.

(f) **Housing Benefit Administration Grant**

The Council receives a grant from the Department of Works and Pensions (DWP) annually for administering Housing Benefit on behalf of the Government. In recent years the DWP have been reducing this grant by 5% per annum. The DWP has announced indicative allocations for 2014/15 and the Council's allocation is £4.1m, a reduction of **£0.5m (11%)**. Having recently completed a major restructure of the Revenues and Benefits Service, where the numbers of employees has reduced, and because it is very important that benefit claims continue to be processed in a timely manner for claimants, this is considered to be a budget reduction which could not be absorbed by the Benefits Service at this stage and should therefore be included as a corporate pressure as part of the 2014/15 budget setting process.

(g) **Discretionary Rate Relief**

The Council presently has an annual Discretionary Rate Relief budget of £0.33m. Prior to the implementation of the Government's new Business Rate Retention (BRR) scheme in 2013/14, this budget was required to provide relief to qualifying applicants. The Discretionary Rate Relief process however is now subsumed into the BRR scheme with the budget for retained business rates of £52.9m covering the incidence of discretionary rate relief. On this basis the **£0.33m** budget is not required and can be utilised as an MTFP saving.

- 18 To achieve budget balance for 2014/15 having taken into account the variations in paragraph 5, service groupings are required to identify savings of £23.012m in addition to the £0.33m saving in relation to discretionary rate relief detailed above.
- 19 In addition to these savings, Neighbourhood Services have been required to identify £0.616m of additional savings to mitigate for the delay in achieving the MTFP saving in relation to the option of delivering the Leisure and Cultural Services in 2013/14 through a Leisure and Cultural Trust. This saving has been delayed due to several factors including the introduction of Business Rate Retention (BRR) which impacted upon the planned approach to realising this saving. It is expected that the original savings will now be achieved in 2016/17.

Medium Term Financial Plan Update

- 20 The Cabinet MTFP(4) report of 9 October 2013 detailed that total savings over the period 2011-2017 would need to be £222m in order to balance each budget within the medium term financial plan over this period. In addition the report identified the following level of savings shortfalls at that time:

Year	Savings Shortfall £m
2014/15	0.786
2015/16	14.567
2016/17	47.715
TOTAL	63.068

21 MTFP(4) continues to be reviewed and the position for the model has been updated. The main issues of note are as follows:

(a) **Housing Stock Transfer**

Cabinet approved the submission of an application to the Department for Communities and Local Government for the transfer of the Council's housing stock at its meeting on 9 October 2013. This report identified that the transfer, if approved by Government, would result in the Council losing income and incurring additional costs. The estimate of the cost to the Council in this regard is **£3.550m** and this sum has been therefore been included in the MTFP(4) model for 2015/16.

(b) **Employer's Pension Contributions**

The triennial review of the Pension Fund detailed previously in paragraph 5(c) also impacts upon 2015/16 and 2016/17. The MTFP(4) model included in the 9 October 2013 MTFP(4) Cabinet report assumed increased costs in relation to Pension Fund contributions of £1m per annum. It is now estimated however that the required sum in 2015/16 and 2016/17 will be lower at £0.7m.

(c) **New Homes Bonus**

The Autumn Statement announcement that local authorities will retain any New Homes Bonus income in 2015/16 has enabled an adjustment to be made to the MTFP(4) model. The previous assumed loss of income in 2015/16 of £1m has been removed from the model.

22 Having taken into account the adjustments detailed above and the balanced position for 2014/15, the revised savings shortfall at this stage is detailed overleaf:

Year	Savings Shortfall £m
2014/15	0
2015/16	16.817
2016/17	46.799
TOTAL	63.616

- 23 Overall, the savings shortfall has increased from £63m to £63.6m with the total savings required for the 2011-2017 period increasing to £223.4m.
- 24 A revised MTFP(4) model is attached at Appendix 2.

MTFP Redundancy and ER/VR Reserve

- 25 The Cabinet MTFP(4) report of 9 October 2013 provided an update upon the utilisation of the MTFP Redundancy and ER/VR Reserve. The reserve was created in 2010 to ensure that sufficient funding was available to finance the then forecasted cost of redundancies up to 31 March 2015.
- 26 The original balance in the reserve was £26.9m. The Quarter 2 Forecast of Outturn report to Cabinet on 20 November 2013 estimated that the balance on the reserve will have reduced to £2.558m by 31 March 2015. It is apparent therefore that the reserve will need to be replenished for 2014/15. At this stage possible redundancy numbers for 2014/15 and 2015/16 are still to be finalised and will always be estimates due to the lengthy consultation and redeployment processes which need to be followed. In addition there are still significant savings shortfalls in 2015/16 and 2016/17 which render the estimates on redundancy numbers difficult to forecast with any accuracy at this stage.
- 27 It is recommended therefore that the MTFP Redundancy Reserve is replenished by £15m by transferring the following sums from the reserves identified.

	£m
Service Grouping Cash Limit Reserves	10.000
General Reserve	5.000
	<hr/>
Total Transfer	15.000
	<hr/>

- 28 This reserve may need to be replenished further in the future but at this stage the transfer of £15m is felt to be prudent.

Budget Consultation Update

- 29 As in previous years, we are currently undertaking a consultation exercise with the public on how the Council should manage its Medium Term Financial Plan (MTFP) savings. The last detailed consultation took place in 2010, and our current activity is designed to build upon these results to assist us in the 2014/15 MTFP process.
- 30 The consultation closes on 11 December 2013, and a detailed analysis of the results will be presented to Cabinet on 22 January 2014.
- 31 The 2013 consultation builds on our experience and feedback from previous years, and our aim is to ensure that the widest range of people can be involved, that we improve the quality of the data we gather and that the public develop a better understanding of the scale of the challenge that is faced by the authority and the difficult decisions which will need to be made.
- 32 To this end, there are two key questions which we have been asking the public:
- How should the Council achieve its savings target of at least £100m over the next three years?
 - Should the Council consider increasing Council Tax to help offset the size of the savings targets?
- 33 In previous years, we are using a variety of methods to enable the widest range and the greatest numbers of individuals take part. We have developed an online questionnaire, as well as issuing hard copies of questionnaires and holding detailed focus group activities. Analysis will glean as much intelligence as possible from any difference in results between the different methodologies.
- 34 The 2013 focus group activity typically takes 30-40 minutes, and the participants are challenged to remove £100m of spend to achieve a balanced budget. The participants are provided with budget and service information as well as new information on the potential impacts of removing funding from a service. As the activity progresses the group are informed of their movement towards making the £100m reduction, and are also offered the choice of increasing Council Tax to meet any deficit in their budget.
- 35 The consultation process is still underway at the time of writing with 1 AAP event still pending. The focus group activity has been undertaken at all of the AAP Participatory Budgeting (PB) events as well as with specific groups such as young people and people with physical and learning disabilities. At the 13 AAP PB events 10,161 people attended and received information on the Council MTFP process. Of these 1,207 people participated in the focus group activity.
- 36 To date, 239 individuals have completed the online questionnaire. At the AAP PB events, hard copies of the questionnaire have been issued, and over 1,765 have been returned.

- 37 Data from the online and hard copy questionnaire as well as the focus group activity are still being analysed. However an initial analysis on the feedback from the focus group activity has found that the vast majority of the participants found the consultation process clear and easy to understand and they thought it was a good way to involve local people in decision making.

Sustainable Community Strategy, Council Plan and Service Plans

- 38 The Sustainable Community Strategy (SCS) is the single strategic plan for the county that takes account of the needs, views and aspirations of people living and working in the county. The Council Plan sets out Durham County Council's contribution towards achieving the objectives set out in the SCS, together with its own improvement agenda. The Council Plan is underpinned by detailed service plans for each Service Grouping.
- 39 At its meeting on 20th November, Cabinet approved a high level objectives framework for the Sustainable Community Strategy, and draft objectives and outcomes for the Council Plan, as the basis for the development of a full SCS and Council Plan. This followed extensive review work carried out by the County Durham Partnership thematic partnerships, the County Durham Partnership Board, and consideration at a member seminar on 22nd October.
- 40 The development of the SCS and Council Plan is happening alongside work on the MTFP, with key budget proposals informing the development of the Council Plan in particular. The full plans are scheduled to be considered by Cabinet on the 19th March and Overview and Scrutiny on the 24th March prior to being submitted to full Council on the 2nd April 2014.

Equality Considerations and Equality Impact Assessment

- 41 Equality considerations continue to be built into the development of MTFP savings proposals. The Council is subject to the legal responsibilities of the Equalities Act 2010 which, amongst other things, makes discrimination unlawful in relation to the protected characteristics of age, gender (including pregnancy/ maternity and transgender), disability, race, religion or belief and sexual orientation. The Equalities Act also requires us to make reasonable adjustments for disabled people. In addition, as a public authority, we are subject to legal equality duties in relation to the protected characteristics. The public sector equality duties require us to:
- Eliminate unlawful discrimination, harassment and victimisation
 - Advance equality of opportunity
 - Foster good relations between those who share a protected characteristic and those who do not.
- 42 The development of equality impact assessments are an essential part of our decision-making process, as building equalities considerations into the MTFP process supports decisions that are both fair and lawful. An equality impact assessment is being prepared as part of the development of each MTFP savings proposal, and a full set of impact assessments will be presented alongside the final MTFP report, to inform decision-making. Alongside this, the report will also include a summary of the ongoing cumulative equality impact of budget savings.

Recommendations and reasons

43 Cabinet is asked to

- (a) Note the update in relation to the Autumn Statement announcement on 5 December 2013 and the Local Government Finance Settlement.
- (b) Agree the adjustments in relation to the 2014/15 budget.
- (c) Agree the amount of 2014/15 savings required to achieve a balanced budget.
- (d) Note the estimated £63.6m savings shortfall for the period 2015/16 to 2016/17.
- (e) Approve the transfer of £15m from General Reserve (£5m) and Cash Limits Reserves (£10m) to the MTFP Redundancy and ER/VR Reserve.
- (f) Note the update in relation to the MTFP(4) consultation process.
- (g) Note the update on the development of the Council Plan and Service Plans.

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	Jenny Haworth	Tel: 03000 268014
	Gordon Elliott	Tel: 03000 263605

Appendix 1: Implications

Finance – The report highlights a balanced budget position for 2014/15 and a £64.6m shortfall over the 2015/16 – 2016/17 period.

Staffing – The report recognises that further employee post reductions will be required over the medium term financial plan period 2014/15 to 2016/17.

Risk – Risk will continue to be assessed throughout the budget/MTFP process.

Equality and Diversity/Public Sector Equality Duty - Equalities considerations are built into the proposed approach to developing MTFP(4), Council Plans and Service Plans, as a key element of the process.

Accommodation – None.

Crime and Disorder – None.

Human Rights – Any Human Rights issues will be considered for any detailed MTFP(4) and Council Plan proposals as they are developed and decisions made to take these forward. There are no Human Rights implications from the information within this report.

Consultation – The consultation process is an integral element of MTFP(4). The results of the consultation will be reported to Cabinet in January 2014.

Procurement – None.

Disability Issues – All requirements will be considered as part of the equalities considerations outlined within the main body of the report.

Legal Implications – None.

APPENDIX 2			
Medium Term Financial Plan (MTFP4) 2014/15 - 2016/17 Model			
	2014/15	2015/16	2016/17
		£'000	£'000
Government Funding			
Revenue Support Grant (RSG) Reduction	32,031	39,713	30,000
Town and Parish Council RSG Adjustment	-238	-305	0
Education Services Grant Reduction	0	1,900	0
Bus. Rates - RPI increase (14/15 Actual 3.2% - Then Est of 2.8%)	-1,700	-1,500	0
Top Up Grant - RPI increase (14/15 Actual 3.2% - Then Est of 2.8%)	-1,900	-1,700	0
New Homes Bonus	-1,850	0	0
New Homes Bonus - Re-imburement of Top Slice (Est)	-750	0	0
Other Funding Sources			
Council Tax Increase (2% each year from 2014/15)	-3,290	-3,355	-3,422
Council Tax Base - Additional Yield	-1,080	0	0
Business Rate Tax Base - Additional Yield	-2,226	0	0
NHS Social Care Funding	-2,800	-7,000	0
Estimated Variance in Resource Base	16,197	27,753	26,578
Pay inflation (1% - 1% - 1.5%)	1,950	1,900	2,850
Price Inflation (1% - 1.5% - 1.5%)	1,475	2,137	2,137
Corporate Risk Contingency Budget	0	-2,300	-1,000
Base Budget Pressures			
Carbon Reduction Commitment - 'Carbon Tax'	370	0	0
Expiry of four year Disturbance Allowances payments	-220	0	0
Employer National Ins. Increase due to State Pension changes	0	0	5,100
Single Status Implementation	0	0	3,800
Council Housing - If Large Scale Voluntary Transfer Goes Ahead	0	3,550	0
Additional Employer Pension Contributions	300	700	700
Concessionary Fares	0	400	400
Energy Price Increases	200	500	500
Insurance Claims	1,000	0	0
Housing Benefit Admin Grant Reduction	500		
Community Building running costs	-180	0	0
Delay in realising Leisure/Culture Saving	616	0	-616
CAS Demographic and Hyper Inflationary Pressures	1,000	1,000	1,000
Use of Earmarked/Cash Limit Reserve in CAS	-1,000	-200	3,350
Community Governance Reviews	0	-50	0
Prudential Borrowing to fund new Capital Projects	2,000	2,000	2,000
Capital Financing for current programme	-250	1,500	0
TOTAL PRESSURES	7,761	11,137	20,221
SUM TO BE MET FROM SAVINGS	23,958	38,890	46,799
Savings			
Provisional MTFP Savings (subject to approval)	-23,012	-7,073	0
Business Rate Retention - Discretionary Rate Relief Adjustment	-330	0	0
Mitigating Saving for Leisure/Culture Saving	-616	0	0
Additional Savings Target	0	-15,000	0
TOTAL SAVINGS	-23,958	-22,073	0
DEFICIT	0	16,817	46,799

Cabinet

18th December 2013

Draft Tree Management Policy

Key Decision NS/25/13



Report of Corporate Management Team

Terry Collins, Corporate Director of Neighbourhood Services

Ian Thompson, Corporate Director of Regeneration and Economic Development

Councillor Brian Stephens, Portfolio Holder for Neighbourhoods and Local Partnerships

Councillor Neil Foster, Portfolio Holder for Economic Regeneration

Purpose of the Report

1. To consider consultation on a draft countywide tree policy for the management of all trees under Durham County Council's ownership and for those trees in private ownership which pose a safety risk to the public highway.

Background

2. Trees make a significant contribution to the character of our landscape and can provide environments rich in biodiversity.
3. The species, size and nature of our trees of course varies considerably, from those planted for amenity in well maintained grassed open spaces such as road verges and school grounds, through to those in relatively more natural or established settings of parks, hedgerows, cemeteries and of course woodland.
4. Although trees are a very positive feature, they can sometimes cause problems, from being a nuisance or inconvenience to potentially causing serious injury or even death. As a tree owner, Durham County Council have a direct responsibility for ensuring its trees do not pose a danger to the public or property and are managed appropriately. Furthermore, Durham County Council has a duty under the Highway Act to ensure that those trees in private ownership adjacent to the highway do not pose a danger to its users.
5. Whilst the Councils owned woodlands have management plans governing their day to day maintenance, there is currently no written countywide policy to guide management decisions on trees within open spaces. The arboriculture teams have been guided by the broadly consistent practices inherited from the former Councils that healthy trees would never be removed or heavily pruned without good reason. The absence of an adopted policy does however expose the Council to risks of inconsistent responses and challenge. Such a policy would seek to balance the risk and nuisance to individuals sometimes posed by trees

in specific circumstances against the public and environmental benefits they bring.

6. Whilst a policy will help to guide the response to the considerable reactive work on trees (there were 2562 service requests Aug 12-July 13), it will also be of use in relation to proactive work, in particular the surveys of tree stock that have recently commenced in highways. It is proposed, subject to approval, to consult widely on the draft policy, allowing Members to consider any amendments or revisions that are required before formal adoption.

Summary of the Draft Policy

7. A draft policy is attached in **Appendix 2**. It has been developed involving a wide range of officers, for example specialist Tree Officers, Clean and Green Teams, Highways and Planners. It takes into consideration the previous tree management frameworks/practices inherited from the former Councils. It is important to note, that there are no significant changes to current practice as a result of these new policies. Paragraphs 8 to 14 summarise the approach, the policy is a guide however and the circumstances on the ground may involve a combination of factors identified. Some element of discretion is therefore required.

8. Inspection of Trees and Scheduling of Work

- We work to a risk-based approach to tree management: a programme of inspection identifying and prioritising potential hazards. The cycle of inspection for trees will be set according to their location and area of risk. Highway trees are considered the highest priority. This work has now commenced.
- The following categories will be used when prioritising tree works:

Priority	Response
Priority 1: Urgent Public Safety	From within 24 hours to one week depending upon the risk
Priority 2: Non-urgent but essential work	Between 1 to 6 months depending upon risk and time of year.
Priority 3: Desirable	12 months where possible
Non- priority	No action proposed

- If proposed tree works are judged to be likely impacting on the local area we will advise local ward members and consider appropriate publicity.
- Non-urgent major tree work will not normally be undertaken during bird nesting / breeding season (1st March to 31st July). Any trees knowingly supporting roosting bats will not be worked on until Natural England is consulted, if works are commenced at bats present, work will cease to allow specialist advice.
- Note should be made that this work may generate service requests beyond the capacity of existing budgets to cope, however this will not be fully known until when the survey is well in hand. If budgetary pressures do emerge, these will be reported for consideration, with a view that all priority 1 and 2

are unavoidable, and would need to be undertaken, whilst trees works relating to priority 3 may need to be put on hold.

9. Dealing with Tree Care – Guidance

The following measures in the policy are in line with current practice:

- **Obstructing / Overhanging Tree Branches** – we will prune trees to eliminate hazards caused by obstructive branches. However we will not normally prune trees that overhang neighbouring properties unless the tree is dangerous or there is a need to avoid damage to the property. Landowners do have their own common law rights to prune back to their boundary, and we will work with them in seeking the best solutions.
- **Shading and Loss of Light** – in many instances pruning to improve light levels will only have limited affect. However this will be looked at on a case by case basis taking into account the proximity and size of the tree to the nearest habitable room or where elderly, infirm or disabled persons who spend a significant amount of time within their home. Work will be undertaken in these instances of genuine need.
- **Loss of Views** – trees will normally only be pruned or removed to restore views when necessary to retain important public viewpoints or significant public benefit, rather than work because they are considered generally too big or too tall for their surroundings.
- **Trees affecting reception (Television / Satellite / Solar Panels)** - Pruning of trees to improve reception is often only a short term remedy, as the flush of growth that follows can make the future position even worse. We would therefore not normally consider the removal or pruning of trees to enable clear television reception, particularly as other technical solutions from the provider including boosters, relocation of aerial/dish are generally more effective.
- **Overhead Cables / Telephone Wires** – we will not normally prune or fell a tree to prevent or reduce interference with telephone wires. We will recommend contacting the telephone service provider in such circumstances.
- **General / Minor Nuisances** – we will not normally prune or fell trees solely to alleviate problems caused by seasonal issues e.g. falling leaves, sap, blossoms, fruit, nuts, bird and insect droppings. We will not normally prune or fell a tree solely because it bears poisonous fruit / foliage. However, where it is known that unsupervised young children are likely to be exposed to berries or foliage that will make them ill if eaten, we will investigate and take action, where appropriate.

10. Alleged Damage and Tree Roots

- Some tree conflicts arise on account of the presence of tree roots and the perception that they are causing damage. Where damage is alleged, each complaint will be investigated on an individual basis. Guidance, as detailed in the full policy document, will be used in assessing levels of nuisance and identifying appropriate action.

11. Circumstances on Private Land

- Where the tree is causing a danger / obstruction to the Public Highway - under the Highways Act we have powers to request the owner to make safe / remove the obstruction. If they do not, we will undertake the work and recharge the owner.
- Where the tree is on private land causing a danger (other than to the public highway)- we have discretionary powers to deal with trees if it is felt there is an imminent threat to people or property. We can serve notice on a tree owner to carry out specified works. Where the specified works are not carried out, we do have powers to carry out the works and reclaim the costs.
- We are not able to become involved with private trees causing a nuisance to a neighbouring property by causing shade, blocking views or dropping leaves, flowers or fruit etc. unless the trees are imminently dangerous.

12. Anti-Social Behaviour, Vandalism and Disputes

- If a county council owned tree is the focus of a nuisance leading to anti-social behaviour we will take measures to reduce the problem. These measures will be determined on a site by site basis.
- Vandalism - We will investigate any reports of damage to trees in our ownership / management, and try to repair any damage where we can. Where possible, we will take legal action against the person(s) causing the damage.
- High Hedges - Once all avenues for resolving a hedge dispute have been tried and exhausted, a complaint about a neighbour's evergreen hedge can be made to the Council's Planning Enforcement Team. A fee is payable for this service.

13. Planning / Protected Trees / Trees in a Conservation Area

- We will ensure that full consideration is given to both the retention of existing trees and the planting of new ones on new developments.
- A Tree Preservation Order (TPO) is a legal document to protect specified trees and woodlands with public amenity value. The policy document outlines the application process for carrying out works to protected trees and the penalties for failing to do so. It is an offence to carry out works to a tree in a Conservation Area without having given us prior written notice.

- Where a tree is protected by a Tree Preservation Order and it is dead or unsafe a tree replacement will normally be required. In other circumstances tree planting will be carried out subject to available resources.

14. **Maintenance and Bio-Security**

- We will seek to ensure that tree works are carried out to the highest standards as far as possible ensuring that pruning conserves the overall amenity value, form and shape of the tree and all tree works must be carried out in accordance with British Standard 3998 – Recommendations for Tree Work.
- The threat to trees from pests, pathogens or invasive species has never been greater. As a large landowner we undertake to follow best practice and specific advice which is regularly published by the Forestry Commission.

Next Steps

15. Subject to approval of the tree management policy in its current draft form, it is proposed to consult with a wide variety of groups and organisations as well as inviting comments from residents. Members will have an opportunity to consider the consultation responses early in the new year to inform the decision on the formal adoption of policy.
16. Engagement with stakeholders will be necessary for this policy. In line with our approach to consultation, an engagement plan has been drafted in conjunction with the lead officer. The plan will then be approved by the Consultation Officers Group and the actions implemented. The activities carried out, and the results of the consultation, will be included in a consultation summary document, as part of a future report on this subject.
17. Subject to approval, the adoption of this policy will provide a countywide standard to direct the Council's approach to tree management and a guide to how the Council deals with requests for tree work for both public and privately owned trees.

Recommendations

18. That Cabinet consider the draft tree management policy, and associated proposed consultation.
19. That Cabinet note the on-going survey of trees on highways, and its future extension to open spaces.
20. That a further report is brought back to Cabinet following the consultation exercise in order to confirm the final recommendations for the adoption of the tree management policy.

Contact: Oliver Sherratt 03000 269259
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Appendix 1: Implications

Finance Moving from a re-active to a pro-active tree inspection regime will generate additional tree maintenance works. These will need to be costed and included in an annual work programme.

Further information will be provided for consideration if it is felt that the volume of requests generated as a result of this work exceeds the budget available. If necessary implementation of all priority 3 (desirable) will be dependent upon the availability of budgetary resources at the time.

Staffing The tree inspection regime will be accommodated within existing staff resources from both Neighbourhood Services and RED

Risk We will work to a risk-based approach to tree management: a programme of inspection identifying and prioritising potential hazards. The cycle of inspection for trees will be set according to their location and area of risk. Highway trees are considered the highest priority.

The implementation of a more pro-active tree inspection regime will enable us to more effectively defend claims which will mitigate some of the financial losses currently experienced in this regard.

Currently the absence of a written policy exposes the Council to risks of inconsistent responses and challenge.

A comprehensive Risk Assessment will be carried out following consultation.

Equality and Diversity An Equalities Impact Assessment has been carried out and is attached at **Appendix 3**. Where issues arise relating to the needs of disabled, infirm or elderly people the presumption in favour of tree protection will be weighted against those needs on a case by case basis. This approach recognises the Council's duty under the Equality Act 2010 to advance equality of opportunity for disabled people, as well as other people with protected characteristics specified in the Act.

Accommodation - N/A

Crime and disorder – Vandalism is an increasing pressure on trees. There are various ways in which vandalism can be counteracted, but none of these is 100% effective against determined attack. We will investigate any reports of vandalism / damage to trees in our ownership / management, and try to repair any damage where we can. Where possible, we will take legal action against the person(s) causing the damage.

Human rights – N/A

Consultation – a working group of officers from Neighbourhood Services and from RED have been involved in the development of this draft policy.

Subject to Member approval, public consultation is proposed in this report, with the findings reported back for consideration.

Procurement– N/A

Disability Issues Where issues arise relating to the needs of disabled people the presumption in favour of tree protection will be weighted against those needs on a case by case basis.

Legal Implications Advice from Legal Services has been sought. There is a range of legislation which has been considered during the development of this policy (listed in Section 4 of the policy document).

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**DURHAM COUNTY COUNCIL
TREE MANAGEMENT POLICY**

D R A F T

CONTENTS

	Page
1. Summary	4
2. Policy Scope	4
3. The Importance of Trees in the Urban and Rural Landscape	5
4. Legislation	5
5. Trees on Durham County Council owned / managed land	6
6. Inspection of Trees	6
7. Tree Maintenance	6
8. Publicising Tree felling / pruning	8
9. Dealing with Tree Care:	8
- Obstructing / overhanging tree branches	9
- Shading and loss of light	9
- Loss of view	10
- Trees affecting reception (television / satellite / solar panels)	10
- Overhead cables / telephone wires	10
- General / minor nuisances	11
- Trees considered too big / too tall	11
- Personal medical complaints	12
10. Damage and Tree Roots	12
- Root invasion in gardens	12
- Damage to walls and fences	13
- Damage to paths	13
- Damage to drains or water pipes	13
- Trip hazards	13
- Installation of drop kerbs	13
- Subsidence	13
- Heave	14
11. Trees on private land causing a danger/obstruction to the public highway	15
12. Trees on private land causing a danger (other than to the public highway)	15
13. Anti-social Behaviour	16
- Trees	16
- High hedges	16

	Page
14. Protected Trees	16
- Tree Preservation Orders	16
- Trees in a Conservation Area	18
- Forestry Commission Felling Licences	19
15. Other factors constraining works to trees	19
- Birds	19
- Bats	19
- Planning permission	20
- Restrictive covenants	20
16. Replacement Tree Planting	20
17. Trees & Development	20
18. Vandalism and damage to Council owned / managed trees	21
19. Biosecurity / Pest & Epidemic Management	21
20. Tree Pruning Techniques	21

1. SUMMARY

- 1.1 Trees are a highly valued feature of County Durham; they make an enormous contribution to the character and beauty of our landscape and create /maintain environments rich in biodiversity. Durham County Council values its trees and recognises both the human and environmental benefits of having a healthy and sustainable tree population.
- 1.2 We also recognise that although trees are a positive feature, they can cause of a range of problems, from being a nuisance or inconvenience to potentially causing serious injury or even death. As a tree owner we have a direct responsibility for ensuring our trees do not pose a danger to the public or property and are managed appropriately. This policy sets out our approach to tree management.
- 1.3 We aim to inspect our tree stock at an appropriate frequency, depending upon number of pedestrians, vehicles and other targets either passing beneath or within falling distance of the tree, to ensure continued public safety. Following inspection the trees will be assigned a risk classification which will inform their prioritisation for maintenance works.
- 1.4 We also have a duty under the Highway Act to ensure that those trees in private ownership adjacent to the highway do not pose a danger to its users. We seek to ensure that all roads are inspected at reasonable intervals, defective trees are noted, tree owners are identified and contacted and the appropriate work is undertaken to remove identified hazards.
- 1.5 We aim to provide high standards of tree management based on the latest arboricultural research and promote such standards with other parties, (e.g. private tree owners).

2. POLICY SCOPE

- 2.1 This policy applies to all trees under our ownership / management, regardless of their location, and to those trees in private ownership which pose a safety risk to the public.
- 2.2 Although, we believe this policy to be as comprehensive as possible, we acknowledge it does not cover every situation. We reserve the right to exercise discretion in application of this policy when to do so would be in the best interests of the Council and its residents.

3. THE IMPORTANCE OF TREES IN THE URBAN AND RURAL LANDSCAPE

3.1 Trees are important features in the landscape. They help to create an attractive environment, making the Country a better place to live, work, study and visit. They bring colour and contrast, screen unsightly structures, give privacy, soften the hard lines of and contribute to the setting of the County's magnificent buildings, streets and landscapes. Not only do trees have a visual quality, but they also enhance the environment in less obvious ways:

- they improve air quality by filtering airborne dust, smoke and fumes;
- they absorb traffic noise in built-up areas and can help limit noise pollution;
- they reduce temperature extremes by providing shelter in hot weather and insulation in cold weather; trees adjacent to buildings can reduce air conditioning and heating costs;
- they act as a screen, increasing privacy in residential roads and gardens;
- they convert carbon dioxide to oxygen, increasing the quality of the air locally and helping to reduce the 'greenhouse effect';
- they provide food and habitat for birds and other wildlife, thus supporting nature conservation value and biodiversity;
- research has shown that trees provide many psychological and health benefits and have been shown to reduce stress significantly.

4. LEGISLATION

There is a range of legislation which has been considered during the development of this policy, for example:

- 4.1 The Forestry Act (1967) requires certain permissions and licences to be granted where felling of trees is proposed within a woodland setting. Durham County Council will ensure that any proposed felling is fully compliant with the requirements of the Forestry Act.
- 4.2 We, as the Local Planning Authority are able to create Tree Preservation Orders (TPOs), in respect of trees or woodland, which is considered to have a significant impact on the amenity of a local area.
- 4.3 In addition to those trees protected by a Tree Preservation Order, the Town & Country Planning Act (1990) also makes special provision for trees in conservation areas.
- 4.4 The Wildlife & Countryside Act (1981, as amended CROW Act 2000) states that it is illegal to intentionally or recklessly damage or destroy the nest of a wild bird while that nest is in use or being built.

- 4.5 Bats are a European Protected Species and are protected by the Conservation of Habitats and Species Regulations 2010 and the Wildlife & Countryside Act 1981 (as amended). Causing damage to a roosting / nesting site is a criminal offence which can lead to imprisonment.
- 4.6 The Hedgerow Regulations (1997) introduced powers allowing important rural native hedgerows to be protected.
- 4.7 We have no authority to intervene in a dispute between neighbours regarding trees; Part 8 of the Anti-social Behaviour Order Act (2003) gives Local Authorities the powers to deal with complaints or disputes about high hedges affecting residential properties.

5. TREES ON DURHAM COUNTY COUNCIL OWNED / MANAGED LAND

- 5.1 We have a responsibility to maintain trees within our ownership / management to ensure they are in a safe condition and not causing an unreasonable danger or actionable nuisance. All enquiries regarding trees on County Council land be directed to our **Customer Services** on 03000 26 1000.

6. INSPECTION OF TREES

- 6.1 We work to a risk-based approach to tree management: a programme of inspection identifying and prioritising potential hazards. The cycle of inspection for trees will be set according to their location and area of risk.
- 6.2 Highways trees are considered to be highest priority. They include both trees on land owned by the Council and trees on land owned by other parties. Roads are inspected on a regular basis. The inspection cycle is determined by a number of factors including road category, traffic use, incident history, local knowledge and the presence and frequency of trees. Tree defects likely to cause a hazard are identified. In the case of trees on land owned or adopted by the Council the appropriate work is undertaken to remove the hazard. In the case of trees on land owned by other parties, the land owner is contacted and requested to remedy the situation (see 11.0 below).

