

PLACE SCRUTINY COMMITTEE

28 June 2018

PRESENT – Councillor Carson (in the Chair), Councillors Cossins, Donoghue, Lyonette, Marshall, MR Nicholson, Tostevin and Wright. (8)

APOLOGIES – Councillors L Hughes and KE Kelly. (2)

ALSO IN ATTENDANCE – Councillor J Kelley. (1)

ABSENT –

OFFICERS IN ATTENDANCE – Ian Thompson, Assistant Director, Community Services; Barbara Copson, Performance Manager; Brian Graham, Head of Environmental Services; Dave Coates, Head of Planning Development Management and Environmental Health; David Hand, Place Policy Manager; Stephen Wiper, Creative Darlington Manager; Dawn Taylor, Trading Standards and Animal Health Manager and Lead Officer; and Karen Graves, Democratic Officer.

P3. DECLARATIONS OF INTEREST – There were no declarations of interests reported at the meeting.

P4. TIMES OF FUTURE MEETINGS – RESOLVED – That meetings of this Committee be held at 9.30am on those dates as agreed on the calendar of meetings by Cabinet at Minute C111/Feb/18.

P5. FLY TIPPING AND WASTE IN THE BOROUGH'S BACK LANES – The Director of Economic Growth and Neighbourhood Services submitted a report (previously circulated) providing an updated position on the level of fly-tipping across the Borough, actions taken, comparisons with Tees Valley and the Council's future strategies.

It was stated that fly-tipping was a national problem and all Council's had to report fly-tipping data through FlyCapture, a National database.

Particular reference was made to the significantly reduced resources within Street Scene from both staff collecting and clearing fly-tips to enforcement staff who investigate and prosecute when evidence exists. This reduction had resulted in back lanes receiving a fortnightly cleanse as opposed to weekly and a reduced response to fly tipping removal.

Details were provided of performance over the last three years and Members noted that the number of fly-tips recorded through FlyCapture was more in 2017/18 than in previous years.

Members considered a breakdown of performance over the last three years which clearly showed that the majority of fly tips were deposited in back alleys and lanes across the Borough. This was followed by Council land and highways, footpaths and

bridleways. The majority of waste was identified as coming from households and included black bags and furniture including mattresses and three piece suites.

Members were made aware that the size of fly tips varied from a single black bag to a tipper truck load with large fly tips significantly rising from 93 in 2016/17 to 210 during 2018/19. Large fly tips were generally household waste from a house clear which has been undertaken by a private company who then dump the waste illegally across the Borough.

Members were informed of the enforcement action undertaken since 2015/16 following a reduction in resources however it was noted that the focus for the staff had been abandoned vehicles, fly tips and waste in back lanes, resulting in an increase in prosecutions of over 150 per cent during 2017/18.

Details were provided of the number of fly tips within the Tees Valley with Redcar and Cleveland having the largest number and Stockton the least, however, Middlesbrough had the least number of back lane fly tips. In relation to prosecutions Darlington had prosecuted considerably more than the other four authorities although Hartlepool and Redcar and Cleveland had issued more Fixed Penalty Notices.

Particular reference was made to the additional resources of £300,000 allocated to Street Scene as part of the MTFP 2018/19 which would be divided between street cleaning and grounds maintenance. Additional Street cleaning resources would provide mechanical sweeping, back lane cleansing, litter picking, litter bin emptying and responsive work as well as additional street cleaning staff. As a result, back lanes particularly in the problem areas are to be cleansed a minimum of once a week.

Scrutiny Committee was also advised that a new Community Safety Unit was to be established to operate between the hours of 8am to 9/10pm. The Unit is to include a new function of Civic Enforcement covering nuisance parking, civil parking enforcement, environmental crime, focussing on fly tipping, waste out in back lanes, abandoned vehicles and addressing incidents of anti-social behaviour. The Unit will provide additional resources to undertake enforcement in relation to environmental crime with up to four Officers always available to prioritise workload and geographical area.

Discussion and challenge ensued on the feasibility of licensing traders who advertise house clearance and rubbish disposal services, however, Members were advised that these traders should hold a Waste Carriers Licence which is enforced by the Environment Agency. All traders can be checked on the Environment Agency website to ensure they have a valid licence prior to members of the public engaging their services. Work is also ongoing with the Police who regularly stop suspicious vehicles.

When asked whether waste was tracked Members were advised that Waste Transfer Orders are used to record a transfer of waste from one party to another. Details include date, time and place of transfer, the parties involved, the license or permit number of the person receiving the waste and a description of the waste being transferred. The Orders are signed by the person requesting disposal of the waste and double-signed by the waster operators. It was also reiterated that it is the responsibility of the public to check that an Order is held by the company being hired to dispose of any waste.

