



DARLINGTON
Borough Council

Cabinet Agenda

5.00 pm

Tuesday, 7 September 2021

Council Chamber, Town Hall, Darlington DL1 5QT

Members and Members of the Public are welcome to attend this Meeting.

1. Introductions/Attendance at Meeting.
2. Declarations of Interest.
3. To hear relevant representation (from Members and the General Public) on items on this Cabinet agenda.
4. To approve the Minutes of the meeting of this Cabinet held on Tuesday, 6 July 2021.
(Pages 5 - 12)
5. Matters Referred to Cabinet –
There are no matters referred back for reconsideration to this meeting.
6. Issues Arising from Scrutiny Committee –
There are no issues referred back from the Scrutiny Committees to this Meeting, other than where they have been specifically consulted on an issue and their comments are included in the contents of the relevant report on this agenda.
7. Key Decisions:-
 - (a) School Term Dates 2023/24 – Report of the Group Director of People. (Pages 13 - 26)
 - (b) Introduction of a Civil Financial Penalty Policy - Minimum Energy Efficiency Standards – Report of the Group Director of Services. (Pages 27 - 46)
8. Playing Pitch and Facilities Strategy – Report of the Group Director of Services.
(Pages 47 - 118)

9. Regulatory of Investigatory Powers – Report of the Group Director of Operations.
(Pages 119 - 122)
10. Investment Fund Update – Report of the Group Director of Operations.
(Pages 123 - 128)
11. Project Position Statement and Capital Programme Monitoring - Quarter One 2021/22 –
Report of the Group Director of Operations and the Group Director of Services.
(Pages 129 - 156)
12. Complaints, Compliments and Comments Annual Reports 2020/21 –
Report of the Chief Executive, Group Director of Operations, Group Director of People
and Group Director of Services. (Pages 157 - 268)
13. Review of Outcome of Complaints Made to Ombudsman –
Report of the Chief Executive, Group Director of Operations, Group Director of People
and Group Director of Services. (Pages 269 - 278)
14. Schedule of Transactions – Report of the Chief Executive. (Pages 279 - 282)
15. Membership Changes - To consider any Membership Changes to Other Bodies to which
Cabinet appoints.
16. SUPPLEMENTARY ITEM(S) (if any) which in the opinion of the Chair of this Committee are
of an urgent nature and can be discussed at this meeting.
17. Questions.

EXCLUSION OF THE PUBLIC AND PRESS

18. To consider the exclusion of the Public and Press :- –
RESOLVED - That, pursuant to Sections 100A(4) and (5) of the Local
Government Act 1972, the public be excluded from the meeting during the
consideration of the ensuing items on the grounds that they involve the likely
disclosure of exempt information as defined in exclusion paragraph 3 of Part I of
Schedule 12A of the Act.



Luke Swinhoe
Assistant Director Law and Governance

Friday 27 August 2021

**Town Hall
Darlington.**

Membership

Councillors Clarke, Dulston, Durham, Keir, Marshall, K Nicholson and Mrs H Scott

If you need this information in a different language or format or you have any other queries on this agenda please contact Lynne Wood, Elections Manager, Resources Group, during normal office hours 8.30 a.m. to 4.45 p.m. Mondays to Thursdays and 8.30 a.m. to 4.15 p.m. Fridays (e-mail Lynne.Wood@darlington.gov.uk or telephone 01325 405803).

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**DECISIONS SHOULD NOT BE IMPLEMENTED BEFORE
MONDAY 19 JULY 2021**

CABINET
Tuesday, 6 July 2021

PRESENT – Councillors Mrs H Scott (Chair), Dulston, Johnson, Keir, Marshall, Mills and K Nicholson

INVITEES – Councillors Curry, Harker and Snedker

APOLOGIES – Councillors Clarke and Tait

ALSO IN ATTENDANCE – Councillors Durham and McCollom

C14 DECLARATIONS OF INTEREST.

There were no declarations of interest reported at the meeting.

**C15 TO HEAR RELEVANT REPRESENTATION (FROM MEMBERS AND THE GENERAL PUBLIC) ON
ITEMS ON THIS CABINET AGENDA.**

In respect of Minute C23 below, a written representation was received from a member of the public.

C16 TO APPROVE THE MINUTES OF THE MEETING OF THIS CABINET HELD ON 1 JUNE 2021

RESOLVED – That the Minutes be confirmed as a correct record.

REASON – They represent an accurate record of the meeting.

C17 MATTERS REFERRED TO CABINET

There were no matters referred back for re-consideration to this meeting.

C18 ISSUES ARISING FROM SCRUTINY COMMITTEE

There were no issues arising from Scrutiny considered at this meeting.

C19 KEY DECISIONS:-

There were no key decisions made at this meeting.

C20 DEATH IN SERVICE

The Group Director of Operations submitted a report (previously circulated) informing Cabinet of the recent sad death in service on 19 June 2021 of John Haycock who was employed as a Town Hall Attendance, and was a valued member of the Democratic Services

Team.

As a mark of respect, Cabinet observed a short silence in memory of John Haycock.

RESOLVED - That it is with great sadness that the recent death in service of John Haycock, a respected and valued employee of the Council, be noted.

REASON - To make Members aware of the recent death in service.

C21 DISABLED FACILITIES GRANT 2021/22

The Cabinet Member with the Adults Portfolio introduced the report of the Group Director of People (previously circulated) advising Members of the capital resources available for Disabled Facilities Grants (DFG) during 2021/22 and requesting that consideration be given to the release of those resources to enable them to be utilised in accordance with Darlington Borough Council Disabled Facilities Grant and Regulatory Reform Order Policy 2021/23.

The submitted report stated that DFG's assisted people to live independently by helping to fund suitable adaptations to their properties; the maximum grant payable was £30,000 per application which was subject to a statutory means test; the grants were available to owner-occupiers, tenants of private rented properties and Housing Association tenants; and that DFG's were governed by housing legislation and, had set conditions for payment, within those regulations.

It was also reported that the Council had a shared service agreement in place with Durham County Council to provide a Home Improvement Agency service to provide guidance and practical assistance to people who were older, disabled or on low incomes to claim a DFG to repair, improve or adapt their homes. The Agency also provided support to people until the work was completed and the contractor had been paid.

RESOLVED – That the Disabled Facilities Grants for 2020/21 and 2021/22, as detailed in the submitted report, be agreed and the capital funding be released.

REASON - To enable the adaptations for those individuals who were eligible to receive a Disabled Facilities Grant for 2020-21 and 2021-22 to proceed.

C22 COLLECTION OF COUNCIL TAX, BUSINESS RATES AND RENT 2020/21

The Cabinet Member with the Resources Portfolio introduced the report of the Group Director of Operations (previously circulated) providing Members with an update on the collection of Council Tax, Business Rates and Council Rents during 2020/21 and requesting that consideration be given to the writing-off of debts over £500 that were considered to be irrecoverable.

The submitted report stated that collection of Council Tax, Business Rates and Council Rents during 2020/21 had been a significant challenge due to the ongoing COVID-19 pandemic; normal recovery and enforcement activities had not been possible as the Courts had been closed and the recovery of debts with Enforcement Agents had been suspended; and that despite those challenges, a total of £103.1M of Council Tax, Business Rates and Council Rents

had been collected in 2020/21.

Particular reference was made to a total of £761,212 of debts in respect of individual cases of Council Tax, Business Rates and Council Rents, exceeding £500 for the financial year 2020/21, which were considered irrecoverable and had become apparent that no further steps could be taken to recover those sums.

RESOLVED – (a) That the report be noted.

(b) That the write-off of £761,212 of debts over £500, be approved, subject to further steps for recovery being taken, wherever possible, if and when contact with the debtor is made.

REASONS – (a) The collection of Council Tax, Business Rates and Council Rents underpins the Council's Medium Term Financial Plan.

(b) The write-off of irrecoverable debts enables the Council's accounts to be maintained in accordance with Financial Procedure Rules.

C23 PROJECT POSITION STATEMENT AND CAPITAL PROGRAMME MONITORING OUTTURN 2020/21

The Cabinet Member with the Resources Portfolio introduced the report of the Group Director of Operations and the Group Director of Services (previously circulated) providing information to Members on the delivery of the Council's Capital Programme; the financial outturn position as at 31st March 2020; proposed financing of the 2019/20 capital expenditure; the current status of all construction projects currently being undertaken by the Council; and requesting that consideration be given to a number of changes to that programme.

The submitted report stated that significant enhancements had been made to the Council's assets in three major programme areas of schools, housing and transport, mostly using external funding; those investment were delivering a wide range of improvements to the Council's assets and services; capital expenditure in 2020/21 totalled £29,875; there were 38 live projects currently being managed by the Council with an overall value of £126,196M; the majority of those projects were running to time, cost and quality expectations with no foreseeable issues; and that the projects were managed either by the Council's in-house management team, a Framework Partner or by Consultants sourced via an open/OJEU tender process.

In response to questions raised by Councillor Keir, on behalf of a resident in respect of the Crown Street Library refurbishment, the Group Director of Services, reported that as the library building could not take the weight of the scaffold, the scaffold needed to be free standing and weighted down which required ground investigations to be carried to ensure the area around the library was capable of taking the load; and that 'value engineering' related to looking at budget options to reduce costs should the scheme be over budget to bring it back into, or close to the budget.

RESOLVED - (a) That the delivery and financial outturn of the 2020/21 Capital Programme, as detailed in the submitted report, be noted.

(b) That the projected capital expenditure and resources, as detailed in the submitted report, be noted.

(c) That the adjustments to resources, as detailed in paragraph 25 of the submitted report, be approved.

REASONS - (a) To enable Members to note the progress of the 2020/21 Capital Programme and to allow the capital spend to be fully financed.

(b) To inform Cabinet of the current status of construction projects.

(c) To maintain effective management of resources.

C24 REVENUE BUDGET OUTTURN 2020/21

The Cabinet Member with the Resources Portfolio introduced the report of the Group Director of Operations (previously circulated) presenting the 2020/21 revenue outturn (subject to Audit), to allow Members to consider the results in light of the Council's Medium Term Financial Plan (MTFP) and also to consider the Collection Fund and Housing Revenue Account outturn.

The submitted report stated the impact of COVID-19 on both expenditure and income had been significant; to date the Government had provided a grant of £6,682M to assist with those pressures and a further package of support to Councils in the form of a scheme to help reimburse lost income during the pandemic which was expected to be £1.991M for 2020/21; there would be a 75 per cent contribution to the Council Tax and Business Rate collection fund deficit due to COVID-19; should all funding come to fruition, there would be a COVID-19 surplus of £1.553M; and that the year end projection showed an overall improvement in the 2020/21 financial position of £5.260M.

References were made to variances from the original budget; changes since the Quarter 3 position; and to a number of carry forward requests totalling £0.801M.

RESOLVED - (a) That the revenue outturn for 2020/21, as detailed in the submitted report, be noted.

(b) That the COVID-19 pressures and government grants received to date, as detailed in the submitted report, be noted.

(c) That the earmarked reserves, as requested in paragraphs 33 and 35 of the submitted report, be approved.

(d) That the carry forward of resources, as referred to in paragraphs 29 to 32 of the submitted report, be noted and approved.

REASONS - (a) To continue effective management of resources.

(b) To continue to deliver services to agreed levels.

C25 REVENUE BUDGET MONITORING - QUARTER 1

The Cabinet Member with the Resources Portfolio introduced the report of the Group Director of Operations (previously circulated) providing an early forecast of the 2021/22 revenue budget outturn as part of the Council's continuous financial management process and informing Cabinet of the budget rebasing exercise carried out following the 2020/21 outturn results.

The submitted report stated that it was the first revenue budget management report to Cabinet for 2021/22 and that the latest projections showed an overall improvement of £3.636M, which was due to £2.317M of additional balances following the 2020/21 outturn; £0.993M of resources returned to reserves; £0.22M of projected departmental underspend in 2021/22; and the use of £0.304M of COVID-19 reserve.

It was reported that there still remained a significant amount of uncertainty regarding the recovery from COVID-19 which had the potential to impact on the budget position during the remainder of the 2021/22 financial year.

RESOLVED - (a) That the forecast revenue outturn for 2020/21, as detailed in the submitted report, be noted.

(b) That further regular reports be made to monitor progress and take prompt action if necessary.

REASONS - (a) To continue effective management of resources.

(b) To continue to deliver services to agreed levels.

C26 XENTRALL SHARED SERVICES ANNUAL REPORT 2020/21

The Cabinet Member with the Resources Portfolio introduced the report of the Group Director of Operations (previously circulated) requesting that consideration be given to reviewing the progress and performance of Xentrall Shared Services, the Stockton and Darlington Partnership.

The submitted report stated that Xentrall Shared Services, the Stockton and Darlington Partnership, was established in May 2008 and was now in its thirteenth year; the agreement covered ICT (strategy and operations), Transactional HR, Transactional Finance and Design and Print; the initial savings that were identified were £7.4M over the original ten year period of the partnership; and that those savings had been achieved plus additional efficiencies and benefits and significant additional savings; quality and performance of services had improved; and that in recognition of the success of the partnership it had been amended in 2015 from the original ten year period into an on-going rolling agreement.

The Cabinet Member with the Health and Housing Portfolio referred to the work that had been undertaken by Xentrall Shared Services over the last year to ensure that the Council's services continued to be provided, as well as providing additional support, in respect of the COVID-19 pandemic.

RESOLVED – (a) That the report be noted and the continuing success of Xentrall Shared Services over the thirteen years since it was formed, be acknowledged.

(b) That the thanks of Cabinet be extended to Xentrall Shared Services, for their work during the COVID-19 pandemic.

REASONS – (a) To allow Members to receive information about the progress of the partnership.

(b) To extend the thanks of Cabinet to Xentrall Shared Services.

C27 LAND AT FAVERDALE EAST BUSINESS PARK

The Cabinet Member with the Resources Portfolio introduced the report of the Chief Executive (previously circulated) requesting that consideration be given to the disposal of land at Faverdale East Business Park, Darlington, as shown shaded grey on the plan attached at Appendix 1 (also previously circulated), subject to the grant of planning permission for development.

The submitted report stated that the Council owned land at Faverdale East Business Park which was available for inward investment/industrial development; a number of plots had been sold over the last few years; and that the remaining land available for sale and development totalled around 9.6 acres (as shown as plots 1, 2, 3 and 4 on the plan attached at Appendix 1).

It was also reported that in July 2019 Cabinet approved the sale of the plot shown hatched on the plan and this sale had now been completed. A number of enquiries had been received recently and negotiations were ongoing with potential purchasers for plots 2, 3 and 4 and that the terms had been provisionally discussed, subject to abnormal development costs, but could not be finalised without some detailed work on the part of the purchasers to get proposed designs drawn up.

RESOLVED – (a) That the sale of 9.6 acres of land at Faverdale East Business Park, as shown on the plan appended to the submitted report, be approved in principle with the Chief Executive's Office being authorised to negotiate full terms in consultation with the Cabinet Member with the Resources Portfolio and with the terms being reported subsequently on the Schedule of Transactions.

(b) That the Assistant Director Law and Governance be authorised to document sales accordingly.

REASONS – (a) To achieve a capital receipt for the Council.

(b) To assist business development and job creation in Darlington.

C28 SCHEDULE OF TRANSACTIONS

The Cabinet Member with the Resources Portfolio introduced the report of the Chief

Executive (previously circulated) requesting that consideration be given to the Schedule of Transactions (also previously circulated).

RESOLVED – That the Schedule of Transactions, as detailed in the submitted report, be approved, and the transactions be completed on the terms and conditions detailed therein.

REASONS – The terms negotiated require approval by Cabinet before binding itself contractually to a transaction.

C29 MEMBERSHIP CHANGES - TO CONSIDER ANY MEMBERSHIP CHANGES TO OTHER BODIES TO WHICH CABINET APPOINTS.

There were no membership changes reported at the meeting.

C30 TO CONSIDER THE EXCLUSION OF THE PUBLIC AND PRESS :-

**DECISIONS DATED –
FRIDAY 9 JULY 2021**

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**CABINET
7 SEPTEMBER 2021**

SCHOOL TERM DATES 2023-24

**Responsible Cabinet Member - Councillor Jon Clarke,
Children and Young People Portfolio**

**Responsible Director – James Stroyan,
Group Director of People**

SUMMARY REPORT

Purpose of the Report

1. To consider and set school term date arrangements for Darlington maintained schools for the academic years 2023-2024 and to publish these by the end of September 2021.

Summary

2. Proposals to set term dates for academic years 2023-24 are presented for Cabinet's approval. This will assist schools, parents and the authority in their planning processes.

Recommendation

3. It is recommended Members consider and agree to the publication of the proposed school term dates for Darlington maintained schools for academic year 2023-24.

Reason

4. The recommendation is supported as the draft dates are the ones preferred by the majority of schools and Governing Bodies that responded to the consultation which ended on 2 July 2021.

**James Stroyan
Group Director of People**

Background Papers

School Term Dates Planning – Consultation Papers for 2023-2024 made up as follows:

- (i) School Term Dates Covering Letter to Schools
- (ii) School Term Dates Guidance Note
- (iii) **Appendix 1** – School Term Dates 2023-24
- (iv) **Appendix 2** – School Term Dates Response Form

Paul Richardson : 0794 724 7224

S17 Crime and Disorder	There are no issues arising directly from this report that relate directly to crime and disorder.
Health and Well Being	There are no issues arising directly from this report that relate directly to health and wellbeing.
Carbon Impact and Climate Change	There are no carbon impact implications in this report
Diversity	The content of this report impacts equally across all groups.
Wards Affected	All wards equally affected.
Groups Affected	Parents, pupils, schools, neighbouring authorities equally affected.
Budget and Policy Framework	There is no change to the Budget and Policy framework
Key Decision	This is a key decision and has been included in the Forward Plan
Urgent Decision	This not an urgent decision
Council Plan	This does not link directly to priorities in the Council Plan
Efficiency	This report enables all affected to make long term plans.

MAIN REPORT

Information and Analysis

5. Following the circulation of the consultation papers (see attached background papers) to schools and governors on this subject on 29 April 2021 and consultation with officers from Local Authorities across the North East and Yorkshire regions, a preferred term date model for academic years 2023-24 was drafted and consulted with schools and Governing Bodies. The detailed 2023-24 term dates are at Appendix 1 to the consultation document.
6. The tenet of the process has been to take into account:
 - (a) The 190 day academic year envelope for pupils, which allows schools to set their own professional development days for teaching staff when pupils will not attend.
 - (b) Equalisation of term lengths as far as possible and the start and end of term weeks to be Mondays and Fridays as far as possible. Starting and ending terms on days other than Mondays and Fridays has historically had an adverse impact on pupil attendance levels.
7. Local Authorities set the term dates for maintained schools and nurseries. There are only six schools, out of the 42 in Darlington, that are still maintained by the Local Authority. Academy and Free School funding agreements state that the setting of the duration of the school year, term and holiday dates are the responsibility of the Academy Trust. In Foundation and Voluntary Aided (VA) maintained schools, Governing Bodies are required to set term and holiday dates in conjunction with the Local Authority.
8. The majority of Academies and VA schools in Darlington have continued to follow the LA published dates despite having the freedom to set their own dates. The 2021 consultation exercise also requested that Academy schools send in their own arranged dates for 2023-24 for inclusion in any future publication of term dates if they chose not to express a preference for the model calendar presented.
9. Consultation has been undertaken with schools (including Academies and Free Schools), Governing Bodies and neighbouring authorities. Other Local Authorities are still consulting, some have proposed the same dates as those contained in Appendix 1 for 2023-24.
10. Nationally, the Department for Education have recommended (and Darlington Head Teachers have agreed) that the term dates for future years will be set by Governing Bodies with Local Authorities suggesting a calendar, coordinating the consultation exercise and publishing the agreed results. Therefore, details of term dates for the 2023-24 academic year will continue to be published on the Darlington Council website and elsewhere from September 2021.

Outcome of the Consultation for the 2023-24 Academic Year Term Dates

11. Officers have consulted with 42 schools in Darlington as well as with their relevant Governing Bodies. 33 responses from Governing Bodies and Headteachers were received as follows:-
 - (a) 31 Schools/Governing Bodies (73.8%) out of 42 schools expressed their preference for the dates in the model calendar;
 - (b) Additional comments have been received as follows:
 - (i) Hummersknott Academy will commence their Christmas holidays on 22 December and return on 8 January plus will take two additional days at the end of the academic year to compensate for twilight staff training sessions (schools are allowed up to five staff development days)
 - (ii) Holy Family are taking October and February half terms a week earlier than proposed and will commence their Christmas holidays on 22 December and return on 8 January
 - (iii) Hurworth and Longfield will take two additional days to compensate for twilight staff training sessions

12. Responses were received as follows:

School Name	2023-24
Beaumont Hill Academy	Yes
Polam Hall School	
Borough Road Nursery School**	Yes
George Dent Nursery School**	Yes
Abbey Infants' School	Yes
Abbey Junior School	Yes
Bishopton Redmarshall CofE Primary School	Yes
Corporation Road Community Primary School	Yes
Firthmoor Primary School	Yes
Gurney Pease Academy	Yes
Harrowgate Hill Primary School**	Yes
Heathfield Primary School	Yes
Heighington Church of England Primary School	Yes
High Coniscliffe CofE Primary School	Yes
Holy Family RC Primary School	No (see paragraph 11b. above)
Hurworth Primary School	Yes
Marchbank Free School	Yes
Mount Pleasant Primary School	Yes
Mowden Infants' School	Yes
Mowden Junior School	Yes
Northwood Primary School	Yes
Red Hall Primary School**	Yes
Reid Street Primary School	Yes
Skerne Park Academy	
Springfield Academy	Yes
St Augustine's RC Primary School	
St Bede's RC Primary School	
St John's Church of England Academy	Yes
St Mary's Cockerton CofE Primary School	Yes
St Teresa's RC Primary School	
St. George's Church of England Academy	Yes
The Rydal Academy	Yes
West Park Academy	Yes
Whinfield Primary**	
Carmel College	
Haughton Academy	Yes
Hummersknott Academy	No (see paragraph 11b. above)
Hurworth School	Yes
Longfield Academy of Sport	Yes
St Aidan's Church of England Academy	
Wyvern Academy	
Rise Carr College**	Yes

** LA Maintained Schools

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CHILDREN & ADULT SERVICES

Town Hall, Darlington DL1 5QT
DX 69280 Darlington 6
Web site: <http://www.darlington.gov.uk>

FAO The Chair of Governors and Headteachers
ALL Schools in Darlington

Date: 29th April 2021
Please ask for: Paul Richardson
Direct line: 0794 724 7224
E-mail address: paul.richardson@darlington.gov.uk

Dear Chair and Headteacher

Proposed School Term Dates for 2023-2024

Please find enclosed the proposed school term dates for Darlington schools for the 2023-2024 Academic Year.

The paper contains the detailed proposals of the consultation, plus an option for those schools that currently have the powers (and wish to) set their own alternative dates. Appendix 1 of the paper contains the detailed calendar of dates proposed and Appendix 2 contains the proforma that Headteachers and/or Chairs should complete to record their preference and return to me by close of business by **Friday 2nd July 2021.**

Governing bodies of Voluntary Aided, Free Schools and Academies have the power to set their own term dates, but are encouraged to follow, as far as possible those agreed by the community schools. This will provide continuity for parents and carers, other schools and Colleges, Local Authority staff and schools in other Local Authorities and the term dates in the consultation are therefore proposed for your consideration.

In the event that your school wishes to adopt different term dates in 2023-2024 from those detailed in the consultation, please append your preferred dates to the proforma in Appendix 2.

The term dates model with the most preferences from those returned by the deadline date will be submitted for approval by Cabinet and once approved the Darlington term dates for 2023-2024 will then be published on the Council's website for use by parents, the public and interested parties alike (<http://www.darlington.gov.uk/education-and-learning/school-years/school-holiday-dates/>).

I am aware that not all Governing Bodies will hold a meeting prior to the closure of the consultation period and would therefore request that this matter be considered separately by the Chair and Headteacher and a return then made from each School by the deadline date.

In the event of any queries around this consultation, please contact me by return e-mail at paul.richardson@darlington.gov.uk.



I look forward to hearing from you in due course and in any event by Friday 2nd July 2021.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Paul Richardson', with a stylized, cursive script.

Paul Richardson
Head of Skills and Employability



SCHOOL TERM DATES PLANNING – CONSULTATION ON PROPOSED ARRANGEMENTS FOR 2023-2024

1. REASON FOR THIS ITEM

To bring to Governors and Headteacher's attention the proposed term dates for the 2023-2024 Academic Year and the possible impact this may have on:

- a) the education of children,
- b) staffing in schools including the 195 day envelope for teachers,
- c) the organisation of school support arrangements,
- d) families with children at more than one school and
- e) the wider region.

2. ACTION REQUIRED

Governors and Headteachers of Academy, Voluntary Aided and Free Schools are reminded that they are responsible for setting the term dates for their school and must consult with stakeholders when so doing. Local Authorities are required to consult with maintained schools when setting school terms dates.

Governors and Headteachers are therefore asked to:

- a) Consider the proposed model term dates for 2023-2024 at Appendix 1 to this consultation.
- b) Decide whether they would wish to adopt the model of proposed dates for the 2023-24 academic year. Alternatively, Academies, Voluntary Aided and Free Schools are requested to send in their own arranged dates for 2023-2024 for inclusion in any future publication of term dates for schools in Darlington
- c) Return the attached proforma at Appendix 2 detailing your school's preferred term dates for 2023-2024 (either adopting the model or setting your own dates if an Academy, Voluntary Aided or Free School) to paul.richardson@darlington.gov.uk by **Friday 2nd July 2021.**

3. KEY QUESTIONS

Governors and Headteachers may wish to discuss the following in relation to their own school:

- a) What is the likely impact of the school opting for term dates outside the proposed models?
- b) How would the Governing Body consult with stakeholders around any proposed changes to term dates?

Contact Officer:

Name: Paul Richardson

Position: Head of Skills and Employability

Tel no: 0794 724 7224

E-mail address: paul.richardson@darlington.gov.uk

SCHOOL TERM DATES PLANNING – CONSULTATION ON PROPOSED ARRANGEMENTS FOR 2023-2024

1. **BACKGROUND INFORMATION**

Officers from Darlington have drafted a preferred term date model for the 2023-2024 academic year and are now consulting with stakeholders, including Schools and Governing Bodies, to ascertain their preferences.

The tenet of the process in drawing up the proposed calendars has been to take into account:

- The 190 / 195 school day envelope
- The equalizing of term lengths as far as possible
- The fact that Easter dates vary year-on-year.
- Minimising the number of part-weeks by ensuring, as far as possible, that schools open for full weeks (Monday to Friday).

Academy and Free School funding agreements state that the duration of the school year, term and holiday dates are the responsibility of the Academy Trust. Governing Bodies are required to set term and holiday dates in Foundation and Voluntary Aided (VA) schools, in conjunction with the Local Authority. The majority of Darlington Academies and VA Schools have continued to follow published dates despite having the freedom to set their own dates.

In the event that a Governing Body of an Academy or Free School wishes to set its own term dates for 2023-2024, it would be free to do so but would have to carry out consultation with likely affected parties beforehand, including the Local Authority. Governors should be aware that Local Authority services provided on a term-time basis (such as school crossing patrols, transport for swimming etc.) may not be available if their school is open during a week when the majority of Darlington schools are closed. Governors should also consider the impact on families with children at more than one school (one or more of which may also be outside Darlington) in terms of coordinating family holidays or transport to school if they choose to set different term dates to the majority of Darlington schools.

If schools, governors or other interested parties wish to make enquiries or representation about this matter, please contact Paul Richardson, Head of Skills and Employability at Darlington Borough Council by e-mail at paul.richardson@darlington.gov.uk in the first instance.

2. **NEXT STEPS**

Headteachers and Governing Bodies are requested to consider the contents of this paper and the model academic year calendar attached to decide their preferred option. Complete the enclosed form and return it to paul.richardson@darlington.gov.uk by **Friday 2nd July 2021**. Alternatively, for those schools that already have the power conferred on them to do so and who do not wish to adopt the model, they should draw up their own calendar of term dates and consult with their stakeholders (including Darlington Borough Council) accordingly.

DRAFT DARLINGTON LA School Holiday and Term Dates 2023 - 2024

Appendix 1

	AUGUST 2023	SEPTEMBER 2023	OCTOBER 2023	NOVEMBER 2023	DECEMBER 2023	JANUARY 2024
Monday	7 14 21 28	4 11 18 25	2 9 16 23 30	6 13 20 27	4 11 18 25	1 8 15 22 29
Tuesday	1 8 15 22 29	5 12 19 26	3 10 17 24 31	7 14 21 28	5 12 19 26	2 9 16 23 30
Wednesday	2 9 16 23 30	6 13 20 27	4 11 18 25	1 8 15 22 29	6 13 20 27	3 10 17 24 31
Thursday	3 10 17 24 31	7 14 21 28	5 12 19 26	2 9 16 23 30	7 14 21 28	4 11 18 25
Friday	4 11 18 25	1 8 15 22 29	6 13 20 27	3 10 17 24	1 8 15 22 29	5 12 19 26
Saturday	5 12 19 26	2 9 16 23 30	7 14 21 28	4 11 18 25	2 9 16 23 30	6 13 20 27
Sunday	6 13 20 27	3 10 17 24	1 8 15 22 29	5 12 19 26	3 10 17 24 31	7 14 21 28

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32

	FEBRUARY 2024	MARCH 2024	APRIL 2024	MAY 2024	JUNE 2024	JULY 2024
Monday	5 12 19 26	4 11 18 25	1 8 15 22 29	6 13 20 27	3 10 17 24	1 8 15 22 29
Tuesday	6 13 20 27	5 12 19 26	2 9 16 23 30	7 14 21 28	4 11 18 25	2 9 16 23 30
Wednesday	7 14 21 28	6 13 20 27	3 10 17 24	1 8 15 22 29	5 12 19 26	3 10 17 24 31
Thursday	1 8 15 22 29	7 14 21 28	4 11 18 25	2 9 16 23 30	6 13 20 27	4 11 18 25
Friday	2 9 16 23	1 8 15 22 29	5 12 19 26	3 10 17 24 31	7 14 21 28	5 12 19 26
Saturday	3 10 17 24	2 9 16 23 30	6 13 20 27	4 11 18 25	1 8 15 22 29	6 13 20 27
Sunday	4 11 18 25	3 10 17 24 31	7 14 21 28	5 12 19 26	2 9 16 23 30	7 14 21 28

33

24

29

37

Bank Holiday	
School Holiday	
PD Days	

40

32

33

24

29

37

195

The number of term days shown is 195. Up to five of these will be used as professional development days for teaching staff, pupils will not attend these days. Each school determines when these take place and will inform parents.

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Appendix 2

SCHOOL TERM DATES PLANNING – CONSULTATION ON PROPOSED
ARRANGEMENTS FOR 2023-2024

The Governing Body of
School/Academy will adopt the following term date models

2023-2024 Model (local authority proposed option)

☐

School’s own dates (please attach dates to your reply)
(Applicable to Academies, Voluntary Aided and Free
Schools only)

☐

Signed (Headteacher / Chair of Governors): _____

Date: _____

Please complete this form and return it to paul.richardson@darlington.gov.uk by
Friday 2nd July 2021.

In the event that the dates proposed in the enclosed model are rejected by more than half of Darlington Schools expressing a preference, the revised dates with the most preferences from those returned by the deadline date will be presented to the Council’s Cabinet for approval as Darlington’s preferred term dates for 2023-2024. Once ratified by Cabinet, these dates will be published on the LA website for parental guidance.

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CABINET
7 SEPTEMBER 2021

**INTRODUCTION OF A CIVIL FINANCIAL PENALTY POLICY -
MINIMUM ENERGY EFFICIENCY STANDARDS**

**Responsible Cabinet Member -
Councillor Jonathan Dulston, Stronger Communities Portfolio**

**Responsible Director -
Dave Winstanley, Group Director of Services**

SUMMARY REPORT

Purpose of the Report

1. The purpose of this report is to seek approval to utilise powers to be able to issue notices of intention and to impose Civil Penalties where energy efficiency standards fall short of requirements and landlords do not take steps to improve the standards of domestic rented properties.

Summary

2. The Council presently carries out informal action following reactive service requests. The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (as amended in 2016 and 2019), referred to in this report as “the Regulations”, are designed to assist councils tackle the least energy-efficient properties, those rated F or G on their Energy Performance Certificate (EPC).
3. The Regulations establish a minimum standard of EPC band E for domestic private rented properties, affecting new tenancies and renewals since 1 April 2018 and now allow local authorities to issue a Notice of the intention to impose a Civil Penalty of up to a maximum of £5,000. The aim of this policy is to improve standards of domestic rented properties.
4. To enable the Council to introduce the powers, there is a requirement to publish a Civil (Financial) Penalty policy. Utilising best practice from other Local Authorities, including guidance from the Department for Business, Energy and Industrial Strategy (BEIS), an Enforcement Protocol has been developed referred to in this document as the Civil (Financial) Penalty Policy (**Appendix 1**).

Recommendation

5. It is recommended that Cabinet approve and implement the Civil (Financial) Penalty Policy (Appendix 1), to allow notices of intention and civil penalties to be imposed where landlords fail to meet or improve the energy efficiency standards of Private Rented Properties to the required standard.

Reason

6. The recommendation is supported to improve the standards of domestic private rented properties; ensuring homes are of a certain standard, they are more energy efficient and this supports fuel poverty, bringing down energy bills and reducing carbon emissions.

Dave Winstanley
Group Director of Services

Background Papers

Regulations

The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015
www.legislation.gov.uk/uksi/2015/962/pdfs/uksi_20150962_en.pdf

The Energy Efficiency (Private Rented Property) (England and Wales) (Amendment) Regulations 2016
www.legislation.gov.uk/uksi/2016/660/pdfs/uksi_20160660_en.pdf

The Energy Efficiency (Private Rented Property) (England and Wales) (Amendment) Regulations 2019
www.legislation.gov.uk/uksi/2019/595/pdfs/uksi_20190595_en.pdf

Guidance

THE DOMESTIC PRIVATE RENTED PROPERTY MINIMUM STANDARD: Guidance for landlords and Local Authorities on the minimum level of energy efficiency required to let domestic property under the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015, as amended (published by BEIS)
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/882957/Domestic_Private_Rented_Property_Minimum_Standard_-_Landlord_Guidance_2020.pdf

Christine Booth: Extension 6445
CD

S17 Crime and Disorder	Properties that do not have an EPC may be some of the harder to reach private rented homes and are also more likely to fall foul of other legislative requirements. The powers will provide the Council with the ability to ensure Private landlords comply with their legal requirements.
Health and Well Being	The health and wellbeing of residents living in properties where positive enforcement action is taken will benefit from this project.
Carbon Impact and Climate Change	There are direct environmental impacts from this proposal. Effective enforcement of minimum housing standards ensures landlords and agents improve the energy efficiency of houses in the private rented sector. Improvements in energy efficiency are directly linked to a reduction in carbon emissions; therefore this vital energy efficiency related enforcement opportunity would be valuable to this Council priority.
Diversity	There are no implications as a result of this report.
Wards Affected	All Wards have the potential to benefit from this scheme.
Groups Affected	Most vulnerable and low-income families have the potential to benefit from this project.
Budget and Policy Framework	There is no impact on the Council's Budget or Policy Framework.
Key Decision	Yes
Urgent Decision	No
Council Plan	Improving the energy efficiency standards of Private Rented Properties and having the powers to deal with landlords that do not meet the required standards contributes to the outcomes for the Stronger Communities Portfolio.
Efficiency	There is no impact on the Council's Efficiency agenda.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

Legislative Framework

7. Councils have a statutory duty to enforce the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (amended in 2016 and 2019). (See 'Background Papers' for a copy of the relevant regulations).
8. Subject to relevant exemptions, these regulations set a minimum level of energy efficiency that:
 - (a) Since 1 April 2018, landlords of relevant domestic private rented properties must not grant a tenancy to new or existing tenants if their property has an EPC rating of F or G (as shown on a valid EPC for the property);
 - (b) From 1 April 2020, landlords must not continue letting a relevant domestic property which is already let if that property has an EPC rating F or G (as shown on a valid EPC for the property). Where a property is sub-standard, landlords must normally make energy efficiency improvements which raise the EPC rate to minimum E before they let the property. In certain circumstances, landlords may be able to claim an exemption from this prohibition on letting a sub-standard property. Where a valid exemption applies, landlords must register the exemption on the National Private Rented Sector (PRS) Exemptions Register.
9. Darlington Borough Council are authorised to check for different forms of non-compliance with the Regulations and issue penalties for non-compliance. The Community Safety Team enforce both Domestic and Non-Domestic properties, the Private Sector Housing Team - Domestic private rented property and Trading Standards - Non-domestic private rented property.
10. To undertake this enforcement action, the Council will publish an **Enforcement Protocol**: referred to in this report as "the Civil (Financial) Penalty policy" (Appendix 1). This sets out the policy for how the Council will undertake the enforcement duties and arrive at decisions, ensuring they are fair and accountable.
11. The aim of adopting the Civil (Financial) Penalty Policy is to increase the range of measures open to the Council, in tackling non-compliant landlords and to increase the Council's capacity to undertake enforcement where there is clear evidence that contraventions have been committed.

Scope for Enforcement

12. In 2019/20 seven pilot studies across eight English local authorities were delivered which investigated enforcement of these Regulations. Following this, a draft toolkit was developed by Centre Sustainable Energy (CSE) with the Department for Business, Energy and Industrial Strategy (BEIS) support, drawing on findings with example materials developed.

13. In 2020, 12 Local Authorities were chosen to test this draft toolkit. The purpose of the pilot was to further explore the extent to which the toolkit can help streamline process development work, provide off-the-shelf tools to embed within business-as-usual practices; and minimise any additional resources that may be needed for Local Authorities when enforcing the regulations.
14. In 2021, a further competition was announced to test the proposed toolkit. The Private Sector Housing Team submitted a bid for £25,000 to be part of this process which will enable Darlington Borough Council to effectively use these Regulations.
15. We have identified an initial 257 private rented properties in the Borough that are potentially not compliant with the regulations; they have an EPC rating of F/G. We have mapped this data to identify clusters of properties that are not compliant for a proactive and focused approach, ensuring staffing resources are utilised most effectively.
16. As of 29 July 2021, there were 12 exemptions registered formally in Darlington. The exemptions register can be found at <https://prsregister.beis.gov.uk>

The Proposal

17. A proposed Civil (Financial) Penalty Policy (Appendix 1) has been drafted that describes in detail how Darlington Borough Council comes to the decision to issue a financial penalty, the level of fine it will impose, and the process it will follow to issue the penalty in respect of domestic properties.
18. The policy details:
 - (a) An outline of the regulations;
 - (b) How the council will undertake the enforcement duties and make decisions ensuring they are fair and accountable and within the legislation framework (Enforcement protocol);
 - (c) A summary of the available penalties;
 - (d) Factors in determining the level of Civil Penalty;
 - (e) How decisions will be recorded;
 - (f) How a landlord can appeal the decision.
19. This policy has been informed by the earlier Department for Business, Energy and Industrial Strategy (BEIS) pilot schemes while developing:
 - (a) The levels of harm, for example there is a vulnerable tenant in a property, and they have been in the non-compliant property for an extended period, therefore there is a high level of harm;
 - (b) The level of culpability, for example there may be complex issues outside of the landlord's control which have led to non-compliance and therefore a low level of

culpability;

- (c) The fine levels set according to the above. Currently the maximum level of penalty imposed, in relation to breaches of the regulations and as per the Regulations must be no more than £5,000, at an individual property, at a single point of time.
- 20. Darlington Borough Council will initially informally advise Landlords, who rent properties with an EPC of F or G, that they do not meet the minimum energy efficiency standard and are therefore committing an offence under the Regulations.
 - 21. Additionally, the Council will proactively promote the energy efficiency retrofit grants that are available, such as the Green Homes Local Authority Delivery Scheme, to engage positively with non-compliant landlords of domestic properties in the first instance.
 - 22. Landlords will be given an appropriate time, normally 14 days, to respond, either showing evidence that they now have a compliant EPC, or to set out a plan to achieve the required energy efficiency level.
 - 23. They will be warned that if they continue to be in breach after the time given, an investigation will follow and formal enforcement action will be considered, both under these Regulations and the Housing Act 2004.
 - 24. The Council may, in circumstances where a landlord has a history of not complying with housing related regulatory requirements, decide to take formal action without giving an informal opportunity for the landlord to comply.
 - 25. By approving this Civil (Financial) Penalty Policy, this will:
 - (a) Enable the enforcement of the Regulations;
 - (b) Improve the energy efficiency standards of private rented homes in the Borough;
 - (c) Improve health outcomes for residents, ensuring they do not live in homes that are cold and damp, which can exacerbate health conditions such as asthma, angina, arthritis and can lead to respiratory infections and increased risk of stroke and heart attack due to vasoconstriction;
 - (d) Reduce fuel bills and alleviate fuel poverty for Darlington's residents;
 - (e) Contribute to relevant Council strategies e.g., Housing Strategy and Climate Change Strategy.

Legal Implications

- 26. The proposals and attached Civil (Financial) Penalty Policy (Appendix 1) are in accordance with the relevant regulations.

Financial Implications

27. As the council will be working with Landlords to ensure compliance it is not envisaged the level of fines needing to be issued will be significant. If any fines should be issued, the income will be retained by Darlington Borough Council.

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Enforcement Protocol: Minimum Energy Efficiency Standards and Financial Penalty Policy for Domestic Private Rented Properties in relation to The Energy Efficiency (Private Rented Property) (England And Wales) Regulations 2015 (As Amended)

Introduction

1. This policy sets out how the council will use notices of intention and civil penalties where landlords fail to meet or improve the energy efficiency standards of Private Rented Properties to the required standard.
2. The aim of the policy is to improve the standards of domestic private rented properties. Ensuring homes are of a certain standard, they are more energy efficient, and this supports fuel poverty, bringing down energy bills and reducing carbon emissions.
3. This Policy outlines:
 - (a) The regulations;
 - (b) How the council will undertake the enforcement duties and make decisions ensuring they are fair and accountable and within the legislation framework. (Enforcement protocol);
 - (c) A summary of the available penalties;
 - (d) Factors in determining the level of Civil Penalty;
 - (e) How decisions will be recorded;
 - (f) How a landlord can appeal the decision.
4. The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015, as amended (most recently by the Energy Efficiency (Private Rented Property) (Amendment) (England and Wales) Regulations 2019) are referred to in this Policy as “the Regulations”.
5. The Regulations are designed to tackle the least energy-efficient properties in England and Wales – those rated F or G on their Energy Performance Certificate (EPC).
6. The minimum level of energy efficiency means that, subject to certain requirements and exemptions:
 - (a) Since 1 April 2018, landlords of relevant domestic private rented properties must not grant a tenancy to new or existing tenants if their property has an EPC rating of F or G (as shown on a valid EPC for the property);

- (b) From 1 April 2020, landlords must not continue letting a relevant domestic property which is already let if that property has an EPC rating F or G (as shown on a valid EPC for the property). These requirements are referred to in the Regulations as “the prohibition on letting of sub-standard property”
- 7. Since 1 April 2019, a landlord of a sub-standard domestic Private Rented Property (below EPC E) may have to self-fund up to £3,500 (incl. VAT) to bring their property up to standard.
- 8. In certain circumstances, landlords may be able to claim an exemption from this prohibition on letting substandard property. Where a valid exemption applies, landlords must register the exemption on the National PRS Exemptions Register.
- 9. Private Sector Housing Officers are authorised to check for different forms of non-compliance with the Regulations and issue penalties for non-compliance. This document outlines the Council’s Civil Penalty Policy and protocol in relation to the Regulations.
- 10. Darlington Borough Council intends to identify landlords that are not meeting the minimum requirements and determine if it is then appropriate to make a financial penalty and if so, whether or not that financial penalty is published.
- 11. As part of a proactive enforcement approach, the Council will also carry out visits under the Housing Act 2004 to undertake assessments under the Housing Health and Safety Rating System. This approach will enable the Council to advise landlords on what actions are necessary for them to take in order for them to be compliant.

Outline of the Regulations

- 12. Minimum Energy Efficiency Standard (MEES) regulations set a minimum energy efficiency standard of Energy Performance Rating E for domestic private rented properties in England and Wales. Local authorities are required to enforce the Regulations which apply to new tenancies starting after 1 April 2018.
- 13. Since 1 April 2019, a landlord of a sub-standard domestic Private Rented Property (below EPC E) may have to self-fund up to £3,500 (incl. VAT) to bring their property up to standard, or file an exemption if one applies.
- 14. The minimum standards do not apply in the social housing sector.

Regulation 23: Prohibition on letting of sub-standard property

- 15. The minimum level of energy efficiency means that, subject to certain requirements and exemptions:
 - (a) Since 1 April 2018, landlords of relevant domestic private rented properties must not grant a tenancy to new or existing tenants if their property has an EPC rating of F or G (as shown on a valid EPC for the property);

- (b) From 1 April 2020, landlords must not continue letting a relevant domestic property which is already let if that property has an EPC rating F or G (as shown on a valid EPC for the property).
- 16. These requirements are referred to in the Regulations and in this policy as “the prohibition on letting of sub-standard property”.
- 17. Where a property is sub-standard, landlords must normally make energy efficiency improvements which raise the EPC rate to minimum E before they let the property. In certain circumstances, landlords may be able to claim an exemption from this prohibition on letting sub-standard property.
- 18. The tenancy types are:
 - (a) An assured tenancy (including an assured short hold tenancy) as defined in the Housing Act 1988;
 - (b) A regulated tenancy defined in the Rent Act 1977; and
 - (c) A domestic agricultural tenancy as set out in the Energy Efficiency (Domestic Private Rented Property) Order 2015.
- 19. Where a landlord appears to be, or to have been at any time within the preceding 12 months, in breach of regulation 23 “Prohibition on letting of sub-standard property”, the Council may under Regulation 37 serve a compliance notice on a landlord up to 12 months after the suspected breach.
- 20. This means that a person may be served with a notice after they have ceased to be the landlord of the property.
- 21. The Council may serve a penalty notice on a landlord in any case where it is satisfied that the landlord is, or has been at any time in the 18 months preceding the date of service of the penalty notice, in breach of one or more of regulations 23 or 37 imposing a financial penalty, a publication penalty, or both a financial penalty and a publication penalty.
- 22. A publication penalty means that the enforcement authority will publish some details of the landlord’s breach on a publicly accessible part of the Private Rented Sector (PRS) Exemptions Register. The enforcement authority can decide how long to leave the information on the Register, but it will be available for the public to view for at least 12 months.
- 23. Where the Council decides to impose a financial penalty, they have the discretion to decide on the amount of the penalty, up to maximum limits set by the Regulations. The maximum penalties are as follows:
 - (a) Where the landlord has let a sub-standard property in breach of the Regulations for a period of less than 3 months, the Local Authority may impose a financial penalty of up to £2,000 and may impose the publication penalty.

- (b) Where the landlord has let a sub-standard property in breach of the Regulations for 3 months or more, the Local Authority may impose a financial penalty of up to £4,000 and may impose the publication penalty.
- (c) Where the landlord has registered false or misleading information on the PRS Exemptions Register, the Local Authority may impose a financial penalty of up to £1,000 and may impose the publication penalty.
- (d) Where the landlord has failed to comply with the compliance notice, the Local Authority may impose a financial penalty of up to £2,000 and may impose the publication penalty.

A summary of the available penalties & Factors in determining the level of Civil Penalty

24. The process for determining the financial penalty to be imposed has two steps.

Seriousness of the offence (the more serious the offence the higher the penalty).

Offence	Band 1	Band 2	Band 3
The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015	Providing false or misleading information on the PRS Exemptions Register.	Renting out a non-compliant property - Breach for less than three months; failed to comply with a compliance notice	Renting out a non-compliant property - Breach for three months or more

Level of severity

Band	Band 1	Band 2	Band 3
Low	£400	£800	£2,500
Medium	£600	£1,200	£3,000
High	£800	£1,600	£3,500
Very high	£1,000	£2,000	£4,000

The level of severity within the allotted band determines the level of the financial penalty.

- 25. Where penalties are imposed under more than one of bands, the total amount of the financial penalty may not be more than £5,000.
- 26. It is important to note that this maximum amount of £5,000 applies per property, and per breach of the Regulation. This means that the local enforcement authority may levy financial penalties up to £5,000 every time a landlord unlawfully lets the same substandard property on a new tenancy.

Further Guidance

[The Domestic Private Rented Property Minimum Standard](#)

Enforcement Protocol: Minimum Energy Efficiency Standards

27. In the first instance the Council will informally advise Landlords who rent properties with an EPC of F or G that they do not meet the minimum energy efficiency standard and are therefore committing an offence under the Regulations.
28. Landlords will be given an appropriate time, normally 14 days, to respond to this advice, either showing evidence that they now have a compliant EPC or to set out a plan to achieve the required energy efficiency level.
29. Additionally, the Council will proactively promote the energy efficiency retrofit grants that are available, such as the Green Homes Local Authority Delivery Scheme, to engage positively with non-compliant landlords of domestic properties in the first instance.
30. They will be warned that if they continue to be in breach after the time given, an investigation will follow and formal enforcement action will be considered, both under the Regulations and the Housing Act 2004.
31. The Council may in circumstances where a landlord has a history of not complying with housing related regulatory requirements, decide to take formal action without giving an informal opportunity for the landlord to comply.
32. The Council has the power to serve Compliance Notices to request information from the landlord that will help them to decide whether there has been a breach. Darlington Borough Council will serve Compliance Notices where additional information is required.
33. The Council will consider serving Penalty Notices where a landlord fails to comply with the Compliance Notice or provides information under the Compliance Notice that shows that the property does not comply with the Regulations.
34. The Council will check the National PRS Exemptions Register and if it believes a landlord has registered false or misleading information it will consider serving a financial penalty.
35. If breaches under these regulations are committed the Council will, where appropriate, serve a Penalty Notice. This protocol provides guidance on how officers will determine the appropriate penalty.
36. Under regulation 39 the Local Authority may publish some details of the landlord's breach on a publicly accessible part of the PRS Exemptions Register.
37. Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015, as amended that it is the duty of local authorities to enforce:
 - (a) Regulation 23 - A landlord may not let a domestic property with an EPC rating of F or G unless they meet the criteria for an exemption and that exemption has been registered on the PRS Exemptions Register.

- (b) Regulation 37(4)(a) and (b) - A landlord must comply with the requirements of any compliance notice issued by an enforcing authority and allow the enforcing authority to take copies of any original documentation produced. If an enforcement authority believes a landlord may be in breach of regulation 23, they may serve the landlord with a compliance notice under regulation 37, requesting information to help them determine whether a breach has occurred.
- 38. The Council may serve a compliance notice up to 12 months after a suspected breach occurred.
- 39. Any notice that is served under the Regulations must be in writing and may be sent in hard copy or electronically. Where a notice is served on a corporate body it may be given to the secretary or clerk of that body if a suitable named individual cannot be identified. Where a notice is served on a partnership, it may be addressed to any partner, or to a person who has control or management of the partnership business.

Compliance Notice

- 40. A compliance notice served by an enforcement authority may request either the original or copies of the following information:
 - (a) The EPC that was valid for the time when the property was let;
 - (b) Any other EPC for the property in the landlord's possession;
 - (c) The current tenancy agreement used for letting the property;
 - (d) Any Green Deal Advice Report in relation to the property;
 - (e) Any other relevant document that the enforcement authority requires in order to carry out its compliance and enforcement functions. The compliance notice may also require the landlord to register copies of the requested information on the PRS Exemptions Register.
- 41. The compliance notice will specify:
 - (a) The name and address of the person that a landlord must send the requested information to;
 - (b) The date by which the requested information must be supplied (the notice must give the landlord at least one calendar month to comply).
- 42. The landlord must comply with the compliance notice by sending the requested information to the enforcement authority and allow copies of any original documents to be taken. Failure to provide documents or information requested by a compliance notice, or failure to register information on the PRS Exemptions Register as required by a compliance notice, may result in a penalty notice being served.
- 43. The enforcement authority may withdraw or amend the compliance notice at any time in writing, for example where new information comes to light.

44. The enforcement authority may also use the documents provided by the landlord or any other information it holds to decide whether the landlord is in breach of the Regulations.
45. It is the decision of the enforcement authority or its authorised officer to determine what action is appropriate when they determine that breaches of the regulations are being committed.
46. It may be that providing advice and information is sufficient to ensure compliance. In some cases educating the landlord regarding the benefits of making cost-effective energy efficiency improvements to their property may be all the encouragement needed to ensure compliance with the requirements.
47. However, in some cases, it may be that only imposing a penalty will do. It is for the enforcement authority or its authorised officer to decide what is the appropriate action in the circumstances.

Penalty Notice

48. The penalties set out in this regulation apply where L is, or was, the landlord of a domestic private rented property. Below outlines the penalties that may be imposed by the enforcement:
 - (a) Where L has breached regulation 23 and, at the time the penalty notice is served has, or had, been in breach for less than three months, the penalties are—
 - (i) A financial penalty not exceeding £2,000, and
 - (ii) The publication penalty.
 - (b) Where L has breached regulation 23 and, at the time the penalty notice is served has, or had, been in breach for three months or more, the penalties are—
 - (i) A financial penalty not exceeding £4,000, and
 - (ii) The publication penalty.
 - (c) Where L has registered false or misleading information under regulation 36(2), the penalties are—
 - (i) A financial penalty not exceeding £1,000, and
 - (ii) The publication penalty.
 - (d) Where L has failed to comply with a compliance notice in breach of regulation 37(4)(a), the penalties are—
 - (i) A financial penalty not exceeding £2,000, and
 - (ii) The publication penalty.
49. The total financial penalties imposed on the Landlord in relation to the breaches in regulations outlined above must be no more than £5,000.

Factors in determining the level of Civil Penalty

50. In determining the Civil Penalty amount, Darlington Borough Council will have regard to the statutory guidance outlined above and also to the Civil Penalty Policy for Housing Standards (taking into account Culpability of the offender and the potential for tenant harm) to ensure a cohesive approach is taken.
51. The process for determining the financial penalty to be imposed has two steps. The culpability of the offender as set out in the regulations and the level of severity taking into account the potential for tenant harm. Collectively these factors identify the seriousness of the offence. The seriousness is then categorised, which then will be used to determine the amount of penalty as shown in the tables below.

Seriousness of the offence (the more serious the offence the higher the penalty).

Offence	Band 1	Band 2	Band 3
The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015	Providing false or misleading information on the PRS Exemptions Register.	Renting out a non-compliant property - Breach for less than three months; failed to comply with a compliance notice	Renting out a non-compliant property - Breach for three months or more

Level of severity

Band	Band 1	Band 2	Band 3
Low	£400	£800	£2,500
Medium	£600	£1,200	£3,000
High	£800	£1,600	£3,500
Very high	£1,000	£2,000	£4,000

Consideration of Aggravating and Mitigating Factors

52. Officers may then consider it appropriate to adjust the penalty from that determined in the table either up or down. If there are particular aggravating or mitigating factors such as landlord has a previous history of non-compliance with housing related regulatory requirements. Factors may come to light as part of the investigation for the breaches these adjustments will be made and included in the Financial Penalty.
53. Factors affecting severity can include:
- (a) First breach under these regulations, no previous history of non-compliance of with Housing related regulatory requirements.
 - (b) Complex issues partially out of control of the landlord have led to non-compliance.

- (c) EPC score close to minimum acceptable EPC rating (E).
 - (d) Low EPC rating e.g. G or close to G rating.
 - (e) No vulnerable tenants and/or short period of non-compliance.
 - (f) A determination of the offender's history of legal compliance.
 - (g) Landlord has failed to comply with requests to comply with these regulations.
 - (h) Knowingly or recklessly providing incorrect information in relation to exemptions to these regulations.
 - (i) Vulnerable tenants occupying property and/or, extended period of time since non-compliance.
54. Details of these factors will be included in the Penalty Notice. In addition factors may be provided in representations from a landlord in his request to review after the Penalty Notice has been served. Officers will have regard to these factors and adjust the penalty to increase (up to the Maximum of £5000) or to reduce the penalty as they feel appropriate.
55. The Council must check whether the level of penalty is proportionate to the overall means of the defendant. If necessary the initial amount may be amended to ensure it fulfils the general principles outlined above.
56. The Council will, when issuing a financial penalty for more than one offence, or where an offender has also been issued with another financial penalty, consider the total penalties are just and appropriate to the offending behaviour and make adjustments accordingly. The overriding principle is that the overall penalty must be just and proportionate.
57. The penalty notice will:
- (a) Specify the provision of these Regulations which the enforcement authority believes the landlord has breached;
 - (b) Give such particulars as the enforcement authority considers necessary to identify the matters constituting the breach;
 - (c) Specify—
 - (i) Any action the enforcement authority requires the landlord to take to remedy the breach;
 - (ii) The period within which such action must be taken;
 - (d) Specify—

- (i) The amount of any financial penalty imposed and, where applicable, how it has been calculated;
 - (ii) Whether the publication penalty has been imposed;
 - (e) Require the landlord to pay any financial penalty within a period specified in the notice;
 - (f) Specify the name and address of the person to whom any financial penalty must be paid and the method by which payment may be made;
 - (g) State the effect of regulations 42 to 45, and
 - (h) Specify—
 - (i) The name and address of the person to whom a notice requesting a review in accordance with regulation 42 may be sent (and to whom any representations relating to the review must be addressed), and
 - (ii) The period within which such a notice may be sent.
58. Where a landlord fails to take the action required by a penalty notice within the period specified in that penalty notice, the enforcement authority may issue a further penalty notice.
59. The Council will check that the penalty is proportionate to the overall means of the offender and if there are multiple offences the Council will ensure the maximum penalty does not exceed £5,000. If two or more Penalty Notices apply, the statutory maximum per set of breaches at an individual property at a single point of time will be £5000.

Review of the penalty

60. A landlord has the right to ask the enforcement authority to review its decision to serve a penalty notice.
61. Where the penalty has been amended following a review. The landlord will be served a Notice after the review with an explanation of any adjustment made.
62. A landlord has the right to ask the enforcement authority to review its decision to serve a penalty notice.
63. Any request for review must be submitted to the Council within 28 days of the Penalty Notice being served.
64. Requests for review after the prescribed time will be considered at the Council's discretion if there is good reason for failing to comply with the time limit set in the Notice.

65. Appeals concerning penalties are initially to be made to the Council. This request must be made in writing (by a period of fourteen days beginning with the day after that on which the notice was given) to:

Private Sector Housing, Feethams, Darlington Town Hall, DARLINGTON, DL1 5QT.

66. When the Council receives the request, everything the landlord has said in the request will be considered and a decision will be made whether or not to withdraw the penalty notice.
67. On a review the Council may—
- (a) Waive a penalty;
 - (b) Allow the landlord additional time to pay any financial penalty;
 - (c) Substitute a lower financial penalty where one has already been imposed; or
 - (d) Modify the application of a publication penalty.
68. The Council must serve a further notice on the landlord withdrawing the penalty notice if, on a review the Council—
- (a) Ceases to be satisfied that the landlord committed the breach specified in the penalty notice;
 - (b) Is satisfied that the landlord took all reasonable steps and exercised all due diligence to avoid committing the breach specified in the penalty notice; or
 - (c) Decides that in the circumstances of the case it was not appropriate for a penalty notice to be served on Landlord.
69. If the Council does not decide to withdraw the penalty notice, a decision may be made to waive or reduce the penalty, allow the landlord additional time to pay, or modify the publication penalty, and must explain the appeals process and how financial penalties can be recovered.
70. The Council will inform the landlord of the decision reached in writing If the Council upholds a penalty notice on appeal.

Appeals

71. If, after a review, a penalty notice is confirmed by the enforcement authority, The landlord may appeal to the First-tier Tribunal on the grounds that—
- (a) The issue of the penalty notice was based on an error of fact;
 - (b) The issue of the penalty notice was based on an error of law;
 - (c) The penalty notice does not comply with a requirement imposed by these Regulations; or

- (d) In the circumstances of the case it was inappropriate for the penalty notice to be served on Landlord.

Record of the Decision

- 72. A record of each decision and the reasons for the financial / publication penalty will be made by an appropriate officer and how the amount of the penalty was obtained and the reasons for imposing it.

Recovery of financial penalties

- 73. If a landlord does not pay a financial penalty imposed on them, the enforcement authority may take the landlord to court to recover the money. In proceedings for the recovery of a financial penalty a certificate signed by or on behalf of the person with responsibility for the financial affairs of the enforcement authority and stating that payment of the financial penalty was or was not received by a given date, will be accepted as evidence of the landlord's non-compliance with the penalty notice.
- 74. The Council may not take the landlord to court to recover the money:
 - (a) During the period in which the landlord could ask the enforcement authority to review their decision to serve the penalty notice, or while they are reviewing their decision to serve the penalty notice; or
 - (b) During the period in which the landlord could appeal to the First-tier Tribunal, or while there is an ongoing appeal to the First-tier Tribunal, against the penalty notice.

Publication Penalty

- 75. A publication penalty means that Darlington Borough Council will publish some details of the landlord's breach on a publicly accessible part of the PRS Exemptions Register. The Council can decide how long to leave the information on the Register, but it will be available for view by the public for at least 12 months.
- 76. The information that the Council may publish is:
 - (a) The landlord's name (except where the landlord is an individual);
 - (b) Details of the breach;
 - (c) The address of the property in relation to which the breach occurred;
 - (d) The amount of any financial penalty imposed.
- 77. The Council may decide how much of this information to publish. However, the Council may not place this information on the PRS Exemptions Register while the penalty notice could be, or is being reviewed by the Council or while the Council's decision to uphold the penalty notice could be, or is being, appealed.

CABINET
7 SEPTEMBER 2021

PLAYING PITCH AND FACILITIES STRATEGY

Responsible Cabinet Member -
Councillor Kevin Nicholson, Health and Housing Portfolio

Responsible Director -
Dave Winstanley, Group Director of Services

SUMMARY REPORT

Purpose of the Report

1. To present to Members the updated Playing Pitch and Built Facilities Strategy for approval.

Summary

2. The Playing Pitch and Facilities Strategy is updated on a periodic basis to reflect actions taken, new guidance and the future direction of travel to ensure the Council, Partners and other parties are best placed to improve facilities across the borough.
3. This updated strategy (attached at **Appendix 1**) gives consideration to both indoor and outdoor sports facilities (including playing pitches) and sets out the strategic direction and site-specific priorities for the future delivery of sports facilities across the borough until 2031. It will remain a valid document for the period 2021–2025, when the next review will be undertaken.
4. The report outlines:
 - (a) An overview of the previous five years improvement and investment in infrastructure.
 - (b) Re-affirms the vision and the drivers for the strategy covering a range of sporting activity.
 - (c) Updates the strategy and action plan following a recognised Sport England methodology and consultation process with key stakeholders.

Recommendation

5. It is recommended that Cabinet approve the Playing Pitch and Built Facilities Strategy.

Reasons

6. The recommendations are supported by the following reasons:
- (a) To inform the Local Plan and to deliver the requirements of the National Planning Policy Framework;
 - (b) To ensure ongoing sustainability of the facility stock, ensuring that facilities are effectively managed and maintained and that best uses are made of existing resources;
 - (c) To drive participation in sport and leisure within the Borough.

Dave Winstanley
Group Director of Services

Background Papers

No background papers were used in the preparation of this report.

