

Cabinet

A meeting of Cabinet was held on Thursday, 14th June, 2012.

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

Officers: N. Schneider (CEO); J. Danks, S. Reay, G. Cummings (R); P. Dobson, R. McGuckin, I. Robinson (DNS); J. Humphreys, S. McLurg(CESC); J. Grant, N. Hart (LD)

Also in attendance: Cllr Phil Dennis, Cllr Paul Kirton, Cllr Mrs Maureen Rigg

Apologies: Cllr David Rose

CAB Declarations of Interest

28/12

Councillor Cook declared a personal, non prejudicial interest in the item entitled Stockton Town Centre Regeneration Update as he was a member of the European Regional Development Fund Local Management Board.

Councillor Mrs Rigg declared a personal non prejudicial interest in the item entitled Capital Investment in Schools as she was a governor at Durham Lane School.

CAB Minutes of the meeting held on 17 May 2012

29/12

The minutes of the meeting held on 17 May 2012 were confirmed as a correct record.

CAB Stockton Town Centre Regeneration Update

30/12

Cabinet considered a report which provided an update on the progress of regeneration projects delivering the regeneration vision for Stockton Town Centre. The report also contained details of design evolution for streetscape improvements to Stockton High Street stemming from the Stockton on Tees Town Centre Urban Design Guide; proposals for the Central Area of the redesigned High Street; improvement plans for the enhancement of Stockton markets; economic development projects; and business support.

It was explained that an Urban Design Guide had been developed to form part of the planning policy framework and aimed to improve the vitality and viability of the town centre by providing design guidance for any party involved in the regeneration of the town centre, on areas undergoing change or where change needed to be promoted and managed. Members were provided with the Design Guide.

Cabinet noted that Central Area design had been underway since summer 2011. The final design of this area had focussed on creating a space that could be used as a focal point for the majority of the time but also had the capability to hold events. Three options were taken forward for development and analysis. Following this process two of the options were dismissed for technical reasons with a clear preferred option emerging. Members were provided with details of this and it was believed that this option would deliver the desired features as well as being flexible enough to accommodate events and

provide a real focal point for the High Street.

Members were informed that, in April 2012 work on delivery of improvements to Maxwell's Corner at the northern end of the High Street. The scheme had been designed to complement the regeneration of the rest of the High Street and act as a gateway to the Town Centre. Cabinet was provided with a programme showing the delivery of infrastructure works on the High Street which would be completed in early 2015.

Cabinet noted the importance of Stockton market and agreed that a successful market would be a key driver in achieving a successful town centre. A vision for extending the markets offer was therefore at the heart of the regeneration proposals. A preferred Market offer and detailed proposals were provided to members together with principles for the temporary operational arrangements during construction.

Updates on a number of Town Centre issues were provided including the following:-

- Lindsay House
- New Businesses
- Castlegate Centre Refurbishment
- 62 Dovecot Street
- Heritage Improvements
- Stockton Cultural Quarter
- The Globe Theatre

With regard to 62 Dovecot Street it was noted that plans for the £1 million refurbishment and restoration of 62 Dovecot Street were given a boost when an application for £500,000 of European Regional Development Fund had been approved for the scheme.

Members agreed that a key strand to the regeneration of the town centre was communicating the vision, progress and successes. An outline of how this would be achieved was provided.

RESOLVED that:-

1. the Stockton-on-Tees Town Centre Urban Design Guide be adopted for guidance purposes.
2. the preferred design for Central Area be approved.
3. the progress of improvement works to Maxwell's Corner be noted and the programme for delivery of infrastructure works on the High Street be agreed.
4. the development and operation of the markets in the High Street be approved and the principles of temporary operational arrangements during construction be agreed, noting the inevitable disruption that would result from the scale of investment agreed within the town centre.
5. the Corporate Director of Resources in consultation with the Corporate

Director of Development and Neighbourhood Services, the Director of Law and Democracy and Cabinet Member for Regeneration and Transport be authorised to enter into negotiations and complete the necessary concessionary lease documentation for 62 Dovecot Street.

6. Progress on the following be noted:

- gaining vacant possession of Lindsay House;
- the development and growth of new business in the town centre;
- Castlegate Centre refurbishment work;
- success of the Enterprise Arcade initiative;
- successful bid for £500,000 ERDF funding to support 62 Dovecot St project;
- Heritage improvements through the SHiP and THI schemes;
- analysis of development opportunities in Stockton Cultural Quarter;
- role and importance of artwork and lighting throughout the town centre and riverside area;
- the improved communication and marketing arrangements;
- the development of the 'town shop' concept to increase communication and public awareness of activity in the town centre.

