

20 July 2016

Report from the Cabinet



Purpose of the Report

To provide information to the Council on issues considered by the Cabinet on 15 June 2016 to enable Members to ask related questions.

Members are asked to table any questions on items in this report by 2 pm on 19 July 2016 in order for them to be displayed on the screens in the Council Chamber.

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1. County Durham Plan – Issues and Options
Key Decision: R&ED/07/16
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 to agree the Issues and Options of the County Durham Plan for public consultation, and, to endorse the evidence base.

Cabinet agreed the timescales set out in the Local Development Scheme (LDS) for the preparation of the County Durham Plan in April 2016. The Issues and Options is the first stage in that process. The Issues and Options proposes a draft Vision and Objectives for the future development of County Durham up to 2033.

In terms of employment land, early findings are presented in terms of requirements relating to different methodologies which result in a range of between 130 and 270 hectares. In the case of new housing, the report detailed three alternatives for the number that are needed. The number of houses is based on Government guidance, projections of population change and an understanding of future projections relating to migration as set out in the demographic analysis by Edge Analytics.

The distribution of employment land relates to the need to ensure that local jobs growth can be promoted. Predominantly this relates to six key strands; A1 Corridor; A19 corridor; Durham City; Consett; Bishop Auckland; and the rest of the county including rural communities.

The Issues and Options also included sections on a number of different topics including: a prosperous rural economy; sustainable transport; infrastructure; good design; climate change; the natural and historic environment amongst others. Throughout all sections a number of questions were set to enable respondents to submit their comments.

The revised Statement of Community Involvement (SCI) was agreed for consultation at the Cabinet meeting in April and the revised SCI was agreed by the Director of Regeneration and Economic Development in consultation with the Portfolio Holder for Regeneration and Economic Development on 31st May 2016.

The consultation on the Issues and Options must conform to the provisions of the SCI and will consist of public exhibitions and drop-in events, the use of the Area Action Partnerships, social media and the press. The consultation period will run from the 24th June until the 5th August 2016. The responses received will be fully considered and integrated into the policies and proposals that are brought forward in future stages where appropriate.

Sustainability Appraisal (SA) is a statutory process integrated into the preparation of all aspects of the County Durham Plan. The SA has informed the Issues and Options and will be available to view during the consultation.

In order to ensure that the Plan is deliverable, a Viability Assessment will be prepared to inform the Preferred Options stage of the Plan. However a consultation report, 'Issues and Options - Viability Assessments in County Durham' is to be published alongside the County Durham Plan Issues and Options, which sets out the methodology and assumptions that will be used in the future work.

Following the consultation period the comments provided by respondents together with additional evidence will be used to select the preferred option. In accordance with the LDS the Preferred Options document will be published by the end of the year for consultation. Publication of the Submission Draft will then follow in summer 2017 with Submission by the end of 2017.

Decision

We have:

- i. Agreed the County Durham Plan Issues and Options for consultation from the 24th June to the 5th August 2016.
- ii. Agreed that any minor modifications to the above document following Cabinet agreement and before consultation begins can be agreed by the Corporate Director of Regeneration and Economic Development in consultation with the Portfolio Holder for Regeneration and Economic Development.
- iii. Endorsed the updated evidence base including the:
 - Demographic Analysis and Forecasts
 - Strategic Housing Market Assessment
 - Employment Land review
 - Joint Local Aggregate Assessment
 - Issues and Options - Viability Assessments in County Durham

2. Quarter Four 2015/2016 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 (PIs), Council Plan and service plan actions and report other performance issues for the 2015/16 financial year.

The council has delivered £153.2 million of financial savings since the beginning of austerity and these savings are forecast to exceed £258 million by 2019/20. Against a backdrop of reducing resources it is critical that the

council continues to manage performance and ensure that the impact on the public is minimised.

