

30 October 2013

Report from the Cabinet



Purpose of the Report

To provide information to the Council on issues considered by the Cabinet on 11 and 18 September, and 9 October 2013 and to enable Members to ask related questions.

Members are asked to table any questions on items in this report by 2 pm on 29 October 2013 in order for them to be displayed on the screens in the Council Chamber.

Contents

11 September

- Item 1 Review of School Crossing Patrol Service
Key Decision: NS/20/13

- Item 2 Proposal to change the age range of Ouston Junior School from 7-11 to 4-11 from 1 January 2014 to create a Primary School and to close Ouston Infant School from 31 December 2013
Key Decision: CAS/02/13

- Item 3 Welfare Reform Update and Review of Local Council Tax Support Scheme
Key Decision: CORP/R/13/03

- Item 4 Quarter 1 2013/14 - Performance Management Report

- Item 5 Forecast of Revenue and Capital Outturn 2013/14 for General Fund and Housing Revenue Account – Period to 30 June 2013 and Medium Term Financial Plan 4 Update

- Item 6 Digital Durham Programme Update and High Level Deployment

- Item 7 Lamplight Centre, Stanley

18 September

- Item 8 The County Durham Plan Pre-Submission Draft (including supporting evidence and documents)
Key Decision: R&ED/14/13
- Item 9 Spennymoor Masterplan
Key Decision: R&ED/11/13
- Item 10 Review of the Garden Waste Collection Service
Key Decision: NS/19/13
- Item 11 Homelessness Strategy: 2013-2018
- Item 12 Review of the Waste Management Strategy

9 October

- Item 13 2014/15 Budget and Medium Term Financial Plan 4 2014/15 – 2016/17
Key Decision: CORP/R/13/02
- Item 14 The County Durham Plan: Community Infrastructure Levy Draft Charging Schedule, Sustainability Appraisal and other Evidence Base
Key Decision: R&ED/19/13
- Item 15 Newton Aycliffe and Peterlee Regeneration Mastepplans
Key Decision: R&ED/02/13
- Item 16 Review of the Council's Statement of Licensing Policy
Key Decision: NS/24/13
- Item 17 Results of consultation on proposals to change the non-residential Charging Policy
- Item 18 Review of in-house residential care homes
- Item 19 Beamish Museum – Change of Governance Arrangements

1. **Review of School Crossing Patrol Service**
Key Decision: NS/20/13
Cabinet Portfolio Holder – Councillor Brian Stephens
Contact – John Reed 03000 267454

We have considered a report of the Corporate Director, Neighbourhood Services summarising a review of the School Crossing Patrol Service. The report recommended the removal of lunchtime provision where it is known

that children no longer use the crossing facilities during the lunchtime period. The report also recommended that the existing School Crossing Patrol policy be retained.

In 2008 when this policy was last reviewed, children were allowed to leave the school premises during a lunchtime period and therefore a lunchtime School Crossing Patrol service was required. However, this is no longer the case at the majority of schools. An analysis of activity at lunchtime has shown that very few or no primary school children leave the school premises at lunchtime. However there are six sites that operate close to secondary schools where children do leave the school premises during the lunchtime period. The report proposed that lunchtime provision be removed at the sixty sites where very few or no children leave the school premises during a lunchtime period. The service will be retained at those six schools where children are known to leave the school premises during a lunchtime period and therefore there is no risk to the safety of children. The remainder of the existing policy will be retained. Specific consultation will take place with each of the schools affected by the removal of lunchtime provision and they will be given the opportunity to self-fund the service if they wish to retain it.

Decision

We have agreed to:

- Commence a consultation on the proposed changes
- Delegate to the Corporate Director of Neighbourhood Services the consideration of the outcome of that consultation and, taking it into account, the decision whether to make any changes, such decision to be taken in consultation with the Portfolio Holder for Neighbourhoods and Local Partnerships.

2. Proposal to change the age range of Ouston Junior School from 7-11 to 4-11 from 1 January 2014 to create a Primary School and to close Ouston Infant School from 31 December 2013

Key Decision: CAS/02/13

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 Ouston Junior School from 7-11 to 4-11 from 1 January 2014, to create a Primary School and to close Ouston Infant School from 31 December 2013.

Governors of Ouston Infant and Junior Schools and officers of the Local Authority agreed that the best way to ensure a stronger and more viable establishment and to preserve primary education in Ouston was to consult on a proposal to amalgamate Ouston Infant and Junior Schools into one Primary School.

Consultation on the proposal to change the age range of Ouston Junior School and to close Ouston Infant School was undertaken for six weeks between 4 February 2013 and 15 March 2013. After the County Council considered the views of those who responded to the consultation, a decision was taken on 3 June 2013 to proceed to the next stage in the statutory process which was to issue a Public Notice, proposing to change the age range of Ouston Junior School from 1 January 2014 to create a Primary School and to close Ouston Infant School from 31 December 2013. The Public Notice was issued on 13 June 2013 for 6 weeks.

It was clear from the consultation that traffic congestion at the junior building is a major concern. Following the concerns raised, officers of the County Council visited the schools to determine the volume of traffic. To address the issues raised concerning the traffic congestion the County Council is working closely with the two schools to develop a strategy to reduce the number of children taken to and from school by car. Officers will continue working with the school to plan the implementation of the solutions to the perceived increased traffic congestion. This will include providing support and advice to enable the school to produce an effective School Travel Plan.

In the region of £850,000 capital funding has been allocated and approved by Elected Members of the County Council to remodel the junior building to make it large enough to accommodate pupils transferring from Ouston Infant School and pupils accessing the early years provision currently at the Infant School. The cost of this work will be met from the Department for Education (DfE) grant funding which has been allocated to the Local Authority.

