



Local Government Act 1972

I Hereby Give You Notice that an **Ordinary Meeting** of the **Durham County Council** will be held in the **Council Chamber, County Hall, Durham** on **Wednesday 1 April 2015 at 10.00 am** to transact the following business:-

1. To confirm the minutes of the meeting held on 25 February 2015 (Pages 1 - 22)
2. To receive any declarations of interest from Members
3. Chairman's Announcements
4. Leader's Report
5. Questions from the Public
6. Petitions
7. Report from the Cabinet (Pages 23 - 38)
8. Council Plan and Service Plans 2015-2018 - Report of Assistant Chief Executive (Pages 39 - 102)
9. The adoption of a Street Trading Policy - Report of Corporate Director, Neighbourhood Services (Pages 103 - 138)
10. Changes to the Constitution - Delegations to the Corporate Director, Children and Adults Services - Report of Head of Legal and Democratic Services (Pages 139 - 148)
11. Report of the Audit Committee for the Period June 2014 to November 2014 - Report of Chairman of the Audit Committee (Pages 149 - 156)
12. Motions on Notice
13. Questions from Members

And pursuant to the provisions of the above-named act, **I Hereby Summon You** to attend the said meeting

Dated this 24th day of March 2015

A handwritten signature in black ink, appearing to read 'Colette Longbottom', with a long, sweeping flourish extending to the right.

Colette Longbottom
Head of Legal and Democratic Services

To: All Members of the County Council

DURHAM COUNTY COUNCIL

At a Ordinary Meeting of the County Council held in the Council Chamber, County Hall, Durham on **Wednesday 25 February 2015 at 10.00 a.m.**

Present:

Councillor J Robinson in the Chair.

Councillors E Adam, J Allen, J Alvey, J Armstrong, B Avery, A Batey, D Bell, E Bell, J Bell, R Bell, H Bennett, J Blakey (Vice-Chairman), G Bleasdale, D Boyes, P Brookes, J Brown, Carr, J Chaplow, J Clare, J Clark, P Conway, J Cordon, K Corrigan, R Crute, K Davidson, M Davinson, K Dearden, M Dixon, S Forster, N Foster, B Glass, B Graham, J Gray, O Gunn, S Guy, J Hart, K Henig, S Henig, D Hicks, J Hillary, M Hodgson, G Holland, A Hopgood, K Hopper, L Hovvels, E Huntington, S Iveson, I Jewell, O Johnson, C Kay, A Laing, P Lawton, J Lee, J Lethbridge, H Liddle, R Lumsdon, J Maitland, C Marshall, L Marshall, N Martin, J Maslin, P May, O Milburn, B Moir, S Morrison, A Napier, T Nearney, H Nicholson, R Ormerod, A Patterson, T Pemberton, M Plews, C Potts, L Pounder, S Robinson, J Rowlandson, A Savory, K Shaw, A Shield, J Shuttleworth, M Simmons, H Smith, T Smith, M Stanton, D Stoker, P Stradling, A Surtees, L Taylor, P Taylor, K Thompson, R Todd, E Tomlinson, J Turnbull, A Turner, A Watson, M Wilkes, M Williams, C Wilson, S Wilson, R Yorke and S Zair

Apologies for absence were received from Councillors B Armstrong, L Armstrong, A Bell, A Bonner, J Buckham, C Carr, J Charlton, P Crathorne, D Freeman, I Geldard, D Hall, C Hampson, B Harrison, P McCourt, J Measor, M Nicholls, P Oliver, G Richardson, M Simpson, W Stelling, B Stephens, O Temple, A Willis and R Young

Prior to the commencement of the business, the Chairman of the Council formally reported the deaths of firefighter Ian Bell; former Derwentside Councillor and Alderman Michael Brough; former Deputy Mayor, Durham City Councillor and Alderman Ron Dickie; former Easington District Councillor Barbara Boyd; and former Easington District Councillor Dennis Raine.

The Council stood for a moments silence as a mark of respect.

1 Minutes

Councillor N Martin moved an amendment to minute no.8, to clarify that the amendment he had moved to reduce the mileage allowance for Members was from 1 April 2015.

Councillor A Hopgood seconded the amendment.

With the amendment noted, the minutes of the meeting held on 21 January 2015 were confirmed by the Council as a correct record and signed by the Chairman.

2 Declarations of Interest

There were no declarations of interest in relation to any items of business on the agenda.

3 Chairman's Announcements

The Chairman congratulated 50 local schools who had participated in the recent Holocaust Day event. The event had been very successful, a special mention was made for a pupil of Teesdale School, Jake Lawton, who had been instrumental in organising the event.

The Chairman was pleased to announce that Durham now had an established Royal Airforce Squadron, City of Durham 607.

The Chairman proposed that under rule 13.4 of the Council's Rules of Procedure Group Leaders be allowed more than the allotted five minutes when discussing the budget.

Resolved:

That the proposal be approved.

4 Leaders Report

The Leader of the Council provided an update to the Council, summarised as follows:-

- In relation to riverbank safety, the Leader was pleased to report that there had been a lot of positive work undertaken by the City Safety Group both at and since its first meeting on 27 January.
The Royal Society for the Prevention of Accidents (RoSPA) had been commissioned to carry out an independent assessment of riverside safety which would commence during the first week of March.
That work would also consider other relevant aspects that impacted on safety including arrangements with the licensed trade, educational work with the students and awareness campaigns considering RoSPA's experiences from other cities in the UK, such as Bath and York.
Ahead of that work being undertaken a number of actions were already being progressed as follows:-
 1. Training sessions had been arranged for the owners, managers, bar and door staff of licensed premises focusing on responsible alcohol retailing:
 2. A pilot scheme had been agreed for the use of breathalysers to help identify intoxicated people prior to their entry to licensed premises. This was to be rolled out to establishments that had volunteered to take part once necessary equipment arrived;

3. All licensed premises had been contacted to promote awareness of the identification of vulnerable people and to inform them of new guardianship arrangements that had been put in place using volunteers:
 4. A 'Safe Haven' area had been created for vulnerable people to be brought to on evenings liaising with the police, volunteers and city centre management staff;
 5. The Students Union had mobilised volunteers to assist on evenings, supporting the existing positive work of the 'street lights' team who worked with vulnerable people:
 6. New radios and equipment had been provided to enhance communication within the city;
 7. A recruitment campaign had been held by the Students Union to find volunteer drivers to provide a night time bus for students to use from the city centre so that they could get home safely. Arrangements had also been made with four taxi companies whose services could be made available should vulnerable students be unable to fund their journey home after a night out in Durham;
 8. Durham University and the Students Union were further developing educational and awareness campaigns focusing on personal safety;
 9. The Council had awarded £50,000 to the Durham Students Union to develop and deliver a campaign aimed at reducing binge drinking and promoting personal safety;
 10. Partners were meeting to explore measures to tackle the availability of cheap alcohol and alcohol related offers within the city;
 11. Officers had been in contact with other cities in the UK that had experienced similar incidents to learn of their work to improve safety and awareness:
 12. Briefing meetings had been held with local members, the Member of Parliament, the Police and Crime Commissioner for Durham and the media:
- The Leader advised that outside of the work of the group which was focusing on Durham City, risk assessments were also being undertaken of high risk riverside areas such as Riverside Park at Chester-le-Street so that relevant issues could be managed and that the approach taken on any issues was consistent. This was to be rolled out across the county on a prioritised programme.
 - Council was advised that the following week the Council would be hosting the Local Government Association's annual Culture, Tourism and Sport conference. The event would attract up to 200 delegates from across the

country and a range of speakers including the Chairs of the Arts Council Peter Bazelgette, English Heritage and former international athletes Steve Cram and David Moorcroft.

- Council was advised that during the summer there would be the first Yves Saint Laurent exhibition at the Bowes Museum, an event which everyone had automatically assumed would be taking place in London. The Leader stated that world class events of that nature, as well as high profile companies such as Hitachi deciding to locate to the county, demonstrated the step change which was now taking place in the way that County Durham and the council were now regarded nationally and internationally.
- The Leader recalled that back in 2008/09 he had made clear in his very first interview that economic growth would be the new Unitary Authority's highest priority and that managing continued decline was not on the agenda. For various reasons the county had slipped to becoming the equal poorest area in England according to the GVA economic measure at barely 60% of the UK average.

Furthermore that economic decline had also been associated with reduced levels of aspiration and many people moving away to find careers in more economically prosperous areas.

The Leader stressed that working to reverse such patterns had been at the heart of what the unitary council had been all about since the outset. The Authority had been clear that regeneration, economic development, more and better jobs had been its top priority and this has been reflected in all of our plans throughout, whether the council plan or sustainable community strategy.

At the regional level, the Leader stated that the Council had aligned its ambitions with the Adonis review and the Strategic Economic Plan for the North East, which set out plans to create 100,000 new jobs in the region.

There was a repeated emphasis that Durham was 'open for business' and that approach was clearly working, with examples such as Hitachi being highlighted. Council was advised that the last set of figures showed a welcome increase in GVA per head in Durham, albeit a figure still well below the UK average, showing that there was still much work to do, but demonstrating that the Council's high level of ambition was working.

- It was against that context that the County Durham Plan must be set. The Leader advised that in preparing the Local Plan, it was key that the Council's spatial strategy would help deliver the economic ambitions. It was vital that sites were available to support the Council's drive for new employment which would be supported by land for housing, retail and community facilities.

The plan had been led by the need for more and better jobs, it had been supported by business and earlier that day the Council heard the full support of business leaders not just from the county but across the north east. The

County Durham Plan reflected the ambition of the county to succeed to carry on the change that had already been apparent.

The Leader reported that the Planning Inspectors interim report released the previous week, stood in stark contrast to the Council's record and ambitions and to recent government plans for a 'northern powerhouse' as well. The key assertion by the Inspector was that Durham should reduce its jobs target, despite accepting that the target was achievable and accorded with regional economic aspirations.

The Leader stated that the conclusions and the direction identified in the report did not represent the ambitions of the Council's partners, the wider region nor the Council's developing record in attracting national and international inward investment. He stated it was not the vision of the Council and was not a future for County Durham.

- The Leader invited Councillor N Foster, Cabinet Portfolio Holder for Economic Regeneration, to address the meeting to provide more detail in relation to the County Durham Plan.

Councillor Foster expressed his extreme disappointment at the Inspectors report which had rejected the Council's and its partners ambition for economic growth despite significant support, strong evidence and a coherent strategy in line with what was felt to be national and regional policy and aspiration.

Council was advised that the Inspector identified the plan as overly ambitious in terms of its jobs and therefore as a result the housing targets were considered too high. The Inspector had also implied that he considered the regional aspiration as challenging.

Councillor Foster stated that the decision was unexpected. The Council had worked alongside the Inspectorate and other government agencies over many years and entered the examination with the full support of Natural England, the Environment Agency, the Highways Agency and with only one outstanding issue to be resolved on one site with English Heritage. Contrary to expectation, the Inspector had not raised any of his concerns either prior to or as part of the Examination process.

Councillor Foster advised that since 2009 the Council had been clear on its plans for future growth. During the Examination in Public, the Inspector had not challenged the Council directly on its Local Plan policies and appeared to hear more from those objecting to the Plan, rather than those in support.

Councillor Foster advised that the Council was now considering its options and would fight to ensure that the aspirations and ambitions for the County were not lost.

Councillor Hopgood addressed the meeting and began by thanking the Corporate Director of Neighbourhood Services for the progress being made by the City Safety Group.

In relation to the County Durham Plan, Councillor Hopgood stated that there had been no mention by the Leader or Councillor Foster of the impact the interim report and the uncertain future of the Plan would have on the residents of the County. She suggested that the judgement of the Council had been fundamentally wrong, hence such a damning report from the Inspector. Given that the Leader had fully supported and promoted the Local Plan, Councillor Hopgood questioned whether he would now resign in light of the Interim report.

Councillor Wilkes addressed the meeting. He refuted Councillor Foster's assertion that concerns had not been raised regarding the Plan, stating that Councillors, thousands of residents and representatives from a variety of interest groups had actually been raising concerns for some 5 years. He highlighted that Councillor Foster had failed to make any mention about the greenbelt and he expressed his concerns at the Inspector's criticism of the Plan. While he concurred with Councillor Hopgood that the Leader should consider resigning, he felt that it was only appropriate that Councillor Foster should resign given that the Plan was within his Portfolio.

Councillor R Bell addressed the meeting. He stated that the current meeting was not the time for a debate on the County Durham Plan and that calls for resignations was not helpful.

The Leader stated that the Council had been clear from the beginning that it aspired to reverse the economic decline and that every subsequent document prepared by the Council had reflected that.

Council was advised that within the report, the Inspector concluded that the Council should set lower jobs and growth targets and he disagreed with the aims and ambitions of not only the Council, but also its business partners. The irony was that the county was beginning to turn a corner with companies such as Hitachi and Atom Bank locating to the area.

The Leader stated that Council should be proud of the desire to reverse such a long period of economic decline to give a decent future for the generations to follow. This was at the heart of everything the Unitary Authority was about.

In relation to green sites, the Leader stated this was always a sensitive issue and he highlighted that in one key part of the Inspector's report, it was suggested that while Newton Hall could not be developed, development should occur in areas, despite there being no evidence to support this.

In conclusion, the Leader advised that he would not consider resigning and that he stood by Council's high ambitions for more employment and economic growth.

The Chairman took the opportunity to acknowledge the work of the City Safety Group.

5 Questions from the Public

Three questions had been received from, Mr Liiv, all relating to garages at Sophia, Seaham. Mr Liiv was in attendance to ask his questions and received responses from Councillor Tomlinson, Cabinet Portfolio Holder for Housing and Rural Issues.

The Head of Legal and Democratic Services informed the Council that Mr Liiv would receive a written response to his questions and both the questions and responses would be published on the Council's website.

6 Petitions

There were no petitions for consideration.

7 Report from the Cabinet

The Leader of the Council provided the Council with an update of business discussed by the Cabinet at its meetings held on 14 January and 11 February 2015 (for copy see file of Minutes).

In referring to page 20 of the report, Councillor Martin commented that it was inconvenient that by the time of the Council meeting held 21 January 2015, Cabinet had been unaware of the budget proposals in relation to mileage allowances. The Leader responded that at the last Council meeting he had been clear that it was not an appropriate time to consider an increase for 2015/16 and this would be considered as part of the budget proposals in due course.

In response to a question from Councillor D Stoker about the savings that could have been made if introduced many years ago, the Leader clarified that the vast majority of mileage allowance was claimed by staff and not elected Members. As such, any changes to mileage allowances required proper negotiations with the Trade Unions.

8 Budget 2015/16 – Report under Section 25 of Local Government Act 2003

The Council considered a report of the Corporate Director of Resources which provided information on the robustness of the estimates and the adequacy of reserves in the Cabinet's Budget for 2015/16 (for copy see file of Minutes).

Resolved:

That the Council have regard to the report when approving the budget and the level of Council tax for 2015/16.

9 **General Fund Medium Term Financial Plan 2015/16 to 2017/18, Revenue and Capital Budget 2015/16 and 2015/16 Council House and Garage Rent Proposals**

The Council considered a report from Cabinet which detailed budget recommendations for 2015/16, an outline General Fund Medium Term Financial Plan 2015/16 to 2017/18 and details of a fully funded capital programme (for copy see file of Minutes). In **Moving** adoption of the Cabinet report, Councillor Henig made a statement on the Budget and Precept for 2015/16, summarised as follows:

The Leader made reference to an addendum to the report which had been circulated to Members, to reflect changes that were required to be made in accordance with the stock transfer date moving into April. The addendum set out amendments to be made to the main report, to replace paragraphs 202 to 207 and amendment to 211(j), relating to the Housing Revenue Account (for copy see file of Minutes).

The budget process for the forthcoming financial year had been subject to an extensive consultation process which had involved members of the public, trade unions, businesses and overview and scrutiny. Councillor Henig thanked all those who had taken part in the consultation process.

In preparing the coming years budget, the key aim had been to protect frontline services where possible. The Leader advised that during the full term of the current coalition Government, the total cuts faced by the Council could be as high as £250m, with £137m cuts made to date and a further £16.3m to be made in the coming year. The Medium Term Financial Plan which had been prepared for the following 2 years demonstrated that there may be a need to make in excess of £71m more cuts. However the Leader was confident that the Council had the understanding of its partners and the public in such unprecedented times.

The Leader advised that having released the Government grant settlement figures on 4 February, the Council had actually been granted £966,000 more than expected in revenue support grant in respect of additional funding for welfare assistance and social care services. The announcement was coming later and later each year and the Council would continue to lobby the Government for an earlier announcement date in future years.

A 1.99% increase had been applied to Council Tax for 2015/16. This decision had been made reluctantly, however the Leader advised that of those residents who had responded to consultation, two thirds were prepared to see an increase of up to 2% rather than have front line services cut.

The decision had been taken not to accept Council Tax freeze grants for 2015/16, as it was no longer value for money.

The Leader advised that the Council Tax reduction scheme would continue during 2015/16 and that Durham was one of only two regional authorities that were to retain that support for vulnerable residents. In addition a £1.5m Welfare Assistance Scheme had been built into the budget proposals. The Leader advised that the

county had a high number of adults with high need levels, however it continued to incur higher level cuts than more affluent areas. The spending power per dwelling had also now slipped behind that of more affluent areas.

Council was advised that the budget proposals as presented were prudent and that the Authority remained committed to protecting frontline services where possible. In addition the Durham Living Wage was now being provided, there was to be no increase in member allowances, a modest reduction in car mileage allowances and the proposed budget included a fully funded capital programme to help deliver and protect jobs.

The Leader advised that the 2015/16 budget would be the last in which the Council would set council house rents as the housing stock was soon to be transferred. The budget did include a 2.2% increase on garage and housing rents.

IN **Seconding** the adoption of the Cabinet report, Councillor Napier advised that the public and the Council's stakeholders had been listened to when preparing the budget proposals who understood the difficulties of setting a budget in such unprecedented times. It was grossly unfair that the current system exercised by central Government in relation to the awarding of grants, failed to recognise areas of high need. However Councillor Napier stated that the Council must be proud that in such times, the Council was able to protect its most vulnerable residents and provide a living wage. The budget made the best use of reserves to protect frontline services and provide a £148m capital programme to protect and develop jobs. The Council should also be proud that an additional £1m to Adult Care Services and £300,000 to support the concessionary care scheme.

Councillor J Armstrong, Chairman of the Overview and Scrutiny Management Board, advised that there had been close scrutiny of the budget proposals and as in previous years, the Council's scrutiny function had helped to shape the budget. It was increasingly difficult to set a balanced budget and the testing financial circumstances in which the Council found itself was acknowledged. However due to good planning, strong delivery and a prudent use of reserves, Councillor Armstrong advised that the Council had been successful in proposing a balanced budget for the coming year.

An Amendment was **Moved** by Councillor Shuttleworth, **Seconded** by Councillor Savory as follows:

- 1) *Reduce the number of FTEs in the Press Office and Comms Team to 1 x Tier 4 Manager + 3 support employees. Saving = £0.319 million*
- 2) *Abolish Durham County News. Part Saving = £0.096 million*
- 3) *Reduce Revenue Contingency Budget by £2.556m. Saving = £2.685 million*

Total Savings = £3.1 million

- 1) *Remove the £3.1 million 'profit' target from Highways Team programme of works so that they can reduce their pricing of internal projects and thereby be able to do an extra £3.1 million of highways maintenance work in 2015/16.*

- 2) *In so doing, this will also make the Highways Service more competitive when bidding for external contracts.*

Total Additional Costs = £3.1 million

For the Amendment

Councillors A Savory and J Shuttleworth

Against the Amendment

Councillors E Adam, J Allen, J Alvey, J Armstrong, A Batey, E Bell, J Bell, H Bennett, J Blakey, G Bleasdale, D Bell, D Boyes, P Brookes, J Brown, J Carr, J Chaplow, J Clare, J Clark, P Conway, J Cordon, K Corrigan, R Crute, K Davidson, M Davinson, K Dearden, M Dixon, S Forster, N Foster, B Glass, B Graham, J Gray, O Gunn, S Guy, J Hart, S Henig, K Henig, D Hicks, J Hillary, M Hodgson, G Holland, A Hopgood, K Hopper, L Hovvels, E Huntington, S Iveson, I Jewell, O Johnson, C Kay, A Laing, P Lawton, J Lee, J Lethbridge, H Liddle, R Lumsdon, J Maitland, L Marshall, C Marshall, N Martin, J Maslin, P May, B Moir, S Morrison, A Napier, T Nearney, H Nicholson, R Ormerod, A Patterson, T Pemberton, M Plews, C Potts, L Pounder, J Robinson, K Shaw, A Shield, M Simmons, H Smith, T Smith, M Stanton, D Stoker, P Stradling, A Surtees, P Taylor, L Taylor, K Thompson, R Todd, S Zair, E Tomlinson, A Turner, J Turnbull, A Watson, M Wilkes, M Williams, C Wilson, S Wilson and R Yorke

Abstentions

Councillors R Bell and J Rowlandson

The Amendment was **Lost**.

An Amendment was **Moved** by Councillor J Shuttleworth, **Seconded** by Councillor A Savory as follows:

Maintain General reserves at 5% as opposed to between 5% and 7.5% and top slice Service Grouping Cash Limit Reserves by 25%.

This would allow a further £13 million to be utilised for highways maintenance in 2015/16.

For the Amendment

Councillors A Savory and John Shuttleworth

Against the Amendment

Councillors E Adam, J Allen, J Alvey, J Armstrong, A Batey, E Bell, J Bell, H Bennett, J Blakey, G Bleasdale, D Bell, D Boyes, P Brookes, J Brown, J Carr, J Chaplow, J Clare, J Clark, P Conway, J Cordon, K Corrigan, R Crute, K Davidson, M Davinson, K Dearden, M Dixon, S Forster, N Foster, B Glass, B Graham, J Gray, O Gunn, S Guy, J Hart, S Henig, K Henig, D Hicks, J Hillary, M Hodgson, G Holland, A Hopgood, K Hopper, L Hovvels, E Huntington, S Iveson, I Jewell, O Johnson, C Kay, A Laing, P Lawton, J Lee, J Lethbridge, H Liddle, R Lumsdon, J Maitland, L Marshall, C Marshall, N Martin, J Maslin, P May, B Moir, S Morrison, A Napier, T Nearney, H Nicholson, R Ormerod, A Patterson, T Pemberton, M Plews, C Potts, L Pounder, J Robinson, K Shaw, A Shield, M Simmons, H Smith, T Smith,

M Stanton, D Stoker, P Stradling, A Surtees, P Taylor, L Taylor, K Thompson, R Todd, E Tomlinson, A Turner, J Turnbull, A Watson, M Wilkes, M Williams, C Wilson, S Wilson, R Yorke and S Zair

Abstentions

Councillors R Bell and J Rowlandson

The Amendment was **Lost**.

An amendment was **Moved** by Councillor J Shuttleworth, **Seconded** by Councillor A Savory as follows:

The village halls and community centres grants budget should only be cut by £26,406 (10%) rather than £155,039 proposed within the Assistant Chief Executive's Budget Savings. This will allow these vital community buildings to be sustainable and stay open

The corresponding £128,633 saving can be met from the remaining part saving by abolishing the Durham County News.

Reduce the Cut in Community Grants Budget to 10% only. Cost = £0.129 million

Abolish Durham County News. Part Saving = £0.129 million

For the Amendment

R Bell, D Hicks, G Holland, A Hopgood, N Martin, R Ormerod, J Rowlandson, A Savory, J Shuttleworth, M Simmons, D Stoker, K Thompson, M Wilkes and S Zair

Against the Amendment

E Adam, J Allen, J Alvey, J Armstrong, A Batey, E Bell, D Bell, J Bell, H Bennett, J Blakey, G Bleasdale, D Boyes, P Brookes, J Brown, J Carr, J Chaplow, J Clare, J Clark, P Conway, J Cordon, K Corrigan, R Crute, K Davidson, M Davinson, K Dearden, M Dixon, S Forster, N Foster, B Glass, B Graham, J Gray, O Gunn, S Guy, J Hart, S Henig, K Henig, J Hillary, M Hodgson, K Hopper, L Hovvels, E Huntington, S Iveson, I Jewell, O Johnson, C Kay, A Laing, P Lawton, J Lee, J Lethbridge, H Liddle, R Lumsdon, J Maitland, L Marshall, C Marshall, J Maslin, P May, B Moir, S Morrison, A Napier, T Nearney, H Nicholson, A Patterson, T Pemberton, M Plews, M Potts, L Pounder, J Robinson, K Shaw, A Shield, H Smith, T Smith, M Stanton, P Stradling, A Surtees, P Taylor, L Taylor, R Todd, E Tomlinson, A Turner, J Turnbull, A Watson, M Williams, C Wilson, S Wilson and R Yorke.

Abstentions

None

The Amendment was **Lost**.

An amendment was **Moved** by Councillor R Bell, **Seconded** by Councillor J Rowlandson as follows:

Mindful of the facts that accepting the Government's Council Tax Freeze Grant for 2015/16 would give DCC £2.180m, and that a 1.99% Council Tax increase will generate additional Council Tax income of £3.398m in 2015/16, which is £1.218m more than the freeze grant option, this council considers that charging Council Taxpayers £3.398m to benefit DCC by £1.218m is unjustified.

And accordingly, in respect of the Cabinet's 2015/16 Revenue Budget, I move an amendment for the Council to freeze council tax and accept the government grant. This would cost an estimated £1,218,000 a year and would be funded by:

- *Stopping the publication of County Durham News from April 2015 but retaining the Events Guide and Guide to Services. This would produce an annual saving of £137,000.*
- *Reducing the level of Corporate Risk Contingency budget for one year only in 2015/16 by £1,081,000.*

The Corporate Risk Contingency budget would be replenished and augmented by 31 March 2016 by commencing in 2015 a programme of centralising all back office and support functions including:

- *Policy Planning and Performance (estimated full year effect saving £450,000)*
- *Administration/Business Support (estimated full year effect saving £450,000)*
- *Communications and Marketing (estimated full year effect saving £300,000)*

(Estimated full year effect total saving of £1,200,000).

For the Amendment

Councillors R Bell, G Holland, A Hopgood, N Martin, R Ormerod, J Rowlandson, A Shield, M Simmons, D Stoker, K Thompson, M Wilkes and S Zair

Against the Amendment

Councillors E Adam, J Allen, J Alvey, J Armstrong, A Batey, D Bell, E Bell, J Bell, H Bennett, J Blakey, G Bleasdale, P Brookes, J Brown, J Carr, J Chaplow, J Clare, J Clark, P Conway, J Cordon, K Corrigan, R Crute, K Davidson, M Davinson, K Dearden, M Dixon, S Forster, N Foster, B Glass, B Graham, J Gray, O Gunn, S Guy, J Hart, S Henig, K Henig, D Hicks, J Hillary, M Hodgson, K Hopper, L Hovvels, E Huntington, S Iveson, I Jewell, O Johnson, C Kay, A Laing, P Lawton, J Lee, J Lethbridge, H Liddle, R Lumsdon, J Maitland, L Marshall, C Marshall, J Maslin, P May, B Moir, S Morrison, A Napier, T Nearney, H Nicholson, A Patterson, T Pemberton, M Plews, C Potts, L Pounder, J Robinson, K Shaw, H Smith, T Smith,

M Stanton, P Stradling, A Surtees, P Taylor, L Taylor, R Todd, E Tomlinson, A Turner, J Turnbull, A Watson, M Williams, C Wilson, S Wilson and R Yorke.

Abstentions

Councillors A Savory and J Shuttleworth

The Amendment was **Lost**.

An amendment was **Moved** by Councillor A Hopgood, **Seconded** by Councillor N Martin as follows:

This Council agrees to accept the Government's 1% council tax freeze grant offer with the remaining £1.218m budget requirement being met from reducing:

- *CAS Demographic Hyper Inflation amount by £418,000*
- *Price Inflation by £800,000*

Estimated full year effect total saving of £1,218,000

For the Amendment

R Bell, G Holland, A Hopgood, N Martin, R Ormerod, J Rowlandson, A Shield, M Simmons, D Stoker, K Thompson, M Wilkes and S Zair

Against the Amendment

Councillors E Adam, J Allen, J Alvey, J Armstrong, A Batey, D Bell, E Bell, J Bell, H Bennett, J Blakey, G Bleasdale, P Brookes, J Brown, J Carr, J Chaplow, J Clare, J Clark, P Conway, J Cordon, K Corrigan, R Crute, K Davidson, M Davinson, K Dearden, M Dixon, S Forster, N Foster, B Glass, B Graham, J Gray, O Gunn, S Guy, J Hart, S Henig, K Henig, D Hicks, J Hillary, M Hodgson, K Hopper, L Hovvels, E Huntington, S Iveson, I Jewell, O Johnson, C Kay, A Laing, P Lawton, J Lee, J Lethbridge, H Liddle, R Lumsdon, J Maitland, L Marshall, C Marshall, J Maslin, P May, B Moir, S Morrison, A Napier, T Nearney, H Nicholson, A Patterson, T Pemberton, M Plews, C Potts, L Pounder, J Robinson, K Shaw, H Smith, T Smith, M Stanton, P Stradling, A Surtees, P Taylor, L Taylor, R Todd, E Tomlinson, A Turner, J Turnbull, A Watson, M Williams, C Wilson, S Wilson and R Yorke.

Abstentions

Councillors A Savory and J Shuttleworth

The Amendment was **Lost**.

An amendment was **Moved** by Councillor M Wilkes, **Seconded** by Councillor M Simmons as follows:

In order to begin to address the £90 million backlog in school repairs and maintenance this Council agrees to:

- 1) *Create a £1m loans pool fund and reinstate a process to provide long term loans to schools for up to 3% of the school's current year budget for repairs, maintenance and expansion or energy efficiency measures. This would work out to be on average:*

- £10,000 for nurseries
- £20,000 for primary schools
- £60,000 for special schools and
- £100,000 for secondary schools

2) *Provide a capital fund of £14m to provide grants to schools on a priority business case basis to improve our school buildings, enabling to draw on any available matched funding.*

To be paid for through the Unitisation of:

- *Policy Planning and Performance (estimated full year effect saving £450,000)*
- *Administration/Business Support (estimated full year effect saving £450,000)*
- *Communications and Marketing (estimated full year effect saving £300,000)*

Estimated full year effect total saving of £1,200,000 that will fund the £14m capital finance through prudential borrowing.

For the Amendment

Councillors R Bell, D Hicks, G Holland, A Hopgood, N Martin, J Maslin, P May, R Ormerod, J Rowlandson, A Savory, A Shield, J Shuttleworth, M Simmons, D Stoker, K Thompson, A Watson, M Wilkes and S Zair

Against the Amendment

Councillors E Adam, J Allen, J Alvey, J Armstrong, A Batey, D Bell, E Bell, J Bell, H Bennett, J Blakey, G Bleasdale, P Brookes, J Brown, J Carr, J Chaplow, J Clare, J Clark, P Conway, J Cordon, K Corrigan, R Crute, K Davidson, M Davinson, K Dearden, M Dixon, S Forster, N Foster, B Glass, B Graham, J Gray, O Gunn, S Guy, S Henig, K Henig, J Hillary, M Hodgson, K Hopper, L Hovvels, E Huntington, S Iveson, I Jewell, O Johnson, C Kay, A Laing, P Lawton, J Lee, J Lethbridge, H Liddle, R Lumsdon, J Maitland, L Marshall, C Marshall, B Moir, S Morrison, A Napier, T Nearney, H Nicholson, A Patterson, T Pemberton, M Plews, C Potts, L Pounder, J Robinson, K Shaw, H Smith, T Smith, M Stanton, P Stradling, A Surtees, P Taylor, L Taylor, R Todd, E Tomlinson, A Turner, J Turnbull, M Williams, C Wilson, S Wilson and R Yorke

Abstentions

None

The Amendment was **Lost**.

An amendment was **Moved** by Councillor R Ormerod, **Seconded** by Councillor D Stoker as follows:

This Council recognises that it can do more to improve its highways network and therefore agrees to fund a one off major investment of £18m into road and pavement capital works, and bid for Government Challenge Funding using this

additional Council funding as a match to support the bid to further increase this investment.

To be funded by reducing the number of corporate directors or equivalent from 5 to 3 and a corresponding reduction of 4 Heads of Service, 9 Tier 4 Managers and 4 Personal Assistants. These savings to be achieved over an extended period through voluntary redundancy and early retirement.

Estimated full year effect total saving of £1,500,000 that will fund the £18m capital finance through prudential borrowing.

For the Amendment

Councillors R Bell, G Holland, A Hopgood, N Martin, R Ormerod, J Rowlandson, A Shield, M Simmons, D Stoker and M Wilkes

Against the Amendment

Councillors E Adam, J Allen, J Alvey, J Armstrong, A Batey, D Bell, E Bell, J Bell, H Bennett, J Blakey, G Bleasdale, P Brookes, J Brown, J Carr, J Chaplow, J Clare, J Clark, P Conway, J Cordon, K Corrigan, R Crute, K Davidson, M Davinson, K Dearden, M Dixon, S Forster, N Foster, B Glass, B Graham, J Gray, O Gunn, S Guy, S Henig, K Henig, D Hicks, J Hillary, M Hodgson, K Hopper, L Hovvels, E Huntington, S Iveson, I Jewell, O Johnson, C Kay, A Laing, P Lawton, J Lee, J Lethbridge, H Liddle, R Lumsdon, J Maitland, L Marshall, C Marshall, J Maslin, P May, B Moir, S Morrison, A Napier, T Nearney, H Nicholson, A Patterson, T Pemberton, M Plews, C Potts, L Pounder, J Robinson, K Shaw, H Smith, T Smith, M Stanton, P Stradling, A Surtees, P Taylor, L Taylor, K Thompson, R Todd, E Tomlinson, A Turner, J Turnbull, A Watson, M Williams, C Wilson, S Wilson, R Yorke and S Zair

Abstentions

Councillors A Savory and J Shuttleworth

The Amendment was **Lost**.

An amendment was **Moved** by Councillor G Holland, **Seconded** by Councillor M Wilkes as follows:

This council agrees to:

- 1. Scrap the RES 22 saving of £85,235 in liability order court costs*
- 2. Utilise part of the welfare assistance budget so that the Council can ensure home visit work to the most vulnerable in our society who struggle with their finances*
- 3. Work to put in place a system which checks the status of council tax defaulters and cross references if they have been through our triage system*

To be funded by reducing the revenue contingency budget by £85,235 and by prioritising the welfare assistance budget.

