

Cabinet

A meeting of Cabinet was held on Thursday, 24th April, 2008.

Present: Cllr Alex Cunningham (Chairman) Cllr Mrs Jennie Beaumont, Cllr Robert Cook, Cllr Mrs Ann McCoy, Cllr Mrs Mary Womphrey

Officers: N Schneider, G Clingan, B Brown, D Welsh, S Thomas, R Poundford, M Robinson (DNS); J Morrison (CESC); J Danks (RES); S Lee (PPC); M Waggott, J Grant, G Birtle, D Ladd, N Hart, P Mennear, M Jones (LD)

Also in attendance: Cllr Maurice Perry, Cllr Mrs Jean O'Donnell, Cllr Mrs Maureen Rigg, Cllr Dick Cains, Cllr Mrs Ann Cains, Cllr David Harrington, Cllr Maurice Frankland

Apologies: Cllr Terry Laing, Cllr Ken Lupton, Cllr Steve Nelson

CAB 1/08

Declarations of Interest

Councillors Mrs Beaumont and Mrs Womphrey declared personal/non-prejudicial interests in the item entitled Report of Arts, Leisure and Culture Select Committee - Review of River Based Leisure Facilities, as they were a members of Tees Active Board.

Councillor Cunningham declared a personal/non-prejudicial interest in the item entitled Reorganisation of Education for Children with Behaviour, Emotional and Social Difficulties as he was a member of a governing body.

Councillor Cook declared a personal/non-prejudicial interest in the item entitled Local Authority Representatives on School Governing Bodies as he was member of a governing body.

Councillor Mrs Beaumont declared a personal/prejudicial interest in the item entitled Connect2 as she was a member of the Planning Committee and did not wish to fetter her discretion prior to consideration, by the Planning Committee, of issues connected with this matter. Cllr Mrs Beaumont left the meeting during voting on this item.

Councillor Mrs Rigg declared a personal/non-prejudicial interest in the item entitled Connect2 as she was a member of the Planning Committee and did not wish to fetter her discretion prior to consideration, by the Planning Committee, of issues connected with this matter.

Councillor Cunningham declared a personal non prejudicial interest in the item entitled Regional Spatial Strategy (RSS) - Further Proposed Changes Consultation as he served on the Regional Development Agency Board.

CAB 2/08

Report of Arts, Leisure and Culture Select Committee - Review of River Based Leisure Facilities

Members considered a report which set out the findings and recommendations from the Arts, Leisure and Culture Select Committee's scrutiny review of River Based Leisure Facilities. The review examined the progress made since the construction of the Tees Barrage in relation to river based recreational activities.

The review encompassed a wide ranging consultation of those involved in river based leisure provision and the Committee made recommendations in order to make further improvements to use of the Borough's major natural asset.

RESOLVED that:-

1. The Director of Development and Neighbourhood Services considered focussing a senior officer resource for a fixed term basis on the range of river development issues to lead and provide immediate momentum to the issues identified during the review, which included:

- a) a review of the Tees Navigation Strategy;
- b) development of the River Tees Park proposals to an action plan stage;
- c) to co-ordinate the diverse nature of water based activities on the river and develop a sustainable method of developing this sector, including a detailed review of the capacity of all watersports facilities, having regard to the potential relocation of facilities as part of the North Shore scheme;
- d) to explore options to maximise the funding available for the staging of major events linked to river based activities including development of an annual Stockton regatta in conjunction with partners including the University of Durham;
- e) to support the development of the 'Tees River Trust';
- f) develop the Council's relationship with managers of the Tees Barrage White Water Course to assist it in developing its full potential;
- g) to undertake a feasibility study for a more regular water borne transport service, and to explore funding streams to achieve this, (including the Local Transport Plan);
- h) to develop a marketing strategy to promote and market the river at the local, regional, national and international level, working with Visit Tees Valley where appropriate. This would include work:
 - to increase engagement with the local community
 - to engage with local business to promote the river-based opportunities available
 - to develop a communication strategy to ensure that the river would be effectively promoted by all partners
 - to develop a central hub of information including a website and a comprehensive information pack for users, including for schools use
 - with Tees Active and Sports Development to raise the profile of watersport (including angling) as a sporting option for the people of the Borough and to ensure this would be built into service planning
 - with CESC, governors and headteachers to ensure that the educational and sporting opportunities for children and young people were fully promoted to schools within the Borough;

2. Cabinet would endorse the Committee's expectations regarding quality of development, access to and interaction with the adjacent waterspace and ensure that these would be included within the various development and

regeneration projects in place, in particular:

- within the North Shore masterplan and the planning application itself;
- within the final plans for re-development of Preston Park, recognising its importance as a gateway location;

3. The Director of Development and Neighbourhood Services would explore with partners, including HM Revenue and Customs, concerns surrounding business rates, mooring charges and rents for river-based businesses in Stockton Borough compared to other locations;

4. The Director of Development and Neighbourhood Services so far as was possible and practical would ensure that access to the river would be maintained and improved where possible through the LDF process and individual planning applications themselves;

5. Ensure that the opportunities for the Borough in relation to the period leading up to the 2012 Olympic Games (and future international sporting events such as Glasgow 2014) would be maximised through work with regional partners in particular ONE- in particular the opportunities to host a range of associated events;

6. The Head of Community Protection be tasked with collating accurate and reliable data relating to river-related crime and anti-social behaviour, and to explore how best to ensure that river users would be aware of the correct reporting mechanisms;

7. SBC and partners including British Waterways would ensure that all reasonable efforts would be made to ensure that the river remains safe, navigable and clean, including:

- the expedient removal of HMS Kellington from Stockton riverside
- the efficient removal of debris and obstructions in the river itself
- the cleanliness of the immediate riverside environment including footpaths;

8. Executive Scrutiny Committee would be requested to include a review of issues surrounding the tourist promotion of the Borough within the scrutiny work programme.

**CAB
3/08**

Review of Waste Management & Recycling

Members considered a report which set out the findings and recommendations from the Environment Select Committee's scrutiny review of Wastes Management and Recycling. There was a slight change of wording made to a recommendation in the Select Committee's report.

A comprehensive scrutiny review of waste management took place during 2004/05 which identified further work for the Select Committee to undertake including a review of the outcome of the kerbside plastics and cardboard recycling trial. In addition, there had been a number of national and local developments as well as stretching new national performance indicators.

The overall aim of the review was to achieve real improvements in the efficiency and effectiveness of waste collection and disposal services and to reduce the amount of waste going to landfill sites, whilst maintaining or improving customer

satisfaction in the service.

RESOLVED that:-

(1) the preferred means of 'recycling' was to sustain domestic kerbside sorting supplemented by bringing sites already available in the Borough and the Household Waste Recycling Centre.

(2) extension of the range of materials collected through the kerbside collection service Borough-wide by phased introduction of plastics and cardboard as quickly as possible; the precise details of the phasing to be determined by operational considerations however the trial areas should be included as early as possible.

(3) as far as possible, the carbon impact of the use of items collected for recycling in the Borough is minimised. (This resolution would be dependant upon operational capacity and funding availability to be determined by Cabinet)

(4) Officers would investigate options for suitable containers to include:

- o Full option appraisal and extensive consultation (to include home sorting and storage centres)
- o Identification of appropriate solutions for individual areas recognising that different options may be suitable for different areas of the Borough
- Options of linking to design colleges, local manufacturing etc.

(5) the collection of 'side' waste would be discontinued as soon as possible to dovetail with the expansion of the kerbside recycling service and that this would be supported by education and enforcement activity.

(6) the provision of Community Skips would be discontinued at the end of the current contract (March 2009) to further encourage the responsible disposal of waste in the Borough and that Officers would investigate whether any changes could be made to the Bulky Waste collection payments system to make payments easier to make and the potential for occasional special community collections.

