

## **Cabinet**

A meeting of Cabinet was held on Thursday, 30th November, 2006.

**Present:** Cllr R Gibson (Chairman), Cllr Mrs P A Cains, Cllr D Coleman, Cllr B Cook, Cllr A Cunningham, , Cllr E Johnson, Cllr P Kirton, Cllr K Leonard and Cllr S Nelson.

**Officers:** G. Garlick (CE); D.E. Bond, M. Henderson, S. Whaley (LD); A. Baxter (CESC), J. Danks, D. Hurwood (R); J. Haworth (ACE), B. Campbell (PPC), I. Thompson, J. McCann, D. Kitching, M. Chicken, I. Robinson (DNS).

**Also in attendance:** Cllr Mrs J. Beaumont, Cllr M. Frankland, Cllr Mrs Rigg, Cllr Lupton.

**Apologies:** Cllr Mrs. O'Donnell.

### **791 Declarations of Interest**

Councillor Cunningham declared a personal interest in the item entitled 'Stillington Community Energy Scheme Business Case' as he was employed as an energy consultant.

Councillors Leonard and Nelson declared personal/ non prejudicial interests in the item entitled 'Access to Services - Turning Vision into Reality' as they were both Members of Tristar Homes Management Board, which was referred to in the report considered by Members.

Councillor Mrs A. Cains declared a personal/ prejudicial interest in respect of the item entitled 'Stockton Sixth Form College - New Changing Facilities and Sports Pitch Drainage Works' as she was a Member of the College's Search Committee. Councillor Mrs Cains left the meeting room for the duration of discussions and voting on this matter.

Councillors Gibson, Coleman, Mrs Cains, Cook, Cunningham, Johnson, Kirton, Leonard, Nelson, Mrs Beaumont, Frankland, Mrs Rigg and Lupton declared personal, non prejudicial interests in the item entitled Members' Allowances Scheme as they were all entitled to claim under the Scheme.

### **792 Minutes**

The minutes of the meeting held on 2nd November 2006 were signed as a correct record.

### **793 Local Authority Representatives on School Governing Bodies**

Cabinet Members were requested to consider the nominations to school Governing Bodies in accordance with the procedure for the appointment of school governors, approved as Minute 84 of the Cabinet (11th May 2000).

RESOLVED that the appointments to the following School Governing Bodies be approved in line with agreed procedures subject to successful List 99 check and Personal Disclosure:-

Ingleby Mill Primary School – Mrs E. Harrington  
King Edwin School – Mr J. Docherty  
Myton Park Primary School – Cllr. D. Harrington

**794 Regulatory Services Enforcement Policy**

Members considered a report relating to the Regulatory Services Enforcement Policy.

Cabinet was reminded that the Council had formally adopted an Enforcement Concordat in August 2001. Prior to the introduction of 'The Enforcement Concordat' by the Better Regulation Unit of the Cabinet Office in 1998 the regulatory services of the Council had been responsible for devising and implementing their own enforcement policies without the benefit of any central guidance. Regulatory services could be defined as those services that may from time to time institute criminal proceedings against individuals as a consequence of fulfilling the authorities statutory functions. These included Trading Standards and Licensing, Environmental Health, Building Control, Waste Management, Car Parking functions etc. In April 2003 Cabinet approved a combined Regulatory services Enforcement Policy for the authority

The Authority was required, as part of the Concordat, to publish its enforcement policy for its regulatory services, to monitor compliance with the policy and to keep it under review. The opportunity had been taken to review the policy in the light of both changing legislation/duties and current practice. Consultation had taken place on the proposed revised policy by means of a public notice in a local newspaper, the Trading Standards & Licensing website and through 'newsletters' to relevant trade sectors. No comments had been received on the proposed revised document.

Best Value Performance Indicator 166 required both Trading Standards and Licensing and Environmental Health Units to have a written and published enforcement policy, formally endorsed by Members that complied with the requirements of the Enforcement Concordat and took into account "The Code for Crown Prosecutors". The elements of BV166 that related to the enforcement policy carried a total of 10% of the available 'score' for the indicator.

The proposed revised Regulatory Services Enforcement Policy was provided for Members and, subject to approval, it was intended that the policy would be adhered to by all of the Authority's regulatory services. Changes from the previous policy were highlighted.

RESOLVED that the proposed revised policy be approved.

**795 The Licensing Act 2003 and the Gambling Act 2005 - Progress on the Transfer of Functions to the Local Authority**

Cabinet considered a report that updated Members on the work undertaken following the implementation of the Licensing Act 2003, and provided details of the progress toward implementation of the Gambling Act 2005.