Ian Thompson : Extension 6628
CD

S17 Crime and Disorder	By providing appropriate playing pitches and facilities can have a positively impact on reducing Crime and Disorder.
Health and Well Being	By providing appropriate playing pitches and facilities has a positive impact on the health and wellbeing of residents.
Carbon Impact and Climate Change	No impact
Diversity	There is no on the diversity agenda as a result of this report.
Wards Affected	All wards
Groups Affected	There is a positive impact on sporting groups and clubs.
Budget and Policy Framework	There is no impact on the Budget and Policy framework.
Key Decision	No
Urgent Decision	No
Council Plan	The Playing Pitch and Facilities Strategy supports the vision for Health and Housing Portfolio by putting in place the foundations for access to excellent leisure facilities.
Efficiency	There is no impact on Efficiency.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers.

MAIN REPORT

Information and Analysis

7. In May 2019, Darlington Borough Council appointed WYG to update the Sports Facilities Strategy that was previously published in 2014. This updated strategy gives consideration to both indoor and outdoor sports facilities (including playing pitches) and sets out the strategic direction and site-specific priorities for the future delivery of sports facilities across the borough until 2031. It will remain a valid document for the period 2021 – 2025.

Review of Previous Five Years

8. Darlington's existing Playing Pitch and Sports Facilities Strategy has successfully driven significant improvement and investment into the sporting infrastructure across Darlington Borough. Successes include:
 - (a) Provision of a new 3G AGP at Eastbourne Sports Complex in partnership with the Football Foundation
 - (b) Provision of new sand based AGP at Carmel College
 - (c) Provision of new football pitches at Staindrop Road
 - (d) Implementation of new Community Use agreements at key school sites
 - (e) Relocation of Darlington FC to Blackwell Meadows and drainage works completed to ensure facility is fit for purpose
 - (f) Investment into the improvement of bowling green quality following a successful Inspired Facilities Funding application
 - (g) Significant investment into the Dolphin Centre resulting in improving facilities and long-term sustainability.
9. This strategy seeks to build upon these successes and to deliver the sporting vision for the borough up to 2031. The vision for the strategy therefore remains the same, specifically:

‘to develop a comprehensive, robust, up to date and user-friendly assessment of sports provision and need in Darlington to ensure that the right amount and type of sports facilities are protected, and where appropriate enhanced to provide a range of quality, accessible and safe facilities, in the right place at the right time to meet the needs of the community now and in 2031.
10. The key drivers for refreshing the Playing Pitch Strategy are to:
 - (a) Inform the local plan and to deliver the requirements of the National Planning Policy Framework.
 - (b) Ensure ongoing sustainability of the facility stock - ensuring that facilities are effectively managed and maintained and that best uses are made of existing resources

- (c) Drive participation in sport and leisure within Darlington Borough.
- 11. The review of the strategy also considers the impact of the projected population growth in the borough.
- 12. The strategy has been updated to ensure that the audit of supply and demand reflects the current situation and that actions remain reflective of current need and take into account the changing ways in which sports are played, as well as the impact of changes that have occurred between 2014 and 2020.
- 13. The final outcome is an updated project action plan (See Appendix 1). This action plan will be used to monitor the delivery of the required actions and will also be used to provide evidence on which to secure funding and helps support the investment and the infrastructure of the Sporting Facility provision in Darlington from 2021 onwards.

Structure

- 14. This updated strategy considers the adequacy of existing provision to meet current projected future need and sets strategic and site-specific priorities for a range of facilities including:
 - (a) Playing pitches for football, cricket, rugby and hockey.
 - (b) Outdoor sports facilities including tennis and bowls.
 - (c) Indoor built facilities including swimming pools, sports halls and community halls.
 - (d) Specialist provision including golf courses, skateparks, athletics tracks and climbing.
- 15. This is the strategy document, which briefly summaries the key issues across Darlington Borough Council and sets out the action plan for addressing the key issues. The accompanying assessment report summarises the data collated and sets out the evidence underpinning the recommendations and action plan.
- 16. The remainder of this strategy is therefore set out as follows:
 - (a) Section 2 – Methodology
 - (b) Section 3 – Context
 - (c) Section 4 – Action Plan, Implementation, Monitoring and Review.

Methodology

- 17. This update has been undertaken in line with guidance by Sport England (Assessing Needs and Opportunities Guide for Indoor and Outdoor Sports Facilities; 2014) and 'Playing Pitch Guidance, An Approach to Developing and Delivering a Playing Pitch Strategy (Sport England 2013). The Playing Pitch Guidance note sets out the requirement for the delivery of a playing pitch strategy for football, cricket, rugby and hockey. It advocates a ten step approach, as illustrated below.



Financial Implications

18. Any financial implications as a result of delivering the action plan will be brought back to Cabinet as any scheme progresses. Officers will continue to work with governing bodies to identify any potential funding opportunities

Consultation

19. A significant amount of consultation was carried out over a longer period than usual because of interruptions with the COVID-19 pandemic. The majority of the consultation took place between June 2019 and February 2020, with further work, mostly with Governing Bodies, from February 2021 to May 2021.
20. Partners and consultees involved in the consultation process and development of the updated strategy were as follows:
 - (a) Sport England
 - (b) England Cricket Board
 - (c) The Football Association
 - (d) Lawn Tennis Association
 - (e) England Hockey
 - (f) Rugby Football Union
 - (g) England Athletics
 - (h) Football Foundation
 - (i) Tees Valley Sport

- (j) Darlington Borough Council Leisure Services
- (k) Darlington Borough Council Planning Team
- (l) WYG Associates
- (m) Darlington Voluntary Sector Clubs and Community Groups (whole range)
- (n) Darlington School Sport Partnership

Outcome of Consultation

21. The outcome of the detailed consultation has been built into the Action Plan detailed in pages 51-60 of Appendix 1.
22. Communities and Local Services Scrutiny Committee considered the Playing Pitch and Facilities Strategy on 19 August 2021 and it was resolved:
 - (a) *That the report be received.*
 - (b) *That Cabinet be advised of this Scrutiny's view that:*
 - (i) *consideration should be given to the introduction of a Street Sports and Play Strategy.*
 - (ii) *consideration should be given to the utilisation of the Covid Fund towards the provision and improvement of sports facilities in Darlington.*
 - (iii) *a paragraph be included in the Strategy, providing clear, explicit information in respect of the disabled sports provision in Darlington.*



APPENDIX 1

Darlington Borough Council

Playing Pitch Strategy (PPS) and Built Facility Strategy (BFS) Update



March 2021

Prepared on behalf of Darlington Borough Council
By WYG Environment Planning Transport Limited

Quay West at MediaCityUK, Trafford Wharf Road, Trafford Park, Manchester, M17 1HH
Tel: +44 (0)161 872 3223 Fax: +44 (0)161 872 3193
Email: Website: www.wyg.com

WYG Environment Planning Transport Limited. Registered in England & Wales Number: 03050297
Registered Office: Arndale Court, Otley Road, Headingley, Leeds, LS6 2UJ



Playing Pitch and Built Facility Strategy

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Playing Pitch and Built Facility Strategy

1.0 Introduction and Context

1.1 Introduction

- 1.1.1 In May 2019, Darlington Borough Council appointed WYG to update the Sports Facilities Strategy that was previously published in 2014. This updated strategy gives consideration to both indoor and outdoor sports facilities (including playing pitches) and sets out the strategic direction and site-specific priorities for the future delivery of sports facilities across the borough until 2031. It will remain a valid document for the period 2020 – 2025.

Strategic Vision

- 1.1.2 The 2014 Playing Pitch Strategy and Sports Facility Strategy has successfully driven significant improvement and investment into the sporting infrastructure across Darlington Borough. Successes include:

- Provision of a new 3G AGP at Eastbourne Sports Complex in partnership with the Football Foundation
- Provision of new sand based AGP at Carmel College
- Provision of new football pitches at Staindrop Road
- Implementation of new Community Use agreements at key school sites
- Relocation of Darlington FC to Blackwell Meadows and drainage works completed to ensure facility is fit for purpose
- Investment into the improvement of bowling green quality following a successful Inspired Facilities Funding application
- Significant investment into the Dolphin Centre resulting in improving facilities and long-term sustainability.

- 1.1.3 This strategy seeks to build upon these successes and to deliver the sporting vision for the borough up to 2031. The vision for the strategy therefore remains the same, specifically:

'to develop a comprehensive, robust, up to date and user friendly assessment of sports provision and need in Darlington to ensure that the right amount and type of sports facilities are protected, and where appropriate enhanced to provide a range of quality, accessible and



Playing Pitch and Built Facility Strategy

safe facilities, in the right place at the right time to meet the needs of the community now and in 2031.

1.2 Key Drivers

1.2.1 The key drivers for refreshing the Playing Pitch Strategy are to:

- Inform the local plan (shortly to be examined) and to deliver the requirements of the National Planning Policy Framework (paragraphs 96 and 97)
- Ensure ongoing sustainability of the facility stock – ensuring that facilities are effectively managed and maintained and that best uses are made of existing resources
- Drive participation in sport and leisure within Darlington Borough.

1.2.2 The review of the strategy also considers the impact of the projected population growth in the borough.

1.2.3 The strategy has been updated to ensure that the audit of supply and demand reflects the current situation and that actions remain reflective of current need and take into account the changing ways in which sports are played, as well as the impact of changes that have occurred between 2014 and 2020. The final outcome is an updated project action plan. This action plan will be used to monitor the delivery of the required actions and will also be used to provide evidence on which to secure funding.

1.2.4 The above drivers continue to link to the planning objectives adopted by Sport England, which are illustrated in Figure 1.1. These objectives recognise the overarching benefits of providing sports facilities for a local community. Specifically, they seek to protect sports facilities from loss as a result of redevelopment, to enhance existing facilities through improving their quality, accessibility and management and to provide new facilities that are fit for purpose to meet current and future participation needs. Figure 1.1 illustrates how these components link together.



Playing Pitch and Built Facility Strategy

Figure 1.1 – Key drivers





Playing Pitch and Built Facility Strategy

1.3 Structure

1.3.1 This updated strategy considers the adequacy of existing provision to meet current and projected future need and sets strategic and site-specific priorities for a range of facilities including:

- Playing pitches for football, cricket, rugby and hockey
- Outdoor sports facilities including tennis and bowls
- Indoor built facilities including swimming pools, sports halls and community halls
- Specialist provision including golf courses, skateparks, athletics tracks and climbing.

1.3.2 This is the strategy document, which briefly summarises the key issues across Darlington BC and sets out the action plan for addressing the key issues. The accompanying assessment report summarises the data collated and sets out the evidence underpinning the recommendations and action plan.

1.3.3 The remainder of this strategy is therefore set out as follows;

- Section 2 – Methodology
- Section 3 – Context
- Section 4 – Action Plan, Implementation, Monitoring and Review



Playing Pitch and Built Facility Strategy

2.0 Methodology

2.1 Introduction

- 2.1.1 This update has been undertaken in line with guidance by Sport England (Assessing Needs and Opportunities Guide for Indoor and Outdoor Sports Facilities; 2014) and 'Playing Pitch Guidance, An Approach to Developing and Delivering a Playing Pitch Strategy (Sport England 2013).
- 2.1.2 The key principles of the methodology and the tasks that have been undertaken to update the 2015 strategy document are summarised in the remainder of this section. The methodology has been tailored based upon detailed discussions with the project steering group, building upon the work undertaken to deliver the previous action plan, as well as local knowledge and a clear understanding of the patterns of sports participation.
- 2.1.3 As in the original strategy document, reflecting the compact nature of Darlington, the adequacy of facilities is analysed throughout this assessment at a Borough wide level. The steering group determined that patterns of facility usage mean that it is not appropriate to subdivide the area further. Site specific analysis and the location of each site within the town are however taken into account when evaluating the adequacy of provision, as well as during the strategy development and action planning process.
- 2.1.4 Further detail on the methodology can be found in the assessment report.

2.2 Methodology - Playing Pitch Guidance – An Approach to Delivering a Playing Pitch Strategy

- 2.2.1 The Playing Pitch Guidance note sets out the requirement for the delivery of a playing pitch strategy for football, cricket, rugby and hockey. It advocates a 10-step approach, as illustrated in Figure 2.1.



Playing Pitch and Built Facility Strategy

Figure 2.1 – Ten Step Approach



2.2.2 The tasks undertaken as part of this playing pitch strategy update were as follows.

Step 1 - Tailoring the Approach

2.2.3 The scope of the updates for each sport were defined with the Steering Group and Sport England and agreed individually with each National Governing Body. This ensures that resources are focused on updating information where it is most required.

Steps 2 and 3 - Gather Supply and Demand Information and Views

Supply and Demand

2.2.4 The previous PPS included a full audit of pitches and assessment of demand for each sport across the Borough. This was updated to reflect the 2020 position using the following methodology:



Playing Pitch and Built Facility Strategy

a. Football

- Update of the existing supply audit using local knowledge and a small selection of site visits to ensure that pitch assessments are still relevant and to take account of known changes.
- Use of FA affiliation data (cross checked) to update demand data
- Review and integration of consultation undertaken as part of the recently completed Local Football Facilities Plan (LFFP). Large clubs were also contacted to offer an additional opportunity to input any further thoughts or issues
- Additional consultation was carried out with Darlington Sunday Football League

b. Cricket

- Update of the existing supply audit using local knowledge and a full set of site visits carried out during the cricket season
- Consultation survey distributed to all clubs

c. Rugby

- Update of the existing supply audit using local knowledge and site visits carried out during the rugby season
- Use of RFU affiliation data
- Consultation with Darlington RFC
- Engagement with Darlington Mowden Park RFC as part of the discussions relating to a potential sports village

d. Hockey

- Use of England Hockey affiliation data to update demand figures
- Discussions at the quarterly hockey meeting that takes place between the club, Council and school used to inform the strategy update process.

Steps 4, 5 and 6 – Assessing the Supply and Demand Information and Views

- 2.2.5 The supply and demand information collated has been used, in line with the Sport England methodology, to update calculations undertaken in 2015 to:



Playing Pitch and Built Facility Strategy

- Understand the situation at individual sites;
- Develop the current and projected future pictures for each sport; and
- Identify the key findings and issues that need to be addressed.

Steps 6 - 10 Develop the Strategy and Deliver the Strategy and Keep it Up to Date and Robust

2.2.6 The strategy and action plan use the updated issues identified to set out a strategic framework for the provision of pitches. Recommendations and priorities have been developed following extensive scenario testing and in conjunction with key stakeholders (both internal to the Council and external). The resulting action plan will be used to inform the delivery of the key priorities and to monitor the success of the strategy.

Non-Pitch Sports - Sport England (Assessing Needs and Opportunities Guide for Indoor and Outdoor Sports Facilities; 2013)

Outdoor Sports

2.2.7 For bowls and tennis, the assessment stages (Phase A) of the Assessing Needs and Opportunities Guide (ANOG) approach are as follows:

- Stage 1 – Prepare and tailor your assessment
- Stage 2 – Gather information on supply and demand
- Stage 3 – Assessment, bring the information together.

2.2.8 For both of these sports, an updated audit of existing supply and demand was developed and updated drawing upon local knowledge, as well as discussion with NGBs and the Parks Bowls Association.

2.2.9 The key issues identified underpin the action plan.

Indoor / Built Facilities

2.2.10 For indoor / built facilities, the strategy has been updated as a desk-based exercise. This has drawn upon the recently completed Sports Facility Planning Model (fpm) review which was completed as part of an assessment to examine the direct impact of growth as well discussions with key council officers, Sport England and relevant National Governing Bodies of Sport (NGBS).



Playing Pitch and Built Facility Strategy

- 2.2.11 The remainder of this document therefore provides an overview of each sport across Darlington Borough, outlining the changes that have taken place since the previous sports facility was produced and identifying the issues that need to be addressed.
- 2.2.12 Section 3 provides a summary of all of the key issues identified while section 4 summarises the actions that will be undertaken to address these issues.

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Playing Pitch and Built Facility Strategy

3.0 Context

- 3.1.1 This section provides a summary of the context for each sport considered within Darlington Borough and summarises the key issues that have been identified.
- 3.1.2 Full detail is found in the assessment report (under separate cover).
- 3.1.3 The recommendations and strategic priorities to address the identified issues are set out in Section 4.

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Playing Pitch and Built Facility Strategy



Table 3.1 – Summary and Key Issues for Football

Summary	Assessment Findings	Specific Facility Issues
Supply	<ul style="list-style-type: none"> 88 pitches in total, the majority of which are secured for community use Availability in education sector remains strong Glebe Road, McMullen Road and Croft Working Mens Club have all previously contained football pitches but do not currently do so. There is also scope to mark out more pitches at other sites There are three 3G AGPs, all of which are on the FA pitch register and can be used for both competitive fixtures and training. The pitch at Eastbourne Sports Complex has been developed since the last strategy document With regards quality, While most pitches remain in the standard category, it is evident that many are now towards the lower end of this category (ie. achieving scores of around 50%) and very few pitches achieved scores of over 60%. Site visits also reveal that some pitches have now fallen into the poor category. The categorisation of many of the pitches as approaching poor indicates that there is a real risk to pitch capacity in Darlington – if quality issues are not addressed and pitches continue to decline, quality will reach a point where site capacity will be reduced. While some of the sites visited were in good condition for the time of year, there was evidence of heavy usage (compaction etc) on some of the more popular sites, as well as some drainage issues (which will be exacerbated by the compaction that is evident). In contrast, it was clear that some sites were benefitting from lower levels of play and quality was retained as a result Clubs also raise concerns about deteriorating maintenance, poor pitch surfaces and wear and tear on pitches. There are also several sites that do have appropriate changing / ancillary facilities There are three teams based in Darlington playing in leagues that form part of the higher echelons of the football pyramid – these clubs must adhere to specific regulations in relation to the standard of facilities in order to ensure that they are able to continue to play 	<ul style="list-style-type: none"> Darlington RA = requires pitch and surface improvements as well as refurbishment of ancillary accommodation. Pyramid club so important site continues to meet league regulations Poor condition of facilities at Darlington Education Village – undulating surfaces and suffering from waterlogging Wyvern Academy – pitches poor and impacting upon capacity. Undulating, uneven, poor quality goals and wet pitches Eastbourne Sports Complex – PQS identifies poor surface, weeds and thatching - inadequate pitches that require improvement Heighington Playing Fields - Recent PIP completed (2018). Compaction and uneven, poor drainage, one pitch frequently out of use due to quality. Pavilion requires upgrade. Issues still remained at time of site visit. Tommy Crooks Park, poor drainage and surface, poor grass cover, surface debris. Site considered inadequate Heavy usage evident at Longfield / Hummersknott Priory Hurworth – requires ancillary facilities / clubhouse

Playing Pitch and Built Facility Strategy



Demand	<ul style="list-style-type: none"> The number of teams requiring senior pitches remains static since 2015, but there has been a clear increase in the number of age group teams (U17 / U18 / U19 / U21) and a decline in the number of open age teams Participation has increased in the younger age groups. large clubs have continued to grow in the five years since the previous PPS and there are very few single teams or small clubs now remaining. There is no clear evidence of displaced demand in the Borough As in 2015, many of the sites in Darlington Borough also function as public recreational areas. This impacts upon the quality of some pitches, particularly with regards dog fouling, which emerged as a key issue for many pitch users Competitive play takes place on both grass and AGPs and almost all training takes place on AGPs 	<ul style="list-style-type: none"> LFP highlights driving growth in female football as priority
Adequacy of Provision	<ul style="list-style-type: none"> Across the week, there is a degree of spare capacity on most pitches. Wyvern Academy is the only site where all pitches are overplayed, but at least one pitch at Darlington Education Village, Hummersknott Academy, St Aidans Church of England Academy and Heighington Playing Fields is overplayed. At both Wyvern Academy and Heighington Playing Fields this can be attributed to the poor quality of pitches (which means they have lower capacity) while at other sites, overplay is generally caused by the large number of teams using the pitches as the site is a base for larger clubs; The majority of sites are able to accommodate more play. 62 pitches (on 43 sites) are able to sustain additional play. There is spare capacity across all grass pitch types at Eastbourne Sports Complex (despite pitches also being poor) and Darlington RFC and good availability also at Priory Hurworth Albion. Pitches at Carmel College also receive no use, along with Tommy Crooks Park, Springfield, Red Hall Community Centre and Hurworth Grange Community Centre Much of the other spare capacity is at primary school sites that receive no use. There is however scope to mark out more pitches at some key Council sites. At peak time, spare capacity is more limited and the majority of sites accommodating large clubs have no spare capacity. There is space on pitches for match play on a Saturday afternoon (Longfield Academy) and later on a Sunday afternoon (Longfield Academy and Hummersknott Academy) to further increase the use of 3G facilities for match play, but limited room to create additional facilities If excluding pitches that are of poor quality from having spare capacity, there is a significant reduction in the amount of spare capacity recorded. Across the week, spare capacity would reduce to 11 MES (senior), 1MES (youth), 6 MES (9v9) and 40 MES (7v7 pitches). At peak time this would represent spare capacity equivalent to 8.5 MES (adults), 1.5 (youth), 4 (9v9) and 9 (7v7) FA data modelling suggests that assuming that there is a baseline total of 159 teams in Darlington Borough this would mean that there is a theoretical requirement for 4 full size AGPs. With only 	<ul style="list-style-type: none"> Darlington FC currently play at the Rugby Club, if they continue to progress major improvements would be required to meet with league regulations and a long term home ground would need to be identified Modelling and capacity analysis demonstrates a potential requirement for a further AGP to meet current demand. In the event of the high population growth scenario, further provision may be required. The LFFP identifies either Eastbourne Sports Complex or Wyvern Academy as key priorities

Playing Pitch and Built Facility Strategy



	<ul style="list-style-type: none"> three pitches currently accessible in the Borough, this means that there is a deficit of one AGP. Population growth in the baseline scenario will have no impact upon participation. In higher growth scenarios however there may be an additional 18 teams by 2036, focusing at the younger age groups. There is limited capacity in the existing infrastructure to accommodate growth in 9v9 and junior age groups. 	
Key Issues for Strategy address	<ul style="list-style-type: none"> Whilst capacity has improved, there is an ongoing need to protect existing provision and ensure long term access to all key sites; The poor quality at some sites is impacting on capacity – this is particularly evident at Wyvern Academy and Heighington Playing Fields. The evidence of heavy usage on many sites is evident – there is a need to ensure that maintenance programmes are sufficient to keep up with usage. At some sites, poor quality pitches are taken temporarily out of circulation and matches take place on other better pitches – this is then causing degeneration and compaction of the better pitches. These pressures are particularly associated with larger clubs. In general, there are several pitches that are of declining quality and where investment is required to ensure existing capacity is maintained. Issues include compaction, drainage and poor pitch surface. Scenario testing demonstrates the importance of ensuring that pitch quality does not deteriorate further. Facilities at Darlington RA continue to require upgrade (although capacity has improved since the previous PPS due to the creation of pitches at Staindrop Road) and there are also concerns that the progression of Darlington FC may be impacted by the availability of appropriate facilities in the Borough While there is spare capacity across the borough as a whole, this is largely spread out and generally at small / single pitch sites (that are often poor). There are few sites with significant capacity and indeed, several large clubs are close to capacity on their own sites. There are however some key sites with spare capacity which represent an opportunity – Carmel College, Eastbourne Sports Complex and Tommy Crooks Park in particular could all be better utilised (although improvements are required if these are to be desirable to potential users). Many of the facilities that are unused however are of poor quality and there is a need to enhance these sites if they are to become more attractive to potential users. These include Red Hall Park, North Park, Tommy Crooks Park, Red Hall Community Centre. Modelling suggests that there is a need to further increase the number of AGPs in the Borough (by 1) in order to accommodate training and this is reflected in consultation carried out with clubs, where it was identified that there are perceived challenges in terms of accessing provision at desirable times. Future population growth will see demand exceed supply for youth / 9v9 pitches. Additional capacity will be required (either through grass pitch provision or AGP). 	

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Table 3.2 Summary and Key Issues for Cricket

Summary	Assessment Findings	Specific Facility Issues
Supply	<ul style="list-style-type: none"> There are six facilities for cricket, meaning that provision is static from 2015 All cricket grounds offer security of tenure except Haughton CC, which is leased annually from a local farmer There were also two previously two cricket pitches at Hurworth House School and Land at Cumby Arms Playing Fields which has not been used for cricket since the club folded in 2007. The playing fields at Hurworth House School are now used by a football club. There is evidence of significant investment in cricket since the 2015 strategy. Despite this, there remain some quality issues, with some improvements required at all clubs. Pitch quality is generally considered to be the key priority, particularly in relation to village clubs There also concerns about the pressures on volunteers and the challenges associated with budgeting for maintenance. On-site training facilities also remain an issue for clubs 	<ul style="list-style-type: none"> Long term security required for Haughton CC – currently on short term agreement Cockerton CC – flooding / drainage requires improvement as priority. Site also offers no facilities for officials Darlington CC – square requires relaying, there are also issues with the adequacy of cricket facilities Darlington RA – non turf practice nets and a mobile cage identified as priority. Site also requires levelling Rockcliffe Park – practice facilities require improvement, outfield also requires levelling Haughton CC – training facilities are poor Middleton CC – non turf practice facilities are poor and the pavilion is also limited
Demand	<ul style="list-style-type: none"> There has been an increase in senior cricket participation at club level while junior cricket remains static Cricket clubs continue to be used by informal / friendly teams although there are slightly fewer teams than there were in 2015 (8 compared to 9). Darlington CC also hosts some Durham County fixtures Clubs highlight challenges in recruiting players at a younger age, in particular as a result of competition from other sports Clubs primarily use indoor training nets during the winter months. The facility at Longfield Academy (4 indoor training lanes and specialist floor) is particularly popular with clubs and Darlington Education Village also offers cricket nets. a lack of good quality onsite training facilities was one of the key issues for clubs during the summer months. 	<ul style="list-style-type: none"> There remains no female cricket in the borough, although this is identified as a key aspiration for several clubs – with a particular gap in female participation it is now critical that targetted programmes are delivered

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Adequacy of Provision	<ul style="list-style-type: none"> All active grass pitches are used regularly during the cricket season There is slight overplay at both Rockcliffe Park and Haughton Cricket Club. The overplay at Rockcliffe Park can be attributed to high levels of demand, while the overplay at Haughton CC results from a small square (and usage of the facility by friendly teams as well as the cricket clubs own two teams) All other sites are able to sustain more play, although there is limited scope for extensive growth at any club. Darlington Cricket Club, Darlington RA and Middleton St George are both able to accommodate circa one further adult team, while Cockerton Cricket Club could host 1 – 2 teams. This assumes that the quality of pitches remains standard. If pitch quality at Darlington RA, Haughton CC, Middleton St George and Cockerton CC improves to good, spare capacity would be increased. Pressures for pitch access are also now starting to build on Sundays with youth fixtures competing with additional male teams playing due to lack of spare capacity on Saturdays While using ONS population projections, the anticipated population growth will have no impact upon the demand for cricket, in the higher level growth scenario, there will be an increase of almost 3 senior teams (1.5 MES) equating to circa 34 games over the course of the season. With 60% of games anticipated at peak time and demand equating to 1.5 MES, one additional facility is likely to be required at peak time. There is no capacity within the existing infrastructure to accommodate this demand as all cricket grounds are currently at capacity on a Saturday afternoon. Development initiatives seek to improve the number of participants in cricket across the Borough, focusing in particular on improvements at a junior level and amongst females. Not all clubs with aspirations to grow have sufficient capacity to do so. Development initiatives may not require space at peak time, but they place extra pressures on programming 	<ul style="list-style-type: none"> Pitch quality is impacting capacity at Darlington RA, Haughton CC, Middleton St George and Cockerton CC There are also quality issues at other sites which impact upon player capacity and capacity to accommodate onsite training There is no remaining spare capacity at peak time in the Borough – this limits the growth of the male game Population growth forecasts suggest that unmet demand will be generated by 2036 There are opportunities to increase the appeal of the cricket through the provision of non turf wickets on public sites <p>The impact of new initiatives such as All Stars is not yet known, but these schemes place greater pressures on programming of pitches currently and are likely to result in increased demand longer term.</p>
Key Issues for Strategy to address	<ul style="list-style-type: none"> There is a need to support long term access to facilities – existing sites need protecting and access to Haughton CC will need to be secured on a long-term basis There is limited spare capacity in the existing pitch stock and no spare capacity at peak time - there may be a need to secure access to an additional pitch longer term The quality of pitches is impacting capacity on some sites and this needs to be addressed – these sites are Darlington RA, Haughton CC, Middleton St George and Cockerton CC There are also quality issues at other sites which impact upon player capacity and capacity to accommodate onsite training – qualitative improvements need to be prioritised - Darlington RA, Haughton CC, Middleton St George and Cockerton CC There are also quality issues at other sites which impact upon player capacity and capacity to accommodate onsite training Training facilities are also highlighted as an issue for almost every club. Key priorities include <i>Rockcliffe Park, Middleton St George, Haughton CC, non turf at Cockerton CC, Darlington CC</i> The ECB are also seeking to develop cricket through the provision of non turf wickets on public sites in urban areas. Opportunities to provide this type of resource in Darlington Borough will need to be explored While ongoing efforts to improve participation are important, there is a particular need to increase levels of female participation 	

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Table 3.3 – Rugby Union – Summary and Key Issues

Summary	Assessment Findings	Specific Facility Issues
Supply	<ul style="list-style-type: none"> 16 rugby union pitches in total. Two of the sites are owned and managed by rugby clubs – Darlington Mowden Park and Darlington RFC and represent half the total stock of rugby pitches in the borough There are no issues with security of tenure While pitches at the club sites are standard to good, there remain opportunities for further improvement of pitch capacity at the rugby club sites, particularly in relation to the maintenance procedures that are followed and the installation of drainage systems on pitches that do not currently benefit from this All pitches at Darlington Mowden Park are floodlit, while only 1.5 pitches at Darlington RFC are floodlit 	<ul style="list-style-type: none"> Darlington Mowden Park - First team pitch good quality, others lower quality but standard. All pitches functional. Maintenance of pitches of a lower standard than previously Darlington RFC - Maintenance focused on main pitch, pitches four and five have particularly limited maintenance. Second half pitch floodlit but portable floodlights are non-operational. Compaction evident on all pitches, particularly on the training pitch. Pitches 4 and 5 suffer from heavy waterlogging and there remain some drainage issues on pitches 2 and 3 despite installation of drainage systems. The first team pitch frequently suffers from wear and tear due to shared use with football. There are 10 changing rooms on site, 8 of which have communal shower and toilets. Ancillary building would benefit from refurbishment Limited floodlighting at Darlington RFC

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Demand	<ul style="list-style-type: none"> • In the period 2015 – 2020 there has been an overall increase in participation and there are now 34 rugby union teams. The number of adult and mini teams has increased but there has been a slight reduction in the number of junior teams. • Both amateur clubs have a spread of teams across the age groups and are strong and stable clubs. There are also opportunities to participate at a variety of standards of play. • As is common with rugby clubs nationwide, and reflecting the situation in 2015, training takes place at the club bases. Training at DMP (excluding Elizabethans) equates to 6.5 MES per week, while there is 5.5 MES at Darlington RFC • The strong club base is underpinned by comparatively high levels of participation in schools, with all schools with a rugby union pitch playing rugby union at least during term time. All secondary schools enter schools rugby competitions each year and tag rugby is also played at several primary schools • In addition to the capacity pressures currently experienced, higher projected population growth figures suggest that up to 4 additional teams may be generated • County Durham PPS identified some rugby league activity taking place at Darlington RUFC. No rugby league was identified at this site at the time of the preparation of this PPS. Should this recommence, there is very little impact on the ability of the site to sustain rugby union as rugby league is played during the summer months, but the use of the pitches during the summer may impact summer renovation works. 	
Adequacy of Provision	<ul style="list-style-type: none"> • The single first team pitch at Darlington Mowden Park / Darlington Arena is just able to accommodate the match play and training demand from the two teams at Darlington Elizabethans. The strong quality / maintenance rating on this pitch is essential in this being achieved • There is however insufficient capacity on the remainder of the site to accommodate the teams from DMP RFC. Even without taking into account training requirements, there is overplay (2.5 match equivalents) and when training is also considered, this increases to overplay equivalent to 9 match equivalent sessions • Supply and demand is also tightly balanced at Darlington RFC. Pitches are able to sustain the required level of match play (even taking into account the impact of football and American Football Usage) (spare capacity 2.75) but when including the demand from training, there is overplay of 2.75 match equivalents. In part, this can be attributed to the poor quality and maintenance ratings of two pitches (which reduces capacity significantly) • With overplay already evident, the impact of additional population growth (4 teams) could not be accommodated without action • Both clubs also have significant aspirations for ongoing development and this would lead to 	<ul style="list-style-type: none"> • Overplay at both sites (11.75 MES total) • Lack of access to appropriate training facilities for both clubs • Opportunities to improve maintenance regimes to enhance respective site capacities

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	further deficiencies in provision.	
Key Issues for Strategy to address	<p>Improvements to capacity are key priority for both rugby clubs. This may be generated through a variety of means, including AGPs, enhanced maintenance, floodlighting and new pitches. The key issues are;</p> <ul style="list-style-type: none"> • While Darlington RFC currently has capacity for match play, there is a need to increase capacity to accommodate training. A minimum of 3 floodlit pitches are needed for training activity. With up to 17 MES demand projected across both match play and training, demand can be accommodated within the existing infrastructure but improvements are needed to enhance capacity. Club facilities are also highlighted as in need of refurbishment as they are dated and not meeting RFU requirements. The club are however keen to improve the facilities that they have through the provision of an AGP • At Darlington MP, excluding the needs of Darlington Elizabethans, at least four floodlit pitches of high quality (M3 / D3) are required (meaning that additional pitches are needed) and when taking into account population growth, this need will increase further. 	

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Table 3.4 – Summary and Key Issues – Hockey

Summary	Assessment Findings	Specific Facility Issues
Supply	<ul style="list-style-type: none"> Since the 2015 PPS, a new sand based AGP has been provided at Carmel College. This is now the only sand-based facility, and therefore the only pitch suitable for hockey in the Borough Reflecting the recent installation of the new pitch, the quality of the pitch is good and the clubs are happy with the facility. Added to this, there is a strong relationship between the college and the school meaning that there are good foundations for the further development of hockey. 	<ul style="list-style-type: none"> Key priority for clubs is ongoing investment into pitch maintenance to ensure longevity of pitch surface
Demand	<ul style="list-style-type: none"> There are two clubs playing in Darlington Borough and demand has increased significantly since the creation of the new facility Darlington HC are the largest club and they accommodate 3 male and 2 female senior teams as well as a large and increasing junior section Bishop Auckland HC travel from Durham to use the pitch at Carmel College and are displaced The club are also running Hockey Heroes, with a view to increasing participation in the junior age groups The club use training sessions at 4 hours per week and access to the pitch is required for 3 MES at peak time 	<ul style="list-style-type: none"> Bishop Auckland HC are looking to relocate to Durham if a new facility is provided (linking with priorities in the Durham PPS)
Adequacy of Provision	<ul style="list-style-type: none"> For training, the hockey clubs are given priority access to the facility on midweek evenings and there is therefore scope to increase the amount of hockey played at the site if demand increases At peak time, the facility is again dedicated to hockey and has capacity to accommodate 4 MES, and spare capacity therefore equates to 1 MES TGRs indicate that population growth alone is likely to generate very little additional participation. Instead, it is likely that club development activity will produce the biggest increases in demand. If England Hockey aspirations for growth are met, provision would be insufficient post 2029. These aspirations are however particularly high given the very recent significant increases that Darlington HC have experienced. The relocation of Bishop Auckland HC back to Durham would however generate additional capacity for Darlington HC to use at Carmel College 	<ul style="list-style-type: none"> Existing facility adequate to meet current demand with some spare capacity for the club to grow Extensive growth in club participation would see additional capacity needed. This is likely to be post 2029 at the earliest
Key Issues for Strategy to address	<ul style="list-style-type: none"> The existing facility is valuable for hockey and is required to meet long term hockey need Ongoing investment into pitch maintenance is seen as the key priority as this will ensure longevity of the pitch surface 	

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Table 3.5 – Summary and Key Issues for Tennis

Summary	Assessment Findings	Specific Facility Issues
Supply	<ul style="list-style-type: none"> Provision remains broadly consistent with 2015 – there are 29 tennis courts on 10 sites available for public use and 40 courts across Darlington Borough in total. There remain 12 floodlit courts located at New Blackwell Tennis Club (4), Longfield Academy (5) and Darlington Education Village (3) Quality of tennis facilities is relatively static, with public facilities generally of poor quality and school facilities standard. The courts at Wellfield Tennis Club also require resurfacing. 	<ul style="list-style-type: none"> Courts at Wellfield Tennis Club require resurfacing Quality of public courts require improvement if drive to increase participation is to be led by these sites
Demand	<ul style="list-style-type: none"> LTA insight developed since 2015 highlights the importance of parks courts in providing a rounded offer for tennis, indicating that it is in parks where most people start their tennis journey. In response to this, The LTA is now prioritising facilities in parks and is working to implement solutions across the country. They have successfully developed technology that improves the customer journey to court, which involves the use of an access gate with keypad entry that is connected to the Clubspark venue management system. Access to public facilities across Darlington Borough is currently free of charge and access is unmanaged and actual levels of participation are therefore unknown. Clubs believe that the limited public facilities negatively impacts on the number of tennis players in the Borough Both Stanhope Park and Brinkburn Dene are identified as having potential to meet significant latent demand for tennis as both have greater potential penetration of 1000 people or more within their catchments. Stanhope Park is identified as a priority site, ranked the 506th priority nationwide The same two tennis clubs evident in 2015 remain in 2020. LTA affiliation data suggests that New Blackwell Tennis Club has seen a slight increase in participation overall (although there has been a decline in the number of members between 2017/18 and 2018/19 seasons, while the number of members at Wellfield Tennis Club is static. 	<ul style="list-style-type: none"> LTA see implementing new technological systems at public courts as a key way of increasing demand for tennis and ensuring that public facilities are sustainable and quality playing facilities can be provided for residents long term. Stanhope Park identified as particular priority

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Adequacy of Provision	<ul style="list-style-type: none"> Based upon current levels of participation, there are sufficient facilities to accommodate demand overall at a baseline level but insufficient if theoretical modelling levels are achieved. Both of these scenarios represent a significant increase on current participation in the borough. This is supported by analysis of the usage of existing facilities, which suggests that there are opportunities to increase the amount of people using both public courts and school facilities the slight growth in participation since the previous strategy has resulted in club bases now reaching their capacity. Consultation with the clubs highlights that this represents the actual situation, with clubs now struggling to accommodate all activity within their existing infrastructure. New players generated through population growth can be accommodated if existing participation does not increase, however if maximum participation scenarios are achieved, new facilities will be needed There is therefore scope to maximise the use of existing facilities before new courts are required. 	<ul style="list-style-type: none"> Darlington Education Village / Longfield Academy offer particular potential to increase usage as their courts are floodlit, which increases the playing season Both existing clubs are at capacity. Scope to increase floodlighting (New Blackwell) or add floodlighting (Wellfield) to ensure members can be better accommodated
Key Issues for Strategy to address	<ul style="list-style-type: none"> There is a need to protect the existing stock of courts There is thought to be scope to increase the amount of usage of public facilities, with no proactive marketing or promotion and no monitoring of use. LTA insight also suggests that usage of public facilities increases when more structured access is provided (improving the customer journey through online resources, controlled access etc) and see improvement to facilities in Darlington as a key priority. This would require both qualitative improvements to the courts and the introduction of technological solutions to ensure that long term, residents have access to quality, sustainable provision While there is spare capacity at schoolsites, club bases are at capacity and there is little room for growth without compromising the player experience. There is a potential requirement for floodlighting at both club sites and courts at Wellfield TC also require resurfacing There is opportunity to tailor new programmes for tennis at school sites to increase usage of courts. The Education Village and Longfield Academy represent a particular opportunity as they have floodlit courts. Improvements may be required to school sites to improve desirability. Polam Hall School are also keen to grow the school facilities. 	

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Table 3.6 – Summary and Key Issues for Bowls

Summary	Assessment Findings	Specific Facility Issues
Supply	<ul style="list-style-type: none"> There are 7 sites containing functional bowling greens and one derelict green at South Park Further improvements to facilities required at North Lodge Park, South Park and North Park Self-management model working effectively 	<ul style="list-style-type: none"> Derelict green at South Park improvements to facilities required at North Lodge Park, South Park and North Park
Demand	<ul style="list-style-type: none"> All greens have at least one active bowls club All clubs have capacity for new members and are actively recruiting Sustainability remains key priority 	
Adequacy of Provision	<ul style="list-style-type: none"> no evidence of demand for additional facilities, as all responding clubs indicate that they have scope to accommodate existing members and participation remains static. This means that club membership remains only around average levels existing infrastructure also sufficient to meet projected needs unless participation reaches highest target level in which more facilities may be required. Increases in number of players will improve sustainability of existing facility network 	<ul style="list-style-type: none"> No additional greens required to meet demand, but all existing infrastructure important to retain
Key Issues for Strategy to address	<ul style="list-style-type: none"> All existing active greens are required to meet current and projected future demand Qualitative improvements are necessary if facilities are to continue to meet local needs Clubs require support to improve participation and recruit new members. 	

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Table 3.7 – Summary and Key Issues for Indoor Sport

Summary	2015 Recommendations	Specific Facility Issues	Issues and Options
Swimming Pools	<ul style="list-style-type: none"> Sufficient quantity of waterspace to meet the needs of Darlington residents now and in the future The Dolphin plays a key role in swimming provision and the size, quality and location means it is well placed to do so Continue to invest in the Dolphin Centre Protect all existing provision Education based should be protected Seek to invest in the school pool network to facilitate greater community use and access Co-ordinate usage and programming across pools and develop a joint approach to programming across the available waterspace Maximize effectiveness of waterspace for different aquatic disciplines; particularly clubs, Darlington Swimming Club 	<ul style="list-style-type: none"> 2018 FPM analysis confirms there continues to be a positive balance of supply exceeding demand Increased usage at the pools from residential development, will however impact on swimming pools in the Borough, and the usage will add significantly to the management and maintenance costs of the public swimming pool sites Capacity at pools will be more stretched This is exacerbated as Wyvern Pool requires significant repair and is currently not being used Hummersknott, Longfield and Education Village remain open, with increased hours The 2015 strategy saw £900k investment in the Dolphin Centre There are greater aquatic activities taking place across the stock 	<ul style="list-style-type: none"> Continue to maintain and Protect current swimming pool stock Continued education access remains important; support Education Village, Humersknott and Longfield to maintain supply and demand balance and access Increased pressure on the Dolphin centre means it will continue to be a priority for investment Seek contributions from developments of 300 plus houses to enhance the swimming pool stock Continue current strategy; programming will become increasingly important as pressure on capacity increases Impact of Wyvern closure (200m2) will impact on the supply and demand in balance. Growth will also impact on water space needs in the region of 73-186m2 These two issues will mean waterspace needs will start to move into deficit It will therefore be important to keep swimming pool needs under review and monitor the impacts of closure and growth in the long-term.

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Sports Halls	<ul style="list-style-type: none"> • Protect existing levels of sports hall provision • future sports hall provision should set out a need based on sports development and NGB requirements as opposed to general community needs • Explore the potential to deliver more flexible activity spaces • Support the enhancement of the current network of sports hall facilities on an on-going basis • Explore the opportunities for enhanced community access at sports halls on school sites. Seek to enhance provision and access at key sites for community sport and club / NGB use e.g. Futsal at Longfield • Focus on Hurworth School and Darlington College. Sites where community use is currently limited • Carmel College sports hall is now over 40-years old and poor quality. Polam Hall School does not have a sports hall • Support upgrades to the community centre network to facilitate greater community use for sport and physical activity 	<ul style="list-style-type: none"> • 2018 FPM analysis reflects the 2013 work • There remains a positive balance of supply exceeding demand across Darlington Borough by 13.2 badminton courts • Halls are also well located to meet current and future demand • New demand generated by residential development up to 2036, can be met by the existing Darlington supply of sports halls • However there will be increase in usage/throughput across the sports hall sites, which will have impacts, the capacity at sports halls will be more stretched. This will be further exacerbated if school sports hall access is reduced • There is capacity to cope but there will be impacts, particularly at Dolphin Centre; <i>need for on-going investment and modernisation</i> 	<ul style="list-style-type: none"> • Continue to maintain and Protect current sports hall stock • Continued education access important Priorities (see next slide) • Continued priority on Carmel and Polam • Priority to address community use issues at Hurworth • Increased pressure on the Dolphin centre; priority for investment • Seek contributions from developments of 300 plus houses to enhance the sports hall stock • Consider investment in community centre network and small studio spaces to deliver physical activity agenda, particularly as part of masterplanning for strategic growth sites
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Indoor Tennis	<ul style="list-style-type: none"> • There are no indoor tennis courts in Darlington • Darlington is a priority for indoor tennis development for the LTA • LTA also wish to see improvement to outdoor provision on park and community sites 	<ul style="list-style-type: none"> • There are currently no indoor courts in Darlington • The LTA have run a demand analysis of the catchment area using a twenty-minute drive time around a focal point in Darlington • The analysis demonstrates that there is a total population of 346,255 which provides a potential tennis demand of 54,435 • When developing a new community indoor tennis centre the LTA look for a minimum potential tennis demand of 12,500, therefore the potential demand in Darlington exceeds the threshold • Darlington has therefore now been identified as a strategic location to develop indoor courts as part of the new LTA 5 Year Strategy. One of 72 target locations • Local tennis clubs have an aspiration for indoor provision • Polam Hall School have also expressed an interest in developing an indoor tennis venue 	<ul style="list-style-type: none"> • Aspirations from both clubs and the LTA to develop indoor provision in Darlington • Early discussions were held in the context of the Darlington Sports Village project about potential indoor tennis but affordability and viability concerns meant this was not progressed • There is a need to evaluate the feasibility / viability of any potential indoor tennis centres • There is also a need to focus upon the improvement of tennis development pathways and the outdoor tennis offer.
Indoor Bowls	<ul style="list-style-type: none"> • Protect and enhance the current Darlington Indoor Bowls Centre (DIBC). 8 rinks. On rink per 14-17,000 people. • The current centre requires some refurbishment, with a need to incorporate new disability provision and improvements to changing and toilet provision 	<ul style="list-style-type: none"> • England Indoor Bowls Association confirm that DIBC remains the only indoor centre in the borough • There are 4 other centres in 30-minute drive-time. • Membership is declining, there are only 178 members (well below the 54 members per rink average) • Centre meets current and future needs • Sustainability is a key issue, other sites 	<ul style="list-style-type: none"> • Continue to protect and enhance DIBC to support its long-term sustainability



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		in the catchment could potentially meet needs in terms of capacity	
Athletics	<ul style="list-style-type: none"> Protect and Enhance Eastbourne Athletics Track 	<ul style="list-style-type: none"> Eastbourne Sports Complex offers an eight-lane, county standard, synthetic athletics track, with a full-range of track and field events, floodlighting and athletics equipment. Opened in 1999 Track and club has continued to thrive. The track is home to Darlington Harriers and is also use Darlington Quakers and Tri Club. There is also strong usage from the school sports partnership The Darlington Harriers is the 6th largest athletics club in the in the North East with 349 affiliated members. Important club in England Athletics eyes. Darlington has a strong athletics infrastructure The Eastbourne track is however ageing and is reaching the end of its useful life. Given the deterioration its main purpose is as a training venue Operationally the Eastbourne site has a number of challenges, which do not help with the sustainability of the track Eastbourne track is an important provision in the regional picture, any loss would result in a strategic gap in 	<ul style="list-style-type: none"> The Council are keen to ensure any investment in athletics at Eastbourne maximises both the usage of the site and the long-term sustainability of the whole Eastbourne facility. The Council recognise that athletics in the town is strong and provision is required. The sport is well established in the town and there is no desire to see it stop, the Council are keen to find a solution. The sport can contribute to health and well-being outcomes, but there are questions whether a redeveloped 8-lane track at Eastbourne and the investment required would provide the best return to support Council Plan outcomes An options appraisal has been undertaken, which sets out a number of options Given the strength of athletics across Darlington a hybrid or compact option is not seen as a long-term solution. There is also questions about the compatibility of football and athletics provision at Eastbourne, in whatever form.

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		provision	
Golf	<ul style="list-style-type: none"> Golf provision in line with national and local needs; prioritising practice facilities for beginners and learners to introduce people to the game 	<ul style="list-style-type: none"> Darlington Golf Club now have a fully operational 6 bay driving range following a successful Inspired Facilities application Dinsdale Spa have also developed their practice ground so more golfers can access it. A driving range would still be an ambition The quality of the courses has improved especially at Blackwell Grange but they are still to re-develop the clubhouse Clubs are struggling to retain members however and some are under threat 	<ul style="list-style-type: none"> Currently there is sufficient golf provision and all clubs are committed to growing participation and membership Maximising use at existing provision still remains a high priority, particularly amongst key target groups of juniors and women and also ensuring that the game can be played quicker Darlington Golf club to potentially be re-located as part of the Skerningham sites development (which is now designated as a Garden Community site). It is anticipated that the golf course would be relocated after around 5-7 years of development commencing. Needs to be assessed at the time.



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4.0 Strategic Direction, Action Plans, Implementation, Monitoring and Review

4.1 Introduction

- 4.1.1 This section builds upon the updated assessment and summarises the priority recommendations that will be undertaken to support the delivery of indoor and outdoor sports in the Borough. As in 2015, each recommendation will contribute to the achievement of the strategy vision, which is:

'to develop a comprehensive, robust, up to date and user friendly assessment of sports provision and need in Darlington to ensure that the right amount and type of sports facilities are protected, and where appropriate enhanced to provide a range of quality, accessible and safe facilities, in the right place at the right time to meet the needs of the community now and in 2026.'

- 4.1.2 The recommendations have been developed using those agreed in 2015 as a base, and taking into account the changes that have been made to the infrastructure and the new priorities that have arisen in the period 2015 – 2020. Together, these policies and recommendations guide decision making on the future delivery of indoor and outdoor sports facilities across the borough.

Strategic Direction

- 4.1.3 The strategy continues to be based upon the following principles:
- **Ensure any new or re-developed provision in the borough is developed in-line with the Sports Facility and PPS Strategy priorities and the needs and evidence set out** - Ensure planners adopt the evidence base as appropriate and the strategy and action plan directs funding
 - **The strategy will focus on a hierarchy of facilities – prioritising strategic hub sites and supporting links between sports** – recognising the benefits and long term sustainability of larger sites and of those providing for multiple sports, the strategy will promote the use of larger facilities and the co-location of facilities
 - **Focus will be placed on maximising resources** – the strategy will seek to maximise the capacity and function of facilities and to ensure that provision is adapted to meet



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with future requirements. This will include the continued use of school sites, which play a critical role in the provision of sports facilities in Darlington Borough

- **Sustainability is a key focus** – all recommendations seek to deliver new and improved facilities in a sustainable manner, focusing on large sites that are efficient and effective to maintain, maximising the capacity of sites, supporting well established clubs and promoting good practice
- **Quality of facilities is as important as the amount of provision** – the strategy seeks to ensure that the borough contains the right amount of facilities, of the right quality and in the right place. While it promotes protection of current provision, it recognises the need to improve the quality of existing facilities and the subsequent investment required
- **Investment will focus upon interventions that will have the greatest impact** – the strategy seeks to prioritise investment into sites where the highest impact will be felt and where high numbers of users will benefit. It will seek to increase participation in sport and activity in terms of both numbers and standards.

- 4.1.4 The strategy seeks to promote partnership working, not only between users and providers of facilities, but also between different sports. There are many benefits of joint working and knowledge sharing, and partnership working will be increasingly important if the needs of all sports are to be met.

Strategic Objectives

- 4.1.5 The objectives for the strategy document remain the same. In recognition of the increasing role that more informal, recreational based activity has to play in sports participation, an additional objective has however been added, which is to facilitate opportunities for recreational activity.
- 4.1.6 Based on the needs and evidence set out, for all sports, Darlington Borough Council and its partners will seek to:

Protect

- SO1: Safeguard all existing sports facilities in line with Paragraph 97 of the National Planning Policy Framework, irrespective of ownership and the degree of access and use.



Playing Pitch and Built Facility Strategy

This strategy will clearly define any facilities that are not required to meet current or projected future needs

- SO2: Protect access to sports facilities by promoting long term agreements with schools and other landowners to facilitate ongoing investment and improvement
- SO3: Maximise community use of indoor and outdoor sports facilities where this will benefit the overall facility stock.

Enhance

- SO4: Ensure that the quality of facilities provided is appropriate to the level and standard of play that is sustained and that it promotes participation in sport
- SO5: Ensure that sports facilities are accompanied by appropriate ancillary facilities (e.g. sports lighting and changing provision)
- SO6: Ensure that facilities are maintained appropriately for the activities that they are sustaining and to maximise long term capacity
- SO7: Work in partnership with key stakeholders and voluntary organisations to secure funding.

Provide

- SO8: Address existing deficiencies in provision
- SO9: Ensure that new developments contribute towards the provision of new sports facilities and the enhancement of existing facilities
- SO10: Support clubs in the management and development of facilities
- SO11: Support the creation of appropriate facilities in order to provide informal recreational opportunities.

Recommendations

- 4.1.7 The sport specific recommendations are set out in the Sections that follow. They link to the above strategic objectives and outline the key priorities for each sport.
- 4.1.8 For ease of reference, recommendations are summarised by sport and justifications for each recommendation, drawing upon the evidence presented in the assessment are provided.
- 4.1.9 An action plan setting out how the recommendations will be delivered and measured is provided later in this document.

Playing Pitch and Built Facility Strategy



4.2 Recommendations

Football

Link to Strategic Objectives	Recommendation		Justification	Relevant Sites
S01 (Protect)	1	Protect active stock of football pitches in Darlington through the inclusion of appropriate policy in the Darlington Local Plan. Any pitches which are not required to be retained will be documented in the site by site table at the end of this strategy.	There are existing and projected deficiencies in football provision and a consequential need to ensure that all facilities are available for future need.	n/a
S02 (Protect)	2	<p>Protect existing security of access with timely negotiation of community use agreements with schools and with landowners where appropriate.</p> <p>Ensure that existing community use agreements are delivered and renewed.</p> <p>Secure community use at other key venues that currently offer community use without any long term guarantees</p>	Existing school sites are central to the provision for football in Darlington. Loss of these facilities would generate significant issues	<p>Maintaining relationships - Longfield Academy, Hummersknott Academy, Carmel College, Wyvern College, The Education Village</p> <p>Securing community use – Hurworth School, Gurney Pease Academy, St Aidans RC High School</p>

Playing Pitch and Built Facility Strategy



SO8 (Provide)	3	<p>Provide additional capacity in the Borough for training and match play through;</p> <ul style="list-style-type: none"> Ensuring that all 3G pitches remain on the FA pitch register Maximising the use of existing AGPs for match play as well as training the provision of one additional AGP. The new facility should meet with FA specification and constructed to appropriate standard for inclusion on the FA 3G pitch register pitch quality and maintenance improvements (see R4) additional grass pitch provision linking with existing clubs and / or new housing developments where explicit need is identified and where housing development is of sufficient size to provide on site facility (with appropriate ancillary provision) 	<p>FA demand modelling indicates that one additional AGP is required to meet current demand and this is reflected in the analysis of existing AGP usage, which demonstrates that facilities are at capacity.</p> <p>In addition, there is scope to accommodate further play on the existing AGPs. Longer term, population growth may generate further demand for an additional AGP and this should be monitored.</p> <p>While there are pressures on existing grass pitches, there are several unused sites and some scope to increase usage of other large sites.</p> <p>This should be considered prior to new provision being required elsewhere. The location of housing developments however may mean that new grass pitch provision to enable the set up of a new club is required to service the larger strategic growth areas</p>	<p>All pitches require regular testing to ensure that they remain on the FA pitch register. The pitch at Hummersknott Academy has recently been resurface to ensure that its registration is retained</p> <p>New AGP - LFFP suggests opportunity for second pitch at Eastbourne Sports Complex or Wyvern Academy. Viability assessment required to determine most appropriate location. Hurworth School have also expressed an interest, however community use at the school site is currently limited.</p> <p>Work with sports clubs to maximise use of key sites – Carmel College has recently received investment to improve pitch quality and currently has no community use (although the site is available).</p> <p>Opportunity to provide small multi pitch site on strategic growth area in order to facilitate the creation of new local club from new population (and to mitigate the capacity pressures that the new population will generate).</p>
SO4, SO5, SO6, SO7 - Enhance	4	<p>Address current and potential longer term issues with the quality of football provision by initially improving the existing pitch stock as follows;</p> <ul style="list-style-type: none"> Improving existing poor quality pitches (focusing on sites where quality 	<p>Capacity is limited by poor quality pitches and there is a real danger that more pitches will fall into the poor category, which will exacerbate existing capacity issues.</p> <p>Higher quality pitches have greater capacity to sustain play without deterioration. Scenario testing demonstrates that a reduction in quality (leading to a reduction in capacity) would exacerbate the existing pressures on pitches.</p>	<p>Key Sites; Impacting quality;</p> <ul style="list-style-type: none"> Wyvern Academy (currently poor). Heighington Playing Fields (currently poor and one pitch frequently out of use), pavilion also requires upgrade <p>Sites where play is high / close to capacity;</p> <ul style="list-style-type: none"> Darlington RA – Pitch Improvements

Playing Pitch and Built Facility Strategy



		<p>impacts capacity, pitches sustaining higher levels of use and multi pitch sites). This should focus upon;</p> <ul style="list-style-type: none"> Investment into pitch maintenance, including engagement with FA Pitch Improvement Programme (PIP) Capital investment to address pitch issues identified through engagement with PIP Improvement of ancillary facilities where there is an identified need Supporting improvement to facilities required to meet pyramid clubs Fencing pitches in public parks where quality becomes an issue due to public use Resurfacing AGPs where required to maintain inclusion on 3G pitch register <p>Focus activity for competitive football on key hub sites and improve the quality of these facilities. This maximises the opportunities for large clubs. There is potential that this may mean that single pitch sites receive</p>	<p>Focusing upon larger, multi pitch sites ensures both a cost effective approach to provision, but also ensures that the needs of the larger clubs are more effectively met.</p>	<p>(surface is poor, compacted), ancillary facilities also require improvement</p> <ul style="list-style-type: none"> Longfield Academy – Pitch improvements (showing signs of compaction, heavy usage, Hummersknott Academy – pitch surface adequate but would benefit from maintenance improvements to ensure usage can be sustained <p>Multi pitch sites / sites that are valuable to football and / or offer potential to increase usage if quality was improved;</p> <ul style="list-style-type: none"> The Education Village (limited quality, uneven and undulating, deteriorated since previous PPS) Eastbourne Sports Complex HACSA Sports Field (grass cover / ancillary provision), no ancillary provision <p>Other opportunities – Tommy Crooks Park (currently limited use and large site). Pitch requires improvement alongside provision of new changing facilities.</p> <p>AGPs –All AGPs currently meet quality standards, but require ongoing maintenance and timely resurfacing to ensure that this is retained</p>
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Playing Pitch and Built Facility Strategy



		<p>less formal use longer term – these should instead be promoted for informal football opportunities.</p> <p>Opportunities for clubs to lease sites should be considered where this could bring overall improvements to quality.</p>		
S09 (Provide)	5	Identify a solution for the future of Darlington FC in order to secure the clubs' long term future and ensure that participation and progression is not inhibited by facilities	While the club currently ground shares with the rugby club, significant works may be required if the team continues to progress through the football pyramid in order to bring the facility to the level required.	Darlington FC
S011 (provide)	6	<p>Proactively appropriate facilities to support recreational football. To maximise the sustainability and use these spaces, as well as the benefits to the local community, this action should be delivered as part of a joined up approach with other sports. This should include;</p> <ul style="list-style-type: none"> Proactive identification of sites Exploration of opportunities to effectively introduce football activity – for example gate technology on MUGAs, organised informal activity in partnership with other governing bodies. There is 	<p>Recreational football is becoming increasingly important and is now a key priority of the FF and FA. Football, linked with other sports, provides an opportunity to get increasing numbers of people active as well as to maximise the usage of some existing facilities that are under utilised.</p> <p>The governing bodies of each sport are all seeking to achieve the same goals – increasing activity and knowledge sharing would maximise the benefits of a partnership approach.</p>	<p>LFFP prioritise several grass pitch sites as offering opportunities for informal football. These include:</p> <ul style="list-style-type: none"> North Lodge Park North Park South Park Coleridge Centre <p>There are also several floodlit MUGAs located across Darlington that would benefit from better utilisation, specifically;</p> <ul style="list-style-type: none"> Firth Moor Community Centre Middleton St George Community Centre West Park Academy Wyvern Academy Carmel College

Playing Pitch and Built Facility Strategy



		potential for MUGAs to support a partnership between football and tennis		<ul style="list-style-type: none"> • North Park • Longfield School • Whinfield Primary • Red Hall • Darlington College • Skerne Park Primary <p>Opportunities at local MUGAs, as well as above sites should be explored for the promotion of recreational football. There are particular opportunities to explore a partnership with tennis.</p>
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Rugby Union

Link to Strategic Objectives	Recommendation		Justification	Relevant Sites and Key Actions
S01 (Protect)	1	Ensure that both rugby clubs have access to sufficient facilities in the first instance by protecting existing sites and ensuring that any loss of pitches is only supported where an equivalent or better in terms of capacity is provided.	Both rugby clubs are thriving clubs and require effective facilities in order to continue their activity. Existing facilities are insufficient in capacity terms and the loss of further rugby pitches would be detrimental to rugby in the Borough.	Darlington RFC Darlington Mowden Park RFC
S08, S010 (Provide) S04, S06 (Protect)	2	Create additional capacity for both rugby clubs as follows; Darlington Mowden Park (DMP and Elizabethans) <ul style="list-style-type: none"> • Improve maintenance and invest in drainage to enhance existing pitches. 	Both rugby clubs are currently overplaying pitches. Pitch capacity can however be improved by enhancing maintenance and investing in drainage. Scenario modelling reveals that these improvements improve the current picture, but for Darlington Mowden Park, continue to result in insufficient capacity. For Darlington RFC, pitch improvements will enhance capacity and pitches will be able to meet current and projected	<ul style="list-style-type: none"> • DMP / DMP Elizabethans • Darlington RFC

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		<ul style="list-style-type: none">• Provide additional pitch capacity to meet increased needs and accommodate all matches and training. This can be delivered in several ways;<ul style="list-style-type: none">- Minimum of 5 grass pitches of high quality (D3 / M3) and all with floodlights- 1 3G AGP, 2 grass pitches and 2 mini pitches – allows small amount of spare capacity on grass pitches but assumes that all rugby training takes place on the AGP. Any use of the grass pitches for rugby training would mean additional pitches are required. Four senior grass pitches (3 floodlit) and 2 mini pitches as a minimum are required in addition to an AGP if training takes place on grass	<p>future demand.</p> <p>Any AGPs that are to be used for rugby union activity should be WR Reg 22 compliant, with retesting every 2 years to sustain certification.</p>	
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Playing Pitch and Built Facility Strategy