(7) the Local Development Framework and supporting development documents would reflect the need to include sustainable Waste Management Obligations to ensure that any new developments contained appropriate waste and recycling facilities provision and storage and that planning officers were made aware of the importance of such facilities.

(8) the success of the consultation undertaken as part of the exercise and the ongoing public support for the waste collection service was acknowledged.

(9) the excellent award winning work and activities of the waste awareness service and on-street/door canvassing team was recognised whilst acknowledging that there was more targeted activity required on continued education and engagement to secure the long-term sustainability of wastes management.

(10) Officers would prepare a waste awareness and education strategy to

include recycling, waste reduction and responsible waste disposal, linked where appropriate to national campaigns; the campaign would target manufacturers and retailers and that Officers would report proposals to the Environment Select Committee in 3 months.

(11) Officers would explore options for funding through appropriate bodies such as the regional improvement partnership, WRAP, DEFRA, etc to deliver the waste awareness and education strategy.

(12) there would be a review of the impact of the extended recycling scheme six months from its introduction to inform a Cabinet decision on any further changes to collection frequencies or other changes that may be necessary.

(13) the Tees Valley Joint Waste Management Strategy – Implementation Plan approved.

(14) the Tees Valley Directors of Environment would undertake a review into the developing options for dealing with food waste including a review into the operational and financial impacts of using appropriate new technologies. (The Select Committee offered support to this in any way it can and requested regular feedback on developments.)

(15) it was noted that the necessary changes would undoubtedly need workforce reconfiguration and that extensive consultation would be required in implementing new practices and procedures.

CAB 4/08 Report of Children and Young People Select Committee - Review of School Organisation Plan

Members considered the report by Children and Young People Select Committee regarding their investigation of a decline in pupil numbers in primary schools in Stockton Borough which meant that pupil numbers in secondary schools were beginning to decline. It was expected that it would be necessary to remove up to 1500 secondary places.

RESOLVED that:-

1. consideration would be given for the Parent Partnership Officer and the Independent Choice Adviser to be closely aligned in order to further improve the advice given to parents.
2. CESC and DNS would introduce appropriately timed formal meeting arrangements to improve each others awareness of planning proposals and the impact this would have on school places.
3. a 'traffic light' system be introduced and increased use of project management techniques would be used by CESC and DNS to show when developments were likely to have a significant impact on school places.
4. CESC would ensure that spatial planning information would be used effectively to inform the School Organisation Plan.
5. CESC would determine arrangements that would improve the information,

distribution and consultation process for the next stage of the BSF process.

CAB 5/08 Report of Regeneration and Transport Select Committee - Review of Sustainable School Travel Strategy

Members considered a report that set out the findings and recommendations from the Regeneration and Transport Select Committee's review of the Sustainable School Travel Strategy. The report examined home to school travel and transport in the borough; the take-up and effectiveness of school travel plans amongst Stockton's schools; the travel and transport and facilitating measures necessary to assist in the effective provision of safe and sustainable school travel in Stockton; governance issues surrounding sustainable school travel; and links to the Building Schools for the Future programme. Members noted the importance for School Travel Plans to be a standing item on each School Governing Body meeting, to ensure that these be developed.

RESOLVED that:-

- (1) the Regeneration and Transport Select Committee would be provided with updates on the impact of the new statutory walking distances on choice of schools and the statutory provision of transport managed by the Community Transport Service.
- (2) the Regeneration and Transport Select Committee would write to the governing bodies of those schools without a school travel plan to encourage them to complete a school travel plan.
- (3) the Road Safety Team would consider ways of celebrating those schools with an authorised travel plan in conjunction with, for example, the 'Crucial Crew' Initiative and the Electoral, Civic and Community Engagement Team.
- (4) the Road Safety Team would design a school travel plan logo or insignia which could be used by schools to signify that they had an authorised school travel plan.
- (5) consideration would be given to the levels of support to the school travel plan implementation and audit processes to ensure adequate staff resources were in place.
- (6) the Road Safety Team would implement a monitoring and accreditation scheme for all schools with a school travel plan.
- (7) the Sustainable School Travel Strategy Action Plan would be amended to more accurately reflect the number of visits to schools made by the enforcement service, which would enable performance to be further developed.
- (8) the early implementation of bridges linking Ingleby Barwick to Yarm and Eaglescliffe through the Connect 2 project be pursued to provide the option for safe and sustainable pedestrian and cycling routes to school for students living in Ingleby Barwick.
- (9) information relating to school travel plans be made available annually as part of the Sustainable School Travel Strategy, on Stockton-on-Tees Borough

Council's website and on schools websites.

(10) the Select Committee would be provided with updates relating to progress on new methods of cashless payments and real-time public transport information.

(11) the Road Safety Team would adopt new ways of promoting school travel planning in Stockton Borough, that utilised other services and initiatives, for example the Healthy Schools and Eco Schools Initiatives.

(12) the Road Safety Team would be represented on an obesity strategy development group in order to ensure that the role of school travel planning is captured in an obesity strategy.

(13) the Road Safety Team and the Extended Schools Team would work in partnership to ensure sustainable school travel issues were considered as part of the Extended Schools programme.

(14) the Road Safety Team, the Building Schools for the Future Team, and Planning Services would work in partnership to ensure sustainable school travel issues were considered as part of the Building Schools for the Future programme.

**CAB
6/08**

Reorganisation of Education for Children with Behaviour, Emotional and Social Difficulties

Members were presented with a report regarding the reorganisation of education for children with Behaviour, Emotional and Social Difficulties (BESD). It was noted that consultation had taken place on a possible proposal to close King Edwin School and develop Westlands School as the single specialist centre in the borough for students with BESD. The proposal arose from a review of provision for students with complex needs carried out in 2006.

A consultation paper was distributed to interested parties and meetings were held at King Edwin School for parents and carers and for school staff. The issue was also discussed at a meeting of the Interim Executive Board, the body acting as governing body for the school.

Members were informed that parents and staff expressed concerns over potential disruption to the education of vulnerable young people who found any change of routine unsettling. The timing of the proposal was also questioned. Some parents were not convinced that Westlands School would offer a better service for their children. Members of staff at King Edwin contrasted their own position – facing potential redundancy – with the security of Westlands staff, and suggested an alternative proposal involving closing both schools and establishing a single new BESD school.

The consultation carried out was the first stage of statutory consultation, and it was noted that if it was agreed to proceed to the second stage of consultation, the results of that consultation would be presented to Cabinet in July 2008. Members took into account the outcome of the first stage of consultation before considering whether to proceed to the second stage by publishing a Statutory Notice.

RESOLVED that a statutory Public Notice be issued describing a proposal to close King Edwin School on 31 August 2008.

**CAB
7/08**

Local Authority Representatives on School Governing Bodies

Members considered 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 following appointments be made to the vacant Governorships in line with agreed procedures subject to successful List 99 check and Personal Disclosure:

Barley Fields Primary School – Mrs L Davison

Bishopsgarth School Maths and Computing College – Mrs E Marwood

Blakeston School a Community Sports College – Cllr R Cook

Crooksbar Primary School – Cllr R Cains

Fairfield Primary School – Mrs W Spurr

Frederick Nattrass Primary School – Cllr S Nelson

Junction Farm Primary School – Mrs H L Jones

Mill Lane Primary School – Cllr D Coleman

Preston Primary School – Mrs K Stockley

St Gregory's Catholic Primary School – Cllr W Noble

St John the Evangelist RC VA Primary School – Mrs M Taylor

The Norton School Humanities College – Cllr S Nelson

Whinstone Primary School – Mr Simon Haywood

**CAB
8/08**

Green Infrastructure Strategies for Tees Valley and Stockton

Cabinet considered a report relating to Green Infrastructure Strategies for the Tees Valley and Stockton.

