

Cabinet

A meeting of Cabinet was held on Thursday, 17th July, 2014.

Present: Cllr Robert Cook (Chair); Cllr Jim Beall, Cllr Ken Dixon, 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, G Cummings(R); P Dobson, R McGuckin, R Poundford, C Straughan, M Batty, R Kench (DNS); S Willson, S McLurg, E Jewitt (CESC); P Kelly (PH) D E Bond, M Waggott, P K Bell (LD).

Also in attendance: Councillor Brown, Councillor Kirton, Steve Chaytor, Members of the public.

Apologies: Cllr David Coleman.

CAB Declarations of Interest 35/14

Councillor Beall declared a personal non prejudicial interest in respect of agenda item 4 - Stockton Youth Assembly (SYA) – Interim Report and Forward Plan as he was the Chair of Eastern Ravens.

Councillor Cook declared a personal non prejudicial interest in respect of agenda item 8 - Local Authority Representatives on School Governing Bodies as his grandchild attended Northfield School.

Councillor Beall declared a personal non prejudicial interest in respect of agenda item 13 - Medium Term Financial Plan Update – March 2014 as he was the Chair of Rosebrook Primary School.

Councillor Mrs McCoy declared a person prejudicial interest in respect of agenda item 15 - Review of the Voluntary Sector Investment Fund (VSIF) as she was the Chair of SDAIS. Councillor Mrs McCoy withdrew from the meeting and left the room during consideration of the item.

Councillor Harrington declared a personal non prejudicial interest in respect of agenda item 16 – Coroners Service as he was employed by Middlesbrough Borough Council who were the lead authority on the Coroner’s Service.

Councillor Beall declared a personal prejudicial interest in respect of agenda item 17 - Year Two of the Troubled Families Programme as he was the Chair of Eastern Ravens. Councillor Beall withdrew from the meeting and left the room during consideration of the item.

Councillor Nelson declared a personal prejudicial interest in respect of agenda item 17 - Year Two of the Troubled Families Programme as he was a member of Tristar Board. Councillor Nelson withdrew from the meeting and left the room during consideration of the item.

Councillor Beall declared a personal non prejudicial interest in respect of agenda item 22 – Local Government Pension Scheme as he and his wife were members of the Local Government Pension Scheme.

Councillor Harrington declared a personal non prejudicial interest in respect of agenda item 22 – Local Government Pension Scheme as through his

employment with Middlesbrough Council was a member of the Local Government Pension Scheme.

Councillor Nelson declared a personal non prejudicial interest in respect of agenda item 22 – Local Government Pension Scheme as through his previous employment with Middlesbrough Council was a member of the Local Government Pension Scheme.

Councillor Mrs McCoy declared a personal non prejudicial interest in respect of agenda item 22 – Local Government Pension Scheme as she was in receipt of a pension through the Local Government Pension Scheme.

Councillor Nelson declared a personal non prejudicial interest in respect of agenda item 20 - Supplementary Planning Document (SPD) – Affordable Housing as he was a member of Tristar Board.

**CAB
36/14** **Minutes**

The minutes of the meeting held on 12th June 2014 were confirmed and signed by the Chair as a record.

**CAB
37/14** **Stockton Youth Assembly (SYA) - Interim Report and Forward Plan**

Consideration was given to a report that provided an update on the work of the Stockton Youth Assembly (SYA) since its formation in September 2013 and included proposals for its work programme up to the end of its term in February 2015.

Further dates for the SYA formal meetings had been booked on a two monthly basis up to and including January 2015. The MYP election and appointment of the SYA members would take place in February 2015. The current Forward Plan identified items up to July 2014.

At the SYA meeting in March, the Community Safety Team requested to return to discuss other issues, including alcohol related crime. It was also noted that the Police and Crime Panel had established a Task and Finish Group to explore the work carried out by the Police and Community Safety in Schools, and the SYA would have input to this work at their next meeting in July.

Following consultation with service leads present at the Annual Debate, other issues identified for further consideration, were:

- Perceptions of Anti-Social Behaviour
- Phone App for signposting to activities (being developed by University and PCC) and involvement in advertising events
- Volunteering
- School Nursing Service / Teenage Health Checks
- School Libraries and book clubs

Given the amount of work still to be considered it was proposed that the Borough - wide Debate not be held in September 2014 and instead the above

issues be added to the SYA Forward Plan for the period May 2014 – January 2015.

The MYP, Deputy MYP and SYA Members term of office ends in February 2015. An election for the MYP and Deputy MYP would take place and appointments for representatives to the SYA would then be sought. Following this process, both the Local and Parliamentary Elections would take place, and the Council's AGM would be held on 3 June 2015. It was therefore the SYA Borough Wide Annual Debate be held in June 2015 to coincide with the Councils democratic procedures and set its priorities for the following two years.

RESOLVED that:-

1. The work of the SYA be noted and the proposals for the SYA Forward Plan be approved.
2. The next SYA Borough Wide Annual Debate be held in Summer 2015 following the local elections.

**CAB
38/14 Skytail Project Proposal**

Consideration was given to a report on the development of Sky-Trail. Tees Active Limited (TAL) was created by Stockton on Tees Borough Council (SBC) and started trading on 1st May 2004 as an independent organisation holding the contract for the management of the SBC built leisure facilities. Over the past decade SBC and TAL had developed a strong strategic partnership with a number of joint investments to get more people involved in active leisure and reduce TALs need for revenue subsidy. An allocation had been made within the 2014 Budget, approved by Council, to further develop TAL Leisure attractions, on an invest-to-save basis.

TAL had produced a proposal for a high ropes attraction at the Barrage site, called Sky-Trail. Sky Trail was expected to significantly enhance the profitability of their overall Barrage operation. The report sought approval for the development of the TAL Sky-Trail attraction.

