



## RECORD OF EXECUTIVE DECISIONS

The following is a record of the decisions taken at the meeting of **CABINET** held on **Wednesday 14 June 2023**. The decisions will come into force and may be implemented from **Monday 26 June 2023** unless the Corporate Overview and Scrutiny Management Committee or its Committees object to any such decision and call it in.

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### **Annual Enforcement Programme. Tackling underage sales of age restricted products and sales of illicit and non-compliant age restricted goods**

#### **Summary**

The Cabinet considered a report of the Corporate Director of Neighbourhoods and Climate Change which reviewed enforcement activities relating to the underage sales and illicit age restricted products over the period April 2022 to March 2023 and sought approval of a new enforcement programme for 2023/2024. The report provided details of enforcement activity during 2022 / 2023 in relation to age restricted products and tackling supplies of illicit tobacco and non-compliant vaping products. Information was provided in relation to test purchase and seizure activity for the period. The report also included the legislation enforced by the Community Protection Service of Durham County Council, relating to age restricted products. Details of the proposed enforcement programme for 2023/2024 were also provided.

#### **Decision**

The Cabinet:

- a) noted the enforcement activity undertaken during 2022 / 2023;
- b) approved the proposed enforcement programme for 2023 / 2024.

### **County Durham Housing Strategy Principles and Priorities Paper**

#### **Summary**

The Cabinet considered a report of the Corporate Director of Regeneration, Economy and Growth which sought agreement of the Housing Strategy Principles and Priorities Paper for public consultation.

The County Durham Housing Strategy is being developed to consider housing issues across County Durham. The Strategy provides a strategic framework to inform the actions and investment of the Council and its partners and has been developed to ensure the Council is well positioned to maximise future opportunities for funding support. The new Housing Strategy 2024 will replace the current Housing Strategy adopted in 2019. The Principles and Priorities Paper is the first stage in the preparation of the Housing Strategy and the Council is seeking views on a draft vision, eight principles and five priorities. The report proposed that a consultation be undertaken on the Principles and Priorities Paper for eight weeks, rather than the usual six, from 26 June 2023 to 18 August 2023, to recognise that the consultation will take place partly in school holidays. Consultation will be undertaken with residents of County Durham and other stakeholders with a potential interest in the content of the document. The Council will make use of its partnership structure to assist in disseminating information about the Housing Strategy. This will also provide a means to ensure engagement with the providers of specialist housing products and services. The outcome of the consultation will then inform the drafting of the Housing Strategy which will then be consulted on again. The Strategy will be modified as necessary and presented to Cabinet and Council for adoption in Spring 2024.

## **Decision**

The Cabinet:

- a) agreed the Housing Strategy Principles and Priorities Paper for consultation from 26 June 2023 to 18 August 2023;
- b) delegated authority to the Corporate Director for Regeneration Economy and Growth in consultation with the Portfolio Holder for Resources, Investments and Assets to prepare and consult on a draft Housing Strategy based on the outcome and feedback received from the consultation on the Housing Strategy Principles and Priorities Paper; and
- c) requested that a report is presented to a future meeting of the Cabinet in Spring 2024 advising of the outcome of the consultation on the draft Housing Strategy and seeking approval of the final Housing Strategy.

## **Local Cycling and Walking Infrastructure Plans**

### **Summary**

The Cabinet considered a report of the Corporate Director of Regeneration, Economy and Growth which outlined the Council's commitment to undertake 12 Local Cycling and Walking Infrastructure Plans (LCWIPs). The first three LCWIPs (Chester-le-Street, Durham City and Newton Aycliffe) were adopted in October 2021.

The report sought approval to formally adopt eight further LCWIPs for Bishop Auckland, Consett, Crook, Peterlee, Seaham, Spennymoor, Shildon and Stanley. Local Cycling and Walking Infrastructure Plans (LCWIPs) are an evidence-based strategic approach to identifying cycling and walking improvements required to facilitate increased active travel for everyday journeys.

