

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

10 AUGUST 2006

COUNCIL DECISION

Regeneration and Transport –Lead Cabinet Member- Councillor Cook

STOCKTON-MIDDLESBROUGH INITIATIVE (SMI) - GOVERNANCE

1. Summary

This report details the proposed decision making arrangements in relation to the Stockton Middlesbrough Initiative (SMI) and builds further on the SMI Governance structure approved by Cabinet on the 16th June 2005.

2. Recommendations

1. It is recommended to Council that:-

- the Corporate Director of Development and Neighbourhood Services be given delegated powers to approve and implement recommendations from the SMI Member Board in relation to the following matters:-
- projects not included in the Strategic Plan, but which have an impact on or are related to projects outlined in the Strategic Plan.
- the award of contracts in connection with projects in the approved Strategic Plan, in accordance with the Council's financial regulations and Contract Procedure Rules
- the disposal of the Council's land and property up to the value of £250,000 where it relates to the delivery of projects as outlined in the Strategic Plan
- the purchase of land and property up to the value of £250,000 where it relates to the delivery of projects as outlined in the Strategic Plan
- to appoint members of staff and approve secondments in line with project proposals and staffing requirements as outlined in the Strategic Plan
- to take all necessary action incidental to the above for the purposes of implementing the Strategic Plan

2. Appropriate amendments are made to the Council's Constitution in relation to the Stockton-Middlesbrough Initiative partnership in order to reflect recommendation 1 above

3. Reasons for the Recommendations/Decision(s)

As the SMI crosses the boundaries of two authorities, it is necessary to put in place a governance framework that will streamline the decision making process for projects and initiatives that fall under the umbrella of the SMI Strategic Plan whilst providing satisfactory openness and accountability. At present any decisions on joint projects to be implemented through SMI need to be approved by both Stockton-on-Tees Borough Council Cabinet and Middlesbrough Council Executive prior to implementation. The proposed powers to be delegated to the Corporate Director of Development and Neighbourhood Services to approve and implement recommendations from the SMI Member Board would allow for a more efficient decision making process and subsequent implementation of projects and initiatives. The minutes from the SMI Executive Group meeting and SMI Member Board will be submitted to full Council to ensure that all members are kept fully up to date with recommendations made and project progress.

4. Members Interests

Members (including co-opted members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (paragraph 8) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (paragraph 10 of the code of conduct).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting is being held, whilst the matter is being considered; not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (paragraph 12 of the Code).

Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc.; whether or not they are a member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting, and if their interest is prejudicial, they must also leave the meeting room during consideration of the relevant item.

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SUMMARY

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RECOMMENDATIONS

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2. Appropriate amendments are made to the Council's Constitution in relation to the Stockton-Middlesbrough Initiative partnership in order to reflect Recommendation 1 above.

DETAIL

1. The SMI is a strategic initiative focussed on the boroughs of Stockton and Middlesbrough, but with implications for the Tees Valley as a whole. The governance arrangements need to be rigorous enough to reflect this strategic role and flexible enough to ensure that business can be done efficiently and effectively. The four-tier governance structure (attached at **Appendix A**), approved by Cabinet on the 16th June 2005 is in place with the management and executive group meetings taking place on a

regular basis, ensuring the correct level of representation at all levels of the governance process.

