

## Cabinet

A meeting of Cabinet was held on Thursday, 17th January, 2008.

**Present:** Cllr Ken Lupton, Cllr Mrs Jennie Beaumont, Cllr Robert Cook, Cllr Alex Cunningham, Cllr Terry Laing, Cllr Mrs Ann McCoy and Cllr Mrs Mary Womphrey

**Officers:** G. Garlick (CE); J. Danks, P. Saunders (R); N. Schneider, C. Straughan, D. Kitching (DNS); H. Dean (ACE); D. Bond, M. Waggott, G. Birtle, M. Henderson

**Also in attendance:** Cllr Maurice Frankland, Cllr John Fletcher, Cllr Mrs Ann Cains and E. Shassere (Acting Locality Director of Public Health)

**Apologies:** Cllr Steve Nelson

### **CAB 113/07 Adult Services and Health Select Committee - Review of Alcohol Services**

Members considered a report, presented by the Chairman of the Adult Services and Health Select Committee, that set out the findings and recommendations from the Committee's review of alcohol services in the borough. The report sought to ensure that the Council and its health partners provided the appropriate services and levels of service required to address the impact caused by alcohol consumption.

It was explained that Members had, over a number of years, been made aware of the issue of alcohol related harm by the Director of Public Health, North Tees Primary Care Trust in annual reports and in particular following the launch of a National Alcohol Strategy.

Members had found that the culture of 'binge' drinking was particularly strong in this region and that traditional alcohol education programmes had had little impact upon this and that, as a society, we were drinking more, with serious social and health consequences.

Information showed that there were a number of gaps in service provision to treat alcohol problems. In particular, the North East fared badly for available services which was confirmed when examining Stockton Borough specifically.

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

RESOLVED that:-

1. the North East Strategic Health Authority working with its public health partners and local authorities, build on the work of local initiatives to develop a campaign to reduce alcohol consumption.
2. Stockton-on-Tees Borough Council and North Tees Primary Care Trust support the establishment by the SHA of a regional Office for the Safe Consumption of Alcohol (OSCA) in future budget setting processes.
3. a multi-agency group identified by the Director of Public Health use the

process of updating the "Alcohol: A digest for Stockton" published following the publication of the National Alcohol Strategy 2004 to inform the drafting of an alcohol strategy to determine the current extent of problems caused by alcohol consumption and identify commissioning needs.

4. the alcohol strategy group develop a 3-year strategy through multi-agency representation, in keeping with the business planning process, to be costed and taken through the usual PCT/LA (as appropriate) financial approval processes.

5. the multi-agency alcohol group undertake a gap analysis that includes needs assessment matched with current service provision. An action plan to address identified gaps would result in the strengthening and development of care pathways.

6. the appropriateness of widening the DAT agenda to include alcohol (DAAT) should be examined as a matter of priority in accordance with the Alcohol Harm Reduction Strategy for England 2004 – Action 20.

7. ongoing alcohol screening be provided at UHNT, subject to the pilot project findings, in order to provide signposting to support services.

8. a clinical service specialist be identified to investigate and determine the scale and infrastructure required to provide the appropriate in-patient detoxification services to be commissioned from a range of providers.

9. subject to positive results of a pilot project in Middlesbrough, the Safer Stockton Partnership consider the suitability of introducing alcohol referrals for arrested individuals.

10. North Tees PCT strengthens its alcohol services commissioning process by identifying a lead officer with responsibility for determining / coordinating service provision through appropriate multi-agency partnership arrangements.

11. Stockton-on-Tees Borough Council's PIC (Participation, Involvement and Consultation) Network is consulted to determine how best to deliver services for alcohol reduction / cessation.

12. the Leader of the Council write to Stockton Borough MPs highlighting the concerns identified during this review and request that appropriate representation supporting sensible and responsible alcohol licensing and retailing is made to Government Ministers and departments.

**CAB**      **Local Authority Nominations to School Governing Bodies**  
**114/07**

Members considered a report relating to Local Authority Representatives on School Governing Bodies. It was explained that as a result of the expiry of some Governors' Terms of Office and the Resignation of others, vacancies existed on some Governing Bodies. A list of the Governing Bodies and nominations was presented to Members.

In accordance with the procedure for the appointment of school governors, approved as Minute 84 of the cabinet (11th May 2000), Cabinet was invited to consider the nominations to school Governing Bodies.

RESOLVED that the following appointment be made to the vacant Governorships, subject to successful List 99 check and Personal Disclosure:-

Northfield School and Sports College - James  
Blenkinsop

**CAB 115/07 Establishment of Management Committees for Pupil Referral Units**

Members considered a report that detailed the need to establish one Management Committee for the two Pupil Referral Units in Stockton on Tees.