For the Amendment

Councillors D Hicks, G Holland, A Hopgood, N Martin, P May, R Ormerod, A Shield, M Simmons, D Stoker, K Thompson, A Watson and M Wilkes

Against the Amendment

Councillors E Adam, J Allen, J Alvey, J Armstrong, A Batey, D Bell, E Bell, J Bell, H Bennett, J Blakey, G Bleasdale, P Brookes, J Brown, J Carr, J Chaplow, J Clare, J Clark, P Conway, J Cordon, K Corrigan, R Crute, K Davidson, M Davinson, K Dearden, M Dixon, S Forster, N Foster, B Glass, B Graham, J Gray, O Gunn, S Guy, S Henig, K Henig, J Hillary, M Hodgson, K Hopper, L Hovvels, E Huntington, S Iveson, I Jewell, O Johnson, C Kay, A Laing, P Lawton, J Lee, J Lethbridge, H Liddle, R Lumsdon, J Maitland, L Marshall, C Marshall, J Maslin, B Moir, S Morrison, A Napier, T Nearney, H Nicholson, A Patterson, T Pemberton, M Plews, C Potts, L Pounder, J Robinson, K Shaw, H Smith, T Smith, M Stanton, P Stradling, A Surtees, P Taylor, L Taylor, R Todd, E Tomlinson, A Turner, J Turnbull, M Williams, C Wilson, S Wilson, R Yorke and S Zair

Abstentions

Councillors R Bell, J Rowlandson, A Savory and J Shuttleworth

The Amendment was **Lost**.

A vote was then taken on the main Motion which was the recommendation detailed in the report.

For the Motion

Councillors E Adam, J Allen, J Alvey, J Armstrong, A Batey, D Bell, E Bell, J Bell, H Bennett, J Blakey, G Bleasdale, P Brookes, J Brown, J Carr, J Chaplow, J Clare, J Clark, P Conway, J Cordon, K Corrigan, R Crute, K Davidson, M Davinson, K Dearden, M Dixon, S Forster, N Foster, B Glass, B Graham, J Gray, O Gunn, S Guy, S Henig, K Henig, D Hicks, J Hillary, K Hopper, L Hovvels, E Huntington, S Iveson, I Jewell, O Johnson, C Kay, A Laing, P Lawton, J Lee, J Lethbridge, H Liddle, R Lumsdon, J Maitland, L Marshall, C Marshall, J Maslin, P May, B Moir, S Morrison, A Napier, T Nearney, H Nicholson, A Patterson, T Pemberton, M Plews, C Potts, L Pounder, J Robinson, A Savory, K Shaw, J Shuttleworth, H Smith, T Smith, M Stanton, P Stradling, A Surtees, P Taylor, L Taylor, R Todd, E Tomlinson, A Turner, J Turnbull, A Watson, M Williams, C Wilson, S Wilson and R Yorke

Against the Motion

Councillors R Bell, G Holland, A Hopgood, N Martin, R Ormerod, J Rowlandson, A Shield, M Simmons, D Stoker, K Thompson, M Wilkes and S Zair.

Abstentions

None

The Motion was **Carried**.

Resolved

That the report of the Cabinet and its recommendations be adopted in full, with the amendments to recommendation 211 (j), to read:-

Housing Revenue Account

- i. To set dwelling rents for 2015/16 in accordance with Government guidelines which result in an overall average increase of 2.2%;
- ii. To increase garage rents by 2.2% which is in line with CPI as at September 2014 plus 1 percentage point;
- iii. The notional HRA revenue and capital budgets;
- iv. To note the management fees for the four providers.

10 Council Tax setting in order to meet the County Council's Budget Requirement for 2015/16

The Council considered a report from Cabinet which detailed the information to calculate and set the Council tax for the Council's area for 2015/16 (for report see file of Minutes).

Moved by Councillor Henig, **Seconded** by Councillor Napier that the report of the Cabinet and its recommendations be adopted, and with it the setting of the Council Tax.

For the Motion

Councillors E Adam, J Allen, J Armstrong, A Batey, D Bell, E Bell, J Bell, H Bennett, J Blakey, G Bleasdale, P Brookes, J Brown, J Carr, J Chaplow, J Clare, P Conway, J Cordon, K Corrigan, R Crute, K Davidson, M Davinson, K Dearden, M Dixon, S Forster, N Foster, B Glass, B Graham, J Gray, O Gunn, S Guy, S Henig, K Henig, J Hillary, K Hopper, L Hovvells, E Huntington, S Iveson, I Jewell, O Johnson, A Laing, P Lawton, J Lee, J Lethbridge, H Liddle, R Lumsdon, J Maitland, C Marshall, P May, B Moir, B Napier, T Nearney, A Patterson, T Pemberton, M Plews, C Potts, L Pounder, J Robinson, A Savory, K Shaw, J Shuttleworth, H Smith, M Stanton, A Surtees, P Taylor, L Taylor, K Thompson, R Todd, E Tomlinson, J Turnbull, A Watson, M Williams, C Wilson, S Wilson, R Yorke and S Zair

Against the Motion

Councillors G Holland, A Hopgood, N Martin, R Ormerod, M Simmons, D Stoker and M Wilkes

Abstentions

Councillors R Bell and J Rowlandson

Resolved:

That the following be adopted:

- (a) It be noted that on 17 December 2014 the Cabinet calculated the Council Tax Base 2015/16;
- i) for the whole Council area as 130,493.0 band D equivalent properties [Item T in the formula in Section 31B of the Local Government Finance Act 1992 (as amended) and
 - ii) for dwellings in those parts of its area to which a Parish precept relates as in the attached Appendix 3.
- (b) The Council Tax Requirement for the Council's own purposes for 2015/16 (excluding Parish precepts and the Charter Trustees for the City of Durham) is £174,133,774.
- (c) The following amounts in accordance with Sections 30 to 36 of the Act:
- i) being the aggregate of the gross expenditure which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils is £1,192,986,341.
 - ii) being the aggregate of the gross income which the Council estimates for the items set out in Section 31A(3) of the Act is £1,007,931,906.
 - iii) being the amount by which the aggregate at (c) i) above exceeds the aggregate at (c) ii) above in accordance with Section 31A(4) of the Act as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act) is £185,054,435.
 - iv) being the amount at (c) iii) above (Item R), all divided by Item T ((a) i) above), in accordance with Section 31B of the Act as the basic amount of its Council Tax at Band D for the year (including Parish precepts is £1,418.12.
 - v) being the aggregate amount of all special items referred to in Section 34 (1) of the Act: (total of all Parish precepts including Charter Trustees) is £10,920,661.
 - vi) being the amount at (c) iv) above less the result given by dividing the amount at (c) v) above by Item T ((a) i) above), in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax at Band D for the year for dwellings in those parts of its area to which no Parish precept relates is £1,334.43.
- (d) It be noted that for 2015/16 County Durham and Darlington Fire and Rescue Authority has recommended the following amounts will be in

the precept issued to the County Council, in accordance with Section 40 of the Act, as shown in the table below:

COUNTY DURHAM AND DARLINGTON FIRE AND RESCUE AUTHORITY

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
62.64	73.08	83.52	93.96	114.84	135.72	156.60	187.92

- (e) It be noted that for 2015/16 Durham Police and Crime Commissioner has recommended that the following amounts will be in the precept issued to the County Council, in accordance with Section 40 of the Act, as shown in the table below:

DURHAM POLICE AND CRIME COMMISSIONER

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
108.49	126.57	144.65	162.73	198.89	235.05	271.22	325.46

- (f) The Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992 (as amended), hereby sets the aggregate amounts shown in the tables below as the amounts of Council Tax for 2015/16 for each part of its area and for each of the categories of dwellings.

DURHAM COUNTY COUNCIL

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
889.62	1,037.89	1,186.16	1,334.43	1,630.97	1,927.51	2,224.05	2,668.86

**AGGREGATE OF COUNCIL TAX REQUIREMENTS
(excluding Parish, Town Council and Charter Trustees)**

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
1,060.75	1,237.54	1,414.33	1,591.12	1,944.70	2,298.28	2,651.87	3,182.24

- (g) The Council has determined that its relevant basic amount of Council Tax for 2015/16 is not excessive in accordance with principles approved under Section 52ZB Local Government Finance Act 1992 (as amended) and that the increase in Council Tax is not excessive in accordance with the principles approved under Section 52ZC Local Government Finance Act 1992 (as amended).

- (h) As the billing authority, the Council has not been notified by County Durham and Darlington Fire and Rescue Authority and Durham Police and Crime Commissioner, as major precepting authorities, that their relevant basic amount of Council Tax for 2015/16 is excessive and that the billing authority is not required to hold a referendum in accordance with Section 52ZK Local Government Finance Act 1992 (as amended).
- (i) The County Council, in accordance with Section 11A (3) of the Act sets a 0% discount for Second and Empty Furnished Homes.
- (j) The County Council, in accordance with Section 11A (4A) of the Act sets a 0% discount for dwellings defined in Classes C or D.
- (k) The County Council, in accordance with Section 11B (1b) of the Act sets a 150% premium for Long Term Empty Homes for 2015/16.
- (l) The Chief Executive be instructed to publish a notice in accordance with Section 38 (2) of the Act, relating to the amounts of council tax set.
- (m) The Chief Executive be instructed to publish a notice in accordance with Section 11A (6) and 11B (6) of the Act, relating to the discount set.

11 The Requirement to set up a Local Pension Board

The Council noted a report of the Corporate Management Team which advised of the need for the Council, as the Administering Authority for the Durham County Council Pension Fund, to establish a Local Pension Board (for copy see file of Minutes).

The Head of Legal and Democratic Services advised of an amendment to paragraph 47 to delete the words 'Makes recommendation to Council'.

Moved by Councillor S Henig, **Seconded** by Councillor A Napier and

Resolved

- (a) That the establishment of the Local Pension Board be approved;
- (b) That the recruitment of the members of the LPB be delegated to the Corporate Director Resources in consultation with the members of the Pension Fund Committee;
- (c) That it be agreed that the recruitment of both the employer and scheme member representatives should involve an open and transparent process, with advertisements placed on the Council's website and employers being requested to publicise this to their employees and directing them to visit the Council's website;

- (d) That the terms of reference state that the LPB:-
- i. Assists the Administering Authority:-
 - To secure compliance with the Local Government Pension Scheme Regulations;
 - To secure compliance with other legislation relating to the governance and administration of the LGPS;
 - To secure compliance with the requirements imposed by the Regulator in relation to the LGPS;
 - To ensure the effective and efficient governance and administration of the LGPS.
 - ii. Complies with the requirements of a Constitution to be agreed by the Pension Fund Committee compliant with legislation and including the requirement to comply with a Code of Conduct;
 - iii. Meets at the frequency set out in the Constitution.
- (e) That the members of the LPB should not receive allowances but be reimbursed expenses at rates agreed by the Corporate Director of Resources in consultation with the Leader and Deputy Leader of the Council;
- (f) That the establishment of constitutional documents, codes, policies, plans, frameworks and protocols connected with the establishment and operation of the LPB be delegated to the Pension Fund Committee on the understanding that the Corporate Director of Resources and the Head of Legal and Democratic Services will prepare them for approval by the Committee.

12 Community Governance Review – Pelton and Newfield

The Council considered the report of the Head of Legal and Democratic Services which presented the draft terms of reference and consultation documents in relation to the Community Governance Review of Pelton and Newfield (for copy see file of Minutes).

Moved by Councillor S Henig, **Seconded** by Councillor J Cordon and

Resolved

That the draft terms of reference and consultation documents for the review of Pelton and Newfield, be approved.

13 Motions on Notice

There were no motions on notice.

14 Questions from Members

There were no questions from Members.

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1 April 2015

Report from the Cabinet



Purpose of the Report

To provide information to the Council on issues considered by the Cabinet on 18 March 2015 to enable Members to ask related questions.

Members are asked to table any questions on items in this report by 2 pm on 31 March 2015 in order for them to be displayed on the screens in the Council Chamber.

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18 March

- Item 1 Council Plan and Service Plans 2015-2018
Key Decision: CORP/A/03/15/1
- Item 2 School Admission Arrangements Academic Year 2016/2017
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- Item 3 Review of Children's Centres in County Durham
Key Decision: CAS10/13
- Item 4 Proposal to Change the Age Range of Shotley Bridge Infant School from 4-7 to 4-11 from 1 September 2015 to create a Primary School and to close Shotley Bridge Junior School as a separate school on 31 August 2015
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- Item 5 Performance Management in the third quarter 2014/15
- Item 6 Forecast of Revenue and Capital Outturn 2014/15 for General Fund and Housing Revenue Account – Period to 31 December 2014
- Item 7 Local Safeguarding Children Board Annual Report 2013/14
- Item 8 Care Act and Adult Social Care Transformation Update
- Item 9 A690 Milburngate Bridge – Major Maintenance

1. Council Plan and Service Plans 2015-2018
Key Decision: CORP/A/03/15/1
Leader of the Council – Councillor Simon Henig
Contact – Tom Gorman 03000 268027

We have considered a report of the Assistant Chief Executive on the Council Plan and Service Plans for 2015-18. The Council Plan is the overarching high level plan for the County Council and details Durham County Council's contribution towards achieving the objectives set out in the Sustainable Community Strategy (SCS) together with its own change agenda. It has been developed at a time of unprecedented reductions in finance and also as an agenda of significant policy change over all areas of council services. It covers a three year timeframe in line with the council's Medium Term Financial Plan (MTFP) and sets out how corporate priorities and key actions will be delivered to support the longer term goals set out in the SCS. A set of draft objectives and outcomes around which the Council Plan is structured was agreed at Cabinet on 17 December 2014. The report proposed minor changes and rationalisation to some outcomes and these changes were detailed in the report.

Decision

We have:

- Agreed the content of the draft Council Plan and recommended it for approval by full Council on 1 April 2015, subject to any final minor amendments by the Assistant Chief Executive.
- Approved the content of the draft service plans, subject to any final minor amendments by the relevant Corporate Director and Portfolio Holder.

2. School Admission Arrangements Academic Year 2016/2017
Key Decision: CAS/02/14
Cabinet Portfolio Holder – Councillor Ossie Johnson
Contact – Jane Jack 03000 265879

We have considered a report of the Corporate Director, Children and Adults Services which provided details of the proposed admission arrangements for Community and Voluntary Controlled Schools for the 2016/17 academic year. It is a mandatory requirement of the national School Admissions Code that all schools must have admission arrangements that clearly set out how children will be admitted, including the criteria that will be applied if there are more applications than places at the school (oversubscription). Admission arrangements are determined by admission authorities. The Local Authority is the admission authority for Community and Voluntary Controlled Schools. All admission authorities must agree admission arrangements annually. Where changes are proposed to admission arrangements the admission authority must first consult on those arrangements. No changes to the proposed current admission arrangements for Community and Voluntary Controlled schools required public consultation, other than it was proposed that one school, Langley Moor Primary, had a reduction in the admission number to 30 (previously 34) for the purposes of efficient and effective curriculum delivery. The proposed admission number for each Community and Voluntary Controlled School was detailed in the report.

Last year, the government proposed specific, limited revisions to the current national School Admissions Code and, following a 10-week public consultation on the proposed changes, revised regulations and Code came into force on 19 December 2014. The main changes are related to the oversubscription criteria which are used to allocate places when there are more applications for places than those available. The changes allow admission authorities to give priority in their admission arrangements to children eligible for the pupil premium or the service premium and to give priority to children eligible for the early years pupil premium, the pupil premium or the service premium if they attend a nursery. There is no requirement for Admissions Authorities to include these changes if they do not wish to do so. Durham is already very successful at meeting parental preference and it would be unlikely that changing the oversubscription criteria would improve the percentage of first preferences met. The Council's Admissions Forum considered the government's revisions to the code but agreed that it would not be appropriate to include these changes into the Council's oversubscription criteria.

Decision

We have approved the following in respect of Community and Voluntary narry Contrlled schools, when deterring the admission arrangements for 2016/17:-

- The admission numbers as recommended in Appendix 2 of the report.
- The current admission arrangements as detailed in Appendix 3 of the report.

3. Review of Children's Centres in County Durham

Key Decision: CAS10/13

Cabinet Portfolio Holder – Councillor Ossie Johnson

Contact – Carole Payne 03000 268983

We have considered a report of the Corporate Director, Children and Adults Services which reported on the outcome of the consultation carried out between 31 July 2014 and 23 October 2014 on the future of Children's Centre services in County Durham and made final recommendations on the future of Children's Centre buildings and future service model.

The Early Years Strategy, agreed by Cabinet in March 2014, acknowledged the importance of the early years with a child's experiences pre-birth to the age of five having a major impact on their resilience and future life chances. In County Durham during 2013-2014, 45% of all children who were made subject of a Child Protection Plan were under 5 years old; the most significant reason for this was as a result of neglect.

The impact on the development of these children is likely to be significant and necessitates a greater focus on identifying and supporting parents who are raising their children in circumstances which do not maximise their potential.

Early indications show that, in accordance with the principles contained in the Early Years Strategy presented to Cabinet in March 2014, the implementation of a more targeted approach is impacting positively on outcomes for children. However, a full

review of the Children's Centre service delivery model has been required to make sure effective use is made of the Council's resources in order to achieve maximum impact.

On 16 July 2014, we agreed to consult on 2 proposals on the future of Children's Centre services:

- The Community Delivery Model
- The 43 Children's Centres and the 15 that it is proposed to retain

The One Point Service currently manages the 43 Children's Centres. Each of the centres covers a defined geographical area and provides a range of services to families within the "reach" area. The "reach" refers to the total number of children under the age of 5 who live within the geographical area covered by the centre. The 43 Children's Centres are currently grouped into 15 clusters and details of these along with the number of 0-4 year olds served, including those in the top 30% most deprived areas that are within each locality were set out in Appendix 2 of the report.

The consultation outlined two proposals:

The Community Delivery Model – Putting services closer to families

The consultation proposed the development of a Community Delivery Model which would take services closer to where children and families live and also make better use of community buildings. This model would benefit children and families by ensuring services were more easily accessible by delivering services in community venues which they may already access, for example schools, libraries, community centres and leisure centres. Implementing this model would provide a more flexible way of delivering services to meet the changing needs of communities without the current constraints of having 43 fixed Children's Centre buildings.

During the consultation, a range of stakeholders, including Area Action Partnerships, County Councillors and members of Local Advisory Boards identified and recommended community venues suitable for the delivery of Children's Centre services details of which were contained in Appendix 5 of the report. 52% of all questionnaire respondents thought there would either be no difference or a positive or very positive impact on the proposal regarding the Community Delivery Model and 48% thought there would be a negative or very negative impact. Analysis was carried out for each of the 15 cluster areas identifying the percentage of households that are within 1 mile of their nearest potential outreach venue and it was found that between 95% and 99% of all households were able to access a potential recommended community venue.

During the consultation period, a group of four pilot sites were identified to provide an early opportunity to test the Community Delivery Model and these pilots informed the development of the required agreements between the Council and school and academies. The pilots demonstrated that the new way of delivering services did not lead to a reduction in service delivery.

Children's Centres and the 15 it is proposed to retain

It was proposed to retain one Children's Centre building in each cluster, thereby reducing the number of centres from 43 to 15. These 15 centres, alongside an extensive and flexible network of community venues would deliver services across each cluster and where possible, provide a base for staff. A range of factors informed the proposals regarding which centres should be retained. Within each cluster, these factors were considered and the centre that represented the 'best fit' was proposed. The range of factors and the 15 Children's Centres proposed to retain were included in Appendix 6 of the report.

Cabinet agreed to a 12 week public consultation on the 16 July 2014 and the full consultation plan was included in the report at Appendix 7. The consultation process was scrutinised by the Overview and Scrutiny Management Board on 18 December 2014. The Board was satisfied that that the process addressed equality and diversity issues and ensured all stakeholders were able to fully participate in the consultation. The questionnaire submissions and qualitative feedback from the various stakeholder meetings, together with a range of statistical data was reviewed and analysed for each of the 15 cluster areas. This analysis informed final recommendations for all of the Children's Centre clusters. The final recommendations are based on an overall analysis of all of the information and this supported 14 of the 15 original proposals.

The following conclusions were reached and informed the recommendations to us:-

- There was overall support for the Community Delivery Model;
- There was broad support for 14 of the 15 Centres it has been proposed to retain;
- A robust analysis of consultation findings and data relating to each of the Children's Centre cluster areas informed the final recommendations regarding which of the 43 Children's Centres to retain;
- Programmes outlining service delivery in the proposed new model will provide assurance of ongoing provision;
- There are sufficient community venues to deliver the proposed model;
- Four pilot projects confirmed that Children's Centre buildings can remain viable in alternative use whilst Children's Centre services are delivered to the same level through community venues;
- A strengthening of a targeted approach will support improved outcomes;
- Through the local consultation processes a number of common themes have emerged, all of which can be addressed through a range of mitigating actions.

Decision

Based on the outcomes of the consultation process, we have agreed the following recommendations:

1. To the implementation of the Community Delivery Model which will ensure the delivery of the full Children's Centre Core Purpose across a range of venues improving accessibility for children and families.

2. To the retention of the 15 Children’s Centres set out in the table below, these recommendations have been arrived at following a full consideration of the responses received during the consultation period, a review of the data, suitability of the retained centre and available alternative community venues within those areas where the Children’s Centres are proposed for transfer.

CLUSTER	CENTRE RECOMMENDED TO RETAIN:
Consett	Moorside Children’s Centre
Stanley	Stanley Children’s Centre
Chester-le-Street	Bullion Lane Children’s Centre
Deerness Valley	Brandon Children’s Centre
Durham	Laurel Avenue Children’s Centre
Easington	Easington Children’s Centre
Seaham	Seaham Children’s Centre
Peterlee East	Horden Children’s Centre
Peterlee Central	Seascape Children’s Centre
Peterlee West	Wheatley Hill Children’s Centre
Ferryhill	Dean Bank Children’s Centre
Spennymoor	Tudhoe Moor Children’s Centre
Newton Aycliffe	Newton Aycliffe Children’s Centre
Bishop Auckland	Woodhouse Children’s Centre
Durham Dales	Willington Children’s Centre

3. To delegate authority to the Corporate Director of Children and Adult Services and the Portfolio Holder for Children’s Services to determine the alternative providers for the 28 Children’s Centre buildings that will no longer be designated as Children’s Centres:

CLUSTER	CENTRE(S) TO BE DE-DESIGNATED
Consett	Benfieldside Children’s Centre Leadgate Children’s Centre
Stanley	Catchgate Children’s Centre Craghead Children’s Centre Burnhope Children’s Centre
Chester-le-Street	Pelton Children’s Centre
Deerness Valley	Ushaw Moor Children’s Centre Sacriston Children’s Centre
Durham	Sherburn Hill Children’s Centre Kelloe Children’s Centre
Easington	Murton Children’s Centre
Seaham	n/a
Peterlee East	Blackhall Children’s Centre
Peterlee Central	Howletch Children’s Centre Dene House Children’s Centre
Peterlee West	Wingate Children’s Centre Haswell Children’s Centre Shotton Children’s Centre Thornley Children’s Centre

Ferryhill	Chilton Children's Centre Fishburn Children's Centre
Spennymoor	Middlestone Moor Children's Centre Cornforth Children's Centre
Newton Aycliffe	Shildon Children's Centre
Bishop Auckland	St. Helen Auckland Children's Centre Coundon Children's Centre
Durham Dales	Stanhope Children's Centre Evenwood Children's Centre Middleton-in-Teesdale Children's Centre

- 4. Proposal to Change the Age Range of Shotley Bridge Infant School from 4-7 to 4-11 from 1 September 2015 to create a Primary School and to close Shotley Bridge Junior School as a separate school on 31 August 2015**
Key Decision: CAS/06/14
Cabinet Portfolio Holder – Councillor Ossie Johnson
Contact – Sheila Palmerley 03000 265731

We have considered a report of the Corporate Director, Children and Adults Services which sought approval to change the age range of Shotley Bridge Infant School from 4-7 to 4-11 from 1 September 2015 to create a Primary School and to close Shotley Bridge Junior School as a separate school on 31 August 2015 taking account of the Local Authority's duties as prescribed in the Education and Inspections Act 2006 to secure sufficient places, and to secure good outcomes for all children and young people in their local area.

Discussions with Shotley Bridge Infant and Junior schools about a possible amalgamation began in November 2014.

Following these initial discussions, using delegated powers, the Corporate Director, Children and Adults Services approved the commencement of consultation on the proposal to change the age range of Shotley Bridge Infant School from 4-7 to 4-11 from 1 September 2015 to create a Primary School and to close Shotley Bridge Junior School as a separate school on 31 August 2015. Consultation was undertaken between 20 November and 23 December 2014. A full summary of the consultation responses was included in the report at Appendix 2. The large majority were in support of the proposal. After full consideration of all the responses to the consultation, the Corporate Director, Children and Adults Services published proposals to change the age range of Shotley Bridge Infant School from 4-7 to 4-11 from 1 September 2015 to create a Primary School and to close Shotley Bridge Junior School as a separate school on 31 August 2015. A statutory notice was therefore published on 8 January 2015. There followed a statutory 4 week representation period during which comments on the proposal were made. 3 responses were received by the end of the 4 week statutory notice period, 2 in support of the proposal and 1 objecting to the proposal. Those respondents supporting the proposal stated that a Primary School would benefit the children of the Infant and Junior Schools and provide continuity of leadership. The respondent objecting to the proposal did so on the grounds that it will lead to increased traffic

and pedestrian congestion. These matters were referred to the Council's Highways Department.

Officers believe that educationally the proposal to change the age range of Shotley Bridge Infant School from 4-7 to 4-11 to create a Primary School and to close Shotley Bridge Junior School as a separate school is in the best interests of pupils and their families. The most recent Ofsted reports judged Shotley Bridge Infant School as "good" and Shotley Bridge Junior School as "requires improvement". Pupils at Shotley Bridge Infant School have high attainment and outstanding achievement and standards at the end of Key Stage 1 are well above average in all subjects. The proposal for one Primary School will build on this and allow for pupils' progress to be consistently monitored across Key Stage 1 and 2 as a single school.

No pupils will be displaced by the proposal. Capital funding in the region of £50,000 will be required to upgrade the ICT provision and provide appropriate signage. An additional classroom and work to improve safeguarding of pupils at the junior building will also be carried out at a cost of approximately £450,000. The School Capital Maintenance Grant allocated to the LA from the DfE would provide this funding.

Decision

We have agreed:

1. That the age range of Shotley Bridge Infant School be changed from 4-7 to 4-11 from 1 September 2015 to create a Primary School; and
2. That Shotley Bridge Junior School should close as a separate school on 31 August 2015.

5. Performance Management Quarter 3 2014/15 Leader of the Council – Councillor Simon Henig Contact – Jenny Haworth 03000 268071

We have considered a report of the Assistant Chief Executive which presented progress against the council's corporate basket of performance indicators and reported other significant performance issues for the third quarter of 2014/15 covering the period October to December 2014.

The report incorporated a stronger focus on volume measures in performance framework. Charts detailing some of the key volume measures which form part of the council's corporate basket of performance indicators were presented in the report. A corporate performance indicator guide has been produced which provides full details of indicator definitions and data sources.

The county continues to be affected by lower than average employment levels, however, there continues to be good progress made in many areas. Issues which continue to affect performance across County Durham are significant challenges in the underlying health picture in the county. The council has observed slight reductions in demand for some key areas this quarter such as planning applications, benefit claims and change of circumstances, face to face contacts, and telephone

calls received and in requests for information under the Freedom of Information Act or Environmental Information Regulations. Although the number of fly-tipping incidents reported has reduced slightly from the previous quarter, volume remains high compared with the same period last year. Increased demand has been evident in the number of people rehoused and children in need referrals.

Decision

We have:

1. Noted the performance of the council at quarter 3 and the actions to remedy under performance.
2. Agreed all changes to the Council Plan outlined below:

Altogether Wealthier

- i. Delay the completion date for the County Durham Plan, due September 2014.
- ii. Provision of new car park spaces at North Bondgate due September 2015. Revised date: November 2015.
- iii. Bring empty homes in the north of the county back into use through a programme of targeted support due March 2015. Revised date: April 2015.

Altogether Better for Children and Young People

- iv. Having an integrated approach across the council, so that joint planning and delivery enables communities and individuals to optimise their health and life opportunities due September 2014. Revised date: September 2015.
- v. Adopt the Council's approach to determining the distribution and range of fixed play equipment across the county due December 2014. Revised date: April 2015.

Altogether Greener

- vi. Deliver the Waste Transfer Stations Capital Improvement Programme: Annfield Plain (Stanley) and Heighington Lane (Newton Aycliffe) due December 2014. Revised date: March 2015
- vii. Increase community ownership and involvement in the management of allotments due December 2014. Revised date: December 2015

Altogether Better Council

- viii. Deliver and complete the current accommodation programme for council buildings due February 2016. Revised date: April 2016

6. Forecast of Revenue and Capital Outturn 2014/15 for General Fund and Housing Revenue Account – Period to 31 December 2014
Deputy Leader of the Council – Councillor Alan Napier
Contact – Jeff Garfoot 03000 261946

We have considered a report of the Corporate Director, Resources which provided us with an updated forecast of 2014/15 revenue and capital outturn, based on the period to 31 December 2014 for the Council's General Fund and Housing Revenue Account. The report also included the updated forecasts for the Council Tax Collection Fund and Business Rates Collection Fund. This report updated previous information presented to us on 19 November 2014 that showed the forecasted revenue and capital outturn based on expenditure and income up to 30 September 2014 and incorporated the recommended changes to cash limits within Service Groupings agreed at that time, providing an update to these forecasts and revised forecast balances on general and earmarked reserves at 31 March 2015. The report also provided an update on the Collection Fund in terms of Council Tax and Business Rates forecast outturn.

Revenue - Updated Forecast Based on Position to 31 December 2014

The following adjustments were made to the Original Budget that was agreed by Full Council in February 2014:

- (i) agreed budget transfers between Service Groupings;
- (ii) additions to budget for items outside the cash limit (for Cabinet approval);
- (iii) planned use of or contribution to Earmarked Reserves.

Capital

A revised General Fund (GF) capital budget for 2014/15 was agreed as at £166.292m by Council on 26 February 2014. The 2014/15 Housing Revenue Account (HRA) Capital budget of £50.489m was also approved by Council on 26 February 2014. The Council's Member Officer Working Group (MOWG), which closely monitors the capital programme, has since recommended for approval a small number of further revisions to the capital programme, taking into account additional resources received by the authority and further requests for re-profiling as Service Management Teams continue to monitor and review their capital schemes. These revisions were included in the report.

Decision

We have:

- Noted the projected change in the Council's overall financial position for 2014/15
- Agreed the proposed 'sums outside the cash limit' for approval
- Agreed the revenue and capital budget adjustments
- Noted the forecast use of Earmarked Reserves.
- Noted the forecast end of year position for the Cash Limit and General Reserves.

- Agreed that Schools be advised of the need to have minimum and maximum balances at 31 March as detailed in the report.
- Noted the position for the Housing Revenue Account, Capital Programme and the Collection Funds in respect of Council Tax and Business Rates.

**7. Local Safeguarding Children Board Annual Report
Cabinet Portfolio Holder- Councillor Ossie Johnson
Contact – Carole Payne 03000 268657**

We have considered a report of the Corporate Director, Children and Adults Services which provided information in respect of the Annual Report of the County Durham Local Safeguarding Children Board. The report detailed the work of multi-agency partners to ensure effective arrangements are in place to safeguard and protect vulnerable children and young people from abuse and neglect. The report set out achievements in 2013/14 and priorities and challenges for 2015/16.

Durham Safeguarding Children Board (LSCB) is a statutory body established under the Children Act 2004. It is independently chaired (as required by statute) and consists of senior representatives of all the principle stakeholders working together to safeguard children and young people in Durham.

Its statutory objectives are as follows:

- Coordinate local work to safeguard and promote the welfare of children
- Ensure the effectiveness of its work

The LSCB Chair works closely with all LSCB partners and particularly with the Corporate Director of Children and Adult Services (under Section 18 of the Children Act 2004). Statutory Partner Agencies, which includes both all the health commissioning bodies and provider bodies, the police, probation and the council, are under a duty to co-operate with the Board and those accountabilities are defined in Working Together to Safeguard Children 2013 and the NHS Accountability Framework.

The Board has no service delivery functions, however, it is required to inform (through its co-ordination and effectiveness responsibilities) the commissioning intentions of partner agencies, It is also required to monitor, quality assure and evaluate the quality and effectiveness of the services commissioned and delivered in the local area. Working Together (2013) requires each Local Safeguarding Children Board to produce and publish an Annual Report evaluating the effectiveness of safeguarding in the local area. The Durham LSCB report, which was attached to the report as an Appendix, is also shared with LSCB partner agency senior management teams. The report sets out the achievements and progress made during 2013/14 and identifies the challenges facing the Board in 2015/16.

The LSCB continues to work on a range of issues as part of its ongoing work but has agreed to focus additional work in 2014/15 on the following priorities;

- Information sharing - as this remained a critical issue from Serious Case Reviews both national and local.
- Early Help - the Board recognized early help as the key priority area for making significant impact on outcomes for children. Working Together identifies this as an area where LSCBs need to bring more challenge to partners to demonstrate that families are receiving help at an earlier stage before matters escalate

In October 2004 the LSCB commissioned the Local government Association (LGA) to undertake a Peer Review of the LSCB to support the Board in making continuous improvement based on its self-assessment in early 2014. Following the Peer Review an action plan was developed. Specific work is ongoing to raise the profile of the board through a number of activities and in different forums. The LSCB has conducted a number of development sessions for partner agencies which has led to the strengthening of the membership and governance arrangements. A revised set of priorities, new work streams and subgroups have been agreed to take forward the ambitious work plan.

Decision

We have:

- Agreed to exercise its role in scrutinising safeguarding practice in Durham through receiving this report and thereby contributing to the governance of safeguarding.
- Noted the range of work that is taking place to safeguard children in county Durham, and the continued challenges, developments and achievements in this critical area of work.
- Noted the positive outcome of the Peer review and the work undertaken to make the improvements required.