Following a question in relation to the number of fly tips for 2017/18 Scrutiny was informed that there had been increased reports due to fortnightly collections as waste was often left for longer periods and that the charges introduced at Drinkfield during 2012 did not result in a significant rise in fly tips.

Members were also advised that the Council receives all monies from Fixed Penalty Notices whereas the Courts receive the income from Prosecutions. Darlington's approach had always been to prosecute as perpetrators then receive a criminal record and any person who fails to turn up for an interview also breaches Section 110 of the Environment Act.

Concerns were expressed that there were hot spot areas which were recognised by rogue traders as places where they could regularly fly tip without facing prosecution however Officers advised that where evidence existed offenders were prosecuted, the additional resources would ensure faster clearing of fly tips and a Data Analyst would be in the newly-established Community Team to determine where problems were persistent and should be able to provide a Ward by Ward breakdown of fly tips. It was also confirmed that persistent offenders' previous activities are also taken into consideration by the Courts.

RESOLVED – (a) That the submitted report be noted.

(b) That the future opportunities through the additional resources in Street Scene and Community Safety be noted.

(c) That Place Scrutiny Committee continues to support a zero tolerance approach to fly tipping in the Borough.

P6. PERFORMANCE INDICATORS QUARTER 4 2017/18 AND PROPOSED PLACE SCRUTINY COMMITTEE INDICATORS FOR 2018/19 – The Performance Manager submitted a report (previously circulated) providing Members with outturn performance data against key performance indicators for 2017/18; requesting consideration be given to the proposed basket of performance indicators for 2018/19; and to note the proposed schedule of performance reporting for 2018/19.

The submitted report provided performance information in line with an indicator set and Scrutiny Committee distribution agreed by Monitoring and Coordination Group on 12 June 2017, and subsequently by Scrutiny Committee Chairs. The indicators were aligned with key priorities and the majority used to monitor the Corporate Plan 2017/21.

Members were advised that of the 31 indicators reported to Place Scrutiny Committee 15 (fifteen) were reported annually, a further 15 (fifteen) reported quarterly, and 1 (one) reported 6 monthly at Quarters 2 and 4. It was also stated that annual information was available at Quarter 4 (outturn) and therefore information for all indicators monitored by the Place Scrutiny Committee was included within the submitted report with the exception of ENV 009 per cent of household waste that is collected that is either reused, recycled or composted. ENV 009 data is reported quarterly in arrears therefore Q3 performance data was included in the submitted report.

Particular reference was made to the 30 indicators for which outturn data was available and of those 18 had year-end targets with nine achieving or exceeding target and nine not achieving year end targets. Of the twelve indicators with no year-end targets seven had exceeded out-turn performance and five showed performance worse than out-turn performance last year.

It was also that reported that Assistant Directors had reviewed the indicator set in order to ensure continued relevance to Scrutiny Committee's work programme for 2018/19 and some additional indicators had been suggested for inclusion for 2018/19 where they had been subject to discussion during 2017/18 or related to current areas of interest of this Scrutiny Committees. Additional indicators for this Committee for 2018/19 included CUL 037 Number of shows at the Hippodrome; CUL 078 Number of attendances at the Hippodrome; CUL 067 Number of ICT sessions at the library; CUL 078 Number of shows at the Hullabaloo; CUL 079 Number of attendances at the Hullabaloo; ENV 006 Total number of fly tips reported; ENV 023 Number of prosecutions for fly-tipping; and TCP 101 Bus punctuality – percentage of buses arriving on time.

Details were provided of the proposed quarterly performance reporting schedule of Q1 - October 2018; Q2 - December 2018; Q3 - March 2019; and Q4 - June/July 2019.

Discussion ensued on the calculation of CUL 065 Number of visits to the Library which continues to decline; the offer provided by the Hippodrome and work the Creative Darlington Manager was undertaking with the Arts Council to provide community based programmes; planning permission implementation periods of one year to 18 months to ensure developers do not land bank; alternative methods to record ENV 001 Number of Ward members who are leading or are involved in a litter or grounds maintenance based project; calculation of ENV 005 Local Environmental Quality Survey percentage of 75 transects inspected that pass the Litter Code of Practice; ENV 009 end of year figures being available in July; publication of the Strategic Transport Plan in Autumn 2018 following consultation which should address TCP 900 Overall public satisfaction with Public Transport Theme (National Highways and Transport Survey); and TCP 200 Percentage of principal roads where maintenance should be considered to include a target for pot hole repairs.

RESOLVED – (a) That the submitted report be noted.

(b) That, with the inclusion of an indicator relating to pot holes, the proposed basket of performance indicators for 2018/19 be agreed.