Members were reminded that The Licensing Act 2003 was fully implemented on 24 November and this authority had issued 532 licenses to premises and had issued 702 personal licenses. As requested by Cabinet all new and variation

license applications were consulted on by means of a letter to residences within a 100m radius of the premises, in addition to the consultation mechanisms required by statute. This had resulted in over 390 consultations being undertaken, on average a ten page letter being sent to around 100 premises per consultation (over 39,000 letters). These consultations resulted in 311 hearing reports being prepared and a busy workload for the Licensing Sub Committees. Neighbouring authorities did not undertake such additional consultation and they had only a handful of hearings each.

The number of premise licenses issued and variations/transfers etc requested had exceeded initial estimates whilst the number of personal licenses issued and changes requested had been lower than estimated. The net effect had been that the levels of income had been greater than initially estimated (£95,000 per annum as against an estimate of £32,500) whilst expenditure on staffing and consultation has been greater than expected (£45,000). Additional staffing costs within Trading Standards & Licensing Administration had been managed using Managed Surpluses and reductions in staffing levels were being undertaken to ensure that the service could be maintained within current budget allocation and the additional income received.

With regard to the Gambling Act it was explained that the Licensing Committee had recommended approval of a revised draft Statement of Licensing Principles. A copy of that document was provided for Cabinet's consideration.

An appendix to the Statement of Principles contained proposed revisions to the Scheme of Delegation that would be required by the authority in implementing the Gambling Act 2005.

Cabinet noted that the key stages for implementation remained as outlined in the report to Cabinet in March 2006 other than the time table for receipt of applications had been set back to 30 April 2007 to allow authorities a little more time for preparation. A timetable/action plan showing how the Council was preparing for implementation was provided to Members.

Members considered the financial implications of implementing the Gambling Act. The Government had stated that money had been made available through the Revenue Support Grant (RSG) distributed by ODPM for the start-up costs associated with gambling premises licensing. This money was available in 04/05 and 05/06. The Government envisaged that the following should be considered as start-up costs:

- training for existing licensing officers, councillors and administrative staff;
- staff/recruitment costs (where additional staff are required to fulfil gambling premises licensing responsibilities);
- additional software/hardware requirements;
- transfer of records from licensing justices to licensing authorities; and
- production of the licensing authority's three year licensing policy statement, and consultation on it.

In accordance with the Medium Term Financial Plan this resource was not passported – it was considered that staffing levels would be able to cope with

the additional work anticipated by the Gambling Act 2005 as the initial high levels of work required by the Licensing Act began to tail off. This assumption would need to be kept under review as the Gambling Act 2005 was implemented and, if initial assumptions were not accurate, a further report to Cabinet would be submitted in late 2007.

The ongoing costs of the new responsibilities under the Act would be met through initial application and annual fees (for premises licences) and fees for permits and other permissions.

Premises licence fees in England and Wales would be set via a series of bands, with a prescribed maximum in each band. Licensing authorities would be able to select precise fees from within the bands, limited to cost recovery. This was intended to allow authorities to fully recover the costs of their new responsibilities whilst providing consistency of approach across England and Wales and providing the gambling industry with a degree of certainty over the fees that would be charged.

In addition, certain high performing authorities would be free to set their own fees, again limited to cost recovery. This would give those selected authorities the freedom to consider other types of fee structure, such as higher fees for an expedited service. It was currently envisaged that this freedom would apply to those authorities rated excellent under the Audit Commission's Comprehensive Performance Assessment.

The Secretary of State would set the fees for permits and other services.

The draft regulations covering fees were not likely to be published until mid April and therefore officers had not been able to determine the resource implications for the authority. Consultation on premise applications by the local authority would not be covered by the license fee (as per the Licensing Act 2003). If the authority wished to continue this form of consultation, further resources would be required.

The implementation of the Council's new responsibilities under the Gambling Act 2005 involved making complex decisions, balancing the interests of applicants for licences with the interests of their customers and those of the community at large.

RESOLVED that

1. the report and the implications in it be noted.
2. an all Members' Seminar(s) be arranged when the Gambling Act Regulations are implemented.

RECOMMENDED to Council that the Gambling Act 2005 Statement of Principles be approved together with the necessary changes to the Council's Scheme of Delegation.

## **796 Stillington Community Energy Scheme Business Case**

Members noted that in January 2005 Stillington Parish Council had invited

Stockton Council to its meeting to discuss issues around wind turbines, as there had been a site identified within Stillington that was felt to be suitable for a community wind farm and was on land owned by this Council.

