

Cabinet

A meeting of Cabinet was held on Thursday, 18th March, 2010.

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

Officers: Ms J.Danks (R); Ms J.Humphreys (CESC); P.Dobson, Ms S.Daniels, P.Diggins, Ms C.Straughan (DNS); D.E.Bond, N.Hart, Mrs M.Waggott (LD); Ms L.King, Ms B.Brown (PPC).

Also in attendance:

Apologies: was submitted on behalf of Councillor Cunningham.

CAB 201/09 **Declarations of Interest**

Councillors Coleman and Mrs Womphrey each declared a personal, non-prejudicial interest in respect of the item entitled Local Development Framework-Adoption of Stockton on Tees Core Strategy Development Plan Document as a result of being members of the Royal Society for the Protection of Birds.

Councillors Lupton and Mrs Womphrey declared a personal, non-prejudicial interest in respect of the item entitled Council Plan 2010-2013 as a result of being members of Tees Active Ltd.

CAB 202/09 **LAA Refresh - 2010/2011**

Stockton's Local Area Agreement had been in place since June 2008 and covered the period April 2008 to March 2011. Cabinet was provided with an update on the review process for 2010/11 which also identified the targets where proposed changes were required.

In accordance with Department for Communities and Local Government (DCLG) guidance, the following areas have been identified for inclusion in the review for 2010/11, the final year of this agreement:

- Economic Indicators. NI 151 – Overall Employment Rate, NI 153 – Working Age People on out of work benefits.
- Deferred Indicators from 2009/10. NI 117, NEET's (not in Education Employment or Training).
- Removal from Reward Element of LAA – NI 112, Under 18 conception rate.

The renegotiation of these measures, which was still ongoing with the Government Office for the North East (GONE), was in line with the target negotiation briefs published by DCLG for use in the renegotiation process. Target negotiation briefs suggested that for the economic related measures relative targets were proposed and these would be subject to ministerial approval. In line with the guidance, the NEETs target would be approved by GONE. The removal of the Teenage Conceptions target from reward would also be approved by GONE. Details of the proposals were submitted to Cabinet.

It was noted that there were a number of other targets within the LAA that the Council would have preferred to include as part of the negotiation process;

however these were not permitted in accordance with the DCLG guidelines. The Council's renegotiation submission to Government Office, as well as the measures detailed above, would include NI 109 - The number of Sure Start Centres. This was to reaffirm our continued commitment to the delivery of full coverage of services through 11 centres rather than the target of 13 centres as originally agreed.

The timeline for approval of the revised targets was as follows:

- January / February - LAA Renegotiation discussions between GO's and Local Authorities
- March 2nd Renaissance Board received progress update.
- March 18th Cabinet receive proposals
- March 31st – LAA's receive ministerial approval.

RESOLVED that:-

1.The report be noted.

2.Cabinet approve the proposed changes to targets in the LAA for 2010/11 as detailed in Appendix 1 of the submitted report.

**CAB
203/09 Council Plan 2010 - 2013**

Cabinet considered a report that provided members with the draft Council Plan and abridged Service Improvement Plans for 2010-13. The Council Plan sets out Stockton-on-Tees Borough Council's key priorities, which were the Council's contribution to the Borough's Sustainable Community Strategy.

The first part of the 2010-2013 Council Plan provided information about the Council and its work for the local community. The second part was an action plan setting out how the Council would achieve our priorities and how success and progress towards those priorities would be measured.

The Service Improvement Plans provided further detail on how the improvement priorities and objectives would be delivered and linked priorities to resources. Business Unit plans would provide the detail on other areas of the Council's day to day work.

It was noted that Special Council would be invited to consider presentations on the content of both the Council Plan and the Service Improvement Plans at its meeting to be held on 24th March 2010, and it was proposed that subject to their approval, Council be also asked to authorise the Chief Executive to sign off the final documentation with any necessary amendments arising from the year end, in consultation with the Leader of the Council.

RECOMMENDED to Council that:-

1.The draft Council Plan and Service Improvement Plans 2010 – 2013 be approved.

2.Subject to Recommendation 1 above, delegated authority be given to the

Chief Executive Officer to approve the final content of the Council Plan and Service Improvement Plans 2010-2013, in consultation with the Leader of the Council.

