

# Cabinet

A meeting of Cabinet was held on Thursday, 31st October, 2013.

**Present:** Cllr Robert Cook (Chair), Cllr Jim Beall, Cllr David Harrington, Cllr Mrs Ann McCoy, Cllr Steve Nelson, Cllr David Rose and Cllr Michael Smith.

**Officers:** N Schneider (CE); J Danks, B Brown, L King (R); P Dobson, R Poundford, R Young (DNS); J Humphreys, S Willson (CESC); P Kelly (PH); D E Bond, N Hart (LD).

**Also in attendance:** Cllr Julia Cherrett, Cllr Phil Dennis, Cllr Bob Gibson and Cllr Ken Lupton; Members of Public.

**Apologies:** Cllr David Coleman and Cllr Ken Dixon.

## **CAB 80/13**      **Declarations of Interest**

Councillor Cherrett declared a declared a personal non prejudicial interest in respect of agenda item 4 – L A Nominations she was the nominee.

Councillor Smith declared a declared a personal non prejudicial interest in respect of agenda item 6 - Economic Climate Update as the update made reference to his employer.

Councillor Nelson declared a personal non prejudicial interest in respect of agenda item 6 - Economic Climate Update as he was a member of the Vela Group which was referenced in the report.

All Members present declared a personal non prejudicial interest in respect of agenda item 10 - Honorary Aldermen given their personal interest in any 'ceremonial honours' given to Councillors, and the criteria for conferring those honours.

All Members present declared a personal non prejudicial interest in respect of the agenda item 11 - Members Special Responsibility Allowances (SRA) given their personal interest in any allowance given to Councillors.

## **CAB 81/13**      **Minutes**

The minutes of the meeting held on 3rd October 2013 were confirmed and signed by the Chair as a correct record.

## **CAB 82/13**      **LA Nominations for Cabinet**

In accordance with the procedure for the appointment of school / academy governors, approved as Minute CAB 27/13 of the Cabinet (13 June 2013), Cabinet was invited to consider the nomination to school / academy Governing Bodies detailed within the report.

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

The Management Committee of Bishopton Centre Pupil Referral Unit –

**Street Lighting - Invest to Save Opportunities/Benefits**

Consideration was given to a report on Street Lighting – Invest to Save Opportunities / Benefits.

The Medium Term Financial Plan (MTFP) reflected a significant reduction in Government Funding over recent years, and provided the Council with a significant financial challenge. In order to tackle this there were three big ticket items, one of which was Waste and Energy. As part of this it was being considered how the Borough's street lighting can be transformed in order to reduce the energy/maintenance costs associated with it.

The report detailed the need for and implications of investment in the energy efficiency of the street lighting stock. The need for change within the street lighting service was made more pressing by the significant budgetary pressures facing the Council, with on-going maintenance costs and anticipated increases in energy prices coupled with the need to secure energy efficiencies to reduce carbon emissions all significant driving factors. It was also necessary to improve the condition of some of the street lighting stock to meet the public and political expectations in relation to street lighting standards.

The biggest financial expenditure associated with street lighting was the cost attributed to the amount of energy that was consumed. Based on the performance of the existing lighting stock and predicted energy price increased energy consumption costs associated with street lighting were expected to increase by in excess of £418,000 per year by 2021. Historically, street lights within the Borough had used a combination of high and low pressure sodium lanterns but these consume significantly more energy than other viable alternatives. The mass replacement of lanterns and, where necessary, lighting columns, would result in significant savings in energy consumption and ongoing maintenance costs.

Lighting levels were determined via criteria laid down in the British Standard, with traffic flow, crime levels and night time activity all taken into consideration. In many streets, this could be achieved by replacing ageing lights with new energy efficient equipment incorporating technology which dims the lamp burning hours. A project to replace approximately 8,000 street lights had been completed in the Borough, reducing the total energy cost by approximately £200,000 a year.

In response to the increasing energy and maintenance costs associated with the street lighting service, a business case had been produced detailing a large-scale project which would involve a mass lantern replacement programme spread over a number of years and utilising modern Light Emitting Diode (LED) technology.

