



RECORD OF EXECUTIVE DECISIONS

The following is a record of the decisions taken at the meeting of **CABINET** on **WEDNESDAY 18 SEPTEMBER 2013**.

The decisions will come into force and may be implemented from **MONDAY 30 SEPTEMBER 2013** unless the Overview and Scrutiny Management Committee or its Committees object to any such decision and call it in.

The County Durham Plan Pre-Submission Draft (including supporting evidence and documents) [Key Decision: R&ED/14/13]

Summary

The Cabinet considered a report of the Corporate Director, Regeneration and Economic Development which requested Cabinet's approval for the pre-submission draft of the County Durham Plan for publication and consultation and to agree the timetable through to adoption. The report sets out the content of the pre-submission with particular emphasis on the key changes made following consultation on the preferred options last year. Following a final round of consultation in the Autumn the Plan will be submitted to the Secretary of State for independent examination by a Planning Inspector in March next year. The Examination in Public will then follow next summer. The Community Infrastructure Levy Draft Charging Schedule will be reported to the next Cabinet in October and be consulted on alongside the Plan.

Cabinet were also asked to approve for consultation a number of Supplementary Planning Documents that accompany the Plan and to endorse the updated evidence base, including the Sustainability Appraisal and Habitat Regulations Assessment, underpinning it.

There is broad agreement that the overarching priority for County Durham is to improve its economic performance. This priority is reflected in the Sustainable Community Strategy and Regeneration Statement and is the central theme of the Plan. Specifically the County Durham Plan seeks to facilitate a step change in economic growth by providing a spatial plan which utilises the assets and opportunities across County Durham. The County Durham Plan has been prepared during a time of significant change, the Localism Act has introduced a number of important reforms to the planning system and the National Planning Policy Framework (NPPF) is a streamlined framework replacing the previous national planning policy guidance. The Preferred Options was the fourth and a very significant stage in the development of the County Durham Plan. The Council identified the scope and content of the Plan in detail. This final stage in the Plan's development has been informed by extensive formal and continuous consultation.

There is one additional document, the Minerals and Waste Policies and Allocations Document, which will be prepared to complement the minerals and waste policies of the Local Plan. Work on the document will commence once the Local Plan has been adopted.

National guidance encourages both early and continuous community and stakeholder involvement as an integral part of the plan making process. The latest version of the Statement of Community Involvement (SCI) was approved by Members in July 2012 and sets out the standards the Council will meet when consulting on the County Durham Plan and planning applications.

There has been extensive consultation at each of the previous four stages in the development of Plan which has helped shape the Plan's development.

This is the final, formal stage of consultation. It will differ from previous rounds of consultation and will be using a different process this time in order to follow government guidelines. This is an important stage as it is the last opportunity for people to make comments on the Plan before it is submitted to the Secretary of State for independent examination by a planning inspector.

Key changes from Preferred Options to Pre-Submission Draft were detailed in the report, these include changes to:

- Housing
- Retail
- Employment Land
- North West Durham Green Belt
- Durham City
- Transport
- Contaminated Land
- Houses in Multiple Occupation and Student Accommodation
- Minerals and Waste

The Infrastructure Delivery Plan and Community Infrastructure Levy Draft Charging Schedule

The types of infrastructure included in the Infrastructure Delivery Plan (IDP) include:

- Physical infrastructure such as highway improvements, sewage treatment works or broadband;
- Social infrastructure such as schools, medical, doctor's surgeries or community buildings; and
- Green Infrastructure such as play areas, public open space or rights of way

The IDP includes committed sources of funding from internal and external partners, in a financial schedule which reflects continuous dialogue between the Council's Planning and Assets Service and infrastructure providers. The financial schedule will be reviewed when required to reflect changing economic circumstances and priorities. As the IDP currently identifies a gap between the actual planned investment in infrastructure and the total amount needed to deliver the County Durham Plan this justifies the introduction of a Community Infrastructure Levy.

Community Infrastructure Levy (CIL) and Draft Charing Schedule

The CIL Regulations came into force on the 6th May 2010 and give local authorities the option of charging a levy on new development. The CIL ensures that most new development makes a proportionate and reasonable financial contribution to delivering the infrastructure identified in the IDP

It should be noted that the CIL is not a direct replacement for Section 106 Agreements. Section 106 will continue to be used for site specific infrastructure, such as access roads, securing affordable housing or funding for education provision.

