

Cabinet

A meeting of Cabinet was held on Thursday, 12th April, 2007.

Present: Cllr Gibson (Chairman); Cllr Mrs P A Cains, Cllr D Coleman, Cllr B Cook, Cllr R Gibson, Cllr E Johnson, Cllr P Kirton, Cllr K Leonard, Cllr S Nelson and Cllr Mrs J O'Donnell

Officers: G.Garlick (CE); P.Seller, R.Kench (CESC); N.Schneider, Ms S.Daniels, D.Kitching, Ms R.Young (DNS); G.Birtle, N.Hart, Miss S.Johnson, Ms J.Trainer, Mrs M.Waggott (LD); Ms H.Dean, S.Lee (PPC); G.Cummings (R).

Also in attendance: Councillors Mrs Beaumont, Cains, Fletcher, Lupton, Mrs Rigg and Woodhead.

Apologies: was submitted on behalf of Councillor Cunningham.

1195 Declarations of Interest

Councillors Nelson and Fletcher each declared a personal, non-prejudicial interests in respect of the item entitled Review of Festivals as a result of their friendships with festival organisers/supporters.

Councillor Kirton declared a personal, non-prejudicial interest in respect of the item entitled Review of Cemeteries as a result of his employment and the nature of the organisation's involvement within the funeral service.

All Cabinet Members; along with Councillors Mrs Beaumont, Cains, Lupton, Mrs Rigg and Woodhead each declared a personal, non-prejudicial interest in respect of the item entitled School Admissions Arrangements for 2008/2009 as a result of their membership as a Council representative on school governing bodies.

1196 Minutes

The Minutes of the Meeting held on 15th March 2007 were agreed as a correct record.

1197 Review of Bullying - Report of Children and Young People Select Committee

Cabinet considered a report of the Children and Young People Select Committee relating to a review it had undertaken on Bullying in Schools.

The Select Committee had decided to examine bullying as a result of the issue being continually highlighted by young people as part of various consultation exercises.

During the review the Committee was pleased to learn of the priority being given by dedicated officers within Stockton's schools and the number of initiatives being introduced to tackle this pervasive problem. In particular, the Committee felt that the move to accreditation for schools should ensure the highest standards were met to counteract the harmful effects that bullying caused. Recognition should be given to Stockton's Anti-Bullying Service in providing advancement in addressing incidences of bullying in the borough and supplying professional support to Stockton's schools.

It was explained that the lack of accurate statistics to determine the prevalence of bullying was a serious issue that needed to be addressed.

Stockton-on-Tees Borough Council was to begin to utilise Sentinel, an Internet based system that would begin to record the information that the Committee asked to receive at the beginning of this review. Whilst the Committee would welcome such information it raised a number of concerns regarding the quality of the data and issues about data protection. The Committee hoped that its views were considered in order to improve the data collection.

Cabinet noted that the Committee had undertaken the majority of the evidence gathering during an intensive, day-long session, and as part of this were pleased to hear directly from some of Stockton's young people. In future the Committee planned to talk to more young people than were able to attend this review so that it could determine the effectiveness of anti-bullying strategies from those the strategies were meant to help.

Following consideration by Cabinet an action plan would be submitted to the Select Committee setting out how any approved recommendations would be implemented, detailing officers responsible for action and timescales.

RESOLVED that:-

1. every effort be made to encourage Stockton's schools to work with the Anti-Bullying Officer to achieve accreditation status annually.
2. where suitable the accreditation scheme be extended to run at establishments other than schools to ensure young people have the highest level of protection from bullying.
3. primary schools ensure that all appropriate information regarding issues of bullying as it has affected year 6 pupils is shared with relevant secondary schools prior to the end of the school year to aid the transition of pupils.
4. Cabinet reject the following proposal submitted by the Select Committee and instead agree that the system demonstrated as part of the review be introduced in consultation with schools and trade unions:-
'consultation takes place with all Stockton Borough schools and trade unions to determine the level of support for the introduction of any centralised recording system'.
5. the Government and Council definitions of bullying be circulated to school governing bodies for consideration for inclusion in their school policy.
6. performance data taken from the [Sentinel] system should be anonymous.
7. the accused person's name in all unproven cases of bullying must be removed from the system at the conclusion of an investigation.
8. recorded incidences of bullying be removed from the systems records after a period of time (to be determined) if such behaviour has not continued.

The 'call in' period ending at Midnight on Friday 20th April 2007 applies.

1198 Meeting Venues - Report of the Corporate Policy Select Committee

Cabinet considered a report of the Corporate Select Committee relating to Meeting Venues. It was noted that the review had been identified as the subject for a short and focused piece of work with a view to reducing the pressure on corporate meeting venues and ensuring consistency in the standard of the venues and facilities offered.

