

Cabinet

A meeting of Cabinet was held on Thursday, 9th February, 2012.

Present: Cllr Robert Cook (Chairman), Cllr Jim Beall, Cllr Ken Dixon, Cllr David Harrington, Cllr Mrs Ann McCoy, Cllr Steve Nelson, Cllr David Rose

Officers: Neil Schneider (CEO); Julie Danks, Lesley King, Julia Spittle, Debbie Hurwood, Beccy Brown (R); Paul Dobson, Richard McGuckin, Richard Poundford, Julie Nixon, Reuben Kench, Mike Batty, Jane Edmonds, Roland Todd, Paul Diggins, Jayne Robins (DNS); Jane Humphreys (CESC); David Bond, Margaret Waggott, Michael Henderson (LD)

Also in attendance: Cllr Julia Cherrett, Cllr Phil Dennis, Cllr Terry Laing, Cllr Ken Lupton, Cllr Mrs Jean O'Donnell

Apologies: Cllr David Coleman and Cllr Mike Smith

CAB Declarations of Interest 117/11

Councillor Beall declared a personal, non prejudicial interest in the item entitled Communities Fund Exit Strategy as he was a Member of the Central Area Partnership and Chairman of the Eastern Ravens Trust.

CAB Minutes of the meeting held on 12 January 2012 118/11

The minutes of the meeting of Cabinet held on 12 January 2012 were agreed.

CAB EIT Review of Community Safety and Security Services 119/11

Cabinet considered a report that presented the findings of the Housing and Community Safety Select Committee following the EIT review of Community Safety and Security Services. Members were provided with a copy of the relevant Equality Impact Assessment.

It was explained that the review had encompassed the following areas within Community Safety and Security Services; ASB Team, Community Safety, Community Safety grants, Security and Surveillance (CCTV, alarm monitoring, etc), Care Call (community alarm service, Telecare, Telehealth, Domicillary Care), Neighbourhood and Enforcement Service, Caretaking Services (Admin Buildings), Town Hall Housekeeping Service, Concierge Security (fully funded by Tristar Homes Ltd).

The overall aim of the review had been to identify options for future strategy, policy and service provision that would deliver efficiency savings while sustaining/improving high quality outcomes for SBC residents. Members of the Select Committee considered that the high performing frontline service benefitted the area and were keen that the need to make efficiency savings did not impact detrimentally on the service. The Committee was also sensitive to planned central government funding cuts to the police as this may feed through to policing in the Borough, which may have a negative impact on crime levels.

The Committee identified a number of vacant posts that if deleted would produce savings.

The Committee also proposed to delete two of the four posts of Senior Neighbourhood Enforcement Officer, and to use the vacancies at the main Neighbourhood Enforcement grade as deployment options for the two people displaced from the senior level. This approach was intended to minimise the impact upon service delivery.

Unions were consulted to discuss the proposal. Other alternatives had been considered, for example, retaining the current four Seniors, or running with three, but it had been concluded that the 'two Seniors' model was the best option in the circumstances. Discussions then focussed on the criteria and process for selecting two from the remaining three Seniors. The trade unions confirmed that the selection criteria were satisfactory and were advised that an HR Officer and the Community Safety Manager would participate in the selection process to provide additional independent objectivity.

It was noted that 21 of the 26 respondents to the consultation process expressed clear support for this proposal.

Cabinet was informed that Hartlepool Borough Council as lead authority of the Cleveland Emergency Planning Unit (CEPU), had initiated a programme of efficiency measures, with targets for 10% savings for all four local authorities within year 1, i.e 2011/12 (achieved), a further 5% for 2012/13 and a final 5% in 2013/14. The Chief Emergency Planning Officer had put in place a range of measures to achieve these budget reductions in staffing levels and increased income generation through organisation of training programmes. The intention was to make the savings without reducing the level of service to the four authorities. In particular, a full and active programme of updating, testing and exercising statutory emergency plans in respect of the chemical industry would be maintained. Progress of the CEPU savings is being monitored via the Joint Committee on emergency planning;

The Committee had agreed a reduction in the contribution to the Cleveland Emergency Planning Unit of £7,000

Cabinet noted that, in relation to other costs associated with the above deleted posts, there would be a further reduction to the Services and Supplies Budget.