In order to finalise the evidence that underpins the CIL, the charging schedule and viability work will be taken to October 9 Cabinet for approval.

A number of Supplementary Planning Documents (SPD) also accompany the Plan and give more detail on the Strategic Allocations that enable the delivery of the Spatial Approach. There will be other draft SPDs prepared following Examination in Public

The Pre-Submission Draft will be published for an eight week formal consultation in October 2013. Following consideration of the Pre-Submission Draft consultation responses and the making of any minor modifications, the Plan will be formally submitted by March 2014 with the Examination in Public to follow in June/July 2014 and finally Adoption by December 2014. The Examination of the CIL Charging Schedule will follow that of the Plan following a two week break. A separate Minerals and Waste Allocations document will be prepared.

Work will commence following the Examination of the County Durham Plan with adoption expected in 2016.

Decision

The Cabinet

- i. Agreed the County Durham Plan Pre-Submission Draft for Publication and consultation from October 14 to December 6.
- ii. Agreed the Supplementary Planning Documents named in the report for consultation.
- iii. Agreed that any minor modifications to the above documents following Cabinet agreement and before consultation begins can be agreed by the Director of Regeneration and Economic Development in consultation with the Portfolio Holder for Regeneration and Economic Development.
- iv. Agreed the approach to updating the IDP
- v. Agreed the timetable as set out in Appendix C of the report
- vi. Endorsed the updated evidence base including the:
 - Travellers Site Needs Assessment
 - Strategic Housing Market Assessment
 - Population and Household Projections
 - County Durham Retail and Town Centre Needs Study
 - Joint Local Aggregate Assessment

Spennymoor Masterplan [Key Decision: R&ED/11/13]

Summary

The Cabinet considered a report of the Corporate Director, Regeneration and Economic Development on the development of the masterplan for Spennymoor. The report provided a detailed programme of activity that can be undertaken for the town over the next 3-5 years to ensure future sustainability through investment and marketing of the town's key development opportunities. The plan identifies key public sector activity and investment of £37 million that can generate £276 million from the private sector.

Spennymoor is a town with potential to increase in size with opportunities for the town centre to benefit economically from this growth. Substantial employers now include the Thorn Lighting Academy and Headquarters and Black and Decker's research and repair facilities. There are a number of major projects currently underway throughout the town. These include Durhamgate and also private housing at Whitworth Park and Merrington Lane. The completion of the new combined Whitworth secondary school will substantially change educational provision for the town. Recent and current investment by the county council of £3.5 million in Spennymoor includes new access works at Durhamgate but also the leisure centre, and for targeted business support in the town centre.

There are opportunities at Durhamgate through the mixed use development generating a potential £100 million investment led by the Carillion Developments and Arlington Estates consortium (CAST). This strategic 25ha development will potentially create up to 2000 jobs and 400 houses. It has started with substantial access improvements, the location of 'livin' to new headquarters, a public house and new housing by Taylor Wimpey.

The key drivers for delivery of the masterplan are:

- Establishing a clear set of priority projects together with a realistic delivery plan which reflects both market demand, investor appetite and availability of sources of finance;
- Promoting the diversification of the local economy and employment growth, led by the private sector;
- Providing a sustainable and vibrant town centre with a focus on deliverability, creating key opportunities for change by redevelopment, development or refurbishment of land and premises including resolution of the future of Festival Walk;
- Consolidating the population base and improving the balance and mix of the housing offer which will in turn help to underpin a sustainable local economy, retaining young people whilst providing for an increasing proportion of elderly residents.

The key opportunities for the town centre focus on how to create a sustainable future for the town. The completion of Durhamgate and ensuring a successful future for Festival Walk are major areas for action.

Consultation on the preparation of this Masterplan has been undertaken with a range of local stakeholders including the Town Council.

Decision

The Cabinet approved the report and masterplan.

Review of the Garden Waste Collection Service [Key Decision: NS/19/13] [MTFP Ref: NS17]

Summary

The Cabinet considered a report of the Corporate Director, Neighbourhood Services which sought approval to commence consultation on the introduction of a charge for the collection of garden waste from the kerbside. In doing so recognising the need to achieve the Medium Term Financial Plan (MTFP) savings identified from the Review of Waste Charges (£933k) in 2014/15.