The Government's Cycling and Walking Investment Strategy (2017) recommends that local authorities prepare LCWIPs and the previously adopted County Durham's Strategic Cycling and Walking Delivery Plan 2019-2029 sets out the Council's commitment to produce the plans for our 12 main towns. LCWIPs represent a robust approach for prioritising investment in walking and cycling infrastructure in the short, medium and long term, and support the County Council with making the case for future funding, particularly as the Government is prioritising funding for those authorities which have developed such plans.

LCWIPs form an important part of the overall work the Council is doing to encourage active travel. Across the County, the Council is delivering on many infrastructure schemes, projects, campaigns, and initiatives to enable and encourage more people to walk and cycle as an active mode of transport, both as part of the long-term approach (Strategic Cycling and Walking Delivery Plan 2019-2029) and in response to new opportunities and funding bids developed by the Council and through partner working. These include short, medium and long term schemes and projects such as local path improvements to large scale schemes. LCWIPs will support the Council's ambitions to develop broader active travel work across the County and will tie in wherever possible to other planned and upcoming schemes and opportunities.

LCWIPs can support the green economy and healthy workforces in alignment with the Inclusive Economic Strategy, by improving physical connectivity between places in the County and promoting better access to services. In terms of funding, the LCWIP process and adoption has recently become a prerequisite for bidding into national and regional funding opportunities. The key outputs of an LCWIP include local walking and cycling network plans, a prioritised programme of improvements and underpinning technical report.

These plans will be an essential component in attracting future national funding for the delivery of our walking and cycling infrastructure but will not exclude projects outside of the plans from coming forward. LCWIPs intentionally have tight audit boundaries which cover the continuous urban areas of the towns. This is consistent with the LCWIP approach set out by Government as it aims to facilitate and encourage short everyday intra urban trips. Longer inter urban links between settlements will be addressed in future LCWIP Lite programme.

The LCWIPs will be embedded across the County Council's services supporting transport, environment, health, economic growth, leisure and planning agendas. Following the adoption of the first three draft LCWIPs, the Council secured funding from the Government's Active Travel Capability Fund to continue the work across nine more towns (Shildon, Spennymoor, Seaham, Peterlee, Barnard Castle, Bishop Auckland, Stanley, Crook and Consett) and develop an LCWIP Lite methodology which is a streamlined approach to developing LCWIPs for inter-urban routes and smaller settlements. Eight of these LCWIPs were included in the report.

The ninth town, Barnard Castle, was withdrawn from the current programme of LCWIP production and will instead become the first LCWIP Lite town which will include interventions better suited to the rural nature of the area. The LCWIP Lite project uses the LCWIP framework, but the methodology has been amended to better suit smaller towns, villages and inter-urban routes. This ensures the priority schemes identified will fulfil funding bid requirements, the process will be quicker to implement, and the outcomes will be more in keeping with rural areas. Once the LCWIP Lite for Barnard Castle has been completed we will deliver suitable interventions to enable and encourage active travel in the town.

£177,586 was granted through the DfT's Capability and Ambition revenue funding, a bid strongly supported by the 12 town LCWIPs. The Council will now be able to take priority routes from the eight town LCWIP's to outline design and further develop the LCWIP Lite methodology and Routes within 5 miles of Durham City project. The Council will continue to seek funding to develop design work and deliver schemes on the ground.

Consultation is a key component of the LCWIP process. A consultation and engagement plan was executed as per the DfT's LCWIP Technical Guidance. Workshops for internal and external stakeholders, including local members, were held in each LCWIP area. The consultation was targeted on key stakeholders to engage with those most likely to be able to contribute to the discussion on current and future active travel demand. Further informal consultation took place with Cabinet Members to agree the recommendations of the report.

## **Decision**

The Cabinet approved the remaining eight LCWIPs for Bishop Auckland, Consett, Crook, Peterlee, Seaham, Spennymoor, Shildon and Stanley.

## **Barningham Parish Meeting: Application for Order Conferring Functions of a Parish Council**

### **Summary**

The Cabinet considered a report of the Head of Legal and Democratic Services and Monitoring Officer which considered an application made by Barningham Parish Meeting for an order conferring upon it functions of a parish council.

Barningham Parish Meeting has applied to Durham County Council for an order conferring upon it the powers of expenditure available to a parish council. Section 109 of the Local Government Act 1972 provides that, on the application of the parish meeting of a parish not having a separate parish council, the district (or in this case unitary) council may by order confer on the parish meeting any functions of a parish council. The report set out the implications for Cabinet to consider when determining such an application.