Following that meeting it emerged that the North East Iron Refining Company (NEIR) was also considering the feasibility of installing a wind turbine on its land to offset the considerable electricity requirements of its operation.

Subsequent meetings with NEIR, officers of this Council and the Northern Energy Initiative took place to look more closely at the potential of the site for wind farm development. The original idea of placing the wind turbines on the land owned by the Council and originally intended for business unit development were revised and moved to a more suitable position within the Stillington Forest Park.

Late in 2005 contact was made with a consultancy company who were actively involved in the design and installation of wind farm developments on behalf of clients in the energy field. This then led to meetings with Gaz de France, the leading gas supply company in France and the fourth largest natural gas buyer in the world, with net sales in 2005 of €22.4 billion.

Gaz de France indicated that they were keen to expand their renewable energy generation portfolio in the UK over the next few years and were interested in looking at the potential for the Stillington site. Furthermore they were in a position to fund feasibility studies and the other on site investigations needed.

Gaz de France commissioned a feasibility study with consultants Garrard Hassan & Partners that commenced on the Stillington Forest Park at the end of August 2006.

The outcome of the feasibility study was that this site presented an opportunity to site up to two wind turbines. The hub height for a single turbine would be 80 metres and for two turbines it would be slightly smaller at 60 metres.

The study highlighted the need to carry out further investigations into the prevailing background noise levels in areas that would be sensitive to the development. It also recommended that wind speed measurements would need to be collected over a period of several months using an anemometer located on site and at a height equivalent to the proposed turbine hub.

There were other site investigations required in relation to ground conditions and stability, which were particularly important, as part of the park was a former waste site where slag and other waste from the foundries had been deposited. The whole site was subject to a remediation scheme in 1996/97 to enable it to be used for a public open space but there was a lack of detailed information on what lay beneath the capping clay.

In developing this project, extensive discussions had taken place with the Parish Council and local business representatives to ensure that the interests of the community had been considered and taken on board. Further consultation took place through a public meeting on 31st October 2006 and would continue through briefings for the Parish Council, information within the Parish Council newsletter, through residents comments forms, and the provision of a web site

with links from the Stockton Council site.

The Parish Council was anxious to ensure that the community would derive a positive benefit from the proposal. The proposal from Gaz de France was that the Parish Council would receive annual funding to deliver projects that would benefit the community.

Gaz de France indicated that it would fund a “community warden” who would have a multiple role, both in terms of being a presence to protect what was likely to be an investment of around £2.5m as well as supporting the management of the park and linking into wider community activities.

Stockton Borough Council would receive a “lease payment” which reflected the lease value and the value of the renewable electricity being generated. Details of the financial benefits being proposed, which were still subjective and needed validating following further investigations and information on wind data, land liabilities etc were provided to Members in an exempt appendix to the report .

Whilst local businesses were not able to have a direct connection to the electricity generated from this facility it would contribute to the overall availability of renewable energy on the market. Furthermore NEIR and another local business had expressed an interest in having a share in the development, which would help them to meet their climate change obligation through investment in renewable energy technology.

This proposal clearly offered a mechanism through which local businesses that were being affected by the climate change levy could buy into this scheme and reduce their taxation bill. This was particularly important when energy costs for NEIR had risen by 36% in the previous twelve months.

The output from this proposal was likely to be in the order of 7 GWh / annum which will provide the electricity needs for approximately 1,500 households and displace approximately 7,000 tonnes CO2 per annum. This was the first significant development of this sort in the Borough; other wind turbines had only been of the order of 132 KW eg Bishopsgarth School.

There had been a lot of publicity on domestic wind turbines, which could be fixed to the side of a house and could produce a maximum of 1KW electricity in the right wind conditions. This proposal was the equivalent of fitting around 7,000 houses with that type of turbine.

In terms of the wider environment issue there was no doubt that this proposal, the first of its kind in the Borough, could make a significant contribution not only in output but also as a way of leading by example and opening the door to other potential projects.

RESOLVED that

1. the Stillington Community Energy Scheme be approved in principle.
2. the Corporate Director for Development and Neighbourhood Services be authorised to progress negotiations with Gaz de France and enter into an exclusivity agreement.

3. the Corporate Director for Development and Neighbourhood Services in consultation with Cabinet Member for Environment and the Director of Law and Democracy be authorised to enter into the required agreements to give effect to the Scheme, should the Scheme be viable and planning permission be obtained.