The Committee found that usage of corporate meeting facilities was at capacity and that there was regular use of external meeting venues. After consulting with officers responsible for the management of operational meeting venues, the Committee felt that services should be able to continue to exercise discretion in releasing operational meeting rooms to other services. However, the Committee felt that information on operational meeting venues should be publicised on the Council's intranet so that officers were more aware of alternative meeting rooms and could approach the service concerned if there were experiencing difficulties in finding suitable accommodation for meetings.

The Committee felt that the information compiled on internal and external meeting venues was a valuable resource and would help officers in finding alternative meeting venues where corporate venues were unavailable or where there might be specific requirements for a meeting.

The Committee noted that Conference Calling through the Council's existing phone system provided an alternative to holding a meeting in a conference room. The Committee also acknowledged that this would reduce unnecessary travelling time and car journeys and support the valuable work being undertaken by the Council as part of the Workplace Travel Plan Review.

As a result of site visits to meeting venues, the Committee found that the quality and accessibility of the facilities varied from venue to venue but that there were specific problems associated with most of the meeting venues visited and improvements which could be made.

The Committee acknowledged that, although, the visits had been a useful exercise in highlighting the type of problems encountered by disabled people, they were not a substitute for a specialist audit of the facilities. The Committee were advised that full access audits were being undertaken of the Council's buildings and that this would include all internal meeting rooms. The audit was due to be completed by the end of 2007.

One area of concern which arose from the site visits was the evacuation arrangements for disabled people unable to use stairs in the event of an emergency. The Committee felt that this issue should be reviewed as a matter of urgency.

It was noted that following consideration by Cabinet an action plan would be submitted to the Select Committee setting out how the approved recommendations would be implemented detailing officers responsible for action and timescales.

RESOLVED that

1.detailed information on all Council meeting venues and a range of external venues (previously used by the Council) be provided on the Council's intranet to enable officers to make informed judgements on the best choice of meeting venue and that the information provided include:

- facilities and equipment available
- occupancy
- barriers to access where known
- cost
- arrangements for getting to the venue by public transport
- distance from Stockton Town Centre
- booking arrangements
- whether Fairtrade refreshments are available

2.when calling meetings involving external invitees and Members, meeting organisers be asked to include information in a standardised format on the front page of meeting invitations directing those invited to where they can find further information on how to access the meeting venue, including parking and travelling arrangements and public transport and who to contact to discuss any access needs;

3.officers be encouraged to make full use of suitable internal meeting venues available before booking external venues;

4.operational Meeting Rooms not currently on the Council's outlook system be added for ease of booking;

5.the use of telephone conference calling be promoted for smaller meetings in order to reduce the pressure on conference facilities, unnecessary travelling and car journeys and, subject to available resources, the use of video calling be considered as a further alternative;

6.emergency evacuation arrangements from the Council's buildings be reviewed as a matter of urgency;

7.the wording of the Council's Conference Room Guide and meeting room confirmations be revised to stress that evacuation in an emergency is the responsibility of the meeting organiser and that a full risk assessment must be undertaken before knowingly inviting any member of the public or disabled person to a meeting in Council premises and reasonable adjustments made to conform with Disability Discrimination Act requirements where possible.

The 'call in' period ending at Midnight on Friday 20th April 2007 applies.

1199 Review of Festivals - Report of Adults, Leisure and Culture Select Committee

Cabinet considered a report of the Adults, Leisure and Culture Select Committee relating to a review it had undertaken of Stockton International Riverside Festival (SIRF) and Billingham International Folklore Festival (BIFF)

The Committee recognised the professional approach taken to both festivals

each with their own distinct style and remit and concluded that Stockton Borough can rightfully be pleased to be at the forefront of street festival entertainment in the region

A number of issues were raised during the Committee's investigation which it had gone some way to resolve. In particular the Committee hoped to see BIFF strengthened with increased links made to SIRF.

Other areas considered by the Committee included

- the relationship with market traders and SIRF.
- Public Transport
- Community Engagement
- General levels of public satisfaction with the Festivals.
- Problems caused by inclement weather.
- Initiatives to raise awareness and profile.

It was noted that since the review had been completed, SIRF had achieved recognition as the Best Festival in the Tees Valley and in the North East as a whole; as recognised by the Journal Newspaper inaugural Cultural Awards.

RESOLVED that

1. BIFF management team and Stockton Council's art's management team develop mutual working arrangements similar to that enjoyed by the Technical, Health & Safety and Support Services Group and, where possible, linked and complementary programming to advance both international festivals.