7. TREE MAINTENANCE

- 7.1 Tree maintenance is currently mostly 'reactive' in nature and conducted in response to reports received by the council concerning specific trees. In future, a greater level of tree maintenance work will be conducted as a result of information gathered during pro active tree inspections. However, reactionary tree maintenance will always form a key element of overall tree maintenance operations and normally originates from the following:

- programmed and routine inspections by the Tree Officer;
- ad-hoc inspections by the Tree Officer following enquiries, reports and service requests;
- reports from Customers;
- enquires from County and Parish Councillors;
- reports from utility companies;
- cyclic maintenance;
- emergency works (e.g. resulting from high winds).

7.2 The following categories will be used when prioritising tree works:

Priority	Response
Priority 1: Urgent Public Safety	From within 24 hours to one week depending upon the risk
Priority 2: Non-urgent but essential work	Between 1 to 6 months depending upon risk and time of year
Priority 3: Desirable	12 months where possible
Non-priority	No action proposed

7.3 A tree could warrant immediate attention if, for example

- it has snapped or blown over;
- it is rocking (roots are damaged);
- it is uprooted but held up by another tree or building;
- a large branch has broken off or is hanging off the tree;
- it or its branch is blocking the road or footpath;
- it or its branch is blocking access to property;
- it has fallen on to a structure, such as a building or car.

7.4 A tree may be a risk to people or property but does not require immediate attention if: for example

- it is dead;
- it is dying (few leaves in summer or dieback in the crown);
- its bark is loose and falling off;
- mushrooms or fungi are growing on or near the tree;
- old splits and cracks are in the trunk or large branches;
- smaller branches or twigs are falling from the tree.

- 7.5 Trees will be made safe via pruning or felling and we would use the most cost effective approach. However, for certain High Value trees we would consider other options to reduce the risk to an acceptable level. This would include options to reduce the likelihood of the tree failing or the likelihood of persons being close to the tree if it did fail.

8. PUBLICISING TREE FELLING / PRUNING

- 8.1 Where works are minor such as pruning (including repeat cyclical pruning of trees) or involve removing trees that are less than 15 cm diameter (6 inches) at a height of 1.3 metres, we will not publicise the works.
- 8.2 Where works are more impacting, for example, felling larger trees, carrying out works to a veteran tree or a tree with a Tree Protection Order (TPO), we will erect an informative site notice on or very close to the affected tree. If more than one tree at the same location are affected it may be more appropriate to erect a site notice including a map / schedule. We will also tell 10 houses opposite and either side by letter (if applicable), copying in the relevant residents' association / community groups as they are known to us and the ward councillors.
- 8.3 If a tree scheme (felling, pruning or planting) is judged to be more impacting on the local area we will consider more publicity as appropriate.
- 8.4 Where a competent officer has determined that the tree should be felled on public safety grounds there will be no public consultation and no right of objection.
- 8.5 It is our intention to publish our annual tree maintenance programme on our website.

9. DEALING WITH TREE CARE

- 9.1 While works are sometimes necessary to ensure that trees are in a safe and healthy condition.
- 9.2 We receive many requests and complaints regarding trees. It is important that individual issues are dealt with consistently and that decisions are balanced against the positive contribution that trees make to the environment and enjoyment of the County by local residents and visitors. Many of the complaints received involve minor or seasonal issues that are generally considered to be foreseeable or social problems associated with living near trees, which can often be minimised through careful pruning and careful species selection when planting.
- 9.3 In all cases, consideration will be given as to whether the tree in question meets the necessary criteria for protection.

- 9.4 To ensure that requests for works to trees are dealt with efficiently, consistently and fairly, our policy in relation to the more common types of request is outlined below.

9.5 Obstructing / Overhanging Tree Branches

- 9.5.1 Tree branches can cause obstructions to public footpaths, roadways / signs, streetlights and open spaces. Appropriate pruning to eliminate hazards caused by obstructive branches will normally be acceptable, providing efforts are made to retain the shape of the tree.
- 9.5.2 We will undertake work to trees in council ownership / management to maintain a minimum 5 metres clearance over roads and 2.4 metres over footpaths.
- 9.5.3 We will not prune trees that overhang neighbouring properties unless the trees are dangerous or causing an actionable nuisance (i.e. touching the walls, roofs, windows, gutters, garage etc). This will ensure that damage to property such as aerials, tiles or gutters is avoided.
- 9.5.4 Adjacent Landowners do have a common law right to prune back tree branches to their boundary, providing that this would not lead to tree death and providing that the tree in question is not protected by a Tree Preservation Order (TPO) or situated within a Conservation Area.

9.6 Shading and Loss of Light

- 9.6.1 Trees are often perceived to block light to nearby properties. However, pruning or removal of trees will often have a negligible impact on the amount of light reaching a house or garden. Therefore, tree works to improve light levels will not normally be considered. However we will consider taking action (pruning or felling) in the following circumstances:
- if the height of the tree is more than 12metres and the distance between the base of the tree and the window of the nearest habitable room is less than 5metres;
 - if the height of the tree if less than 12 metres and the distance between the base of the tree and the window of the nearest habitable room is less than half the height of the tree (where the separation between the edge of the tree canopy and a vertical line through that window is less than 2metres).
- 9.6.2 A 'habitable room' is a dining room, lounge, kitchen, study or bedroom but not a WC, bathrooms, utility room, landing or and hallway.

- 9.6.3 Where elderly, infirm or disabled persons who spend a significant amount of time within their home are affected flexibility to look at some intervention. Where it can be established that the presence of trees is detrimental to the health of such residents, further consideration will be given to the management approach to trees. This consideration will also take into account the quality and importance of the tree in question, as well as the benefits to the wider community.
- 9.6.4 If natural light is being blocked by the growth of a high hedge then action may be taken under the Anti-social Behaviour Act 2003 (see Anti-social Behaviour – High Hedges).

9.7 Loss of View

- 9.7.1 Trees will only be pruned or removed to restore views when necessary to retain important public viewpoints or there is potential to bring about significant public benefit and/or enhance the local landscape or townscape. Historical records may be used to determine the level of management required. Pruning of trees for highway sight-line requirements will be dealt with on a case by case basis.

9.8 Trees affecting reception (Television / Satellite / Solar Panels)

- 9.8.1 Pruning in the short term may help improve television reception. However in the long term the flush of quick, extra growth associated with pruning can exacerbate the problem. In most cases the problem can be resolved by relocating the aerial or satellite dish, or alternatively using a booster. Residents are advised to contact their satellite or TV provider for specialist advice. Removal or pruning of trees to enable a clear television reception would only be considered in exceptional circumstances.
- 9.8.2 Similarly we will not prune or fell a tree in our ownership / management to improve natural light to a solar panel. Whilst we recognise the need for renewable energy sources, trees are also important in tackling climate change.

9.9 Overhead Cables / Telephone Wires

- 9.9.1 Utility companies have certain legal rights to carry out works to public or privately owned trees to address health and safety problems and to maintain a clearance between trees and their apparatus to ensure continuity of supply. This may sometimes involve the loss of trees. Where works to trees are necessary as a result of proximity or conflict, we will encourage utility operators to adopt the most appropriate long term solution, giving consideration to tree health, local tree cover and visual amenity.

9.9.2 Problems caused by branches interfering with privately owned telephone wires can usually be eliminated through appropriate pruning and tree removal would not usually be considered.

9.9.3 We will not prune or fell a tree in our ownership / management to prevent or reduce interference with telephone wires. We would recommend contacting the telephone service provider in such circumstances.

9.10 General / Minor Nuisances

9.10.1 We will not fell or prune trees solely to alleviate problems caused by natural and/or seasonal phenomena, which are largely outside of our control. There are a variety of potential nuisances associated with trees, most of which are minor or seasonal and considered to be normal and acceptable consequences of living near trees. Examples of such problems are:

- falling leaves, sap, blossom, fruit, nuts, bird and insect droppings;
- insects associated with trees (spiders, wasps, flies etc);
- reduction or increase of moisture to gardens;
- suckers or germinating seedlings in gardens;
- leaves falling into gutters, drains or onto flat roofs;
- the build-up of algae on fences, paths or other structures.

9.10.2 Clearing of leaves from gutters and pathways and weeding of set seeds are considered to be normal routine seasonal maintenance which property owners are expected to carry out.

9.10.3 Falling leaves, sap, blossom, fruit, nuts, bird and insect droppings are not readily controllable by pruning and cleaning of affected surfaces can be considered to be routine maintenance. Pruning will not normally be considered solely as a way of alleviating problems with these issues alone.

9.10.4 We would not normally prune or fell a tree under our ownership / management that bears poisonous fruit / foliage (such as laburnum or yew). However, where it is known that unsupervised young children are likely to be exposed to berries or foliage that will make them ill if eaten, we will investigate and take action, where appropriate.

9.11 Trees considered too big / too tall

9.11.1 We will not prune or fell a tree under council ownership / management because it is considered to be 'too big' or 'too tall' for its surroundings.

9.12 Personal Medical Complaint

9.12.1 We will normally not prune or fell a tree under our ownership / management where a request has been made to do so because of a personal medical complaint. However, where it can be established that the presence of a tree is causing a detriment to the health of residents further consideration will be given to the management approach of trees.

10. DAMAGE AND TREE ROOTS

10.1 Many tree conflicts arise on account of the presence of tree roots and the perception that they are causing damage. Where damage is alleged, each complaint will be investigated on an individual basis. The following guidance will be used in assessing levels of nuisance and identifying appropriate action.

10.2 Root invasion in gardens

10.2.1 Tree roots in gardens are a natural occurrence and root presence is unlikely to be affected by tree pruning or removal. Landowners do have a common law right to prune back tree roots to their boundary, providing that this would not lead to tree death and providing that the tree in question is not protected by a Tree Preservation Order (TPO) or situated within a Conservation Area.

10.2.2 Most species of deciduous tree will re-sprout from the stump when cut down. Many species will produce a new growth shoot from a root if it becomes exposed to sunlight through ground erosion. Some species readily produce shoots from their buried roots as a way to regenerate and this is often stimulated by stresses, such as heavy pruning or felling. Numerous tree species (including Cherry and Poplar) are therefore likely to produce vigorous root suckers as a response to being felled. Poisoning a stump to prevent such suckering is not always successful since application of herbicide onto a stump face often only affects the stump and the upper roots.

10.2.3 Tree felling or branch pruning in response to root invasion in gardens would not normally be appropriate, as such works are likely to worsen existing problems. The pure encroachment of roots into adjoining land is not considered to amount to actionable nuisance.

10.3 Damage to walls and fences

It is often possible to rebuild or repair garden walls and fences to take account of adjacent trees. This can be achieved in a number of ways (for example installing a section of railing or bridging foundations around the base of a tree). Therefore where trees are considered to be causing damage to walls or fences, we will only consider tree removal if the walls or fence is irreplaceable and of exceptional importance e.g. a retaining wall or of historical interest, or if there is a risk to public health in leaving the tree which cannot otherwise be mitigated. If a damaged wall or fence was constructed after planting of the tree, it may mean that the design or construction has failed to take the presence of nearby trees into account.

10.4 Damage to paths

It is often possible to repair paths to take account of adjacent trees and tree roots. Where roots protrude they can be root pruned, or the path re-laid around the tree with flexible materials such as asphalt to provide a smooth surface. Where trees are considered to be causing damage to paths or footpaths, we will not normally consider tree removal except where there is a risk to public health which cannot otherwise be mitigated.

10.5 Damage to drains or water pipes

There is no evidence to suggest that the tree roots can actively penetrate an intact pipe or drain, but they can find their way into drains by any existing fault and increase damage. In these situations, the owner of the drain should seek to get the drain repaired at their own expense. Tree removal will not normally be considered.

10.6 Trip Hazards

We will make safe an unacceptable trip hazard in a street, road or highway which is caused by a tree in our ownership / management.

10.7 Installation of drop kerbs

We will consider felling or pruning the roots of a tree under our ownership / management to allow the installation of a drop kerb. Each case will be considered on an individual basis.

10.8 Subsidence

10.8.1 While we recognise our responsibilities for the trees in our ownership / management, we will expect any claim against our own trees to be supported by sufficient evidence to show that the tree in question is a contributory factor in the subsidence. In a similar way, where an application to work on a protected tree is received we will again expect sufficient evidence to be provided to

show that the tree in question is a contributory factor in the subsidence. Where this evidence is provided, permission to remove the tree will not unreasonably be withheld. We will obtain expert specialist advice to verify submitted evidence as necessary. We will therefore require the following information in order to consider a claim associated with tree related subsidence:

- description of type of damage;
- indication of seasonal movement;
- levels and distortion survey;
- visual evidence of damage;
- depth of foundations demonstrated from excavated trial holes;
- analysis of soil type under foundation;
- presence and identification of trees roots.

10.8.2 In situations where a protected tree is alleged to be causing damage to a building we will permit the removal of the tree provided that:

- on the balance of probabilities there is sufficient evidence to demonstrate that the tree is an influencing factor;
- the removal of the tree is necessary to deal with the problem or if were dealt with by pruning, this would effectively destroy the amenity value of the tree;
- removal can be carried out without contravening wildlife legislation; and in the case of council trees, the complainant indemnifies us against any claim for heave or settlement as a result of the trees removal.

10.8.3 We will not normally subject our trees to regular heavy pruning to deal with suspected damage. Instead we will where feasible opt for removal and replacement planting with an alternative species that is less likely to cause future problems.

10.9 Heave

10.9.1 When a tree is removed in a clay sub-soil, the soil will rehydrate and swell in volume. The expansion may lift the foundations and cause cracking to the property. This is known as 'heave'. This is more likely to occur if the removed tree was mature and had a high water demand such as an oak tree.

10.9.2 No liability, at present, falls upon a local authority for damage due to heave resulting from tree removal where this is requested by the third party.

11. TREES ON PRIVATE LAND CAUSING A DANGER / OBSTRUCTION TO THE PUBLIC HIGHWAY

If a privately owned tree is causing

- i) a danger to the highway
- ii) an obstruction to a road
- iii) impairing visibility at a road junction, to a traffic signal, street light or street sign, or
- iv) damage to a pavement

we will use powers which exist under the Highways Act to request the owner makes safe / removes the obstruction. If they do not, we will undertake the work and recharge the owner.

12. TREES ON PRIVATE LAND CAUSING A DANGER (OTHER THAN TO THE PUBLIC HIGHWAY)

12.1 We have discretionary powers under the Local Government (Miscellaneous Provisions) Act 1976, Section 23, to deal with trees in private ownership that are dangerous. This legislation only allows the County Council to become involved when trees that pose an imminent threat to people or property.

12.2 We can serve notice on a tree owner to carry out specified safety works within a period of not less than 21 days. Where the specified safety works are not carried out, we do have powers to enter the land, carry out the works and reclaim from the land owner any reasonable costs incurred.

12.3 Where trees on privately owned land represent an immediate threat to people or property we will undertake one of the following actions, dependant on the severity of the risk and the site location and conditions:

- secure the affected area to prevent public access and notify the tree owner of the risk posed and action to be taken;
- undertake work from a position within council owned / managed land (only if safe to do so);
- as a last resort, enter the property and carry out remedial works to remove the risk.

12.4 In such cases, we will seek to recover the cost of these works from the owner of the tree.

12.5 The Local Government (Miscellaneous Provisions) Act 1976 does not enable us to become involved with private trees causing a nuisance to a neighbouring property by causing shade, blocking views or dropping leaves, flowers or fruit etc. unless the trees are imminently dangerous.

13. ANTI-SOCIAL BEHAVIOUR

13.1 Trees

If a county council owned tree is the focus of a nuisance leading to anti-social behaviour we will take measures to reduce the problem. These measures will be determined on a site by site basis.

13.2 High Hedges

- 13.2.1 Once all avenues for resolving a hedge dispute have been tried and exhausted, a complaint about a neighbour's evergreen hedge can be made to the Council's Planning Enforcement Team. A fee is payable for this service.
- 13.2.2 Our role is not to mediate or negotiate between the complainant and the hedge owner but to adjudicate on whether, in the words of the The Anti-social Behaviour Act 2003 (High Hedges), the hedge is adversely affecting the complainant's reasonable enjoyment of their property.
- 13.2.3 In doing so, we must take account of all relevant factors and must strike a balance between the competing interests of the complainant and hedge owner, as well as the interests of the wider community.
- 13.2.4 If we consider that the circumstances justify it, a formal notice will be issued to the hedge owner, which will set out what they must do to the hedge to remedy the problem, and when by. Failure to carry out the works required is an offence which could lead to a fine.
- 13.2.5 More details can be found on Durham County Council's website.

14. PROTECTED TREES

14.1 Tree Preservation Orders (TPO's)

- 14.1.1 A TPO is a legal document made, administered and enforced by the local planning authority, to protect specified trees and woodlands with public amenity value.
- 14.1.2 A TPO prevents cutting down, uprooting, topping, lopping, wilful damage or destruction of trees (including cutting roots) without our permission.

Works on Protected Trees

- 14.1.3 If you intend to carry out any works to protected trees, you must apply for consent from the council first.

- 14.1.4 If you do not own the tree you must obtain the owner's permission before carrying out the works.
- 14.1.5 You may also need to submit supporting technical information if the reason for your application relates to the condition of the tree - for example due to the presence of pests, diseases, fungi, or structural defects affecting the safety of the tree. Written evidence from an appropriate arboricultural professional may be required to support your application. For a list of arboriculturalists who are members of the Arboricultural Association, visit their website for details.
- 14.1.6 If the reason for your application relates to suspected structural damage caused by the tree, please submit a report from a structural engineer/surveyor together with technical advice to support your application.
- 14.1.7 Once an application has been submitted, we may either grant or withhold consent for works on a tree with a TPO or we may give a conditional consent. In determining whether to grant consent the Council will have regard to the amenity value of the tree and the considerations set out in sections 9 and 10 above. Permission to fell a preserved tree usually carries a condition to plant a replacement, which will automatically become the subject of the TPO.
- 14.1.8 If there are trees which you think should be protected or if you have seen work being carried out on a protected tree and want to know if the owner has permission, please contact one of our tree officers (see Further Information section below)

Penalties

- 14.1.9 If you carry out work on a protected tree without our consent, this may result in a criminal prosecution and a fine of up to £20,000. Consent is not required where the tree is dead, dying or dangerous, but we should be given five days notice before any works are carried out, unless it is an emergency.

Rights to appeal

- 14.1.10 You have a right of appeal both against the making of a TPO or any refusal of consent to do works to the tree.

Which trees are covered by a TPO?

- 14.1.11 Any tree, group of trees or woodland may be protected. There are currently around 700 TPOs in County Durham and whilst many are on individual trees there are some groups of trees. You can find out if your tree is covered by a Tree Preservation Order by contacting one of our tree officers (see 'Further Information' section below).

14.1.12 When you are buying a property, the presence of a TPO should be revealed by the search of the local land charges register.

14.1.13 The Council will make new TPOs where appropriate. In deciding whether or not to make an order we will take into account the amenity value of trees, their potential life expectancy, and the level of threat posed to them.

14.1.14 The Council may at any time review an existing TPO to assess whether it is still appropriate to provide protection in circumstances which may be different to those when the Order was made. When it is considered necessary to make changes we will either revoke the order, revoke the order and make a new order, or vary the order in some detail.

14.1.15 Further information

More details can be found on our web-site:

www.durham.gov.uk

or contact one of our tree officers:

Central Area Tel: 03000 267 130

North Area Tel: 03000 267 144

South Area Tel: 03000 267 307

Email: treeofficers@durham.gov.uk

14.2 Trees in Conservation Areas

14.2.1 It is an offence to cut down, prune, lop, top, uproot or wilfully damage or destroy a tree in a conservation area without giving us prior written notice.

Work on trees with in a Conservation Area

14.2.2 If a tree has a stem diameter greater than 75mm (3") measured 1.5m from the ground level, you are required to give us six weeks notice of any tree works that you are proposing. This enables us to assess the proposed works and if necessary serve a Tree Preservation Order. If no decision is received within six weeks then consent is gained by default.

14.2.3 Please notify us by using the standard application form, available upon request.

Penalties

14.2.4 The penalties for failing to notify us are similar to an offence affecting a tree under a TPO.

14.2.5 Is my Tree in a Conservation Area?

More details can be found on our web-site:

www.durham.gov.uk

or contact one of our tree officers:

Central Area Tel: 03000 267 130

North Area Tel: 03000 267 144

South Area Tel: 03000 267 307

Email: treeofficers@durham.gov.uk

14.3 Forestry Commission (FC) Felling Licences

14.3.1 A felling licence from the Forestry Commission may be required if you wish to fell more than five cubic metres of timber per calendar quarter. For further details contact the Forestry Commission.

15. OTHER FACTORS CONSTRAINING WORK TO TREES

15.1 Birds

Under the Wildlife & Conservation Act 1981 (as amended) it is an offence to kill, injure or take wild birds, their young, their eggs or nests. Non-urgent major tree work involving tree removal / reduction and hedge cutting operations should not normally be undertaken during bird nesting / breeding season, which is considered to be from 1st March to 31st July.

15.2 Bats

Bats are a European Protected Species and are protected by the Conservation of Habitats and Species Regulations 2010 and the Wildlife & Countryside Act 1981 (as amended). Causing damage to a roosting / nesting site is a criminal offence which can lead to imprisonment. Trees displaying signs of roosting bats will be referred to our Ecologist before any work commences. Any trees supporting roosting bats will not be worked on until Natural England is consulted.

For further information and advice regarding trees and wildlife contact should be made with the our Ecology Team on 03000 267 134 or email: ecology@durham.gov.uk.

15.3 Planning Permission

Where planning permission has been granted, trees may be protected as a condition of that permission. Any works to such trees will require consent from the council and an application for a variation of the planning condition may be required.

15.4 Restrictive Covenants

Occasionally, restrictive covenants attached to the deeds for a property may restrict what work can be undertaken to trees.

16. REPLACEMENT TREE PLANTING

- 16.1 Appropriate replacement tree planting will be encouraged whenever trees are removed from private land. Where a tree is protected by a Tree Preservation Order and it is dead or unsafe, a tree replacement will be required.
- 16.2 Where trees are removed from land owned / managed by us, replacement planting will be carried out subject to available resources.
- 16.3 To help maintain a continuity of tree cover across the county we will undertake the planting of new trees on our land when suitable opportunities arise. Having too many of the same type of tree in a locality is a concern because of the increased risk of a devastating loss of one or more species of tree due to pests / diseases or other environmental factors.
- 16.4 We will increase the resilience of our trees by planting species mixes rather than monocultures and avenues. Adapting to the effects of climate change will also see us using more non-native and unusual species in our planting schemes.

17. TREES & DEVELOPMENT

- 17.1 We are committed to continuously improving the way that trees are considered in relation to planning applications for new development. We will ensure that full consideration is given to both the retention of existing trees and the planting of new ones. We will take into account the ultimate mature size of the tree, available space and the relationship to buildings when designing layouts to avoid causing future relationship issues.
- 17.2 Once the trees to be retained have been identified, their removal can be prohibited by a Tree Preservation Order, planning conditions or a planning agreement. The aim of this policy is to ensure that trees are not unnecessarily lost and that the most suitable ones are retained.

18. VANDALISM AND DAMAGE TO COUNCIL OWNED/MANAGED TREES

- 18.1 Vandalism is an increasing pressure on trees. Usually it is young newly planted trees that are damaged; however, mature trees are often damaged too. There are various ways in which vandalism can be counteracted, but none of these is 100% effective against determined attack.
- 18.2 The main methods of deterring vandals are to plant large numbers of very young trees, known as whips, or to plant larger robust trees depending on the site. Another method is to put guards or fencing around trees, but these have to be large enough and strong enough to offer real protection.
- 18.3 This latter approach tends to be the most expensive method and only appropriate in very high profile positions. In the long run, increasing environmental awareness within schools and communities should help reduce vandalism.
- 18.4 There are cases where trees we own / manage have been irrevocably damaged or removed without permission. We will investigate any reports of vandalism / damage to trees in our ownership / management, and try to repair any damage where we can. Where possible, we will take legal action against the person(s) causing the damage.

19. BIOSECURITY / PEST & EPIDEMIC MANAGEMENT

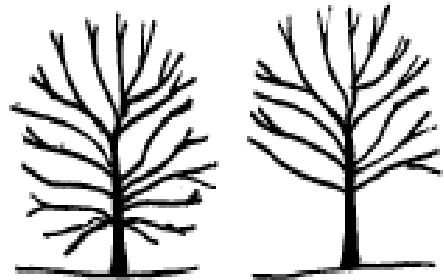
- 19.1 Biosecurity is a set of precautions that aim to prevent the spread of pests, pathogens or invasive species. The threat to trees from these has never been greater and as a large landowner we undertake to follow best practice and specific advice which is regularly published by the Forestry Commission. Attendances to high risk sites are subject to risk assessment and we employ measures to minimise pest or disease spread.

20. TREE PRUNING TECHNIQUES

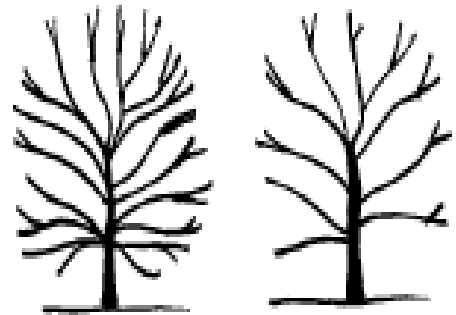
- 20.1 We will seek to ensure that tree works are carried out to the highest standards. In carrying out tree works, we and any third party working on trees over we have a responsibility, will ensure that pruning conserves the overall amenity value, form and shape of the tree and all tree works must be carried out in accordance with British Standard 3998 – Recommendations for Tree Work.
- 20.2 Particular pruning specifications may or may not be appropriate for trees of different ages, species, health and condition, or even between trees of the same species depending on their condition, age and environment.

20.3 Clear and acceptable pruning objectives are necessary in advance of approval of a pruning specification. The pruning objectives may require implementation of one or more of the following operations:

- **Crown lifting** –The removal of the lowest branches of a tree so that the remaining lowest branches are at a specified height, usually 2.4m over a footpath and 5m over a road. This operation is undertaken for a number of reasons, such as to allow access under a tree; to clear branches from low structures; or to allow light under the canopy.

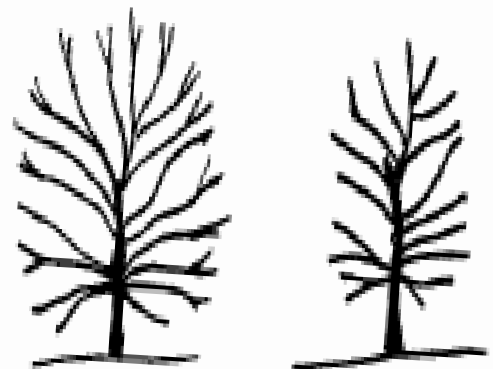


- **Crown thinning** – The removal of a specified proportion of branch material from the interior of the crown without affecting the shape of the tree. This operation is usually undertaken to reduce crown density; form a healthy branch structure by removing dead; diseased, damaged, crossing and rubbing branches, and allow more light through the canopy. Many tree species evolve a canopy density for adaptive reasons and crown-thinning can increase turbulence and cause drought stress and branch failures.

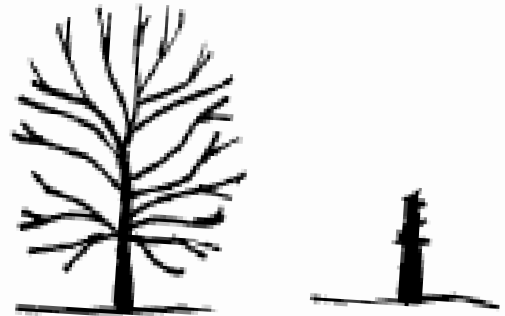


For this reason, crown thinning is usually only acceptable when carried out as part of crown cleaning or balancing works.

- **Crown Reduction** – Reducing the overall size of the crown area by a specified percentage by pruning back the leaders and branch terminals to lateral branches that are large enough to assume the terminal roles (at least one third the diameter of the cut stem). Crown reduction up to a maximum of 15-20% may be acceptable to semi-mature trees providing cuts do not exceed 5-7cm and where shaping and restricting size and spread is essential. Crown reduction of mature or older trees is not normally acceptable as it can severely affect tree health and may lead to the death or decline of the tree and is generally only acceptable as management of last resort.



- **Topping** – This entails cutting at a certain height to reduce the height of the tree. Topping is not acceptable as it severely affects the public amenity and health of the tree, sometimes leading to death. Topping can also lead to future problems due to a flush of weak re-growth that can represent a danger and also exacerbate existing problems. If height reduction is considered essential and unavoidable, crown reduction (see above) is preferred.
- **Pollarding** – This severe operation entails the removal of the entire tree's branch structure back to the trunk. Pollarding is an ancient way of maintaining trees that is sometimes necessary, particularly on trees that have been pollarded previously. Only certain species will tolerate this degree of pruning, and new growth may be weak and prone to tearing off. This method of management is not therefore normally acceptable.
- **Dead Wooding or Crown Clean** – This operation is similar to a crown thin except that only dead, diseased, crossing and rubbing branches are removed to tidy up the appearance of the tree. No healthy, sound wood is removed. This operation is recommended to help maintain a healthy, safe tree.
- **Formative Pruning** – The removal of problematic or potentially problematic branches, ensuring good tree development.
- **Stump Grinding** – Stump grinding is the practice of removing a tree stump to below ground level by mechanical means. We will carry out stump grinding where necessary to enable new trees to be planted or to remove a significant hazard. Where stump removal is not necessary tree stumps will be removed close to ground level so as not to leave a trip hazard.



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Appendix 3

Equalities and Diversity Impact Assessment

Tree Management Policy



Durham County Council – Altogether Better Equality Impact Assessment form

NB: Equality impact assessment is a legal requirement for all strategies plans, functions, policies, procedures and services. We are also legally required to publish our assessments.

Section one: Description and initial screening

Section overview: this section provides an audit trail.

Service/team or section: Direct Services	
Lead Officer: County Clean and Green Manager Neighbourhood Services	Start date: 1 September 2013
Subject of the Impact Assessment: (please also include a brief description of the aims, outcomes, operational issues as appropriate)	
The Tree Management Policy sets out the Council's approach to retaining, managing and enhancing the tree stock for the benefit for all who live work and visit the County. It will also be used to encourage others responsible for trees to take a positive approach to the management of trees in their care.	
Who are the main stakeholders: General public / Employees / Elected Members / Partners/ Specific audiences/Other (please specify) – Professional Organisation/stakeholders who have a stake in woodland management and development, Tourists	
Is a copy of the subject attached? No	
If not, where could it be viewed? County Clean and Green Manager – Direct Services	
Initial screening	
The introduction of a risk based approach to prioritising tree maintenance will have a positive impact across the protected strands as the policy will lead to improved management of council and privately owned trees. The management of the trees in a more proactive way will lead to earlier intervention when trees are identified as being potentially dangerous leading to increased public confidence.	
Clarifying the circumstances when intervention will or will not take place will also lead to an increased public understanding of how and why tree maintenance is carried out by the council.	

The council also has a responsibility for the planning of residential developments and this policy will provide the opportunity to further benefit the protected groups by promoting developments with trees species matched to sites avoiding the problem of them out growing their location.

Prompts to help you:
 Who is affected by it? Who is intended to benefit and how? Could there be a different impact or outcome for some groups? Is it likely to affect relations between different communities or groups, for example if it is thought to favour one particular group or deny opportunities for others? Is there any specific targeted action to promote equality?

There is an actual/potential negative or and positive impact on specific groups within these headings?
 Indicate : Y = Yes, N = No, ?=Unsure

Gender	N	Disability	N	Age	N	Race/ethnicity	N	Religion or belief	N	Sexual orientation	N
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What evidence do you have to support your findings?

Officers knowledge of service provision

Decision: Proceed to full impact assessment – No **Date: 1 September 2013**

If you have answered 'No' you need to pass the completed form for approval & sign off.

Section two: Identifying impacts and evidence- Equality and Diversity

Section overview: this section identifies whether there are any impacts on equality/diversity/cohesion, what evidence is available to support the conclusion and what further action is needed.

