

18 June 2014

Report from the Cabinet



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## Purpose of the Report

To provide information to the Council on issues considered by the Cabinet on 16 April, and 7 May 2014, to enable Members to ask related questions.

Members are asked to table any questions on items in this report by 2 pm on 17 June 2014 in order for them to be displayed on the screens in the Council Chamber.

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### **1. Review of in-house residential care homes**

**Key Decision: CAS/07/13**

**Cabinet Portfolio Holder – Councillor Morris Nicholls**

**Contact – Rachael Shimmin 03000 267 353**

We have considered a report of the Corporate Director, Children and Adults Services on the outcome of the consultation carried out from October 2013 to January 2014 on the future of the five in-house residential care homes, making recommendations on the future of each of the homes.

On 9<sup>th</sup> October 2013, we agreed to consult on the future use of the five in-house residential homes. The report set out in detail the reasons for, and, explained the need to revisit previous decisions made across all five homes, namely:

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

In 1992, Durham County Council owned and managed over 50 residential care homes throughout the County and, at that time, in Darlington. Since that date due to a combination of reducing demands for the homes, rising costs and improved standards and investment by the independent sector, there has been a series of closures in all areas of the County. Durham County Council last reviewed its in-house residential care services in 2010 and subsequently decided in July 2010 to close seven homes, which left some parts of the County without any council managed homes.

Since 2010, Durham County Council has had to make very significant financial reductions and as a consequence of the challenging Medium Term Financial Plan (MTFP), the Council has had to review all of its services in the search for savings.

The Council undertakes regular reviews and monitoring visits in relation to external providers and it noted that many independent homes provide much higher standards of living accommodation than the Council's in-house homes. Recent surveys show that £4.19m would be required to be spent in the next ten years on repair and maintenance of the five in-house homes.

Demand for the council's own homes has reduced over time and it is unlikely that demand for the in-house residential homes will improve substantially in the future. The council is unable to directly provide nursing care. Many of the independent sector homes in the county are dually registered which means that they provide residential and nursing care. This can be a significant factor for older people and their relatives when choosing a home. The in-house homes are care homes only and the Council is legally prevented from running nursing homes. At 31<sup>st</sup> March 2014, the Local Authority was funding short and long-term places for 2428 older people in residential care homes and nursing homes of which 62 people (40 long term residents) were in the five Council run homes. 98% of people who have their residential care paid for by the Local Authority are in homes in the independent sector as well as those who choose to pay privately.

In addition to residential services, there are also day services operating and as at 31 March there were 160 older people using all in-house day service and 512 using independent sector services or purchasing day care through Direct Payments. Just over 5% of the total number of older people attending day care services were using the in-house residential care homes. Children and Adult Services established a panel of independent sector providers offering day services in April 2013. A significant amount of spare capacity exists within day services in Durham with a high percentage of providers having vacancies.

At 31 March 2014, the average cost to the Council for independent sector residential care was £473.59 per week. The cost of in-house residential care is significantly higher than that in the independent sector, averaging at £917.64 per week for 2013/14 and the Council must bear the fixed costs involved in providing places whether they are used or not.

On 9 October 2013, we agreed to consult on three options for each home as follows:

- Option 1: 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.
- Option 2: 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.

- Option 3: 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.

A summary of the consultation was detailed in the report including feedback on the consultation on the potential for transferring each of the homes to an alternative service provider and a summary of the feedback from consultation and issues by each individual home. A summary of the responses from services users to the question about moving out of their home, either temporarily or permanently, and of the overall submissions to the consultation was included in Appendix 5 of the report.

The consultation on the options for the future of Newtown House was unique in that a community proposal was received from an individual who was keen to explore the potential for enhanced community use of the whole Newtown House site, if the Council felt unable to agree to keep the home open on the current basis. The proposal in full was detailed in Appendix 7 of the report.

### Options and Implications

#### Option 1: The Council consider retaining each of the homes; Cheveley House, Feryemount, Grampian House, Mendip House and Newtown House including determining whether to undertake 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 to 133 beds as intermediate care beds would 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 the permanent residents (42 as at 31 January 2014) being able to remain in situ and would result in relatively little change for the staff who work in the homes.

However, the homes are very costly to maintain and have a number of pressing maintenance issues which are already beginning to impact financially. The costs included in the report would not bring homes up to current market standards. Overall occupancy would be likely to reduce over time if remodelling were not carried out, but this would require additional time and money. Major work would involve moving service users on a temporary basis. Unit costs would remain expensive in comparison with the independent sector and would not represent value for money for the Council. Alternative savings options totalling up to £1.09m would be required in order to meet the Council's MTFP savings requirement in the short and longer term. The Council would be left with a service costing considerably more on a weekly revenue basis than could be procured through the independent sector. The difference using average figures amounts to in excess of £22,600 per annum per resident. This option would maintain the Council's position in the market as a provider of services at the current level but at a significantly higher unit

cost than market rates. It would also mean that the Council would retain 172 permanent and temporary members of staff in employment.

Option 2: The Council consider 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 would 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 being closed.

Value for money for the Council is more likely to be achieved through purchasing all provision from the independent sector – even after meeting any transitional costs. This would ensure that the required MTFP savings would be achieved.

Commissioning of all residential care and respite beds from the independent sector coupled with the closure of all five in-house residential care homes would affect 126 permanent members of DCC staff and 41 temporary members of staff with more than 1 years' service, and 5 part time temporary staff with under 1 years' service (as at 3<sup>rd</sup> February 2014).

Given the current market position, there is very little chance of one provider in the independent sector establishing a monopoly and it is highly likely that the market will remain competitive for the future. The Council would be able to avoid potential building maintenance and improvement costs of over £4m during the next ten years. Future demand for these services is unlikely to improve and people are likely to choose other homes for long-term care and respite care in increasing numbers. This option would mean the loss of jobs for 172 permanent and temporary members of staff.

Under this option a planned relocation of 40 permanent residents as at 31 March 2014 would have to take place, with support and assessments in place to assist them with this change and to accommodate their choice of home wherever possible. As at 2 April 2014 there were 711 vacancies in the independent sector in County Durham to assist with the choice of home (based on 100% check of independent sector homes).

Under this option a planned relocation of approximately 36 day service users would have to take place, with support and assessments in place to assist them with this change.

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

No viable expressions of interest were received and therefore there was no decision to make on option 3.

The extensive consultation exercise demonstrated the strength of feeling from a range of people. The Council's own homes are clearly highly significant for the people who live in them. The majority of the 40 residents (number of long term residents as at 31<sup>st</sup> March 2014) and their families do not want to move and are worried about the consequences should they have to do so.