Decision

We have agreed to:

- Extend the age range of Ouston Junior School from 7-11 to 4-11 from 1 January 2014 to create a Primary School
- Close Ouston Infant School from 31 December 2013

3. Welfare Reform Update and Review of Local Council Tax Support Scheme

Key Decision: CORP/R/13/03

Leader and Deputy Leader of the Council – Councillors Simon Henig, and Alan Napier, and Cabinet Portfolio Holder- Eddie Tomlinson

Contact – Roger Goodes- 03000 268050

We have considered a joint report of the Assistant Chief Executive, Corporate Director, Resources and Corporate Director, Regeneration and Economic Development updating on recent policy developments relating to the government's welfare reforms, the council's response and the expected impact on the county. The report also considered a review of the council's Local Council Tax Support Scheme and the requirement to agree the

council's approach to Local Council Tax Support for 2014/15 as well as an early operational review of the Welfare Assistance Scheme and the Discretionary Housing Payments policy, which have been in place since 1 April 2013.

The government brought forward the Welfare Reform Act 2012 to implement its commitment to "simplify the benefits system, make it fairer and to encourage people into work". The scale of reform is significant and involves over 40 changes. The Department for Work and Pensions (DWP) is continuing to add detail to the operational implementation of its initial policy reforms and the more recent cap on the future uprating of benefits, as announced in the Chancellor's Autumn Statement. Since the last report to Members in March 2013, policy announcements relating to the following have been made:

- Universal Credit pilots, pathfinders and roll-out;
- Benefit Cap roll-out;
- Personal Independence Payment toolkit and medical assessments;
- Employment Support Allowance;
- Discretionary Housing Payment guidance and changes to Housing Benefit reductions for specific groups;
- Welfare reform support services;
- Disability Living Allowance claims and Court of Appeal judgements;
- Social Fund loans budget allocations and guidance on discretionary payments;
- Armed Forces and Reserve Forces Compensation Scheme;
- The government's response to the Communities and Local Government Select Committee report on the implementation of welfare reform by local authorities;
- Work and Pensions Select Committee review of progress with the implementation of Universal Credit;
- Food banks;
- Spending review.

Whilst the government did not undertake a comprehensive impact assessment of its welfare reform programme, a number of studies and assessments of the impacts are now being published. In terms of absolute losses, the researchers estimate that the County Durham economy stands to lose £188 million per year because of the welfare changes. This is equivalent to £565 per working age adult, slightly more than the regional average loss of £560 per working age adult and significantly more than the average loss of

£470 per working age adult for Great Britain as a whole. Given the nature of the reforms and their impact on the county, the council continues to monitor and respond to the implementation of the government's welfare changes.

At our meeting on 19 December 2012, we agreed a new Welfare Assistance Scheme to fill the gap left by the withdrawal of the Social Fund. In addition, on 13 March 2013, we agreed a revised Discretionary Housing Payments policy for the council, operating from 1 April 2013 to coincide with the introduction of wider welfare reforms including the social sector size criteria (otherwise known as the 'bedroom tax').

Both schemes have been successfully introduced and officers are closely monitoring the uptake and feedback to identify if either needs to be revised in order to support those affected by the changes.

In addition, in January 2013, the council agreed a new Council Tax Support Scheme to replace the national Council Tax Benefit scheme, abolished in April 2013. An initial review of the scheme has been carried out; however, in terms of learning from other councils, there is a lack of meaningful data available at this stage on the impact of charging working age benefit claimants for the first time to inform a complete review of the scheme. This position is to be kept under review.

Based on MTFP planning for 2014/15, the council could continue with its current scheme for a further year. This will allow a more comprehensive review to be undertaken in early 2014/15 when more comparative data will be available before recommending options to us on what the council may wish to do from April 2015 and consulting on this during the summer/autumn of 2014.

Decision

We have agreed to:

- Note the contents of this report and further developments in government welfare reform;
- Note the latest analyses of impact on the county;
- Note the progress with the new Welfare Assistance Fund scheme introduced in April 2013, the amendments to the scheme made under delegated powers and to allow further changes where necessary to be made under these delegated powers by the Assistant Chief Executive and Corporate Director Resources in consultation with the Leader and Deputy Leader of the Council;
- Note the progress with the revised approach to Discretionary Housing Payments, implemented from April 2013, the amendments to the scheme made under delegated powers and to allow further changes where necessary to be made under these delegated powers by the Assistant Chief Executive and

Corporate Director Resources in consultation with the Leader and Deputy Leader of the Council;

- Note the review of the Local Council Tax Support Scheme and recommend to Council that the current scheme be extended for a further year for 2014/15 with a full review in early 2014/15 to inform our approach from April 2015;
- Confirm that the Council Tax Support Grant currently passported to the town and parish councils be reduced in line with the reductions made in the overall funding available to the Council.

**4. Quarter 1 2013/14 - Performance Management Report
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 first quarter of 2013/14.

Decision

We have:

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

Altogether Wealthier

- i. Delivery of Durham City regeneration schemes: Aykley Heads (a mixed use development for employment) - site allocated upon adoption of the County Durham Plan - July 2014. Revised date: December 2014
- ii. Development of the County Durham Plan 2014 including:
 - Completion of statement of consultation for preferred options - May 2013. Revised date: September 2013
 - Consultation on preferred options - October 2013. Revised date: November 2013.
 - Preparation for examination in public, including mock examination and pre-enquiry meeting - April 2014. Revised date: June 2014.
 - Full Council adoption - July 2014. Revised date: December 2014.