8. Care Act and Adult Social Care Transformation Update Cabinet Portfolio Holders- Councillors Lucy Hovvels, and Morris Nicholls Contact – Lesley Jeavons- 03000 267354

We have considered a report of the Corporate Director, Children and Adults Services which provided an update to us on the national and local developments in relation to the implementation of the Care Act and the transformation of Adult Care services. Over the past year, Adult Care services in County Durham have undergone a programme of transformational change which has now been subsumed in the preparative work for the implementation of the Care Act in April 2015. On 15th October 2014, we received a report detailing the duties and responsibilities in the Care Act 2014 and outlining how the adult social care reforms are being implemented in Durham.

The report provided an overview of the Act and other National Guidance and Regulations, explained the challenges presented by the Care Act and described the funding for its implementation.

The Transformation Strategy, was developed in line with the County Durham Joint Health and Wellbeing Strategy (JHWS) which informs and influences decisions about health and social care services in County Durham, so that they are focused on the needs of the people who use them and tackle the factors that affect health and wellbeing. The strategy sets out how adult care will be transformed in County Durham by March 2015. It describes how new ways of working will be improved and developed to meet the challenges of a changing environment and meet the future needs of communities. The Strategy explains that work will be undertaken in collaboration with internal and external partners to deliver changes and increase the resilience of individuals, families and communities and stimulate wider non-statutory services within the community.

To date the transformation programme within Adult Care Services has led to a number of service improvements and improved efficiencies. Over the last year by working together with health colleagues to integrate services, performance has improved in supporting people from requiring long-term care. There is a need to further encourage and embed cultural change across the whole of the Adult Care Service.

The introduction of the Care Act will lead to a potential increase in the number of self-funders (people who fund their own care) and carers that present themselves to the local authority for assessment. This will lead to additional demand on Adult Care services. A decision by the Supreme Court in March 2014 to broaden the circumstances of what constituted a Deprivation of Liberty Safeguard (DOLS) presented a significant increase in the number of DOLS cases both nationally and locally. This is expected to continue and place increasing pressures on operational teams.

There is uncertainty over the totality of the Care Act costs due to an absence of information around 2016/17 funding and beyond. Local authorities are being asked to participate in a national costing exercise to determine the potential financial impact of the proposed changes with effect from 1 April 2016. Durham has established a number of regional links in relation to the Care Act implementation and representatives from the service attend regional task and finish groups.

Since the coalition government came into power, a number of key national policies have been announced, relating to the transformation of adult social care services and these were detailed in the report. Future work will include:

- To ensure that the local authority implements the duties and requirements of the Care Act which come into force on 1st April 2015.
- Further redesign the delivery of Adult Social Care Services.
- Building on the use of new technology to allow more flexibility and responsiveness in the delivery of services to clients.

- Ensuring the duties on prevention and wellbeing run through the whole service system from information and advice to Social Care Direct through to the specialist teams.

Decision

We have noted the contents of the report and agreed to receive further updates in relation to Care Act implementation on a six monthly basis.

9. A690 Milburngate Bridge – Major Maintenance Cabinet Portfolio Holder- Councillor Brian Stephens Contact – John Reed 03000 267454

We have considered a report of the Corporate Director, Neighbourhood Services which detailed proposals to undertake major maintenance at Milburngate Bridge and the implications this will have on the highway network. Milburngate Bridge carries the A690 over the River Wear within the City of Durham. The A690 over the bridge is the most heavily trafficked non-trunk road in County Durham carrying an average daily traffic flow of approximately 48,000 vehicles.

In 1996 Milburngate Bridge underwent a major refurbishment scheme. In 2013 it was noted that the carriageway movement joints on the bridge had failed and could be seen to be moving under heavy wheel loads. The bridge is safe and the proposed work is routine maintenance. The carriageway drainage channels on either side of the road have also been identified as beyond economic repair. Detailed inspections have been carried out which confirmed that maintenance works are required. The deck waterproofing has a service life of approximately 20 years. The existing system is approaching this 20 year limit. It is therefore proposed to replace this system as part of the maintenance scheme to minimise any further disruption in Durham City. On completion of the maintenance works the bridge should not require any major maintenance for approximately 15 to 20 years.

A number of meetings were held between officers of Neighbourhood Services, Regeneration & Economic Development and Durham Constabulary to discuss possible options and the potential impact on the road network in and around Durham City during the works. Three options were considered which were then modelled by the Strategic Traffic team to determine the impact on traffic flows around the city. This enabled Highway Services to further develop the proposals to determine the implications of the works and the estimated durations for each option.

Option 1: Full Closure (including footways) - Estimated Duration 27 days

The work would involve a full closure of the bridge for both vehicles and pedestrians. A full diversion route would need to be identified for traffic travelling in both directions. This option would have the shortest duration of disruption (27 days) with maximum scope for slippage due to weather. Completion would be within the 6 weeks school holidays. This option was determined to be the most cost effective option however there would be no vehicular or pedestrian access across the bridge.

Option 2: One Lane Open Eastbound - Estimated Duration 40 days

Following an initial traffic modelling exercise based on school holiday traffic flows, in addition to a 75% reduction of A690 through traffic (high level estimate) the option to maintain one lane open in a westbound direction was dismissed. This was due to diverted eastbound traffic conflicting with westbound traffic at Leazes Bowl and having to give way causing extensive delays and queues.

Option 3: One Lane Open in Each Direction - Estimated Duration 43 days

This option would require the works to be undertaken in a number of phases. Although the bridge would remain open in both directions there would potentially be delays in crossing the bridge. It is therefore anticipated that some drivers will use alternative routes in order to try and avoid any disruption. This option was considered by Durham Constabulary and Strategic Traffic to be their preferred option. Effective communication will be required with all stakeholders during development of the scheme including the community and road users. Mitigation measures would be implemented to mitigate the impact on the road network during the works.

The report proposed a start date for the works of Sunday, 12th July 2015, (following the Miners Gala) with an estimated completion date of Sunday, 30th August 2015. All other planned maintenance/utility works within Durham City and its surrounding area would be programmed to ensure that further disruption to the highway network does not occur during the bridge works.

A recent inspection has potentially identified that works may be required to Claypath Bridge in 2015. A detailed survey and assessment is to be undertaken to determine the full extent of the works. If it is feasible, these works will be carried out concurrently with the Milburngate Bridge works to avoid further disruption in the future.

The scheme is expected to cost up to £1 million and will be funded from the 2015/16 LTP Highways Capital Maintenance budget.

Decision

We have approved the progression of Option 3 including engagement with stakeholders.

**Councillor S Henig
Leader of the County Council**

24 March 2015

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County Council

1 April 2015



Council Plan and Service Plans 2015 - 2018

Lorraine O'Donnell, Assistant Chief Executive
Simon Henig, Leader of the Council

Purpose of the Report

- 1 To seek approval by Council of the Council Plan 2015-18 (attached as Appendix 3)

Background

- 2 The Council Plan is the overarching high level plan for the County Council and details Durham County Council's contribution towards achieving the objectives set out in the Sustainable Community Strategy (SCS) together with its own change agenda. It aims to provide a readable and accessible summary for members, partners and the public of our priorities for the county and the main things that we will do over the coming three years.
- 3 It has been developed at a time of unprecedented reductions in finance and also an agenda of significant policy change over all areas of council services. It covers a three year timeframe in line with the council's Medium-Term Financial Plan (MTFP) and sets out how we will deliver our corporate priorities and the key actions we will take to support the longer term goals set out in the SCS.
- 4 The Council Plan is underpinned by a series of Service Plans at a service grouping level. Service Plans provide more detailed information on the actions we are taking to deliver the Council's priorities, plus actions required to deliver other service specific priorities. They have been prepared to a standard format and provide more detailed information on service context, details of strategic links, key actions, additional resources required and reference to relevant risks

Council Plan 2015 – 2018

- 5 This year's council plan rolls forward the 2014 -17 plan, updating it to reflect emerging priorities and the results of the latest MTFP and budget plans. Whilst this has resulted in changes to some of the outcomes and action areas there are no fundamental changes at a strategic level. The five key altogether

better themes remain unchanged in line with the review of the Altogether Better Durham vision by the County Durham Partnership

- 6 Both the Sustainable Community Strategy and Council Plan are structured around the five priority themes for Durham which are:
 - **Altogether wealthier** – focused on creating a vibrant economy and putting regeneration and economic development at the heart of what we do;
 - **Altogether better for children and young people** – enabling children and young people to develop and achieve their aspirations and to maximise their potential in line with Every Child Matters;
 - **Altogether healthier** – improving health and wellbeing;
 - **Altogether greener** – ensuring an attractive and ‘liveable’ local environment and contributing to tackling global environmental challenges;
 - **Altogether safer** – creating a safer and more cohesive community.

- 7 An additional theme of an **Altogether Better Council** has been developed for the Council Plan to capture corporate improvements that the Council has identified that it wants to make in order to enable achievement against the five priority themes.

- 8 Despite the unprecedented reductions in financial support from the Government, the focus of the Council’s and partners’ ambitions remains the same. This vision and the objectives developed for each of the five Altogether priority themes within the Sustainable Community Strategy still articulate what the Council and partners want to achieve

- 9 A more narrative style has been adopted for this year’s Council Plan. The document has in previous years contained action plans detailing the key things that the Council intended to implement under each of the Altogether themes over the forthcoming three years. These have been removed but are described in the text of the Plan. They are highlighted as emboldened text in the relevant Altogether sections to the document. Each of these items is linked through our performance management framework to an action or series of actions contained within our Service Plans to enable quarterly monitoring of progress.

- 10 The Council Plan details the objectives and outcomes that we aspire to achieve. These priorities have been developed following an analysis of national and local priorities, performance issues, feedback from residents and customers and risks. Our identified priorities represent the needs of our residents and customers and aspirations that we have for the county. A report on the Medium Term Financial Plan presented to Cabinet on 11th February 2015 set out how revenue and capital resources have been aligned to the priority themes within the Council Plan and how consultation data has been used to shape these priorities and resourcing decisions.

Service Plans

- 11 Each service grouping has developed their own Service Plan to cover the forthcoming three years. These Plans have been prepared to an agreed format, which have been developed collectively to reduce overlap. These plans set out the priorities for each service grouping. Action plans for each service area contained within these Plans are designed to achieve service priorities which in turn, contribute to corporate priority themes of the Council.

Changes to the Current Council Plan

- 12 A set of draft objectives and outcomes around which the Council Plan has been developed was agreed at Cabinet on 17 December 2014. This report proposed minor wording changes and rationalisation to some of our current outcomes to better clarify what the council is setting out to achieve and reduce duplication. Following consultation with members, an additional objective (Casualty reduction) and outcome were added to the Altogether Safer priority theme to reflect findings of a scrutiny review into road safety and a Cabinet decision to introduce 20mph speed limits around hot spot areas near schools.
- 13 The Council Plan contains a number of references to the actions contained within the County Durham Plan. At the time of writing the Council Plan we had just received the interim report from the Planning Inspectorate on the County Durham Plan. A key piece of work will be to consider the interim report and establish next stages in developing the County Durham Plan.

Further Work

- 14 Work is underway to review the corporate basket of indicators used to monitor council performance. New targets are also being developed for the forthcoming years which we use to measure our success in achieving the priorities set out in the Council Plan. This work will be completed over the next couple of months. The final corporate indicator set and relevant targets will be considered by Cabinet on 10th June.

Risk Management

- 15 Any new risks associated with actions contained within Service Plans are identified as part of the service planning process. Actions contained within the Council Plan are risk managed through the inclusion of the relevant risk references within the Plan. These risks are reported on through the Council's risk management processes to the Council's Audit Committee and to Cabinet via performance management reports.

Recommendations and reasons

- 16 The County Council is recommended to approve the Council Plan 2015-2018 as its key strategic document, which sets out our vision and priorities for

improvement, subject to any final amendments by the Assistant Chief Executive in consultation with the relevant portfolio holders(s).

Background papers

Council Plan 2015 -18 (attached)

Contact: Tom Gorman Tel: 03000 268027

Appendix 1: Implications

Finance - The Council Plan sets out the corporate priorities of the Council for the next 3 years. The Medium Term Financial Plan aligns revenue and capital investment to priorities within the Council Plan

Staffing - The Council's strategies are being aligned to achievement of the corporate priorities contained within the Council Plan.

Risk - Consideration of risk is a key element in the corporate and service planning framework with both the Council Plan and Service Plans containing sections on risk.

Equality and Diversity / Public Sector Equality Duty - Individual equality impact assessments have been prepared for each savings proposal within the Council Plan. The cumulative impact of all savings proposals in total has also been presented to Council and will be updated as savings proposals are further developed. In addition a full impact assessment has previously been undertaken for the Council Plan. The actions in the Council Plan include specific issues relating to equality and aim to improve the equality of life for those with protected characteristics. The Plan has been influenced by consultation and monitoring to include equality issues. There is no evidence of negative impact for particular groups.

Accommodation - The Council's Corporate Asset Management Plan is aligned to the corporate priorities contained within the Council Plan.

Crime and Disorder - The Altogether Safer section of the Council Plan sets out the Council's contributions to tackling crime and disorder

Human Rights - None

Consultation - Council and partnership priorities have been developed following an analysis of available consultation data including an extensive consultation programme carried out as part of the development of the Sustainable Community Strategy and this has been reaffirmed by subsequent consultation on the budget. Results have been taken into account in developing our resourcing decisions

Procurement – None

Disability Issues – None

Legal Implications – None

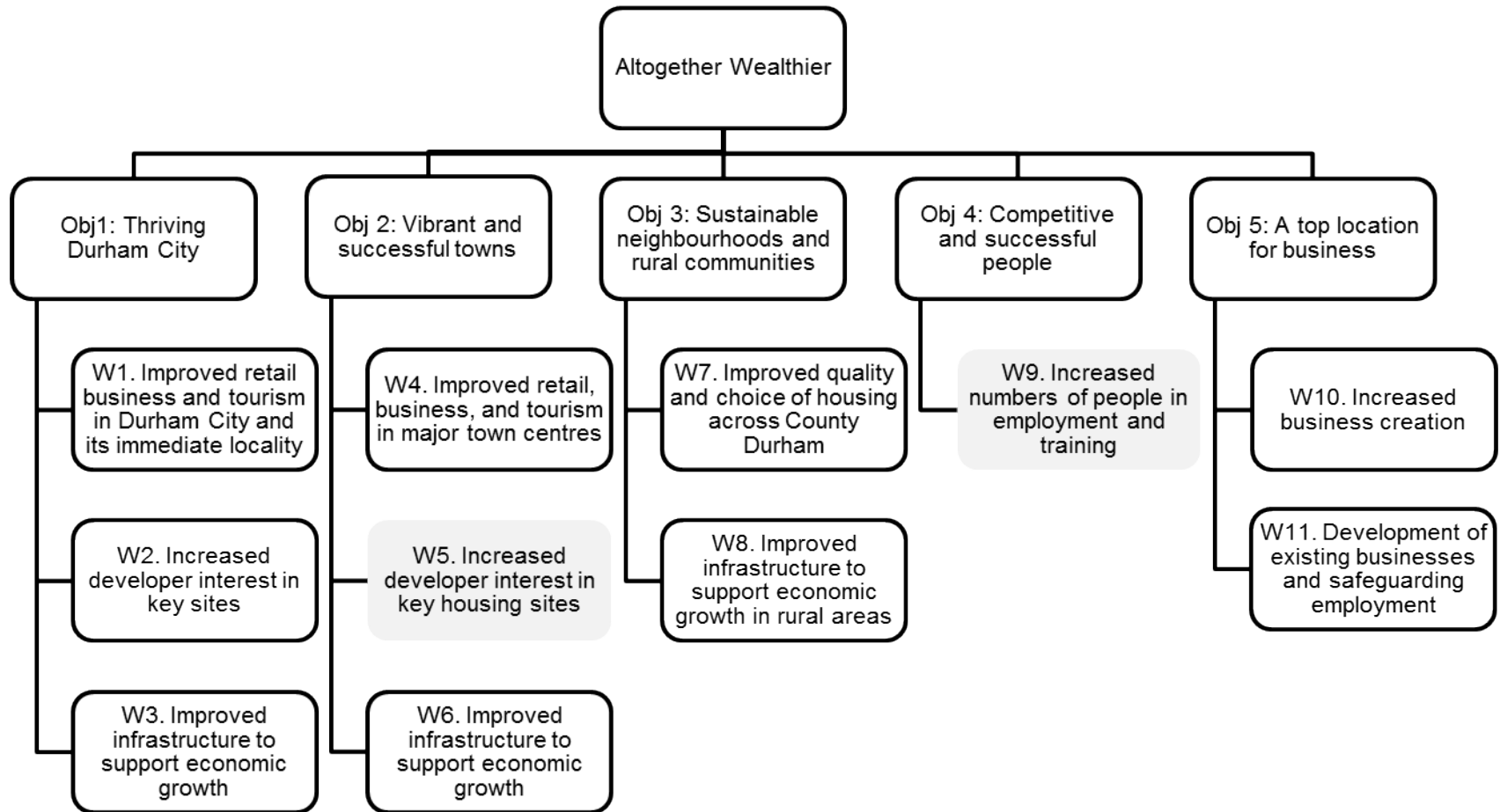
Appendix 2 - Proposed Council plan objectives and outcomes

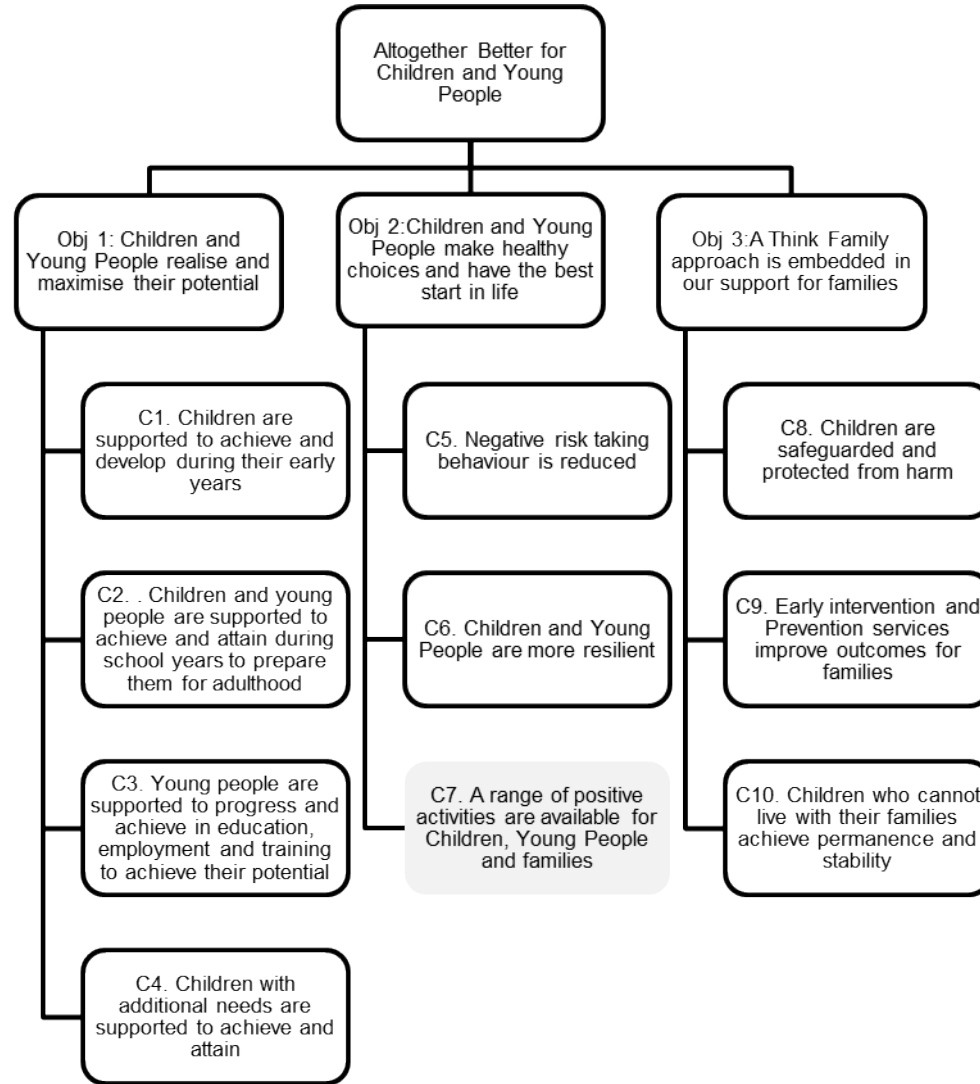
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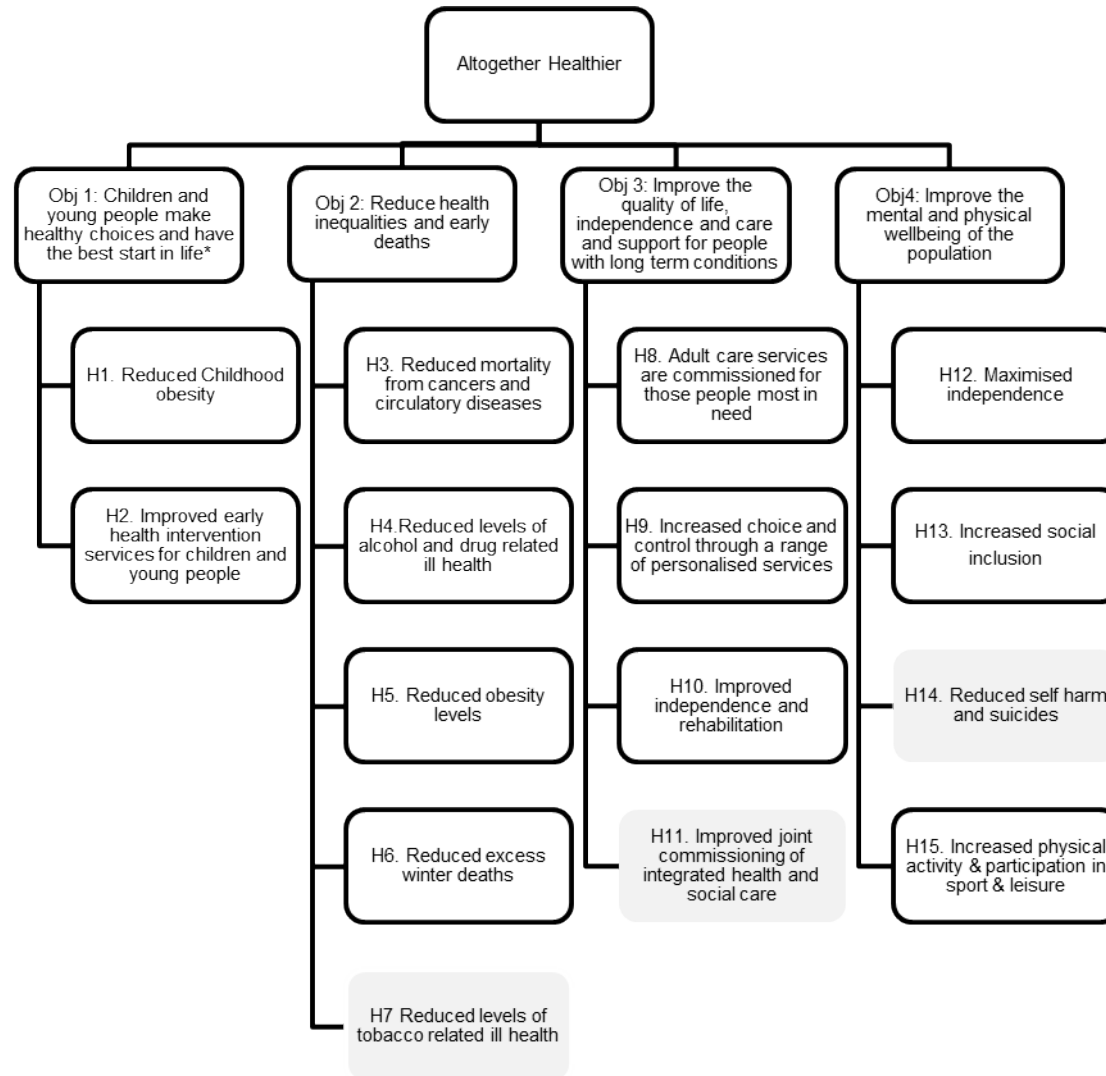
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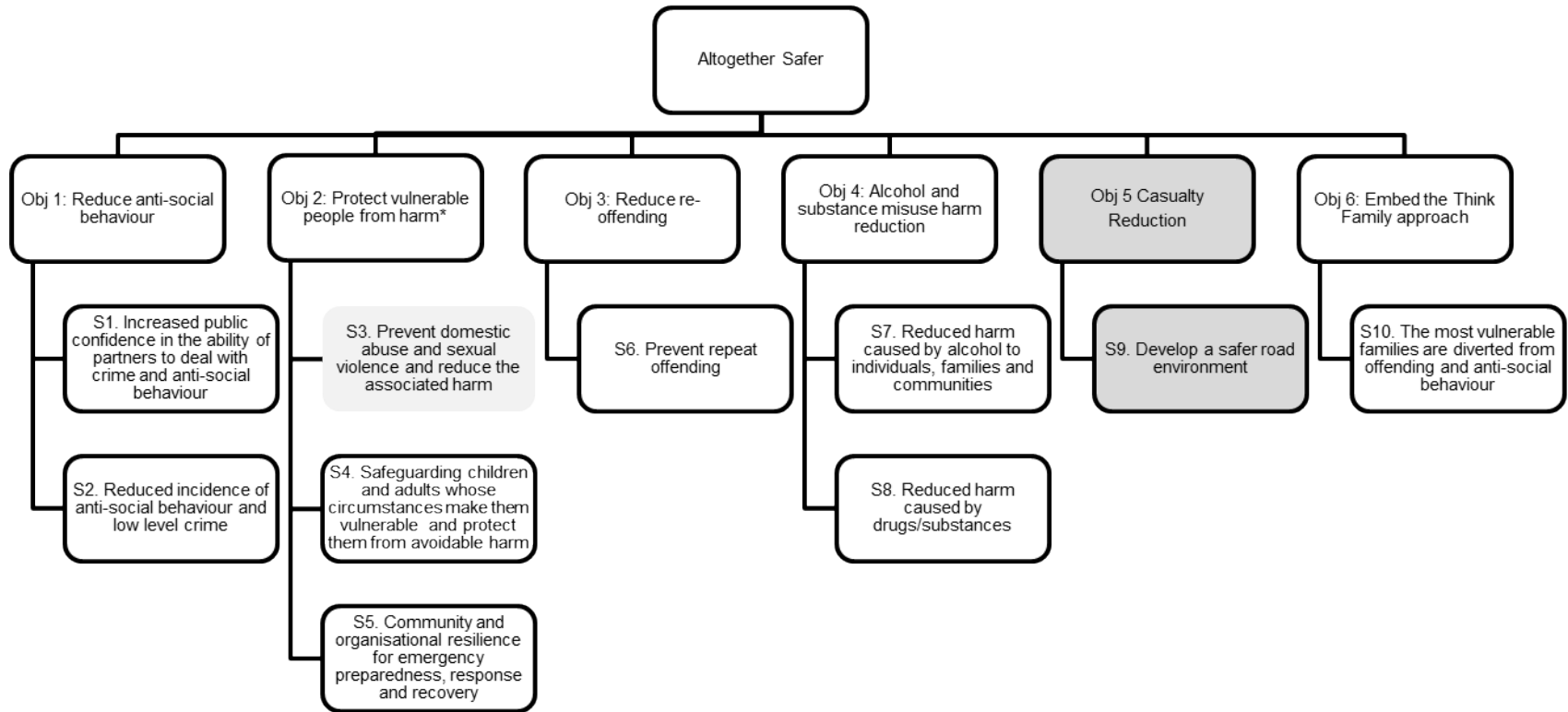
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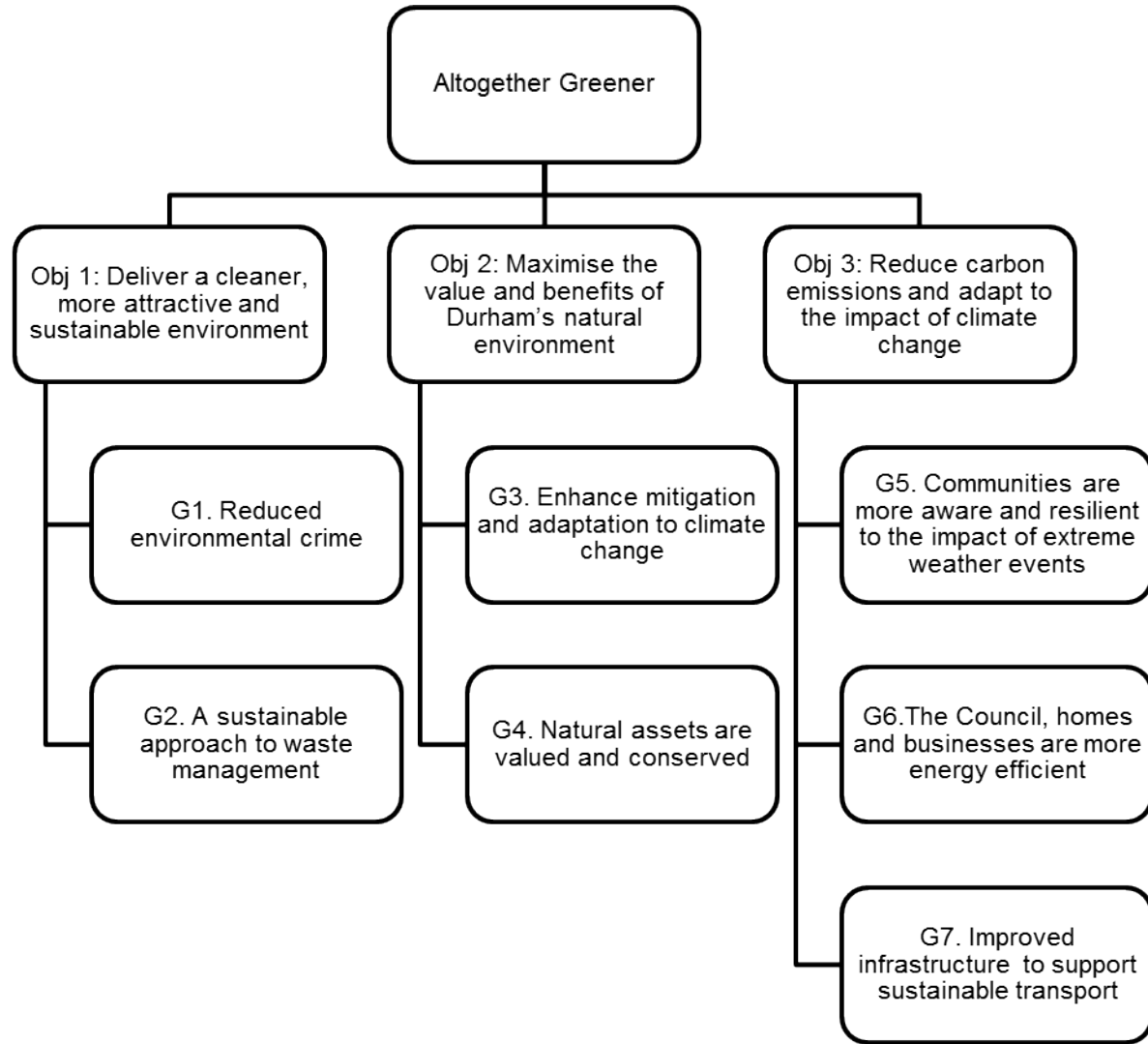
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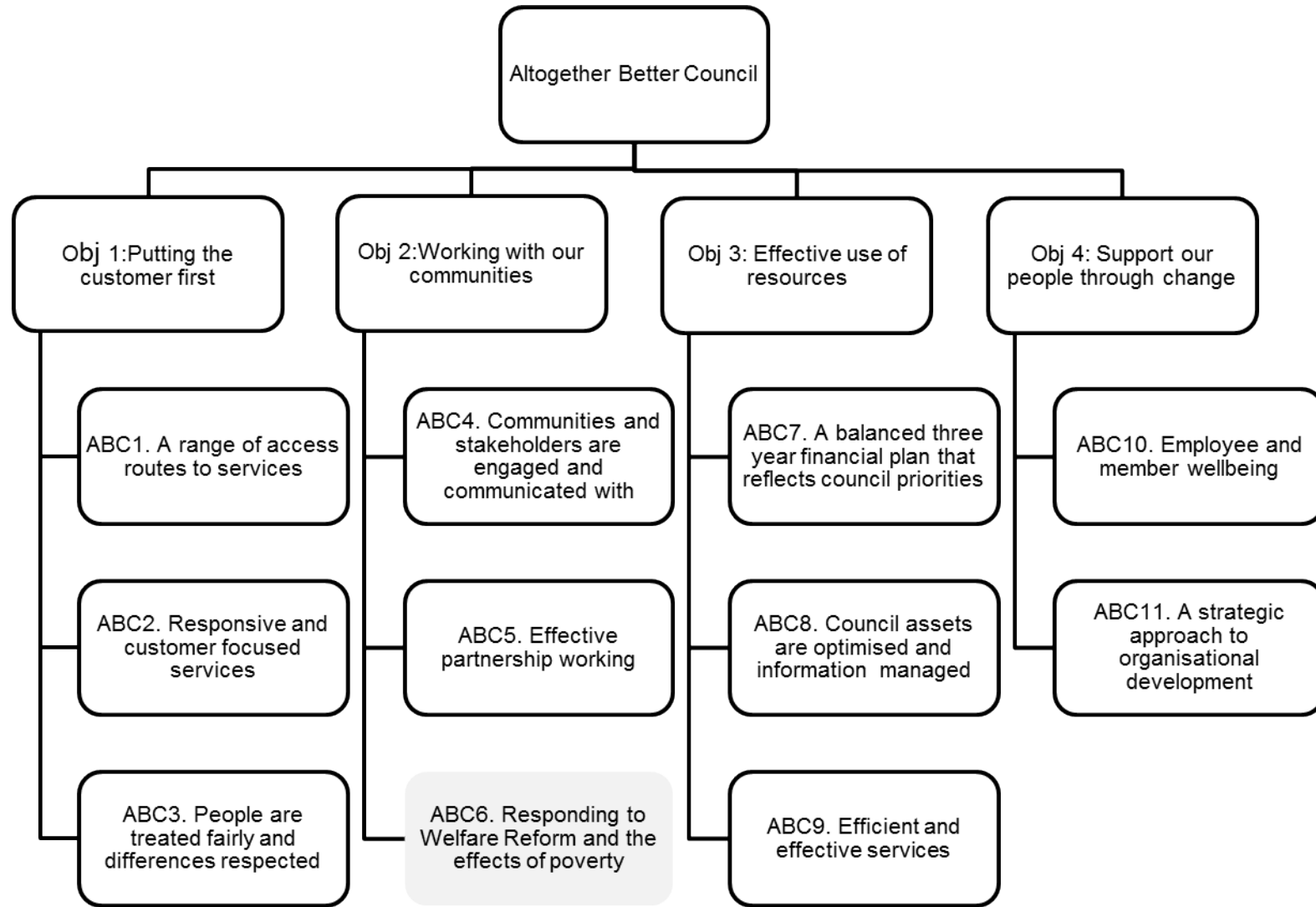












Council Plan 2015-18

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Foreword

Local government in County Durham has undergone significant change in recent times. The creation of a single unitary council for the county in 2009 was followed by the introduction of unprecedented public spending reductions by the government which required us to reduce council spending by nearly £137m to date. We face further change over the next three years, with the government projecting that austerity measures are likely to continue until at least the end of the decade. We have calculated that this will mean that the total sum to be saved by 2019 will exceed £250m. This equates to a 60% funding reduction in government grant since the austerity programme began. During the same period Durham will receive £135m of European funding to create economic growth. This gives us a dual challenge: to invest money effectively for the long-term benefit of County Durham, and to save money to ensure that we have sustainable public services. This will involve looking at new approaches to the delivery of local services to our communities.