LED's utilise white light at various intensities and at very low wattage levels, offering greater energy efficiency to significantly reduce the amount of energy consumption associated with street lighting. Long life was also a key benefit when utilising LED's, with some having an operational life expectancy of 100,000 hours. This equated to eleven years of continual operation, or twenty

years of 50% operation compared with a life expectancy of four and five years respectively for the traditional lamps that were used. As such, traditional lamps required far more human involvement and incur greater costs over an average LED unit lifetime.

A further benefit arises from the LED light source unit being made up of many different light source elements, making it extremely unlikely that it would suffer a total light outage and therefore significantly reducing routine maintenance issues / costs and the need for a robust and ultimately costly monitoring system.

In addition to mass lantern replacement, it was also proposed to replace light columns where appropriate. This would be undertaken using a risk-based approach, on a street by street basis with replacement depending on a range of criteria including column age, condition and location.

Climate change was described as one of the biggest challenges mankind had ever faced and carbon dioxide was one of its main causes. As an energy user and a community leader Stockton Borough Council had an important role to play in reducing its own carbon emissions and setting an example for others to follow.

If the scheme was successful in gaining Cabinet's approval an Implementation and Communication Plan would then be formulated and presented to Cabinet at a later date. In addition, a revised Stockton Borough Council Street Lighting Policy document was being drafted detailing future direction in this field, which would also be presented at a Cabinet meeting for approval.

It was proposed to fund this replacement scheme by utilising Council reserves established for the specific purpose of funding 'invest to save' schemes. The savings generated by undertaking the replacement detailed in the aforementioned paragraphs would significantly reduce both the energy and maintenance costs attributed to street lighting, which would ultimately result in a shorter payback period.

RESOLVED that:-

1. The principle of invest to save in Councils street lighting stock in order that the preferred option of replacing all lanterns with LED, and replacement of columns over 25 years old, be approved.
2. An updated Street Lighting Policy and Implementation / Communication Plan be brought to a future meeting.
3. Different options of delivery be considered as part of the procurement process.
4. The request for funding to support the scheme totalling £14,000,000 as set out in paragraph 14 and shown in Appendix B be noted. This will be considered by Council as part of the 2014/15 budget setting process.

Consideration was given to an update report on the Economic Climate. The report provided Members with an overview of the economic climate, outlining the effects that this was having on Stockton Borough, and 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 would enable a focussed account to be made of any recent changes to economic circumstances (both positive and negative), 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. Attached to the report was a summary of those changes and responses.

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

**CAB  
85/13      Adult Social Care Local Account 2012-2013**

Consideration was given to a report on Adult Social Care – Local Account 2012/13.

The production of a Local Account by Councils had been promoted as part of the approach to sector led improvement. It was also seen as an element of the national Adult Social Care Outcomes Framework (ASCOF) which was introduced in 2011 as part of a revised approach to monitoring the effectiveness of Council provision for adult social care.

Although the publication of a Local Account was not a statutory requirement, there had been an expectation that Councils would produce a Local Account. The large majority of Councils did so for the first time in 2011/12 and were doing so again for 2012/13. There had been a commitment also through the North East Regional ADASS (Association of Directors of Adult Social Services) Group to support the production of Local Accounts.

The aim of the Local Account was to support greater transparency and accountability by reporting to residents, in an accessible format, on how the Council had addressed priorities and improved outcomes for those in need of social care, how the Council had responded to feedback from service users and other stakeholders, and what the priorities were for the future.

The Local Account for 2012~13 had been developed along the format of that agreed last year. The Adults Services section of Stockton News would continue to be used as a vehicle for providing updates on the priority areas identified in the document and for seeking feedback on development of future Local Accounts.

Attached to the report was the proposed final draft of the Local Account. This

version contained the proposed final text for the document. Once approved, arrangements would be made to produce a version formatted in line with the corporate branding, and including appropriate photographs and pictures. It was intended that the document would be made available via the Council's website. A small number of copies would be printed, for circulation to relevant partner agencies and community groups.

RESOLVED that the Local Account be approved.

**CAB  
86/13**      **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:-

Local Safeguarding Children Board – 18th July 2013

Safer Stockton Partnership – 27th August 2013

The Housing and Neighbourhood Partnership – 24th September 2013

**CAB  
87/13**      **Designation of Neighbourhood Areas in Grindon and Eggescliffe Parishes for purpose of preparing neighbourhood plans**

Consideration was given to a report on the Designation of Neighbourhood Areas for Wynyard and Eggescliffe and Eaglescliffe.