It was reported that there has been a significant improvement in housing development. Occupancy levels of Business Durham premises have risen and town centre shop occupancy remains stable although council lets have fallen. The employment rate has shown a slight improvement at quarter four after a period of decline but the county continues to be affected by lower than average employment levels. There are fewer children with a child protection plan although the rate of looked after children has increased which reflects national trends. Performance in child assessments and review timeliness is positive. Crime levels continue to be low, anti-social behaviour levels have reduced and there are fewer young offenders, although the re-offending rate (which includes adults and young people) continues to increase. Environmental cleanliness is better than average and carriageways and footpaths repaired within timescale are close to target. However, significant challenges continue in the underlying health picture in the county with mortality rates, diabetes and breastfeeding prevalence all worse than national levels.

The council has observed changes in demand for some key areas this year such as increases in looked after children cases, freedom of information requests and benefit change of circumstances. Some notable reductions are in the number of people requiring rehousing, overall planning applications and the number of fly-tipping incidents being reported.

Decision

We have:

- a. Noted the performance of the council at quarter three and the actions to remedy under performance.
- b. Agreed the new performance indicator set and targets proposed for corporate reporting in 2016/17 (Appendix 5).
- c. Agreed all changes to the Council Plan as follows:

Amendments

Altogether Wealthier

- i. Enable the development of the Milburngate House site by March 2016. Revised date: September 2016.
- ii. Support the development of a Heritage Lottery application to secure funding to fully restore the historic quay in Seaham and improve public access to facilities by April 2016. Revised date: September 2016.

- iii. Deliver new car parking capacity at North Bondgate to support residents and increase tourists to Bishop Auckland by December 2016. Revised date: March 2017.
- iv. Adoption of the County Durham Plan by February 2018. Revised date: November 2018.

Altogether Healthier

- v. Review the culture and sport offer within Bishop Auckland in response to both Auckland Castle development and educational sector sports provision ambitions by March 2016. Revised date: July 2016.

Altogether Safer

- vi. Strengthen the effectiveness of the Joint Partnership Team (Durham County Council and the police) by enhancing the problem solving model and integrating the work of the Safer Neighbourhood Units with other community safety by March 2016. Revised date: December 2016.

Altogether Greener

- vii. Implement year one of the Air Quality Action Plan for Durham City by March 2016. Revised date: July 2016.
- viii. Review current operational practices for the collection of clinical waste and develop a Clinical Waste Protocol that will harmonise the collection arrangements for clinical waste across the county by March 2016. Revised date: March 2017.
- ix. Revise and rebalance all refuse collection routes across the county to reduce costs and improve consistency of service by March 2016. Revised date: March 2018.

Altogether Better Council

- x. Develop a strategic approach towards workforce development planning that ensures adequate support for managers in relation to progressing planned MTFP savings and meeting future business needs by identifying critical roles and occupational groupings and putting plans in place to ensure that the potential to recruit in these areas is increased by March 2016. Revised date: April 2017.

Deletions

Altogether Healthier

- i. Implement with partners the Healthy Weight Strategic Framework to develop and promote evidence-based multi-

agency working and improve support to children and adults so that they can have a healthier lifestyle.

Altogether Greener

- ii. Develop a Waste Transfer Station Strategy and action plan to maximise their potential.

3. Employment and Employability Initiatives Leader and Deputy Leader of the Council, and Cabinet Portfolio Holder – Councillors Simon Henig, Alan Napier, and Neil Foster Contact – Roger Goodes 03000 268050

We have considered a joint report of the Assistant Chief Executive and Corporate Director, Regeneration and Economic Development which provided an update on the council's employment and employability initiatives scheme, the government's employment policies affecting residents in the county, and sought approval to allocate an additional £500,000 from the Welfare Assistance Scheme budget to the council's employment and employability initiatives scheme.

In order to reduce poverty and the impact of welfare reforms on families in the county, the Poverty Action Steering Group funded an employment and employability initiatives scheme. £500,000 was directed from the council's Welfare Assistance Scheme with the overall aim of supporting them in becoming closer to the employment market, or, to assist those who would like to explore self-employment. The scheme which has successfully provided skills training to 267 individuals has been reviewed with a view to extending it for a further year. Extending the Employment and Employability Initiatives Scheme would provide targeted help to these specific groups of people. An additional £500,000 has been identified from the Council's Welfare Assistance Scheme budget to allow the scheme to continue. The scheme would be developed to improve consistency and simplify referral processes to ensure that, regardless of age, location or benefit type, all residents can gain access to an appropriate level of support.

