

Cabinet

A meeting of Cabinet was held on Thursday, 17th March, 2022.

Present: Cllr Robert Cook (Chairman), Cllr Jim Beall, Cllr Nigel Cooke, Cllr Lisa Evans, Cllr Mrs Ann McCoy, Cllr Steve Nelson, Cllr Michael Smith.

Officers: Julie Danks, Margaret Waggott, Nigel Hart, Leanne Maloney-Kelly, Gary Woods (MD), Becky Brown, Jonathan Nertney, (HR&L), Garry Cummings (FD&BS), Martin Gray (CHS), Jamie McCann (CS&T), Reuben Kench, Neil Mitchell (CL&E), Ann Workman (AH).

Also in attendance: Gavin Barker (Mazars); Cllr Clare Gamble, Cllr Norma Stephenson O.B.E, Cllr Marilyn Surtees.

Apologies: None

CAB 85/21 Evacuation Procedure

The Evacuation Procedure was noted.

CAB 86/21 Declarations of Interest

There were no Declarations of Interest recorded.

CAB 87/21 Minutes of the Ordinary and Special Meetings of Cabinet held on 17th February 2022

The Minutes of the Ordinary and Special Cabinet meetings held on 17th February 2022 were agreed and signed as a correct record.

CAB 88/21 Scrutiny Review of Local Government Pension Scheme (LGPS)

Consideration was given to the final report that presented the outcome of the People Select Committee Scrutiny Review of Local Government Pension Scheme (LGPS).

Members agreed that it would be useful for the report to be circulated amongst the other T.V. Authorities as they too may benefit or feel able to contribute to it.

RESOLVED that:-

1. An ongoing programme of awareness raising be established to encourage take-up of the Pension Scheme including:

- promotion of the scheme to younger members of staff
- increasing awareness of options contained in the Scheme (such as 50/50 section, allowing staff to benefit with reduced contributions)
- emphasising that scheme members benefit from significant employer contributions;

2.The information the Council sends to new starters on membership and benefits of the LGPS be reviewed.

3. The Council liaise with Teesside Pension Fund to:

- urgently review the quality of the information provided to staff to ensure that it is both comprehensive and in plain English (including improvements to the presentation of the information contained in the Annual Benefit Statement);
- develop a range of promotional materials in an easy-to-understand format.

4. Middlesbrough Borough Council be requested, as the administering Authority, to include in any future contract for the administration of the Pension Scheme, a requirement for information and promotional material to be clear and easy to understand.

5. Human Resources review the use of temporary employment contracts with each Directorate to determine whether a permanent contract could be more appropriate (as this change would result in more employees being auto enrolled into the scheme).

**CAB
89/21** **Annual Auditors Report 2020/21**

Cabinet received the Auditors Annual Report for 2020/2021 summarised for members by Gavin Barker from Mazars LLP the Council's external auditor.

The Report summarised the work Mazars had undertaken as the auditor for Stockton on Tees Borough Council ('the Council') for the year ended 31 March 2021 with a copy of the report having been circulated to all members of the Council.

Members noted that Mazars LLP had issued an unqualified audit opinion on the Council's and Group financial statements for 2020/2021 and in their opinion they;

- give a true and fair view of the Council and Group's financial position as at 31 March 2021 and of its financial performance for the year then ended; and
- have been prepared, in all material respects, in line with the financial reporting framework applicable to the Council.

Mazars also stated that with regards to their work they "did not identify any evidence to indicate a significant weakness in the Council's arrangements in relation to either its financial sustainability reporting criteria; its governance reporting criteria; or its improving economy, efficiency and effectiveness reporting.

Cabinet welcomed the report and thanked Mazars for their presentation of its conclusions.

**CAB
90/21** **RIPA Inspection Report**

Cabinet noted that legislation requirements, alongside greater access to data matching, transparency, and overt rather than covert law enforcement, had led to local authorities granting far fewer RIPA authorisations of late and this continued to be the case for Stockton. With this in mind and with Covid restrictions in place, the Investigatory Powers Commissioners Office had adopted a more flexible approach to inspections of

local authorities with the option of a remote assessment and examination of relevant documentation, obviating the need for a site visit by a Surveillance Inspector.