These issues were considered alongside a range of factors:

- Research clearly suggests that the vast majority of older people would prefer to stay in their own homes for as long as possible.
- The demand for residential care has fallen over time and there is no reason to suggest that this trend will reverse. The council is likely to be able to continue to purchase places from the independent sector at a fee which represents good value for money.
- The homes represent poor value for money and require significant capital investment at a time when funding available to Local Authorities is shrinking.
- The case for making further investment would be to minimise disruption and change for existing residents. However the scale of any major improvement work required is likely to lead to a period of decanting residents.
- Such work and the revenue implications of retaining the council run homes severely restrict the Council's ability to make investments elsewhere.

## **Decision**

We have agreed the following recommendations:

- a. Cheveley House, Belmont**  
To close Cheveley House, and delegate to the Corporate Director for Children and Adults Services, in conjunction with the Portfolio holder, responsibility for developing and implementing a plan to close the home and re-provide for existing service users in a time scale which minimises and manages risk.
- b. Feryemount, Ferryhill**  
To close Feryemount, and delegate to the Corporate Director for Children and Adults Services, in conjunction with the Portfolio holder, responsibility for developing and implementing a plan to close the home and re-provide for existing service users in a time scale which minimises and manages risk.
- c. Grampian House, Peterlee**  
To close Grampian House, and delegate to the Corporate Director for Children and Adults Services, in conjunction with the Portfolio holder, responsibility for developing and implementing a plan to close the home and re-provide for existing service users in a time scale which minimises and manages risk.

- d. Mendip House, Chester-le-Street**  
To close Mendip House, and delegate to the Corporate Director for Children and Adults Services, in conjunction with the Portfolio holder, responsibility for developing and implementing a plan to close the home and re-provide for existing service users in a time scale which minimises and manages risk.
  - e. Newtown House, Stanhope**  
To close Newtown House and delegate to the Corporate Director for Children and Adults Services, in conjunction with the Portfolio holder, responsibility for developing and implementing a plan to close the homes and re-provide for existing service users in a time scale which minimises and manages risk.
  - f. Disposal of Assets**  
To delegate to the relevant officers the decision that the home is surplus to County Council requirements and to take action to dispose of it on the open market.
- 2. Proposal to change the age range of Belmont C of E (Controlled) Junior School from 7-11 to 4-11 from 1 January 2015 to create a C of E (Controlled) Primary School and to close Belmont Infant School from 31 December 2014**  
**Key Decision: CAS/07/13**  
**Cabinet Portfolio Holder – Councillor Ossie Johnson**  
**Contact – Sheila Palmerley 03000 265 731**

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

The report stated that officers within the Education Service believe that the long term viability of separate Infant and Junior Schools is uncertain due to changes in school funding which will come about as a result of the introduction of the National Funding Formula in 2015. This may result in a significant reduction to the value of the lump sum to all schools which will result in small schools experiencing an increased budget pressure in future. In essence, the higher the number of pupils on a school roll, the more financially secure a school will be, as economies of scale apply.

Discussions with the schools and Church of England Diocese about amalgamating Belmont Infant School and Belmont C of E (Controlled) Junior School began in September 2013. 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 Belmont C of E (Controlled) Junior School from 7-11 to 4-11

from 1 January 2015 to create a C of E (Controlled) Primary School and to close Belmont Infant School from 31 December 2014.

Consultation documents were distributed widely on 4 November 2013. A series of meetings were held between 7 November and 12 November 2013 so that Governors, staff, Parish Councils, parents, pupils and the local community could share their views with the Local Authority. Details of these meetings were included in the report. The Council allowed 6 weeks for consultation (4 November to 13 December 2013). A full summary of the consultation responses was contained in Appendix 2 of the report.

The responses to the consultation were considered, whilst there were almost as many responses (13) not in support of the proposal as there were in support of it (14), the responses received provided no evidence that not implementing the proposal would address the concerns over the future sustainability of small schools. Furthermore the responses did not suggest that leaving the two schools as separate schools would have the benefits that 'all through' primary schools have including continuity and progress of learning between 4 and 11, a single application of assessment criteria and pupil teaching and access to a curriculum planned and assessed across the full primary range.

After full consideration of all the responses to the consultation and in the absence of a new option that the Council wished to consider, a decision was taken to publish a proposal to change the age range of Belmont C of E (Controlled) Junior School from 7-11 to 4-11 from 1 January 2015 to create a C of E (Controlled) Primary School and to close Belmont Infant School from 31 December 2014. A statutory notice was published on 9 January 2014.

Once the proposal was published there followed a statutory 6 week representation period during which comments on the proposal could be made. This representation period was the final opportunity for people and organisations to express their views about the proposal.

We also considered the views of all those affected by the proposal including: pupils, families of pupils, staff, other schools, local residents, diocesan bodies and other providers and other Local Authorities. This included statutory objections and comments submitted during the representation period.

### **Decision**

We have agreed to change the age range of Belmont C of E (Controlled) Junior School from 7-11 to 4-11 from 1 January 2015 to create a C of E (Controlled) Primary School; and, to close Belmont Infant School from 31 December 2014.

- 3. Durham City Regeneration Masterplan**  
**Key Decision R&ED/07/13**  
**Cabinet Portfolio Holder – Councillor Neil Foster**  
**Contact – Peter Coe 03000 262 042**



We have considered a report of the Corporate Director, Regeneration and Economic Development advising of the background to the preparation of a dedicated regeneration masterplan for Durham City and to seek endorsement to a recommendation to implement the masterplan in association with key partners and potential investors.

The masterplan (with its accompanying delivery plan) aims to express the council's regeneration priorities for the City of Durham over the forthcoming 5 years. It is recognised that several of the major infrastructure projects and key development sites will not come forward until later in the County Durham Local Plan period.

The regeneration masterplan supports the principles underlying the delivery of those major projects in accordance with the County Durham Plan and indicates the general criteria that the council will employ in determining support for new projects and investments. The masterplan will be subject to ongoing, regular review.

The delivery plan identifies key public sector activity and investment for major projects of circa £130 million that has the capacity to generate an estimated £850 million from the private sector.

There is clear potential within Durham to accommodate growing sectors of the economy, to broaden its offer to visitors and to offer homes to a growing population. To help to realise that potential, a regeneration masterplan has been produced to outline the strategic context for how the city can develop, the principles which should guide investment and the current programmes of regeneration and investment activity which are underway or planned.