In accordance with the School Governance (Pupil Referral Units) (England) Regulations 2007 Members were required to establish a Management Committee for the two Local Authority Pupil Referral Units, Green Gates and Bishopton Centre by 1 February 2008.

It was explained that both non statutory Management Committees were consulted on the Local Authority's proposal to establish a joint Management Committee to allow greater collaborative working between the two units. Those meetings took place at the Bishopton Centre on 31 October 2007 and Green Gates on 8 November 2007. No formal objections had been received to the proposal.

Members were presented with the draft Instrument of Government for approval. Following approval, it was proposed that Members delegate authority to the Corporate Director for Children, Education and Social Care, in consultation with the Cabinet Member, to approve any subsequent amendments to the Instrument of Government.

It was advised that the Management Committee would have a total membership of 15, comprising 1 Parent, 3 Staff, 3 Local Authority and 8 Community Members.

It was proposed that Members appointed the Local Authority and Community members in the initial establishment of the Management Committee. Following which, any future Local Authority appointments would be dealt with in accordance with the procedure for the appointment of school governors approved as Minute 44 of the Cabinet meeting held on 11 January 2000, and Community Members would be made by the Management Committee.

It was explained that the appointment of the three Staff Members would be made by election of one staff member, with the two remaining vacancies being filled by Mrs D Elliot and Mr P Ewart as Heads of the Units, as stipulated in the regulations. Appointment to the parent vacancy would be made by a parent election across both establishments.

RESOLVED that:-

1. the establishment of a Management Committee with a total of 15 members be approved.
2. the draft Instrument of Government be agreed from 1 February 2008.

3. authority be delegated to the Corporate Director for Children, Education and Social Care, in consultation with the Cabinet Member for Children and Young People to approve any subsequent amendments to the Instrument of Government.
4. Mr B Auton, Mrs J Armstrong, Mr M Davison, Mr G Leck, Ms I Murray, Ms J Vincent-Jones and Ms A Hays be appointed to the Management Committee as Community Members.
5. Mr N Chilton, Mr I Edmunds and Mrs J Taylor be appointed to the Management Committee as Local Authority Members.
6. future Local Authority appointments be dealt with in line with Local Authority Governor Appointments.
7. authority be delegated to the Corporate Director for Children, Education and Social Care, in consultation with the Cabinet Member for Children and Young People, to appoint to any vacancies arising from declined appointments until the Management Committee is established from 1 February 2008.

**CAB**     **Minutes of Other Bodies**  
**116/07**

Consideration was given to the minutes of the meetings of Renaissance and Area Partnership Boards.

RESOLVED that the minutes of the following meetings, as appended, be received/approved, as appropriate:-

Stockton Renaissance	16 October 2007
Stockton Renaissance	13 November 2007
The Billingham Partnership	3 December 2007

**CAB**     **The Licensing Act 2003 - Review of Licensing Policy**  
**117/07**

Consideration was given to a report that informed Cabinet of the results of the consultation regarding the proposed Statement of Licensing Policy required by the Licensing Act 2003.

It was explained that the Licensing Act 2003 required the Council to review its Statement of Licensing Policy at least every three years. Council approved the current Statement of Licensing Policy in December 2004. The opportunity had been taken to review the policy and remove those sections that dealt with the transitional provisions under the Act that no longer applied and to update contact details etc. It was noted that the policy had received no adverse comments since the transfer of licensing functions to the authority and it was not felt necessary to make any major changes. None of the responsible authorities had requested any changes. Members were provided with a copy of the draft-reviewed policy as sent out for consultation.

Cabinet's attention was drawn to necessary amendments to the Statement, which had recently been highlighted:-

Para 75 (b) – delete ‘Hours ’ and replace with ‘Powers’

Para 86 – delete ‘final’ and replace with ‘first’

Other minor amendments would be necessary in the contacts section of the statement.

Members were advised that consultation had been undertaken with the following:

- a) Cleveland Police Force;
- b) Cleveland Fire Brigade;
- c) Existing Premise Licence holders;
- d) Existing Club Premise Certificate holders;
- e) Existing Personal License holders;
- f) Representatives of businesses and residents in the Stockton Borough Council area;
- g) The Local Safeguarding Children’s Board;
- h) Trade bodies and Associations; and
- i) A number of Solicitors Practices who undertake licensing work in this area.

It was advised that two substantive responses had been received from the trade, from the British Beer & Pub Association and the Association of Convenience Stores. Members were provided with a copy of the responses. The response from the British Beer and Pub Association made both specific points on the draft statement of licensing policy and more generic points. The Association of Convenience Stores was a generic letter sent to all authorities and did not make any points that were not already covered by the draft revised licensing statement of policy.