CAB 204/09 Local Development Framework: Adoption of Stockton-on-Tees Core Strategy Development Plan Document.

Cabinet noted that the Core Strategy DPD was the key document in the new Local Development Framework and would provide strategic planning policies for the Borough. Between 22 September and 2 October 2009, it had been the subject of an Independent Examination before a Planning Inspector into its "soundness." On 3rd February 2010, the Council received the Inspector's report of the Independent Examination, which found the document sound subject to certain binding recommendations.

The Inspector's report and the schedules of Significant Proposed Changes and two schedules of minor changes entitled Schedule 1 and Schedule 2 were provided to Cabinet. Cabinet noted the principal changes required by the Inspector:

- To make clear that affordable housing policy is to be interpreted flexibly in response to changing market conditions, he had required that the affordable housing requirement was couched in terms of a target (15 -20%) and that provision at a lower rate would only be acceptable where robust justification was provided. The affordable housing policy was to be applied with flexibility sensitive to the market conditions prevailing at the time the planning application was submitted. The targets for the tenure mix (20% intermediate and 80% social rented) could also only be deviated from where robust justification was provided.
- To ensure that in safeguarding land for the chemical industry, adequate information would be in place to safeguard the integrity of the Teesmouth and Cleveland Coast Special Protection Area (SPA) and Ramsar site. To this end, the Inspector had required an element of flexibility into Policy CS4 by prefacing the amount of land to be safeguarded for the chemical and processing industry with the phrase "up to" to recognise that, given environmental constraints in the Seal Sands area, it might not be possible to safeguard precise amounts of land. In addition, clause 6 of Policy CS4 was to be amended to state that no port or river based development would be permitted on or adjacent to North Tees Mudflat. Paragraph 9.7 was amended to include a commitment for the Council to undertake a study, in partnership with Natural England and the Royal Society for the Protection of Birds, to assess the potential for development in the Seal Sands, North Tees Pools and River Tees Corridor to adversely affect the integrity of the SPA/Ramsar site and to develop a strategic framework for development in these areas and an integrated approach to habitat creation.
- To ensure that the retail policy was consistent with national policy, the Inspector had required policy CS5 to be amended to state that no further allocations for retail development would be made other than in or on the edge of Stockton Town Centre and that, whilst the Council would not encourage additional retail or leisure development in Teesside Park or Portrack Lane or any other out-of-centre locations, any proposals which emerged would be dealt with in accordance with prevailing national policy as set out in Planning Policy

Statement 4 or its successor.

The final published version of the Core Strategy incorporating all of the proposed changes both significant and minor changes was provided to Members.

It was explained that as soon as reasonably practicable after Council had adopted the Core Strategy, the Council must complete the following statutory procedures;

- The Inspector's Report and Schedules of Changes, the Core Strategy and supporting documentation, the adoption statement and sustainability appraisal report must be made available during normal office hours in the places where pre-submission documents were made available (that is, the Council offices and local libraries);
- The documents must be published on the Council website;
- Inform stakeholders who had asked to be kept informed of the publication of the Inspector's recommendations and the adoption of the Core Strategy and let them know where the documents could be inspected;
- Place an advertisement in the local press containing the adoption statement and the fact that the Core Strategy was available for inspection and the places and times at which the document could be inspected;
- Send a copy of the Core Strategy and adoption statement to the Secretary of State.

The legal date of adoption of the Core Strategy is the date of the resolution of Full Council to adopt it. Under section 113 of the Planning and Compulsory Purchase Act 2004, there was a period of six weeks from that date within which any person aggrieved by the document may make an application to the High Court on the grounds that;

- The document was not within the appropriate power;
- A procedural requirement had not been complied with.

The High Court may make an interim order suspending part or whole of the document pending the final determination of the application and ultimately may quash the document in whole or part.

RECOMMENDED to Council that:-

1. The Inspector's report on the Stockton-on-Tees Borough Core Strategy Development Plan Document and his binding recommendations to make the plan sound, be endorsed.

2.The revised Core Strategy, which incorporates the Inspector's binding recommendations, for use in the determination of planning applications be adopted.