2. Market traders be sent individual written notice to their home or trading address as far in advance as possible stating whether their pitch would be affected and if they would need to be moved or suspended and,

Notices should be displayed (on an earlier market day when possible) informing people shopping at the market whether their regular stall(s) would be standing or relocated on that market day.

3. a written policy be developed and communicated to market traders operating in Stockton to clarify the non-payment of charges due to displacement and an inability to be relocated.

4. the festival website carries relevant travel information, including telephone numbers, to aid the use of public transport to and from SIRF.

5. SBC engineers and bus operators work together to ensure that both the public and bus crews are advised of diversions during SIRF events and the Carnival parade by providing clear advance publicity and site notices on the days affected.

6. any future decisions on substantial changes in financial support to either festival be timely in order to allow successful implementation.

7. further work be undertaken to increase awareness of, and involvement in, the festivals by people from resident ethnic minority communities. This should

include the exploration of contacting different groups including overseas students at our universities and colleges including Queen's Campus, Durham University.

8.all publicity material and information leaflets contain details of suitability of events for people with disability as well as identifying location of toilet facilities for disabled people.

9.the Disability Advisory Group become a consultee when considering aspects of the festivals.

10. BIFF give consideration to contingency planning and alternative plans should the weather or other circumstances prevent performances.

11. where practicable, Town Hall contents be protected before the rooms are used for SIRF and that SIRF be held responsible for returning the Town Hall to an acceptable standard immediately following the conclusion of the festival.

The 'call in' period ending at Midnight on Friday 20th April 2007 applies.

1200 The Future Development of Cemeteries - Report of the Environment and Regeneration Select Committee

Cabinet considered a report of the Environment and Regeneration Select Committee relating to a review it had undertaken on the future development of cemeteries.

It was explained that the Environment and Regeneration Select Committee had agreed to examine the future development of cemeteries as part of a two phased review of cemeteries and memorials with the first phase focusing on the development of cemeteries and long term strategy for the provision of cemeteries within the Borough. It was the intention to conduct the second phase of the review following the May elections and this would be examining the management of memorials within cemeteries.

Although there was no legal requirement for a council to provide burial or cremation facilities, this Authority had acted as burial authority for almost 140 years. The Council had five cemeteries and had a legal responsibility for the maintenance of all or part of nine closed churchyards within the Borough. Due to a history of minimal maintenance and age of the assets within the Cemeteries, the Council on 1 March 2006 approved capital resources of £150,000 to fund improvements to cemeteries. The Council also approved, in principle, allocations of £150,000 for the following two years subject to capital resources being available.

The Committee found that there was a projected shortage of burial space across the Borough and recommended that this situation needed to be addressed through extension to existing cemeteries, where possible, and additional burial land, if this could be identified. In view of the pressure on burial land, the Committee also concluded that the Council should also consider using remaining grave depths and explore more space efficient ways of interring cremated remains.

The Committee found that there was a lack of awareness of burial options amongst the public and felt that more information should be provided together with an extended choice of funeral and burial options. The Committee also felt that funeral times and office opening hours should be reviewed to provide, where possible, an improved service to the customer.

The Committee found that the Council's cemeteries were maintained to a high standard but felt that some localised drainage problems needed to be addressed and made suggestions for improved facilities within cemetery grounds.

The redevelopment of the disused chapels in Durham Road and Oxbridge Lane were considered by the Committee as was the possibility of a crematorium for Stockton. However, the Committee were mindful that such developments would need to be subject to more detailed feasibility work and investigation of funding streams.

It was explained that following consideration by Cabinet an action plan would be submitted to the Select Committee setting out how the approved recommendations would be implemented detailing officers responsible for action and timescales.

RESOLVED that

Financial Issues

1.a comprehensive fees and charges review for the service be undertaken as part of the service planning process for consideration before April 2008.

2.the further capital investment to deliver the existing five year Improvement Plan for cemeteries and closed churchyards be considered through the Capital Asset Strategy Group to identify appropriate funding streams.

3.the service review its medium term financial plan to re-assess the assumptions on which the budget has been set.

Funeral Times and Office Opening Hours

4.Care for Your Area be asked to review working arrangements in order to establish whether there is scope to provide an extended service on Fridays and Saturdays

5.Registration and Bereavement Services review office opening hours to provide, where possible, an improved service to the public.

Safety and Security

6.in view of the experience at Durham Road Cemetery, the installation of CCTV be considered for inclusion within the five year Improvement Plan for other cemeteries.

7.further efforts are made to establish friends groups for all of the Council's

cemeteries

8.planting be undertaken at strategic locations to deter vandals and assist with traffic control within cemetery grounds.

Maintenance

9.localised flooding problems be investigated and any capital implications identified for consideration by the Capital Asset Strategy Group.

10.improvements are made to the way graves are back filled and reinstated.