It was explained that Green infrastructure was the network of open spaces, countryside, rivers, lakes and street trees within and between our towns and villages. It included both public and private assets.

A number of key regional strategies highlighted the multiple benefits provided by green infrastructure and the important role it could play in the economic, social and environmental regeneration of the North East and its city-regions.

The Tees Valley Green Infrastructure Strategy set out a vision for a strategic green infrastructure network across the sub-region.

Members noted some of the benefits of Green Infrastructure

- Provide a high quality environment which encourages businesses to remain in the area and helps to generate inward investment.
- Enhance landscape and townscape, and provide an attractive setting for new development.
- Improve environmental sustainability, contributing to climate change mitigation

and adaptation. For example, greenspaces can provide water storage capacity and 'natural' flood defences; tree cover contributes to cooler urban microclimates and improved air quality.

- Promote health and well-being, for example, by providing opportunities for passive and active recreation, sport and children's play.
- Provide safe spaces for people to socialise and a focus for community-based projects and events, helping to create a sense of local pride and promoting community cohesion.
- Contribute to the area's tourism 'offer', providing new and improved visitor destinations and enhanced connectivity.
- Promote sustainable transport through the provision of cycle and footpath networks and linkages to public transport.
- Enhance biodiversity and conserve local heritage.
- Provide opportunities for education and training.
- Contribute to local food production and provide opportunities for the production of renewable energy.

Members were informed that the Tees Valley Joint Strategy Unit had led on the development of a Green Infrastructure Strategy on behalf of a wider partnership comprising all five Tees Valley Local Authorities, Natural England, the Environment Agency, North East Community Forests and Cabe Space.

A copy of the final version of the Strategy was provided to Cabinet.

It was explained that the strategy's vision was to develop, by 2021, a network of green corridors and green spaces.

The Strategy outlined a network of 17 Strategic Green Infrastructure Corridors across the Tees Valley, linking existing environmental resources with strategic priorities such as major redevelopment schemes, housing market renewal areas, and areas of new housing and business development. Details of the strategic green infrastructure network for Stockton were provided.

Cabinet noted that the Key priorities for each corridor would need to be reflected in Local Development Frameworks, other local strategic plans and regeneration schemes. An Implementation Plan for the Tees Valley Green Infrastructure Strategy was also being developed with input from all major partners. The Plan would:

- Summarise existing and planned strategic green infrastructure projects and initiatives.
- Identify gaps and new opportunities.
- Provide an indicative timetable for implementation.
- Identify potential funding sources (One NorthEast have initially allocated £500,000 in 2008/09 through the Tees Valley City Region Investment Plan, but a variety of other funding and delivery mechanisms will need to be employed).

- Set out arrangements for monitoring progress and reviewing priorities.

The strategic framework included an Infrastructure Strategy specific to Stockton. The Strategy would focus on the development and sustainable management of green infrastructure and include a spatial planning element identifying key assets and opportunities. The long-term aim would be to develop networks of 'multifunctional' and connected green and 'blue' space across the Borough.

Members noted the purpose and broad objectives of Stockton's strategy.

Cabinet were given details of the next steps and anticipated timescales which would see the final version of the Strategy and Action Plan published in April 2009.

It was proposed that a Strategy Working Group be established involving a number of external partners who could be invited to play an active role in the development of the Strategy, including:

- North East Community Forests
- Environment Agency
- Natural England
- Forestry Commission
- Tees Valley Wildlife Trust
- Commission for Architecture and the Built Environment (CABE)

In addition a number of sections of the Council should be represented on the Working Group.

It was agreed that it was important that the Strategy was underpinned by a robust evidence base. Existing information and planned new research included:

- A Borough-wide Recreation and Leisure Survey, completed in March 2008.
- Viewpoint Surveys and the Stockton-on-Tees Residents Survey.
- A review of the existing Open Space Audit data and other existing spatial data held by the Council and its partners. This will be supplemented by additional green infrastructure mapping as required.
- A review of the Borough's Local Wildlife Sites, to be completed by August 2008.
- A proposed Landscape/Townscape Character Assessment

RESOLVED that

1. the Tees Valley Green Infrastructure Strategy be endorsed and the development of an Implementation Plan to commence in 2008/09 be supported.
2. the preparation of a Green Infrastructure Strategy for Stockton be supported and be developed through a partnership approach, with a target date for completion of April 2009.

**CAB
9/08**

**Small Environmental Improvements Budget 2007/08 –Community
Participation Improvements Budget 2008/09**

Consideration was given to a report that provided details of the delivery of Small Environmental Improvements during 2007/2008.

Members were reminded that in February 2007 the Members Advisory Panel approved the protocol for the Small Environmental Improvements Budget and the dividing of the Capital Programme budget allocation of £400,000 per year for 2 years (2007/08 & 2008/09) between the wards on the basis of population per ward.

This approach represented a significant change in the delivery of local priorities and services, in that communities, through their ward councillors, were able to influence the public realm improvements in their own areas.

Cabinet noted that in February 2008 a further allocation of £400,000 per year was approved for a further 2 years – 2009/10 & 2010/11.

It was explained that across the 26 Borough wards a total of 92 projects were carried out, these projects varied in size from the installation of a single waste bin to the creation of additional car parking areas. Specific details of the schemes undertaken were provided to Members.

From the allocation of £400,000 for 2007/08 the projects implemented were projected to expend £370,000 by the end of March 2008, leaving £30,000. The remaining funding would be rolled forward into 2008/09 and added to the appropriate wards allocation.

Members were provided with details of some of the feedback received relating to the programme:

- Several Members had highlighted the size of the available budget as a major constraint for the programme, given the amount of requests received.
- Requests for additional parking provision is the most popular request received from members of the public.
- Certain schemes require a greater level of investigation, involving several sections/disciplines of the Council and the development of a detailed design to ensure the scheme meets the necessary specifications for adoption. In some cases it had been necessary to apply for details of the locations of utility apparatus, this can take up to 8 weeks.
- Officers required as much detail as possible for requested schemes to assist in the assessment and costing of the particular scheme.
- It was better to implement certain schemes at certain times during the year.
- Several Members identified large scheme, which exceeded the annual allocation for their ward. They welcomed the opportunity to use the following years allocation to ensure that these schemes could be implemented. However, the combining of annual allocations were not appropriate when there was an election scheduled in the following year.
- The need for Members to indicate the level of consultation was essential prior

to requests being processed.

Cabinet was provided with changes in ward population which would result in a change of funding allocation, effective from 1st April 2009. It was suggested that this be reviewed every 2 years. Members noted received representations suggesting that the current allocation criteria be examined with consideration being given to allocations being based on actual need.

It was noted that the type of works for the Small Environmental Improvements Budget carried significant legal and liability issues, simply because such works existed within the public domain. It was therefore important that contractors that were used were properly covered in legal, insurance and quality terms. In addition, construction regulations, highway and traffic law (including accredited Street Works status) had to be adhered to and maintenance liabilities, procurement practices and Health and Safety regulations had to be understood. The Council remained liable for such works and activities within the public domain. Consequently, any schemes should be agreed and delivered through the Council professional services of both Direct and/or Technical services as appropriate.

RESOLVED that

1. the progress made with delivery of the Small Environmental Improvements in 2007/08. be noted.
2. the feedback received from Members, officers and the public be noted.
3. the process for the Small Environmental Improvements Budget be endorsed.
4. the use of combining annual allocations of funding to implement larger schemes be approved with a maximum of 2 years allocations being combined, except during any year prior to an election. Any "one off" special projects that, for instance, combine contributions across several wards could be considered subject to the appropriateness of the project and the agreement of all ward members affected.
5. the changes in ward populations and the impact on the budget allocations, effective from 1st April 2009 be noted and that the current allocation criteria for funding be examined ahead of the next financial year.