RESOLVED that the Sky Trail concept as a basis for investment of the resources allocated within the MTFP be approved and to delegate to the Corporate Directors for DNS and Resources, in consultation with Cabinet member for Culture & Leisure, authority to commit funds subject to detail technical cost plan, tenders, and planning approval.

**CAB
39/14 Children's Social Care Activity And Performance**

Consideration was given a report on Children's Social Care Activity and Performance. In light of the Ofsted inspection of child protection in January 2013, it had been decided to review the content and format of future children's social care reports to Cabinet.

In addition to a range of measures to illustrate the pressures experienced by the service, a number of performance indicators would also be included so that Cabinet could more closely monitor the impact of these pressures on performance and outcomes for children.

As a way of achieving this, the use of a 'process model' was approved by Cabinet on 13 June 2013.

Given the importance and profile of these issues it had been agreed that the new activity and performance reports be brought to Cabinet on a bimonthly basis i.e. every alternate Cabinet.

The report was based on the available data at the end of quarter 4 (31 March 2014).

A summary of the available data at the end of quarter 3 (31 December 2013), along with a brief commentary highlighting the main issues raised from analysis of the information and the data which informed the report was attached for Members.

In summary, the overall picture reflected in the analysis was as follows:-

- Inputs – a continuing high level of demand on services, but with a reduction in the volume of contacts and referrals compared to the previous year.
- Processes – some improvement in timeliness of assessment and child protection processes.
- Outputs – a reduction over the year in the number of children in need and with child protection plans, although numbers still remain high compared to benchmark groups. Support provided for children requiring social care intervention continues to be largely effective, although there are some challenges for care leavers.

The areas for further consideration and improvement, together with the issues arising from the previous 'critical friend' review and other learning and improvement activity had been incorporated into a draft improvement plan which was attached to the report. This would be presented to Stockton-on-Tees Local Safeguarding Children Board (SLSCB) for agreement in due course.

One element of the improvement plan worthy of specific mention was the development of a Multi Agency Safeguarding Hub (MASH). Following initial discussions with partner agencies, it had been agreed to develop a joint MASH with Hartlepool Borough Council, Cleveland Police and Health colleagues. In light of the scale and complexity of the proposed change programme, a formal project structure was being established to take this work forward.

Given that Stockton-on-Tees Borough Council already leads on the Tees Valley Emergency Duty Team (EDT) and Tees Adult Safeguarding Unit, it had been agreed that Hartlepool would lead on the MASH project and service delivery.

RESOLVED that:-

1. The continued workload pressures and associated activity in the

children's social care system and the consequent impact this is having on both performance and budget be noted.

2. Further update reports be received on a bi monthly basis in order to continue to monitor children's social care activity and performance.

3. The outcome of the recent Local Government Association (LGA) safeguarding practice diagnostic and resulting improvement plan be noted and updates on progress be received in future reports.

CAB 40/14 **Constitution of Governing Bodies of Maintained Schools**

Consideration was given to a report that provided Members with information relating to the changes to the School Governance (Constitution) (England) Regulations 2012 (S.I. 2012 No. 1034) as amended by the School Governance (Constitution and Federation) (England) (Amendment) Regulations 2014 (S.I. 2014 No. 1257) together with the statutory guidance issued by the Department for Education in May 2011.

The statutory guidance explained the arrangements for the constitution of governing bodies of maintained schools constituted under the School Governance (Constitution) (England) Regulations 2012. It also gave guidance relating to their size, membership and skills. All governing bodies of maintained schools were required to be constituted under these Regulations by 1 September 2015 and could commence this process from 1 September 2014.

The main points of the Regulations outlined and supported in the guidance provided were detailed within the report.

Within the guidance there were three appendices that covered the following:-

Annex A explained the four aspects of the arrangements for the constitution of governing bodies as set out in the 2012 Regulations:-

- the description of the different categories of governors,
- how governing bodies are to be constituted,
- terms of office, removal and disqualification of governors,
- how instruments of government are made and amended.

Annex B summarised the requirements in respect of membership of the 2012 Regulations in different types of schools.

Annex C provided a model instrument of government for governing bodies that constitute under the 2012 Regulations.

The implication in relation to Local Authority representatives, was that there should be one Local Authority position on each reconstituted governing body of maintained schools (Annex B of the guidance).

In cases where a governing body had more than one Local Authority representative and they reconstitute they would be required to put in place a fair and transparent process to reduce to one LA representative. Should the governing body be reconstituted with smaller numbers than other categories would have the same process applied.

In line with the report to Cabinet on 13 June 2013, Local Authority Representatives for reconstituted governing bodies would be nominated by Cabinet. Members noted that this nomination would be to the governing body for a decision.

As an update to the outline report provided to governing bodies in the Summer Term 2014 a further report with the guidance would be provided in the Autumn Term 2014 and guidance and support in relation to skills audits would be provided.

RESOLVED that the report be noted.

CAB 41/14 LA nominations for Cabinet on 17th July 2014

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 nominations to school / academy Governing Bodies listed.

RESOLVED that the following appointments be made to the vacant Governorships in line with agreed procedures subject to successful List 99 check and Personal Disclosure:-

Durham Lane Primary School - Kieran Malone (School nomination)
Oxbridge Lane Primary School - Vicky Pinkney (School nomination)
Pentland Primary School - Mr C Dickinson (School nomination)
St. Cuthbert's RC Primary School - Mr S Dowson
Whitehouse Primary School - Mr A Barber (School nomination)

Vacancies for LA Nominations on School Governing Bodies that have reconstituted under The School Governance (Constitution) (England) Regulations 2012:-

Northfield School and Sports College - Mrs M Stanton (School Nomination)

CAB 42/14 ECONOMIC CLIMATE UPDATE

Consideration was given to a report that gave an update on the economic climate. The report, and subsequent monthly updates, 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.

Following the recession in 2008 Stockton Council's ambition remained the same; to create a borough that was more confident, vibrant and successful than ever before; where business and people prosper and grow. To do this the Council must understand the nature and extent of opportunities and challenges that exist within Stockton's economy.