2. The SMI Strategic Plan is currently going through a process of consultation with external partners. Once a final draft is produced, the Strategic Plan will be submitted to Cabinet for approval. Any subsequent amendments or additions to the SMI Strategic Plan will also be submitted to Cabinet for approval.
3. At present any decisions on joint projects to be implemented through SMI as part of the agreed Strategic Plan need to be approved by both Stockton-on-Tees Borough Council Cabinet and Middlesbrough Council Executive prior to implementation.
4. In order to streamline the decision making process for projects and initiatives that fall under the umbrella of the SMI Strategy Plan, it is proposed to apply the officer delegation schemes at each of the two authorities to the SMI.
5. The proposed powers to be delegated to the Corporate Director of Development and Neighbourhood Services are already available to the Corporate Director for other purposes, but when applied specifically to the SMI they will allow for a more efficient decision making process and subsequent implementation of projects and initiatives. Any projects which involve costs that exceed the set limits as indicated at Recommendation 1 will be referred to Cabinet for approval.
6. In terms of timing, Members approved the appointment of representatives onto the SMI Member Board at Cabinet on 1st December 2005 and SMI is now in a position to hold the first meeting of the SMI Member Board and as such there is a need to establish the level of decision making powers delegated to the Corporate Director of Development and Neighbourhood Services in order to approve and implement decisions made by the SMI Member Board.
7. The minutes from the SMI Executive Group meeting and SMI Member Board will be submitted to full Council to ensure that all members are kept fully up to date with decisions made and project progress. Individual decisions taken by the Corporate Director of Development & Neighbourhood Services will also be the subject of Officer decision records, which will be made available to Members in the usual way

FINANCIAL AND LEGAL IMPLICATIONS

Financial

8. There are no direct financial implications that can be identified from the recommendations at this time. However as the recommendations will provide powers to implement recommendations from the SMI Member Board to spend monies or dispose of assets up to an amount of £250,000, there are certain to be financial implications in the future that cannot be identified at this time. Budgets for projects outlined in the SMI Strategic Plan will be established and incorporated into the Councils financial plans.

Legal

9. The exercise of the delegations referred to in the report will utilise existing powers in local government legislation for instance LGA 1972 (sale and purchase of land). Without such delegations it would be necessary to obtain approval from Cabinet and/or Council in order to implement recommendations from the SMI Member Board.

RISK ASSESSMENT

10. The risks associated with the recommendations are relatively low as all decisions will be taken based on Member recommendations and will be subject to officer decision records. Therefore the risk score is 8.

COMMUNITY STRATEGY IMPLICATIONS

11. The recommendations do not have a direct impact on any of the six key policy platforms. However the powers delegated to the Corporate Director of Development & Neighbourhood Services will be used to deliver projects and interventions under the SMI that will have a positive contribution to all six key policy platform areas in the community strategy.

CONSULTATION

12. No specific consultation with Ward Councillors. Ongoing consultation with Middlesbrough Council and to partners via the attached Governance process.

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Email Address: iain.robinson@stockton.gov.uk

Background Papers

Minutes of Cabinet 16th June 2005, 1st December 2005

Ward(s) and Ward Councillors:

Not Ward specific. Cabinet Report is accessible to all Members of Council

Property

At this stage, any implications for the Council's property, assets and Capital Programme are dealt with in the main body of the report.

GOVERNANCE ARRANGEMENTS FOR THE STOCKTON-MIDDLESBROUGH INITIATIVE

Member Board

Cllrs Bob Gibson, Robert Cook, Ken Lupton (SBC)
 Cllrs Ray Mallon, David Budd, Charles Rooney (MBC)
 Cllr Vera Moody (RCBC)
 Graham Roberts (TVR)

To meet quarterly alternating venues between Stockton and Middlesbrough.
 Minutes of Member Board meeting to go to Council.

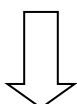


SMI Executive Group

Jan Richmond (MBC), George Garlick (SBC)
 Tim White (MBC), Neil Schneider (SBC)

Ed Rowley (ONE)	Jonathan Blackie (GONE)
Steve Gawthorpe (EP)	Jim Johnson (TVL)
Joe Docherty (TVR)	Peter Ellis (RCBC)
Richard Curtis (BWA)	Julia Frater (ATP)

Executive Group to meet quarterly before the Members Board alternating venues between Stockton and Middlesbrough. Secretariat to be provided from the SMI team.



SMI Management Group

Tim White, Kevin Parkes (MBC)
 Neil Schneider, Ian Thompson (SBC)

Philip Barnes (Interim Project Director)
 Iain Robinson (SBC), David Allred (MBC)

Management Group to meet monthly alternating venues between Stockton and Middlesbrough. Other people asked to attend as and when necessary.