**CAB
10/08**

Connect2

Members considered a report that sought approval in principle for a scheme designed to link Ingleby Barwick with Eaglescliffe, Preston Park, Thornaby and Yarm via a series of pedestrian and cycle routes, including new bridges across the Rivers Leven and Tees.

It was explained that as a result of a successful bid for Big Lottery funding in December 2007, Sustrans had secured £50 million of grant funding for 'Connect2', a national initiative designed to link communities currently severed by a physical barrier such as a road, river or railway. Each of the 79 Connect2 schemes across the UK would receive a share of the grant over the five years from 2008/09 to 2012/13 inclusive, with the Council receiving £600,000 towards

the cost of the scheme proposed within the Borough.

Cabinet noted that the Council had worked with Sustrans to develop a Connect2 scheme. Members noted the main features of the scheme:-

- A new footpath/cycleway bridge across the River Leven between Ingleby Barwick and Yarm (Link 1);
- A new footpath/cycleway bridge across the River Tees between Ingleby Barwick and Eaglescliffe (Link 2);
- A new footpath/cycleway between Ingleby Barwick and Thornaby (Link 3); and
- A new footpath/cycleway Ingleby Barwick and Preston Park via the existing Jubilee Bridge (Link 4).

Subsequently the Council had carried out an outline feasibility study, which identified a number of potential route alignments for the two proposed bridge crossings, together with an initial cost estimate of £6.3 million.

Members representing the Wards directly affected by the proposed scheme have been updated on progress. A public consultation exercise was carried out through the Winter 2007 and the level of support for the scheme was high.

The landowners affected by the proposed routes had been identified and most broadly supported the proposed links.

Cabinet was asked to give its approval of the proposed scheme in principle.

Members noted that in order to take the scheme forward, an outline Project Plan had been developed to deliver the scheme by 2012/13. The Project Plan sets out the key tasks associated with delivery of each of the four proposed links, together with an indicative timescale in each case.

For practical reasons, a phased approach to the delivery of the scheme has been adopted. The target year for completion of each Link was as follows:

Link 4 (Ingleby Barwick to Preston Park): 2009/10

Link 3 (Ingleby Barwick to Thornaby): 2010/11

Link 1 (Ingleby Barwick to Yarm): 2012/13

Link 2 (Ingleby Barwick to Eaglescliffe): 2012/13

It was explained that effective management of risk would be crucial to the successful delivery of the scheme, and Members were appraised of some of the key potential risks to delivery of each of the four proposed links.

Members were informed that it was intended that an External Project Board would be established to maximise engagement with key stakeholders and reduce the risks to delivery of the scheme

Sustrans had requested detailed information prior to issuing a Memorandum of Understanding, which will set out the conditions governing the release of the

£600,000 of Big Lottery funding for Links 1 and 2 over the next five years. As this contribution would cover only a small proportion of the overall scheme cost, work was also underway to identify and secure the other ingredients in the overall funding 'cocktail'.

Should it prove impossible to secure sufficient funding the possibility of meeting part of the cost of the scheme from the Council's own resources may need to be considered.

A further Report would be brought to Cabinet in February 2009, by which time a more detailed funding strategy for the scheme would have been developed.

RESOLVED that

1. the proposed Connect2 scheme be approved in principle.
2. Officers be authorised to pursue the preferred strategy for the delivery of the scheme, as highlighted within the Report, and to investigate potential sources of funding.
3. the establishment of an External Project Board to ensure that key stakeholders are fully engaged throughout the scheme development process, be noted.
4. A further Report, updating Members on progress made with regard to funding, land acquisition and risk management, be submitted to Cabinet in February 2009.

CAB 11/08 Regional Spatial Strategy (RSS) - Further Proposed Changes Consultation

Members considered a report that set out for members changes to the RSS and the Council's response. Members noted that, due to the consultation period expiring on the 2nd April, Council officers had submitted the comments detailed in the report. Cabinet was therefore asked to note and endorse the reports contents

The number of net additional dwellings in the region, over the period 2004 –2021, was to be increased from 112,000 to 128,900. This change was considered necessary because of revised population projections, which identified international migration as a main factor in sustaining housing growth. Cabinet noted that these figures did not represent a ceiling and LDFs could make a case for a higher figure as appropriate. It was envisaged that sufficient brownfield land had been identified to accommodate this increased scale of growth and no major greenfield allocations would be necessary.

The revised regional figure would result in an additional 36,325 for the Tees Valley sub-region an increase of 2,465 in the proposed changes (May 2007), see table 1 below. This increase was in line with representations made previously by the Tees Valley Joint Strategy Unit on behalf of the 5 Tees Valley Authorities.

Members were provided with details of how the additional dwellings had been redistributed throughout the Tees Valley.

The revised figures allowed for an average additional 25 dwellings per annum, within Stockton on Tees Borough. The 2007 version of the RSS frontloaded the majority of dwellings into the earlier phase of the plan period, with the latter phase having a more limited level of growth. The revised figures provided a more balanced provision of dwellings over the plan period with reduced growth in the first phase and higher growth later on in the plan period.

Changes to the RSS included the number of pitches required to 2020 for Gypsies and Travellers by groups of Local Authorities. Stockton Borough had been grouped together with Middlesbrough, Redcar and Cleveland, and Darlington (Hartlepool was grouped together with Easington and Sedgefield). A total of 51 additional pitches were considered to be required.

However, paragraph 23 of circular 01/06 states that, "The RSS revision should identify the number of pitches required (but not their location) for each Local Planning Authority in the light of the Gypsy and Traveller Accommodation Assessments and a strategic view of needs across the region." The approach in the RSS was therefore not in accordance with advice in the Circular

Policy 32 had also been altered, in accordance with circular 01/06, to include a requirement for LDFs to plan, monitor and manage the provision and release of pitches for Gypsies, Travellers and Show-people communities. A Tees Valley Gypsy and Traveller Accommodation Needs assessment was commissioned in July 2007. This would identify pitch requirements by local authority area and inform the LDF in terms of future pitch provision.

In view of the above officers had submitted the following representation

- Amend table in paragraph 3.89 to provide Gypsy and Traveller Numbers by each Local Authority rather than groupings.
- Pitch requirements should be updated by Tees Valley study

There were a number of errors on a map relating to the Tees Valley City Region, these included the locations of, North Shore; Wynyard Business Park; the A66 trunk road; Darlington – Saltburn branch railway line and; Durham Tees Valley Airport, all being identified in the wrong location. In addition some settlement names were located erroneously which had also resulted in the extent of the conurbation, to the south of the borough, being geographically incorrect.

Officers had therefore advised Government Office North East of the necessary amendments.

Members noted that changes to the employment land section of the document were minimal and it was not considered that any representations were required on this section. However, Members were advised of certain changes to terminology and descriptions.

RESOLVED that

1. the contents of the report be noted.

2. the representations in the report be endorsed.

**CAB
12/08** **Redevelopment of the Shambles Market Hall**

Consideration was given to a report relating to the redevelopment of the Shambles Market Hall, Stockton.

It was explained that the Shambles was a Grade II listed building within the historic environment of Stockton High Street. Members noted that the building currently housed small kiosk units, together with a small central office block for the Markets Service. Today, the units are too small for many types of business and no longer suitable for fresh produce. The central markets office blocks the sightlines inside the building, making it seem unfriendly and the un-let units serve to add to the negative impression.

It was therefore proposed that the building return to its former use as a permanent indoor market selling fresh produce but with adaptations that make it fit for this purpose in the 21st century. To ensure that the facility creates a vibrant addition to the existing mix, it was also proposed to attract into the new building high quality, specialist and niche food retailers including organic and fair trade goods and local produce. In order to undertake the development, there was a requirement for the Council to borrow monies to supplement existing funds. Capital Strategy Group had endorsed the proposal.