(c) That the scheduled for performance reporting for 2018/19 be noted.

(d) That a representative from the Tees Valley Combined Authority be invited to attend a future meeting of this Scrutiny Committee to give consideration to the Tees Valley Combined Authority Strategic Transport Plan.

P7. MINUTES – Submitted – The Minutes (previously circulated) of the meetings of this Scrutiny Committee held on 5 April and 31 May 2018.

RESOLVED – That the Minutes be agreed as correct records.

P8. MATTERS ARISING – In relation to Minute P2/May/18, Members were advised that a report on the current status of the broadband infrastructure would be presented to the next ordinary meeting of Scrutiny Committee.

P9. WORK PROGRAMME 2018/19 – The Assistant Director Law and Governance submitted a report (previously circulated) requesting that consideration be given to this Scrutiny Committee's work programme for the remainder of the Municipal Year 2018/19.

The work programme has been reviewed to link it to the outcomes and conditions in the Sustainable Community Strategy and each topic has been linked to performance indicators from the Performance Management Framework to provide accurate data for Members to use when considering topics and the work they wish to undertake.

The Lead Officer provided Members with an updated position in relation to individual items within the schedule.

Discussion ensued on the need for a Special meeting of Place Scrutiny Committee to give further consideration to the Darlington Borough Local Plan 2016 to 2036; the need for an update report on the pay and display charges for disabled badge holders; and the requirement of a further report on the Red Hall Neighbourhood Renewal Strategy to include a draft plan of the new Neighbourhood Centre.

RESOLVED – (a) That the current status of the Work Programme be noted.

(b) That the Work Programme be updated to reflect the decisions of this Scrutiny Committee.

P10. CREATIVE DARLINGTON CAPACITY – With the prior approval of the Chair to the matter being treated as urgent the Managing Director submitted a report (previously circulated) advising Scrutiny of the current Creative Darlington Board Resources including current spend and future opportunities.

The submitted report comprised the developing work of Creative Darlington to date, identified current Creative Darlington Board Resourcing and anticipated future opportunities. It was stated that Creative Darlington was established following an Arts Enquiry process beginning 2010/11 which explored new ways to maintain a vibrant cultural offer in Darlington. The Council committed a Culture and Heritage budget of £100,000 to support strategic development of arts in 2012/13 and Darlington Partnership committed £60,000 to support the transition of arts activity in Darlington.

The Creative Darlington Board which comprises Darlington Borough Council Officers and Members, and other parties from the private, public and voluntary sectors was established in 2011/12 and the Creative Darlington Manager appointed in July 2012. Creative Darlington has reviewed its strategic priorities and a draft Culture Strategy and action plan has been prepared and will be presented to Cabinet with a request to agree and promote the strategy in 2018/19. The Council has also committed a Culture and

Heritage budget of £101,396 to arts development in 2018/19 which supports Creative Darlington work, including salary and on costs for the Creative Darlington Manager and programme delivery.

Particular references were made to emerging opportunities which included extending the development of Darlington's reputation as a theatre town, creatively exploring Darlington's railway heritage leading up to 2025 and opportunities for Darlington to contribute to the Tees Valley UK City of Culture 2025 programme.

The initial priorities of Creative Darlington were to support the transition of arts activity; develop finance for arts activity in Darlington; maximise the sustainable operation of arts assets in Darlington; and audience development.

Details were provided of arts activity support which included management of a budget for the Bridge Centre for Visual Arts building which is now managed by an independent charity; management of the OpenArt Studio programme, an arts and well-being programme focused on adults which concluded in 2015/16; management of the exhibitions programme at Crown Street Library which held its first of 51 exhibitions on 17 May 2012 attracting 126,411 visits, at an average of 2,479 visits per exhibition; management of the Borough Art Collection; and management of a new exhibition programme at Darlington Town Hall where a total of 22 individuals and groups have delivered exhibitions from 14 July 2014 to 19 May 2018.

The Developing Finance for Arts Activity in Darlington scheme was introduced between 2013 and 2016 whereby individuals and groups could apply for support. Successful proposals were awarded support conditional to them securing additional finance from other sources and approximately £3 of additional finance for arts activity in Darlington was secured for every £1 of Council strategic arts development budget allocated.

To support the development of strategically important arts assets a number of Maximising Arts Assets awards were made to particular organisations or services, to support time limited development activity rather than programme. Recipients of Maximising Arts Assets awards included Darlington for Culture (for website and membership offer), Darlington Hippodrome (to inform heritage programme development), Humantics CIC (structure and fundraising), ODDMANOUT (structure and brand/website development) and Theatre Hullabaloo (supporting the development of their successful capital programme proposal to Arts Council England).