Under the EU Landfill Directive, the UK is obliged to reduce the amount of Biodegradable Municipal Waste (BMW) it sends to landfill, benchmarked against the amount that was landfilled in 1995. The targets were set such that BMW to landfill would not exceed 75% of the 1995 level by 2010, 50% by 2013 and 35% by 2020.

The U.K. Government previously set challenging targets for BMW diversion from landfill through the Landfill Allowance Trading Scheme (LATS) which incorporated financial mechanisms to ensure compliance with the landfill directive. The introduction of a garden waste collection scheme was a popular method of achieving these targets as it guaranteed the capture of biodegradable waste and also increased the proportion of biodegradable waste available for collection (over and above the 1995 levels diverted).

In County Durham the former district councils offered a variety of opt-in arrangements for garden waste collection, which has left a legacy of inconsistent service delivery across the County. In the former Teesdale area a partnership arrangement was established with Teesdale Conservation Volunteers, and a third sector organisation operating as "Rotters". This arrangement has continued with support from the County Council. Services in all other areas are delivered by the in-house collection services operated by Neighbourhood Services.

The Council currently offers a free, fortnightly garden waste collection service to 151,700 properties across the County. The scheme operates on 16 collections per year on a fortnightly basis between the months of April and November.

By proposing the operation of an 'opt in' chargeable garden waste service, residents who currently choose not to use the service or who are exempt from the current scheme will be able to participate, enabling a more equitable service to be provided to many more residents of County Durham.

At present, the service is carried out using 12 collection vehicles over 4 days per week on a fortnightly basis. The existing garden waste treatment arrangements are through direct delivery to three facilities, two located within County Durham and the third just outside of the County, in Gateshead.

Interim arrangements for the composting of garden waste have been put in place for the current season, pending the outcome of this report. Should the decision be to support introducing a charge then a full procurement exercise will take place based on the revised garden waste tonnages anticipated to be presented for collection to ensure certainty of supply.

In 2012/13, 24,429 tonnes of garden waste were collected either by our own collection service or via Rotters. This equated to approximately 11.0% of the overall waste arisings and 23% of the recycled waste for County Durham in 2012/13.

The Medium Term Financial Plan (MTFP) includes £933k of savings proposals from a review of waste charges in 14/15.

The proposal is to provide a charged garden waste collection service between April and November each year on a fortnightly basis totalling 16 collections per year. The standard service will be on an opt-in basis through the provision of a wheeled bin. Residents who do not wish to opt-in, but who have previously been supplied with a wheeled bin for garden waste will be able to have the existing bin collected on request. The scheme will be available to those households not currently covered by the free of charge garden waste collection scheme provided they are within the defined boundary.

The annual fee in 2014/15 will be £20 per year. Incentive discounts are to be considered as part of the consultation process. In revenue terms the individual household charges are relatively low at £20 per annum but will potentially provide a high volume of payments over a short period of time.

The statutory requirement to consult is based on section 3 of the Local Government Act 1999 in which it states that a best value authority must secure continuous improvement in the way its functions are exercised and in deciding how to fulfil its duty; an authority must consult a range of stakeholders including taxpayers. In line with our approach to consultation, an engagement plan will be drafted which will then be approved by the Consultation Officers Group and the actions implemented. The results of the exercise will be carefully considered before any final decision is made.

The consultation will be designed to obtain the views of the public on a number of issues central to the design and implementation of the scheme, including:

- Likely take up and impact
- Payment methods and preferences
- Any other disposal methods that may be used

The consultation process will also make use of the Citizen's Panel.

Consultation will take place from 19th September 2013 to 28th October 2013.

While the operational complexities of establishing a charged service across a wide area are not to be underestimated, the model highlights that with realistic and conservative assumptions the charging for garden waste collection has the potential to bring significant benefits while meeting the MTFP plans.

Decision

The Cabinet approved the commencement of a consultation process based on the scheme for charging for garden waste collection at a rate of £20 per household as outlined in this report.

Homelessness Strategy: 2013-2018

Summary

The Cabinet considered a report of the Corporate Director, Regeneration and Economic Development which sought approval of the Homelessness Strategy for County Durham 2013-18.