- iii. Complete regeneration frameworks for the key towns of:
 - Peterlee - September 2013. Revised date: October 2013.
 - Shildon - June 2013. Revised date: October 2013.
 - Newton Aycliffe - September 2013. Revised date: October 2013.
 - Spennymoor - June 2013. Revised date: September 2013.
- iv. Delivery of Durham City Regeneration Schemes including; North Road (major regeneration, gateway to the City) – September 2013. Revised date: January 2014.
- v. Identify opportunities to enhance work programme delivery within County Durham through working with specialist provides - March 2014. Revised date: March 2016
- vi. Pursue the preferred option for the future of council housing across County Durham - November 2014. Revised date: March 2015.

Altogether Better for Children and Young People

- vii. Review and revise assessment processes in line with Munro recommendations by June 2013. Revised date - January 2014.

Altogether Better Council

- viii. Improve understanding of customer and population needs: sub-county analysis of performance and population needs - June 2013. Revised date December 2013.

Altogether Greener

- ix. Delivery of the Limestone Landscapes Heritage Lottery Fund programme, which includes the consolidation of Hawthorn Hythe Lime Kiln and Field training for staff and volunteers - November 2013. Revised date: September 2014

Deleted Actions

Altogether Greener

- x. Develop an approach to providing fuel efficient pool vehicles at major depots to manage and reduce business mileage.

Amended Actions

Altogether Wealthier

- xi. Work with the welfare to work programme contractors to co-ordinate employability support delivered by partner agencies for

County Durham residents with a focus on 18-24 year olds, including identifying opportunities to enhance work programme delivery within County Durham through working with specialist providers - March 2014 (new wording).

- xii. Work with employers to co-ordinate skills development to ensure appropriate alignment to future employment opportunities. Some key projects will include:
- Develop sector specific Pre-Employment Training (PET) to prepare clients for employment and meet employers' needs and requirements - March 2014. (new wording)
 - Seek opportunities for funding and work with employers to develop and deliver sector specific qualifications within the workplace – March 2014 (new wording)

5. Forecast of Revenue and Capital Outturn 2013/14 for General Fund and Housing Revenue Account – Period to 30 June 2013 and Medium Term Financial Plan 4 Update
Deputy Leader of the Council – Councillor Alan Napier
Contact – Jeff Garfoot 03000 261946

We have considered a forecast of 2013/14 revenue and capital outturn for the period to 30 June 2013 for the Council's General Fund and Housing Revenue Account and provided an update on the Medium Term Financial Plan 2014/15 to 2016/17.

This report was the first indication of the revenue and capital outturn for 2013/14 based on actual expenditure and known commitments as at 30 June 2013. The report also provided an update of MTFP 4 following the report to us on 17 July 2013. Since then we have done a full analysis upon the Government's 26 June 2013 Spending Round for 2015/16 and their subsequent consultation document on the Local Government Finance Settlement for 2014/15 and 2015/16 published on 25 July 2013.

The Government Spending Round proposed a 10% reduction in Local Government funding for 2015/16 together with a wide range of additional funding streams to 'balance' this 10% core funding reduction; plus an additional £3.8bn of funding to be made available nationally to enable Local Government and the National Health Service (NHS) to pool budgets in the future was also announced.

The forecast reductions would result in a £13.5m reduction in funding for the Council. It was apparent from the Spending Round however, that NHS funding presently received by the council would continue in 2015/16. This enabled our previously forecasted loss of funding of £7.1m to be withdrawn from the MTFP model. Overall, the additional pressure in 2015/16 resulting from the Spending Round is therefore now forecasted to be £6.4m. Information contained in the Spending Round has also meant a forecasted deterioration in the funding position of £8m for 2016/17.

Having regard to the Local Government Finance Settlement consultation document for 2014/15 and 2015/16, this includes proposed allocations of Revenue Support Grant (RSG) for all local authorities with an average reduction across the country for 2015/16 of 13.1%. After taking into account forecast inflation of 1.8% this is therefore an average 'real terms' reduction of 14.9% for all local authorities compared to the Government's quoted level of "10%". The information received from the DCLG at this stage is that the majority of the additional funding streams for local authorities announced in the Spending Round, to 'balance' this quoted "10% reduction" in core funding, are to be top sliced from Revenue Support Grant.

The impact of these forecasted changes in grant will mean that the total savings that the Council will have had to make across the 2011 – 2017 period will exceed £220m with the savings target shortfall for 2015/16 and 2016/17 now being circa £77m.

Also, in line with previous years' funding reductions, since the Government's first emergency budget in June 2010, the Council along with all other councils with high levels of deprivation, is to receive a higher reduction in RSG than the national average. For the Council, the 'real terms' reduction in 2015/16 is to be 16.4% compared to the national average of 14.9% which amounts to £16.4m in cash terms.

The Leader of the Council has written a personal letter to the Secretary of State for Communities and Local Government explaining the Council's concerns about the proposed grant settlement for 2014/15 and 2015/16. The Council is in discussion with the Local Government Association, the Special Interest Group of Metropolitan Authorities (SIGOMA) and the Association of North East Councils (ANEC) to formulate a very strong consolidated response to the government's consultation. A briefing will also be proposed for local Members of Parliament.

Decision

We have:

1. Noted the revised MTFP 4 position
2. Noted the projected change in the Council's overall financial position for 2013/14.

3. Agreed the proposed 'sums outside the cash limit' for approval.
4. Agreed the revenue and capital budget adjustments.
5. Noted the forecast use of Earmarked Reserves.
6. Noted the forecast end of year position for the Cash Limit underspend reserves.
7. Noted the position for the Housing Revenue Account.
8. Noted the position for the Capital Programme.