**CAB
31/12**

Swainby Road Housing Regeneration Scheme Update

Consideration was given to a report that provided an update on the Swainby Road Housing Regeneration scheme and sought approval for a number of critical next steps that would enable the successful progression of the project.

Members were informed of the progress made in decanting residents and in acquiring both private and commercial premises.

It was explained that there were a small number of property owners who were either unwilling to enter into property negotiations or where agreement could not be reached. Members noted that all attempts at negotiation would continue, however, in order to ensure that the scheme proceeded Cabinet was asked to approve the use of the Council's Compulsory Purchase Order (CPO) powers under the Town and Country Planning Act 1990 (Section 226(1)(a)) and the Acquisition of Land Act 1981 in order to acquire all necessary interests (in line with the plan attached at Appendix A to the report) and approve the use of all actions and orders etc. that may be necessary to deliver the CPO.

Members noted that whilst no firm timescales could be given to the CPO process, it was anticipated that the likely time from Cabinet approving the use of CPO powers, to gaining vacant possession of remaining property interests within the area was likely to be in the order of 12/18 months, however, timescales were variable and would be impacted by a number of factors.

In order to secure a CPO the Council had to demonstrate that the scheme was deliverable financially and Members were provided with details that showed that this was the case.

Members were reminded that the Council had signed a Funding Agreement with the HCA, this Agreement was intended to financially support the regeneration of both the Swainby Road and Parkfield/Mill Lane (phase 2) housing regeneration schemes. In accordance with this agreement the Council was required to

undertake a 'master planning' exercise for the Swainby Road site. This exercise concluded in late 2011 and was undertaken in full consultation with officers across a number of council service areas and the local community. The purpose of the master planning exercise was to establish design and development principles which would guide the redevelopment of the site. An 'Urban Development Brief' had subsequently been drafted and had been forwarded to the HCA in order for it to review and formally endorse. This document set out the Council's planning requirements and expectations for the future redevelopment of the site. Its intention was to offer advice and guidance to all potential developers to ensure that the redevelopment was of a high quality and made a positive contribution to the Northern Gateway area.

It was the Council's intention that the Swainby Road re-development would provide mixed tenure housing (i.e. housing for sale and rent). The Urban Design Brief clearly stated that the new development must include a minimum 30 units of affordable housing or 15% of the total number of new units to be delivered (whichever was the greater). Tristar Homes was the Council's appointed Registered Provider for the site; the housing mix for the new affordable rented units would be informed by the housing needs of a small number of tenants who had indicated a wish to return and the broader housing requirements for this area of the Borough.

Once the HCA had signed-off the Urban Development Brief (a requirement of the Funding Agreement), it was then the Council's intention to use the HCA's Delivery Partner Panel (DPP) to progress the appointment of a private sector development partner/s.

The DPP had been designed by the HCA to help deliver on housing commitments, attract investment by making the procurement of partners simpler and more streamlined. The DPP was only launched by the HCA in January 2010 and was therefore not available for use on previous housing regeneration schemes (Mandale, Hardwick and Parkfield Phase 1). The DPP was fully OJEC compliant and offered some distinct advantages to the Council in terms of reducing the timescales for appointing a developer partner and reducing legal and procurement costs. In summary, the HCA had undertaken the 'front end' of the procurement process by providing the Council with access to a pre-qualified list of 17 organisations. The Council had reviewed the 17 organisations and could confirm that this listing did include the leading private house builders/developers operating within the region.

In order to appoint a panel member a 'mini-competition' would take place and ultimately draw down the services of one of the 17 organisations. The procurement process to be adopted and an indicative timetable was detailed for members.

RESOLVED that

1. 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 or 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. all necessary actions be approved 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.

2. the progress made to date in terms of decanting scheme residents and in acquiring both private and commercial premises be noted

3. the use of the Homes and Community Agency Developer Partner Panel to appoint a private sector partner to redevelop the site be noted.

4. the processing of (any necessary) Traffic Regulation Orders, Stopping Up Orders or other necessary orders, notices or other actions associated with the future development of the site by the Director of Law and Democracy be approved.