During debate the work of the Committee and Officers was applauded, particularly in identifying the changes to operational structures, that would have limited impact on frontline services, whilst achieving savings in the region of £152,000. It was suggested that further work be undertaken to focus on residents' satisfaction and service improvement and transformation opportunities.

RESOLVED that

1. the identified vacant posts across the service be deleted with duties being absorbed by other posts across the authority.
2. two of the four posts of Senior Neighbourhood Officer be deleted.
3. there be a reduction in the contribution to the Cleveland Emergency Planning Unit.

4. there be a reduction in the Services and Supplies Budget directly associated with deleted posts.

5. Executive Scrutiny Committee be asked to consider including a further piece of work on Community Safety and Security Services in the Scrutiny work programme, to focus on the issues detailed above.

CAB 120/11 Efficiency, Improvement, and Transformation (EIT) Gateway Review of Registration & Bereavement Services

Members considered a report relating to the EIT review of Registration & Bereavement Services which had been undertaken to identify ways in which those front-line services could be carried out more effectively and efficiently, having due regard for statute. The review had been carried out as a "Gateway" review under the scrutiny of the Arts, Leisure & Culture Select Committee. Cabinet was also provided with the Equality Impact Assessment that had been developed for this review.

The review had examined a variety of services that were delivered by Registration & Bereavement services to both residents and non-residents of the Borough. Those included the statutory registration of births, deaths, marriages and civil partnerships, conducting of ceremonies for weddings and civil partnerships, the administration of all burials and exhumations within the Borough's cemeteries, approval of memorial applications and the non-statutory services such as naming ceremonies, renewal of vows, family history research and technical and legal advice on the law of burial and exhumation.

Evidence from statutory key performance indicators showed that customer satisfaction levels had remained above the national standard of 90%, with formal complaints maintaining a below average standard against a national figure of 0.5%.

Feedback from stakeholder consultation was strongly in favour of retaining the current set-up of Registration & Bereavement Services, maintaining the satellite office within the University of North Tees Hospital, but indicated a real need to open both service areas all-day Saturday, particularly for death registrations and the giving of Notices of Marriage & Civil Partnership.

It was noted that the service was predominately funded by income generation with a cost to the authority of £30,000 per annum. Due to the highly sensitive nature of the services the review focussed upon service transformation/improvement thereby ensuring that both service performance and customer satisfaction levels remained high.

It was explained that the Arts, Leisure and Culture Select Committee had been supportive of the proposals coming from the review. Members welcomed improvements which would be delivered through the 'Tell Us Once' service, improvements to the marriage venue and the proposal to retain the satellite registration office at North Tees General Hospital.

It was noted that through the proposals the services would become cost neutral.

During consideration particular reference was made to the 'Tell Us Once' service and it was noted that when established this service would be promoted appropriately.

RESOLVED that

1. in conjunction with HR consultation commences with staff to allow Bereavement Services to be open Monday to Saturday for the booking of interments and general enquiries, proposing that staff work 5 over 6 days per week on a rota basis.
2. the Registration team assume the responsibility for the marketing and delivery of civil funeral ceremonies with a view to increasing business, utilising casual 'as and when' funeral celebrants.
3. Officers explore the feasibility on an on-line booking facility for funeral directors, whilst maintaining the current 'out-of-hours' arrangements for Muslim Burials and Registrar General's Licence (Death-Bed Weddings).
4. Officers review burial fees and charges to bring in-line with other Tees Valley Authorities with effect from 1 April 2012.
5. in order to provide an improved level of service and extended choice for customers –
 - a. an alternative, more intimate statutory marriage room be provided for the set statutory fee (£43.50).
 - b. the current statutory marriage room be decommissioned and named the 'Nightingale Suite' from February 2012 to provide additional income of £17,000 per annum.
 - c. the new Nightingale Suite be decorated and updated, and ceremony times be extended from 30 to 45 minutes, with the production of bespoke scripts to broaden the choice and reflect the wishes of the customer.
 - d. in addition, DDA compliant public toilet facilities be provided for customers on the ground floor.
6. the Registration Service absorb the additional costs of providing the Tell Us Once service – providing non-cashable savings of £13,000, with other benefits being realised elsewhere in the Authority through reductions in over-payments and avoidable contact.
7. structures be considered in consultation with General Register Office (GRO) and HR to:
 - Create a dedicated ceremonies team
 - Enter into GRO's 'New Governance' arrangements, including adoption of service delivery and good practice standards.
 - Work with GRO and staff to provide a scheme change, working towards a one

statutory Superintendent Registrar and one statutory Registrar of births and deaths model.