The masterplan is based upon a three strand approach to achieving growth for Durham:

- **Establishing a central business quarter** - to attract emerging high growth sectors and to increase private sector employment to create a more balanced economy.
- **Releasing land for new homes** – to support the needs of a growing population and to improve the housing mix in order to make Durham a more attractive place to live.
- **Developing Durham's leisure tourism offer** – broadening what Durham has to offer to a larger range of tourists including young people and families, in order to make it a genuine '48 hour stay' visitor destination and to capture more visitor investment in the local economy.

The masterplan outlines a framework within which the council will work with key partners and potential investors to deliver the three strands while protecting heritage assets and ensuring that the necessary supporting infrastructure is put in place.

The masterplan draws upon the spatial approach that reinforces Durham City as a key location for new development in County Durham and identifies approximately 23 hectares of employment land, 5,220 houses and 5,800 sqm of new convenience retail floorspace. The Local Plan, as it moves to Examination in Public, has identified that it will:

- Stimulate private investment in the city
- Support the vitality and viability of the city centre;
- Help realise the potential of the city for tourism, retailing and leisure;

Development will be phased into cohesive and financially viable packages in order to maximise positive impact. Baseline information gathering has been undertaken with key stakeholders and there has been consultation during the drafting stages of masterplan with the Durham City Board of the County Durham Economic Partnership, the Durham Area Action Partnership and Elected Members. Furthermore, the masterplan underwent a period of public consultation in October and November 2013, contemporaneous with consultation on the Pre-Submission Draft of the County Durham Local Plan.

## **Decision**

We have:

- approved the report and masterplan for implementation with other partners, businesses and interest groups, and
- agreed that the Corporate Director Regeneration and Economic Development, in consultation with the Cabinet Portfolio Holder, produces an Investment Prospectus, in accordance with the masterplan and delivery plan, in order to brief prospective investors as to opportunities in the city.

## **4. Durham City Strategic Sites & Infrastructure Delivery Strategy Cabinet Portfolio Holders – Councillors Alan Napier, and Neil Foster Contact – Peter Coe 03000 262 042**

We have considered a joint report of the Corporate Director, Regeneration and Economic Development and the Corporate Director, Resources which provided details of the delivery and financing of the strategic regeneration sites and associated infrastructure priorities of Durham City, as consulted upon within the pre submission draft document of the County Durham Plan.

Durham County Council has undertaken the preparation of its statutory planning documents in line with national guidance. The Council is preparing to submit the preferred option for independent examination. The legislative process stipulates that there is a requirement to demonstrate deliverability of the strategic housing and employment sites contained within the preferred

option. This has been reinforced by recent advice from a planning inspector that a delivery plan needs to be in place to support the emerging plan.

The proposals in the County Durham Plan are based on the premise that Durham City is the key economic driver for the County. To achieve this more jobs are required to be located in and around the City itself. This needs to be supported with an attractive mix of quality housing provided locally, to ensure that investment is attractive to prospective investors and businesses and the economy can grow in a sustainable manner.

To achieve the delivery of the strategic employment and housing sites relies on improving transport infrastructure to ensure the highway network is capable of facilitating the proposed level of development and economic growth. The strategic employment and housing sites and the investment into transport infrastructure (including the Western and Northern Relief Roads) are intrinsically linked in delivering the economic ambitions of the County Council and the role Durham City is expected to take in driving the sub regional economy forward.

The Plan highlights Durham City as a key location for new development in County Durham and identifies;

- (i) Aykley Heads as a Strategic Employment Site, predominately for approximately 700,000 sq ft of office development alongside a mix of other uses including housing;
- (ii) Sniperley Park, North of Arnison, and Sherburn Road as Strategic Housing Sites;
- (iii) North of Arnison for new convenience retail floor space and North Road and Claypath as regeneration areas;
- (iv) The construction of the Western Relief Road early in the Plan period is vital in enabling the housing sites at Sniperley, North of Arnison and Merryoaks to be delivered, with the construction of the Northern Relief Road to follow later in the Plan. Both of the new roads together provide the basis of a comprehensive and complementary highway solution for the City to achieve the economic ambitions and housing growth projections of the plan and enhance the employment, tourist and shopping potential of the City thereof.
- (v) The redevelopment of land and buildings around the historic core of the City as important in supporting its key role as an employment, housing, retail and tourism centre; and
- (vi) The vitality and viability of the City Centre.

The County Durham Plan details housing need projection figures for Durham, which show that, to support the population, migration and job growth and to minimise commuting and promote sustainable living, the Council needs to provide sufficient housing to accommodate future population growth, including

those that move into the County. This requirement has been calculated as 31,400 new homes and households by 2030.

The Plan identifies that 5,220 of these homes should be provided in Durham City. In order to meet the development needs of Durham City and to encourage economic growth in County Durham. Development will comprise of approximately:

- 2,500 houses on Sniperley Park;
- 1,000 houses on North of Arnison;
- 475 houses on Sherburn Road; and
- 250 houses at Merryoaks

The remaining housing units will be delivered via smaller sites throughout the city.

The implementation of the preferred approach detailed in the report will entail the Council making decisions and taking actions that will involve significant financial and operational risks. There will be a series of key decisions and a full risk assessment will need to be undertaken at the detailed business plan stage of each element of the programme. A draft list of key risks was outlined in Appendix 1 of the report.

The actions to be undertaken include:

- Continued refinement of the assumptions and evidence base;
- Market testing of house values and build out rates;
- Further analysis of demand from niche businesses and sectors including financial services and medical science sectors that would occupy Aykley Heads strategic employment site; and
- The establishment of a project board with a mandate to deliver the strategic employment site and consider the Councils Headquarters relocation, supported by the current capital bid once approved and empowered to establish the relevant skills and expertise within a dedicated team of staff and expertise.

## **Decision**

We have agreed:

- To continue the preparation for the release of the strategic housing sites at Sniperley Park and North of Arnison and develop further the design and delivery options of the Western and Northern Relief roads, subject to approval of the County Durham Plan;
- To continue preparation for the potential construction of the Western Relief Road for Durham City subject to agreement of the County

Durham Plan; on the principle that the Council commits to financially supporting the delivery of the Western Relief road as outlined in the report;

- That the Council join the Sniperley LLP on the terms negotiated and enter an agreement to add the school playing fields subject to obtaining the necessary statutory consent.
- To provide in principle support to the delivery of the strategic employment site subject to a detailed development and financial appraisals being undertaken at each phase, with a further report being brought to Cabinet considering the Council's office accommodation requirements.

