

## Cabinet

A meeting of Cabinet was held on Thursday, 5th October, 2006.

**Present:** Cllr R Gibson (Chairman); Cllr Mrs P A Cains, Cllr D Coleman, Cllr B Cook, Cllr A Cunningham, , Cllr E Johnson, Cllr P Kirton, Cllr K Leonard, Cllr S Nelson, Cllr Mrs J O'Donnell

**Officers:** G. Garlick (CE), N. Schneider, J. McCann, R. Bradley (DNS), A. Baxter (CESC), J. Haworth (ACE), M. Henderson, J. Trainer (LD)

**Also in attendance:** Councillors Mrs Beaumont, Frankland, Mrs Rigg and Lupton

S. Boyd (Managing Director Tristar Homes)

**Apologies:** None

### 560 Declarations of Interest

Councillor Mrs Cains declared a personal, non prejudicial interest in the item entitled 'Building Schools for the Future' as she was Chair of Governors at Blakeston School.

Councillor Cook declared a personal, non prejudicial interest in the item entitled 'Building Schools for the Future' as he was a Governor at Blakeston School.

Councillor Nelson declared a personal, non prejudicial interest in the item entitled 'Building Schools for the Future' as he was a Governor at Norton School.

Councillor Leonard declared a personal, non prejudicial interest in the item entitled 'Building Schools for the Future' as he was a Governor at Hardwick and Roseworth School.

Councillor Cook declared an interest in the item entitled 'Tees Valley City Region Business Case' as he was a Member of the Joint Strategy Committee and served on the Tourism Partnership Board.

Councillors Roberts, Leonard and Nelson declared personal, non prejudicial interests in respect of the item entitled 'Tristar Window and Door Replacement Programme' as they were each Tristar Board Members.

### 561 LEA School Governor Nominations

Cabinet Members were requested to consider the nominations to school Governing Bodies in accordance with the procedure for the appointment of school governors, approved as Minute 84 of the cabinet (11th May 2000).

RESOLVED that the appointments to the following School Governing Bodies be approved in line with agreed procedures subject to successful List 99 check and Personal Disclosure:-

Bader Primary School -	Cllr B. Robinson
Ingleby Mill Primary School –	Father A. Sheridan
St Michael's RC secondary School -	Mrs S. Bowman

## 562 Readiness to Deliver Building Schools for the Future

Cabinet considered a report relating to the Council's Readiness to deliver Building Schools for the Future.

It was explained that the Authority was required to submit new documentation for assessment by the Department for Education and Skills and Partnerships for Schools, the national body responsible for managing Building Schools for the Future (BSF). That assessment would determine when BSF funding would become available for the first phase of a development programme to rebuild, remodel or refurbish the secondary schools in Stockton. This would be followed (at a date to be announced) by a second phase covering schools in other parts of the Borough.

An officer working group had prepared draft documentation in accordance with DfES guidance. Building on existing strategies and meetings with headteachers, college principals and representatives of the local Learning and Skills Council, the draft submission summarised the steps already taken in planning for BSF and action proposed for the next twelve months. This would include setting up a project team to draw up detailed proposals for the future pattern of secondary education in Stockton, and offering those for consultation to stakeholders including school staff and governing bodies, parents and students, partner organisations and local communities. The draft submission was provided for Members consideration.

Cabinet were informed that the release of BSF funding also required a commitment by the Authority to accept the assumptions underpinning BSF as a national programme. These were:-

- a commitment to government policy aims such as diversity of provision (including academies, where appropriate), and parental choice;
- the use of PFI for most new-build projects, and a disposition towards outsourced Facilities Management;
- a managed ICT service (supply, maintenance and replacement of hardware and software);
- in most cases the use of a Local Education Partnership (LEP), a company formed by the local authority and a private-sector partner to deliver the local programme;
- commitment to fund a full-time project team and engage external advisers experienced in the financial, legal and technical aspects of the programme.

The experience of other local authorities – and the advice from DfES – suggested that any challenge to these assumptions was likely to be unsuccessful and could delay the release of funding. A draft letter confirming acceptance in principle was provided and it was indicated that the Leader and Chief Executive would need to sign it in order to confirm the Council's commitment in principle to acceptance of the assumptions.