Decision

We have:-

- a) Noted the contents of the report and the progress being made by the Council's Employment and Employability Initiatives scheme; and
- b) Approved the allocation of an additional £500,000 from the Welfare Assistance budget for the continuation of the council's Employment and Employability Initiatives scheme.

**4. Safe Durham Partnership Plan Refresh 2016-19
Cabinet Portfolio Holder – Councillor Joy Allen
Contact – Peter Appleton 03000 267381**

We have considered a report of the Corporate Director, Children and Adults Services which presented the refresh of the Safe Durham Partnership Plan 2016-19 for approval, which was attached to the report as Appendix 2.

The Crime and Disorder (Formulation and Implementation of Strategy) (Amendment) Regulations 2011 requires that Durham County Council, along with the other responsible authorities (develop and implement a Partnership Plan. The Partnership Plan 2016-19 is a refresh of the previous Partnership Plan 2015-18. The next full review of the Partnership Plan will be for the period 2017-20. The regulations also require that the Safe Durham Partnership (SDP) carry out an annual Strategic Assessment which informs the development of the new Plan every three years and its annual refresh.

The purpose of the Safe Durham Partnership Plan is to demonstrate how the responsible authorities will work together to reduce crime and disorder across County Durham. A consultation workshop was held on 4th November 2015 at the Health and Wellbeing 'Big Tent' Event to inform the development of the Plan. Further consultation with partners, took place between January and February 2016 on the objectives and outcomes contained within the draft refresh of the Partnership Plan 2016-19. The Safe Durham Partnership Board signed off the Plan in May 2016.

The vision of the Safe Durham Partnership is for a county "where every adult and child will be, and will feel, safe." Working in partnership is essential to achieving our vision. The refresh of the Partnership Plan 2016-19 describes the progress and achievements of the Safe Durham Partnership since the publication of the previous Plan. It describes how sustainable improvements will be delivered by working in partnership. The Strategic Objectives and Outcomes Framework for the Safe Durham Partnership Plan 2016-19 were detailed in the report. These strategic objectives were agreed by the Safe Durham Partnership Board in November 2015 and the outcomes were agreed in May 2016, following the consultation period. The Partnership Plan also contains a number of strategic actions that identify the key areas of work that the Safe Durham Partnership will focus on, linked to objectives and outcomes.

Decision

We have:

- a. Noted the contents of the report and approved the Safe Durham Partnership Plan 2016-19; and
- b. Noted the Safe Durham Partnership Plan will be publicised on the County Durham Partnership website.

**5. Draft Durham City Sustainable Transport Strategy 2016-2033
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 agreement of the draft Durham City Sustainable Transport Strategy 2016–2033 for public consultation.

The draft Strategy represents an important opportunity to initiate a step change in the provision of sustainable transport in the city at a time when there is the opportunity to shape the future development of Durham given that both a local plan for County Durham and a neighbourhood plan for Durham City are being prepared.

The report outlined how investing in all modes of transport and creating better spaces can provide real economic, health and environmental benefits for the city and its residents. The draft Strategy is aligned with the ‘thriving Durham City’ theme of the Sustainable Community Strategy as it seeks to improve accessibility to the city centre for all transport modes. Durham City has a traffic congestion issue, particularly at peak hours. The draft Strategy sets out the short and long term transport policy approach for delivering transport projects in the city.

The council has implemented measures to support sustainable transport use, being the first location in the country to implement a congestion charge in 2002. More recently, the opening of Park and Ride sites serving three of the key radial routes into the city, which complement good local bus services, means that bus services in Durham City are one of the strengths of the city’s transport network.