## **797 Single Equality Scheme 2007 - 10**

Cabinet considered a report that outlined the Council's Single Equality Scheme and Disability Equality Action Plan.

It was explained that the Equality legislation, that public authorities had a duty to comply with, was large and complex. Public authorities had had a duty to "promote race equality" since 2002. In 2005 the Disability Discrimination Act was extended to place a duty on public authorities to "promote disability equality", and the Equality Act 2006 required councils and other public bodies to "promote gender equality". Each of these three key pieces of legislation required the Council to publish an equality scheme.

Stockton Council first published its Race Equality Scheme in 2002 and revised it in 2005 to meet the requirement to review at least every three years. The deadline for publishing a Disability Equality Scheme was 4th December 2006 and the deadline for a Gender Equality Scheme was April 2007.

Cabinet agreed that it was vital that the Council had a joined up, proportionate and workable approach to meeting its duties in these three areas and one which was flexible enough to accommodate any future requirements to publish schemes on the other equality strands (religion/belief, age, sexual orientation). To achieve this aim a Single Equality Scheme had been under development.

It was considered that the Single Equality Scheme approach placed the Council in a strong position to respond to the new legislation. The Scheme set out how the Council would meet the general and specific duties placed upon it in one document with a suite of linked action plans on each strand. Developing such a scheme was a big undertaking, particularly, as despite the April deadline for producing a Gender Equality Scheme, the Statutory Code of Practice had yet to be published. The Scheme presented to Cabinet was therefore, a "first edition" and focused on the Council's duties to Promote Disability Equality, as this was the most immediate deadline. A "second edition" would be presented to Cabinet for approval ahead of the April deadline on gender equality and would also encompass a review of the Council's Race Equality Scheme.

Cabinet considered the specific duties placed on Councils. The first was a general duty and required the Council to:-

- Promote equality of opportunity between disabled persons and other persons.
- Eliminate discrimination that was unlawful under the Act.
- Eliminate harassment of disabled persons that was related to their disabilities.
- Promote positive attitudes towards disabled persons.
- Encourage participation by disabled persons in public life; and

- Take steps to take account of disabled persons' disabilities, even where that involved treating disabled persons more favourably than other persons.

The second duty that applied to councils was to publish a Disability Equality Scheme which must include a statement of:

- The way in which disabled people had been involved in developing the scheme.
- The authority's methods for impact assessment.
- Steps which the authority would take towards fulfilling its general duty (the action plan)
- The authority's arrangements for gathering information in relation to employment
- The authority's arrangements for putting the information to use, in particular in reviewing the effectiveness of its action plan and in preparing subsequent Disability Equality Schemes

In addition the Council was required to, within three years of the scheme being published, take the steps outlined in the action plan and put into place arrangements for gathering and making use of information. The Council was required to publish a report containing a summary of the steps taken under the action plan, the results of information gathering and the use to which that information had been put.

A copy of the Council's Equality Scheme was provided to Members, which set out the overall framework for Equality in Stockton. The Disability Action Plan was also considered and Members noted some of the key issues:

- The scheme had been developed collaboratively with disabled people. A key action was to introduce a Disability Advisory Group to work with services to implement the action plan, to "mystery shop" any improvements, to test their effectiveness and to consult in future.
- Equality Objectives linking to the Community Strategy and Council Plan had been developed and the action plan had been developed around those so that progress in achieving the objectives could be monitored and publicly reported.
- Impact assessments would need to be carried out on existing policy and practice and on decisions. A proportionate methodology for carrying out assessments would be developed and implemented in April 2007 with a programme to be agreed by the Corporate Management Team.
- An equality and diversity training programme for officers and members would be developed and implemented.
- Although remedial work to improve the accessibility of Council facilities for disabled people had previously been carried out, a second audit would be completed to ensure the Council continued to provide services from accessible facilities. The audit would be carried out in partnership with the Disability Advisory Group.



- Equality related employment policies and codes of practice would be reviewed and their application across the authority monitored.

RESOLVED that

1. the first edition of the Council's Single Equality Scheme be approved
2. the Disability Equality Action Plan be approved.
3. authority to make any necessary amendments to the draft scheme be delegated to the Assistant Chief Executive in conjunction with the Cabinet Member for Social Inclusion and Neighbourhoods.
4. delegated authority be given to the Director of Law and Democracy to embed equality impact assessments into the decision making process from the beginning of the 2007/08 municipal year.
5. agreement of the impact assessment programme be delegated to the Corporate Management Team.