The monthly update report would enable a focused 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 be noted and the work being undertaken be supported.

**CAB
43/14 Domestic Abuse Strategy**

Consideration was given to a report on the Domestic Abuse Strategy 2014-2017.

Stockton's Domestic Abuse Strategy expired in March 2014. It was agreed in the Domestic Abuse Strategy Group that a new three-year Strategy should be produced.

From June to December 2013 significant consultation took place to develop the Strategy content. Consultation commenced with a stakeholder event in June with over 100 attendees, this was followed by consultation with those who experienced domestic abuse, those who perpetrated domestic abuse and children affected by domestic abuse. Consultation also took place with social care staff and sexual health staff. Domestic abuse was the topic of a Viewpoint questionnaire and formed part of the community safety consultation to inform the community safety plan.

Following this consultation a draft strategy was developed that included the themes identified during consultation and based on National Institute for Clinical Excellence (NICE) Guidance published in February 2014 and other national guidance on violence prevention.

The Strategy was then taken to a number of groups for consultation and consideration including:-

Local Safeguarding Children Board
Adult Safeguarding Board
Safer Stockton Partnership
The Health & Wellbeing Board and Partnership
The Domestic Abuse Strategy Group
Members Seminar Session

Following amendment from this consultation the draft Strategy was presented at a 'preview' event in the Arc to enable those interested in the content of the Strategy to also comment. The final version of the Strategy was presented to the Health & Wellbeing Board for approval in June 2014.

RESOLVED that the report and the Domestic Abuse Strategy be noted.

CAB 44/14 Health and Wellbeing Board Review – Review of Board / Partnership Structures

Consideration was given to a report on Health & Wellbeing Board – Review of Board / Partnership Structures.

On its inception, the Health and Wellbeing Board agreed to review its structures (including the Health and Wellbeing Partnership) after approximately one year. The Board held an Away Day in February 2014, providing the opportunity to review the work of the Board and the structures around it; a draft action plan was being prepared as a result of this. A key recommendation of the review was to reassess the Health and Wellbeing Partnership function and membership; and the commissioning groups supporting the Board. The paper summarised a proposal reflecting these discussions and was presented in conjunction with more detailed papers regarding the Children and Young People's Health and Wellbeing Commissioning Group and Adults' Health and Wellbeing Commissioning Group.

RESOLVED that:-

1. Any minor amendments, that are needed between this meeting of Cabinet and Council's consideration of the proposals be delegated to the Director of Public Health, in consultation with the Cabinet Member for Adult Services and Health

RECOMMENDED to Council:-

1. The proposed changes in the paper, emerging from the review of the Health and Wellbeing Board structures, one year in be approved.

2. Consideration be given to any Council Member nomination to be appointed to the Board.

3. The draft action plan from the Board's away day be noted.

CAB 45/14 Quarter 4 Performance Report 2013-14

Consideration was given to a report that provided details of the Council's performance in 2013/14, highlighting key achievements, areas for improvement and proposed actions. It also included information relating to Freedom of Information requests and complaints and commendations. Whilst it aimed to give a perspective on the overall performance of the Council, its primary focus was on the achievement of the basket of measures and associated targets agreed as part of the Council Plan 2013-16.

Council Plan performance was reported by theme against a basket of performance indicators agreed as part of the Council Plan 2013-16. At year end, 66.7% of the indicators had achieved the targets set, with the remaining

measures indicating slippage against targets. This was equivalent to the performance achieved in the previous year (67%). Areas of good performance under each theme, together with key achievements, were highlighted within the report; details of those areas that missed the targets were also provided along with proposed actions to improve performance and / or an explanation. A number of these areas were also the subject of regular reports to Cabinet, scrutiny reviews or incorporated into big ticket reviews.

There were a wide range of achievements and activities delivered in support of the key council plan themes that were not captured within the agreed basket of key indicators. These were reported throughout the year in various reports to Cabinet, captured through press releases, Stockton News articles and various accolades awarded to the Council throughout the year. Further details were included in thematic summary reports attached to the report for information.

A record of Freedom of Information (FOI), Environmental Information Regulations (EIR) and Data Subject Access (DSAR) requests was maintained across Council departments. A dedicated email account exists for receipt of all FOI requests into the authority and a central log of requests was maintained to enable intelligence to be gathered and to reduce risks to the authority.

During 2013/14 there had been 1,122 responses to FOI requests, this was an increase of 42% on the previous year. These requests were often complex with multiple questions and could lead to additional correspondence with requesters who submit subsequent questions. During 2013/14 there had been 69 requests dealt with under EIR, which was slightly more than the previous year (63).

During 2013/14 there had been 353 responses to DSARs, this was consistent with the number responded to in the previous year (351).

During 2013/14, 88% of the FOI requests were responded to within timescale; this was lower than the response rate in the previous year (93%). The reduction could be attributed to the large increase in the numbers received and the complexity of a significant number of the requests. Given that capacity had remained the same and workload had increased, this response rate was still a positive achievement.

Of the FOI requests responded to in 2013/14: 25% were from businesses, 16% from media, 5% from political organisations and 55% from other sources (including students, residents and people who don't state their background). Compared with the previous year, there had been an increase in the proportion of requesters who did not state their background and decreases in the proportions from businesses and political organisations.

During the year some of the topics, for which multiple requests were received include compensation claims, business rates, use of bailiffs, council tax arrears and council tax support schemes, welfare reform, fostering, potholes, public health funerals, Spark of Genius joint venture and spend on events.

Attached to the report were further details of the numbers of information requests the Council had dealt with.

Members felt that the topic of FOI requests should be included in the

development of the scrutiny programme for 2015/16.