## **5. Regeneration of North Road Durham**

**Cabinet Portfolio Holders – Councillors Alan Napier, and Neil Foster**

**Contact – Peter Coe 03000 262 042**

We have considered a Joint Report of the Corporate Director, Regeneration and Economic Development and the Corporate Director, Resources which informed of a proposal to regenerate North Road, Durham, through reallocation of Council owned land and property, improvement and alteration of transport infrastructure and third party land assembly; and to inform of the funding mechanisms available

The Council's Vision for Durham City is for sustainable economic growth, to be achieved by attracting additional businesses to the City, development of related infrastructure, new housing, associated transport and community facilities. Identified within the Regeneration Statement and the County Durham Plan, North Road is recognised as a significant gateway to the City and presents a key regeneration opportunity.

Public consultation exercises have been carried out to understand public expectations for the North Road area, the main aspirations emerging from which were to; improve the links between the rail station and the city; improve the public realm and retail offer and to remove the bus traffic from North Road.

Further engagement with third party landowners to discuss these aspirations has confirmed their willingness to participate in a redevelopment scheme, if the Council were able to de-risk the project through property acquisitions and Highway alterations that could make the offer more attractive to the development market.

Given these aspirations, two principal areas of North Road were identified (shown in Appendix 2 of the report) for consideration as part of a possible scope to achieve this redevelopment; a 'core development zone' taking in the poorer building stock, bus station and A690 roundabout, along with a suggested zone for 'comprehensive consideration' to redevelop the Council controlled land adjacent to Milburngate, should the aspiration to remove or

significantly reduce bus traffic from this location be realised. A project team including officers from Transport, Regeneration, Planning, Legal and Design was set up to ensure a collaborative approach in developing these aspirations.

To gain a firmer understanding of any likely appetite for redevelopment or investment, the project team has carried out an extensive soft market testing exercise. An online Market Consultation Document was published utilising the North East Procurement Organisation (NEPO) and extensive marketing of the 'development opportunity' across national property media and within the local North-East market, for a 6 month period between July 2012 and January 2013.

Whilst around 80 agents and developers obtained the document via the online portal, the Council received only one formal 'expression of interest' from a consortium of local landowners. Principal landowners of third party interests within the 'core development' site collaborated with a major town centre development company to propose a mixed-use scheme across North Road of approximately 300,000 sq/ft, incorporating a high footfall generator 'Anchor Store', such as a retail store or cinema operator, with associated smaller retail or restaurant operators at ground level and residential units on upper floors.

Upon reviewing the 'expression of interest', it was deemed indicative at best and did not provide an adequate level of detail on the redevelopment, transport implications, or provide any form of appraisal to provide the Authority with an understanding of financial implications associated with the redevelopment.

Based upon this position, work has been undertaken to consider the best way to bring forward the regeneration of North Road by resolving key risks or barriers to redevelopment and ensuring the overall development opportunity is more attractive to the commercial market. In order to achieve this position, DCC owned assets and underperforming key pieces of infrastructure have been examined in order to find ways to kick start the wider project.

The scheme will require the Council to incur costs but should also result in the receipt of income. The costs and income will relate to both capital and revenue and were detailed in the report.

In order to move the project forward, the Project Team will undertake the following next steps:

- a. Complete the transport design and progress with the works to replace the Highway infrastructure as a first phase in the redevelopment, including public consultation.
- b. Solve or mitigate the legal and financial conditions placed upon the future land use of the existing bus station site.
- c. Refresh the land and property valuations previously carried out by the Council's Assets Team across all ownerships within the red line boundary of the project.

- d. Commence formal valuation and negotiation with third party owners within the red line boundary based on CPO terms; initially focussing on the acquisition of the 2 properties adjacent to Hopper House.
- e. Commence and complete the planning process in advance of production of a Tender for a design and build contract for the new bus station.
- f. Continue to engage with landowners to progress proposals for redevelopment, should the transport project be approved, to create a commercially attractive development opportunity that is feasible and viable to the investment market from the cleared bus station site.
- g..In addition to ongoing stakeholder liaison, a public consultation is to be arranged and further consultations will take place as the proposals develop, as well as through the planning process.

## **Decision**

We have:

- Given in principle support to the scheme and agreed to the progression of the project as detailed in paragraph 39 of the report to achieve a revitalised gateway to the city with improved public realm, retail and pedestrian connectivity to key transport services by replacing the A690 roundabout with a controlled junction; relocating the bus station and associated routing within North Road and Milburngate, subject to financial resolution of the outstanding negotiations and public consultations.
- Agreed to the use of a methodology based on market value, backed by compulsory purchase order terms, to investigate, value, negotiate and acquire the land and property required to facilitate this redevelopment.
- Delegated authority to the Corporate Director Regeneration and Economic Development to acquire by agreement the property detailed in paragraph 22 of the report, in consultation with the Cabinet Portfolio Holder for Economic Regeneration.

## **6. Annual Review of the Constitution Leader of the Council – Councillor Simon Henig Contact – Colette Longbottom 03000 269 732**

We have considered a report of the Head of Legal and Democratic Services which presented proposals for the revision of the Council's Constitution. In accordance with the Local Government Act 2000, the County Council adopted the new Constitution for the Unitary Authority from 1 April 2009. Although legislation has been amended by the Localism Act 2011, a constitution is still required. An annual review of the Constitution is carried out each year by the

Monitoring Officer. Amendments to the Constitution which have been approved by full Council since last year's annual review have been incorporated into the Constitution. The Monitoring Officer carried out the annual review of the Constitution which includes the review of the Delegations to the Chief Officers.

## **Decision**

We have:

- I. Approved the delegating of executive powers as set out in the officer scheme of delegations.
  - II. Recommended that Council agree the proposed revisions to the Constitution, including the delegations to Chief Officers contained, at the meeting of the Council on 21 May 2014.
  - III. Recommended that Council authorise the Head of Legal and Democratic Services, following consultation with the Constitution Working Group, to make future changes to the Constitution to reflect decisions of the Council or a Council body or to comply with legal requirements.
- 7. Joint Strategic Needs Assessment 2013 and the review of the Joint Health and Wellbeing Strategy 2014-17**  
**Cabinet Portfolio Holders – Councillors Lucy Hovvels, Morris Nicholls, and Ossie Johnson**  
**Contact – Peter Appleton 03000 267 381**

We have considered a report of the Corporate Director, Children and Adults Services which presented the key messages from the review of the Joint Strategic Needs Assessment (JSNA) 2013 and the Revised County Durham Joint Health and Wellbeing Strategy (JHWS) 2014-2017 (attached to the report as appendices 2 and 3 respectively).