RECOMMENDED, to Council, that the necessary amendments to the Council's Constitution be made, to reflect the requirements of the equalities legislation referred to in this report, scheme and action plan.

## **798 Access to Services - Turning the Vision into Reality**

Members were reminded that in January 2006, Cabinet had approved a vision for the way that the Council's customers might access its services in the future.

Following this, Cabinet now considered a report that recommended a plan of action for turning the vision into reality and focused on "phase 1" of an Access to Services Programme which included several key front line services, the development of a corporate telephone contact centre, the Thornaby multi-service centre and a pilot community access point in Ingleby Barwick.

Since the January 2006 Cabinet meeting, work had focussed on identifying what needed to be done to turn the Access to Services vision into reality. This had included:

- Consultation with customers through a series of Viewpoint Focus Groups;
- Consultation with Members through a Members Seminar in July, and a site visit to Darlington Council's Customer Service Centre for Cabinet members;
- An analysis of all Council services that had customer interfaces;
- Organisation design for the new Customer Services Division;
- A review of accommodation options;
- Financial appraisal.

Subsequently a plan of action had been identified. Cabinet noted the key elements of the plan.

It was proposed that the customer contact element of the following services form phase 1 of the Access to Services Programme, which would be delivered by a new Customer Services Division.

- Care for Your Area to include refuse collection, street cleansing, recycling and waste awareness, horticultural services, highway maintenance. (The Care for Your Area services had gone “live” on the new Customer Relationship Management (CRM) system earlier in November 2006, as a pilot for rolling out the system across the following other phase 1 front line services);
- Taxation;
- Benefits;
- Main switchboard;
- Telephone payments so that customers could book a service and pay for it at the same time;
- Pupil & Student Support (free school meals/grants/admissions);
- Libraries;
- Signposting and simple scripts for First Contact (the First Contact Team to remain separate from the telephone contact centre in view of the complexity of the queries and the length of calls).

It was proposed that the new Customer Services Division be built up in phases as follows:

- Phase 1 – establish the management structure, implement the telephone contact centre, one multi-service centre (Thornaby), and one pilot community access point (Ingleby Barwick);
- Phase 2 – open a second multi-service centre (Stockton or Billingham – to be determined at a later stage) and, following a review of the pilot, start the roll out of community access points;
- Phase 3 – open the third multi-service centre and complete the roll-out of the borough wide network of access points.

In addition to staffing and managing the contact centres, the Customer Services Division would be responsible for the ongoing development and roll out of the Council’s Customer First Programme, which defined standards and promoted a customer focussed culture for the whole Authority

As it provided corporate services, the Customer Services Division would sit within the Resources Service Grouping. The Head of Taxation and Administration would be responsible for the management and strategic development of the service and the implications of this new responsibility would be considered in the Heads of Service review, which would be presented to Cabinet in 2007.

The proposed management structure for the Customer Services Division was provided for Members. It was explained that relevant Trade Unions were being consulted about the management structure, associated job descriptions and recruitment arrangements. As the consultation period would not end until the beginning of December 2006, Cabinet was asked to delegate final approval of the management structure to the Corporate Director of Resources in consultation with the Deputy Leader and Cabinet Member for Social Inclusion and Neighbourhoods, subject to positive outcome of the consultation.

Cabinet considered siting and accommodation issues for the proposed Corporate Telephone Contact Centre, the multi-services centres and Community Access Points

The Council's Capital Strategy and Asset Management Officer Group was undertaking a Council-wide review of buildings and accommodation. The review was scheduled for completion by March 2007 and included consideration of the requirements for the telephone contact centre and phase 2 and 3 multi-service centres.

In terms of phase 1 requirements it was noted that the telephone contact centres could be located anywhere in the Borough, but it was suggested that the Thornaby multi-service centre be located within the existing Thornaby Library Building.

Cabinet noted work undertaken to identify locations for Community Access Points, which would deliver a borough-wide access to services network for customers who were not able to access one of the main multi-service centres. Suggestions included supermarkets, GP surgeries and the mobile library bus.

Consultation through the customer focus groups indicated that this type of service would be welcomed, however at this stage it was difficult to gauge demand. It was therefore recommended that one network point be set up as a pilot to enable further analysis and review before the scheme has rolled out to other borough-wide locations.

In following up customer suggestions, an approach was made to Tesco Ingleby Barwick branch where management expressed a firm interest in working with officers to establish a Council community access point within the store. It was recommended that this form the pilot scheme and the results of the exercise inform the roll-out of other access points.