The report provided background to neighbourhood planning and sought the designation of neighbourhood areas for Wynyard and Eggescliffe and Eaglescliffe. Members were also asked to consider delegating a number of functions relating to the neighbourhood planning process to the Head of Planning.

Neighbourhood planning was intended to give communities more of a say in the development of their local area by enabling them to contribute to the statutory development plan by producing neighbourhood plans and neighbourhood development orders. Once neighbourhood plans were adopted, they become part of the Development Plan and applications for planning permission must be determined in accordance with them unless material considerations indicate otherwise.

Whilst the Council had a duty to support communities who choose to undertake neighbourhood planning, it would not become involved leading, preparing or financing neighbourhood planning activity. If neighbourhood plans or orders required action other than the determination of planning permissions to deliver their aims and objectives, neighbourhoods would need to remain involved to drive these forward. Neighbourhood planning was a right rather than an obligation and the Council would continue to plan for all areas of the Borough through the Local Plan process.

There were three main neighbourhood planning tools: Neighbourhood Plans, Neighbourhood Orders and Community Right to Build Orders:-

- Neighbourhood Plans guide the future development, regeneration and conservation of an area and contain planning policies which would be taken into account when the Council determined applications for planning permission.
- Neighbourhood Development Orders grant permission for particular types of development in a neighbourhood or other specified area.
- Community Right to Build Orders were a special kind of Neighbourhood Development Order which could be made by the Parish/Town Council or a community organisation.

In order to be adopted by the Council, neighbourhood plans and orders must meet the following criteria:-

- have appropriate regard to national policy
- contribute to the achievement of sustainable development
- be in general conformity with the strategic policies in the Stockton-on-Tees Development Plan
- be compatible with EU obligations (such as environmental matters and human rights)
- have regard to the protection and enhancement of listed buildings and conservation areas.

The content of neighbourhood plans and orders was largely a matter for each community, although to be part of the development plan they should focus on the development and use of land. For example, they could include policies supporting particular types of development across the neighbourhood, site allocations (for all types of development), protection and promotion of routes, improvements to community assets and requirements for infrastructure provision.

In Stockton-on-Tees, the Spatial Planning Team had received a number of enquiries from local communities about neighbourhood planning but only the two formal applications contained in the report had come forward.

The Localism Act (2011) amended the Town and Country Planning Act (1990) and the Planning and Compulsory Purchase Act (2004) to introduce a neighbourhood planning tier to the development plan system. The National Planning Policy Framework gave further guidance on the role of neighbourhood planning within the development plan system, whilst the Neighbourhood Planning (General) Regulations 2012 set out detailed requirements.

The legislation and regulations set out a number of stages that neighbourhood plans and orders must go through prior to being 'made' by the Council and being used to help determine planning applications:-

- Designation of a neighbourhood area
- Designation of a neighbourhood forum (in areas where there is no Parish or Town Council) or body corporate (for Community Right to Build Orders only)
- Writing the plan or order
- Formal consultation period (organised by the group producing the plan)

- Submission to the local authority
- Formal consultation period (by the local authority)
- Independent examination
- Referendum of local people
- Formal 'making' of the plan or order by the local authority

The Council had a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take them through a process of examination and referendum. The Localism Act 2011 (Part 6 chapter 3) sets out the Council's responsibilities as:-

- Publicising, agreeing and designating the area of the neighbourhood plan or order
- Publicising agreeing and designating a neighbourhood forum (where relevant)
- Supporting the preparation of the plan
- Receiving and publicising the submission of the plan or order
- Appointing an examiner, arranging the examination and making any changes to the plan recommended by the examiner
- Arranging the referendum
- 'Making' the plan as part of the Development Plan

The Localism Act also placed a legal duty on local planning authorities to give advice or assistance to parish councils or neighbourhood forums that wanted to undertake neighbourhood planning, however the nature and scope of this support was not defined. It was not intended that the Council would provide leadership for neighbourhood planning groups, assist with writing the plan or order itself, or provide financial assistance. The advice and assistance that could be offered include sharing evidence and information on planning issues, helping with consultation events, providing advice on assessments and evidence, providing advice on national and local plan policies with which the neighbourhood plan or neighbourhood development order would need to fit and helping communities communicate with local partners where this was required.