We have had an application to transfer ownership and management of our 18,000 homes to a new company approved by the Government, a decision that has been supported by our tenants. This will help secure the necessary long-term funding required to maintain and improve the quality of the housing stock. We also have a history of working with communities to transfer ownership and manage assets such as leisure centres, allotments and community buildings to local people. We are exploring further opportunities to transform our services through extending this approach to other council facilities over the next year.

The economy remains this council's main priority and we have set an ambitious development plan to achieve 30,000 additional jobs from 2011 levels, further develop the county's main towns and realise the full potential of Durham city as a major retail, business and residential centre, academic hub and visitor destination. This will build on success of attracting private sector investment in the Hitachi plant to Newton Aycliffe, bringing Atom, the first new full service bank in the UK for 100 years to Durham, the planned extension of NETpark in Sedgfield and the Freeman's Reach development in Durham. A key piece of work in the early stages of this plan will be to consider the planning inspector's interim report and establish the next stages of developing the County Durham Plan. Balancing the need to grow our economy with the imperative to make our public services more cost effective will be the two major objectives facing our council over the medium term. Local government has demonstrated time after time that it remains the most efficient branch of the public sector and Durham County Council has consistently made the necessary savings in a planned way and through close consultation with our residents. Our strong corporate approach to planning and managing change was recognised when we received the prestigious Local Government Chronicle Council of the Year award for 2014. Challenging times lie ahead for Durham but I am confident that we will manage the process effectively.

Councillor Simon Henig
Leader of the Council

County Durham

Place

County Durham is a unique place with a rich cultural history. Durham city has been an important spiritual centre and place of pilgrimage from early medieval times. Today, the castle and cathedral are recognised by UNESCO as a World Heritage Site because of their international cultural and physical significance. The site remains a top attraction in the county for tourists from all over the world. Historic market towns of Barnard Castle and Bishop Auckland also date from the Middle Ages. In its later history, the county developed as a powerhouse of the industrial revolution. An economic past of heavy industry based around mining, metal production and manufacturing leaves its legacy today in our diverse spatial geography based across 12 main towns and numerous villages and smaller communities. The county is blessed with some beautiful countryside. Two of the region's major rivers, the Wear and the Tees, rise in County Durham within the North Pennines Area of Outstanding Natural Beauty, one of the most remote and unspoiled places in England. The unique geological heritage of the North Pennines was also considered to be of such international significance that it has been recognised by UNESCO when it became the first Geopark in Europe. The whole of Durham's coastline in the East has been extensively reclaimed from its heavily industrialised past and is now defined as a Heritage Coast reflecting its natural beauty and rare ecology.

As a local authority, we recognise that we can be a major force in reducing the human impact on the environment in County Durham. Over the last few years we have strived to achieve a more sustainable approach to disposal of waste through the introduction of alternate weekly collection and retendering our services which has increased household waste recycling, reduced operational and contract costs, increased energy generation from waste and virtually eliminated waste going to landfill.

We have actively worked to reduce our carbon footprint through installation of solar PV panels on our buildings, retrofitting schemes to improve energy efficiency of some of our older centres, installation of biomass boilers where appropriate and acquisition of more fuel efficient vehicles which has driven down our emissions by over 16% in five years. This contribution forms part of our overall commitment to help reduce CO₂ emissions by 40% by 2020.

We will continue to act to tackle issues of environmental concern. County Durham has some countryside of enviable beauty and we will not tolerate people who flout the law and blight our landscape by illegally dumping household and trade waste. The number of incidents that we have had to clear has increased by over 20% in the last year. Whilst this is a national trend, we have been working in partnership with the police and have pursued successful prosecution of perpetrators where there has been sufficient evidence.

Despite this increase in environmental crime, County Durham still remains a low crime area when compared to the rest of the country. Whilst there has been a moderate increase in overall crime in the last year, this is against a backdrop of

falling crime rates over the last five years. Incidents of anti-social behaviour have also been falling.

People

In terms of population, County Durham is the largest local authority in the North East region and the sixth largest all-purpose council in the country. The population is growing. Between 2001 and 2011, the population of the county increased by 4%, from 493,678 to 513,242 which is faster than the regional average. Population growth is also projected to continue.

Life expectancy at birth in County Durham has been improving over time for both males and females, although not as fast as for England. The absolute gap is increasing for both males and females. In County Durham, males from the most affluent areas will live 8.2 years longer than those from the most deprived areas. Females in the most affluent areas will live 6.7 years longer than those in the most deprived areas. These gaps have not changed significantly over time. Whilst the gap for males is smaller than the national average and similar to the England average for women, it should be noted that almost 50% of County Durham's population live in deprived areas and life expectancy is relatively low, therefore the difference between the most and least deprived is likely to be limited compared to the national average. There are a number of factors affecting health including lifestyle choices and wider determinants such as the social conditions in which we are born and live.

Prevalence of risk factors in County Durham

	Period	County Durham	North East	All England
Percentage of adults smoking (annual) ¹	2013	22.7	22.3	17.9
Adult participation in sport and active recreation ² (1 x 30 minutes per week) (3 x 30 minutes per week)	2014	31.3 25.0	34.5 25.4	34.5 26.0
Children who are overweight or obese (%) ³ Reception year Year 6	2013/14	23.81 36.13	24.55 36.21	22.97 32.93
Obese adults (annual) %	2012	27.4	26.2	22.9
Rate of hospital admissions per 100,000 for alcohol related harm ⁴	14/15 Q1	591	679	481

People living in poverty are likely to experience fewer life chances, shortened life expectancy, poorer health and fewer opportunities to lead a good life.

They are less likely to benefit from education to the same degree as others; are less likely to be in higher paid skilled jobs; and are more likely to live in poor housing and in neighbourhoods where crime is more prevalent and where safety is threatened.

Durham is the most deprived authority in the North East region in terms of the scale

¹ Public Health England

² Sport England Active People Survey

³ National Child Measurement Programme, health and Social Care Information Centre

⁴ Hospital Episode Statistics, North West Health Observatory

of income deprivation with nearly half (42.4%) of its population living in the 30% most deprived neighbourhoods nationally. Latest data (2011) show that 22.1% of children live in low income families in County Durham compared to 17.5% nationally. 11.4% of households are also defined as living in fuel poverty i.e. they spend more than 10% of their income on fuel to maintain a standard level of warmth.

One of the single most powerful contributions that the local authority can make to people's lives is to work with our schools to ensure that our children and young people are getting the best start in life and are achieving their potential. Educational attainment in County Durham has seen some consistent improvements over the years. In the academic year 2005/06, 40.4% of pupils achieved 5+ A*-C grades including English and mathematics GCSE. This was the same as the North East but lower than the England average (45.6%). Over the next four years the achievement gap consistently narrowed and by 2009/10, attainment rates exceeded regional and national averages with 55.8% of the county pupils achieved this level compared to 52.9% in the North East and 53.5% in England. Latest data (2013/14) indicate relatively strong performance continued with 57.6% of county pupils achieving this level compared to 54.3% in the North East and 56.7% in England.

Pupils eligible for free school meals (FSM) in the county achieve substantially below this level with 38% achieving 5+ A*-C grades including English and mathematics GCSEs in 2012/13. This is slightly lower than the England value (38.1%) but higher than the North East average (35.1%). However, it should be noted that the relative gap between County Durham and England has been closing over the last five years.

One of our priorities remains to improve progression of our young people from secondary education and to reduce the number of people not in education, employment and training which was 7.1% in County Durham in 2013/14 compared to 7.6% in the North East and a 5.3% national average.

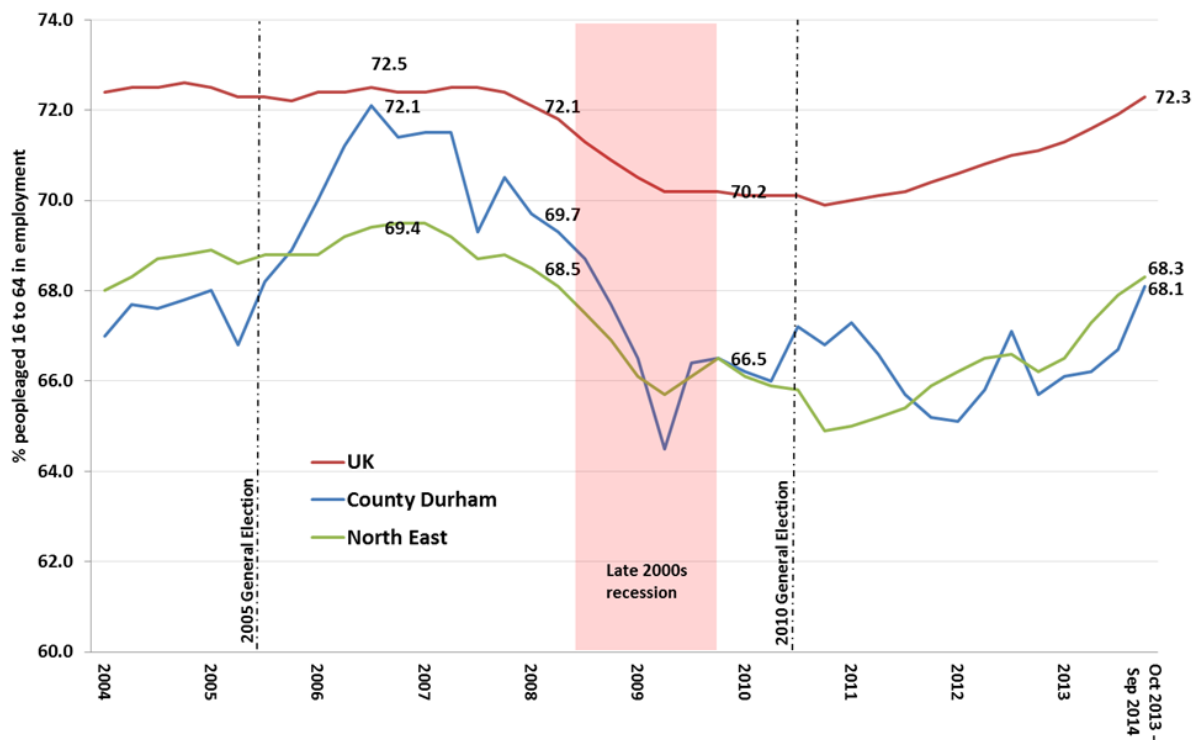
It is also important that children and young people make healthy choices to give themselves the best start in life and that they are not drawn into a cycle of negative and risk taking behaviours such as offending, smoking, drinking alcohol, taking drugs and teenage conceptions.

	Co. Durham	North East	All England
Under 18 conception rate per 1,000 teenage population (2012)	33.7	35.5	27.9
Alcohol related hospital admission rate for under 18s per 100,000 teenage population (2010/11 – 2012/13)	81.5	72.2	44.9
First time entrants to the Youth Justice System per 100,000 10-17 yr old population	556	734	567

We will continue to work with a range of partners to take a multi-agency problem solving approach to those families in the county with multiple and complex needs through our Stronger Families Programme. This has already yielded considerable success and has turned round the lives of nearly 50% families already signed up for the programme.

Employment levels in County Durham have remained relatively low in comparison with the rest of the country for a long time. In 2007, the employment rate in County Durham peaked at 72.1% which was only 0.4 percentage points behind the UK rate and higher than the rate for the North East. However the recession had a significant impact on employment levels in the county with the rate sharply declining to 64.5% at the end of the recessionary period compared to the national rate of 70.1%. Employment has slowly started to recover in the post recessionary period but levels still remain low in County Durham. The latest figures (October 2013 – September 2014) show that the county is still 4.2 percentage points behind the UK rate.

Employment Rates in County Durham, North East and UK 2004-14



Gross Value Added or GVA is a measure of the amount of money generated by an area and is a key indicator of productivity of the local economy. In 2013, the GVA per person in County Durham was £14,225 which is considerably less than both the North East and UK rates. However, the rate of growth of GVA in County Durham is much stronger. While higher relative levels of growth are encouraging, the lag between national and regional levels is evident. Although locally, economic growth rates have tended to be slightly higher they have made little impact on narrowing the gap with the UK. The current GVA per person rate of the county is 82% of the regional value and 60% of the national value.

2013 Workplace based GVA per head at current basic prices

Area	GVA (£ per person)	% growth in GVA	
		since 2012	since 2001
County Durham	14,225	6.8%	53.6%
North East	17,381	2.8%	52.3%
UK	23,755	2.5%	48.1%
UK (less London and the South East) ⁵	20,462	2.8%	44.9%

Gross disposable household income in County Durham has increased by 16.2% since 2008 which is higher than the increase enjoyed in the North East region (15.9%) or nationally (12.7% in the UK) over the same period. However, local disposable income per head remains low compared to national income and if the trend over the last 15 years is to continue then the gap will widen even further.

2012 Gross disposable household income (GDHI) per head at current basic prices

Area	GDHI (£ per person)	% growth in GDHI	
		since 2011	since 2001
County Durham	14,151	+3.9%	+39.1%
North East	14,397	+4%	+42.8%
UK	16,791	+3.3%	+41%
UK (less London and the South East) ⁶	15,526	+3.3%	+41.3%

We will work in close cooperation across the seven local authorities in the North East Local Economic Partnership⁷ to ensure that our regional economy will provide one million jobs within the next ten years. Our regeneration plans are to reach pre-recession employment levels. This will require growth to replace and exceed the level of jobs lost alongside a reversal of the high proportion of the working age population claiming out of work benefits. Increasing employment levels in the county

⁵ All data from Office for National Statistics except UK (less London and the South East) which have been calculated using total GVA and ONS mid-year estimates.

⁶ All data from Office for National Statistics except UK (less London and the South East) which have been calculated using total GDHI and ONS mid-year estimates

⁷ Durham County Council, Gateshead Council, Newcastle City Council, North Tyneside Council, Northumberland County Council, South Tyneside Council and Sunderland City Council

will drive up disposable income levels and help to address the productivity gap between the county and the rest of the country. The County Durham Plan which sets out the new development that is planned for the county is predicated on a labour force growth target of 30,000 jobs for Durham residents which will help to increase the proportion of the workforce that is in employment to pre-recession levels. Central to these plans is to realise the economic potential of Durham City as an important centre for economic growth in the North East. Durham, is in a competitive location on the A1 and east coast main line with world class tourist attractions. Through strategic investment and sensitive planning we can grow the central business quarter of the city to capture emerging high growth sectors, expand and enhance the city's leisure and tourism offer and meet the need for new homes in an expanding population. A key piece of work in the early stages of this plan will be to consider the planning inspector's interim report and establish the next stages of developing the County Durham Plan.

Increasingly, residents and businesses need to have access to reliable digital services. The Digital Durham programme aims to deliver superfast broadband at speeds of over 25 Mbps to every business, home and community in County Durham which will increase the competitiveness of our strategic business sites, improve services to local people and increase educational opportunities.

The county's population is ageing and the pace is increasing. The 65+ population in County Durham has grown by around 10,000 people in the last four years, equivalent to 11.1% growth, much more than other age groups and more than double the growth in the previous four years⁸.

This growth mirrors the national picture for the UK and many other European countries. This is as a consequence of the age structure of the population alive today, in particular the ageing of the large number of people born during the post-war baby boom. It also stems from increased longevity – a boy born in 1981 had a life expectancy at birth of 71⁹ years. For a boy born today the figure is estimated to be 80 years and by 2030 it is projected to be 83. The trend for women is similar. A girl born in 1981 was expected to live for 77 years and one born today might be expected to live to 83. Projections suggest a girl born in 2030 might live to 86.

However, a rise in life expectancy does not automatically lead to a similar rise in years spent in reasonable health. Recent data¹⁰ shows healthy life expectancy for older people is increasing slower than life expectancy. Between 2000 and 2011 life expectancy at 65 for men and women increased by 2.1 and 1.6 years respectively, yet healthy life expectancy at age 65 grew by 1.3 years over the same period. Currently, the average healthy life expectancy in County Durham is low at 58.7¹¹ years of age for men and 59.4 for women.

⁸ Growth in the 65+ age group between 2009 and 2013 (ONS Mid-Year Estimates) was 11.1% compared to 5.2% between 2005-2009

⁹ ONS, 2014, Historic and projected expectations of life (ex) from the 2012-based life tables: Principal Projection. GB

¹⁰ ONS, 2014, Change in Healthy Life Expectancy (HLE) between 2000–2002 and 2009–2011, in Great Britain

¹¹ ONS, 2014, Healthy Life Expectancy for Upper Tier Authorities 2010-12

Increasing life expectancy, a low healthy life expectancy combined with sharply increasing older population has significant consequences for us as proportionately greater demands are being placed on local services such as adult social care, transport and Care Connect, our community alarm service. In the 2011 Census¹², more than a fifth (20.7%) of the county's over 65 population said their health was bad or very bad, equivalent to over 19,000 people, relatively high compared to national levels (15.5%). If this proportion remains constant the number of older people in poor health will increase by 50% by 2030, equivalent to an extra 9,500 people compared to 2011.

Further information about the population of County Durham and its current and future health and social care needs can be found in the Joint Strategic Needs Assessment (JSNA) which can be found on the council's website (www.durham.gov.uk)



¹² ONS, 2013, General Health by Age, nomisweb.co.uk

The Council

Durham County Council was established in 2009 when unitary local government was created in the county following the merger of the former county council and seven district and borough councils. We employ just over 18,000 people including schools based staff and have a gross revenue expenditure budget of £1.178bn. We are made up of 126 members representing 63 electoral divisions throughout the county. The current political makeup is 96 Labour councillors, 17 Independent councillors, nine Liberal Democrat councillors and four Conservative councillors.

We operate a leader and cabinet style model of political governance and the cabinet is made up of ten councillors with the following portfolios:

Councillor		Portfolio
Councillor Simon Henig		Leader of the Council
Councillor Alan Napier		Deputy Leader and Finance
Councillor Morris Nicholls		Adult Services
Councillor Ossie Johnson		Children and Young People's Services
Councillor Jane Brown		Corporate Services
Councillor Neil Forster		Economic Regeneration
Councillor Eddie Tomlinson		Housing and Rural Issues
Councillor Maria Plews		Leisure, Libraries and Lifelong Learning

Councillor Brian Stephens		Neighbourhoods and Local Partnerships
Councillor Lucy Hovvels		Safer and Healthier Communities

Our overview and scrutiny function is made up of six committees with an Overview and Scrutiny Management Board providing an oversight of the work of these committees which is made up of 26 councillors and five other representatives.

We are broadly comparable with a major company in size. We provide a large range of services that include: teaching our young people and caring for our older people; lending the latest best sellers and protecting 900 year old documents; fixing road bridges and creating bridges in our communities; helping children to swim and helping adults to work; planting trees in nature reserves and recycling paper from our homes. In fact, any local service you can think of, we will probably have a hand in it somewhere. To help us manage this undertaking, we employ a Chief Executive, Assistant Chief Executive and four Directors who make up the Corporate Management Team of the council.

Chief Executive

George Garlick

Designated as statutory Head of Paid Service. Who has overall responsibility for the management of the authority, professional advice to the leadership of the authority, representing the council on partnerships and external bodies, regional and national networks.

Assistant Chief Executive

Lorraine O'Donnell

Corporate policy, communications, corporate planning and performance, partnerships and community engagement, overview and scrutiny, civil contingencies, emergency planning, Durham County Record Office.

Corporate Director Resources

Don McLure

Finance, procurement, legal and democratic services (inc. electoral and registration services), human resources and organisational development, information and communications technology, internal audit, risk, insurance and corporate fraud, welfare rights (inc. management of the Citizens' Advice Bureau contract) and revenues and benefits (inc. creditors and debtors).

Corporate Director Children and Adult Services

Rachael Shimmin

Adults' and children's social care and safeguarding, commissioning, public health, adult learning, fostering and adoption, looked after children, education development services, school admissions, attendance and exclusions, school transport, youth offending service, community safety, early intervention and partnership services.

Corporate Director Neighbourhood Services

Terry Collins

Waste management, parks, customer services, grounds maintenance, street cleaning, civic pride and enforcement, neighbourhood wardens, bereavement services, facilities management, housing maintenance, fleet, environmental health, trading standards, licensing, markets, sport and leisure, countryside management, museums and galleries, cinema and theatres, libraries, street lighting, coastal protection, road safety, highways, winter maintenance, building design.

Corporate Director Regeneration and Economic Development

Ian Thompson

Physical and economic regeneration, transport, asset management, spatial policy and planning, support for business, tourism, strategic housing, landlord and tenant services, housing solutions, environment and design services, Care Connect, strategy, programmes and performance support.

Our Vision

We have a vision and priorities which are shared together with partners and which are based on consultation with local people and Area Action Partnerships. This vision developed by us reflects the views and aspirations of the community and opportunities for improvement. It focuses around an altogether better Durham and comprises two components; to have an altogether better place which is altogether better for people.

This vision provides a framework which guides all of our detailed plans and programmes which will turn our vision into a reality. This is achieved through organising our improvement actions into a structure comprised of five priority themes:

Altogether Wealthier

Focusing on creating a vibrant economy and putting regeneration and economic development at the heart of all our plans;

Altogether Better for Children and Young People

Ensure children and young people are kept safe from harm and that they can 'believe, achieve and succeed';

Altogether Healthier

Improving health and wellbeing;

Altogether Safer

Creating a safer and more cohesive county;

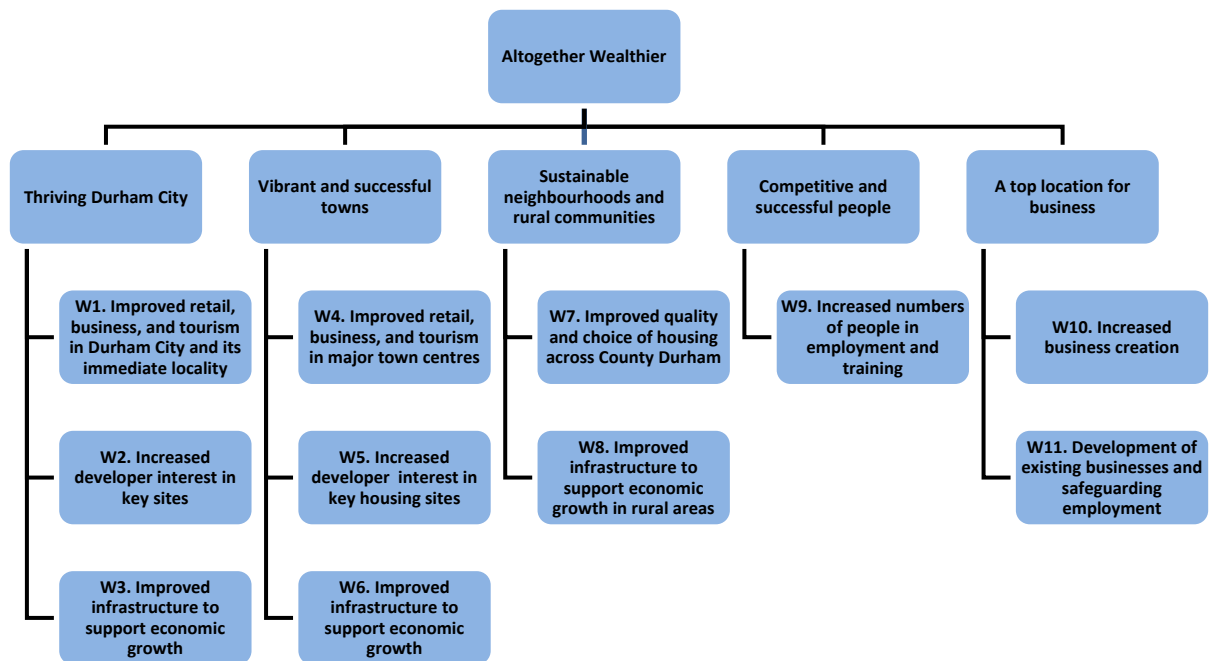
Altogether Greener

Ensuring an attractive and 'liveable' local environment and contributing to tackling global environmental challenges.

This vision is shared with our partners and set out in the county's Sustainable Community Strategy. It is reassuring to note that during the current economic climate with all public sector agencies facing large reductions in government funding, we and our partners have reaffirmed our commitment to the above vision and the objectives that have previously been developed for each of the above priority themes.

The Council Plan sets out our corporate priorities for improvement and the key actions that we will take in support of the delivery of the long-term goals in the Sustainable Community Strategy. It also identifies the improvements that we want to make in how we manage our organisation. These actions are captured in a sixth priority theme of an **Altogether Better Council**.

Altogether Wealthier



Our Vision

Our ambition of shaping the County into a place where people want to live, work, invest and visit underpins the vision of an Altogether Wealthier Durham. This ambition requires commitment across public and private stakeholders along with support from residents. Placing Durham City as our key driver for growth and success will require us to capitalise on untapped potential in order to narrow the productivity and employment gap between the county, the region and the UK.

The key driver to stimulate an economic renaissance within the county is the employment rate; for improving this will increase levels of disposable income, increase the number of businesses, and should, as a result, begin to reduce the chronic levels of relative deprivation. As a county we need to aim to achieve a growth target of 30,000 jobs for Durham residents over the next 20 years, through business growth, inward investment and business creation. It is also important that we continue to invest in our human capital through skills development and by supporting our residents to access and maintain employment opportunities. We must continue to address the needs of our most vulnerable residents and mitigate the impact of welfare reform, in order to improve people’s quality of life and improve economic prosperity.

To help achieve our vision Altogether Wealthier has the following high level objectives:

1. Thriving Durham City

At the heart of the North East, Durham City is a hub of economic and cultural activity that stands out as a key economic driver for the county and region. The city needs a critical mass of employment, population and visitors to build on the assets already inherent to become a city of regional, national and international significance. For these reasons, the delivery of the Durham City Regeneration Framework is a priority for us. There are a number of key projects within the framework that will be delivered over the coming years that will contribute towards boosting the economy of Durham City.

One of the key projects in the County Durham Plan is the development of the **Central Business Quarter of the city centre**, including redevelopment of Aykley Heads as a major, prestigious business park, potentially supported by the redevelopment of **Milburngate House** site. This will create significant new employment space, mixed-use space, housing and between 5,000 and 7,500 jobs within the city. The redevelopment of **North Road** will provide opportunities for food/department store as well as other retail investments, leisure facilities and franchised outlets, improved public transport/pedestrian interface and improved public realm.

The construction of a **Western Relief Road** will provide the necessary infrastructure to support the proposed additional housing and increased businesses expected following the approval of the County Durham Plan. Improvements are also planned to ease the **traffic flow in and around Durham City**. This will include the installation of variable message signs for road users, and the installation of traffic signals on Gilesgate roundabout and Leazes Bowl roundabout.

We will review operations at the **Gala Theatre, Durham Town Hall and the Durham Light Infantry museum** to improve the city's tourism offer and the experience of visitors. Our 2015/16 programme of cultural, sporting and community based events will continue to raise the profile of the county and contribute significantly to our local economy. The programme will be expanded during 2015/16, a year which will also see the return of our signature event '**Lumiere**'.

Clearly some of these elements contained within the County Durham Plan have been challenged by the interim inspection report. A key piece of work in the early stages of this plan will be to consider the planning inspector's report and establish the next stages of developing the County Durham Plan.

2. Vibrant and Successful towns

Vibrant towns are good for business: they create jobs, attract investment and generate income – they are engines for economic growth. County Durham has a dispersed settlement pattern with a large number of distinct towns, not all of which are meeting the needs of local main settlements. Through our 'Whole Town' approach we will increase the vitality and vibrancy of our main settlements.

We have prepared the draft **County Durham Plan**, which sets out the new development that is planned for the county. It contains allocations which show where

development will take place and how it will be managed and also contains policies for determining planning applications. This plan has now been through an examination in public and the interim report from the planning inspector has been received. We will be considering the planning inspector's interim report and establishing next steps in the development of the plan. A **Regeneration Framework** has been produced for each of the 12 main towns across County Durham. A number of key projects taken from the frameworks are planned for delivery over the next three years, including physical regeneration improvements in Peterlee, Seaham, Crook, Consett, Stanley, Spennymoor and Shildon town centres.

We are working under a Joint Venture Agreement with the Homes and Communities Agency to bring forward three key sites for redevelopment in Seaham, providing additional housing and a new school on the **former Seaham Colliery Site**.

We are involved in the redevelopment of the **North East Industrial Estate in Peterlee**. The site has outline planning permission for 390 new homes and work is underway to relocate the existing businesses.

The creation of a **railway station on the East Coast mainline in Horden** will help to boost the local economy and will improve access to employment for residents.

Improvements will be made to the infrastructure at **Newton Park, Newton Aycliffe** to support existing and new businesses, as well as the condition of our Industrial Unit property portfolio.

We will continue to support the **North East Combined Authority** and the **North East Local Enterprise Partnership** to deliver the Strategic Economic Plan for the North East Region. Seven councils have been brought together to create a strategic authority with powers over transport, economic development and regeneration.

In addition to delivering our 2015/16 programme of **cultural, sporting and community based events**, which will continue to raise the profile of the county and contribute significantly to our local economy; we will investigate how we can increase tourism opportunities across the county. We will be completing a feasibility study of Bishop Auckland Town Hall and its links to Auckland Castle as well as determining the feasibility of a further science museum at Shildon.

3. Sustainable neighbourhoods and rural communities

Sustainable neighbourhoods and rural communities are places where people can and want to live and are places that help to enhance the wellbeing and potential of our communities. A sustainable place provides a quality built environment, with good housing and living conditions and access to services, through appropriate infrastructure. To establish sustainable communities and improve the housing offer in County Durham a number of key projects have been identified for delivery over the next three years.

One key project is the delivery of our first **new build housing scheme for market sale and rent**. The overall project will provide over new 300 homes subject to the satisfactory completion of a pilot scheme in Newton Aycliffe, which will provide 60 homes.

The delivery of the **Digital Durham** programme will provide superfast broadband to all businesses homes and communities in the county.

We have also maintained subsidies of bus routes in rural areas in 2015/16 and operate a number of schemes to support the competitiveness of the agricultural and forestry sectors and encourage diversification of rural economies through the Rural Development Programme.

4. Competitive and successful people

The skills, abilities and attitudes of the current and future County Durham workforce are critical to the future economic success of the county and will underpin a more competitive and productive economy. One of our priorities is to increase the employment rate and prepare for a higher level skills workforce in County Durham. To enable this, key projects were identified for delivery, including the delivery of **Pre-Employment Opportunities** through a range of initiatives County-wide including skills support for the unemployed, targeted recruitment training and apprenticeship programme involving the subsidising of 350 apprenticeships to support people into work and to also sustain and improve people's employment potential.

We will also deliver **Post Employment Opportunities** through a range of initiatives County-wide including skills support for the workforce, youth employment programme and mental health trailblazer to support people into work and to also sustain and improve people's employment potential. We will deliver skills support for work with businesses with workforce development enquiries and work with the engineering and manufacturing sector to encourage skills development.

5. A top location for business

County Durham is home to a wide range of businesses from micro rural businesses to large multinationals, from small scale engineering to large scale manufacturing and from business services to internationally leading research companies. County Durham's versatile economy needs a balanced environment for innovation and growth. To enable further development of businesses, a number of key projects have been identified for delivery.

One of the projects is NETpark in Sedgefield, which celebrated its tenth birthday in 2014, is the North East's leading science, engineering and technology park and has received funding of £12.9m for the **expansion of NETPark** which will support the creation of 800 jobs over the next 3 years both at the park itself and as part of the construction

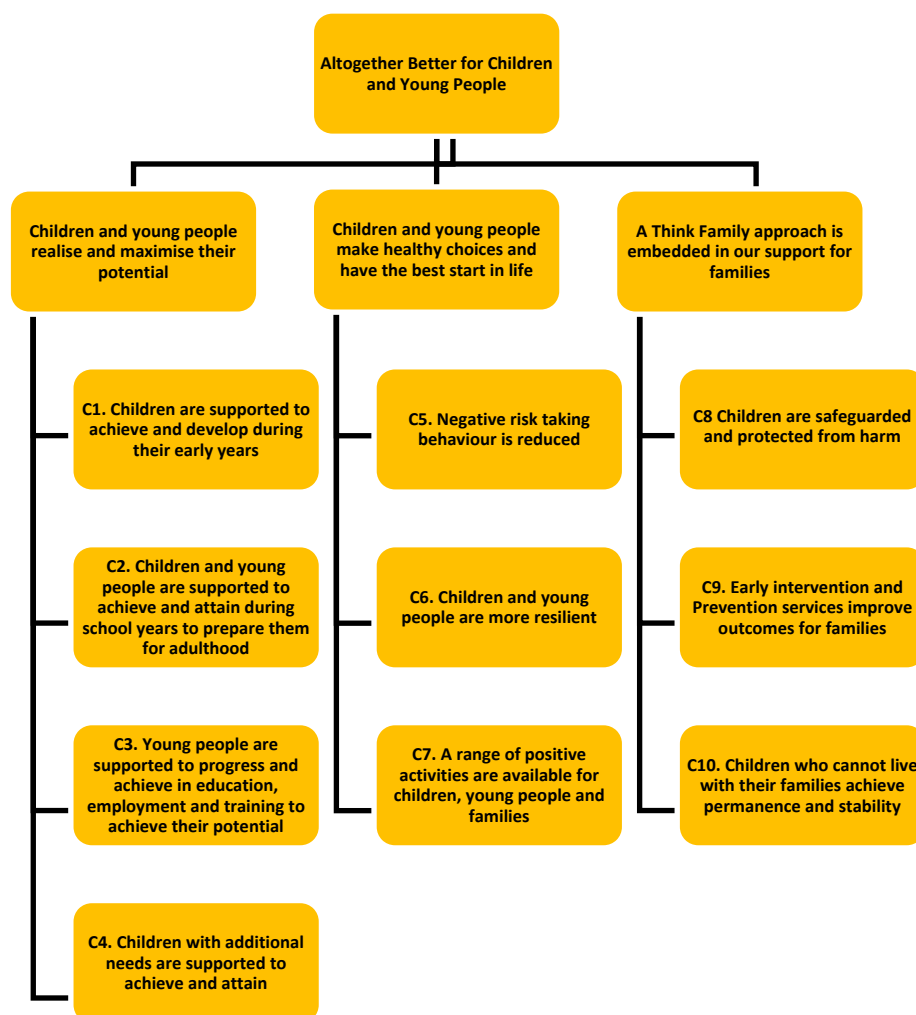
We will continue to lead the **North East Satellite Application Catapult Centre** to raise the profile of the use of technology and data satellite applications with North East businesses. The Catapult Centre offers opportunities and partnerships to unlock market opportunities within the North East which will benefit local and national economies. The centre will ensure the successful commercialisation of new technology and innovations by cementing the UK's position as a key player in the satellite technology sector.

