

DURHAM COUNTY COUNCIL

At a Meeting of **Cabinet** held in Council Offices, Civic Centre, North Terrace, Crook, Co Durham, DL15 9ES on **Wednesday 16 April 2014 at 10.00 am**

Present:

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

Members of the Committee:

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

Other Members:

Councillors J Armstrong, J Blakey, D Boyes, J Clare, S Guy, I Jewell, A Laing, C Potts, A Savory, J Shuttleworth, A Surtees and M Williams

1 Minutes of the meeting held on 19 March 2014

The minutes of the meeting held on 19 March 2014 were confirmed as a correct record and signed by the Chairman.

2 Declarations of interest

No declarations of interest were reported.

3 Review of in-house residential care homes [Key Decision CAS/07/13]

The Cabinet considered a report of the Corporate Director of Children and Adults Services which reported the outcomes of the consultation carried out from October 2013 to January 2014 on the future of the five in-house residential care homes, and made recommendations on the future of the each of the homes (for copy see file of minutes).

The five in-house residential care homes under considerations were:

- Cheveley House, Belmont
- Feryemount, Ferryhill
- Grampian House, Peterlee
- Mendip House, Chester le Street
- Newton House, Stanhope

Councillor J Armstrong, Chairman of the Overview and Scrutiny Management Board advised that the Board had met on 1 April to consider the consultation process that had been undertaken, and that the Board had accepted the report detailing the process, and agreed the release of the consultation report to members in advance of the Cabinet meeting today.

Several members of the public made representations at the meeting against the closure of Newton House at Stanhope. The representations made included :

- concerns about whether the solutions addressed local needs, referring to the private home in Stanhope currently having no vacancies;
- the alternative distances to travel;
- the democratic decision making process;
- the views of residents in the consultation exercise appearing to be disregarded;
- the provisions and measures to be taken to reduce the risks to sustain the lives of residents and:
- human rights.

Local members, Councillors J Shuttleworth, and A Savory expressed their disappointment at the proposed closure of the home in Stanhope. Councillor Shuttleworth advised that a family member was a resident of the home.

The main points made by the Councillors were:

- that it was unfair to move residents away from Weardale;
- questioned the duty of care given to the elderly;
- enquired why the position had changed since 2010 when it was agreed that Newton House should be retained based on its geographical location and lack of suitable alternative provision in the surrounding area.

Also making representations were representatives of the GMB and Unison who opposed the closure of all the homes listed in the report. Their questions covered :

- whether there was finance to maintain the homes;
- public consultation responses indicating that the homes should be kept open;
- the move to private care would mean that the terms and conditions of staff would be inferior and there would be a lack of accountability.

The GMB representative questioned the lack of consultation, and the maintenance costs to which he requested a breakdown.

Cabinet members responded in detail to each of the questions raised.

The Leader referred to the representations that had been made by members of the public at the informal public question and answer session prior to the formal business of the meeting, which had been made and responded to.

Cabinet members explained the difficult decisions that they were required to make due to the unprecedented levels of funding cuts that had been imposed by central government. The scale of the cuts was explained, including the services that had been reduced, the reduction in the number of jobs in the council, and that there were more difficult decisions yet to come as the level of funding cuts deepen and are considerably harder to find. It was explained that following the decision made in 2010 to keep Newton House open, the financial position of the Authority had changed considerably.

Cabinet members advised they were aware of how emotive and sensitive the proposed closure of homes was, and due to the geography and unique character of Weardale the decision to be taken was extremely difficult however had been given much consideration.

It was pointed out that Durham had been the only authority in the North East to have continued with the provision of in-house care, with other authorities moving to private care arrangements.

Resolved:

That the recommendations contained in the report be approved.

4 Proposal to change the age range of Belmont C of E (Controlled) Junior School from 7-11 to 4-11 from 1 January 2015 to create a C of E (Controlled) Primary School and to close Belmont Infant School from 31 December 2014 [Key Decision: CAS/09/13]

The Cabinet considered a report of the Corporate Director, Children and Adults Services which sought approval to change the age range of Belmont C of E (Controlled) Junior School from 7-11 to 4-11 from 1 January 2015 to create a C of E (Controlled) Primary School and to close Belmont Infant School from 31 December 2014, taking account of the Local Authority's duties as prescribed in the Education and Inspections Act 2006 to secure sufficient school places, and to secure good outcomes for all children and young people in their local area (for copy see file of minutes).

Resolved:

That the recommendations contained in the report be approved.

5 Durham City Regeneration Masterplan [Key Decision: R&ED/07/13]

The Cabinet considered a report of the Corporate Director and Regeneration and Economic Development which provided background to the preparation of a dedicated regeneration masterplan for Durham City and further sought endorsement to implement the masterplan in association with key partners and potential investors (for copy see file of minutes).

Resolved:

That the recommendations contained in the report be approved.

