

## **Cabinet**

A meeting of Cabinet was held on Thursday, 15th January, 2015.

**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 (R); P Dobson, C Straughan(DNS); S Willson (CESC); D E Bond, P K Bell (LD).

**Also in attendance:** Mark Kirkham (Mazars).

**Apologies:** Cllr David Coleman.

### **CAB Declarations of Interest**

**115/14**

Councillor Cook declared a personal non prejudicial interest in respect of agenda item 7 - Local Plan: Regeneration and Environment Local Plan (RELP) Publication Version – Approval for Public Consultation as he was a Director of Durham Tees Valley Airport.

Councillor Nelson declared a personal non prejudicial interest in respect of agenda item 7 - Local Plan: Regeneration and Environment Local Plan (RELP) Publication Version – Approval for Public Consultation as he was a member of Tristar Board.

### **CAB Minutes**

**116/14**

The minutes of the meeting held on 4th December 2014 were confirmed and signed as a correct record.

### **CAB Annual Audit Letter 2013/14**

**117/14**

Consideration was given to the Annual Audit Letter for 2013/14.

Members were reminded that in 2012 the Audit Commission appointed Mazars LLP to act as external auditors to the Council.

A formal stage in the annual audit process was the production of the "Annual Audit Letter". The Annual Audit Letter for 2013/14 had been received and was attached to the report.

The Annual Audit Letter summarised the auditor's findings from the 2013/14 audit. In line with previous practice, a copy of the Annual Audit Letter would be sent to all Members of the Council. Mazars LLP were required to submit the Annual Audit Letter to the Audit Commission and it would appear on the Commission's website.

Mazars LLP had issued an unqualified audit opinion on the Council's financial statements for 2013/14 and no material amendments were required.

Mazars LLP had issued an unqualified value for money conclusion stating that it was satisfied that "the Council has maintained proper arrangements for securing value for money in its use of resources during the year".

The report went on to say that “the Council continues to have a strong approach in considering a range of options, regularly updating and agreeing its plans well ahead of the relevant financial year”.

RESOLVED that the contents of the letter be noted.

**CAB**      **Disability Advisory Group (DAG) Report**  
**118/14**

Consideration was given to a report on the work undertaken by the Disability Advisory Group (DAG). The DAG had been in operation since 2006 and had during this time supported the Council to improve services for people with a range of disabilities. In the past year there had been a number of key projects across the Borough that the DAG had been supporting and the report detailed this activity. The agenda for the DAG meetings was informed by issues DAG members raised themselves, scrutiny agendas and potential service and policy changes.

With regard to future activity the SBC website developer would be attending the next DAG meeting in January 2015 to ensure that the new website was DDA compliant and accessible for people with differing disabilities.

Members of the DAG were working with Libraries and Customer Services to ensure that services and facilities at the new building in Billingham were accessible to disabled residents and were offering orientation sessions in January 2015 to those who required them.

The DAG would continue to support the undertaking of the Equality Impact Assessments (EIA) that support relevant consultation activity around changes to policies and services.

They were exploring opportunities for DAG members to further support the DDA (Disability Discrimination Act 1995 & 2005) access audits from a disabled community perspective with the relevant council officers.

They were also looking at how feasible it is for DAG members to support the delivery of some training programmes for staff in partnership with relevant council officers as testimony from those who were experiencing an issue can be very powerful, this approach had worked in other locations.

They were continuing to develop stronger partnerships and links with other local, regional and national disability forums, networks and groups.

RESOLVED that:-

1. The report and the work undertaken by the DAG be noted.
2. The information be shared through SGM's about the role and purpose of DAG to ensure they are involved at the start of future consultations/ policy changes.

**CAB 119/14 Stockton Safeguarding Vulnerable Adults Update 2013-2014**

Consideration was given to a report on the Stockton Safeguarding Vulnerable Adults Update 2013-2014. The Annual Report of the Tees Safeguarding Adults Board 2013-14 and the Action Plan following the LGA Peer Review of Adult Safeguarding was attached to the report. This action plan would be monitored through the Local Executive Group: Safeguarding Adults (previously the Safeguarding Vulnerable Adults Committee). A Cabinet Report was presented in April 2014 relating to the review and a summary of the review methodology was included in the report.