- Provide all-day opening on Saturdays

8. the service continue to offer non-statutory services such as naming ceremonies, renewal of vows, etc to meet the needs of customers.

CAB Borough Wide Parking Review Next Steps

121/11

Members considered a report relating to the Borough Wide Parking Strategy.

The purpose of the report was to provide Cabinet with an outline of the next steps in the delivery of the Borough Wide Car Parking Strategy which had been approved by Cabinet on 8th December 2012. The Borough Wide Car Parking Strategy considered the parking needs of all of the town centres within the borough and included Norton High Street.

The strategy included a series of actions that were appropriate for the individual town centre locations and led to a priority assessment based on need and other activities that were planned for those localities. It was intended that Cabinet be updated at appropriate stages as this action plan was to be delivered across the borough.

Each town centre was moving at a different pace in terms of the changes that had been identified. In response to the Borough Wide Parking Review there had been a focus of attention and the demand for a response to the policy that had been set relating to Yarm town centre. A significant amount of attention had been drawn to the proposals put forward for Yarm and the issues there were longstanding, so it was understandable that early intervention remained a priority.

In view of this Cabinet was provided with an outline of the next steps relating to Yarm. Progress relating to the other town centres and Norton High Street would be reported to Cabinet as appropriate.

Members were informed that there was a clear plan for consulting with businesses, residents, taxi operators, Ward Members and Yarm Town Council through a variety of means, which would help to shape the parking solution, prior to the formal consultation stage being commenced. Through this engagement it was hoped that many of the issues that had been raised, to date, as concerns, would be able to be accommodated in a workable solution.

RESOLVED that the report be noted.

CAB Tees Valley Transport Schemes

122/11

Members considered an update report relating to Tees Valley Transport Schemes.

Members noted the progress with regard to the Tees Valley Bus Network Improvements and Tees Valley Metro projects.

It was explained that within the Tees Valley Metro scheme the Council continued to prioritise the need to bring forward improvements at Allens West, Billingham and Stockton stations and, in particular, Billingham, where a series of environmental improvements had been specifically identified. The lack of disabled access to Billingham station remained a concern and officers continued to work with Network Rail and Northern Rail to look at appropriate long term solutions. Members felt that this issue was a priority and it was agreed that the Cabinet Member for Regeneration and Transport should write to Network Rail setting out the Council's position. It was also agreed that the issue be raised at the relevant Area Transport Group, with a request that it be included within its Transport Plan, as a priority.

Members were also provide with an update on improvements to Thornaby and Eaglescliffe stations and noted progress against the Area Action Plan that had been developed for the trunk road network in the Tees Valley, in partnership with the Highways Agency.

RESOLVED that the report be noted and the actions described above, relating to disabled access at Billingham Station, be undertaken.

CAB
123/11 **Communities Fund Exit Strategy**

Cabinet considered a report relating to the Communities Fund employability and skills contracts which were into the third and final year of delivery.

Members were reminded of the benefits of the Communities Fund and considered opportunities for the Council to continue supporting employability services beyond March 2012.

It was explained that in November 2011, the Deputy Prime Minister announced a £1 billion Youth Contract to help young unemployed people get a job. Over three years from April 2012 the Youth Contract would provide at least 410,000 new work places for 18 to 24 year olds. This included:

- 160,000 wage subsidies worth up to £2,275 each, for employers who recruit an 18-24 year-old through the Work Programme;
- 250,000 work experience placements, offering an income replacement benefit equivalent to their Jobseekers Allowance;

at least 20,000 more incentive payments to encourage employers (SMEs) to take on young apprentices. Each incentive payment is worth £1500 to an employer.

Members noted that this support was targeted at those people aged above 18 years of age and currently no initiatives were geared towards those 16 or 17 year olds.

It was agreed that such initiatives would go some way to helping the current levels of youth unemployment, but employers were critical to any success. A skilled workforce was vital to meet the challenges of both the local and global economies. It was important that the Council demonstrated its commitment to

workforce development by helping and supporting young people into sustainable employment and setting an example to other employers.