6 Durham City Strategic Sites & Infrastructure Delivery Strategy

The Cabinet considered a joint report of the Corporate Director Regeneration and Economic Development and Corporate Director Resources which sought approval towards the delivery and financing of the strategic regeneration sites and associated infrastructure priorities of Durham City, as consulted upon within the pre

submission draft document of the County Durham Plan (for copy see file of minutes).

Resolved:

That the recommendations contained in the report be approved.

7 Regeneration of North Road, Durham

The Cabinet considered a report of the Corporate Director Regeneration and Economic Development and Corporate Director Resources which provided details of proposals to regenerate North Road, Durham through reallocation of Council owned land and property, improvement and alteration of transport infrastructure and third party land assembly. The report further provided commentary on discussions with land owners and agencies, details of funding mechanisms available and sought agreement in principle to proceed with the project (for copy see file of minutes).

Resolved:

That the recommendations contained in the report be approved.

8 Annual Review of the Constitution

The Cabinet considered a report of the Head of Legal and Democratic Services which presented proposals for the revision of the Council's Constitution (for copy see file of minutes).

Resolved:

That the recommendations contained in the report be approved.

9 Educational Attainment/Standards Report 2013

The cabinet considered a report of the Corporate Director, Children and Adults Services which set out the results from tests and examinations at key Stage 2 and Key Stage 4/5 for 2013 which, when compared with national averages, provides the key outcome measures for primary and secondary education respectively (for copy see file of minutes).

Cabinet members commended the excellent results that have been achieved.

Resolved:

That the report be noted.

10 Joint Strategic Needs Assessment 2013 and the review of the Joint Health & Wellbeing Strategy 2014-2017

The Cabinet considered a joint report of the Corporate Director, Children and Adults Services and the Director of Public Health County Durham which presented the key messages from the review of the Joint Strategic Needs Assessment (JSNA) 2013 and the revised County Durham Joint Health and Wellbeing Strategy (JHWS) 2014-2017 (for copy see file of minutes).

Resolved:

That the recommendations contained in the report be approved.

11 Annual Enforcement Programme Children and Young Persons (Protection from Tobacco) Act 1991 and Anti-Social Behaviour Act 2003 - Report of Corporate Director, Neighbourhood Services

The Cabinet considered a report of the Corporate Director, Neighbourhood Services which reviewed enforcement activities under the Children and Young Persons (Protection from Tobacco) Act 1991, the Anti-social Behaviour Act 2003 and the Licensing Act 2003 for the period April 2013 to March 2014 and sought approval of new enforcement programme for 2014/15 (for copy see file of minutes).

Resolved:

That the recommendations contained in the report be approved.

12 Alcohol and Substance Misuse by Young People Review

The Cabinet considered a report of the Assistant Chief Executive which presented the findings, conclusions and recommendations of the Children and Young People's Overview and Scrutiny Committee working group review report on Alcohol and Substance Misuse by Young People (for copy see file of minutes).

Councillor J Blakey, Chairman of the Children and Young People's Overview and Scrutiny Committee presented the report to Cabinet, and provided detail on the scope of the review and its findings.

Cabinet members thanked the scrutiny group for the review work, and would provide a response to their findings in line with the recommendations in the report.

Resolved:

That the recommendations contained in the report be approved.

13 Overview and Scrutiny Review Neighbourhood Wardens

The Cabinet considered a report of the Assistant Chief Executive which presented the findings, conclusions and recommendations of the Safer and Stronger

Communities Overview and Scrutiny Committee review report of Neighbourhood Wardens (for copy see file of minutes).

Councillor D Boyes, Chairman of the Safer and Stronger Communities Overview and Scrutiny Committee presented the report to Cabinet, and provided detail on the scope of the review and its findings. He thanked Councillors Stephens and Hovvels for their input into the review.

Cabinet members thanked the scrutiny group for the review work, and would provide a response to their findings in line with the recommendations in the report.

Resolved:

That the recommendations contained in the report be approved.

14 Review of Discretionary Rate Relief Policy

The Cabinet considered a report of the Corporate Director Resources which reviewed the Council's policy on discretionary rate relief, including partly occupied and new building rate relief, taking into account changes in the funding of discretionary rate relief as a result of the Localisation of Business Rates from April 2013 (for copy see file of minutes).

Resolved:

That the recommendations contained in the report be approved.

15 The Durham, Gateshead, Newcastle upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority - Delegation of Transport Functions

The Cabinet considered a report of the Corporate Director Regeneration and Economic Development which sought agreement to enable authorisations to officers to discharge transport functions delegated to Cabinet of Durham County Council by the Durham, Gateshead, Newcastle Upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority ("Combined Authority") (for copy see file of minutes).

The Head of Legal and Democratic Services advised that the Order had been made on 14 April, and then on 15 April, the Combined Authority held its first meeting and delegated transport functions to the County Council (detailed at appendix 2 of the report).

Resolved:

That the recommendations contained in the report be approved.