6. Digital Durham Programme Update and High Level Deployment Plan
Cabinet Portfolio Holder – Councillor Jane Brown
Contact – Phil Jackman 07775 025096

We have considered a report of the Corporate Director, Resources which updated Members on the progress of Digital Durham superfast broadband. The report sought approval for the programme's high level Deployment Plan which has been drawn up in consultation with the strategic delivery partner, British Telecom.

The Digital Durham Programme was set up with the vision to improve the economic and social wellbeing of all residents through the provision of superfast broadband access to all businesses, homes and communities in the Programme area. The Local Broadband Plan (LBP) was approved by the Department of Culture, Media and Sport (DCMS) and Broadband Delivery UK (BDUK) on 6 March 2012. Durham County Council agreed to match BDUK funding of £6.93m within the Council's capital programme.

The programme is also coordinating fast speed broadband activities across Gateshead, Sunderland, Darlington, Hartlepool, Middlesbrough, Redcar and Cleveland and Stockton and a Memorandum of Understanding was signed between Durham County Council (on behalf of all Councils) and BDUK on 29 March 2012. The Programme Board agreed to use the BDUK procurement framework and processes and British Telecommunications PLC (BT) was awarded the contract on 26 April 2013.

The High Level Deployment Plan is for the whole programme area of Durham; Gateshead; Sunderland; Darlington; Hartlepool; Middlesbrough; Redcar and Cleveland; and Stockton and is based on the Speed and Coverage Template (SCT) which formed part of the procurement documentation and the contract with BT. The SCT sets out BT's solution in terms of speed and coverage down to post code sector level and is also a contractual commitment to the number of premises which will be able to access their extended network due to this public investment.

BT has designed a high level deployment plan based on 9 phases of work commencing April 2014 and ending September 2016.

Decision

We have:

- Noted the content of the report and the progress made with the Digital Durham Programme implementation
- Approved the recommended high level Deployment Plan
- Agreed to receive progress reports on a six monthly basis

7. Lamplight Centre, Stanley
Cabinet Portfolio Holders – Councillors Neil Foster and Maria Plews
Contact – Nigel Dodds 03000 264599

We have considered a joint report of the Corporate Director, Regeneration and Economic Development and Corporate Director, Neighbourhood Services which sought approval for the letting of the Lamplight Centre, Stanley on a 35 year lease to Stanley Town Council.

In a report to us in February 2012 on the Medium Term Financial Plan, members were advised that the Neighbourhood Services grouping was considering a proposal to remove any funding to support the Stanley Lamplight Arts Centre in order to make savings. The building was at the time let to Leisureworks on a 35 year lease from 2007. Durham County Council as landlord retained responsibility for all building repairs. Stanley Town Council had expressed an interest in the property. These negotiations concluded in March 2013 when Stanley Town Council decided it could not reach an agreement with Leisureworks. Following local elections Stanley Town Council renewed their interest and requested that any decision to close the centre be delayed until 31 July 2013 to undertake a consultation exercise prior to reaching a decision. On the 23 July Stanley Town Council agreed that they would take on the operation of the centre.

The Council has in principle offered to transfer the property to the Town Council on the basis of a 35 year full repairing and insuring lease at a peppercorn annual rent. Leisureworks will no longer be involved with the running of the centre and a variation to their agreement has been signed and sealed by both parties.

Decision

We have approved the granting of a 35 year lease to Stanley Town Council on the terms set out in the report in order to secure the future of this facility in Stanley.

8. The County Durham Plan Pre-Submission Draft (including supporting evidence and documents)

Key Decision: R&ED/14/13

Cabinet Portfolio Holder – Councillor Neil Foster

Contact – Mike Allum 03000 261906

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

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

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

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

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

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

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

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

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

Decision

We have:-

- i. Agreed the County Durham Plan Pre-Submission Draft for Publication and consultation from October 14 to December 6 2013.
- ii. Agreed the Supplementary Planning Documents named in the report for consultation.
- iii. Agreed that any minor modifications to the above documents following Cabinet agreement and before consultation begins can be agreed by the Director of Regeneration and Economic Development in consultation with the Portfolio Holder for Regeneration and Economic Development.
- iv. Agreed the approach to updating the IDP
- v. Agreed the timetable as set out in Appendix C of the report
- vi. Endorsed the updated evidence base including the:
 - Travellers Site Needs Assessment
 - Strategic Housing Market Assessment
 - Population and Household Projections
 - County Durham Retail and Town Centre Needs Study
 - Joint Local Aggregate Assessment

9. Spennymoor Masterplan

Key Decision: R&ED/11/13

Cabinet Portfolio Holder – Councillor Neil Foster

Contact – Ian Thompson 03000 267330

We have considered a report of the Corporate Director, Regeneration and Economic Development on the development of the masterplan for Spennymoor. The report provided a detailed programme of activity that can

be undertaken for the town over the next 3-5 years to ensure future sustainability through investment and marketing of the town's key development opportunities. The plan identifies key public sector activity and investment of £37 million that can generate £276 million from the private sector.

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

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

The key opportunities for the town centre focus on how to create a sustainable future for the town. The completion of Durhamgate and ensuring a successful future for Festival Walk are major areas for action. Consultation on the preparation of this Masterplan has been undertaken with a range of local stakeholders including the Town Council.

Decision

We have approved the report and masterplan.

10. Review of the Garden Waste Collection Service

Key Decision: NS/19/13

Cabinet Portfolio Holder – Councillor Brian Stephens

Contact – Alan Patrickson 03000 268165

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

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

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

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

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

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

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

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

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

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

The proposal is to provide a charged garden waste collection service between April and November each year on a fortnightly basis totalling 16 collections per year. The standard service will be on an opt-in basis through the provision of a wheeled bin. Residents who do not wish to opt-in, but who

have previously been supplied with a wheeled bin for garden waste will be able to have the existing bin collected on request. The scheme will be available to those households not currently covered by the free of charge garden waste collection scheme provided they are within the defined boundary.