We will also work with the North East Local Enterprise Partnership, Tees Valley Local Enterprise Partnership and the County Durham Economic Partnership to develop a £12m EU funded programme to deliver **access to finance support** targeted at County Durham businesses

Summary

<p>Going Well:</p> <ul style="list-style-type: none"> • We have supported the inward investment of Atom, which has decided to locate its headquarters in Durham City. The business will create up to 400 jobs as it builds a bank serving customers across the UK. • Hitachi Rail Europe will be operational from 2015 in their new premises in Newton Aycliffe, creating over 800 jobs. • We are the first local authority nationally to refurbish all of our Gypsy Roma Traveller sites through sponsorship from the Homes and Communities Agency Programme. 	<p>Look Out For:</p> <ul style="list-style-type: none"> • The 'Lumiere' light festival will take place in November 2015 • Completion of the Sunderland Bridge Roundabout in Durham • Implementation of the multi-operator ticketing system across the County's bus network • Old Shire Hall in Durham City will be transformed into a hotel. • We will be transferring our remaining housing stock to the Durham Housing Company
<p>Cause for Concern:</p> <ul style="list-style-type: none"> • An additional piece of work will be to consider the planning inspector's interim report and establish the next stages of developing the County Durham Plan. • The approval of the EU Growth Fund programme has been delayed by the Government until summer 2015 • There are some technical difficulties with the 'Real Time Traveller Information System' that will delay the installation. 	<p>Did you know?</p> <ul style="list-style-type: none"> • As of Q3 2014/15 2192 planning applications were received • 840 net homes were completed between April 2014 and December 2014 • 817,717 visitors clicked on the 'thisisdurham' website in 2013/14 • 144 empty homes have been brought back into use between April and December 2014

Altogether Better for Children and Young People



Our Vision

We support the overarching, multi-agency strategy for the delivery of priorities for children and young people in County Durham.

Working with the Children and Families Partnership, we aim to ensure that effective services are delivered in the most efficient way to improve the lives of children, young people and families in the county. We will continue to support children and young people from their early years through their school years and on to employment, training or apprenticeships.

The vision is for all children, young people and families in County Durham to be safe and healthy and to be given the opportunity to believe, achieve and succeed. To help achieve our vision, Altogether Better for Children and Young People has the following high level objectives:

1. Children and young people realise and maximise their potential

We want to ensure that children and young people in County Durham are supported and encouraged to 'believe, achieve and succeed', whatever their aspirations.

It is widely recognised that the early years of a child's life have a powerful influence on the rest of his/her life. We will **implement the Early Years Strategy** by creating sufficient nursery places to accommodate 75% of disadvantaged two year olds in the county to ensure readiness for school. Through **restructuring the Children's Centres** which provide a service for children up to five years old in County Durham we will also ensure that a more targeted and effective approach to family support is established, which will provide improved outcomes for children and make services more accessible.

We want to ensure that children and young people are able to thrive in the environment in which they live and learn in order to achieve their very best. **Increasing the participation of young people in education, employment and training** is a key priority for us and will be addressed through the county's 'Believe, Achieve and Succeed' Improving Progression Plan. This demonstrates our commitment to provide opportunities for all groups in society, including care leavers, young people who offend, teenage parents, and Gypsy Roma Traveller communities. We will do this by implementing the reviewed personal advisor service to ensure that there is a clear focus on the effective progression of young people who are not in education, employment or training, and we will work with the Improving Progression Partnership to ensure that clear progression pathways are in place for young people to progress post 16 to Level 3 and encourage additional support to be made available for young people previously eligible for free school meals.

Educational achievement and attainment remains a key priority for us. We will respond to the government's changes in the curriculum, through the provision of **appropriate challenge, intervention and support to assist schools to improve educational attainment** in both primary and secondary schools, to continue to narrow the attainment gap for vulnerable children and young people with those of their peers. We will monitor, challenge and intervene in schools where success rates are not improving fast enough and ensure that effective plans are in place to support those pupils who are not making the expected levels of progress. We will provide additional support to those young people who have behavioural or emotional issues with the aim of improving their school attendance and educational attainment and reducing the need for excluding them from school. This will be done through professionals from the school, One Point and other agencies working together in an innovative way called the **Team Around the School model** which will provide early help and engage young people in fun but challenging and appropriate activities which enable them to explore and manage those feelings and behaviours which are preventing them from engaging positively in school life.

We will aim to meet the needs of children with special educational needs through the implementation of the Special Educational Needs and Disability Strategy. This will also result in the **improvement of educational outcomes for children with special educational needs** by implementing Education, Health and Care assessments and providing support. We will further develop the Local Offer to include feedback from service users and young people. We will also review the

educational placement process for children with special educational needs including those in the non-maintained and independent sector. We will lead the implementation of the **Youth Employment Initiative programme** for County Durham to tackle youth unemployment in the county. This will provide activities to develop young people's employability skills and tailored pre-employment support, underpinned by work with employers to increase the number of employment opportunities for young people. We will also improve employment of looked after children by creating apprenticeship/training schemes for care leavers.

2. Children and young people make healthy choices and have the best start in life

Children and young people need the best possible start if they are to be successful and thrive later in life. We want to provide support and promote healthy living from an early age, providing opportunities and choice for young people to participate in a range of sport, leisure and physical activities, helping to maintain a healthy lifestyle.

We will implement statutory changes in relation to the commissioning of **Health Visitors and the Family Nurse Partnership**, as this responsibility is transferred to local authorities from NHS England in October 2015.

We will support children, young people and their families to take part in **positive activities which reduce negative and sexual health risk-taking behaviours**, for example, smoking, drinking alcohol and teenage conceptions. This will aim to encourage children and young people to be more resilient through being able to look after themselves and others by making positive decisions about their behaviour and lifestyle. We will focus particularly on ensuring that vulnerable young people have access to this support. We will provide a wide range of physical activity opportunities across County Durham to support more active lifestyles for children and young people and contribute towards tackling 'lifestyle conditions'.

Through our **Youth Support Strategy** we will focus on **delivering targeted support to young people vulnerable to poor outcomes**. Working with the voluntary and community sector, we will provide a range of positive activities which will be targeted at those children and young people who are most in need.

Emotional health and wellbeing is crucial in the development of healthy, resilient children and young people. Some children and young people, however, may have mental health needs. In order to address this we will develop and implement the **Children and Young People's Mental Health and Emotional Wellbeing Plan** in partnership with key stakeholders, including NHS services. This will include **working together with partners to reduce incidents of self-harm by young people**. We will provide a range of support to schools to tackle bullying and harassment.

We will also provide support to encourage breastfeeding and work with partners to reduce the number of women who smoke during pregnancy.

3. A Think Family approach is embedded in our support for families

'Think Family' is a multi-agency approach which seeks to provide coordinated support to those families which have problems and cause problems to the community around them. It requires all agencies to consider the needs of the whole family when working with individual members of it. To 'Think Family' is to understand that children's problems do not sit in isolation from their parents and that parents' problems impact on their children.

The complex issues faced by families who are in need of help often cannot be addressed by a single agency but demand a co-ordinated response, especially for families who have children with additional needs. Through the use of a range of methods to support families, we will work with the most vulnerable families across County Durham to promote positive outcomes. The **implementation of the Early Help Strategy** will allow the delivery of effective early intervention and prevention services to families in County Durham, whilst continuing to provide additional support to protect children and young people who need it. The council propose to deliver a new approach to social work, learning from past initiatives. The intention of this new approach is to meet the needs of children sooner by addressing the root causes of the problems and so reduce the number of families who are re-referred for support. This will be underpinned by a significant programme of workforce development to give our staff new skills and attitudes through training, mentoring and challenge. We will create 10 early help and social work teams across the county to deliver this which will significantly increase the range, access, quality and effectiveness of services for the whole family across all their needs. We also plan to develop alliances with the third sector in all areas of the county to build capacity and sustainable change for families. We will also significantly enhance service user engagement to help improve the relationship between professionals and service users. The bid to the Children's Social Care Innovation Programme was successful and will be used to fund this improvement work.

We will support our workforce to assertively identify, help and support children, young people and families to stop their needs developing and to enable them to meet positive outcomes. **A single support plan for the whole family** will be provided which will clearly indicate the objectives of the family and the associated responsibilities of the family and practitioners.

The Think Family approach is also embedded in our 'Stronger Families' programme (known nationally as Troubled Families) whereby we ensure that children and young people are kept safe from harm and that vulnerable families receive the support they need. Through implementation of Phase II of this programme, we will be able to offer support to a broader range of families if they meet at least two of the following criteria:-

- Parents and children involved in crime or anti-social behaviour
- Children who have not been attending school regularly
- Children who need help – either identified as in need or subject to a Child Protection Plan
- Adults out of work or at risk of financial exclusion, or young people at risk of worklessness
- Families affected by domestic violence and abuse
- Parents and children with a range of health problems

We will link in to the Multi Agency Safeguarding Hub, which aims to achieve faster and more consistent responses to concerns about vulnerable children. We will also **evaluate the multi-agency challenge process in collaboration with the Local Safeguarding Children Board** to provide an opportunity for challenges regarding the child protection process to be raised in a timely way, which leads to improved outcomes for children and young people.

We will implement the **Looked After Children Reduction Strategy** to provide effective alternatives to care and create permanent places for children and young people, as well as reduce the number of looked after children reported as missing from care.

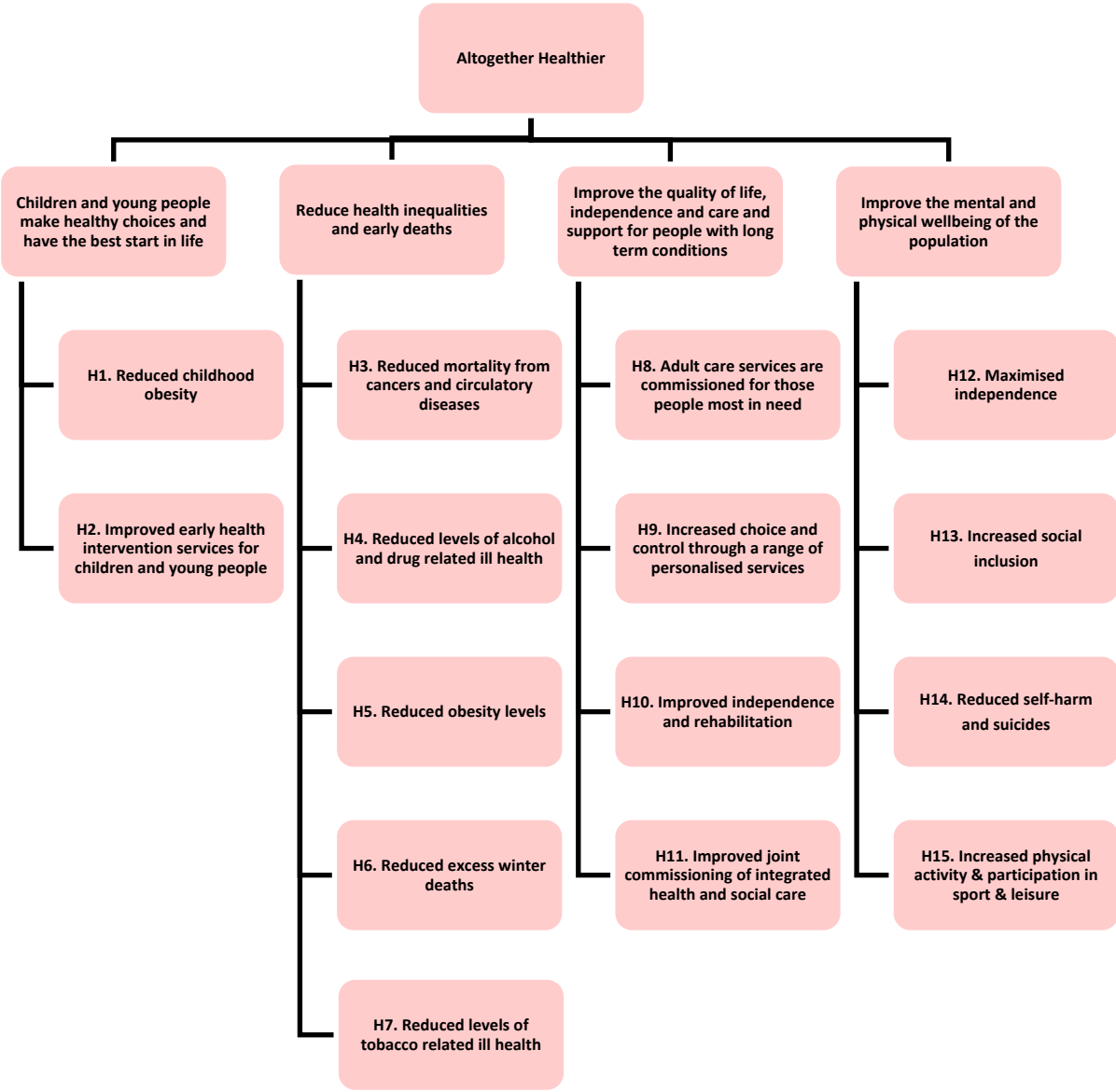
We will provide support to young people in their caring role, by reviewing the carer's card to **give young carers access to a wider range of services**. The card offers discounts and concessions at retail and leisure venues throughout County Durham.

We will improve engagement with children and young people and their families by establishing children, young people and parent forums and electronic surveys, so that standards within children's social care are met and children and young people are appropriately safeguarded

Summary

<p>Going Well:</p> <ul style="list-style-type: none"> • 932 families in County Durham have been 'turned around' through the Stronger Families programme to October 2014; County Durham is in the top 20% nationally for 'turning around' Troubled Families. • There has been a 25% reduction in children and young people not in education, employment or training in 2014/15 • In 2013/14, 65% of Durham's pupils achieved 5 or more GCSEs at A*-C (or the equivalent), compared to 63.8% of pupils nationally. 	<p>Look Out For:</p> <ul style="list-style-type: none"> • The development of a comprehensive Children and Young People's Mental Health and Emotional Wellbeing Plan, which will aim to support children and young people who experience mental health problems. • From 1 October 2015, we will take on commissioning responsibility for public health services for children aged 0-5, enabling a whole system approach to health improvement services and service delivery.
<p>Cause for Concern:</p> <ul style="list-style-type: none"> • Less of our looked after children achieved 5 A*-C GCSEs than anticipated. • The rate of young people (10-24yrs) admitted to hospital as a result of self-harm is higher than the national rate. • Alcohol related hospital admission rates for children and young people under 18 years of age are higher than the regional and national rates 	<p>Did you know?</p> <ul style="list-style-type: none"> • Since the First Contact Service was established in April 2014, there has been a 33% reduction in those entering statutory services. • There has been an 81% fall in first time entrants to the youth justice system since 2007/08 in County Durham.

Altogether Healthier



Our Vision

The health of the people in County Durham has improved significantly over recent years but remains worse than the England average. We know that there is a clear link between poor health outcomes and deprivation and that levels of deprivation are higher and life expectancy is lower in the county than the England average. Health inequalities also remain persistent and pervasive.

Working with the County Durham Health and Wellbeing Board, the Joint Health and Wellbeing Strategy 2015/18 outlines a vision and objectives for the next three years. The vision we share is to 'improve the health and wellbeing of the people of County Durham and reduce health inequalities'. Central to this vision is the fact that decisions about the services provided to service users, carers and patients should be made as locally as possible, involving the people who use them. Our vision is also shaped by the Joint Strategic Needs Assessment for County Durham and the Care Act 2014.

We will focus on providing social care support to those who are eligible to receive it, joining up services with partners and giving people more choice over the services provided to meet their eligible needs. We will also focus on providing support to people in our communities who are particularly vulnerable to social isolation or loneliness, as this can affect their quality of life and wellbeing.

To help achieve our vision, Altogether Healthier has the following high level objectives:

1. Children and young people make healthy choices and have the best start in life

What happens to children before they are born and in their early years can affect their health and opportunities later in life. Those who grow up in a safe environment and have a healthy relationship with their parents and peers are more likely to do better as they go through life. Supporting children and young people to be healthy and to reach their full potential through offering support at the earliest opportunity is, therefore, vital to them achieving successful outcomes.

We want to help children to be as healthy as possible, by preventing illness and encouraging healthy behaviours. We will continue to **support women to start and continue to breastfeed their babies**, and provide support to families and children to **develop and sustain a healthy weight**, through providing strategic leadership to support partners in the county to achieve UNICEF Stage 3 baby-friendly accreditation and through implementing actions from the National School Food Plan.

To improve early health intervention services for children and young people, we will **review the 5-19 school nursing service** and ensure that a high quality service is delivered which is value for money and meets the needs of children and young people.

Working with partners across the county we will **implement the Unintentional Injuries Strategy** to reduce accidental injuries in children and young people and ensure quality of care for those involved in accidental injury. This will involve collating and sharing injury profiles, including Accident and Emergency Department attendances, with relevant partners to help plan and evaluate injury prevention programmes.

2. Reduce health inequalities and early deaths

Although health in County Durham has improved over recent years and people now live longer lives, the rate of progress has not been equal across the county and health inequalities are still evident. We will **implement the Wellbeing for Life service** to address factors affecting health and wellbeing and to tackle health inequalities in County Durham. We will do this by taking a holistic approach to lifestyle and other relevant issues which impact on people's health, for example housing and employment.

Lifestyle choices remain a key area of focus to reduce premature deaths and many people in County Durham continue to make poor lifestyle choices, compared to England averages. The development of a **Healthy Weight Strategic Framework** for County Durham will promote the benefits of a healthy diet and improve access to physical activity, by encouraging and supporting people to walk and cycle more.

Alcohol is a significant contributor to ill-health and rates of hospital stays for alcohol-related harm remain significantly higher in the county than the England average. We will **implement the Alcohol Harm Reduction Strategy** to raise awareness of the dangers and mitigate the harm caused by alcohol through social marketing campaigns. We will also examine the best approaches to tackling alcohol related harm in public houses and other licensed venues as part of a wider review of specialist drug and alcohol provision. A new **Drug Strategy** was agreed by the council and partners this year. The aims of this strategy are to prevent harm, restrict supply, minimise the impact of drugs and build recovery within communities and families. This strategy will be rolled out to provide training and education to support individuals, professionals, communities and families to address the harm caused by drugs and sustain a future for individuals to live a drug free healthy life. A contract for drug and alcohol treatment services has recently been commissioned and treatment centres will commence in 2015. A social marketing plan will be implemented to raise awareness of drugs, targeting schools and families and train professionals to advise and support on addiction.

We will undertake social marketing campaigns to **raise awareness about the harm of alcohol** and agree the best approaches to tackling alcohol-related harm in pubs, other venues and places, as part of the wider review of specialist drug and alcohol provision.

We will develop a **substance related deaths group** and **increase access to abstinence based programmes**.

Cancer and cardiovascular disease contribute significantly to the gap in life expectancy between County Durham and England and as such remain priority areas for action. Through **raising the profile of cancer awareness and earlier diagnosis** we aim to encourage the uptake of cancer screening programmes, whilst **targeting access to the Health Check Programme** in County Durham to people **at greater risk of developing cardiovascular disease**. This will involve expanding Check4Life health checks into all GP practices in County Durham. Smoking is the biggest single contributor to shorter life expectancy. However, a participation rate in smoking cessation services has recently declined. This is a national trend. We therefore intend to **review and modernise stop smoking services**. This will involve looking at best practice, consultation with interested parties, market testing and engagement

and procurement or negotiation of a new contract over the forthcoming year. The council will also implement a **smoke free play areas initiative** across the county at outdoor play areas and play parks to help reduce tobacco related ill health.

We will work to improve the quality of life for those with underlying health conditions by developing and commissioning interventions to **address the impact of fuel poverty** through improving energy efficiency of homes. This will involve raising awareness of fuel poverty among professionals who deal with vulnerable people through the delivery of a briefing programme to health and social care staff on how to make referrals to the appropriate organisations for help. This includes energy saving improvements through Warm Up North such as central heating, double glazing and home insulation, advice on discounts on fuel bills and benefit payments and signposting to community oil buying schemes for those with oil fired heating systems.

3. Improve the quality of life, independence and care and support for people with long term conditions

The number of people with long term chronic conditions requiring health and social care services in County Durham is forecast to increase. Those requiring additional support to maintain independence in their own homes is also expected to rise. An increasingly older population will see increased levels of disability and long term conditions and will significantly increase the number of people who provide care to family members or friends.

We will implement a new home loans service and identify opportunities for minor adaptations, through the assessment process, to support more people at home.

We will support adults with autism to access preventative services and remain independent in their own homes.

Through the Care Act 2014, the government is changing the care and support system so that it focuses more clearly on people's wellbeing, supporting them to live independently for as long as possible. Through **implementation of the Care Act**, we will help people to have more control over their assessment and care planning by **implementing an integrated transitions team** between children's and adults services and **reviewing the assessment process to take into account additional demand from self-funders**.

We will offer more choice and control to the adult social care users through providing **joined up social care and personal health budgets**. We aim to increase the number of personal health budgets administered through the direct payments process by working with health partners to join up social care and health budgets. This will also help to deliver greater efficiencies for the council and health partners.

People with poor health, who have had an accident, have a disability or impairment should have the opportunity to learn or regain some skills they may have lost. This will give them greater confidence and help them maintain their independence. This is the aim of the reablement service. We will increase the number of service users who are supported through the **reablement service** to increase their independence.

We will develop a neighbourhood network model, linked to the Wellbeing for Life service, to empower people in communities to develop their knowledge and skills to promote their own wellbeing and improve individual and community resilience.

In the June 2013 spending review the Government announced a £3.8bn **Better Care Fund** (BCF) to ensure a transformation in integrated health and social care. County Durham's allocation is £43.7m. The BCF is a pooled budget which will be deployed locally on health and social care initiatives from 2015/16. The BCF Plan will support the aim of providing people with the right care, in the right place, at the right time, with a significant emphasis upon care in community settings and the express aim of reducing admissions and readmissions to secondary care and alleviating pressures on the acute health sector. The vision for the BCF in County Durham is to improve the health and wellbeing of the people of County Durham and reduce health inequalities. This is a major programme of change for the council and its partners and is being managed through a series of seven workstreams. These are looking at:

- **Short term intervention services** - This includes intermediate care community services, reablement, falls and occupational therapy services
- **Equipment and adaptations for independence** - This includes telecare, disability adaptations and the Home Equipment Loans Service
- **Supporting independent living** – This includes mental health prevention services, floating support and supported living and community alarms and wardens
- **Supporting carers** – This includes carers breaks, carer's emergency support and support for young carers
- **Social inclusion** - This includes local coordination of an asset based approach to increase community capacity and resilience to provide low level services
- **Care home support** - This includes care home and acute and dementia liaison services
- **Transforming care** - This includes maintaining the current level of eligibility criteria, the development of IT systems to support joint working and implementing the Care Act

4. Improve the mental and physical wellbeing of the population

Good mental wellbeing and resilience are fundamental to our physical health, relationships, education, training, work and to achieving our potential; this is the foundation for wellbeing and the effective functioning of individuals and communities.

We will **develop and implement programmes to increase resilience and wellbeing** and roll out the **Mental Health Implementation Plan** to focus on the mental wellbeing of the whole population, the physical health of people with mental health problems, people's experience of care, and experience of stigma and discrimination. This includes work as part of the Crisis Care Concordat (improving outcomes for people experiencing mental health crisis) and self-harm and suicide prevention particularly amongst vulnerable groups. It also includes child and

adolescent mental health services. An accessible 24 hour support service will be developed to enable people to get advice on what services are available locally which are most appropriate to their needs.

A new service called the Wellbeing for Life Service will commence in April 2015. This is being delivered by a consortium of public and voluntary sector organisations to work with individuals and families to set personal wellbeing plans to improve health around diet and nutrition, increased physical activity, healthy weight, reduced smoking, improved mental wellbeing and signposting to other services such as housing and community learning.

It is recognised that maximising independence for people is an important contributor to positive mental health. We will develop and implement programmes to increase resilience and wellbeing whilst developing a more integrated response for people with both mental and physical health problems. We will work in partnership with the voluntary and community sector to identify those who are, or who are at potential risk of becoming socially isolated by undertaking local campaigns to raise awareness amongst the public and within the workplace to reduce stigma and discrimination towards people who experience mental health problems.

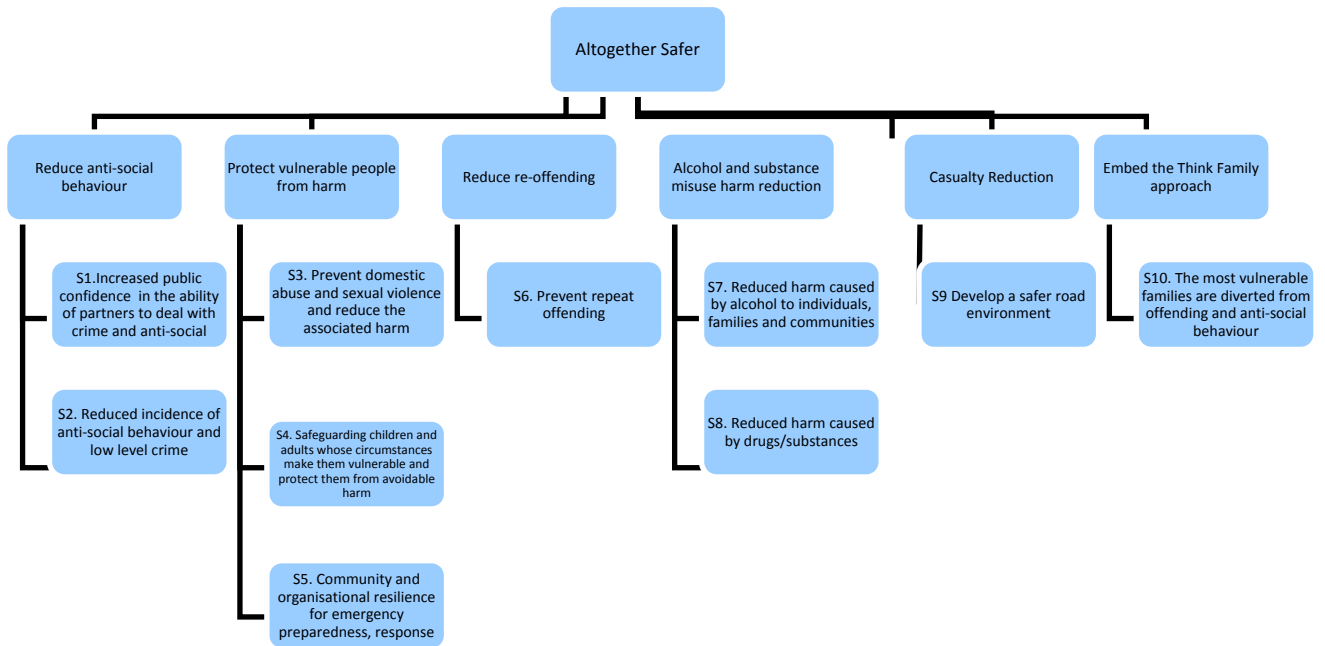
We will implement the Dementia Strategy to **support people who have dementia** to live in their own home for as long as possible, help them to maintain independence, and provide them with end of life/palliative care which ensures dignity and respect. We will carry out the accreditation process for Dementia Friendly Communities in pilot towns in Chester-Le-Street and Barnard Castle. We will also review the provision of memory cafés across the county to ensure that coverage is appropriate and that it is meeting the needs of people living with dementia and their carers.

Through the **implementation of the Physical Activity Delivery Plan**, we will provide a wide range of physical activity opportunities for local people and **develop the culture and sport core offer** in County Durham so that more active lifestyles can be supported.

Summary

<p>Going Well:</p> <ul style="list-style-type: none"> • Male and female life expectancy has been improving over time. • The rate of teenage conceptions in the county has decreased faster than the North East rate over the last 10 years. • A Better Care Fund Plan has been agreed for County Durham, which will support work to integrate health and social care initiatives locally. • We are achieving our target of 93% of social care service users reporting that the help and support they received has made their quality of life better. 	<p>Look Out For:</p> <ul style="list-style-type: none"> • The Health and Wellbeing Board 'Big Tent' Engagement Event in October 2015. In 2014, over 240 people attended to provide views and contribute towards health and wellbeing services in County Durham. • The roll out of 'Dementia Friendly Communities', which will focus on improving inclusion and quality of life for people living with dementia - first two sites Barnard Castle and Chester le Street.
<p>Cause for Concern:</p> <ul style="list-style-type: none"> • Smoking related deaths are significantly higher in County Durham than the England average. • More adults in County Durham have an unhealthy weight than the England average. • Breastfeeding initiation and prevalence rates in County Durham are significantly lower than the national rate and also below regional levels. • Recorded prevalence of many long term conditions is greater in County Durham than England, for example diabetes, hypertension, chronic heart disease. 	<p>Did you know?</p> <ul style="list-style-type: none"> • We have implemented a suicide and attempted suicide alert process for young people at risk of suicide or self-harm. • A Palliative and End of Life Care plan for the county will provide help for those diagnosed with a life-limiting condition and also their carers.

Altogether Safer



Our Vision

As a responsible authority of the Safe Durham Partnership, we work closely with partner organisations to tackle crime and disorder in County Durham and play a key role in the development of the Safe Durham Partnership Plan.

The Safe Durham Partnership Plan describes the ‘Altogether Safer’ priority objectives and outlines the strategy for tackling crime and disorder and responding to these priorities. The Plan demonstrates how strong leadership, planning, performance management and problem-solving will result in action plans which aim to deliver positive outcomes for our communities.

We will continue to support the Safe Durham Partnership in delivering on shared priorities, building on achievements and working together to meet the challenges ahead. Working in partnership is essential to achieving our vision, which is for

County Durham to be 'a county where every adult and child will be, and will feel, safe.'

An emerging issue for us is counter terrorism, as recent national and international events have led to the government increasing the national threat level to 'severe'. The Counter Terrorism and Security Bill places local authorities at the heart of 'Prevent', the government's strategy for preventing people being drawn into terrorism and so, together with partner organisations, we will need to build on existing work to respond to this emerging issue.

To help achieve our vision, Altogether Safer has the following high level objectives:

1. Reduce anti-social behaviour

Anti-social behaviour (ASB) is linked to everyday problems such as noise, abandoned cars, litter, vandalism and intimidation and can affect people's happiness and pride in their local communities. Although reported anti-social behaviour has reduced over the past 5 years, it is still one of the main issues the people of County Durham want the police and partners to tackle.

As a result, we will support the work of the Safe Durham Partnership through the development of the **Safe Durham Partnership Strategic Assessment and Partnership Plan** to identify what the crime and disorder issues are in the local area and how the partnership plans are responding to them.

There are many complex factors that contribute to ASB within our communities; deprivation, unemployment, alcohol and substance misuse being just a few examples. To be truly effective we must tackle these underlying causes, and one such initiative to address this is our **Community Action Team (CAT) Programme Scheme**, an eight week rolling programme which brings together residents and a range of organisations to identify and tackle local concerns such as housing, environmental concerns, noise, underage drinking and smoking. The CAT programme includes 5 priority area based initiatives per year.

The Safe Durham Partnership has been engaged in activity such as the 'Getting Involved Campaign' which encourages people to get involved with Neighbourhood Watch, Speed Watch and the Green Dog Walkers scheme. Initiatives such as Operation Aires engages young people in fun activity to raise awareness of the harm caused by alcohol and the impact it can have on behaviour.

The 'Multi-Agency Intervention Service' works with adults who persistently cause, anti-social behaviour or crime in order to change their behaviour. The service develops a package of support and intervention based on individual needs. It will help to resolve some of their problems and to stop further anti-social behaviour or crime being committed. The service also supports victims so they can be reassured that the offending behaviour will stop.

We will continue to work with partners to tackle ASB and low level crime and will **strengthen the effectiveness of the Joint Partnership Team** through improved sharing of information and intelligence, integrating the work of our Safer Neighbourhood Units with other community safety operations and fully utilising the combined range of enforcement powers available, including those set out in the new Anti-Social Behaviour, Crime and Policing Act 2014.

2. Protect vulnerable people from harm

Protecting vulnerable people from harm has been identified as a key priority for us and our partners through the Safe Durham Partnership and work taken forward is closely linked to the work of the local Safeguarding Adults Board and Local Safeguarding Children Board, where appropriate to do so. This priority includes effectively responding to, and better protecting, those vulnerable individuals and communities most at risk of serious harm, improving the safety of domestic abuse victims and their children, reducing repeat incidents of domestic abuse, as well as supporting those who are a victim of sexual violence.

We will work with partners to implement the **Domestic Abuse and Sexual Violence Delivery Plan** to reduce the prevalence of domestic abuse in County Durham. We will do this through implementing the Domestic Abuse and Sexual Violence Executive Group joint training plan, taking action to reduce the risk of victims and bringing perpetrators to justice by implementing the new integrated service model.