The Council's Human Resources had developed a Young Person's Employment strategy within the Council to help increase the number of apprenticeship opportunities available for young people.

There were many different local authority funded initiatives across the country that demonstrated good practice and it was agreed to build on what had been developed in Stockton and use some of the good practice from other areas to design a model that met the needs of residents and the business community alike. Until detailed guidance became available from the government it would be difficult to provide the detail required to agree a definitive model at this stage, thereby avoiding any duplication in mainstream provision, but rather adding value or filling any gaps in provision.

Cabinet felt that the Council knew what worked locally and the preferred model was to adopt a Future Jobs Fund/Intermediate Labour Market (ILM) style initiative that would include those aged 16-24, which would also complement the Young Person's Employment Strategy. Some indicative costings showed that 100 apprentices employed at the National Minimum Apprentice wage (£2.60 per hour) for 37 hours for 39 weeks would cost in the region of £375,200. This number of apprentices would include a contribution towards the 18 apprentice posts to be created within the Council, identified in the Young Worker Employment Strategy, if approved. It was also the intention to focus on the 'looked after children', young people with learning disabilities or mental health issues and some of those young people with prolific offending history. Delivery would commence in April 2012.

RESOLVED that delegated powers be given to the Director of Development & Neighbourhood Services in consultation with the Cabinet Member for Regeneration and Transport to agree a delivery model based on an Intermediate Labour Market (ILM)/Future Jobs Fund style initiative once detailed government guidance was received about the Youth Contract. Delivery would commence in April 2012.

**CAB
124/11 Economic Climate Update Report**

Cabinet considered a monthly update report providing members with an overview of the current economic climate, outlining the effects that this was having on Stockton Borough, and the mitigations already in place and those being developed.

Members noted some of the positive and negative developments since the last report. Details of the support on offer to people and businesses was also provided.

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

**CAB
125/11 Housing Regeneration Scheme Update - Parkfield/Mill Lane (Phase 2) and the Victoria Estate**

Members considered a report relating to the regeneration of the Parkfield/Mill Lane (Phase 2) and the Victoria Estates.

It was explained that the Council had recently been advised that it had been successful in securing the full £1.52m sought from the Housing Market Renewal Transition Fund. Members were therefore updated on key next steps, to ensure the successful progression of the Parkfield/Mill Lane (Phase 2):

- Improvements to properties no longer proposed for demolition, in Extended Area B
- Masterplanning, which had highlighted an opportunity to implement a phased development programme in the short/medium term, which would create the right conditions for private sector led development in the longer term.
- Compulsory Purchase Order powers to acquire properties to facilitate the development/redevelopment or improvement of land detailed in Appendix A to the report

With regard to the Victoria Estate, Members were reminded that as part of the stock transfer option appraisal process the Council, working in conjunction with Tristar Homes Limited, reviewed the sustainability of all the housing stock. At that time it was identified that two estates (Swainby Road and Victoria) were not sustainable in the long-term and more radical regeneration plans were required.

In partnership with Vela Homes, DTZ had recently been commissioned to undertake a detailed masterplanning exercise for the Victoria estate. This exercise, like that for Parkfield would assist the Council in completing a detailed financial appraisal and in preparing a framework for the future development of the site, prior to drafting a development brief in order to procure a development partner/s thereby enabling the longer-term re-development of the site

Once both the master planning exercise and financial appraisal were complete a further report would be brought back to Cabinet. Cabinet noted that a cost of regenerating the Victoria estate to the Council was estimated at £3.3m (i.e. to fund the decanting of leaseholders and all associated scheme costs).

Whilst the decanting of tenants and leaseholders was not due to commence until 2013 both the Housing Service and Tristar Homes were receiving queries from residents living on the estate. In order to address those concerns it was intend to agree a decant strategy and phasing plan with Tristar Homes, which could then be shared with local residents.