A Tees-wide Safeguarding Adults Board (TSAB) was in place, with an independent Chair. The Tees-wide Board would be the statutory Safeguarding Adults Board in line with the Care Act 2014 (schedule 2), with effect from April 2015. Local Executive Groups (Safeguarding Adults) were in place in each Local Authority area.

A Tees Safeguarding Adults Board Business Unit was being recruited to, which would support the TSAB and was jointly funded by the four Local Authorities, the NHS and Police.

The report provided information about the work of partner agencies in support of safeguarding activity, along with a range of safeguarding activity data, including details of Mental Capacity Act Deprivation of Liberty Safeguards activity.

The Peer Review Action Plan provided an update on progress against the actions related to the review recommendations. The majority of the recommendations did not relate specifically to adult safeguarding. Progress against the Action Plan would be monitored through the Local Executive Committee (Safeguarding Adults) Health & Wellbeing structures and the Adult Board as relevant.

RESOLVED that the content of the Annual Report of the Tees Safeguarding Adults Board 2013-14 and the Action Plan following the LGA Peer Review of Adult Safeguarding be noted.

**CAB 120/14 Local Plan: Regeneration and Environment Local Plan (REL) Publication Version - Approval for Public Consultation**

Consideration was given to a report on the Local Plan: Regeneration and Environment Local Plan (REL) Publication Version – Approval for Public Consultation.

The report sought approval for the Publication version of the REL, its associated policies map and supporting assessments, documents and studies which provided the remaining parts of the evidence base which had informed the development of the policies contained in the document for a period of public consultation in February - March 2015. This was the final consultation period for the draft plan before it is submitted to the Secretary of State for Communities

and Local Government for examination by an independent Planning Inspector.

The report summarised the contents of the RELP and explained the supporting documentation which accompanied it and the next stages in the plan preparation process before the plan can be adopted and used by the Council in determining planning applications.

The text of the RELP, the policies map and all other supporting documentation were available both electronically on the Stockton Council website agenda and in hard copy in the members' library. The Character Areas Study, previously endorsed by Cabinet, would also be available as part of the consultation. The updated plan would supersede some parts of the adopted Core Strategy and amended copies of these highlighting where the changes would occur were also available.

With regard to the next steps once the plan and associated documentation has been agreed, there would be a six week period of public consultation and, unless a fundamental flaw to the plan emerged through the consultation process, this would be the version of the plan which would be submitted to the Secretary of State for examination-in-public.

The Publication consultation was a more formal one than those previously held and those making representations would be asked to comment on whether the preparation of the plan and its contents passed the tests of soundness. This meant that the plan was positively prepared, justified, effective and consistent with national policy.

Once the Council had considered all the representations it received at the Publication stage, it could amend the plan before submitting it to the Secretary of State if it considers it necessary. Often some minor amendments are made, but if the Council considered that more significant changes were required, a further period of consultation would be required before the plan is submitted. At Submission, the Council had to provide a written summary of all of the issues raised throughout the preparation of the plan and state how the issues raised at Publication had been dealt with.

The Planning Committee considered the RELP at its meeting held on 14th January 2015 they made the following comments:-

1. With regard to the land south of Cayton Drive, this site has been the subject of 2 separate planning applications that have been refused by the Planning Committee, neither of which have been taken to appeal. They also formed part of the Tees Heritage Park and are areas of open space valued by local residents.
2. The area of land at Tilery behind the football pitches be taken out of the open space/Great North Park and re-designated.

Members felt that with regard to the area south of Cayton Drive in order to protect this area and to reinforce the decisions taken by the Planning Committee the site at Thorntree Farm and land to the south of Cayton Drive which were proposed by Officers for removal from the green wedge as part of the RELP be reinstated as such, that Cayton Drive site be removed as a

potential housing site under Policy H22 and they remain as open space and part of the Tees Heritage Park.

With regard to the area of land behind Tilery football pitches Members felt that this land should remain designated as open space as in the RELP.