		<p>Darlington RFC</p> <ul style="list-style-type: none"> • Improve maintenance to a minimum of D2 on all pitches • Support improvements to drainage to a minimum of D2 on all pitches • Provide additional floodlights – 3 floodlit pitches are required to effectively meet training needs <p>There is potential that an AGP available to both clubs could be created. While located at the home base for one club, this could be used for training by the second club, therefore reducing the demand for additional facilities. This should be explored further but should be considered separate to the proposed new AGP for football (ie. the new AGP for football is not able to cater for rugby need).</p>		
S05 (Enhance)	3	Support rugby clubs in the provision of appropriate ancillary facilities.	<p>Social facilities and appropriate changing provision are a key component of a successful rugby club.</p> <p>The RFU provides guidelines as to the facilities that should be expected and the specifications that should be met. Darlington RFC indicate that their existing facilities do not meet current needs and require upgrade.</p>	Darlington RFC



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Rugby League

Link to Strategic Objectives	Recommendation		Justification	Relevant Sites and Key Actions
SO1 (Protect)	1	There is no existing club activity for rugby league. The Durham PPS identified use of Darlington RFC but this was not evident at the time of the preparation of this PPS. New developmental activity has however started at Eastbourne Sports Complex in the last few weeks.	Rugby league activity only just started within Borough.	Monitor demand for rugby league and ensure access to adequate pitch provision if the need arises

Cricket

Link to Strategic Objectives	Recommendation		Justification	Relevant Sites and Key Actions
SO1 (Protect)	1	Safeguard all existing cricket facilities. All active sites should be protected. All former cricket grounds should be evaluated as to whether they provide an opportunity to provide additional facilities (See Recommendation 2)	Existing provision only just adequate to meet demand Former pitch sites	All sites

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S02 (Protect) S08	2	<p>Ensure clubs have access to facilities required to sustain current activities by;</p> <ul style="list-style-type: none"> Supporting Haughton CC to secure long term access to their ground Working with clubs at capacity to deliver additional facilities to meet current / projected future need 	<p>Haughton CC have only rolling annual lease on their ground. Loss of this pitch would see provision become insufficient. Lack of long term security also limits access to funding for the club.</p> <p>Cricket in the borough is becoming constrained by facilities. Darlington RA are close to capacity at the current time and their aspirations for growth cannot be met within the confines of existing provision.</p>	<p>New Lease – Haughton CC</p> <p>New provision (anticipated 1 pitch) to be delivered through;</p> <ul style="list-style-type: none"> New pitch on urban extension Provision of facilities at a school site Reinstatement of facilities at former cricket ground. <p>Any new site, however delivered, should link with an existing club and function as a satellite facility. The club should be involved in the development of the site.</p>
S04 (Enhance)	3	<p>Work with clubs to prioritise improvements to the quality of existing cricket club bases. Key areas for improvement relate to:</p> <ul style="list-style-type: none"> Maintenance procedures <ul style="list-style-type: none"> Wicket and outfield condition (including drainage) surface levelling changing pavilions. <p>All pitches should be fit for the purposes they are intended and club bases should meet with NGB specifications.</p> <p>All sites for cricket should include</p>	<p>The need for pitches to sustain high levels of use means that quality is essential if resources are to be maximised. This will be particularly important if aspirations to increase participation are achieved. The capacity of wickets that are not good quality is reduced and this therefore directly impacts upon the number of games that can be sustained. There is a particular need to improve provision at Cockerton CC, Middleton St George CC, Haughton CC and Darlington RA.</p> <p>ECB Research demonstrates that ancillary facilities are as important as the actual pitch in attracting new players and retaining existing facilities.</p> <p>The quality of cricket facilities is essential in the enjoyment and delivery of the game.</p>	<p>Facility Quality</p> <ul style="list-style-type: none"> Cockerton Cricket Club – flooding / drainage Darlington CC – root growth / poor bounce. Square requires relaying Darlington RA – levelling of outfield/ wear and tear Rockcliffe Park – outfield requires levelling Haughton CC – outfield is uneven <p>Ancillary Provision</p> <p>Haughton CC – pavilion in poor condition Middleton St George – pavilion in poor condition, windows and doors leak and no showers or heating provided Rockcliffe Pak – seeking standalone</p>

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		full changing accommodation and shelter as well as appropriate parking.		clubhouse
S04 S05 S06 (Enhance)	4	<p>Support cricket clubs in the improvement of training facilities to enhance club sustainability and improve overall performance. This should include improvements (or provision of) both appropriate training nets and artificial wickets for all clubs. The aspiration is for all clubs to have;</p> <ul style="list-style-type: none"> • At least one artificial wicket • Access to appropriate training nets 	Lack of training facilities negatively impacts upon the overall capacity of a club, the attractiveness of a club and the quality of cricket that can be played. Artificial wickets can be used for both training and junior match play, meaning that they improve match capacity as well as training opportunities. Artificial wickets provide an effective way of more easily and cost effectively managing junior fixtures.	<p>Cockerton CC – Non turf</p> <p>Darlington RA – Non turf. Review required to practice area</p> <p>Darlington RA Non turf practice nets and mobile net cage</p> <p>Rockcliffe Park –practice training facility</p> <p>Haughton CC – renovations to non turf wicket</p> <p>Middleton St George – non turf wicket</p>
S04 (Enhance)	5	Support clubs to obtain appropriate maintenance equipment to enable the improvement of quality issues and ensure the ongoing sustainability of cricket in the Borough.	Maintenance of pitches is a key component of quality. Without effective maintenance, capital investment is futile and pitches are unsustainable long term. Cricket in particular requires dedicated maintenance and technical competence. Technical reports have been prepared to support this assessment.	
S03 (protect) S07 (enhance), S08, S011 (provide)	6	Investigate opportunities to create a new informal cricket venue for public use in Darlington Borough.	<p>Current ECB priorities include the development of non turf wickets in order to generate interest in informal cricket. This may have a knock on benefit on demand for midweek and / or formal club cricket.</p> <p>Consideration should be given as to whether there is potential for joint working with other NGBs in the development of informal sport.</p>	Parks site required



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S04, S07 (enhance)	7	Support cricket clubs in the implementation of ECB participation schemes in order to enhance sustainability, as well as to address the existing gaps in participation.	The ongoing development of youth and female cricket is essential if cricket is to remain stable in the Borough. The importance of growing female cricket has now taken upon such importance given the existing gap in participation that clubs should be prioritised for facility improvements where they are able to demonstrate commitment to new participation initiatives.	All cricket clubs
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Hockey

Link to Strategic Objectives	Recommendation	Justification	Relevant Sites
S01 (Protect)	1	Ensure that existing sand based AGP at Carmel College is protected for use by hockey club	Carmel College
S04 / S06 (Enhance)	2	Ensure ongoing investment into appropriate maintenance procedures across the lifespan of the pitch to ensure that facility quality is maximised and to maintain the longevity of the new surface	Carmel College
S08 / S09 (Provide) S03	3	Continue to work in partnership to ensure that the club are able to access a high quality facility and that any issues with the facility are addressed swiftly. It should be ensured that hockey continues to be prioritised on this facility.	Carmel College

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Tennis

Link to Strategic Objectives	Recommendation		Justification	Relevant Sites and Key Actions
SO1 (Protect)	1	Retain existing club based tennis courts and seek to improve capacity at these facilities through the addition of floodlighting	Both club bases are now at capacity with no remaining spare for further club members. Floodlighting adds capacity to the existing courts. These clubs deliver at least 50% of tennis in the borough and are therefore valuable in meeting current and future demand	Wellfield Tennis Club New Blackwell Tennis Club
SO4 (enhance)	2	Support clubs in the improvement of facilities where issues have been identified. Both clubs should include access to; <ul style="list-style-type: none"> • courts of an appropriate standard; and • adequate pavilion (including toilets) and shelter 	Quality of facilities is essential if tennis activity is to be sustained	Courts at Wellfield Tennis Club require resurfacing
SO1, SO2 (protect), SO4, SO5 (enhance), SO8 (Provide)	3	Seek to enhance the value of public tennis courts in the Borough by working alongside the LTA to implement new technological systems to improve the customer journey. In order to maximise the chances of success, the quality of courts will need to be improved - improvements to the court surface are particularly required. Following investment into the facilities, it is likely that targeted marketing and organised activities will be necessary to drive interest in	LTA insight demonstrates that public tennis courts are key to improving participation in an area and that new technological advances will help to improve the customer journey and enhance participation significantly. These systems are also able to manage the floodlighting of courts. Court quality is however essential if these initiatives are to be successful and existing parks sites will require upgrade. Demand modelling indicates that both public venues have a strong catchment area and therefore demonstrate significant potential penetration for tennis.	Stanhope Park (LTA modelling indicates that this should be priority) Brinkburn Dene

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		<p>the new facilities.</p> <p>Public courts would also benefit from the installation of floodlighting to extend availability.</p>		
S01, S02 (protect), S04, S05 (enhance), S08 (Provide)	4	<p>Protect school courts and ensure that they offer a clear prospect for community use through qualitative improvements. These should include;</p> <ul style="list-style-type: none"> • improvements (i.e. floodlighting) to increase the hours of community use, including those on school sites; • quality improvements to tennis courts to enhance the quality of play and skill development (e.g. resurfacing, deep cleaning); and • provision of improved changing and ancillary facilities. <p>There will also be a need to increase promotional activity (see Recommendation 5 below).</p>	<p>Longer term, facilities on school sites will be an essential part of the tennis infrastructure if supply is to meet demand.</p> <p>The Education Village and Longfield Academy both have floodlights and therefore offer significant opportunity to meet community as well as curricular need. The Education Village is located on the other side of town to the majority of courts and therefore offers potential to provide tennis to a different group of residents than is currently effectively served.</p>	<ul style="list-style-type: none"> • The Education Village • Longfield Academy • All other school sites with tennis courts. Polam Hall School have recently expressed interest in working with the LTA
S03 (Protect)	5	<p>Increase promotional activity for tennis across the borough linking with school sites and promoting the availability of the public venues that are accessible free of charge. There are also opportunities to improve the opportunities for youth players to join clubs. This should include joint working between the Borough Council and LTA.</p>	<p>Opportunities to increase participation in Darlington Borough and existing sites have capacity to accommodate this additional play.</p> <p>The existing transition into clubs for younger players is poor and there are opportunities for the LTA to work with clubs to improve the offer.</p> <p>There is also a need to improve the visibility, awareness and offer at public venues.</p>	n/a

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S011 (provide)	6	<p>Deliver informal recreational opportunities to participate in sport, including tennis. To maximise the sustainability and use these spaces, as well as the benefits to the local community, this action should be delivered as part of a joined up approach with other sports. This should include;</p> <ul style="list-style-type: none"> • Proactive identification of sites • Exploration of opportunities to develop hub sites for informal activity ofr example informal activity in partnership on MUGAs with other governing bodies • Sharing of learning, particularly around technology, with other NGBs 	<p>Recreational football is becoming increasingly important and is now a key priority of the FF and FA. Football, linked with other sports, provides an opportunity to get increasing numbers of people active as well as to maximise the usage of some existing facilities that are under utilised.</p> <p>The governing bodies of each sport are all seeking to achieve the same goals – increasing activity and knowledge sharing would maximise the benefits of a partnership approach.</p>	<p>Opportunities at local MUGAs should be explored, potentially alongside football. The Football Foundation / FA / DBC have identified Firthmoor Community Centre and Middleton St George Community Centre as key potential projects for investment.</p>
S08	6	<p>Work alongside the LTA to explore the LTA's desire to provide an indoor tennis facility in Darlington. This is identified as a strategic target for the LTA.</p> <p>This should include detailed viability and feasibility work, demand modelling and consultation with local clubs and the tennis community.</p>	<p>Darlington Borough has been identified as a key priority for a new indoor tennis centre in LTA insight and is a strategic priority for the LTA. Further research is required to determine whether this facility is required and the opportunities to deliver such a facility sustainability and in a manner that positively impacts tennis in Darlington.</p> <p>Polam Hall School has recently expressed an interest in this opportunity. Polam Hall have identified the requirement for new sports hall provision to meet the needs of the curriculum going forward. Existing indoor sports provision on site is inadequate.</p>	n/a



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Bowls

Link to Strategic Objectives	Recommendation	Justification	Relevant Sites and Key Actions
S01 (Protect)	1 Resist the loss of any club based facilities unless replaced by equivalent or better provision in terms of quantity and quality in a suitable location. Former bowling greens that are now redundant are not required to meet current or projected future need.	All existing clubs have capacity to accommodate additional members. All current sites are however well used and the ageing population is likely to positively impact on demand for bowls. There is therefore a need to retain existing facilities and to promote access to these sites.	All clubs
S04 S05 S06 S07 (Enhance)	2 Support enhancements/upgrades to existing greens where there is evidence that the playing experience is currently impacted and where improvements would lead to increased community use and help to achieve financial sustainability by increasing membership. All bowling greens should include access to; <ul style="list-style-type: none">• A green of appropriate standard• Adequate pavilion (including toilets) and shelter	The quality of bowling greens continues to represent the key priority for clubs.	North Lodge – key priorities include reroofing / internal refurbishment, enhancements to bowling green surface, ongoing maintenance North Park, refers to footpaths, ongoing maintenance of playing surface South Park – improvement to playing surface to address defective areas,
S08 (Provide)	3 Support clubs to proactively increase participation and membership. To maximise the sustainability of bowls as a sport, efforts should focus on recruitment of junior players as well as adult and veterans. This is important for the sustainability of	Existing clubs have capacity for additional bowling greens and would benefit from higher memberships.	•

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		existing clubs as well as the growth of bowls as a sport.		
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Indoor Sport

Link to Strategic Objectives	Recommendation	Justification	Relevant Sites and Key Actions
SO1 (Protect)	1 Resist the loss of any swimming pool or sports hall sites unless replaced by equivalent or better provision in terms of quantity and quality in a suitable location. Resist the loss of any other specialist provision unless replaced by equivalent or better provision in terms of quantity and quality in a suitable location. Protect West Park Cycling Facility Protect Squash provision in the town Protect Gymnastics at Faverdale; improve facilities internally and support further phase developments Protect Boxing club provision.	All Swimming pool sites are well used and well located to meet current and future demands. The impact of any closures alongside growth would impact on the supply and demand balance. All sports hall sites are well used and well located to meet current and future demands. The impact of any closures alongside growth would impact on the supply and demand balance. Specialist sites are well used.	All Swimming Pools All Sports Halls All specialist indoor / built facility sites
SO2 (Protect)	2 Protect existing access to swimming pools and sports halls on education sites Ensure timely negotiation of community use agreements with	Existing school sites are central to the provision for swimming in Darlington. Loss of these facilities would impact on overall supply and demand balance Existing school sites are central to the provision for sports halls in Darlington. Loss of these facilities would impact on	Hummersknott Academy, Longfield and Education Village All School sports hall sites

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		<p>schools and with landowners where appropriate. Ensure that existing community use agreements are delivered and renewed</p> <p>Secure community use at other key venues that currently offer community use without any long-term guarantees.</p>	overall supply and demand balance	Securing community use at Hurworth School
S04 S05 S06 (Enhance)	3	<p>Support enhancements /upgrades to the existing built facility infrastructure.</p> <p>Enhance West Park Cycling Facility Enhance Squash provision in the town Enhance Gymnastics at Faverdale; improve facilities internally and support further phase developments Enhance Boxing club provision</p>	The quality of facility provision is a key priority.	All sites
S08 and S09 (Provide)	4	<p>Work alongside the LTA to explore the LTA's desire to provide an indoor tennis facility in Darlington. This is identified as a strategic target for the LTA.</p> <p>This should include detailed viability and feasibility work, demand modelling and consultation with local clubs and the tennis community.</p>	<p>LTA modelling demonstrates that Darlington is a key priority for indoor tennis – this is a strategic priority for the LTA.</p> <p>Polam Hall School has recently expressed an interest in this opportunity. Polam Hall have identified the requirement for new sports hall provision to meet the needs of the curriculum going forward. Existing indoor sports provision on site is inadequate.</p>	<p>Polam Hall School Any other potential sites</p>

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S08 and S09 (Provide)	5	<p>Seek investment to the swimming pool and sports hall infra-structure from major developments of over 300 houses</p> <p>Provide new provision to meet identified gaps</p>	<p>Supply and demand clearly illustrates that there will be impacts of the projected growth that will require financial contributions. This will be exacerbated if the supply changes</p> <ul style="list-style-type: none"> • Polam School Sports Hall • Carmel School Sports Hall • Small flexible activity spaces • New athletics track at Eastbourne or elsewhere if track cannot be delivered at Eastbourne Sports Complex. 	<p>Dolphin Centre</p> <p>All other swimming pool and sports hall sites</p>
S08 and S09 (Provide)	6	<p>Support the improvement of the facilities for athletics to ensure long term sustainability of the sport within the Borough.</p> <p>Investment into the upgrade of facilities at Eastbourne Sports Complex is currently the preferred option</p>	<p>New facility required to ensure that athletics in the town remains sustainable. Existing facility no longer meets needs of athletics club</p>	<p>Eastbourne Sports Complex</p>



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- 4.2.1 In relation to both playing fields and built facilities, it is necessary to ensure that the process relating to S106 agreements is as streamlined as possible and maximises the effectiveness of contributions towards community sport. The below general recommendations therefore relate to the implementation of this process.

General Recommendations

	Recommendation	Justification	Key Sites
General 1	Adopt use of Sport England Playing Pitch and Facility Calculator in the approach to determining S106 contributions	Sport England Playing Pitch and Facility Calculator provide a robust and transparent approach	N/a
General 2	Review existing S106 process to maximise effectiveness for developing contributions to community sport		N/a

4.1 Implementation

- 4.1.1 As in the 2015 strategy document, an action plan has been developed to demonstrate how the action will be achieved, by when and by whom.
- 4.1.2 The plan is set out in the following pages. For the purposes of this action plan, short term is equal to 0-1 year, medium is 1-3 years and long term is 3-5 years.
- 4.1.3 Further information relating to the action plan can be obtained from Mike Crawshaw at Darlington Borough Council (01325 405703).

Playing Pitch and Built Facility Strategy



Action Plan

Link to Strategic Objectives	Recommendation	Lead Partner Agencies	Timeframe	Measure of Success
S01	Protect active stock playing fields through the inclusion of appropriate policy in the Darlington Local Plan. Any pitches which are not required to be retained will be documented in the site by site table at the end of this strategy.	DBC Planning / Leisure NGBs, Sport England	Ongoing	<ul style="list-style-type: none"> Sites should be protected, enhanced and any sites that are no longer required to meet current or projected future need. The loss of any site not required should result in replacement provision and the list should be regularly updated in line with strategy monitoring processes. S02
S09	Adopt use of Sport England Playing Pitch and Facility Calculator in the approach to determining S106 contributions	DBC Planning / Leisure / Sport England	Short	<ul style="list-style-type: none"> Meeting with Sport England to discuss use of calculators Ongoing use of tool
S09	Review existing S106 process to maximise effectiveness for developing contributions to community sport	DBC Planning / Leisure	Short	<ul style="list-style-type: none"> Meeting to discuss and agree revised S106 process Integration of proposed approach in policy and practice
S02, S08,	<p>Protect existing security of access with timely negotiation of community use agreements with schools and with landowners where appropriate.</p> <p>Ensure that existing community use agreements are delivered and renewed.</p> <p>Secure community use at other key venues (Hurworth School/ St Aidans RC school) that currently offer community use without any long term guarantees</p>	DBC Leisure / Children's Services	Short	<ul style="list-style-type: none"> Meeting with Hurworth School / St Aidans RC High School CUAs are in place, kept up to date and are enforced through planning conditions

Playing Pitch and Built Facility Strategy



S03	Work with schools and key sports clubs to maximise the use of school venues	DBC Leisure / Children's Services /	Short	<ul style="list-style-type: none"> • Exploration of potential partner clubs for Carmel College • Strong usage of all large school sites
S04	Continue to operate the strategic hierarchy of pitch provision across the authority	DBC Leisure / Children's Services / NGBS	Ongoing	<ul style="list-style-type: none"> • All subsequent recommendations are undertaken with this strategic hierarchy in mind
S07, S04, S06	Work with providers to ensure that all 3G pitches remain on FA pitch register and that 3g Pitches continue to be promoted for competitive fixtures.	DBC Leisure, DFA / FF	Ongoing	<ul style="list-style-type: none"> • All pitches retained on FA pitch register • Meeting with The FA / Clubs / Schools to promote use of AGPs • Meeting with clubs to maximise use of all accessible venues in the Borough
S08	Provide one new 3G AGP. The new facility should meet with FA specification and constructed to appropriate standard for inclusion on the FA 3G pitch register			<ul style="list-style-type: none"> • New AGP in Borough following viability assessment • Ongoing work with Teeside Youth Alliance to consider potential for new 3G pitch to be used as league central venue
S08	Support the provision of additional grass pitch provision, linking with existing or new clubs, where explicit need is identified and where housing development is of sufficient size to provide on site facility (with appropriate ancillary provision)	DBC Leisure / The FA	Medium - Long	<ul style="list-style-type: none"> • Potential new multi pitch venue located in strategic growth area
S04, S05, S06, S07 -	<p>Address current and potential longer term issues with the quality of football provision by initially improving the existing pitch stock as follows;</p> <ul style="list-style-type: none"> • Improving existing poor quality pitches (focusing on sites where quality impacts capacity, pitches sustaining higher levels of use and multi pitch 	DBC Leisure / FA / Grounds Management Association	Short	<ul style="list-style-type: none"> • Commission of Pitch Improvement assessments (PIP) for priority sites that have not been assessed • Tailored maintenance schedules for key sites through work alongside providers • Improved pitch quality – to include no poor pitches

Playing Pitch and Built Facility Strategy



	<p>sites). This should focus upon;</p> <ul style="list-style-type: none"> Investment into pitch maintenance, including engagement with FA Pitch Improvement Programme (PIP) Capital investment to address pitch issues identified through engagement with PIP Improvement of ancillary facilities where there is an identified need Supporting improvement to facilities required to meet pyramid clubs Fencing pitches in public parks where quality becomes an issue due to public use Resurfacing AGPs where required to maintain inclusion on 3G pitch register <p>Key priorities include Poor quality sites - Wyvern Academy / Heighington Playing Fields</p> <p>Sites close to capacity – Darlington RA / Longfield Academy / Hummersknott Academy</p> <p>Valuable Multi Pitch Sites – The Education Village / Eastbourne Sports Complex/ HACSA Sports Field</p>			<ul style="list-style-type: none"> Increase in usage of poor pitches Successful funding applications Creation of leasing policy
SO10	Identify a solution for the future of Darlington FC in order to secure the clubs' long term future and ensure that participation and progression is not inhibited by facilities	FA / Club	Short	<ul style="list-style-type: none"> Agreement of long term solution with club
SO11	<p>Proactively identify appropriate facilities (for example MUGAs) to support recreational sport. To maximise the sustainability and use these spaces, as well as the benefits to the local community, this action should be delivered as part of a joined up approach with other sports. This should include;</p> <ul style="list-style-type: none"> Proactive identification of sites 	FA / FF / LTA / DBC Leisure / other NGBS	Short – Medium	<ul style="list-style-type: none"> Development of engagement plans alongside community based operators Established partnerships between NGBs Exploration of potential opportunities to use S106 funding to support key projects Increasing informal participation Introduction of relevant technology where appropriate.



Playing Pitch and Built Facility Strategy

	<ul style="list-style-type: none"> • Exploration of opportunities to introduce activity, including potential partnerships between sports • Consideration of use of technology – for example gate technology. <p>The Football Foundation / FA / DBC has identified Firthmoor Community Centre and Middleton St George Community Centre as potential projects for investment.</p>			
Rugby Union				
S08, S010 S04, S06	<p>Create additional capacity for both rugby clubs as follows;</p> <p>Darlington Mowden Park (DMP and Elizabethans)</p> <ul style="list-style-type: none"> • Improve maintenance and invest in drainage to enhance existing pitches. • Provide additional pitch capacity through either; • Minimum of 5 floodlit grass pitches of high quality (D3 / M3) • 1 3G AGP (to be used for training), 2 grass pitches and 2 mini pitches • Four senior grass pitches (3 floodlit) and 2 mini pitches as a minimum are required in addition to an AGP if training takes place on grass <p>Darlington RFC</p> <ul style="list-style-type: none"> • Improve maintenance to a minimum of D2 on all pitches • Support improvements to drainage to a minimum of D2 on all pitches • Provide additional floodlights – 3 floodlit pitches are required to effectively meet training needs 	RFU / Clubs	Medium Term	<ul style="list-style-type: none"> • Improved maintenance regimes • Investment into pitch quality • Provision of additional floodlights • Additional capacity created (DMP) • Meeting to discuss joint working between two clubs.
S05	Support rugby clubs in the provision of appropriate ancillary facilities. Darlington RFC facilities require further investigation currently	Club / RFU	Long Term	<ul style="list-style-type: none"> • Upgraded ancillary provision at Darlington RFC • Successful funding application

Playing Pitch and Built Facility Strategy



Rugby League				
S010	Monitor demand for rugby league and ensure access to appropriate facilities if required.	DBC Leisure RFL	Short – Medium Term	<ul style="list-style-type: none"> Participation in rugby league evident within the borough
Cricket				
S01 / S02 / S08	<p>Ensure clubs have access to facilities required to sustain current activities by;</p> <ul style="list-style-type: none"> Supporting Haughton CC to secure long term access to their ground <p>Working with clubs at capacity to deliver additional facilities to meet current / projected future need. This may include new provision (anticipated 1 pitch), linked with existing club, to be delivered through;</p> <ul style="list-style-type: none"> New pitch on urban extension Provision of facilities at a school site Reinstatement of facilities at former cricket ground. 	DBC Leisure / DBC Planning Durham Cricket Board	Medium – Long Term	<ul style="list-style-type: none"> Long term security for Haughton CC New cricket provision Increase in participation
S04	<p>Work with clubs to prioritise improvements to the quality of existing cricket club bases. Key areas for improvement relate to:</p> <ul style="list-style-type: none"> Maintenance procedures Wicket and outfield condition (including drainage) surface levelling changing pavilions. <p>All clubs require qualitative improvements.</p>	DBC Leisure / DBC Planning Durham Cricket Board	Short – Medium Term	<ul style="list-style-type: none"> Commission of Pitch Improvement assessments (PIP) for priority sites that have not been assessed Improved pitch quality – to include no poor pitches Successful funding applications
S04 / S05 / S06	Support cricket clubs in the improvement of training facilities to enhance club sustainability and improve	DBC Leisure / DBC Planning	Short – Medium Term	<ul style="list-style-type: none"> Each club benefitting from non turf wicket Each club having access to on site training

Playing Pitch and Built Facility Strategy



	<p>overall performance. This should include improvements (or provision of) both appropriate training nets and artificial wickets for all clubs. The aspiration is for all clubs to have;</p> <ul style="list-style-type: none"> • At least one artificial wicket • Access to appropriate training nets <p>Key priorities include – non turf (Cockerton, Darlington RA, Haughton CC and Middleton St George) and practice nets for Rockcliffe Park / Darlington RA.</p>	Durham Cricket Board		<ul style="list-style-type: none"> • provision Successful funding applications
S04	Support clubs to obtain appropriate maintenance equipment to enable the improvement of quality issues and ensure the ongoing sustainability of cricket in the Borough.	Club DCB.DBC Leisure	Short Term	<ul style="list-style-type: none"> • Tailored maintenance schedules for key sites • Improved pitch quality – to include no poor pitches • Successful funding applications
S03 S07 S08, S011	Investigate opportunities to create a new informal cricket venue for public use in Darlington Borough.	DBC Leisure / ECB	Long Term	<ul style="list-style-type: none"> • New site introduced • Successful participation initiatives launched • Increase in participation
S04, S07	Support cricket clubs in the implementation of ECB participation schemes in order to enhance sustainability, as well as to address the existing gaps in participation.	DBC Leisure / ECB	Ongoing	<ul style="list-style-type: none"> • Successful participation initiatives launched • Increase in participation, particularly amongst youth and female groups
<ul style="list-style-type: none"> • Hockey 				
S01	Ensure that sand based AGP at Carmel College is protected for use by hockey club and that hockey usage is prioritised.	DBC Leisure / School / EH	Short Term and Ongoing	<ul style="list-style-type: none"> • Retention of sand based surface • Prioritisation of hockey • Increasing participation
S04 / S06	Ensure ongoing investment into appropriate maintenance procedures across the lifespan of sand based AGP at Carmel College, and continue partnership approach to facility management.	DBC Leisure / School / EH	Ongoing	<ul style="list-style-type: none"> • Tailored maintenance plan that is adhered to

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Tennis					
S01	Retain existing club based tennis courts and seek to improve capacity at these facilities through the addition of floodlighting	Club / DBC / LTA	Medium	<ul style="list-style-type: none"> Provision of floodlights 	
S04	<p>Support clubs in the improvement of facilities where issues have been identified. Both clubs should include access to;</p> <ul style="list-style-type: none"> courts of an appropriate standard; and adequate pavilion (including toilets) and shelter <p>Wellfield LTC is currently a key priority</p>	Club / DBC / LTA	Medium	<ul style="list-style-type: none"> Resurfaced courts at Wellfield TC Retention of quality at New Blackwell Successful funding applications 	
S01, S04, S08	<p>Seek to enhance the value of public tennis courts at Stanhope Park and Brinkburn Dene by;</p> <ul style="list-style-type: none"> working alongside the LTA to investigate new technological systems to improve the customer journey. Improving court quality Investing in marketing and organised activities Floodlighting courts. 	DBC Leisure / LTA	Short term	<ul style="list-style-type: none"> Investment into court quality Installation of new systems Successful launch of new participation initiatives Increased participation Identification of S106 funding to support upgrade of park tennis provision Installation of floodlights, linked with new technological systems. 	
S01, S04, S08	<p>Protect school courts and ensure that they offer a clear prospect for community use through qualitative improvements. These should include;</p> <ul style="list-style-type: none"> improvements (i.e. floodlighting) to increase the hours of community use, including those on school sites; quality improvements to tennis courts to enhance the quality of play and skill development (e.g. resurfacing, deep cleaning); and provision of improved changing and ancillary facilities. <p>The Education Village / Longfield Academy in particular should be prioritised</p>	LTA/DBC Leisure / Schools	Medium – Long term	<ul style="list-style-type: none"> Increase in community usage of school tennis courts Introduction of tennis development schemes at key sites. 	



Playing Pitch and Built Facility Strategy

S03	Increase promotional activity for tennis across the borough linking with schoolsites and promoting the availability of the public venues that are accessible free of charge. There are also opportunities to improve the opportunities for youth players to join clubs. This should include joint working between the Borough Council and LTA.	DBC Leisure / LTA	Medium Term	<ul style="list-style-type: none"> Increased participation
S08	Work alongside the LTA to explore the LTA's desire to provide an indoor tennis facility in Darlington. This is identified as a strategic target for the LTA.	LTA / DBC Leisure	Short Term	<ul style="list-style-type: none"> Agreed outcome on potential viability and feasibility of new facility Progress towards new provision if deemed viable and required
Bowls				
S01	Resist the loss of any club based facilities unless replaced by equivalent or better provision in terms of quantity and quality in a suitable location. Former bowling greens that are now redundant are not required to meet current or projected future need.	DBC Planning / DBC Leisure	Ongoing	<ul style="list-style-type: none"> Retention of existing greens and sustainable bowls provision
S04 S05 S06 S07	Support enhancements/upgrades to existing greens where there is evidence that the playing experience is currently impacted and where improvements would lead to increased community use and help to achieve financial sustainability by increasing membership. All bowling greens should include access to; <ul style="list-style-type: none"> A green of appropriate standard Adequate pavilion (including toilets) and shelter Key priorities are; <ul style="list-style-type: none"> North Lodge Park, North Park, South Park , 	Clubs / DBC Leisure	Medium Term	<ul style="list-style-type: none"> Improved facility quality Successful funding applications
S08	Support clubs to proactively increase participation and membership. Efforts should focus on recruitment of junior players as well as adult and veterans.	Clubs / DBC Leisure	Short Term	<ul style="list-style-type: none"> Increased participation

Playing Pitch and Built Facility Strategy



Indoor				
S01	<p>Resist the loss of any swimming pool or sports hall sites unless replaced by equivalent or better provision in terms of quantity and quality in a suitable location.</p> <p>Resist the loss of any other specialist provision unless replaced by equivalent or better provision in terms of quantity and quality in a suitable location.</p> <p>Protect West Park Cycling Facility</p> <p>Protect Squash Club provision in the town</p> <p>Protect Gymnastics at Faverdale; improve facilities internally and support further phase developments</p> <p>Protect Boxing club provision.</p>	DBC Planning / DBC Leisure	Ongoing	<ul style="list-style-type: none"> Retention of existing pool sites Retention of existing sports hall sites Retention of specialist sport sites
S02	<p>Protect existing access to swimming pools and sports halls on education sites</p> <p>Ensure timely negotiation of community use agreements with schools and with landowners where appropriate.</p> <p>Ensure that existing community use agreements are delivered and renewed</p> <p>Secure community use at other key venues (Hurworth School) that currently offer community use without any long-term guarantees.</p>	DBC Leisure / Children's Services	Ongoing	<ul style="list-style-type: none"> Access to swimming pools and sports halls on school sites is protected and supported CUAs are in place, kept up to date and are enforced through planning conditions
S04/S05 S06	<p>Support enhancements /upgrades to the existing built facility infra-structure.</p> <p>Enhance West Park Cycling Facility</p> <p>Enhance Squash provision in the town</p> <p>Enhance Gymnastics at Faverdale; improve facilities internally and support further phase developments</p> <p>Enhance Boxing club provision</p>	Clubs / DBC Leisure	Medium – Long Term	<ul style="list-style-type: none"> Improved facility quality Successful funding applications

Playing Pitch and Built Facility Strategy



S08 / S09	<p>Work alongside the LTA to explore the LTA's desire to provide an indoor tennis facility in Darlington. This is identified as a strategic target for the LTA.</p> <p>This should include detailed viability and feasibility work, demand modelling and consultation with local clubs and the tennis community.</p>	LTA / DBC Leisure	Short – Medium Term	<ul style="list-style-type: none"> • Completion of feasibility / viability work • Provision of facility if appropriate
S08 / S09	<p>Seek investment to the swimming pool and sports hall infrastructure from major developments of over 300 houses</p> <p>Provide new provision to meet identified gaps</p>			<ul style="list-style-type: none"> • Contributions secured towards built facility infrastructure • Development of new sports halls at Pollam School and Carmel
S08/S09	<p>Support the improvement of the facilities for athletics to ensure long term sustainability of the sport within the Borough.</p> <p>Investment into the upgrade of facilities at Eastbourne Sports Complex is currently the preferred option</p>	EA / DBC Leisure	Short – Medium Term	<ul style="list-style-type: none"> • Upgrade to the existing track at Eastbourne Sports Complex (or replacement facility elsewhere if this is not deliverable) • Creation of revised management / maintenance plan to ensure long term sustainability of facility



Playing Pitch and Built Facility Strategy

- 4.1.4 Given the potential level of funding required, as in 2015, it is likely that investment will only be achieved through a combination of opportunities and funding sources as well as partnership opportunities.
- 4.1.5 Local authority finances remain under pressure and previous major national funding programmes are no longer available. Some funding opportunities, however, still remain. While the education capital funding programmes will continue to change over time, there will still be a need for investment to take place on school sites during the strategy period and opportunities for joint projects may arise.
- 4.1.6 The impact of the Covid 19 pandemic is also unknown, and with little activity during 2020 and early 2021, there are significant implications on finances at both national and local level and as yet, the recovery process and the opportunities that will become available are unknown.
- 4.1.7 As a result, the Council will seek to use assets innovatively and work on a multi-agency approach to address the facility requirements in the strategy.
- 4.1.8 The main funding delivery mechanisms for Darlington Borough Council and others in delivering this strategy are:
- Planning obligations– new development and population growth will generate demand for additional indoor and outdoor sports facilities. All new developments should contribute towards the provision of outdoor and indoor sports, whether through the provision of new facilities or the improvement of existing (see later in this section – this



Playing Pitch and Built Facility Strategy

strategy now proposes the use of the Sport England Facility Calculator and Playing Fields Calculator)

- Capital Grant funding: From schools and national agencies such as Sport England
- National Governing Body (NGB) support
- Council funding: capital funding allocated to deliver facilities within the council's ownership, and potentially the use of capital receipts from the sale of existing assets
- Education and Further Education sector: while the previous sources of funding have changed and the scale of the education capital programmes have been reduced, the education sector is still likely to be a key funding stream.

New Facilities

- 4.1.9 In addition to the overarching strategy principles outlined earlier in this section, the following should be considered when providing any new facilities (or new sites to facilitate club relocation).



Playing Pitch and Built Facility Strategy

- Location - When planning new facilities, the existing sporting infrastructure should be taken into account. In particular, club bases for cricket and rugby should be retained and the provision of single pitch sites with limited facilities should be avoided
- Quality - Any new pitch provision should meet with the design and quality standards guidance provided by Sport England and/or the relevant NGB (detailed below). The following general criteria must also be met:
 - A high standard of design, construction and maintenance appropriate to the standard of play
 - Adequate changing facilities that:
 - are flexible, fit for a variety of purposes;
 - fully comply with the provisions of the Disability Discrimination Act;
 - provide for a number of different groups to use the facility at the same time, in safety and comfort; and
 - meet current standards - Sport England & NGB guidelines
 - Managed community access
 - Accessible by public transport and by car
 - Sufficient car parking
 - Size of pitches and run offs complies with NGB specification
 - Security of tenure (at least 20 years) if a club is to be based at the site.

4.1.10 All new and enhanced sports facilities must be designed in accordance with the relevant Sport England and (where applicable) National Governing Body (NGB) design guidance in order to ensure that the facilities are fit for purpose and of a suitable quality.

4.1.11 To ensure sustainability, new sites should include a minimum of two pitches. New single pitch sites will not be supported and new provision associated with any development of insufficient size to warrant more than one pitch should be located off site as part of a multi pitch development.

4.1.12 Sport England's web site www.sportengland.org contains a range of current guidance documents which provide detailed specifications and information regarding the design of sporting and ancillary facilities.



Playing Pitch and Built Facility Strategy

4.2 Evaluating the Impact of New Development

4.2.1 Sport England has developed tools for determining the impact of new development on demand for indoor sports facilities and playing fields and they should be used to guide the investment required in facilities from new development. These are:

- Sport England Playing pitch Calculator
- Sport England Facility Calculator.

4.2.2 The Council should work with Sport England in order to adopt a consistent process that is transparent and fair but maximises the opportunities for sport.

Monitoring and Review

4.2.3 The evolving context of participation in sport and active recreation means that monitoring and review of the strategy is as important as the initial preparation of the document to ensure it remains sufficiently robust.

4.2.4 Reflecting the importance of this phase of work, monitoring of the strategy is a key component of both the Assessing Needs and Opportunities guidance (ANOG) and the Playing Pitch Strategy Guidance (Sport England).

4.2.5 The 2015 Strategy was successfully monitored by Darlington Borough Council and it is intended that this next strategy will be monitored similarly. The steering group are therefore committed to keeping the strategy alive through:



Playing Pitch and Built Facility Strategy

- Monitoring the delivery of the recommendations and actions and identifying any changes that are required to the priority afforded to each action;
- Recording changes to the facility stock and evaluating the impact of this on the supply and demand information;
- Assessing the impact of changes to participation and changing trends on the amount and type of facilities required;
- Assessing the impact of demographic changes and any changes to forecasted plans for housing growth;
- Ongoing consultation to understand the evolving needs of clubs and governing bodies, and any requirements for new or improved facilities in the area;
- Analysis of funding sources and new funding opportunities for the provision/improvement of sports facilities;
- Reviewing growth of emerging sports, their participation rates, facilities available for them and likely facilities necessary for their support and development; and
- Ensuring that the strategy continues to provide an up to date and robust evidence base to underpin CIL / S106 obligations.

4.2.6 The working group will continue to meet to review progress by all key partners on the strategy delivery and to discuss any issues arising.

4.2.7 Monitoring will be particularly important in this strategy, as the completion of the strategy mid way through the Covid 19 pandemic means that sport and recreation are facing unprecedented challenges, and the exact impact, both in terms of facility provision but also participation is unclear. The steering group are therefore committed to consulting with clubs at the end of the pandemic and sharing outcomes in order to build a full picture of the challenges that Darlington is facing. This work will then be fed into the regular update process that will be taking place.

**CABINET
7 SEPTEMBER 2021**

REGULATION OF INVESTIGATORY POWERS

**Responsible Cabinet Member – Councillor Scott Durham,
Resources Portfolio**

Responsible Director – Elizabeth Davison, Group Director of Operations

SUMMARY REPORT

Purpose of the Report

1. The purpose of this report is to inform and update Members about issues relevant to the use of the Regulation of Investigatory Powers Act 2000 and developments that have taken place since the last report to Cabinet in March 2021.

Summary

2. The Regulation of Investigatory Powers Act 2000 (“RIPA”) enables local authorities to carry out certain types of surveillance activity, as long as specified procedures are followed. The information obtained as a result of surveillance operations can be relied upon in court proceedings providing RIPA is complied with.
3. The Investigatory Powers Act 2016 (“IPA”) is the main legislation governing the acquisition of communications data. The information obtained as a result of these acquisitions can also be relied upon in court proceedings providing IPA is complied with.
4. This report updates members on issues relevant to this area of work and gives details of RIPA directed surveillance applications and IPA communications data applications that have been authorised since the last report to Cabinet.

Recommendation

5. It is recommended that Members:-
 - (a) Note the developments that have taken place since March 2021.
 - (b) Receive further reports on the Council’s use of RIPA and IPA and other associated issues.

Reasons

6. The recommendations are supported by the following reasons:-

- (a) In order to ensure that the Council complies with the legal obligations under RIPA, IPA and national guidance.
- (b) To help in giving transparency about the use of RIPA and IPA in this Council.

Elizabeth Davison
Group Director of Operations

Background Papers

- (i) IPCO Quarterly Newsletter 30 June 2021
- (ii) Covert Human Intelligence Sources (Criminal Conduct) Act 2021

Amy Wennington: Extension 5466

S17 Crime and Disorder	The appropriate use of and oversight of RIPA and IPA powers will enable the Council to provide evidence to support appropriate prosecutions and tackle crime.
Health and Wellbeing	There are no specific implications for Health and Wellbeing
Carbon Impact and Climate Change	There are no issues which this report needs to address
Diversity	The policy treats all groups equally.
Wards Affected	All wards
Groups Affected	All groups equally
Budget and Policy Framework	This does not represent a change to the Council's budget and policy framework.
Key Decision	This is not a key decision
Urgent Decision	This is not an urgent decision
Council Plan	The appropriate use of RIPA and IPA can help in supporting the Council's community safety and crime reduction objectives.
Efficiency	Clarity about the lawful use of RIPA and IPA will help in the efficient use of the powers
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

RIPA Authorisation Forms

7. These forms had not been updated by the Home Office for some time. The old forms predated the Protection of Freedoms Act and referenced earlier Codes of Practice that have since been revised. When we were inspected by the Investigatory Powers Commissioner's Office in 2020 it was suggested that we could update the forms ourselves, rather than await any Home Office updates. This has now been done and the updated forms are available on the intranet.

Covert Human Intelligence Sources (Criminal Conduct) Act 2021

8. The Covert Human Intelligence Sources (Criminal Conduct) Act 2021 received Royal Assent in March 2021. It provides express legal power for intelligence agencies, law enforcement agencies and some public bodies to authorise covert human intelligence sources to participate in conduct which would otherwise constitute a criminal offence. For clarity, local government is not listed within the Act as an authority capable of authorising criminal conduct.

Using social media as a surveillance tool

9. In the Investigatory Powers Commissioner's most recent newsletter, particular attention was drawn to the topic of social media surveillance in the context of child protection matters.
10. Sir Brian Leveson confirmed that use of open-source material or other internet searching can, in principle, constitute covert surveillance under RIPA. However, for local authorities in England and Wales, the only statutory purpose for surveillance under RIPA is the prevention or detection of crime or prevention of disorder.
11. When social workers monitor social media and exercise child protection powers, it is doubtful that this is for the detection or prevention of crime, but rather for the purposes of the local authority's child protection functions, with material acquired being used in civil, not criminal, proceedings.
12. As RIPA authorisations can only be used for the prevention or detection of crime, in most cases of child protection inspired enquiries, the RIPA framework of authorisations is not available to a local authority. As such, social media surveillance for these local authority investigations is likely to fall outside of the RIPA authorisation process.
13. Although social media surveillance is not unlawful (in and of itself), it would be classed as unlawful if it interfered with an individual's right to respect for private and family life, home and correspondence (Article 8 Rights, ECHR) if that interference is not justified and subject to an appropriate legal regime.

14. The Investigatory Powers Commissioner therefore strongly recommends local authorities develop “non-RIPA” processes to ensure social media surveillance in non-criminal cases does not breach Article 8.

Authorisation Form for Surveillance Outside of RIPA

15. We have created an application form to cover surveillance that falls outside of RIPA, such as that described in paragraphs 9 to 14 above. For clarity however, this form does not only apply to child protection matters. RIPA only applies to circumstances when the local authority is carrying out a core function. Core functions are the specific public functions undertaken by the local authority, for instance a regulatory function.
16. This means that if a matter relates to any ordinary function, RIPA does not apply. An example of an ordinary function would be a staffing/employment related issue. Accordingly, any surveillance activity in these circumstances will be undertaken outside of RIPA and therefore without the statutory protection afforded by RIPA compliance. In such circumstances, the activity will only be lawful if it can be shown that the requirements of the Human Rights Act 1998 have been complied with. The form we have created enables the Council to demonstrate compliance with that Act.
17. This form is not available on the intranet as this is a highly technical area. Specific legal advice must be obtained from the Assistant Director, Law and Governance if it is considered that surveillance being contemplated relates to an ordinary function. If it is agreed with Legal Services that such surveillance is permissible then the relevant form to be completed for audit and record keeping purposes will be provided for completion, after that discussion with the Assistant Director, Law and Governance has taken place.

Training

18. It is planned that refresher RIPA training will take place for relevant staff throughout September and October 2021. An update will be provided on this in the next scheduled Cabinet Report.

Bi-Annual Report

Directed Surveillance Authorisations

19. There have been no authorisations granted since the last Cabinet Report.

Communications Data Authorisations

20. There have been no authorisations granted since the last Cabinet Report.

**CABINET
7 SEPTEMBER 2021**

INVESTMENT FUND UPDATE

**Responsible Cabinet Member - Councillor Scott Durham,
Resources Portfolio**

Responsible Director - Elizabeth Davison, Group Director of Operations

SUMMARY REPORT

Purpose of the Report

1. To update Cabinet on progress against the agreed investments being funded through the Investment Fund.

Summary

2. In November 2016 the Council established an investment fund to be used for innovative investment opportunities beyond the traditional Treasury Management Strategy in order to achieve greater returns given the low returns on investment.
3. The fund provision of £50m is being utilised as envisaged in the original reports to Council to include Joint Venture (JV) vehicles and economic regeneration initiatives. Returns on JV's are anticipated to be over £6m and two of the schemes have completed with the investment fully repaid and recycled back into the fund.
4. Whilst the COVID-19 pandemic had an impact on a couple of the joint venture scheme in regard to timescales being pushed back, they are now back on track and sales are buoyant.
5. The investment fund is currently funding seven schemes as detailed in the report.

Recommendation

6. It is recommended that Cabinet note the use of the Investment Fund and the returns achieved through the joint venture vehicles.

Reasons

7. The recommendations are supported :-

- (a) To keep Cabinet informed of progress made on opportunities undertaken and investment returns.
- (b) To increase development opportunities and ultimately income for the Council.

Elizabeth Davison
Group Director of Operations

Background Papers

- (i) Council report – 24 November 2016 – Investment opportunities
- (ii) Council report – 29 November 2018 – Investment opportunities update and request to increase the fund.

Elizabeth Davison : Extension 5830

S17 Crime and Disorder	There are no anticipated impacts as a result of this report
Health and Wellbeing	There are no specific implications as a result of this report
Carbon Impact and Climate Change	As this report is providing an update on the financing of schemes there is no impact as a result of this report.
Diversity	There are no anticipated impact as a result of this report
Wards Affected	No anticipated impact on an individual area as a result of this report
Groups Affected	No anticipated impact on specific groups as a result of this report
Budget and Policy Framework	This does not represent a change to the budget or policy framework
Key Decision	This is not a key decision
Urgent Decision	This is not an urgent decision
Council Plan	The Investment fund is being utilised to assist with the financial stability of the council by maximising investment returns. The fund is also enabling economic growth by facilitating development
Efficiency	The utilisation of the Investment Fund is likely to increase Council income
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Background

8. In November 2016 Council agreed to the establishment of a Capital Investment Fund and following the successful implementation agreed to increase the fund to £50m on 29 November 2018.
9. It has been agreed the fund is recyclable so as the life of an investment comes to an end and repayment is made it will be recycled back into the investment fund for further utilisation. Any future scheme would of course still require a full detailed business case report to Cabinet.
10. Since the establishment of the fund, Cabinet have agreed to 11 uses of the fund, four of which have completed with the funding recycled. Two of the Joint Venture Schemes have been fully repaid (Eastbourne JV and Heighington JV); the Feethams house investment is being repaid via occupier rents and the guarantee on the Darlington Sports Village of £2.1m is no longer required. The remaining seven are summarised below:-

Investment	Cabinet Agreement Date	£m's	Repaid	Balance £m's
Markets (MAMD Ltd)	20/06/2017	1.80	-	1.80
Neasham Road: Relocation of Cattle Mart	06/03/2018	3.14	-	3.14
JV - West Park	03/04/2018	12.00	-	12.00
JV – Middleton St.George	08/01/2019	4.70	3.30	1.40
JV –ESH/DBC North East	03/12/2019	9.50		9.50
Land Acquisition - Faverdale	31/03/2020	1.30		1.30
JV - Neasham Road	15/09/2020	8.50		8.50
Total		40.94	3.30	37.64

Investment update

Market Asset Management

11. In 2017 the Council entered into a lease with Market Asset Management Ltd (MAM) for the management, refurbishment of the Victorian Indoor Market and the management and improvement of Darlington's outdoor market. As part of the lease MAM are obliged and committed to invest £1.5m (plus VAT) in repairs to the roof and structure of the building and improvements to the mechanical and electrical supplies, ventilation and heating system. A loan of £1.8m was made available to MAM to assist with the upfront expenditure and this is being repaid at state aid compliant rates which will benefit the Council to the tune of around £0.278m. In 2020 members further agreed to allocate £2.050m investment from the Tees Valley Indigenous Growth Fund into the Victorian Indoor Market for the development of the temperate garden and food and beverage outlets.

12. The refurbishment programme is delivered in three phases. The first phase, which commenced in January 2021, includes the refurbishment of approximately 50% of the market hall which will accommodate six street food stalls, a bar, communal seating, new entrance area and new public toilets and an area for live entertainment. This phase has also seen a major refurbishment of mechanical and electrical infrastructure and the installation of a bio-mass heating system. The vast amount of this work was carried out by a local Darlington construction company. MAM will produce and manage a full events diary and focus efforts on driving family-based evening economy to benefit the market and the wider town-centre and to dovetail with ongoing improvements to the outdoor markets and enhance events programme, which are all set to continue.
13. Phase 2 which will commence in September 2021 will focus on improving and refurbishing the existing trading floor, with phase 3 being the installation of a temperate garden on the east elevation of the building replacing the old canopy and redevelopment of large sections of the market vaults into a bar and restaurant. It is anticipated that this work will commence in 2022.

Neasham Road: Linked to Relocation of Cattle Mart

14. In March 2018 Cabinet agreed to purchase the land at Neasham Road from the Darlington Farmers Auction Mart and others to help facilitate the move out of the town centre. This was in recognition that the location was unsuitable for a Mart operation, both undesirable in the context of wider regeneration opportunities and impacts on the neighbourhood around Bank Top, and furthermore is constraining DFAM's growth opportunity. The acquisition of the land at Neasham Road not only assisted with this priority but enables the Council to bring forward significant additional development of affordable and social housing to meet an identified need within the borough
15. £3.14m was allocated from the investment fund being the balance of funding required for the move. The funding will be repaid from future Section 106 receipts from affordable housing along with any capital receipts received from the site. This scheme has now received planning permission for the whole site for the development of 449 homes, 155 privately owned homes delivered by a Joint Venture company, 150 Council owned affordable houses and outline planning for 144 homes to a registered provider or council owned affordable homes.
16. Following the grant of planning permission, development of the site at Neasham Road is now underway with construction of the site infrastructure progressing very well. Subject to the weather it is expected that the part of the site earmarked for Council Housing will be the first to start in early 2022 followed shortly afterwards by the Esh/DBC JV development. Opportunities to acquire land in third party ownership adjacent to the site have been taken with a view to assembling further development opportunities.

West Park Joint Venture

17. The Council entered into a Joint Venture Company with our framework partners to build and sell houses at West Park and agree funding of £12m to facilitate this. The scheme is part of the larger West Park Village and will be completed over a seven-year period. The Council is anticipated to receive a pre-tax profit on the venture of £2.1m and is ahead of

target at present, it is anticipated returns will be higher than originally anticipated when the scheme is complete.

18. The site continues to see high levels of interest and good demand from potential buyers, at the time of writing the scheme is ahead of schedule with 82 plots either reserved, exchanged or legally completed. The site is experiencing some issues in regard to supply of materials due to the global pandemic with delivery periods for material extended, however good progress is being made and it is not anticipated it will affect the gross profit margin.

Middleton St. George Joint Venture

19. In January 2019 Cabinet approved the establishment of a Joint Venture company to provide the infrastructure, build and sell 55 new homes private sale and affordable in Middleton St George. All plots have been sold or reserved and the anticipated pre-tax profit dividend is anticipated to be higher than the original estimate of £0.594m, this will be confirmed in the year end accounts. Furthermore as the scheme was slightly delayed due to Covid the surplus on the loan arrangements will also be higher than budgeted.

Esh DBC JV Limited

20. Building upon the success of the joint venture housing companies, Cabinet approved the establishment of a joint venture company in December 2019 to provide the infrastructure, build and sale of homes under an investment programme within the North East under the company name Esh DBC JV Limited.
21. This company takes a longer-term view and is not site specific which enables funds to be reinvested over a longer term. All sites are subject to qualifying investment criteria for residential development and it is envisaged the sites would be outside the boundaries of Darlington but within the North East region.
22. The company is based on a 50:50 split between the Council and Esh Homes Ltd with the company delivering profits equally the two parties. The estimated average pre-tax profit share for the Council per annum is £1m however cashflows will be recycled into new land and WIP until the fourth year of operation when the first dividend of £1m is anticipated.
23. The company is still in its infancy however one site has been purchased for the development of 75 houses in the Gateshead area and pre-construction works are progressing.

Neasham Road Joint Venture

24. Cabinet agreed to establishing a Joint Venture company with our framework partners to build and sell houses on the Neasham Road site. The company has been set up and as noted in paragraph 16, infrastructure works are progressing well with the first homes for sale anticipated in 2022. Pre-tax profits from the site are anticipated at £1.1m.

Land Purchase – Land at Faverdale

25. An opportunity arose to purchase the 74 acres of land for employment use to the east of Faverdale East Business Park which Cabinet approved in March 2020. This is part of a long-term strategy for opening up land for development. A number of expressions of interest have been made with a view to developing out the Council's site and it is intended to bring a report to Cabinet in October with a recommendation for taking the site forward.

Summary

26. The investment fund has been used for 11 schemes to date four of which have been recycled back into the fund.
27. The agreed Investment fund of £50m has a commitment against it of £37.64m leaving a balance of £12.36m uncommitted.
28. The joint venture schemes are anticipated to generate over £6m in profit dividend to assist the Medium Term Financial Plan, along with a further surplus on loan repayments.
29. The investment fund is being utilised as envisaged facilitating wide economic benefits as well as a direct positive impact on the Councils financial position.

CABINET
7 SEPTEMBER 2021

PROJECT POSITION STATEMENT & CAPITAL PROGRAMME MONITORING
QUARTER ONE 2021/22

Responsible Cabinet Member – Councillor Scott Durham,
Resources Portfolio

Responsible Directors – Dave Winstanley, Group Director of Services,
Elizabeth Davison, Group Director of Operations

SUMMARY REPORT

Purpose of the Report

1. This report provides:
 - (a) A summary of the latest Capital resource and commitment position, to inform monitoring of the affordability and funding of the Council's capital programme.
 - (b) An update on the current status of all construction projects currently being undertaken by the Council
2. It also seeks approval for a number of changes to the programme.

Summary

3. The projected outturn of the current Capital Programme is £268.833m against an approved programme of £269.715m. The investment is delivering a wide range of improvements to the Council's assets and more critically, to Council services. Refurbishment of council homes, improved learning environments in schools, better traffic flows and opportunities for sustainable travel have been achieved and are detailed within the report. The programme, including commitments, remains affordable within the Medium Term Financial Plan (MTFP) for 2021/22 – 2024/25.
4. The Council has a substantial annual construction programme of work. The current project position statement (PPS) shows there are 45 live projects currently being managed by the Council with an overall projected outturn value of £134.570m. The majority of projects are running to time, cost and quality expectations but are being monitored given the current pressures on resources in the construction sector nationally.
5. The projects are managed either by the Council's in-house management team, a Framework Partner or by Consultants sourced via an open/OJEU tender process.

Recommendations

6. It is recommended that Cabinet:
- (a) Note the attached status position on construction projects.
 - (b) Note projected capital expenditure and resources.
 - (c) Note the review and final outturn of scheme in paragraph 19.
 - (d) Approve the adjustments to resources as detailed in paragraph 24.

Reasons

7. The recommendations are supported by the following reasons: -
- (a) To inform Cabinet of the current status of construction projects.
 - (b) To make Cabinet aware of the latest financial position of the Council.
 - (c) To maintain effective management of resources.

Elizabeth Davison
Group Director of Operations

Dave Winstanley
Group Director of Services

Background Papers

- (i) Capital Medium Term Financial Plan 2021/22 – 2024/25
- (ii) Project Position Statement June 2021

Brian Robson : Extension 6608
Claire Hayes : Extension 5404

S17 Crime and Disorder	This report has no implications for crime and disorder.
Health and Well Being	There are no issues relating to health and wellbeing which this report needs to address.
Carbon Impact and Climate Change	There are no carbon impact implications in this report
Diversity	There are no specific implications for diversity
Wards Affected	All wards are affected.
Groups Affected	The proposals do not affect any particular groups within the community
Budget and Policy Framework	This report does not represent a change to the budget and policy framework.
Key Decision	The report does not represent a key decision
Urgent Decision	For the purpose of the 'call-in' procedure this does not represent an urgent matter.
Council Plan	The Capital Programme referred to in the report supports delivery of the Council Plan through appropriate deployment of the Council's resources
Efficiency	The recommendations support the effective and efficient use of resources.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers

MAIN REPORT

Information and Analysis

2020/21 Capital Spend and Resources

Information and Analysis

8. **Appendix 1** is a summary of all of the live construction projects and provides an overview on numbers, client responsibility, details of projected spend against budget and projected completion dates.
9. **Appendix 2** is for information and lists all live construction projects and provides details on numbers, type and details of the key individuals responsible for the delivery of the projects. It also provides a statement on the current status position on each project, details of actions being taken, where required and any current issues.
10. **Appendix 3** summarises the Council's capital commitments which are yet to be financed and also shows how it is intended for them to be financed. The total value of commitments, including available resources brought forward from previous years and 2021-22 schemes previously released by Cabinet, is £166.204m.
11. **Appendix 4** shows the Council's projected capital receipts and how they are going to be utilised to help finance the capital programme over the life of the MTFP.

Project Position Statement

12. Project management procedures require the production by project managers of a Project Position Statement (PPS) for all projects over £75,000. This report brings together the pertinent data from the current PPS with financial information from the Financial Management System (FMS) and approvals by Cabinet.
13. The Project Position Statement (Appendix 1) details the current live construction projects, up to the end of June 2021, by delivery area, and provides details on numbers, the current status position on each project with regards to budget and completion and any comments on current issues. The statement excludes any completed projects or those on hold.
14. The overview of live construction projects is as follows:

	Projects	Current Approved Budget £ / p	Projected Outturn £ / p	Variance %	Variance (Value) £ / p
Chief Executive & Economic Growth	13	52,349,894	52,261,020	(0.2)	(88,874)
Operations	17	23,033,201	23,019,531	(0.1)	(13,670)
People	2	4,154,656	4,154,656	0.0	0
Services	13	55,097,811	55,135,168	0.1	37,357
TOTAL	45	134,635,562	134,570,375	(0.2)	(65,187)

15. The table shown above includes a column for current approved budget. In certain cases this budget figure may be different from the original approved budget. This could be as a result of variances identified during construction or other variables not known at the initiation stage. The original budget and all subsequent changes have been reported to and approved by Cabinet.




16. The live projects are at the following stages:

Department	Brief	CP1	CP2	CP3	CP4	CP5	Total
Chief Executive & Economic Growth	0	2	5	2	2	2	13
Operations	0	4	0	7	6	0	17
People	0	0	0	2	0	0	2
Services	0	4	1	4	3	1	13
TOTAL	0	10	6	15	11	3	45

- (a) **Control Point 1 (CP1) – Start Up:** is used to define the position of a project at its conception stage.
- (b) **Control Point 2 (CP2) – Initiate:** defines a project at feasibility stage and will likely include a desktop assessment of a project and the use of informed estimates.

- (c) **Control Point 3 (CP3) – Define:** the point that the project is progressed to RIBA Stage F, i.e. detailed design.
- (d) **Control Point 4 (CP4) – Construction Phase:** is the stage at which work begins on the project, i.e. for a construction project on site through to build completion.
- (e) **Control Point 5 (CP5) – Evaluate:** is the stage post completion of the project at which time the project is reviewed and lessons learned are discussed in order that they can be taken to the next or similar projects.

17. The status on live projects is as follows:

Department			
Chief Executive & Economic Growth	1	11	1
Operations	1	16	0
People	0	2	0
Services	0	13	0
TOTAL	2	42	1

- (a) Star and triangle symbols are used to identify projects that have variances which are:-
 - (i) More than £5,000, if the variance is also more than 5% of the approved budget for the project, or
 - (ii) More than £50,000 regardless of the percentage variance.
- (b) Projects that are within these margins are symbolised with circles.
- (c) In addition to cost, the same symbols are used to indicate similar levels of variances in time and quality/outputs/outcomes.

18. Current projects with the triangle symbol are as follows:-

Project	Reason for Variance	Action
Ingenium Park	<p>The drainage works for the scheme have had to be delayed due to the working restrictions we have around the Great Crested Newts. The window for undertaking the drainage works is only between November-February, and has therefore delayed the completion of the overall scheme.</p> <p>The complexity and delay in delivering Ingenium Park may have an impact on budget which is now being reviewed</p>	<p>The drainage works will go out to tender in September for a November start on site.</p> <p>Reassessment of project budget.</p>
Allington Way - Phase 3	<p>The lack of resource availability particularly bricklayers in the construction market has extended the programme beyond the original completion date.</p>	<p>Resources are being monitored and reviewed to see they can be moved from other work.</p>

19. In line with the Council's Financial Procedure rules any scheme with an outturn value of in excess of a £1m has to be reported to Cabinet. In accordance with the agreed procedure the Dolphin Centre Refurbishment scheme has been reviewed (CP5) and the results and final outturn are shown in **Appendix 5**.

20. If approved this scheme will be removed from the live PPS listing in Appendix 2.

Reconciliation of Project Position Statement to Capital Programme

21. The table shown below reconciles the differences between the Capital Programme (CP) and the Project Position Statement (PPS). Differences occur because the Project Position Statement includes all construction projects over £75,000 in value funded from Capital and Revenue sources. Spending within the Capital Programme is not always of a construction nature, can be of any value and excludes Revenue funded schemes.