11.a “green” approach to the maintenance of cemetery grounds be developed.

Facilities

12.improvements be made to the maps on display in the cemeteries in conjunction with section signage in the cemetery grounds.

13.the redevelopment of the disused chapels of Oxbridge and Durham Road Cemeteries be further explored and a feasibility study be prepared on the various potential options.

Future Provision

14.a project brief be prepared for submission to the Capital Asset Strategy Group to identify appropriate funding streams to meet the costs of extension into Area C at Billingham Cemetery (approximately £40,000) and the extension and development of a woodland cemetery at Thornaby (approximately £300,000).

15.the Land and Property Section identify additional land within the Borough for the siting of a cemetery in order to meet future burial needs.

16.future burial provision be considered as part of the planning development framework.

17.Officers investigate alternative, space efficient ways of interring cremated remains within cemeteries.

18.the audit of space available in unpurchased graves within cemeteries be continued and upon completion grave space be offered in the following circumstances subject to appropriate consultation or awareness raising exercises:

- Graves previously sold in perpetuity but containing no interments be identified for the purpose of cancelling Rights where the purchase took place over 75 years ago and re-offer the Rights of Interment and Rights to erect a memorial.

- That unused space within, previously ‘reserved’ graves be used for future interments. The Committee recommended that those ‘reserved’ graves where the previous interments took place 100 years or more ago be offered first.

19.all graves be excavated, as a matter of course, to allow for 3 interments.

Publicity/ Public Awareness

20.articles be included in Stockton News to raise awareness on the full range of burial options and alternatives together with information on grave rights and transfer and the service offered by the Council in respect of civil funerals.

21.information leaflets be prepared on the issues to be considered when planning a "green" funeral, on how to organise your own funeral and that leaflets on planning funerals be provided to solicitors to distribute to people when they are making wills.

Extending Choice

22.a detailed business case be prepared on the feasibility of providing a crematorium for Stockton including possible funding streams and partnership arrangements.

23.the development of a woodland cemetery at Thornaby be considered by the Capital Asset Strategy Group to identify appropriate funding streams and that the extension and creation of a woodland cemetery be undertaken in one single phase to minimise the risk of subsequent phases causing damage to previously completed works.

24.the identification of further woodland burial sites be supported.

25.the Council's current regulations in respect of type and design of coffin be reviewed to allow greater freedom of choice within the constraints of availability and safe materials.

26.bio-degradable coffins be supplied via Bereavement Services and that a reusable coffin shell (to be used in conjunction with a cardboard coffin) and a pall be available for use.

Dedicated Benches and Trees

27.clearer guidelines are developed in respect of the dedicated benches and trees schemes together with the introduction of appropriate fees and that the benches, trees and other appropriate memorial dedications be extended to locations other than cemeteries.

Timescales

28.the timescales included in the action plan for implementation of the review recommendations reflect a desire to make significant progress by December 2007.

The 'call in' period ending at Midnight on Friday 20th April 2007 applies.

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:-

Ash Trees School Mr R McCall
Billingham Campus Mr I Tate
Billingham South Primary School Mr R McCall
St. Joseph's RC Primary School, Billingham Mr I Tate
Thornaby CE Primary School Wendy Cross

The 'call in' period ending at Midnight on Friday 20th April 2007 applies.

1202 Admission Arrangements for 2008/2009

Members considered a report that outlined the proposed admission arrangements for primary and secondary schools in September 2008. The arrangements took account of and complied with relevant legislation for admissions in 2008.

Cabinet was provided with a copy of the Stockton on Tees Co-ordinated Admission Scheme for admissions in 2008/09 which included a timetable.

Members noted that for admissions during 2008 the Council would be using the Equal Ranking System to allocate places. Equal Ranking would give parents the opportunity of applying for their preferred school without fear of being refused their admission zone school.

Cabinet noted that there were three primary schools where there were changes in circumstances for admissions in September 2008. Details were given.

Details of how the Council would deal with Children of UK Service personnel and other Crown servants were provided and Members noted that there was now a duty placed on the Council to provide Choice Advice and assistance to parents deciding which school they wanted to send their children to.

Additionally Members were provided with details of changes relating to pupils' entitlements to school travel.

RESOLVED that

1.the Co-ordinated Admission Arrangements for 2008/09 which includes using the Equal Ranking System to allocated places to oversubscribed schools be agreed.

2.changes in circumstances for the 3 primary schools be agreed

3.how the LA and other admission authorities deal with Crown Children of UK Service personnel and other Crown servants (including Diplomats) be agreed

4. the new Choice Advice Service which will be offered parents applying for school places be agreed

5. the changes in the transport arrangements for low income families to comply with new legislation be agreed.