The Health and Social Care Act 2012 places clear duties on local authorities and Clinical Commissioning Groups (CCGs) to prepare a Joint Strategic Needs Assessment and Joint Health & Wellbeing Strategy through Health and Wellbeing Boards. The JSNA is used to inform key strategies and plans, for example, the JHWS, Sustainable Community Strategy (SCS), Children, Young People and Families Plan, Clinical Commissioning Group Plans and Durham County Council's Council Plan.

Extensive consultation has taken place on the JSNA and JHWS between October 2013 and February 2014 with over 400 people from different backgrounds taking part in the process. Online consultation also took place through the Durham County Council website, and Children and Young People's Services and Adults, Wellbeing and Health Overview and Scrutiny Committees were also part of the consultation.



The JSNA key messages were received by the Health and Wellbeing Board on 21<sup>st</sup> January 2014 and the JHWS was approved by the Health and Wellbeing Board on 5<sup>th</sup> March 2014.

The Joint Health and Wellbeing Strategy has also been received and endorsed by North Durham and Durham Dales, Easington and Sedgfield Clinical Commissioning Groups, through their Governing Body meetings.

The Joint Health and Wellbeing Strategy 2014/17 has informed the development of the refreshed Sustainable Community Strategy 2010-30 and is aligned to the "Altogether Healthier" section of the Strategy.

## **Decision**

We have endorsed the Joint Health and Wellbeing Strategy.

### **8. Annual Enforcement Programme Children and Young Persons (Protection from Tobacco) Act 1991 and Anti-Social Behaviour Act 2003 Cabinet Portfolio Holder – Councillor Brian Stephens Contact – Joanne Waller 03000 260 924**

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

The Council has a statutory duty to consider, at least once a year, the extent to which the Authority should carry out a programme of enforcement under the Children and Young Persons (Protection from Tobacco) Act 1991 and the Anti-social Behaviour Act 2003. These acts deal with the enforcement of underage sales of tobacco and aerosol paint containers respectively.

The Council has statutory responsibility for enforcement of the following age restricted products:-

- Tobacco (Children and Young Persons (Protection from Tobacco) Act 1991)
- Spray paint containers (Anti-social Behaviour Act 2003)
- Alcohol (Licensing Act 2003)
- Videos and DVD's (Video Recordings Act 2010)
- Cigarette lighter refills (Cigarette Lighter Refill (Safety) Regulations 1999 and Consumer Protection Act 1987)
- Fireworks (The Pyrotechnic Articles (Safety) Regulations 2010 and Fireworks Act 2003)

The Council has also elected to enforce the age restricted sales of:-

- Solvents and glue (Solvents Intoxicating Substances (Supply) Act 1985)

- Knives (The Criminal Justice Act 1988, as amended by the Offensive Weapons Act 1996)
- Access to gaming establishments (Gambling Act 2005)
- Access to sunbed premises (Sunbeds (Regulation) Act 2010)

The Council has as its corporate priorities for 2013-2017

- Altogether Wealthier
- Altogether Healthier
- Altogether Better for Children and Young People
- Altogether Safer
- Altogether Greener
- Altogether Better Council

The enforcement programme for 2014/2015 consists of those activities detailed below:-

- (a) An intelligence led approach to under age sales enforcement and tobacco control based on the National Trading Standards Intelligence Operating Model and will follow the principles outlined in the Age Restricted Products Code of Practice.
- (b) Investigation of all consumer and trader complaints.
- (c) Continuation of joint working with the Police Alcohol Harm Reduction Unit and other agencies to adopt a holistic approach to solving problems associated with the accessibility and misuse of age related products. To include education, surveillance and test purchasing as well as other alternative enforcement strategies as appropriate.
- (d) Continuation of the 'Do You Pass' retailer training including its use as an alternative to fixed penalty notices and other formal action.
- (e) Continuation of work in partnership with the police, HMRC and other agencies to tackle the problem of proxy sales and sales from private premises to children, particularly in relation to alcohol and tobacco.
- (f) Continuation with a policy of reviewing premises when appropriate.
- (g) Continuation of work strategically both corporately and with partner agencies to tackle health inequalities and antisocial behaviour associated with the misuse and illegal supply of age restricted products, in particular alcohol and tobacco.
- (h) Enforcement of any new legislation for which we may be statutorily responsible that may arise from the implementation of the draft EU Tobacco Directive or Children and Families Bill.

## **Decision**

We have approved the proposed Enforcement Programme for 2014/2015.

**9. Review of Discretionary Rate Relief Policy**  
**Deputy Leader of the Council – Councillor Alan Napier**  
**Contact – Paul Darby 03000 261 930**

We have considered a report of the Corporate Director, Resources which reviewed the Council's policy on discretionary rate relief, including partly occupied and new building rate relief.

The review of the policy takes into account changes in the funding of discretionary rate relief as a result of the Localisation of Business Rates from April 2013; consultation with the Voluntary Community Sector Working Group; and the announcements in the Government's Autumn Statement with regards to 'Retail Relief' and a 'Reoccupation Relief'.

The review of the policy will help ensure that the policy is up to date and 'fit for purpose'; provide the powers to implement the Retail Relief and a Reoccupation Relief; and ensure that all applications continue to be assessed in a fair and open process, based on agreed policy criteria that will work in tandem with the Council Tax Discretionary Reduction and Business Rates Hardship Policy, which was approved by us in December 2012. The existing Discretionary Rate Relief Policy came into force with effect from 1 April 2012. It does not currently include provisions for local discounts and there is no definition or provision for the new forms of community and voluntary sector organisations that are now more commonly being established, for example Community Interest Companies (known as CICs). The current criteria for granting relief are set out in the Discretionary Rate Relief Report, approved by us 11 November 2009.

Durham County Council recognises the valuable role the Voluntary and Community Sector (VCS) plays within the community and works in partnership with the sector in order to improve quality of life for local people. The County Durham Compact outlines the principles for the working relationship between the public sector and the VCS and needs to be taken into account in any proposed changes to Discretionary Rate Relief.

In June 2013 we approved the VCS Strategy, which supports the building of a resilient and sustainable VCS in a rapidly changing economic and political environment. The strategy acknowledges that all sectors are facing challenging budget pressures and have to make significant savings.