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

The statutory requirement to consult is based on section 3 of the Local Government Act 1999 in which it states that a best value authority must secure continuous improvement in the way its functions are exercised and in deciding how to fulfil its duty; an authority must consult a range of stakeholders including taxpayers. In line with our approach to consultation, an engagement plan will be drafted which will then be approved by the Consultation Officers Group and the actions implemented. The results of the exercise will be carefully considered before any final decision is made. Consultation will take place from 19th September 2013 to 28th October 2013.

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

Decision

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

11. Homelessness Strategy: 2013-2018 Cabinet Portfolio Holder – Councillor Eddie Tomlinson Contact – Andrew Burnip 03000 262543

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

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

In line with government Guidance, the strategy includes plans for:

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

Over the past 3 months the County Durham HAP has been developing the strategic objectives for the Homelessness Strategy 2013-18.

On the 17 June 2013, the Council hosted a consultation event at County Hall. In addition to this event the draft strategy was sent to various partners, posted on the internet and intra net to enable a wide range of stakeholders the opportunity to contribute towards our strategic objectives. Attendees at the consultation event included the Police, NHS, Registered Providers and the voluntary sector. These views have been considered and where appropriate, actions added to the strategy action plan. All actions within this action plan are considered achievable in context of the MTFP savings

Decision

We have approved the Homelessness Strategy for County Durham 2013-18.

12. Review of the Waste Management Strategy Cabinet Portfolio Holder – Councillor Brian Stephens Contact – Alan Patrickson 03000 268165

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

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

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

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

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

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

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

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

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

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

In March 2010, we approved the establishment of the Waste Programme as the means for determining how the authority would seek to deliver the Waste Strategy and ensure the achievement of the objectives and targets. The

Waste Programme has made significant progress since 2010 and continues to oversee the procurement of new waste contracts.

Decision

We have:

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

13. 2014/15 Budget and Medium Term Financial Plan 4 2014/15 – 2016/17

Key Decision: CORP/R/13/02

Leader and Deputy Leader of the Council – Councillors Simon Henig, and Alan Napier

Contact – Jeff Garfoot 03000 261946

We have considered a joint report of the Corporate Director, Resources and the Assistant Chief Executive which provided an update on the 2014/15 Budget and the Medium Term Financial Plan focussing on the impact of the 2015/16 Spending Round and the 2014/15 and 2015/16 Local Government Finance Settlement Consultation.

The previous MTFP4 report to Cabinet on 17 July 2013 identified that the financial position facing local authorities continued to be extremely challenging. The Government's annual March Budget and Autumn Statement continued to identify a deteriorating position for the country's finance.

Since 17 July 2013 Cabinet meeting, the content of both the 2015/16 Spending Round and the Local Government Finance Settlement have been fully assessed. It is apparent that, in line with previous Government announcements, local government continues to face the highest level of funding reductions in the public sector and that more deprived areas are facing higher levels of funding reduction than more affluent areas.

The level of savings the Council needs to deliver has increased significantly. In MTFP1 the council forecast that £123m of savings would be required over a four year period. Savings of £222m are now expected to be required for the 2011 – 2017 period, £20m higher than the sum previously reported to us in July.

The 2015/16 Spending Round presented a £2.1bn (10%) funding reduction for local authorities nationally. The Local Government Finance Settlement consultation published a month later on 25 July 2013, detailed a £3.1bn (15%) funding reduction which is an increase of £1bn in a matter of weeks.

Based upon the level of savings required over MTFP4, an estimate of the number of employee post reductions will be made as the savings targets are approved up to 31 March 2017.

By 31 March 2014 it is estimated that the number of posts will have reduced in the Council by 1,558 since 2011, of which 363 will have been vacant posts. During this period the MTFP Redundancy and Early Retirement Reserve will have reduced from £26.9m to an estimated £3.1m and will need to be replenished as part of the medium term financial planning process.

The Council will continue to consult widely on the implications of Government funding reductions and the impact on Council services. A major consultation exercise will be undertaken during October and November that will include a wide range of consultation methods in order to engage with as many members of the public, partners and stakeholders as possible in order to help us identify how to make the significant budget reductions that we need to across the MTFP4 period.

The Leader of the Council has written to the Secretary of State for Communities and Local Government expressing the Council's very serious concerns at the proposed grant settlement for 2014/15 and 2015/16. The Council is also in discussion with the Local Government Association, the Special Interest Group of Municipal Authorities (SIGOMA) and the Association of North East Councils (ANEC) to formulate a very strong consolidated response to the government's consultation.

Decision

We have:

- (i) Noted the impact of the 2015/16 Spending Round and the 2014/15 and 2015/16 Local Government Finance Settlement Consultation upon the Council.
- (ii) Agreed that an additional £15m 2015/16 savings target be worked up by Service Groupings.
- (iii) Noted the estimated £63.1m savings shortfall for the period 2014/15 – 2016/17.
- (iv) Agreed to the lobbying proposals as outlined in the report.
- (v) Noted the update in relation to the MTFP4 consultation process.
- (vi) Noted the update on the development of the Council Plan and Service Plans.