	Value £m
Live Projects from Project Position	134,570
Schemes closed or on hold within CP but awaiting PPS post project review.	21,729
Annualised Schemes excluded from PPS - Housing Repairs & Maintenance	1,018
Annualised Schemes excluded from PPS - Highways Maintenance	7,814
Annualised Schemes excluded from PPS - Childrens Services School Maintenance	0
Non construction excluded from PPS	17,134
Capital Investment fund excluded from PPS	35,560
Projects under 75k excluded from PPS	1,841
Capital Schemes not yet integrated into PPS reporting	14,323
Included in PPS & CMR	-5,500
Funding not yet allocated	40,344
Capital Programme	268,833

22. The table below shows the split of the approved capital programme of £269.715m, between the different service areas and also the various categories of spend. When compared to the table above it shows that there is a projected £0.882m underspend on the approved capital programme.

	Construction				Non construction	Capital investment fund	Housing New Build not yet allocated	Total
	Live Schemes 75k & Over	Annualised Schemes	Completed Schemes awaiting review	Live Schemes under 75k				
Area	£m	£m	£m	£m	£m	£m	£m	£m
Housing	22.980	0.893	6.815	0.049	0.940	0.000	42.213	73.890
Economic Growth	48.379	0.000	0.000	0.507	10.217	35.560	2.037	96.700
Highways/Transport	42.714	7.814	17.811	0.889	4.152	0.000	0.000	73.381
Leisure & Culture	19.310	0.000	0.000	0.184	0.000	0.000	0.000	19.495
Education	0.000	0.000	4.213	0.213	0.052	0.000	0.000	4.478
Adult Social Care	0.000	0.000	0.000	0.000	0.071	0.000	0.000	0.071
Other	0.000	0.000	0.000	0.000	1.701	0.000	0.000	1.701
Total	133.384	8.707	28.839	1.841	17.134	35.560	44.250	269.715

Capital Programme

23. Paragraph 24 shows the movements in the Capital Programme since the approval of the 2021/22 Capital MTFP, some of which have not yet been approved by Members.

24. Adjustment to resources requested by departments:

Virements

Department	Scheme	Value £	Reason for adjustment	Impact on budget
Chief Executive & Economic Growth	Advanced Design fees	(£10,000)	Advanced design funding for Treasury North	Nil Effect
Services	Treasury North	£10,000	Advanced design funding for Treasury North	Nil Effect
Chief Executive & Economic Growth	Dolphin Centre M&E Phase 3	(£7,500)	Advanced design funding for Dolphin Centre M&E Phase 3	Nil Effect
Services	Dolphin Centre M&E Phase 3	£7,500	Advanced design funding for Dolphin Centre M&E Phase 3	Nil Effect
TOTAL		£0		

Adjustments needing approval release

Department	Scheme	Value £	Reason for adjustment	Resource type adjusted
Services	Roundhill Road Miller Homes	£27,753	S106 Miller Homes sustainable transport contribution	S106
Services	West Park Travel Planning	£57,305	S106 Bussey & Armstrong S106 travel programme	S106
Services	Bridge Maintenance	£23,000	RCCO 20/21 Contribution from bridge maintenance	RCCO
Services	Carlbury Slip 2	£100,000	RCCO 19/20 contribution towards carlbury	RCCO
Services	Branksome Play Area	(£80)	Scheme complete.	Funds moved back to play area S106
Operations	Energy Efficiency - LAD 1b	£833,008	Match funded grant for energy efficiency as per MTFP	Release of funds
Operations	Joint Venture Esh - Heighinton	(£429,829)	Scheme complete. Funds no longer required.	Funds returned to centre
TOTAL		£611,157		

Outcome of Consultation

25. There has been no consultation in the preparation of this report.

Capital Project Position Statement

Appendix 1

Jun-21

Ref No	Title	Client	Approved Budget	Outturn Forecast	Planned Completion	Actual Completion	Comment
23	Civic Theatre Refurbishment & Theatre Hullaballoon	Services	£16,069,000	£16,069,000	06-Nov-17	06-Nov-17	Works complete. In defect period. Activity plan elements are still being delivered up to November 2021.
25	West Cemetry Development	Services	£6,400,000	£6,400,000	27-Apr-22		Works commenced on the Crematorium building on 6th April 2021. The chapel build commenced following the receipt of the Great Crested Newt licence on 1st June 2021. The initial site strip for the new chapel and associated works has commenced.
26	Dolphin Centre Soft Play / Bowling Alley	Services	£1,784,687	£1,784,687	31-Mar-21	19-Mar-21	Complete.
27	Railway Heritage Quarter	Services	£19,790,000	£19,790,000	30-Sep-24		The planning application for the scheme was submitted on 11th June and is now in the determination period.
28	Crown Street Library Refurbishment	Services	£2,910,436	£2,910,436	06-Mar-23		Delays in tendering process due to resources issues have pushed return date back to March. Works duration could be extended to 104 weeks
174	RedHall SEND	People	£1,637,998	£1,637,998	19-Mar-21	19-Mar-21	Construction programme June 2020 – February 2021 (3m provision has been added in for social distancing taking us until May 2021) ICT and toilet refurbishment works was completed over the summer holidays 2020.
175	Rise Carr SEND	People	£2,516,658	£2,516,658	01-Sep-21		Start on site Monday 17th August 2020 until 31st August 2021. (12w had been added to the construction programme to adhere to social distancing during construction) Window replacement, sport hall (Jan 2021) repairs and internal remodel and small extension programmed in for Summer 2021.
226	Ingenium Parc Masterplan + Infrastructure	Chief Exec and Economic Growth	£5,687,756	£5,687,756	30-May-22		One of the final elements of the spine road work for will be to lay service ducts underneath the road crossings (entrances to Cummins and the hammerhead at the bottom of the spine road) so that utilities can be connected into site. The revised surface water route will involve a complex dig additionally constrained by very limited access, ditches, underground stats, overhead HV lines and a small working area between permanent bodies of water within a nature reserve. Currently reviewing budget against outturn cost as a result of additional works post contract commencement.
228	Feethams House	Chief Exec and Economic Growth	£8,500,000	£8,460,880	15-May-20	15-May-20	Project complete and handed over. Deep Ocean have not taken up the tenancy of the top floor and the ground floor is being used as a Vaccine centre
231	Faverdale Project Development	Chief Exec and Economic Growth	£440,000	£440,000	30-Sep-20		This work is feasibility on development options. Stage 1 Feasibility is complete, discussions ongoing with developer and whether DBC progress with Stage 2 or transfers to Developer.

Capital Project Position Statement

Jun-21

Appendix 1

Ref No	Title	Client	Approved Budget	Outturn Forecast	Planned Completion	Actual Completion	Comment
233	Hybrid Innovation Centre	Chief Exec and Economic Growth	£8,527,153	£8,527,153	01-Aug-22		Stage 4 AMP issued to QS for cost check and report has now been received. Operator procurement was advertised on 10th May 2021 and a return date of 14th June 2021, and these are now under review. Subject to agreement on the Stage cost the works will commence late July/early August
234	Demolition at Union Street	Chief Exec and Economic Growth	£210,000	£210,000	20-Nov-20	14-Dec-20	Demolition has been completed
235	Demolition of Newstead Farm and Ivy House	Chief Exec and Economic Growth	£92,000	£92,000	20-Nov-20	20-Nov-20	Demolition complete
236	Clarks and Buckton's Yards Improvements	Chief Exec and Economic Growth	£500,000	£505,000	30-Jun-21		Due to the ongoing Covid situation, supplies have repeatedly been delayed and as such some of the works including the Planters and the Pots as well as the Cafe Tables and Chairs have taken longer than originally expected to arrive. However most of the physical works and planting are expected be completed by Mid July
237	Central Park Mound Removal and Transformatrion	Chief Exec and Economic Growth	£3,170,000	£3,170,000	31-Mar-22		Informal discussions were carried out with Willmott Dixon, they have proposed at NIL cost to DBC to assit in carrying out a review and feasibility of the site at a high level to establish concepts and requirements as well as high level costs. WD are currently working on the site in the development of the new Innovation Centre and as such know the site and its limitations and are idealy placed to work with DBC at this initial stage.
238	Post House Wynd	Chief Exec and Economic Growth	£100,000	£50,000	30-Apr-22		The PHW project is a consequence of the Project Darling Initiative in that it has been designed to meet the requirements of the initiative in both improving the visual aesthetics of the area. The initial 3 properties proposed have been designed up and a Planning Application has been submitted with an expected decision late March 2021.
239	Station Gateway East	Chief Exec and Economic Growth	£21,630,045	£21,630,045	23-Jul-24		Stage 3 Design underway. Pre application Submitted for return 19th March. Stage 3 Design Freeze 9th April. Stage 3 Cost Estimate 2nd June. NR GRIP 3 Design Approval passed. Stage 4 Design commence July. AMP December.
240	Station Gateway West	Chief Exec and Economic Growth	£1,920,000	£1,915,246	21-Dec-23		Design progressing by Fairhurst/Sanderson. Planning submission 8th June.
241	Station Gateway Demolitions	Chief Exec and Economic Growth	£1,322,940	£1,322,940	31-Oct-22		Design progressing by Fairhurst/Sanderson. Planning submission 8th June.

Capital Project Position Statement

Appendix 1

Jun-21

Ref No	Title	Client	Approved Budget	Outturn Forecast	Planned Completion	Actual Completion	Comment
242	Station Gateway CPO & Acquisitions	Chief Exec and Economic Growth	£250,000	£250,000	11-Nov-22		Cabinet paper that sought formal resolution to make the order delayed from Dec 20 to Jan 21 to enable required discussions regarding the red line/development area to conclude between Willmott Dixon & Network Rail. Appointments by 11th June of solicitors (Ward Hadaway) to deal with land & build agreements & Counsel (TBC) to provide specialist advice and act for the Council at CPO Inquiry.
317	Dolphin Centre Refurbishment	Services	£2,956,501	£2,956,501	05-May-16	30-Apr-16	Works complete CP5 to complete.
320	Salix Low Carbon Works	Services	£413,313	£413,313	24-Sep-21		Mechanical Site works commenced 28th June. Electrical elements have had to be re-tendered and revised submissions are under review
451	East Haven Housing	Operations	£5,402,952	£5,402,952	01-Feb-23		41 units Design proroduced, but access arrangements are subject to complex legal agreements. Due to their being several DBC sites to develop, there being uncertainty over legal agreements and this one not being a higher priority site, it is likely it won't proceed until others are built out.
461	Allington Way - Phase 3	Operations	£8,638,250	£8,624,580	31-May-22		56 units Inclement weather had affected progress, but this had been mainly absorbed causing a c. 4 week delay; but a market shortage of bricklayers has made progress very slow and so the programme has had to be pushed back.
462	Skinnergate Re-development Housing	Operations	tbc	tbc	01-Jun-22		15 units Proposed site layout developed. Planning application submitted by architects, following delays arising from Historic England concerns.
464	IPM (Internal Planned Maintenance) Programme 2020 /21	Operations	£2,239,000	£2,239,000	31-Mar-22		Due to Covid the works planned for 2020-21 were posponed and agreed to be completed in 2021-22
465	Central Heating Programme 2020/21	Operations	£1,947,000	£1,947,000	31-Mar-22		Due to Covid the works planned for 2020-21 were posponed and agreed to be completed in 2021-22 and we will also complete the properties planned for 2021-22
468	Replacement Door Programme 2020/21	Operations	£606,000	£606,000	31-Mar-22		Due to Covid the works planned for 2020-21 were posponed and agreed to be completed in 2021-22 and we will also complete the properties planned for 2021-22 (Lascelles & some in moors estates)

Capital Project Position Statement

Jun-21

Appendix 1

Ref No	Title	Client	Approved Budget	Outturn Forecast	Planned Completion	Actual Completion	Comment
469	Windows Replacement Programme 2020/21	Operations	£1,000,000	£1,000,000	31-Mar-22		Due to Covid the works planned for 2020-21 were posponed and agreed to be completed in 2021-22 and we will also complete the properties planned for 2021-22
472	Roof replacement and repointing 2021-22	Operations	£850,000	£850,000	31-Mar-22		Works planned to re-roof the main roof and the side flat roofs and repoint the whole building (Haughton)
473	External works 2021-22	Operations	£270,000	£270,000	31-Mar-22		Works to replace fencing to front and rear gardens (Fencing in Albert Hill & Redhall)
474	Communal flat entrance door and door entry replacement 2021-22	Operations	£140,000	£140,000	31-Mar-22		Works to replace communal entrance doors and door entry systems (Henry Street & North Road)
475	Garages 2020-22	Operations	£140,000	£140,000	31-Mar-22		Works to demolish prefab garages and fence off gardens to provide offstreet parking bays
476	Repairs be before painting and External Decoration 2021-22	Operations	£300,000	£300,000	31-Mar-22		To complete pre-paint repairs and external decoration in line with the 5 year programme Capital Works (£60k) Revenue (£240k)
477	LAD 1b funded window replacement 2021-22	Operations	£1,000,000	£1,000,000	31-Mar-22		to replace windows to eligible properties in line with the Lad 1 b funding
478	LAD 1b funded loft insulation upgrade 2021-22	Operations	£500,000	£500,000	31-Mar-22		to upgrade loft insulation to eligible properties in line with the Lad 1 b funding
479	Sherborne Close Phase 2	Operations	TBC	TBC			22 units Planning Application submitted. Decision anticipated in August 2021.

Capital Project Position Statement

Jun-21

Appendix 1

Ref No	Title	Client	Approved Budget	Outturn Forecast	Planned Completion	Actual Completion	Comment
480	Neasham Rd	Operations	TBC	TBC			150 units Design nearly completed. ESH on-site since May 2021 to build out drainage and road layouts. DBC housing programme to begin in early 2022.
481	Meynall Road	Operations	TBC	TBC			16 units Planning Application submitted. Decision anticipated in October 2021.
628	Houghton Road/Tornado Way	Services	£1,539,433	£1,576,790	31-Jul-21		Scheme to include VRS on Arnold bridge + extra surfacing on Houghton Road. Scheme complete awaiting drainage costs.
636	S & D Trackbed	Services	£237,033	£237,033	31-Mar-21	31-May-21	Planning approval was received on 20th August 2019. Scheme substantially complete. Retention held due to grass seeding works
639	Victoria Road Access to Station	Services	£1,025,000	£1,025,000	31-Jul-21		Signed offer letter received from TVCA. Currently on site.
640	A68 Woodland Road	Services	£1,702,408	£1,702,408	30-Jun-22		Scheduled for 2021/22
642	Walking/Cycling Route MSG Yarm Road/Mill Lane	Services	£150,000	£150,000	31-Mar-22		Scheduled for 2021/22
643	Skinnergate & Indoor Market	Services	£120,000	£120,000	31-Mar-22		Ongoing design works
			134,635,562	134,570,375			

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Capital Project Position Statement

Projects on Hold

Completed

L = Live; C = Complete; H = On Hold

Project Ref Number	Project Title	Stage					Status Symbol ▲ = Triangle ● = Circle ★ = Star	Project Status	Client Department	Delivery Department	Internal Project Sponsor	Internal Project Manager	Cost Centre	Original Project Budget (CP1)	Initial Approved Budget	Increase to Initial Approved Budget	Current Approved Project Budget	Project Expected Out Turn Cost	Variance (%)	Variance (Value)	Original Planned Project Completion Date (CP1)	Revised Approved Project Completion Date	Anticipated Project Completion Date / Actual Completion	Schedule Variation (days)	Risk Log Used	CDM Notifiable Project	Principal Designer	Progress Report			Contracts In Place (Please provide information on the contracts that are in place as part of the Project)	Contract Type / Form	Contract With	Contract Value
		CP1 Start	CP2 Initiate	CP3 Define	CP4 Construct	CP5 Operate																						Progress / Plan / Schedule	Budget	Issues				
23	Civic Theatre Refurbishment & Theatre Hullaballoon						●	L	Services	Services	Ian Thompson	Brian Robson	LO115	£50,000	£50,000	£16,069,000	£16,069,000	£16,069,000	0	0	01-Aug-13	06-Nov-17	06-Nov-17	0	Yes	Yes	Todd Milburn	Works complete. In defect period. Activity plan elements are still being delivered up to November 2021.			SCAPE	NEC3	Willmott Dixon	£12,885,288
25	West Cemetery Development						●	L	Services	Services	Ian Thompson	Brian Robson	R0154	£4,500,000	£4,900,000	£5,012,000	£6,400,000	£6,400,000	0	0	31-Mar-21	27-Apr-22	27-Apr-22	365	Yes	Yes	Todd Milburn	Works commenced on the Crematorium building on 6th April 2021. The chapel build commenced following the receipt of the Great Crested Newt licence on 1st June 2021. The initial site strip for the new chapel and associated works has commenced.	The Project Board are still working on value engineering options for the scheme. The contractors QS still needs to explore these and urgently supply more detail on them, to enable the design team to approve any necessary changes. Once agreed V6 of the tender will need issuing to the Project Board and the CP3 documentation will be issued for signing by the Client. The contract sum currently stands at £4,616,644 with £303,655k worth of savings.	Due to a potential sighting of great crested newts construction works to the new Chapel site only, stopped on Friday 9th April. An initial enquiry was submitted to Natural England and they have agreed that our site is suitable to apply for a district level licence. The application for this and the associated fee was paid on Friday 14th May. Natural England have advised that they will get back to us on or before Tuesday 1st June with a decision. Planners have discharged the condition around the new fence line down the new access road into the back of the new Chapel. We have consulted with residents who share a boundary with the new site regarding omitting the wall and erecting a fence in its place. A fence has been agreed and the location has been plotted out and re circulated to the residents affected. The architect have been asked to submit this change to the planning team for the committed to approve the change.	Align – Architect Rose Project Management – Specialist Crematoria, Cemeteries and Consultancy Todd Milburn – Principal Designer Facultative Technologies – Cremator supplier Obitus – Audio and visual provider Treske - Specialist furniture provider	JCT	Building Services	
26	Dolphin Centre Soft Play / Bowling Alley						●	L	Services	Services	Ian Thompson	Richard Storey	D0174	£1,700,000	£1,600,000		£1,784,687	£1,784,687	0	0		27-Nov-20	19-Mar-21	112	YES	YES		Complete.	On revised budget	Complete	in spirit of JCT intermediate	In House - No Contract	£1,731,721	
27	Railway Heritage Quarter						●	L	Services	Services	Ian Thompson	Brian Robson	R0155	£210,000	£20,000,000		£19,790,000	£19,790,000	0	0	30-Sep-24	30-Sep-24	30-Sep-24	0	Yes	Yes	TBC	The planning application for the scheme was submitted on 11th June and is now in the determination period.			Scape		Willmott Dixon	
28	Crown Street Library Refurbishment						●	L	Services	Services	Ian Thompson	Richard Storey	L0148	£2,910,436	£2,910,436		£2,910,436	£3,373,336	15.90%	£462,900	01-Dec-20	01-Jun-21	06-Mar-23	643	Yes	Yes	Mike Brown	Delays in tendering process due to resources issues have pushed return date back to March. Works duration could be extended to 104 weeks	At tender stage, Current price is £465k over budget following value engineering and savings exercise.	Significant delays due to the status of scaffold design - current design does not fit the working area and conflicts with highways and nearby buildings to the east. Potential option to revert to original scaffolding without roof protection and take the risk of water ingress.	Consultants - M&E Design.	Standard T&C.	DTA	
174	Red Hall SEND						●	L	People	People	Tony Murphy	Rebecca Robson	E1888	£1,538,074	£1,572,289		£1,637,998	£1,637,998	0	0	01-Sep-20	01-May-21	19-Mar-21	0	Yes	Yes	Mike Brown	Construction programme June 2020 – February 2021 (3m provision has been added in for social distancing taking us until May 2021) ICT and toilet refurbishment works was completed over the summer holidays 2020. Works now complete on site	Overall Cabinet approved costs - £1,637,997.98 (This is made up of all the figures below:-) SEND Capital approved 10/9/20 - £350,000 Basic Need Capital approved 10/9/20 £1,222,298 Basic Need Capital approved 14/7/20 £65,708.98	The works have completed and the school are acceding the areas to get it ready for the children starting in September. Building Controls sign off for the works remains outstanding. H&S & O&M manuals have been issued and they are currently being checked by our H&S team, before being issued to the school. Both Quantity Surveyors are currently working on the main scheme final account. The revised carpark layout and costs of £38k have been agreed with the Client, the works have been removed for the SEND contract and will be carried out in the summer holidays where there is more sufficient time to undertake the works when the school aren't in. The retaining wall is to be removed back in line with the SEND building and the new carpark is currently proposed.	DLO Delivery	DBC standard T&C	Internal - Building Services	£1,181,136
175	Rise Carr SEND						●	L	People	People	Tony Murphy	Rebecca Robson	E1889	£1,559,665	£1,526,920		£2,516,658	£2,516,658	0	0	01-Sep-20	01-Sep-21	01-Sep-21	0	Yes	Yes	Mark McIntosh	Start on site Monday 17th August 2020 until 31st August 2021. (12w had been added to the construction programme to adhere to social distancing during construction) Window replacement, sport hall (Jan 2021) repairs and internal remodel and small extension programmed in for Summer 2021.	Overall Cabinet approved costs - £2,516,658.00 (This is made up of all the figures below:-) SEND Capital approved 10/9/20 - £350,000 Basic Need Capital approved 10/9/20 £1,176,920 SEND Capital approved 14/7/20 - £148,837 Basic Need Capital approved 14/7/20 £840,811	20 day delay, due to discrepancies on the drawings and inclement weather. The delay has been accepted by the Project Team and the timer frame supplier Eurban. Due to the Christmas break Eurban are now not starting their work until 04/01/21 pushing our overall handover date back from 02/07/21 to 13/08/21. This difference is greater than 20 days being recorded as the Christmas shut down (10days) has been factored in also. The Client and School are aware of this delay and the construction manager has circulated an updated overall programme (Rev M) which now includes all the works under this contract. The above delays are currently not taking us over the original handover date of the 1st September as we had a 2 month time contingency factored in to the programme. This was initially added to help soak up any delays due to Covid and having to apply social distancing to the construction programme.	Perfect Circle for the Design Team DLO for the Contractor Standard DBC T&C with IT Systems for the new ICT equipment – Procurement Board ref is PB2020-00268	JCT	Internal - Building Services	£1,965,044

Project Ref Number	Project Title	Stage					Project Status	Client Department	Delivery Department	Internal Project Sponsor	Internal Project Manager	Cost Centre	Original Project Budget (CP1)	Initial Approved Budget	Increase to Initial Approved Budget	Current Approved Project Budget	Project Expected Out Turn Cost	Variance (%)	Variance (Value)	Original Planned Project Completion Date (CP1)	Revised Approved Project Completion Date	Anticipated Project Completion Date / Actual Completion	Schedule Variation (days)	Risk Log Used	CBM Notifiable Project	Principal Designer	Progress Report			Contracts In Place (Please provide information on the contracts that are in place as part of the Project)	Contract Type / Form	Contract With	Contract Value
		CP1 Start Up	CP2 Initiate	CP3 Define	CP4 Construct	CP5 Evaluate																					Progress / Plan / Schedule	Budget	Issues				
226	Ingenium Parc Masterplan + Infrastructure						L	Chief Exec and Economic Growth	Chief Exec and Economic Growth	Dave Winstanley	Joanne Wood	R0130	£2,403,100	£611,500		£5,687,756	£5,687,756	0	0	31-Aug-18	30-Mar-21	30-May-22	0	Yes	Yes	Noel Walecki/ Kevin Snaith	One of the final elements of the spine road work for will be to lay service ducts underneath the road crossings (entrances to Cummins and the hammerhead at the bottom of the spine road) so that utilities can be connected into site. The revised surface water route will involve a complex dig additionally constrained by very limited access, ditches, underground stats, overhead HV lines and a small working area between permanent bodies of water within a nature reserve. Currently reviewing budget against outturn cost as a result of additional works post contract commencement.	Nov 2019: Approved budget increased by £37,044,30 to £5,68m due to additional costs of McMullan Road Roundabout and Salters Lane Cycle route. Spend managed by Highways and additional funding sourced from underspends on overall NPfI programme. Currently reviewing outturn budget.	Complex archaeological requirements and drainage works have delayed project. Type: NEC Short Contract	1. Spine Road 2. Phase 2 Ecological mitigation; Planting & seeding	Term Contract NEC Short	DBC highways Brambledown Construction	1. £961,551 2. £148,346
228	Feethams House						L	Chief Exec and Economic Growth	Chief Exec and Economic Growth	Ian Williams	Jenny Dixon and Jane Sutcliffe Project/ Richard Storey PM- building delivery	D0161	£246,000	£8,500,000		£8,500,000	£8,460,880	-0.16%	-£39,120	30-Jul-19	31-May-20	15-May-20	0	Yes	Yes	Tim Rainford (Nappers)	Project complete and handed over. Deep Ocean have not taken up the tenancy of the top floor and the ground floor is being used as a Vaccine centre	currently 39k underspend.	Deep Ocean have gone into administration and no longer need their office in Feethams House. Discussions being had ref surrendering premises. They are currently occupying under an agreement for lease (this was subject to satisfying conditins ref secure entr system - not yet completed). If DBC get Deep Ocean to Surrender then DBC will be liable for Empty Rates after 3 months. NHS occupying ground floor as vaccination centre - licence renewed with one month's notice by either party. Treasury have indicated that they will likely be interested in occupying Feethams House. Timescales and space requirements not yet confirmed.	Development agreement with Willmott Dixon for Design and Build	NEC3 ECC Option A	Willmott Dixon Construction	£8.065m
Page 144	Faverdale Project Development						L	Chief Exec and Economic Growth	Chief Exec and Economic Growth	Dave Winstanley	Julia McCabe	R0137	£440,000	£440,000		£440,000	£440,000	0	0	01-Jun-18	30-Sep-20	30-Sep-20	0	Yes	Yes		This work is feasibility on development options. Stage 1 Feasibility is complete, discussions ongoing with developer and whether DBC progress with Stage 2 or transfers to Developer.	£372,000 remaining	Project delays associated with agreeing scope of stage 2: design appraisal and planning application scoping that reflect the works required to refine the masterplan, develop infrastructure designs and inform a pre-application planning enquiry and outline business case.	Stage 1: Feasibility, options appraisal and strategy	Framework agreement	Arup	£34,611
233	Innovation Central						L	Chief Exec and Economic Growth	Chief Exec and Economic Growth	Dave Winstanley	Joanne Wood	R0157	£500,000	£500,000		£8,527,153	£8,527,153	0.09%	0	31-Dec-21	30-Jun-22	01-Aug-22	0	Yes	Yes	Napper Architects	Stage 4 AMP issued to QS for cost check and report has now been received. Operator procurement was advertised on 10th May 2021 and a return date of 14th June 2021, and these are now under review. Subject to agreement on the Stage cost the works will commence late July/early August	The budget is made up as follows:- ERDF - £4,739,855 TVCA £2,800,000 Building BF £480,000 Design Fund £70,000	Proposed site is heavily contaminated so remediation is required prior to any works starting.	SCAPE	PSDA	Willmott Dixon (Design and Construction Budgets)	£250,888
234	Demolition at Union Street						L	Chief Exec and Economic Growth	Chief Exec and Economic Growth	Ian Williams	Brian Robson	R0160		£115,000	£115,000	£210,000	£210,000		0	14-Aug-20	14-Dec-20	14-Dec-20	0	Yes	Yes	Steel River	Demolition has been completed	Extra budget costs have been attributed to; Rat removal and extra asbestos removal and an extension to the bat license had to be sought (£45,000) Further budget costs are needed for problems with the party wall (TBC) Extra funding as necessary to be funded from the Indigenous Growth Fund	Party wall has been found to be more complicatedly tied into the British Heart Foundation building than first thought.	Demolition Framework		Thompsons of Prudoe	£115,000
235	Demolition of Newstead Farm and Ivy House						L	Chief Exec and Economic Growth	Chief Exec and Economic Growth	Ian Williams	Brian Robson	D0172		£71,000	£71,000	£92,000	£92,000		0	30-Oct-20	20-Nov-20	20-Nov-20	0	Yes	Yes	Steel River	Demolition complete	Extra budget will be necessary to remove fly tipping regularly occurring along Snipe Lane	Bats were found in Newstead Riding Stables stopping work for a minimal time. Esh have requested to watch the foundation removals.	Demolition Framework		MGL Demolition	£92,000
236	Clarks and Buckton's Yards improvements						L	Chief Exec and Economic Growth	Chief Exec and Economic Growth	Chris Mains	Michael Bowron	D0176		£350,000	£350,000	£500,000	£505,000	1.00%	£5,000	31-Mar-21	30-Jun-21	30-Jun-21	18	Yes	Yes	DBC	Due to the ongoing Covid situation, supplies have repeatedly been delayed and as such some of the works including the Planters and the Pots as well as the Cafe Tables and Chairs have taken longer than originally expected to arrive. However most of the physical works and planting are expected be completed by Mid July	The original £350K was an estimated projection with a realistic deliverable amount of circa £500K. Works costs are circa £440K with the remainder fees and costs.	Main element of the works are projected to be completed by end of Lockdown on 12th April. Some residual and minor works which should not interfere with shop opening and trading will still be required and be completed as necessary.				
237	Central Park Mound Removal and Transformatrion						L	Chief Exec and Economic Growth	Chief Exec and Economic Growth	Dave Winstanley	Michael Bowron	R0172	£3,170,000	£3,170,000	£3,170,000	£3,170,000	£3,170,000		0	31-Mar-22	31-Mar-22	31-Mar-22	0				Informal discussions were carried out with Willmott Dixon, they have proposed at NIL cost to DBC to assit in carrying out a review and feasibility of the site at a high level to establish concepts and requirements as well as high level costs. WD are currently working on the site in the development of the new Innovation Centre and as such know the site and its limitations and are ideally placed to work with DBC at this initial stage	Overall Budget for the site is circa £3,170K from which contaminated materials will be removed first leaving the balance for the Civils and Landscaping works.	Costs unknown at this time for elements of works until feasibility, Viability and Review carried out and agreed.				Circa £3,170,000

Project Ref Number	Project Title	Stage				Status Symbol s = Triangle i = Circle H = Star	Project Status	Client Department	Delivery Department	Internal Project Sponsor	Internal Project Manager	Cost Centre	Original Project Budget (CP1)	Initial Approved Budget	Increase to Initial Approved Budget	Current Approved Project Budget	Project Expected Out Turn Cost	Variance (%)	Variance (Value)	Original Planned Project Completion Date (CP1)	Revised Approved Project Completion Date	Anticipated Project Completion Date / Actual Completion	Schedule Variation (days)	Risk Log Used	CDM Notifiable Project	Principal Designer	Progress Report			Contracts In Place (Please provide information on the contracts that are in place as part of the Project)	Contract Type / Form	Contract With	Contract Value	
		CP1 Start Up	CP2 Initiate	CP3 Define	CP4 Construct																						CP5 Evaluate	Progress / Plan / Schedule	Budget					Issues
238	Post House Wynd						★	L	Chief Exec and Economic Growth	Chief Exec and Economic Growth	Mark Ladyman	Michael Bowron	R0175		£100,000	£100,000	£100,000	£50,000	-50.0%	£50,000	30-Apr-22	30-Apr-22	30-Apr-22	0	Yes	Yes	Mike Brown	The PHW project is a consequence of the Project Darling Initiative in that it has been designed to meet the requirements of the initiative in both improving the visual aesthetics of the area. The initial 3 properties proposed have been designed up and a Planning Application has been submitted with an expected decision late March 2021.	Original DBC aproved Capital Budget of £100,001	As the PHW project is similar to and abbutts the Yards Improvement project, close liaison is being held with the project Sponsor to merge later phases of the project into the Yards initiative which will release DBC capital funding to be used elsewhere.		To be DLO	£500,000	
239	Station Gateway East						●	L	Chief Exec and Economic Growth	Chief Exec and Economic Growth	Dave Winstanley	Richard Storey	R0149	£25,000,000	£21,630,045	£21,630,045	£21,630,045	£21,630,045	#DIV/0!	0	31-Mar-24	31-Mar-24	23-Jul-24	0	Yes	yes	Napper	Stage 3 Design underway. Pre application Submitted for return 19th March. Stage 3 Design Freeze 9th April. Stage 3 Cost Estimate 2nd June. NR GRIP 3 Design Approval passed. Stage 4 Design commence July. AMP December.	Stage 3 cost estimate returned at £23,423,822. Cost review currently underway with independent QS. Main reason for increase due to changes to the station entrance design by TVCA (Rotunda option). Discussions ongoing with TVCA and DfT for increase in overall allocation. Total scheme costs across all three areas £112m est against £105m budget.	Continued Stage 3 design development progressing well through close integration with Network Rail.	Stage 3 & 4 Design	NEC Professional Services Development Agreement - through SCAPE	Willmott Dixon Construction	£1,052,609
240	Station Gateway West						●	L	Chief Exec and Economic Growth	Chief Exec and Economic Growth	Dave Winstanley	Julia McCabe	R0169	£1,600,000	£1,920,000	£1,920,000	£1,920,000	£1,915,246	-0.2%	-£4,754	21-Dec-23	21-Dec-23	21-Dec-23	0	Yes	yes	Noel Waleki DBC	Design progressing by Fairhurst/Sanderson. Planning submission 8th June.		Turning head to Waverley Terrace back lane not liked by Historic England (setting issue). Further options explored but none on available land that meet safety standards - to be explained in heritage statement.	Fairhursts appointed through Willmott Dixon contract for Station Gateway East	N/A	N/A	Inc. in above (CEI 02) £45,450
241	Station Gateway Demolitions						●	L	Chief Exec and Economic Growth	Chief Exec and Economic Growth	Dave Winstanley	Brian Robson	R0165	£1,322,940	£1,322,940	£1,322,940	£1,322,940	£1,322,940	0	31-Oct-22	31-Oct-22	31-Oct-22	0			TBC	Design progressing by Fairhurst/Sanderson. Planning submission 8th June.	Pensbury/Victoria road planning has been submitted. Hogans asbestos survey has taken place and utility disconnections have been requested. Utility disconnection and a bat/bird survey has been requested on Profix, Exhaust A Fix and Bank Ten House.	Party walls are present and quote received regarding final designs.	TBC	Demolition Framework	TBC	£1,332,940	
242	Station Gateway CPO & Acquisitions						●	L	Chief Exec and Economic Growth	Chief Exec and Economic Growth	Dave Winstanley	Julia McCabe	R0171	£250,000	£250,000	£250,000	£250,000	£250,000	#REF!	0	10-Oct-22	11-Nov-22	11-Nov-22	0	Yes	No	N/A	Cabinet paper that sought formal resolution to make the order delayed from Dec 20 to Jan 21 to enable required discussions regarding the red line/development area to conclude between Willmott Dixon & Network Rail. Appointments by 11th June of solicitors (Ward Hadaway) to deal with land & build agreements & Counsel (TBC) to provide specialist advice and act for the Council at CPO hearing.	Fee proposals currently within budget based on estimated length of Public Inquiry - still to be defined	As of end of objection period the Council is awaiting notification from the Secretary of State of the date of the Public Inquiry (estimated end Oct 2021). Work ongoing to remove as many objections as possible before the Inquiry. Appointment of Ward Hadaway w/c 7th June to deal with Network Rail and LNER land transfer & build agreements	1. CPO Legal advice 2. Land referencing	Standard Ts & Cs		
317	Dolphin Centre Refurbishment						●	L	Services	Services	Ian Thompson	Brian Robson	D0125	£2,750,000	£2,850,000	£2,850,000	£2,956,501	£2,956,501	0	0	30-Apr-16	05-May-16	30-Apr-16	-5	YES	YES	Todd Milburn	Works complete CP5 to complete.	Budget is made up of £2.75m Cabinet approval and additional £100k from Community Services	Works to external canopy complete	Willmott Dixon (Through SCAPE framework)	NEC ECC Option A	Willmott Dixon	£2.75m
320	Salix Low Carbon Works						●	L	Services	Services	Kelvin McDade	Brian Robson	D0125	£413,313	£413,313	£413,313	£413,313	£413,313			30-Sep-21	30-Sep-21	24-Sep-21	-6	YES	YES	Thornton-Firkin	Mechanical Site works commenced 28th June. Electrical elements have had to be re-tendered and revised submissions are under review.	Budget is solely from external funder Salix	Electrical tender was over budget and has been re-tendered	Mechanical Elements - Geoffrey Robinson	Mechanical Elements - Geoffrey Robinson	Geoffrey Robinson	£1,965,044
451	East Haven						●	L	Operations	Economic Growth	Anthony Sandys	Ian Stewart	IPM	£5,402,952	£5,402,952	£5,402,952	£5,402,952	£5,402,952	0	30-Jun-21	01-Feb-23	01-Feb-23	0	Yes	Yes	Mike Brown	41 units Design proroduced, but access arrangements are subject to complex legal agreements. Due to their being several DBC sites to develop, there being uncertainty over legal agreements and this one not being a higher priority site, it is likely it won't proceed until others are built out.	CP3 budget estimate being produced	Resolution of 4-way legal agreements are delaying progress.	Internal	in spirit of JCT	Internal	TBC	
461	Allington Way - Phase 3						▲	L	Operations	Economic Growth	Anthony Sandys	Ian Stewart	H6743	£8,623,253	£8,623,253	£8,623,253	£8,638,250	£8,624,580	-0.2%	-£13,670	26-Feb-21	20-Dec-21	31-May-22	162	Yes	Yes	Mike Brown	56 units Inclement weather had affected progress, but this had been mainly absorbed causing a c. 4 week delay; but a market shortage of bricklayers has made progress very slow and so the programme has had to be rushed	On budget but delays as noted are creating a pressure on costs.	1. Homes England funding decision currently in abeyance. 2. A market shortage of bricklayers has made progress very slow and so the programme has had to be pushed back, which means longer on site and that will likely add to the cost.	Main works	In spirit of JCT	Building Services	£8,105,434
462	Skinnergate Re-development						●	L	Operations	Economic Growth	Mark Ladyman	Ian Stewart	H6743	£4,950,000	£4,950,000	TBC	TBC	TBC	0	31-Mar-22	01-Jun-22	01-Jun-22	0	Yes	Yes	Mike Brown	15 units Proposed site layout developed. Planning application submitted by architects, following delays arising from Historic England concerns.	Budget still being developed.	1. Initial surveys undertaken, which reveal major loss of structure to heritage building and adjacent property. Conservation Engineer's Plan has been drafted to support application to planning for prefferred design. 2. Historic England attended site on 22 Sept for preplanning assistance. 3. Additional justifications prepared for HE to bolster case for the development. Await response prior to submitting planning application.					
464	IPM (Internal Planned Maintenance) Programme 2020 /21						●	L	Operations	Economic Growth	Cheryl Simmons	Matthew Plews	H6242	£2,239,000	£2,239,000	£2,239,000	£2,239,000	£2,239,000	0	0	31-Mar-21	31-Mar-22	31-Mar-22	0		Yes	Matthew Plews	Due to Covid the works planned for 2020-21 were postponed and agreed to be completed in 2021-22			Main contractor DBC	In spirit of JCT contract.	Building Services	£2,239,000
465	Central Heating Programme 2020/21						●	L	Operations	Economic Growth	Cheryl Simmons	Matthew Plews	H6242	£1,947,000	£1,947,000	£1,947,000	£1,947,000	£1,947,000	0	0	31-Mar-21	31-Mar-22	31-Mar-22	0		Yes	Matthew Plews	Due to Covid the works planned for 2020-21 were postponed and agreed to be completed in 2021-22 and we will also complete the properties planned for 2021-22	The budget has been adjusted to allow the completion of the properties for both years to be completed this financial year.		Main contractor DBC	In spirit of JCT contract.	Building Services	£950,000
468	Replacement Door Programme 2020/21						●	L	Operations	Economic Growth	Cheryl Simmons	Matthew Plews	H6240	£606,000	£606,000	£606,000	£606,000	£606,000	0	0	31-Mar-21	31-Mar-22	31-Mar-22	0		Yes	Matthew Plews	Due to Covid the works planned for 2020-21 were postponed and agreed to be completed in 2021-22 and we will also complete the properties planned for 2021-22 (Lascelles & some in moors estates)	The budget has been adjusted to allow the completion of the properties for both years to be completed this financial year.		Sekura	In spirit of JCT	Sekura	£350,000

2021/22 Capital Resources Summary

Row Ref.		Approved Commitments £M	Virement of Resources £M	Variance £M	Total £M
1	Capital Commitments				
2	Brought forward from 2020/21	140.319			
3	2021/22 Capital Programme (released by Cabinet)	25.885			166.204
4	Projected (Under)/Over Spend				
5	Total Commitments	166.204	0.000	0.000	166.204
	To Be Funded By:				
	External and Departmental Resources				
6	External Funding and Departmental Supported Borrowing	5.356	-	-	5.356
7	Departmental Unsupported Borrowing	0.000	-	-	(0.000)
8	Capital Grants	73.362	-	-	73.362
9	Capital Contributions	1.205	-	-	1.205
10	Revenue Contributions	22.576	-	-	22.576
11	Capital Receipts - HRA	0.303	-	-	0.303
	Total	102.802	0.000	0.000	102.802
	Corporate Resources				
12	Capital Receipts (General Fund)/ Prudential Borrowing	63.402	-	-	63.402
	Total	63.402	0.000	0.000	63.402
13	Total Resources	166.204	0.000	0.000	166.204

Corporate Resources Analysis

		£M
14	Required Resources to fund 2021/22 expenditure (see above)	63.402
15	Total Planned Use of Corporate Resources	63.402
16	Less: Total Projected Capital Receipts (as per Appendix 4)	(1.979)
17	Corporate Resources required to fund capital programme	65.381

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Capital Receipts Utilisation - latest projection

	2021/22	2022/23	2023/24
	£m	£m	£m
Projected Opening Balance as at 1 April	0.662	(1.979)	4.795
Projected Capital Receipts	1.787	7.249	9.929
Total projected Capital Receipts	2.449	5.270	14.724
<u>Less (as per approved capital programme)</u>			
Capitalisation utilisation as per MTFP	(0.957)	0.000	0.000
Council funded schemes	(0.733)	(0.400)	(0.400)
Economic Growth Investment Fund	(0.923)	0.000	0.000
Slippage from previous years	(0.944)	0.000	0.000
Earmarked receipts for Neasham Road	(0.500)	(0.075)	(1.675)
Earmarked Receipts included in opening balance	(0.371)	0.000	0.000
Projected available Cap Receipts as at 31 March	(1.979)	4.795	12.649

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FINAL OUTTURN REPORT DOLPHIN CENTRE REFURBISHMENT PHASE 1 WORKS

SUMMARY REPORT

Purpose of the Report

1. To report the lessons learned from the project and the final outturn in accordance with the Financial Procedure Rules.

Summary

2. The Dolphin Centre Refurbishment Phase 1 works was delivered as the initial phase of recommended refurbishment and repairs from several surveys and investigations which culminated in the production of the Dolphin Centre Phased Services Replacement and Fabric refurbishment Study.
3. The first phase was targeted towards those mechanical and electrical elements most in need of renewal or parts of the building fabric which needed refurbishment which would bring about significant uplift in appearance. Further phases of the recommended works are now under consideration taking in to account the recent change of use works to install a bowling alley and updated soft play provision.
4. Para 43 of the Financial Procedure Rules requires that the final outturn of all schemes with a value in excess of £1 million be reported to Cabinet.
5. The report reviews the actual cost, timeliness and quality including lessons learned; to ensure a continuous review of capital planning, management and reporting, with regard to best practice, experience and opportunities for improving the Council's capital and asset management processes.

Recommendation

6. It is recommended that Members note the final outturn of the Project.

Reasons

7. The recommendations are supported by the following reasons :-
 - (a) To comply with the Council's Financial Procedure Rules.
 - (b) To ensure a continuous review of capital planning, management and reporting, with regard to best practice, experience and opportunities for improving the Council's capital and asset management processes.

Brian Robson: Extension 6608

MAIN REPORT

Information and Analysis

8. The Dolphin Centre Phase 1 refurbishment works addressed the highest priority recommendations of the Dolphin Centre Phased Services Replacement and Fabric refurbishment Study. The works included extensive renewal of mechanical plant including the installation of equipment within the main plant room above the pool hall and renewal of all major ductwork. In addition, the ceiling above the main pool and training pool was replaced and the existing lighting was renewed providing LED fittings to greatly improve the aesthetics and energy efficiency. Improvements to the air handling installations greatly improved the internal environment helping to remove areas of unsightly condensation from internal glazed panels to perimeter of the pool hall.
9. In addition to the extensive works within the plant room above the main pool hall works were also carried out within the plantroom underneath the main plant room which included renewal of the main boilers and replacement of the various pumps supporting the buildings infrastructure.
10. Fabric improvements around the training pool were also carried out to rectify issues with water leaks and the pool surround itself was also re-tiled.
11. The project was managed internally by the Capital Projects Office staff from inception through to completion, with valued support from the Corporate Landlord and Dolphin Centre operational and management teams. A monthly progress meeting was also held with the Principal Contractor to monitor progress against programme, and health, safety and quality issues.
12. The overall budget for the scheme was £2,850,000 and the planned completion date was 5th May 2016. The final spend for the scheme is £2,956,501 and the scheme completed on site on 30th April 2016. The end of 'defects' date was 30th September 2017. The main contract for the scheme was with Willmott Dixon Construction Ltd via the national SCAPE Build Framework, under the New Engineering Contract (NEC) 3 Option A: Priced Contract with Activity Schedule. In addition to the main contract there was a minor external commission for the provision of Principal Designer services in accordance with the requirements of the Construction, Design and Management Regulations 2015.
13. Para 43 of the Financial Procedure Rules requires that the final outturn of all schemes with a value in excess of £1 million be reported to Cabinet.
14. The report reviews the actual cost, timeliness and quality including lessons learned to ensure a continuous review of capital planning, management and reporting, with regard to best practice, experience and opportunities for improving the Council's capital and asset management processes.

Cost

15. The table below summarises the project budget and final outturn.

Original Project Budget (CP1)	Original Approved Project Budget	Revisions to Approved Project budget	Approved Project Budget	Final Out Turn Cost	Variance (Value)
£2,750,000	£2,850,000	£2,956,501	£2,956,501	£2,956,501	+£106,501

16. The increase in budget and final cost was mainly due to additional works to the training pool ceiling, external soffit renewal and lighting above the coach stop area which were added to the construction contract, and this was met by a contribution from Leisure Services.

Quality

17. In terms of quality the project aimed to improve the pool environment, this was important as a lot of expenditure was within plant rooms, with no visual improvement for customers. The previous pool hall arrangement was illuminated via older SON light fittings operating at 400 watts which were not energy efficient and gave off an unappealing 'yellow' colour, which dominated the internal environment. These lights were replaced with energy efficient LED fittings consuming less power and providing a crisp white light to the Pool hall.



Image of main pool hall prior to the lighting and ceiling renewal

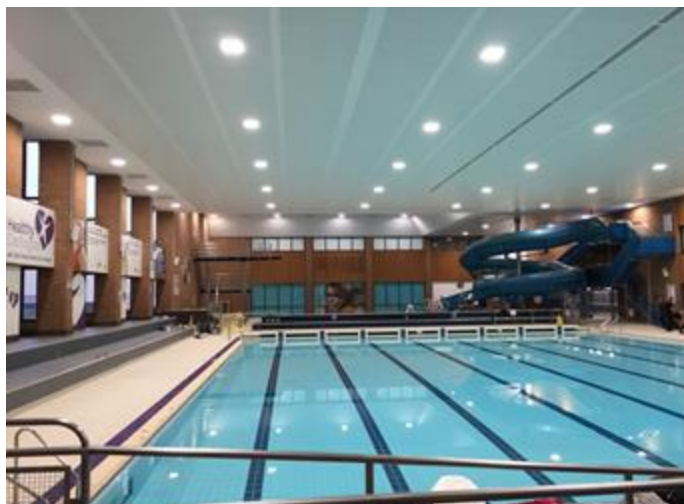


Image of main pool hall after the lighting and ceiling renewal

Time

18. The table below summarises the project timeline.

Original Planned Project Completion Date (CP1)	Revised Approved Project Completion Date	Actual Completion Date	Schedule Variation (days)
05 th May 2016	05 th May 2016	30 th April 2016	-6 days

Lessons Learned

19. The Asset Management and Capital Programme Review Board (AM&CPRB or AMG) has specific roles defined in the Council's Constitution. The Board shall maintain a continuous review of capital planning, management and reporting, with regard to best practice, experience and opportunities for improving the Council's capital and asset management.
20. The key findings and lessons learned from this project are summarised below:
 - (a) Initially temperature control within the gym area post completion was causing some issues with customer comfort, these were rectified but further testing post commissioning could have been carried out.
 - (b) Several return visits had to be made to address joints in areas of new high-level plasterboard which had formed cracks within vertical sections on the wall separating the main pool from the training pool, which caused some disruption. These were all rectified by the contractor at their cost 'out of hours' but had a more robust application process been used in the first place this could have been avoided.
 - (c) The condition of the existing changing village drainage was found to be worse than expected with some existing gullies filled with mortar and simply covered. A more

detailed pre-commencement inspection would have helped to highlight this issue, but it was recognised that this would have had an adverse operational impact.

- (d) The renewal of the training pool ceiling and lighting was not included within the original scope, but during the works it became obvious that the opportunity to renew it should not be missed given the significant improvement achieved in the main pool area. The additional work increased the scheme cost, but it was felt the finished outcome was worth the extra expenditure.
- (e) Post completion some of existing smoke detectors clashed access wise with new ductwork routes in the main plant room, these were subsequently re-positioned, but an accurate pre-start survey could have highlighted the areas of potential conflict.

Procurement

- 21. It was agreed by Cabinet in April 2015 that an OJEU compliant Framework was the preferred procurement route for the construction contract.

Contract Management

- 22. In terms of contract management, the main contract was delivered using the NEC3 Option A – Priced Contract with Activity Schedule. Variations encountered during the on-site works phase were dealt with by the use of Compensation Events which in each case were evaluated by the DBC Project Manager.

Health and Safety

- 23. The Principal Designer role for the scheme was procured externally and the services were provided by Todd Milburn Partnership Limited by competitive tender. There were no reportable accidents during the construction phase. Unfortunately, there was one near miss from a burst elbow pipe joint which in turn brought some ceiling tiles down into the gym below. This was investigated and no obvious fault was found in terms of the part or workmanship, the section of pipe had also previously passed a press test. The part was subsequently replaced and re-tested.

Risk Log

- 24. The risk log for the scheme was regularly reviewed and risk which could be transferred onto the Principal Contractor were included within the main construction contract.

Communications

- 25. The communications strategy for the scheme was developed with the Dolphin Centre Management and Operations team to highlight in good time that the Pool hall would be closed for a period and also advise customers about which services would be available at which particular time during the construction phase.

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CABINET
7 SEPTEMBER 2021

COMPLAINTS, COMPLIMENTS AND COMMENTS
ANNUAL REPORTS 2020/21

Responsible Cabinet Members

Councillor Scott Durham - Resources Portfolio
Councillor Heather Scott, Leader
Councillor Jon Clarke - Children and Young People Portfolio
Councilor Kevin Nicholson - Health and Housing Portfolio

Responsible Directors

Ian Williams, Chief Executive
Elizabeth Davison, Group Director of Operations
James Stroyan, Group Director of People
Dave Winstanley, Group Director of Services

SUMMARY REPORT

Purpose of the Report

1. To provide Cabinet with the 2020/21 Complaints, Compliments and Comments Annual Reports for:
 - (a) Adult Social Care (**Appendix 2**);
 - (b) Children's Social Care (**Appendix 3**);
 - (c) Corporate (**Appendix 4**);
 - (d) Housing (**Appendix 5**); and
 - (e) Public Health (**Appendix 6**).

Summary

2. It is important that the Council's complaints, compliments and comments procedures are accessible so people can tell us what they think about the services we provide. The Council constantly strives to ensure an organisational culture in which complaints are accepted, owned and resolved as quickly as possible and one in which learning from complaints is used to improve services.
3. The Council received a total of 628 complaints during 2020/21, a decrease from 838 complaints during 2019/20.

4. The Council received a total of 309 compliments during 2020/21, an increase from 292 in 2019/20.
5. The Council received a total of 178 comments during 2020/21, an increase from 168 in 2019/20.
6. A summary table is provided at **Appendix 1**.
7. The production of an annual report in respect of representations received under the Adult Social Care Complaints, Compliments and Comments Procedure is a requirement of the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009.
8. The production of an annual report in respect of representations received under the Children's Social Care Complaints, Compliments and Comments Procedure is a requirement of the Children Act 1989 Representation Procedure (England) Regulations 2006.
9. The production of an annual report in respect of representations received under the Public Health Complaints, Compliments and Comments Procedure is a requirement of the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012.

Recommendations

10. It is recommended that:
 - (a) That Cabinet notes the content of the attached reports.
 - (b) That Cabinet endorses the further recommendations made in the Adult Social Care, Children Social Care and Corporate Complaints, Compliments and Comments Annual Reports.

Reasons

11. The recommendation is supported by the following reasons:
 - (a) To make Cabinet aware of the number and nature of the complaints, compliments and comments received by the Council and the organisational learning that has taken place as a result.
 - (b) To enable the Council to further improve its services as a result of the complaints, compliments and comments received and improve satisfaction with complaints handling.

Background Papers

Note: No background papers were used in the production of this report.

S17 Crime and Disorder	There is no specific impact on Crime and Disorder
Health and Well Being	The purpose of the Adult Social Care Complaints, Compliments and Comments Annual Report is to improve the service we provide to service users and their carers
Carbon Impact and Climate Change	There are no specific recommendations contained within the attached reports concerning Carbon Reduction
Diversity	Complaint investigations have led to service improvements for people with protected characteristics
Wards Affected	All
Groups Affected	All
Budget and Policy Framework	This report does not have a direct impact on the Budget and Policy Framework
Key Decision	This report does not constitute a Key Decision
Urgent Decision	This report does not require an Urgent Decision
Council Plan	Learning from complaints contributes towards the delivery of the priorities in the Plan
Efficiency	The revised procedures aim to improve the efficiency with which complaints are handled. The recommendations contained within the appended reports aim to reduce risk and improve efficiency in the way we interact with our customers
Impact on Looked After Children and Care Leavers	The purpose of the Children's Social Care Complaints, Compliments and Comments Annual Report is, in part, to improve the service we provide to Looked After Children and Care Leavers

MAIN REPORT

Background

12. Our aim is to put people first and provide them with the best possible service. To make this aim a reality it is important people have the opportunity to tell us what they think about the services we provide. The Council's Complaints, Compliments and Comments Procedures are one way they can do this. They can tell us when we get things wrong so we can put them right. They can also tell us when we get things right, make comments about the things we do and suggest new ways of doing things.
13. We understand that sometimes it is difficult to complain and work hard to ensure an organisational culture in which complaints are seen as a positive means of engagement and an opportunity for the Council to learn and improve services. If people do need to complain we always take their concerns seriously, treat them fairly and with respect and assure them they will not receive a poorer service as a result.

Information and Analysis

14. There was a decrease in the overall number of representations made under the Adult Social Care Complaints, Compliments and Comments Procedure during 2020/21. There was a significant decrease in the number of complaints received, a significant decrease in the number of compliments received and a small increase in the number of comments received. Full details are attached at Appendix 2.
15. There was a decrease in the overall number of representations made under the Children's Social Care Complaints, Compliments and Comments Procedure during 2020/21. There was a significant decrease in the number of complaints received at Stage 1 of the procedure, a decrease in the number of complaints received at Stage 2 and a decrease in the number of complaints received at Stage 3. There was an increase in the number of compliments received, while the number of comments received remained the same as in 2019/20. Full details are attached at Appendix 3.
16. There was a decrease in the overall number of representations made under the Corporate Complaints, Compliments and Comments Procedure during 2020/21. There was a significant decrease in the number of complaints received at Stage 1 and a decrease in the number of complaints received at Stage 2 of the procedure. There was an increase in the number of compliments and comments received. Full details are attached at Appendix 4.
17. There was a decrease in the number of representations made under the Housing Complaints, Compliments and Comments Procedure during 2020/21. While there was a decrease in the number of complaints received at Stage 1, there was an increase in the number of complaints received at Stage 2 of the procedure. The number of complaints received at Stage 3 remained the same as in 2019/20. There was a slight decrease in the number of compliments received, while there was a slight increase in the number of comments received. Full details are attached at Appendix 5.
18. There was a decrease in the number of representations made under the Public Health Complaints, Compliments and Comments Procedure during 2020/21. There was a slight

increase in the number of complaints received, a decrease in the number of compliments received and a slight increase in the number of comments received. Full details are attached at Appendix 6.

19. Some examples of organisational learning resulting from complaints have been extracted from the appended reports and are provided below.
20. *Adult Social Care Complaints:*
 - (a) Following a complaint for Life Stages 26+ an internal investigation and a review of practice was completed by the Registered Manager into the handling of controlled medication.
 - (b) Following a further complaint for Life Stages 26+ all Safeguarding Adult Managers were reminded that unless it would put the adult at risk at further risk, the person alleged to have caused harm should have the opportunity to respond to the allegations against them and that the response should be shared in the Safeguarding Strategy meeting.
 - (c) Following a complaint for Provider Services it was agreed the Reablement Team would re-visit relevant Council training regarding dignity and respect.
 - (d) Following a complaint for Ongoing Assessment & Intervention team (OAIT) staff were reminded of their conduct when dealing with members of the public and to treat people with dignity and respect, whilst being clear about the remit of services.
21. *Children's Social Care Complaints:*
 - (a) Following a complaint for Team A the Team Manager addressed communication issue with social worker and reminded them to ensure that parents are informed in a timely manner of any key decisions or changes for their children, especially when they are placed outside of their care.
 - (b) Following a complaint for Team B the Team Manager raised the importance of checking who has parental responsibility with a social worker, prior to seeking consent to work with a child.
 - (c) Following a complaint for Team D the Team Manager reminded social workers to check personal details for families are correct to reduce the likelihood of data breaches and shared the Data Protection Officer's advice for avoiding a data breaches.
 - (d) Following a complaint for Keeping Families Together it was agreed the strategies in place to reduce the number of changes of social worker for families should continue to be implemented and social workers bringing cases for discussion at Keeping Families Together panel would be required to provide evidence that parents had given informed consent for Keeping Families Together to work with their family.

22. *Corporate Complaints:*

- (a) Following a complaint for School Admissions & Transport a process was agreed in relation to handing over information when an officer leaves the service.
- (b) Following a complaint for Highway Asset Management about road works commencing too early the Council addressed the issue with the sub-contractor to prevent a re-occurrence.
- (c) Following a complaint for Xentrall it was agreed the Council would make a change to the Darlington Borough Council jobs page to include a sentence at the top of the page to make it clear that CVs are not accepted and that the application form can be found on the link to the job.
- (d) Following a complaint for the Superintendent Registrar the staff at the Registry Office reviewed their practice and bring it into line with the advice provided on .Gov.uk.

23. *Housing Complaints:*

- (a) Following a complaint for Management Services it was recommended that Housing Services ensures it adheres to the timescales set out in its Housing Services Anti-Social Behaviour Policy.
- (b) Following a further complaint for Management Services it was agreed that Housing Services would review their sign up process and going forward ensure sign up appointments are made when all works are completed, post inspected and not beforehand.
- (c) Following a complaint for Service & Repairs, Building Services decided to keep a small stock of radiators to prevent other people experience delays in having them repaired/replaced.
- (d) Following a complaint for Contact & Repairs Co-ordination, Building Services reviewed their stock level resulting in them requiring their supplier to hold a small number of a particular boiler part.

24. The further recommendations set out in the Adult Social Care, Children Social Care and Corporate Complaints, Compliments and Comments Annual Reports are:

- (a) Adult Services should now work to clear the backlog of complaints that has arisen during the pandemic and on doing so ensure any new complaints are responded to in a timely manner and that where an extension is required this is communicated to the complainant and properly recorded.
- (b) Children's Services should now continue to work to improve performance against the Stage 1 and Stage 2 timescales for Children's Social Care complaints.

- (c) The Council should work to improve performance against the Corporate Stage 2 response target.

Outcome of Consultation

- 25. No consultation was required in preparing this report.

APPENDIX 1

Total Representations by Year

Type of representation	2020/21	2019/20	2018/19	2017/18	2016/17
Complaints					
<i>Corporate</i>					
Stage 1 complaints	457	632	623	628	402
Direct to Stage 2 complaints	24	15	1	8	10
Direct to Ombudsman	1	0	0	0	0
<i>Total complaints</i>	<i>483</i>	<i>647</i>	<i>624</i>	<i>636</i>	<i>412</i>
Stage 1 escalated to Stage 2	26	44	70	80	51
<i>Total Stage 2 complaints</i>	<i>50</i>	<i>59</i>	<i>71</i>	<i>88</i>	<i>61</i>
<i>Adult Social Care</i>	46	67	64	92	44
<i>Children's Social Care</i>					
Stage 1 complaints	37	57	67	54	58
Stage 2 complaints	7	10	16	16	16
Stage 3 complaints	2	3	4	2	5
<i>Housing</i>					
Stage 1 complaints	60	65	69	86	86
Direct to Stage 2 complaints	1	1	1	0	0
<i>Total complaints</i>	<i>61</i>	<i>66</i>	<i>70</i>	<i>86</i>	<i>86</i>
Stage 1 escalated to Stage 2	12	6	9	18	14
<i>Total Stage 2 complaints</i>	<i>13</i>	<i>7</i>	<i>10</i>	<i>18</i>	<i>14</i>
Stage 3 complaints	0	0	0	0	0
<i>Public Health</i>	2	1	0	3	3
<i>Compliments</i>					
Corporate	209	170	199	79	106
Adult Social Care	38	62	33	6	13
Children's Social Care	15	7	19	12	4
Housing	47	49	28	19	34
Public Health	0	4	1	0	0
<i>Comments</i>					
Corporate	171	166	236	224	195
Adult Social Care	1	0	2	0	0
Children's Social Care	0	0	0	0	0
Housing	4	2	2	0	3
Public Health	2	0	0	0	1



DARLINGTON

Borough Council

Adult Social Care Complaints, Compliments and Comments Annual Report 2020/21

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Introduction

1. The purpose of this annual report is to inform service users, carers, the public, Council Members and staff of the effectiveness of the Adult Social Care Complaints, Compliments and Comments Procedure (the procedure).
2. On 1 April 2009 the Local Authority Social Services and National Health Service Complaints (England) Regulations 2009 (the regulations) came into force following the consultation 'Making Experiences Count' by the Department of Health. The consultation found that the complaints processes for people receiving both health and social care services were overly complex and inflexible.
3. As a result the legislation introduced altered the way in which complaints are handled introducing a single joint complaints process for both social care and health services, with one stage as opposed to the previous three stage process used in relation to adult social care services. The regulations also introduced a duty for health and social care services to cooperate.
4. The Council implemented a new procedure on 1 April 2010 providing a local framework to ensure complaints are handled effectively and in line with the regulations.
5. The procedure aims to:
 - (a) Make it as easy and accessible as possible for service users and their carers to raise complaints;
 - (b) Foster an organisational culture in which complaints are accepted, owned and resolved as efficiently as possible;
 - (c) Ensure high levels of customer satisfaction with complaints handling;
 - (d) Resolve individual issues when they arise and reduce the number of complaints referred to the Ombudsman; and
 - (e) Enable the Council to identify topics and trends in relation to adult social care complaints and improve services as a result.
6. The Assistant Director Adult Services is the responsible person for ensuring that the Council complies with the arrangements made under the regulations. They act as the 'Adjudicating Officer', which means they make decisions on complaints and decide what action should be taken in light of the outcome of a complaint.
7. The Complaints and Information Governance Manager (Complaints Manager) is the responsible person for managing the procedure for handling and considering complaints in accordance with the agreements made under the regulations.