Encouragement and support is being given to VCS organisations to become more socially enterprising which for some will entail developing different organisational structures such as CIC's and Charitable Incorporated Organisations (CIO's). Any proposed changes to Discretionary Rate Relief needs to be consistent with the Council's support for the VCS whilst also giving value for money for local council tax payers.

In December 2013, the Chancellor announced a range of amendments to Business Rates as part of his Autumn Statement:

1. the Retail Price Index increase in 2014-15 will be capped at 2% instead of 3.2%

2. the doubling of the Small Business Rate Relief will be extended for a further 12 months until 31 March 2015;
3. ratepayers receiving Small Business Rate Relief that take on an additional property which would currently disqualify them from receiving relief will continue to receive their existing relief for 12 months;
4. a discount of £1,000 for shops, pubs and restaurants with a rateable value below £50,000 for two years up to the state aid limits, from 1 April 2014;
5. a 50 per cent business rates relief for 18 months - between 1 April 2014 and 31 March 2016 - for businesses that move into retail premises that have been empty for a year or more;
6. ratepayers will be allowed to elect to pay bills over 12 instalments instead of ten; and
7. 95% of the September 2013 backlog in business rates appeals will be cleared by the Government's Valuation Office Agency before July 2015.

There is a need to review the Discretionary Rate Relief policy to incorporate the two new reliefs announced in the Autumn Statement and to consider whether the national scheme should be enhanced. Guidance was issued by CLG with regards to Retail Relief on 23 January 2014; however, the Reoccupation Relief Guidance Notes have yet to be issued. It is expected that the application and award process will follow the normal discretionary rate relief procedure. Neither of these reliefs were included in the 2014/15 annual bills.

The two new additions to the policy are discretionary and the Council does have the option to increase the amounts to be awarded. This would be at a cost to the Council, creating budget pressures as a result of reduced business rate yield. It was therefore recommended that the scheme implemented is in line with the national scheme and in line with Section 31 grant funding being made available by Government.

The wider policy itself is discretionary and the Council could remove or reduce the scope of the policy to produce further MTFP savings going forward, via the generation of additional business rate yield. Equally, the Council could extend the scope of the policy to provide greater incentives and support to various organisations and businesses. This would however come at a cost to the MTFP through budget pressures as a result of reduced business rate yield.

In considering this report, we were asked to note that this is one of a number of financial support mechanisms provided to the VCS. The revised policy (attached at Appendix 2 in the report) has been updated to take into account legislative changes and the VCS Strategy adopted by us in June 2013. The policy at this stage assumes no change to the existing policy in terms of award limits, other than to extend the criteria to cover CIOs and include specific reference to CICs.

As part of the Community Buildings asset transfer programme, groups are being supported to ensure that they have appropriate governance arrangements. In particular groups are being encouraged to ensure that their trustees have limited liability. This includes registration with the Charity Commission either as a Charitable Incorporated Organisation (CIO) or with the Charity Commission and Companies House as a Company Limited by Guarantee. In either case Community Centres/Community Associations which are registered charities are already in receipt of mandatory relief and are eligible for discretionary relief.

A corporate cross cutting review of financial and other support to the Community and Voluntary Sector is currently underway, to ensure that available resources are effectively co-ordinated and targeted to achieve the aims of the VCS Strategy, which seeks to support growth and sustainability within the sector

Following consultation with the Voluntary and Community Sector, via the strategic VCS Working Group, the qualifying criteria, application form and application process has been refined to assist all applicants.

## **Decision**

We have approved the revised Discretionary Rate Relief Policy.

### **10. The Durham, Gateshead, Newcastle upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority – Delegation of Transport Functions Cabinet Portfolio Holder – Councillor Neil Foster Contact – Colette Longbottom 03000 269 732**

We have considered a report of the Corporate Director, Regeneration and Economic Development which requested agreement for authorisations to enable officers to discharge transport functions delegated to the Cabinet of Durham County Council by the Durham, Gateshead, Newcastle upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority (“Combined Authority”).

The Durham, Gateshead, Newcastle upon Tyne, North Tyneside, Northumberland, South Tyneside and Sunderland Combined Authority Order 2014 ( “ the order”) transfers, to the Combined Authority, transport functions

previously carried out by the Council under parts 4 and 5 of the Transport Act 1985 and functions under part 2 of the Transport Act 2000.

The Head of Legal and Democratic Services advised that on the day before, the 15<sup>th</sup> April, the Combined Authority, held its first meeting and delegated transport functions to the County Council (detailed at appendix 2 of the report).

## **Decision**

We have:-

- Authorised the Corporate Director of Regeneration and Economic Development to discharge the functions at Appendix 2 of the report, in consultation with the Cabinet Portfolio Holder, Economic Regeneration
- Agreed that the Corporate Director, Regeneration and Economic Development present to Cabinet, at least once per year, a report on the discharge of functions by the Combined Authority.

### **11. Housing Stock Transfer Offer Document**

**Key Decision: R&ED/06/14**

**Cabinet Portfolio Holders – Councillors Alan Napier and Neil Foster**

**Contact – Marie Roe 03000 261 864**

We have considered a joint report of the Corporate Director, Regeneration and Economic Development and Corporate Director, Resources which sought approval of the Council's proposed Offer Document to begin formal consultation with all secure and introductory tenants on the transfer proposal.

The council decided to apply to the Government for agreement and financial support to transfer ownership of its homes to a group structure of its existing housing management organisations in December 2012. If tenants support the proposal and the Secretary of State provides formal consent to the transfer in March 2015, the council will transfer ownership of its homes to Durham City Homes (which will, prior to transfer become a separate entity to the Council), East Durham Homes and Dale & Valley Homes. These organisations would then become landlords, but would work together as a group (the County Durham Housing Group) to maximise investment in homes, neighbourhoods and services.

The proposed new County Durham Housing Group would also include a parent organisation which would be responsible for leading on governance and financial viability issues for the Group and providing support services to the three new landlords.

The council's application to transfer its homes was approved by the Department for Communities and Local Government (DCLG) in March 2014. Following this approval, the council is now able to proceed with formal consultation with all of its tenants on its proposal to transfer ownership of its homes in the summer of 2014. The DCLG have asked the council to

complete the transfer of its homes by 31 March 2015, if it is to access the financial support it requires. To meet this challenging timescale, the council has started to shape the proposed new group of landlords now so services can continue seamlessly following the transfer should it go ahead.

The Government approved the Council's application to transfer its homes in March 2014. The Government also agreed to the write off of the Council's housing debt on the understanding that the Council would complete the transfer of its homes by the 31 March 2015.