RESOLVED that:

Parkfield/Mill Lane Phase 2

1. the proposals for a phased site redevelopment be approved
2. ,in relation to the Compulsory Purchase Order (CPO),

- a. it be agreed that the acquisition of the necessary outstanding properties would facilitate the development/redevelopment or improvement of the land shown on the Plan at Appendix A and would contribute to the achievement of the promotion of the economic, social and environmental well-being of the area.
 - b. the use of the Council's CPO powers, under the Town and Country Planning Act 1990 (Section 226(1)(a)) and the Acquisition of Land Act 1981, to acquire all necessary interests in respect of the area indicated at Appendix A, be approved
 - c. the use of all actions necessary in accordance with the serving of Requisitions for Information, the making of the CPO, the representation of the Council in relation to any Inquiry, the confirmation of the CPO, the actions necessary following the confirmation of the CPO either by the authority or the Secretary of State and consequent orders or actions including the service of Notices to Treat or the making of a General Vesting Declaration, and all other notices, orders or actions required to give effect to the authorisation to acquire the land compulsorily, be approved
3. the processing of (any necessary) Traffic Regulation Orders, Stopping Up Orders or other necessary orders, notices or other actions associated with the infrastructure and public realm improvements by the Director of Law and Democracy, be approved

Victoria estate

4. it be agreed that a development brief be drafted which reflects the conclusions of the masterplanning exercise and public consultation issues. Delegated authority to agree the development brief be given to the Corporate Director of Development and Neighbourhood Services in consultation with the Cabinet Member for Housing and Community Safety and Cabinet Member for Regeneration and Transport.
5. It be agreed that the scheme be finalised in accordance with the final development brief, to include all necessary acquisitions, demolitions, appointments of private developers and authority to enter into all necessary legal arrangements and other documents necessary to give effect to the development brief subject to appropriate funding being available in respect of each development phase, with amendments to be agreed by the Corporate Director of Development and Neighbourhood Services in consultation with the Cabinet Member for Housing and Community Safety and Cabinet Member for Regeneration and Transport.
6. it be noted that as part of the wider masterplanning exercise costs of regeneration to the Council will be approximately £3.3m overall, it is anticipated this will be covered by a future capital receipt.
7. the need to exercise Compulsory Purchase Powers to deliver this regeneration scheme be recognised in principle and that officers be authorised, in consultation with the schemes legal advisers, to investigate further the cases for compulsory purchase and to formulate strategies for the potential use of a CPO (if required), with further details to be reported back to Cabinet in due course.

CAB 126/11 Community Energy Savings Programme

Cabinet was provided with an update on the progress of the Parkfield Community Energy Saving Programme (CESP). Members were reminded that, in November 2011, Cabinet had approved a recommendation to proceed with the scheme and the appointment of a preferred provider had been delegated to the Head of Technical Services in consultation with the Cabinet Member for Environment and the Cabinet Member for Housing and Community Safety.

Cabinet noted that a deal with Eggborough Power Limited had been secured in an arrangement whereby all the CESP eligible measures would be installed onto qualifying properties with no match funding required from the Council, other than any required non qualifying remedial works. The investment was £3.85m.

The scheme named as GoWarm Parkfield was underway and it was noted that over 800 residents had already signed up.

Members noted that Eggborough Power had recently offered further funding that would allow the scheme to be extended into other qualifying areas. The additional funding would bring the total investment to £5,950,000. It was anticipated that this would not result in any additional Council resources, beyond those previously approved, being required.

RESOLVED that:

1. the progress of the CESP scheme in Parkfield be noted.
2. the offer for the scheme to be extended into other qualifying areas be noted and negotiations to proceed for the potential roll out of the scheme into the Stockton town centre, Newtown and Victoria LSOA areas as shown in Appendix 1 to the report, be approved
3. it be noted that resources previously approved in the November report would be sufficient to meet allocations that would be necessary to cover the remedial works for the extension of the scheme.

CAB 127/11 Young Worker Employment

Members sought approval to a new approach to the employment of apprentices and young people within the Council.

It was explained that within the Council, three elements of the proposed way forward operated with varying degrees of success; these were work experience, apprenticeships and traineeships. The proposal was to coordinate and draw these elements together in a more systematic way to provide an effective and efficient development offer and maximise the opportunities to utilise the funding available.

Work experience

In the future, an offer of pre employment training could provide an opportunity for employers like the Council to support young workers prior to leaving school

to be 'work ready' and associated careers workshops could be used as an opportunity to encourage potential young workers to consider local government as a career.