The Strategy is specifically related to achieving a more sustainable transport network in the city and it identifies the following locations for investment in infrastructure:

- Improvements to the existing city centre transport infrastructure;
- Pedestrians improvements linking the University to the city centre;
- Missing links for sustainable modes in and across main roads and junctions in Aykley Heads, Sniperley, Framwellgate Moor and Newton Hall;
- Reducing congestion by making appropriate improvements for all transport modes in Gilesgate, Dragonville, Carville and Belmont.

Management of the demand to travel by car on the journey to work and school during peak hours is one of the key elements of the strategy. The long term strategy for the city centre is dependent on the ability to provide more space for people travelling on foot, by bike and bus. The best way to achieve this would be an additional crossing of the River Wear which would provide an alternative to Milburngate Bridge and therefore remove vehicular traffic and congestion from the city centre. A longstanding proposal for this additional crossing as part of a Northern Relief Road was identified in both the City of Durham Local Plan and the previous iteration of the County Durham Plan.

A new crossing would remove through traffic and provide the opportunity to re-prioritise space by reducing the number of car lanes on Milburngate Bridge from four to two, making this route less attractive for through trips but making it easier for those people wanting to access the city centre and the economic opportunities including employment, shopping and tourism.

Two stakeholder events and a specific two-week consultation exercise have been undertaken to ensure a broad partnership approach to drafting the strategy and setting the vision.

The draft Durham City Sustainable Transport Strategy will be published for a six week formal consultation in conjunction with the consultation on the Issues and Options of the County Durham Plan. Following consideration of responses and the making of any modifications, if these are minor in nature, it is proposed that the final strategy would be agreed by the Director of Regeneration and Economic Development in consultation with the Portfolio Holder for Regeneration and Economic Development.

Following adoption of the draft Strategy, the council would proceed with Action Plans to develop the draft Strategy into a sustainable transport programme for demand management (behavioural change) measures and infrastructure interventions. A partnership will be formed with the academic and business stakeholders who form the key destinations (and landowners) in the city. They will monitor the progress of the resultant Travel and Action Plans.

Decision

We have:-

- a. Agreed the draft Durham City Sustainable Transport Strategy for full public consultation.
- b. Agreed that any minor modifications to the draft Strategy following consultation and approval of the final Strategy are delegated to the Director of Regeneration and Economic Development in consultation with the Portfolio Holder for Regeneration and Economic Development.

6. Option to Create a Durham County Council Investment Fund – ‘Finance Durham’
Deputy Leader of the Council, and Cabinet Portfolio Holder –
Councillors Alan Napier, and Neil Foster
Contact – Simon Goon 03000 265510

We have considered a joint report of the Corporate Director, Regeneration and Economic Development and the Interim Corporate Director, Resources which sought agreement to the creation of an Investment Fund for the county financed by the Council to help deliver business growth and job creation. The fund would be operated on a commercial basis and as such it is intended to generate a financial return over the longer term.

Within the context of economic austerity, the Council no longer offers grants to businesses and indeed this has been the case for several years. However, within Economic Development, Business Durham exists to ensure strong focus on the business sector, including supporting existing businesses to establish and grow whilst ensuring new businesses seek to locate within County Durham.

Up until now, the North East and County Durham has had limited market success in providing access to finance to facilitate business growth. Within the last two years in County Durham, the Council has made equity investments in two businesses rather than offering grants. This means that the Council is partnered with and thus, has greater interest in the investee company and will hopefully make a financial return. Some grant products are available in the North East. However, Government funded grant schemes via the Regional Growth Fund for large projects and the Lets Grow fund for smaller projects are no longer available.

Based on Business Durham's engagement with business, evidence shows that businesses are happy to receive finance as an investment as part of a wider package, especially from a Local Authority as it demonstrates a degree of partnership working. Therefore, the proposal outlined in the report was not for a grant fund, but, for a self-sustaining Investment Fund.

The fund has been designed with growing the County economy as its core function and modelling suggests the fund will support 500 companies, investing in approximately 70 companies over the first ten years, creating and safeguarding about 2,000 jobs. A key responsibility of the fund manager will be to support the delivery of a stronger access to finance community in the County and to spread the message about business finance.