RESOLVED that:-

1. The strong levels of performance in line with previous years be noted, and it be acknowledged this level of performance has been achieved within a context of reduced financial resource, increased demand on services and reductions in staffing capacity.
2. The explanations and actions being taken in relation to those areas where target performance has not been achieved be noted.
3. Consideration be given to the possibility of including areas not reaching their targets and the topic of FOI requests in the development of the scrutiny programme for 2015/16, taking into account any areas covered within the 14/15 programme.

**CAB
46/14** **MTFP update**

Consideration was given to a report on the financial performance and position at the end of the 2013/14 financial year and updated the Medium Term Financial Plan accordingly.

The report focused on the financial performance and position at the end of the 2013/14 financial year and provided an update of the MTFP. Officers had continued to be mindful of the financial pressures and had been continuing to monitor expenditure closely in all areas. Officers would continue to manage finances carefully in light of the uncertainty.

Members were provided with a table detailing the current MTFP position.

A summary of the outturn position for each Big Ticket area was detailed within the report.

The Capital budget for 2012/18 was attached to the report and summarised within the report.

Members also noted that the programme had been updated to reflect the approvals within the 2014/15 Budget Report, most notably the £14m invest to save scheme for Street Lighting and a number of schemes funded through external grants and contributions..

The Programme had been updated to reflect schemes which had been completed in 2013/14 and details of these changes were attached to the report.

With regard to Priority School Building Programme the criteria and bidding details for the Priority Schools Building Programme were announced on 29th May 2014 and the deadline for submission of bids is 18 July 2014.

The bids were for funding in respect of schemes up to 2021. It was anticipated, from an initial review of the guidance, that bids should be in respect of schools that were in very poor condition and where maintenance funding would not

resolve the problems.

Based on an evaluation of condition at the Borough's schools, it was proposed that bids were made in respect of Egglecliffe and Bishopsgarth secondary schools and Roseberry, Tilery, Pentland, Billingham South, Harrowgate and Oxbridge Primary Schools.

RESOLVED that:-

1. The Medium Term Financial Plan (MTFP), the current level of General Fund balances and the allocation of £400,000 from the Transformation Reserve to fund transformation work supporting Adult Social Care be approved.
2. The revised Capital Programme attached at Appendix A be approved.
3. The increase in projected savings from the Spark of Genius Joint Venture to £600,000 per year be noted and the allocation of an additional £450,000 be approved from the transformation reserve to support the project's capital costs. Members also approved £400,000 from this reserve to support adult social care and £103,000 from the unallocated balance of schools capital funds for developments at Rosebrook School and also endorse the bids for PSB programme funding.

**CAB
47/14** **Minutes Referral Arrangements**

Consideration was given to a report on the minutes that were reported to Cabinet and Council to ensure that the Council had transparent decision making.

RESOLVED that:-

1. The report be noted.
2. The following minutes be reported to Cabinet:-

Safer Stockton Partnership
Tees Valley Unlimited Leadership Board
Local Safeguarding Children Board
Tees Safeguarding Vulnerable Adults Board

**CAB
48/14** **Voluntary Sector Investment Fund Review**

Consideration was given to a report on the Review of the Voluntary Sector Investment Fund (VSIF).

As agreed by Council as part of the MTFP in June 2013 a review of the Voluntary Sector Investment Fund (VSIF) had been undertaken. The report outlined the outcomes from the review and identified a recommended course of action and reinforced the commitment to the development of the VCSE. The efficiencies identified within the review were in addition to the £25,000 already

removed from the Catalyst core grant, Practical Community Empowerment Support (PCES) contract and the Voluntary Sector Investment Fund identified in 2014/15 as part of the MTFP.

RESOLVED that:-

1. The new model for the SBC Market Development and Innovation Fund (MDIF) be approved.
2. The level of investment in the MDIF be set at £218k with an additional £50k in the medium term to support the market development element of the fund.
3. The Compact be endorsed.

**CAB
49/14** **Coroner's Service**

Consideration was given to a report on the Coroner's Service. Middlesbrough Borough Council was the lead authority for the Teesside Coroner's Service. Following the resignation of the Senior Coroner for Teesside, Middlesbrough was proposing to produce a business case regarding future options for Teesside's Coroner's Service and had asked for each relevant local Authority's support in this respect.

RESOLVED that:-

1. The approach outlined in the report be endorsed, and
2. The Corporate Director of Resources and the Director of Law and Democracy be authorised to take any further action on the Council's behalf which may be required, including in relation to the proposed business case, in consultation with the Leader of the Council, and the Cabinet Member for Corporate Management and Finance.

**CAB
50/14** **Year Two of the 'Troubled Families' Programme**

This report provides an outline of the progress achieved during the second year (April 2013 to March 2014) of delivering the 'Troubled Families' programme in Stockton, and provides an update on the future of the programme.

Members were reminded that the Council, along with all other principal local authorities in England, agreed to take part in the Government's 'Troubled Families' programme over the three year period April 2012 – March 2015, and that the programme was targeted on families identified through a set of national criteria which included juvenile offending, involvement of any family member in Anti-Social Behaviour (ASB), exclusion from school or unauthorised absence levels of 15% or more, and receipt of a range of worklessness benefits.

Contracts were set up with Tees Valley Housing (i.e. the existing Family Intervention Project – 'FIP') for 60% of the programme, which started on 1 August 2012 and with the VCS Synergy Consortium, supported by Catalyst, for

the other 40%, which started on 1 October 2012, and the Consortium nominated A Way Out, the Children's Society, Corner House Youth Project/KnowHow North East, and Eastern Ravens Trust as its four lead organisations for this work. It was noted that there would be a formal change of name on the contract with Tees Valley Housing to 'Thirteen Care and Support', reflecting the formation of the Thirteen Group, as a result of the merger of the Vela and Fabrick Groups.

The profiles of family numbers to be allocated for the three years were detailed within the report.