Members were provided with details of capital and revenue costs associated with the programme.

Details of the many potential benefits, that the Access to Services Programme would deliver for the Council's customers and the Council itself were provided.

It was recommended that funding for both the Capital and Revenue budget pressures arising from the implementation of Phase 1 be requested as part of the 2007/2008 budget setting process. The potential Capital and Revenue budget pressures arising from Phases 2 and 3 should be noted at this stage, pending successful implementation of Phase 1 and approval to proceed with Phases 2 and 3.

Cabinet was provided with a proposed high level timetable indicating key programme dates.

It was noted that the new Customer Services Division would adopt the National e-Service Delivery Standards for Customer Services. The objectives of the standards were to provide a good practice model that would deliver a modernised, effective and efficient service. The standards addressed

important aspects of the service that customers had indicated were important. Details of the standards were provided to Members. For each standard there were three levels – minimum, progressing and excellent. The aspiration was to achieve “excellent” level within 3 years.

RESOLVED that

1. the front-line element of the services described in paragraph 7 of the report be delivered through the new Customer Services Division as phase 1 of the Access to Services Programme.
2. approval of the management structure for the new Customer Services Division described in paragraphs 9 to 13 and Appendix 1 of the report be delegated to the Corporate Director Resources in consultation with the Deputy Leader and Cabinet Member for Social Inclusion and Neighbourhoods, subject to a positive outcome of ongoing trade union consultation.
3. under the Council’s Scheme of Delegation, officers enter into discussions and then formal consultation with the trade unions around the detailed organisation structure beneath the management level and the mechanism for filling posts.
4. the corporate telephone contact centre and Thornaby multi-service centre form the “building projects” for phase 1 of the Programme.
5. officers continue to liaise with staff from the Ingleby Barwick branch of Tesco with a view to this being the venue for a pilot community access point.
6. the financial implications for phase 1 of the Access to Service Programme described at paragraphs 27 – 35 of the report and the funding strategy described at paragraphs 41 and 42 be noted and approved in principle, and the details be fed into the 2007/2008 budget setting process for final approval.
7. further reports be presented to Cabinet in relation to the roll-out of the Access to Services Programme including detailed plans for phases 2 and 3.

**799 Minutes of Outside Bodies**

Consideration was given to minutes of meetings of Area Partnership Boards.

RESOLVED that the minutes of the following Area Partnership Boards, copies appended, be received/approved, as appropriate:-

The Billingham Partnership	4 September 2006
The Billingham Partnership	2 October

Central Area Partnership 20 July 2006

**800 Stockton Sixth Form College - New Changing Facilities and Sports Pitch Drainage Works**

Cabinet was informed that Stockton Sixth Form College had sold surplus Land to Bellway Homes Ltd and Persimmon Homes Ltd. As part of the planning

permission to develop the land, a section 106 Agreement of the 1990 Town and Country Planning act (as amended) was made between Stockton Sixth Form College and Stockton Borough Council. One of the provisions of the 106 agreement was to provide adequate drainage to sports pitches on the remaining Sixth Form College Site and on the Our lady & St Bede site. Also the provision of 4 New changing rooms on the College site. Once the works were completed, the pitches and changing rooms were to be available under the terms of a community use agreement.

Due to the experience and excellent track record of the Council's Property Development Service, in undertaking the management of projects of this type, Stockton Sixth Form College had requested that the Council on their behalf undertake the design and management of works and that they, the Sixth Form College and their partners would provide all the funding required to complete the works.

Cabinet noted that from the Council's point of view these works would provide a much need sports facility in the Grangefield, Elmtree and Fairfield area of Stockton, wholly run and funded by external partners

It was explained that Stockton Sixth Form College would give the Borough a 25 year lease on the footprint of the land upon which the changing block was to be built.

An agreement would be drawn up to pass the administration and maintenance of the building to Stockton Town Football Club who used the college and Our lady and St Bede Comprehensive School facilities. They would be granted the lease to administer the building and provide all revenue costs to facilitate this.

Overall the project was valued at £1,800,000.00, funding to be provided by Stockton Sixth Form College in partnership with Stockton Town Football Club.

Cabinet was provided with a timetable for the delivery of the works and noted that associated risks that the Council would be accepting.

RESOLVED that

1. the principal of the Council taking over responsibility as Client for the construction of the changing pavilion and remedial work to drainage on sports pitches at Stockton Sixth Form College and Our Lady & St Bede Comprehensive School be approved, subject to satisfactory mitigation of the risks identified in Paragraphs 8 and 9 of the report considered.