Members noted that no funding support was available from Government for the costs of developing a local BSF project and engaging the necessary external consultant support. A regional adviser from the Public Private Partnerships

Programme (a body of the Local Government Association) had suggested a figure of £500,000 in the first two years, rising to £1 million annually when the Council's programme reached the procurement stage.

RESOLVED that:-

1. the draft Readiness to Deliver document as appended to the report be submitted on behalf of the Authority to DfES and Partnerships for Schools on 13 October 2006;
2. that a letter confirming the Authority's commitment in principle to accept the national BSF funding and procurement model be signed by the Leader of the Council and the Chief Executive and be attached to the Readiness to Deliver submission;
3. that the following allocations to support BSF project management be considered as part of the budget-setting process:

£500,000 in 2007-08

£500,000 in 2008-09

£1,000,000 in 2009-10.

## **563 UPVC Window Replacement**

Members considered a report that outlined a request from the Board of Tristar Homes to change the materials used in the window replacement programme for Council homes from timber to PVC-U based on a review of the current programme which had included consultation with customers and value for money considerations.

It was explained that consultation with tenants had demonstrated that window replacement was a high priority with tenants. Tristar Homes, in conjunction with SBC, were undertaking a piece of work to identify 'other works' that were required in addition to decent standard works to meet tenant expectations and ensure properties remained popular and sustainable. Once this work was identified as part of the asset management plans within the Company, Tristar and SBC would consider the resource implications of such works and a further report would be brought to Cabinet.

It was explained that the Council's policy was to use timber for window replacement except in high rise dwellings. This policy had been in place for a number of years and was based on the premise that wooden windows were more environmentally friendly. However, over time the PVC-U market had changed considerably particularly in respect of environmental issues and a thorough evaluation had therefore been required. In considering this proposed policy change Tristar had considered the following elements.

- Economic Sustainability
- Social Sustainability
- Environmental Sustainability

In summary, while timber came just ahead on environmental grounds, PVC-U windows had a distinct advantage when it came to socio-economic considerations. In practice this meant that twice as many PVC-U windows than timber could be installed for the same cost, optimising available resources and giving customers what they wanted. An example was provided to Members indicating that the average cost of replacing windows at an average property (9 windows per dwelling) was currently £4,200 and would be approximately £2,200 if PVC-U windows were used.

Members noted that there was no comprehensive window replacement programme at present and this would be a business and funding considerations for the future. However, a number of properties were receiving window replacement as part of decent standard works (based on condition) and this policy change would, therefore, result in future areas receiving PVC-U windows instead of wooden. There would be logical places to stop the existing programme and begin the new programme to prevent changing the profile of windows in the same road.

RESOLVED that the information provided by Tristar Homes Board be noted and the use of PVC-U windows instead of timber be approved.

**564 Environmental Protection Act 1990, Section 99 and Schedule 4 and Clean Neighbourhoods and Environment Act 2005 - Control of abandoned Trolleys**

Members considered a report that sought formal approval of a scheme for the control of abandoned trolleys within the Borough.

It was explained that abandoned shopping and luggage trolleys were a source of public nuisance, attracted acts of anti-social behaviour and contributed to the decline of the quality of the local environment.

Members noted that Schedule 4 of the Environmental Protection Act 1990 allowed a Local Authority to seize, store and dispose of abandoned shopping and luggage trolleys found in its area. The Clean Neighbourhoods & Environment Act 2005 improved the ability of local authorities to reclaim costs involved on demand.

Schedule 4 applied, subject to certain exceptions, to any shopping or luggage trolley that was found by an authorised officer on 'any land in the open air', including land covered by water, if it appeared to him/her to be abandoned.

Where the land (the site of trolley abandonment) was occupied the consent of the occupier had to be obtained before removal of the trolley commenced or, as an alternative, the Local Authority could serve notice that it intended to remove the trolley. If no notice of objection was received in response, the Council could remove the trolley after 14 days.

The Local Authority had to, before destruction, sale or disposal, store the trolley for a period of six weeks.