Cabinet was provided with a floor plan and elevation showing the proposed redevelopment of the building. Members noted that:-

- The central blockage created by the markets office was removed, returning the main thoroughfare;
- The existing units would be doubled in depth, with a sales area to the front and a storage/preparation area to the rear, making them more commercially viable;
- Each unit had its own metered supply of mains services;
- The cash office facility was retained but relocated;
- The award winning toilets were not compromised and would still be serviced by a warden;
- Each unit was flexible in its usage and several could be joined together if required to accommodate a larger business.

The new development incorporates a cash office at the south end of the building which would be used to collect rents on market days. This would be constructed first, allowing the existing cash office to be demolished without interrupting the secure operation of the markets.

It was explained that following the redevelopment, it was proposed that the Town Centre Management and Markets Service would take over management of this facility and collect rents. Appropriate controls would be put in place to ensure that the new occupants operated in accordance with the Council's aspirations for the building, with regular inspections to ensure compliance with Environmental Health regulations and Trading Standards legislation and more general rules for occupation enforceable via the terms of lease and appropriate conditions thereto.

It was proposed that new, high quality appropriate signage would be designed and erected on or adjacent to the building, identifying The Shambles as an indoor market and the 'hub' of the newly renovated outdoor market, known as The Queen of the North. This would be designed and produced in accordance with the regulations regarding listed buildings, and would be agreed in advance with the Planning Conservation officer.

Members agreed that there was a requirement for a highly proactive marketing campaign to raise awareness of the changes and to recruit new traders that fitted with the profile described and to fulfil the Council's aspirations for the new-look market hall. It was explained that this was already underway and a range of methods were being employed including , web and magazine advertising, and a highly targeted telesales marketing campaign to secure interest from targeted businesses in the region. This had already produced some keen interest.

Capital remaining from the markets redevelopment programme approved by Council totalling £91,000 had been earmarked to undertake this development. Further Prudential borrowing of £180,000 was required which would allow the project to go ahead. Prudential borrowing would be funded over a 10 year repayment period via projected increased income due to the rental uplift achievable post-redevelopment.

RESOLVED that:-

1. the proposal for redevelopment be approved.
2. a sum of £180,000 of prudential borrowing be approved to enable the development to take place.

**CAB
13/08**

Christmas Festival and Market Proposal

Members considered a proposal to develop a themed Christmas Festival and Market of regional significance over the next 3 years in Stockton.

Cabinet was reminded of the contribution the Stockton International Riverside Festival (SIRF) and Billingham International Folklore Festival made to the Borough's profile and economy.

However, both of these exceptional events took place within a short period of time over the summer months. Recognising this, and the need to provide shoppers and visitors with a reason to choose Stockton town centre as their destination during the Christmas season, in 2006 the Stockton Sparkles Christmas Festival was launched, the primary purpose of which was to enhance and support the retail offer in Stockton town centre at Christmas, thereby positively influencing the decision of Christmas shoppers to come to Stockton. Having completed two successful years, Stockton Sparkles was ready to move forward to become a high profile festival of regional significance, to complement the quality of the summer festivals.

Stockton Town Centre had a well known and well used market, which provided a range of convenience and comparison goods 52 weeks a year. Stockton's market continued to remain at capacity with a waiting list of potential

stallholders, and offers a good range of products for customers to choose from. Markets were key to Stockton's ability to attract and keep new customers who would not otherwise have come to the town centre.

Taking the above into account it was proposed that a high quality, well managed and publicised Christmas market, as a four-day focus of Stockton's Christmas Festival celebrations be developed, supplemented by a programme of entertainments, musical performances and attractions on a much larger scale than achieved by the Stockton Sparkles festival to date forming a solid basis for an annual event. This would grow to become regionally, even nationally, significant over the years and would play a key role in ensuring the vitality, viability and attractiveness of Stockton town centre at this crucial time of year for retailers whilst sending a strong signal to potential investors that there was sufficient footfall to justify their investment in regenerating the town centre.

Members noted that the proposal had the full support of the Regional Development Agency, One North East.

Cabinet noted the positive impact a successful Christmas Market had on the economies of other towns and cities in the UK, such as Bath and Lincoln.

The involvement of local businesses was considered important to the ongoing viability of such festivals and Members noted that there were a number of ways for the event to sit alongside the existing market and other retailers. Plans would be discussed through the Markets Forum and the Retail Forum and a nominated representative of the market traders encouraged to sit on the steering group developing the event.

In 2008 the event would set out to deliver

- An exciting, pleasurable and safe family day out
- A range of new customers for Stockton town centre
- An environment which would stimulate the senses and encourage people to buy
- A day out for local people and visitors from further afield
- An atmosphere of vibrancy, activity and celebration
- An event which would raise awareness of Stockton and change perceptions locally, regionally and nationally.

Members considered the key elements of the festival and noted possible attractions/activities under the following broad headings:

- Visual Appearance
- Interactive Experience
- Creating a Buzz
- Celebrating multiple cultures

It was felt that the entire festival would be extremely beneficial in helping to change perceptions of Stockton and reinforce its forte as the home of great markets, where there was always something going on, making it 'a place to visit, not just a place to shop'. Retailers, hospitality providers and other associated town centre businesses would benefit from the additional footfall and spend generated. In particular, the aim was to improve the dwell time of visitors (how

long they stay in town) to ensure that businesses benefited.

Cabinet noted the additional infrastructure that would be required. For example:

- Car parking (local provision combined with remote park and ride; alternatives for local workforce)
- Coach drop off and waiting facilities, with booking system
- Road closures, bus diversions
- power distribution (market stalls, area / local lighting, specialist for events)
- marquees
- Bespoke stalls, e.g. wooden huts, 'pop ups'
- temporary toilets
- Additional rubbish collection / disposal

It was proposed that the 4-day event would occupy a number of sites across the town centre area, in much the same way as Riverside Festival occupies different areas for different types of performance. In October 2007 preliminary site visits were carried out on potential areas where activities could be located. Since that time, further planning had taken place which has identified the type of activities best suited to these prime locations. These areas were identified, see below, and Members were provided with details of their inherent advantages and disadvantages.

- a. Stockton High Street
- b. Parish Church & Parish Gardens
- c. Church Road/Splash plazas
- d. Green Dragon Yard and the Cultural Quarter
- e. Riverside
- f. Trinity Gardens
- g. Castlegate
- h. Wellington Square
- i. West of High St (Partnership Scheme (ShiP) area)

Members were informed that there was considerable experience, within Stockton Council, of managing large scale events such as SIRF, events at Preston Park and throughout the Borough, and in the town centre. There was a well established group of officers, and representatives of external bodies (police, fire brigade, ambulance etc), which came together to manage every aspect of such large scale events and this group would oversee the operational aspects of the proposed event.

Marketing and promotion would be essential and would focus on recruiting traders attracting visitors.

A significant advantage was the existence of the Town Centre Joint Promotions Group, part of the Town Centre partnership and the body that already delivered the Stockton Sparkles magazine, the Stockton Sparkles festival and other events and campaigns throughout the year. This group would be in a position to maximise the marketing of the event and through joint funding and sponsorship would achieve greater coverage, and better buy-in from town centre businesses, than would otherwise be achievable. It was proposed that this group oversees the programme of marketing for the event.

The project would be managed by a small but experienced group, which would co-opt additional expertise as required.

It was explained that updates would be provided to the wider Town Centre Event Operations Group (which incorporated town centre ward councillors and the Cabinet Member for Regeneration and Transport), and also to the Markets Forum, Retail Forum and the Central Area Partnership Board.