Apprenticeships

It was proposed that, in future, training opportunities for apprenticeships within the Council would be identified in advance of advertising, normally on an annual basis. This approach would allow the Council to tailor opportunities to a range of young people. It was proposed that some 50% of those would be aimed at those who were most disadvantaged such as NEETs, Looked after Children or those with an offending history. This approach supported the needs identified through the evaluation of the Communities Fund and its impact on reducing levels of worklessness within the Borough. Other opportunities would be aimed at the most talented young people, supporting the Council's aim of increasing the number of young people in the workforce and its succession policy. For those, advertising would be timed to coincide with potential school and college leavers entering the employment market.

The following apprenticeship opportunities had already been developed with managers: 2 Civil Engineering, 2 Business Administration, 1 HR, 4 Catering, and 3 Horticulture apprenticeships, 12 in total. In addition officers were actively exploring apprenticeships in ICT, Marketing, Youth Work, Teaching Assistants and Care Workers. Future opportunities could include Building Maintenance, Highways, Accountancy, Housing and Cleaning and Environmental Services

Support for young people with learning disabilities was currently provided through the Job Carving Scheme. In 2009, CMT pledged to provide 12 opportunities each year. Since then 12 young people had worked in the Council under this scheme, although only 6 were employed. This programme therefore needed to be rejuvenated now the EIT programme was drawing to its conclusion.

Finally, Corporate parenting responsibility needed to be considered as a part of a young workers strategy. This group of potential young workers had access to positive action initiatives i.e. training in work ready skills and a small budget to support work placement for apprenticeships. As a tool for transition to work, additional funding would enable more targeted support, an opportunity to be in a work environment and a supported employment model for potential young workers in the Council's care. It had been agreed to increase this ring fenced budget (£20k) to 40k to enable the additional wage subsidies and expenses for up to 8 LAC apprentices in 2012 /13 to be full met. This would make such young people much more attractive to potential employers.

Traineeships

It was proposed that an in house graduate programme be developed to engage young workers who had completed degrees. A two year fixed term learning contract could provide the basis of employment and adoption of a pay model similar to the Future Jobs Fund model developed.

To ensure the successful implementation of this approach it was proposed that the Head of Human Resources and Communications would take on

responsibility for the central coordination of apprenticeship/ trainee schemes and work experience /support to managers to include coordination of recruitment /employment and monitoring mechanisms and the development of a graduate trainee scheme. Working closely with other interested parties within the Council, HR would also be responsible for the identification and ring fencing of resources to provide wage subsidy for apprenticeships (including LAC) and graduate trainee salaries and to stimulate opportunities. In addition future vacancies will be monitored so that suitable vacancies were identified for apprenticeships.

Members noted the financial implications associated with the proposals and the target to create a minimum of 21 new apprenticeships in 2012/13.

RESOLVED that

1. the approach to increasing the numbers of apprentices be agreed
2. the proposed method of funding, as detailed in the report, be agreed.
3. future vacancies be monitored, so that suitable vacancies were identified for apprenticeships.

CAB **Minutes of Various Bodies**
128/11

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:-

Central Area Partnership Board – 24 November 2011
Northern Area Partnership Board – 5 December 2011

CAB **Spence Bequest Transfer**
129/11

Cabinet considered a report relating to the Spence Bequest, an unincorporated charity of which Stockton Borough Council was the corporate trustee.

It was explained that the Spence Bequest held a sum of money which was to be used, alongside Heritage Lottery Funds, for the construction of the Spence Building, a new museum store at Preston Hall. The principal of using the Spence fund for this purpose had been agreed by Cabinet at its meeting on 5th February 2009.

Members were reminded that the Spence Bequest had been founded by the will of G O Spence. The Council was the sole (corporate) trustee. The Governing Document was HIGH COURT (CHANCERY DIVISION) SCHEME DATED 18TH JULY 1966 and the charitable purposes were twofold: (1) public display of a collection of arms, antiques and articles de vertu contained in the will of G O Spence and presented to the corporation of Stockton on Tees (“Spence Collection”), and (2) application of the residuary estate in the purchase of land at Stockton on Tees in or towards the erection thereon of a public hall to be

used by the local authority for such purposes as it may, from time to time, consider desirable ("Spence Fund"). A copy of the Governing Document was provided to members.

As part of the successful £6.6million Hall bid (53% Heritage Lottery Funded), a specific collections store building (known as the Spence Building) was created, housing the majority of the Museum collections for Stockton Borough Council.