14. The County Durham Plan: Community Infrastructure Levy Draft Charging Schedule, Sustainability Appraisal and other Evidence Base

Key Decision: R&ED/19/13

Cabinet Portfolio Holder – Councillor Neil Foster

Contact – Mike Allum 03000 261906

We have considered a report of the Corporate Director, Regeneration and Economic Development which sought approval for the Community Infrastructure Levy (CIL) Draft Charging Schedule, the Statement of Consultation, the Sustainability Appraisal and Habitat Regulations Assessment. The Report set out a series of evidence based documents used in developing the policies that underpin the Pre-Submission Draft of the County Durham Plan. Cabinet approval of these documents provides the necessary weight for them to be used in future planning decisions. The documents concerned are:

- Affordable Housing and CIL Development Viability Study;
- Strategic Housing Land Availability Assessment;
- Low Level Radioactive Waste Study; and
- County Durham Plan Transport Modelling.

The CIL Charging Schedule will be consulted on alongside the County Durham Plan from 14 October until 6 December. The CIL Regulations came into force on 6 May 2010 and gave local authorities the option of charging a levy on new development. The CIL ensures that most new development makes a proportionate and reasonable financial contribution to delivering the infrastructure identified in the Infrastructure Delivery Plan (IDP).

The purpose of the Statement of Consultation is to show how the Council has engaged key stakeholders and the local community in the development of the County Durham Plan.

The purpose of the Sustainability Appraisal (SA) is to promote sustainable development through the integration of social, economic and environmental considerations into the preparation of plans. SA is a statutory requirement which incorporates Strategic Environmental Assessment (SEA) which is required by English and European Law. SA has been built into all stages of the County Durham Plan process.

The purpose of the Habitat Regulations Assessment (HRA) is to ensure that the Plan (in combination with other plans or projects) does not have an adverse impact on the integrity of European protected Natura 2000 (N2K) sites.

Decision

We have:

- Agreed the Infrastructure Delivery Plan and CIL Draft Charging Schedule for consultation from 14 October until 6 December 2013. Agreed the Statement of Consultation;
- Agreed the Sustainability Appraisal and Habitat Regulations Assessment;
- Agreed the following evidence based documents:
 - Strategic Housing land Availability Assessment;
 - Affordable Housing and CIL Development Viability Study;
 - Low Level Radioactive Waste Study; and
 - County Durham Plan Transport Modelling.

15. Newton Aycliffe and Peterlee Regeneration Masterplans

Key Decision: R&ED/02/13

Cabinet Portfolio Holder – Councillor Neil Foster

Contact – Peter Coe 03000 262042

We have considered a report of the Corporate Director, Regeneration and Economic Development which provided a detailed programme of activity that can be undertaken for the Newton Aycliffe and Peterlee over the next 3-5 years to ensure future sustainability through investment and marketing of the towns' key development opportunities.

The Masterplans articulate the County Council's desire to stimulate regeneration and economic growth and to help to guide investment focussing on enhancing the development opportunities and the potential of the town.

The key drivers for delivery of the masterplans are:

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

Consultation on the preparation of this Masterplan has been undertaken with a range of local stakeholders including the AAP Forums and Town and Parish Councils.

Decision

We have approved the Masterplans for Newton Aycliffe and Peterlee.

16. Review of the Council's Statement of Licensing Policy
Key Decision: NS/24/13
Cabinet Portfolio Holder – Councillor Brian Stephens
Contact – Owen Cleugh 03000 260925

We have considered a report of the Corporate Director, Neighbourhood Services which sought approval to undertake a public consultation leading to the production of a revised version of the policy statement to be recommended for adoption by Council.

The Licensing Act 2003 requires that licensing authorities prepare and publish a statement of its licensing policy every five years (as from January 2011). The policy must be kept under review and the licensing authority may make such revisions to it, as it considers appropriate. Durham County Council adopted the current Statement of Licensing Policy on 8 December 2010.

The Statement of Licensing Policy fulfils two principal purposes. Firstly, it provides advice to businesses and the public on the Council's overall position concerning the Licensing Act 2003. Secondly, it provides a decision-making framework for the Council via its Licensing Committee to exercise its quasi-judicial functions under the Act. As such the policy must balance the legitimate needs of businesses and demand for leisure and cultural activities alongside the need to protect those adversely affected by activities.

The Policy seeks to achieve the Licensing Objectives, namely -

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance; and
- the protection of children from harm

The need to revise the current policy stems from recent changes to licensing legislation. Officers have produced an explanatory paper for consultees setting out the proposed changes referring particularly to Early Morning Restriction Order and Cumulative Impact Policies, and Late Night Levies..

The introduction of an Early Morning Restriction Order and or a Cumulative Impact Policy would need to be based on appropriateness and would require the evidence to suggest that there are high levels of alcohol related crime and disorder in a particular area. The introduction of a Late Night Levy is more discretionary and would normally follow a request from the Police and Crime Commissioner to consider its introduction.

The purpose of this initial review and proposed revisions would bring the current policy up to date and would allow special measures to be introduced at a later date if required

The report proposed that between Thursday, 10 October 2013 and Thursday, 2 January 2014 the current Statement of Licensing Policy be subject to broad consultation.

Decision

We have agreed that the draft-revised Statement of Licensing Policy be consulted upon for a 12-week period and that the Statutory Licensing Committee be asked to consider the results of that consultation and give their comments and recommendations to Full Council for approval.

17. Results of consultation on proposals to change the non-residential Charging Policy **Cabinet Portfolio Holder – Councillor Morris Nicholls** **Contact – Nick Whitton 03000 267357**

We have considered a report of the Corporate Director, Children and Adults Services providing the results of the consultation exercise on proposals to change the non-residential Charging Policy.

The Council's current MTFP requires it to make savings of approximately £222m from 2011- 2017. Savings targets for 2011/12 and 2012/13 have been achieved but the on-going savings targets for Children and Adults Services are currently: 2013/14 £11.212m, 2014/15 £12.430m and 2015/16 £4.454m. These are likely to increase. A consultation exercise has been undertaken on whether to change the current charging arrangements so that service users with savings over £23,250 are asked to meet the full cost of their non-residential care services, from their savings and investments in excess of £23,250. Once service users have used up their savings to the limit they become eligible for support and return to making an assessed contribution.