**CAB
32/12**

Housing Regeneration Scheme Update - The Victoria Estate

Consideration was given to a report relating to Housing Regeneration on the Victoria Estate.

In order to inform the regeneration of the estate and as previously reported to Cabinet (February 2012), DTZ were jointly commissioned by the Council and Vela Homes to undertake a detailed estate master planning exercise. The purpose of the exercise was to; examine options on how the site could be redeveloped, identify a development vision for the site and assist in developing an action plan for how the site could be prepared for redevelopment. This exercise included:

- Examining the site's feasibility for redevelopment including site capacity, boundaries, ownership and investment needs;
- Evaluating future use options; and
- Producing draft masterplan options.

Members were provided with an overview and evaluation of 3 masterplan options.

Following the consideration of the master planning options Cabinet agreed to endorse a 'residential only' option for the redevelopment of the Victoria Estate, Option 3 as detailed in the report:

- A 'residential only', led redevelopment.
- This option sought a more sustainable, approach to regeneration by seeking to

retain as much of the existing infrastructure and tree layout as possible.
- The indicative layout indicated a capacity for approximately 210 residential units on the site.

Cabinet also supported the use of the design principles contained within the option to inform a development brief that in turn would be used to procure a development partner/s for the redevelopment of the site. The development brief would include the provision of housing for both sale and rent. The mix of rented units would be determined by the preferences of tenants, wider housing intelligence and the broader Welfare Reform implications.

Members considered next steps associated with the scheme and it was explained that the Council had been working with the Vela Housing Group to agree a decant plan. The purpose of the plan was to ensure that residents moved off the estate on a phased basis and to ensure that, where possible, remaining residents were not left isolated i.e. with a significant number of empty properties around them. The intention was to share the decant plan with Victoria residents so they understood the likely time period that households would move. It was anticipated that it could take 5 years to clear the full estate, however, this was subject to change and could quicken if residents decide not to move into social housing or, if the frequency of properties, which became vacant, increased. Once this information was gathered then a plan for the consequences of decanting estates would be formulated.

Members were informed of plans on how the Council would communicate and consult with Victoria Estate residents.

RESOLVED that:

1. a 'residential only' led development for the regeneration of the Victoria estate be approved (Option 3 as detailed in the report).
2. the production of a development brief which reflected the conclusions of the master planning exercise and public consultation feedback be supported.
3. 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.
4. following community consultation on a draft decant plan, delegated approval for the final decant plan 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.

**CAB
33/12**

LA Nominations for Cabinet

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 nomination to school Governing Bodies, as detailed within the report.

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

Bishopsgarth School ;V Mrs B. Warren
Bowesfield Primary School ;V Ms J. McGee
Conyers Scool ;V Mrs J. Coleman
Durham Lane Primary School ;V Mrs Alex Lamond and Cllr Mrs M. Rigg
Hardwick Green Primary School ;V Mr W. Noble
Hartburn Primary School ;V Mrs J. Appleby
Levendale Primary School ;V Mr D. Turner
Oxbridge Lane Primary School ;V Mrs C. Mchale
Pentland Primary School ;V Cllr M. Stoker
The Oak Tree Primary School ;V Cllr P. Baker and Mr R. Stephenson
Tilery Primary School ;V Cllr D. Coleman

**CAB
34/12** **Children's Social Care Workload Pressures**

Consideration was given to a report relating to the continued workload pressures within the social care system. The report was based on information until the end of March 2012.

Members were also provided with details of associated pressures on the Children, Education and Social Care budget in a number of key areas.

It was explained that following the publication of the adoption scorecard on 11 May 2012, the Department for Education (DfE) requested to meet with representatives from Stockton-on-Tees Borough Council to explore the reasons behind the performance against the three new performance indicators.

The meeting subsequently took place on 23 May 2012, attended by Cabinet Member, Children and Young People, Chief Executive, Corporate Director, Children Education and Social Care (CESC) and a number of senior officers. The consensus was that this was a productive meeting, with opportunity being provided to share some of our concerns about the scorecard.