The Council is able to proceed to formal consultation with all of its tenants on its transfer proposal. The formal consultation process is set out in legislation and requires the Council to ensure its consultation material (primarily the Offer Document) makes clear the background to the decision to transfer homes; the implications of the transfer proposal for tenants; and the likely outcome if tenants do not support the proposal at a ballot.

The Council has developed its Offer Document in partnership with tenants, staff, Board members and other key local partners. The Offer Document has been endorsed by the HCA, the Boards of the County Durham Housing Group, Dale & Valley Homes, Durham City Homes and East Durham Homes and the Customer Working Group.

The Council proposes to use a variety of communication and consultation methods to engage with its tenants on its proposal to transfer its homes and encourage them to participate in a ballot on the proposal.

The Offer Document includes the draft Assured Tenancy Agreement, which would apply if the transfer was to go ahead. The Assured Tenancy Agreement has been developed in partnership with the Customer Working Group who recommend that the Council includes a variety of clauses in the new Agreement to enhance the provisions made in the new Tenancy Agreement.

## **Decision**

We have:-

- noted and agreed the final draft of the Council's formal Offer Document to tenants.
- delegated responsibility for the making of further amendments to the Offer Document, prior to formal consultation beginning (should it be required), to the Corporate Director for Regeneration and Economic Development in consultation with the Portfolio Holders for Finance, and Economic Regeneration.
- agreed to proceed Stage 1 of the formal consultation with all tenants on its proposal to transfer its homes.

- noted that the outcomes of Stage 1 of the formal consultation will be reported back to Cabinet on 16 July 2014.

## **12. Future of the Housing Repairs and Maintenance Direct Labour Organisation**

**Key Decision: R&ED/05/14**

**Cabinet Portfolio Holder – Councillor Brian Stephens**

**Contact – Marie Roe 03000 261 864**

We have considered a joint report of the Corporate Director, Regeneration and Economic Development and the Corporate Director, Neighbourhood Services which proposed the transfer of the Council's Durham Housing Maintenance Direct Labour Organisation (DLO), currently providing the repairs and maintenance function to Durham City Homes (the Council's in-house provider), to the new County Durham Housing Group should the large scale voluntary transfer of the Council's housing stock take effect in March 2015.

The Council decided to apply to the Government for agreement and financial support to transfer ownership of its homes to a group structure of its existing housing management organisations in December 2012. If tenants support the proposal and the Secretary of State provides formal consent to the transfer in March 2015, the Council will hand ownership of its homes to Durham City Homes (which will, prior to transfer become a separate entity to the Council), East Durham Homes and Dale & Valley Homes. These organisations would become landlords, but would work together as a group. The proposed new group would also include a Parent Organisation which would be responsible for leading on governance and financial viability issues and providing support services to the three new landlords.

The Council's application to transfer its homes was approved by the Department for Communities and Local Government (DCLG) in March 2014. Following this approval, the Council is able to proceed with formal consultation with all of its tenants in the summer of 2014 on its proposal to transfer ownership of its homes. The DCLG have asked the Council to complete the transfer of its homes by 31 March 2015, if it is to qualify for the cost of writing off its housing debt. To meet this challenging timescale, the Council must start to shape the proposed new group of landlords now so services can continue seamlessly following the transfer.

Durham Housing Maintenance (the DLO) is a service within Direct Services and part of the Neighbourhood Services Grouping. It is a discrete service, that currently undertakes reactive repairs, voids, gas servicing and Decent Homes/capital works, including heating installations and internal improvements (kitchens, bathrooms, rewiring) on behalf of Durham City Homes (an in-house provider based in the Regeneration and Economic Development Service Grouping ). Durham Housing Maintenance (the DLO) also undertakes gas servicing on behalf of Dale & Valley Homes under a Service Level Agreement (SLA).



Dale & Valley Homes and East Durham Homes have commissioned external private sector contractors to provide their repairs and maintenance service and these contracts are in place until 2017/18.

The Council is responsible for assessing the effect of the transfer on its wider position and activities and its implications for services and employees. It is particularly important that the Council decides now whether Durham Housing Maintenance should transfer to the proposed new group of landlords if it is to:

- Provide certainty and reassurance to the employees working for Durham Housing Maintenance on their future employment arrangements;
- Start to put into place the arrangements required to support the transfer of the service to the proposed new group of landlords and assist the service in expanding and improving.
- Identify the further beneficial changes to services that could be made to support Durham Housing Maintenance in growing and expanding their services in the proposed new group of landlords.

The Council commissioned a commercial housing consultancy, to complete an independent health check of Durham Housing Maintenance in September 2013. The health check was intended to assist the Council and the proposed new group of landlords to determine the performance of the service and whether the housing repairs and maintenance DLO should transfer into the proposed new group of landlords, having considered performance and efficiency and to determine any required actions to improve the service.

The consultants reported their findings in November 2013 which show that Durham Housing Maintenance (the DLO) offers value for money; has the potential to deliver further improvements; and has the necessary management and leadership skills and systems that make it suitable to transfer to the proposed new group of landlords.

Legal advisers considered the positive outcomes of the independent health check and recommend that Durham Housing Maintenance transfers to the Parent Organisation in the proposed new group of landlords. The benefits of the transfer of the service to the Parent Organisation would include:

- A straight forward expansion of the service on a group wide basis in the future;
- The provision of reassurance to the existing workforce on their situation in the proposed new group and potential for development in the future;
- VAT benefits for the group.

The proposed transfer of the service will impact on some 80 employees within Durham Housing Maintenance who (should the transfer go ahead) will transfer to the new provider, and be protected by the provisions of TUPE legislation. Work is ongoing in this area to determine the exact implications and also to consider the impact on employees engaged in work on other

related areas associated with the service, such as customer services, stores provision, fleet management and maintenance.

The proposed transfer of the service will have financial implications for the Council, which will exert pressure primarily on the Council's Neighbourhood Services Grouping although provision has been made in the Council's MTFP to meet any pressures from 2015/16 onwards in relation to the transfer of this function.

### **Decision**

We have agreed to transfer Durham Housing Maintenance to the proposed new County Durham Housing Group of landlords as part of the transfer of the Council's housing stock by March 2015.

### **13. Hitachi Rail Europe Cabinet Portfolio Holder – Councillor Neil Foster Contact – Simon Goon 03000 265 510**

We have considered a report of the Corporate Director, Regeneration and Economic Development which provided details of the Hitachi Rail Europe investment into County Durham and other significant projects in strategic companies in County Durham.

