

Cabinet

A meeting of Cabinet was held on Thursday, 6th August, 2009.

Present: Cllr Ken Lupton(Chairman), Cllr Mrs Jennie Beaumont, Cllr David Coleman, Cllr Robert Cook, Cllr Alex Cunningham, Cllr Terry Laing, Cllr Mrs Ann McCoy, Cllr Steve Nelson, Cllr Mrs Mary Womphrey

Officers: D.E. Bond, M. Waggott, M. Henderson (LD); J. Danks (R); P. Dobson, R. Poundford, R. McGuckin (DNS); J. Humphreys, T. Beckwith,R. Kench, H. Grant(CESC)

Also in attendance: Cllr J. Beall, Cllr S. Walmsley and Mr F. Hayes (Chair of Standards Committee)

Apologies:

CAB 62/09 Declarations of Interest

Councillor Nelson declared a personal, non prejudicial interest in this item as he served on the Stockton and District Advice and Information Service Board.

CAB 63/09 Minutes of Meetings held on 14th May and 11th June - for Signature

The minutes of the meetings held on 14th May and 11th June 2009 were signed by the Chairman as a correct record.

CAB 64/09 Local Authority Representatives on School Governing Bodies

In accordance with the procedure for the appointment of school governors, approved at Minute 84 of the Cabinet (11th May 2000), Cabinet was requested to approve the nominations to school Governing Bodies as detailed within the report.

RESOLVED that appointments be made to the vacant Governorships subject to successful List 99 check and Personal Disclosure, as follows:-

Egglescliffe School – Ms Julie O’ Keefe
Hardwick Green Primary School – Ms Janet Seddon
Thornaby CE primary – Maureen Leonard

CAB 65/09 Economic Climate Update report

Consideration was given to a report that provided Members with an overview of the current economic climate, outlining the effects that this was having on Stockton Borough, the mitigations already in place and those being developed in response to this

A report was submitted to Cabinet in December 2008, which set the scene of the economic downturn, and the effects that the global recession and economic climate were having on businesses, rising unemployment, and mortgage repossessions.

The monthly update report enabled a focussed account to be made of the changes to economic circumstances, the direct impact that this may be having on the Borough, and the responses and mitigations either in place or being developed to support businesses and residents. A summary of those changes

and responses was provided to members.

Cabinet discussed the recent announcement that the Swallow Hotel, Stockton would close, immediately, with the loss of 70 jobs. It was noted that the Council had had no warning of the closure from the administrators. The Council would provide as much help as possible to the staff affected and also individuals who had booked rooms and or arranged events at the hotel. Noted that officers would be attempting to acquire more information about the circumstances behind the closure.

It was noted that the update report included details of business/ economic related planning applications. Members requested that a broader explanation of those figures be provided.

RESOLVED that report be noted and the work being undertaken be supported.

CAB 66/09 Appointment of Attorney to act for the Council in Administration of Estates

It was explained that, although not common, there were occasions when a client of the Council's Social Care Services died intestate and had some funds usually in bank or other accounts. It can also be the case that there are either no relatives alive, known or willing to administer the client's estate.

The client may also owe money to the Council for either non residential or residential care provided by the Council but for which there was a client contribution. If no action takes place the funds remain in the dormant accounts.

For the Council to obtain the money, due as contributions, the only means was for it to seek Grant of Letters of Administration in each estate and follow legal process through the Probate Registry.

Cabinet noted that, as a statutory corporation, the Council had powers to grant a Power of Attorney under Section 101 of the Local Government Act 1972 which provided that a Council could arrange for the discharge of any of its functions by an Officer of the Authority and further, under section 11 of the same Act an Authority had the power to do anything which was calculated to facilitate or was conducive or incidental to the discharge of any of its functions.

If appointed to do so the Head of Support Services could undertake the appropriate actions that would obtain the debt owed to the Council.

RESOLVED that Mr. A.J. Beckwith, Head of Support Services, Children, Education & Social Care, be appointed as the Council's Attorney for the purpose of obtaining Grant of Letters of Administration in relevant Estates of former clients of the Council under section 101 of the Local Government Act 1972.

CAB 67/09 Integrated Health and Care Facility

Cabinet noted that Stockton on Tees Teaching PCT had indicated that the Alma Street site was its preferred option for the Stockton Integrated Care Centre.