The Council's existing constitution stated that the full Council must approve changes to the policy framework, which included the Local Development Framework (now known as the Local Plan). In turn, the Cabinet must make recommendations to Council on any potential changes or amendments. The Planning committee must consider and provide views to the Cabinet and the Council on new or amended planning policy, the proposed plans and alterations which together comprised the Development Plan and on any revisions, modifications or variations thereto including proposals in connection with the preparation of an altered or replacement development plan, in line with the relevant regulations.

Local Plan Member Steering Group must also be consulted in respect of the plans and alterations which together comprise the Development Plan (or which relate to alterations to or the replacement of that Plan) or represent or relate to the Local Plan.

As any Neighbourhood Plans and Neighbourhood Development Orders that completed the process would become part of the development plan and be used in the determination of planning applications alongside the adopted Local Plan, the scheme of delegation suggested that decisions relating to them should be considered by Local Plan Member Steering Group, Planning Committee,

Cabinet and Council. This procedure had been followed for the two applications for Neighbourhood Area designations which were received in July and August 2013 and were discussed later in the report.

As neighbourhood planning was intended to give communities more of a say in the development of their local area, the Local Planning Authority's role in the process was largely administrative and supportive, rather than policy making. These decisions were often dictated by criteria set out in the relevant regulations with very limited scope for discretion. It was therefore recommended that a number of the decisions related to neighbourhood planning were delegated to the Head of Planning as follows:-

- Designating or refusing a neighbourhood area application, including:-
  - whether to decline to consider an area application if the body has already made an area application and is awaiting a decision on it)
  - whether to maintain the boundaries of neighbourhood areas already designated (as neighbourhood areas cannot overlap)
  - designating the area as a business area.
  - designating a cross boundary neighbourhood area
  - ensuring that, if the application is refused due to being unsuitable, the application forms part of one or more areas designated or to be designated
- Designating or refusing a neighbourhood forum application, including cross boundary neighbourhood forums and declining to consider a forum application if a neighbourhood forum has previously been designated for the area and the designation has not expired or been withdrawn.
- Withdrawing a neighbourhood forum application, at the neighbourhood forum's request, or if the Council considers that the forum no longer meets the conditions of approval for designation.
- On receipt of a draft neighbourhood plan or order, declining to consider it if the plan proposal is a 'repeat proposal'
- Appointing an independent examiner to examine the plan or order with the agreement of the parish Council or designated neighbourhood forum
- Whether to modify an existing neighbourhood plan or order to correct errors, with the permission of the relevant Parish Council Neighbourhood Forum.

The following decisions were subject to a greater level of discretion and would continue to be taken by the Council following consideration by Local Plan Steering Group, Planning Committee and Cabinet:-

- Approving or refusing a submitted neighbourhood plan or order's progress to independent examination, taking into account whether it meets the requirements of the relevant legislation and regulations



- Whether to proceed to a referendum following the examination of the plan or order and the publication of the examiner's report including whether to:-
  - make modifications to correct errors or to make the plan or order comply with the basic conditions
  - extend the area within which the referendum/s are to take place
  - refuse the plan proposal as it does not meet the basic conditions
  - refer any unresolved issues to a further independent examination
- Whether to make a Neighbourhood Plan or Order following a referendum where more than half of those voting voted in favour of the proposal including:-
  - Whether making the plan would be incompatible with any EU obligation or breach the Convention on Human Rights
  - Where, in a business area, two referenda have been held and where more than half of those voting voted in favour of the proposal in one but not the other

The proposed changes to the Council's scheme of delegation were attached to the report.

With regard to funding on the 18 December 2012, DCLG's Director of Planning wrote to all local planning authorities setting out the local authority funding arrangements for neighbourhood planning in 2013/14. This funding was designed to enable the Council meet its new legislative duties in relation to neighbourhood planning, specifically, to provide advice and assistance to neighbourhoods, to hold an examination and to make arrangements for a referendum.

Subject to various national and local criteria and caps, in 2013/2014 local authorities could claim:-

- An initial payment of £5,000 following the designation of a neighbourhood area recognising the officer time supporting and advising the community in taking forward a neighbourhood plan.
- A second payment of £5,000 when the local planning authority publicises the neighbourhood plan prior to examination. This will contribute towards the costs of the examination as well as other staff costs incurred at this stage.
- A third payment of £20,000 on successful completion of the neighbourhood planning examination. This is to cover costs for that examination and any other further steps that may be needed for the neighbourhood plan to come into legal force, including referendum.