The 'call in' period ending at Midnight on Friday 20th April 2007 applies.

1203 Integrated Services/Integrated Service Areas

Cabinet considered a report relating to the restructuring and reconfiguration of Children's Services across Stockton on Tees.

Members noted that locally, the development of the Children's Trust Board and the publication of the first Children and Young People's Plan, 2006-09 highlighted the need to continue to improve levels of integration of children's services across the four areas of :

Governance
Strategy
Process
Delivery

These proposals particularly concentrated on the delivery of services and the processes that would be needed to support delivery. The outcome of the annual performance assessment of children's services for 2005/6 was positive and supported the strategic oversight and direction of travel for the Children's Trust Board.

Members noted the planned phases of development.

It was explained that the development of the proposals would see all statutory children's services across the Children, Education and Social Care/Stockton Borough Council and North Tees Primary Care Trust sat under the Children's Trust Management Team. Joint accountability and governance arrangements were presently being developed for reporting to Cabinet and PCT Board.

The existing heads of service (head of children and young people's operational services and head of school effectiveness) would be responsible for the management of Integrated Services and Integrated Service Areas.

Links would be developed with key partner organisations, both statutory and community/voluntary sector, with schools and with GPs.

The existing configuration of services for children and young people were primarily based around service functions. Delivery of services had been around those functions, with the establishment of eligibility criteria being set for each service to identify who could access each individual service. There had been a number of exceptions to this, e.g. Youth Offending Service, SureStart where multi-disciplinary teams or multi-agency structures had been established. Significant changes had continued to take place over the last few years in the way that services were delivered, Education and Social Care had been brought

together, Connexions was about to join the local authority family and there was greater alignment of health and local authority services and increased partnership working with voluntary and community organizations.

The consultation report which contained the proposed structures and had been subject to wide consultation were provided to Members.

It was noted that the proposed reconfiguration / restructuring at Phase 1 of third tier posts outlined within the consultation document had workforce implications in the Children Education and Social Care service grouping of the Council, and partners at the North Tees Primary Care Trust, which was itself undergoing substantial restructuring.

The primary recommendations affected a small number of individuals in both organisations in existing third and fourth tier posts(NTPCT).

Both organisations had protocols to deal with the management of change and Members noted the following broad principles which combined the approach of both organisations and would be used for this restructuring through its various phases:

Stage 1- 'Slotting in' where appropriate – where the substantive post in the present structure is broadly the same in terms of job purpose, duties and scope and key competencies. This only applies where there is one person to be considered for one post.

Stage 2-Where the above does not apply in the first instance, and there is more than one eligible candidate, posts will be available for limited competition within an agreed ring-fenced pool within the affected area. The pool of staff identified will be based on role, job content and position in the hierarchy, as well as function and area of work.

Stage 3-Where posts are not filled by this process, vacancies will proceed to wider competition, including internal / external advertisement. Where employees are displaced, there will be 'no slotting in' to the next tier below this if this would result in a displacement of the current postholder. The Early Retirement / Voluntary Redundancy scheme to apply and applications invited where applicable.

Members were provided with a summary of the proposed staffing changes and slotting in/ring-fencing information.

RESOLVED that:-

- 1.the outcome of consultation on the proposals be noted.
- 2.progression to phase 1 of the developments which will see the appointment of third tier posts be approved.
- 3.the overall proposed developments of Children's Services be approved.

The 'call in' period ending at Midnight on Friday 20th April 2007 applies.

1204 SINGLE EQUALITY SCHEME

Cabinet considered the draft 2nd edition of the Single Equality Scheme for Stockton-on-Tees Borough Council. It had been updated to meet the requirements of the Gender Equality Duty to eliminate unlawful discrimination on the basis of gender and promote equality of opportunity between men and women. It was explained that the new duty would come into effect on the 6th April 2007 with the requirement to publish a Gender Equality Scheme by 30th April 2007.

The opportunity had also been taken to revisit and update the Council's response to the Race Equality Duty with an updated Race Equality Action Plan being included in the scheme. These had been developed following analysis of available consultation and workforce data. The Disability Equality Action Plan was approved by Cabinet last year and was included for information only.

The Council was required to develop and publish schemes and action plans under the Duties to promote Race, Gender and Disability Equality. The Single Equality Scheme and its associated action plans ensured the Council was meeting those duties.

Members noted that the scheme ensured the promotion of equality and diversity were firmly embedded at the heart of the Council's planning cycles with the equalities objectives being read through from the Council Plan, but also individual targets from the Race, Gender and Disability Action Plans being written into the appropriate service and business unit plans. This, coupled with the engagement of Heads of Service in the development of the three action plans ensured equalities targets and activities were at the heart of all council services. This was crucial for continuous service improvement and the forthcoming Corporate Assessment.