The Council alongside Finance Tree have produced a ten year financial model for Finance Durham based upon a range of assumptions and a business plan for the creation of Business Durham was included at Appendix 2 of the report.

Decision

We have:

- a) Approved the principle of creating a Durham County Council investment fund to be known as Finance Durham;
- b) Agreed that a new limited company and limited partnership be formed to implement creation of Finance Durham;
- c) Agreed that capital funding of £20 million be made available to Finance Durham to be financed £4.15 million from capital receipts in 2017/18;
- d) Authorised the Corporate Directors of Regeneration and Economic Development and Resources in consultation with their respective

portfolio holders to take all necessary steps to implement these decisions;

- e) Noted that annual progress reports be submitted to Cabinet after the fund has commenced operation.

7. Update on North East Combined Authority Delegated Transport Activity
Cabinet Portfolio Holder – Councillor Neil Foster
Contact – Adrian White 03000 267455

We have considered a joint report of the Corporate Director, Regeneration and Economic Development and the Interim Corporate Director Resources which provided an update on the transport activity carried out by the Council under delegation from the North East Combined Authority (NECA).

In April 2014 Cabinet agreed a report in relation to the transfer of transport functions to the Combined Authority and the subsequent delegation back to the Executive in accordance with the Combined Authority's Constitution and Operating Agreement. Cabinet agreed to authorise the Corporate Director of Regeneration and Economic Development to discharge these transport functions in consultation with the Cabinet Portfolio Holder.

The delegation from NECA back to both Durham and Northumberland recognises the different approach taken by the two counties when compared to Tyne & Wear. The lower financial viability of bus services in rural areas places a greater emphasis on the need for integration between public transport, home to school, adult social care, community transport and health transport. A further benefit of the delegation to Durham is that it facilitates integration of transport (including public transport, traffic, parking, network management and development control) alongside other 'place shaping' functions within housing, planning, regeneration and economic development. The NECA Operating Agreement includes a requirement that the Portfolio Holder will provide reports when required to the Transport North East Committee (TNEC) of NECA, advising on how the delegated functions have been exercised.

Appendix 2 of the report provided a summary of transport activity carried out during 2015. This report was presented to TNEC at its meeting on 28 April 2016.

Decision

We endorsed the contents of the report.

8. Review of Refuse and Recycling Operations
Cabinet Portfolio Holder – Councillor Brian Stephens
Contact – Alan Patrickson 03000 268165

We have considered a report of the Interim Corporate Director, Neighbourhood Services which sought approval to harmonise refuse and recycling collection policies for remote and rural properties across the county, which will involve where suitable, collection from next to the public highway, a practice already operated in much of Teesdale and Weardale. The report also sought approval to a reorganisation of collection rounds in the east of the county alongside the above in order to deliver savings requirements of £225,000 per year.

Since vesting day Durham County Council has harmonised many of the policies and working arrangements regarding refuse collection including the introduction of alternate weekly collection. It has not however adopted a harmonised policy relating to collections from farms and other remote rural properties. In our most rural areas, Teesdale and Weardale, approximately 2,100 remote farms and properties are collected at the lane ends of private tracks, next to the public highway by large 26 tonne vehicles. This practice has been in place for some time. It is important to emphasise that residents are not required to take their bins down the track for collection, but rather that bins are permanently located at the lane end, at the edge of the public highway. By contrast, around 1,400 similar remote and rural properties in the Sedgefield, Derwentside, Chester le Street, Durham City and Easington receive a doorstep collection often serviced by smaller vehicles that go down private roads/farm tracks.

The existing arrangements are not only inconsistent, but also inefficient as smaller vehicles are often used to negotiate the private farm tracks, and in some areas (Chester le Street and Derwentside) glass is not collected.

In parallel with consideration to the above there is an on-going need to explore further savings from the collection rounds first introduced at alternate weekly collection. It is important however to be mindful of future housing developments, the potential to absorb new trade waste customers and give some flexibility for winter conditions. Notwithstanding this, the service has already reduced the number of collection rounds from 8 to 7 in the north, and it is felt that there is opportunity in other areas to achieve savings without impacting on delivery. Overall a Medium Term Financial Plan (MTFP) saving of £225,000 has been earmarked for 2016/17.