A breakdown by Ward was attached to the report. Although these were the formal start years for the purposes of claiming 'attachment fees' from the Department for Communities and Local Government (CLG) there was considerable 'smoothing' of workload, due to staggered starts during Year 2 and the accumulation of non-responsive cases from the first two years.

Based on these projections, the revised budget projections for the programme were attached to the report. It was noted that there was still a significant projected surplus over the three years, and that it was agreed by Cabinet on 13 June 2013 to use part of this to support a fourth year of programme delivery.

CLG classified a family as having been 'turned around' when either the education, ASB and youth offending success conditions or the 'continuous employment' success conditions had been achieved. In brief, the success conditions require, in the first case, that every child in the family has had fewer than three fixed term exclusions from school and less than 15% unauthorised absence in the last three school terms, that there had been a 60% reduction in ASB across the family in the last six months, and that the offending rate across all juveniles in the family had reduced by at least 33% in the last six months. In the second case, at least one adult in the family must have moved off out-of-work benefits into continuous employment in the last six months. Based on the definition of families 'turned around' and on figures published by CLG up to and including the October 2013 round of success claims, Stockton was ranked ninth of the 152 participating local authorities in terms of percentage of families 'turned around'.

It was anticipated that the Council would slip down the rankings to some extent when the next set of figures, including the February 2014 claims window, were published, as ninth position reflected the relatively rapid progress in Year One (2012/13), and other authorities were catching up. The level of difficulty in achieving the employment outcomes varies across the country. However, it was anticipated that Stockton Council would maintain 'top quartile' performance to the end of the programme. Louise Casey, the Director General of 'Troubled Families' at CLG, wrote to the Chief Executive on 11 November 2013 expressing appreciation of Stockton's performance as "really strong" and "well above the average". Following the May 2014 claims window, the Council had claimed successes in the cases of 229 families, of which 211 met the CLG 'turned around' definition, i.e. a success rate of 46% to that point.

An independent evaluation of the work undertaken by Thirteen Care & Support (ranging across a mix of 'Troubled Families' and Family Intervention Project cases) had been commissioned from Durham University. Baseline studies

had been undertaken with a sample of 22 families and, at the time of writing, follow up interviews had been carried out with three of these families. On the basis of this very limited follow up sample to date, the interim findings were positive, but a fuller picture was needed before any conclusions can be drawn.

The national evaluation programme commissioned by CLG was underway, and the Council had supplied data on a 10% sample of our 'Year One' families for this purpose. The Council was participating in this as a 'Level 3' authority (there are four levels of participation, with Level 1 the most intense and detailed, and Level 4 the least).

On 24 June 2013 CLG announced a five year extension of the national programme from 2015/16 to 2019/20, likely to be funded at the level of £200 million per year i.e. £1 billion in total. The original three years, 2012/13 to 2014/15, were referred to as 'Phase One', with the extra five being referred to as 'Phase Two' or 'the Expanded Programme'. The level of funding per family becomes less generous in Phase Two and was summarised within the report.

Civil servants from CLG had said that they hoped to secure Ministerial approval for the details of Phase Two by the end of July 2014.

CLG invited comments on the design of Phase Two. The issues that were raised as part of the response to that consultation were detailed within the report.

The February 2014 success claim was randomly selected by CLG for a 'spot check'. All queries raised by CLG were resolved promptly and the overall comment from CLG was "strong return showing a good handle on the data", with no further action needed, and no need to spot check again. In addition, the Council's own Internal Audit team had carried out an audit of the programme in Stockton resulting in a judgement of 'Full Assurance' and two recommendations to clarify record-keeping arrangements, both of which had been agreed and implemented.

A new feature of the programme was incentivisation of families to join Tees Credit Union. Any adult in a family engaged with the programme who opened a TCU account and makes at least two deposits within the first eight weeks totalling at least £20 would receive an extra £20 paid into their account from 'TF' funds. A limit of 250 adults (i.e. £5k) had been placed on this, but it was unlikely that take-up would get anywhere near this. This approach was based on a model developed by the national Illegal Money Lending Team and promoted – albeit with no success – to local taxi drivers, as a high risk group in terms of vulnerability to 'loan sharks'. Only one person had taken advantage of this offer.

In March 2014 CLG asked all participating local authorities to provide case studies, and the four local case studies submitted were placed in the Members' library.

For Year 3 of the Programme the former Head of Community Protection would be continuing to provide overall programme co-ordination and liaising with

colleagues in the Children, Education and Social Care service group with a view to CESC leading on the delivery of Phase Two.

RESOLVED that:-

1. The report be noted, including the intention to extend the current contracts with Tees Valley Housing (to be re-named Thirteen Care and Support) and the Synergy VCS Consortium by a further 12 months each, to 31 July 2015 and 30 September 2015 respectively, subject to continued satisfactory performance.
2. The previous decision to prepare a further report examining in more detail the case for continued funding from the Council's 'Invest to Save' budget for a continuation of the programme beyond 2015/16 now be replaced by a further report on the future of the programme in the context of the national 'Phase Two' of the programme, the decision of Cabinet on 13 June 2013 to extend the programme in Stockton for a further year, and the size of the 'Phase One' surplus.

CAB 51/14 Welfare Reform including Performance Monitoring

Consideration was given to a report that presented an update on quarter 4 monitoring of the outcomes / impact of Welfare Reform including emerging issues and to update on national developments with regard to welfare reform national rollout.

Previous reports had detailed the introduction of the Welfare Reform Act 2012 which set out Government's intention to reform the benefits & tax credits system to provide greater incentives to work. The report provided details of the fourth quarter's monitoring (2013/14) using the framework agreed by Members in July 2013. Performance data had been collected for a year and following a detailed review of data the report contained proposals for amending the performance framework.

A copy of the full year's data set and a revised schedule of measures for year 2 were attached to the report.