Local Government and Social Care Ombudsman (Health Services Ombudsman)

8. Although complainants can refer their complaints to the Local Government and Social Care Ombudsman (LGSCO) from the outset, the LGSCO will not normally investigate until the Council has conducted its own investigation and provided a response. Where it has not been possible for the complaint to be resolved to the satisfaction of the complainant they may refer the matter to the LGSCO (or Health Services Ombudsman for some joint complaints).

Information and Accessibility

9. We are committed to making sure that everyone has equal access to all our services, including the complaints procedure. To help make sure the Council's complaints procedures are easily accessible we have produced two leaflets (one for children and young people and one for adults) covering all Council services to reflect the single point of access for complainants within the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.
10. Information is available on the Council's website. There is also an electronic form which people can use to make a complaint, pay someone a compliment or pass comment on Council services. People may make a complaint in any format they wish. This can be in writing, by email, via the web, over the phone, in person or by any other reasonable means.
11. The Complaints Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

Advocacy

12. During 2020/21 the Council commissioned an advocacy service which provides RPRs (Relevant Persons Representatives), IMCAs (Independent Mental Capacity Advocates), IMHAs (Independent Mental Health Act Advocates), Court of Protection Advocacy, and Care Act Advocates. This is provided by Darlington association on Disability (DAD).
13. The Council also commissioned Specialist Advocacy / Welfare Rights services for adults with a sensory impairment, and NHS Complaints Advocacy on behalf of the NHS.

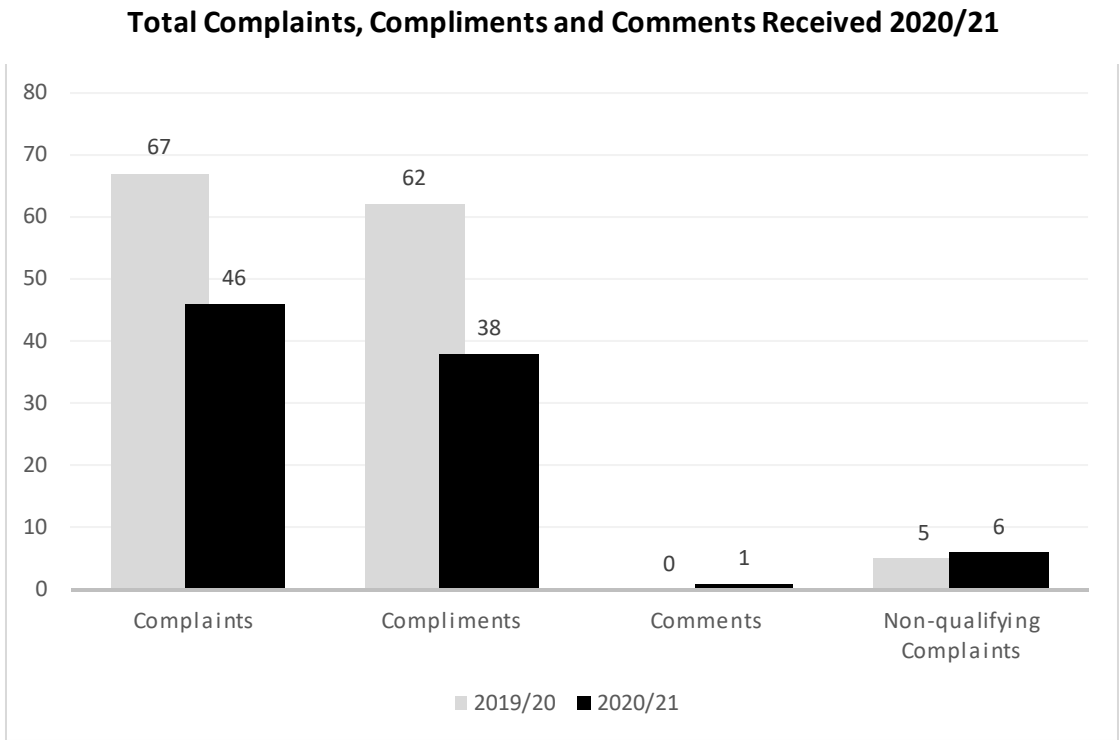
Summary

14. There has been a decrease in overall feedback from 134 representations in 2019/20 to 85 in 2020/21.
15. The Council investigated 46 complaints under the procedure during 2020/21, a decrease from 67 in 2019/20.
16. The Council received 38 compliments under the procedure during 2020/21, a decrease from 62 in 2019/20.
17. The Council received one comment under the procedure during 2020/21, an increase from zero in 2019/20.
18. The Council received six complaints which did not qualify for investigation under the procedure during 2020/21, an increase from five in 2019/20.
19. Six adult social care complaints were progressed to the LGSCO during 2020/21, an increase from five in 2019/20.
20. The LGSCO reached a decision on four complaints during 2020/21, a decrease from six in 2019/20.

Review of the Year

Breakdown of all Representations

21. A total of 85 representations were handled under the procedure during 2020/21. This does not include those representations responded to directly by social care providers i.e. care homes and home (domiciliary) care providers.



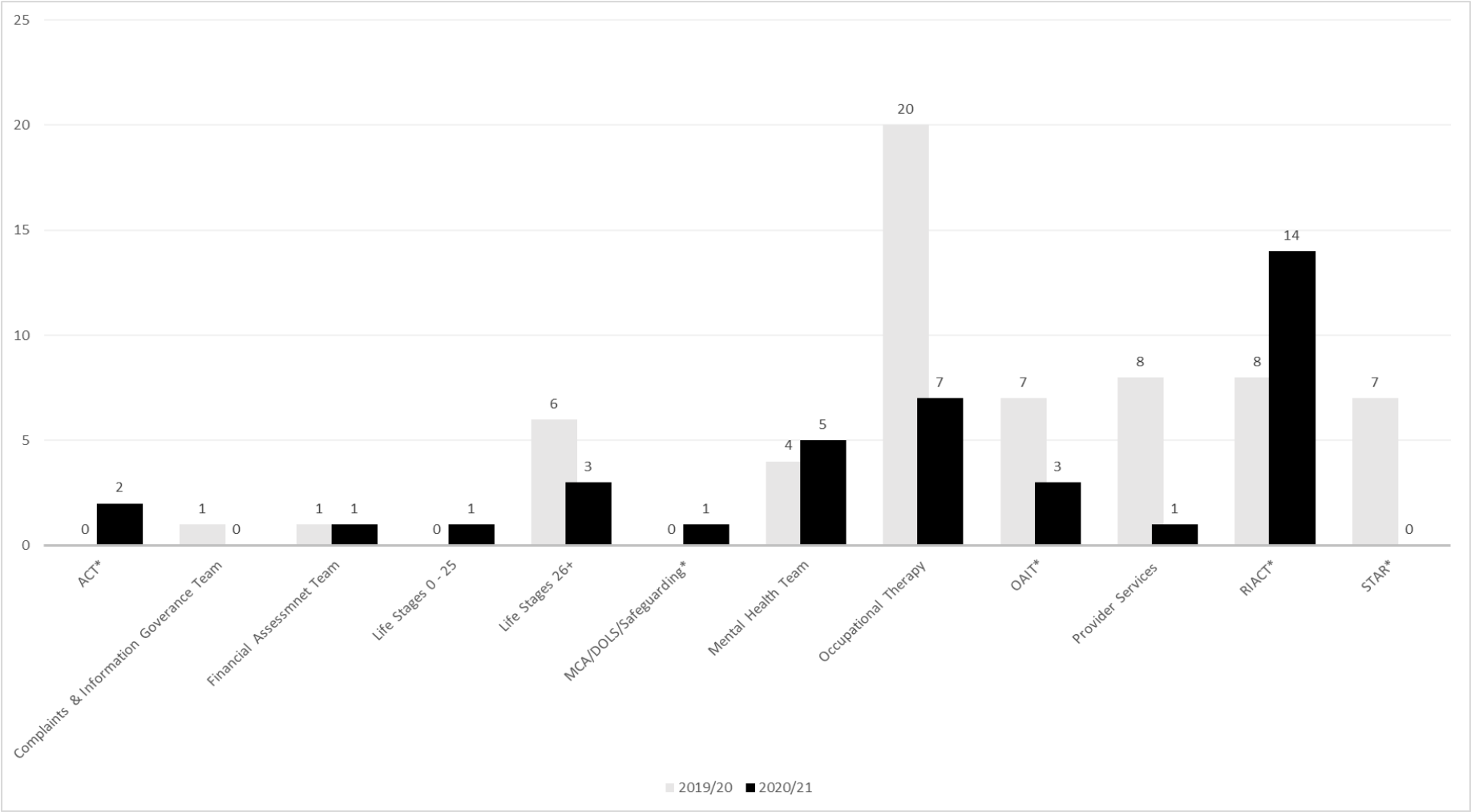
22. There was a decrease in the number of complaints we investigated, compared to 67 in 2019/20.

23. There was a decrease in the number of compliments we received, compared to 62 in 2019/20.

24. There was an increase in the number of comments we received, compared to zero in 2019/20.

25. There was an increase in the number of non-qualifying complaints received, compared to five in 2019/20.

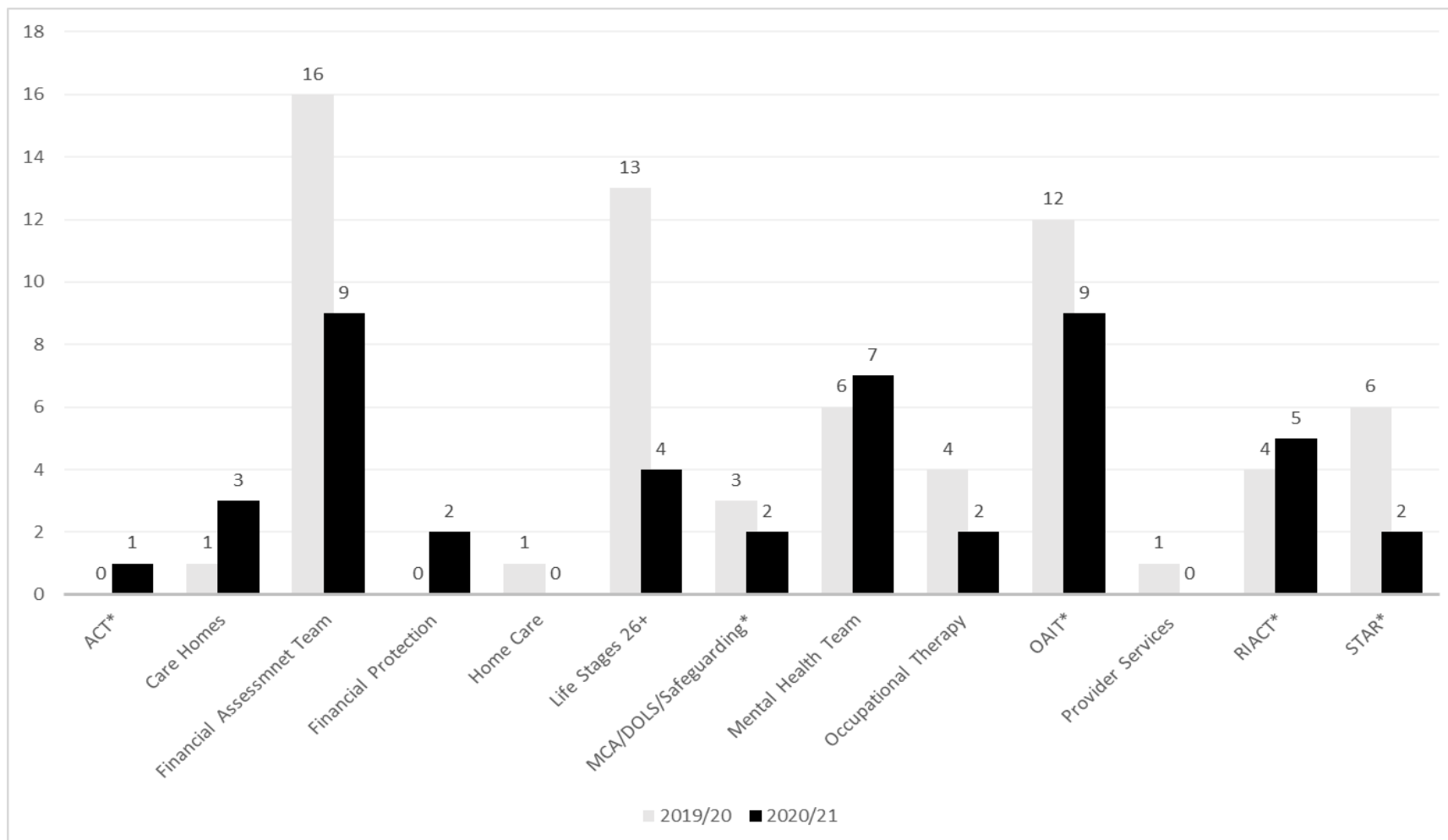
Breakdown of Compliments Received by Team



*ACT = Adult Contact Team, MCA/DOLS = Mental Capacity Act/Deprivation of Liberty Safeguards, OAIT = Ongoing Assessment and Intervention Team, RIACT = Responsive Integrated Assessment Care Team, STAR = Short Term Assessment and Review

N.B. Those teams that do not appear in the graph did not receive any compliments

Breakdown of Complaints Received by Service Area/Team



*ACT = Adult Contact Team, MCA/DOLS = Mental Capacity Act/Deprivation of Liberty Safeguards, OAIT = Ongoing Assessment and Intervention Team, RIACT = Responsive Integrated Assessment Care Team, STAR = Short Term Assessment and Review

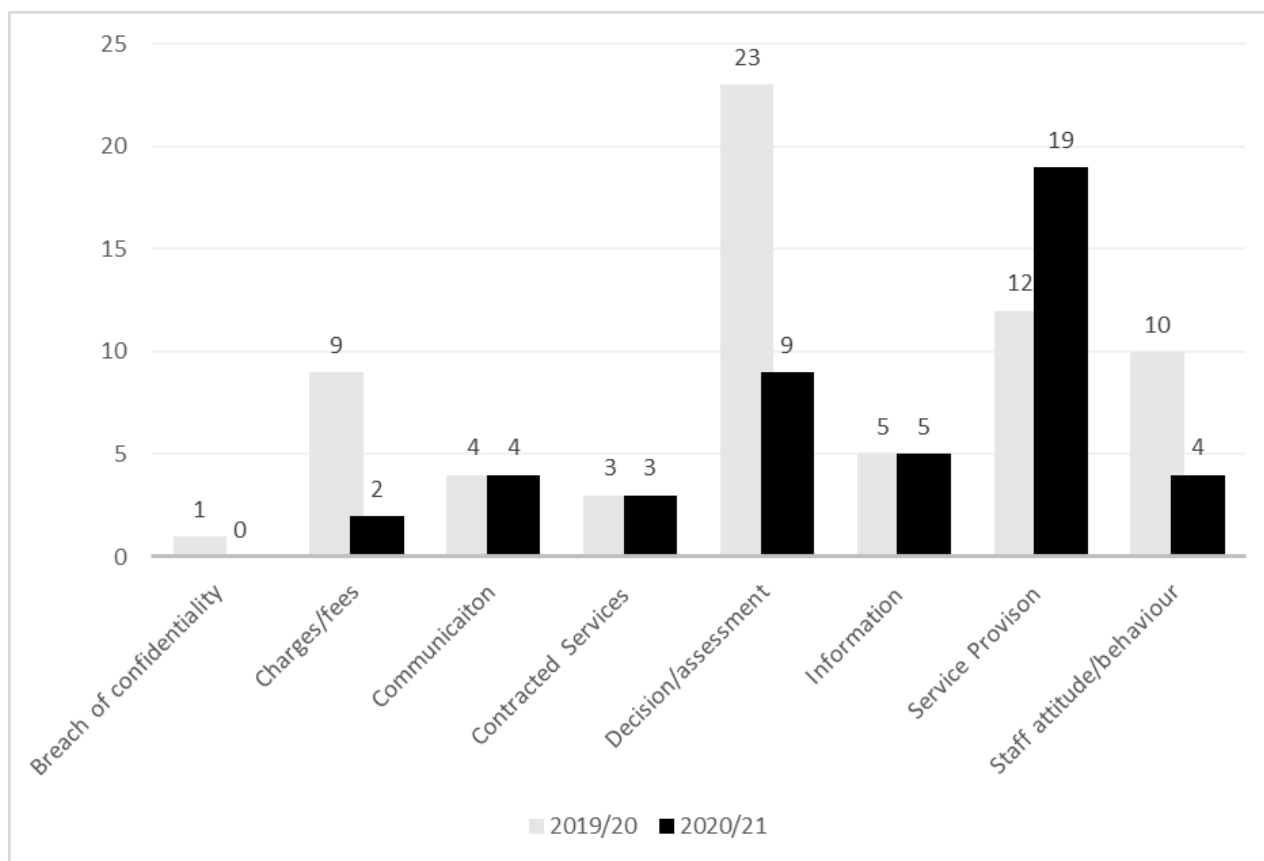
N.B. Those teams that are not listed did not receive any complaints. ACT received one complaint, an increase from zero in 2019/20.

26. The Council investigated three complaints about care homes (contracted service) an increase from one in 2019/20.
27. Financial Assessments saw a reduction in complaints, nine compared to 16 in 2019/20. Complaint concerned delays, poor communication, inaccurate information and dissatisfaction with decisions.
28. Financial Protection received two complaints, an increase from zero in 2019/20.
29. The Council investigated one complaint about a home (domiciliary) care provider (contracted service), the same number as 2019/20.
30. There was a significant decrease in complaints for Life Stages 26+, four compared to 13 in 2019/20. There were no common themes in the four complaints received.
31. There was a decrease in complaints for MCA/DOLS (Mental Capacity Act/Deprivation of Liberty Safeguards), two compared to three in 2019/20.
32. The Mental Health Team received seven complaints, an increase from six in 2019/20. Service provision was the most common cause of complaint.
33. Occupational Therapy received two complaints, a decrease from four in 2019/20.
34. Ongoing Assessment & Intervention Team (OAIT) received nine complaints a reduction from 12 in 2019/20. The most common themes were dissatisfaction with the outcome of assessments and service provision.
35. Provider Services did not receive any complaints, a reduction from one in 2019/20.
36. Responsive Integrated Assessment Care Team (RIACT) received five complaints, an increase from four in 2019/20. There was no common theme in the complaints received.
37. Short Term Assessment & Review Team (STAR) received two complaints, a decrease from six in 2019/20.

Breakdown of Comments Received by Service Area/Team

38. The Council received one comment for Occupational Therapy, an increase from zero in 2019/20.

Breakdown of Complaints Received by Issue



39. The most common cause of complaint was service provision. The Council received 19 complaints about service provision an increase from 12 in 2019/20.
40. The second most common cause of complaint was dissatisfaction with a decision/assessment. In total the Council received nine complaints about this issue, a significant decrease from 23 in 2019/20.
41. The third most common cause of complaint was information. The Council received five complaints, the same number as in 2019/20.
42. The fourth most common causes of complaint were communication and staff attitude/behaviour. Complaints about communication were comparable to 219/20 while the Council saw a reduction in complaints about staff attitude/behaviour, compared to 10 in 2019/20.
43. Contracted services i.e. complaints about care home and home (domiciliary) care providers were the fifth most common cause of complaint. The Council receive the same number of complaint in relation to this issue as it did in 2019/20.
44. Charges/fees were the least common complained about issues. The Council saw a reduction from nine complaints in 2019/20.

Complaint Outcomes

45. 36 complaint investigations were concluded during 2020/21. The outcomes of these complaints are detailed in the chart below.

Service Area/Team	Upheld	Partly Upheld	Not Upheld	Inconclusive	Withdrawn	Total
Care Homes (contracted service)	0	0	0	0	1	1
Financial Assessments	0	0	5	0	1	6
Financial Protection	0	0	0	1	1	2
Life Stage 26+	1	2	0	0	0	3
Mental Health	0	0	0	1	4	5
Occupational Therapy	0	0	1	0	0	1
Ongoing Assessment & Intervention Team (OAIT)	1	2	1	2	3	9
Provider Services	0	0	0	1	0	1
Responsive Integrated Assessment Care Team (RIACT)	1	2	0	0	2	5
Short Term Assessment and Review (STAR)	0	0	0	0	3	3
Total	3	6	7	5	15	36

Local Government Ombudsman Complaints Received 2020/21

46. Five adult social care complaints were progressed to the LGSCO during 2020/21, the same as in 2019/20.

Local Government Ombudsman Complaint Outcomes 2020/21

47. Four adult social care complaints were determined by the LGSCO during 2020/21, compared to five in 2019/20.
48. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 8 December 2020 and 7 September 2021 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

Organisational Learning

49. All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints, a number of service improvements were made following complaint investigations during 2020/21, some of which are detailed below.

Life Stage 26+

50. Following a complaint an internal investigation and a review of practice was completed by the Registered Manager into the handling of controlled medication.
51. As a result if the same complaint Holcote reviewed their policies and procedures in relation to holding funds for individuals using the short break service and ensured that staff are aware of how to support individuals and seek advice to resolve issues regarding expenditure.
52. Following a further complaint all Safeguarding Adult Managers were reminded that unless it would put the adult at further risk, the person alleged to have caused harm should have the opportunity to respond to the allegations against them and that the response should be shared in the Safeguarding Strategy meeting.

Providers Services

53. Following a complaint it was agreed the Reablement Team would re-visit relevant Council training regarding dignity and respect and that training would be developed for staff in social care to be clear about the difference between a person's care needs and their needs as a carer. Staff were reminded of how their language can be perceived and of the need to accurately record conversations, including in relation to financial assessments. Social workers were also reminded of the need to inform individuals of the cancellation periods for domiciliary care and to share information relating to the online financial assessment tool. The website was also updated.

Ongoing Assessment & Intervention Team (OAIT)

54. Following a complaint staff were reminded of their conduct when dealing with members of the public and to treat people with dignity and respect, whilst being clear about the remit of services.
55. Following a further complaint it was recommended staff receive further training on Direct Payments.

Performance against the Procedure

56. As a result of COVID-19 the Assistant Director Law and Governance made a [Delegated Decision](#) on 23 March 2020 that gave approval for timescales not to be adhered to as a result of services diverting resources to the areas of greatest need.
57. The target for acknowledging receipt of complaints under the procedure is 3 working days.
58. 86.96% of complaints received during 2020/21 were acknowledged within the 3 working day timescale, a decrease from 93.94% in 2019/20.
59. There are no longer any statutory timescales for complaint responses, except that complainants should receive a response within six months. The procedure sets out a timescale for dealing with complaints solely about the Council's services i.e. 30 working days, although there are circumstances in which the investigator may agree an extension with the complainant. It also states that for joint health and social care complaints the complaints managers from the different organisations will work together to decide a reasonable timescale and agree this with the complainant. This is to ensure investigations are completed in a timely manner and within the maximum time allowed.
60. 27.8% of complaints were responded to within 30 working days, an increase from 22.4% in 2019/20.
61. 22.2% of complaints exceeded the maximum six month time limit, an increase from 10.4% in 2019/20.

Performance Indicator for 2020/21

62. In relation to Adult Social Care complaints the Council's key performance indicator is the number of maladministration decisions received from the Local Government and Social Care Ombudsman. The Council received one maladministration decision during 2020/21, compared to five during 2019/20.
63. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 8 December 2020 and 7 September 2021 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

Further recommendations

64. Adult Services should now work to clear the backlog of complaints that has arisen during the pandemic and on doing so ensure any new complaints are responded to in a timely manner and that where an extension is required this is communicated to the complainant and properly recorded.

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DARLINGTON

Borough Council

Children's Social Care Complaints, Compliments and Comments Annual Report 2020/21

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Introduction

1. Darlington Children's Social Care welcomes complaints, compliments and comments as a way of improving service delivery to children, young people and their families. The purpose of this report is to inform the service users, carers, the public, Council Members and Children's Social Care staff of the effectiveness of the Children's Social Care Complaints, Compliments and Comments Procedure (the Procedure). The report identifies topics and trends in relation to complaints information, makes suggestions for service improvements, where appropriate and identifies areas of organisational learning that have taken place in relation to people, policy and process.

The Law

2. The Council is required by law to have management arrangements in place for considering children's social care representations, including complaints, under the Children Act 1989. National legislative procedures for social care were amended in September 2006 with the introduction of the Children Act 1989 Representation Procedure (England) Regulations 2006 (the Regulations). It is a requirement of the Regulations that the Council publishes an annual report. In addition to the Regulations the Department for Education and Skills produced some comprehensive guidance for local authorities on managing complaints, called 'Getting the Best from Complaints'.
3. Key features of the Regulations include:
 - (a) A requirement for local authorities to appoint a Complaints Manager;
 - (b) A requirement for review panels to be retained by local authorities but with more robust arrangements for constituting and running them; and
 - (c) A 12 month time limit to make complaints.

Complaints and Information Governance Team

4. The Complaints and Information Governance Manager is appointed as the 'Complaints Manager' in accordance with the requirements of the Regulations. The Complaints and Information Governance (CIG) Team is independent of Children's Social Care operational line management. This ensures a high level of independence in the way children's social care complaints are managed within the Council.

Public Information

5. We are committed to making sure that everyone has equal access to all our services, including the Procedure. To help make the Procedure easily accessible we have produced two leaflets (one for children and young people and one for adults) covering all Council services to reflect the single point of access for complainants within the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.

6. Information is available on the Council's website. There is also an electronic form which people can use to make a complaint, pay someone a compliment or pass comment on Council services. People may make a complaint in any format they wish.
7. This can be in writing, by email, via the web, over the phone, in person or by any other reasonable means.
8. The Complaints Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

Children's Services Social Care Complaints Process

Stage 1 – Local Resolution

9. This initial stage allows children's social care managers the opportunity to try and resolve complaints locally, usually within the team being complained about.

Stage 2 – Investigation

10. Stage 2 involves a full and formal investigation. An 'Independent Person' must also be appointed to oversee the investigation and report independently to Children's Social Care Services. Both the Investigating Officer and Independent Person produce reports, which are submitted to a senior manager who writes the final response to the complainant.

Stage 3 – Review Panel

11. A review panel is convened when the complainant is dissatisfied with the Stage 2 response. The panel consists of an independent chairperson and two individuals who are independent of the Council.

The Local Government and Social Care Ombudsman

12. Although complainants can refer complaints at any stage to the Local Government and Social Care Ombudsman (LGSCO) they will not normally investigate until the Council has conducted its own investigation and provided a response.

External Support to the Complaints Process

Advocacy

13. The Council commissions an advocacy service for children and young people who make a complaint. This is an independent service provided by NYAS.

Investigating Officers

14. While the Regulations do not require Investigating Officer's to be independent of the Council, we have signed up to a contract for the provision of Independent Investigating Officers.

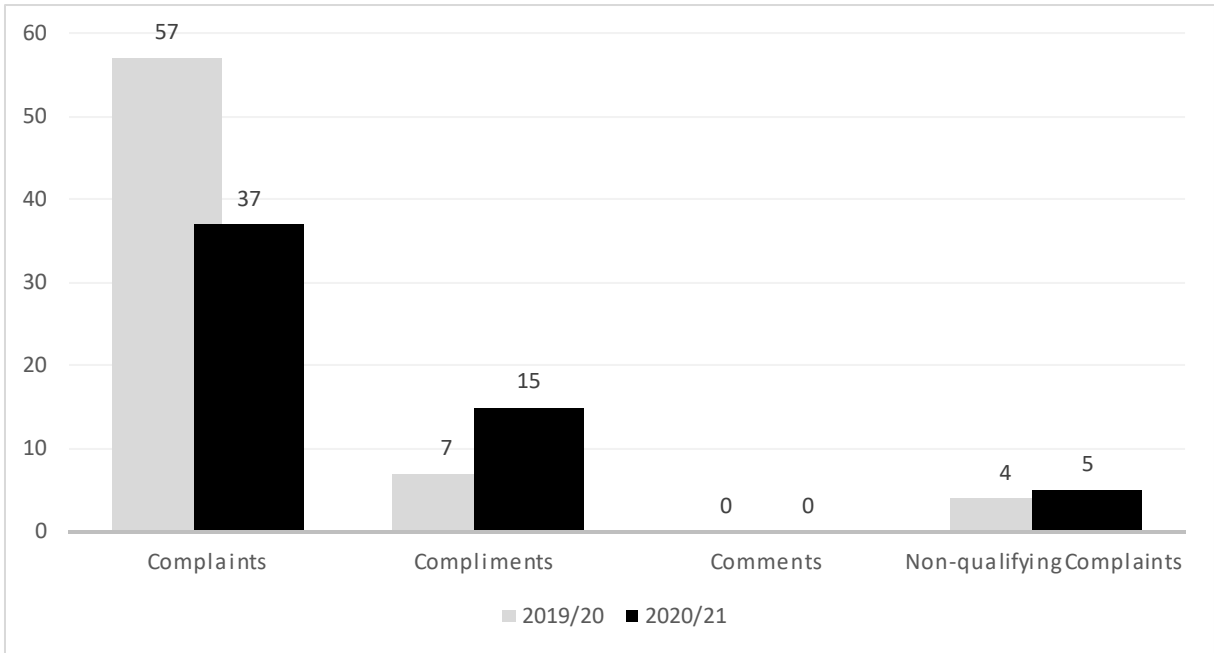
Independent Persons

15. The Council has signed up to a contract for the provision of Independent Persons.

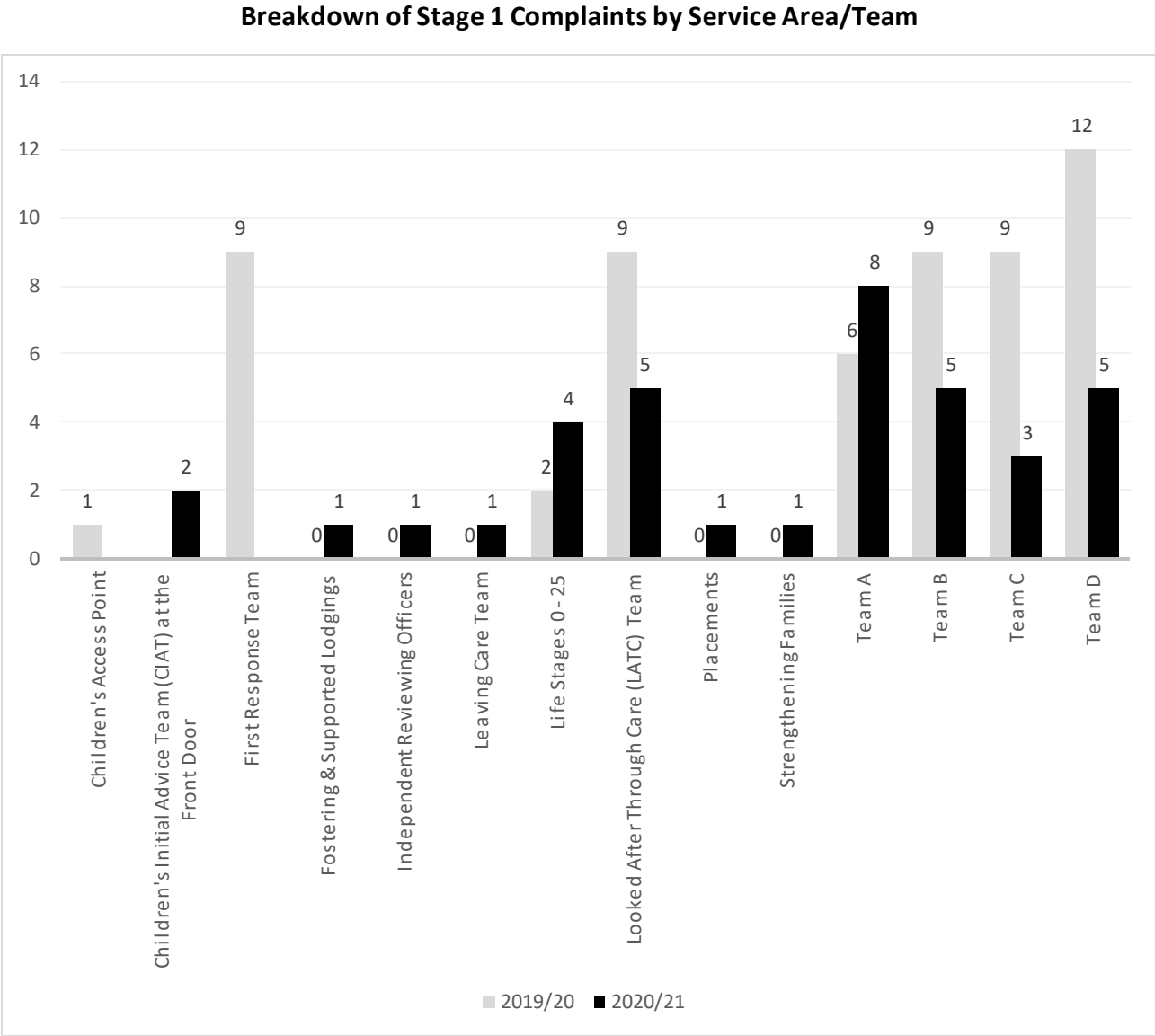
Review Panels

16. The Council has also signed up to a contract for the provision of an Independent Chair and Independent Panellist service.

Total Complaints, Compliments and Comments received



- 17. The Council received 37, a decrease from 57 during 2019/20.
- 18. The Council received 15 compliments, an increase from seven during 2019/20.
- 19. The Council received zero comments, the same as in 2019/20.
- 20. The Council received five non-qualifying complaints, an increase from four in 2019/20.

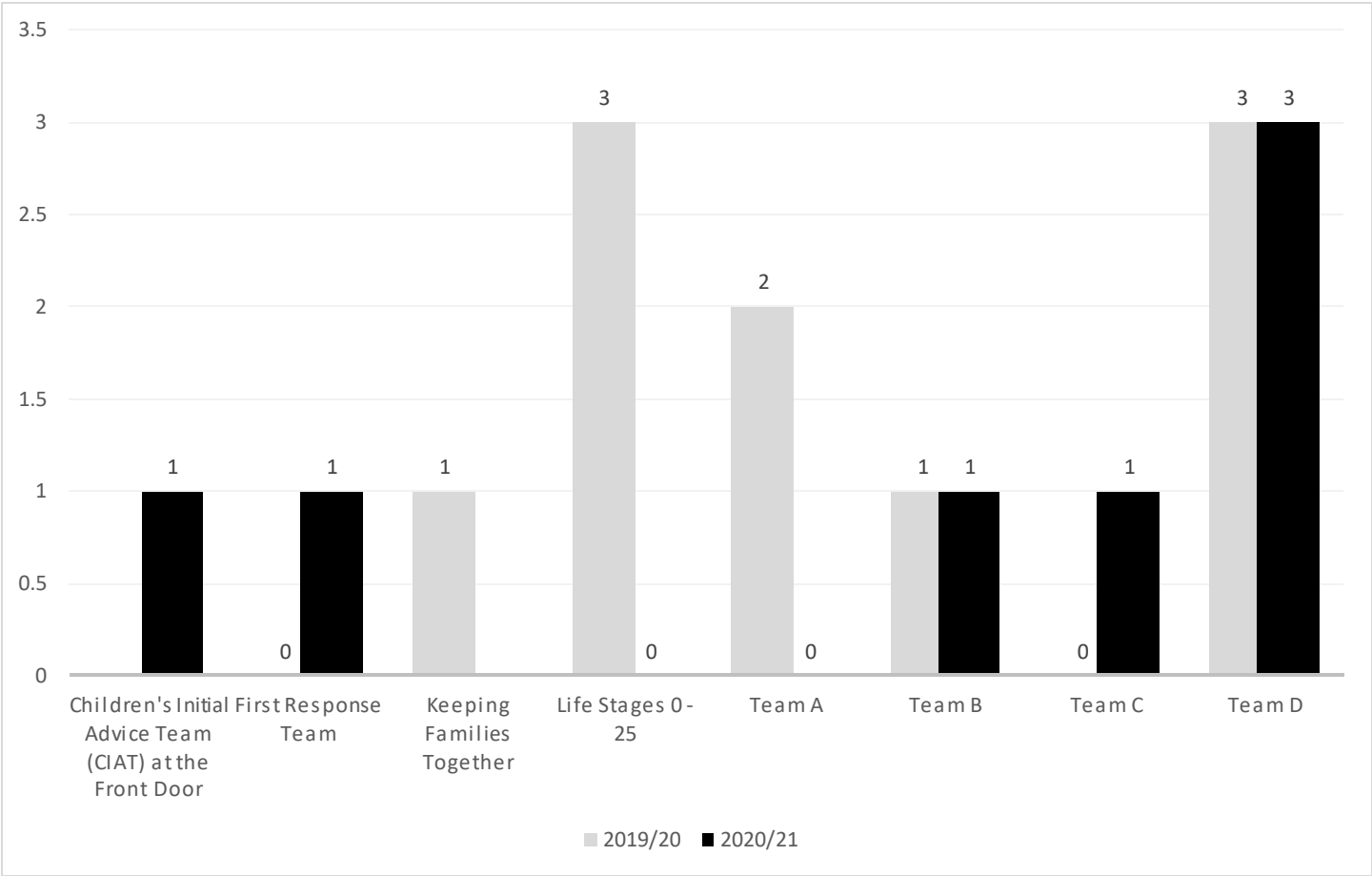


*N.B. Those teams that are not listed did not receive any complaints during 2020/21.
Comparison data is not available for all teams due to changes in the Council's organisational structure.*

21. Children's Initial Advice Team (CIAT) at the Front Door received two complaints, compared to one for Children's Access Point in 2019/20.
22. Life Stages 0 – 25 received four complaints, an increase from two in 2019/20.
23. Looked After Through Care (LATC) Team saw a significant decrease in complaints, five compared to nine in 2019/20.
24. While absorbing the work of the First Response Team through the reconfiguration of the front door, Teams A to D also saw a significant reduction overall in the number of complaints received.

Breakdown of Stage 2 Complaints by Service Area/Team

25. Seven complaints were escalated to Stage 2 during 2020/21, a decrease from 10 in 2019/20.

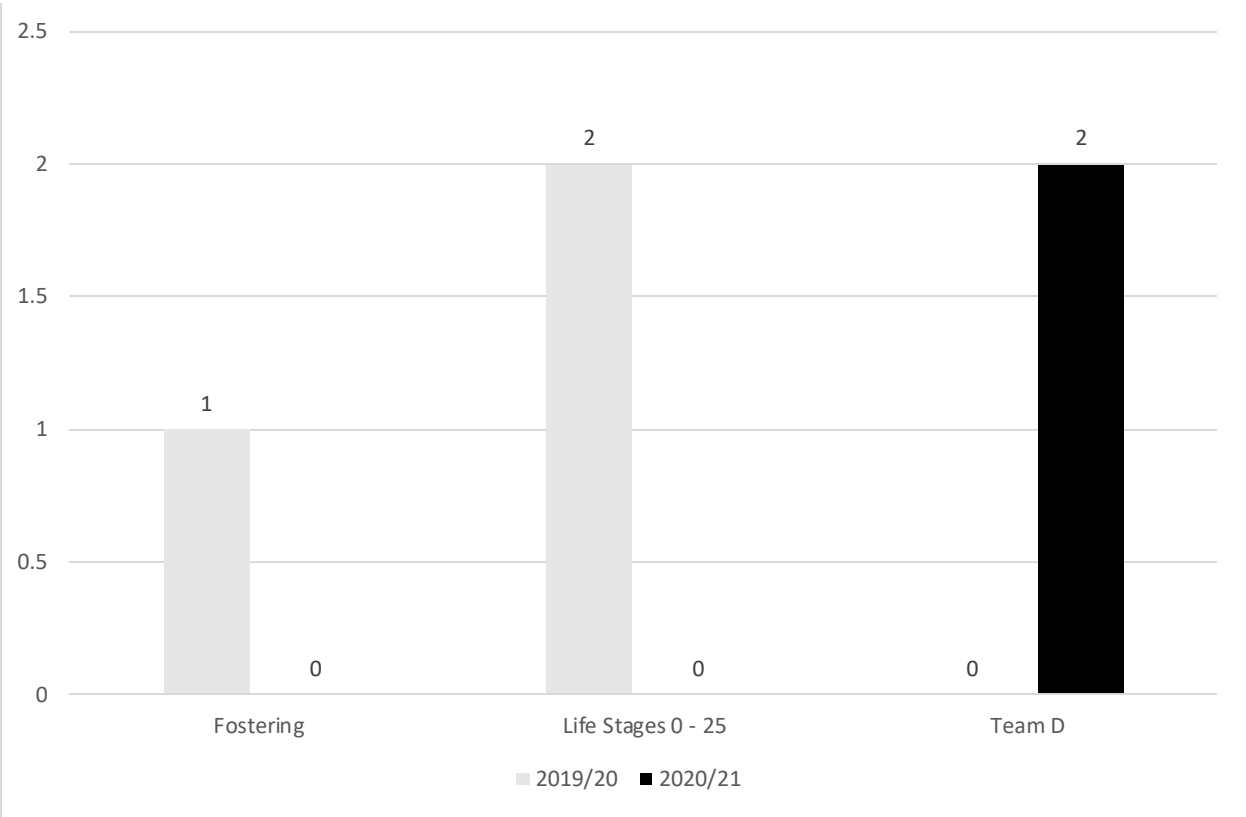


*N.B. Those teams that are not listed did not receive any complaints during 2020/21.
Comparison data is not available for all teams due to changes in the Council's organisational structure.*

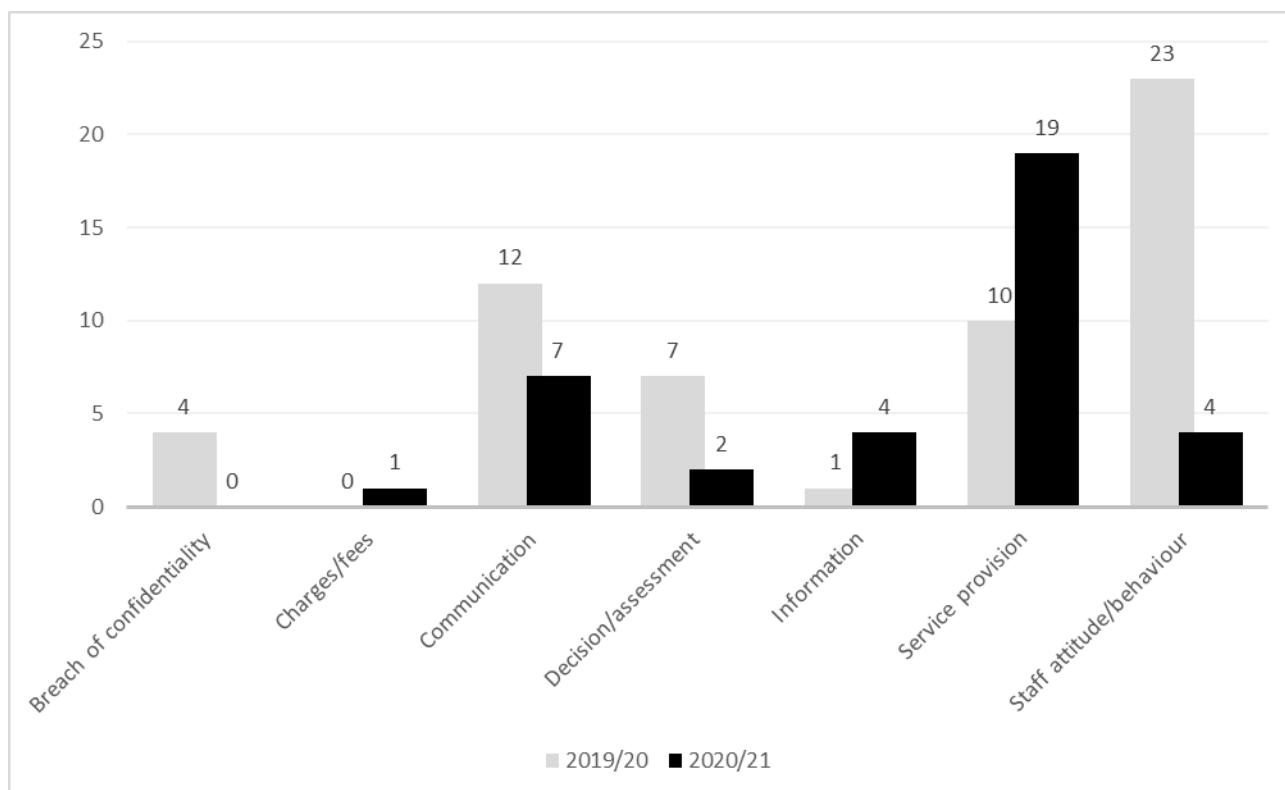
26. Children's Initial Advice Team (CIAT) at the Front Door received one complaint, compared to zero for Children's Access Point in 2019/20.
27. Life Stages 0 – 25 Team saw a decrease from three to zero complaints compared to 2019/20.
28. Team A saw a decrease from two to zero complaints compared to 2019/20.
29. Despite the significant reduction in the overall the number of complaints received by Teams A to D during 2020/21, there was a slight increase in the number that were escalated to Stage 2.

Breakdown of Stage 3 complaints by Service Area/Team

30. Two complaints were escalated to Stage 3 during 2020/21, a decrease from three in 2019/20.



Breakdown of complaints by Issue

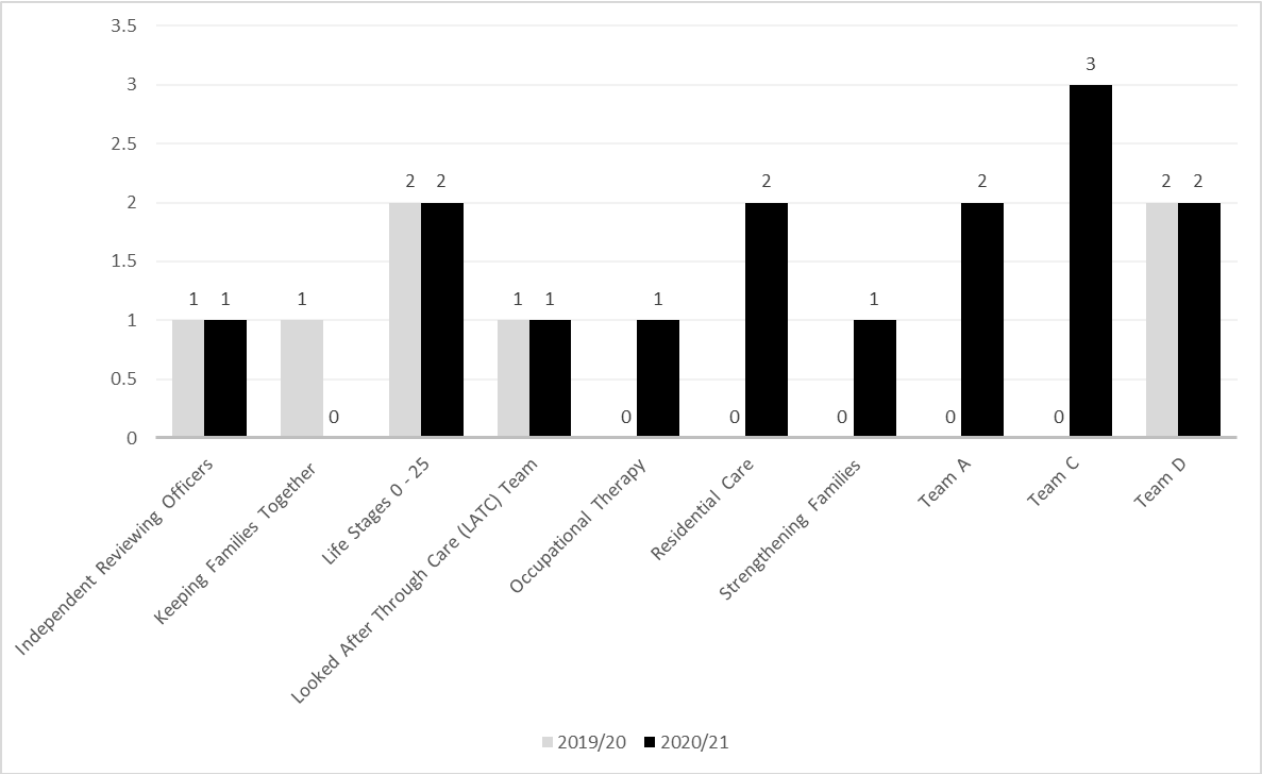


31. Service/provision was the most commonly complained about issue. The Council received 19 complaints about this issue, an increase from 10 in 2019/20.
32. Communication was the second most complained about issue. While that is the case the Council saw a decrease in complaints about communication, seven compared to 12 in 2019/20.
33. The third most complained about issues were staff attitude/behaviour and information. The Council saw a significant decrease in complaints about staff attitude behaviour during 2020/21, receiving only four complaints compared to 23 in 2019/20. The Council saw an increase of three complaints in relation to information.
34. The fourth most complained about issue was the outcome of a decision/assessment. Again the Council saw a decrease in complaints in this area receiving two compared to seven in 2019/20.
35. The least complained about issue was charges/fees. The Council received one complaint about this issue an increase from zero in 2019/20.

Breakdown of Comments by Service Area/Team

36. The Council did not receive any comments during 2020/21, as was the case in 2019/20.

Breakdown of Compliments by Service Area/Team



37. The Council saw an increase in compliments, 15 compared to seven in 2019/20.

Complaint Outcomes

Stage 1 - The below table shows the decisions reached on Stage 1 complaints during 2020/21.

Service Area/Team	Closed With No Response	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Team A	0	0	0	4	2	1	0	7
Team B	0	0	0	1	2	1	1	5
Team C	0	0	0	1	2	0	0	3
Team D	0	0	0	2	2	0	1	5
Leaving Care Team	0	0	0	1	0	0	0	1
Looked After Through Care (LATC) Team	0	0	0	0	4	1	0	5
Safeguarding Team A	0	0	0	0	1	0	1	2
Safeguarding Team B	0	0	0	0	0	0	1	1
Safeguarding Team C	0	0	0	1	0	0	0	1
Safeguarding Team D	0	0	0	2	0	1	0	3
Independent Reviewing Officers	0	0	0	1	0	0	0	1
Strengthening Families	0	0	0	1	0	0	0	1
Children's Initial Advice Team (CIAT) at the Front Door	0	0	0	2	0	0	0	2
Life Stages 0 - 25	0	0	0	1	2	1	0	4
Placements	0	0	0	0	0	1	0	1
Fostering & Supported Lodgings	0	0	0	0	0	1	0	1
Total	0	0	0	17	15	7	4	43

Stage 2 - The below table shows the decisions reached on Stage 2 complaints during 2020/21.

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Team D	0	0	0	1	0	1
Safeguarding Team B	0	0	1	0	0	1
Safeguarding Team D	0	0	3	1	0	4
First Response Team	0	1	0	0	0	1
Keeping Families Together	0	0	0	1	0	1
Total	0	1	4	3	0	8

Stage 3 - The below table shows the decisions reached on Stage 3 complaints during 2020/21.

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Team D	0	0	1	0	0	1
Safeguarding Team D	0	0	1	0	0	1
Total	0	0	2	0	0	2

Local Government and Social Care Ombudsman (LGSCO) Complaints

- 38. Two complaints were referred to the LGSCO during 2020/21, an increase from one in 2019/20.
- 39. Two complaints were determined by the LGSCO during 2020/21, compared to one in 2019/20.

Organisational Learning

- 40. All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints several service improvements were made following complaint investigations during 2020/21. Some examples of these are detailed below.

Placements

- 41. Following a complaint for Placements the Registered Manager discussed the unhelpful response with staff following a neighbour raising an issue about one of the children in the residential care home with the home.

Team A

- 42. Following a complaint for Team A the Team Manager addressed communication issue with social worker and reminded them to ensure that parents are informed in a timely manner of any key decisions or changes for their children, especially when they are placed outside of their care.

Team B

- 43. Following a complaint for Team B the Team Manager raised importance of checking who has PR with a social worker, prior to seeking consent to work with a child.

Team D

- 44. Following a complaint for Team D the Team Manager reminded social workers to check personal details for families are correct to reduce the likelihood of data breaches and shared the Data Protection Officer's advice for avoiding data breaches.
- 45. Following another complaint for Team D it was recommenced that Darlington Children Services develop procedures and practice guidance to support and guide front line practitioners to put into effect Darlington's Equality Policy.
- 46. Following a further complaint for Team D it was agreed Children's Social Care should remind staff of the importance of detailing and recording conversations with family members during home visits, which captures the events / details that have been discussed, agreed and any further actions. It would be also beneficial that a recap of such discussions are made with the family members to ensure factual accuracy.

Keeping Families Together

47. Following a complaint for Keeping Families Together it was agreed the strategies in place to reduce the number of changes of social worker for families should continue to be implemented and social workers bringing cases for discussion at Keeping Families Together panel would be required to provide evidence that parents had given informed consent for Keeping Families Together to work with their family.

Looked After Through Care (LATC) Team

48. Following a complaint for LATC all Social workers within the LATC have attended training on relational and restorative practice and will continue to be supported to embed this practice further. Social Workers were also reminded within supervisions and Team Meetings to ensure parents are invited to meetings and consulted in relation to potential changes within a child's placement and education. An email was also sent to all social workers and contact supervising officers to reiterate that any concerns raised by parents are to be accurately recorded in a timely manner on the Local Authorities Liquid Logic database.

Performance against the Children's Social Care Complaints, Compliments and Comments Procedure

49. As a result of COVID-19 the Assistant Director Law and Governance made a [Delegated Decision](#) on 23 March 2020 that gave approval for timescales not to be adhered as a result of services diverting resources to the areas of greatest need.

50. The below performance measures are in relation to those complaints responded to during 2020/21.

Timescales

Stage 1

51. The target for responding to a complaint at Stage 1 is 10 working days, with a possible extension of up to 20 working days if the complaint is complex.

- (a) 53.66% of Stage 1 complaint responses were sent within 10 working days. This was an increase in performance from 33.4% in 2019/20.
- (b) A further 17.07% of Stage 1 complaint responses were sent within 20 working days.
- (c) In total 70.73% of Stage 1 complaint responses were sent within the maximum 20 working day timescale, a decrease in performance from 74.7% in 2019/20.

Stage 2

52. The target for responding to a complaint at Stage 2 is 25 working days, extendable up to a maximum of 65 working days.

- (a) 0% of Stage 2 complaint responses were sent within 25 working days during 2020/21, as was the case in 2019/20.
- (b) 37.5% of Stage 2 complaint responses were sent within the maximum timescale allowed (65 working days), an increase in performance from 10% in 2019/20.
- (c) 62.5% of Stage 2 complaint responses were sent after 65 working days, an increase in performance from 90% in 2019/20.

Stage 3

53. At Stage 3 the Review Panel should be held within 30 working days of the request. 100% of Review Panels were held within 30 working days.

54. The Review Panel should write to the Director within 5 working days of the panel. They did so in 100% of cases.

55. The Director should write to the complainant within 15 working days of receiving the Panel's response. The Director wrote to the complainants within 15 working days in 100% of cases, an increase in performance from 66.66% of cases in 2019/20.

Performance against key performance indicators

56. In relation to children's social care complaints the Council's key performance indicator is the number of maladministration decisions received from the Local Government and Social Care Ombudsman (LGSCO). The Council received one maladministration decision during 2020/21, an increase from zero in 2019/20.
57. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 8 December 2020 and 7 September 2021 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

Further recommendations

58. Children's Services should now continue to work to improve performance against the Stage 1 and Stage 2 timescales for Children's Social Care complaints.

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DARLINGTON

Borough Council

Corporate Complaints, Compliments and Comments Annual Report 2020/21

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Introduction

1. This report provides an analysis of the complaints, compliments and comments received by the Council during 2020/21 under the Corporate Complaints, Compliments and Comments Procedure (the corporate procedure). The purpose of the report is to identify topics and trends in relation to complaints; identify areas of organisational learning that have taken place over the past year as a result of the complaints received and make further recommendations based on trend data to improve services. The report also highlights those areas of good practice within the Council and seeks to identify topics and trends in relation to comments made by members of the public so the Council can also take action where appropriate to improve services.
2. In addition to the statistical information presented in this report it is important to recognise the work of the Complaints and Information Governance (CIG) Team that underpins this in terms of promoting an organisational culture in which complaints are recognised, accepted, owned and resolved as efficiently and as close to the point of service delivery as possible.

Corporate Complaints, Compliments and Comments Procedure

3. The corporate procedure sets out how the Council will deal with all complaints, compliments and comments received with the exception of those received in relation to adult and children's social care services, social housing, public health and Members which will be dealt with under separate procedures.
4. The corporate procedure has two stages. Stage 1 is a local resolution stage where we try to resolve those complaints that cannot be resolved immediately as part of our day to day business. Stage 1 complaints are dealt with locally, that is within the service being complained about. We aim to resolve the majority of complaints at Stage 1 of the corporate procedure.
5. Stage 2 is a formal investigation stage where complaints will usually be investigated by the Council's Complaints Investigator, the Complaints and Information Governance Manager or another officer independent of the service being complained about.
6. If the complainant remains dissatisfied following a Stage 2 investigation they may refer the matter to the Local Government and Social Care Ombudsman.

Public Information and Accessibility

7. We are committed to making sure that everyone has equal access to all our services. To help make sure the Council's complaints procedures are easily accessible we have produced two leaflets (one for children and young people and one for adults) covering all Council services to reflect the single point of access for complainants within the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.

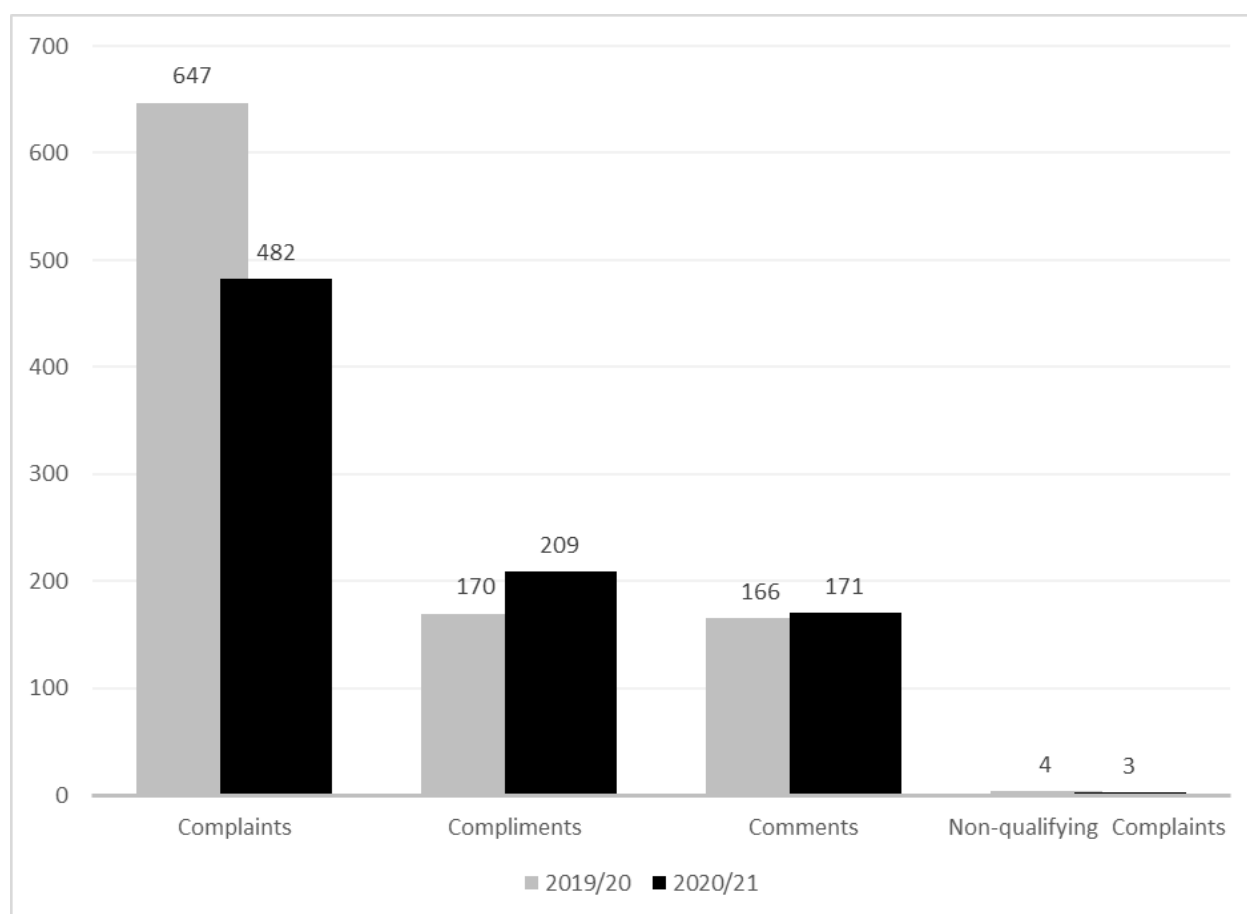
8. Information is available on the Council's website which contains an electronic form people can use to make a complaint, pay someone a compliment or pass comment on Council services. People may make a complaint in any format they wish. This can be in writing, email, via the web, over the phone, in person or by any other reasonable means.
9. The Complaints and Information Governance Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

Complaints Information and Organisational Learning

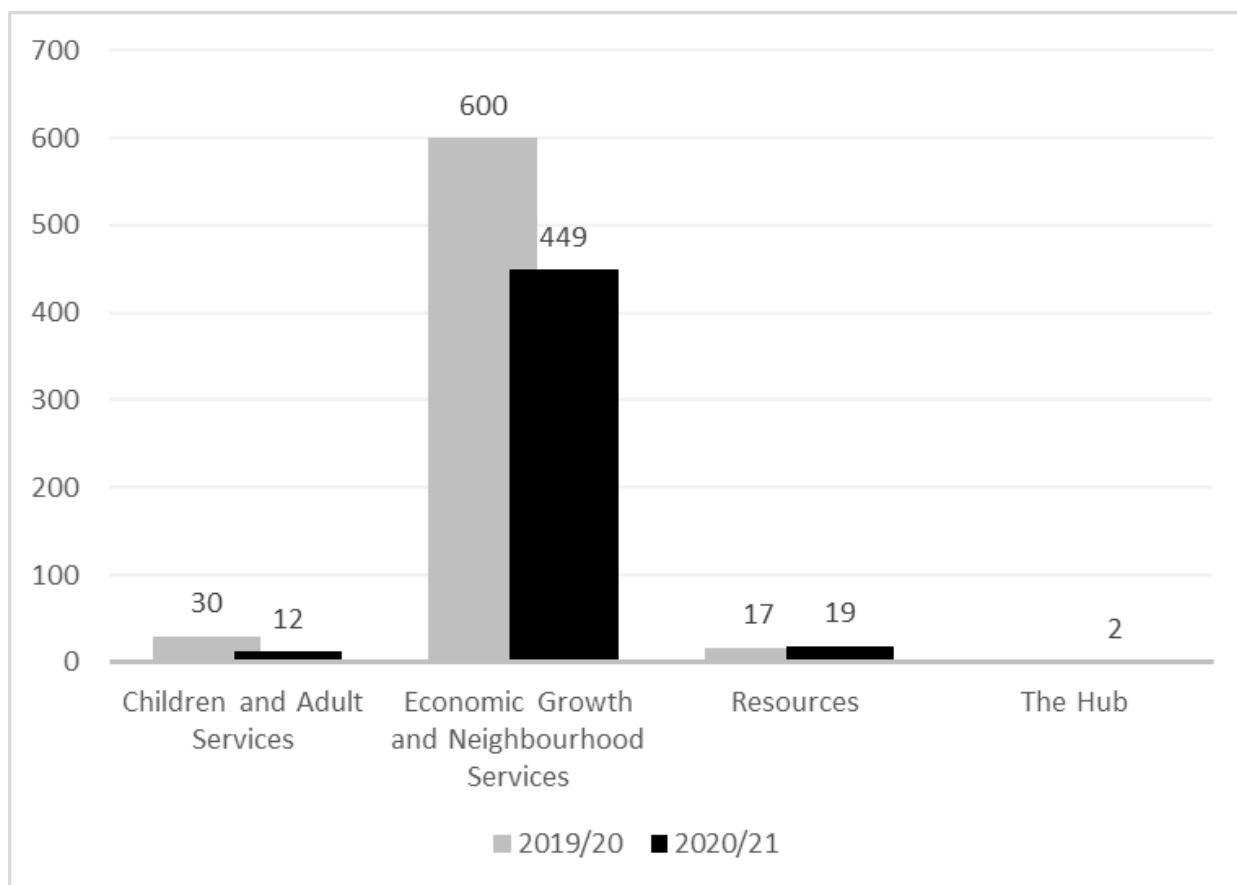
Overview of Complaints, Compliments and Comments

10. Between 1 April 2020 and 31 March 2021 the Council received a total of 865 representations under the corporate procedure, a decrease from 987 in 2019/20.
11. The Council received 482 complaints, a decrease from 647 in 2019/20. 457 complaints were initially dealt with at Stage 1 of the corporate procedure, whilst 24 were initially dealt with at Stage 2. One complaint was sent directly to the Local Government and Social Care Ombudsman who made a decision without referring the complaint to the Council in the first instance. 26 Stage 1 complaints were escalated to Stage 2 following a Stage 1 investigation. In total 50 complaints were investigated at Stage 2, a decrease from 59 in 2019/20.
12. The Council received 209 compliments, an increase from 170 in 2019/20.
13. The Council received 171 comments, an increase from 166 in 2019/20.
14. The Council also received three non-qualifying complaints, a decrease from four in 2019/20.