The cost of constructing the new build store totalled £600k and it was intended that the Spence Fund would contribute £240k towards the construction cost. The release of such funds was contrary to the second of the currently stated charitable purposes but would have no effect on the continued public display of the Spence Collection which was central to the exhibitions and reserves at Preston Hall.

Members noted that a legal process must be followed to bring about the use of the residuary fund. The Charity Commission, regulator for charities in England and Wales, had assisted in the direction of this legal process. Recommendations suggested the passing of three resolutions by full Council that were key to this legal process.

The resolutions dealt with the introduction of new procedures (provided to members) that regulated the Spence Bequest Charity. They also proposed the appointment of three ex officio trustees and terminated the trusteeship of the Council.

RECOMMENDED to Council that

- 1. new procedures be introduced by way of statutory power (pursuant to s.74D of the Charities Act 1993) that regulate how the charity is administered, to take immediate effect. Proposed procedures are appended to this report.**
- 2. three ex-officio trustees, including Lead Cabinet Member, Arts, Leisure and Culture, be appointed, with immediate effect.**
- 3. the trusteeship of the corporate trustee be terminated, with immediate effect, on the understanding that the newly appointed trustees may subsequently (subject to Charity Commission consent) amend the charitable purposes and bring about the release of capital from the Spence Bequest.**

CAB 130/11 Enterprise Zone Business Rates Discount Scheme

Members considered a report relating to the Enterprise Business Rates Discount Scheme.

It was explained that the Localism Act 2011 contained clauses that gave billing authorities powers to grant local business rate discounts.

The Council would be responsible for fully funding any discount granted under the powers, however, in certain defined Enterprise Zone sites the Government would reimburse the cost of providing up to 100% discount for 5 years, up to

state aid de minimis levels (£55k) for businesses that entered the sites by 31 March 2015.

Members noted that a sectoral focus on the sites provided criteria to be met by incoming occupiers seeking to benefit from financial incentives. The target sectors were Advanced engineering/advanced manufacturing, Chemicals, Digital, Renewables.

The powers were expected to come into force on 1 April 2012, allowing discounts to begin from that date. The Council would have to design and set its discount scheme in accordance with Government regulations and guidance, not yet published.

The discount scheme would be a key element in the promotional package to attract new business to the Enterprise Zone and it was important that the scheme was finalised and approved as soon as the regulations and guidance were received.

In view of this Cabinet was asked to recommend to Council that approval for the detailed discount scheme design be delegated to the Corporate Director Resources in consultation with Cabinet Member for Corporate Management & Finance and Cabinet Member for Regeneration & Transport.

RECOMMENDED to Council that:

1. the proposed arrangements for the Enterprise Zone business rate discount scheme be noted.

2. the detailed design of the scheme, and its accompanying administrative processes, be delegated to the Corporate Director Resources in consultation with the Cabinet Member for Corporate Management & Finance and the Cabinet Member for Regeneration & Transport.

**CAB
131/11**

Localism Act 2011 - The New Standards Regime

Members considered a report that detailed the new standards provisions to be introduced by the Localism Act, and in response set out initial proposals for consideration.

Cabinet noted some of the key features of the new provisions, which would take effect in July 2012:-

- All current legislation would be repealed
- There would be a new general duty to promote and maintain high standards of conduct by members and voting co opted members
- Each "relevant authority" must adopt a code which dealt with the conduct expected of members and voting co opted members when acting in that capacity.
- There would no longer be any national coordination or express controls over disrespect, bullying, intimidation etc, though the Council's adopted code may cover such issues.
- Regulations relating to "disclosable pecuniary interests"
- Arrangements for investigating and determining allegations.

- Requirement to appoint at least on “independent person”

A more detailed synopsis of the new provisions was provided as an appendix to the report being considered

Members then considered a suggested initial response to the new proposals which covered the following areas:-

- The Code of Conduct
- Arrangements for dealing with Misconduct
- Initial decisions on a complaint
- Investigations
- Breaches
- Appeals
- Independent Persons
- Registers of Members' Interests
- Disclosure of Interests and withdrawal from meetings
- Sensitive Interests
- Dispensations
- Review
- Training

Cabinet was provided with a number of proposals for consideration, and it was suggested that they be recommended to Council for approval.