The IPCO notified the Council in November 2021 that it was due its programmed inspection of the use of covert surveillance in accordance with the provisions set out in the Regulatory Inspections Powers Act 2000. The previous inspection was undertaken in September 2018.

Cabinet noted the outcome of the subsequent inspection which was positive with recommendations as follows:

- Ensure that Retention, Review and Destruction (RRD) of gathered data under the covert powers available, is carried out and that the Policy makes clear the RRD requirements, responsibilities and practice within the Council;
- Training scheduled is undertaken and regular training continues to be planned and delivered to ensure continued development and awareness of officers.

The above recommendations were already in progress and would be monitored through the Councils RIPA Steering Group and Corporate Governance group. Planned training had also been undertaken this month and a programme of additional training was in place.

RESOLVED that:-

1. Cabinet note the report and outcome;
2. Cabinet approve the recommendations from the Investigatory Powers Commissioners Office detailed within the report.

**CAB 2022/23 Annual Procurement Plan / Higher
91/21 Value Contracts**

Cabinet approval was sought for the award of a number of planned higher value contracts scheduled for 2022/23 where the value exceeded the limit on officer delegated authority and which was either funded within the approved MTFP/ Capital Programme or was subject to a bid for external funding.

The Council's Constitution defined a range of decisions that required a specific Cabinet approval, the financial threshold for which was set at a level of £500k or more. Details of the known procurement projects over £500k that were underway and due for contract award were detailed at Annex 1 to the report.

RESOLVED that Cabinet approves the contracts listed in Annex 1 to the report and gives associated authority to the relevant Director or Assistant Director to make the specific contract award decisions and any subsequent contract variation and extension.

**CAB Special Educational Needs and/or Disabilities (SEND) Strategy - Progress
92/21 and
next steps for 2022/23**

The Children and Families Act 2014 introduced significant changes to the systems and approaches for children and young people aged 0-25 with special educational needs and/or disabilities (SEND). In 2016 an inspection framework was introduced to assess the effectiveness of local areas in fulfilling their statutory duties and in identifying and meeting the needs of children and young people with SEND.

A new SEND strategy was developed by health, education and social care partners in 2021 and reported to the Health and Wellbeing Board in May 2021.

Cabinet received a report which provided an overview of the six strategic priorities, an update on progress against them and set out the next steps to be taken.

The latter included the following actions for 2022/23:-

- A focused piece of work involving all partners had begun to look at 'Getting out and about'. What this means in Stockton Borough and how we all can contribute to promoting as close to independent travel as possible leading to opportunities in adult life;
- Finalise and launch the coproduced Local Area Preparation for adulthood (PfA) guide through a series of events with all stakeholders.
- The continuity of support across the 0-25 age range for those with complex needs/disabilities is an area of continual change. The Local Area has agreed to focus on this over the next 12 months to enable voices of those that experience the support to influence the future development required.
- A renewed national focus and additional funding for development of additional supported internships was announced in January 2022. This work will be actioned during this year.
- Take a multi-agency approach to meet the needs identified through recent consultation processes.

RESOLVED that Cabinet:-

1. Note progress to date in delivering against the 6 strategic outcome areas in the SEND strategy.
2. Endorse the outline action plan for 2022/23.

CAB 93/21 Environmental Sustainability & Carbon Reduction Strategy 20322-32

Cabinet was invited to approve a proposed Environmental Sustainability & Carbon Reduction Strategy for 2022-2032.

Climate change posed a real threat to society and over time would impact on all residents of Stockton on Tees. Efforts to limit climate change by reducing carbon emissions and promoting environmental sustainability would need to be widespread and sustained. The Council delivered services which contributed to greenhouse gas emissions, and Council policies set the parameters in which other companies and individuals acted and which themselves impacted on the environment, and the Council had influence on residents in ways which affect their environmental impact. In each of these aspects, the strategy aimed to shape our policies and actions to make a positive difference.