	Identify the impact: does this increase differences or does it aim to reduce gaps for particular groups?	Explain your conclusion, including relevant evidence and consultation you have considered.	What further action is required? (Include in Sect. 3 action plan)
Gender			

Age		
Disability		
Race/Ethnicity		
Religion or belief		
Sexual orientation		

How will this promote positive relationships between different communities?

Section three: Review and Conclusion

Summary: please provide a brief overview, including impact, changes, improvements and any gaps in evidence.

The public consultation will enable a more detailed assessment to be developed based on the respondents and their profile

Action to be taken	Officer responsible	Target Date	In which plan will this action appear
The information gathered from the consultation will be used to determine if the policy will affect the protected characteristics	County Clean and Green Manager		EqIA plan
Consultation -to ensure consultation and engagement process with the public is in place	County Clean and Green Manager and Communications and Marketing Team Leader	December 2013	Consultation plan

EqIA to be reviewed in line with any changes generated through consultation	County Clean and Green Manager and Service Improvement Officer (Equalities)	March 2014	EqIA Plan
When will this assessment be reviewed?	Date: 16 th January 2014		
Are there any additional assessments that need to be undertaken in relation to this assessment?	No		
Lead officer - sign off: County Clean and Green Manager	Neighbourhood Services		Date: 27 November 2013
Service equality representative - sign off: Customer Relations and Performance Manager			Date: 28 th November 2013

Please email your completed Impact Assessment to the Service Improvement Officer (Equalities)

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Cabinet

18 December 2013



Climate Change Strategy and Delivery Plan

Key Decision R&ED/12/13

**Report of Corporate Management Team
Ian Thompson, Corporate Director Regeneration and Economic Development
Councillor Brian Stephens Cabinet Portfolio Holder for Neighbourhoods and Local Partnerships**

Purpose of the Report

- 1 To inform Cabinet of the progress of the Climate Change Strategy and Delivery Plan and request direction regarding carbon reduction targets.

Background

- 2 In December 2009 the Council set a county-wide carbon dioxide reduction target of 40% by 2020 which was taken forward by means of a low carbon masterplan, agreed by Cabinet in 2010. In light of the strategic context of carbon reduction as a corporate priority, this activity was reviewed in 2011 and an all encompassing approach that included partners and community wide activities was introduced in the form of a County Durham Climate Change Strategy and Delivery Plan. This would also take into account likely impacts arising from the forthcoming County Durham Plan.
- 3 In 2012 CMT was presented with a draft of the Climate Change Strategy and proposals for its further development including an outline of the Delivery Plan which focussed on actions to reduce emissions within the County and adapt to likely changes.
- 4 Within the County Durham Partnership, as part of the Altogether Greener theme, the Climate Change Strategy Group has overseen preparation of the Strategy and Delivery Plan, engaging with key stakeholders such as AAPs, Parish Councils and local groups. The resulting further actions and examples of local initiatives that are taking place within the County are detailed in the Delivery Plan.

Strategy

- 5 The Strategy sets out a clear vision and objectives to become established as a low carbon county. It acts as a bridge between the aims of the

Sustainable Community Strategy and the Climate Change Delivery Plan.
The aims of the Strategy are:

- (i) to reduce the county's emissions by 40% by 2020 from 1990 levels, stating :
We will reduce the demand for energy, ensure homes and businesses are energy efficient and will promote alternative low carbon forms of energy generation.
- (ii) to adapt to a changing climate stating:
We will build upon the County Council's Adaptation Action Plan and ensure that individuals and organisations are more prepared for the challenges of a more extreme environment

6 The aims are assigned in more detail across seven themes:

- Public Sector Performance
- Low Carbon Economy
- Built Environment
- Natural Environment
- Transport and Infrastructure
- Community Engagement
- Impacts Beyond our Boundaries

Delivery Plan

- 7 The Climate Change Delivery Plan takes the high level strategic objectives and translates them into local projects and actions. It details projects that are happening on the ground and key actions that are important to making progress in the seven themes. These are drawn from organisations and individuals across the County and demonstrate action at all scales, from individual residents to large organisations. Durham County Council is involved in a number of projects in the Plan; through Housing, the Warm up North scheme will be targeting energy efficiency and fuel poverty in the domestic sector whilst the Sustainability and Climate Change team are working with Business Durham to target the SMEs in Durham. The Business Energy Efficiency Project (BEEP) will develop low carbon businesses by offering support and signposting services that keep utility costs down and consequently lower carbon emissions.
- 8 Many other organisations and groups are represented in the Plan, and it is hoped that as it evolves, a greater number of examples will come forward.
- 9 The Delivery Plan will continue to strive towards a decarbonising of the economy, reducing fuel poverty and encouraging community ownership of emissions and renewables. In doing so it will aim to place Durham as a low carbon county, doing what it can to reduce emissions and preparing for the likely impacts.

- 10 Copies of the Consultation Strategy and Delivery Plan will be available for inspection at the meeting.

Target Review

- 11 Durham County Council has set two targets for reducing carbon emissions.

By 2020, reduce carbon emissions (from domestic, commercial, and transport sources) across County Durham by 40% from a 1990 baseline. This was adopted first and is above the UK target of 34%. It is worth pointing out that the UK Government also has an 80% reduction target by 2050 so additional goals and targets will need setting to move towards this overall objective.

By 2020, reduce carbon emissions (from domestic, commercial, and transport sources) across County Durham by 22% from a 2005 baseline. This was adopted later as a condition of signing the Covenant of Mayors. This represents a greater reduction in emissions.

- 12 DECC have recently released performance data on 'carbon emissions within a Local Authority influence' and it shows Durham is progressing well towards its 2020 targets. The position in 2011 (the most recent year with data) shows we have achieved our 40% target and need to achieve just over another 4% saving before 2020 to achieve our stricter, Covenant of Mayors target. Comparing Durham with other areas, we are slightly ahead of the UK average reduction but behind the North East average.
- 13 Whilst we have successfully delivered a number of programmes reducing the carbon emissions from the County it is clear that external factors and the economic situation in particular, are having a significant influence on overall emissions. Emissions from domestic and commercial users are down and anecdotal evidence indicates that the financial situation is playing a major part in this situation.
- 14 In light of recent progress on reducing emissions, the targets in the Strategy could be revised. However, this must be considered within the context of contributing factors changing the data in the future. If the economy recovers and development increases in line with expected population increases, emissions are likely to pick up and we may miss any new, stricter targets.
- 15 Given the current position and the long lead-in to the UK Government's 2050 target it would be appropriate for DCC to choose an additional medium term target. Linking into the County Durham Plan timescale and choosing 2031 would be logical and a 55% reduction (from 1990 levels) is a suitable aspiration. This can obviously be reviewed by the Council as

data becomes available but it will give a realistic aspiration to work to whilst the Plan is active.

- 16 Projected and planned growth associated with the County Durham Plan and key sites such as the Hitachi plant at Newton Aycliffe will inevitably produce emissions. The County Durham Plan has worked to ensure sustainability has been incorporated into policies and site allocation but there will be increased carbon from development.
- 17 Given the scope of proposed development and increased population predicted in the County Durham Plan it will be useful to also track progress on a per capita basis. This will help give officers and members a useful comparison of progress and improvements from new developments.
- 18 It is proposed to undertake a public consultation using the attached Strategy and Delivery Plan in January and include any amendments to performance and targets in the final version. The consultation will be used for feedback on the documents but will be a first step in engaging with the wider community across Durham. The final version will be presented to Cabinet and the Altogether Greener Board in the first quarter of 2014/15 and will be updated annually.

Recommendations and reasons

- 19 That Cabinet;
 - (i) acknowledges progress towards the targets and proposes to retain the current targets for the initial publication but review them by April 2015. It is also proposed to track progress on a per capita basis to take account of the planned developments.
 - (ii) formalises a medium term 2031 target to link into the timescale of the County Durham Plan. A target of a 55% reduction (from 1990 levels) would be a suitable mid-point to initially aim for.
 - (iii) considers relevant projects that the authority and its partners are engaged in that will influence progress towards the targets and feeds this back for appraisal.

Contact:	Steve Bhowmick	Tel:	03000 267 122
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Appendix 1: Implications

Finance –

No immediate implications

Staffing –

No immediate implications

Risk –

Failure to address climate change will create increasing risks in the future.

Equality and Diversity / Public Sector Equality Duty –

Climate change impacts tend to have a greater impact on less wealthy or vulnerable people. The strategy will help prevent or reduce these impacts. An Equalities Impact Assessment has been carried out.

Accommodation –

None

Crime and Disorder –

None

Human Rights –

None

Consultation –

Consultation with groups has been carried out in early 2013. A consultation plan for public consultation on the strategy and delivery plan has been prepared for January 2014.

Procurement –

None

Disability Issues –

None

Legal Implications –

None

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County Durham Climate Change Strategy

Consultation Draft

December 2013

Contents:

1. Foreword and Background
2. How to use the strategy
3. Policy Drivers
4. The Issues
5. 2020 Vision
6. Key Themes
 - Public Sector Performance
 - Low Carbon Economy
 - Built Environment
 - Natural Environment
 - Transport and Infrastructure
 - Community Engagement
 - Impacts Beyond our Boundaries
7. Conclusion

‘Our actions over the coming decades could create risks of major disruption to economic and social activity, later in this century on a scale similar to those associated with the Great Wars and the economic depression of the first half of the twentieth century’

HM Treasury (2006), The Stern Review: The Economics of Climate Change, Cambridge University Press

1. Foreword

We are pleased to be presenting this draft version of the County Durham Climate Change Strategy which sets out our ambition and goals up to 2020.

The risks associated with Climate Change are significant and will only increase if we don't take collective action to reduce our emissions and adapt to the likely changes. Early intervention and preparation are key to minimising the risks and making our towns and villages suitable for future weather events.

Durham has a strong history of partnership working in this field and has many examples of good practice over the past 20 years. We need to carry this good work forward and continue our transition to a low carbon County.

This document outlines some of the on-going work that the larger organisations are doing and also picks up some of the excellent work that is being delivered by Parish Councils, community groups and individuals and businesses. It is far from comprehensive and we know there are many others who are doing what they can on this important subject.

We hope that you feel the same as us in looking to address climate change but even those who remain doubtful of the science can find issues in the document that are important to them or their community.

This is the consultation draft and we want readers to take a look at it and see where their community fits. How can you or your organisation make the necessary changes to help your community prepare for the changes and what support do you need from the Council and the County Durham Partnership?



Steve Hunter
Chair of the County Durham Climate Change Strategy Group



Councillor Brian Stephens
Portfolio Holder for Neighbourhoods and Local Partnerships

Background

Since local government reorganisation in 2009, climate change and sustainability have been central themes in our ambition to create a better, more vibrant, economy and society.

The climatic system is extremely complex, however there is undisputable evidence and overwhelming scientific consensus that the climate is changing and that the main cause can be attributed to human activity. Even discounting the climate change argument, the strategy is still about effective and efficient use of non-renewable and unsustainable resources, including energy and materials.

These challenges also come at a time when the economy is facing severe constraints, therefore we must ensure any investments have a real long lasting benefit to the residents and businesses of the County. The Council and County Durham Partnership have signed up to extremely challenging targets to reduce emissions, not just from Council services but from across the County as a whole.

The aim of this strategy is to create an overarching vision and high level objectives which set out where we want County Durham to be by 2020. The publication of this strategy is only the beginning. The Sustainable Energy Action Plan and our Climate Change Delivery Plan will detail how we will deliver on our vision.

Climate change is one of the most important issues we must address. How we and our partners deliver on these challenges will impact upon our economic competitiveness. By creating sustainable communities that are resilient to climate impacts will help to attract businesses and jobs to the County. We still have a long way to go, but through continued partnership working, between communities, business and the public sector we want County Durham to become a thriving, resilient and engaged low carbon community.

2. How to Use the Strategy

Realising that tackling issues such as climate change requires actions from organisations outside the Council, the County Durham Partnership was set up to bring together the key strategic organisations from around the County and co-ordinate actions to deal with priority cross cutting issues. It's Sustainable Community Strategy highlights climate change as one of it's main areas of work and has commissioned this Climate Change Strategy Group to direct work in this area

The Climate Change Strategy sets out the clear vision and objectives of the County Durham Partnership that will take us to a low carbon County and help us to meet the challenges posed by changes to the climate. It provides the vital link between the Sustainable Community Strategy and the Climate Change Delivery Plan. The strategy sets out seven key themes which we consider to be essential in creating a low carbon and resilient County. Each key theme has a vision and a series of high-level commitments that will form the basis of the Delivery Plan. The development of this strategy will also provide a framework to ensure future strategies and action plans by the Council and its partners embed climate change and sustainability actions throughout.

Delivery

Our primary aim is to create a Delivery Plan with actions based around each thematic area, in order to deliver the key commitments outlined within the strategy. The Delivery Plan will be updated each year and will include short and medium term actions, with existing plans and strategies feeding into it. These actions will be monitored and reviewed by the Climate Change Strategy Group and then reported to the Altogether Greener Partnership and the Overview and Scrutiny Committee in the Council.

Climate Change Strategy Group

The Climate Change Strategy Group is made up of representative from the public, private and community sectors. Members on the group come from

- ❖ Durham County Council-
 - Sustainability
 - Housing
 - Health
 - Highways
- ❖ Durham University
- ❖ Environment Agency
- ❖ Civil Contingencies Unit
- ❖ 3M
- ❖ SSE
- ❖ Outdoor and Sustainability Education Services (OASES)
- ❖ County Durham Community Energy (CDCE)

Audience

Whilst the strategy has been developed by the Climate Change Strategy Group on behalf of the Altogether Greener Partnership, the targets cannot be achieved in isolation. Only by working in cooperation with local communities, businesses and other statutory organisations can we ensure that emissions are reduced and we are resilient to the effects of a changing climate.

Key Partners

Health Sector	Third Sector	Town and Parish Councils
Area Action Partnership's	Durham Constabulary	Durham Fire and Rescue Service
Environment Agency	Durham University	Private Sector Partners
Residents and businesses within County Durham		

3. Policy Context

The Sustainable Community Strategy (SCS) is the overarching plan for County Durham. It informs all other strategies developed by the Council and its partners. The SCS has the following ‘Altogether Greener’ objectives:

- Mitigate the impact of and adapt to climate change
- Promote pride in our communities to deliver a cleaner greener County Durham
- Enhance, conserve and maximise the value of County Durham’s natural environment to the benefit of all
- Enhance, conserve and promote County Durham’s built environment
- Deliver sustainable waste management solutions

In 2010, the Council and the Altogether Greener Partnership agreed a target to reduce CO₂ emissions across County Durham by 40% by 2020 (based upon 1990 levels). This includes emissions from the domestic, business, commercial and transport sectors. This is a challenging target, as it is above the Government target set in the Climate Change Act which sought a 34% improvement. Nonetheless, we feel it is important for the County to aim for such an ambitious target and are confident it is achievable considering our expertise and resources.

The Council is a signatory of the EU Covenant of Mayors; and as such, there is a requirement on the Council to reduce emissions by at least 22% (based upon 2005 data) and develop a Sustainable Energy Action Plan detailing how these reductions will be made and report on this every two years. Attaining these targets will provide economic opportunities, reduce health inequalities and create sustainable communities.

Pre 2020 we will review carbon reduction targets and will establish 5 year carbon reduction budgets with the aim of meeting the national 80% reduction target by 2050.

3.1 The County Durham Plan

The County Durham Plan is the overarching planning document for County Durham. It seeks to identify what is needed and where, identifying those areas which will attract new long lasting investment whilst understanding what each settlement needs in terms of services and opportunities. It will also establish a range of policies and strategies designed to improve and manage growth in a sustainable way. Ensuring development is sustainable is one of the key aspects of the plan. It will also help to ensure new emissions arising from development are minimised, so the actions we seek to take within this Strategy and Delivery Plan are not negated by emissions arising from development. The County Durham Plan sets out our development objectives up to 2031, by which time it is hoped that emissions will be reduced by 55% over 1990 levels.

4. The Issues

Climate Change is likely to be one of the most challenging issues for the next 10 years and beyond. Although it is an issue which will have significant global consequences, there will still be considerable impacts for County Durham that we will need to be prepared to address. In 2010, Climate North East commissioned studies into the economics of climate change, which revealed that failing to adapt and to build resilience will obstruct the ability to realise the economic opportunities from both mitigation and adaptation.

The studies revealed that the total Expected Annual Damages of climate change impacts without adaptation for significant impacts (e.g. heatwaves or flooding) by 2050 will be approximately £600m per annum for the North East. Furthermore, the adaptation costs are estimated at around £80-100 million per annum (by 2050), giving a cost benefit ratio of 7 to 1 in favour of adaptation.

Long-term climate changes mean that by the 2050's:¹

- Rainfall patterns will change with increases of up to 21% in Winter and reductions of up to 37% in Summer, with an overall reduction of 10%;
- Average seasonal temperatures will increase, with extreme hot temperatures increasing by around 3°C and heatwaves likely to occur more often;
- There will be a reduction in the number of frost days and a major reduction in winter snowfall of around 45% to 83%; and
- Average sea levels will rise by around 0.3m with an increase in sea surge levels of a further 0.3m.

Based upon such evidence, the long-term impacts and issues for County Durham are likely to include:

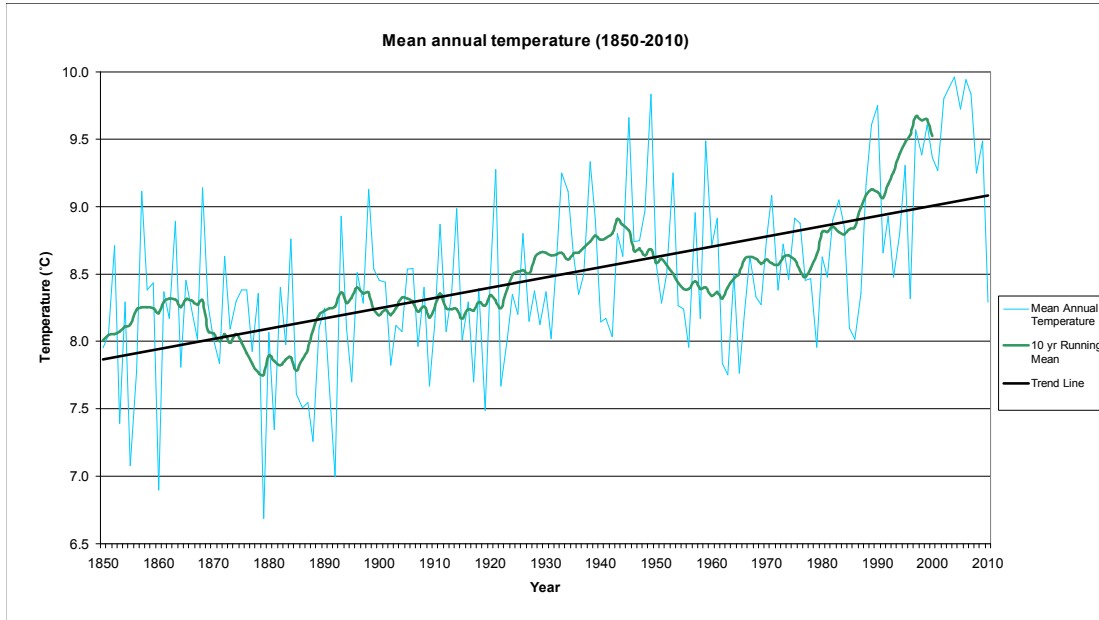
Higher risk of disruption due to weather events	Soil subsidence	Increase in insurance costs
Increase in air conditioning costs	Higher risk of skin cancer	Loss of native plant and animal species
Increased risk of grassland and forest fires	Higher levels of road maintenance	Higher risk of Summer excess deaths

County Durham must also be in a position to take advantage of the opportunities that climate change may bring. Such opportunities, if managed carefully, can bring about long-term benefits:

Business relocation, due to excellence in building performance and water scarcity issues elsewhere	Increased potential for tourism	Reduced Winter deaths because of milder winters
Greater potential for outdoor lifestyles		

¹ Climate Change Action Plan for the North East

The annual temperature changes in County Durham have recently been assessed through the examination and analysis of historical data supplied by Durham University². The following graph demonstrates how temperatures have changed in Durham City from 1850 to 2010. Mean annual temperatures have increased from 8.0°C in 1850 to 9.5°C in 2009 (with a steep drop to 8.3°C in 2010 due to the exceptionally cold Winter in this year). This matches national trends showing that warming is occurring.



² A report to investigate historical climate change in County Durham and explore future implications for climate change adaptation in the region (2011) – Andrew Telford, Durham University Student

5. 2020 Vision

“By 2020 County Durham will be a thriving, resilient and engaged low carbon community”.

Headline Objectives

Reducing our Emissions

County Durham will reduce CO₂ emissions by 40% by 2020 from 1990 levels, ensuring year on year reductions.

We will reduce the demand for energy, ensure homes and businesses are energy efficient and will promote alternative low carbon forms of energy generation.

Adapting to a Changing Climate

County Durham will be a highly resilient place to live.

We will build upon the County Council’s Adaptation Action Plan and ensure that individuals and organisations are more prepared for the challenges of a more extreme environment.

6. Key Themes

In order to achieve our vision and Objectives the Climate Change Strategy has been divided into seven themes. These themes are to help explain the areas where work will be focussed and as there are considerable cross-overs between themes, they should not be viewed in isolation.

Public Sector Performance

Vision:

County Durham will have a strong and flexible public sector, working together to ensure emissions are reduced on an annual basis, and resilience is embedded into services.

Issues:

At a time when the economy is fragile, Durham County Council, health delivery organisations, Durham University, and all partners must provide leadership. Reducing demand and energy consumption, whilst investing in new low carbon forms of energy will not only save money (especially considering energy price rises) and potentially jobs, it will also help to stimulate growth in the low carbon economy and prove to residents that the public sector can work together in an integrated way for the benefit of communities.

The public sector must also show leadership by ensuring that procurement is sustainable, in that local and registered products and services are recommended wherever practical and that these are embedded into contracts, that waste is dealt with in the most sustainable way and that recycling levels are maintained and improved upon.

Outcomes:

Durham is a county where partners work together to reduce environmental impact and eliminate waste. Sustainability is recognised as an overarching ethos which pulls together all the three strands of environmental protection, social inclusivity and economic regeneration.

We will:

- Ensure that corporate strategies have taken account of climate change and how it will impact on service / strategy delivery and how it will affect the capacity of other assets / resources to adapt to climate change.
- Continue to set and achieve CO₂ reduction targets for public sector partners activities and report on our performance annually.
- Lead by example and set targets to reduce carbon emissions from the public sector
- Work with our public sector partners to reduce their CO₂ emissions.
- Minimise wastage and promote sustainable options across the public sector supply chain.
- Mainstream sustainable procurement into public sector purchasing activities.
- Reduce the amount of waste going to landfill and increase the amount being recycled and report on these figures and attainment of targets annually.
- Reduce water consumption across the public sector estate.
- Encourage waste reduction and reuse initiatives, both domestically and commercially.

Low Carbon Economy

Vision:

County Durham will be known for its thriving low carbon economy, and helping to encourage innovation, new products and services. It will be a leading location for green business growth capitalising on the key strengths of the area.

Issues

One of the biggest challenges to the UK is the increase in energy prices predicted over the 10 years and beyond. This will impact upon all sections of society but especially energy intensive users which will be penalised for their consumption and bear the brunt of low carbon taxation. These users may leave the UK, thereby reducing CO2 emissions but conversely increasing the importation of embedded carbon through imported goods. This could in turn lead to a loss of jobs as an unintended consequence following the migration of energy intensive industries.

Rural communities currently have less choice or access to lower cost utilities and infrastructure, making many people in such areas fuel poor. Industry and consumers often lack awareness of microgeneration technologies and the benefits of energy efficient products and innovative ways of working. Bringing such technologies within reach of all residents is a key issue that needs to be addressed.

Access to low cost capital to embed innovation, research and development and implement efficiency measures and micro-generation must be a key driver. The lack of public programmes to accelerate infrastructure development for new and emerging sectors may also be an issue in the future

There are also a plethora of opportunities for all sectors should they take up the challenge. The future proofing of businesses, through energy efficiency, innovative technologies and processes will help give County Durham businesses a competitive edge.

We will aim to lead the way on technology innovation with the Council, the colleges, universities and businesses collaborating on low carbon infrastructure, supply chain development, whilst helping to safeguard local expertise, jobs and apprenticeships in emerging sectors.

Outcomes:

County Durham will have numerous green jobs and be an expanding centre of excellence for training and enterprise, ensuring that by 2020 sustainability is embedded within business.

Efficiency and energy reduction will be core activities within all businesses. Business will be more efficient and will regularly carry out energy efficiency checks.

Technology Innovation Centres including Durham University and the region's HE and FE institutions will continue to be at the forefront of research and development in low carbon technologies, and working with the County's businesses to support the sector.

Over 26% of the County's electricity consumption will be made up from low carbon and renewable energy sources with 6% of the County's heat being generated by low carbon/renewable sources. There will also be an expansion of community owned renewable energy schemes.

We will:

- Work to help decarbonise the electricity grid, through appropriate positive renewable energy planning.
- Help ensure that future development is appropriately located to services and facilities and as such avoids unnecessary emissions associated with travel.
- Work with small and medium sized enterprises (and landlords) to help reduce core costs through the promotion and installation of energy efficiency products and advice.
- Work with small and medium sized enterprises (and landlords) to help ensure businesses are fully adapted to impacts of more extreme weather.
- Work with employers to encourage graduates to remain within the County in new and emerging sectors.
- Link in to regional Climate Change schemes, ensuring we have a co-ordinated approach throughout the region.
- Ensure we maximise the use of European funding to achieve our ambitions.
- Investigate and promote, where applicable the use of external incentives in order to encourage and grow green businesses.
- Promote green tourism and local sustainable food.
- Promote micro generation schemes across the County aiding individuals, community groups and businesses to access capital through the Green Deal and alternative sources.
- Develop our first district heating scheme.

Built Environment

Vision:

County Durham will have a strong and resilient built environment, with high quality, innovative and above all, sustainable development adding to the vibrancy of towns and villages.

Issues:

Effective planning is one of the key elements required to mitigate and adapt to the challenges of climate change. Energy efficiency, low carbon and renewable energy policies will need to play a very significant role in achieving sustainable development, much of which will be implemented through the County Durham Plan.

The biggest challenge for County Durham is in ensuring current homes, businesses and public buildings are as energy efficient as possible. Increased resilience to the impacts of climate change must also be planned and implemented in those most vulnerable places and communities.

There is an opportunity within the County Durham Plan and associated documents to ensure sustainability is embedded within future development within County Durham. That opportunity must be taken otherwise the County could be strategically disadvantaged due to an unwillingness to mitigate and adapt.

Outcomes:

Homes and businesses will be as energy efficient as possible, helping to eradicate fuel poverty.

The new County Durham Plan will ensure that new development will be located so as to minimise emissions, will aim to facilitate new zero carbon buildings and develop buildings that are resilient to the impacts of climate change.

We will:

- Aim to go beyond building regulations by working with developers to ensure applications for new development are as sustainable as possible.
- Work to ensure Allowable Solutions are integrated within Development Management process.
- Ensure all homes in the County are insulated to current standards with the aim of improving the efficiency of those worst performing homes.
- Target an average SAP rating for County Durham Housing of above 70.
- Ensure residents and businesses of Durham can access accurate, impartial advice on energy efficiency and low carbon living.
- Work with private landlords to improve energy efficiency of private rented stock.
- Aim to tackle the issues of older rural properties, especially those off the gas network.
- Aim to ensure vacant properties are brought back into use wherever viable.
- Ensure businesses have the support needed to enable them to reduce emissions.

- Ensure those communities most at risk to the impacts of climate change have been defined and measures are in place that will help to mitigate those impacts.
- Monitor new development to ensure energy efficiency and carbon minimisation standards are being set.
- Aim to reduce emissions from the public sector building portfolio through staff awareness raising campaigns to influence positive behavioural change and by investing in a range of energy efficient and low carbon technologies.
- Promote pride in our communities to deliver a cleaner, greener County Durham.

Natural Environment

Vision:

County Durham will have a comprehensive and sustainable network of multi-functional green spaces and corridors throughout the County that, whilst being accessible to the public, connect and enhance bio-diverse habitats, enhance the quality of place and serve to ensure the County is more resilient to extremes of weather.

Issues:

The natural environment in every aspect is fundamental for life. The protection and enhancement of these systems is essential as they provide places to relax and enjoy; places that are safe transport corridors for walkers and cyclists; and places that provide our food. They are also places that provide habitats for a diverse range of species; places that help to mitigate issues such as flooding or provide shade and shelter during periods of high temperatures and they even help to mitigate climate change by providing areas that store carbon (such as peatland habitats). The system must, however be maintained and expanded upon to ensure such areas are resilient to climate impacts, such as flooding, heatwaves and increased risk of invasive species and disease.

Outcomes:

By 2020 the County will have an interconnected green infrastructure network, linking habitats and providing space for residents to relax and enjoy.

We will:

- Work with neighbouring authorities and groups to create interconnected habitats and ecosystems.
- Protect and enhance green spaces maximising multi-functionality and connectivity of habitat networks and improve or enlarge existing areas.
- Work to reduce the negative impacts of developments on the natural environment.
- Prioritise the creation of appropriate new habitats in Green Infrastructure projects and other new developments.
- Aim to ensure the Biodiversity Action Plan (BAP) and Biodiversity 2020 aims and objectives are met.
- Support the implementation of Sustainable Urban Drainage Systems (SUDS) within urban areas, particularly in connection with new built development.
- Utilise the advantages of the natural environment to improve our resilience to the impacts of climate change.
- Encourage the use of the Community Infrastructure Levy and Section 106 agreements to enhance ecosystems and habitats and enable them to adapt to climate change.
- Assisting habitats/species to adapt to climate change by:
 - Ensuring that actions taken across the County do not restrict species/habitat movement in response to climate change.
 - Understand and implement the most effective adaptation measures for County Durham's habitats and species.
- Conserve protected areas and all other high quality habitats.

- Take prompt action to control spread of invasive species resulting from climate change.
- Manage sites for new species as well as modifying management techniques to help existing ones.
- Work with partners and landowners to protect and restore peatlands as a functional ecosystem and addressing the issue of erosion.
- Work with partners to increase carbon sequestration by developing additional carbon sinks and protecting and restoring existing areas.
- Support work on the Water Framework Directive and encourage water conservation measures Countywide.
- Ensure that any forthcoming biodiversity offset proposals improve appropriate habitats local to the development.

Transport and Infrastructure

Vision:

County Durham will aim to reduce CO₂ emissions from transport, through the promotion of travel choices and alternatives to private car travel, ultra low carbon vehicles, walking, cycling and more integrated travel planning.

Issues:

County Durham is a large geographic area covering 862 square miles. It is largely rural with the city of Durham providing the County's main centre. The County has 11 other main towns, with smaller service centres. This adds up to dispersed settlements and longer journeys. Currently 25% of all emissions come from the transport sector, reducing this, whilst ensuring economic growth is a major challenge.

Issues such as attitude change to car ownership is entrenched in the travelling public and is an area that will be difficult to effect.

Outcomes:

By 2020 the County, as a result of the actions taken within the Local Transport Plan 3 (LTP3), will have reduced emissions from transport, reduced congestion, especially in Durham city, increased the number of cycle ways and footways, whilst ensuring the associated infrastructure is in a condition that meets the challenges of more extremes of weather.

We will:

- Aim to reduce dependence on the private car, especially for short journeys.
- Promote alternative travel choices, flexible working arrangements, car sharing and active travel as an alternative to driving.
- Improve the existing transport infrastructure in order to reduce journey times and therefore CO₂ emissions.
- Aim to reduce emissions from public sector fleet vehicles through attitude change, driving techniques and purchase of low carbon vehicles and car club vehicles.
- Work with public transport operators to use more fuel efficient vehicles and, where possible, improve services and make them more accessible at the right times.
- Work with rail operators to improve access to the local rail network, especially in East Durham.
- Aim to reduce energy use associated with street lighting.
- Working with partners to make transport information more accessible.
- Ensure electric car charging points are rolled out across the County.
- Reduce the impact of travel on air quality.
- Ensure high speed broadband is delivered across the County.
- Ensure infrastructure is resilient to climate change.
- Support the provision of community transport services.
- Investigate the feasibility of speed reduction in appropriate areas.
- Invest in the improvement of existing rights of way and create new and attractive routes.