2. powers be delegated to the Corporate Director of Development and Neighbourhood Services, in consultation with the relevant Cabinet members to authorise all legal agreements and delegated decisions associated with the project, subject to the funding being in place and the satisfactory mitigation of risks set out in paragraphs 8 and 9 of the report considered.

**801 Land and Buildings at 43 - 45 Yarm Road, Stockton (incorporating 2a Woodland Street)**

Members were reminded that Cabinet at its meeting held on 10 March 2005

(Minute 982) approved, in principle, the disposal of Land and Buildings at 43 – 45 Yarm Road, Stockton (Incorporating 2a Woodland Street). The capital receipt was ring-fenced for Housing.

The disposal would generate a receipt and divest the Council of potential future liabilities. The property had been extensively marketed with offers being invited by way of informal tender. All the bids received were presented to Members in an exempt appendix to the report.

The Land and Property Manager had considered the offers received and advised that bid 2 represented a satisfactory transaction in terms of value. It was therefore recommended that offer 2 be accepted with offers 3 and 4 being held respectively 1st and 2nd reserve.

RESOLVED that offer 2 as detailed in the exempt appendix be approved, with Offers 3 and 4 held as first and second reserve respectively.

## **802 Financial Position Update**

Consideration was given to information on the projected outturn position based on information to the end of September, the Medium Term Financial Plan (MTFP), current issues for the 2007/08 Revenue Support Grant settlement, and the Treasury Management Annual Report.

Members noted cost variation of £914,000, slippage of £2,000,000 and re profiling of the use of ringfenced resources £3,253,000. The major reasons for the movements were provided.

Cabinet was reminded Members that as part of the 2006/07 Revenue Support Grant Settlement, the Government, for the first time had, issued indicative grant allocations for the following financial year. Despite releasing these figures the Government still had to consult on the Revenue Support Grant Settlement as normal and as such would be issuing a preliminary settlement for 2007/8, consulting on it, and finally issuing final figures sometime in the New Year. At the time of writing the report the date of the provisional settlement was not known, save that it would be sometime between mid November and early December. The next Cabinet meeting would be held on 4th January, 2007 (which could be after the consultation period had closed), and it was therefore recommended that the Corporate Director of Resources in consultation with the Leader and Deputy Leader be delegated approval to respond to the provisional settlement.

Under the Council's Capital budget Members were advised of a funding gap on the Ropner Park Regeneration Scheme. It was explained that the scheme was worth around £3.4m and levered in £2.8m in external funding, resulting in the significant restoration of the park. To meet the timescales for heritage lottery funding a commitment to match funding had to be provided to enable a successful £2.4 million bid. At the time, it was hoped that other external funding would be accessible for certain elements of the redevelopment, but despite exhaustive efforts not all these funding streams were available. Some elements of the scheme also proved to be exempt from Heritage Lottery Funding. In addition, during the works, in common with other major restoration projects, further elements became apparent including far more extensive tree

surgery, replanting and additional expenditure on entrance works, including gates etc.

Clearly, the priority had been to manage the opportunities on site to ensure a successful and hugely popular redevelopment. Despite extensive efforts, it was felt that all avenues to lever in additional external support and grant funding had been explored. Unfortunately, some of those had not materialised and there was a funding gap on the scheme of up to £500,000.

Officers were finalising the details of the shortfall and it was recommended that a contribution of up to £500,000 be made from available corporate capital resources, which were originally set aside to fund strategic capital schemes.

RESOLVED that the Corporate Director of Resources in consultation with the Leader and Deputy Leader be delegated approval to respond to the provisional Revenue Support Grant Settlement.

RECOMMENDED to Council that

1. the revised MTFP be noted.
2. the revised level of working balances be noted.
3. cost variations of £914,000, slippage of £2,000,000 and a re- profiling of ringfenced resources £3,253,000 be approved.
4. a contribution of up to £500,000 from available corporate capital resources be utilised to fund a funding gap on the Ropner Park Regeneration project, resources originally being set aside to fund strategic capital schemes.

### **803 Members' Allowances Scheme 2007 - 2008**

Members were reminded that following consideration of the Council's Members' Allowances by the Independent Remuneration Panel and a report to Cabinet on 9 March 2006, the Council (at a special meeting on 22 March, 2006) had agreed the Council's Members' Allowances Scheme for 2005/06 (revised) and for 2006/07.