Members noted that the event would be funded for the first three years through capital and revenue investment. Over the period, however, there would be opportunities to generate income through stall rents, sponsorship and fees. Whilst this amount was expected to be small in years 1 & 2, it would be banked and by year 3 the event was expected to have generated sufficient surplus to offset the expenditure required to implement it in year 4. Thereafter, the event should become financially sustainable.

RESOLVED that:-

1. the outline proposals be approved as a basis for further development work.
2. an all member seminar be arranged in the summer.
3. a further report be submitted to Cabinet in the Autumn to include detailed financial appraisal when costs have been firmed up.
4. an update report be brought back to Cabinet in February/March 2009 following the first year experience to evaluate progress towards the various objectives including financial.

**CAB
14/08**

Tees Valley Growth Point Status Bid

A report was presented which advised Members of the Tees Valley's bid to the Department for Communities and Local Government for Growth Point status and summarised the potential next steps if the bid was successful.

On the 2nd November 2007, the Tees Valley Local Authorities submitted a bid to the Department for Communities and Local Government (CLG) to be designated Growth Point status. 28 bids had been made nationally and all of them were still being considered. A decision on the bid was originally anticipated in mid February and had been delayed several times. It was anticipated that a decision would be made in May 2008.

The requirement for Growth Point status was for the Tees Valley to build at least 20% more new homes than the approved Regional Spatial Strategy target for the period to 2016. To put this into context, the Tees Valley sub region as a whole had to increase its annual house building completions from 2,200 per year to 2,600.

The Tees Valley Growth Point bid was complimentary to the approved Tees Valley Living Housing Market Renewal Strategy. It could most accurately be described as an accelerated development programme, which identified key infrastructure investment necessary to speed up the development of the city region. It maintained the focus on the core of the city region as the priority area

for development.

If the bid was successful, the Tees Valley would receive funding from the Community Infrastructure Fund to enable accelerated and increased housing delivery. Although more detail on this was still awaited from the CLG, it was known that the first tranche of funding, £200million nationally, was for transport projects. This would be followed by the main funding pot to fund site assembly costs including contamination, infrastructure and environmental improvements. The main pot of funding available was £1.7billion nationally and would be shared between the existing 29 Round 1 Growth Point areas and the successful Round 2 areas once announced. Although it was still not known how much the Tees Valley could be allocated, it had been estimated that the initial transport fund could be in the region of £12m to £20m.

Growth Point status would also provide the opportunity for more affordable homes for sale and rent as it was the Council's policy for developers to provide 15% affordable homes on all sites over 15 units.

The Growth Point bid was still very much work in progress. As part of the submission the Tees Valley Local Authorities were required to provide details of a range of indicative sites with the potential to accelerate and increase housing completions. The Stockton Borough sites were:

- North Shore
- Green Blue Heart
- Northern Gateway
- Bowesfield Riverside
- Allens West
- Stockton Riverside

The indicative sites included were those which were known to be being brought forward for development up to the period 2016. The identification of the sites was to demonstrate that the sub region could deliver an accelerated and additional housing development programme in order to seize the opportunity of the invitation to bid. The bid contained a clear caveat that all sites would be subject to due diligence and their inclusion as part of this initial expression of interest stage would not prejudice the planning process or mean they would be part of the final approved programme.

If successful, the next stage would be to start reviewing in more detail the feasibility of the sites listed and to make any necessary amendments to the programme in light of any change in circumstances and potential new sites identified in the developing Strategic Housing Land Assessment (SHLA). As part of this process, the individual Ward Members for all of the proposed sites would be consulted.

The allocation of the Community Infrastructure Fund would be managed through the Tees Valley Unlimited structure. Further details on this will be reported to Cabinet in the future if successful.

RESOLVED that the bid be endorsed, and agreed that a further report with a detailed delivery plan be approved by Cabinet in the future if Growth Point status was awarded.

CAB
15/08

Community Cohesion Strategy

Cabinet considered a report that introduced the Council's draft Community Strategy and requested the approval of it and its action plan.

The importance of Community Cohesion had become magnified in the wake of the unrest in Bradford and Oldham in 2001 and the London terrorist attacks of 2005. These events had prompted the government to set up the Commission on Integration and Cohesion to make recommendations for improving cohesion across the country. This report "Our Shared Future" was released in the autumn of 2007 and had informed the development of the draft strategy.

The Commission identified a cohesive community as one where there was a shared sense of individual rights and responsibilities, those from different backgrounds had similar opportunities and strong positive relationships, where there was a strong sense of trust in local institutions and a focus on common values. This cohesiveness could be influenced by amongst other issues, population characteristics, crime, satisfaction and deprivation levels as well as perceived and actual discrimination.

In Stockton on Tees, the key issues which could influence community cohesion were levels of resident satisfaction, levels of deprivation in some areas and perceptions of crime and anti-social behaviour.

In order to prevent a breakdown in Community Cohesion in the Borough, Stockton Renaissance established a Community Cohesion task group with representation from across all sectors in the partnership, to develop the Borough's Community Cohesion Strategy.

This strategy had been developed and approved by Stockton Renaissance. It outlined the key themes for promoting community cohesion in Stockton-on-Tees. These were:

- Promoting equality of opportunity
- Community well-being and pride
- Meeting needs and aspirations
- Celebrating diversity and commonality
- Creating boundaries
- Reducing conflict and tension
- Myth busting
- Empowerment

These themes ensured the strategy was in line with the recommendations of the Commission but were also reflective of the borough's unique circumstances.

The action plan to accompany the strategy had been developed through a process of consultation with the various thematic partnerships of Renaissance who had adopted the draft strategy and agreed actions, milestones and dates where appropriate.

Delivery against the strategy and its action plan would be supported by the Council's Diversity Team with progress being reported on a bi-annual basis.

Cabinet was provided with copies of the draft strategy and action plan.

RESOLVED that the Community Cohesion Strategy and its action plan be approved.

**CAB
16/08**

Outside Bodies

Cabinet was requested to appoint Members to various outside bodies. It was noted the nomination on the report for Stockton Renaissance Health and Wellbeing Partnership.

No nominations had been received for a member to the Independent Living Steering Group and a substitute member for North East Strategic Migration Partnership and these were deferred to the groups for nominations.

RESOLVED that appointments be made as follows:-

Adult Protection Committee – Cabinet Member Adult Services and Health

ARC Board – Cabinet Member Arts, Leisure and Culture

Bus Lane Adjudication Service Joint Committee – Cabinet Member
Regeneration and Transport, Cabinet Member Corporate and Social Inclusion

Centre for Local Economic Strategies – Cabinet member for regeneration and
Transport

Learning Disabilities Partnership Board – Cabinet Member Adult Services and
Health

Local Authority Arts Forum – Cabinet Member Arts, Leisure, Culture

National Parking Adjudication Service Joint Committee – Cabinet Member
regeneration and Transport, Cabinet Member Corporate and Social Inclusion

NEA Strategic Planning Committee – Cabinet Member Regeneration and
Transport

North East Consortium for Asylum Support (NECCAS) – Cabinet Member
Corporate and Social Inclusion

North East Strategic Migration Partnership – Cabinet Member Corporate and
Social Inclusion

Schools Forum – Cabinet member Adult Services and Health

Stockton & Middlesbrough Initiative – Leader of Council, Cabinet member
Regeneration and Transport, Cllr Cains

Stockton Renaissance Arts & Culture Partnership – Cabinet Member Arts,
Leisure, and Culture

Stockton Renaissance Childrens Trust Board – Cabinet Member Children and Young People, Cabinet member Adult Services and Health, Cllr Miss Inman, Cllr Lewis

Stockton Renaissance health and Wellbeing Partnership – Cabinet Member for Adult Services and Health, Cllr Mrs Cains, Cllr Beaumont, Cllr Mrs Fletcher