RECOMMENDED to Council that:

- 1. the new code of conduct to be drafted by the Monitoring Officer is based on the ten principles of conduct (as specified in the Relevant Authorities (General Principles Order 2001); and subject to this that it includes provisions equivalent to paragraphs 3 to 7 of the Council's current code; and that it should require registration and disclosure of interests which would constitute personal and/or prejudicial interests under the current code, but withdrawal from the meeting room as required by the Localism Act only in relation to disclosable pecuniary interests.**
- 2. when the disclosable pecuniary interests regulations are published, the draft code is reviewed by the Monitoring Officer and appropriate provisions are included regarding the registration and disclosure of such interests and also of interests other than disclosable pecuniary interests.**
- 3. the Monitoring Officer (or authorised representative) is given delegated authority to receive complaints about member conduct under the Council's new code of conduct and under the codes of conduct adopted by the Borough's Town and Parish Councils.**
- 4. the Monitoring Officer (or authorised representative) be given delegated power, in consultation with an independent person, to decide whether or not to take any action on a complaint, including the power to take no action; to seek to resolve a matter informally and to arrange an investigation; and that he is given discretion to refer a decision on whether or not to investigate a complaint to the standards panel.**

5. where an investigation finds no evidence of failure to comply with the code, the Monitoring Officer (or authorised representative) is given delegated authority, in consultation with an independent person, to close the matter, but with discretion to refer such a decision to the standards panel.

6. where an investigation finds evidence of a failure to comply with the code, the Monitoring Officer (or authorised representative), in consultation with an independent person, is given delegated authority to seek a local resolution of the matter to the complainant's satisfaction, where appropriate, and where not appropriate or possible, to refer the investigation findings to the standards panel.

7. a politically balanced list of ten members be established, from which a standards panel of three members could be drawn in order to hear complaints about member conduct where an investigation finds evidence of failure to comply with the code of conduct.

8. the standards panel is given delegated authority to take decisions in consultation with an independent person, in cases where a member is found as a result of a hearing to have failed to comply with the code of conduct, such decisions to include one or more of the actions specified at paragraph 19 of the report as considered appropriate.

9. it be noted that there will be no local authority appeal mechanism regarding decisions of the standards panel.

10. written procedures be developed by the Monitoring Officer regarding the arrangements outlined in recommendations 3 to 9 inclusively.

11. vacancies for one independent person ("IP") and two reserve IPs be advertised publicly and that the terms of reference of the current Standards Appointments Panel be revised to enable the Panel to shortlist (if considered necessary by the Monitoring Officer in consultation with the Chair of the Panel) and to interview candidates with a view to recommending appointments to Council.

12. the initial remuneration for the IPs be set at £650 per annum, with travel and subsistence being payable at member rates, with this being reviewed after 12 months of operation by the Standards Appointment Panel which would then make recommendations to Council regarding the future remuneration of IPs.

13. the Monitoring Officer:-

- prepares and maintains a new register of members interests for the Council, as required by the Localism Act and the code of conduct when adopted;**

- ensures that the register is available for inspection and on the Council's website;**

- provides guidance to all members on their duty to register interests;
- prepares and maintains new registers of members' interests for each Town and Parish Council within Stockton Borough, as required by the Localism Act and each code of conduct adopted by the Town and Parish Councils;
- ensures that each register is available for inspection and on the Borough Council's website, and that each Town and Parish Council with a website is provided with the information necessary to enable them to put their register on their own website;
- provides guidance to Town and Parish Clerks on the new registration requirements.

14. the Monitoring Officer amends Council, Cabinet and Executive Scrutiny and Select Committee procedure rules to provide that a member must leave the meeting room during the whole consideration of any item of business in which the member has a disclosable pecuniary interest, except where the member is permitted to remain as a result of the grant of a dispensation.

15. the arrangements and procedure relating to a member's sensitive interests be noted.

16. the Monitoring Officer be given delegated authority to grant dispensations in consultation with an independent person, but with the discretion to refer any request for determination by the Standards panel in consultation with an independent person, and that the standards panel is also given delegated authority to consider appeals against a refusal to grant a dispensation, again in consultation with an independent person.

17. the Council's standards arrangements are reviewed by the Monitoring Officer after 12 months of operation, and the outcome with any recommendations for change is reported to Cabinet and Council for further consideration.

18. in addition to guidance to Members on their duty to register interests, appropriate training be provided to members regarding the Council's new code of conduct, disclosable pecuniary interests and the arrangements for dealing with misconduct allegations.