It was explained that there was a significant raft of legislation relating to equalities which were summarised on page 10 of the Scheme, with more detailed discussion of recent key legislation included on pages 11 and 12. Equalities legislation was continually changing and developing with a number of new initiatives on the horizon. The equalities review had recently published its findings with the Discrimination Law Review Green Paper and Commission on Integration and Cohesion report being expected in the coming months. This coupled with the ongoing introduction of the Equality Act 2006 including new service regulations on sexual orientation, showed the scope of the agenda. The draft Single Equality Scheme had been prepared to anticipate as far as possible those new requirements and ensured the Council remained compliant with all equalities legislation.

Members were informed that Community consultation and engagement was crucial in the development of the single equality scheme. Not only was data collected from BVPI and Viewpoint surveys used to develop the Scheme and Action Plans bespoke consultation was also carried out with BME communities and disabled people. The ongoing involvement of the community in the review and monitoring of the Single Equality Scheme was crucial.

Consultation on the draft scheme had also been carried out with Trades Unions, all Members, with all Officers and the public having been able to offer comment on the draft scheme via the Council's website.

The scheme also outlined how equalities training would be developed and rolled out across the Council. Whilst equality training was already in the Member induction programme there was an ongoing need to deliver training to employees. With this in mind it was proposed to train all first, second and third tier officers, as well as 10% of all other employees by April 2008.

Consultation on the draft scheme had recently been completed and implications were currently being considered by Officers. This, coupled with the delayed publication of some central guidance required delegation of final amendments to the Assistant Chief Executive in conjunction with the appropriate Cabinet Member. Following this, the Scheme would be available on the Council's website in advance of 30th April, thus ensuring the Council met its statutory obligations.

RESOLVED that:-

1.the 2nd edition of the Single Equality Scheme is approved, subject to any necessary amendments resulting from ongoing consultation or further guidance.

2.any final amendments be approved via delegated responsibility to the Assistant Chief Executive and relevant Cabinet Member.

The 'call in' period ending at Midnight on Friday 20th April 2007 applies.

1205 Minutes of Various Bodies

Consideration was given to minutes of meetings of Area Partnership Boards and the Regeneration Sub Group.

RESOLVED that the minutes of the following Area Partnership Boards and Regeneration Sub Group be received/approved, as appropriate:-

Western Area Partnership 29th January 2007
Regeneration Sub Group 31st January 2007
Billingham Partnership 12th February 2007
Eastern Area Partnership 27th February 2007

The 'call in' period ending at Midnight on Friday 20th April 2007 applies.

1206 Ethical Governance Audit - IDeA Light Touch Health Check

Cabinet considered a report that provided Members with an opportunity to comment on the proposed action plans arising from the Ethical Governance Audit and IDeA Light Touch Health Check.

Members were reminded that a detailed report regarding the proposed Ethical Governance Light Touch Health Check and ethical governance surveys of Members, Employees and Key Partners had been considered by Cabinet at its

meeting in June last year.

The surveys were carried out in November 2006 and the Health Check was undertaken in December last year.

It was explained that the survey results and the IDeA Light Touch Health Check report and recommendations had previously been considered by the Members Advisory Panel and the Standards Committee and copies were provided.

Members were also provided with copies of draft action plans for each of the three surveys and an action plan specific to the Light Touch Health Check. The plans had previously been reported to, and agreed by the Standards Committee and the Members Advisory Panel.

Cabinet considered the action plans and agreed that they should be implemented in the new municipal year.

When implementing the agreed action plans, reports would be taken back to the Members Advisory Panel, the Standards Committee and other relevant Committees (eg Planning, Select Committees) for consideration of, and views on particular elements of the plans. It was noted that it may also be necessary to report back to Cabinet and Council if key constitutional changes were proposed.

RECOMMENDED to Council that the Action Plans as detailed at Appendix 2 to the report be approved.

1207 Planning Obligations Supplementary Planning Document (SPD)

Cabinet was informed that the purpose of the Planning Obligations Supplementary Planning Document (SPD) was to set out the Council's approach to Planning Obligations (also known as S 106 agreements) within the Borough. Government guidance (Circular 05/2005 'Planning Obligations') stated that planning obligations were 'intended to make acceptable development which would otherwise be unacceptable in planning terms.'

A draft Planning Obligations Supplementary Planning Document (SPD) had been prepared and this ensured that a development made a positive contribution towards sustainable development. SPDs were documents intended to expand on existing higher-level policies, such as those in the Adopted Local Plan, Alteration Number 1, and be consistent with national and regional policies. SPDs did not form part of the statutory development plan, but they were a material consideration in determining planning applications.