The relevant statutory guidance, issued under S7 Local Authority social services Act 1970, is 'Fairer charging policies for home care and other non-residential social services: guidance for Councils with Social Services Responsibilities (September 2003)'. Paragraph 62 suggests that "Users with savings of more than the upper (capital) limit may be asked to pay a full charge for the service." All other authorities in the North East currently charge full cost for their services to people with savings over £23,250.

It is estimated that an additional £200k pa additional income would be raised by implementing this change to the charging policy. The savings estimate assumes that the pattern of savings amongst existing service users is a fair reflection of the likely wealth of future users.

If these proposals are implemented, the vast majority of services users will not be affected.

- Around 4,700 people will find that their contribution towards the cost of their services remains the same

- Around 1700 people will still not have to contribute anything at all
- About 190 people will be required to contribute more towards the cost of their services

A consultation was carried out from 3 June 2013 to 15 July 2013. Consultation information and questionnaires were sent to service users who currently pay a charge. It was also recognised that some service users who are currently assessed as nil charge but have savings over £23,250 would be impacted by this proposal and so they were also included in the consultation.

An Equality Impact Assessment (EIA) was undertaken to identify any potential negative consequences from proposed changes to the charging policy and to mitigate against these. The full EIA was included in the report to Cabinet.

Whilst taking account of service users' comments the Council must also consider its use of resources given the very significant financial cuts it faces.

The following steps will be implemented by way of mitigation:

- Where there is evidence of service users using their savings to alleviate the impact of their disability, an allowance for this will be made in the financial assessment.
- Once service users have used up their savings to the limit they would become eligible for support and return to making an assessed contribution.
- The maximum contribution anyone would be asked to pay, which is currently £336.17 per week will remain the same.
- Where the risk associated with a service user stopping using a service would be unacceptably high the Council has the discretion to waive payment.

There are currently 130 service users whose charges would increase by the decision to charge service users with savings over £23,250 the full cost of service and 62 people who are currently not paying a charge who would be required to pay.

Decision

We have accepted the proposal to change the current policy so that for the future, service users with savings over £23,250 will be charged the full cost of service.

18. Review of in-house residential care homes
Cabinet Portfolio Holder – Councillor Morris Nicholls
Contact – Rachael Shimmin 03000 267353

We have considered a report of the Corporate Director, Children and Adults Services reviewing the future need for in-house residential care homes. The report also sought agreement to consult on a number of options outlined in the report.

Durham County Council last reviewed its in-house residential care services in 2010 and subsequently decided at Cabinet in July 2010 to close 7 homes. Since that date the Council has experienced significant budget reductions and has needed to reconsider all aspects of service provision. This report considered the issues for the current provision of in-house residential care including the future direction of service delivery in the context of the increasing demands of the MTFP. As a consequence of the significant financial reductions to the Council's budget, the scope of this report is broader than originally envisaged and suggests reviewing the original Cabinet decision made on 20 January 2010 to continue to provide long term residential care at Newtown House.

Officers have considered the potential future use of the remaining five in-house residential care homes. They are:

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

In August 2013 the local authority was funding short and long-term residential places for 2497 people (Source: Social Services Information Database (SSID)). Included in this total of 2497 were 83 people (50 permanent) resident in Council run homes. This equates to 3.3% of all places in residential care across the County, and 2% for our permanent residents. The cost of in-house residential care is significantly higher than that in the independent sector and the Council must consider this alongside the impact to people of any changes in their residential environment.

Intermediate care services are part of the Council's strategy to ensure that people live independently for as long as possible and recover independence wherever they can. Following an independent review into the provision of intermediate care services in County Durham, Clinical Commissioning Groups (CCG's) are leading on joint work to commission intermediate care services in the future. This has implications for current in-house intermediate care beds at Grampian House, Cheveley House, Feryemount and Mendip House.

Taking account of research and analysis in relation to future demand for residential, short term and respite care, and, considering the need ensure value for money, we considered three options for consultation.

Option 1: The Council consult on the retention of each of the homes; Cheveley House, Feryemount, Grampian House, Mendip House and Newtown House undertaking repair and maintenance as required

This option would increase the number of residential care places for older people by a total of 39 beds across all four homes as intermediate care beds will no longer be required. Given the current occupancy rates and the lack of waiting lists for these homes, it is unlikely that this extra capacity would be taken up which would increase the unit costs. This option has the benefit of approximately 50 permanent residents (as at 31 August 2013) being able to remain in situ and means relatively little change for the staff who work in the homes.

Option 2: The Council consult on the closure of each of the homes; Cheveley House, Feryemount, Grampian House, Mendip House and Newtown House and commission alternative residential care provision and day services through the independent sector

This option will require all permanent residents and respite and day care clients to move to alternative independent provision with Cheveley House, Mendip House, Feryemount, Grampian House and Newtown House subject to closure.

Option 3: The Council consult on the potential for transferring each of the homes; Cheveley House, Feryemount, Grampian House, Mendip House and Newtown House to an alternative service provider.

Should Members agree to seek expressions of interest from other organisations with a view to managing and running each of the care homes as a going concern, then it will be necessary for the Council to draw up a mini-prospectus which will outline the terms and conditions applicable to these buildings and the process which will have to be completed.

Interested parties will have to be able to present to the Council a business case for evaluation no later than the closing date of the proposed consultation. Business cases will be analysed by a panel of senior officers and the outcome will be included in a final report to Members in 2014.