Community Engagement

Vision:

County Durham is a highly engaged and proactive area, with the Council and its partners delivering upon priority actions.

Issues:

Whilst many of the commitments in this strategy relate to public sector led objectives, engagement with communities is integral to the successful delivery of a low carbon future. We need to encourage behavioural change that will protect and enhance the environment and quality of life in County Durham and work to embed this across communities.

Effectively communicating climate change requires careful understanding of people's motivations and barriers as well as thoughtful planning. We need to understand what drives people to make changes in their lives.

Outcomes:

By 2020 County Durham residents will be well informed of the issues around climate change and whilst we appreciate there may not be universal agreement over the causes of climate change we hope to have an acknowledgment of the need to reduce emissions, adapt to climate changes and appreciate the potential benefits to themselves and the wider County.

We Will:

- Develop and implement a comprehensive and inclusive Climate Change Communications Plan and use existing networks to relay this information.
- Highlight the benefits to residents of all ages of engaging in inclusive learning about climate change and taking practical action.
- Identify and pro-actively engage with more vulnerable groups on both adaptation and mitigation measures.
- Develop practical community led carbon reduction initiatives.
- Provide leadership whilst working with AAP's and voluntary groups to take the challenge forward.
- Enable access to funding streams in order to deliver on community priorities that contribute to tackling climate change.

Impacts Beyond our Boundaries

Vision:

Residents of County Durham are aware of the impacts that are faced by communities from outside of the County. We will endeavour to ensure that climate related impacts are not increased as a result of County Durham operations.

Issues:

The actions of the residents, business and the public sector in Durham will have impacts upon areas and communities outside of County Durham. These impacts can be positive or negative and are based on complicated relationships across the globe. From issues such as promoting local produce and how this impacts upon developing nations, the impacts of our actions can have far reaching and potentially unforeseen consequences.

Exactly how we balance the use of local products and materials with support for communities in developing nations, through Fair Trade programmes has been the subject of much debate. We must therefore ensure we have a fair and equitable policy, promoting the use of local sustainable materials and produce, whilst also promoting 'Fair Trade' and equivalent sustainable products, when items cannot be purchased locally.

Local food and produce must be supported as this aids the local economy, social cohesion and is generally less carbon intensive than importing goods and services.

Many of the issues concerning climate change are beyond the scope of a single authority or Partnership and will require co-operation to resolve.

Some aspects of conventional climate change reporting do not include the whole range of impacts. Concentrating on just the 'in-use' emissions rather than how much energy/CO₂ is used in its manufacture could ignore a significant contributor to climate change.

Outcomes

We will aim to have a collective approach to climate change issues with a broader understanding of the impacts and opportunities. When products are not available locally, Fair Trade and associated sustainability classifications will be a standard requirement for purchases.

We Will

- Be aware of and consider the impacts of our decisions beyond the County boundary.
- Work with neighbouring authorities on regional and sub regional projects.
- Incorporate indirect carbon emissions into our work where practicable.
- Promote Fair Trade and other sustainability classification where products cannot be purchased locally.
- Work across Europe developing international programmes that share best practice.

- Respond positively to requests to share information and expertise to communities outside of County Durham and indeed outside of the UK.

7. Conclusion

The vision and objectives within the strategy are intended to benefit our local environment and the people that live and work in it. In publishing this document, we aim to set the standard for future action to alleviate the effects of climate change, to raise awareness among local people about the issues at stake, ensure sustainable development and work in partnership with the local community to develop a more sustainable future for the County.

Partnership working is an integral element that runs through the strategy, such is the importance that we place upon it. The Area Action Partnerships as well as the Town and Parish Councils are key partners in delivery of this strategy at a community level. The Climate Change Strategy Group, which is independent and has a strategic focus, will monitor and challenge the Council and other key Partners on its delivery of the strategy, as will Members through Overview and Scrutiny Committee.

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Cabinet

18 December 2013

**Proposals for the Development of Market
Rent and Market Sale Housing in Durham**



Key Decision R&ED/18/13

Report of Corporate Management Team

**Ian Thompson, Corporate Director, Regeneration and Economic
Development**

Don McLure, Corporate Director, Resources

**Councillor Eddie Tomlinson, Cabinet Portfolio Holder for Housing
and Rural Issues**

Councillor Alan Napier, Cabinet Portfolio Holder for Finance

Purpose of the Report

1. This report describes a proposal for the Council to develop its own market rent and market sale housing on County Council owned land and considers how best this can be delivered.
2. The report proposes the establishment of a new company that will help the Council achieve its growth ambitions through the delivery of both housing for rent and sale, offer an alternative route to that of the private sector and help to meet housing need and demand across the county.
3. It also offers an opportunity for the Council to generate capital receipts from the development and sale of housing and introduce a new source of revenue from rental income streams.
4. The proposals contained in the report relate solely to market housing, i.e. not social housing. The demand for social housing in the county is met by the development programmes of the Registered Providers, including the County Council's own landlords. Currently the Housing Revenue Account debt cap limits the amount of borrowing that is possible to sustain further development by the County Council, although the decision of Cabinet on October 30th to seek to transfer its homes to a group structure of the existing providers should enable opportunities to develop new social housing.
5. As well as providing a background to private renting in Durham and identifying other new build for rent initiatives (sections 2 & 3), the paper looks at the following key issues:

- a) Meeting housing needs (see paras 6 - 14)
- b) Costs and viability (see paras 18 – 38)
- c) Development and delivery options (see paras 39 - 41)
- d) Procurement and Soft Market testing (see paras 42 - 49)
- e) Governance (see paras 50 - 58)
- f) Staffing (see paras 59 – 62)
- g) Sales and Marketing (see paras 63 - 66)
- h) Other Issues (see paras 67 - 75)

Background

6. Following the recent economic downturn, there is an opportunity to assist the recovery of the housing market in County Durham by supporting investment that provides additional choice in housing tenure to meet the needs of some parts of the County's population.
7. We know that the private rented market has expanded significantly over the last 10 years (from 7.9% of the market in 2001 to 13.8% in 2011 (Census 2011)) and is now recognised as playing an important role in meeting people's housing needs as well as increasing mobility. It helps to stimulate and respond to economic growth.
8. In contrast, the proportion of houses in owner occupation has declined slightly.
9. Overall, housing completions are currently below 1,000 per annum. There is a need to increase delivery in order to meet identified need. The County Durham Plan identifies locations for this development to take place; this report identifies a way to deliver some of these housing units in locations that conform with the County Durham Plan and in forms of tenure that meet identified housing need.
10. The present government has encouraged growth in market rent housing. Its housing strategy 'Laying the Foundations' (2011) emphasized this and the 2012 Montague Report¹ (a government sponsored report looking at barriers to the delivery of private rented homes) recommended a series of initiatives to strengthen it further.
11. Durham's 2013 Strategic Housing Market Assessment (SHMA) identified that a high proportion of 'in migrants' (45.1%) chose the private rented sector for their first home in Durham. Over half of all households (50.2%) who had previously lived in Durham with family and friends (i.e. newly forming households) chose the private rented sector for their first home.
12. Whilst the Durham housing market has a strong supply of low value housing (often pre-1919 terraced housing), there is little rented housing in

¹ Review of the Barriers to Institutional Investment in Private Rented Homes' CLG August 2012

the private market that is of high quality and which matches the aspirational life styles of many newly forming households. There are relatively few examples of new build for rent in Durham (other than the affordable housing products provided by Registered Providers).

13. Furthermore, there are many newly forming and existing households who are seeking a home but who cannot access owner occupation at the present time and yet do not consider the social rented sector as an option either.
14. This group of households are at a disadvantage in that they are not able to easily identify any particular housing solution to meet their needs. They are usually economically active but may be on average or below average incomes.

New Build for Rent Initiatives

15. To date there have been relatively few examples of new build for rent in Durham (other than the affordable housing products provided by Registered Providers). Current examples of market rent development include:
 - a) **Prince Bishops Homes** (an arm of Derwentside Homes) which primarily provides miscellaneous properties bought 'off the shelf', although Derwentside Homes are about to embark on new build for rent properties with assistance from the HCA 'Build to Rent' programme. Derwentside Homes currently have 212 Prince Bishops Homes under their management with a further 100 in the development pipeline.
 - b) **Gentoo Genie** – strictly speaking this is a home ownership product but is based around a 'purchaser' buying shares of a house through regular monthly payments (similar to a rent). The unique selling point of the Gentoo Genie product is that it does not require a deposit. Launched in November 2011 in this region, Gentoo Genie now have 9 properties in the county and 64 across the North East – all purchased in conjunction with pre-existing new build schemes.
 - c) Many completed new build schemes include sales to investors as well as owner occupiers. Once purchased, investors let the homes out at market rents.
 - d) Some housing for rent has been built in Durham City specifically for the student market.
16. The County Council has an opportunity to develop its own land for a mix of both housing for market rent and sale. The Council's land includes sites where the market is relatively strong, where people aspire to live and where there is a wide range of good quality services nearby. It is proposed that such sites would combine market rent housing with housing

for sale at a provisional ratio of 30% rent and 70% for sale. This ratio may be varied based on evidence from sales and lettings of any pilot site.

17. The proposals set out in this report demonstrate that subject to appropriate risk management and project management arrangements being put in place, more value can be secured from the same land through the Council facilitating development and being involved in the delivery of housing units on these sites than would be the case if the sites were simply sold on to the private sector. The form of that development and the way in which it is delivered is key to ensuring these returns are made.

Financial Viability

18. In examining the financial viability of these proposals, a financial modelling exercise has been undertaken using standard assumptions around management and maintenance costs. Detailed work will need to be undertaken in due course to prepare a fully developed business plan, but modelling to date has examined a programme of new build on a staged basis.
19. The overall proposal has assumed an indicative new build programme of 310 properties in total – 93 of which are for market rent.
20. Overall development costs for such a programme of sale and rent properties (including construction costs, fees, overheads and borrowing costs) amount to around £26m, (although it is estimated that peak borrowing will be significantly less than this sum).
21. This is because the private sales element of the programme will benefit from regular sales income once the first units are completed. This will help to cap overall debts at less than 30% of the total scheme costs of the housing for sale (depending on the size of the site). Debts will be repaid no later than immediately following the sale of the last unit.
22. When the sites are amalgamated into one programme of phased starts and completions, then the overall peak debt will reduce to a significantly lower figure. One of the challenges of the business planning process is to further reduce the peak debt figure to ensure that the project can be delivered as efficiently as possible.
23. It should be noted that borrowing for the market rent housing is profiled over the long term and repayments are based on 30 year net rental income streams (after taking into account voids, bad debts and management and maintenance costs). Maximum debt, equivalent to the total costs of the market rent housing, occurs on the date of practical completion of each phase.

Market Rent

24. Our initial development appraisals show that the programme would secure good returns on investment ranging from 8% to 10.8% internal rate of return based on a 30 year annuity using a prudent interest rate of 6.5%.
25. The returns are derived from realistic assumptions based on evidenced comparable data on both expenditure and income.
26. The base development appraisal for the market rent units (using an interest rate of 6.5%) projects a surplus over 30 years ranging from around £152,000 per unit to £77,000 per unit. Surpluses are generated straightaway (ie from year 1) on high value sites but would be deferred on lower value sites.
27. A sensitivity test has been undertaken by applying assumptions that represent a 'worst case scenario' (increased management and maintenance costs of 20%; increased voids rate (from 2% to 4%); reduced sales and rental income of 10%). This scenario, which is considered to be a worst case situation, reveals an overall loss of £192,750 in year 1 but delivers cash returns in later years. In this latter scenario, no scheme generates a surplus in year 1, rather the year when a cumulative surplus is first achieved is extended to beyond year 17.
28. This sensitivity analysis represents an extreme set of assumptions. Nevertheless, it serves to illustrate how risks associated with this type of development need to be monitored and managed. Further work to understand alternative and more realistic scenarios will be undertaken as part of the business planning process.

Capital Returns

29. An assessment has been completed taking into account the estimated financial returns from the development of both rent and sale properties compared with the expected capital receipts for each site based on current market values.
30. This assessment showed that each site offers a significant capital surplus over and above that which can be achieved from a straightforward disposal on the private market.
31. Long term borrowing through PWLB is a key advantage to the authority. Whilst the HCA are also offering favourable loan rates for their Build to Rent programme, these rates are strictly short term loans and will be offered on the condition that the developer seeks refinancing of the developed scheme soon after completion (thus enabling the HCA loan to be repaid).
32. The preliminary conclusion from an assessment of financial viability is that the proposed schemes have the potential to release revenue streams back

to the Council almost immediately and would increase year on year as long as current assumptions remain valid. The programme will also provide healthy capital returns.

33. Further sensitivity analyses will be undertaken to satisfy the authority that risks and/or losses have been eliminated or mitigated.

Housing for Sale

34. The properties for sale demonstrate a strong positive return on investment. Total development costs are estimated at £18.4m compared with estimated sales values at nearly £31m. This means a surplus of over £12m could be generated. Both the initial business case and the soft market testing demonstrates a strong positive return on investment.
35. The viability of the sales units has been appraised using the same cost assumptions as the market rent units (it is expected that the building standards will be the same). The Council has the ability to secure acceptable profit margins in two ways:
 - (a) Profits from the sale of land will be secured on individual house sales
 - (b) Developer profit margins will be improved through procuring a building contractor rather than a volume house builder (whose profit margins tend to be much higher).
36. It should be noted that, in accordance with the requirements of the County Durham Plan, the Council will have to offer an agreed contribution to affordable housing either on or off site. This will reduce profit margins by the difference between the open value of a market sale unit and one that is sold to a Registered Provider for affordable rent multiplied by the number of affordable units being provided.
37. The affordable housing percentage prescribed by the draft Local Plan ranges from 10% to 15% on the available sites.
38. In addition to the evidence we have on housing demand and overall scheme viability; the following will also be required:
 - a) The appraisal of **development and delivery options** that will offer the best arrangements for delivering the product.
 - b) The implementation of rigorous **procurement arrangements**
 - c) The introduction of robust **governance arrangements**
 - d) The establishment of effective **staffing arrangements**
 - e) The development of an effective **sales and marketing strategy**

These issues are discussed below.

Development and Delivery Options

39. Several options for procuring a market rent and sale programme were considered including:
- a) the Council developing and managing the schemes itself
 - b) the Council setting up its own arms-length company to develop and manage the schemes
 - c) the Council setting up a joint venture with a developer to share risks and returns
 - d) the Council being sole developer of the scheme but leasing the rental units on completion to a private provider
40. All four options can deliver housing units for market rent and market sale but with varying degrees of risk. The conclusion from the options appraisal is that option B, a form of 'arms-length' company offers opportunities to get the balance right between risks on the one hand and revenue streams and capital returns on the other. Conclusions from the options appraisal are set out in Appendix 2.
41. Where the Council retains control of land disposal, development and management, as in Option B, there are clear opportunities for maximising income streams and capital receipts.

Procurement of Development Services

42. The main services that will require procurement are those of a building contractor to deliver the houses and there may be other ancillary services that are also needed.
43. A range of procurement routes have been examined in order to identify a contractor who can deliver a cost effective and good quality product in the most appropriate way and within a reasonable timescale.
44. Options available to the Council include:
- (a) making use of an existing procurement framework. This could have the advantage of streamlining the process by taking advantage of previous OJEU processes. Examples of existing frameworks include:
 - the HCA's Delivery Partner Panel (DPP) commissioned by the Homes and Communities Agency. This is a panel of pre-qualified housing developers and contractors approved by the Homes and Communities Agency (HCA) for developing public land. This is ready to use and could streamline the procurement process.
 - DCC frameworks which include for example the Durham Local Education Partnerships BSF framework

("inspiredspaces"). Existing frameworks tend to be dedicated to specialist work so their flexibility to accommodate this type of house building work needs further consideration.

- (b) proceeding with a new procurement process in compliance with OJEU requirements. This would ensure contractors are matched very closely to our specific requirements but does entail a much longer and more costly 'lead in' time.
45. Whilst the advantages of a new framework would need to be weighed up against potential time and cost savings of utilising an existing framework, it is clear that there are several robust options for procuring a suitable contractor. It is believed that the HCA Delivery Partner Panel could offer a route to speed up delivery and secure quicker development alongside earlier financial returns.

Soft Market Testing

46. We know that well established companies are active in the region and they would welcome the opportunity to tender for Council funded housing schemes.
47. A soft market testing exercise has been completed in order to test the appetite amongst building contractors. Interviews were arranged with three leading contractors; all of whom are on the HCA DPP and confirmed their strong interest in working with the Council as a contractor (rather than a developer) in delivering the identified schemes.
48. Their specialisms include not only offering design and build contracting services but also site investigation, planning application work and marketing. The Council is confident that a suitable building contract can be procured.
49. In addition, the market testing exercise has shown that the assumptions that the officer project team have used in terms of attractiveness of the sites chosen to the market, sales values and rental returns, contractor profit margins and timescales for delivery are all reasonably correct and provide a sound basis for moving forward to a detailed business plan, which subject to agreement, can then be quickly implemented.

Governance

50. The Localism Act 2011 requires a local authority to undertake commercial activities through a separate company. This company should either be one as defined by section 1(1) of the Companies Act 2006 or a society under the Co-operative and Community Benefit Societies and Credit Unions Act 1965. A final decision on the type of entity to be chosen will be required and will be considered as part of the detailed business plan.

51. Should the Council support the development of its own arms-length company, then there are 2 options:
 - a) establishing a new company
 - b) utilising an existing Council company
52. A new company can be established at relatively little cost and offers the advantage of having defined business activities tailored to specific aims and objectives. This is a cleaner solution and comes without any previous history, which makes the running of the company simpler and any future due diligence far more straightforward.
53. On the other hand, the Council already has other companies. These include Service Direct NewCo Ltd (a trading company with a wide remit but specialising in the purchase of IT hardware) and the County Durham Development Company Ltd (CDDC). Whilst these companies already exist, they are also focused on other activities, therefore for them to take on responsibility for these housing proposals may require amendments to their governance.
54. The simplicity of creating a 'tailor made' company relatively quickly and easily probably outweighs the advantages of using an existing company. It is therefore recommended that a new company is established dedicated to delivering a high quality product and providing management services for the market rent units.
55. Work on establishing appropriate financial arrangements between the Council and its subsidiary that offer tax efficient arrangements will also need to be undertaken. This will be considered within the detailed business plan.
56. Any disposal of land and buildings to the new company would be allowed under s2 Local Authorities Land Act 1963.
57. As the company will be a subsidiary of the Council, it is appropriate that the Council provides it with Directors to control its affairs. The likely mix of Directors will be considered further in the business plan.
58. Given the nature of the undertaking it is proposed that any member or officer Directors should not receive any separate payments for their services (although any personal liability should be mitigated through the provision of Director's indemnity insurance).

Staffing

59. The budgets identified in the development and management viability work would be utilised to cover the costs of staff required to successfully progress the model through its initial phases of development.
60. The range of skills, knowledge and experience can probably be sourced from existing staff resources, although consideration could also be given to

seconding staff to the new company as work expands. Ultimately the company may gain sufficient scale to employ its own staff.

61. Management services will include rent collection; lettings; maintenance; general management; miscellaneous financial management and accountancy services; company secretarial work; governance and personnel support; legal advice and IT support.
62. The company will need to establish clear service level agreements with Council services and plan to have effective arrangements for making changes to such agreements as and when required.

Sales and Marketing

63. All of the companies spoken to during the market testing exercise expressed a strong desire to be the party selling houses as part of this venture. This is considered to be the best way forward as relevant contractors have various brands that attract loyalty and familiarity in the market place that would support the selling of houses. The contractors themselves have the required skills to sell houses and through any commercial negotiations, could be incentivised to sell units to support the development programme.
64. The presence of empty homes for any length of time represents a particular financial and reputational risk to the Council and the contracting partner. The experience of the contractor in phasing; marketing and selling houses would be employed to minimise this risk and to ensure that both rental and sales units are reserved and occupied quickly.
65. The new subsidiary company will need to have an image (and associated branding) that is attractive to the market and will help to promote an exciting and dependable product to prospective renters.
66. The company brand name and image will set the tone for the company as a professional provider of high quality well managed rented accommodation.

Risks and Other Issues

67. The available sites are in popular neighbourhoods and are considered sustainable in the long term. Our proposals will be designed to be attractive to the market. However, as with other long term projects there will be risks and some of these are set out below.
68. A key risk is our dependence on the continued strength of the private rented market. Because relatively low interest rates and low house prices can make mortgage payments competitive with rental payments (after taking account of the cost of a deposit and mortgage arrangement fees), the private rented market may be seen as 'second best' to owner-occupation, although it is considered that the housing market will continue

to require various forms of tenure and housing products to meet the needs of the communities living and working in County Durham.

69. In addition, housing is often sold at below £100,000 across the county – generating mortgage repayment rates that are equivalent to renting.
70. Furthermore, the new ‘Help to Buy’ initiative (the government funded equity share and mortgage guarantee product) will allow first time buyers and others to either purchase new housing at 80% of market value (so allowing access to a mortgage at 75% of full market value once a 5% deposit has been paid) or to purchase existing housing through a 95% mortgage with the government under-writing any default risks.
71. Should ‘Help to Buy’ remain in place and continue to prove popular, it may have the effect of reducing demand for rented stock and this may impact on the county’s rental values.
72. However, overall there is enough evidence to show that in the short to medium term there will be a continuing shortfall in housing supply, regardless of tenure. Furthermore, the market for privately renting at market rent levels continues to be attractive to many households particularly if it is in the right location and offers good quality and well managed accommodation.
73. If we were to find demand for market renting was to reduce then the risk of void loss could be mitigated through placing extra emphasis on the sales element of each site. In particular, the Council will have the option to ‘fall back’ on selling the units at full market value.
74. The Council will need to demonstrate that it is not in contravention of ‘state aid’ rules in delivering this development of market rent and market sale housing programme. The funding arrangements (and the inapplicability for state aid) will need to be examined more fully by our legal and financial experts as part of the financial business case.
75. The HCA has a body of experience (and is also managing the nationwide Build to Rent scheme). The Council will maintain close links with the HCA to ensure their expertise and knowledge is utilised to the full.

Conclusions

76. In conclusion, whilst the Durham housing market has a strong supply of certain types of housing, there is very little rented housing in the private market that is of high quality and which matches the aspirational life styles of many newly forming households.
77. The County Council has the opportunity to use its own land to support the delivery of housing to meet identified need for market rent and housing for sale. The route described in the report is designed to maximise the

delivery of housing units in the shortest timeframe and deliver revenue income to the County Council.

78. Other local authorities such as Thurrock, Manchester, Daventry and Ealing are also developing in a similar way recognising the valuable role that local authorities can play in delivering housing units to meet local need using Council owned land.
79. Subject to agreement to proceed, a further report will be presented to Cabinet in Spring 2014 which will set out the detailed way forward, including proposals to ensure efficient delivery.

Recommendations and reasons

80. There is scope for the County Council to develop market housing for rent and sale in Durham and utilise the Council's land to pursue this objective. It has the potential to meet housing need and demand in County Durham whilst also providing a financial return.
81. It is recommended that Cabinet:
 1. Agree to further exploration of the proposals for the development and management of market rent housing and housing for sale.
 2. Agree to the commencement of procurement for technical advice and a contracting partner to aid the production of the Business Plan.
 3. Agree to the establishment of a Project Board and delegate decision making on the project to the Corporate Director, Regeneration and Economic Development and the Corporate Director of Resources, in consultation with the Portfolio Holder for Housing and Rural Issues and the Portfolio Holder for Resources.
 4. Receive a further report setting out a detailed Business Plan including project plan, a resource plan for the programme, governance and staffing arrangements and arrangements for the establishment of a new company.

Background papers

None

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APPENDIX 1: Implications

Finance –

The Council will need to borrow funds to deliver the proposed development and will need to establish an agreed repayment schedule with its subsidiary company for the rented units.

The development project would need to go through the Cabinet capital programme decision making process as a self-financing return on capital investment project.

Staffing –

In the short term existing staffing can be utilised to progress the scheme but ultimately dedicated staffing resources may be recruited to the workload contained within the detailed Business Plan.

Equality and Diversity –

None

Accommodation –

None

Crime and Disorder –

None

Human Rights –

None

Consultation –

None

Procurement –

Procurement of a suitable contractor will be required to progress this scheme.

Disability Discrimination Act –

None

Legal Implications –

The Council will either need to adapt an existing company or create a new one as it cannot itself be landlord on this project. The Council has authority under s123 of the Local Government Act 1972 to dispose of any development(s) and authority under s2 of the Local Authorities Land Act 1963 to build.

Appendix 2 : Options Appraisal

1. **Option A – the local authority is sole developer of scheme and manages the completed scheme directly** - gives the authority the greatest freedom to initiate; specify and control the development and offers the greatest opportunity for profit. But it also presents us with greater financial risks. In particular it may expose the Council to the very real risk of being required to charge rents at less than full market rent and the Council would also be subject to Right to Buy provisions (and the associated discounts).
2. **Option B - is a new 'arms-length' wholly owned company.** This would be set up by the Council, and would help mitigate risks in managing the properties. It provides sufficient independent rigour through the development of its own business plan to protect the Council from some of the risks associated with ongoing management. In particular, through being able to issue assured tenancies, it would allow market rents to be set and Right to Buy and rent setting provisions avoided.
3. **Option C – is a Joint Venture company** which would involve a more formal procurement process to establish who in the market is best equipped to deliver the required development and management services alongside the Council. It is possible that one partner may not have the skills and expertise to deliver both development and management services and so any joint venture may encompass more than one other partner. The procurement process is likely to be protracted. Furthermore, the financial returns would be shared with the JV partner, usually on a 50:50 basis. This would reduce the revenue return to the Council that Option B would safeguard.
4. **Option D – is a develop and lease arrangement;** which allows the management responsibilities to be tendered out to an independent specialist housing manager on a long lease but gives the Council sole responsibility for development work.
5. All four options can deliver housing units for market rent and market sale but with varying degrees of risk. The conclusion from the options appraisal is that option A places the project at risk from the Right to Buy provisions, option C reduces the opportunity to maximise capital receipts and revenue income streams; option D means that the rental income stream is shared but the County Council would also develop the houses, an area where our expertise and brand is limited. Option B, a form of 'arms-length' company offers opportunities to get the balance right between risks on the one hand and revenue streams and capital returns on the other.

Cabinet

18th December 2013



**Response to Secretary of State
Consultation - Creation of a Combined
Authority for the North East**

Key Decision R&ED/20/13

Report of Corporate Management Team

**Ian Thompson, Corporate Director Regeneration and Economic
Development**

**Councillor Neil Foster, Cabinet Portfolio Holder for Economic
Regeneration**

Purpose of the Report

- 1 The purpose of this report is to inform Cabinet of the Secretary of State Consultation on the proposal to establish a Combined Authority for Durham, Northumberland and Tyne and Wear and ask Cabinet to consider the proposed response from the seven local authorities in the North East.

Background

- 2 A Combined Authority is a legal structure to lead collaboration between local authorities and enable strategic decision-making on economic growth and transport. They were introduced in the Local Democracy, Economic Development and Construction Act 2009 and are designed to enable groups of local authorities to work closely together to deliver improvements in economic growth and transport across local authority boundaries.
- 3 On 24 June 2013 Cabinet endorsed the findings of the Governance Review undertaken in April/May 2013 including specifically the finding that the creation of a Combined Authority covering the Authority areas of Durham, Gateshead, Newcastle, North Tyneside, Northumberland, South Tyneside and Sunderland (the LA7) would improve the discharge of functions relating to transport, skills and economic development across the region. All of the LA7 Cabinets considered that a Combined Authority would strengthen collaboration between the seven local authorities and enable strategic decision-making on economic growth and transport to be taken. On 24th July 2013 Council endorsed the decision of Cabinet. The Councils of the other LA 7 Authorities in turn endorsed the decision of their respective Cabinets.
- 4 The Scheme and Governance Review documents were submitted to the Secretary of State in August 2013, after a period of consultation had been

undertaken with regional and local stakeholders, inviting him to consider making an Order that would establish a Combined Authority across the LA7 area. There was support for the creation of a Combined Authority from all stakeholders.

Secretary of State Consultation

- 5 As part of the legislative process to establish the new body and gain parliamentary approval, the Government must run a consultation to seek views on the proposed combined authority. The Secretary of State is consulting with the seven local authorities and the Tyne & Wear Integrated Transport Authority as statutory consultees and has also invited the North East Local Enterprise Partnership, the Northumberland National Park Authority and Local Authorities that neighbour the Combined Authority area to respond. The consultation to establish the Combined Authority will run until Thursday 2 January 2014. The consultation document and draft Order published by DCLG are appended to this report at **Appendix 2**
- 6 The consultation seeks comments on the proposal to establish a combined authority and sets some specific questions on:
 - local support for establishing the CA;
 - if the CA will improve the provision of transport, economic development, regeneration in the area and the economic conditions of the area;
 - the impact of the CA on local communities;
 - the constitutional arrangements and functions for the CA; and finally
 - how NELEP and the CA will work together.
- 7 The consultation document specifically requests the LA7 Authorities “to actively seek through such means as they consider appropriate the views of their residents, local businesses, and the voluntary sector with a view to providing the necessary evidence for Government to be satisfied about the degree of local support there is for a combined authority.” This question on local support does not appear in the West or South Yorkshire consultation documents.
- 8 The consultation document makes specific reference to the referendum that took place in November 2004 in relation to the creation of a North East Regional Assembly. Whereas the Secretary of State in the consultation document accepts that there are substantial differences between a Regional Assembly and a Combined Authority, the document states “the Government believes that it is right that before any decision on a combined authority for this “North East Local Enterprise Partnership” area is taken, there is clear and compelling evidence that the past opposition of electors within the local area to governance changes in that area does not continue to any new proposal for a combined authority. Accordingly, it will be important that this consultation yields the evidence necessary for Government to reach a conclusion on this issue”.

Local consultation to support single Local Authority consultation response

- 9 Through the consultation, the Local Authorities concerned have been asked to actively seek the views of residents, local businesses, and the voluntary sector with a view to providing the necessary evidence for Government to be satisfied about the degree of local support there is for a combined authority. To satisfy this requirement within the short timescale of the consultation period a programme of engagement and local consultation has commenced.
- 10 A letter has been sent to regional stakeholders from the Chair informing them of the DCLG consultation and seeking support for the North East Leadership Board. Online surveys have been published on each Local Authority website with a common introduction and set of questions. The online surveys went live on the 26th November for two weeks with four questions that seek to gather views on the North East Leadership Board proposals
- 11 In addition each of the LA7 Authorities have undertaken consultation in their areas as considered appropriate by them. As well as the on line consultation activity, the local consultation in each of the LA7 areas has included face to face discussions with residents and other key stakeholders within business as well as the public and community/voluntary sectors.
- 12 The following local stakeholders and partners in County Durham have been contacted: the County Durham Partnership, the County Durham Economic Partnership, Visit County Durham Board, Business Durham Board, Area Action Partnerships and the County Durham Association of Local Councils.
- 13 Each Local Authority has arranged focus group sessions to allow for representative population and geographical coverage. The focus groups were scheduled between the 4th and 14th December. Three focus groups sessions were held in County Durham, one in Durham City, one in Crook and one in Murton. A brief update was circulated to Durham County Council Members and employees to keep everyone informed about this stage of the process. In addition the Durham County Council Economy and Enterprise Overview and Scrutiny Committee has received regular updates on the process, a response from the committee will be available to Cabinet at the meeting.
- 14 All of the information arising from the local and regional consultation activity will feed into a single consultation report which will accompany the single consultation response from the seven local authorities. This report will be available to Cabinet at the meeting.