Supporting People Commissioning Body – Cabinet member Adult Services and Health

Supporting People Planning & Strategy Group – Cabinet Member Housing and Community Safety, Cabinet Member Corporate and Social Inclusion, Cllr Coleman

Tees Valley Arts – Cabinet Member Arts, Leisure and Culture

Tees Valley Environment Protection Group – Cabinet Member Environment, Chair of Environment Select, Vice-Chair of Environment Select Committee

Tees Valley Living – Cabinet member Housing and Community Safety, Cllr Lupton (Sub)

Tees Valley Local Access Forum – Cabinet Member Regeneration and Transport

Tees Valley Unlimited Housing Board – Cabinet Member Housing and Community Safety, Cllr Lupton (Sub)

Tees Valley Unlimited Leadership Board – Leader of Council, Cllr Cook (Sub)

Tees Valley Unlimited Planning & Economic Strategy Group – Cabinet Member Regeneration and Transport

Tees Valley Unlimited Transport for Tees Valley – Cabinet Member Regeneration and Transport

Telecare Project Group – Cabinet Member Adult Services and Health

CAB
17/08 **Minutes of Various Bodies**

Consideration was given to the minutes of the meetings of Area Partnership Boards and Tees Valley Living Board.

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

Eastern Area Partnership 27 November 2007

Eastern Area Partnership 18 December 2007

Eastern Area Partnership 29 January 2008

Eastern Area Partnership 19 February 2008

Tees Valley Living 23 January 2008

Western Area Partnership 20 February 2008

The Billingham Partnership 3 March 2008

**CAB
18/08**

Corporate Manslaughter and Corporate Homicide Act 2007

Consideration was given to a report that provided details of the implications of the Corporate Manslaughter and Corporate Homicide Act 2007.

It was explained that the Corporate Manslaughter and Corporate Homicide Act 2007 came into force on 6 April 2008. The Act provided a new offence of Corporate Manslaughter to apply to Companies, Government Departments, Local Authorities and similar bodies, Police Forces and certain unincorporated Associations.

The Act was essentially concerned with health and safety and increased the scope of prosecutions where there was a fatality.

Under previous law, a Company could only be convicted of manslaughter where “a directing mind” of the organisation could be identified. In practice that meant a senior individual who could be said to “embody the company in his actions and decisions”. Such an individual was easier to identify in a small organisation than a large organisation. This was one of the reasons why manslaughter charges were dismissed against Barrow-in-Furness Borough Council following the deaths from Legionella of seven people in 2002. In that case, the Judge expressed doubt that even the Chief Executive could be the “directing mind” of the Local Authority. Despite the charges of manslaughter being dismissed, both the Council and a Senior Manager involved were convicted of health and safety offences. The Manager was fined £15,000, the Council £125,000 and the Council was ordered to pay £90,000 in costs. Therefore, it was important to note that the new offence of Corporate Manslaughter would complement and run alongside other charges such as breaches of health and safety legislation and possibly a manslaughter charge against an individual.

Liability for the new offence depends on a finding of gross negligence in the way in which the activities of the organisation are run. It was explained that an offence would be committed where an organisation owed a duty to take reasonable care for a person’s safety and the way in which the organisation’s activities had been managed or organised, by its senior management, amounted to a gross breach of that duty and caused the person’s death.

Members noted that the Act was designed to target “management failures” by senior managers. It focused on the arrangements and practices made by senior managers for carrying out the Council’s functions. Individuals that were identified as being responsible or the cause of the “management failure” must have played “significant roles” in that failure, ie a decisive and influential role, not a minor or supporting role.

“Senior management” was defined as those persons who played significant roles in:-

- the making of decisions about how the whole or a substantial part of its activities are to be managed or organised, or
- the actual managing or organising of the whole or a substantial part of those

activities.

The definition would therefore include strategic decision-makers (Chief Executive, Directors and Cabinet Members) and those who actually manage the activity or function (Heads of Service and possibly third or even fourth tier Officers).

In terms of risk management, the Council's procedures and risk management systems were well established and regularly reviewed, however, the Council was advised to :-

- carry out a Corporate risk assessment of the likely exposure under the Act
- ensure that the Chief Executive, Directors, Heads of Service and other senior managers understood their responsibility for ensuring all risks had been adequately identified and mitigated
- strengthen Leadership on Health & Safety
- ensure correct policies and procedures were established and enforced to prevent serious incidents from occurring and to continually monitor, audit and review Service activities
- ensure that the corporate culture supported and reinforced the policies and procedures
- provide effective training for all relevant employees, agency staff and volunteers
- ensure effective record keeping
- consider adopting a protocol for dealing and responding to a fatality in the workplace
- develop an Action Plan to minimise the risks that were identified.

Where Managers had reasonable safeguards in place and a death nonetheless occurred, no liability would arise.

A conviction for Corporate Manslaughter may result in one or more of the following:-

- an unlimited fine
- an Order that required the "management failure" to be remedied
- an Order requiring publicity about the conviction, the particulars of the offence, the amount of any fine and details of any remedial Order
- an Order for the costs of the legal proceedings to be paid by the convicted party.

Cabinet was reminded that the Council had reviewed its insurance and

indemnity arrangements in respect of Members and Officers in March 2006. The Scheme of Indemnity for Members and Officers was provided to Members. In relation to criminal offences, an indemnity was available provided that the action or failure to act that gave rise to the offence was taken in good faith. However, if an Officer or Member was convicted of a criminal offence and that conviction was not overturned following any appeal, the Officer or Member was required to reimburse the costs and any sums incurred by the Council in relation to the proceedings.

Recommended to Council that the report be noted and the recommended actions, as detailed in the report considered by Cabinet, be endorsed.

CAB 19/08 The Role of Stockton Renaissance Post Neighbourhood Renewal Funding and Governance Arrangements for Working Neighbourhoods Fund

Cabinet considered a report that examined the impact on Local Strategic Partnerships of changes in the national and local context, exploring the role of Stockton Renaissance post Neighbourhood Renewal Funding and opportunities offered by the government's introduction of the Area Based Grant.

Members noted that the government's Comprehensive Spending Review introduced a new non-ring-fenced 'Area Based Grant' or ABG. The ABG contained a range of grants including a 'Working Neighbourhoods Fund' which had been seen as the successor to neighbourhood renewal funding. The inclusion of this grant within the ABG made it different to NRF in two important ways-

- § The grant was allocated to the Council and not the LSP.
- § It was non-fenced and therefore could be spent on a range of priority areas not just worklessness.

Though the Council had flexibility in what it choose to spend the WNF element of the ABG on there was a rational expectation that the fund would be spent on worklessness issues. The Council and Stockton Renaissance has also identified worklessness and employability as key priorities in its new sustainable community strategy and in the emerging Local Area Agreement. The council was therefore keen to use the fund to tackle these issues and to empower Stockton Renaissance in deciding how this element of the council's ABG was spent.

There were several issues which needed to be resolved in order to move forward:

- § The role of the LSP post NRF, including the role of the thematic and area partnerships
- § Finalisation of transitional arrangements for NRF funded schemes
- § The allocation of funding from the ABG to a fund to tackle worklessness for 2008/09, 2009/10, 2010/11 including any transitional arrangements for Deprived Area Funds (this fund is included in the ABG from 2009)
- § Governance arrangements for commissioning programmes to address the employability/worklessness agenda

Members noted that the Government's published Sub National Review of

Economic Development and Regeneration made it clear that developing the economic base of deprived areas required a holistic approach which brought together action at various governance levels - national, regional, sub regional and local. Local strategic partnerships could play a key role in this, bringing together a range of partners to help co-ordinate action on worklessness and enterprise growth including the agreement of relevant targets in LAAs. As the engagement of all partners in the LSP would be important in achieving the regeneration of communities it was proposed to build on the previous arrangements at Stockton by requesting Council to allocate the available funding from the ABG through 2008-2011 into a Communities Fund for the LSP to develop a programme of projects to support this agenda. The LSP would then be responsible for monitoring the projects and reporting performance to the Council through Cabinet. Allocating the funding over three years would allow the LSP the opportunity to offer longer term commissioning opportunities for the voluntary and community sector.