This was subject to affordability and value for money. The PCT Board had approved the preferred option site and would progress to its approval process with the Full Business Case planned for sign off in February 2010.

Given this it was proposed that the existing day centre provision at Alma be transferred to the Halcyon centre Thornaby (on Thorntree Road/ the former Harewood Infants School). Additional capital works would be required to the Halcyon Centre to accommodate the expanded services.

It was explained that a period of consultation with service users, stakeholders and carers was held from 18 May to 22 June 2009. The focus of consultation was targeted at service users, carers and stakeholders related to the Alma Centre, as this was the main service impact, albeit specific reviews had been undertaken with other stakeholders who had been affected by these plans.

.Overall, the consultation process was positive and clients and carers understood the rationale for change. There were a number of comments on the proposals and the following themes were identified from the consultation.

- Views on the changes for health facilities and a lack of understanding of what an integrated care centre was, how it differed from the existing GP facilities and what would be provided there.

- Transport to and from the centre – difficulties in access and potential changes to current travel plans.

- Continuity of staff – a wish to ensure that existing staff should move with the service.

- Disruption and potential impact for clients, in particular those who attend the Kitwood Unit (the facility which supports the most vulnerable clients).

- Design issues – a wish to maximise the garden space, to ensure that the future design meets client needs e.g. disabled WCs, car parking and drop off areas. The transfer of specific items from Alma to Halcyon e.g. piano, sewing machines, craft materials.

- Norton and Billingham clients – a concern that they would not be able to remain with the Alma Centre group.

Members noted that a project group was in operation which was reviewing the service implications. This group would take into account the feedback from consultation and incorporate this in its project plans.

Cabinet considered the Council's next steps and noted that the PCT business case for an integrated health and care facility located on the Alma Street site must meet value for money and affordability requirements. The PCT approval processes differed from the Council and definitive sign off of its business case was not until February 2010. The building changes to the Halcyon Centre and associated costs would be required in advance of PCT approval process in order to meet PCT timetable for its building programme. However the land sale could be agreed in advance of the approval process via the PCT's third party developers (LIFT).

The PCT and Council were in negotiation regarding the land sale and it was anticipated that the land receipt would be sufficient to cover the costs of relocation to the Halcyon centre/ Office moves. A report to Cabinet in September 2009 would confirm the outcome of those negotiations and agreement would then be sought to proceed with the Sale.

A timetable for the works would be agreed and further detailed work would be undertaken to address the transport issues, transfer arrangements and staffing implications. Any transfer of the service would be based on the building works timetable but a provisional date was May 2010.

It was explained that additional costs around transport had been identified as part of the consultation process. At this stage it was difficult to quantify the precise costs, however there was an expectation that the proposed changes should be revenue neutral as there would be some staff savings arising from the Centre transfer.

RESOLVED that:-

1. the feedback received from the consultation process be noted.
2. a further update report in September 2009 regarding the proposals regarding the Land Sales be received

**CAB
68/09** **Minutes of Various Bodies**

Consideration was given to the minutes of the meetings of Various Bodies.

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

Economic Regeneration & Transport Partnership	13 May 2009
Eastern Area Partnership Board	19 May 2009
Housing & Neighbourhood Partnership	19 May 2009
Eastern Area Partnership Board	30 June 2009
St Ann's Development Board	9 June 2009
Billingham Partnership Board	1 June 2009
Western Area Partnership Board	23 June 2009
Tees Valley Living Board	25 March 2009
Tees Valley Living Board	7 May 2009

**CAB
69/09** **New Executive Arrangements**

Cabinet considered a report that outlined the provisions regarding new executive arrangements contained within the Local Government and Public Involvement in Health Act 2007 ("the 2007 Act").

The Council must by 8 May 2011 adopt one of the following specific executive models:-

-Directly Elected Mayor and cabinet, or

-Council Leader and cabinet.

It was explained that the 2007 Act set out certain requirements which had to be satisfied should a Local Authority wish to change its governance arrangements. Members were provided with details of those requirements as they related to undertaking consultation and holding or not holding a referendum.

Members noted action that had already been undertaken to facilitate compliance with the 2007 Act.

Cabinet noted the suggested/necessary next steps to be taken:

-Consultation would take place with local government electors and other interested parties. Details of the form this would take was provided to Members in appendix 1 to the report. It was suggested that Officers work up and finalise the specific details in consultation with Cabinet Members.