Parish and Town Councils, and Neighbourhood Forums could also apply for funding from DCLG through the Supporting Communities in Neighbourhood Planning programme to support their neighbourhood planning activities. This included startup costs, developing and analysing an evidence base, public consultations and training, as well as venue hire, printing and publicity. The programme would support groups developing neighbourhood plans in two

ways:-

- direct support – advice and support, with an average value of equivalent to £9,500, tailored to meet the needs of supported neighbourhoods
- grant payments – up to £7,000 per neighbourhood area, to contribute to costs incurred by the group preparing a neighbourhood plan or order.

Communities can apply for this funding through the [www.mycommunityrights.org.uk](http://www.mycommunityrights.org.uk) website, where they would need to supply details including the nature of the area they were planning for, the capacity of their group, the progress of the plan and the timetable for completing the plan.

Neighbourhood Planning also had implications for funds gathered through the Community Infrastructure Levy (CIL). Where CIL was adopted, neighbourhoods would receive a 'meaningful' proportion of the Community Infrastructure Levy collected in their area. In an area where a Neighbourhood Plan had been made and/or development had taken place by way of a Neighbourhood Development Order or Community Right to Build Order, the Council would pass 25% of the CIL revenue received by the Council from development in the area, directly to those Parish and Town Councils where development had taken place. In areas without a Parish or Town Council, the Council would earmark 25% of the Levy funds for community infrastructure use. This funding was not subject to the cap of £100 per dwelling per year which was applicable in areas which had not undergone neighbourhood planning.

The Council had received applications for neighbourhood area designations from Grindon Parish Council and Eaglescliffe and Egglescliffe Parish Councils. This was the first formal stage in neighbourhood planning and defines the geographical area which would be planned for by the community. The applications were attached to the report.

In order to determine the submitted applications, the Council must have regard to sections 61G, 61H and 61I of the Town and Country Planning Act (1990) as amended by the Localism Act (2011) and the Neighbourhood Planning (General) Regulations 2012.

A valid neighbourhood area application must include:-

- A map identifying the area
- A statement explaining why the area selected is considered to be appropriate
- A statement that the organisation making the application is a relevant body

Following receipt of the application, the Council was required to publicise the application and invite representations on their website and in a manner that 'is likely to bring the area application to the attention of people who live, work or carry on business in an area to which the application relates, for a period of not less than 6 weeks. Following this consultation period, Section 61G subsections 4 and 5 of the 1990 act required local authorities to exercise the power of designation where a valid application had been submitted to secure that some or all of the specified area was designated. This meant that:-

- If the neighbourhood area is acceptable it should be designated;

- If the proposed neighbourhood area requires modifications, they should be made by the local authority and the area should be designated. The authority is permitted to make modifications to existing neighbourhood areas, but only with the consent of the relevant parish council [section 61G (6)]; and
- If the neighbourhood area is refused because it is not considered an appropriate area, the local authority should identify an area that is appropriate and this should be designated. If the application is refused section 61 subsection 9 requires the authority to give reasons for refusing the application.

Neighbourhood areas were largely defined by the communities who wish to plan for them. In parished areas, there was a presumption that the neighbourhood area would correlate with the Parish Boundary, however this did not have to be the case. A smaller area may be chosen, or multiple organisations may come together for neighbourhood planning purposes. In non-parished areas, prospective neighbourhood forums (representative groups of at least 21 local people) would have to apply for the area they considered to be their neighbourhood to be designated. There could only be one neighbourhood area for each neighbourhood plan and only one neighbourhood plan for each neighbourhood area. There can be more than one neighbourhood development order for each area.

If a proposed neighbourhood area was wholly or predominantly business in nature, the local authority can decide to designate it as a business area. This had the effect of allowing business people to vote in an additional referendum on the final plan or order.

In determining the neighbourhood area application, the Council must consider:-

- How desirable it is to designate the whole of the area as a neighbourhood area,
- How desirable it is to maintain the existing boundaries of areas already designated as neighbourhood areas,
- Whether the area should be designated as a business area

The refusal or modification of a neighbourhood area application should be based on either planning reasons or the validity of the application.

The report detailed the applications for Neighbourhood Areas for Wynyard and Egglecliffe and Egglecliffe.