The key points we made to the DfE were as follows:

- The focus on adoption to the exclusion of other forms of permanence failed to take account of the significance and prevalence of special guardianship orders, residence orders and family and friend placements.
- The emphasis on timeliness at the expense of other factors, most notably placement stability, was unhelpful because it put process before outcome. This was particularly pertinent in Stockton-on-Tees as it was believed that the Council had a very strong track record of making successful and lasting adoption placements, which was highlighted by Ofsted in June 2011 to support the 'outstanding' judgement received.
- The reductionist nature of the scorecard did not take account of a variety of factors which made it more difficult to place children, such as sibling groups, age profile (15/40 of our children were over 5), ethnicity, disability etc.

- The scorecard appeared to suggest that the process was completely under the control of the local authority when it was known, from experience, that this was not the case. Even the performance indicator which measured time from placement order to the match with prospective adopters (A2) could still be at the mercy of the court process.

Cabinet noted the small size of the cohort in Stockton-on-Tees - there were 18 children (12 cases) outside the threshold in relation to the A2 indicator. A summary of the reasons for the delay in each case was provided to DfE, with detailed discussions taking place in relation to some cases in order to ensure that DfE had a full understanding of the complexities of this area of social work practice. Crucially, it was shared that all 18 children had been successfully matched with adopters, where they remained to date.

The Children's Improvement Board (CIB) was also present at the meeting and shared details of a diagnostic assessment which was available to local authorities at no cost. This would be considered alongside the possibility of a 'peer challenge' which the Council was already exploring prior to the publication of the scorecard. The crucial factor in determining which model to proceed with, would be that it was able to focus on the wider issue of permanence, rather than exclusively on adoption.

The DfE had since made contact to confirm that on the basis of this meeting they have no cause for concern as far as Stockton-on-Tees Borough Council was concerned and that they were 'entirely happy' with the progress the Council was making. There would be no further follow up by DfE in respect of this issue and it was solely the Council's decision whether to proceed with the diagnostic assessment or continue with a 'peer challenge' as originally planned.

Members agreed that the Department for Education's adoption scorecard process had been seriously flawed and had potentially undermined the efforts and morale of staff in this area. It was noted that a letter would be sent to the DfE, highlighting the Council's concerns.

RESOLVED that

1. the continued workload pressures within the social care system and the associated impact this was having on caseloads, performance and budget.
2. further update reports be received, on a quarterly basis, in order to continue to monitor the impact of these workload pressures.

**CAB
35/12** **Capital Investment in Schools**

Members considered a report relating to Capital investment in the Borough's schools.

Cabinet was informed that Ian Ramsey CofE School, Grangefield, St Michael's RC and Mandale Mill had been successful in securing funding allocations under the Governments Priority Schools Building Programme.

It was explained that the Council was leading on the procurement and management of major Academy developments. The £18m Northshore Academy development, incorporating a MyPlace youth facility, was well underway and on target to open in September 2013. The investment of £5.8m in Thornaby Academy was also progressing with a similar completion date.

Details of current and future, potential, funding availability was provided to members. Members also considered a proposed investment programme for increasing capacity and to provide urgent maintenance to the following schools:-

Barleyfields
St Francis
Christ the King
St Marks CoE
Junction Farm

Members were informed of school sites that would become vacant in the near future which would have potential to generate capital receipts. These were:-

Norton
Northshore Academy
Northfield Campus (linked to the development of a single site at Northfield)

It was proposed that the potential for the disposal of these sites be explored.

Members were provided with an update position on Secondary Schools and in particular Northfield and the potential disposal of part of the campus site.

The overall costs associated with the developments to support school places was £7.7m with the £2m shortfall being funded from Capital Receipts and Section 106 monies. The development of Northfield school would, as referred to above, be funded from the disposal of the former Billingham Campus site and the maintenance programme was fully funded.

RESOLVED that

1. the investment programme for increasing capacity and urgent maintenance outlined in the report with expansion of the following schools, to meet demands for school places across the Borough be agreed:

- Christ the King RC Primary (Thornaby)
- Junction Farm Primary (Eaglescliffe)
- Barleyfields Primary (Ingleby Barwick)
- St Francis of Assisi C of E (Ingleby Barwick)
- St Mark's C of E (Stockton)

2. the principle of disposal of the school sites, with resources utilised to contribute to the developments outlined above and the reconfiguration of Northfield School be agreed. Details of specific disposals to be presented to Cabinet in due course.

3. it be noted that the bids for funding from the Priority Schools Building

Programme for Ian Ramsey CofE, Grangefield, St Michaels RC and Mandale Mill had been successful but that details of the funding allocation and timescales were still to be confirmed.