Total Complaints, Compliments and Comments



Complaints by Department



N.B. Comparison data is not available for The Hub which was set up in the early stages of the COVID-19 pandemic.

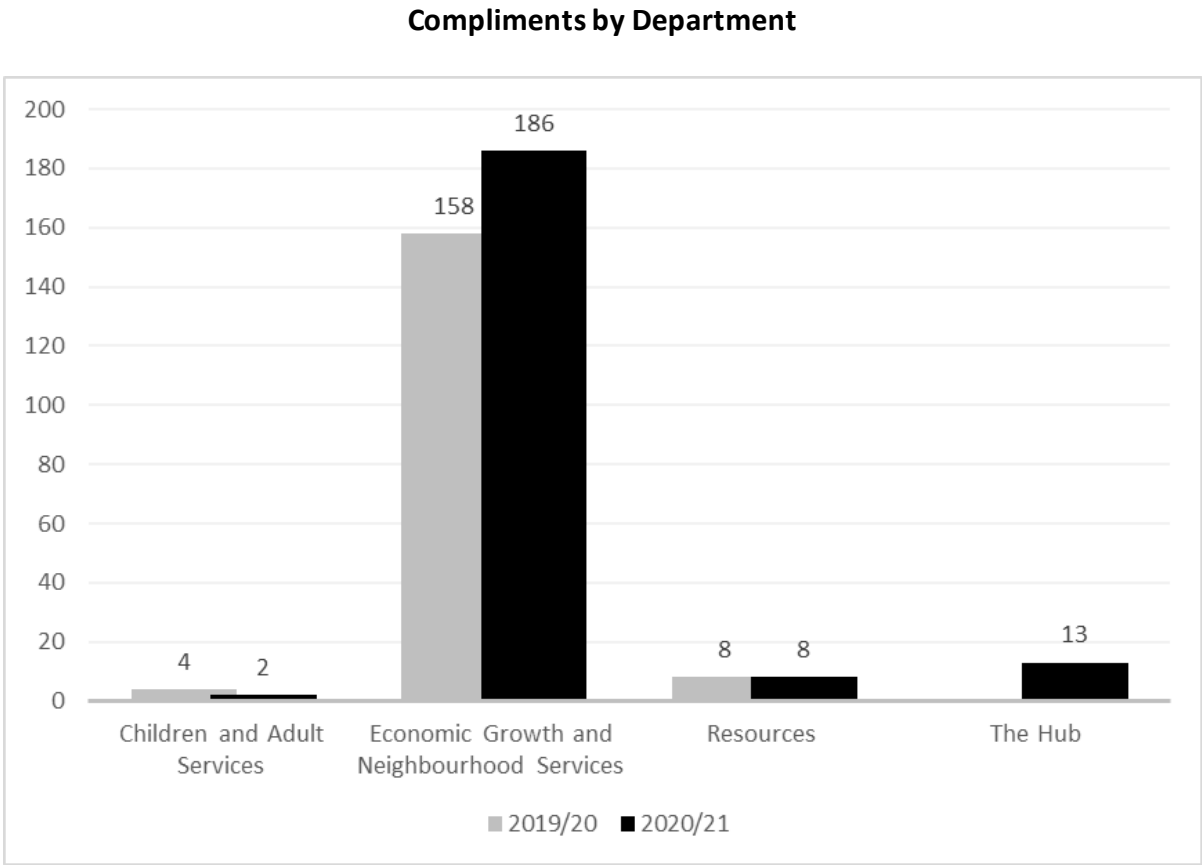
15. Children and Adult Services received 12 complaints, a decrease from 30 in 2019/20.

N.B. The majority of complaints about Children and Adult Services are detailed in either the Children's or Adult Social Care Complaints, Compliments and Comments Annual Report 2020/21.

16. Economic Growth and Neighbourhood Services received 449 complaints, a decrease from 600 in 2019/20.

17. Resources received 19 complaints, an increase from 17 in 2019/20.

18. The Hub received two complaints.



N.B. Comparison data is not available for The Hub which was set up in the early stages of the COVID-19 pandemic.

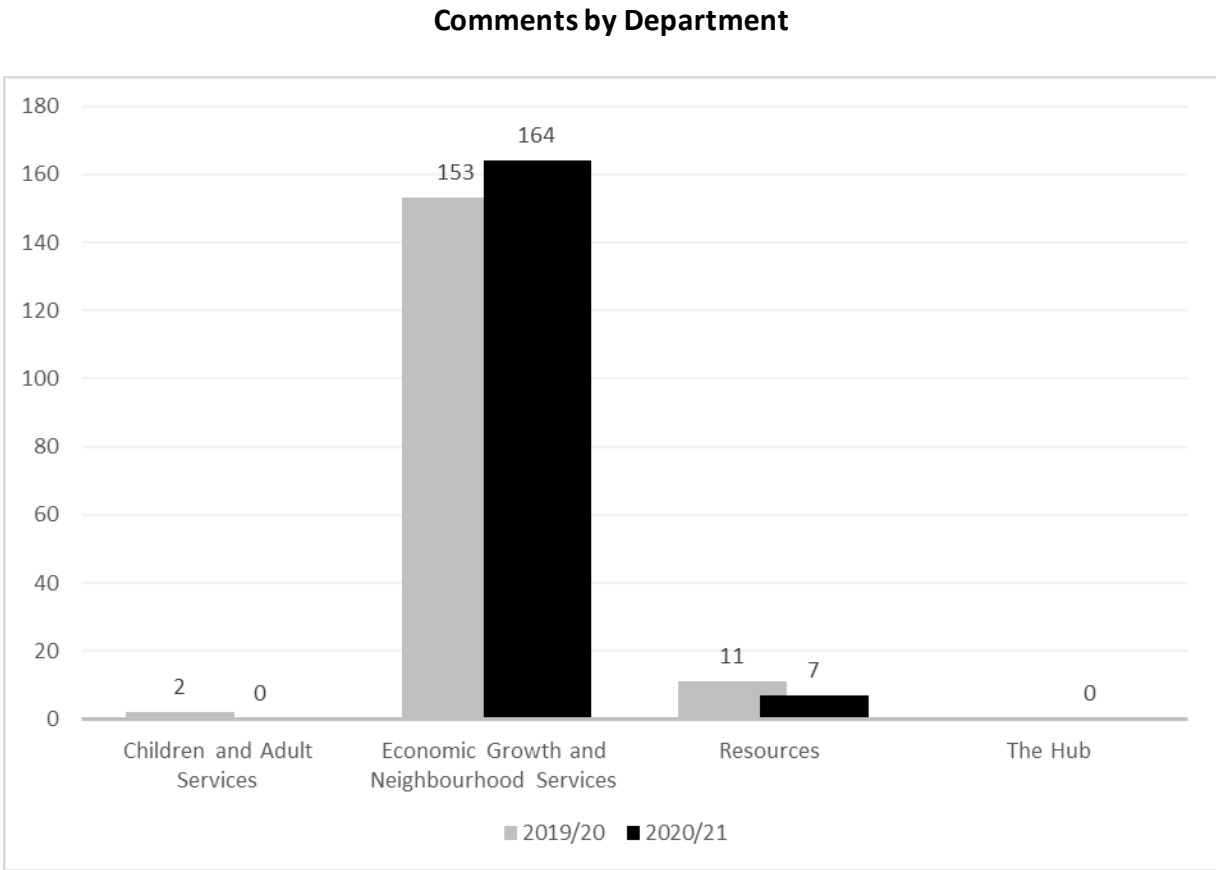
19. Children and Adult Services received two compliments, a decrease from four in 2019/20.

N.B. The majority of compliments about Children and Adult Services are detailed in either the Children’s or Adult Social Care Complaints, Compliments and Comments Annual Report 2020/21.

20. Economic Growth and Neighbourhood Services received 186 compliments, an increase from 158 in 2019/20.

21. Resources received eight compliments, as was the case in 2019/20.

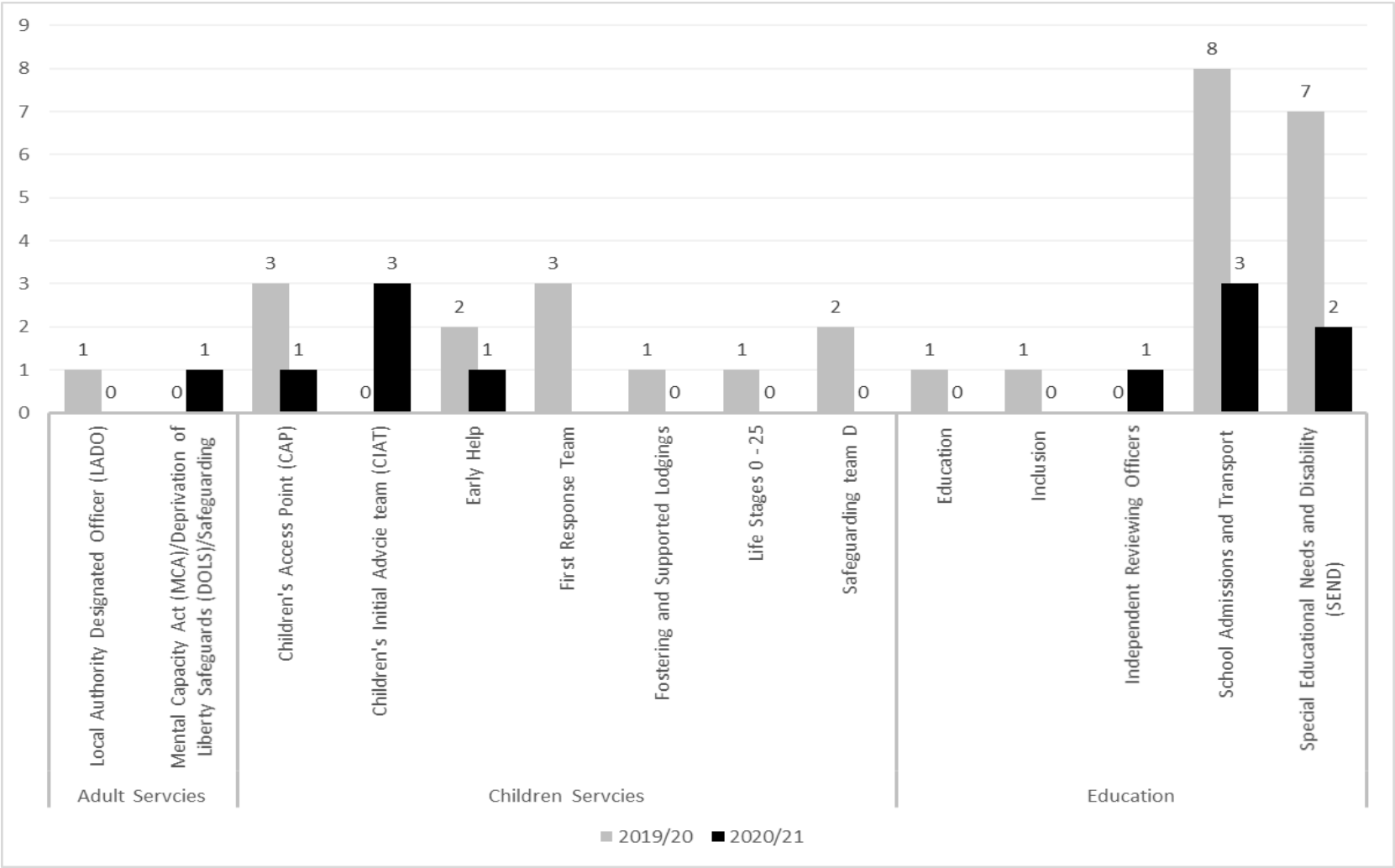
22. The Hub received 13 compliments.



N.B. Comparison data is not available for The Hub which was set up in the early stages of the COVID-19 pandemic.

- 23. Children and Adult Services received zero comments, a decrease from two in 2019/20.
- 24. Economic Growth and Neighbourhood Services received 164 comments, an increase from 153 in 2019/20.
- 25. Resources received seven comments, a decrease from 11 in 2019/20.
- 26. The Hub received zero comments.

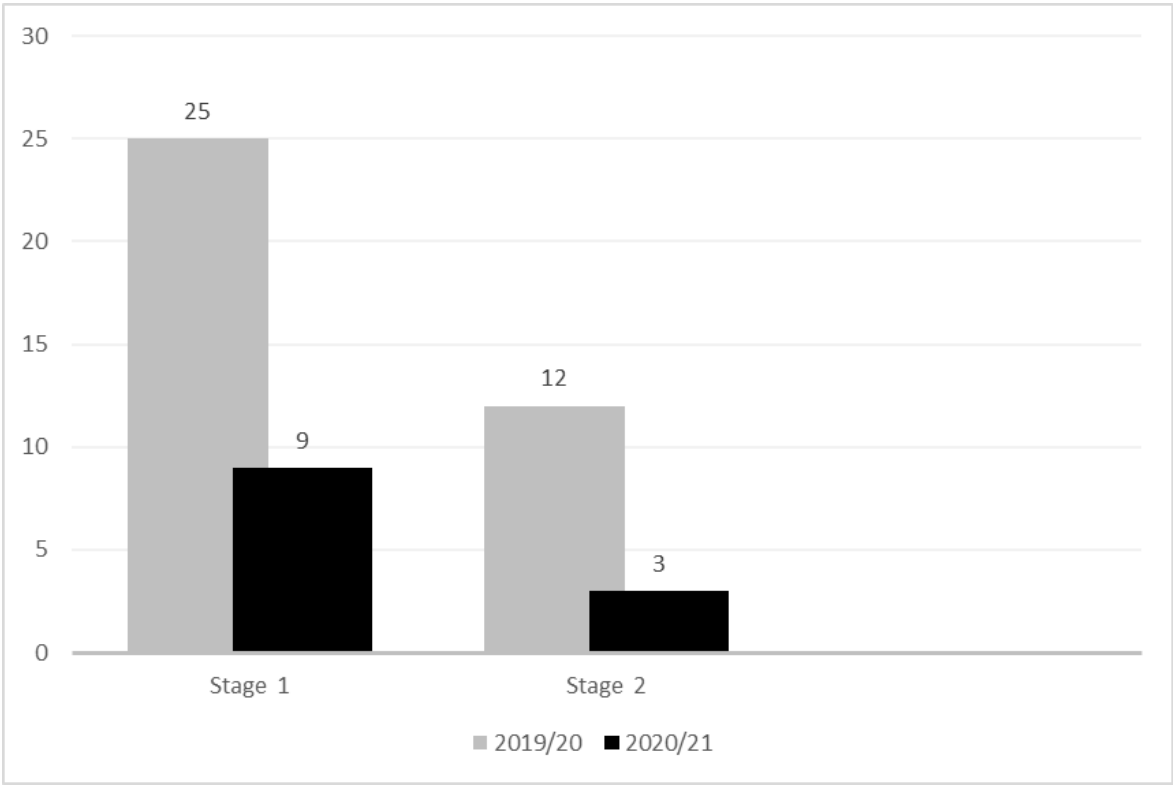
Complaints, Compliments and Comments by DepartmentChildren and Adult Services
Complaints by Service Area/Team



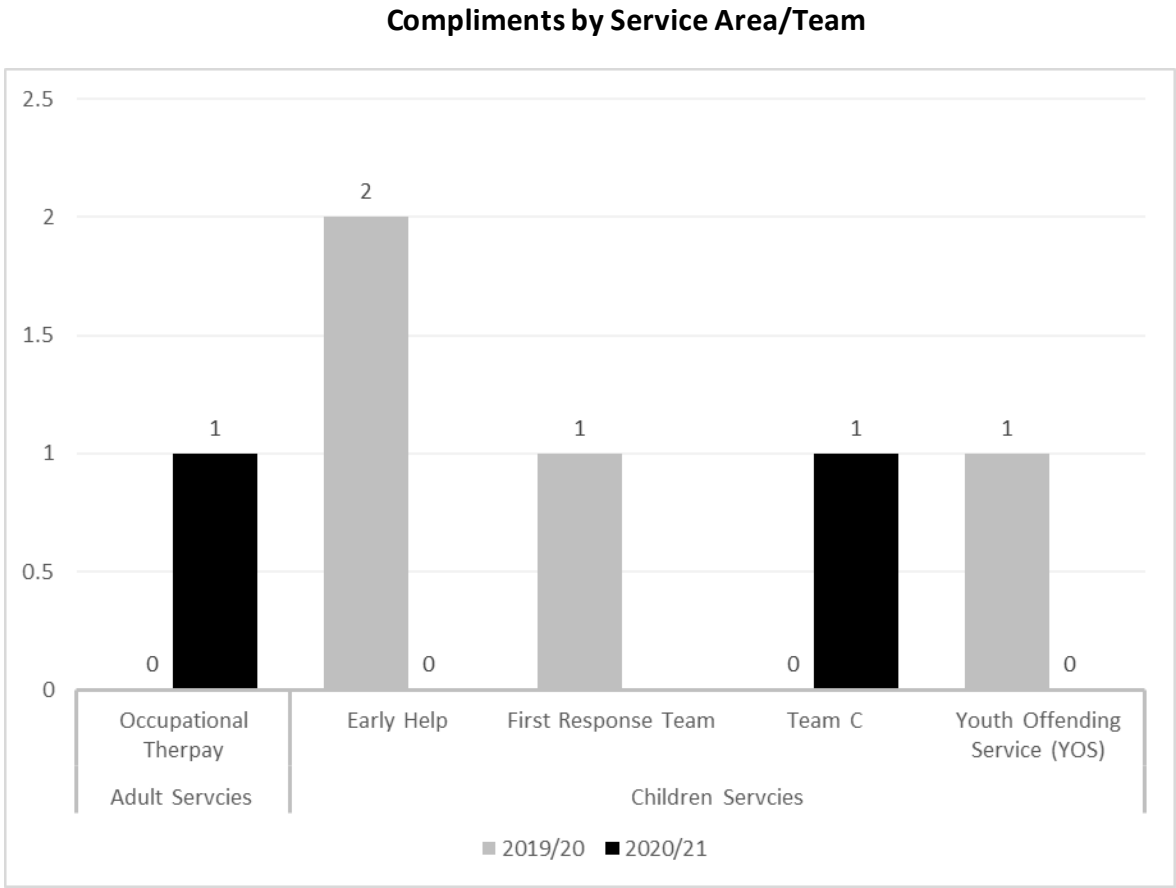
N.B. Comparison data is not available for First Response Team teams due to changes in the Council’s organisational structure.

27. Children and Adults Services received 12 complaints, a significant decrease from 30 in 2019/20. This was primarily as a result of the decrease in complaints for School Admissions and Transport and SEND, in relation to School Transport and Education Health Care (EHC) Plans.

Complaints by Stage



28. Three complaints were escalated directly to Stage 2.

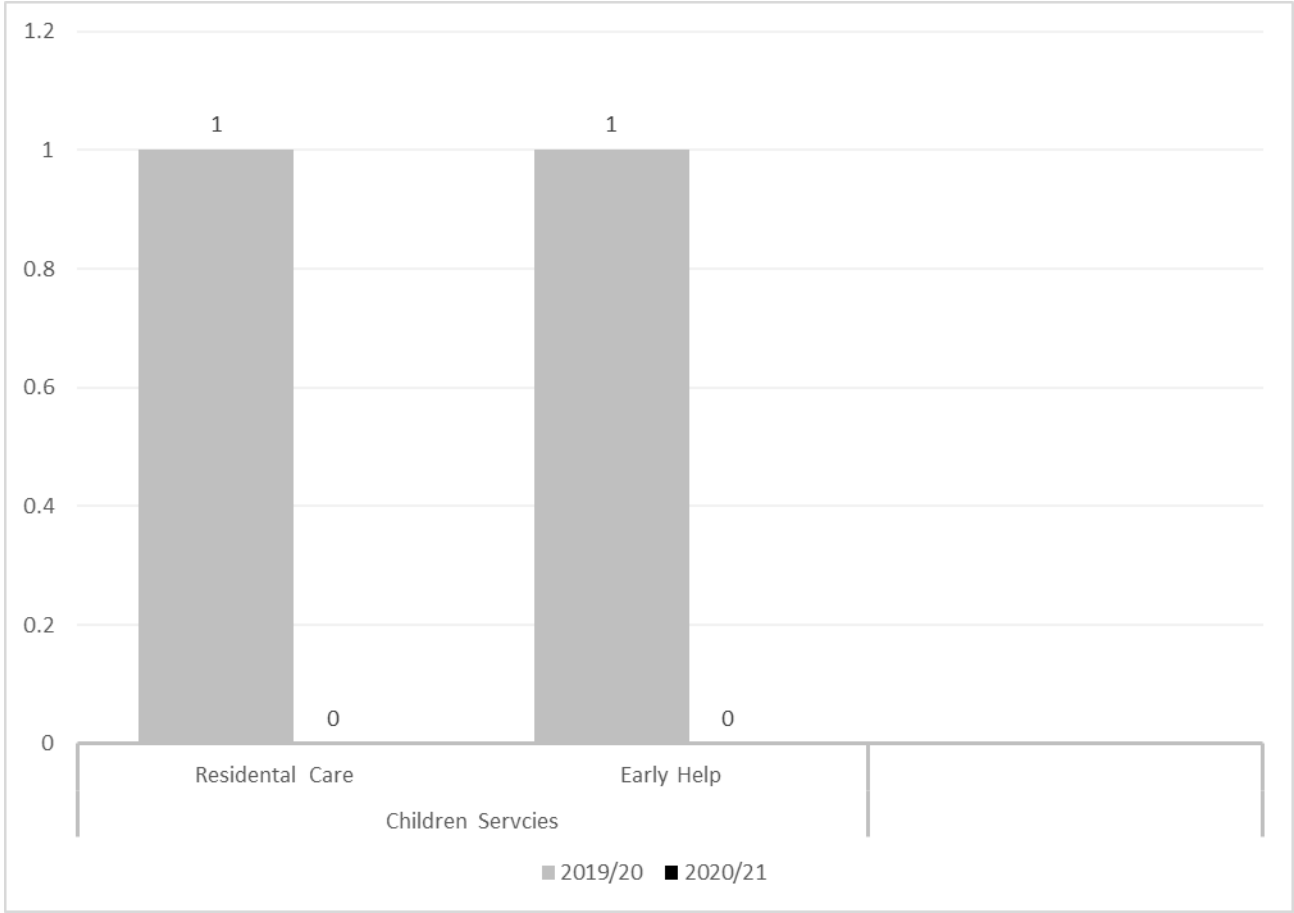


29. Children and Adult Services received two corporate compliments, a decrease from four in 2019/20.

N.B. Comparison data is not available for First Response Team teams due to changes in the Council’s organisational structure.

The majority of compliments about Children and Adult Services are detailed in either the Children’s or Adult Social Care Complaints, Compliments and Comments Annual Report 2020/21.

Comments by Service Area/Team



30. Children and Adults Services received zero corporate comments, a decrease from two in 2019/20.

Complaints by Outcome

31. The below tables show the decisions reached on complaints during 2020/21.

Stage 1 Outcomes

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Children's Access Point	0	0	0	1	1	2
First Response Team	1	0	0	0	0	1
Early Help Co-ordinator	0	0	1	0	0	1
Children's Initial Advice Team (CIAT)	0	2	0	0	1	3
SEND	0	0	0	2	0	2
School Admissions & Transport	0	1	1	1	0	3
Totals	1	3	2	4	2	12

Stage 2 Outcomes

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Children's Access Point	0	0	1	0	0	1
Independent Reviewing Officers	0	1	0	0	0	1
SEND	0	0	0	1	0	1
Totals	0	1	1	1	0	3

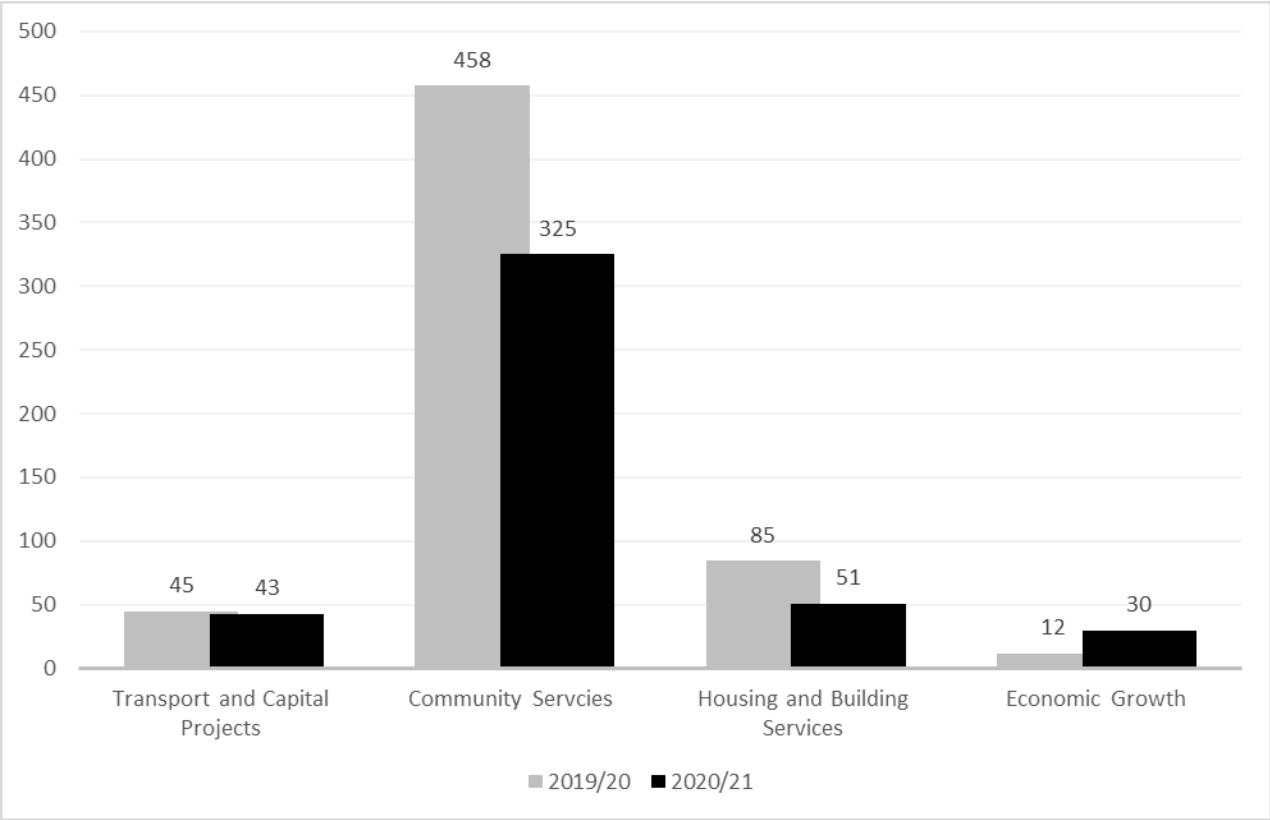
Organisational Learning

32. All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints, a number of service improvements were made following complaint investigations during 2020/21.
33. Following a complaint for the Children's Initial Advice Team (CIAT), as a training issue social workers were advised to let the caller know that if they are quite they have not gone off the line, they are simply listening and writing notes.
34. Following a complaint for School Admissions & Transport a process was agreed in relation to handing over information when an officer leaves the service.
35. Following a further complaint for School Admissions & Transport the taxi operator was advised to make sure drivers check passengers have buckled their seatbelts before departing.

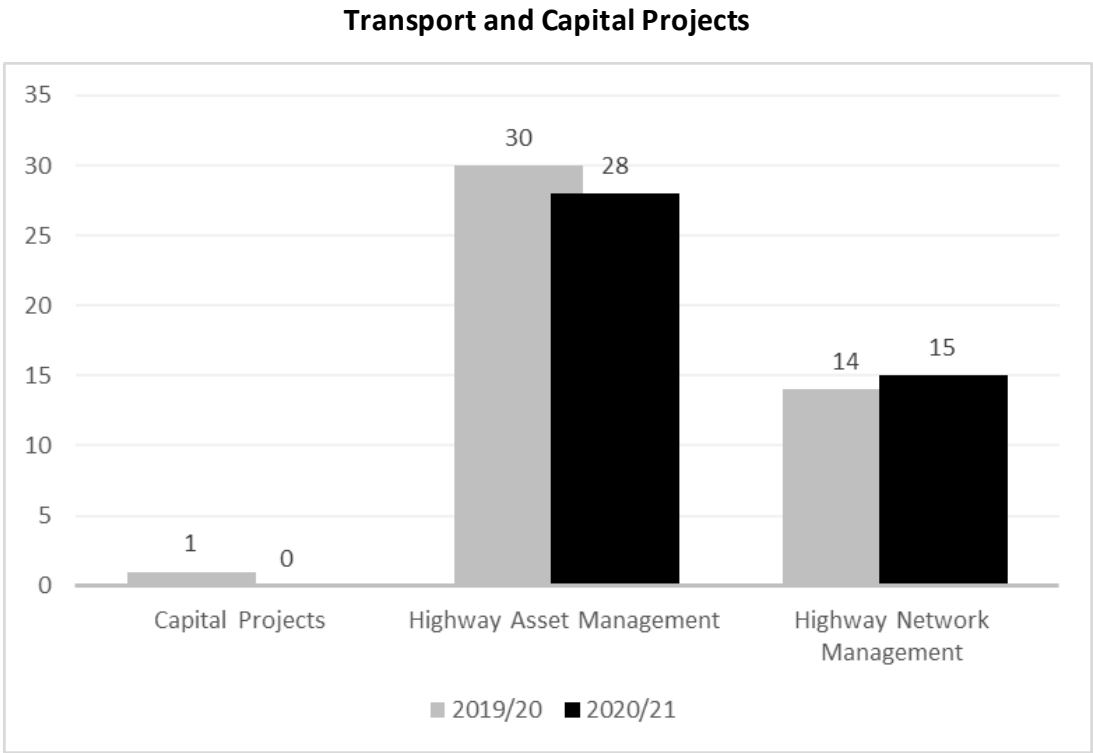
Economic Growth and Neighbourhood Services

Complaints by Service Area/Team

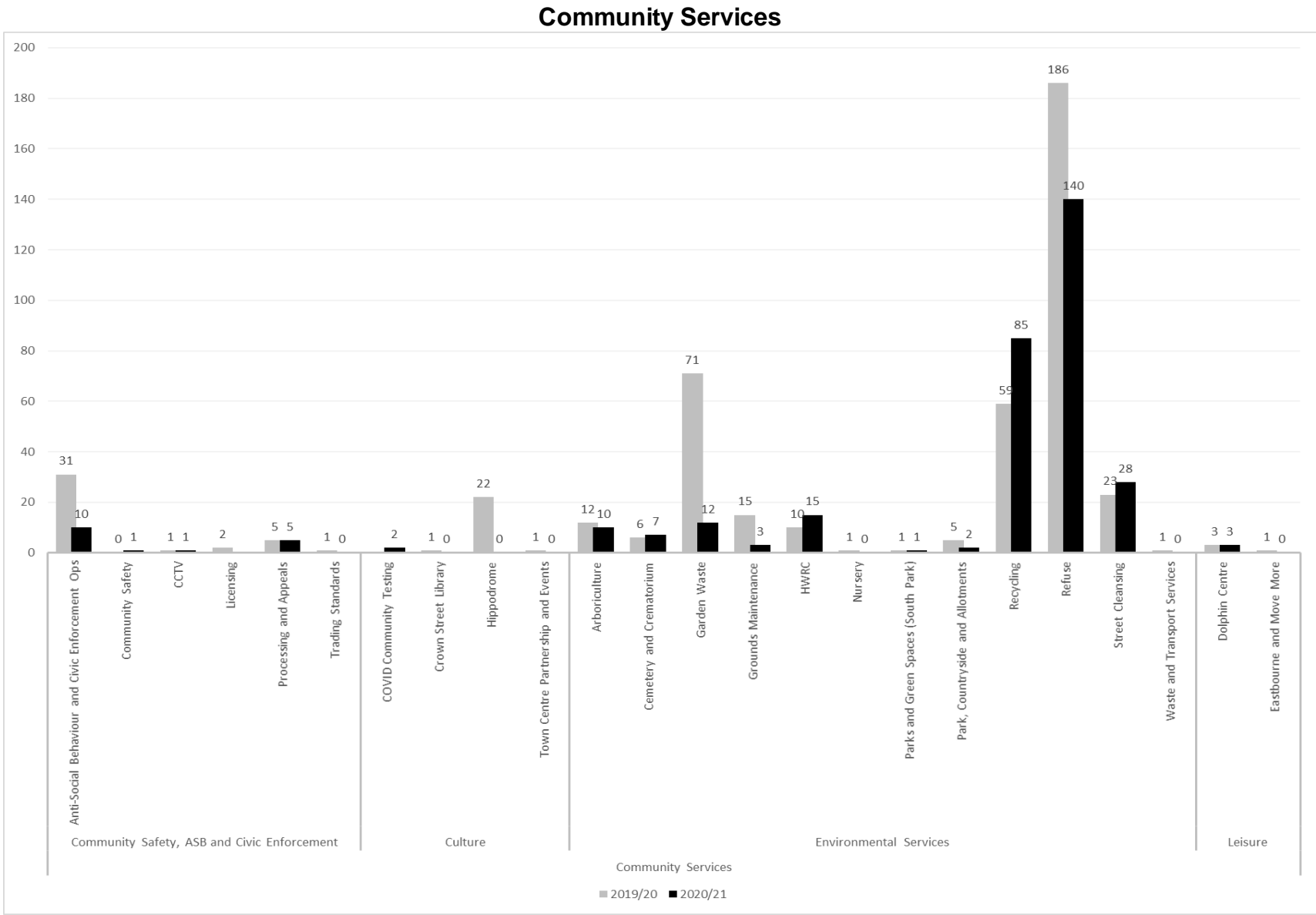
Overview



- 36. Transport and Capital Projects received 43 complaints, a slight decrease from 45 in 2019/20.
- 37. Economic Growth and Neighbourhood Services received 325 complaints, a significant decrease from 458 complaints in 2019/20.
- 38. Housing and Building Services received 51 complaints, a significant decrease from 85 in 2019/20.
- 39. Economic Growth received 30 complaints, a significant increase from 12 in 2019/20.

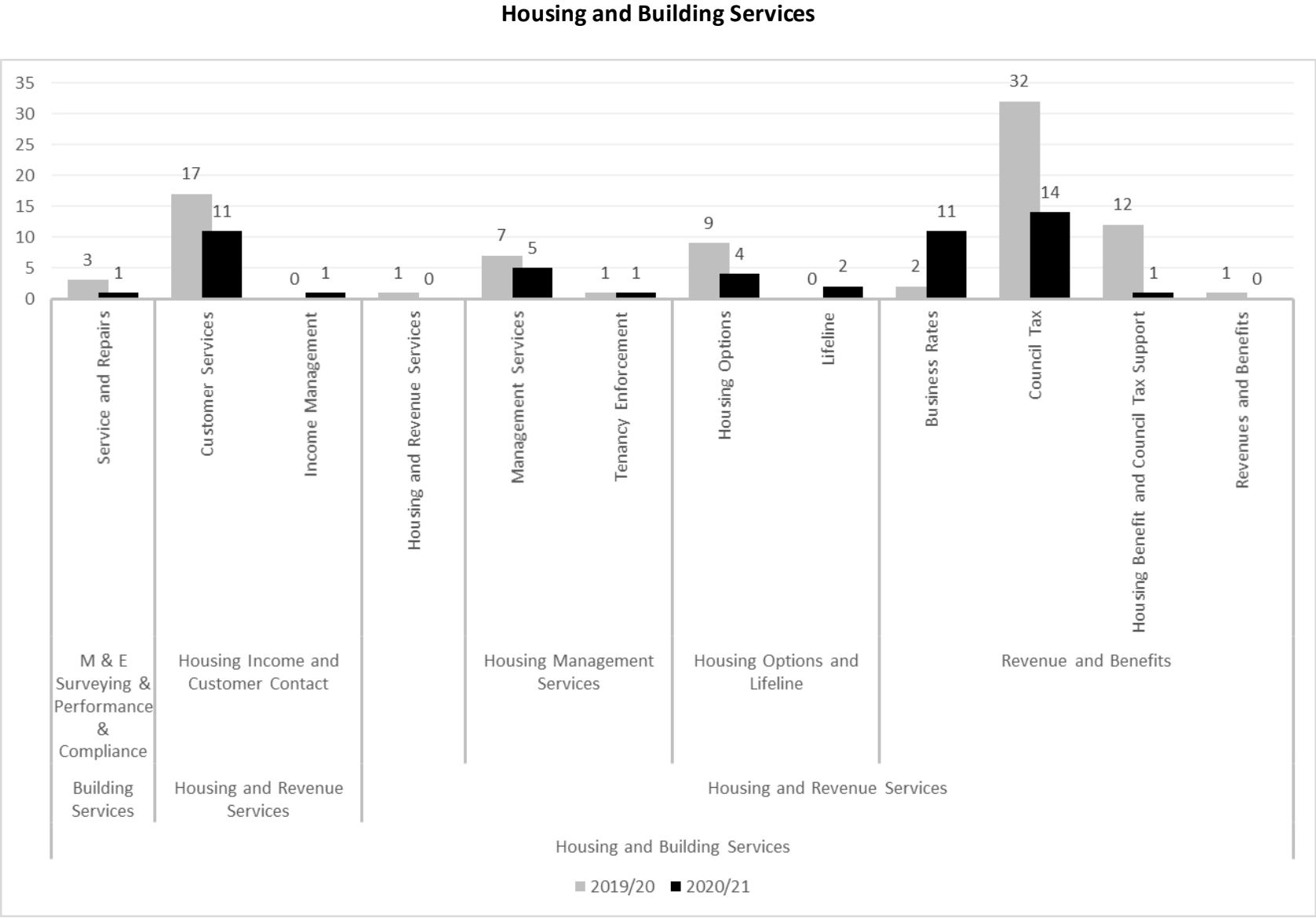


- 40. Highway Asset Management received 28 complaints, a slight decrease from 30 in 2019/20. The most common theme was the disturbance residents experienced as a result of road works.
- 41. Highway Network Management received 15 complaints, a slight increase from 14 in 2019/20. There were no common themes identified.



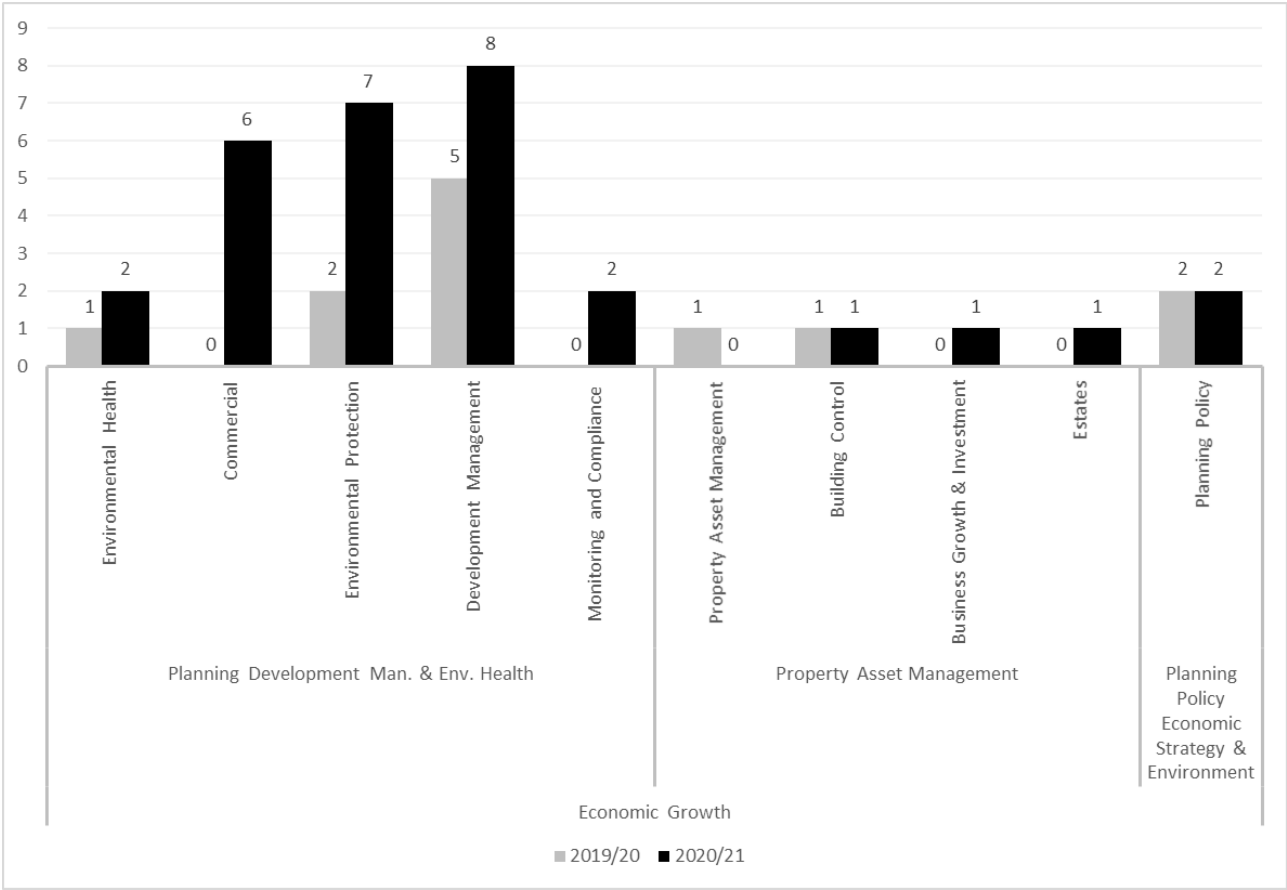
N.B. Comparison data is not available for COVID Community Testing which was set up in response to the COVID-19 pandemic.

42. ASB and Civic Enforcement Ops received 10 complaints, a significant decrease from 31 in 2019/20. Lack of enforcement action was the most common cause of complaint.
43. The Hippodrome received zero complaints, a significant decrease from 22 during 2019/20. This was as a result of the theatre being closed due to COVID-19.
44. Arboriculture received 10 complaints, a slight decrease from 12 in 2019/20. As in 2019/20 these complaints generally resulted from a lack of response to initial enquiries and/or dissatisfaction with a decision not to undertake works to a tree for the reasons requested.
45. Garden Waste saw a significant decrease in complaints, 21 compared to 71 in 2019/20. The high volume of complaints in the previous year were mainly due to teething issues when the service was first launched.
46. Grounds Maintenance received three complaints, a significant decrease from 15 in 2019/20.
47. Household Waste Recycling Centre (HWRC) received 15 complaints, an increase from 10 in 2019/20. Complaints concerned staff attitude/behaviour, service provision, people not being able to access the tip, large queues and closures.
48. Recycling Collection received 85 complaints, a significant increase from 59 in 2019/20. Complaints primarily related to collections being missed on one or more occasions.
49. Refuse Collection received 140 complaints, a significant decrease from 186 in 2019/20. Complaints primarily related to collections being missed on one or more occasions.
50. Street Cleansing received 28 complaints, an increase from 23 in 2019/20. These primarily related to the lack and quality of the service provided.



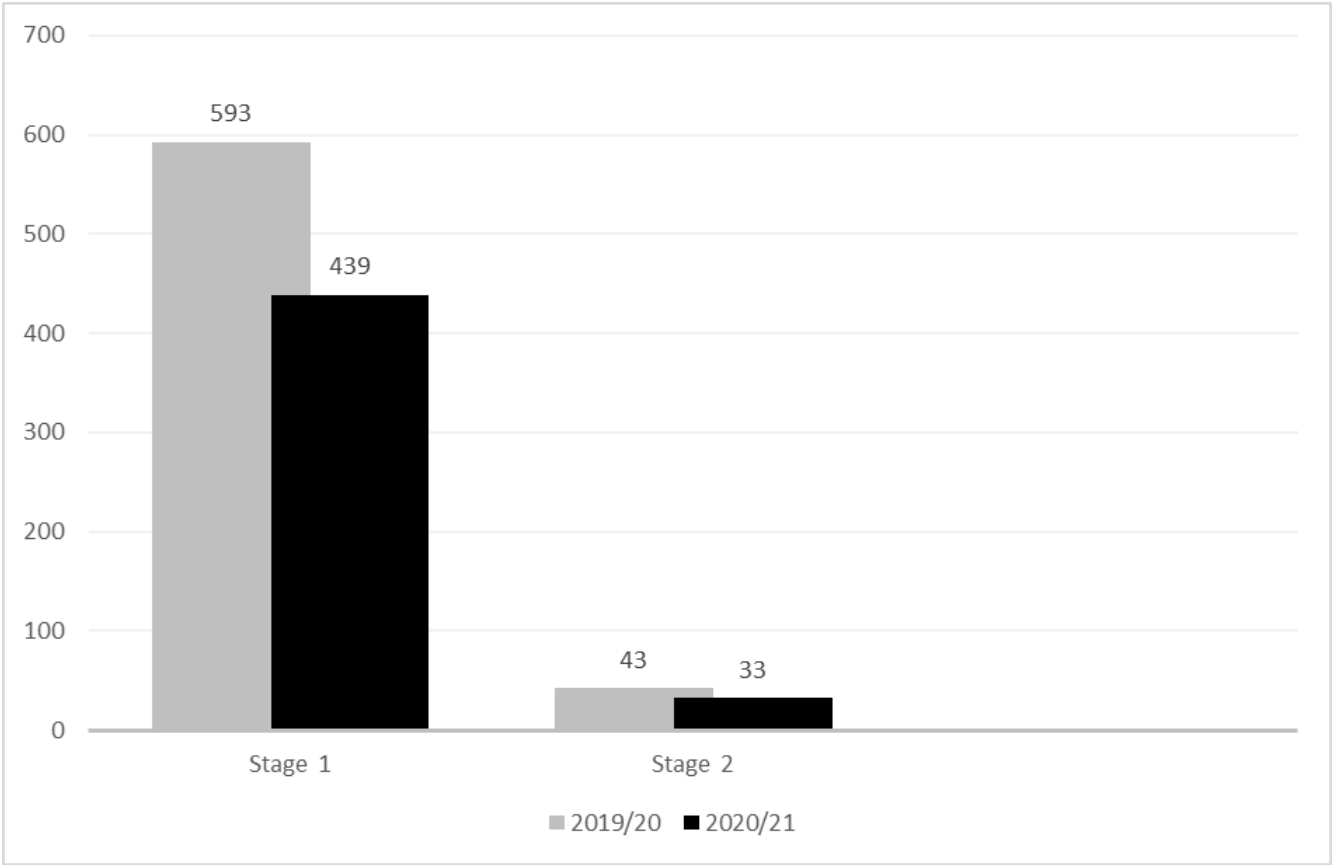
51. Customer Services received 11 complaints, a reduction from 17 in 2019/20. There were no discernible themes identified.
52. Business Rates received 11 complaints, an increase from two in 2019/20. The increase can be attributed to people complaining about the decision not to award them a COVID-19 related grant.
53. Council Tax received 14 complaints, a significant decrease from 32 in 2019/20. Issues with communication was the only identifiable theme.
54. Housing Benefit and Council Tax Support received one complaint, a significant reduction from 12 in 2019/20.

Economic Growth



55. There was an overall increase in complaints for Environmental Health (including Commercial & Environmental Protection). Complaints primarily concerned the lack of support in relation to the issues raised and dissatisfaction with being issued a Fixed Penalty Notice.

Complaints by Stage

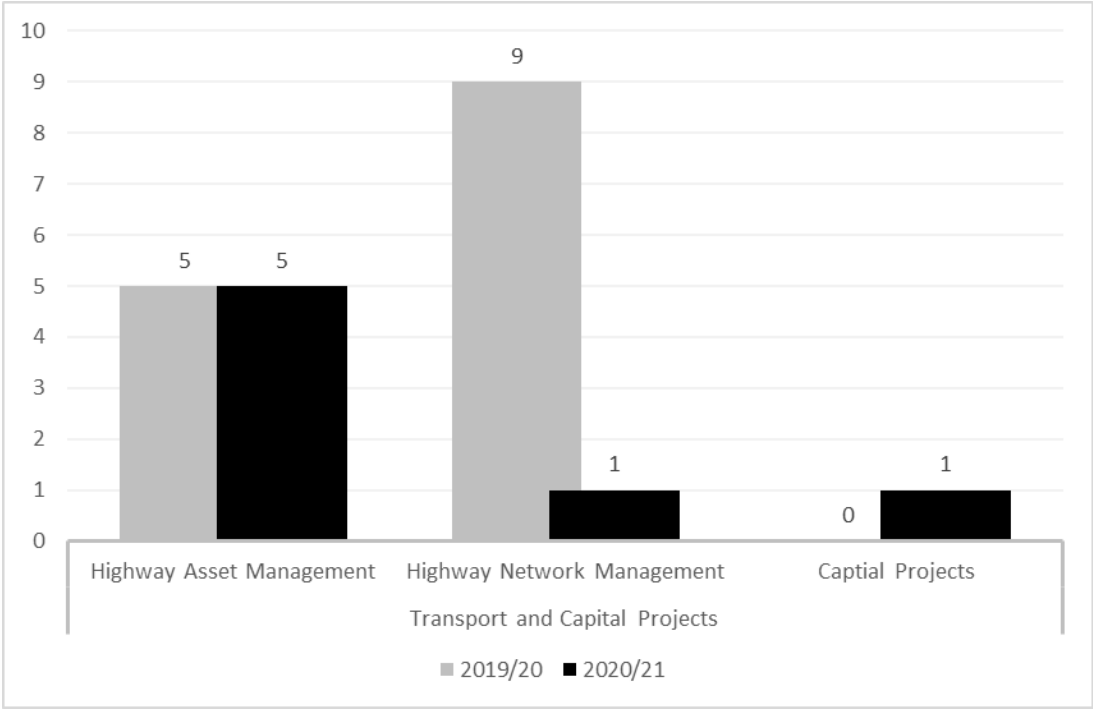


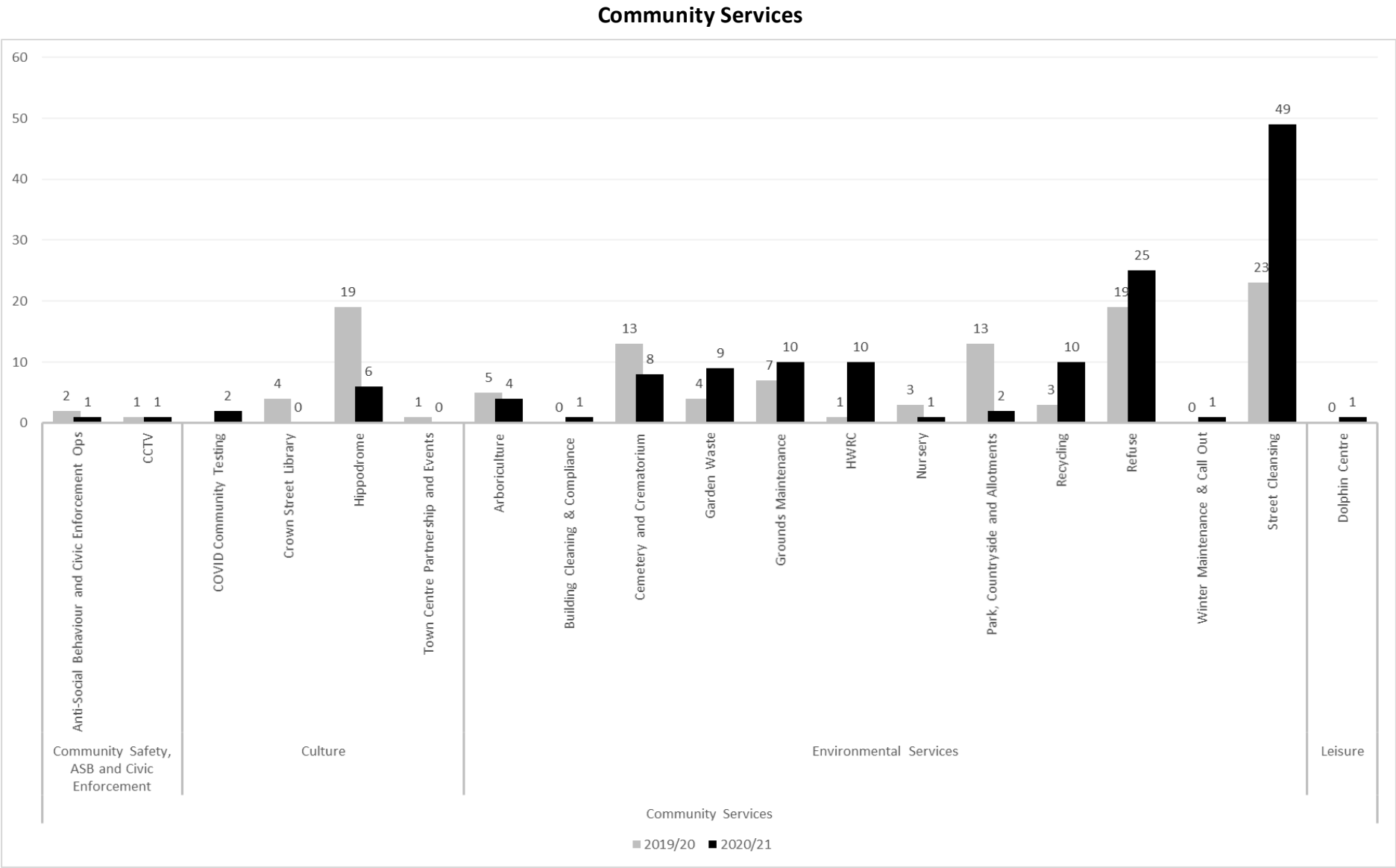
56. Nine complaints were escalated straight to stage 2.

N.B. One complaint was referred directly to the Local Government and Social Care Ombudsman.

Compliments by Service Area/Team

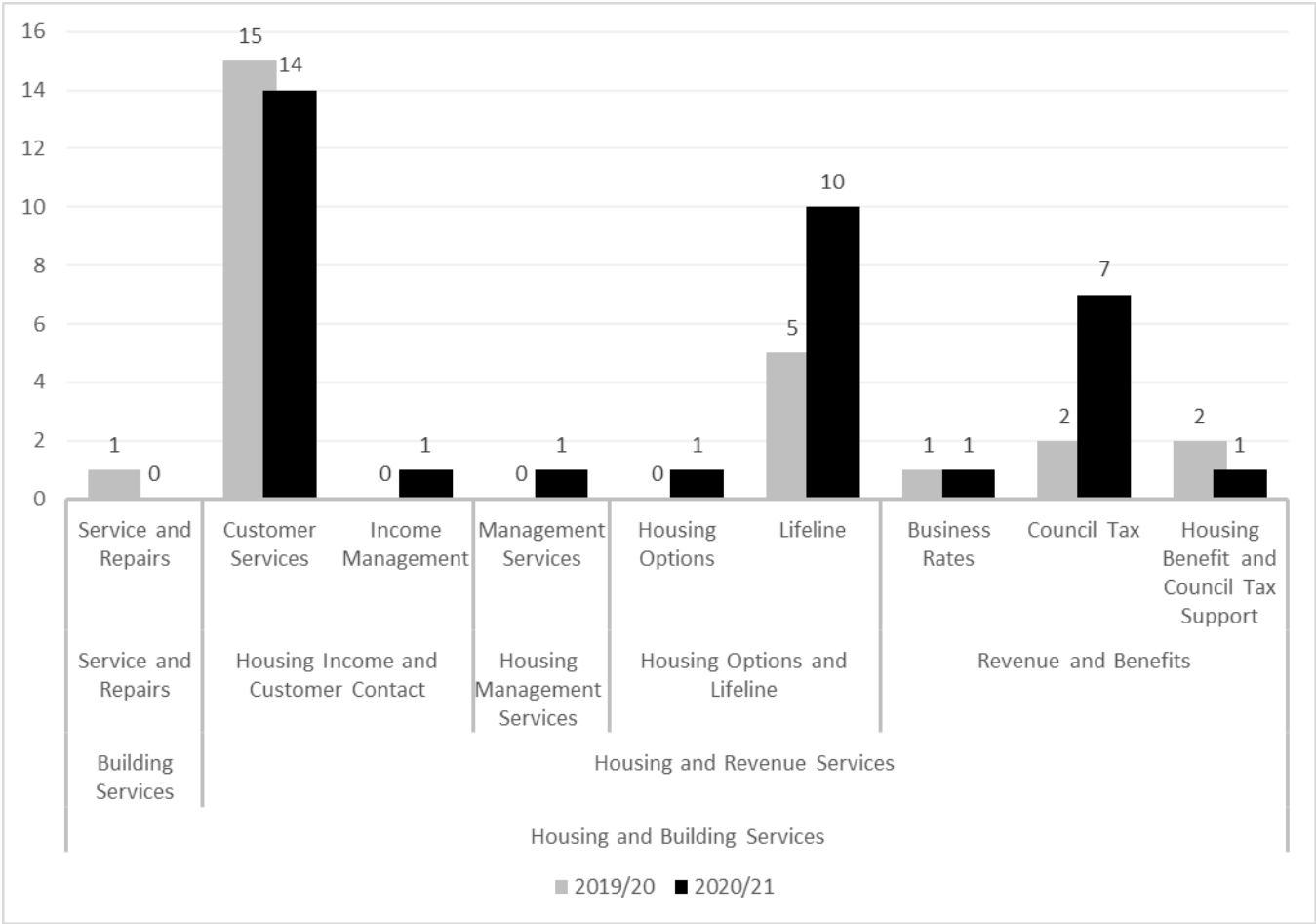
Transport and Capital Projects





N.B. Comparison data is not available for COVID Community Testing which was set up in response to the COVID-19 pandemic.

Housing and Building Services

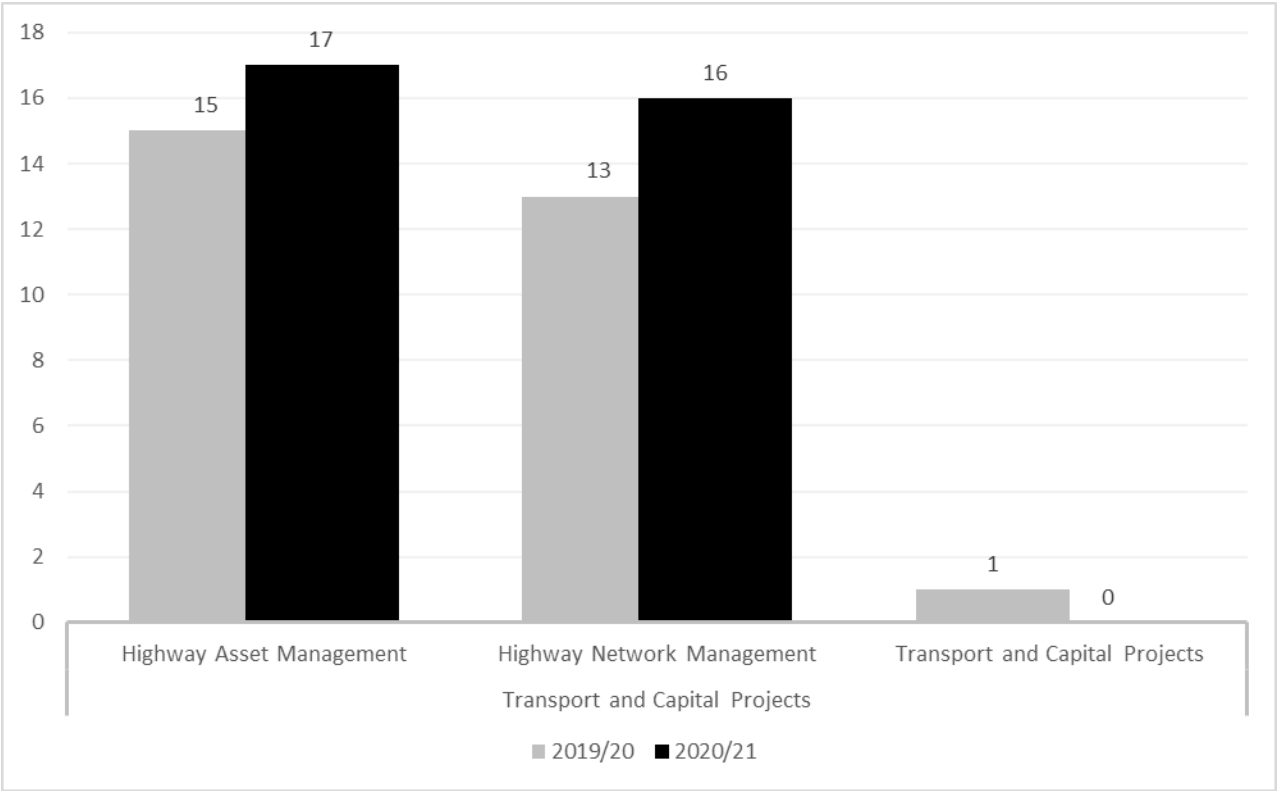


57. Planning, Development Management & Environmental Health, Environmental Protection received one compliment, an increase from zero in 2019/20.