Council also agreed an index inflation rate of 2.5% for 2007/08 for the Basic Allowance, Special Responsibility Allowances and Co-optees Allowance, to be renewed annually thereafter.

In accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003, the Authority was, each year, required to agree its allowances scheme for the forthcoming year.

Based on the decision taken by Council on 22 March, 2006 and the inflation rate increases of 2.5%, the financial details of the Allowances Scheme for 2007/08 would be as follows:-

Allowance	Proposed Council Approved Levels
Basic	6,150

## Special Responsibility Allowances

Leader	14,529.38
Deputy Leader	8,456.25
Cabinet Members	7,277.50
Executive Scrutiny and Select Committee Chairs	4,100
Executive Scrutiny and Select Committee Vice Chairs	2,050
Chairs of:- Planning, Licensing, Standards, Audit	4,100
Vice Chairs of:- Planning, Licensing, Standards, Audit	2,050
Group Leaders:-	4,100
Conservative	
Liberal Democrats	
Ingleby Barwick Independents Society	
Co-optees Allowance	512.50
Child care and Dependent Carers Allowance	Up to 8.50 per hour (actual expenditure) with a maximum monthly payment of £400
Travel and Subsistence	As per Officers' rates

Provided neither Cabinet, nor Council wished to change or add to the Allowances Scheme referred to in the previous paragraph, which was based on the last Independent Remuneration Panel report, it would be possible to agree and implement that scheme without the requirement for a further review by, and report from the Panel.

Given that there would be elections in May 2007 it was recommended that subject to the outcome of the elections, any further review of the Allowances Scheme for 2007/08 be undertaken later on in the forthcoming Municipal year, together with any review which may be required for the purposes of agreeing the Allowances Scheme for 2008/09

It was explained that the cost of the 2007/08 Scheme, if agreed, would be £12,568.13 greater than the current year's scheme.

During consideration of this matter it was suggested that any future review of the Members' Allowance Scheme should include comparisons with schemes adopted by Councils similar to Stockton on Tees Borough Council.

It was also suggested that any future review should consider increasing the Child Care and Dependent Carer's Allowance in line with the other allowances, including any agreed inflation rate increase.

RECOMMENDED to Council that

1. the Allowances Scheme for 2007/08, as set out above, be agreed;
2. Pursuant to paragraph 7 of the report, any further review of the Members' Allowances Scheme be carried out during 2007/08; and
3. Subject to approval the additional resources required to fund the proposed Scheme be built into the Members' Allowances budgets for 2007/08.



Members noted a report that outlined the Council's performance during the second quarter of 2006/2007, providing details of performance against targets and improvement trends.

**805 Exclusion of the Public**

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Schedule 12A of the Act.

**806 Stockton Town Centre - Riverside Sites Master Plan and Action Plan**

Cabinet considered a report that summarized the progress and findings of the Riverside Sites Master plan and informed Members on the proposed action plan for implementing regeneration proposals in and around the town center and riverside area.

The Riverside Sites Master Plan had built upon previous work carried out by Drivers Jonas in 2004 and was a means of taking forward previous proposals in more detail. The master planning work was a direct response to pressure from funding bodies to see detailed proposals for the Town Centre and Southern Gateway, and would act as a tool for securing funding for major regeneration projects over the next 15 years, as detailed in the proposed town centre action plan.

Cabinet was asked to:-

- agree the content of the Riverside Sites Master plan and the Stockton Town Centre Action Plan.
- approve the use of resources and note future funding needs that would need to be considered in the setting of the Council's future Capital Programmes.
- Delegate authority to agree terms regarding the acquisition of land required to facilitate the delivery of the first phase of the Action Plan for Stockton Town Centre.

RESOLVED that

1. the content of the Stockton Riverside Sites Master Plan as a basis for the Action Plan be agreed.
2. the Stockton Town Centre Action Plan for consultation purposes be approved.
3. the use of resources from the 06/7 Council Capital Programme and ERDF Retrospective funds (subject to the approval of Stockton Renaissance) to support external funding bids to deliver the initial stage of the Action Plan for Stockton Town Centre as follows: SBC Capital Programme £ 121,250 and ERDF Retrospective £450,000 be approved.
4. authority be delegated to the Corporate Director of Development and

Neighbourhood Services and Director of Resources in consultation with the Cabinet Member for Regeneration and Transport, and Director of Law and Democracy to agree terms regarding the acquisition of land required to deliver the phase of the Action Plan for Stockton Town Centre.

5. the future indicative funding profile for the delivery of the Action Plan and this be considered in the setting of the Council's future Capital Programme be noted.