The Homelessness Act 2002 determines that local authorities must formulate and publish a homelessness strategy based on the results of an area wide review. The current Homelessness Strategy 2008-13 has now expired and a new strategy must be adopted by September 2013. The 2013 – 18 County Durham Homelessness Strategy has been developed through the County Durham Homelessness Action Partnership (HAP), the vehicle for strategic joint working on homelessness across the County. In line with government Guidance, the strategy includes plans for:

- The prevention of homelessness;
- Ensuring there is sufficient accommodation available for people who are, or who may become homeless;
- Ensuring there is satisfactory support for people who are, or who may become homeless, or who need support to prevent them from becoming homeless again.
- The strategy to be an effective and relevant document by developing it in partnership with all stakeholders and service users.

The ten local challenges the government has posed to the sector are to:

- Adopt a corporate commitment to prevent homelessness which has buy in across all local authority services.
- Actively work in partnership with voluntary sector and other local partners to address support, education, employment and training needs
- Offer a Housing Options prevention service, including written advice, to all clients
- Adopt a *No Second Night Out* model or an effective local alternative
- Have housing pathways agreed or in development with each key partner and client group that includes appropriate accommodation and support
- Develop a suitable private rented sector offer for all client groups, including advice and support to both clients and landlords

- Actively engage in preventing mortgage repossessions including through the Mortgage Rescue Scheme
- Have a homelessness strategy which sets out a proactive approach to preventing homelessness and is reviewed annually so that it is responsive to emerging needs
- Not place any young person aged 16 or 17 in Bed and Breakfast accommodation
- Not place any families in Bed and Breakfast accommodation unless in an emergency and then for no longer than 6 weeks.

The Council will seek to secure the “Gold Standard” over the life time of the strategy. To ensure services and partnerships develop to reflect best practice, the strategy action plan will be aligned to incorporate actions identified to assist in this goal.

Over the past 3 months the County Durham HAP has been developing the strategic objectives for the Homelessness Strategy 2013-18. The following objectives have been developed to meet current and future trends.

- To prevent homelessness for all in housing need across County Durham.
- To ensure that services work in partnership to meet the holistic needs of all clients, including those with complex needs and / or those at risk of rough sleeping.
- To ensure that sufficient, appropriate and affordable accommodation is available for people who are homeless or at risk of becoming homeless.
- To provide housing advice and housing options to those in housing need in County Durham.
- To tackle the wider social and economic causes of homelessness by supporting people to access health, employment, training and associated services.
- To achieve Gold Standard in meeting the 10 local authority challenge (*Making Every Contact Count: A Joint Approach to Preventing Homelessness*)

On the 17 June 2013, the Council hosted a consultation event at County Hall. In addition to this event the draft strategy was sent to various partners, posted on the internet and intra net to enable a wide range of stakeholders the opportunity to contribute towards our strategic objectives. Attendees at the consultation event included the Police, NHS, Registered Providers and the voluntary sector.

These views have been considered and where appropriate, actions added to the strategy action plan. All actions within this action plan are considered achievable in context of the MTFP savings

Decision

The Cabinet approved the Homelessness Strategy for County Durham 2013-18.

Review of the Waste Management Strategy

Summary

The Cabinet considered a report of the Corporate Director, Neighbourhood Services on the progress made against the County's Waste Management Strategy, setting out a timetable for review.

In March 2010, Cabinet agreed a strategic direction for the County's waste management service, set out in a document named the *Addendum to the Municipal Waste Management Strategy for County Durham*, (Addendum), which has acted as a transition document to aid the authority to embark on a full encompassing waste transition programme. There has been considerable activity in the re-shaping of the County's waste management service since the adoption of the Addendum, principally through the Waste Programme, which was initiated in 2010 to deliver these objectives.

Any revision to the Waste Strategy must consider the national legislative context. The Review stipulates that waste should be managed as a resource and the concept of the circular economy is a strong theme which is emphasised by the Government. This national policy falls within the context of delivering the requirements of the revised EU Waste Framework Directive i.e.; 50% recycling and 75% landfill diversion by 2020.

In the current climate, local authorities are faced with a significant challenge for the provision of waste management services.