Recommendations

Cabinet are asked to

- a. Consider the single local authority response to the SoS consultation. The full proposed response will be circulated on the 11th December and the additional local consultation report will be circulated on the 16th December.

- b. To delegate to the Corporate Director in consultation with the Cabinet Portfolio Holder for Economic Regeneration the finalisation of the joint response and the submission to Government by the 2nd January 2013.

Appendices:

Appendix 1 – Implications

Appendix 2 – DCLG Consultation Document on the proposal to establish a combined authority for the area of Durham, Northumberland and Tyne and Wear

Background papers:

- Creating the right governance for growth in the North East – LA7 Leadership Board, available at <http://www.gateshead.gov.uk/DocumentLibrary/council/LA7/LA7-proposition-FINAL2.pdf>
- North East Independent Economic Review Findings and Review of Governance Arrangements, Durham County Council Cabinet Report 5th June, available at <http://democracy.durham.gov.uk/documents/s30446/NEIRReportFINAL.pdf>
- Improving Economic Governance - Creation of a Combined Authority, Durham County Council Cabinet Report 24th June <http://democracy.durham.gov.uk/ieListDocuments.aspx?CId=154&MId=7193&Ver=4>

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Appendix 1: Implications

1. Finance

1.1 The establishment of a Combined Authority will have financial implications for each council.

1.2 The core principles are:

- for transport costs, the total contribution from each authority for the year does not exceed the equivalent cost as it would have been calculated under previous arrangements.
- any other costs incurred in establishing new arrangements would be offset by efficiency gains achieved through the new body and met through existing resources and utilising the skills and capacity that already exist within the constituent local authorities. Staffing requirements will be fulfilled by existing staff across the 7 local authorities wherever possible.

Transport funding

1.3 As the Combined Authority will become the Local Transport Authority for the LA7 area, it will become a levying body with respect to Transport. The significant differences in the transport responsibilities and the cost of transport services between Tyne and Wear, Durham and Northumberland mean that a single transport levy would not be appropriate. The solution proposed following discussion with DCLG and DfT, is that the Combined Authority would issue a levy on a differential basis that will accommodate the differentials in the cost of delivering transport services in County Durham, Northumberland and Tyne and Wear.

1.4 On the abolition of TWITA its property, rights and liabilities will be transferred to the Combined Authority. These would be ringfenced under the terms of the Combined Authority agreement to the Tyne and Wear area and will not be the responsibility of Durham and Northumberland. This, however is missing from the current draft order and through discussions with DCLG it is understood that necessary amendments will be made.

Combined Authority costs

1.5 The costs of the Combined Authority that are reasonably attributable to the exercise of its functions (including start-up costs) will be met by its constituent authorities. Such costs shall be apportioned between the constituent authorities in equal shares. The Combined Authority will agree an annual budget for the purpose of expenditure.

1.6 Any change in the contributions would need to be agreed by the new Combined Authority in consultation with its member authorities and in time for the contribution to be built into Council Budgets in future years.

2. Staffing

2.1 There may be TWITA employees who would have the right to transfer their employment to the Combined Authority under the provisions of the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE).

3. Risk

3.1 There has been engagement with representatives from the Department for Communities and Local Government at an early stage and the timescales for the creation of a North East combined authority discussed in detail. The timescales are challenging if a combined authority is to be in place by 1 April 2014. The Leadership board of the 7 local authorities are aware of the timescales and the project board met on a weekly basis to ensure so far as possible that the implementation process is driven forward.

4. Equality and Diversity / Public Sector Equality Duty

4.1 There are no equality and diversity issues arising directly from this report. The equality and diversity implications will be kept under review as further work is undertaken to develop more detail in relation to the outline proposals.

5. Accommodation

5.1 There are no accommodation implications directly arising from this report

6. Crime and Disorder

6.1 There are no crime and disorder implications directly arising from this report.

7. Human Rights

7.1 There are no human rights implications directly arising from this report.

8. Consultation

8.1.1 A consultation exercise was carried out over a 3-week period between 22 May and 11 June 2013. A copy of the draft governance review report and draft scheme was sent to key stakeholders and published on all 7 local authorities' websites. Views of key stakeholders were obtained through a series of meetings and 121 discussions as well as two stakeholder events hosted by the Leaders and Elected Mayor. In addition, each constituent authority engaged with the stakeholders in their local area.

8.1.2 The results of the consultation were considered in agreeing the final governance review and scheme.

8.1.3 Following the publication of the Secretary of State consultation, a further consultation exercise is taking place between the 26th November and 13th December to gather the views of residents, businesses and the voluntary sector on the North East Leadership proposals for a Combined Authority.

9. Procurement

9.1 There are no procurement implications directly arising from this report.

10. Disability Issues

- 10.1 There are no disability issue implications directly arising from this report.

11. Legal Implications

- 11.1 The Council's Head of Legal and Democratic Services and the legal representatives of each authority have been consulted on this report. A Combined Authority for the North East of England can only be established following a thorough review of the governance arrangements in relation to the economic growth and transport functions undertaken by the 7 North East local authorities. This is required by virtue of section 108 of the Local Democracy, Economic Development and Construction Act 2009 and section 82 of the Local Transport Act 2008. This review is now complete. It concludes that those functions would be improved by the creation of a Combined Authority. The Governance Review document and the Scheme have been approved by the Leadership Board of the 7 constituent authorities. It is now for the constituent authorities to consider and approve the Governance Review document and Scheme including the discharge of the relevant functions by the Combined Authority and determine whether the Governance Review document and the Scheme can be submitted to the Secretary of State. If the Secretary of State is satisfied that a Combined Authority would be likely to improve the exercise of such functions and improve the economic conditions of the region, the Secretary of State can make an Order under section 103 of the 2009 Act creating a Combined Authority.
- 11.2 The executive of each constituent authority received a report on the proposals for a Combined Authority on 24 June 2013 and a report was taken to the Council of each constituent authority in July 2013. All of the constituent authorities were satisfied that it was appropriate to submit the Governance Review and Scheme to the Secretary of State in July 2013 with a request that a Combined Authority is established.

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Department for
Communities and
Local Government

Proposal to establish a combined authority for the area of Durham, Northumberland and Tyne and Wear

Consultation

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1. Chapter 1 – The consultation

- Why we are consulting
- Who we are consulting
- How to respond

2. Chapter 2 – The Councils' Scheme

- The scheme
- The governance review

3. Chapter 3 – Issues for consultation

- Consultation questions

4. Annex – The proposed constitution and functions for the combined authority

5. Appendix – Durham, Northumberland and Tyne and Wear Combined Authority Order – Draft

Chapter 1 – The consultation

Why we are consulting

1. The seven councils of the “LA7 Leadership Board” with the support of the “North East Local Enterprise Partnership” have jointly prepared and published a scheme with proposals for delivering greater economic growth in their area. These councils – Durham County Council, Gateshead Council, Newcastle City Council, North Tyneside Council, Northumberland County Council, South Tyneside Council and Sunderland City Council – are proposing measures to improve transport, economic development and regeneration in the local area. These proposed measures centre on replacing the Tyne and Wear Integrated Transport Authority with a combined authority that will bring together responsibility for strategic transport, economic development and regeneration across the area of Durham, Northumberland and Tyne and Wear.
2. Where councils come forward with such locally led proposals, the statute¹ provides that the Secretary of State may, if certain statutory conditions are met and if Parliament approves, make an Order opening the way for the councils to adopt their new ways of working. Such an Order would establish the combined authority that the councils are proposing to facilitate their joint working. The combined authority would replace the existing Tyne and Wear Integrated Transport Authority. Whilst the Secretary of State will consider the circumstances of each particular case, he has adopted a localist policy in relation to how he will exercise these powers. This is to say that where councils come forward with such proposals that command wide local support, if the Secretary of State considers that the statutory conditions are met, he will invite Parliament to approve the Order establishing the proposed combined authority to enable the councils to give full effect to their ambitions for joint working.
3. The particular circumstances of the “North East Local Enterprise Partnership” area mean that questions about the extent of local support for the combined authority assume particular significance. In November 2004, local electors in the Government Office Region of the North East voted decisively against an elected assembly for the North East Region. On a turnout of almost 48 per cent, 78 per cent of those who voted rejected the previous Government’s proposal for an additional tier of government. Given this clear expression of widespread opposition among local residents for new governance institutions, the Government will give particular weight to evidence from the consultation about the level of local support this proposal for a combined authority commands. This Government has also abolished Government Office Region structures – including abolishing the Government Offices for the Regions, the Regional Development Agencies and the Regional Planning Bodies/Regional Spatial Strategies.
4. The Government recognises that there are substantive material differences between a regional assembly and a combined authority. The “North East Local Enterprise Partnership” area is smaller than the former Government Office Region. Statute requires the initiative for any combined authority to be driven locally originating from the

¹ Local Democracy, Economic Development and Construction Act 2009

councils concerned, and that a combined authority is more an enhancement of existing joint arrangements bringing key growth functions together in one place, rather than a wholly new tier of government. Nevertheless, given the events in the area over the last ten years, the Government believes it is right that before any decision on a combined authority for this “North East Local Enterprise Partnership” area is taken, there is clear and compelling evidence that the past opposition of electors within the local area to governance changes in that area does not continue to any new proposal for a combined authority. Accordingly, it will be important that this consultation yields the evidence necessary for Government to reach a conclusion on this issue.

5. There are also a number of statutory conditions that have to be considered, including that the area of the combined authority must consist of contiguous whole local government areas and not overlap with the area of another combined authority, an economic prosperity board, or an integrated transport authority and the Secretary of State must consider, having regard to the scheme published by the councils concerned, that establishing the combined authority would be likely to improve:
 - The exercise of statutory functions relating to transport in the area;
 - The effectiveness and efficiency of transport in the area;
 - The exercise of statutory functions relating to economic development and regeneration in the area; and
 - Economic conditions in the area.

Before making such an Order the Secretary of State must consult:

- Each appropriate authority; and
- Such other persons if any, as the Secretary of State considers appropriate.

The statute also requires that the Secretary of State in making the Order must have regard to the need:

- To reflect the identities and interests of local communities; and
- To secure effective and convenient local government.

6. Accordingly, given the proposal from the seven councils and having regard both to particular circumstances of the local area and to his localist policy, the Secretary of State is now consulting on a proposal to establish a combined authority for the area of Durham, Northumberland and Tyne and Wear, replacing the Tyne and Wear Integrated Transport Authority.

Who we are consulting

7. The appropriate authorities that the statute requires the Secretary of State to consult are:
 - A county council if the area of the county council, or part of that area, is within the area for which the combined authority is to be established;

- A district council if the area of the district council is within the area for which the combined authority is to be established;
 - An economic prosperity board, if its area or part of its area, is within the area for which the combined authority is to be established; and
 - An Integrated Transport Authority, if its integrated transport area, or part of that area, is within the area for which the combined authority is to be established.
8. In this case these statutory consultees are Durham County Council, Gateshead Council, Newcastle City Council, North Tyneside Council, Northumberland County Council, South Tyneside Council, Sunderland City Council and the Tyne and Wear Integrated Transport Authority.
9. In addition the Secretary of State considers in this case it is also appropriate to consult:
- The local enterprise partnership concerned – the “North East Local Enterprise Partnership”; and
 - Those councils and authorities that neighbour the combined authority area – Eden District Council, Carlisle City Council, Cumbria County Council, Darlington Borough Council, Hartlepool Borough Council, Northumberland National Park Authority, North Yorkshire County Council, Richmondshire District Council and Stockton-on-Tees Borough Council.

We also welcome comments from members of the public, local businesses and their representative bodies and representatives of the voluntary sector.

10. Given the circumstances of the area we would also ask the councils concerned to actively seek through such means as they consider appropriate the views of their residents, local businesses, and the voluntary sector with a view to providing the necessary evidence for Government to be satisfied about the degree of local support there is for a combined authority.

How to respond

11. Your response must be received by 2 January 2014. It can be sent by email to collaborate@communities.gsi.gov.uk or in writing to:

Ruth Miller
 Department for Communities and Local Government
 Zone 3/J1 Eland House
 Bressenden Place
 London, SW1E 5DU

Please title your response ‘Response to proposal to establish a combined authority for the area of Durham, Northumberland and Tyne and Wear.’

Confidentiality and data protection

12. Any responses to this consultation may be made public. If you do not want all or part of your response or name made public, please state this clearly in the response. Any confidentiality disclaimer that may be generated by your organisation's IT system or included as a general statement in your fax cover sheet will be taken to apply only to information in your response for which confidentiality has been specifically requested.
13. Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004). If you want other information that you provide to be treated as confidential, please be aware that, under the Freedom of Information Act 2000, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.
14. In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. The Department will process your personal data in accordance with the Data Protection Act 1998 and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties

Chapter 2 – The Councils’ Scheme

The scheme

15. On 31 July 2013 the seven councils of the “LA7 Leadership Board” with the support of the “North East Local Enterprise Partnership” published in accordance with the statute a scheme with proposals for delivering greater local economic growth centred on the establishment of a combined authority. Before preparing this scheme, the councils had as required by the statute² undertaken a review of the governance arrangements across Durham, Northumberland and Tyne and Wear. A document (“the governance review”) describing this review and its conclusions may be viewed at www.gateshead.gov.uk/la7-governance, where the scheme is available as an Annex. The paragraphs below outline the findings of the councils’ governance review, and their conclusions which underpin the proposals in the scheme.

The governance review

16. The governance review considered the effectiveness and efficiency of (a) transport within the area covered by the review and (b) arrangements to promote economic development and regeneration within the review area. In particular it was commissioned to determine the following:

- Whether the area covered by Durham County Council, Gateshead Council, Newcastle City Council, North Tyneside Council, Northumberland County Council, South Tyneside Council and Sunderland City Council can properly be seen as constituting a functional economic area for the purposes under consideration in the review;
- Whether the existing governance arrangements for economic development, regeneration and transport in the area are effective or would benefit from changes; and
- To examine the options available and in relation to each option, to evaluate the likely improvement in:
 - the exercise of statutory functions relating to economic development, regeneration and transport in the area,
 - the effectiveness and efficiency of transport in the area; and
 - the economic conditions in the area.

17. The governance review considered the following five options: do nothing; informal joint working arrangements; an economic prosperity board; a combined authority; and additional functions for an economic prosperity board or a combined authority over time.

² Local Democracy, Economic Development and Construction Act 2009

18. A review of economic evidence was undertaken to test the rationale for working across the “LA7 Leadership Board” geography as a functional economic market area and to assess the economic conditions across the area.

19. The report highlights the significant national and international evidence available demonstrating the potential of the sub-national scale to promote and support the search for economic growth and resilience. It concluded there are strong economic linkages in the labour market and across a range of key industries in the area. The labour market has four centres – Newcastle, Durham City, Washington and Sunderland – and there is also a case to be made for increasing integration as the economy changes with more service sector jobs and growing interaction across higher level and industrial jobs.³ In each of the key economic sectors there are complementary and differentiated patterns:

- Automotive – There is a network of tier one automotive suppliers across the area, with the positive experience of Nissan in Sunderland reportedly contributing to the location of Hitachi in County Durham. The strength of advanced manufacturing and engineering around the A19 corridor and a new National Advanced Manufacturing Park has been recognised in the developing City Deal;
- Pharmaceuticals – Estimates suggest that the area is responsible for a third of the country’s GDP in pharmaceutical manufacturing;
- Low carbon energy generation – There are significant opportunities for offshore wind energy generation;
- Tourism and culture – This sector includes over 10,000 businesses and employs over 60,000 people. There are significant assets considered by Visit England to be ‘day trip’ sites and events that bring substantial visitor spend in to the area; and
- Retail and leisure – The main centres are the City Centre of Newcastle and the Gateshead MetroCentre.

20. This section of the governance review concludes that whilst there is not a uniform pattern, there are strong interdependencies across local authority boundaries and there is a key role for public policy makers to create opportunities for networking and on-going interaction across sectoral and spatial boundaries. The governance review also draws support from the recommendations of the recent North East Independent Economic Review⁴ into the “North East Local Enterprise Partnership” area.

Existing governance arrangements

21. The governance review looked at the existing governance arrangements. The “LA7 Leadership Board” was established in December 2012 and formalises the existing close relationship between the seven local authorities. It is seeking to formalise an active and transparent role for private sector involvement through the “North East Local Enterprise Partnership”, alongside greater democratic legitimacy.

³ See Eksogen (2010), Tyne and Wear City Region Economic Review: Economic Geography, Linkages and the Low Carbon Economy Executive Report

⁴ <http://www.ekosgen.co.uk/index/news/2013-04-11/the-north-east-independent-economic-review/>

22. The “North East Local Enterprise Partnership“ covers the same area as the seven local authorities. The Board of the “North East Local Enterprise Partnership“ is chaired by a business leader and consists of 18 members – nine from the business sector, two from the education sector and the Leaders/Elected Mayor from the seven local authorities. Sunderland City Council acts as the accountable body and all “North East Local Enterprise Partnership“ employees are employed through Sunderland City Council, with other support coming from staff seconded from other local authorities.

Case for a combined authority

23. The governance review considers arrangements for delivering the strategic objectives for the area: economic growth – driven by strategic funding, skills and inward investment and trade; and transport.

24. The seven local authorities share the ambition to deliver growth across the area, but whilst the tradition of co-operation between the authorities has brought results, the review acknowledges that the informal structures have developed into a complex web of layered committees and groups, and that this reduces the capacity for effective decision-making, with a lack of clarity about roles and responsibilities. The review considers that a combined authority would ensure a joined-up approach, which in turn would improve efficiency and effectiveness in delivering economic growth and transport functions. The review draws attention to outcomes that would demonstrate these improvements, focussed on greater clarity and alignment of funding, greater prioritisation and better forward thinking.

25. An evidence review has been completed by Glasgow University to underpin the development of the “North East Skills Action Plan” in the “North East Local Enterprise Partnership” area. It considered the skills system to be a complex interconnected web of institutions involved in designing, supporting, resourcing and delivering the improvement of skills. The conclusion of the evidence review is that a combined authority would provide a coordinated approach for skills collaboration, underpinned by robust economic and labour market intelligence and employers would be at the centre of the design and delivery of the system. The governance review draws attention to outcomes that would demonstrate these improvements, focussed on one co-ordinated skills plan, improved efficiency in the system and improvements in the involvement of employers.

26. Local authorities in the area already play a significant role in inward investment through a range of bodies. The “North East Local Enterprise Partnership” has established protocols in relation to UK Trade and Investment enquiries from foreign investors. The combined authority would provide an ‘Investment Gateway’ with a website and would support strengthened information exchange. The review draws attention to outcomes that would demonstrate improvements, drawing on the skills of the “North East Local Enterprise Partnership” and facilitation of better promotion of the area whilst avoiding duplication of effort.

27. Strategic transport functions are currently delivered by:

- The Tyne and Wear Integrated Transport Authority, which is the strategic and policy-making body on transport for Gateshead Council, Newcastle City Council, North Tyneside Council, South Tyneside Council and Sunderland City Council;
- Nexus, the Tyne and Wear Passenger Transport Executive that delivers services on behalf of the Tyne and Wear Integrated Transport Authority; and
- Durham County Council and Northumberland County Council, unitary authorities with responsibility for transport strategy and policy and the delivery of transport services in their areas.

28. Since the establishment of the “North East Local Enterprise Partnership” covering the area of all seven local authorities, the authorities have increasingly worked together on strategic transport priorities. Earlier this year they established a “Local Transport Body” for the purpose of prioritising local transport funding. The governance review considers that establishing a combined authority, which would take on all the functions of the Integrated Transport Authority and the local transport functions of Durham and Northumberland, would ensure political leadership at the highest level on strategic transport planning, enabling difficult decisions to be taken within a long-term investment programme, and ensuring the most efficient use of combined transport resource across the area.

29. The governance review considers that a combined authority would have a stronger voice in discussions with the European Union, devolved administrations and national bodies such as the Highways Agency, the Homes and Communities Agency, the Skills Funding Agency and the Department for Transport. It also sees advantages for a combined authority in relation to procuring and sharing services and the relationship with the “North East Local Enterprise Partnership”. Any costs incurred in establishing new arrangements would be offset by efficiency gains and met from existing resources.

30. The governance review concludes that coordinated action against the agreed priorities will bring improvements and that whilst establishing the “LA7 Leadership Board” has been an important step in formalising these arrangements, it has limitations. The governance review concludes that only by establishing statutory arrangements for collaboration would the area be able to fully achieve its ambition for growth.

31. Accordingly, the review’s conclusions on the five options were as follows:

- Do nothing. This option was discounted on the basis that it would fail to create the institutional enhancement that is most likely to address the underlying economic needs of the area. The ambitions of the area would not be realised.
- Enhance informal joint working arrangements. This option was discounted on the basis that sophisticated arrangements are already in place, and establishing a Joint Committee would not be a significant improvement as in many cases key decisions would need to be referred back to the individual authorities. It would effectively add,

rather than remove, a layer of bureaucracy and again the ambitions of the area would not be realised.

- Economic prosperity board. This option was discounted on the basis that whilst it improves existing arrangements it misses the opportunity to maximise economic benefits as transport linkages are significant for the proper functioning of the economic area. Again, the ambitions of the area would not be realised.
- Combined authority. This option was deemed to create the institutional enhancement most likely to address the economic needs of the area, by providing a stable, legally independent and accountable body for devolved powers and funding. It will enable strategic decision making that aligns economic growth and transport and will be better informed through shared information and analysis. Through some shared services and operational co-ordination, efficiencies may also be achieved. It is considered that this model would improve access to economic, skills and employment opportunities and create improved links for leisure and tourism.
- Additional functions for either an economic prosperity board or a combined authority over time. The governance review recommends that if a combined authority is established it should seek devolution of responsibility for the allocation of the Single Local Growth Fund and consider the implications of the European Union Structural and Investment Funds Growth Programme from 1 April 2015.

32. The governance review concluded that there is a clear case for strengthening the governance arrangements and that establishing a combined authority will be the best way to address both the needs and strategic ambitions of the area. It would facilitate closer partnership working, allow a coordinated approach to tackling local priorities, increase effectiveness and efficiency, allow for improved strategic planning and decision making on the basis of stronger evidence collection and analysis, improve the delivery of statutory functions, and lead to the improvement of economic conditions in the area.

33. The governance review is clear that the Board of the “North East Local Enterprise Partnership” will join forces with the combined authority through an integrated governance model. Detailed governance arrangements will be contained in standing orders, which would only be changed with the consent of all members of the combined authority. The detail of the integrated governance model is being agreed, but is based on the following two principles:

- The public sector is the right place for public assets to be held and managed. Elected representatives must play a key role in scrutiny and decision making to reflect the ultimate beneficiary, the public; and
- The business sector needs to have the influence and opportunity to input knowledge and expertise in to designing the solutions and how they are implemented on the ground.

Chapter 3 – Issues for consultation

34. Having regard to the proposal from the seven councils, the support of the “North East Local Enterprise Partnership” and his localist policy, the Secretary of State is considering making an Order under the statute which, if Parliament approves, would replace the “Tyne and Wear Integrated Transport Authority” with a combined authority. This would bring together Durham County Council, Gateshead Council, Newcastle City Council, North Tyneside Council, Northumberland County Council, South Tyneside Council and Sunderland City Council for the delivery of transport, economic development and regeneration functions.
35. Under the statute the Secretary of State can make the Order only if, having regard to the councils’ scheme, he considers that establishing the combined authority would be likely to improve the effectiveness and efficiency of transport in the area, the exercise of statutory functions relating to transport, economic development and regeneration in the area and the economic conditions in the area. In making this judgement the Secretary of State would welcome views on this matter from consultees and others in response to this consultation. Chapter 2 of this consultation sets out the views and conclusions of the seven councils to which consultees and others may wish to have regard when responding to the consultation.
36. The Secretary of State also recognises in making the Order he must have regard to the need to reflect the identities and interests of local communities and to secure effective and convenient local government. Again the Secretary of State would welcome the views of consultees and others on these matters when responding to the consultation.
37. Finally, were the Secretary of State to make such an Order, he is minded that it should provide for a combined authority with a constitution and functions as described in the Annex to this consultation document. A draft of an Order to give effect to these proposals is at the appendix to the Annex. The Secretary of State would welcome the views of consultees and others on these matters when responding to the consultation.
38. In short, comments are invited on the proposal to establish a combined authority for the area of Durham, Northumberland and Tyne and Wear, and in particular:
- **On whether you support changing the governance institutions for the area of the “North East Local Enterprise Partnership” area by the creation of a combined authority;**
 - **On whether you consider that establishing the proposed combined authority would be likely to improve the provision of transport in the area and its effectiveness and efficiency, the provision of economic development and regeneration in the area, and the economic conditions in the area;**

- **On how establishing such an authority may impact on the identities and interests of local communities and on securing effective and convenient local government;**
- **On the proposed constitutional arrangements (including the formal name of the combined authority) and functions for a combined authority as set out in the Annex to this consultation paper; and**
- **On how such an authority and the local enterprise partnership can work in a seamless manner to ensure the private sector is ‘hardwired’ into the leadership and decision making for the functional economic area.**

Annex

The proposed constitution and functions for the combined authority

Establishment

1. It is proposed that the combined authority would come into existence on 1 April 2014. The authority could be known as the 'Durham, Northumberland and Tyne and Wear Combined Authority'. It would cover the councils for the local government areas of Durham, Gateshead, Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland – the constituent councils.
2. The Tyne and Wear Integrated Transport Authority would be dissolved on the same day and its functions, property, rights and liabilities including those that relate to contracts of employment transferred to the combined authority. The councils formerly in the Tyne and Wear Integrated Transport Authority area (Gateshead Council, Newcastle City Council, North Tyneside Council, South Tyneside Council and Sunderland City Council) would retain responsibility for the historic property, rights and liabilities relating to transport matters that had not transferred to the Tyne and Wear Integrated Transport Authority. Any property, rights and liabilities of a similar type held by the county councils of Durham and Northumberland would remain the responsibility of those councils.

Constitution

3. The combined authority would be made up of one elected member from each of the seven constituent councils. The members of the combined authority, by agreement and following a nomination from the "North East Local Enterprise Partnership", should appoint a member of the "North East Local Enterprise Partnership" to be a non-constituent member of the combined authority, making eight members in total.
4. Each constituent authority would appoint another of its elected members to act as a member of the combined authority in the absence of the appointed member – the substitute member. The "North East Local Enterprise Partnership" should also nominate a substitute member for agreement by the combined authority. Substitute members will have the same decision making authority and voting rights as the person whose place he/she is taking.
5. As the economic transformation of the area depends on strong governance, there is an expectation that each council would appoint its Leader or Elected Mayor to the combined authority. In the case of the "North East Local Enterprise Partnership" the

expectation is that the Chairman would be appointed. This provides for decision making at the highest level and sets the strategic direction of the authority.

6. At the first meeting of the combined authority a Chairman and Vice-chairman would be appointed from among its members. Members of the combined authority would not be paid for the work they undertake for the authority. However, they could receive allowances for travel and subsistence.
7. Where a member of the combined authority ceases to be a member of their local authority or of the “North East Local Enterprise Partnership”, they would also cease to be a member of the combined authority and a replacement member would be appointed as soon as practicable.
8. A constituent authority or the “North East Local Enterprise Partnership” may at any time terminate the appointment of a member or a substitute member appointed/nominated by it to the combined authority.

Voting

9. The constituent council members of the combined authority will have one vote each. The Chairman and Vice-Chairman would not have a second or casting vote.
10. Non-constituent members would be non-voting members but may be given voting rights on certain issues should the constituent council members of the combined authority resolve to grant these.
11. Subject to the provisions of any enactment the combined authority will aim to reach decisions by consensus. If, exceptionally, it is not possible to reach consensus on any matter on which it is necessary to reach a decision, the matter will be put to a vote that will be decided by a simple majority of the members of the combined authority present and voting.
12. The following matters will require the unanimous support of members of the combined authority for approval:
 - Adoption of growth plan and investment strategy;
 - Adoption of local transport plan;
 - Adoption of the combined authority’s annual budget;
 - Setting of the transport levy;
 - Allocation of local transport plan funding to constituent authorities;
 - Approval of key growth schemes including the local majors scheme devolved funding;
 - Approval of borrowing limits, treasury management strategy including reserves, investment strategy and capital budget of the combined authority; and
 - Such other plans and strategies as determined by the combined authority.

Funding

Economic development

13. The costs of the combined authority in relation to the exercise of its economic development and regeneration functions and all start-up costs would be met by the constituent authorities. These costs may be apportioned between the constituent authorities in equal shares.

Transport

14. Section 74 of the Local Government Act 1988 allows for a combined authority to be given power to issue a levy in respect of its expenses relating to its transport functions. The Tyne and Wear Integrated Transport Authority already has a levying power and the scheme proposes that the combined authority should be given a similar power. However, because of the differing needs of Durham and Northumberland and that it would not be appropriate for costs arising from historic debt of the Tyne and Wear Integrated Transport Authority to fall on the county councils, the current method of apportionment by population size would not be appropriate. Instead, the relevant regulations⁵ will be amended to enable the combined authority to decide how best to apportion the amount to be raised by the levy between the seven local authorities. These levies, as with all levies, will be subject to the provisions on council tax referendums in the Local Audit and Accountability Bill, if Parliament enacts this legislation.

15. For the financial year 2014-15, the current financial arrangements will continue, with the Tyne and Wear Integrated Transport Authority levy set in early 2014 covering the Tyne and Wear authorities only. The first full levy covering all seven local authorities would be for the financial year 2015-16.

Functions

16. The primary focus of the combined authority is to manage a significant programme of investment in transport and economic infrastructure, and to influence and align with Government investment, in order to drive economic growth.

Economic development

17. The authority would have powers that would allow it to drive strategic economic growth across the functional economic area. It will focus on strategic issues such as:

- Setting the growth plan for the area;
- Setting the investment strategy for the area;

⁵ The Transport Levying Bodies Regulations 1992

- Collecting economic intelligence and analysis as a basis for strategic planning and coordination;
- Acting as the accountable body for a range of devolved funding;
- Setting a strategy and making decisions on the skills agenda across the area; and
- A co-ordinated approach to inward investment.

18. In addition, the combined authority would have other duties and powers relating to the publication of information, legal proceedings, provision of further education, tourism, and assessment of economic conditions that would contribute to the economic improvement of the functional economic area.

Transport

19. The transport functions of the Tyne and Wear Integrated Transport Authority would be transferred to the combined authority. In addition, all the Local Transport Authority functions of Durham County Council and Northumberland County Council would be transferred to the combined authority. This would mean that the combined authority would deal with such transport issues as:

- Prioritisation and programme management of local major transport schemes;
- Development of a Joint Local Transport Plan and associated strategies;
- Working on bus related issues;
- Developing cooperative arrangements across the area on traffic management; and
- Leading collaborative working on concessionary travel.

All functions conferred or imposed on the Tyne and Wear Integrated Transport Authority by any enactment relating to functions of the Tyne and Wear Passenger Transport Executive would be exercisable by the combined authority.

General power of combined authority

20. The combined authority would have a 'function related general power of competence' provided to them under Chapter 3 of Part 1 of the Localism Act 2011.

Scrutiny arrangements

21. The combined authority may establish at least one overview and scrutiny committee with members appointed from constituent councils and other bodies to exercise scrutiny functions over the combined authority and any sub-boards. The overview and scrutiny committee would have a range of powers appropriate to its functions, including the power to recommend that a decision be reconsidered by the combined authority.

Substructures and internal scheme of delegation

North East Local Enterprise Partnership

22. The close relationship between the “North East Local Enterprise Partnership” and the proposed combined authority will allow for a seamless operation bringing together the public and private sectors. The Leaders/Elected Mayor of the constituent authorities are members of the “North East Local Enterprise Partnership”. The addition of the Chairman of the “North East Local Enterprise Partnership” as a member of the combined authority will ensure that the local enterprise partnership is able to provide leadership where required and that decisions taken by the combined authority fully support the priorities of the local enterprise partnership and the views of business. The combined authority and the local enterprise partnership will engage the wider business community to ensure that all partners contribute to the wider ambition for more and better jobs.
23. A shared economic strategy will be developed and agreed, building on the findings of the “North East Independent Economic Review”. Investment decisions taken by the combined authority would fully reflect business views. This will ensure that public investment is targeted to maximise business benefit.
24. The combined authority and the “North East Local Enterprise Partnership” would ensure that executive and staff resources are used in the most effective way to deliver the shared economic strategy.
25. The combined authority would act as the accountable body for the “North East Local Enterprise Partnership”.