A consultation exercise was carried out to seek the views of residents that would be affected by the lane ends collection. 47% of the total number of households that were consulted were returned and the majority of the residents who returned completed survey forms disagreed with the proposal.

In the eastern division there are currently 4 rounds serving exclusively farms and isolated properties. These utilise smaller collection vehicles than standard rounds. There are four such vehicles, two for refuse use and two for recycling.

Two farm rounds operate from Meadowfield depot and cover the Durham City area and two farm rounds operate from Peterlee depot and cover the remaining eastern area. The proposed changes can enable more properties in the east to be collected by the larger 26 tonne vehicles, which would allow a reduction of two farm vehicles, two Drivers and four Operatives.

In order to make this reduction a number of inter-dependent service changes must be made, which include the introduction lane end collection arrangements, the amalgamation of the current sixteen collection zones into eight new collection zones, and, the reduction of the number of operational depots. As these operational changes are inter-linked they must be delivered together, the required savings will not be possible if implemented individually. The financial details were described in Appendix 1 of the report.

A proposed revision of the existing relevant policy was described at Appendix 4 which set out the safeguards to be considered. Whilst the proposed reorganisation of collection zones would lead to some changes of collection day for residents, the design has sought to minimise changes wherever possible. The report explained that following site visits and assessments, new lane end collection points would be set up to make the new locations safe and practical. If this is not possible, existing collection points will be maintained and serviced within the resources set out in the report.

Decision

We have:

- a. Approved the revision of DCC refuse collection policy in order to harmonise collection policy for rural and remote properties countywide.
- b. Agreed to implement the revised policy by rolling out lane end collections where appropriate in line with the safeguards.
- c. Agreed to implement changes to the refuse and recycling collection rounds in the eastern division, allowing a reduction of two collection rounds to meet MTFP saving requirements.

9. The Durham City Air Quality Action Plan Cabinet Portfolio Holder – Councillor Brian Stephens Contact – David Gribben 03000 260997

We have considered a joint report of the Interim Corporate Director, Neighbourhood Services and the Corporate Director, Regeneration and Economic Development which updated Cabinet on the outcome of the consultation on the proposed action measures for improving air quality as set out in the draft Air Quality Action Plan and sought approval for the adoption of the revised version of the Air Quality Action Plan which was appended to the report at Appendix 2.

The Council declared the city centre of Durham as an Air Quality Management Area (AQMA) in 2011 and this was subject to a previous report to Cabinet. This was amended in 2014 to include sections of Claypath, New Elvet and the west end of the city to the roundabout at Stonebridge which was approved by the Corporate Director for Neighbourhood Services.

Following the declaration of the Air Quality Management Area, the Council is legally required, under the Environment Act 1995, to prepare an Air Quality Action Plan (AQAP). The Council is also required to demonstrate that it is working towards complying with the national air quality standards within the declared Air Quality Management Area. Progress in relation to the preparation of an Air Quality Plan for Durham City has been subject to regular reports presented to Overview and Scrutiny Committee. Under delegated powers, approval was given for the Council to progress with the public consultation exercise on the Air Quality Action Plan.

The duration of the consultation extended over a twelve week period and began on 21st September 2015 and concluded on 14th December 2015. The feedback from the consultation was primarily obtained from the completion of a survey that sought views on each of the twelve proposed action measures and to invite suggestions for additional measures. The Council also consulted with DEFRA, as a statutory consultee, on the draft Air Quality Action Plan on 28th September 2015.

A total of 156 responses were received via the survey and a summary of the views were included in the report. In addition, a number of suggestions for alternative measures as well as improvements to some of the proposed actions were made by respondents during the consultation.

Whilst many of the issues emerging from the Strategy have already been considered as part of the air quality action plan, one significant infrastructure element is not currently included. The Sustainable Transport Strategy has concluded that sustainable transport opportunities and air quality in the City Centre could be significantly enhanced if a large proportion of the existing traffic volumes could be removed by providing a new crossing of the River Wear via a Northern Relief Road.