Work will also be undertaken to ensure the implementation of **the first strategic plan for the new statutory Safeguarding Adults Board**, in line with the requirements of the Care Act 2014.

We have a statutory duty, as a Category 1 responder under the Civil Contingencies Act 2004 to provide an Emergency Response Service. We are supported by Durham and Darlington Civil Contingencies Unit and other key voluntary agencies, to ensure that it provides **organisational resilience and emergency preparedness**, response and recovery arrangements through its Emergency Response Team.

3. Reduce re-offending

The government's objective to reduce crime and the number of victims of crime demonstrates a continued focus on re-offending.

We will continue to support the Safe Durham Partnership in delivery of the Reducing Re-offending Strategy 2014/17. We will support effective offender management interventions such as Checkpoint, Integrated Offender Management, Womens Diversion Scheme and Restorative Justice, to reduce levels of re-offending.

We will implement the **County Durham Youth Offending Service Youth Justice Plan 2014/16** and reduce first time entrants to the youth justice system, by implementing a quality assurance framework and improvement plan for pre-court work and working with partners to implement the Out of Court Disposals scrutiny process. Durham and Cleveland Local Criminal Justice Boards are working in partnership to implement and operate an out of court disposal scrutiny process. Out of court disposals allow the police to deal quickly and proportionately with low level, often first time offending which could be more appropriately resolved without going to

court. It provides the opportunity for interventions to be put in place to prevent further offending and gives prompt resolution for victims. Further improvements will be made to the assessment and planning interventions framework which is used to assess why individuals commit a crime and how the person can be prevented from further offending.

We will work with partners to implement a restorative approaches training programme for DCC staff, to enable them to deliver restorative practice within their role so that re-offending is reduced and people are kept out of the criminal justice system.

We will continue to provide the Safe Durham Partnership with strategic level co-ordination of partnership issues relating to the Ministry of Justice 'Transforming Rehabilitation' programme during the transition of probation services across County Durham. We will work with the National Probation Service, Durham Tees Valley Probation Community Rehabilitation Company and HMP Durham through the contract post award process and delivery of new working arrangements.

4. Alcohol and substance misuse harm reduction

Alcohol and substance misuse contribute to a significant proportion of crime and anti-social behaviour. Alcohol is a contributory factor in many incidents of domestic abuse and sexual violence. It is also a significant factor in child neglect and child protection. Alcohol consumption plays a substantial part in homicides and domestic homicides, whilst alcohol misuse causes harm to people's health, mental health and can impact on the ability of individuals to access or sustain employment.

Drug misuse is a serious issue not only to the health and wellbeing of the individual affected by it, but to that of their families and the wider community. Tackling drug misuse requires a co-ordinated approach involving a wide range of partners.

We will continue to **implement the Alcohol Harm Reduction Strategy** to reduce the impact of alcohol-related crime and disorder. As part of this work, we will improve the sharing of alcohol-related violent crime data between hospital emergency departments and partners and use the shared data to prevent alcohol-related violent crime.

Our multi-agency alcohol seizure procedure has been highlighted as national good practice by the Home Office Alcohol Team. It has contributed to the reduction in anti-social behaviour and has helped us understand more about how children and young people access alcohol. This has provided the opportunity for them to engage and benefit from early intervention.

We and the Safe Durham Partnership will implement the **County Durham Drug Strategy 2014/17** to reduce drug use and drug-related incidents and to sustain a future for individuals to live a drug free and healthy life, whilst minimising the impact on communities and families.

The 'Recovery Academy Durham' is just one of our services aimed at building recovery. Clients benefit from working with trained peer therapists who have had similar experiences. After the client has graduated they are offered a secondary

programme to help with education, employment, training and ongoing recovery support.

Following the tragic deaths of three university students in the river Wear in Durham city over a fourteen month period, the council has been working closely with the university, the police, Durham Students' Union and the cathedral as the City Safety Group to agree and implement a series of actions and measures to improve personal and riverside safety in the city. These actions include working with students and licensed premises in the city to ensure that alcohol is supplied and consumed in a safe and sensible way.

5. Casualty Reduction

Overall road casualty numbers in the county are lower than national levels and there has been a general downward trend. Although 2013 saw the fewest number of road casualties since detailed records began in 1979, concerns remain about the level and severity of injuries to vulnerable road users, particularly children.

Numbers of people who have been killed or seriously injured remains small. The vast majority of accidents result in slight injuries. An analysis of location data for all child casualties in County Durham over a four year period shows that the majority (86%) of incidents occur within a 600 metre radius of a school. Furthermore, there are 33 schools within the county that experience collisions of more than twice the mean within this radius. National accident statistics show that pedestrians knocked down by a vehicle travelling at 40mph have only a 5% chance of surviving; at 30mph it is 45% but at 20mph, the chances of surviving rise to 95%. Reducing speed also reduces the chances of having a collision at all.

The council has therefore agreed to **introduce part-time 20mph limits** on main and distributor roads around the 33 schools with the highest accident rates, subject to local consultation and scheme design.

6. Embed the Think Family approach

'Think Family' is a multi-agency approach which seeks to provide early intervention for those families which have problems and cause problems to the community around them. It requires all agencies to consider the needs of the whole family when working with individual members of it. To 'Think Family' is to understand that children's problems do not sit in isolation from their parents, and that parents' problems impact on their children. This approach ensures that all family members are able to get the support they need, at the right time, to help their children achieve good outcomes. This means making sure that families receive co-ordinated, multi-agency, solution-focused support.

The Safe Durham Partnership and the council have adopted this approach in order to provide families with the best possible opportunity to avoid involvement in crime and disorder and to reduce their impact on services. This will lead to financial benefits and will present social benefits for areas of the county where communities suffer most.

The County Durham Stronger Families Programme is currently on track to turn around its targeted number of 1320 families by May 2015. Families have received help and support delivered with a 'Think Family' multi-agency approach coordinated

by a Lead Professional and a Team around the Family utilising a single multi-agency care plan in order to reduce duplication and maximise impact.

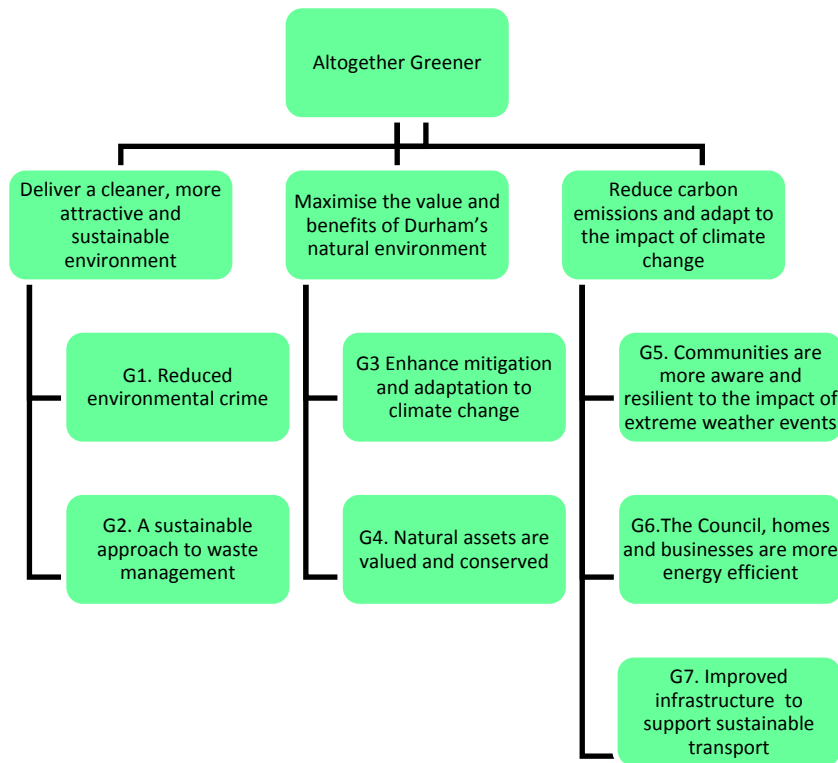
In June 2014, the Government announced plans to expand the Troubled Families Programme for a further five years from 2015/16 and to reach an additional 400,000 families across England; for Durham this means an additional 4000 families will be targeted. Due to County Durham's success in turning around the lives of families on the Stronger Families Programme it has been asked to enter the expanded programme early.

We will continue to develop and **train staff in restorative approaches for early intervention when working with families**, to prevent them from offending.

Summary

<p>Going Well:</p> <ul style="list-style-type: none"> • Anti-social behaviour fell by 4.9% in 2013/14 and has fallen by two thirds since 2006/07. • The rate of adult re-offending has reduced by 65% for offenders within the Integrated Offender Management programme. • The number of first time entrants to the youth justice system reduced by 17% in 2013/14. • 93.6% of adult social care users surveyed reported that care and support services received helped them to feel safe and secure. • Repeat cases of domestic abuse are lower than the national average 	<p>Look Out For:</p> <ul style="list-style-type: none"> • The “Sorry’s Not Enough” domestic abuse campaign and a dedicated website for the public. • New tools and powers to tackle anti-social behaviour. • A new integrated drug and alcohol service delivering prevention, treatment, rehabilitation and promoting recovery. • A new Community Rehabilitation Company, ARCC (Achieving Real Change in the Community), delivering rehabilitation and offender management services. • Safe Places - a place to go for those who feel anxious, confused or unsafe.
<p>Cause for Concern:</p> <ul style="list-style-type: none"> • Not as many people have gone through drug treatment as we had hoped - a national trend. • A 9.7% rise in overall crime over 2013/14 is forecast to be followed by a 1.7% increase in total crime in 2014/15. • 11.7% of all crime was alcohol-related in 2013/14. • 15.3% of all anti-social behaviour incidents involved alcohol. • Increase to the national terrorist threat level to severe. • County Durham experiences significantly higher alcohol specific hospital admission rates than England for both men and women. 	<p>Did you know?</p> <ul style="list-style-type: none"> • 100% of Care Connect emergency calls are dealt with in 60 minutes (somebody arrives at the property) • Due to success, County Durham was selected to start phase 2 of the Troubled Families programme early (known locally as Stronger Families). • County Durham has more households in a Neighbourhood Watch scheme than anywhere else in the country. • We are planning a new model to prevent domestic abuse and tackle perpetrators by challenging behaviours. • £500,000 external funding secured for a volunteer Safer Homes Project.

Altogether Greener



Our Vision

The key aims of the Altogether Greener priority theme are to make environmental improvements and drive sustainable development across the authority area. Key areas of focus include tackling the negative impacts of climate change; encouraging sustainability and energy efficiency; and improving the quality of our local environment.

The Altogether Greener agenda has had to be reconsidered and balanced in line with our diminishing resources and the priorities of our local communities. The need to work collaboratively with partners, residents and businesses to build collective ownership and action has never been greater.

To help achieve our vision Altogether Greener has the following high level objectives:

1. Deliver a cleaner, more attractive and sustainable environment

Research shows a person's local environment has a profound impact on their quality of life and wellbeing, with neglected environments creating a sense of unease which can create and/or intensify problems of anti-social behaviour. Our local communities recognise this link and consistently rank the quality of their local environment as important.

Over the next three years, we will be **reviewing our operational procedures in relation to street Cleansing and Grounds Maintenance**, to ensure that streets and open spaces are consistently well-maintained and free of litter, dog fouling, graffiti and dumped rubbish. We will **reduce environmental crime** by continuing to

target those who deliberately blight our environment using multi-agency countywide programmes of improved intelligence, greater education and awareness, and tougher enforcement measures.

Delivery of the **Waste Programme** remains a key area of focus. The Waste Programme underpins our Municipal Waste Management Strategy, which places an emphasis on sustainable waste management, prioritising waste reduction, re-use and recycling. It will deliver significant cost and environmental savings through operational changes, reduced contract costs, elimination of landfill tax payments, increased recycling and energy generation.

Future improvement projects include: maximising the potential of our Waste Transfer Stations following significant capital investment; reviewing our approach to business waste in Durham City to improve cleanliness, harmonising collection arrangements for clinical waste, and implementing both the Household Waste Recycling Centre (HWRC) provision plan and the garden waste collection scheme.

However, success will not be achieved by us alone. To be truly successful we need to build a strong sense of community and increase the number of people engaged in the improvement of their own communities, for example, participation in 'in-bloom' initiatives. We will continue to build on environmental initiatives within schools and colleges, promote our environmental awareness programmes and encourage local volunteering.

2. Maximise the value and benefits of Durham's natural environment

Our natural environment is incredibly important. It provides employment, education, areas to enjoy, relax and reflect, as well as the resources and raw materials essential for life. In addition, research has consistently shown that engagement with 'green' environments by, for example, visiting the countryside, enjoying green spaces in towns and cities, watching wildlife or volunteering can provide significant physical, mental and social benefits. Therefore, as a society we need to value the natural environment and ensure it is protected for future generations.

We will continue to work with our partners and communities to deliver projects that will conserve and enhance the unique biodiversity, geo-diversity, landscape, rich heritage and cultural assets of County Durham. Through **landscape scale projects** delivered by various partnerships, we also work to conserve and enhance the natural beauty of specific landscape areas such as the North Pennines AONB and Durham Heritage Coast. We are also aware that resilient and healthy ecosystems across our rural and urban landscapes play a crucial role in absorbing and storing carbon, and thus helping to protect us from climate change.

Where budgets allow, and in line with community requirements, we will carry out improvements to enhance our urban parks and open spaces, for example, the commencement of an improvement programme for **Wharton Park** in Durham City. We will also be working with our communities to **maximise the use of allotments** and encourage sustainable food production.

We will continue to support delivery of the **Contaminated Land Strategy**, which outlines how we will identify historic sources of contamination and work with land owners to prevent, remedy or mitigate any harm or pollution that may have resulted, as well as **Air Quality Action Plans**, which set out how we will reduce air pollution levels and improve standards of air quality.

3. Reduce carbon emissions and adapt to the impact of climate change.

The reality of climate change is now generally accepted and although it may bring some localised benefits, such as fewer winter deaths in temperate climates and increased food production in certain areas, the overall effects are likely to be overwhelmingly negative. In recent years, we have experienced more extreme weather events and we expect more major flooding incidents as well as hotter summers in the future.

As a reflection of the seriousness of climate change, European targets have been set that oblige us to achieve a 40% reduction in carbon emissions by 2030. Our **Carbon Management Strategy** not only sets out how we will achieve this target but also how we will lessen the impact of the unavoidable consequences of climate change. Improvement projects underway include increasing the energy efficiency of our buildings, reducing the carbon footprint of our operations, retrofitting 41,000 street lights as part of the 6 year **Street Lighting Energy Reduction Programme** and incorporating Sustainable Urban Drainage Schemes (SUDS) to reduce surface water flooding and improve water quality at a local level. We are working through the North East partnership scheme **Warm Up North** to help households with energy saving improvements, for example central heating, double glazing and wall or loft insulation. The scheme can help private homeowners, rented property owners and those on low incomes meet upfront costs of making their properties more energy efficient.

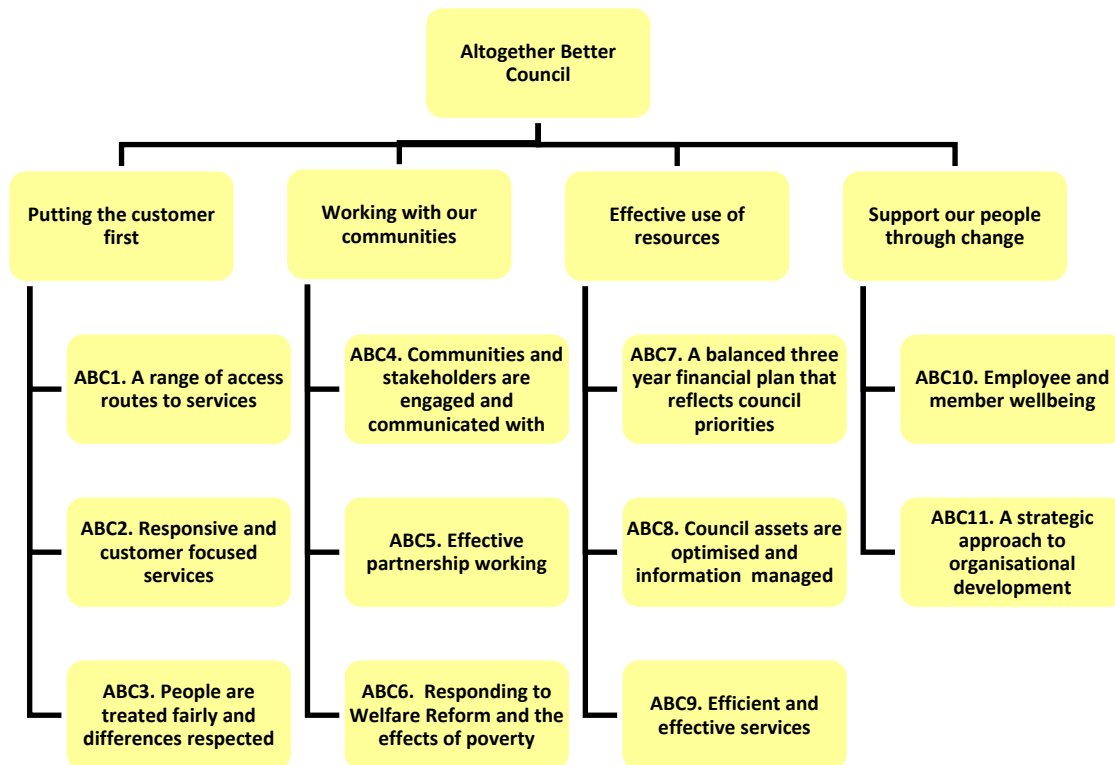
We will continue to invest in a programme of improvements that will encourage and enable people to commute to work, education and services by sustainable modes of transport. One of such initiatives will be to develop and improve the **strategic cycle route network** across County Durham to provide improved links and access to main towns and rural locations. Not only would this enhance the environment, it would also contribute to the quality of people's lives, fitness, health and well-being.

Summary

Going Well:	Look Out For:
<ul style="list-style-type: none">• Our Street Lighting Energy Reduction Programme is 50% complete; more than 20,000 street lights retrofitted to date reducing energy costs by £450,000• Over 1,100 households received installations to improve energy efficiency through 'Warm Up North' Scheme• 1,700 people volunteered as part of the 2014 Big Spring Clean campaign. During the 3,000 volunteer hours, 1,200 bags of litter were collected and, trees and debris were removed from the River Wear in Durham City.• Work is progressing with the development of a new cycle/walk multi user route between Shildon and Newton Aycliffe (Note: moved from 'Going Well' in Wealthier section)	<ul style="list-style-type: none">• A shared-use walking and cycling path in Aycliffe industrial estate (between Heighington station and Hitachi);• Resurfacing of the national cycle network route 14 (Durham City Riverbanks);• Construction of the next phase of the Great North Cycle Way between Chester le Street and Durham and a new shared use route between West Rainton and Carrville, which will become Cycling Super Routes.• 2015 Heritage Open Days which will allow free access to nearly 70 venues across the county for 4 consecutive days in early September 2015• Volunteering opportunities to help improve the local environment and make neighbourhoods a cleaner and greener place to live;• Opportunities to make a valuable contribution to improving our countryside as a Volunteer Countryside Ranger• 2015/16 Community Action Team Programme identifying the 10 locations across the county which are most in need of targeted interventions to tackle local housing and environmental issues• 2015 Big Spring Clean (28th February to 18th April)

<p>Cause for Concern:</p> <ul style="list-style-type: none"> • Increase in severe weather events; including prolonged winter snow, heavy rain storms, high winds 	<p>Did you know?</p> <ul style="list-style-type: none"> • 97.1% of municipal waste is now diverted from landfill • More than 2,200 tonnes of furniture and household items were saved from disposal and provided for families on low incomes as part of the DCC's Reuse Scheme. The County Durham Refuse forum received a prestigious best Partnership Award in 2014 from the Local Authority Recycling Advisory Committee • DCC were awarded 15 green flags for our parks, open spaces, countryside sites and cemeteries • Durham City and Sedgefield were both being awarded a gold gilt award for their entries in Britain in Bloom 2014.
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Altogether Better Council



Our Vision

Like much of the public sector, Durham County Council faces the dichotomy of rising demand for many of its services and reducing resources available to help deliver them. The future for local government therefore involves investigating new ways to manage demand such as reducing avoidable contact, providing self-service options for some of our simpler services and looking at new models of service delivery, often together with our communities. We also owe it to our taxpayers to ensure that our services are operating as efficiently as possible and that both our service performance and finances are effectively managed. The local authority of tomorrow is likely to look very different to our current setup. It is therefore important that we have a strategy in place to make sure that our organisation develops and that the transformation is made smoothly.

1. Putting the customer first

Technology is changing the way people interact and our customers are demanding faster, easier contact at a time and place that is convenient to them. Our **Customer First Strategy** sets out how we will meet this demand, putting the 'customer first' and providing cost effective services. The Customer First Strategy has three main outcomes.

- We will provide a range of effective and easy to use ways in which our customers can deal with us. A number of projects are being implemented to achieve this, including; **making our website easier to use, providing more self-service** and online facilities, using social media more widely, and **making better use of our buildings**. We will also ensure **our customers**

receive the right information, advice and support at their first point of contact, and that their information is held securely.

- It is important that we provide responsive and customer focussed services by **communicating clearly to our customers how and when services will be delivered**, and keeping them informed of progress. Our staff will be kept informed of customer needs through a programme of customer care training, which will improve the standard of customer interactions.
- We need to **use customer feedback to inform learning and improve services**. We will always take customer views into account before changing any aspect of our services, and following any change we will monitor its impact. We will continue to use feedback to shape service provision and let our customers know the difference it has made through the 'you said, we did' approach. We will also acknowledge where we have got it wrong and be clear on what we will do to put it right.
- We will treat people fairly through ensuring that any changes to council policies and the way that we do things is **properly assessed** to ensure that certain groups of people are not disproportionately affected by any changes.
- Another area of relevant council activity, putting the County's residents at the centre over the duration of this plan, will be the effective and efficient delivery of all **elections** in compliance with the Electoral Commission's performance standards, beginning with the Parliamentary General Election in May 2015.

2. Working with our communities

We have a reputation for working with our communities. We have carried out extensive consultation work on changes to our budgets with members of the public. Our 14 Area Action Partnerships are real catalysts for change in our local communities. We have introduced innovative participatory budgeting in our localities and have worked with a range of partners in ensuring that public services in County Durham are joined up.

- We will work with communities to commemorate the massive role that the people of County Durham played in **World War One** throughout the centenary of the conflict.
- We will develop the **Durham Ask** programme to transform the delivery of services through supporting organisations interested in running local facilities.
- As part of our work with communities and stakeholders, during 2015/16 we will undertake a full **review of the Local Council Tax Reduction Scheme**, originally agreed following extensive consultation and adopted from April 2013.
- We recognise the powerful role that partners in the voluntary and community sector can play in the delivery of local services to residents. We will work with

Durham Community Action to deliver a **Centre for Volunteering and Social Enterprise** to help strengthen the capacity of this sector in the future.

- We will continue to manage changes introduced by the **Welfare Reform Act 2012** such as the proposed rollout of Universal Credit. We will also ensure that our policies take into account the effects of **poverty** on our residents.

3. Effective use of resources

It is imperative that we utilise all available resources both efficiently and effectively; this is especially the case when faced with unprecedented reductions in government funding requiring us to deliver savings of £225m between 2011 and 2018.

- To plan effectively over the medium term, we will produce a **rolling three-year financial plan** which reflects council priorities and feedback from budget consultation processes, forecasts government funding reductions and budget pressures, and identifies the savings required to ensure we can annually set a balanced budget.
- Detailed plans to meet the required individual savings will continue to be subject to the robust assurance process currently in place to ensure that all savings are achieved, and **managers will be supported** throughout this complex process of significant and ongoing organisational change, whilst managing budgets within cash limits.
- Phase II of our **Office Accommodation Project (OAP2)**, with its focus on identifying further efficiencies that can be delivered through the way in which we use our portfolio of office and public buildings.
- Underpinning this work on office accommodation are the delivery of our **ICT Strategy** and the Organisational Development Strategy, which together set out to link our future accommodation plans, to the development and design of Human Resource processes, whilst taking full advantage of emerging ICT technologies.
- With a view to releasing efficiencies, developing capacity and knowledge through the reduction of overheads, removing duplication of activity, management and support costs, and the sharing of specialist knowledge and skills, we will explore opportunities to **work collaboratively with external organisations**.
- We will ensure that the highest standards of **information governance** are being adhered to through our practices and procurement arrangements to ensure that personal data is adequately protected and also that we are being open and transparent in the publication of information.

4. Support our people through change

In the current climate we need to look at very different approaches to how services are delivered and ensure that the workforce is able to contribute by being enabled to be creative and flexible, and possess the right skills to respond positively in a changing environment.

- Our **Organisational Development Strategy** outlines our approach that connects people management and development with organisational improvements. The strategy includes an action plan which focuses on four overlapping themes that provide a coherent approach to improvement: a flexible workforce and workplace; employee engagement; leadership, learning and talent development; and health, safety and wellbeing.
- We need leaders and managers that can effectively empower, engage and motivate the workforce to deliver 'optimum' service delivery at a time of significant austerity. The **Durham Manager** programme has been designed to meet the development needs of our managers, in alignment with our corporate culture, values and priorities. Going forward we will continue to evaluate and develop the programme to support managers and meet the changing needs of the organisation.
- Effective learning and talent development activities will also be provided and utilised including extending learning and development through coaching, mentoring, **e-learning**, and working in partnership with other organisations. In line with our aspiration to achieve optimum individual and organisational performance, we will improve the level and quality of employee performance appraisals undertaken across the council.
- Establishing a flexible workforce and workplace will enable us to adapt to changing business needs, and enable individuals to embrace broader roles within the council, be resilient in a consistently changing environment and be equipped with the right skills to deliver our aims and objectives. To this end, the **Office Accommodation Programme II (OAP2)** will involve linking the development of Human Resources policy and processes with future workplace accommodation plans.
- Our **Health, Safety and Wellbeing** Strategy and associated action plan identifies how we implement the Health and Safety Policy in terms of practical solutions while enabling key strategic objectives to be identified and delivered. The health and safety team work with senior officers to ensure that visible and effective leadership guidance and advice is in place to enable informed health and safety decisions.
- We will explore opportunities to improve **efficiency and effectiveness** through exploring opportunities to collaborate with other organisations in the provision of local services. We will continue to monitor our performance and tackle areas that are underperforming.

Summary

<p>Going Well:</p> <ul style="list-style-type: none"> • Budget Managers utilising 'Business Intelligence' tool to enhance access to budget information • The ongoing development and delivery of our Medium Term Financial Plan and monitoring of MTFP savings • The external audit VfM conclusion identified that we have robust arrangements in place to secure financial resilience • Our innovative triage process for handling enquiries from residents affected by the Government's welfare reforms is helping people to stay in their home, improve their financial situation and find work 	<p>Look Out For:</p> <ul style="list-style-type: none"> • 2015 Parliamentary Elections • Improved pathways and joint working between various agencies involved in the provision of Advice Services through the Advice in County Durham Partnership • Promotion of take-up for online access to Council Tax accounts, Business Rates benefits and e-billing, e-reminder and SMS texting
<p>Cause for Concern:</p> <ul style="list-style-type: none"> • The outcome of the Local Government Finance Settlements for 2015/16 • A reduction in organisational capacity and a potential skills gap as a consequence of down-sizing • Re-aligning systems and processes to accommodate the switch in banker in 2015/16 	<p>Did you know?</p> <ul style="list-style-type: none"> • The Pension Fund has 109 employers who contribute to the fund in addition to the Council and the fund is currently valued at £2.1 billion • There are 238,000 domestic chargeable properties in County Durham, with a gross Council Tax liability of £306m and 85% of these are in Bands A to C • There are an estimated 70,000 claims for Council Tax Reduction each year, with £53m of support being provided. 54% of all claimants are of working age and of these 10,000 are in work claimants

Glossary

AAPs	Area Action Partnerships	JSNA	Joint Strategic Needs Assessment
AONB	Area of Outstanding Natural Beauty	Lumiere	A spectacular festival of art and light in Durham in Nov 2011
ASB	Anti-Social Behaviour	MTFP	Medium Term Financial Plan
CAT	Community Action Team	NEET	Not in Education, Employment or Training
DCC	Durham County Council	NETPARK	The science, engineering and technology park at Sedgefield
FSM	Free School Meals	NHS	National Health Service
GeoPark	UNESCO designated area of geological importance	ONS	Office for National Statistics
GCSE	General Certificate of Secondary Education	PV	Photovoltaic
GDHI	Gross disposable household income	SMS	Short Message Service
GVA	Gross Value Added	SUDS	Sustainable Urban Drainage Schemes
HMO	Houses in Multiple Occupation	UNESCO	United Nations Educational, Scientific and Cultural Organisation
HMP	Her Majesty's Prison	UNICEF	United Nations International Children's Emergency Fund.
HWRC	Household Waste Recycling Centre	VFM	Value for Money
ICT	Information and Communication Technologies		

Contact Details

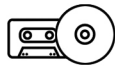
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County Council

1 April 2015

The adoption of a street trading policy



Report of Terry Collins, Corporate Director Neighbourhood Services

Councillor Brian Stephens, Portfolio Holder for Neighbourhoods and Local Partnerships

Purpose of the Report

- 1 The purpose of this report is to recommend the adoption of a Council policy on street trading.

Background

- 2 Prior to LGR some of the former district councils had adopted street trading legislation and others hadn't. This meant that controls existed in some areas of the County but not in others. This caused difficulty in regulating street trading activities as no restrictions were in place in those areas which remained undesignated.
- 3 In December 2011 Durham County Council resolved to adopt the powers to regulate street trading throughout the County provided by Part III Local Government (Miscellaneous Provisions) Act 1982, section 3. The purpose of this was to allow this situation to be harmonised in order to create a consistent approach and allow a degree of control should it be necessary.

Street Trading Policy

- 4 Where the legislation is adopted it is considered good practice for a Council to have a 'street trading code' or policy. The Council therefore agreed that a street trading policy should be produced so that a common approach to street trading activities could be applied across County Durham. The aim of the policy being to aid harmonisation and to promote the Council's rational for street trading, ensuring greater consistency and uniformity of approach.
5. The proposed Street Trading Policy is attached as Appendix 2. This was presented at a Meeting of General Licensing and Registration Committee held on Thursday 15 January 2015. This committee resolved that the adoption of the proposed Street Trading Policy by the Council be supported subject to certain minor amendments which included the inclusion of an additional statement in Section 9 'General Presumptions' that street trading consents for the sale of 'New Psycho-active Substances' (so called legal highs) would not

normally be agreed. These required changes have been made to the proposed policy.

6. A harmonised schedule of fees for street trading authorisations has been devised and approved by the Director of Neighbourhood Services.
7. The proposed policy provides advice to both current and prospective street traders and to the public on the Council's overall position with regards to the authorisation of street trading activities under the Act. It also provides a decision-making framework for the Council via its Officers and Licensing Committee to exercise its quasi-judicial functions.
8. The policy aims to balance the legitimate needs of businesses with local controls and community interests. It also details the licensing authority's role for administering and enforcing the regime in accordance with the law. Failure to achieve the correct balance could lead to a policy being overly prescriptive and open to challenge, or ineffective in the protection of the public.
9. The policy will ensure that any street trading applications received are considered on their own individual merits and it will ensure that the grant of consents and licences are dealt with in a consistent, fair, reasoned and proportionate way. The policy will be used in conjunction with the applied legislation and sets out the framework within which the Council will exercise its control of street trading.
10. The adoption of such a policy is not mandatory. It is however considered invaluable for the administration and promotion of an open and transparent licensing process.
11. Street trading was included in the public consultation exercise concerning the growth and enhancement of County Durham's street markets, which led to the adoption of the Market Strategy in January 2013. Consultation and liaison with relevant Council departments and with Durham Constabulary has also taken place in connection with the development of the proposed policy. All consultation responses are attached as Appendix 3.

Legal Considerations

12. In October 2012 the Government began a consultation on Street Trading and Pedlar law reform to bring the UK systems in line with the European Services Directive. This consultation period ended in March 2013. The results were published in October 2014.
13. There are certain aspects of UK street trading legislation that are not wholly consistent with European legislation. The Provision of Services directive allows for free and market forces to prevail however, for example, UK legislation allows for the restriction of goods sold via street trading if they conflict with nearby retailers. Non-conforming elements of current UK legislation such as this have not been included in the proposed policy. It has

been designed to be consistent with recently proposed amendments to Schedule 4 of the Local Government Miscellaneous Provisions Act (LGMPA) to ensure compliance with the E U Services Directive.

14. The need to make these changes followed the consensus reached by EU Member States in 2010 that the retail sale of goods is generally a service activity which falls within the scope of the Services Directive. Previously, such activities were not considered to be in scope and this change in interpretation was described in the Government response to the 2009 consultation on reform of the street trading regime which was published in March 2011.
15. The Policy does have some restrictive measures for controlling street trading in consent areas which are described as General Presumptions. These measures have been included following consultation with colleagues based on public health considerations and comments from Regeneration and Economic Development in relation to the protection of historic and cultural significance of certain areas in the County. They also include the controls required by the General Licensing and Registration Committee as detailed in paragraph 5. Such general presumptions could not be readily applied to any areas of the County designated as 'Licensed Streets'. The Provision of Services Regulations and the guidance will be taking account of when determining our policy and processes for dealing with applications for consents.
16. As street trading can contribute to the success of events, the Policy allows for operators of events or non-established markets to submit a single application for multiple traders. The purpose of this inclusion is to simplify and speed up the application process and would benefit such events as the Bishop Auckland Food Festival, Lumiere and other trading that takes place in, for example, Durham Market place.

Conclusion

17. Following the adoption of the legislation, it was agreed that a street trading policy would be produced that would enable all responsible authorities and interested parties to engage with the process and help shape the future of street trading within the County.

Recommendations

18. It is recommended that:
 - i) Members agree the adoption of the proposed street trading policy by Council

Background Papers

Local Government (Miscellaneous Provisions) Act 1982

Contact: Joanne Waller Tel: 03000 260924

Appendix 1: Implications

Finance

There are no Finance implications

Staffing

There are no human resource implications.

Equality and Diversity

There are no equality and diversity implications. The Policy has been subject to an Equalities and Diversity screening assessment. This is included as Appendix 4

Accommodation

There are no accommodation implications.