-The outcome of the consultation would be evaluated and, subject to that outcome, a preferred or chosen executive model would be agreed and proposals for change, based on that model, would be drawn up.

-When approved, the proposals for change, which would indicate that they were subject to approval in a referendum, would be submitted to the Secretary of State.

-After the proposals had been submitted to the Secretary of State, a notice would be published, as soon as possible, in the local press. The notice would contain the details required by regulation 4 of the 2007 Regulations eg a description of the main features of the proposals and of the outline fall-back proposals (in this instance, this means the Council's existing executive arrangements); when and where the proposals could be inspected; that a referendum was to be held and the date when polling was to take place.

-The notice should be published fewer than 56 days (excluding Saturdays, Sundays and Bank Holidays) before the referendum date, otherwise a second notice would be required to be published in the local press no earlier than 55 days and not later than 28 days before the date of the referendum

-Publication of the notice of referendum must take place no later than the twenty fifth day before the date of the referendum.

-Notice of the poll had to be given no later than the sixth day before the day of the referendum.

-Polling would take place between 7.00 am and 10.00 pm on the day of the referendum.

-the count would take place on the following day after 9.00 am.

-The proceedings of the referendum would be governed by the Local Government Referendum Rules contained in the 2007 Regulations (Schedule 3).

A timetable /project plan for the implementation processs was provided to members at appendix 2 to the report.

RECOMMENDED to Council that:-

- 1. the proposed next steps referred to at paragraphs 32 to 41 and the timetable/project plan at Appendix 2 of the report, together with the consultation outlined at Appendix 1, be agreed.**
- 2. the Chief Executive be authorised to finalise the details and arrangements outlined at Appendix 1 and, if required, to vary the timetable and project plan at Appendix 2, in consultation with Cabinet Members.**
- 3. a further report be submitted to Cabinet regarding the outcome of the consultation and the proposals for change to be the subject of a referendum, together with the arrangements for the referendum.**
- 4. the costs of the consultation process and referendum be met from corporate balances.**

**CAB
70/09**

Annual Report of the Standards Committee 2008/2009

Cabinet considered the Standards Committee's Annual Report for 2008/09 which was presented by the Chair of the Committee and the Monitoring Officer.

It was noted that the purpose of the Report was not only to provide an overview of the work of the Committee in the past year, but also to identify and promote examples of best practice and to provide an opportunity to review and learn from experience. The Report therefore set out the Committee's Statutory responsibilities, summarised how they had changed during the year and how they had been discharged. It also drew attention to some of the main issues that would require attention in the year ahead.

Cabinet was asked to consider the report, provide any comments it wished to make on its content and to recommend it to full Council for acceptance.

Consultation on the Report had previously taken place with the relevant Cabinet Member; the Head of Legal Services as Deputy Monitoring Officer; the Head of Democratic Services; the Corporate Governance Group; the Corporate Management Team; and the Audit Committee. Once agreed the Report would also be placed on the intranet and the internet for the attention of all Members/Officers.

A hard copy would, in addition be made available to each member of the Standards Committee.

RECOMMENDED to Council that the Standards Committee's Annual Report be considered and approved

**CAB
71/09**

Annual Report of the Monitoring Officer - 2008/2009

Cabinet was provided with the opportunity to consider the Monitoring Officer's Annual Report for 2008/2009.

As with the Standards Committee's Annual Report the purpose of the Monitoring Officer's Report was to provide an overview of the work undertaken in the past year, to identify and promote examples of best practice and to provide an opportunity to review and learn from experience. The Report therefore set out the Monitoring Officer's Statutory responsibilities, summarised how they had been extended during the year and how they had been discharged. It also drew attention to some of the main issues that would require attention in the year ahead.

Cabinet was asked to consider the Report, provide any comments it wishes to make on its content and to recommend it to full Council for approval.

It was explained that consultation on the Report had previously taken place with the relevant Cabinet Member; the Head of Legal Services as Deputy Monitoring Officer; the Head of Democratic Services; the Corporate Governance Group; the Corporate Management Team; the Standards Committee and the Audit Committee. Once agreed the Report would also be placed on the intranet and the internet for the attention of all Members/Officers. A hard copy would, in addition, be made available to each member of the Standards Committee.

RECOMMENDED to Council that the Monitoring Officer's Annual Report be considered and approved.