Joint Committee

26. The combined authority and the constituent councils would enter into joint arrangements covering specified transport functions. This would include the establishment of a joint committee to provide advice on transport policy matters to the combined authority, and to be responsible for the discharge of those transport functions.

Executive arrangements

27. The Tyne and Wear Passenger Transport Executive would continue during a transitional phase, as an executive body of the combined authority in relation to its transport functions in the areas of Gateshead Council, Newcastle City Council, North Tyneside Council, South Tyneside Council and Sunderland City Council. In addition, during this phase, operational transport functions would be devolved Durham County Council and Northumberland County Council to enable local delivery arrangements to continue in relation to:
 - Information provision;
 - Infrastructure delivery;

- Commissioning and procurement of subsidised bus services; and
- Concessionary travel.

Following the transitional phase, the combined authority would establish consistent delivery arrangements to operate across the geography of the combined authority as a whole.

Other Arrangements

28. The combined authority may establish further joint committees or sub-committees and delegate powers and functions as considered by it to be appropriate. This is provided for through existing legislation, rather than expressly through the Durham, Northumberland and Tyne and Wear Combined Authority Order.

(d) such other persons as the Secretary of State considered appropriate.

The councils whose areas are comprised in the Tyne and Wear integrated transport area have consented to the making of this Order.

In making this Order, the Secretary of State has had regard to the need to reflect the identities and interests of local communities, and to secure effective and convenient local government.

A draft of this instrument has been approved by a resolution of each House of Parliament pursuant to section 94 of the Local Transport Act 2008 and section 117 of the Local Democracy, Economic Development and Construction Act 2009.

Accordingly, the Secretary of State makes the following Order:

PART 1

General

Citation and commencement

1. This Order may be cited as the Durham, Northumberland and Tyne and Wear Combined Authority Order 2014 and shall come into force on 1 April 2014.

Interpretation

2. In this Order —

“the 2009 Act” means the Local Democracy, Economic Development and Construction Act 2009;

“combined area” means the area consisting of the areas of the constituent councils;

“the Combined Authority” has the meaning given by article 3(2);

“constituent councils” means the councils for the local government areas of Durham, Gateshead, Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland.

“the county councils” means the County Council of Durham and Northumberland County Council;

“the ITA” means the Tyne and Wear Integrated Transport Authority; and

“the Local Enterprise Partnership” means the North East Local Enterprise Partnership.

PART 2

Establishment of a combined authority for Durham, Northumberland and Tyne and Wear

Establishment

3.—(1) There is established a combined authority for the combined area.

(2) The Combined Authority is to be a body corporate and to be known as the Durham, Northumberland and Tyne and Wear Combined Authority.

(3) The functions of the Combined Authority are those functions conferred or imposed upon it by this Order or by any other enactment (whenever passed or made), or as may be delegated to it by or under this Order or any other enactment (whenever passed or made).

Constitution

4. Schedule 1 (which makes provision about the constitution of the Combined Authority) has effect.

Funding

5.—(1) The constituent councils must meet the costs of the Combined Authority reasonably attributable to the exercise of its functions relating to economic development and regeneration.

(2) The amount payable by each of the constituent councils is to be determined by apportioning the costs of the Combined Authority referred to in paragraph (1) equally between the constituent councils.

PART 3

Transport

Abolition and transfer of functions etc.

6.—(1) The Tyne and Wear integrated transport area is dissolved and the ITA is abolished.

(2) On the abolition of the ITA—

- (a) its functions; and
- (b) its property, rights and liabilities

are transferred to the Combined Authority.

Adaptation of enactments — integrated transport authority

7.—(1) This article has effect in consequence of article 6.

(2) In any enactment (whenever passed or made)—

- (a) any reference to an integrated transport area; or
- (b) any reference which falls to be read as a reference to such an area,

is to be treated as including a reference to the combined area.

(3) In any enactment (whenever passed or made)—

- (a) any reference to an integrated transport authority; or
- (b) any reference which falls to be read as a reference to such an authority,

is to be treated as including a reference to the Combined Authority.

(4) Schedule 2 (which amends section 9 of the Transport Act 1968 in consequence of article 6) has effect, but this does not affect the generality of paragraphs (2) and (3).

Transfer of functions — county councils

8. There are transferred to the Combined Authority—

- (a) the functions of the county councils under Parts IV and V of the Transport Act 1985(a); and
- (b) the functions of the county councils as local transport authorities under Part II of the Transport Act 2000(b).

Adaptation of enactments

9.—(1) This article has effect in consequence of article 8.

(2) In relation to any function transferred under article 8, any reference in any enactment (whenever passed or made) to a county, or to any class of area which includes a county, is to be treated as including a reference to the combined area.

(3) In any enactment (whenever passed or made) any reference in relation to any function transferred under article 8 to a county council, or to any class of body which includes a county council, is to be treated as including a reference to the Combined Authority.

Passenger Transport Executive

10.—(1) In this article “the Executive” means the Tyne and Wear Passenger Transport Executive.

(2) The Executive is to be an executive body of the Combined Authority for the purposes of Part 5 of the Local Transport Act 2008 and Part 6 of the 2009 Act.

(3) In the application of section 101 of the Local Government Act 1972 (arrangements for the discharge of functions) to the Combined Authority the Executive is to be treated as if it were an officer of the Combined Authority.

Continuity

11.—(1) Nothing in articles 6 to 9 affects the validity of anything done by or in relation to the ITA or either of the county councils in relation to the functions transferred under article 8 before 1st April 2014.

(2) There may be continued by or in relation to the Combined Authority anything (including legal proceedings) which—

- (a) relates to any of the functions, property, rights or liabilities transferred to the Combined Authority; and
- (b) is in process of being done by or in relation to the ITA, or to either of the county councils in relation to the functions transferred under article 8, immediately before 1st April 2014.

(3) Anything which—

- (a) was made or done by or in relation to the ITA or to either of the county councils for the purposes of or otherwise in connection with any of the functions, property, rights or liabilities transferred;
- (b) is in effect immediately before the transfer takes effect,

has effect if made or done by or in relation to the Combined Authority.

(4) The Combined Authority shall be substituted for the ITA in any instruments, contracts or legal proceedings which—

- (a) relate to any of the functions, property, rights or liabilities transferred; and
- (b) are made or commenced before the transfer takes effect.

(5) A reference in this article to anything made or done by or in relation to the ITA includes a reference to anything which by virtue of any enactment is to be treated as having been made or done by or in relation to the ITA.

(a) 1985 c..67
(b) 2000 c.38

(6) Without prejudice to the generality of this article a levy issued by the ITA under section 74 of the Local Government Finance Act 1988 and in accordance with the Transport Levying Bodies Regulations 1992 to the constituent councils in respect of the financial year beginning 1st April 2014 is to have effect for that year as if it had been so issued by the Combined Authority.

PART 4

Additional functions

Economic development and regeneration functions

12.—(1) The functions of the constituent councils set out in Schedule 3 to this Order are exercisable by the Combined Authority in relation to its area.

(2) The functions are exercisable concurrently with the constituent councils.

(3) Any requirement in any enactment for a constituent council to exercise such a function may be fulfilled by the exercise of that function by the Combined Authority.

Incidental provisions

13. The following provisions shall have effect as if the Combined Authority were a local authority for the purposes of these provisions—

- (a) section 142(2) of the Local Government Act 1972(a) (the power to arrange for publication of information etc relating to the functions of the authority); and
- (b) section 222 of the Local Government Act 1972 (the power to prosecute and defend legal proceedings).

14.—(1) The Combined Authority shall have the power to exercise any of the functions described in subsection (1)(a) and (b) of section 88 of the Local Government Act 1985(b) (research and collection of information) whether or not a scheme is made under that section.

(2) For the purposes of paragraph (1) of this article, paragraphs (a) and (b) of section 88(1) of the Local Government Act 1985 shall have effect as if a reference to “that area” were a reference to the combined area.

15. Section 13 of the Local Government and Housing Act 1989(c) shall have effect as if –

- (a) in subsection (4) after paragraph (x) there were inserted –
“(xx) subject to subsection (xx), a committee appointed by the Durham, Northumberland and Tyne and Wear Combined Authority;” and
- (b) after subsection (4) there were inserted –
“(xx) A person who is a member of a committee falling within paragraph (xx) of subsection (4) or a sub-committee appointed by such a committee shall for all purposes be treated as a non-voting member of that committee or sub-committee unless he is a member of one of the constituent councils as defined by article 2 of the Durham, Northumberland and Tyne and Wear Combined Authority Order 20xx.”.

16. The Apprenticeship, Skills, Children and Learning Act 2009(d) shall have effect as if the Combined Authority were a local authority for the purpose of section 84(2).

(a) 1972 c.72.
(b) 1985 c.51.
(c) 1989 c.42.
(d) 2009 c.22

Signed on behalf of the Secretary of State for Communities and Local Government

Date *Name*
Parliamentary Under Secretary of State
Department for Communities and Local Government

SCHEDULE 1 Constitution

Article 4

Membership

1.—(1) Each constituent council shall appoint one of its elected members to be a member of the Combined Authority.

(2) Each constituent council shall appoint another of its elected members to act as a member of the Combined Authority in the absence of the member appointed under sub-paragraph (1) (“the substitute member”).

(3) The Local Enterprise Partnership shall nominate one of its members to be a member of the Combined Authority (“Local Enterprise Partnership Member”).

(4) The Local Enterprise Partnership shall nominate another of its members to act as a member of the Combined Authority in the absence of the member appointed under sub-paragraph (3) (“the substitute member”).

(5) The Combined Authority shall appoint a member nominated by the Local Enterprise Partnership as a member of the Combined Authority (“Local Enterprise Partnership Member”).

(6) The Combined Authority shall appoint another member nominated by the Local Enterprise Partnership to act as a member of the Combined Authority in the absence of the member appointed under sub-paragraph (5) (“the substitute member”).

(7) For the purposes of this Schedule any reference to a member is to be treated as including a reference to the Local Enterprise Partnership Member.

(8) A person ceases to be a member or substitute member of the Combined Authority if they cease to be a member of –

- (a) the constituent council that appointed them; or
- (b) the Local Enterprise Partnership that nominated them.

(9) A person may resign as a member or substitute member of the Combined Authority by written notice served on the proper officer of the Council or the Chair or Vice Chair of the Local Enterprise Partnership (as the case may be) of–

- (a) the constituent council that appointed them; or
- (b) the Local Enterprise Partnership that nominated them

and the resignation shall take effect on receipt of the notice by the proper officer of the Council or Chair or Vice Chair of the Local Enterprise Partnership (as the case may be).

(10) Where a member or substitute member’s appointment ceases by virtue of sub-paragraph (8) or (9) –

- (a) the constituent council that made the appointment must, as soon as practicable, give written notice of that fact to the Combined Authority and appoint another of its elected members in that person’s place;
- (b) the Local Enterprise Partnership must, as soon as practicable, give written notice of that fact to the Combined Authority and nominate another of its elected members in that person’s place.

(11) The Combined Authority shall appoint a member nominated under sub-paragraph (10)(b) at the next meeting of the Combined Authority.

(12) A constituent council may at any time terminate the appointment of a member or substitute member appointed by it to the Combined Authority and appoint another member of it's executive in that person's place.

(13) Where a constituent council exercises its power under sub-paragraph (12), it must give written notice of the new appointment and the termination of the previous appointment to the Combined Authority and the new appointment shall take effect and the previous appointment terminate at the end of one week from the date on which the notice is given or such longer period not exceeding one month as is specified in the notice.

(14) The Local Enterprise Partnership may at any time terminate the appointment of a member or substitute member nominated by it to the Combined Authority and nominate another of its members in that person's place.

(15) Where the Local Enterprise Partnership exercises its power under sub-paragraph (14), it must give written notice of the new nomination and the termination of the previous appointment to the Combined Authority.

(16) The Combined Authority shall appoint a member nominated under sub-paragraph (15) and the new appointment shall take effect and the previous appointment terminate at the end of one week from the date on which the notice is given or such longer period not exceeding one month as is specified in the notice.

(17) For the purposes of this paragraph, an elected mayor of a constituent council is to be treated as a member of the constituent council.

Chairman and vice-chairman

2.—(1) The Combined Authority must in each year appoint a chairman and a vice-chairman from among its members and the appointments are to be the first business transacted at the first meeting of the Combined Authority after the appointment of members of the Combined Authority.

(2) A person ceases to be chairman or vice-chairman of the Combined Authority if they cease to be a member of the Combined Authority.

(3) If a vacancy arises in the office of chairman or vice-chairman, an appointment to fill the vacancy is to be made at the next ordinary meeting of the Combined Authority, or, if that meeting is to be held within 14 days of the vacancy arising, at the meeting following that meeting.

Proceedings

3.—(1) Any questions that are to be decided by the Combined Authority are to be decided by a majority of the members and substitute members, acting in place of members, present and voting on that question at a meeting of the Combined Authority.

(2) Each member, or substitute member acting in that member's place, is to have one vote and no member or substitute member is to have a casting vote.

(3) Members appointed from the Local Enterprise Partnership will be non-voting members of the Combined Authority.

(4) Questions relating to the following matters require a unanimous vote in favour by all seven constituent council members, or substitute members acting in place of those members, to be carried –

- (a) adoption of any growth plan and investment strategy;
- (b) adoption of any local transport plan;
- (c) approval of the Combined Authority's annual budget;
- (d) setting of the transport levy;
- (e) allocation of local transport plan funding to the individual constituent authorities;
- (f) approval of key growth schemes including the local major schemes devolved funding;

- (g) approval of borrowing limits, treasury management strategy including reserves, investment strategy and capital budget of the Combined Authority; and
- (h) such other plans and strategies as determined by the Combined Authority.

(5) The proceedings of the Combined Authority are not invalidated by any vacancy among its members or substitute members or by any defect in the appointment or qualifications of any member or substitute member.

Committees

4.—(1) The Combined Authority may appoint one or more committees as an overview and scrutiny committee, or as the case may be committees, of the Combined Authority.

(2) The Combined Authority shall appoint members of each of the constituent councils to any overview and scrutiny committee appointed by the Combined Authority.

(3) Any overview and scrutiny committee appointed by the Combined Authority may not include any member of the Combined Authority.

(4) Any overview and scrutiny committee appointed by the Combined Authority will have the power to—

- (a) invite members to attend before it to answer questions;
- (b) invite other persons, including members of the public, to attend meetings of the committee;
- (c) review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions which are the responsibility of the Combined Authority;
- (d) make reports or recommendations to the Combined Authority with respect to the discharge of any functions which are the responsibility of the Combined Authority;

(5) The power to review or scrutinise a decision made but not implemented under sub-paragraph (4)(c) includes the power to recommend that the decision be reconsidered by the Combined Authority.

(6) Where any overview and scrutiny committee appointed by the Combined Authority makes a report or recommendation under sub-paragraph (4)(d) the committee may –

- (a) publish the report or recommendations;
- (b) by notice in writing require the Combined Authority to –
 - (i) consider the report or recommendations;
 - (ii) respond to the overview and scrutiny committee indicating what (if any) action the Combined Authority proposes to take;
 - (iii) if the overview and scrutiny committee has published the report or recommendations under sub-paragraph (6)(a), publish the response.

(7) A notice served under sub-paragraph (6)(b) must require the Combined Authority to comply with it within two months beginning with the date on which the Combined Authority received the reports or recommendations or (if later) the notice.

(8) The Combined Authority shall comply with a notice given under sub-paragraph (6)(b).

(9) Sub-paragraphs (6)(a) and (8) are subject to section 9FG of the Local Government Act 2000 and to any provision made under section 9GA(8).

Records

5.—(1) The Combined Authority must make arrangements for the names of members and substitute members present at any meeting to be recorded.

(2) Minutes of the proceedings of a meeting of the Combined Authority, or any committee or sub-committee of the Combined Authority are to be kept in such form as the Combined Authority may determine.

(3) Any such minutes are to be signed at the same or next suitable meeting of the Combined Authority by the person presiding at that meeting.

(4) Any minute purporting to be signed as mentioned in sub-paragraph (3) shall be received in evidence without further proof.

(5) Until the contrary is provided, a meeting of the Combined Authority a minute of whose proceedings has been signed in accordance with this paragraph is deemed to have been duly convened and held, and all the members and substitute members present at the meeting are deemed to have been duly qualified.

(6) For the purposes of sub-paragraph (3) the next suitable meeting is the next following meeting or, where standing orders made by the Combined Authority provide for another meeting of the authority to be regarded as suitable, either the next following meeting or that other meeting.

Standing orders

6. The Combined Authority may make standing orders for the regulation of its proceedings and business and may vary or revoke any such orders.

Remuneration

7. No remuneration is to be payable by the Combined Authority to its members, other than allowances for travel and subsistence paid in accordance with a scheme drawn up by the Combined Authority.

SCHEDULE 2

Article 7(4)

Amendment of Section 9 of the Transport Act 1968

1. Section 9 of the Transport Act 1968(a) is amended as follows.

2. In subsection (1)(a)—

(a) in sub-paragraph (i) after “except Greater Manchester” there is inserted and “the Durham, Northumberland and Tyne and Wear”;

(b) the word “and” after sub-paragraph (ia) is omitted; and

(c) after sub-paragraph (ia) there is inserted—

“(ib) the counties of Durham and Northumberland and the metropolitan county of Tyne and Wear shall be the area of a combined authority; and”.

3. In subsection (1)(b)—

(a) the word “and” after sub-paragraph (ia) is omitted; and

(b) after sub-paragraph (ia) there is inserted—

“(ib) in relation to counties of Durham and Northumberland and the metropolitan county of Tyne and Wear, the Durham, Northumberland and Tyne and Wear Combined Authority; and”.

4. In subsections (2) and (3) after “the area of the Greater Manchester Combined Authority” in each case occurring there is inserted “, the area of the Durham, Northumberland and Tyne and Wear Combined Authority”.

(a) 1968 c. 73; section 9 was amended by the Local Government (Scotland) Act 1973 (c. 65) Schedule 18, paragraph 1; by the Transport Act 1985 (c. 67) sections 57(1), 58(2), Schedule 3, paragraph 3, Schedule 8; by the Local Government (Scotland) Act 1994 (c. 39) Schedule 13, paragraph 80(2); and in relation to England and Wales only by the Local Transport Act 2008 (c. 26) section 98(4), Schedule 4, paragraph 2 and Schedule 7, Part 4 and by S.I. 2011/908.

5. In subsection (5) after “or the area of the Greater Manchester Combined Authority” there is inserted “or of the Durham, Northumberland and Tyne and Wear Combined Authority”.

6. In subsection (5A) after “2011” there is inserted “and the Durham, Northumberland and Tyne and Wear Combined Authority means the authority of that name constituted by the Durham, Northumberland and Tyne and Wear Combined Authority Order 2014”.

SCHEDULE 3

Article 12(1)

Economic development and regeneration functions

1. Such functions of the constituent authorities as are exercisable for the purpose of economic development and regeneration in reliance on the general power of competence under section 1 of the Localism Act 2011(a).

2. The power under section 144 of the Local Government Act 1972(b) (the power to encourage visitors and provide conference and other facilities).

3. The duties under sections 15ZA, 15ZB, 15ZC, 17A, 18A(1)(b), of the Education Act 1996(c) and the power under sections 514A and 560A of that Act (duties and powers related to the provision of education and training for persons over compulsory school age).

4. The duty under section 69 of the 2009 Act (duty to prepare an assessment of economic conditions).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order establishes the Durham, Northumberland and Tyne and Wear Combined Authority.

Part 6 of the Local Democracy, Economic Development and Construction Act 2009 (“the 2009 Act”) provides for the establishment of combined authorities for the areas of two or more local authorities in England. Combined authorities are bodies corporate which may be given power to exercise functions relating to transport and to economic development and regeneration in their area.

The Secretary of State may only establish a combined authority for an area where a scheme for such an authority has been published under section 109 of the 2009 Act. This Order has been made following the publication of such a scheme on 31 July 2013 by the constituent councils whose areas together make up the combined area of the new authority. The scheme is available at: www.gateshead.gov.uk/la7-governance.

Part 2 of the Order establishes the new authority, to be known as the Durham, Northumberland and Tyne and Wear Combined Authority on 1 April 2014, and makes provision for its constitution and funding.

Article 4 of and Schedule 1 to the Order make provision for the constitution of the Durham, Northumberland and Tyne and Wear Combined Authority. This is supplemental to the provision that is made by Part 1A of Schedule 12 to the Local Government Act 1972 (see paragraph (6A) of that Schedule, as amended by the 2009 Act).

Article 5 makes provision for the funding, by the constituent councils, of those costs of the Durham, Northumberland and Tyne and Wear Combined Authority that relate to the exercise of its economic development and regeneration functions.

(a) 2011 c.20
(b) 1976 c.76
(c) 1996 c.56.

Part 3 concerns the transport functions of the combined authority. *Article 6* abolishes the Tyne and Wear integrated transport area and its integrated transport authority and transfers the authority's functions, property, rights and liabilities to the combined authority. *Article 7* makes adaptations to enactments consequential upon *article 6*. *Article 8* transfers specified transport functions of the Durham and Northumberland county councils to the Combined Authority. *Article 9* makes adaptations to enactments consequential upon *article 8*. *Article 10* makes the Tyne and Wear Passenger Transport Executive an executive body of the Combined Authority and *article 11* contains general continuity provisions.

Part 4 confers additional functions on the Durham, Northumberland and Tyne and Wear Combined Authority. *Article 12* confers functions of the constituent councils relating to economic development and regeneration. These are set out in Schedule 3 to the Order and are to be exercised concurrently with the constituent councils. *Articles 13 to 16* make some general, incidental provisions relating to the Durham, Northumberland and Tyne and Wear Combined Authority to enable it to carry out its functions more effectively.

A full regulatory impact assessment has not been prepared as this instrument will have no impact on the costs of business and the voluntary sector.

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Cabinet

18 December 2013

Review of Care Connect

Key Decision R&ED/23/13



Report of Corporate Management Team

Report of Ian Thompson, Corporate Director of Regeneration and Economic Development

Rachael Shimmin, Corporate Director of Children and Adults Services

Councillor Eddie Tomlinson, Portfolio Holder for Housing and Rural Issues

Councillor Morris Nicholls, Portfolio Holder for Adult Services

Purpose of the Report

1. To update Cabinet on the review of the Care Connect services and options available to meet the CAS MTFP savings proposal to reduce their expenditure on the Care Connect service from £3.3m to £2.3m from 2014.

Background

2. Care Connect is the council's community alarm and telecare/telehealth provider. It provides a range of additional preventative services to a variety of client groups who can be mainly described as elderly or vulnerable. These services are complementary and additional to other assessed and eligible care services provided by DCC.
3. Supporting People grant was a ring fenced grant paid to local authorities to commission 'housing related support services' from 2003. Community alarm services were funded from the public purse as part of that grant. In 2003 the grant was initially £15.0m. The grant amount was reduced on several occasions after 2003 and the ring fence was removed in 2010. Thereafter the funding was absorbed in general funding for local authorities and has been subject to the full range of reductions in the government's successive settlements for local government.
4. In order to address the reduction in funding support the Council's MTFP includes a proposal to reduce expenditure on Care Connect services by £1m from April 2014.

5. A joint service review has examined the wider functions of the care connect service and investigated alternative procurement options for these services. The review identified the complexity and diversity of the Care Connect service and recognised both its economies of scale and the added value to the wider council and other agencies in the provision of additional services to vulnerable people, CCTV and 'out of hours' services. (See appendix 2 for background and summary of current activity).
6. The review concluded that there was no immediate appetite in the private sector for the services currently offered and recommended that a joint operational review be carried out to identify options to accommodate the planned £1m reduction in funding.
7. In addition the RED service has been reviewing its own budget position for the MTFP going forward with all services being required to review their cost envelope and develop proposals for additional savings.

Joint Operational Review

8. A task and finish group was established to develop options to meet the CAS savings target together with any further cost reductions required by RED and to explore the implications of these reductions on the services offered.
9. The group has looked at a range of options, large and small that will deliver a reduced service cost as well as options to improve the service, increase efficiency and increase revenue. In addition, the group are exploring further options around outsourcing or partnering for some or all of the services.
10. A number of minor improvement and efficiency measures have been identified that could deliver a combined saving of up to £100k. These include vehicle sharing and use of technology such as tracking and limiters on vehicles, reviewing telephony costs and increased marketing.
11. A further measure would be to consider moving from installed units (£99 per unit - replaced every 5 years) to the use of mobile phones to access the service. This would reduce the capital costs of running the service, but is only considered appropriate for those customers with a very low level of support needs.
12. The above measures would have minimal impact on service users. However, to deliver the required level of savings it will be necessary to make more fundamental changes in relation to the way in which the service is delivered, the level of service provided and to consider the introduction of charges for service users.
13. The group also identified that the provision of Telecare as part of an assessed care package is one of the key elements in the transformation of adult social care. The number of Telecare users has already significantly

increased within the last 6 months and this trend is likely to continue. The review of options has therefore considered assessed Telecare as a priority area for development and for allocation of CAS funding both now and in the future.

Key Areas Under Consideration

14. The work to date has identified the following two savings options as being the most appropriate to be developed. Appendix 3 provides details of the options discounted.

Changes to support planning function (estimated saving £839k pa)

15. The current Service Level Agreement requires that all Supporting People (SP) customers have a full support plan which is reviewed every 13 weeks. The same practice is also carried out for private paying customers.
16. The national SP programme ended in March 2011 and while much of the good practice remains there is no obligation or benefit to the customer from the continuation of the current increased level of support planning which can be conducted in a different manner through both annual visits and other communication.
17. Replacing the current support planning assessment with an annual data collection exercise as well as a review following any significant incidents, would result in a reduction of approximately 26 FTE wardens and their associated management and support costs. The service currently employs 169.5 FTE staff. Appendix 5 provides a breakdown of the estimated savings.
18. The impact on customers would be a reduction in the regularity of assessment by Care Connect staff. However, the response side of the service would be unaffected and would continue to provide 24/7 telephone monitoring and mobile response together with post incident visits.
19. There would be an impact on staff, including redundancies at all levels. Implementation could be achieved by May 2014 after appropriate informing of service users and consultation with staff and unions.

Income Generation (estimated income from £177k to £354k pa)

20. There are currently around 12,000 households receiving a subsidised, and in most cases free, monitoring and response service through historical funding arrangements. Initially through SP and latterly through CAS. In addition there are around 1,400 households in receipt of Telecare equipment and monitoring, which is also free at the point of use in the majority of cases and the costs included in the care package.

21. In addition to those receiving a free service, there are approximately 4,700 private customers who commission the service as 'self-payers' at a current charge of £4.10 per week.
22. Many authorities already charge for some or all of the similar services provided by Care Connect (see appendix 4). However, the introduction of a charge for those who currently receive a free service would need careful planning. The following options would require further consideration:
 - All customers to pay a contribution towards the cost of the service
 - Customers to be assessed against a range of criteria and charged for all or some of the services they receive
 - Over 85s irrespective of tenure and benefits receive a subsidised service and all others charged.
 - Charge for elements of service.
 - Provide the service free to those customers currently in receipt of an adult care package.
 - Provide a service protected from new charges for current service users up to March 2016. (this could only be achieved by implementing all 3 options recommended in para 43)
23. Should the option of a protected service be preferred all new customers of the care connect service would have to be a contributing customer (£4.50 per week 2014 proposed rate) unless they had an assessed need for Telecare as identified as part of a CAS assessed care package.
24. The introduction of charges would be likely to put some people off using the service. For example, Sunderland City Council has recently introduced charges of £2.88 per week where the service was previously free which has resulted in a reduction of almost 50% of their customers. In this respect, it is difficult to estimate the income levels without carrying out extensive customer research.
25. The criteria to assess customers would need to be developed. A detailed data matching exercise is being undertaken. There are just under 4000 people receiving packages of care at home at the moment. A working assumption is that the additional 'preventative' criteria would mean that 4,000 - 6,000 customers continue to receive the service free. Based on the experience from Sunderland it would suggest that introducing a contribution of between £1 & £2 per week for the remaining 6,800 currently free customers would raise income of between £177k and £354k pa. These working assumptions would need to be revised once the 'preventative criteria' have been developed and will need to be adjusted to include current fee payers depending on what options were being consulted upon (Appendix 6 provides indicative income levels and the reduction of income should a % of customers decide to leave the service). The lower income level from a reduced customer base would be offset to some extent by a reduction in the level of staffing and resources required in delivering the service.

26. The introduction of charging would have an impact upon customers both financially in their ability to pay, and on their view of quality and value for money of the service provided.
27. There would also be a significant impact on other services if customers decide not to stay connected to Care Connect. The Police and Ambulance Service would be called to assist with falls and other low level emergencies; Fire and Rescue and Housing Organisations would have to monitor smoke alarms, carbon monoxide detectors and intruder alarms. This could also reduce Care Connect income from the Housing organisations.
28. The impact on staffing levels would need to be reviewed should the customer base and income reduce. Ultimately, this could affect the viability and future sustainability of the 24/7 service.
29. The existing self-payer charge of £4.10 per week could be increased by 9.75% to £4.50 per week through the annual review of charges process. This would raise an estimated £83,200 if there were to be no further drop in customer numbers. Previous small rises in this contribution have resulted in negligible reductions in service users.

Consultation and Wider Impacts

30. Any proposal to reduce the level of service or introduce new charges would require discussion with service users, staff and unions. In addition, discussion will be necessary with housing organisations and response agencies (Police, Fire, Ambulance) as some of the changes could have significant impacts for these services.
31. The current Care Connect service also supports a number of different activities from its core hub of operations. Each of these services has a degree of interdependence upon the other activities and therefore removing or reducing any activities will lead to an increase in costs or a reduction in the ability to deliver activity such as the out of hours telephony cover and CCTV monitoring.
32. All options would require an Equality and Health Impact Assessments as the changes would impact upon different people disproportionately.
33. If the full MTFP savings are not delivered by April 2014 there will be a subsequent impact on cash limits.

Preferred Options

34. It is recommended that the following three options are developed in order to meet the required savings target.

Delivered Improvements and Efficiencies £78K

35. That the Care Connect service management implement the range of minor improvements and efficiencies.

Changes to Support Planning Function £839K

36. The 13 week support plan review is replaced with an annual review which is in line with other social care assessments. An exercise will be undertaken with all service users to clearly explain the change in delivery model as well as reassuring all users that the response service can still be accessed 24/7. The exercise will be undertaken sensitively and will be key to retaining service users.
37. As this option will see a reduction of 26 FTE Wardens and associated staff. Requests for ERVR will be sought. However, re-engineering of the service structure will still need to be undertaken.

Income Generation £83K

38. The current contribution for 'self-payers' is increased from £4.10 to £4.50 per week.
39. Some users may choose to leave the service rather than pay the additional contribution, which would have an impact on the savings. Any shortfall in the anticipated income/savings target would be met from cash limits until exact numbers, costs and savings levels have been established.
40. No other charge is introduced for the next two financial years effectively protecting current users from charges.

Recommendations and Reasons

41. Cabinet are asked to agree the MTFP proposal to deliver £1m savings from the Care Connect service through the following actions:
 - Replace the current quarterly support planning visits with an annual review.
 - Increase the charges to self-payers from £4.10 to £4.50 per week.
 - Undertake efficiency and improvement activity within the service.

Contact: Ray Brewis Tel: 03000 264708

Appendix 1: Implications

Finance –

Each of the recommended options will either reduce the running costs or increase the income to the service in order to deliver the required reduction in budget of £1m.