### **Decision**

Cabinet agreed:

- a) By Order under section 109 of the Local Government Act 1972 confer upon Barningham Parish Meeting those of the powers available to a parish council to incur expenditure set out in the draft Order appended to the report;
- b) To delegate authority to the Head of Legal and Democratic Services to execute the said Order and send copies to the Secretary of State, subject to Barningham Parish Meeting agreeing to discharge the cost of any additional insurance premium associated with the indemnity mentioned at (3) below; and
- c) That an indemnity be provided to the Proper Officer of Durham County Council for the purposes of undertaking the duties of a Parish Trustee under Section 13 of the Local Government Act 1972.

## **Home to School Transport Services – Consultation Outcomes**

### **Summary**

The Cabinet considered a joint report of the Corporate Director of Children and Young People's Services, the Corporate Director of Regeneration, Economy and Growth and the Corporate Director of Resources which presented Cabinet with the outcomes of the public consultation on Durham County Council's Home to School Transport Service for Children and Young People.

The Local Authority has a statutory duty to provide Home to School Transport to children and young people who meet circumstances prescribed in legislation. The Home to School Transport offer for eligible children and young people is currently set out in the Durham County Council “Home to Primary, Secondary and Special School and College Travel and Transport Policy”, which mirrors the statutory guidance and also allows for additional discretionary arrangements. The existing Home to School Transport (H2ST) service provides daily transport for over 9,000 children and young people, with over 1,000 contracts in place with Transport Providers.

In financial year 2022/23 net expenditure on statutory Home to School Transport was £23.4 million, against a net budget of £19.5 million. This represents an overspend of £3.9 million. It is estimated that net expenditure on Home to School Transport will increase to £29.1 million in 2023/24, reflecting the full year impact of price increases experienced in 2022/23 and an estimate of further demand and price pressures in 2023/24. An external review of the County Council’s Home to School Transport Service was undertaken in 2021, in order to identify opportunities to transform the service and manage the demand and pressures on the service. Following the review, a number of priorities were identified which were the subject of a public consultation which took place between 27 February 2023 and 12 April 2023. The priorities were detailed in the report. The consultation included a public survey, targeted briefings and meetings, information sheets and an animation and it was promoted through a range of channels. There was a total of 324 responses to the online questionnaire, as well as written responses from key stakeholder group. Relevant feedback was reflected throughout the report, which also provided a summary of a number of proposals.

## **Decision**

The Cabinet:

- a) agreed a charge for the Standard and Maintained Concessionary scheme of £2.00 to align to the Bus Service Improvement Plan offer for the 2023/24 academic year;
- b) agreed that in the event of the withdrawal of this fare in the future, that the annual charge for the concessionary schemes is aligned to commercial child travel fares;
- c) agreed in principle to phase out the Maintained Concessionary scheme subject to further appraisals of the options available to achieve this and their associated impact on stakeholders and Transport arrangements, with a further report to Cabinet on the findings and recommendations;

- d) agreed to undertake a review of the needs of those individual children who are in receipt of single person transport and/or a passenger assistant to ensure that the most appropriate transport assistance relevant to their needs is provided;
- e) agreed to review the existing Personal Travel Budget Scheme and promote this as a travel option to parents;
- f) agreed to develop a Travel Training scheme in partnership with schools and parents;
- g) agreed to undertake a trial of Pickup Points for Children with SEND to assess the effectiveness of this option, which is developed in co-production with a small number of Special Schools and parents;
- h) agreed to review those routes which are currently assessed as unsafe to determine the feasibility of making them safe and also review the current configuration of school transport journeys with an initial focus on those schools which have the highest number of vehicles and/or cost associated with transporting pupils to their school;
- i) agreed to review the suggestions and alternative procurement options raised during the consultation, especially those which can have the most impact on efficiency, effectiveness, safety and environmental issues;
- j) agreed to receive reports on any future potential changes to Home to School Transport Policy arising from the recommended programme of work outlined in the report.

Helen Lynch  
Head of Legal & Democratic Services  
16 June 2023