The SPD aimed to provide clarity to developers, development control officers, stakeholders and local residents as to the Council's expectations concerning developer contributions in appropriate circumstances. Areas where it was intended to seek obligations were affordable housing, education, employment and skills, open space and recreation, landscape, biodiversity, highways and transport, social and community infrastructure. However, Cabinet noted that the list was not exhaustive, and there may be circumstances where other provisions would be sought.

The SPD used any relevant existing local and national standards to base the requirement for planning obligations, and where possible included a set of thresholds and formulas to give those involved a clear idea as to the likely contribution. Meetings were held with various departments to build up an evidence base and draft formulas for contributions towards the various topic areas.

It was explained that there were areas where the evidence base did not allow the drafting of formulas, although as new evidence became available, to feed into emerging strategies and policies, the guidance within the SPD would be reviewed and amended as necessary. Therefore, the SPD was very much an interim document to be reviewed as and when up to date information became available.

Stockton, along with the other authorities within the Tees Valley were reviewing examples of best practice concerning the application of planning obligations, with the aim of applying a consistent approach across the region. Locally, and regionally, the authority had to ensure that there was a level playing field for developers, to avoid potential development being located elsewhere.

The SPD would also contain information concerning the actual application of planning obligations, in order that the Council could provide a clear audit trail of implemented agreements.

A Sustainability Appraisal was also being prepared, which would appraise the likely economic, social and environmental impacts of the guidance contained within the document, and this would be submitted for review by the Planning Committee and Cabinet in due course. The Sustainability Appraisal would also be subject to public consultation at the same time as the draft SPD.

It was explained that an internal consultation on the SPD was held over the last two weeks of February. Members were provided with a copy of the SPD which had been amended to incorporate the comments received where applicable. To remain in line with the Local Development Scheme, public consultation on the SPD and Sustainability Appraisal was required to take place from the middle of June until the start of August, to allow adoption of the SPD in September.

RECOMMENDED to Council that

- 1.the contents of the report be noted.
- 2.the draft Planning Obligations SPD for public consultation be agreed, subject to any amendments from internal consultees.
- 3.Officers be delegated to make minor amendments to the contents of the document prior to the public consultation period.

Cabinet was reminded that the Tees Valley Joint Strategy Unit was preparing Joint Minerals and Waste Development Plan Document (DPDs) on behalf of the Tees Valley Local Planning authorities. In setting up the joint working arrangements, it was agreed that each authority would endorse any draft consultation reports.

The Minerals and Waste DPDs would eventually replace the minerals and waste policies in the adopted Tees Valley Structure Plan. The DPDs would comprise:

- Joint Minerals and Waste Core Strategy DPD that would set out the overall strategy and generic development control policies for minerals and waste.
- Joint Minerals and waste Site Allocations DPD. This would identify specific sites for future development and would contain detailed policies for assessing planning applications.

The Key Issues and Alternative Options Report was a statutory requirement and it was intended to publish it for a six-week period of public consultation (21st May – 30th June).

The overall vision for minerals and waste planning in the Tees Valley was:

In 2021, the Tees Valley would be a sub-region where

- Minerals are used, managed and extracted in a sustainable manner, which drives minerals up the minerals hierarchy; and
- Where human health and the environment is protected by reducing the amount of waste produced and by using waste as a resource, in accordance with the waste hierarchy.

Minerals and waste related development would contribute to the Tees Valley being a place where present and future generations had a high quality of life and where all members of the community had the opportunity to realise their full potential through the provision of a vibrant economy, a safe and healthy environment and dynamic educational and cultural resources.

Six strategic objectives were identified;

- To make provision for an adequate and steady supply of minerals needed by society, while aiming for reduction in the requirement for primary extraction,
- To safeguard minerals resources from unnecessary sterilisation;
- To drive the management of waste in all waste streams up the waste hierarchy, towards the minimisation of waste production;
- To reduce the impacts of climate change and to protect and enhance the environment, amenity and human health;
- To promote the use of sustainable transport;
- To provide sufficient waste management facilities in a timely and sustainable manner, in order for all waste to be managed as near as possible to its source.

The following key issues/questions and options were identified;

- Are mineral workings sufficient to meet supply during the period to 2021 or do further mineral working sites need to be identified or safeguarded,
- Should the potash mine expand surface workings into East Cleveland or transport all minerals to Teesside from the existing mine-head at Boulby,
- Should the development control policies be limited in scope and leave regulation to other agencies or be fully detailed and comprehensive,
- Should greater weight be given to the positive or negative impacts of new development when proposals are assessed,
- Should sustainable transport issues be addressed through the LDF/LTP process or specifically addressed in the DPDs,
- Should new waste handling facilities in the Tees Valley be clustered together or widely dispersed,
- Should the allocation of sites be flexible and open ended to deal with changing circumstances or focused to give more certainty but requiring regular amendment,
- Should the allocation of sites focus on existing sites in the Tees Valley or look to provide new sites in order for all waste to be managed as near as possible to its source.