The report therefore proposed that the following additional action be included to examine further the implications on air quality from the provision of relief road infrastructure for the City.

- Explore the options for additional highway infrastructure in line with the Durham Sustainable Transport Strategy, taking into account environmental, financial and planning considerations to enable the removal of through traffic from the City Centre and contribute to the overall reduction of traffic emissions.

The revised action measures within the Air Quality Action Plan were detailed in the report which took into account the outcome of the consultation exercise and the material considerations.

The financial implications associated with the implementation of the Air Quality Action Plan were outlined in Appendix 1 of the report. The viability and delivery of specific action measures where costs have been identified may therefore be dependent on available funding. In addition, further consideration will also be given to any potential impact on the local economy and where necessary this may be subject to further reports to Cabinet. Further monitoring of the implementation of the action measures will be undertaken. In addition the Council are required to report progress annually to DEFRA and the next annual status report will need to be submitted by DEFRA by 30 June 2016.

To date progress has been made on the implementation of a number of action measures as follows:-

- Action 1: SCOOT/UTMC System: The preparations involving the modification of the Gilesgate and Leazes Bowl roundabouts in the centre of Durham are currently being progressed and are due for completion by 2017.
- Action 4: The upgrading of the buses operating on Park & Ride routes in Durham City to Euro 6 specification is now completed.
- Action 8: The Air Quality & Planning Guidance Note: The note has been revised to bring it up to date with the latest guidance on Air Quality & Planning issued jointly by the Institute of Air Quality Management and Environmental Protection (UK) in May 2015.
- Action 11: Variable Messaging and car park direction signage: It is understood that the variable messaging system is now operational.
- Action 10: Air Quality Campaign: Further to discussions with the Neighbourhood Services Communications Team a draft Plan has been produced for the undertaking of an air quality campaign. This is very much at an early stage and requires further development to link in and integrate with other relevant campaigns taking place elsewhere in the Council.

Decision

We have:-

- a. Considered the outcome of the consultation exercise.
- b. Adopted the revised Air Quality Action Plan for Durham City and agreed to further updates as the plan is implemented.

10. Lumiere Festival 2017 Cabinet Portfolio Holder – Councillor Neil Foster Contact – Oliver Sherratt 03000 269259

We have considered a report of the Corporate Director, Neighbourhood Services which informed Cabinet of the evaluation of the 2015 Lumiere festival and considered the delivery of a Lumiere in 2017.

Following the extremely successful festivals in 2009, 2011 and 2013, Artichoke was again commissioned by the Council to produce and deliver a fourth festival in 2015. The Policy Research Group based at St Chads, University of Durham were commissioned to provide an independent evaluation. The 2015 Evaluation Report at Appendix 2 of the report concludes that Lumiere 2015 was a considerable success.

It would appear that there is public interest for the Council with partners to deliver an equally spectacular event again. If the biannual pattern previously adopted was followed, this would see a further Lumiere event in 2017.

The cost to stage the event in 2017 is estimated to be £1.8 million. In order to achieve the required level of resource, an indicative funding package has been developed that would see a cash contribution of £600,000 from a mixture of Performance Reward Grant (allocated from the County Durham Economic Partnership Board in 2010 which has been used to fund previous Lumiere Festivals) and cash-limits reserve, that would lever a further £500,000 from Arts Council England under the existing NPO agreement. It is anticipated that the remaining £700,000 of funding needed would be raised from wider partners and sponsorship, although the Council would also provide an additional £100,000 of in-kind assistance.

Initial discussions with stakeholders suggest this is an achievable budget. Early wider discussions with a range of partners and potential sponsors have also been very positive and there is every expectation that the remaining funding can be raised. The ability to get commitment from sponsors is more dependent on there being a decision to host the event in 2017.

There is an opportunity to involve LUCI (Lighting Urban Community International) with the festival, by hosting its Annual General Meeting in Durham City to coincide with the festival. Facilitating this meeting would be a significant opportunity to showcase Durham to over 200 world-wide delegates.