Crime and disorder

There are no crime and disorder implications

Human Rights

There are no human rights implications

Consultation

Prior to the designation of any streets as prohibited, licence or consent, a consultation process will have to take place which could influence the final decision.

Procurement

There are no procurement implications

Disability Discrimination Act

There are no Disability Discrimination Act Implications

Legal Implications

The adoption of street trading powers is contained in Part III LG(MP)A 1982, section 3. A district council or unitary authority may resolve that Schedule 4 to this Act shall apply to their district and, if a council does this, Schedule 4 (known as the 'street trading code') shall come into force in their district on such day as may be specified in the resolution. The statutory process for the designation of streets under this legislation includes the following steps:

(a) The intention to designate a street must be advertised for two consecutive weeks in a locally distributed newspaper. Notice published via local press and served on Police, Highways and Network Rail giving 28 days for written representations;

(b) The Council (Licensing Committee) is under a duty to consider any representations received. Consideration of any objections and formal resolution designating streets passed;

(c) If the decision is then made to designate the street, a further public notice must be published at least 28 days before the resolution takes place. Notice of resolution published via local press in two successive weeks (the first notice appearing a minimum of 28 days before resolution takes effect);

(d) Controls come into effect on the date specified in the resolution.

Certain forms of street trading are outside the legal controls of the Council. There are a number of lawful exemptions removing certain activities from the need to obtain a street trading licence or consent including any person who holds a Pedlars Certificate under the Pedlars Act 1871 **and** is acting as a pedlar. It is an offence to act as a pedlar without a certificate. Pedlars Certificates are issued and regulated by the Police.

Clare Greenlay in Legal and Democratic Services has been consulted and has contributed to this draft policy.

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STREET TRADING POLICY

April 2015

Proposed

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1.0 Foreword

This policy sets out Durham County Council's (the Council) requirements for street trading. It details and describes our roles and responsibilities in relation to the administration and regulation of street trading activities within the County of Durham.

The street trading legislation, Section 3 together with Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 (often referred to as the Street Trading Code), was adopted by the Council in December 2011. The development of a single, countywide street trading policy and necessary administrative and regulatory processes and procedures took place, culminating in a public consultation exercise and the eventual adoption of the policy by the Council.

In [DATE TO BE INSERTED] 2015 the Council approved this policy for the control of street trading in County Durham through the adoption of the street trading code under Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982. This policy will apply to all street trading activities within controlled or designated areas of County Durham.

The aim of the policy is to ensure that we deal with applications, licences, consents and prohibitions in a consistent, fair and proportionate way and that we will consider each application on its own merits. Subject to this policy we will have regard to the individual circumstances of particular cases as is necessary for the proper exercise of our functions.

We recognise the valuable contribution that street trading can make to communities, culture and the local economy. We also understand the service that street traders can provide to residents of the County, some of whom are unable to travel to centralised shopping centres and districts. Street trading can also provide people with a flexible way of working, to meet the demands of the public where and when that demand arises. Street trading can also add to the richness of Durham County's vibrant street environment.

However, we recognise that problems may arise in situations where individual vendors don't pay proper regard to their location and street trading can create undesirable and unnecessary situations such as obstructions in the street, thereby compromising the safety of pedestrians. Furthermore, certain types of trading in the street may not complement the character of the surroundings.

Uncontrolled street trading activities can also result in unnecessary littering, unreasonable disturbance nuisance to persons in the vicinity and can have a detrimental effect on the amenity of town centres and other neighbourhoods. Excessive numbers of street traders in particular areas can also lead to elevated risks to public safety, in particular in relation to traffic and parking.

It is our intention that the application of this policy, together with the proper application of street trading laws in a consistent, fair and proportionate way, will benefit the people who live, work and visit areas of the County.

We will monitor and periodically review this policy and we will apply it in a manner which is consistent with other Council policies.

2.0 Purpose and objectives of the Policy

The purpose of this policy is to help to create and maintain a commercial setting in County Durham that

- complements trading from fixed premises
- supports the provision of business diversity and consumer choice; and
- is sensitive to the needs of both local residents and visitors alike.

Our policy seeks to defend and where possible improve the character, ambience and safety of the County's trading environments. It highlights the requirements and standards expected of street traders working and operating within County Durham.

2.1 The objectives of this street trading policy are as follows:

- To help protect public health and safety
- To help safeguard public places that may be adversely affected by undesirable or uncontrolled street trading activities
- To harmonize and unify the regulation and control of street trading within the County of Durham
- To help prevent unreasonable disturbance and public nuisance resulting from street trading activities.
- To promote fair trading practices and consumer choice.
- To support retail opportunity and economic growth and development.

2.2 In developing the policy, we considered the legal requirements of the Local Government (Miscellaneous Provisions) Act 1982 (the Act) and our duties under:

- (a) Section 17 of the Crime and Disorder Act 1998 to take all reasonable steps to reduce crime and disorder.
- (b) The Regulators' Code (set out under the Legislative and Regulatory Reform Act 2006) not to impede economic progress by the regulations set out and to particularly consider the impact of regulations on small businesses.
- (c) The Provision of Services Regulations 2009 to ensure requirements are non-discriminatory justified by an overriding reason relating to the public interest, proportionate to that public interest objective, clear and unambiguous, objective, made public in advance, transparent and accessible.

2.3 In relation to the internal and external exchange of Information, we will exercise our powers under section 115 of the Crime and Disorder Act 1998 to exchange data and information with the Police and other partners to fulfil our statutory objectives on reducing crime in the area.

Details of applications and objections referred to the Licensing Committee for determination will be published in reports that are made publicly available in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000.

Names and addresses of objectors will not be disclosed or published in public reports in accordance with the 1982 Act although such details will be made available to Councillors on the Licensing Committee. We will not disclose the names and addresses of objectors to applicants without the consent of those who have made objections.

3.0 What is street trading?

Street trading means selling, exposing or offering for sale any article in a street. The term 'street' includes any road, footway, beach or other area to which the public have access without payment. Street trading activities may include hot and cold food vendors, vendors of non-food products who trade on static pitches or fixed locations from any vehicle, a stall, barrow, trailer, or any other moveable construction. The Council can issue 'mobile' consents to the owners of vehicles used as ice cream vans, mobile shops, sandwich vendors etc.

As the definition of "street" includes any land to which the public have access without payment, private land to which the public has free access may also be included. Street trading law and associated policy therefore can extend to events off the highway that are conducted on private premises.

4.0 Street trading activities exempt from street trading law

Certain forms of street trading are outside the legal controls. There are a number of lawful exemptions removing certain activities from the need to obtain a street trading licence or consent including the following:

- Trading by a person acting as a pedlar under the authority of a pedlar's certificate granted under the Pedlars Act 1871 Pedlars are itinerant traders who travel and trade on foot. Certificated Pedlars are free to trade without consent or licence and may even trade in prohibited streets;
- Anything done in a market or fair the right to hold which was acquired by virtue of the grant (including a presumed grant) or acquired or established by virtue of an enactment or order;
- Trading in a trunk road picnic area provided by the Secretary of State under section 112 of the Highways Act 1980;
- Trading as a newsvendor, including sellers of newspapers, magazines, periodicals etc. If such vendors trade in other items in addition to newspapers etc. the exemption is lost;
- Trading which is carried out at premises used as a petrol filling station; or is carried on at premises used as a shop or in a street adjoining premises so used and as part of the businesses of the shop;
- Selling things, or offering or exposing them for sale, as a roundsman. (Roundsman include milkmen, coalmen etc. who have established or recognized customers in the street);
- The use of trading under Part VIIA of the Highways Act 1980 of an object or structure placed on, in or over a highway;
- The operation of facilities for recreation or refreshment under Part VIIA of the Highways Act 1980;

- The doing of anything authorized by regulations made under section 5 of the Police, Factories, and etc. (Miscellaneous Provisions) Act 1916.
- Trading on private land may under certain circumstances not need consent for example, when the public do not have free access (where a fee for entry onto the land is demanded by the organizer).
- Trading in and around shops in a street adjoining premises used as a shop where the business is part of the business of the shop. This does not mean that a trader who positions a stall or display outside his or her shop on the highway is lawful as they may cause an obstruction. Permission to place such items on the highway should always be obtained from the Highways Authority in advance.
- Trading in a street which is not designated as a Licence, Consent or Prohibited Street by the Council. Such undesignated streets are not covered by this policy and the provisions of the street trading legislation, even if adopted by the Council do not apply unless and until a particular designation has been passed in the correct manner.

5.0 Street trading controls and authorisations

The Council is permitted to apply the measures contained within Section 3 and Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 (often referred to as the Street Trading Code). Where the 'code' applies, it is an offence to engage in unlicensed street trading (trading without a licence, street trading consent or to trade in a prohibited street).

The law allows councils to 'zone' areas for street trading control purposes. For example, zoning permits a council to prohibit street trading or to confine it to certain designated areas. Under paragraph 2 of Schedule 4 of the 1982 Act, we may designate any street in the County according to the following categories:

- 5.1 Prohibited Streets** – if a street is designated as a prohibited street, all street trading within that street is prohibited.
- 5.2 Consent Streets** – designation of a street as a 'consent street' prohibits street trading in such a street without the consent of the Council. This system of control gives the Council more extensive, discretionary powers than is the case for street trading licences (see 5.3). the consent system was designed to regulate itinerant traders including those that operate from vehicles or barrows and in practice will most often apply to traders selling from vehicles. It is a more stringent system than the quasi-judicial one applicable to street trading licences.
- 5.3 Licence Streets** – The Council may alternatively designate a street as a 'licence street'. This has the effect of prohibiting street trading in that street unless the trader obtains a licence granted by the Council. The licensing system was intended to apply to those who trade from a fixed position including a stationary barrow, cart or stall.

It is important to note that a trader who disregards the designations and trades without permission commits an offence punishable by a fine.

6.0 The designation of streets for streets trading purposes

The designation of streets will be made by resolution of the full council following public consultation and advertising of the proposals in accordance with the provisions of the code. The process for the designation of streets is shown in Annex I.

7.0 Street trading application processes.

Anyone wishing to trade from a street in a designated area will be required to make an application to the Council. The process for applying for street trading authorisation is shown in Annex C.

7.1 Street trading Licences

A licence grants a conditional permission to trade. A licence will be valid for a maximum of 12 months.

Licences will be issued to specified individuals. Licence holders may employ trading assistants however, there is an obligation on all licence holders to trade in person and we may revoke a licence if the licence holder without reasonable excuse fails to trade personally to what the Council would consider a reasonable extent.

Licences will specify “**principal terms**” such as the street or streets in which we permit trading and the times at which this is so. Licences will also specify the class or classes of goods that traders are entitled to offer for sale. If we only permit trading in a particular place in a street, the licence will stipulate this and we will identify the permitted trading location.

In addition, we may also impose other ‘**subsidiary**’ conditions on the licence holder if it appears reasonable for us to do so. These subsidiary terms may include for example conditions relating to the size and type of stall, identification of the licence holder, the prohibition of the leaving of trade refuse and litter etc.

Traders should also be aware that there is a requirement to obtain a premises licence or a Temporary Event Notice under the Licensing Act 2003 should they be selling alcohol at any time or providing late night refreshment after 11.00 pm.

A licence does not confer an absolute or indisputable right to trade. If it is resolved by the Council that a licensed street becomes a prohibited street, the street trading licence will cease to be valid once the re-designation of the street takes effect.

We will grant an application for a street trading licence or the renewal of an existing licence unless we are satisfied that there are reasonable and satisfactory grounds for refusal. In some instances, even if such grounds for refusal do exist, we may still grant the licence but subject to special terms or conditions.

7.1.1 Appeals against the refusal of a street trading licence.

We will always serve a notice specifying the grounds on which the decision to refuse a street trading licence application might be based. We will make any applicant or licence holder aware of the reasons for refusal and we will give them the opportunity to make representations on this matter to us in advance of any statutory appeal.

If we refuse either to grant or to renew a street trading licence, any person aggrieved may appeal to the magistrates court against the decision so long as the reason for the decision falls within one of the categories designated under paragraph 3 (6) (d) – (g) of the Act.

There is no right of appeal where refusal is based on grounds in 3 (6) (a) – (c). of the Act. Proceedings by way of judicial review are the only means available by which refusal on these grounds may be challenged.

A right of appeal must be exercised within 21 days of the date when the decision to refuse a licence was notified to the applicant or licence holder.

7.1.2 Variation of the terms of a street trading licence

We may vary the terms of a licence when a trader applies to renew a licence. If the change affects one or more of the 'principal' terms of the licence the variation will only take place following the use of the notice procedure referred to above. We may vary a 'subsidiary' term at any time.

We will not reach a final decision on any variation of a principal term until a trader has actually made representations or has not exercised the right to do so within the permitted period. If a trader has replied asking to be heard on the matter, we will not proceed until representations have actually been made or, if they have not, until a reasonable period has expired without the trader exercising his or her right.

7.1.3 Appeals against variations of street trading licences

A right of appeal must be exercised within 21 days of the date when the decision to vary the street trading licence was notified to the applicant or licence holder.

7.1.4 Revocation of street trading licences

Subject to the statutory notice procedure, we may at any time revoke a street trading licence on one or more of the grounds listed in Para 5 (1) of the Act.

7.1.5 Appeals against the revocation of a street trading licence

A right of appeal to the magistrate's court against the decision of a Council to revoke a street trading licence, provided the grounds for revocation are only those given in Para 5 (1) (b) to (d) of the Act. Judicial review provides the only means of challenging a revocation on the ground of insufficient space.

An appeal must be commenced within 21 days of the date on which the trader was notified of the Council's decision to revoke an existing licence.

7.2 Street trading consents

The grant of a street trading consent is a matter that falls within our discretion. Consent may be granted if we think it fit and proper to do so provided that:

- The applicant is not under 17 years of age, or
- The application does not relate to any trading on the highway in relation to which a control order has been made.

In contrast to the provisions of regulation the grant of licences, there are fewer limitations on the grounds on which we may refuse an application and we are entitled to have regard to matters that we consider relevant, subject only to the requirement that we must act reasonably.

We have prescribed the information that applicants must supply and which we will take into account.

We will notify applicants for street trading consents of the substance of any objections to the granting of consent and we will give them the opportunity to respond to those objections. We will fully consider such representations and in certain cases, this *may* be by way of an oral hearing but in most cases, written representations from the applicant will suffice.

We may attach such conditions to the street trading consent as we consider necessary and in particular, conditions designed to prevent obstruction of the street, danger to those using it, crime and disorder and nuisance or annoyance. In relation to the prevention of annoyance, conditions may address any effects of street trading on the neighbourhood that might fall short of a nuisance in law.

We may exercise the power to attach conditions to the consent when we grant the consent or when it is renewed and traders operating under consents issued by us may be subject to different terms on renewal in comparison to previous consents.

We may also vary the conditions of a street trading consent at any time but are bound by the general duty to act fairly and reasonably when exercising this power.

Unless the consent stipulates to the contrary, its holder cannot trade from a van or other vehicle or from a stall, barrow or cart. We will expressly permit such trading however, the consent may be conditional on the holder obeying restrictions as to the places in which he or she can trade and the times at which trading may take place.

7.2.1 Revocation of street trading consents

We may revoke a street trading consent. This may be for a variety of reasons such as non-compliance with conditions, non-payment or because other agencies such as the utility companies require access to the trading location.

Street traders do not benefit from any statutory procedural safeguards before we revoke consents. If consent is revoked, there is no statutory right of appeal against the decision other than judicial review. In the absence of statutory procedures, we will observe the rules of natural justice before we will impose a revocation and we will treat the consent on this basis as an existing privilege.

Following a revocation, the person or company issued with the street trading consent shall have no claim against the Council.

7.2.2 Appeals relating to consents

No right of appeal to the criminal courts exists in respect of a refusal, revocation or variation of a street trading consent. We will exercise discretion in these matters that are subject only to the principles exercised by the courts in judicial review proceedings.

8.0 Non-established markets

Markets that have not been established (see glossary) are not exempt from street trading law. By agreement with the organiser, the Council may issue trading consent to the person organising the non-established market. In the absence of such an agreement, each individual trader will be required to apply for consent. This policy is aimed at promoting the economy and encouraging more traders to attend.

When a single consent is issued to a market organiser to cover a number of traders, the following categories will apply:

- Category 1 – Up to 10 traders
- Category 2 – Between 11 and 30 traders
- Category 3 – Between 31 and 50 traders
- Category 4 – Between 51 and 70 trader
- Category 5 – Over 71 traders

The fees and charges associated with these categories are available on the Council's website.

In such cases it is expected that the organiser will have the necessary permissions from the landowner for the use of the land.

As there will be an identified organiser of the market, who will be considered responsible for its delivery, management and supervision of stall holders, the Council will not require DBS disclosure from each individual street trader. When this occurs it will be expected that the organiser has regard to the

requirements of this policy, in particular Annex H Guidelines on the Suitability of Applicants, and ensures that each trader is suitable based on these requirements.

9.0 General Presumptions

There will be a general presumption that we will normally refuse street trading consents for the following:

- Street trading in consent areas involving the sale of takeaway foods close to schools and other children's educational facilities
- Individual applications for street trading consents in Durham City Centre and some market town locations on non-market days unless the trading forms part of an organised event. Such locations have special historic, cultural and public interest and the Council considers that they require a greater level of protection and control
- A street trading authorisation (licence or consent) will normally be refused where an applicant indicates that they wish to sell New Psychoactive Substances (NSP) commonly referred to as "Legal Highs". With regard to an existing street trading authorisation, where evidence is received that NSP's are being sold the authorisation will be reviewed which may result in its revocation or the refusal of any future 'renewal' application by the Council.

9.1 Planning consent and street trading - In developing a uniform approach to the regulation of street trading, Licensing Services consult with DCC planning services on street trading applications. If the response is that planning permission is needed, this aspect will be brought to the attention of the applicant. It will be the applicant's responsibility to comply with any existing or future requirements under planning policy or legislation. Should a street trading permission be granted and subsequently, relevant planning permissions are refused by the Council, the street trading application fees and any associated charges will not be refunded to the applicant.

10.0 Fees and charges

Fees and charges will be set and reviewed annually. Such fees will be set as we reasonably consider will cover the total cost of operating the street trading scheme.

We may determine different fees for different types of licence or consent, having regard to such matters as:

- The duration of the licence or consent
- The street in which trading is authorised

We also have the power to impose 'charges' under paragraph 9 (6) of the Act. These are charges for any particular services provided to traders by the Council. The charging component of the fees is concerned with the recovery of reasonable costs associated with services to traders including the collection of refuse, the cleansing of streets and will be incorporated into the fees.

Enforcement costs associated with authorised traders are included within fees and charges. It should also be noted that the fee structure does not include any rates which may be payable. The onus/liability is on the consent holder for the payment of rates when/where applicable.

10.1 Non-fee paying Street trading activities

Fees will not ordinarily be required for the following events or activities:

- A. Sales of articles by householders on land within the curtilage of their homes (yard or garden sales);
- B. Non-commercial or charitable activities and events

Events that fall within category A for which fees are not payable will also be exempt from the application process.

10.2 The issuing of licences and consents and designated pitches

Where a designated “pitch” system is in operation and an existing or new pitch becomes available, we will normally publish a notice inviting applications for that pitch.

Authorisations may be granted for short periods for the purpose of organised street markets, events, promotions and for mobile street artists. Normally, authorisations will be issued for block periods and we will not normally permit traders to specify set days of the week that they wish to trade.

Existing traders and prospective traders will normally be required to pay all fees for authorisations in full in advance subject to exemptions (see 10.1). Failure to make payments may result in us revoking or refusing to renew an authorisation.

Any person granted a street trading authorisation should be aware that it might be necessary for the Council to clean and maintain pavements, verges or the highway within the area.

There may be times when a permitted area will be unavailable due to utility, maintenance or construction. This is a normal function of the Highway Authority and utility companies and therefore will not be subject to compensation although we will make reasonable efforts to identify an alternative trading site during such occasions.

A member of the Licensing Services team in consultation with other appropriate Council Officers will normally determine uncontested applications. Where the Licensing Manager or other designated officers decide that they are unable to determine an application, the Licensing Committee may determine it.

11.0 Offences

The adopted street trading legislation is statutory in nature. There are criminal sanctions available for street traders in breach of obligations imposed by the law.

The following are street trading offences:

- Engaging in street trading activities in a prohibited street
- Engaging in street trading in either a licence or a consent street without the appropriate authorisation granted by the Council
- Contravention of any of the principal terms of a street trading licence
- Breach of any of the conditions included in a consent in relation to the time and place in which trading is permitted
- Trading as a consent holder from a stationary van, cart, barrow or other vehicle unless permission has been granted
- Trading as a consent holder from a portable stall unless permission has been granted to do so
- Knowingly making a false statement in support of a licence application

11.1 Enforcement

All traders are required to take all reasonable precautions and exercise all due diligence to avoid the commission of any offences.

Licensing enforcement staff will act fairly and consistently when enforcing the provisions of the Street Trading Scheme. The Council's policy on enforcement is available on the Council's website.

A highway authority has the power to remove obstructions from the highway and so may remove stalls or trestles or any other structures used for trading which cause an unlawful obstruction.

Persons trading without authorisation and not subject to exemptions (see 4.0) will be the subject of pro-active enforcement action in accordance with our policy on enforcement.

In general, the Licensing Services Enforcement Team will take the lead role on the investigation and, where appropriate, the prosecution of unlawful street trading.

Licensing Services will work with the police and other enforcing authorities to provide for the targeting of agreed problem or high-risk areas and issues. A lighter touch will be applied to those Consent Holders that are shown to have well managed and maintained operations.

In cases where action of a more formal nature is considered appropriate, the key principles of consistency, transparency and proportionality will be applied.

11.2 Conditions attached to authorisations for street trading

The Council will normally apply standard conditions to street trading authorisations. The standard conditions listed in Annex G are not exhaustive and other conditions may be added to individual consents where appropriate. The standard conditions relate to public safety, public nuisance and amenity of localities.

It will be necessary for street traders and prospective street traders to provide us with evidence that they have obtained public liability insurance to the minimum value of £5 million and that they have registered their business with the Council if food sales are proposed. Applications will not be considered without this evidence.

Street traders may be liable for any damage caused to the verge, pavement, highway or any other item of street furniture caused through the operation of his/her business.

11.3 Street trading sites, locations and pitch assessments

If necessary potential 'pitch' locations may be identified and made available for street trading. In these circumstances, only applications for the designated pitches will be accepted. We will however be receptive to proposals wherever possible.

In determining whether to grant a particular street trading consent to the following will be considered:

- any adverse effects on road safety, either arising from the siting of the pitch/activity or from customers visiting or leaving
- any loss of amenity caused by noise, traffic or smell
- existing Traffic Orders e.g. waiting restrictions
- any potential obstruction of pedestrian or vehicular access and/or access to shops
- any obstruction to the safe passage of pedestrians
- the safe access and egress of customers and staff from the pitch and immediate vicinity (including adequacy of lighting)
- disabled access
- any relevant or significant implications and conflicts with nearby shops and/or businesses
- suitability for the particular varieties of street trading and activities

11.4 The nature and characteristics of trading activities and trading times.

Street trading hours will normally mirror those of shops in the immediate vicinity. In the case of hot food takeaways, trading hours will be determined on a pitch-by-pitch basis.

The design and appearance of the stall, barrow, van or cart etc will be considered as part of the application process.

11.5 Other relevant legislation

In addition to conditions attached by us, applicants should always ensure that they comply with the requirements of any other relevant legislation, which may influence their business.

12.0 Changes to street trading policy

We reserve the right to amend this policy and its appendices from time to time, following proper consultation where appropriate. If you have a hard copy of this document, to ensure that it is current, please contact the Licensing Services section or refer to the Council's website. If you have any comments as regards this policy, please do not hesitate to contact us.

13.0 Glossary of Terms

“Authorised Officer”	An officer of the Council authorised by it to act in accordance with the provisions of the Local Government (Miscellaneous Provisions) Act 1982.
“Consent”	Consent to trade on a designated street granted by the Council pursuant to paragraph 7, schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
“Consent Holder”	The person, company or organisation to whom the consent to trade has been granted by the Council
“Consent Street”	A street in which street trading is prohibited without the consent of the Council
“Council”	Durham County Council
“Licence”	A licence to trade on a designated street granted by the Council pursuant to paragraph X, schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982.
“Markets”	A market is defined as a concourse of buyers and sellers.
“Non-established markets”	These are markets that have not been established in law either by charter, prescriptive rights or by statute. They are not exempt from street trading legislation.
“Street”	Any road, footway, beach or other area to which the public have access without payment.

Annex A Useful contacts

Contacts	Telephone	Email
Licensing Services	03000 265107	Licensing@durham.gov.uk
Highways	03000 263582 03000 263577 03000 263690	dave.lewin@durham.gov.uk dave.wafer@durham.gov.uk keith.jameson@durham.gov.uk
Planning	03000 262830 0191 3872171 03000 262830 03000 263959	DMCentralEast@durham.gov.uk dmnorth@durham.gov.uk dmsouthwest@durham.gov.uk james.taylor@durham.gov.uk
Food Hygiene	03000 261142 03000 264666	Janet.hutchinson@durham.gov.uk shirley.sorrell@durham.gov.uk
Pollution Control	03000 260995	pollution.control@durham.gov.uk
Police	0191 3752304	AHRU@durham.pnn.police.uk maxine.stubbs@durham.pnn.police.uk jim.lincoln@durham.pnn.police.uk
City Centre Management	03000 267198 03000 269457	carol.feenan@durham.gov.uk Ben.Simpson@durham.gov.uk
Health and Safety	03000 264656	john.benson@durham.gov.uk

Annex B Equality, diversity and equal opportunities

This policy takes into account our Equal Opportunities Policy, which aims to achieve equality for all by removing direct and indirect discrimination and barriers on the following grounds:

- Age.
- Gender or transgender identity.
- Race, colour, national or ethnic origin.
- Disability including people with hearing or visual impairments, learning disabilities, mental illness and those living with HIV and AIDS.
- Religious belief, non-belief or other beliefs.
- Marital status, family circumstances or caring responsibilities.
- Sexual orientation.
- Income, employment status or housing circumstances.
- Membership or non-membership of trade unions or involvement in trade union activity
- Offending status
- Any other grounds not specified here, that are not justified. This is not an exhaustive list.

Please refer to the flow chart on page 21. If you are applying for new street trading authorisation or you are wanting to renew an existing authorisation you must apply in writing, using the prescribed DCC application form. Application forms are available from the Council's website and from Licensing Services (see list of useful contacts in annex A).

Once you have completed and signed it, the application form should be returned to Licensing Services together with the following:

- The application/renewal fee (details of which can be obtained from the Licensing Section or from the Council's website), which will be amended from time to time.
- A location plan setting out any fixed location; or If mobile, a list of the streets/villages/areas where the proposed trading is to take place – the plan should meet the requirements set out in the application specifications.
- Three photographs of any van, other vehicle, cart, barrow, or stall from which street trading is intended to take place
- An endorsed passport sized photograph of the applicant and of any proposed assistants detailed in the application form
- A copy of the certificate of insurance covering third party and public liability risks to the level of £5 million
- Disclosure and Barring Certificate. All application forms must be accompanied by a basic disclosure as the Council must be satisfied that the applicant is a suitable person. Apply for a basic disclosure online via <http://www.disclosurescotland.co.uk>

The processing of street trading applications takes time as consultation with other interested parties and responsible authorities is required. It is anticipated that the application process will be completed within twenty-eight days of our receipt of any application but if it takes longer than this you will be advised of the delay.

Applicants will be notified of the outcome as soon as possible. It is important to note that you must not trade until and unless authorisation is granted. It would be an offence to trade in a consent street without the appropriate consent to do so.

Licensing Services personnel may refuse to accept any application that is not made in accordance with the above procedure or; which does not take into account the site assessment factors detailed in 9.4 or; is contrary to adopted street trading policy.

The following process shows how the Council determines applications for street trading consents:

- a) Copies of the application are sent by Licensing Services to the following consultees: Durham Constabulary including the Police Road Traffic Management section, Planning Department, Highways Department, Town and City Centre Management, Environment, Health and Consumer Protection (Food Safety, Health and Safety and Pollution Control Teams).
- b) Applications for fixed trading locations may require a site assessment to be undertaken. In such cases, following the site assessment a report and

accompanying recommendation is made, taking into account the factors set out at 9.4.

c) The application will then be assessed by the Licensing Services personnel having due regard to the DBS certificate and any consultation responses, which will take into account the criteria set out the annexes to this policy.

d) If the application is not opposed by any of the Consultees and is in accordance with all relevant policy requirements, Licensing Services will issue an authorisation to the applicant. The authorisation will include the standard and any other relevant conditions. The authorised trader will be required to take all reasonable and practicable steps to comply with all conditions.

e) Authorisation will normally be given in writing to the applicant within five working days of the determination of the application.

The consultation process

Within three working days of receipt, Licensing Services will send a copy of the completed application form and accompanying documentation to each of the consultees.

All consultees will be asked to provide representations in respect of street trading applications by written response to Licensing Services within 14 working days from their receipt of the application forms.

Following consultation Licensing Services will forward details of any responses to the applicant.

Representation to the Licensing Manager

If any of the consultees oppose an application or the application is not in accordance with the requirements of this policy, the applicant will be invited to respond in writing to the Licensing Manager. Further considerations and consultations with relevant parties will then take place. Following this, the Licensing Manager may then grant authorisation and impose any conditions as may be necessary.

As a result of further consultation, should opposition to the application remain, the applicant will be notified of the refusal. The Licensing Manager will notify the applicant of this decision within 10 working days.

Representation to the Licensing Committee

If an application is refused, upon the applicants request the Licensing Manager will arrange for the application together with any written representations received to be considered at a hearing before the General Licensing Committee.

The General Licensing Committee may grant consent and impose any conditions as may be necessary or refuse to grant consent. This process is set out in detail below.

The applicant will be notified of the committee's decision within fourteen-working days of the application being determined by the committee.

There is no statutory right of appeal against a decision made by the committee concerning street trading consents.

The application specifications

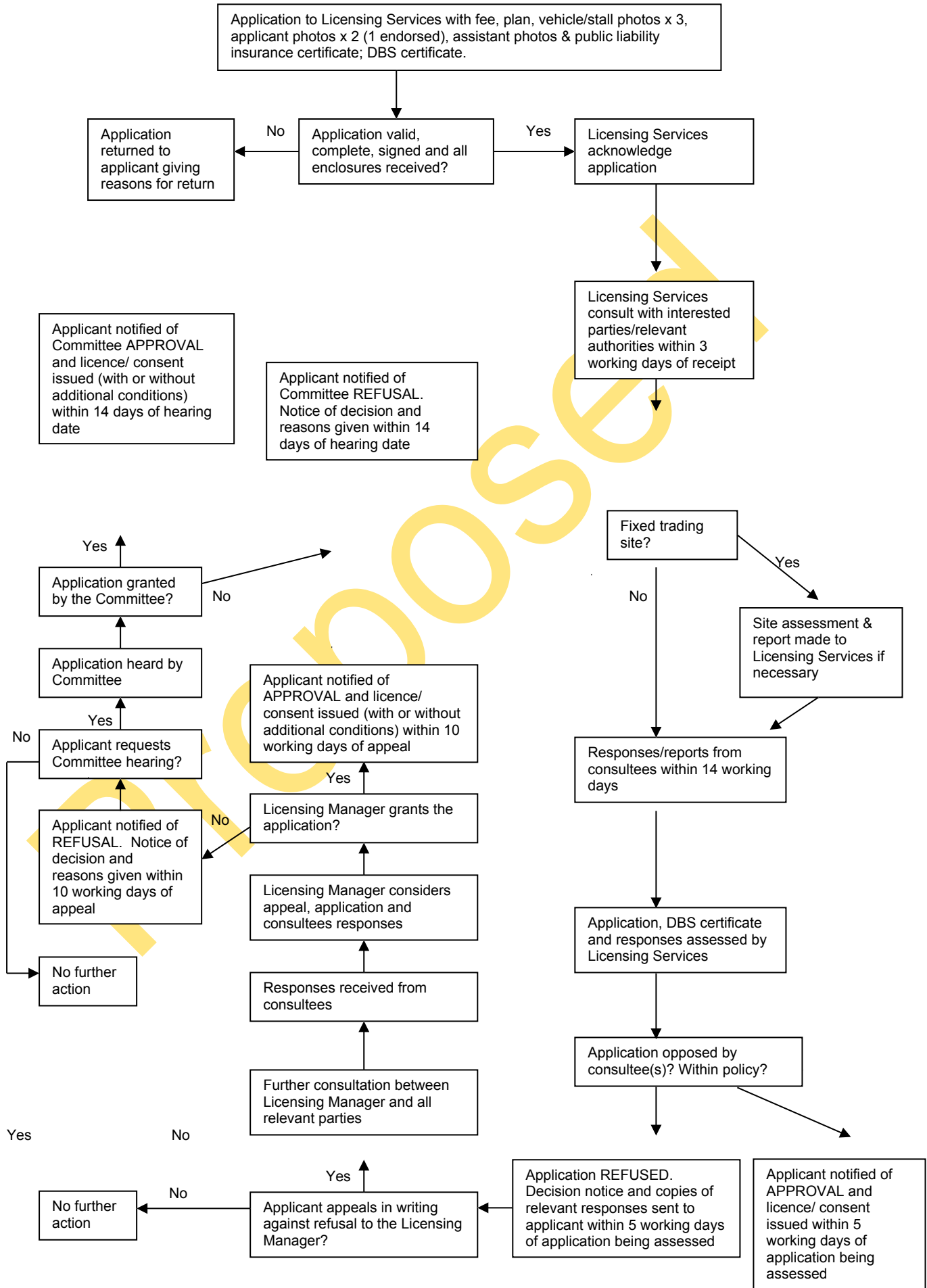
(i) The Plan

- The plan accompanying the application should be an appropriate scale (1:1250 suggested) and should show all residential and commercial premises in a 100m radius of the proposed site.
- The Council may require applicants to provide further plans detailing the exact position of vans, carts, barrows etc on sites where this is considered necessary.

(ii) The Photographs

- The photographs accompanying the application should clearly show the nature of the van, cart, barrow, other vehicle or stall from which the trading is intended to take place, or similar vehicle.
- The photographs should show the front, side and rear views of the van, cart, etc.
- The photographs should be colour pictures.