The Equality Impact Assessment carried out as part of this report highlights that, if implemented, each of the options are likely to have an impact on residents, other service users, their carers and families. As expected, it will impact most on older people, with gender being a close second as most people in these homes are female. The potential impact on other protected characteristics will be explored further during the consultation process in line with the public sector equality duty and the Equality Act 2010.

Any consultation will take into account the requirements of individuals and their views, by providing a variety of methods for residents, carers, families and advocates to participate, and will respect human rights in line with legal requirements and current case law. In particular, article 2, requires that care is taken over the impact of the consultation process, and article 14 requires that the consultation is carried out without discrimination. Two of the three options

for consultation may impact on the rights under article 8. In all cases, the Council will ensure that best practice is followed to minimise the risks to residents.

Decision

We have agreed the following recommendations:

- (a) A 3 month public consultation starting on Thursday 17 October 2013 for 13 weeks until Sunday 19 January 2014 on all three of the options for each of the 5 homes, as. This consultation will take into account the requirements of individuals and their views, and will respect human rights in line with legal requirements and current case law.
- (b) The production of a final report including a full equality impact assessment following consultation and a future report to Cabinet making recommendations in Spring 2014.

19. Beamish Museum – Change of Governance Arrangements Cabinet Portfolio Holder – Councillor Neil Foster Contact – Terry Collins 03000 268080

We have considered a report of the Corporate Director, Neighbourhood Services which sought approval to disband the Joint Committee for the North of England Open Air Museum and agree that the Council's involvement in the management of the museum should in future be through the Regional Stakeholders Group and the right to nominate directors to the Board of Beamish Museum.

Beamish Museum is currently run by a Joint Committee comprising members from Durham, Gateshead, North Tyneside, South Tyneside and Sunderland Councils. The operations of the museum are managed through a limited company Beamish Museum and its trading company. A Governance Review has recently been undertaken to consider how best to develop Beamish's partnership with all North East local authorities taking into account the needs of the museum's future plan for 2013-2025 and clear demand for new ways of working with local authority and other key stakeholders to provide support and produce tangible mutual benefits. A Regional Advisory Panel was formed during 2012/13 with two meetings held to shape the recommendations of the review, engaging ANEC and lead officers/members from all twelve North East authorities as well as representatives from key partners at the Arts Council England and Heritage Lottery Fund.

The Regional Advisory Panel considered the current governance arrangements at Beamish and recommended a number of changes to the roles and responsibilities of the Joint Committee, Beamish Museum (the operating charitable company) and Beamish Development Trust (fundraising organisation engaging business leaders) and the Friends of Beamish.

The new governance model recommended by the Regional Advisory Panel and subsequently approved by the Joint Committee of Beamish includes recommended changes which are summarised as follows:

- Developing further the invaluable fund raising work carried out by the Beamish Development Trust by integrating this group of business leaders within the Friends of Beamish, forming a new working group called the Business Friends of Beamish;
- Reviewing the role of Beamish Museum with the charity taking on a fifty year lease for the museum and its collections from Durham County Council and entering into legal agreements to take on responsibility for procuring and managing capital developments;
- Reviewing the membership of Beamish Museum with a new board comprising fifteen trustees with eight being local authority nominated trustees from core local authority partners (including the chair); one being a nominated trustee from the Friends of Beamish; and a further six being co-opted trustees. It is recommended that local authority representation be secured by minimum revenue contribution of £5,000 with constituent authorities dividing up the eight nominations (including chair) according to the proportion of their respective contributions.
- Maintain the existing Teesside Pension Agreement with existing local authority partners continuing to confirm the community benefit to Beamish Museum and its membership of the Local Government Pension Scheme, and collectively providing a guarantee for the historic LGPS Pension deficit that Beamish Museum currently has;
- Dissolving the Joint Committee of Beamish responding to demand for greater partnership working with local authorities through forming a new regional stakeholder group, working to ANEC and engaging members and officers from all twelve North East local authorities in a light touch and appropriate way.

The Regional Stakeholder Group has been shaped by consultation with local authority and other key partners including the Heritage Lottery Fund and Arts Council England. It has three objectives:

- Provide a light touch but effective way for partners to influence Beamish Museum's policy and strategy, scrutinising decisions and reviewing future budgets/plans through an annual review meeting held every autumn, ensuring that the educational cultural community and economic benefits of the museum are genuinely felt across the region;
- Develop a regional forum for developing and resourcing effective partnership working, focussing on delivering projects that generate mutual benefits in a way that links to regional

work led by ANEC and does not cut across other organisations working in the region;

- Focussing on delivery and meeting the needs of partners, providing support to partners where appropriate and only when Beamish can genuinely add value, considering the range of agendas including museum education, marketing, skills/apprenticeships, cultural tourism, community engagement/volunteering and developing resilient business models.

It is proposed that the Regional Stakeholder Group will be comprised of member and officer representation from all twelve local authorities with up to three representatives invited from each local authority. It is anticipated that Beamish will seek funding from the Arts Council major partner museum programme to help provide resource for joint projects to be delivered through the group. Further funding for delivery will be sought from the public and private sectors.

Decision

We have agreed the following recommendations:

- That the Joint Committee for the North of England Open Air Museum be disbanded and be replaced by a Regional Stakeholder group;
- That the proposed amendments to the Constitution of the Board of Directors of Beamish Museum be approved;
- That a new fifty year lease of the site of the museum be granted to the charitable company Beamish Museum on terms to be negotiated by the Corporate Director for Regeneration and Economic Development;
- That the collections held at the museum be leased to the charitable company Beamish Museum on terms to be approved by the Council's Head of Legal and Democratic Services.

Councillor S Henig
Leader of the County Council

22 October 2013