It was explained that the report invited interested parties to submit sites for possible consideration for mineral working and waste resource handling.

Following the consultation period, all comments received and submitted sites would be assessed and the preferred options and sites would be incorporated in the Preferred Options Report which would be published for consultation in February 2008.

RECOMMENDED to Council that the Production of Minerals and Waste Development Plan Documents for the Tees Valley Issues and Options Report and the Sustainability Appraisal of Waste and Minerals Development Plan Scoping Report be endorsed for public consultation.

1209 Saving of existing Structure and Local Plan policies

Cabinet considered a report relating to the saved policies exercise that was being carried out with regard to the Tees Valley Structure Plan and of the proposed revision to the schedule of saved policies for the Stockton on Tees Local Plan.

Members were informed that under the development planning provisions of the Planning and Compulsory Purchase Act 2004, regional spatial strategies and local development frameworks would collectively replace structure plans and local plans. All development plan policies in existence when the Act came into force would automatically expire on 27 September 2007 unless the Secretary of State extended them. At that time, the Government expected that replacement would be largely complete within three years.

In August 2006 the Department of Communities and Local Government issued a 'protocol' to all local planning authorities outlining detailed procedures for reviewing and agreeing an extension to saved structure and local plan policies.

Tees Valley Structure Plan Policies

In the case of structure plans, the Government indicated at the time that requests for extension would be made by regional planning bodies (in Stockton's case, the North of England Assembly), following discussion with the relevant structure plan authority (in Stockton's case the Council, in conjunction with the other Tees Valley authorities/Tees Valley Joint Strategy Committee).

The Tees Valley Joint Strategy Committee had recommended to the North of England Assembly that the life of a small number of Tees Valley Structure Plan policies be extended, pending approval of the new Regional Spatial Strategy, or consideration through the local development frameworks of the Tees Valley authorities.

Stockton-on-Tees Local Plan

The schedule of saved Local Plan policies had already been submitted to Council (as an appendix to the 2005/06 Annual Monitoring Report) and approved. However, it included policies that were identified to be saved only in part. This was consistent with the advice from GONE at that time. Subsequently there had been further advice from GONE that any policies saved must be saved in their entirety. There had also been amendments to the estimated dates for adoption of the Core Strategy, Regeneration and Environment DPDs and circumstances surrounding other policies formerly identified for either saving or deletion had changed.

It was explained that the deadline for the submission to GONE of saved local plan policies was 1 April 2007. The final date for saved policies being agreed was 1 July 2007. Both the schedule of saved structure plan and local plan policies had been submitted to GONE as officer recommendations pending approval by Planning Committee, Cabinet and Council.

RECOMMENDED to Council that

- 1.the request of the Tees Valley Joint Strategy Committee that the North of England Assembly asks the Secretary of State for Communities and Local Government to extend the life of the Tees Valley Structure Plan policies identified in appendix 1 to the report, until the Secretary of State approves View: Shaping the North-East (the new Regional Spatial Strategy) or until the matters covered can be considered through the local development frameworks of the Tees Valley authorities be endorsed.
- 2.the revised schedule of saved Local Plan policies as identified in appendix 2 of the report be agreed, subject to the retention of policy number REC 4 (Ingleby Barwick Park) as the site had not yet been fully developed.
- 3.delegated authority be given to officers to make minor amendments to the schedules as may be agreed with the Joint Strategy Unit, GONE or the Planning Inspectorate.

1210 To consider the following items for information

Peer Review of Trading Standards

Details were provided of the findings of the peer review of the Council's Trading Standards Service, as required by the Department of Trade and Industry.

Smokefree Legislation Implementation Strategy

From 1st July 2007, all enclosed public places and workplaces in England will become smokefree and the Local Authority will enforce this legislation. An outline was provided of the strategy and policy for how Smokefree would be implemented.

1211 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 Part 1 of Schedule 12A of the Act.

1212 Sale of Industrial Premises

Members considered a report relating to the proposed sale of an industrial premises, in which the Council held the freehold, to the existing tenant.

Discussions had taken place in respect of a possible sale and terms had been provisionally agreed.

Members were provided with details of the terms of the provisional agreement.

The Land and Property Manager was satisfied that the provisional agreement represented market value for the Council's interest.

RESOLVED that the disposal of the premises be agreed in accordance with terms as detailed in the report.

The 'call in' period ending at Midnight on Friday 20th April 2007 applies.