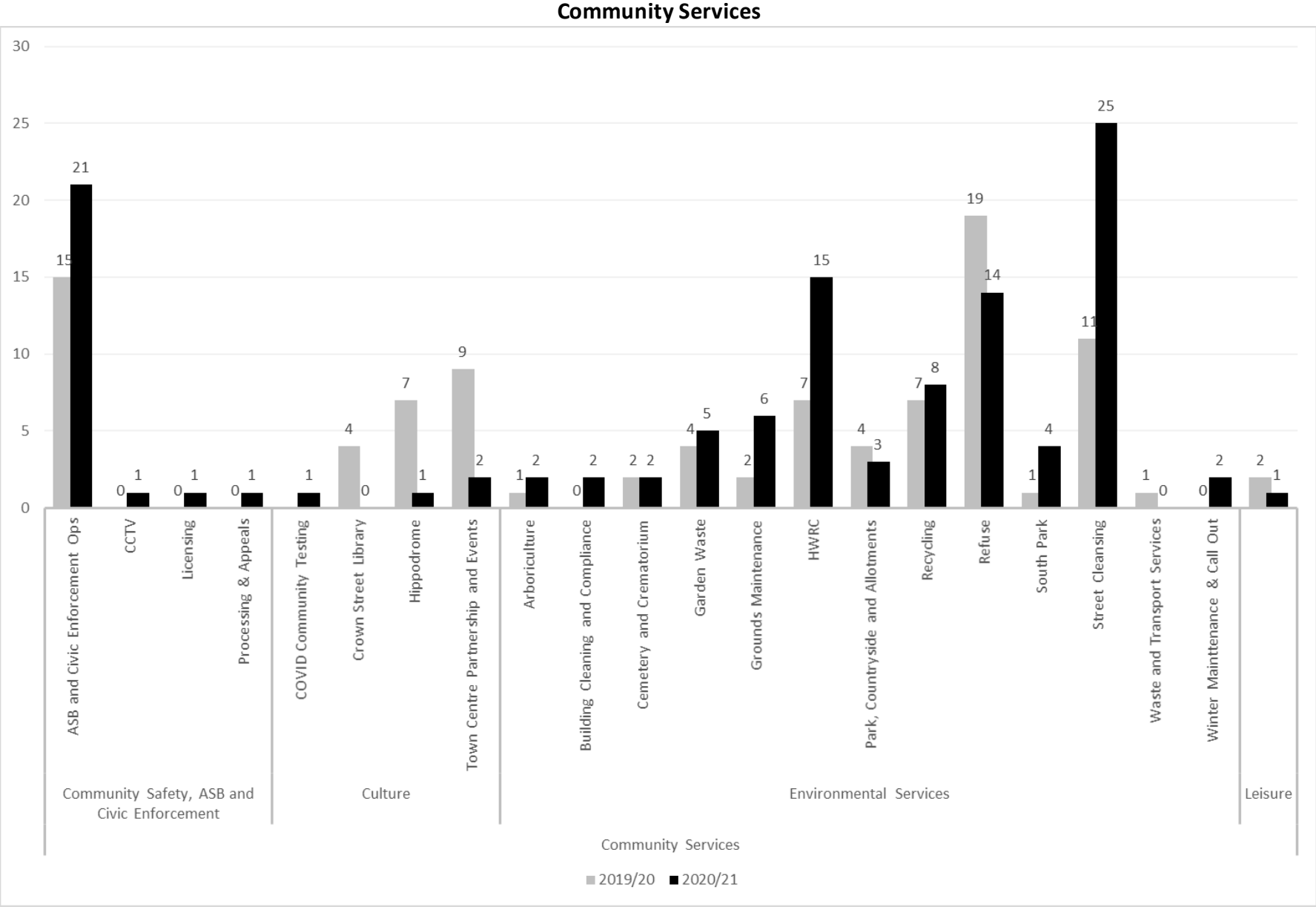
58. Property Asset Management, Building Control received one compliment, an increase from zero in 2019/20.

Comments by Service Area/Team

Transport and Capital Projects

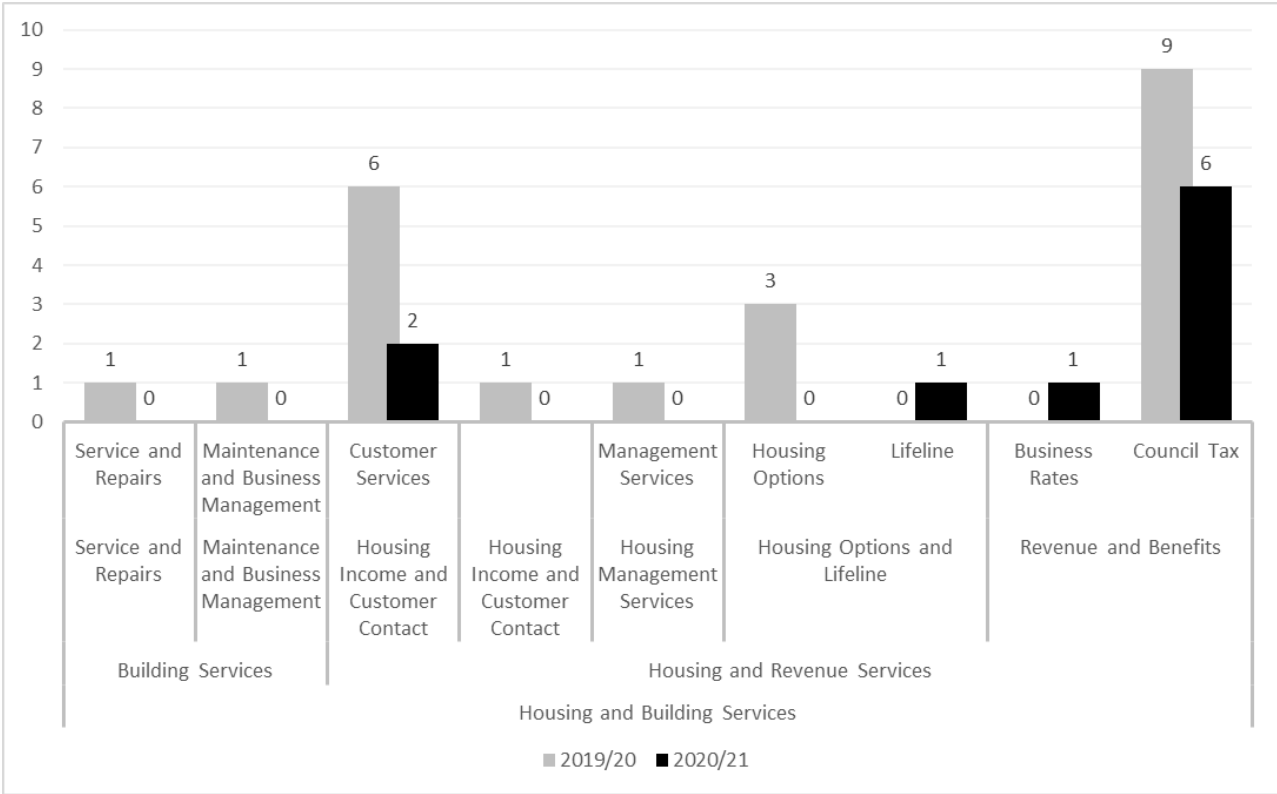


59. The identifiable themes were quality of repairs, issues with congestion and renewal of bus passes.

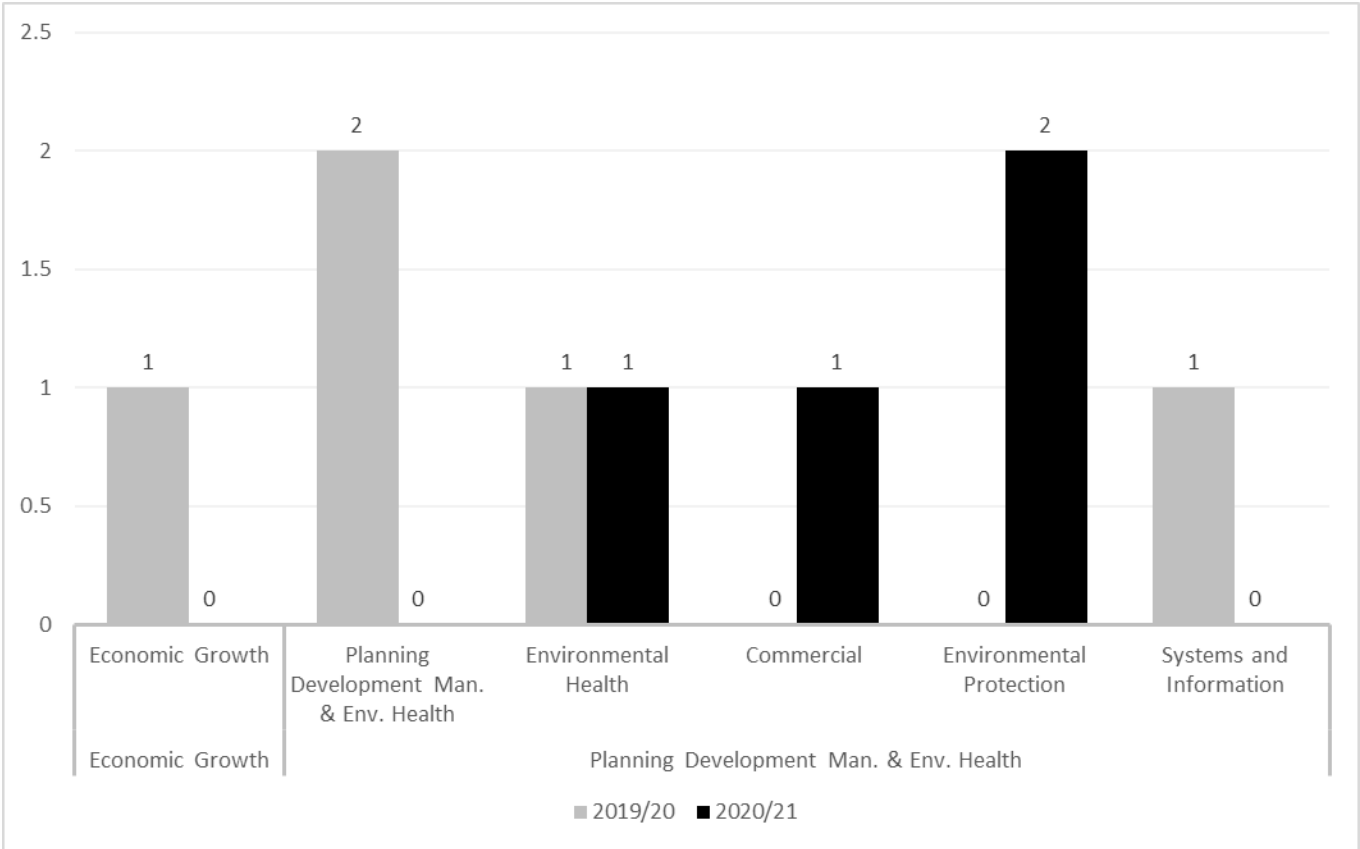


60. ASB and Civic Enforcement received 21 comments, an increase from 15 in 2019/20. The only identifiable theme was dissatisfaction with the lack of enforcement action in relation to other people's refuse.
61. HWRC received 15 comments, an increase from seven in 2019/20. The increase in comments can be attributed to the changes made to the service as a result of COVID-19.
62. Refuse received 14 comments, a decrease from 19 in 2019/20. The most common theme was dissatisfaction with the Council's policy not to collect side waste.
63. Street Cleansing received 25 comments, a significant increase from 11 in 2019/20. Comments concerned the lack of and frequency with which litter and dog waste bins are emptied and the standard of street cleansing.

Housing and Building Services



Economic Growth



Complaints by Outcome

64. The below tables show the decisions reached on complaints during 2020/21.

Stage 1 Outcomes

Service Area/Team	Closed With No Response	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Highway Asset Management	0	0	0	15	1	9	1	26
Highway Network Management	0	0	0	5	3	2	0	10
Community Safety	0	0	0	0	0	1	0	1
ASB & Civic Enforcement	0	0	1	0	0	1	0	2
CCTV	0	0	0	0	1	1	0	2
Anti-Social Behaviour & Civic Enforcement Ops	0	0	0	1	1	1	0	3
Processing & Appeals	0	0	0	2	0	1	0	3
COVID Community Testing	0	0	0	1	0	0	0	1
Arboriculture	0	0	0	6	2	1	0	9
Cemetery & Crematorium	0	0	0	4	0	4	0	8
Parks, Countryside & Allotments	0	0	0	2	0	1	0	3
South Park	0	0	0	0	0	1	0	1
Grounds Maintenance	0	0	1	1	0	2	0	4
Street Cleansing	0	0	0	12	1	13	1	27
Garden Waste	0	0	0	5	0	8	0	13
Recycling	0	0	5	28	6	45	1	85
Refuse	1	0	17	50	6	69	5	148
HWRC	0	0	1	5	0	7	0	13
Dolphin Centre	0	0	0	0	0	3	0	3
Service & Repairs	0	0	0	0	0	1	0	1
Customer Services	0	0	0	1	1	3	4	9
Income Management	0	0	0	0	1	0	0	1

Service Area/Team	Closed With No Response	Escalated to Stage 2 (No S1 Response)	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Management Services	0	0	1	2	0	1	0	4
Housing Options	0	0	0	1	1	1	0	3
Lifeline	0	0	0	0	1	1	0	2
Business Rates	0	0	0	8	0	0	2	10
Council Tax	0	0	1	7	0	3	3	14
Housing Benefit & Council Tax Support	0	0	0	1	1	0	0	2
Development Management	0	1	0	2	0	2	1	6
Environmental Health	0	0	1	1	0	0	0	2
Commercial	0	0	0	3	0	1	2	6
Environmental Protection	0	0	0	1	1	2	2	6
Monitoring & Compliance	0	0	0	1	0	0	0	1
Building Control	0	0	0	1	0	0	0	1
Estates	0	0	0	1	0	0	0	1
Business Growth & Investment	0	0	0	1	0	0	0	1
Planning Policy	0	0	0	1	0	0	0	1
Totals	1	1	28	169	27	185	22	433

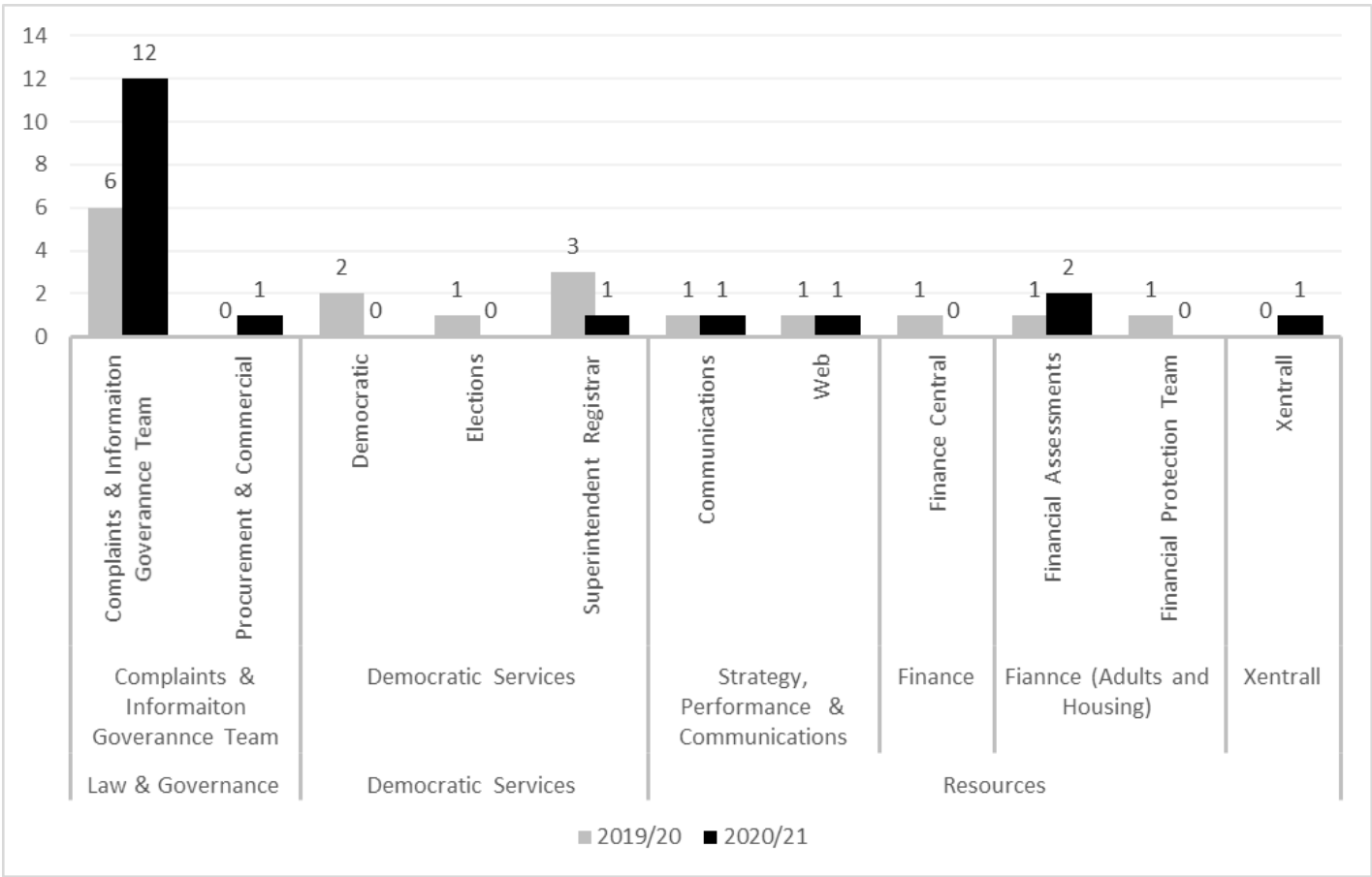
Stage 2 Outcomes

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Highway Asset Management	0	1	0	0	0	1
Highway Network Management	0	3	0	0	0	3
ASB & Civic Enforcement	0	0	1	0	0	1
Anti-Social Behaviour & Civic Enforcement Ops	0	0	1	0	0	1
Processing & Appeals	0	1	0	0	0	1
Arboriculture	0	1	0	0	0	1
Street Cleansing	0	0	0	1	0	1
Recycling	0	0	1	0	0	1
Refuse	0	1	0	0	0	1
HWRC	0	1	1	0	0	2
Management Services	0	1	0	0	0	1
Business Rates	0	3	0	0	0	3
Council Tax	0	0	1	0	0	1
Development Management	0	1	0	0	1	2
Property Asset Management	0	0	0	1	0	1
Totals	0	13	5	2	1	21

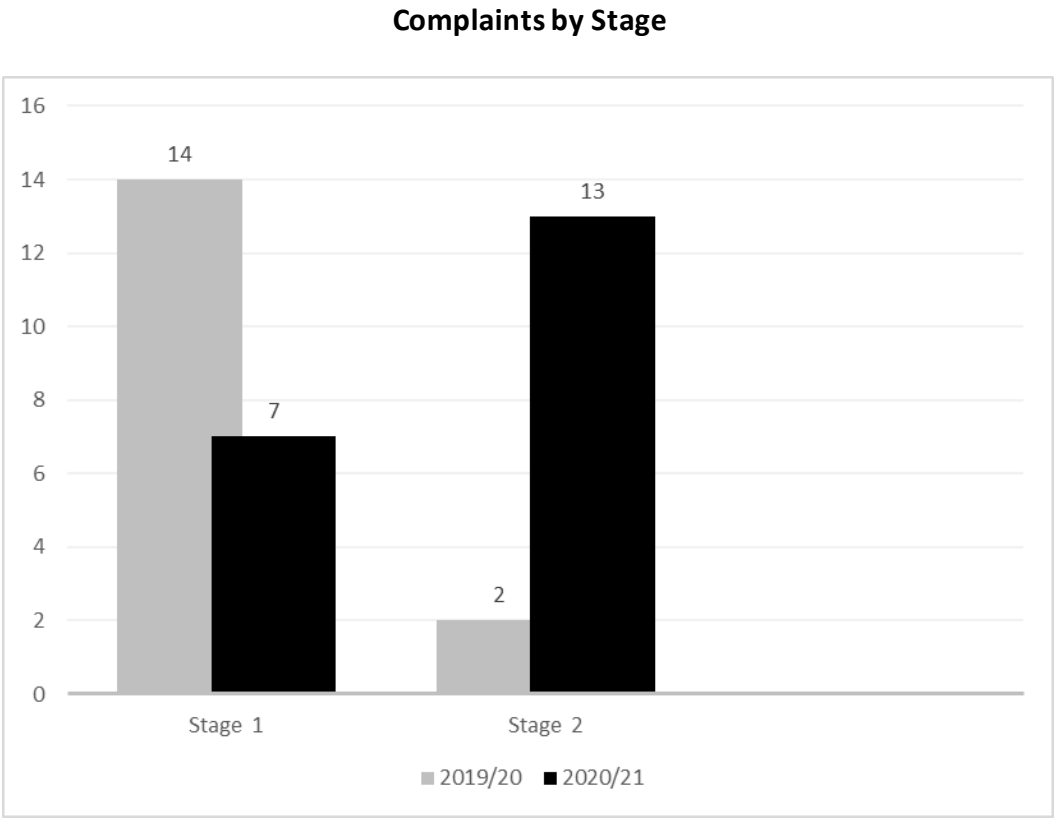
Organisational Learning

65. All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints, a number of service improvements were made following complaint investigations during 2020/21.
66. As a result of a complaint for Anti-Social Behaviour & Civic Enforcement Ops it was agreed, that where requested or appropriate to do so decisions would be communicated in writing and that where decisions are not communicated in writing a contemporaneous note would be made, including the time and date the decision was communicated. It was also recommended that Civic Enforcement should ensure all decisions are appropriately recorded in a centrally accessible location i.e. either on the Council's network or in a line of business application.
67. Following a complaint about a booking at the Household Waste Recycling Centre (HWRC) it was agreed the Council would update the date format in the booking system to the UK format, ensure a record of the fact the Council process people's personal data in relation to HWRC bookings was included in its Information Asset Register and that this information was communicated to the public in the Council's [privacy notice](#).
68. Following a complaint for Housing Options it was agreed the Council would undertake a review of its existing housing stock to try and identify properties that could be potentially be adapted.
69. Following a complaint for Housing Management Services officers were reminded to follow procedure when responding to reports of anti-social behaviour.
70. Following a complaint for Highway Asset Management about road works commencing too early the Council addressed the issue with the sub-contractor to prevent a re-occurrence.

Complaints, Compliments and Comments by Department
Resources
Complaints by Service Area/Team Overview

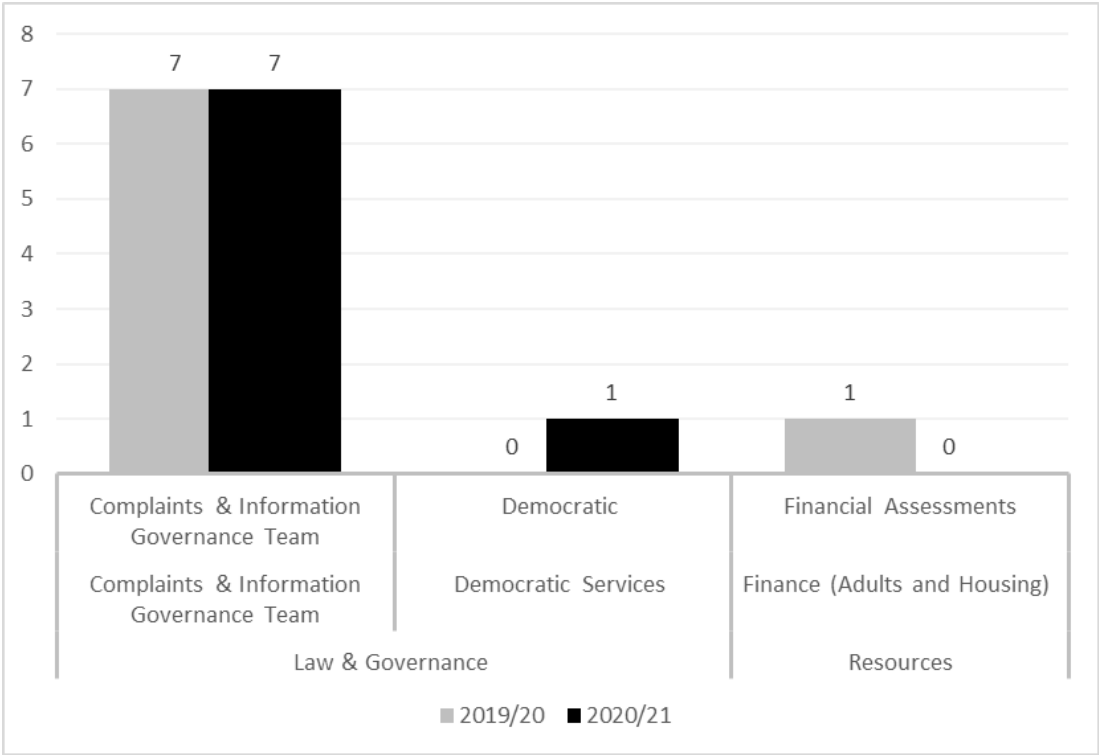


71. The Complaints and Information Governance Team received 12 complaints, an increase from six in 2019/20. The most common themes were delays in responding to and the content of responses to Subject Access Requests.

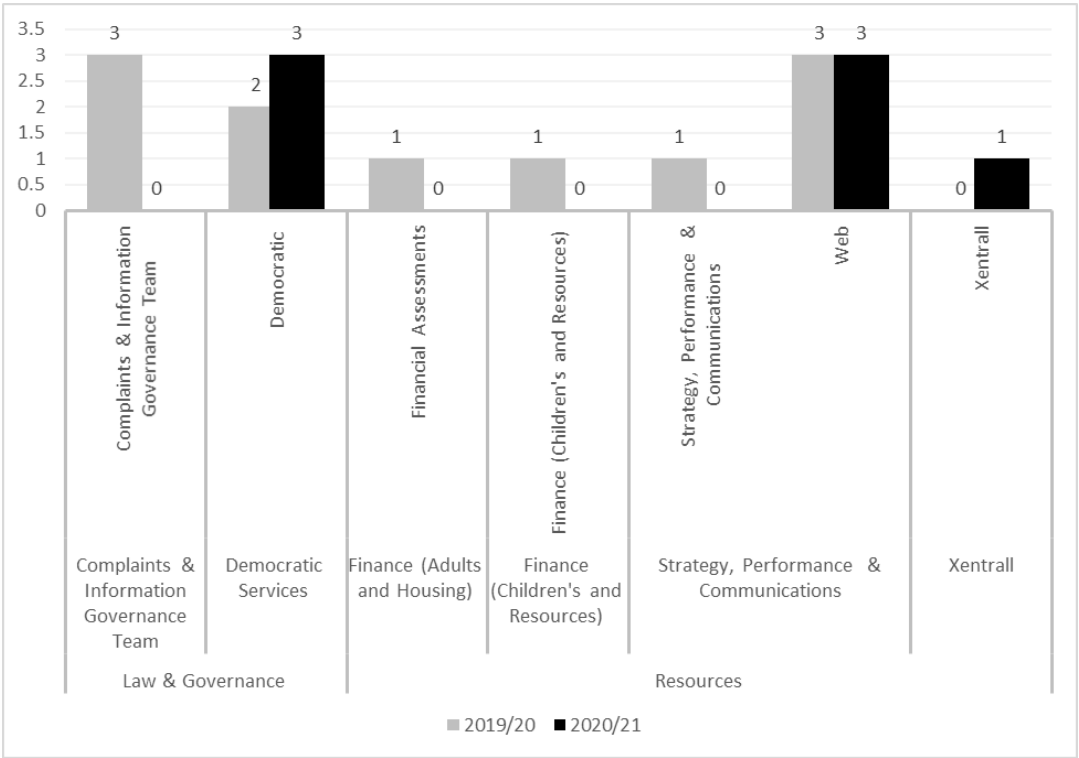


72. 11 of the complaints concerned data protection issues and requests and as such were dealt with directly at Stage 2 in accordance with the corporate procedure. One other complaint was escalated directly to Stage 2.

Compliments by Service Area/Team



Comments by Service Area/Team



Complaints by Outcome

73. The below tables show the decisions reached on complaints during 2020/21.

Stage 1 Outcomes

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Complaints & Information Governance Team	0	0	0	1	0	1
Democratic Services	0	0	0	0	1	1
Superintendent Registrar	0	0	0	1	0	1
Procurement & Commercial	0	0	0	1	0	1
Web	0	0	1	0	0	1
Communications	0	1	0	0	0	1
Xentrall Services	0	1	0	0	0	1
Totals	0	2	1	3	1	7

Stage 2 Outcomes

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Complaints & Information Governance Team	0	2	1	2	2	7
Superintendent Registrar	0	0	1	0	0	1
Financial Assessment Team	0	1	0	0	0	1
Totals	0	3	2	2	2	9

Organisational Learning

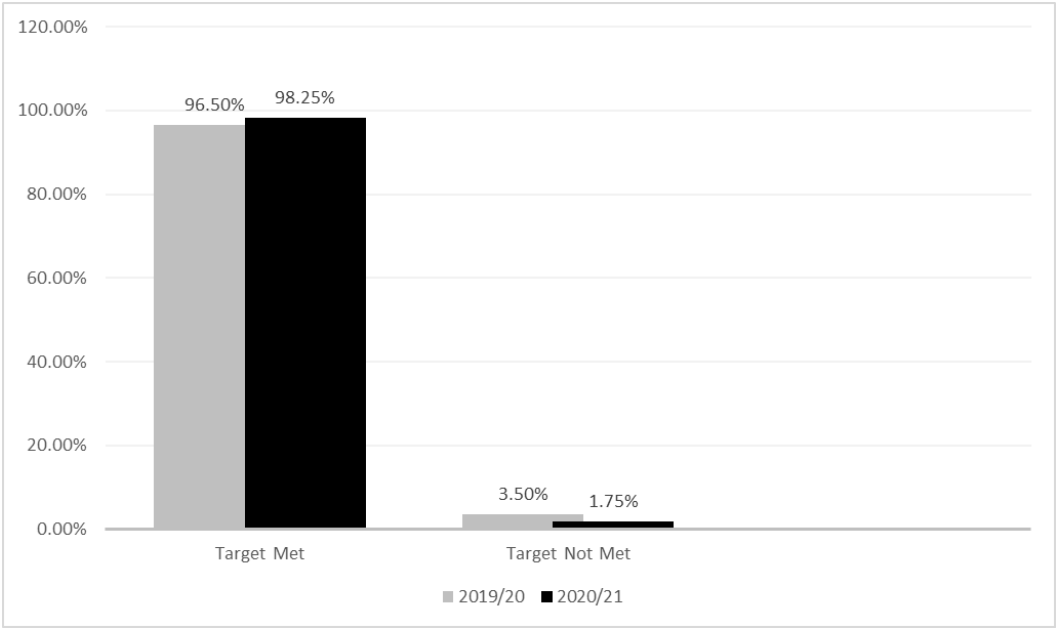
74. All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints, a number of service improvements were made following complaint investigations during 2020/21.
75. Following a complaint for Xentrall it was agreed the Council would make a change to the Darlington Borough Council jobs page to include a sentence at the top of the page to make it clear that CVs are not accepted and that the application form can be found on the link to the job.
76. Following a complaint for the Superintendent Registrar the staff at the Registry Office reviewed their practice and bring it into line with the advice provided on .Gov.uk.
77. Following a complaint about the information requested from an individual wishing to make an insurance claim the website was updated to ensure the Council is complying with 'data minimisation' principle in UK GDPR.

Performance against the Corporate Complaints, Compliments and Comments Procedure

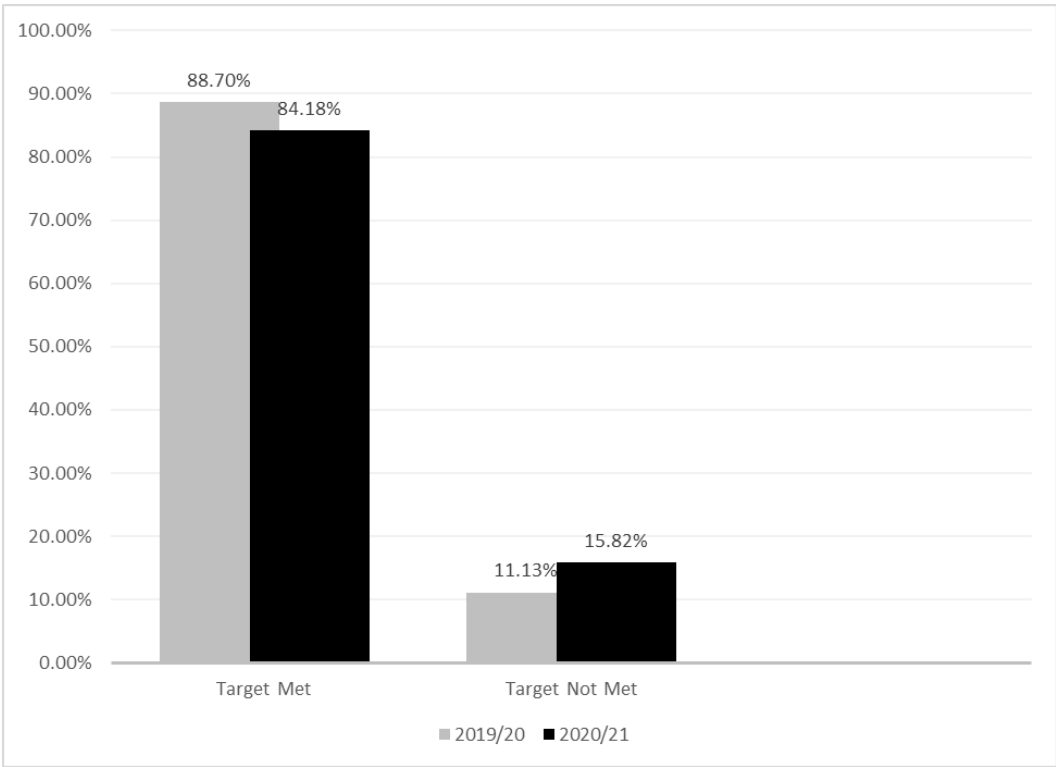
78. As a result of COVID-19 the Assistant Director Law and Governance made a [Delegated Decision](#) on 23 March 2020 that gave approval for timescales not to be adhered as a result of services diverting resources to the areas of greatest need.

Stage 1

Performance against Stage 1 acknowledgement target (3 working days)

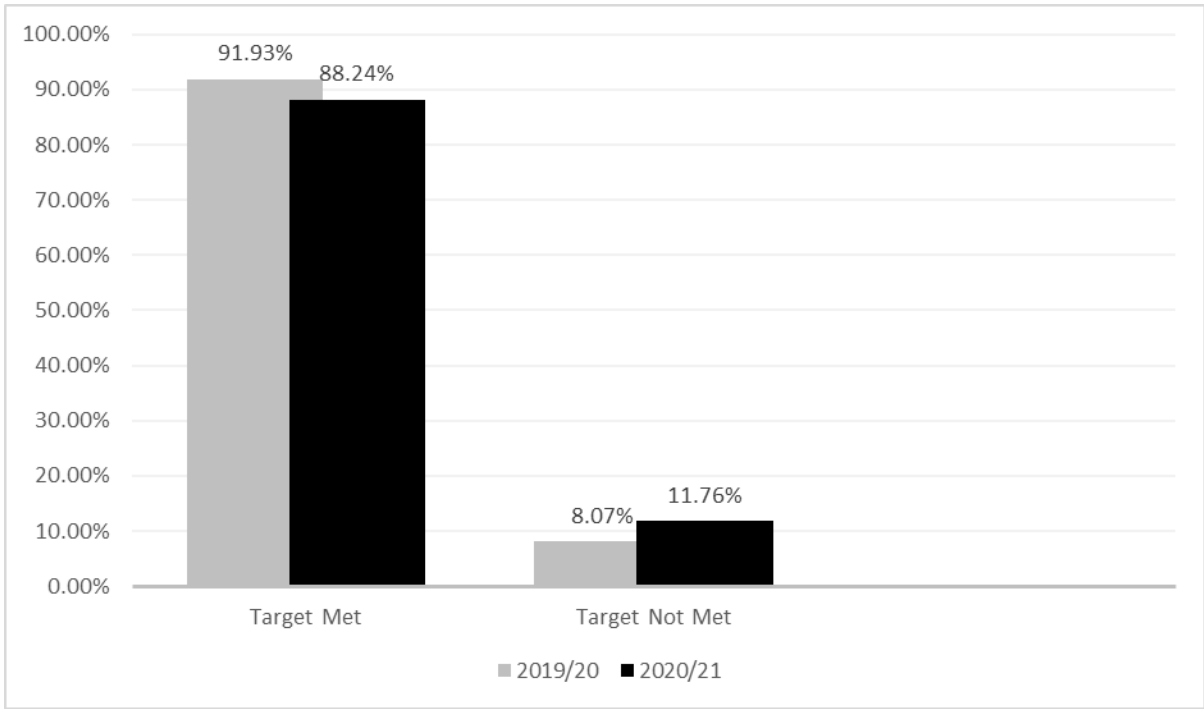


Performance against Stage 1 response target (25 working days)

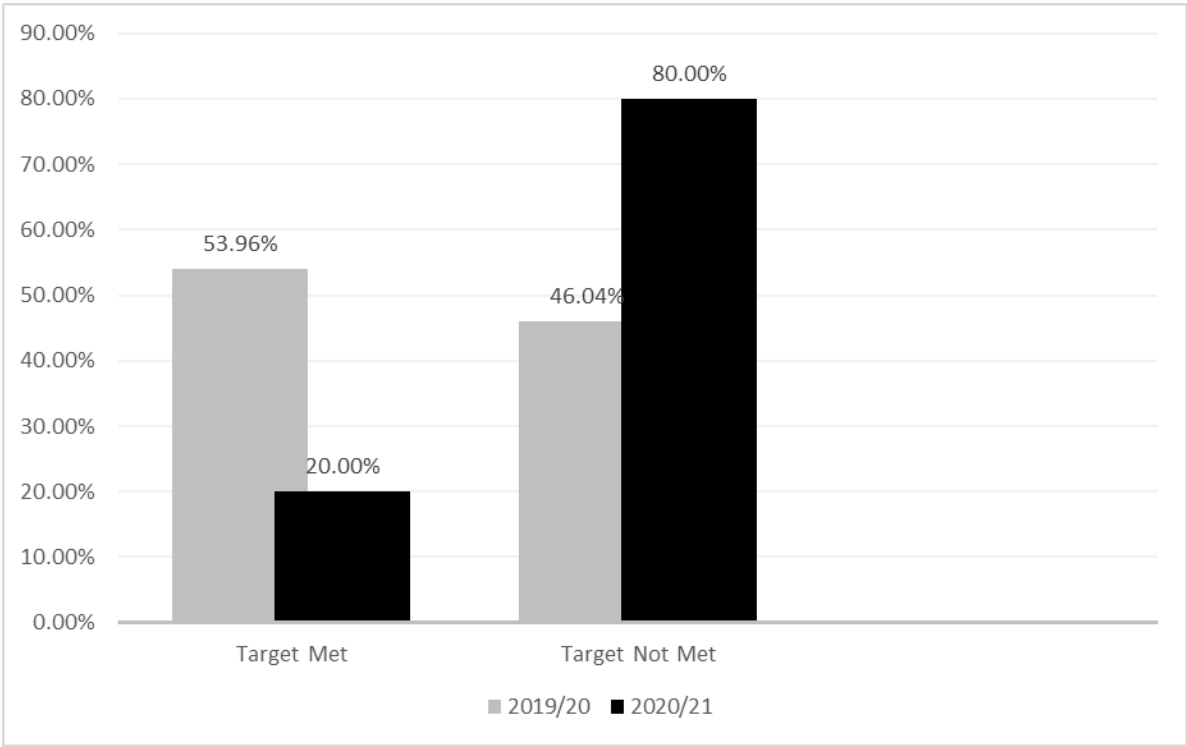


Stage 2

Performance against Stage 2 acknowledgement target (3 working days)



Performance against Stage 2 response target (30 working days)



Further Recommendations

79. The Council should work to improve performance against the Corporate Stage 2 response target.

Performance against Local Performance Indicators

80. In relation to corporate complaints the Council's key performance indicator is the number of maladministration decisions received from the Local Government and Social Care Ombudsman. The Council received two maladministration decisions during 2020/21, an increase from one in 2019/20. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 8 December 2020 and 7 September 2021 entitled [Review of Outcome of Complaints Made to Ombudsman](#).



DARLINGTON

Borough Council

Housing Complaints, Compliments and Comments Annual Report 2020/21

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Introduction

1. This report provides an analysis of the complaints, compliments and comments received by the Council during 2020/21 under the Housing Complaints, Compliments and Comments Procedure (the procedure). The purpose of the report is to identify topics and trends in relation to complaints; identify areas of organisational learning that have taken place over the past year as a result of the complaints received and make further recommendations based on trend data to improve services. The report also highlights any areas of good practice and seeks to identify topics and trends in relation to comments made by members of the public so that the Council can take action where appropriate to improve services.
2. In addition to the statistical information presented in this report it is important to recognise the work of the Complaints and Information Governance (CIG) Team that underpins this in terms of promoting an organisational culture in which complaints are recognised, accepted, owned and resolved as efficiently and as close to the point of service delivery as possible. This also enables the Council to collect accurate information on complaints in order to identify topics and trends and improve services accordingly.

Housing Complaints, Compliments and Comments Procedure

3. The procedure sets out how the Council will deal with complaints, compliments and comments received about the Council as a social landlord (as well as in respect of its ownership and management of leasehold housing).
4. The procedure has three stages. Stage 1 is a local resolution stage where we try to resolve those complaints that cannot be resolved immediately as part of our day to day business. Stage 1 complaints are dealt with locally, that is within the service being complained about. We aim to resolve the majority of complaints at Stage 1 of the procedure.
5. Stage 2 is a formal investigation stage where complaints will usually be investigated by the Complaints Investigator or Complaints Manager.
6. Stage 3 is a mandatory stage between the Council and the Housing Ombudsman. This is referred to as the 'designated person' or 'democratic filter'. The designated person or democratic filter can be an MP, a local Councillor or a recognised Tenant Panel. In Darlington we do not currently have a recognised Tenant Panel (from here onwards referred to as the Tenants' Complaints Panel).
7. Should a tenant remain dissatisfied with the Council's response to their complaint, they will be required to refer the matter to the 'designated person' or 'democratic filter'. The 'designated person' or 'democratic filter' may help resolve the complaint directly, refer the complaint to the Housing Ombudsman or decide to do neither. If the 'designated person' or 'democratic filter' decides not to take any action the complainant will be entitled to refer the matter to the Housing Ombudsman

directly. The complainant will also be able to approach the Housing Ombudsman directly in cases where eight weeks have elapsed since the Council's response to their complaint at Stage 2 of the procedure.

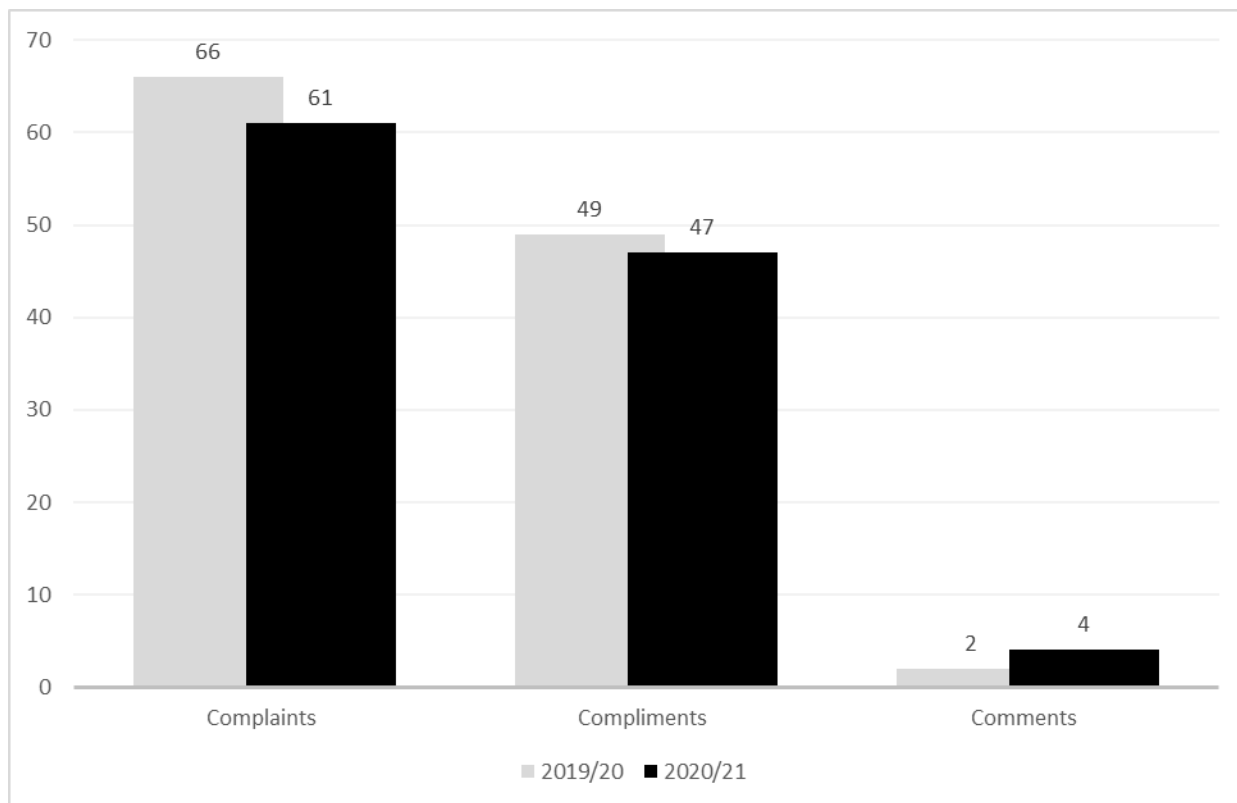
Public Information and Accessibility

8. We are committed to making sure that everyone has equal access to all our services. To help make sure the Council's complaints procedures are easily accessible we have produced two leaflets (one for children and young people and one for adults) covering all Council services to reflect the single point of access for complainants within the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.
9. Information is available on the Council's website which contains an electronic form people can use to make a complaint, pay someone a compliment or pass comment on Council services. People may make a complaint in any format they wish. This can be in writing, email, via the web, over the phone, in person or by any other reasonable means.
10. The Complaints and Information Governance Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

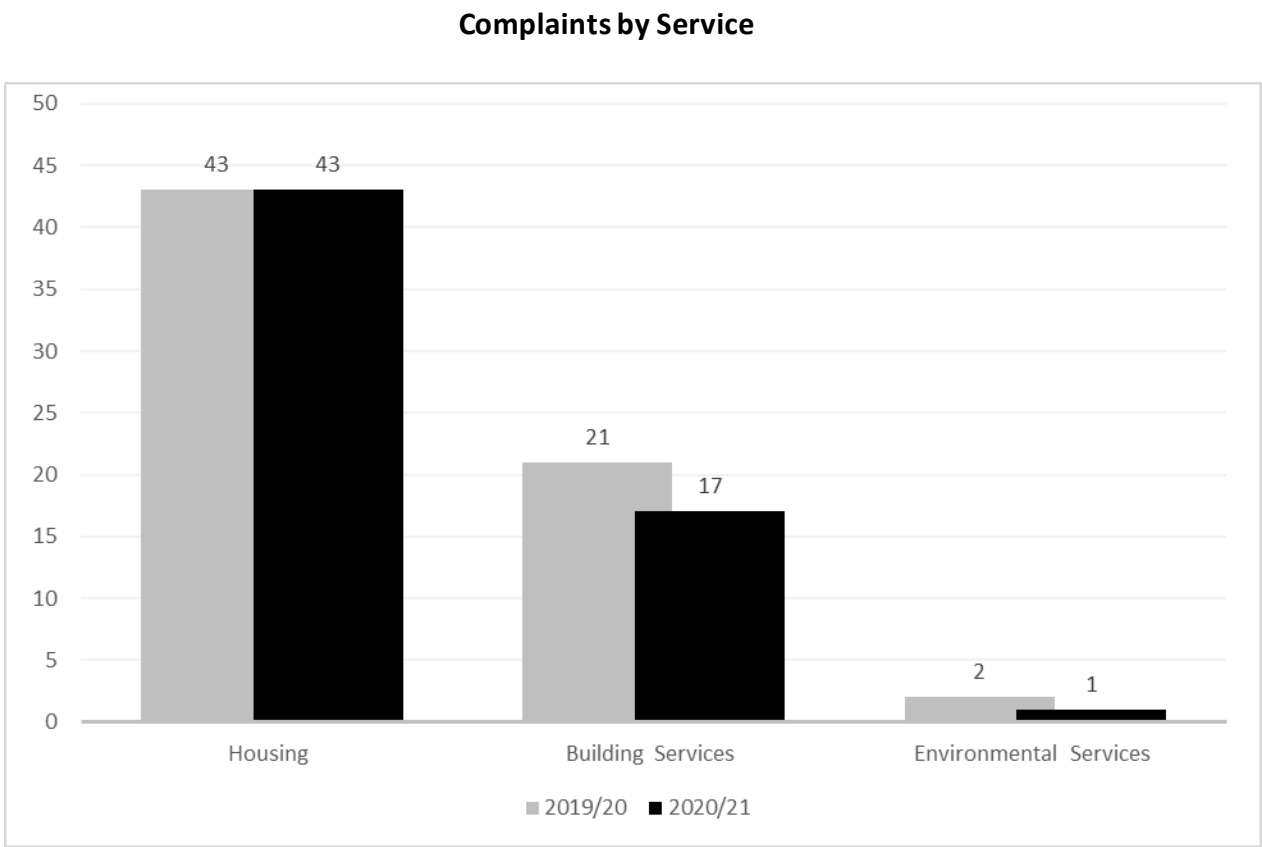
Complaints Information and Organisational Learning

Overview of Complaints, Compliments and Comments

Total Complaints, Compliments and Comments

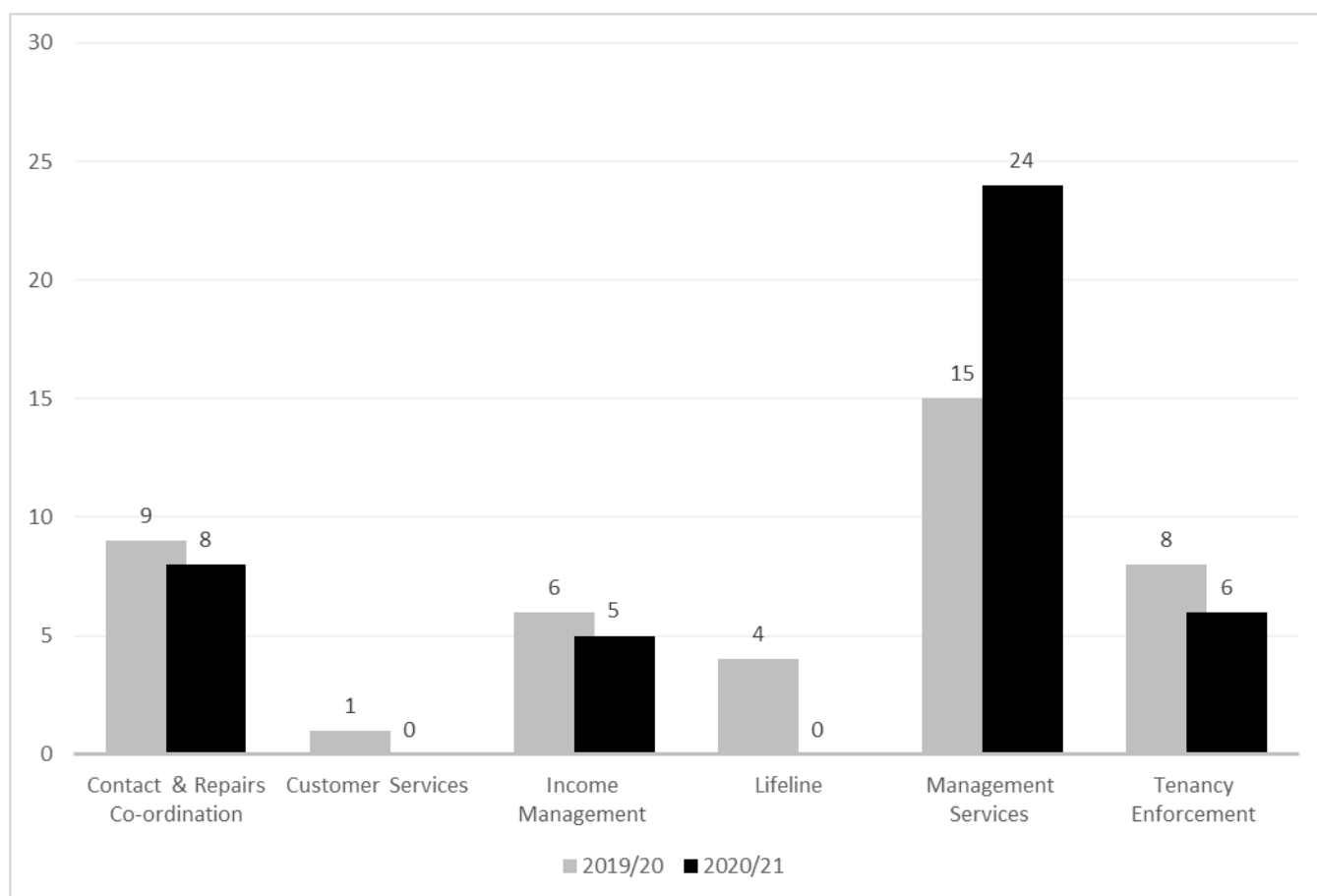


11. Between 1 April 2020 and 31 March 2021 the Council received a total of 61 complaints under the procedure, a decrease from 66 in 2019/20. A total of 13 complaints were considered at Stage 2, an increase from seven in 2019/20. 12 of the Stage 2 complaints were initially dealt with at Stage 1, while one was escalated directly to Stage 2. No complaints were considered at Stage 3, as was the case in 2019/20.
12. The Council received 47 compliments under the procedure, a decrease from 49 in 2019/20.
13. The Council also receive 4 comments, an increase from two in 2019/20.



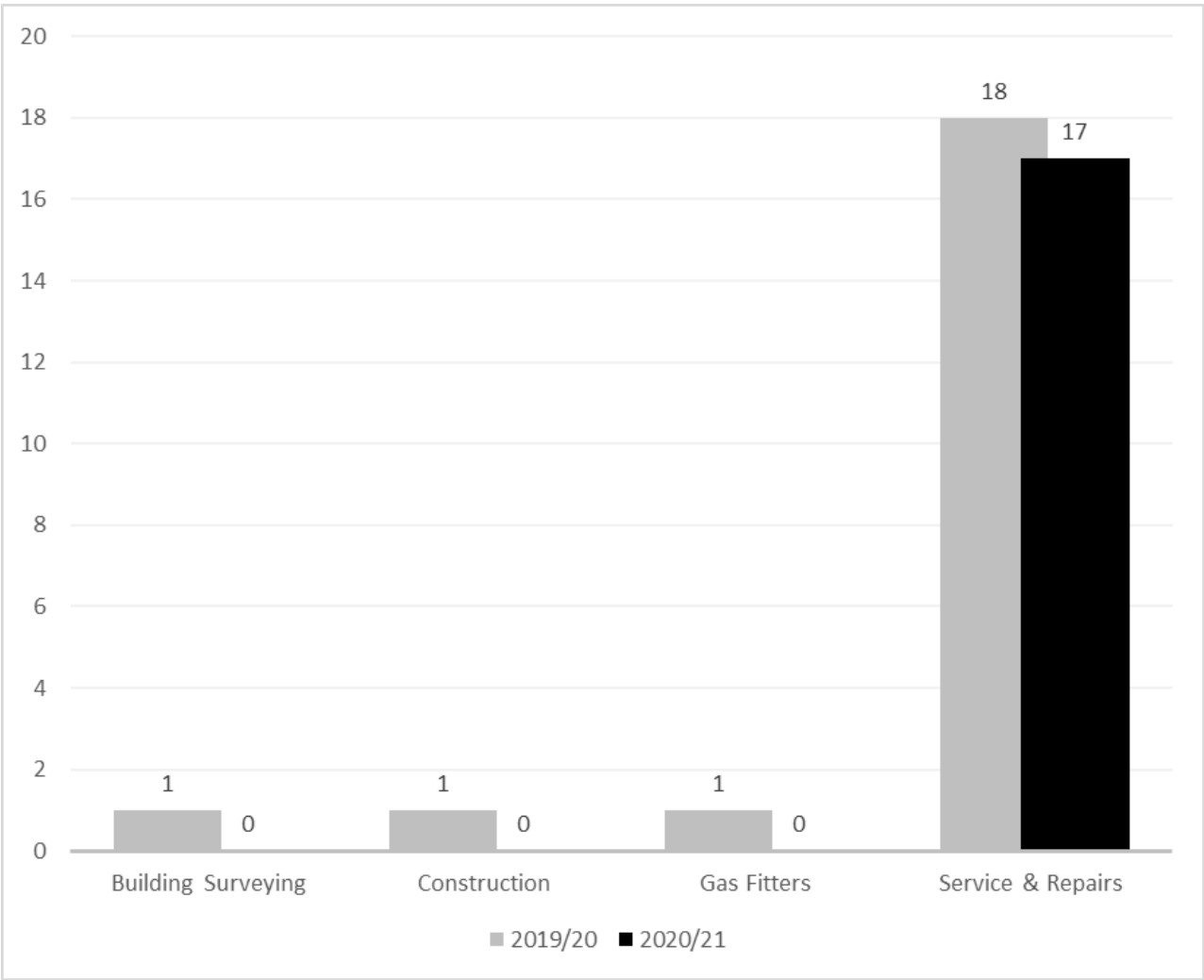
- 14. Housing received 43 complaints, as was the case in 2019/20.
- 15. Building Services received 17 complaints, a decrease from 21 in 2019/20.
- 16. Environmental Services received one complaint, a decrease from two in 2019/20.

Complaints by Team – Housing Service



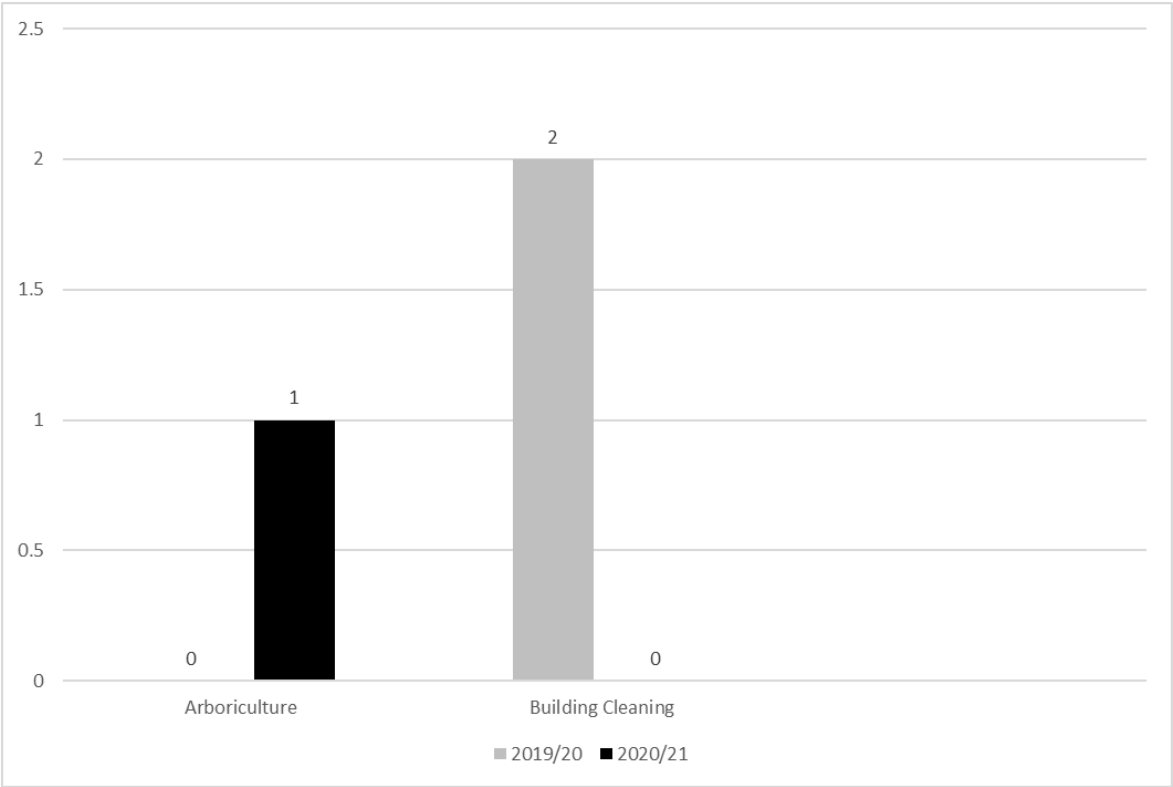
17. Contact & Repairs Co-ordination received eight complaints, compared to nine in 2019/20. Complaints concerned communication, appointments not being kept and delays in undertaking repairs.
18. Customer Services received zero complaints, a decrease from one in 2019/20.
19. Housing Income Management received five complaints, a decrease from six in 2019/20. There were no identifiable themes in the complaints received.
20. Lifeline received zero complaints, a decrease from four 2019/20.
21. Management Services received 24 complaints, an increase from 15 in 2019/20. There is no particular theme that would account for the increase. Complaints concerned communication and the service provided in relation to various housing management issues.
22. Tenancy Enforcement received six complaints, a decrease from eight in 2019/20. Complaints concerned the service provided in relation to dealing with neighbour nuisances.