With regard to Employment and Support Allowance new sanction rules were applied from December 2012 for those claiming ESA. There were 3 decision categories were detailed within the report. Details and a breakdown of all 3 decision categories including figures for Stockton on Tees, the North East Region, All England and the 12 North East authorities was attached to the report.

RESOLVED that:-

1. The contents of the report be noted;
2. The quarter 4 performance monitoring outcomes and observations be noted;

3. The suggested changes to the performance framework be noted and the new framework as the appropriate monitoring tool for welfare reform in the financial year 2014/15 be approved.

CAB 52/14 Gypsy, Traveller and Travelling Showpeople Site Allocations Local Development Document(LDD)- Results of Public Consultation Exercise.

Consideration was given to a report on the outcomes of the public consultation exercise on potential site options for the location of pitches for Gypsies, Travellers and Travelling Showpeople in the Borough.

The Housing Act 2004 placed a duty on local authorities to assess the needs of Gypsies and Travellers in their areas. Stockton undertook this assessment initially in a joint exercise with the other Tees Valley authorities in 2008 (the Tees Valley Gypsy and Traveller Accommodation needs Assessment (TVGTAA) 2009) and then Stockton Council updated the assessment individually for the borough in 2013. This identified a requirement for 26 pitches over a fifteen year period between 2012 and 2027.

Planning Policy for Traveller Sites 2012 read in conjunction with the National Planning Policy Framework 2013 required local planning authorities (LPAs) to set pitch targets for Gypsies and Travellers and plot targets for Travelling Showpeople to address the likely permanent and transit site accommodation needs of Travellers in their area. In addition, LPAs were required to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets and to identify a supply of specific, developable sites or broad locations for growth, for years six to ten and where possible, for years 11 to 15.

The Council's adopted Core Strategy contained policy CS9 relating to Gypsy and traveller provision. It provided a criteria based policy for new Gypsy and Traveller sites, safeguards the existing site at Bowesfield Lane and stated that joint working between the Tees Valley authorities would identify the need for Gypsy and Traveller accommodation and that in deciding where to provide Gypsy and Traveller accommodation, locations in or adjacent to existing settlements would be preferred in the first instance.

To fulfil its duties in relation to planning policy, the Council embarked on to identify specific sites to accommodate the need identified in the updated Gypsy and Traveller Need Assessment 2013. The Spatial Planning team undertook an extensive borough wide search for sites - the details of which were reported to members in a report to Cabinet in January 2014, which sought the approval of the draft Local Development Document (LDD) for a period of public consultation. This exercise resulted in six potential sites being identified; five Council owned sites and one privately owned.

The public consultation on the draft LDD took place between 3rd February and 17th March 2014. The consultation proved highly controversial and provoked a hugely negative response. None of the sites proposed were viewed as acceptable. The Council received 565 individual responses and 4 petitions in response to the consultation. The petitions provided 35 signatures against Frederick Street, 294 against Eltham Crescent in Thornaby and 517 against

Land between Thornaby Road and The River Tees. In addition, a letter of objection to Land between Bowesfield Crescent and The River Tees was supported by 55 neighbours. A summary of the comments made on each site consulted on was attached to the report and Members could view the original responses by contacting the Spatial Planning team. A table within the report showed the breakdown of individual comments received for each site.

The LDD invited landowners to submit alternative sites for consideration. A number of locations had been suggested during the consultation but only three were specific areas of land suggested by a landowner. One site was located adjacent to Thorpe Thewles and had previously been submitted to the Strategic Housing Land Availability Assessment (SHLAA) where it was determined that it was not suitable for residential development due to the unsustainability of its location.

The remaining two sites were also the subject of planning applications for a Gypsy / Traveller pitch. One was an existing private Traveller site located on Urray Nook Road, near Eaglescliffe, which had been put forward for allocation for a further 5 pitches but which had previously been considered to be an unsustainable location for permanent residence. The second was the site of existing stables between Carlton and Thorpe Thewles. This applicant had previously been refused permission for a dwelling on the site.

Usually, the next stage in the process of preparing a LDD would be for the comments received to be analysed and if possible taken into account in determining the Council's preferred site or sites for gypsy and Traveller pitches. In addition, further assessments of the sites to demonstrate the sustainability, viability and deliverability of the sites would be undertaken and the final choice of site or sites would be determined by the results of these assessments combined. The next version of the LDD (the publication version) would be prepared with its associated assessments and it would be brought back to Cabinet along with a schedule of responses and how they had been dealt with, in particular if it was possible to take on board the comments and, if so, how this had been done. Council would be asked to endorse how the responses had been dealt with and the revised version of the LDD containing the preferred site or sites for a further period of public consultation. Following this, the LDD would be submitted to the Secretary of State who would arrange an independent examination into the soundness of the document.

One site had been withdrawn from the process; land to the rear of Roddmere at Yarm Back Lane, Stockton. This was the only privately owned site that was originally proposed.

Given the situation, Cabinet was asked to consider how it wishes to proceed. One option was to continue to proceed against the original timescales of the established National Planning Policy Framework process, with the shortlisted sites to the next stage. Realistically, the only other alternative appeared to be to abort the current Gypsy, Traveller and Travelling Showpeople LDD and to seek Secretary of State consent to enable this one aspect of the Regeneration and Economic Development LDD to 'follow on' from the timetable and adoption of the Regeneration and Economic Development LDD. This could enable a needs assessment to be carried out. It would enable more detailed consultation with the travelling community (given the inconsistency with national

guidelines in responses to date). With the injection of a small one-off resource, a comprehensive land availability analysis against the national guidelines and local consultation responses could be done irrespective of current ownership.

This approach was not without its risks. The government had signalled local planning authorities a number of times to how seriously it views LPAs' responsibilities in dealing with the issues of the provision of gypsy and Traveller accommodation. A local example was the suspension of Hartlepool's examination – in - public into its local plan to enable the Council to undertake a site selection exercise for gypsy and Traveller accommodation. Other examples of examinations – in - public being suspended relate to the London Borough of Havering and Leeds City Council Middlesbrough Council whose plan had been the subject of an examination-in-public had been advised that although their plan was not unsound they would need to undertake an early review of their Gypsy and Traveller accommodation assessment.