Durham County Council – Street Trading Application Process



Annex D Site Assessment factors

Road safety	Is the siting of the street trading likely to have an adverse effect on road safety, either because of the siting itself or from customers arriving, attending and/or leaving the site?
Parking	Is there adequate parking available to staff and customers?
Obstruction	Will the siting cause an obstruction to pedestrians or road users?
Sight lines	Will the siting interfere with the lines of sight of pedestrians or road users?
Loss of amenity	Would there be a significant loss of amenity in the vicinity from the siting of the proposed street trading?
Lighting	If it is proposed that the activities will take place at night, is the siting adequately lit?
Local Orders	Are there any relevant restrictions that would prevent the Consent being exercised at certain times or on certain dates, e.g. parking or waiting restrictions?
Cart, barrow, etc	The adequacy of the cart, barrow, etc to be used / being used to conduct the street trading activities, having regard to the siting, and the nature of the vehicle.
Other	There may be other issues relevant to the individual site

Annex E List of Consultees

(i) Consultees who will always be consulted

- Durham Constabulary Alcohol Harm Reduction Unit
- Durham Constabulary Traffic Section
- Durham County & Darlington Fire Safety
- Planning Authority
- Highways Authority

(ii) List of Consultees who may also be consulted

- DCC Trading Standards
- DCC Environmental Health – Food Safety
- DCC Environmental Health – Health & Safety
- DCC Environmental Health – Pollution Control
- DCC Public Health
- Town/City Centre Management
- DCC Legal Services
- DCC Children and Young People Service
- Health & Safety Executive
- Such other bodies as the Council deems appropriate in the circumstances.
- Business Improvement Districts

Proposed

Annex F

Assessment Criteria for Consultees

Consultees may have regard to the following criteria when considering whether to oppose the grant of an authorisation, or to review an existing authorisation. Consultees should specifically refer to the relevant criteria when setting out their grounds of opposition / review.

The applicant / authorisation Holder should normally satisfy all of these criteria.

Note: Licensing Services personnel and all consultees shall consider each application / authorisation on its own individual merits, and taking into account the individual circumstances.

Public safety - Applicants and authorisation holders should ensure that public safety is not compromised by their activities. The proposed street trading should not present a substantial risk to members of the public, including customers. Particular regard should be given to road safety, the potential for disorder, and to avoiding the possibility of creating an obstruction or fire risk.

Nuisance - Applicants and authorisation holders should ensure that their activities do not result in significant risk of nuisance, particularly to residents and businesses near their site. 'Nuisance' can include littering, noise, smells, etc.

Compliance with relevant legislation - Applicants and authorisation holders should be aware of relevant legislation, and should ensure that they comply with any requirements that affect their activities.

Trading hours - The permitted hours of trading are generally 06:00 – 18:00 hours. Persons wishing to carry on street trading outside these hours should ask us to consider amending the relevant standard condition.

The nature of the activity - Applicants and authorisation holders should ensure that the items being offered or exposed for sale are not of a nature that may cause offence, and that the manner of offering or exposing the things for sale is not of a nature that may cause offence.

Please note: The Council will keep a record of complaints received regarding authorisation holders and officers will investigate complaints as necessary. This may result in reviews being initiated by the Licensing Enforcement Team Leader or any by of the Consultees.

The character of the area - Applicants and authorisation holders should be sensitive to the character of the area in which they propose to operate.

Consideration will be given as to whether the area is appropriate for the proposed activities, in particular with regard to conservation areas and 'feature areas' of cultural and historical interest or sensitivity. Other issues may also be relevant in the individual circumstances of each application / authorisation.

Annex G Standard Conditions

These conditions will normally apply to all consents/licences unless there is good reason not to do so.

Street Trading Standard Conditions

1. The consent/licence holder and any other persons engaged in street trading shall at all times offer full co-operation to an authorised officer of the Council to ensure compliance with all conditions
2. Street trading will be permitted between 06.00 – 18:00 hours
3. The consent/licence holder will vacate the site within 15 minutes of the end of their permitted hours
4. Consent/licence holders must, at all times, have a copy of their consent/licence on display on their stall/van/cart/barrow or vehicle. **the home address of the holder may be “blanked out” on this display copy.*
5. Where a consent/licence holder is allocated a designated fixed location or “pitch”, trading is restricted to the location indicated on the consent/licence
6. Without prior written approval, mobile street trading within consent streets is restricted to a maximum period of 15 minutes, after which the van/cart/barrow or vehicle must be moved a minimum distance of 200 metres before trading can re-commence, return is prohibited within 2 hours.
7. Consent/licence holders must wear any identity “badge” issued by the Council, when street trading is taking place. The Council may also approve a maximum of 2 assistant. Identity “badges” issued to any assistants must be worn when Street Trading is taking place.
8. Only approved consent/licence holders and their authorised assistants may trade from the consent/licence site.
9. The consent/licence holder shall supply a copy of these street trading conditions to all authorised assistants engaged in street trading under their authorisation.
10. The consent/licence holder must ensure that the Council are informed immediately of any new assistants employed by them.
11. Where issued, a street trading consent/licence plate will be issued along with the consent/licence. The plate must be clearly displayed on stall/van/cart/barrow or vehicle in a way as to be clearly visible to the public.
12. The consent/licence holder must at all times have available for inspection a valid Certificate of Insurance with a level of public liability cover being a minimum of £5,000,000.

13. Consents/licences are personal to the holder. Holders must not assign, transfer or in any way permit anyone else to benefit from their consent/licence.
14. Consent/licence holders may not change their mode of trading or range of goods or articles as specified in the consent/licence without an application to vary the consent/licence being made by the holder and approved by the Council.
15. The holder of a consent/licence must comply with all reasonable directions of the Police, the Council or the Highway Authority whether verbal or in writing
16. The holder of a street trading consent/licence shall take all reasonable precautions to prevent obstruction of the street, danger to persons using it and nuisance or annoyance to other users and residents. Stalls or vehicles shall not be positioned in such a way so as to obstruct the view of drivers of other vehicles.
17. Consent/licence holders must not display or advertise their goods or articles on the surface of the carriageway or pavement.
18. The consent/licence holder must only trade from the size and type of vehicle, stall or trailer specified in their consent/licence.
19. Any change of vehicle or changes to vehicles must be authorised by the Council.
20. A consent/licence holder shall not permit any person under the age of 17 years to be left in charge of a street trading stall/van/cart/barrow or vehicle.
21. The consent/licence holder shall maintain the stall/van/cart/barrow or vehicle in a clean condition and its structure shall be kept in good repair. A consent/licence holder must present any van/cart/barrow or vehicle for inspection when reasonably requested to do so by an authorised officer of the Council.
22. The consent/licence holder is responsible for the collection, temporary storage and subsequent removal and disposal of all refuse and other waste generated by and within the immediate curtilage of their trading activity.
23. The use by any consent/licence holder or their authorised assistant, of loud speakers, horns, flashing lights or any other instruments used to attract customers' attention is forbidden.
24. The consent holder shall be responsible for and reimburse the Council in respect of, any damage they cause to the carriageway/pavement or any fittings or fixtures on it.
25. The consent/licence holder shall at all times obey all road traffic regulations in force in the consent/licence area.

26. The Council reserve the right, should the need arise, to direct that street trading is temporarily suspended and the consent/licence holder may not trade during any such period.
27. The consent/licence holder shall not place on the street any furniture or equipment or advertisement other than as specified in the consent/licence.
28. This consent/licence will expire on the date given. The Council are under no obligation to renew any consent/licence
29. The Council reserve the right to remove, add, alter or amend the standard conditions attached to street trading consents/licences

Conditions Specific to Food Traders

30. All consent/licence holders trading in food and/or drink must ensure that they comply with food safety requirements at all times and have their facility regularly inspected by the relevant 'food authority'. A record of inspections should be kept by the consent/licence holder and must be produced to an authorised officer of the Council on request.
31. The consent holder must only employ persons who are suitably qualified in food hygiene.
32. Nothing from the stall, vehicle, barrow etc shall be allowed to discharge to the ground. The consent/licence holder must ensure that no waste liquids (including grease) of any description are deposited on to the site, highway or into rainwater gullies / drains serving the site. All liquids must be removed from the site and disposed of in a proper manner.
33. The consent/licence holder must provide at least one refuse container, which should be positioned near to the stall/van/cart/barrow or vehicle for use by customers. A notice must be displayed requesting customers to deposit litter in a waste container.
34. The consent/licence holder must ensure that adequate precautions are in place to prevent the risk of fire at their stall/van/cart/barrow or vehicle. Where an electrical generator or bottled gas is used, then current safety certificates must be in force and available for inspection by any authorised officer of the Council
35. The consent/licence holder must ensure that a current price list of articles sold is prominently displayed on the stall/van/cart/barrow or vehicle.

Where the holder of a street trading consent/licence fails to or refuses to comply with any of the conditions attached to their consent/licence it may be suspended, revoked and in certain circumstances they may be liable to prosecution.

Annex H Guidelines on the suitability of applicants

General Principles

The primary aim of this policy is public protection. To help in achieving that aim, the Council will consider the suitability of applicants to be authorised as street traders. Street traders and their commercial activities are often subject to minimum levels of supervision. They interact closely with members of the public and it is important that the public, especially vulnerable people are protected from harm and from those who may harm them, where ever possible.

The Council will determine whether the applicant is a suitable person to carry on business as a street trader and may not issue a licence unless satisfied that the applicant is suitable. In determining this, the authority may have regard to any information, which it considers to be relevant, in particular:

- (a) whether the applicant has been convicted of any relevant offence;
- (b) whether the applicant has been the subject of any relevant enforcement action;
- (c) any previous refusal of an application for the issue or renewal of a street trading consent or licence (and the reasons for the refusal);
- (d) any previous revocation of a street trading consent or licence (and the reasons for the revocation);

For the purposes of this policy, relevant offences include unspent convictions relating to dishonesty, the use and supply of controlled drugs, violence and offences of a sexual nature.

Therefore, having regard to the aims of this policy, the Council has determined that applicants with unspent convictions and cautions, for offences involving dishonesty, the use and supply of controlled drugs, violence and offences of a sexual nature, which are less than 3 years old from the date of application, will be included in the consideration of whether the applicant is a suitable person to hold a licence.

A person with a conviction for a relevant crime will be expected to have remained free of conviction for three years, according to the circumstances, before an application is granted. Some discretion may be exercised if the offence is isolated, minor in nature and there are mitigating circumstances. However, the overriding consideration will always be the protection of the public.

Notwithstanding the above, the Council is aware of its duty not to fetter its discretion and it shall permit representations from the applicant as to any exceptional circumstances indicating that it may nevertheless be appropriate to receive a licence.

The following examples afford a general guide on the action to be taken where relevant convictions and cautions are evident:

Offences involving violence

Applicants with convictions for offences involving violence will be considered carefully. When applicants have convictions for causing grievous bodily harm,

wounding or assault, or even more serious offences involving violence, at least three years free of convictions should elapse before an application will be granted.

Drug- related offences

An isolated conviction for a drug offence, whether for unlawful possession only or involving the supply of controlled drugs, will not necessarily prevent an applicant from obtaining a street trading consent or licence, provided the applicant has at least three years free of convictions.

Sexual offences

Applicants with any unspent sexual related offences will not normally be granted a street trading consent or licence.

Dishonesty

Convictions for isolated minor offences will not necessarily prevent an applicant from obtaining a street trading consent or licence but in cases involving serious theft or fraud, at least three years should elapse before an application is granted. When offences of dishonesty have been accompanied by violence, at least five years free of convictions should elapse before an application will be granted.

In all cases, each individual application will be decided on its own merits.

Disclosure and Barring

All application forms must be accompanied by a basic disclosure as the Council must be satisfied that the applicant is a suitable person. Apply for a basic disclosure online via <http://www.disclosurescotland.co.uk>

If any unspent convictions or cautions are declared, depending on their nature, then the Council *may* as part of the application process hold a hearing to determine whether the applicant is a suitable person to hold a street trading licence or consent. The application will not proceed until the suitability of the applicant has been determined.

Annex I Process for designation of streets

Before passing such a resolution various statutory consultation and notification requirements apply.

We will publish a notice in the statutory form of the proposals in a local newspaper. The notice will include a draft of the resolution and state that representations concerning it may be made in writing to the Council within a period of not less than 28 days from the date of the publication of the notice.

Notification will be made to the Chief Officer of Police, to the Planning Authority and to the Highway Authority responsible for the streets in question. If the street is to be a licensed street and is maintained by the Highway Authority, *consent* of the Highway Authority is required. If the street is owned by any other relevant 'corporation', their consent will also be required.

If, after having taken into account any representations it has received, Council pass a resolution, we will publish a notice to that effect in a local newspaper in two consecutive weeks. The first publication will be at least 28 days before the day specified in the resolution for the coming into force of the regulatory scheme.

Under paragraph 2 (11), we have further powers in relation to streets designated or to be designated as a licence street. We may stipulate the number of days on which we will expect traders to trade. We may also decide that we will not grant licences to those who intend to trade on fewer days.

We may impose these requirements either in an initial resolution or in any subsequent resolution. If we take this step in a subsequent resolution, we will apply the same procedures as those relating to the designation of streets regarding notification and the publication of notices.

County Council**1 April 2015**
**Changes to the Constitution –
Delegations to the Director of
Children and Adults Services**

Report of the Head of Legal and Democratic Services

Purpose of the Report

- 1 To propose amendments to Article 16 (The Health and Wellbeing Board) of the Constitution and to the Delegations to the Corporate Director, Children and Adults Services.

Background

- 2 Article 16 of the Constitution requires updating to reflect the obligation of the Health and Wellbeing Board to develop and agree a pharmaceutical needs assessment. The proposed changes are shown highlighted in Appendix 2.
- 3 Part 1 of the Care Act 2014 comes into force on 1 April 2015, and places new duties and responsibilities on Councils in relation to care and support for adults. The Children and Families Act 2014 came into force on 1 April 2014, and provisions relating to the local offer commenced in September 2014. The Corporate Director, Children and Adults Services Delegations contained in Part 3, C, Table 3, require updating to ensure that the Council complies with its statutory obligations. The proposed changes are shown highlighted in Appendix 3.
- 4 Constitution Working Group agreed at its meeting on 26 January 2015 to recommend that Council agree the changes proposed to the Constitution.

Changes to the Constitution

- 5 To amend Article 16 of the Constitution and the Delegations of the Corporate Director, Children and Adults Services at Part 3, C, Table 3 for the reasons set out in paragraphs 2 and 3.

Recommendations and reasons

- 6 To approve the proposed changes to Article 16 of the Constitution and to the Delegations of the Corporate Director, Children and Adults Services at Part 3, C, Table 3.

Contact: Colette Longbottom Tel: 03000 269732

Appendix 1: Implications

Finance – None specific within this report

Staffing – None specific within this report

Risk - None specific within this report

Equality and Diversity / Public Sector Equality Duty - None specific within this report

Accommodation - None specific within this report

Crime and Disorder - None specific within this report

Human Rights - None specific within this report

Consultation - None specific within this report

Procurement - None specific within this report

Disability Issues – None specific within this report

Legal Implications – None specific within this report

Appendix 2: Article 16 – The Health and Wellbeing Board

16.01 Health and Wellbeing Board

The Council establish a Health and Wellbeing Board.

16.02 Composition

The composition of the Health and Wellbeing Board is as follows:-

- Representatives nominated by the Leader (being currently:
 - Portfolio Holder for Adult Services;
 - Portfolio Holder for Safer and Healthier Communities;
 - Portfolio Holder for Children and Young People’s Services);
- Representation from each Clinical Commissioning Group;
- A representative from Local Healthwatch;
- Corporate Director Children and Adults Services;
- Director of Public Health

and nominated representation from each of the following:-

- Chief Executive of Tees Esk and Wear Valley NHS Foundation Trust;
- Chief Executive of County Durham and Darlington Foundation Trust;
- Chief Executive of City of Sunderland NHS Foundation Trust;
- Chief Executive of North Tees and Hartlepool NHS Foundation Trust;

16.03 Role and Function

The Health and Wellbeing Board has the following roles and functions:-

- Promote integrated working between commissioners of health services, public health and social care services, for the purposes of advancing the health and wellbeing of the people in its area;
- Encourage those who provide services related to wider determinants of health, such as housing, to work closely with the Health and Wellbeing Board;
- Develop and agree the Joint Strategic Needs Assessment (“JSNA”), and Joint Health and Wellbeing Strategy (“JHWS”); and Pharmaceutical Needs Assessment (“PNA”);

- Be involved throughout the process as CCGs develop their commissioning plans and ensure they take proper account of the JHWS when developing these plans; and
- Provide advice and assistance or other support as it thinks appropriate for the purposes of encouraging the making of arrangements under Section 75 of the National Health Service Act 2006.

Appendix 3: Table 3 – Delegations to the Corporate Director, Children and Adults Services

1. Executive Functions

Subject to the requirement set out below and in compliance with the provisions of Table 1 above, the Corporate Director, Children and Adults Services, is authorised to discharge any function of the Executive in relation to:

- 1.1 The exercise of the Council's powers and duties in relation to the provision of social services so far as those functions relate to:-
 - Children, or;
 - Children and young people leaving care; or
 - Adults; or
 - Carers, or;
 - Prisoners and/or people in approved premises within County Durham
- 1.2 Issuing and conducting care proceedings in accordance with the Children Act 1989 and all other relevant legislation and guidance.
- 1.3 Functions exercisable on behalf of an NHS body so far as it relates to adults, children and young people.
- 1.4 The Council's powers and duties in relation to the provision and commissioning of education and training opportunities for young people as determined by the Education Act 1996 and Education and Skills Act 2008 and all other legislation and guidance relating to education and training for young people.
- 1.5 The effective and lawful operation of a secure unit in accordance with the licence requirements set by the Office for Standards in Education, Children's Services and Skills (Ofsted).
- 1.6 The provision of assessment and treatment services for children and young people in accordance with the Mental Health Act 1983.
- 1.7 Implementing or determining, subject to any right of review or appeal which may apply, all matters concerning the provision of mental health services including applications to displace nearest relatives and appointment as nearest relative and the acceptance and exercise of guardianships under the Mental Health Act 1983.
- 1.8 To formally approve and authorise Mental Health Professionals who are eligible and qualified to be considered as Approved Mental Health Practitioners.

- 1.9 Implementing or determining, subject to any right of review or appeal which may apply, all matters concerning the provision of services provided under the Mental Capacity Act 2005 including appointment as Deputy and applications to the Court of Protection.
- 1.10 Implementing or determining, subject to any right of review or appeal which may apply, all matters concerning the statutory complaints procedure.
- 1.11 Setting and varying rates for providers of all forms of social care and housing support in consultation with the Corporate Director, Resources.
- 1.12 Setting and varying fees and charges for delivery of services.
- 1.13 Undertaking joint collaborative action as appropriate with the National Health Service and other partner organisations for the planning and provision of jointly operated services within the County, including the development of Cooperation Agreements and Partnerships Agreements for joint working arrangements.
- 1.14 Protection and promotion of the welfare of vulnerable adults including vulnerable young people moving into adulthood.
- 1.15 To meet the requirements as set down by regulatory bodies in relation to the operation of services within Adult's Services and Children's Services.
- 1.16 The provision, operation, commissioning and variation of payments to external providers in respect of services arranged by the Corporate Director, Children and Adult's Services.
- 1.17 The provision, operation and commissioning of services in relation to Adult Learning.
- 1.18 The provision, operation and commissioning of vocational training and allied services for persons over compulsory school age, including the provision of secure boarding accommodation for young people aged over 16 but under 25 who are subject to a learning difficulty assessment and promotion of arrangements to assist persons to obtain employment and employers to obtain employees.
- 1.19 To coordinate the transition of service provision for children who will require services into adulthood.
- ~~1.20 Provision, operation and commissioning of a Health Improvement service.~~

1.20 Under the Care Act 2014 to discharge any functions in relation to the social care duties of the Council including:

- To provide information and advice about care and support services for adults and carers.
- To provide or arrange access to preventative services promoting wellbeing and independence.
- Ensuring that the needs of people continue to be met if their care provider becomes unable to carry on providing care because of business failure.

1.21 Under the Children and Families Act 2014, to discharge any functions in relation to the social care duties of the Council including:

- The publication of a 'Local Offer' which clearly sets out services available for children and young people with special educational needs between the ages of 0-25.

In carrying out these delegated functions, the Corporate Director will agree arrangements for consultation with the relevant Cabinet Portfolio Member(s) and will refer to the Executive for consideration and decision those matters directed by the said Member(s).

2. Specific Delegations

- 2.1 To coordinate the Council's response to Section 17 of the Crime and Disorder Act 1998 and ensure the crime and disorder implications of the Council's decisions are properly considered.
- 2.2 To provide support and advice to statutory partnerships in community safety/crime and disorder.
- 2.3 To meet the requirements as set down by regulatory bodies in relation to the employment, registration and training of all registrable staff.
- 2.4 To make applications under the Forced Marriage (Civil Protection) Act 2007.
- 2.5 To advise and contribute to the preparation of the Joint Strategic Needs Assessment and Joint Health & Wellbeing Strategy in conjunction with the Director of Public Health and local Clinical Commissioning Groups.
- 2.6 To work in collaboration with partners in the development of the Safe Durham Partnership Strategic Assessment on behalf of the Safe Durham Partnership and to chair the Safe Durham Partnership.
- 2.7 To license the employment of children in accordance with the Children and Young Persons Act 1933.

2.8 To lead and coordinate the local Safeguarding Adults Board and to coordinate the Local Safeguarding Children's Board in accordance with legislation and guidance.

3. The matters set out below are, in addition, **delegated to the Director of Public Health;**

3.1 To take responsibility for the management of the Council's Public Health Services, with professional responsibility and accountability for their effectiveness, availability and value for money.

3.2 To contribute to and influence the work of the NHS Commissioners, ensuring a whole system approach across the public sector and ensuring NHS commissioners receive the public health advice they need.

3.3 To provide leadership, expertise and advice to Senior Officers and Elected Members on a range of issues from outbreaks of disease and emergency preparedness through to improving local people's health concerns around access to health services.

3.4 To provide the public with expert, objective advice on health matters.

3.5 To promote action across the life course, working together with council colleagues such as the Director of Children and Adults Services and with NHS colleagues.

3.6 To work with local Criminal Justice Partners and Police and Crime Commissioners to promote safer communities, including cooperating with the police, the probation service and the prison service to assess the risk posed by violent or sexual offenders.

3.7 Under the NHS Act 2006 and the Health & Social Care Act 2012, to discharge any functions in relation to the corporate public health duties of the Council including responsibility for writing the annual report on the health of the local population. (The Council has a duty to Publish this report under section 73B (5) & (6) of the 2006 Act and Section 31 of the 2012 Act).

3.8 Under Section 73A(1) of the 2006 Act inserted by section 30 of the 2012 Act;

- To undertake duties to take steps to improve public health
- To undertake such other public health protection or health improvement functions that the Secretary of State delegates to Local Authorities either by arrangement or under regulations- these include services mandated by regulations under Section 6C of the 2006 Act Inserted by section 18 of the 2012 Act

- To respond as a responsible authority under the Licensing Act 2003, such as making representations about licensing applications
 - To provide Healthy Start Vitamins (under the Healthy Start and Welfare Food Regulations 2005) for maternity or child health clinics
 - To consult and make decisions on Fluoridation Schemes
- 3.9 Under section 6C of the NHS Act 2006;
- To ensure appropriate access to sexual health services
 - To take responsibility for the National Child Measurement Programme
 - To take responsibility for the NHS Health Check Assessment
- 3.10 To act as either as lead or supporting Director of Public Health chairing or co- chairing the Local Health Resilience Partnership (LHRP) for County Durham, Darlington and Tees Valley.
- 3.11 To oversee the NHS screening programmes, both cancer and non-cancer, ante-natal and children's screening programmes, ensuring the health of the population is adequately protected and raising issues and concerns appropriately.
- 3.12 To oversee the NHS immunisation programmes including children 0-5 years, HPV and seasonal flu and any other that the Secretary of State instructs, including catch up programmes, raising issues and concerns appropriately.
- 3.13 To discharge the Council's responsibilities in relation to communicable and infectious diseases, including healthcare acquired infections.
- 3.14 Implementing or determining, subject to any rights of review or appeal which may apply, all matters concerning the Statutory Public Health complaints procedure.
- 3.15 Setting, varying and recovering charges in respect of certain steps taken in the exercise of health improvement duties.
- 3.16 To advise and contribute to the preparation of the Pharmaceutical Needs Assessment.

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County Council

1 April 2015



Report of the Audit Committee for the Period June 2014 to November 2014

Councillor Edward Bell, Chairman of the Audit Committee

Purpose of the Report

1. To inform the Council of the work of the Audit Committee during the period June 2014 to November 2014 and how the Committee continues to provide for good governance across the Council.

Background

2. The role, membership and terms of reference of the Audit Committee are set out within the Constitution and approved by Council.
3. Good corporate governance requires independent and effective assurance processes to be in place to ensure effective financial management and reporting in order to achieve the Council's corporate and service objectives. It is the responsibility of the Audit Committee to undertake these aspects of governance on behalf of the Council.
4. The specific objectives of the Audit Committee set out in the Council's Constitution are to provide independent assurance to Cabinet and Full Council over the:
 - Adequacy and effectiveness of the Council's governance arrangements, including the effectiveness of the risk management framework and the associated control environment.
 - Financial Reporting of the Council's Statement of Accounts ensuring that any issues arising from the process of finalising, auditing and certifying the Council accounts are dealt with properly.

5. The membership of the Committee remained static during the period June 2014 to November 2014 and was as follows:

Chairman:	Cllr Edward Bell
Vice Chairman:	Cllr James Rowlandson
Members	Cllr Lawson Armstrong Cllr Colin Carr Cllr Sonia Forster Cllr Jed Hillary Cllr Tracie Smith Cllr Watts Stelling Cllr Owen Temple
Co-opted:	Ms Kathryn Larkin-Bramley Mr Thomas Hoban

Summary of meetings

6. A summary of Committee business considered at the meetings held during the period is provided at Appendix 2.

How the Audit Committee has made a difference during the period June 2014 to November 2014.

7. The Committee believe they have made a significant difference to the Council's governance, control and risk framework during the period June 2014 to November 2014 by :
- Striving to help support the Council deliver its objectives and priorities by being both a proactive and reactive body encouraging the early reporting of any risk and control issues to ensure that appropriate and timely action is taken to address them.
 - Continuing to raise the profile of the Internal Audit and Risk Management Service through the Service's reports to Audit Committee.
 - Independent questioning and contributing to the development and control of internal audit plans.
 - Seeking assurance on the effectiveness of corporate risk management arrangements.
 - Improving the accountability of service managers to respond to outstanding internal audit reports and the implementation of agreed internal audit recommendations thereby helping to drive improvement in controls to manage risks effectively.
 - Continuing to provide regular challenge and demanding accountability on the effectiveness of the implementation and operation of key financial systems.

- Challenging the level of internal audit resources and their work to ensure that the service is effective and a reliable assurance opinion on the Council's controls framework is provided.
- Challenging how the Council responds to the risk of fraud and the receiving information on the levels of detection of fraud and the Council's response.
- Receiving and commenting on the work of the External Auditor, Mazars.
- Challenging how the Annual Governance Statement has been prepared, reviewing the assurance framework that is in place and ensuring that the Council's corporate governance arrangements are effective.

Recommendations and reasons

8. Members note the report and the work undertaken by the Audit Committee during the period June 2014 to November 2014.

**Contact: Paul Bradley, Chief Internal Auditor and Corporate Fraud Manager,
Tel 03000 269645**

Appendix 1: Implications

Finance - There are no direct financial implications arising for the Council as a result of this report.

Staffing - None.

Risk – Not a key decision

Equality and Diversity/ Public Sector Equality Duty - None

Accommodation - None

Crime and disorder - The Audit Committee provide independent assurance that the Council's arrangements to combat the risk of loss through fraud are effective and all reported potential fraudulent acts are appropriately investigated and reported to the police where it is appropriate to do so.

Human rights - None

Consultation - None

Procurement – None.

Disability issues – None.

Legal Implications – None.

Summary of Meetings of the Audit Committee

26 June 2014

The Committee considered:

- (i) A report of the Chief Internal Auditor and Corporate Fraud Manager regarding the outcomes of the annual review of Internal Audit. This annual review is a statutory requirement and is important as it provides assurance on the reliability of the annual audit opinion on the Council's control environment. In consideration of all the evidence presented, the Committee was able to conclude that the internal audit service was effective during 2013/2014.
- (ii) A report of the Chief Internal Auditor and Corporate Fraud Manager which presented the Annual Internal Audit Report for 2013/2014 that provided a 'moderate' opinion on the adequacy and effectiveness of the Council's control environment for 2013/2014. The Committee was informed that this was a similar opinion to that in 2012/2013 however acknowledged that improvements had been made during the year and others agreed but were yet to be implemented.
- (iii) A report of the Corporate Director, Resources which presented the draft Annual Governance Statement for approval. The Committee were happy to approve the statement subject to some minor amendments to the wording in certain areas, prior to it being reported to Full Council for information in July.
- (iv) A report of the of the Chair that provided a response, sent on behalf of the Audit Committee, to a letter from the external auditors, relating to compliance with International Auditing Standards. This was a requirement of the final accounts process, and a response from the Corporate Director, Resources in relation to a similar request from management's perspective was also considered for information.
- (v) The Bi-Annual Report of the Audit Committee which covered the period November 2013 to May 2014 and would be presented to the County Council at its next meeting in accordance with best practice guidelines.
- (vi) A report of the Chief Internal Auditor and Corporate Fraud Manager which outlined the proposed programme of work to be carried out by Internal Audit in the period July 2013 to March 2014. This nine month period realigned the audit plan alongside the Council's financial year. The report also included a revised Audit Strategy and Audit Charter to reflect the change in Audit Year and service improvements to be put in place from 1 July 2014. Progress on delivering the plan will be regularly monitored by the Committee.
- (vii) A report of the Chief Internal Auditor and Corporate Fraud Manager that presented a forward plan of Audit Committee business for the next 12 months.

- (viii) The Head of Commissioning (Children and Adult Services) provided an update on the social care and direct payments arrangements currently being put in place and the improvements that have been made in response to Internal Audit findings. The Committee requested that Internal Audit carry out a further piece of assurance work in the immediate future and that the Committee receive a further update upon completion of this work.
- (ix) The 2013/2014 Annual Fraud and Irregularity Report of the Chief Internal Auditor and Corporate Fraud Manager. This provided the Committee with information on the effectiveness of the Council's Counter Fraud and Corruption Strategy. This included an update on fraud preventative work and investigations of cases.

24 July 2014

The Committee considered:

- (i) A presentation from the Assistant Finance Manager, Corporate Finance at the request of the Committee to give an understanding of the nature and value of assets held within the Council's Fixed Asset Register at the end of March 2014. The presentation also covered the importance of managing the Council's assets effectively and the impact this has on the Council's Statement of Accounts.
- (ii) A report of the Corporate Director, Resources which provided details of the final outturn for both the General Fund and the Housing Revenue Account 2013/2014 including the Annual Treasury Management Review.
- (iii) A report of the Corporate Director, Resources which presented the draft un-audited Statement of Accounts for the year ended 31 March 2014. The Corporate Director, Resources confirmed that the draft accounts had been certified and provided to external audit within the statutory deadline of 30 June 2014.
- (iv) A report of the Corporate Director, Resources which highlighted the Strategic Risks facing the Council and that gave an insight into the work carried out by the Corporate Risk Management Group during April to June 2014. The Committee was informed of the new risks, those that had been removed and the status of current key risks to gain assurance that strategic risks were being effectively managed.
- (v) A presentation by the Chief Internal Auditor and Corporate Fraud Manager detailing the work that has been completed in terms of proactive fraud work following the transfer of fraud staff from Revenues and Benefits into Internal Audit in December 2013. This showed the progress that has been made in progressing Corporate Fraud work and the work that is planned to be

completed. The presentation also covered how the team complete its work and the techniques that are used in identifying potential fraud and irregularity.

30 September 2014

The Committee considered:

- (i) A report of the Corporate Director of Resources that sought approval of the final Annual Governance Statement to be published as part of the Council's audited Statement of Accounts 2013/2014.
- (ii) A report of the Corporate Director of Resources which presented the Statement of Accounts for the year ended 31 March 2014 for approval. The overall improvements that continue to be made in the preparation of the accounts and the reporting process was acknowledged by the Committee who thanked all those involved.
- (iii) The Audit Completion Reports of the External Auditor relating to both Durham County Council's 2013/2014 Statement of Accounts and those of the Pension Fund. The Committee were pleased to note the comments of the External Auditor in relation to the audit process and the significant improvement that have been made over the year.
- (iv) The Committee considered a report of the Chief Internal Auditor and Corporate Fraud Manager which informed members of the work carried out by Internal Audit during the period April to June 2014. The report also provided an update on progress made by management on the implementation of recommendations required to address audit findings. The Committee were pleased to note the continued improvement made in terms of the implementation of recommendations and agreed to continue to monitor this closely.

27 November 2014

The Committee considered:

- (i) A presentation by the Audit Manager, Principal Auditor (IT) and Trainee IT Auditor on the work completed as part of the Internal Audit Plan that covers the Council's ICT arrangements. They explained the work they carry out covers the integrity and security of the Council's electronic data. They ensure that IT systems operate efficiently, effectively and economically and that they assist in the achievement of the organisations goals and objectives.
- (ii) A report of the Corporate Director, Resources regarding changes to the Local Code of Corporate Governance.
- (iii) A report of the Corporate Director, Resource which highlighted the strategic risks facing the Council and that gave an insight into the work carried out by the Corporate Risk Management Group during July to September 2014. Members

were informed of new risks, those that had been removed and the status of all current key risks.

- (iv) A report of the External Auditor, Mazars detailing their findings from the 2013/2014 audit of the financial statements of both the County Council and the Pension Fund. It was encouraging to note following the audit both sets of financial statements were given unqualified opinions and concluded that the Council had proper arrangements to ensure economy, efficiency and effectiveness in the use of its resources.
- (v) A report of the Chief Internal Auditor and Corporate Fraud Manager which informed members of the work completed by Internal Audit during the period July to September 2014 and assurance on the control environment provided.
- (vi) A Protecting the Public Purse update report of the Chief Internal Auditor and Corporate Fraud Manager. This provided information on the effectiveness of the Council's Counter Fraud and Corruption Strategy. This included an update on fraud prevention work and investigations of potential cases.