**CAB
36/12** **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
37/12** **SIRF 2012 Preview and Issues**

Members considered a report that described the anticipated programme highlights for SIRF 2012.

Cabinet was provided with details of issues and opportunities being explored and worked through:

- 25th Anniversary celebrations
- VIP night plans
- Sites for shows
- New commissions and partnerships
- Marketing and communications
- Traffic management
- Town centre programme
- Budget and charging
- Visitor experience
- Carnival theme
- Finale Outline
- Health and Safety

Cabinet noted that this year would be Frank Wilson's final year as Artistic Director of SIRF. He would still be involved with the Festival but in a reduced role which would enable the Council to continue to benefit from his skills, knowledge and contacts. The Council's Arts Development Manager would assume the role of Artistic Director.

RESOLVED that the report be noted

**CAB
38/12** **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:-

Stockton Local Safeguarding Children Board – 15 March 2012

Safer Stockton Partnership – 27 March 2012

Northern Area Partnership – 2 April 2012

Health and Wellbeing Partnership – 10 April 2012

Central Area Partnership Board – 26 April 2012

**CAB
39/12** **Asset Review - Update**

Cabinet considered a report that provided an update on the Asset Review and built on previous reports to Members in July, September and November 2011.

Members noted the position with regard to the disposal of Gloucester House and highlighted the progress in rationalising other office accommodation. Particular reference was made to Wrensfield House and it was proposed that the building be offered for community asset transfer.

Progress on Phase 2 of the Review of Facilities Management was provided and it was proposed that the arrangements of the following services be reviewed:-

- Caretaking
- Building Cleaning
- Alarm Systems/Security
- Waste Collection and Recycling from buildings
- Utilities

The review of these arrangements would be considered as a strand of the current Asset Review. Where the review may impact on staffing structures, then appropriate consultation with staff and unions would be a fundamental part of the process.

Progress regarding the review of Libraries was set out in the report and in particular the approach to a forthcoming consultation process.

An update was provided on work that Catalyst was undertaking with respect to the development of a Community Asset Trust.

Cabinet noted that a swimming pool and gym were located adjacent to the buildings of Abbey Hill School. Operational running costs required £63k funding per annum from the Council. Given the changing use of the facility and in the context of the Council's investment in Splash and Billingham Forum, it was proposed that options be reviewed in partnership with the school. Findings and recommendations would be presented as part of the next Asset Review update report, scheduled to be presented at Cabinet in October 2012.

RESOLVED that

1. once vacated, the Wrensfield Office building be advertised for asset transfer

and/or disposal by sale.

2. the work to progress the Facilities Management aspects of the review be endorsed.
3. options regarding the future use and funding of the Abbey Hill (Hardwick) Pool and Gym be explored and considered in the next report.
4. a further report be prepared for consideration in October 2012.

**CAB
40/12** **Xentrall Annual Report 2011 - 2012**

Consideration was given to Xentrall's Annual Report 2011 – 2012.

Xentrall Shared Services was the partnership between Stockton and Darlington Councils which delivered certain services for both Council's.

Members noted that the original business case for Xentrall had identified £7.4m in savings, over a ten year period.

It was explained that the efficiencies and the main benefits outlined in the original business case had been delivered and the partnership was on target to make £9.2m savings over the ten year period.

Details of achievements made during 2011/12 were provided.

Looking to the future of the partnership, and bearing in mind that the original business case had been delivered, an outline three year vision had been identified:

- Continue to improve the services
- Create value for Stockton and Darlington
- Tactically grow the business

The aim of the vision was to continue to identify efficiency savings in Xentrall and the wider Councils; ensure that ICT and ICT information systems were securely and effectively utilised across both Council's; and, deliver additional income wherever possible.

RESOLVED that the report be noted.

**CAB
41/12** **Employee Code of Conduct**

Consideration was given to a report relating to the Employee Code of Conduct.

Members noted that the code aimed to promote high standards of conduct and help maintain public confidence in the Council's services. It was a summary of existing codes of practice and procedures that all employees were required to follow.

It was explained that the code had been reviewed and updated as a result of

changes in legislation and to reflect current practices and procedures. A copy of the revised code was provided.

RECOMMENDED to Council that the revised Employee Code of Conduct, as detailed at Appendix 1 to the report, be approved and accepted as a revision to the Council's Constitution.