The Council was working on the two final documents to complete the Borough's Local Development Framework; the Gypsies, Travellers and Travelling Showpeople LDD and the Regeneration & Environment LDD (R&ELDD). Whilst the first of these deals with only a single issue, the second dealt with a range of issues: housing employment and transport allocations, policies dealing with the natural built and historic environments as well as giving guidance on sustainable development and the use of section 106 agreements. The R&ELDD was one stage ahead of the Gypsy and Traveller LDD in the plan preparation process and was heading towards the Publication consultation which was scheduled to start in December 2014. Past advice from the Planning Inspectorate was that the two documents could remain separate if a LPA was continuing to prepare its local plan in the format of a Local Development Framework (LDF) that was a folder of separate documents dealing with different issues. If a LPA decided to prepare a single local plan all issues must be dealt with within a single document. However this advice was some two years old and it was possible that a planning inspector may advise the Council that it needed to include its gypsy and Traveller site allocations within the R&ELDD. This could have two potential outcomes:-

- the inspector could direct a suspension of the examination-in-public for a specified period of time whilst the work to allocate appropriate sites is completed and consulted on;
- the inspector could decide to find the plan unsound.

If the second option is what happens this would have serious repercussions for the R&ELDD. This document was delivering the strategic vision set out in the adopted Core Strategy (2010) and the Core Strategy targeted review of the location of housing sites (2011). Thus it was implementing strategic policies which were 4 years old and which were developed and found sound prior to the introduction of the National Planning Policy Framework (NPPF) in 2012. Whilst the Spatial Planning team undertook an exercise to determine that the Core Strategy policies remained in general conformity with the NPPF and therefore could continue to form a basis for the R&ELDD, the further the NPPF becomes embedded in the planning system the more out of date both the policies in the Core Strategy and the evidence underpinning them becomes and the greater the risk that a planning inspector would find the R&ELDD unsound. In these circumstances the Council would have to begin its plan preparation process

again and this would require the Council to start again with preparing its evidence base and considering various options for development. This would mean that the Borough was without a plan for a minimum of a further three to four years and that the development free-for-all which had occurred in the Borough since the introduction of the NPPF in 2012 would continue on for several more years. Thus the Council could expect further housing sites to come forward for planning permission, particularly in the south of the borough. In addition, the introduction of the Community Infrastructure Levy (CIL) would be significantly delayed.

In the absence of any specific sites any planning applications for gypsy and traveller pitches submitted to the Council would have to be determined in accordance with the criteria contained in Core Strategy policy CS9. However it cannot be ruled out that the failure of the Council to identify suitable alternative sites may result in the Council being forced to accept pitches in locations which did not conform with this policy and were in locations it would wish to deter such accommodation

The Council had recently refused three applications relating to Gypsy and Traveller accommodation within the Borough, for reasons relating primarily to the unsustainable nature of the sites and the impacts upon the character of the countryside. These applications related to the creation of a new pitch on land between Thorpe Thewles and Carlton (14/0264/FUL) and the removal of a condition restricting the use of an existing site to a specific individual (13/2588/VARY) and the creation of an additional pitch (14/0193/FUL), both at Highbridge Paddock, Uraly Nook Road, Eaglescliffe. Appeals for the two applications for Highbridge Paddock were to be considered by the Planning Inspectorate at an appeal hearing in August.

In general, the Council did not have significant problems with unauthorised gypsy encampments and did not spend significant sums on legal action against such sites. In fact, in recent years, there had been a declining trend in unauthorised encampments in the borough, due in part to the Community Protection Team's robust and prompt approach to dealing with them.

RECOMMENDED to Council that:-

- 1. The outcomes of the consultation on the Gypsy, Traveller and Travelling Showpeople LDD Regulation 18 Consultation be noted;**
- 2. The current Gypsy, Traveller and Travelling Showpeople LDD be aborted and the sites identified by the Council not be considered again as part of any future land availability analysis.**
- 3. The Secretary of State's consent be sought to enable this one aspect of the Regeneration and Economic Development LDD to 'follow on' from the timetable and adoption of the Regeneration and Economic Development LDD.**
- 4. A current needs assessment be carried out to enable more detailed consultation to take place with the travelling community.**

5. A comprehensive land availability analysis be carried out against the national guidelines and local consultation responses, irrespective of current ownership.

CAB Supplementary Planning Document 8 – Affordable Housing

53/14

Consideration was given to a report on Supplementary Planning Document (SPD) – Affordable Housing

The Supplementary Planning Document (SPD) provided guidance on how Local Plan policies relating to affordable housing would be applied and how their requirements could be met and would be a material consideration when determining applications for planning permission within the Borough.

The SPD, the Equalities Impact Assessment and Consultation Statement (Appendix C) were attached to the report and available on the Council's internet E-Genda system. The Consultation Statement included the schedule of comments received on the draft consultation version of the SPD and the Council's response.

The Council's affordable housing requirement was set out in Core Strategy Policy CS8. This Supplementary Planning Document (SPD) had two fundamental purposes. These were as follows:-

- a) To provide guidance on how development plan policy regarding affordable housing, set out in Policy 8 of the Core Strategy, is applied
- b) To provide guidance on how the Council's Strategic Housing, Development Services and Spatial Planning teams will work with both developers and Registered Providers to deliver affordable housing.

After approval by Council the SPD would be adopted Council planning policy and would be used in the determination of planning applications.