Staffing –

The options will result in a reduction of 26 FTE wardens and their associated management and support costs. A service restructure is planned, it is anticipated that the required reduction can be met through a combination of ER/VR and service vacancies

Risk –

As this is a front line service utilised by many of County Durham's most vulnerable residents the reputational risk to the council in changing this service is high. A communication plan is being developed to ensure sensitivity in informing service users and their support networks of the proposed changes.

Equality and Diversity / Public Sector Equality Duty –

An initial Equality and Health Impact Assessment has been carried out on the proposed changes (see appendix 7).

Accommodation –

None

Crime and Disorder –

None

Human Rights –

None

Consultation –

Service users will be informed of proposed changes to service delivery. Staff and trades unions will be consulted on the proposed service restructure.

Procurement –

None

Disability Issues –

Disability issues to be addressed thorough Equality Impact Assessment.

Legal Implications –

None

Care Connect - Summary of current service activity

1. The current Care Connect service is one of the most diverse direct and support service providers across DCC. From the central control room in Chilton services directly concerned with support to elderly and vulnerable people are co housed with much of the councils out of hours call handling and response service. The control room also operates as the main CCTV monitoring hub, and offers a wide range of income generating services to partners in the health, housing and local government sectors.
2. The service has faced significant changes as a partially contracted service and was fully reviewed and restructured in 2011/12. Staffing levels are based on current connections 16, 712 (households) and call traffic of 15,155 calls per week.
3. Prior to April 2011 - four levels of service (everyone received 3 monthly support plan assesment, plus:
 - Level 4 – 2 weekly reassurance calls (5 mins), 1 weekly visit (20-30 mins), a level of 1-2-1 dedicated support, other visits outside of core hours, additional telecare sensors
 - Level 3 – (High) - personal visits undertaken, at least monthly to provide advice and assistance
 - Level 2 (Medium) – personal visits undertaken, at least quarterly to provide advice and assistance
 - Level 1 (Core/Standard) – Outcome monitoring at least annually
4. From April 2011 – two levels (All levels now receive a 3 monthly assessment
 - **High** (small number of people) – will also receive more regular visits or telephone contact
 - **Core/Standard** (majority of people)
5. Investment has been made to rationalise, re-engineer and reorganise the delivery of the service on a continual drive for cashable savings.
6. Monitoring has now been rationalised with all calls being handled through a single control room at Chilton and the call handling system has been upgraded to the latest version of Tunstall PNC6 call handling system.
7. Four area based response teams based in Seaham, Chilton, Meadowfield and Annfield Plain have been created and response times to almost all calls for assistance are now within 45 minutes and 60 minutes for the more remote Durham Dales. However monitoring indicates that response times of 30 minutes and less are achieved consistently.

8. Care Connect are working in partnership with CAS to provide meaningful Telecare and Telehealth services to clients with long term conditions which will assist in enabling them to manage their condition.
9. Care Connect responded to 6604 calls for assistance following a fall between April 2012 and March 2013. In the majority of cases there was no need for further assistance from emergency services.
10. Care Connect monitor and respond to 8,343 smoke alarms county wide on behalf of housing providers and those customers who have been referred for a smoke detector. The smoke alarms protect the individual and the property. Care Connect also monitor fire panels in community buildings and sheltered housing. From June 2011 to May 2012 the control centre received 9,110 activations related to cooking, smoking or steam. The fire brigade (999 calls) were only called out for 157 of these activations as the control room filtered all calls. Activations increased by 1176 for June 2012 to May 2013. This activity provides a current income of £218K pa to the service.
11. The Care Connect service also monitors and recharges housing providers for monitoring a range of services and in particular out of hours services. Clients include Durham Aged Miners Homes Association (DAMHA) Living, Durham City Homes, Jonnie Johnson Housing, Isos Housing, Derwentside Homes, East Durham Homes, Cestria Community Housing, Railway Housing, Three Rivers Housing, Abbeyfields in Barnard Castle, Teesdale Housing Association Dale and Valley Homes, Tees Valley Housing Association, Accent Group and the Home Group.
12. The review of the CCTV service will consolidate monitoring into a single control room at Chilton, monitoring cameras in Durham City, Stanley, Consett Crook, Bishop Auckland and Chester-le-Street. The Town and Parish councils of Ferryhill, Great Aycliffe, Shildon, Spennymoor and West Cornforth now have service level agreements in place for the non-strategic cameras they wished to retain and there is a charge for maintenance & monitoring.
13. Additional charged monitoring is undertaken for Newton Aycliffe Town Centre, Walkergate in Durham City and Ferryhill Community Hub
14. Individual Monitoring of alarms is also provided to the former PCT, Bishop Auckland College, Kindstream Care Ltd, and the Oaks Centre and the Learning Difficulties Centre at Spennymoor Leisure Centre.
15. Internal to DCC Care Connect all “out of hours” and lone worker call handling for the Housing Solutions team, Support and Recovery Team (mental Health). Environmental Health (Consumer protection). Customer Services, One Point and the Highways Action Line.

Options considered and discounted

Realignment of response staff across care services (estimated saving £350k pa)

1. Consideration was given to creating a single response service to customers, combining activity from Care Connect, Domiciliary Care and the Reablement service. Bringing together these services with similar customer bases and similar operating activity could potentially create economies of scale and lead to a better resourced 24/7 responding service.
2. This option would have major implications for staffing but would potentially have little impact on customers. The mapping of functions, redesign of the service and consultation with staff and unions would suggest an implementation programme of around 12 months from initiation to completion.
3. This option was discounted as it would not deliver the £1m saving in the required timescales, but could be something to explore in the future.

Remove out of hours response services and operate a daytime (8.30am-5pm Monday to Friday) response service only (estimated saving £1.9m pa)

4. Moving to a daytime only response service would remove the need for approximately 70 front line staff and their associated vehicle, management and support costs.
5. This proposal would have a high impact on customers as they would have less contact with Care Connect staff and would have to rely upon Ambulance services for responding 'out of hours'.
6. There would be staff redundancies at all levels and potentially higher costs to other services using control room services as a result of a loss of economies of scale.
7. This proposal would also require additional consultation with other response services such as North East Ambulance Service (NEAS) Fire and Police.
8. This option was discounted as the Commissioners view 'out of hours' response as the unique selling point of Care Connect and do not wish to see this diminished.

Provide a monitoring only service (estimated saving £2.5m pa)

9. Removal of quarterly support planning visits and all response services leaving only a monitoring function at the control room, which would pass on responses to other services such as NEAS, Police and Fire Service.
10. This would have high impact on users and a significant impact on other agencies, who customers would be dependent on for responses.
11. This proposal would involve redundancies for over 90 front line staff and at least 10 support and managing staff.
12. This option was discounted as it did not provide the desired level of service required by the Commissioners.

Outsourcing or Partnership with Suppliers

13. Preliminary discussions have taken place between Tunstall (as the current supplier of much of the hardware and software systems) and Care Connect management to explore options around a partnership approach to future service delivery. This would include vehicle tracking, reduced control room costs, lone worker platform and innovative working practices to reduce staff travel.
14. This option was discounted at this stage as introducing a new delivery model would not be delivered within the required timescales; however it will continue to be explored.

Appendix 4 Yorkshire and N East Benchmarking August 2013

Local Authority	Type of authority	Alarm/Pendant linked to phone	Lifeline monitoring charge	Charge includes Mobile Response?	Charge inclusive of ;	Installation costs	Monitoring in-house/ external?	Response In-house/ external?	Comments
Durham	Unitary	Y	£4.10pw	Y	Maintenance, monitoring and response	£20	In-house	In-house	Charge £4.10 per week. Certain benefits free to client - funded if they have identified support needs. Subsidised Service via Supporting People Block Gross Contract Telecare £1.50 per device to max of £4.50. Floating support across tenure core/standard (90% of customers) for same service as a self-payer: Monitoring, physical support and response service 24/7, 365 days a year via an alarm unit connected to a telephone line or mobile ; Equipment including alarm unit and pendant; Equipment check every three months; Support Plan review every three months or when there has been a change to customer health/medical condition; High level service (10% of customers): regular contact with customers, assesses need for additional support, eg mobility or long term condition. Including all aspects of the core (standard) service plus: Weekly telephone call or visit determined by customer choice and support needs, Increased contact and reassurance on hospital discharge and during rehabilitation (short term). In addition to the above, Care Connect offer a menu of additional support services at a small charge e.g. holiday cover welfare visits charged at; Re-assurance call - £0.50 per call; Weekly visit - £1.25 per visit; Additional pendant - £0.50 per week; Monitored Smoke Detector - £1.00 per week.
Broadacres	HA	Y	4.22pw	N	Equip, Monitoring, no mobile response	No	External - tender process ongoing	In-house	Basic Service Annual Visit - Response only if no Next of Kin or family member not available
Broadacres	HA	Y	6.26pw	Y	As above with mobile response	No	External - tender ongoing	In-house	Level 1 Monthly support visit will flex to Level 2 for short periods Sp Contract
Broadacres	HA	Y	12.42pw	Y	As above with weekly visit daily tel call(7days)	No	External - tender process ongoing	In-house	Level 2 Weekly visit - daily(7) tel call . Offered across tenure Eligible SP
Middlesbrough	Erimus	Y	£16.70pw or SP funded	Y		Hard wired	External	Both (see comments)	All sheltered accom. & individuals have to agree to comm. Alarm charges for tenancy. Erimus use Boro' Council for monitoring & only provide response Mon - fri, 9am - 5pm. All OOHs by Boro' Council.
Barnsley	Metropolitan	Y	£3.24pw, £3.79pw or £4.29pw	Y	monitoring charge and maintenance	Free	In-house	In-house	Four general packages: Standard lifeline, Safe and secure, Falls, Cognitive decline. Charge one of 3 price areas: £3.24 per week for lifelines this is only the monitoring cost i.e. no equipment cost. £3.79 per week all non timed telecare only charged for the monitoring i.e. no equipment cost unless specialised equipment not part of package £4.29 per week all telecare only charged for monitoring i.e. no equipment cost unless specialised equipment not part of package. Most anyone pays for standard package is £4.29 per week. Have replaced a lot of the qrtly visits with telephone calls.
Darlington	Unitary	Y	£5.06 - £3.31pw	Y	Monitoring charge and maintenance	Free	In-house	In-house	Lifeline £5.06 weekly - £3.31 of which is eligible for Supporting People relief as it is deemed to be care & support. £1.75 must always be paid for the equipment element of the charge. Lifeline includes pendant. Any additional Telecare devices are charged at £1.50 per device in addition to the standard Lifeline Charge. These additional devices do not qualify for SP relief but are taken into account with Adult Services financial assessments
Doncaster	Metropolitan	Y	£3.20pw	Y	Monitoring charge and maintenance	Free	In-house	In-house	If aged over 65 and in receipt of low income benefits (Council Tax and Housing Benefit) the service is free. The monitoring charge is not classed as a disability related expenditure and is not financially assessed. The charge is for an 'assessed' package of telecare, at present there are no additional charges for the number of sensors provided.
East Riding of Yorkshire	Unitary	Y	£14- £22/month	Yes, but only where contacts are not available	Installation, maintenance, monitoring and response	Free	In-house	In-house	Gold - £22/month rental + 24/7 monitoring, with rapid response by emergency services/ family/friends. service responds 24/7 if contact is not available. Silver/night £18/mth Rental 24/7 monitoring, with rapid response by emergency services/ family/friends. Response service would only respond between (8am to 5pm for the day service) or (5pm to 8am for the night service) if no contacts were available or. Bronze £14/mth rental + 24/7 monitoring, with rapid response by emergency services/ family/friends. The monitoring centre requires a minimum of two emergency contacts that live within a 45 minute radius that would be willing to respond.
Middlesbrough	Unitary	Y	£3.99pw	Y	Including 24 hr response service	Free	In-house	In-house	Charge £3.99 per week for basic service (pendant and unit) including 24 hr response service, new customers are encouraged to have next of kin/family to be 1st response (do not publicise this though) - free service to people in receipt of Pension Credit - Guaranteed Credit. Anyone assessed as needing Telecare is financially assessed and charged on ability to pay, but individuals will not have to pay anymore than the std charge of £3.99.
North Yorkshire	Two tier	Y	£6.20- £12.30pw	Y	Installation, maintenance, monitoring and response	Free	External	External	level 1 £6.20, level 2 £12.30. Lifelines supplied in conjunction with district council housing partners for which there is a service level agreement. No charge for telecare at present. Full review of community alarm + telecare services in progress. Monitoring & Response are provided by a mixture of housing providers & district councils (as with previous Durham County).
Sunderland	Metropolitan	Y	£2.88pw	Y	Installation, maintenance, monitoring and response	Free	In-house	In-house	Introduced a charge of £150per year (£2.88per week) for telecare services (includes community alarm unit & any telecare peripherals) from April 2013 (previously 'nil'). No restriction on how many times customer requests response services. Have had around 40% reduction in customers since implementing charges.
Gateshead	Metropolitan	Y	4.07pw	Y	Installation, maintenance, monitoring and response	Free	In-house	In-house	HRA currently subsidises council tenants on the service if they are in receipt of HB. No additional charge for telecare as based on assessed need.

Support Planning Cost Breakdown

		Units	Estimated cost per unit £	Saving	Sub Total £
Employees					
Savings					
	Care Connect Manager	-1		48,010	
	Mobile wardens	-25.5		530,169	
	Mobile wardens variable	-5		102,856	
	Locality Coordinators /Telecare	-1		24,960	
	Responder Team Leader	-1		28,003	
	Admin Coordinator	-1		22,686	
	Control Operators	-2		49,094	
		-36.5			805,778
extra costs					
	Admin Assistant	0		- 3,105	
	Shift Responders	5		- 115,904	
		5			- 119,009
	Employees	- 31.5			686,769
Training					
	First Aid	26	110	953	
	Manual Handling	26	130	3,380	4,333
	Uniforms	26	194		5,044
Total Employee costs					696,146
Transport					
	Vans	26	5,500		143,000
Total Transport costs					143,000
					-
Total Estimated savings					839,146

Income Options

Introductory income for non contributing customers							
Rate £	% increase	Non Contributing Customers	No of weeks	Income	Income @80%	Income @60%	Income @40%
1.00	100%	6,800	52	£ 353,600	£ 282,880	£ 212,160	£ 141,440
1.50	150%	6,800	52	£ 530,400	£ 424,320	£ 318,240	£ 212,160
2.00	200%	6,800	52	£ 707,200	£ 565,760	£ 424,320	£ 282,880
Increased costs for self payers							
Rate £	% increase	Contributing Customers	No of weeks	Income	Income @80%	Income @60%	Income @40%
4.10	0.00%	4,000	52	£ 852,800	N/A	N/A	N/A
4.50	9.76%	4,000	52	£ 936,000	£ 748,800	£ 561,600	£ 374,400
5.00	21.95%	4,000	52	£ 1,040,000	£ 832,000	£ 624,000	£ 416,000

Durham County Council – Altogether Better equality impact assessment form

NB: Equality impact assessment is a legal requirement for all strategies plans, functions, policies, procedures and services. We are also legally required to publish our assessments. You can find help and prompts on completing the assessment in the guidance from page 7 onwards.

Section one: Description and initial screening

Section overview: this section provides an audit trail.	
Service/team or section: Transport and Contract Services, Supported Housing	
Lead Officer: Linda Ogilvie	Start date: October 2013
<p>Subject of the Impact Assessment: (please also include a brief description of the aims, outcomes, operational issues as appropriate)</p> <p>As part of the Medium Term Financial Plan savings, Children and Adult Services (CAS) have identified potential savings in their expenditure on the Care Connect Service. Various options have been considered, including:</p> <ul style="list-style-type: none"> Remove the 'out of hours' response service and operate a daytime (Mon-Fri 8.30-5.00) response service only - This option would have a high impact on customers as they would have less contact with Care Connect and would have to rely upon Ambulance services for responding 'out of hours'. There would be staff redundancies at all levels, as moving to a daytime only response service would remove the need for approximately 70 front line staff and their associated vehicle, management and support costs. This option is not recommended as the 'out of hours' response is viewed as the unique selling point of Care Connect and the Commissioners (CAS) did not wish to see this diminished. 	

- Provide a monitoring only service – This option would have a high impact on users and a significant impact on other agencies such as North East Ambulance Service, Police and Fire Service who customers would be dependent on for responses. There would be staff redundancies for over 90 front line staff and their associated vehicle, management and support costs. This option is not recommended as it would not provide the desired level of service required by the Commissioners (CAS).
- Outsourcing of Partnership with Suppliers – This option is not recommended at this stage as introducing a new delivery model would not be delivered within the required timescales.
- Realignment of response staff across care services – This option would have major implications for staffing but would potentially have little impact on customers. This option is not recommended as it would not deliver the savings in the required timescales.

The proposed changes to the service are as follows:

- Removal of the support planning function - Currently all customers have a full support plan which is reviewed every 13 weeks, it is proposed to replace this with an annual data collection exercise as well as a review following any significant incidents. Removal of this function will result in a reduction of approximately 26 FTE wardens and their associated management and support costs. Although the impact on customers would be the regularity of assessments, the response side of the service will still provide 24/7 telephone monitoring and mobile response.
- Increase the self-payers contribution – weekly charges for those customers who currently pay for the

service themselves would be increased by a small percentage.

- Deliver improvements and efficiencies – through vehicle, supplies and other efficiencies in working practices.

Who are the main stakeholders: General public / Employees / Elected Members / Partners/ Specific audiences/Other (please specify) –

Care Connect Customers, General Public, employees, Trade Unions, Elected Members, CAS – commissioners, RED - deliverers

Is a copy of the subject attached? Yes – Proposals outlined in Review of Care Connect Cabinet Report – 18/12/13

If not, where could it be viewed?

Initial screening

Prompts to help you:

Who is affected by it? Who is intended to benefit and how? Could there be a different impact or outcome for some groups? Is it likely to affect relations between different communities or groups, for example if it is thought to favour one particular group or deny opportunities for others? Is there any specific targeted action to promote equality?

Is there an actual/potential negative or positive impact on specific groups within these headings?

Indicate :Y = Yes, N = No, ?=Unsure

Gender	Y	Disability	Y	Age	Y	Race/ethnicity	?	Religion or belief	?	Sexual orientation	?
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How will this support our commitment to promote equality and meet our legal responsibilities?

Reminder of our legal duties:

- Eliminating unlawful discrimination & harassment
- Promoting equality of opportunity
- Promoting good relations between people from different groups
- Promoting positive attitudes towards disabled people and taking account of someone's disability, even where that involves treating them more favourably than other people
- Involving people, particularly disabled people, in public life and decision making

The service is generally provided to older people and those who are vulnerable, for example as a result of a disability. There are more older women in the county's population so the likelihood is that more women will be affected by changes to this service than men. The gender profile of service users shows that just over 63% of current service users are female and 59% are aged over 75.

There is no direct evidence that changes to the service will have a specific impact in relation to transgender status, race, religion or sexual orientation.

The potential impacts relate to health and wellbeing as well as financial impacts for self-payers. The change from 13 week reviews may increase anxiety for some customers who are reassured by regular contact, there may also be social impacts for some who use the review to raise other issues with staff. Whilst there is still opportunity for contact this will require reasonable adjustments for those disabled customers who are unable to communicate by telephone.

The increase in weekly payments for those who choose to pay for the service may have a financial impact which could mean that some cancel, this could leave them at risk and would potentially increase reliance on other emergency response services such as ambulance or fire and rescue services.

Any reduction in the numbers of staff within the service would be undertaken through a restructure and a

combination of proposals including early retirement and voluntary redundancy. This would follow corporate procedures to ensure fair and equal treatment.

What evidence do you have to support your findings?

Service user and staff profile information.

<u>Breakdown of current service users</u>	Birth to 64	65 - 69	70 - 74	75 - 79	80 - 84	85 & over	Total Customers
* Age	4161	1912	2450	3543	4145	4587	20798
* Sex	Male	7627	Female	13171			20798

Decision: Proceed to full impact assessment with staff and customers **Yes - depending on Cabinet approval for consultation**
Date: 09/12/13

If you have answered 'No' you need to pass the completed form for approval & sign off.

Section two: Identifying impacts and evidence- Equality and Diversity

Section overview: this section identifies whether there are any impacts on equality/diversity/cohesion, what evidence is available to support the conclusion and what further action is needed.

	Identify the impact : does this increase differences or does it aim to reduce gaps for particular groups?	Explain your conclusion, including relevant evidence and consultation you have considered.	What further action is required? (Include in Sect. 3 action plan)
Gender			
Age			
Disability			
Race/Ethnicity			
Religion or belief			
Sexual orientation			

How will this promote positive relationships between different communities?

Section three: Review and Conclusion

Summary: please provide a brief overview, including impact, changes, improvements and any gaps in evidence.

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Action to be taken	Officer responsible	Target Date	In which plan will this action appear

When will this assessment be reviewed?	Date:
----------------------------------------	-------

Are there any additional assessments that need to be undertaken in relation to this assessment?	
Lead officer - sign off:	Date:
Service equality representative - sign off:	Date:

Please email your completed Impact Assessment to the Equality team - equalities@durham.gov.uk.

Cabinet**18 December 2013****World War 1 Centenary Activity Programme.****Report of Corporate Management Team****Terry Collins, Corporate Director, Neighbourhood Services****Councillor Neil Foster, Portfolio Holder for Economic Regeneration****Purpose**

- 1 The purpose of this paper is to provide Cabinet with an overview of activity being arranged across the County to mark the Centenary of World War 1 (WW1-100) the report also seeks member involvement in the planning process.

Background:

- 2 The Centenary of WW1 in 2014 – 2018 will mark a period of major importance to the people of the countries that took part in the conflict. The anniversary will have significance on a national, regional and local level depending upon the specific involvement regions had in the conflict.
- 3 National Significance: In the UK the centenary of World War 1 is already the subject of immense interest among government, media, funding bodies, universities, schools, community groups and individuals, and this interest is universally expected to grow as we approach August 2014 (the centenary of the outbreak of war).
- 4 The government is working alongside partners, including the Heritage Lottery Fund, Commonwealth War Graves Commission and Imperial War Museums, on a series of national remembrance events, together with an extensive cultural programme and educational schemes.
- 5 The Government's Centenary activity will focus on three key dates:
 - a. August 4, 2014 - the centenary of the day Britain entered the war;
 - b. July 1, 2016 - 100 years after the Battle of the Somme; and
 - c. November 11, 2018 - the anniversary of the day the guns fell silent.
- 6 Many local authorities and national cultural institutions are recognising the centenary as a significant event and beginning to think about how they engage and programme activities over the five year period. The important role that military museums can play in meeting the needs of the public has also been recognised. In the case of the Imperial War Museum, a £35m refurbishment is underway. Similar large scale projects are underway in the National Army Museum and the Tank Museum.

- 7 Regional Significance: The region is only now starting to publically announce its major WW1 Centenary signature events for the next four years. The HLF have commented that there is potential for Durham (home of the DLI) to take the lead and become the regional hub if we have the ambition to do this. HLF have identified that the DLI could be the region's hub for commemorative activity and the focus for all visitors to the region seeking information relating to WW1.
- 8 We are currently aware of many projects being developed nationally and that regionally Northumberland, Stockton and Hartlepool are starting to plan their own WW1 commemorative arts events. This opens opportunities for DCC to work collaboratively with regional authorities.
- 9 Local Significance: The centenary is particularly important in County Durham due to the strength and reputation of the Durham Light Infantry and the contribution of the mining industry both in the front line and on the home front.
- 10 County Durham has also traditionally played a major role in supplying young men for the armed forces. It is widely believed that County Durham supplied more new recruits to the armed forces in WW1 than any county with the DLI sending 22 battalions (over 22,000 men) to fight overseas.
- 11 This relationship between the County and the military continues, as County Durham still supplies a disproportionately high number of recruits to the armed forces. Military conflict still affects families in the County today.
- 12 The presence of the DLI Museum, DLI collection and the DLI Archive (stored in the CRO) provides a major resource for the public and professional researchers. The DLI Museum is still acknowledged as one of the leading regimental museums in the UK. However, the exhibitions were launched in 2000 with an expected lifespan of 10 -12 years. They are now tired and elements have ceased to function. The existing display does not allow for easy changes in its content.

Co-ordination of Commemorative Activities

- 13 In beginning to co-ordinate the commemorations there is an emerging structure at a national, regional and local level.
- 14 Nationally the Department for Culture, Media and Sport is leading plans for the anniversary. Culture Secretary Maria Miller is chairing an expert advisory panel to oversee the 4-year programme and Jenny Waldman, the Creative Producer for London 2012, has been appointed director of this programme and will report to a Centenary Cultural Programme Board, chaired by Vikki Heywood CBE, Chairman of the RSA and former Executive Director of the Royal Shakespeare Company. Other members to include Tony Hall, Director General of the BBC.
- 15 Regionally, Culture and Sport chair a Regional Cultural Sector WWI Co-ordination Group. The group consists of senior cultural officers, including representatives of all the regions archives, museums, Libraries and universities, including representation from Cultural Partnerships. This group feeds into the Regional Department of Culture Media and Sport - Local

Government Officers Group, and is also attended by representatives of the key funders such as the Heritage Lottery Fund (HLF) and Arts Council England.

- 16 The WW1 Regional Cultural Group has supported the development of a Durham, Newcastle and Northumbria Universities' joint bid to the Arts and Humanities Research Council (AHRC) for a regional centre of excellence in relation to centenary activities. Informal links have been forged with community groups such as the North East War Memorials Project, County Durham History and Heritage Forum, Popular Politics Project, Friends groups and re-enactment groups across the County.
- 17 Locally there is a Durham County Council WW1 Working Group made up of officers from across the County who have an interest in WW1 activity. The group was formed earlier this year and will act as the co-ordinators of the Council's WW1 programme. The County Durham Cultural Partnership is also anticipated to play a significant role in the co-ordination of activities across the County beyond DCC activity. Whilst the Durham County Council WW1 Working Group is in its infancy and, at present only an officer group, it is proposed that both the Portfolio Holder's for Heritage & Culture and Education join the group in order to have senior Member input into the programme. It is further proposed that the group give consideration to widening its membership to interested Military Services Group.

Approach to Commemorations

- 18 Tone: Nationally the approach to centenary events and activities has been set as very much *commemoration* and not *celebration*. Whilst activities will span a 5 year period and therefore cover the office of several Chairs of the County Council, the opportunity has been taken to discuss the County's approach with the current Chair. The view given was that in developing our programme of activities we should very much adopt this approach and ensure that all activities remain appropriate in their approach and above all respectful to those who were involved in the conflict together with their relatives.
- 19 Milestones: The Government's Centenary activity has focused on three key dates and it will be important that Durham also recognises these milestones of the conflict. As such the programme will seek to put in place activities that commemorate the following dates as the foundation of its programme:
 - a. August 4, 2014 - the centenary of the day Britain entered the war;
 - b. July 1, 2016 - 100 years after the Battle of the Somme; and
 - c. November 11, 2018 - the anniversary of the day the guns fell silent.
- 20 Town and Parish Council Involvement: There is an expectation that Parish and Town Councils, residents groups and AAPs will wish to support WW1 Centenary activity. The Council can support AAP's, Parish and Town Councils and community groups to make best use of resources and increased external funding.
- 21 Activity may include the restoration and cleaning of monuments, planting bedding and the creation of memorial features. Community events and support for the major profile activities listed above.

- 22 Civic and Member Involvement: Throughout the commemorative period there will be numerous opportunities for member and civic engagement. In order to ensure that this is managed in an appropriate manner the working group will consider all activities and liaise with Member Services and the Chairmen's office to ensure protocols are adhered to.

Scope of WW1 Programme

DCC Projects and programmes:

- 23 Whilst preparations and discussions are in their early days there is already an emerging programme. Appendix 3 sets out the emerging programme as it stands but it is expected that this will be added to as individual organisations develop projects. The main areas of content are, however, set out in summary below:
- 24 Proposed Milestone Events:
- a. Entry to War (August 4, 2014 - the centenary of the day Britain entered the war) – In order to mark the centenary of the outbreak of war it is proposed that the unveiling of the DLI statue be used to mark the occasion. The specific date and details are yet to be confirmed.
 - b. Somme (July 1, 2016 - 100 years after the Battle of the Somme) – An appropriate event is still sought to mark this significant point in the War.
 - c. End of War (November 11, 2018 - the anniversary of the day the guns fell silent) – It is anticipated that an enhanced Remembrance Day service will be used to commemorate the end of the conflict.
- 25 The DLI Museum: The WW1 Centenary provides an unprecedented opportunity to develop and revitalise the museum offer. Both Arts Council and HLF Officers have expressed a desire to support work on the DLI but both need a financial as well as political commitment from the Council on the DLI's future.
- a. **WWI Education Programme** - secured £50k funding from the Arts Council which has enabled it to develop and trial a WW1 education programme for secondary schools in conjunction with CAS. An education programme linked to the Somme with secured external funding from the EU already in place.
 - b. **British Army Touring Exhibition** - An Army Museum touring exhibition for two months, plus some WW1 influence on normal programming.
 - c. **Otto Dix Exhibition** - An exhibition of the internationally important art work 'The War' a collection of 50 original prints by the famous German Artist and WW1 veteran Otto Dix. Verbal agreement to the loan has been given but the Louvre has also made a request for the loan of the works and we are therefore in direct competition. It is believed that only three copies of the original prints survive, one copy is in the National Gallery of Australia, one in the Museum of Modern Art in New York and the other in the Historical de la Grande Guerre, the Somme.

- 26 Festivals and Events: Within the current events programme there exists a number of opportunities to add to a WW1 programme. For example, the BRASS Festival affords the opportunity to focus on WW1 music and include commissions and acts themed around WW1 each year. Similarly, the Book Festival, Armed Forces Day all have the capacity to add to any programme.
- 27 Theatre and Cinema Programmes: There is a growing range of products available around the WW1 theme. Both the Gala and Bishop Auckland Town Hall will be programming WW1 related products across the commemorative period. Touring productions of War Horse and Bird Song are indicative of products likely to be available for theatres and film has significant product available.
- 28 Libraries; The Library Service will be developing a programme of local activities and themed presentations to encourage learning around WW1.
- 29 Locomotion: A Small scale exhibition at Locomotion based upon WW1 Locomotives is being considered subject to obtaining a suitable range of objects.
- 30 Archives, Museum and Archaeology: These services have already launched a joint WW1 interactive mapping website supported by £49,000 HLF funding. WW1Centenary activities at the County Record Office have attracted 70 new volunteers. This is the first round of a bid with a potential £450,000 award if stage two is successful. A £9,700 HLF grant has already enabled Durham County Records Office to purchase the contents relating to the First World War of the country house this will support DLI education projects and Academic research.
- 31 Remembrance Services: The normal programme of remembrance services are planned across the 2014 -19 period. Whilst there is some capacity to enhance services this may not meet the expectations of the Council and/or the public. The DCC working group will be identifying and co-ordinating, through Member Services, all opportunities for Members to be involved in the programme.
- 32 AAP's: Indications are that the majority of parish and town councils and AAP's will wish to develop activities and projects around WW1 already developing ideas include:
- a. Trimdon Foundry Parish Council - Creation of 2 granite memorial stones - new footpaths, ramps and steps, a seating area with planting areas to include shrub beds, flowers and ornamental trees and a wildflower meadow.
 - b. The Chester-le-Street District War Memorial Group is raising money for a new monument to replace the existing war memorial.
- 33 War Memorials: A war memorials policy is being developed for the County under the direction of Planning and will seek to provide guidance on the restoration and preservation of War Memorials. The County has 6 memorial structures in variable condition. Current work is surveying these and encouraging communities to identify all memorials across the County. The Memorials Trust has grants available for the restoration of memorials of up to £30,000.

34 In addition DCLG has released a scheme to recognise local Victoria Cross recipients of the First World War through the installation of commemorative paving slabs. The county has six recipients and an interest in the scheme has been registered for when further details are announced. Despite where and how these are to be put in place they will inevitably lead to a certain level of ceremony and civic involvement will need to be detailed once we know more.