Members were advised that changes had been made to paragraph 40 and Appendix 1, paragraph 1 to make it clear that the risk assessment was recommended practice rather than a requirement. Paragraph 137 made reference to the Enforcement Concordat and the authorities Regulatory Services Enforcement Policy; these already took account of the Hampton principles and therefore did not require repeating in the Statement of Licensing Policy.

Cabinet noted that Appendix 1 paragraph 4 was not a reference to a cumulative impact policy, the authority did not have one, however, these were factors that Members of the Licensing Committee would take into consideration if they received representations about an application.

It was explained that the Council’s Licensing Committee had also considered the second draft Statement of Licensing Policy at their meeting in November 2007 where they had agreed the content of the draft reviewed Statement of Licensing Policy for reference to Cabinet and Council.

It was noted that there had been some discussion between the LGA and the DCMS as to whether or not the adoption/approval of the Statement of Licensing Policy should be an executive or full council function. In order to avoid any doubt and avoid the risk of a judicial review it was considered prudent that both

the Cabinet and full Council approve the proposed Licensing Policy Statement.

RECOMMENDED to Council that the draft revised Statement of Licensing Policy be approved.

**CAB  
118/07**     **Review of Medium Term Financial Plan 2008/09**

Members noted that the Council was required to set its budget for 2008/2009 by 11 March 2008.

A report and briefing paper was considered that provided information to all Members that would facilitate decisions at a special meeting of Council to be held on 27 February 2008.

The briefing paper that contained information on the following areas:-

- Provisional 2008/2009 settlement and details of additional grant received
- General Fund position including a consultation strategy for 2008/2009 budget setting and a suggested strategy for MTFP for 2008/2009
- Capital
- A proposed Housing Revenue Account Rent Strategy

RECOMMENDED to Council that:-

General Fund

1. the Provisional Financial Settlement be noted
2. the consultation strategy for 2008/09 budget setting be noted
3. the suggested strategy for the MTFP and 2008/09 onwards be noted

Capital

4. Members note the current status of capital resources and the need to prioritise capital schemes in principle at the Council meeting in February.

HRA

5. the proposed rent strategy be approved.

**CAB  
119/07**     **Local Development Framework: Minerals and Waste Core Strategy and Policies and Sites Development Plan Documents Preferred Options and Sustainability Appraisal.**

Prior to consideration of this matter Councillors Mrs McCoy, Mrs Womphrey and Cllr Cunningham referred to paragraph 17 of the report and explained that they had previously expressed a view in respect of proposals to store hazardous waste in Anhydrite Mines at Billingham. In view of this they indicated that they would not take part in any decision taken on the Development Plan Documents.

Members considered a report that provided an update on progress in the production of the Joint Tees Valley Minerals and Waste Core Strategy and Site Allocations Development Plan Documents and Sustainability Appraisal. It also sought endorsement of the Preferred Options Reports and Sustainability

Appraisal for a six-week period of public consultation between 21 February 2008 and 2 April 2008.

Members were reminded that the Tees Valley Joint Strategy Unit was preparing Joint Minerals and Waste Development Plan Documents on behalf of the Tees Valley Local Planning Authorities. In setting up the arrangements for this joint working, it was agreed that each authority would separately approve any consultation documents.

Two DPDs would provide the policy framework for determining planning applications for minerals and waste developments in the Borough for the period to 2021:

- The Core Strategy DPD sets out overall strategy and generic development control policies for determining applications for minerals and waste developments,
- The Site Allocations DPD identifies specific sites for future development and contains detailed policies for assessing planning applications.

Both documents were accompanied by a Sustainability Appraisal of the options considered and selected.

It was explained that following the Preferred Options stage, the DPDs would be submitted to the Secretary of State in January 2009. There would also be a further final period of public consultation. The DPDs would then progress to an independent examination in July 2009 and to adoption in April 2010.

RECOMMENDED to Council that:-

1. the Tees Valley Joint Minerals and Waste Core Strategy and Site Allocations Development Plan Documents Preferred Options and Sustainability Appraisal for public consultation be endorsed.
2. amendments to the document of an editorial nature prior to the public consultation period be delegated to officers.

**CAB  
120/07**      **Exclusion of Pree and Public**

RESOLVED that under Section 100A (4) of the Local Government 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

**CAB  
121/07**      **Potential Disposal of Land**

Members considered a report seeking approval to enter into a preemption agreement for the disposal of the Council's freehold interest in the Tilery Sports Centre Site.

RESOLVED that:-

1. the principle of disposing of the Council's interest in the Tilery Sports Centre

site, subject to the site being no longer required for the Council's own use, be approved.

2. the principal terms, as set out in this report, for a pre-emption agreement to sell the site for the development, detailed in the report, be approved and that the agreement of detailed terms be delegated to the Director of Development and Neighbourhood Services and the Director of Resources in consultation with the Cabinet Members for Adult Services and Health, Regeneration and Transport and the Director of Law and Democracy.