RECOMMENDED to Council that:-

- 1. The contents of this report be noted.**
- 2. The Supplementary Planning Document 8 - Affordable Housing be approved for adoption.**
- 3. Authority be delegate to the Head of Planning to make any necessary minor amendments to the Supplementary Planning Document 8 - Affordable Housing' prior to adoption.**

CAB ECO Scheme

54/14

Consideration was given report that provided an update on the Energy Company Obligation (ECO) scheme and the Council's on-going partnership with Community Energy Solutions (Go Warm). The partnership was established in

2007 with the delivery of the Community Energy Savings Programme (CESP) which provided measures such as External Wall Insulation (EWI) and new heating systems to over 1800 households. As well as delivering the intended carbon savings from more energy efficient homes, CESP created around 500 jobs and brought in approximately £12m of private sector investment.

A change in Government policy meant that CESP was effectively replaced by the Energy Company Obligation (ECO) in early 2013. Through this Go Warm continued to deliver EWI and heating measures in the Borough, however, the process was more problematic and created uncertainties in the industry. A further review of Government Policy earlier this year had a dramatic impact on the ECO programme and the vast majority of schemes around the country ceased. Work had continued in Stockton but at a vastly reduced pace. The report described these issues in more detail and explored potential scenarios going forward.

There were clear benefits to continue with schemes of this nature, particularly in the most deprived areas of the Borough. Therefore various options to progress this work had been considered, in order to complete the areas originally planned as part of the ECO process, namely; Parkfield & Oxbridge, Newtown and Mandale & Victoria. To complete this work under the revised carbon pricing would require investment of approximately £940,000 to cover the budget gap. This equated to around 26% of the overall scheme cost which compared to around 10% contribution for the CESP scheme.

It was anticipated that any funding provided by SBC was done so to allow the scheme to progress to June 2015 by which time it was expected that Government policy would be clear, the new Go Warm (CES) business model would be fully established and EON would have potentially reviewed their pricing policy. The key date would be the announcement in October of the outcome of the consultation on the government's proposals and any new regulations that may be published by Ofgem

There was already funding allocated to the project with £300,000 remaining and it was proposed to use this to support the on-going delivery of the project. There was also £250,000 of funding available from Public Health to support the scheme. This would leave approximately £390,000 to allow the scheme to progress in the three wards originally planned, this would be around 850 properties. It was noted that this money would not be immediately passed to Go Warm (CES) but instead would be provided on a street by street basis once actual costs (and benefits) were known.

The effects of cold weather and cold homes on health were well documented. The Cold Weather Plan for England (published by Public Health England in 2013) stated;

"The impact of cold weather on health is predictable and mostly preventable. Direct effects of winter weather include an increase in the incidence of heart attacks, respiratory disease, influenza, falls and injuries and hypothermia. Indirect effects of cold include mental health illnesses such as depression, and carbon monoxide poisoning from poorly maintained or ventilated boilers, cooking and heating appliances and heating".

In the foreword to the report the Chief Medical Officer urged public health actions to support vulnerable people who had health, housing or economic circumstances that increase their risk to harm. The previous Chief Medical Officer wrote in 2009 that “the effects of cold weather are most felt by vulnerable groups such as older people, the chronically ill, children, those with mental health problems and people with disabilities.”

There was therefore a strong public health case to invest in this scheme which would bring warmer housing to residents of the coldest houses in the Borough, many of whom were vulnerable to the effects of being cold.

Whilst these contributions could be seen as assisting an energy company achieve its carbon targets the added value of improved health, reduced fuel poverty etc. could be seen as a valid investment for the Authority to make. In order to try to maintain the initiative, Officers would work with CES to maintain a viable project going forward and highlight the Council’s commitment to ensuring that, wherever possible, a scheme to reduce fuel poverty, improve health and achieve the wider regeneration benefits would be secured.

On 1 May 2014 the government announced a new Green Deal Home Improvement Fund (GDHIF) which would replace the Green Deal Cashback fund. This offered householders, tenants and landlords the opportunity to apply for up to 75% of the cost of EWI up to a maximum of £6,000 meaning they had to pay a contribution of at least 25% towards the cost of installation.

There was no guarantee that there would be any change to Government policy or the price per tonne of carbon saved paid by EON to Go Warm and the Council therefore needed to plan an exit strategy using the available resources whilst still keeping the door open to other opportunities as they present.

On this basis an exit strategy would be developed with Go Warm that made use of the funding outlined above to deliver measures to streets in the three wards and provide enough work for Go Warm until June 2015. At that point unless other funding was secured, or the price / tonne of carbon had significantly improved, the project would end.

RESOLVED that:-

1. The progress of both the CESP and the continued ECO schemes and the changing nature of the ECO scheme from 1 April 2014 as a result of government policy proposals be noted.
2. The revised carbon pricing and the implications of the reduced carbon price on the ECO scheme be noted.
3. The use of the remaining £300,000 resource to support the on-going delivery of the programme to complete the wards of Parkfield & Oxbridge, Newtown and Mandale & Victoria.
4. The use of £250,000 of Public Health resource be agreed to support the on-going delivery of the programme to complete the wards of Parkfield & Oxbridge, Newtown and Mandale & Victoria.

RECOMMENDED to Council that:-

- 5. The release of £390,000 resources from Council's balances be agreed to support the on-going delivery of the programme to complete the wards of Parkfield & Oxbridge, Newtown and Mandale & Victoria.**

**CAB
55/14 Local Government Pension scheme**

Consideration was given to a report that provided information on the Local Government Pension Scheme (LGPS) following implementation of Regulations on 1st April 2014 and to update the Council's LGPS discretionary policy statement.

A summary of the main changes to the LGPS which took effect from 1st April 2014 were detailed within the report.

The proposed updated Discretionary Policy Statement was attached to the report with new or revised discretions highlighted.

RESOLVED that:-

1. The changes to the LGPS be noted.

RECOMMENDED to Council:-

- 2. The updated Discretionary Policy Statement at Appendix 1 to the report be approved.**
- 3. The Council's Pensions and Retirement Policy be updated to reflect LGPS 2014 and the Discretionary Policy Statement.**