This would support work looking towards the Comprehensive Area Assessment which would focus on outcomes for local people across councils, health bodies, police forces and others responsible for local public services, which were increasingly expected to work in partnership to tackle the challenges facing their communities.

The changes in the way that the ABG money was allocated meant that the Council would need to consider the implications for governance arrangements, including any necessary changes to the Council's Constitution and Scheme of Delegation and Stockton Renaissance's Terms of Reference. An amended draft terms of reference for Stockton Renaissance Partnership was provided to Members.

In Stockton a proportion of the NRF was ring-fenced in 2006/07 and 2007/08 specifically for the community led Area Partnerships to allocate, who were tasked to prioritise issues within their areas with reference to the relevant Local Action Plans, Neighbourhood Renewal Floor Targets and community views. The following funding allocations were then given to each of the Area Partnerships for allocation to commissioned projects-

1.	Central Area Partnership Board	£87,444 p.a.
2.	Eastern Area Partnership Board	£43,950 p.a.
3.	Northern Area Partnership Board	£18,606 p.a.

These allocations were calculated according to the Super Output areas based on a total allocation of £150k per annum for the Area Partnerships. This was then split according to the population that the super output areas represented.

To further support and continue to build on the success of this area of work, which involved devolving budgets to local communities, consideration could be given to allowing the Area Partnerships to address their Employment and Worklessness local priorities by allocating a sum of money as previously to commission schemes in their neighbourhoods. It was therefore proposed that, based upon the *formula below, the area partnerships receive in total an indicative allocation of £150,000 in 2008/9 with a further allocation of £153,749 in 2009/10 and £157,592 in 2010/11 with the allocation being targeted at addressing their Employability priorities. This would allow the following

allocations-

PLEASE REFER TO ORIGINAL REPORT FOR DETAILS - attached

*Members noted the allocations were worked out on the basis of £150k per annum divided by the total population of the eligible lower super output areas based on the IMD 2007 out of work benefit claims of over 25% across the three areas – then multiplied by the number of people in each of the Area Partnership areas. The allocation has then been increased by 2.5% for each year.

Whilst it was considered important to retain a focus on the most deprived super output areas the non ring-fenced nature of the Area Based Funding meant that there can be a focus on the person rather than the place so there was the opportunity to also provide support for those unemployed people who were previously excluded by the ring-fenced NR geographical criteria i.e. Including those within the Western Area Partnership area. A sum of £18,000 is proposed for the Western Area Partnership in 2008/09, rising to £18450 on 2009/10 and £18,911 in 2010/11

After the NRF projects transitional year associated costs and area partnership allocations are deducted the following amounts would be available from the ABG to go into a Communities Fund to support employability-

PLEASE VIEW ORIGINAL REPORT FOR DETAILS - attached

It was proposed to allocate a small amount of the Communities Fund at this stage to create a new “worklessness co-ordinator” post within the Council to coordinate activity between all Partners and projects. This post would work at an operational level to enable effective cross-cutting project delivery that fully supported the achievement of Local Area Agreement targets. A budget of £50,000 per year in total would be required for a salary with on-costs and including a small amount of support funding.

Members noted that with regard to the thematic partnerships it was proposed that the Economic Regeneration and Transportation Partnership (ERTP) should work with the Employability Consortium to develop a criteria for allocating the available Communities Fund which would support delivery of the Local Area Agreement employability related targets, cross local authority boundary initiatives such as the Multiple Area Agreement and build upon the Local Enterprise Growth Initiative joint work with Middlesbrough. This approach would maximise the opportunity for any associated reward grant. The criteria would also provide a framework and guidance for the area partnerships in the commissioning of interventions from their allocated funds.

A commissioning process would then be run against the criteria and thematic leads/thematic partnerships (timescales allowing) would be asked to comment on and support the proposed projects to highlight any opportunities for linkages and to avoid any possible duplication of service. Thematic partnerships would have a role in monitoring any subsequently approved cross cutting projects that fell within their theme. The ERTP would then recommend a programme of interventions to the LSP who would recommend it to Cabinet for approval. Monitoring reports would be submitted to the ERTP, LSP and Cabinet every six

months.

The proposals would necessitate amendment to the council constitution and scheme of delegation to reflect the new arrangements. In terms of the officer delegation this was likely to include authority for the relevant Corporate Director/Assistant Chief Executive in consultation with the relevant Cabinet Member and the Director of Law and Democracy as appropriate to –

§ enter into any contractual arrangements to support the delivery of the approved delivery plan/programme of projects authorise payment and monitor delivery against the above contracts in accordance with the delivery plan

§ authorise changes to the delivery plan/programme for projects within determined limits

§ implement projects which use the Communities Fund and other similar regeneration programmes delegated to Renaissance and its boards for decision.

Cabinet was provided with a table that set out the proposed roles with regard to that element of the ABG that the Council decided to allocate to a Communities Fund.

It was explained that the late announcement of deprivation related funding as part of the Comprehensive Spending Review had meant that there had been little time to develop exit strategies for the 68 crime, children and young people, housing, health and employability schemes delivered through NRF within the borough, approximately half of which was delivered by the Voluntary and Community Sector (VCS). Similarly there had been little time to develop, agree and implement new arrangements for the non-ring-fenced Working Neighbourhoods Fund (WNF) within the new Area Based Grant.

Members were reminded that through its budget setting process the Council had agreed a transitional year, which allowed the change from NRF schemes to a worklessness programme to be managed without having a significant detrimental effect on those involved, particularly the VCS. Where schemes had been evaluated as successful and no “mainstream” funding could be found for 2008/09, schemes would be able to continue during 2008/09, funded from the Council’s Area Based Grant (ABG). Some of the thematic partnerships were still going through the final stages of agreeing those projects which would continue, however it was anticipated that the cost of the projects would be £2,774,725 or below. Over 71% of the health package projects were going to the Primary Care Trust in late March with a recommendation that they be funded by the PCT from 2008/9 which would mean that 85% (which includes a couple of projects that will be part of the NRF transitional arrangements) of the health package in total would continue.

Cabinet noted that during 2008/09, alternative funding would be sought by the delivering organisations to mainstream / extend the transitional projects where they were deemed to continue to provide value to the borough. Where schemes related to worklessness they might be able to attract further funding from the element of the Area Based Grant that the council would allocate to the ‘Communities Fund’. Where alternative funding for projects was not secured, projects would finish at the end of March 2009.

It was considered that the above proposed approach would build upon the previous successful partnership arrangements in the Borough and strengthen both the LSP and community role in working together to deliver the employability agenda.

RECOMMENDED to Council that :-

1. a “Communities fund” from the Area Based Grant, as outlined in the paragraphs 11 to 18 of the report considered by Cabinet, be created
2. the governance arrangements for the Communities Fund, as outlined in paragraph 24 of the report considered by Cabinet, be agreed in principle subject to consultation with Stockton Renaissance.
3. the final transitional arrangements for the projects, which were previously funded by the Neighbourhood Renewal Programme, be agreed subject to consultation with Stockton Renaissance.
4. the Director of Law and Democracy be authorised to make the necessary amendments to the Council’s constitution and scheme of delegation.
5. £50,000 per year be pre-allocated and authority delegated to the Head of Regeneration & Economic Development for the recruitment and appointment of a “worklessness co-ordinator”.