With regard to the next steps following the designation of the neighbourhood areas, the Council must comply with regulation 7 of the neighbourhood planning regulations. This required publication of various details about the designation or refusal to designate on the Council website. The Council would also claim initial payments of £5,000 per neighbourhood area available from DCLG following the designation of a neighbourhood area to recognise the costs involved in supporting groups undertaking neighbourhood planning. As the Wynyard Neighbourhood Area crosses administrative boundaries, the Neighbourhood Area would also need to be designated by Hartlepool Borough Council and the

relevant £5,000 payment will need to be shared with them.

The community proponents of neighbourhood planning take responsibility for writing their plans, including gathering evidence and undertaking public consultations. The Planning Service would continue to support the groups' neighbourhood planning activities to ensure the final plans meet the basic conditions and to encourage the development of sound planning policies at neighbourhood level. It was understood that both groups had applied for grant funding for their activities through DCLG through the Supporting Communities in Neighbourhood Planning programme.

Future decisions regarding neighbourhood planning applications and progress would be made in accordance with the schedule which was attached to the report. The next decision to be made by members in relation to Wynyard and Eggescliffe and Eggescliffe would be whether to approve or refuse the submitted neighbourhood plans' progress to independent examination, taking into account whether it met the requirements of the relevant legislation and regulations. The timescale for reaching this stage was unknown.

Progress on neighbourhood plans would be reported on the Council's website and through the Authority Monitoring Report published each year.

**RECOMMENDED to Council that:-**

- 1. The proposed Eggescliffe and Eggescliffe Neighbourhood Area be Designated.**
- 2. The proposed Wynyard Neighbourhood Area be Designated with minor alterations as detailed in Appendix 4 of the report.**
- 3. The changes to the scheme of delegation as referred to in paragraphs 14 to 16 and detailed in Appendix 1 of the report be approved.**

**CAB  
88/13**

**'Transforming Rehabilitation: A Strategy for Reform' - Update**

Consideration was given to a report on developments since the report to Cabinet on 5 September 2013 and sought approval for the next phase of work.

Cabinet received a report on the issue at its meeting of 5 September 2013 and agreed to support a proposed bid from a locally based consortium, and to receive further reports as more details become available.

Since that report discussions had continued, with three more local authorities taking part, in addition to the partners previously identified, and the Ministry of Justice had issued the Pre Qualification Questionnaire (PQQ). Work was underway to complete the PQQ by the initial deadline of 31 October 2013, and whilst this had now been extended to the 14th November 2013, the process was still a challenging timescale, and meant that the PQQ process must be completed in parallel with the design and establishment of the local consortium. However, the PQQ process envisaged that some of the bidding organisations would be new consortia established for the purpose of this procurement exercise.

One unexpected feature of the PQQ detail was that the Ministry of Justice had stated that bidding organisations must be able to “demonstrate access to funding equivalent to 50% of the annual contract value of any one lot they want to bid for”. For the Durham and Cleveland Contract Package Area this figure was £7 million, i.e. double the initial estimate of £3 million to £4 million given in the previous report. Some commentators had interpreted this statement as a tacit acknowledgement by the Ministry of Justice that their systems would struggle to cope with making timely contract payments, and others as a way of keeping smaller organisations out of the competition.

There were still significant gaps in the information available about how the later stage of the procurement process would unfold and in respect of key information about how the new contract arrangements would operate. This meant that a fully detailed risk assessment could still not be prepared. Furthermore, the risk assessment for this undertaking was commercially sensitive with regard to potential competition and was also covered by a reciprocal duty of confidentiality owed by the Council to other partners within the consortium, so the outline risk assessment to date was attached to the report, which was exempt information in terms of Schedule 12A of the Local Government Act 1972.

Members of Cabinet understood that the reporting timescale for Cabinet on 31 October and the work involved in preparing the PQQ by the same deadline date implied that the two processes would proceed in parallel, and that some of the details of the consortium arrangements would not be determined until the last few days of October. Furthermore, since the PQQ deadline had been 12 noon on 31 October, preceding the time of the Cabinet meeting, the Chief Executive was asked to make the decision to identify £2 million within reserves, in line with the Urgency Procedure set out in the Council’s Constitution.