For Stockton Borough Council, work on environmental sustainability was not new and much had already been achieved. Overall, between 2009/10 and 2019/20 the Council achieved a 57.6% reduction on its net greenhouse gas emissions. However, to play our part in achieving the UN Climate Change target of keeping global warming within 1.5°C, the Council were obligated to do a lot more.

The Environment Act 2021, defined a number of targets and committed the Government to setting additional targets across the priority areas of air quality, water, biodiversity, resource efficiency and waste reduction. It was expected that many of these targets would apply to the work of Local Government and our performance was likely to be monitored.

The proposed Environmental Sustainability & Carbon Reduction Strategy (ES&CRS) reflected the structure of the Act and set out areas of work that might contribute to the achievement of national targets.

The suggested timeframe of the ES&CRS was 10 years, many scientists considered the next decade to be crucial, but the Council's efforts to address climate change would need to continue over a much longer timeframe. The suggested approach was similar to that adopted by the Council in relation to the Equality Strategy; it sought to influence and realign activity across the spectrum of Council Services, rather than pursue environmental sustainability and carbon reduction exclusively through isolated programmes of work.

It was clear that the national and international response to climate change needed to be fundamental and radical. In some aspects it was possible to calculate the potential costs of the changes that might be required, but in many the cost was not yet known.

The ES&CRS set out the direction we should take and describes the actions that would contribute to the achievement of a set of overarching objectives. In some cases targets had already been quantified and could be adopted, but in many cases the setting of the timeframe within which objectives could be achieved, or the quantum of change we can deliver, was dependent on resources.

Through the Environmental Sustainability & Carbon Reduction Strategy, Stockton Council would commit to the principles and goals of carbon reduction and environmental improvements and undertake to pursue the resources necessary to achieve our objectives.

RESOLVED that the Environmental Sustainability & Carbon Reduction Strategy

2022-2032, be approved.

**CAB
94/21** **Tees Valley Waste Project**

Cabinet had previously agreed to procure an Energy for Work Facility (ERF) in partnership with Tees Valley authorities, Durham County Council and Newcastle City Council which had been outlined in reports to Cabinet in October 2019 and July 2020.

Cabinet was now provided with an update regarding all aspects of the TV ERF project including planning, landowner, procurement process, the development of the Project Agreement and other project documents.

The report outlined the requirement and rationale for setting up the Local Authority Special Purpose Vehicle (LA SPV) between the partner authorities to manage the contract with the successful provider. It outlines how this would be governed as well as the commercial principles as to how costs / liabilities shall be shared between the seven Councils over the term of the Project.

RESOLVED that:-

1. Cabinet approve the creation of the LA SPV.
2. Cabinet authorise the Council entering into the Shareholders' Agreement and Delegate Authority to the Director of Finance, Development & Business Services in consultation with Cabinet Member and Director of HR, Legal & Communications.
3. Cabinet Delegate Authority to the Director of Finance, Development & Business Services in consultation with Cabinet Member and Director of HR, Legal & Communications to finalise and enter into the Waste Supply and Support Agreement with the LA SPV and to provide Delegated Authority from the Councils' perspective for the LA SPV to award the Contract and enter into the Project Agreement with the successful Contractor (Financial Close), and to enter into the 50-year lease with STDC (Teesworks) for the site.
4. Cabinet delegate authority to the Director of Finance, Development & Business Services in consultation with Cabinet Member and Director of HR, Legal & Communications to enter into the Council Guarantees.
5. Cabinet delegate authority to the Director of Finance, Development & Business Services in consultation with Cabinet Member and Director of HR, Legal & Communications to finalise and agree the Business Plan and provide sufficient resources to allow the LA SPV to reach Financial Close and then to monitor and manage the Contract on behalf of, and with, the Councils for the term.