In March 2010 a Cabinet Report "Waste Project Update" set out the high level actions required to deliver the objectives of the Addendum along with a governance structure and scheme of delegations to do so. Since then significant progress has been made, including:

- Harmonisation of services including the introduction of the alternate weekly collection scheme
- Household Waste Recycling Centre (HWRC) rationalisation
- Procurement of new waste contracts including residual waste treatment, HWRC management, haulage of municipal waste, and interim arrangements for dry recycling and green waste disposal.
- In housing programme of four waste transfer stations and landfill site

The Council has introduced a countywide alternate weekly collection (AWC) service to its residents. This followed a full public consultation which took place between November 2010 and January 2011. The consultation showed that 43.8% of residents were in favour of moving to a twin bin collection system (recycling collected one week and refuse the following week) while 34.1% would be against such a move. The countywide implementation of this alternate weekly collection service to 235,600 households from June 2012 has enabled the Authority to save over £2m in operational and disposal costs.

In advance of tendering new contracts for HWRC operation, the Council took the opportunity to review and rationalise the HWRC service provided to residents of County Durham. Following two public consultation exercises conducted between October 2011 - January 2012 and May – June 2012 changes to the following have been introduced;

- the number of HWRCs in County Durham has reduced from 15 sites to 13,
- opening hours have been reduced to those most frequently used
- the type of vehicles being allowed on site (vehicle acceptance criteria) have been amended to better reflect site usage
- revision to the HWRC permit scheme to reduce the number of permits issued

All service changes to the HWRC provision came into effect on 1st June, 2013 and were fully communicated to the residents of County Durham.

In March 2010, Cabinet approved the establishment of the Waste Programme as the means for determining how the authority would seek to deliver the Waste Strategy and ensure the achievement of the objectives and targets. The Waste Programme has made significant progress since 2010 and continues to oversee the procurement of new waste contracts.

The Council's current waste strategy sets targets for national household waste recycling and composting, and, municipal waste recovery at 50% and 75% respectively by 2020. These form part of the Council's indicator set adopted in the Council Plan. Performance against achieving these is good, in 2012/13 the Authority's reuse, recycling and composting performance was 44%, on track towards the 45% target in 2015. However, under the current waste management arrangements and legislation, the achievement of the 50% target by 2020 is increasingly unlikely. Authorities that have achieved this level of recycling have done so by the introduction of food waste collection. The cost of doing this in County Durham is likely to remain prohibitive under current arrangements, and the application by the Council for government funding to run a trial in 2012 was not successful.

The Council has made significant efforts to raise awareness of waste issues; encouraging reduction, recycling and reuse within the County's municipal waste stream. The waste management arrangements will underpin the waste management service until 2020, however further actions need to be developed and put in place for beyond this date. In addition the targets up to and beyond that date needs to be carefully considered. This is particularly with respect to the 50% recycling target for 2020. In doing so consideration needs to be given to changes in Government legislation, the views of residents in relation to service provision and the financial climate within which the service operates.

The delivery of challenging MTFP targets will remain central to the design and implementation of all services within the Council for the foreseeable future. This includes waste management.

While the significant changes introduced by the Waste Programme to date have contributed to this, the future strategic direction and target setting should be mindful of reducing budgets in the delivery of the service.

The reducing volumes of residual waste being produced represent a success for the recycling and waste awareness initiatives of the Council and these efforts will continue. However it is recognised that economic factors have played into this significantly over the last 18 months and that this may reverse at the point when consumer confidence and activity increases.

Emphasis will also be given by the Government in the near future to the waste prevention and reuse agenda which Durham County Council has a proven track record in delivering. At present Defra are producing a National Waste Prevention and Reuse Policy in line with the requirements of the Revised EU Waste Framework Directive. The deadline for the introduction of this policy is December 2013.

Decision

The Cabinet:

- Noted the considerable success to date in the achievement of the Waste Strategy Objectives set out in the Addendum to County Durham's Municipal Waste Management Strategy 2010.
- Agreed that the performance of the new arrangements continues to be monitored against existing waste strategy targets until 2015.
- Approved the commencement of a review of the objectives and targets set out in the Addendum for beyond 2015 taking into account the Government's Waste Policy Review 2011 and the progress already made within County Durham. This review to result in a revised strategy for the period 2015 to 2020 and to be reported to Cabinet in the spring of 2014.

Colette Longbottom
Head of Legal and Democratic Services
20 September 2013