The 'Lumiere' brand is owned and managed by Artichoke, a charitable arts organisation funded by Arts Council England, and in addition to their exclusive rights for "Lumiere" there has been significant learning in the delivery of previous festivals that has resulted in Artichoke possessing a unique set of skills required to deliver this event. It is therefore proposed that Artichoke should be re-commissioned should the event go ahead under the appropriate procurement arrangements as stated in Appendix 1 of the report. The wider considerations of the evaluation of the festival has reinforced the view that there is a strong case for commissioning a Lumiere festival for 2017.

Decision

We have agreed that:

- a. Artichoke be re-commissioned to plan and programme a Lumiere festival for delivery in 2017, in consultation with relevant stakeholders.

- b. The Council provides a cash contribution of £600,000 from a mixture of Performance Related Grant and cash-limits reserve and £100,000 of in-kind assistance.
- c. The terms of the contract are delegated to the corporate Director of Neighbourhood Services in consultation with the Cabinet Portfolio for Economic Regeneration.
- d. In principle agreement be given for hosting the prestigious LUCI Annual General Meeting to coincide with Lumiere, with agreement to terms with the organisers delegated to the Corporate Director of Neighbourhood Services in consultation with the Portfolio Holder for Economic Regeneration.
- e. Further reports providing an update on progress in relation to the 2017 event will be presented to Cabinet.

11. Medical Examiners Service
Deputy Leader of the Council, and Cabinet Portfolio Holder –
Councillors Alan Napier, and Lucy Hovvels
Contact – Colette Longbottom 03000 269732

We have considered a report of the Interim Corporate Director, Resources which advised Cabinet of the consultation to reform the process of death certification in England and Wales and to propose next steps for the establishment of a medical examiners service.

On 10 March 2016, the Government launched a consultation on proposals to reform the process of death certification. This was to involve principal authorities taking responsibility for the establishment of a medical examiners service which was to be entirely funded by payments by users of that service. The consultation stated that the proposed new medical examiner system will benefit the public, the health service and local authorities. The legal basis for the reforms is set out in Chapter 2 of Part 1 of the Coroners and Justice Act 2009, which has yet to enter into force. When in force, section 19 of the 2009 Act, as amended by the Health and Social Care Act 2012, will require medical examiners to be appointed and monitored by upper tier and unitary local authorities in England.

Under the new system, in the case of deaths that do not require coroner investigation, the cause of death will be confirmed by a medical examiner before a medical certificate of cause of death is issued. Medical examiners must be medical practitioners with at least five years full registration with the General Medical Council, and licensed to practice. They must complete prescribed training and meet the skills and competencies essential for the role set out in a specification drawn up by the National Task Team on Medical Examiners which will be produced in guidance to be provided to Local authorities.

Prior to the plans for a medical examiner service being postponed prior to the last general election in May 2015, a small team comprising the Head of Legal

and Democratic Services, a representative from Public Health and a Project Officer from ACE, carried out an information gathering exercise on current processes and a project brief was put together which produced an estimated cost for a medical examiners service. It drew on the experience of pilots in Sheffield and Brighton which indicated revenue costs per annum of around £550,000. Appendix 2 of the report included an analysis of the predicted shortfall to the council based on the charging rates suggested in the consultation where the maximum fee chargeable is £100. The Government has indicated that the Medical Examiner's Service should be self-funding and there are no indications that new burdens funding is available to meet shortfalls within council's budgets.

The shortfall which is estimated to be from circa £100,000 to circa £166,000 would be a pressure on the Medium Term Financial Plan that would have to be met corporately.

The document referred to in the report is a consultation on legislative changes and a number of issues covering the wide range of stakeholders involved in bereavement.

Officers will prepare responses where appropriate. A project team will be established to prepare proposals for the implementation of a medical examiners service from October 2017.

Decision

We have:

- a) Noted the contents of the report and the consultation response at Appendix 3.
- b) Agreed that further reports are presented to Cabinet on proposals for implementing a medical examiners service in due course.

Councillor S Henig
Leader of the County Council

12 July 2016