35 Twining: Culture and Sport has met with the Senior Cultural Officer of the Somme region of France (twined with County Durham), a number of joint projects were discussed and are currently being developed as follows:

- a. Confirmation was received that a DCC/Somme Department's joint bid for EU Comenius REG10 funding has been approved. €45,000 will enable students to research soldiers fighting in France, and the role of women in Somme communities.
- b. The potential loan to the County of the internationally famous 'The War' prints by Otto Dix.
- c. The sharing of exhibition material, museum objects and further artworks.

Partner Projects and Programmes:

36 Across the County there are a number of other organisations and institutions who will also be organising activities around WW1 and who will make a significant contribution to the programme of activities taking place in County Durham. The activities of some of our major partners are summarised below but Appendix 3 provides a more comprehensive insight into wide range of activities being planned.

37 **Bowes Museum:** The Museum is developing a community project that will involve communities across Teesdale and have applied for support from the HLF.

38 **Beamish Museum:** Beamish are also producing a number of projects based upon the Home front which will run across the five years of the Centenary and involve local communities in East Durham.

39 **Independent Arts Organisations:** A number of independent arts organisation operating across the county are likely to develop work associated with WW1 and add to the county offer.

40 **Durham University:** The university have a number of initiatives associated with WW1 including:

- a. Durham University will hold a major exhibition 'The Somme' this is likely to be academic in nature based on papers and documents and follows the Gospels, and but it would work well with and complement the wider public appeal of the DLI Museum offer. It should be noted that this will draw considerable attention to the Council's WW1 activities (or lack of them) and also to the DLI Museum and Archives.
- b. The university's Faculty of Arts and Humanities and the National Media Museum have established a fully-funded AHRC collaborative doctoral award: PhD scholarship on Media and WWI: available from October

2013.

- 41 **Other:** Private developers are including reference to WW1 Centenary within their developments. Project Genesis in Consett announced its new master plan for the site, which includes a memorial garden and themed park.

National Initiatives and Programmes

- 42 Nationally the government will be supporting a range of initiatives, both directly through department or via its funded partners such as the Imperial War Museum. To date there has not been any significant announcements in relation to this funding with the exception of the Victoria Cross paving slab initiative. It will, however, be the intention to fully engage in any such initiatives as and when they arise.
- 43 More widely, major institutions and organisations such as The English National Ballet, The National Theatre and The British Museum will be commemorating the centenary of the First World War by holding and creating major profile events, this is replicated by many other high profile organisations.
- 44 Many smaller organisations; local and regional museums, theatres, galleries, councils and community groups are starting to announce their proposed WW1 activities and this will continue throughout the five years.
- 45 Where possible any WW1 activity is being captured in the calendar of events on Imperial War Museum's WW1 Partnership events site: <http://www.1914.org>

Funding Opportunities

- 46 In considering a DDC programme of activity there are a number of opportunities for funding any potential programme namely:
- a. National funding opportunities
 - b. Existing revenue funding
 - c. Outside cash limits requests (including capital)
- 47 National Funding Opportunities: The Government has announced an additional £50m will be made available to support WW1 Centenary commemorative activity. This will be distributed via The Heritage Lottery Fund (HLF) and Arts Council England (ACE). This funding is in addition to existing funding streams available to support WW1 related activity. There will be an additional £10 million programme of cultural events as part of the centenary commemorations over the 4 years.
- 48 The HLF has also announced a further £6 million to enable young people working in their communities to conserve, explore and share local heritage of the First World War. In addition HLF launched a WW1 small projects fund which if supported can provide considerable opportunity for match funding and developing small projects. Funding available per group is set at between £3,000 and £10,000. There is also a clear recognition that the existing HLF funding streams will also be available to support future WW1 projects.

- 49 More widely, The Memorials Trust has grants of up to £30,000 available for communities to restore war memorials.
- 50 There is indication that funding is also going to be available via a number of trusts and foundations specifically around WW1 Centenary activity. The potential to access these will need to be identified.
- 51 All of the above funding streams require a financial commitment from applicants albeit in varying degrees.
- 52 DCC Revenue Funding: Culture and Sport manage a range of revenue budgets which can be bent into project themes, such as WW1, in order to develop a programme of activity. These include specific programme budgets such as at museums, theatres and cinema operations which can be directed into related activities. Similarly, there are small levels of development budgets which exist to facilitate new work and cultural projects across the County for which there is greater freedom. These funds have been subject to significant MTFP savings this year reducing the ability to fund a significant commemorative programme without external funding and access to other Council resources.
- 53 The Council may shortly be considering an Events report, which if approved, will see some resources allocated to smaller 'one off' events to supplement a core events programme. This resource would also be available to invest into any WW1 programme and act as match funding to external bids. The level of resource available will be determined by what is to be included in the Council's 'core events programme' (i.e. annual events such as BRASS, BAFF, Tour Series etc.) but is unlikely to be in excess of £30k.
- 54 Outside Cash Limits Funding (including capital): The Council has previously recognised the limits of revenue funding against some significant events and agree to resource these from outside service budgets – the most significant of these including The Olympic Torch Relay, Ashes and Gospels. A similar approach could be taken to WW1 and details of how a programme could be enhanced by this are given within this paper.
- 55 Capital resources could also be utilised in developing a programme. In particular for the creation of exhibition installations and specifically a refit/representation of the DLI collection. Such a scheme may be a straightforward refit of the museum or more creatively establishing digitised collection facilities that operate beyond the museum walls. A project proposal is included within Culture and Sports 14/15 capital programme for consideration.
- 56 To secure external funding, the basis of a programme will need to be agreed and the council's level of resource allocation to this work confirmed.

Next Steps and Challenges

- 57 In continuing to plan for the commemorations it is now vital that:
- a. An events and activities calendar for all activities across the County is established through the Cultural Partnership to ensure coordination of activities. The commemoration period spans a five year period and

sustaining a comprehensive programme throughout will only be achieved through a partnership approach. Similarly decisions around the focus point(s) of the county's efforts will need to be made.

- b. Liaison with Member Support and the Chairmen's office is undertaken as the programme emerges to determine specific member and civic involvement.
- c. A county wide external funding strategy is developed.

Recommendations

58 It is recommended that:

- i. Cabinet endorse the approach to arrangements for WW1 Centenary
- ii. The Portfolio Holder's for Heritage & Culture and Education join the Durham County Council WW1 Working Group
- iii. A further update report is presented to Cabinet in the summer 2014

Contact: Stephen Howell Tel: 03000 264 550

Appendix 1: Implications

Finance – None from this paper

Staffing - None from this paper

Risk - Potential that all external funding will not be secured, this will be mitigated for and contingency plans adopted to ensure a positive impact is still delivered.

Equality and Diversity/Public Sector Equality Duty -

During the development of the project no evidence has emerged that would indicate that there will be any adverse impact on any of the protected strands.

Accommodation –

No addition office space will be required

Crime and Disorder -

None from this paper

Human Rights -

None from this paper

Consultation -

Consultation will take place around detail of activity

Procurement -

Council's procurement procedures will be adhered to.

Disability Issues - None from this paper

Legal Implications - None from this paper

Cabinet

18 December 2013

Boundary Amendments and Character Appraisals for Gainford Conservation Area



Report of Corporate Management Team

Ian Thompson, Corporate Director Regeneration and Economic Development

Cllr Neil Foster, Portfolio Holder for Economic Regeneration

Purpose of the Report

- 1 To approve an amended boundary and character appraisal for the Gainford Conservation Area. Boundary amendments can now be authorised by the Head of Planning and Assets under delegated powers, however in this case recorded public expectation of a Cabinet decision warrants member consideration of the proposed changes.

Background

- 2 The Council has a statutory duty under s69(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to designate any areas which they consider to be of special architectural or historic interest as conservation areas, and to review these from time to time. The Council has a further duty under s71(1) to formulate and prepare proposals for the preservation and enhancement of those areas.
- 3 There are currently 93 designated conservation areas within County Durham, many of which have not been reviewed since their original designation. The Heritage, Landscape and Design Team has therefore been undertaking a programme of reviews of all the existing areas, and preparing character appraisals as part of our proactive management of the historic environment.
- 4 The appraisal process allows for a review of whether designation is still warranted, and whether any extensions or amendments to the designated boundaries are required to strengthen the special interest of the area. This supports objective G7 of the RED Service Plan to enhance, conserve and maximise the value of Durham's built environment.
- 5 The County Council has produced 33 appraisal documents which have been approved by Cabinet since the Local Government Reorganisation in 2009. This report seeks approval for an amended boundary to the Gainford Conservation Area and approval of the accompanying character

appraisal. Copies of the appraisal and revised boundary map are attached as Appendices A and B.

- 6 The character appraisal is an individual evidence based document that investigates, evaluates and records the unique significance of the conservation area by assessing the diverse individual architectural and historic features that contribute to its overall special character. It also considers whether the boundary remains appropriate. Through this it increases our understanding of the designated area; guiding proposals for future management of change and aiding consistent decision making. The appraisal process has been undertaken with reference to the English Heritage publication Evaluating Place.
- 7 The Gainford Conservation Area was originally designated on 5 May 1971 by Durham County Council. The proposed boundary amendments would add an area of land to the west of the village along the riverside and extend the boundary to the north of the village to include East, South and West View. The riverside area has historic land use, ecological interest and contributes to the setting of the conservation area and views to Gainford Hall - the proposed boundary extension was expanded in response to public consultation comments received. East, South and West View are proposed for inclusion within the conservation area boundary because of the architectural and historic interest of the properties and surviving historic features. An additional area of open space opposite West View is also proposed to be included within the conservation area in response to public consultation comments received.
8. An eastern extension to the conservation area boundary is proposed to include the former St. Peters School buildings and land which is now split into two ownerships. This proposal has generated a substantial level of local interest, and was the main focus of discussions during our public meetings which were attended by approximately 80 local residents. Formal objections to and/or concerns regarding this proposed extension have been received from the Gainford and Langton Parish Council, one of the landowners and 16 local residents. A letter of support from the second landowner and supportive comments from 3 local residents were also received.
9. Our intention behind this proposed extension is to promote the retention and reuse of the main school building to the north of the site which dates from 1900 and has clear architectural interest, rather than to prevent or hinder any options for redevelopment in this location. The historic buildings have been assessed as worthy of inclusion within the conservation area by several members of the Heritage Landscape and Design Team, and have also been acknowledged as having architectural interest by a private consultant from Purcell commissioned by the Gainford and Langton Parish Council who highlighted the obvious condition issues and negative social history of the site.

10. Para 140 of the NPPF allows the local planning authority to balance the public benefits of securing the conservation of a heritage asset, against the disbenefit of departing from other policies. At present the site has been assessed as unsuitable for residential development because of its unsustainable location in terms of relationship to the settlement and distance to services, and the additional challenge of being within flood zone 2 and 3. Retaining and reusing some of the historic buildings on the site as a public benefit could help a developer mitigate against these planning constraints. The inclusion of the site within the conservation area boundary would also set a higher benchmark for design quality of any new development and ensure that it relates positively to the established character of the village.
11. The objections and negative comments received regarding the proposed St. Peters extension have been carefully considered as part of the review process, however the positive effects of including the site within the conservation area and increased opportunities to secure a viable and positive reuse of the site also carries significant weight. On balance it is therefore considered that the amendment to the conservation area boundary to include the St. Peters site should be taken forward for consideration by the Cabinet.
12. A copy of Gainford Conservation Area Character Appraisal has been deposited in the Members' Library.

Recommendations and reason

Approval is therefore sought for the proposed amended boundary and character appraisal for the Gainford Conservation Area.

When future character appraisals raise very exceptional public interest a report will similarly be prepared for Cabinet level consideration of critical issues. This serves as a clarification of the current delegated powers.

Background papers

Appendix A: Gainford Conservation Area Character Appraisal

Appendix B: Proposed amended boundary map for the Gainford Conservation Area

Appendix C: Summary of consultation responses

Contact: Judith Miller Tel: 03000 267150

Appendix 1: Implications

Finance –

The cost of preparing and advertising the change to the boundary of the conservation area is being met by the existing Heritage, Landscape and Design Team budget.

Staffing –

None

Risk –

The ongoing review of conservation areas and production of character appraisals and management proposals ensures that we have a statutorily compliant planning service.

Equality and Diversity / Public Sector Equality Duty –

None

Accommodation –

None

Crime and Disorder –

None

Human Rights –

Inclusion within a designated conservation area affects a homeowner's permitted development rights.

Consultation –

A formal public consultation on the proposed changes to the conservation area boundary and the draft character appraisal was completed on 26 July 2013. As part of this process two information sessions were held in the Gainford Montalbo Village Hall to publicise the proposed boundary changes and gather comments on the appraisal documents. Local councillors, Area Action Partnership members, the Gainford and Langton Parish Council, and English Heritage were also consulted on the proposals. Information on the proposals was included on the County Council website for the general public and individual responses were sent to all written comments. Officers also gave a follow up presentation on the proposals to the Gainford and Langton Parish Council in September. A summary of the consultation responses received is attached as Appendix C.

Procurement –

None

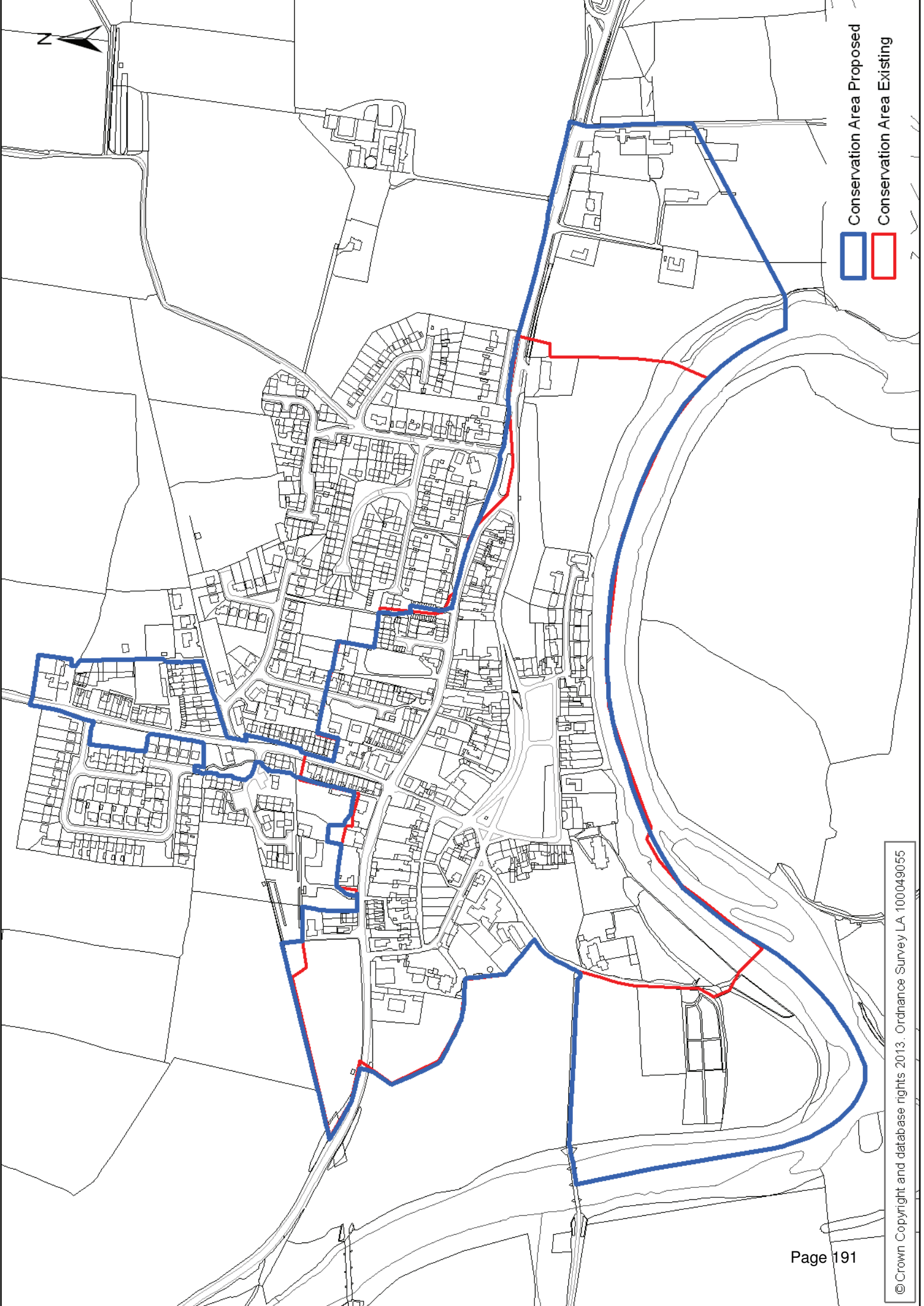
Disability Issues –

None

Legal Implications –

The Council has a statutory obligation to review existing conservation area designations and prepare proposals for their preservation and enhancement. This report supports those statutory functions.

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Conservation Area Proposed
Conservation Area Existing

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APPENDIX C: 2013 CONSULTATION RESPONSES ON PROPOSED AMENDMENTS TO AND CHARACTER APPRAISALS FOR GAINFORD CONSERVATION AREA

CONSULTEE	COMMENTS MADE	RESPONSE FROM HLD TEAM
<p>Public meetings held on 12th June and 5th July in Gainford Village Hall</p>	<p>Approximately 80 local residents attended the meetings.</p> <p>General support expressed for conservation area designation and aims of the appraisal document but majority of residents were concerned about the proposed inclusion of the St. Peters School site within the conservation area boundary and that this would prohibit future housing redevelopment.</p> <p>Issues raised regarding relationship to forthcoming Neighbourhood Plan, and current housing allocations within the village.</p>	<p>Support for designation and appraisal document noted.</p> <p>See response below to proposed inclusion of St. Peters site.</p> <p>Comments regarding the neighbourhood plan process and housing allocations within the village have been passed to the Spatial Policy Team for consideration as these issues are not directly related to the scope of the conservation area consultation or review process.</p>
<p>Gainford and Langton Parish Council</p>	<p>Email correspondence received from Parish Clerk and Chairperson, meeting attended by Vice Chair, and members of the Parish Clerk attended the public information sessions on 12th June and 2nd July. Formal written comments were</p>	

	<p>received on 1st August.</p> <p>The Parish Council objects to the inclusion of the St. Peters School site within the conservation area boundary which they feel will prevent future redevelopment of the site.</p> <p>Comments made regarding the condition of the buildings, gateway role for the village, the future responsibilities of DCC if the site is not developed, and three direct quotes made from a report by heritage consultants Purcell.</p>	<p>Our intention behind this proposed extension is to promote the retention and reuse of the main school building to the north of the site which dates from 1900 and has clear architectural interest, rather than to prevent or hinder any options for redevelopment in this location.</p> <p>DCC have previously served a s215 notice on the landowner to improve the appearance of the site, and continue to monitor the condition of the site. However DCC is not able to assume financial responsibility for the upkeep of private land or property.</p> <p>HLD staff already provide support on a daily basis to developers across the county and have already made contact with both landowners at the St. Peters site as part of our proactive approach to conservation.</p> <p>The HLD Team have requested a copy of the Purcell report, so that a full balanced assessment of its conclusions can be made. Unfortunately only a few sentences have been forwarded to date.</p>
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	<p>No objection raised to proposed northern and western extensions to the boundary.</p> <p>Concerns also raised regarding the impact of the conservation area review on preparation of a neighbourhood plan, housing allocations within the village, and the timing and scope of the conservation area consultation process.</p>	<p>Support for northern and western boundary amendments noted.</p> <p>Comments regarding the neighbourhood plan process, housing allocations within the village and the progression of the Durham Plan have been passed to the Spatial Policy Team for consideration as these issues are not directly related to the scope of the conservation area consultation or review process.</p> <p>Unfortunately the Heritage Landscape and Design Team have not previously been consulted by the Parish Council regarding the neighbourhood plan for Gainford. However as the character appraisal has no formal status as a Supplementary Planning Guidance it will have little direct influence on the neighbourhood plan but will of course provide useful research on the special character of the village. The neighbourhood plan process is directly supported by the DCC Spatial Policy Team, but the HLD Team would welcome the opportunity to become involved in this process as we have offered in other</p>
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conservation areas.

The County Council has a statutory duty to review conservation area designations from time to time and to produce management proposals for those areas. This process includes a review of the conservation area boundary and has been undertaken fully in accordance with best practice guidance published by English Heritage. Consultation letters were sent to all residents and landowners who could be directly affected by the proposed boundary changes, and emails and letters sent to local elected members, the Area Action Partnership and the Parish Council on the 4th and 5th June. Posters were also erected around the village on 4th June with additional posters added on 6th June. and a press release issued. A public information session was held on 12th June, and an additional session held on 2nd July which was advertised by local posters and on the Council website from 12th June. Approximately 80 residents attended the two public sessions. The consultation period was also extended by two weeks until 26th July, allowing residents almost 8 weeks to comment on the proposals.

Agent for Kebbell Development Ltd	<p>Supports proposed extension to include St. Peter's site within the conservation area.</p> <p>Commented that owner of site recognises that this will not preclude development and would like to promote an integrated development for the site based on a detailed development brief.</p>	<p>Support noted.</p> <p>The Council welcomes the opportunity to develop an integrated scheme for the site and would be prepared to undertake a development brief for the site to that end.</p>
Agent for Ruttle Plant (North East) Ltd	<p>Objects to proposed extension to include St. Peter's site within the conservation area</p>	<p>Objection noted.</p> <p>The Council would welcome the opportunity to develop an integrated scheme for the site with both landowners and has arranged a site visit to discuss redevelopment proposals.</p>
Resident of Academy Gardens	<p>Supports conservation area designation, reservations expressed about inclusion of St. Peter's site, delays to any redevelopment and costs of adaptation.</p> <p>The extension to include Riverside Millennium Green should reflect the whole area to the centre of the river.</p>	<p>Support for designation and concerns regarding inclusion of the St. Peter's site noted. (See comments above for detailed response to the St. Peter's extension)</p> <p>A further extension to the west has now been included in light of public comments received which follows the edge of the river more consistently.</p>

Resident of Academy Gardens	Opposes proposed extension to include the St. Peters site within the conservation area	Objection to St. Peter's extension noted (See comments above for detailed response to the St. Peter's extension)
Resident of Balmer Hill	Supports proposed extension to the west of the conservation area, opposes inclusion of the St. Peter's site. Text changes to correct grammatical and building/street name errors highlighted	Support for western extension and objection to St. Peter's extension noted. (See comments above for detailed response to the St. Peter's extension) Minor text changes made as suggested.
Resident of Balmer Hill	Supports conservation area designation, opposes any extensions to the boundary, suggested that the main St. Peter's building should be listed rather than added to the conservation area.	Support for designation and opposition to any boundary extensions noted. (See comments above for detailed response to the St. Peter's extension) The St. Peter's building is not currently being considered for national listing which is assessed by English Heritage rather than DCC. However this would impose greater restrictions on the conversion of the buildings than conservation area status, and the HLD team considers that the buildings would be unlikely to meet the national principles of selection for listing given the partial demolition and level of internal alterations which have

		<p>Commented that any new development within the village should be on the St. Peter's site</p> <p>Supports conservation area designation but doubt expressed over proposed inclusion of St. Peter's site.</p> <p>Comments made regarding traffic on Main Road.</p>	<p>taken place.</p> <p>Comments on housing allocations within the village have been passed to the Spatial Policy Team for consideration.</p> <p>Support for designation and doubts regarding inclusion of St. Peter's site within the boundary noted. (See comments above for detailed response to the St. Peter's extension)</p> <p>Comments regarding traffic have been passed to the Highways section for consideration.</p>
Resident of Eden Lane			
Resident of Eden Park		<p>Reservations expressed about conservation area designation, supports conversion of some of the St. Peter's buildings to apartments and stated that any new housing development should be south of the main road.</p>	<p>Concerns regarding conservation area designation and support for conversion of some of the St. Peters buildings noted. (See comments above for detailed response to the St. Peter's extension)</p> <p>Comments regarding future housing development within the village have been passed to the Spatial Policy Team.</p>
Resident of Gainford		<p>Supports conservation area designation and opposes inclusion of the St. Peter's site within the boundary.</p>	<p>Support for designation and opposition to inclusion of St. Peter's site within the boundary noted. (See comments above for detailed response to the St. Peter's</p>

	<p>Suggested that the fields to the west of school lane are included in the boundary.</p> <p>Commented on need to emphasise community and continued development.</p>	<p>extension)</p> <p>A further extension to the west has now been included in light of public comments received.</p> <p>Conservation area status is not used as a way of preventing development, which is a common misconception, it is a tool used to manage change in historic areas in a positive and proactive way.</p>
Resident of Gainford	<p>Supports conservation area designation and supports inclusion of the St. Peter's site within the boundary.</p>	<p>Support for designation and inclusion of St. Peter's site within the boundary noted. (See comments above for detailed response to the St. Peter's extension)</p>
Resident of High Row	<p>Supports proposed extensions to conservation area boundary to north and west, opposes inclusion of the St. Peter's site within the boundary which would prevent redevelopment.</p>	<p>Support for designation and concerns regarding inclusion of the St. Peter's site noted. (See comments above for detailed response to the St. Peter's extension).</p> <p>A further extension to the west has now been included in light of public comments received.</p>
Resident of Low Green	<p>No comments made on designation or proposed extensions.</p>	

	Text changes to correct grammatical and building/street name errors highlighted	Minor text changes made as suggested.
Resident of Low Green	Supports the conservation area designation partly, supports the proposed extension to the north, supports proposed extension to the west which should be extended to include the Riverside Walk, opposes proposed extension to include the St. Peter's site.	<p>Partial support for designation and opposition to inclusion of St. Peter's site within the boundary noted. (See comments above for detailed response to the St. Peter's extension).</p> <p>A further extension to the west has now been included in light of public comments received.</p>
Resident of Main Road	<p>Supports the conservation area designation, concerns raised regarding the proposed St. Peters extension.</p> <p>Commented that conservation area status should not prevent development, more should be made of the tourism officer and local business support.</p> <p>Suggested that a further extension to include a group of farm buildings to the east of the A167 is included.</p>	<p>Support for designation and concerns regarding St. Peters extension noted (See comments above for detailed response to the St. Peter's extension).</p> <p>The farm house and buildings are set some distance from the A67 and are not considered to form a fundamental part of the approach to the village. The land is not subject to development pressure and as such is adequately protected by other</p>

<p>Resident of Neville Close</p>	<p>Opposes inclusion of St. Peter's site within the conservation area, supports proposed extensions to the north and west.</p> <p>Commented that conservation area status should not cover whole village, only areas that add to character.</p> <p>Highlighted scruffy appearance of the main road.</p>	<p>planning policies</p> <p>Support for northern and western boundary extensions, and objection to inclusion of the St. Peter's site noted. (See comments above for detailed response to the St. Peter's extension)</p> <p>The conservation area review process did consider whether the conservation area status was still warranted, as well as more detailed assessments of the character of parts of the village. The HLD Team are satisfied that the designation of the existing boundary is sound as an 'area of architectural or historic interest', and that the further extensions proposed will not dilute the value of the conservation area.</p> <p>Comments regarding the condition of Main Road have been passed to the Clean and Green West Team for consideration.</p>
<p>Resident of North Rise</p>	<p>Opposes conservation area designation and objects to proposed boundary amendments.</p> <p>Disagrees with the value of preserving</p>	<p>Objection to conservation area status and all of the proposed boundary amendments. (See comments above on review of designation status)</p> <p>The specific reference to opposition to</p>

	St. Peter's and criticised consultation process.	inclusion of St. Peter's site within the boundary noted. (See comments above for detailed response to the St. Peter's extension and summary of public consultation undertaken).
Resident of North Terrace	<p>Opposes conservation area designation and proposed boundary amendments.</p> <p>Requested a 215 notice be placed on St. Peter's</p>	<p>Objection to conservation area designation and the proposed boundary amendments noted.</p> <p>DCC have previously served a s215 notice on the landowner to improve the appearance of the site, and continue to monitor the condition of the site.</p>
Resident of Queens Court	<p>Supports conservation area designation and proposed extension to the north of the area.</p> <p>Supports conversion of some of the St. Peter's site but would not support large scale development on the site.</p> <p>The boundary should include the open area between the school and the bridge.</p>	<p>Support for designation and proposed northern extension noted.</p> <p>Opposition to large scale development on St. Peter's site noted. (See comments above for detailed response to the St. Peter's extension and housing allocations within the village).</p> <p>A further extension to the west has now been included in light of public comments received.</p>

	Text changes to correct grammatical and building/street name errors highlighted.	Minor text changes made as suggested.
Resident of West View	<p>Supports proposed western and northern extensions.</p> <p>Suggested that the northern extension also includes an area of open space opposite West View.</p> <p>Opposes proposed extension to include the St. Peters site within the conservation area.</p>	<p>Support for proposed western and northern extensions noted.</p> <p>The open space mentioned has now been included within the proposed boundary as suggested.</p> <p>Objection to St. Peter's extension noted (See comments above for detailed response to the St. Peter's extension)</p>
Anonymous resident	<p>Commented that conservation area status should not cover whole village only areas of outstanding interest</p> <p>Opposed to inclusion of St. Peters site within the conservation area.</p> <p>Expressed support more listing of buildings in the area, and commented on listed building consents and flooding issues within the village.</p>	<p>See response above regarding review of designation status</p> <p>Objection to inclusion of St. Peter's site within the boundary noted. (See comments above for detailed response to the St. Peter's extension)</p> <p>Listed buildings are assessed and designated by English Heritage at national level rather than by the Council. Any suggestions for new listings can be submitted online by any member of the</p>

		public. It is unclear which Listed Building Consent cases this anonymous respondent is referring to. Only a small number of applications for LBC have been determined within the village (11 in 4 years) which were assessed in line with our statutory duty and best practice conservation principles.
Anonymous resident	Supports conservation area designation, opposed to inclusion of St. Peter's site within the conservation area	Support for designation and opposition to inclusion of St. Peter's site within the boundary noted. (See comments above for detailed response to the St. Peter's extension)
Local planning agent	Supports proposed extensions to the conservation area and commented on positive implications of this.	Support for proposed extensions noted.
Visitor to the area	Opposes proposed extension to include the St. Peter's site within the conservation area as it may hinder redevelopment.	Objection to proposed extension noted. Conservation area status is not used as a way of preventing development, which is a common misconception, it is a tool used to manage change in historic areas in a positive and proactive way.

			(See comments above for detailed response to the St. Peter's extension)
SHERBURN HOUSE CONSERVATION AREA			
CONSULTEE			
Public meeting held on 26 th June in Sherburn Village Community Centre	Support expressed on the whole for conservation area and appraisal document.	COMMENTS MADE	RESPONSE FROM HLD TEAM Support noted
Resident of Sherburn	Opposes proposed extension to include the former Sherburn House station within the conservation area boundary.		As part of the appraisal process a desk based assessment of the historical significance of the land in the context of the conservation area has been undertaken. The historic OS Maps demonstrate that there was a strong historical connection between the former train station and the hospital itself. The core of the existing property appears to be an adaption of the original station building constructed in 1837 as part of the Durham & Sunderland Railway line from Sunderland Town Moor to Pittington. The trees and woodland surrounding the property provide the attractive setting of the main building and

	<p>Comments also made regarding security of the property and the cost of the conservation area review process.</p>	<p>have wider landscape value.</p> <p>It is felt that including the property within the conservation area would afford the building and landscape a greater degree of protection from inappropriate change, and it therefore proposed that this extension is designated.</p> <p>Any references to the current property name has been removed from the appraisal document, to address the security concerns raised by the owner. The property is still shown on the OS Map which is outside of our control, and is already publicly available information.</p> <p>The Council has a statutory duty to review conservation area designations from time to time and to prepare management proposals. This process is undertaken in a cost effective manner utilising existing staff and budgets. The only direct additional costs are the holding of a public meeting, printing of documents and the statutory advertisements of a revised boundary.</p>
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