**RECOMMENDED to Council that:-**

- 1. Council formally notes that despite the views of Stockton Borough Council and the Safer Stockton Partnership the Government has confirmed plans to outsource significant aspects of the probation service.**
- 2. The Council continues to support the proposed bid by a local community interest company consortium.**
- 3. The decision taken under the Urgency Procedure be endorsed that £2 million be approved in principle from the Council’s investment reserve to support a bid by a local community interest company consortium in the event that the bid succeeds in the Pre Qualification Questionnaire process and is invited to submit a substantive bid, and this decision also endorsed by Council.**
- 4. A further report be presented when the Pre Qualification Questionnaire is complete and sufficient information becomes available to support a fuller risk assessment.**

Consideration was given to a report on the criteria for conferring the title of Honorary Alderman.

In preparation for the changes that may result from the Local Elections in 2015, Cabinet was asked to consider the criteria for conferring the title of Honorary Alderman and whether they were fit for purpose.

In accordance with the Local Government Act 1972, for this title to be conferred, not less than two thirds of Members voting must agree at a Council meeting specially convened for the purpose of doing so.

At the meeting on 29 March 2000 Council accepted the recommendations of the then Civic Sub-Committee that reckonable service for the purpose of conferring this title should be at least 20 years or 15 years with relevant Councils including holding a senior office over a long period. In this context it had also been the practice not to count service with the former Cleveland County Council where that service was contemporaneous with service with Stockton-on-Tees Borough Council or its predecessor authorities.

At its meeting on the 25th September 2013, the Members Advisory Panel was asked to consider if the criteria remained appropriate.

The Panel was asked:-

- if the 20 year period (without holding a senior office) should be changed.
- whether 15 years (including holding a senior office) was appropriate over a long period.
- if senior office should be defined eg holding an office which attracts a special responsibility allowance.
- whether a long period for holding such an office should also be defined eg 8 years.

The Panel considered that any Councillor who had an appropriate length of service, whether or not including holding a senior office with the Council, should qualify. The Panel agreed that an appropriate length of service should be 12 years, which equated to three election terms, and that this should be the only criterion.

**RECOMMENDED to Council that the appropriate length of service for conferring the title of Honorary Alderman should be 12 years and that this should be the only criterion.**

**CAB  
90/13**

### **Members' Special Responsibility Allowances ("SRA")**

Consideration was given to a report on Members' Special Responsibility Allowances (SRA).

The purpose of the report was to give further consideration to Cabinet / Council's previous decision that no councillor should receive more than one SRA from the Council, with the exception of Mayoral Allowances; that where a councillor occupied two qualifying positions then only the higher allowance would be paid; but that this proposal relating to a councillor receiving no more

than one SRA from the Council would however be the subject of further consultation.

A briefing paper regarding the proposal relating to a councillor receiving no more than one SRA from the Council was attached to the report.

The paper set out the background to the proposal and the views previously expressed by the Council's Independent Remuneration Panel, Cabinet and Council.

On the 26 April the briefing paper was circulated to all Members, who were asked to indicate their preference regarding one of the following options:-

**Option 1**

No change to the current position which allows Members to receive more than one SRA from the Council.

or

**Option 2**

A Member could only receive one SRA from the Council, EXCLUDING mayoral allowances, and where a member qualified for more than one SRA, then only the higher/highest allowance would be payable.

**Option 3**

A Member could only receive one SRA from the Council, INCLUDING mayoral allowances, and where a member qualified for more than one allowance, then only the higher/highest allowance (mayoral or SRA) would be payable.

Of the Members who voted, the following voted for each option:-

Option 1 - 2

Option 2 – 12

Option 3 - 13

This information was presented to the Members Advisory Panel on the 25th September 2013. The Panel discussed the options and agreed that a member should only receive one SRA from the Council and that where a Member qualified for more than one SRA then only the higher/highest allowance should be payable. The Panel did, not, however determine which of Options 2 or 3 was preferred.

**RECOMMENDED to Council that:-**

**1. No Councillor receives more than one SRA from the Council, with the exception of Mayoral Allowances, and that where a Councillor occupies two or more qualifying positions, then only the higher / highest allowance is paid; and that**

**2. This revision to the Members' Allowances Scheme takes effect from 2014/15.**

**CAB 91/13 'Transforming Rehabilitation: A Strategy for Reform' - Update - Exempt Information**

Please note this item was the exempt information that related agenda item -'Transforming Rehabilitation: A Strategy for Reform' - Update.