In 2009, HRE began seeking a site in the UK to construct a factory in which the company could build trains to win and fulfil contracts in Europe. Although County Durham was not on the original shortlist, sustained partnership working across a group of public and private sector organisations ensured that County Durham was in the frame. This group included the then County Durham Development Company (since merged with Durham County Council's Business Services to create Business Durham), Durham County Council (DCC), Phil Wilson MP, the Northern Echo, the Engineering Employment Federation, the TUC, One North East and, critically, the developer Merchant Place Developments (MPD). This strong partnership, and the subsequent relationship between MPD, Business Durham and DCC, has been instrumental in securing the project for County Durham. Both MPD and DCC view this as an exemplary project in terms of the private and public sectors working together to increase economic prosperity.

In May 2012, HRE, as part of the Agility Trains consortium, was awarded a £5.8BN contract by the UK government to finance, design, manufacture, maintain and service the next generation of intercity carriages to improve the UK's mainline rail services. HRE announced its intention to locate in Newton Aycliffe, at the then Amazon Park (since renamed Merchant Park).

The impact of this investment is significant. The total in terms of capital investment attracted to the County is estimated to be £82M direct, with indirect investment into local companies which win contracts to supply the construction or HRE itself. At least 730 jobs will be created, with a further 150 construction jobs on site. Nearly 900 new carriages will be made in a factory

with a production capability including high-speed trains, commuter trains and metro trains. The decision by HRE was based on a number of factors: a strong engineering and manufacturing ethos in County Durham; site location; road and rail infrastructure; access to the East Coast Main Line; suitability and cost of the development site; the support that the company received from local partners, and the “can-do” attitude of MPD.

In late 2013, the construction contract was awarded to Shepherd Construction, a Darlington-based company, which was chosen based on its commitment to carefully gathering insight into HRE’s specific requirements before proposing exactly how the large and complex scheme could be delivered. Shepherd displayed a comprehensive understanding of what the facility had to achieve and HRE’s exceptional standards in building trains. This builds on the existing design team of consultants based in the North East, and the subsequent award of the steel contract to Finley Structures in Newton Aycliffe further highlights the commitment to the North East. The completion of the facility is due in mid-2015. Business Durham and Durham County Council will continue to support the project as outlined above and will keep Members up to date as milestones are reached.

The report focused on the Hitachi Rail Europe project itself. This is a significant project and will be a catalyst in developing further activity in Merchant Park itself (a further 35 acres with an estimated 500 jobs) as well as in the wider Newton Aycliffe and County Durham areas.

Skills development is a particular area of concern in County Durham, and also in the UK. It is recognised by several associations, such as the IET, the Engineering Employers Federation, SEMTA the Sector Skills Council, the Royal Academy of Engineering, the Institute of Physics and others, that there are not enough skilled scientists and engineers available to meet the forecasted needs of the economy. The arrival of HRE and Compound Photonics, along with the continued success of NETPark, highlights this issue for the County particularly. It is recommended that a further paper is submitted to Cabinet investigating this in more depth, outlining actions already underway and making recommendations, as appropriate, to ensure that County Durham is well-positioned for future inward investment opportunities, and that indigenous companies’ growth plans are not held back by the lack of a skilled workforce.

## **Decision**

We have noted the report and agreed to the development of an integrated, targeted and proactive process to build upon existing and future inward investment opportunities.

### **14. Non Residential Car Parking Standards Cabinet Portfolio Holder – Councillor Neil Foster Contact – Adrain White 03000 267 455**

We have considered a report of the Corporate Director, Regeneration and Economic Development which set out the background to parking standards

used by the County Council for non-residential development and proposed a change to the current guidance to developers. The report recommended that the current guidance is withdrawn and new guidance is approved and adopted. The new standard will be incorporated into the emerging County Durham Plan together with residential parking standards approved in 2013 and adopted as Council Policy.

The County Council published guidelines for maximum parking standards in the Accessibility & Parking Guidance document produced in 2001. Those guidelines are used by developers for the design of new development and by officers to assess suitability of parking provision for new development. The 2001 guidelines were prepared in accordance with a policy approach set out in Planning Policy Document 13 (PPG13). This aimed to reduce reliance on car use by promoting more sustainable forms of transport. PPG13 advocated 'maximum' parking standards for new development in an attempt to restrict private car use.

A revision of PPG 13 was published in 2011 which deleted the statement claiming that reducing parking supply is essential to promote sustainable travel choices. Furthermore, the new National Planning Policy Framework (NPPF) was published in March 2012, which superseded guidance offered in PPG 13.

In light of the above changes, it is considered that any planning appeal to a refusal, on the grounds of parking provision under the current policy, may be difficult to defend and justify to a Planning Inspector.

The NPPF guides authorities to take a more pragmatic view at the local level when considering setting parking standards. It is recommended authorities consider:-

- the accessibility of the development;
- the type, mix and use of development;
- the availability of and opportunities for public transport;
- local car ownership levels; and
- an overall need to reduce the use of high-emission vehicles.

The revised parking standards will continue to impose a maximum provision at non-residential developments destinations to assist in encouraging more sustainable travel. Different parking standards will apply depending on locality and accessibility to other forms of transport.

The guidelines also assist developers in setting out requirements for the provision of electric vehicle charging infrastructure, car sharing bays, cycle and motorcycle parking and the need for public transport provision with developments.

A full consultation exercise was undertaken with developers and their transport consultants, Durham Constabulary, Planning and Neighbourhood

Services. Amendments to the draft were made where appropriate to reflect opinions and concerns of most consultees.

**Decision**

We have noted the contents of the report and approved the revised Parking and Accessibility Guidelines for non-residential developments.

**15. NHS and Public Health Reform**

**Cabinet Portfolio Holders – Councillors Lucy Hovvels, Morris Nicholls, and Ossie Johnson**

**Contact – Peter Appleton 03000 267 381**

We have received a report of the Corporate Director, Children and Adults Services which provided an update on recent regional and national developments related to NHS and public health reform since the last report was presented to us on 22 January 2014. We agreed to receive quarterly update reports for a period of 12 months, from April 2013, on developments related to NHS and public health reform. In future, a Health and Wellbeing Board Annual Report will be developed and presented to Cabinet. The report will identify progress made in the first year and this will be presented to the Board at its meeting in July, the report will then progress to Cabinet.

**Decision**

We have agreed to receive the Annual Report of the Health and Wellbeing Board in September 2014.

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

10 June 2014