Complaints by Team – Building Services



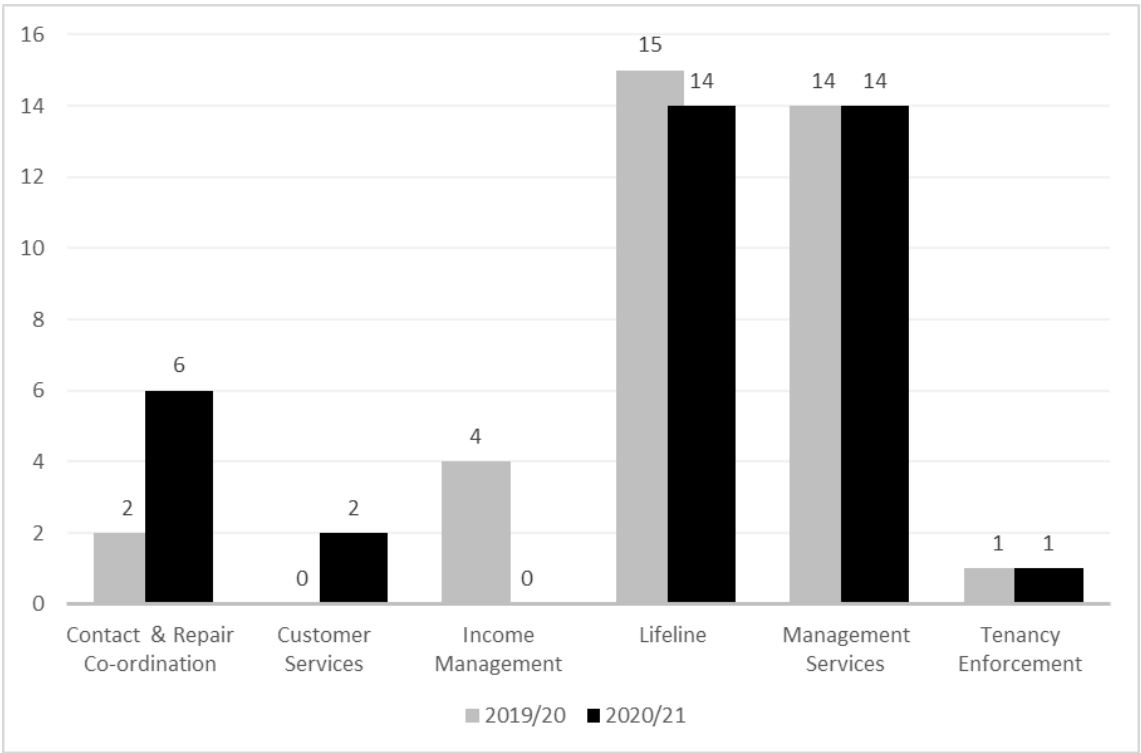
- 23. Building Surveying received zero complaints, a decrease from one in 2019/20.
- 24. Construction received zero complaints, a decrease from one in 2019/20.
- 25. Gas Fitters received zero complaints, a decrease from one in 2019/20.
- 26. Service & Repairs received 17 complaints, a decrease from 18 in 2019/20. Complaints concerned the time taken to complete and the quality of repairs.

Complaints by Team - Environmental Services



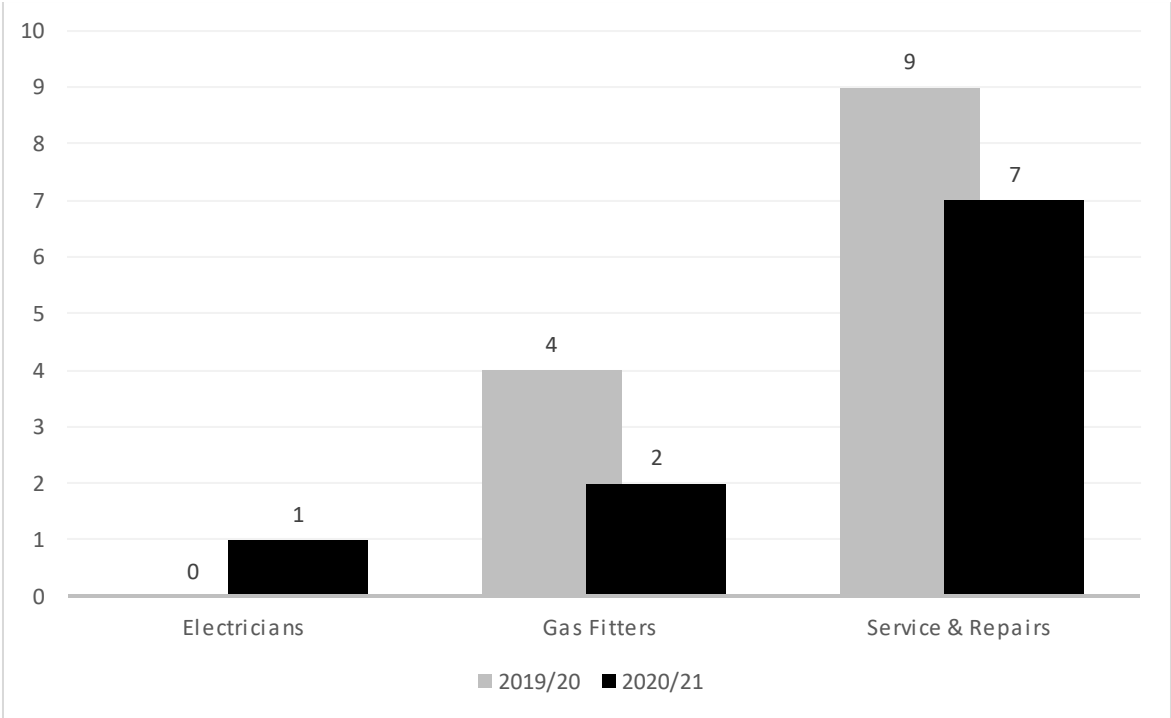
- 27. Arboriculture received one complaint, an increase from zero in 2019/20.
- 28. Building Cleaning received zero complaints, a decrease from two in 2019/20.

Compliments by Team – Housing Services



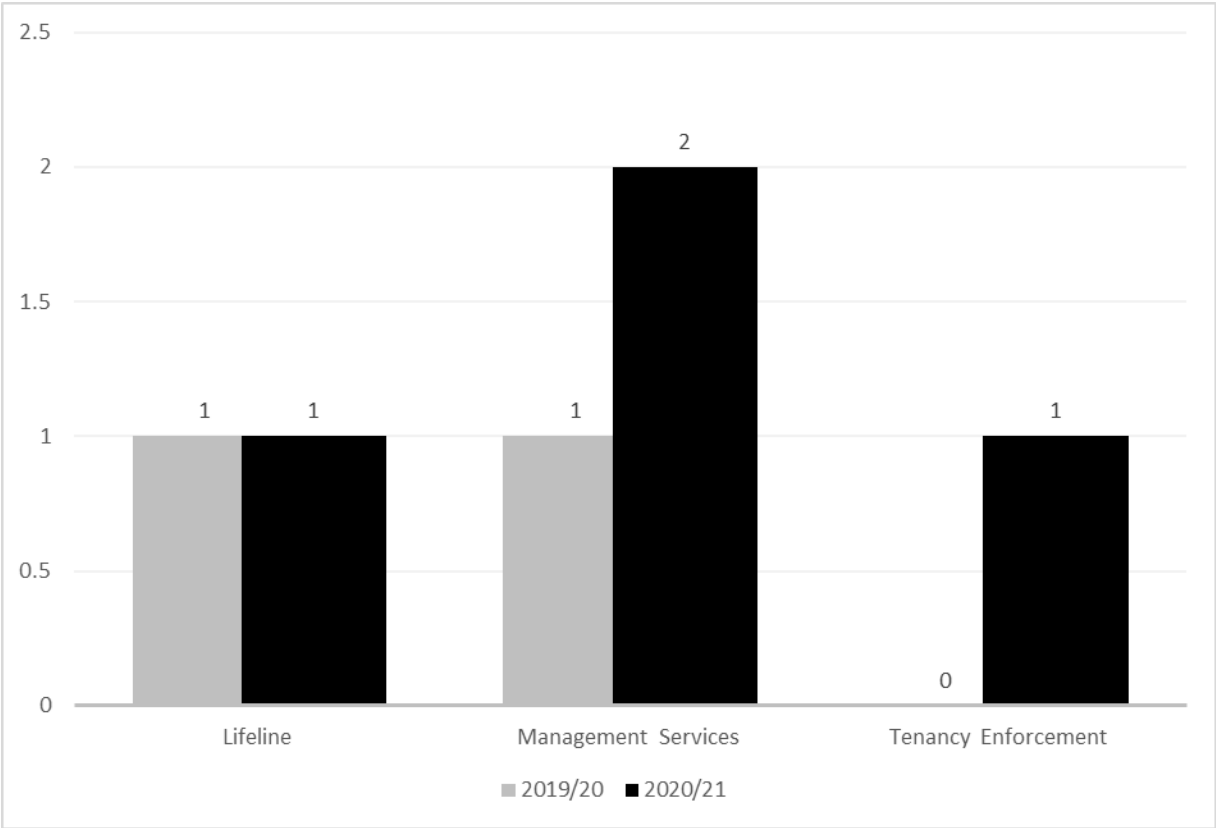
29. Housing received 37 compliments, an increase from 36 in 2019/20.

Compliments by Team – Building Services



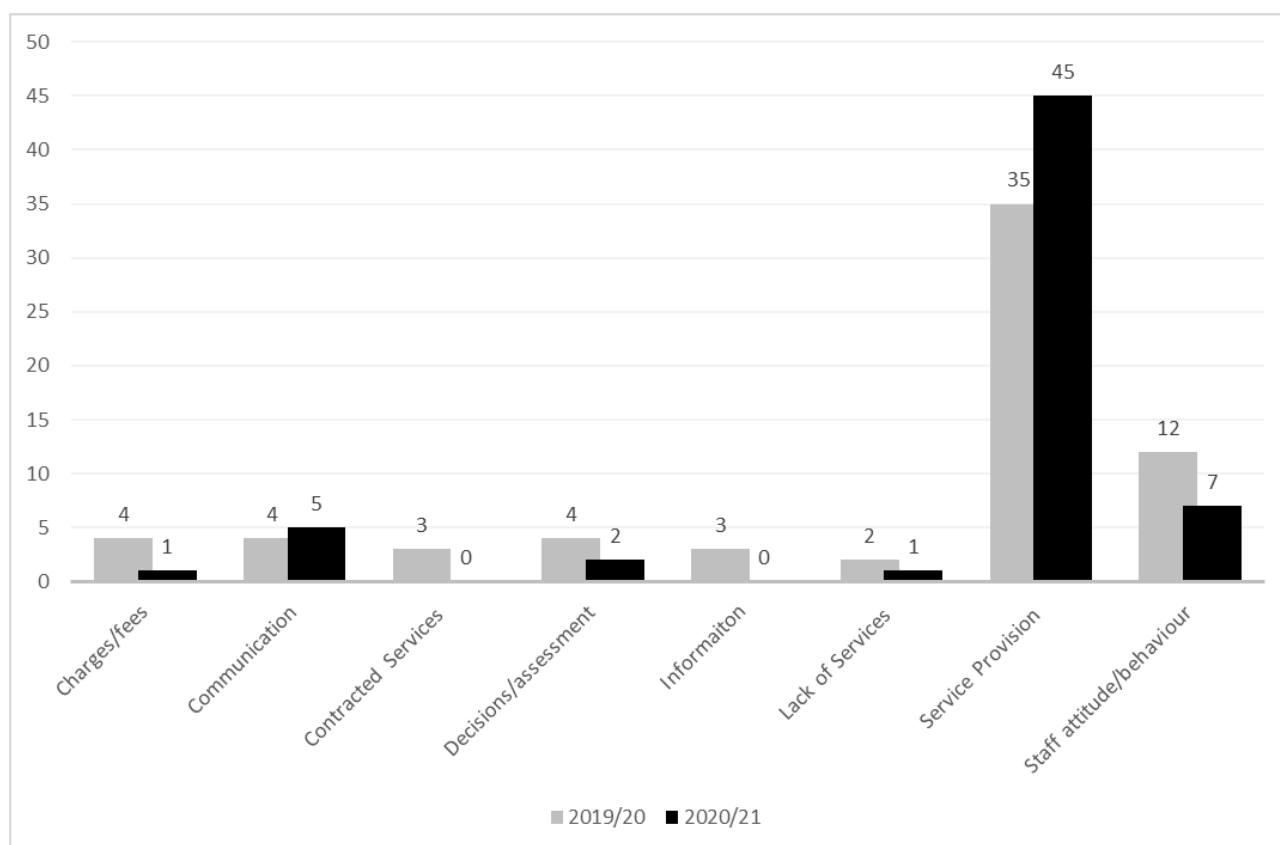
30. Building Services received 10 compliments, a decrease from 13 in 2019/20.

Comments by Team - Housing



31. The Council received four comments during 2020/21, an increase from two in 2019/20.

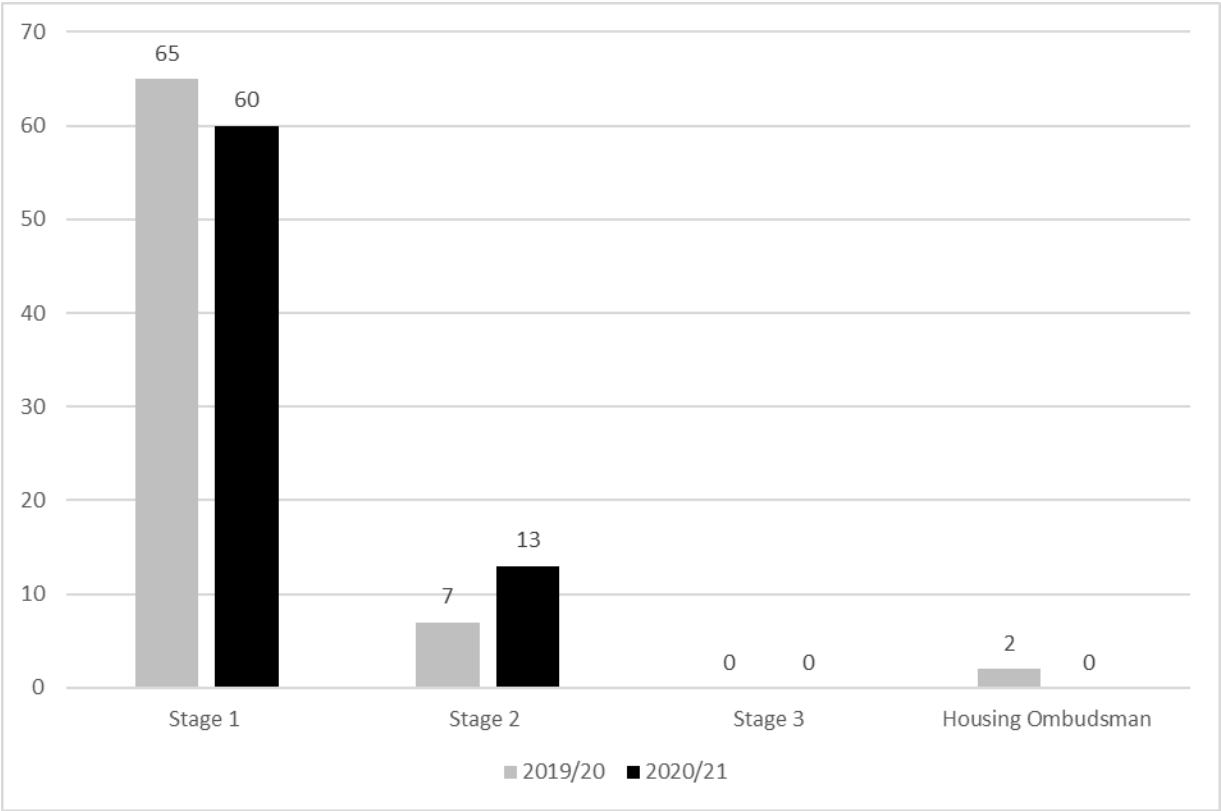
Complaints by Issue



32. One complaint concerned charges/fees, a decrease from four in 2019/20.
33. Five complaints related to communication, an increase from four in 2019/20.
34. Zero complaints concerned contracted services, a decrease from three in 2019/20.
35. Two complaints related to decisions/assessment, a decrease from four 2019/20.
36. Zero complaints related to information, a decrease from three in 2019/20.
37. One complaint was about a lack of services, a decrease from two in 2019/20.
38. 45 complaints related to service provision, an increase from 35 in 2019/20.
39. Seven complaints related to staff attitude/behaviour, a decrease from 12 in 2019/20.

Complaints by Stage

40. The below graph shows the number of complaints received at each stage of the procedure during 2020/21.



- 41. The Council received 60 Stage 1 complaints, a reduction from 65 in 2019/20.
- 42. 12 were escalated to Stage 2, and one was investigated directly at Stage 2. A total of 13 complaints were considered at Stage 2, an increase from 7 in 2019/20.
- 43. Zero complaints were escalated to the Housing Ombudsman, a decrease from two in 2019/20.

Complaints Outcomes

44. The below tables show the decisions reached on complaints during 2020/21.

Stage 1

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Housing						
Customer Services	0	1	0	0	0	1
Income Management	0	1	2	0	2	5
Management Services	0	12	3	3	4	22
Tenancy Enforcement	0	4	1	1	3	9
Contact & Repairs Co-ordination	1	1	0	5	0	7
Total for Housing	1	19	6	9	9	44
Building Services						
Service & Repairs	2	4	0	10	0	16
Total for Building Services	2	4	0	10	0	16
Environmental Services						
Arboriculture	1	0	0	0	0	1
Total for Environmental Services	1	0	0	0	0	1
Totals	4	23	6	19	9	61

Stage 2

Service Area/Team	Inconclusive	Not Upheld	Partially Upheld	Upheld	Withdrawn	Total
Housing						
Management Services	0	3	2	1	0	6
Tenancy Enforcement	0	1	0	0	0	1
Total for Housing	0	4	2	1	0	7
Building Services						
Service & Repairs	0	1	0	0	0	1
Total for Building Services	0	1	0	0	0	1
Environmental Services						
Arboriculture	1	0	0	0	0	1
Total for Environmental Services	1	0	0	0	0	1
Totals	1	5	2	1	0	9

Stage 3

45. The 'designated person' or 'democratic filter' did not determine any complaints during 2020/21.

Housing Ombudsman

46. The Housing Ombudsman determined one complaint during 2020/21, as was the case in 2019/20.

47. Full details of those complaints determined by the Housing Ombudsman are included in the Cabinet reports of 8 December 2020 and 7 September 2021 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

Organisational Learning

48. All resolution and organisational learning actions identified as a result of complaints are assigned to a responsible manager and progress against those actions is monitored by the Complaints Manager. In addition to those actions taken to resolve individual complaints, several service improvements were made following complaint investigations during 2020/21 and are detailed below:

Management Services

49. Following a complaint for Management Services it was recommended Housing Services should ensure Housing Officers and Customer Services staff are aware of who can apply for the County Durham & Darlington Community Safety Fund to avoid inaccurate advice being given the future. It was also recommended that Housing Services ensures it adheres to the timescales set out in its Housing Services Anti-Social Behaviour Policy and that officers should be reminded of the importance of consulting residents before making changes to communal areas of the buildings in which they live.
50. Following a further complaint for Management Services it was agreed the Housing Services I would review their sign up process and going forward ensure sign up appointments are made when all works are completed, post inspected and not beforehand. Staff training was to be arranged in relation to the new process and the Council improved its welcome letter for new tenants to advise of any debts associated on the meters for the property. Housing Services also reviewed the empty home cleaning standard with their cleaning contractor.

Service & Repairs

51. Following a complaint for Service & Repairs an officer received refresher guidance on behaviour and the standards we expect all our operatives to adhere to.
52. Following another complaint for Service & Repairs, Building Services decided to keep a small stock of radiators to prevent other people experience delays in having them repaired/replaced.

Contact & Repairs Co-ordination

53. Following a complaint for Contact & Repairs Co-ordination staff were reminded that they should always have a prearranged time to visit. This complaint also led Building Services to review their stock level resulting in them requiring their supplier to hold a small number of a particular boiler part.
54. Following a further complaint for Contact & Repairs Co-ordination, Housing Services reviewed their process for having to re-arrange appointments when unforeseen circumstances occur.

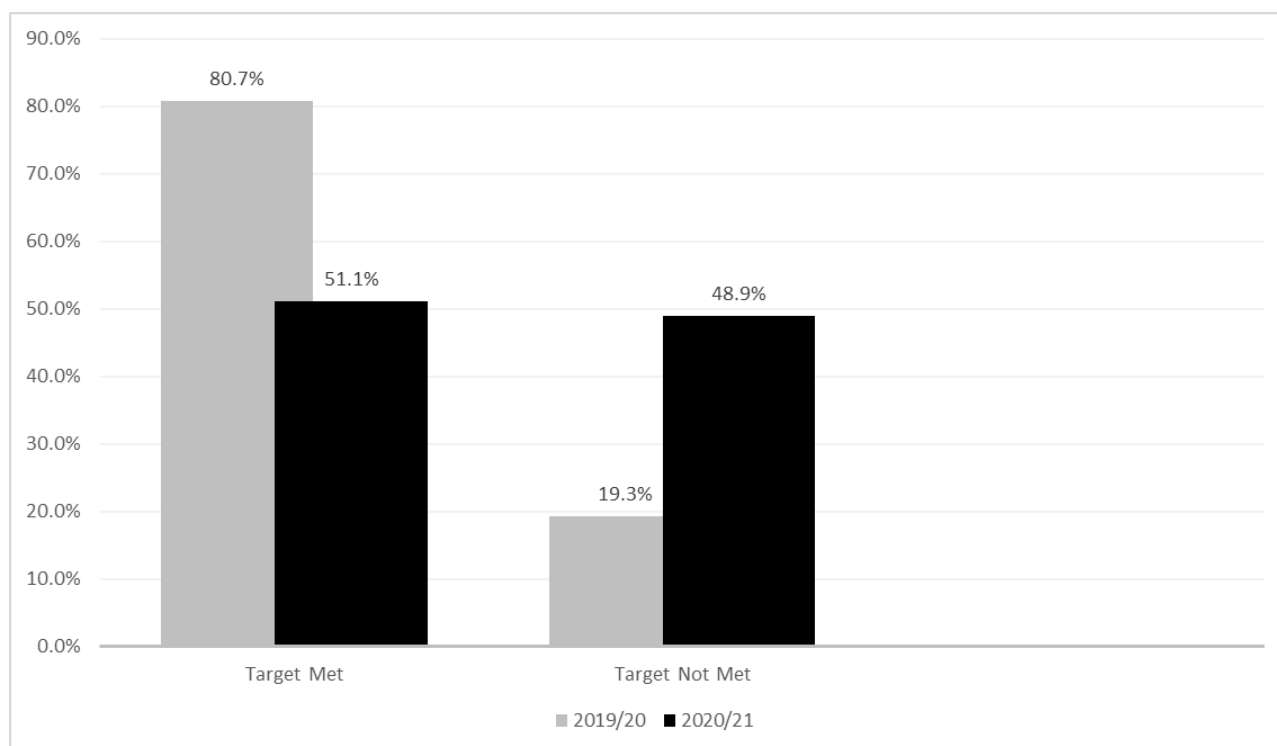
Performance against the Housing Complaints, Compliments and Comments Procedure

55. The Assistant Director Law and Governance made a [Delegated Decision](#) on 23 March 2020 that gave approval for timescales not to be adhered as a result of services diverting resources to the areas of greatest need.
56. On the 1 January 2021 the Council updated its Housing Complaints procedure to ensure it was compliant with the [Housing Ombudsman Code](#). This included amending the Stage 1 and Stage 2 timescales.

Stage 1

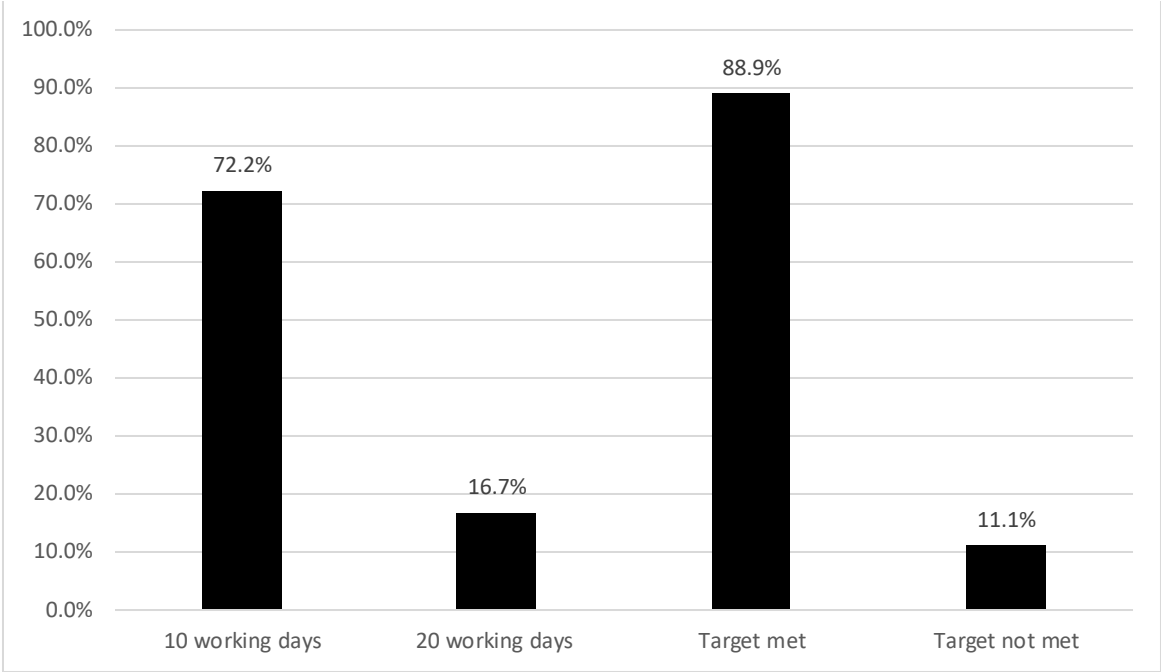
57. The below graph shows Stage 1 performance in relation to those complaints received before 1 January 2021.

Performance against Stage 1 response target (25 working days)



58. This was a decrease in performance against the Stage 1 response target from 80.7% in 2019/20.
59. The below graph shows Stage 1 performance in relation to those complaints received after 1 January 2021.

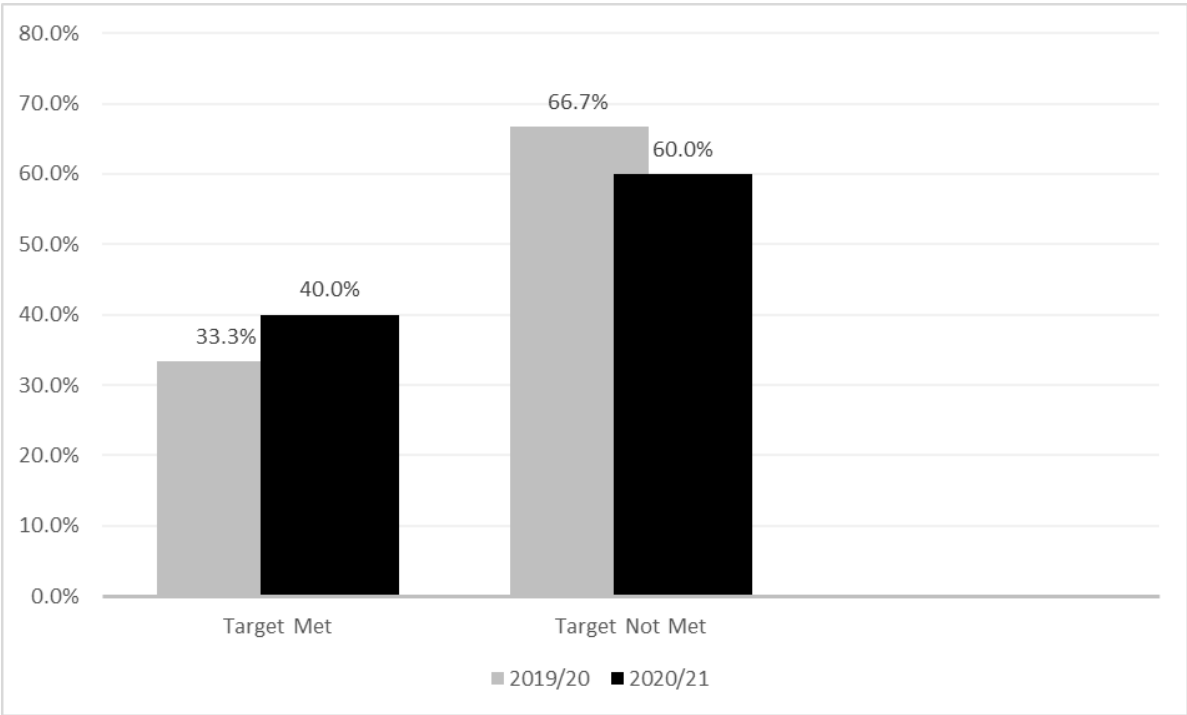
**Performance against Stage 1 response target
(10 working days, with an extension up to 20 working days)**



Stage 2

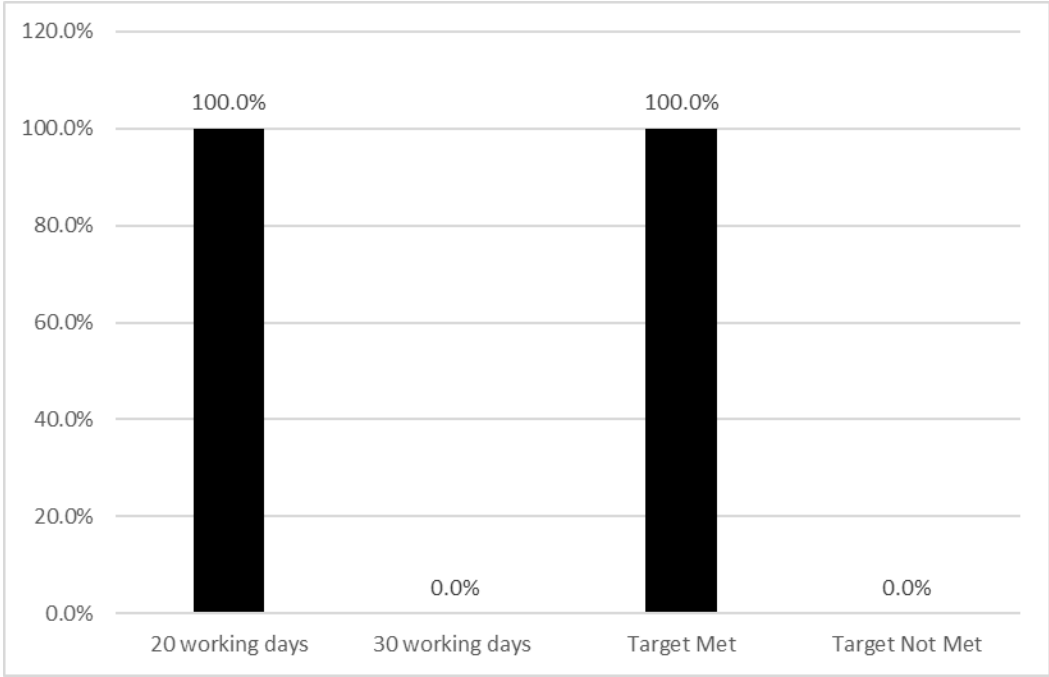
60. The below graphs shows Stage 2 performance in relation to those complaints received before 1 January 2021.

Performance against Stage 2 response target (30 working days)



- 61. This was an increase in performance against the Stage 2 response target from 33.3% in 2019/20.
- 62. The below graph shows Stage 2 performance in relation to those complaints received after 1 January 2021.

**Performance against Stage 2 response target
(20 working days, with an extension up to 30 working days)**



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DARLINGTON

Borough Council

Public Health Complaints, Compliments and Comments Annual Report 2020/21

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Introduction

1. The purpose of this annual report is to inform service users, carers, the public, Council Members and staff of the effectiveness of the Public Health Complaints, Compliments and Comments Procedure (the Procedure).
2. On the 1 April 2013 the NHS Bodies and Local Authorities (Partnership Arrangements, Care Trusts, Public Health and Local Healthwatch) Regulations 2012 (the Regulations) came into force. Part five of the Regulations deals with Complaints about Public Health Functions of Local Authorities.
3. The Council implemented a new procedure providing a local framework to ensure complaints are handled effectively and in line with the regulations.
4. The procedure aims to:
 - (a) Make it as easy and accessible as possible for service users and their carers to raise complaints;
 - (b) Foster an organisational culture in which complaints are accepted, owned and resolved as efficiently as possible;
 - (c) Ensure high levels of customer satisfaction with complaints handling;
 - (d) Resolve individual issues when they arise and reduce the number of complaints referred to the Ombudsman; and
 - (e) Enable the Council to identify topics and trends in relation to Public Health complaints and improve services as a result.
5. The Chief Executive is designated as the 'Responsible Person' for ensuring compliance with the arrangements made under the Regulations, and in particular ensuring that action is taken if necessary in the light of the outcome of a complaint. The functions of the responsible person will usually be performed by the Director of Public Health.
6. The Complaints and Information Governance Manager is designated the 'Complaints Manager' in accordance with the regulations and is responsible for managing the procedures for handling and considering complaints in accordance with the arrangements made under the Regulations.

Local Government and Social Care Ombudsman

7. Although complainants can refer their complaints to the Local Government and Social Care Ombudsman (LGSCO) from the outset, the LGSCO will not normally investigate until the Council or service provider has conducted its own investigation and provided a response. Where it has not been possible for the complaint to be resolved to the satisfaction of the complainant they may refer the matter to the LGSCO.

Information and Accessibility

8. We are committed to making sure that everyone has equal access to all our services, including the complaints procedure. To help make sure the Council's complaints procedures are easily accessible we have produced two leaflets (one for children and young people and one for adults) covering all Council services to reflect the single point of access for complainants within the Council. The leaflets are available in all Council buildings. They have been written in line with the Plain English Campaign standards. The title is written in the most commonly used community languages and it contains details on how to access the information in other formats, for example, large print, audio and Braille.
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10. The Complaints Manager can arrange advocates and interpreters (including British Sign Language interpreters) where appropriate.

Summary

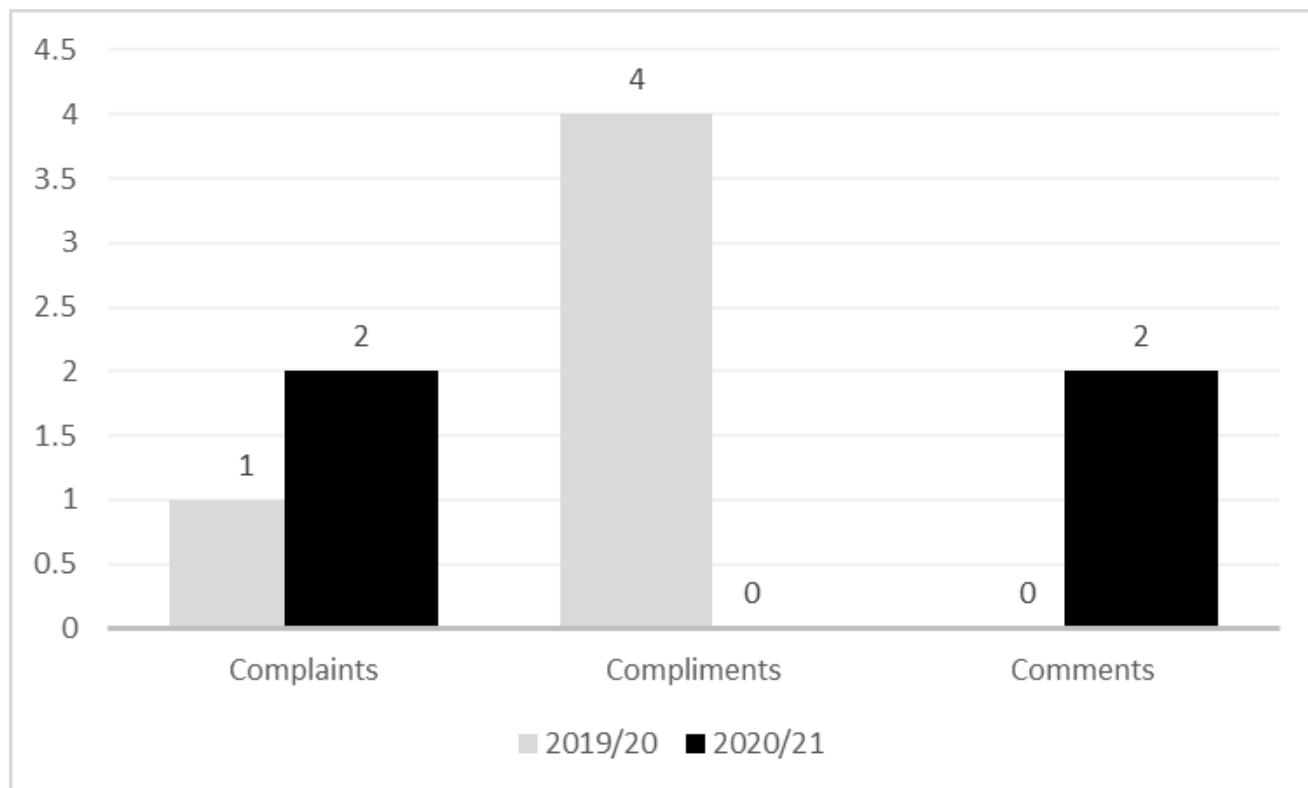
11. The Council received two complaints about Public Health services during 2020/21, an increase from one in 2019/20.
12. The Council received zero compliments, a decrease from four in 2019/20.
13. The Council received two comments, an increase from zero in 2019/20.

Review of the Year

Breakdown of all Representations

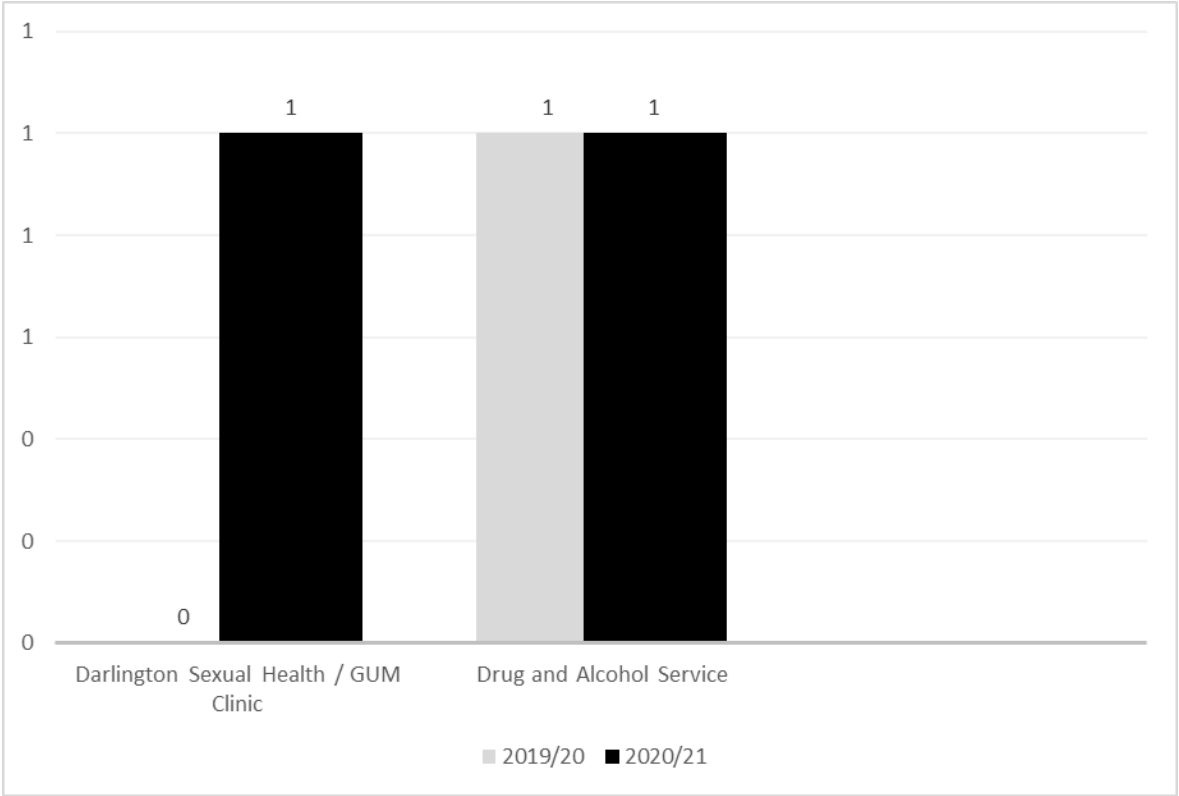
14. A total of four representations were handled under the procedure during 2020/21.

Total Complaints, Compliments and Comments Received

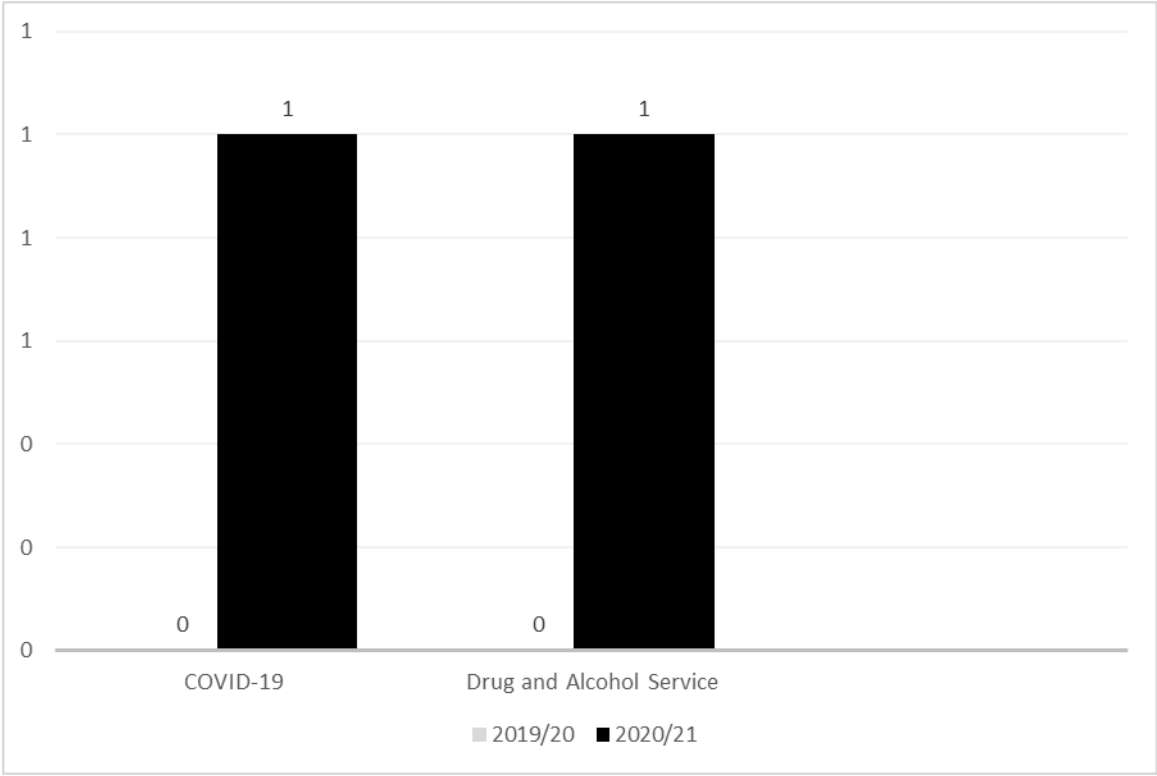


15. The complaints related to Public Health Providers, Darlington Sexual Health / GUM clinic and the changes to the Drug and Alcohol Service.
16. The comments related to the changes to the Drug and Alcohol Service and the COVID-19 rates in Darlington.

Complaints by Service



Comments by Service



Complaint Outcomes

17. The complaint relating to the changes to the Drug and Alcohol Service was responded to during 2020/21. The outcome of the complaint was not upheld.

Local Government Ombudsman Complaints (LGSCO) Received 2020/21

18. No Public Health complaints were progressed to the LGSCO during 2020/21, the same as in 2019/20.

Local Government Ombudsman Complaint Outcomes (LGSCO) 2020/21

19. No Public Health complaints were determined by the LGSCO during 2020/21, the same as in 2019/20.

Organisational Learning

20. There was no organisational learning resulting from the complaint that was concluded during 2020/21.

Further recommendations

21. There are no further recommendations.

Performance against the Procedure

22. While the regulations allow a maximum of six months to respond to a complaint we aim to respond to complaints within 30 working days.
23. The above complaint was responded to in 34 working days.

Performance Indicator for 2020/21

24. In relation to Public Health complaints the Council's key performance indicator is the number of maladministration decisions received from the Local Government and Social Care Ombudsman. The Council received zero maladministration decisions during 2020/21.
25. Full details of those complaints determined by the Local Government and Social Care Ombudsman are included in the Cabinet reports of 8 December 2020 and 7 September 2021 entitled [Review of Outcome of Complaints Made to Ombudsman](#).

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CABINET
7 SEPTEMBER 2021

REVIEW OF OUTCOME OF COMPLAINTS MADE TO OMBUDSMAN

Responsible Cabinet Members

Councillor Scott Durham - Resources
Councillor Heather Scott, Leader
Councillor Jon Clarke - Children and Young People
Councilor Kevin Nicholson - Health and Housing

Responsible Directors

Ian Williams, Chief Executive
Elizabeth Davison, Group Director of Operations
James Stroyan, Group Director of People
Dave Winstanley, Group Director of Services

SUMMARY REPORT

Purpose of the Report

1. To provide Members with an update of the outcome of cases which have been determined by the Local Government and Social Care Ombudsman (LGSCO) and the Housing Ombudsman Service (HOS) during 2020/21.
2. To provide Members with the LGSCO's Annual Review letter 2021 (**Appendix 1**).

Summary

3. This report sets out in abbreviated form the decisions reached by the LGSCO and the HOS during 2020/21 and outlines actions taken as a result.
4. This report also provides Members with a copy of the LGSCO's Annual Review letter 2021, which contains information on the Council's performance in relation to complaints.

Recommendation

5. It is recommended that the contents of the report be noted.

Reasons

6. The recommendation is supported by the following reasons :-

- (a) It is important that Members are aware of the outcome of complaints made to the LGSCO and the HOS in respect of the Council's activities.
- (b) The contents of this report do not suggest that further action, other than detailed in the report, is required.

Ian Williams
Chief Executive

Background Papers

Note: Correspondence with the LGSCO and HOS is treated as confidential to preserve anonymity of complainants.

Lee Downey - Extension 5451

S17 Crime and Disorder	This report is for information to members and requires no decision. Therefore there are no issues in relation to Crime and Disorder
Health and Well Being	This report is for information to members and requires no decision. Therefore there are no issues in relation to Health and Well Being
Carbon Impact and Climate Change	This report is for information to members and requires no decision. Therefore there are no issues in relation to Carbon Impact
Diversity	This report is for information to members and requires no decision. Therefore there are no issues in relation to Diversity
Wards Affected	This report affects all wards equally
Groups Affected	This report is for information to members and requires no decision. Therefore there is no impact on any particular group
Budget and Policy Framework	This report does not recommend any changes to the Budget or Policy Framework
Key Decision	This is not a Key Decision
Urgent Decision	This is not an Urgent Decision
Council Plan	This report contributes to all the priorities in the Council Plan
Efficiency	Efficiency issues are highlighted through complaints

MAIN REPORT

Background

7. Cabinet has previously resolved that they would consider reports on the outcome of cases referred to the LGSCO and HOS during the Municipal Year on a bi-annual basis.
8. The opportunity is normally taken to analyse the areas of the Council's functions where complaints have arisen. It is appropriate to do that in order to establish whether there is any pattern to complaints received or whether there is a particular Directorate affected or a type of complaint which is prevalent. If there were a significant number of cases in any one particular area, that might indicate a problem which the Council would seek to address.
9. The LGSCO encourages officers to share the annual letter with colleagues and elected members as the information can provide valuable insights into service areas, early warning signs of problems and is a key source of information for governance, audit, risk and scrutiny functions.

Decisions reached by the LGSCO and the HOS during 2020/21

10. Between 1 April 2020 and 31 March 2021, 11 cases were the subject of decision by the LGSCO.
11. Between 1 April 2020 and 31 March 2021, one case was the subject of decision by the HOS.
12. The outcome of cases on which the LGSCO reached a view is as follows:

LGSCO Findings	No. of Cases
Closed after initial enquiries: no further action	4
Closed after initial enquiries: out of jurisdiction	1
Not upheld: no maladministration	2
Upheld: Maladministration Injustice	2
Upheld: Maladministration, No Injustice	1
Upheld: not investigated - injustice remedied during Body in Jurisdiction's complaint process	1

13. The outcome of cases on which the HOS reached a view is as follows:

HOS Findings	No. of Cases
Service Failure	1

Local Government and Social Care Ombudsman (LGSCO)

Closed after initial enquiries: no further action

14. The first of these complaints concerned the Council not following the legal requirements when in 2019 it granted amendments to planning permission for development. The complainant argued the Council did not request a new planning application after they

pointed out there might be landowners that had not been properly notified of the development. The complainant argued this invalidated the planning application and the Council should not have considered the application. The complainant's view was based on information they had already complained to the Council about in 2018. The Council investigated their points in 2018 and presented its legal position with regards to land ownership based on affidavits it received. The complainant disagreed with the Council's legal position. The Ombudsman concluded they would not investigate the complaint as it was unlikely they would find fault in how the Council reached its decision and because there was no personal injustice to the complainant that would warrant their involvement.

15. The second of these complaints concerned two Council members pre-determining their vote on the Council's Local Plan as they had recorded media announcements prior to the decision being made, giving their views on its approval. The Ombudsman decided not to investigate as it was unlikely they would find fault by the Council and the injustice to the complainant was not sufficient to warrant their involvement.
16. The third of these complaints concerned the Council wrongly making the complainant liable for Council Tax. The Ombudsman decided not to investigate because the Council provided a fair response and there was not enough remaining injustice to require an investigation.
17. The fourth of these concerned a Council officer being rude during a telephone call. The Ombudsman decided not to investigate is because it was unlikely an investigation would be able to add to the response already provided by the Council.

Closed after initial enquiries: out of jurisdiction

18. This complaint concerned the Council giving misleading or inaccurate advice in 2017 about the complainant's entitlement to help with nursery costs. The complaint was outside the Ombudsman's jurisdiction as it was late, being made after the permitted period of 12 months.

Not upheld: no maladministration

19. The first of these complaints concerned the advice the Council gave about disability related expenses and its decision not to make allowance for all the expenses claimed when calculating the contribution towards care costs. The Ombudsman concluded the Council was not at fault.
20. The second of these complaints concerned the Council failing to ensure the complainant's two children received short break provision in line with their assessed needs following a Stage 3 complaint review panel. The complainant also complained the Council offered direct payments which were not sufficient to meet the children's needs. The complainant said this matter caused them and their family stress and put them to unnecessary time and trouble. The Ombudsman concluded there was no fault in the Council's actions.

Upheld: Maladministration Injustice

21. The first of these complaints concerned the Council wrongly treating the complainant's car as abandoned and towing it away. The complainant said they incurred costs to release the

car. The Council refused to accept a complaint about the matter on the basis that, at the time, it understood the issue was a matter for the courts. The Council accepted its 7-day vehicle removal form contained errors making it invalid, and it should have investigated the complaint in line with its Corporate Complaints Procedure. The Council agreed to refund the complainant £318 in fees paid to release his car. It also agreed to pay the complainant £150 to recognise the frustration, uncertainty and time and trouble caused by its poor handling of the complaint.

22. The second of these complaints concerned Council arranged respite care for the complainant's child, which did not meet their assessed needs. It also concerned the Council offering insufficient direct payments and not responding to the complaint about this in a timely manner. The Ombudsman found the Council was at fault as it did not respond to the complaint in line with statutory timescales. The Council agreed to make a payment of £150 to acknowledge the stress, time taken and trouble caused to the complainant because of this. The Council was not at fault in its management of the child's respite placement or direct payment funding.

Upheld: Maladministration, No Injustice

23. This complaint concerned the Council carrying out an incorrect financial assessment in relation to residential care costs. The complainant said this caused considerable distress and inconvenience. The Ombudsman found the Council was at fault when it initially failed to provide a written record of its financial assessment and when it delayed in responding to the complaint, however, this did not result in any significant injustice.

Upheld: not investigated - injustice remedied during Body in Jurisdiction's complaint process

24. This complaint concerned the Council not supporting an Adult Services, service user to set up a direct debit mandate in October 2018, when it completed a financial assessment, and a delay in sending out invoices. Following its own investigation the Council partly upheld the complaint, apologised for the distress caused by the delay in sending out the invoices, offered £500 to offset against the complainant's outstanding debt and offered to implement a repayment plan to recover the remaining debt. The Ombudsman was satisfied this remedied the injustice caused.

Housing Ombudsman Service (HOS)

Service failure

25. This complaint concerned the Council's failure to enforce an agreement for a neighbour not to feed birds and its response to reports of overhanging trees. The Ombudsman found there is no legal or tenancy requirement obliging the neighbour to stop putting nuts out for the birds, although there is an expectation on tenants not to allow their garden to become unhygienic due to the build-up of animal faeces. That on receiving the complainant's concerns about the neighbour feeding the birds, the Council took reasonable and proportionate action, however, despite some positive steps to proactively address the issues, the Council did not satisfactorily manage expectations in respect of this complaint or consistently do what it said it would. In relation to tree pruning the Ombudsman found the Council responded promptly, by acknowledging the issue raised and letting the complainant know that works would be undertaken to prune the trees once the bird

nesting season had finished. However, it took a number of chasers from the complainant, about what works would be done and when, before the Council provided this information. The work was then carried out some months later, without further contact or notice to the complainant and whilst the Council was not required to consult or notify the complainant about the specific works to be undertaken, there were misunderstandings and a lack of communication in respect of this. The Ombudsman also said it was inappropriate that the Council (as a landlord) did not inspect the works that had been undertaken and criticised the Equality Impact Assessment (EIA) undertaken as it primarily relied upon historical records and did not involve an inspection or consultation. The Ombudsman ordered the Council to pay the complainant £100, arrange an inspection of the trees and share its findings with the complainant. The Ombudsman also recommend the Council honour the *"compromise agreement"* already in place with the neighbour around bird feeding and reiterate the specific times of year that bird feeding can take place. The Ombudsman also recommended the Council undertake a revised EIA, taking into account the comments made above and communicate its conclusions to the complainant.

LGSCO's Annual Review letter 2021

26. In their annual review letter (Appendix 1) the LGSCO focus on three key statistics and compare the Council's performance against that of other Unitary Council's (further information is available from the LGSCO's [interactive map](#)).
27. 67% of complaints the LGSCO investigated were upheld, compared to 63% in similar authorities (The LGSCO uphold complaints when they find some form of fault in an authority's actions, including where the authority accepted fault before they investigated).
28. The LGSCO found that in 25% of upheld cases the Council had already provided a satisfactory remedy, compared to an average of 10% in similar authorities.
29. The LGSCO were satisfied the Council successfully implemented their recommendations in 100% of cases compared to an average of 99% in similar authorities. However, they did note there was a delay in implementing their recommendations in two cases and asked the Council to consider how it might make improvements to reduce delays in the remedy process.

Analysis

30. During 2020/21 the Council received two Upheld: Maladministration Injustice decisions from the LGSCO, compared to six in 2019/20.
31. The organisational learning identified as a result of these complaints should ensure there is no re-occurrence.
32. While the LGSCO recorded their satisfaction with your Council's compliance rate in relation to their recommendations, as requested by the LGSCO the Council will consider how it might make improvements to reduce delays in the remedy process.

Outcome of Consultation

33. The issues contained within this report do not require formal consultation.

Local Government & Social Care OMBUDSMAN

21 July 2021

By email

Mr Williams
Chief Executive
Darlington Borough Council

Dear Mr Williams

Annual Review letter 2021

I write to you with our annual summary of statistics on the decisions made by the Local Government and Social Care Ombudsman about your authority for the year ending 31 March 2021. At the end of a challenging year, we maintain that good public administration is more important than ever and I hope this feedback provides you with both the opportunity to reflect on your Council's performance and plan for the future.

You will be aware that, at the end of March 2020 we took the unprecedented step of temporarily stopping our casework, in the wider public interest, to allow authorities to concentrate efforts on vital frontline services during the first wave of the Covid-19 outbreak. We restarted casework in late June 2020, after a three month pause.

We listened to your feedback and decided it was unnecessary to pause our casework again during further waves of the pandemic. Instead, we have encouraged authorities to talk to us on an individual basis about difficulties responding to any stage of an investigation, including implementing our recommendations. We continue this approach and urge you to maintain clear communication with us.

Complaint statistics

This year, we continue to focus on the outcomes of complaints and what can be learned from them. We want to provide you with the most insightful information we can and have focused statistics on three key areas:

Complaints upheld - We uphold complaints when we find some form of fault in an authority's actions, including where the authority accepted fault before we investigated.

Compliance with recommendations - We recommend ways for authorities to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

Satisfactory remedy provided by the authority - In these cases, the authority upheld the complaint and we agreed with how it offered to put things right. We encourage the early resolution of complaints and credit authorities that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your authority with similar types of authorities to work out an average level of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data will be uploaded to our interactive map, [Your council's performance](#), along with a copy of this letter on 28 July 2021. This useful tool places all our data and information about councils in one place. You can find the decisions we have made about your Council, public reports we have issued, and the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

I would encourage you to share the resource with colleagues and elected members; the information can provide valuable insights into service areas, early warning signs of problems and is a key source of information for governance, audit, risk and scrutiny functions.

As you would expect, data has been impacted by the pause to casework in the first quarter of the year. This should be considered when making comparisons with previous year's data.

It is pleasing that we recorded our satisfaction with your Council's compliance in three cases where we recommended a remedy. However, it is disappointing that in two of these cases, remedies were not completed within the agreed timescales, despite, in one case, giving additional time because of the impact of Covid-19. While I acknowledge the pressures councils are under, such delays add to the injustice already suffered by complainants. Additionally, the actions you agree to take, and your performance in implementing them, are reported publicly on our website, so are likely to generate increased public and media scrutiny in future.

I reported my concerns about delays in the remedy process last year and it is concerning that the issues persist. I invite the Council to consider how it might make improvements to reduce delays in the remedy process, including informing us promptly when it completes a remedy.

Supporting complaint and service improvement

I am increasingly concerned about the evidence I see of the erosion of effective complaint functions in local authorities. While no doubt the result of considerable and prolonged budget and demand pressures, the Covid-19 pandemic appears to have amplified the problems and my concerns. With much greater frequency, we find poor local complaint handling practices when investigating substantive service issues and see evidence of reductions in the overall capacity, status and visibility of local redress systems.

With this context in mind, we are developing a new programme of work that will utilise complaints to drive improvements in both local complaint systems and services. We want to use the rich evidence of our casework to better identify authorities that need support to improve their complaint handling and target specific support to them. We are at the start of this ambitious work and there will be opportunities for local authorities to shape it over the coming months and years.

An already established tool we have for supporting improvements in local complaint handling is our successful training programme. During the year, we successfully adapted our

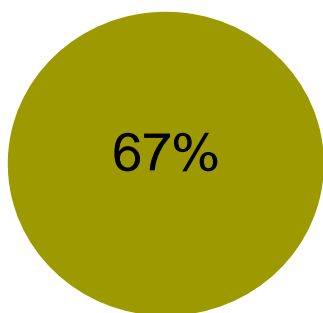
face-to-face courses for online delivery. We provided 79 online workshops during the year, reaching more than 1,100 people. To find out more visit www.lgo.org.uk/training.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'M King', with a stylized flourish at the end.

Michael King
Local Government and Social Care Ombudsman
Chair, Commission for Local Administration in England

Complaints upheld



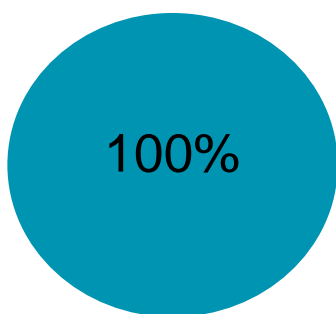
67% of complaints we investigated were upheld.

This compares to an average of **63%** in similar authorities.

4
upheld decisions

Statistics are based on a total of 6 detailed investigations for the period between 1 April 2020 to 31 March 2021

Compliance with Ombudsman recommendations



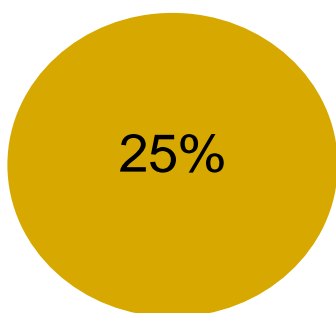
In **100%** of cases we were satisfied the authority had successfully implemented our recommendations.

This compares to an average of **99%** in similar authorities.

Statistics are based on a total of 3 compliance outcomes for the period between 1 April 2020 to 31 March 2021

- Failure to comply with our recommendations is rare. An authority with a compliance rate below 100% should scrutinise those complaints where it failed to comply and identify any learning.

Satisfactory remedy provided by the authority



In **25%** of upheld cases we found the authority had provided a satisfactory remedy before the complaint reached the Ombudsman.

This compares to an average of **10%** in similar authorities.

1
satisfactory remedy decision

Statistics are based on a total of 6 detailed investigations for the period between 1 April 2020 to 31 March 2021

NOTE: To allow authorities to respond to the Covid-19 pandemic, we did not accept new complaints and stopped investigating existing cases between March and June 2020. This reduced the number of complaints we received and decided in the 20-21 year. Please consider this when comparing data from previous years.

CABINET
7 SEPTEMBER 2021

SCHEDULE OF TRANSACTIONS

Responsible Cabinet Member - Councillor Scott Durham
Resources Portfolio

Responsible Director - Ian Williams
Chief Executive

SUMMARY REPORT

Purpose of the Report

1. To consider and to seek approval of the terms negotiated in respect of the Schedule of Transactions as set out below.

TRANSACTION	PURPOSE OF TRANSACTION	MINUTE REF
Lease: Premises – MIND Charity shop, 2b Duke Street, Darlington	Lease Renewal (delayed due to Covid and temporary closure)	n/a
Licence: Hird Street	Renewal of parking licence	n/a
Licence: Cockerton Shopping precinct	Pavement Licence on unadopted pavement	n/a
Acquisition: Leasehold occupational tenancy former ATS depot Adelaide Street	Acquisition in advance for the Darlington Station Improvement Scheme and the Darlington Station Gateway Compulsory Purchase Order	C103(2)(e)/Feb2020
Acquisition: Land at West Auckland Road - 1.99 acres and 9.88 acres	Surrender of Agricultural Tenancies in preparation for first phase of residential development on Council land as part of Burtree Garden Village	C125(d)/Mar2020

Summary

2. It is necessary for Cabinet to approve terms negotiated by officers within the Chief Executive and Economic Growth Group on behalf of the Council to enable contractually binding contracts to be completed. The Part III **Appendix 1** details the terms negotiated for consideration and approval.

Recommendation

3. It is recommended that the schedule (Appendix 1) be approved and the transactions completed on the terms and conditions detailed therein.

Reasons

4. Terms negotiated require approval by Cabinet before binding itself contractually to a transaction.

Ian Williams
Chief Executive

Background Papers

No background papers were used in the preparation of this report.

Guy Metcalfe : Extension 2735

S17 Crime and Disorder	This report has no implications for Crime & Disorder
Health and Wellbeing	There are no issues relating to Health & Wellbeing which this report needs to address
Carbon Impact and Climate Change	There are no impacts
Diversity	There are no issues relating to Diversity which this report needs to address
Wards Affected	The impact of the report on any individual Ward is considered to be minimal
Groups Affected	The impact of the report on any Group is considered to be minimal
Budget and Policy Framework	This report does not represent a change to the budget and policy framework
Key Decision	This is not a key decision
Urgent Decision	This is not an urgent decision
Council Plan	Growing the local Economy, encouraging new investment in the Borough and maximising employment opportunities
Efficiency	The terms set out in the Schedule of Transactions appended to this report are considered to be in the Council's best interest and ensure the Council's business is conducted efficiently
Impact on Looked After Children and Care Leavers	There are no issues in relation to Looked After Children and Care Leavers

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

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