Creative Darlington also supported a proportion of the research and development and promotion costs for the introduction of a website by The Northern Echo through which individuals, enterprises, groups and organisations could promote eligible cultural activity in Darlington for free. Programmes which secured profile for Darlington's cultural offer at local, regional or national levels were also supported and included Festival of Thrift; The Jabberwocky Market; Darlington Arts Festival; IncludFEST Darlington in 2015 and IncludFEST Tees Valley in 2016 and 2017; and Blue Cabin Director Jenny Young to deliver the Head, Heart, Hands Darlington project from April 2016-April 2017 which aimed to create an arts and cultural strategy for looked after children and the adults in their lives.

Creative Darlington commissioned a review of its structure and allocation of resources in 2015/16 which resulted in a greater focus of resources on strategic priorities and less

focus on direct delivery. Creative Darlington extended its remit to the arts, culture and creative work around heritage, and recruited additional board members to reflect this.

Following withdrawal of the Developing Finance for Arts Activity open application scheme, Darlington for Culture's small arts grants programme was launched in 2017. Although the final decision is made by Darlington for Culture the Creative Darlington Manager assesses, and makes recommendations on, proposals seeking support.

Although The Bridge is operated by an independent Charity, Creative Darlington has responsibility for the Council's Borough Art Collection; managing the exhibitions programme at Crown Street Library and the Town Hall Exhibition space; managing delivery of programmes in receipt of external funding including the Heritage on Track programme; and assessing applications to Darlington for Culture's small arts grant programme.

Details were provided of Creative Darlington's strategic work which included supporting sector development; representing Darlington in various Arts and Culture regional and local meetings; facilitating the Creative Darlington Partnership; and commissioning activity for Festivals and Events in Darlington.

Following a review of priorities the Creative Darlington Board now has Darlington as a theatre town; creative exploration of Darlington's railway heritage; Darlington's contribution to a successful Tees Valley UK City of Culture programme in 2025; and an excellent, inclusive and accessible cultural offer combining public events, festivals and programmes and targeted activity as its strategic priorities up to 2025.

The proposed Culture Strategy priorities were included following consultation and align with priorities within the Experience Darlington Visitor Economy Strategy 2016 - 2026. The draft Culture Strategy is expected to be presented for Cabinet approval in 2018/19.

Funding of £10,000 received from Creative Darlington and a Council Grant of £65,000 from Arts Council for England have supported a variety of theatre activity within the Town leading up to the opening of Darlington Hippodrome and Theatre Hullabaloo. The Council has confirmed a Culture and Heritage budget of £101,396 for 2018/19, £103,033 in 2019/20 and £ 103,712 in 2020/21 to support arts development and progress Creative Darlington work.

Future requirements and opportunities were highlighted in the submitted report and included considerable progress against the Theatre Town priority building on the 'pioneering' work of Theatre Hullabaloo and supporting the developing profile of The Hullabaloo as a national centre of excellence; work around the creative exploration of railway heritage and the approaching bi-centenary of the first modern railway passenger journey which is expected to be a cultural event of national and international significance; leading the Heritage on Track programme, which is one part of the Tees Valley Combined Authority led Greater Tees programme; commissioning original work marking the countdown to the bi-centenary event in 2025 which enhance the public realm and strengthen Darlington's profile as a railway town, particularly around key rail heritage sites and stations within Darlington; and development of the UK City of Culture 2025 alongside other Tees Valley local authorities.

Following a question it was reported that the Darlington Cultural Volunteers formed a partnership between the Hippodrome and Darlington Creative Board and were an excellent asset of 60 volunteers who undertake a broad spectrum of work and support many events such as IncludFest.

Discussion ensued on the Council's involvement with The Majestic Theatre; relocation of the Festival of Thrift; and other Festivals promoting the economy and cultural offer of the Town. It was also stated that the Creative Darlington Manager now had more opportunity to engage with Tees Valley Combined Authority, focussing on a smaller number of priorities for a larger budget and providing core heater events that will be more sustainable.

The Creative Darlington Manager also advised that the Tees Valley Combined Authority recognised the importance of engaging school children and college and university students and in doing so stated that there was dedicated capacity to work with children at the Museum, Library Service and Hullabaloo. Durham Music Service played a key role and the Head of Education and Inclusion now sat on the Creative Darlington Board alongside Culture Bridge North East, an organisation that connected cultural organisations and the education sector so that children and young people can have access to great arts and excellent cultural opportunities.

RESOLVED – (a) That the report be noted.

(b) That this Scrutiny Committee welcomes and supports the activities of Creative Darlington.

(c) That a further report be submitted in twelve months' time detailing the work of Creative Darlington.