**RECOMMENDED to Council that:-**

- 1. The Publication version of the Regeneration & Environment Local Plan and policies map and associated Sustainability Appraisal, Habitats Regulations Assessment, Infrastructure Strategy, Whole Plan Viability Assessment and Consultation Statement be endorsed for a period of public consultation from February to March 2015.**
- 2. The officers' responses to comments made to the Preferred Options version of the RELP which are contained in the Schedule of Responses attached to the Consultation Statement and in topic papers entitled Wynyard, Yarm and Kirklevington, Housing Need and Demand, Housing Site Selection Process and Health and Safety Executive Assessment of Site Allocations be endorsed.**
- 3. The updated Villages Study 2014 and the Green Wedge Review 2014 as evidence base to the RELP be endorsed, subject to the amendment contained at recommendation 5.**
- 4. The proposed amendments to the adopted Core Strategy to reflect the changes resulting from the Core Strategy targeted review of the Housing Strategy and the RELP be endorsed.**
- 5. The site at Thorntree Farm and land to the south of Cayton Drive which were proposed by Officers for removal from the green wedge as part of the RELP be reinstated as such, that Cayton Drive site be removed as a potential housing site under Policy H22 and they remain as open space and part of the Tees Heritage Park.**
- 6. Any further minor changes be delegated to the Head of Planning in consultation with the Portfolio holder for Transport and Regeneration.**

**CAB 121/14 Community Infrastructure Levy (CIL) Preliminary Draft Charging Schedule -Approval for Consultation**

Consideration was given to a report on Community Infrastructure Levy - Preliminary Draft Charging Schedule – Approval For Consultation.

A new planning charge came into force under the previous Government on 6th April 2010 under the Community Infrastructure Levy (CIL) Regulations 2010. It allowed local authorities in England and Wales to raise funds from developers undertaking new building projects in their area. The money could be used to fund a wide range of infrastructure needed as a result of development. This included transport schemes, flood defences; schools, hospitals and other health and social care facilities, parks, green spaces and leisure centres.

In July 2011, the Council resolved to adopt the CIL as the principal means of funding infrastructure. However it required the setting of a Levy which reflected the costs of the infrastructure, was proportionate, was sound and robust, and had been subject to consultation and testing by an independent Examiner.

The setting of the Levy required the preparation of a Preliminary Draft Charging Schedule and evidence base documents, and that these were published for consultation. Following consultation and any amendments, the resultant document, known as the Draft Charging Schedule be submitted for independent examination and if approved, adopted and implemented by the Council.

The Community Infrastructure Levy Viability Assessment set out the proposed charging rates and justification for those rates. Information in respect of the Infrastructure Funding Gap identified projects and gaps in funding which justified setting a Charging Schedule, a draft Regulation 123 List which set out those projects or types of infrastructure which would be funded by the CIL and confirmed Council's approach in this respect. The Preliminary Draft Charging Schedule set out the CIL rates and approach to setting the CIL Charge, the approach to a future Relief and Instalment Policy, and the relationship between CIL and Section 106. The infrastructure planning work identified a total cost of £229,925,000 to 2030 and the funding gap was £190,981,000.

It was envisaged that further reports be taken to Cabinet to agree the Draft Charging Schedule for consultation, to report on the outcome of that consultation and documents to be submitted for Independent Examination. Consideration would also need to be given to the method by which spending priorities will be determined.

The Planning Committee considered the CIL at it's meeting held on 14th January 2015 they made the following comments:-

1. With regard to the boundaries of the charging zones for residential development that would form part of the Preliminary Draft Charging Schedule, the allocation of Hardwick into a High Value Zone be looked at again.

Members felt that Hardwick should remain in the High Value Zone as this had been the finding of the commissioned viability assessment that had been carried out.

**RECOMMENDED to Council that:-**

- 1. The contents of the report be noted.**
- 2. Stockton's CIL Economic Viability Study and Charging Zones be endorsed.**
- 3. The Charging Rates in the report and the attached Preliminary Draft Charging Schedule and Draft Regulation 123 list be agreed.**
- 4. The Council undertake consultation on the Preliminary Draft Charging Schedule, Charging Zone Map and Draft Regulation 123 List.**
- 5. Delegated powers be granted to the Head of Planning in**

**consultation with the Cabinet Member for Regeneration and Transport to make minor amendments to consultation documents as necessary prior to consultation.**

**6. Further reports be taken, in due course, to report on the outcome of the consultation on the Preliminary Draft Charging Schedule and subsequent modifications, a Draft Charging Schedule be agreed for consultation, to report on the outcome of that consultation, and to agree to documents prior to Examination in Public.**