A notice had to be served on anyone who appeared to be the owner of the trolley as soon as reasonably practicable and at least within 14 days, giving notice that the Authority had removed the trolley and providing details of where it was being kept and that the Authority could dispose of the trolley if not claimed. If the trolley was not claimed the Local Authority was not permitted to dispose of it unless reasonable enquiries had been made to ascertain who owned it.

If the owner failed to claim and or claimed the trolley but had not paid the charges as demanded by the Council, the Authority was entitled to sell or dispose of it.

In such case the Authority could charge a person who appeared to the Authority to be the owner, an amount to cover the removal, storage and disposal of the trolley. A standard charge would be set based on the average cost of dealing with trolleys in the Borough. This would be recoverable as a debt by the Authority if not paid.

Members noted that experience from a trial carried out earlier this year, under which trolleys were collected and returned to retailers, free of charge, mainly in Thornaby and Hardwick, suggested that the main impact of introducing a formal scheme, with the potential of cost sanctions, would be to encourage retailers to improve the effectiveness of their own systems for management and recovery of trolleys, and that the adoption of a formal scheme would therefore have a beneficial impact on the Borough. The value of trolleys varied according to quality, usually with the size of the retailer concerned, but the value of the robust versions used by major multiple retailers was of the order of £200.

The proposed scheme was provided to Members as an appendix to the report

RESOLVED That the scheme set out at Appendix A be approved, to take effect from 5 January 2007.

## **565 Waste Management Update**

Cabinet was reminded that, at its meeting held on 11th August 2005, it had approved 16 recommendations coming from a review of wastes management undertaken by the Environment and Regeneration Select Committee.

Cabinet considered a report that provided further information arising from those recommendations in terms of a progress report on their implementation, implications of the policy changes, consultation regime being adopted and also budget implications.

With regard to one of the recommendations relating to estimating the impact of a wheeled bin only collection policy, it was explained that Officers had completed a full analysis of the amount of side waste across the Borough.. The results indicate that on an average day around 30% of properties had side waste – this figure remained consistent even where those properties were utilising the kerbside recycling collection scheme and the green waste service. This was because a significant proportion of side waste was made up of plastic and cardboard. This was back up by analysis and consultations with Redcar & Cleveland Council. Until those items were collected via an extended kerbside

recycling collection service, a wheeled bin only collection policy should not be introduced as it would be likely to generate significant problems in relation to service complaints and enforcement. To enable to plan for this possibility a trial of the kerbside collection of cardboard and plastic was recommended to gauge response and aid planning, should such a service be rolled out Borough wide.

Members were provided with National and Regional recycling performance figures and information that would help put those figures into context.

RESOLVED that

1. the report and the progress on the implementation of the Recommendations approved by Cabinet on 11th August 2005 be noted
2. the commencement of a recycling trial of collection of Cardboard and Plastic from approximately 12,000 properties within the borough over a 9 month period be endorsed. A subsequent analysis and report to be taken back to Environment and Regeneration Select Committee following the trial period looking at the operational methodology, the financial implications and the environmental effects of Stockton's kerbside recycling activities.
3. the National and Regional context of waste management in terms of recycling performance be noted.

## **566 Tees Valley Business Case**

Cabinet considered a report that sought its endorsement of the Tees Valley City Region Development Programme and Business Case.

An executive summary of the document was provided to Members which provided details of the business case and set out the arguments and key proposals

Members noted that the Business Case produced last year had a number of objectives:

- to set out an economic analysis of the Tees Valley and;
- from the analysis identify how the City Region could improve its economic performance;
- identify any governance arrangements necessary to deliver this improved economic performance;
- identify how Government could help the area improve its economic performance.

It was explained that at the same time the Northern Way had asked Local Authorities to produce a second iteration of the City Region Development Programme (CRDP). The Business Plan would serve this purpose.

Members noted that Tees Valley Chief Development Officers were preparing an evidence base to accompany the submission. This would comprise:-

- an economic analysis of the Tees Valley City Region;
- an Investment plan for the Tees Valley;

- the case for Housing Market Renewal currently being prepared by Tees Valley Living;
- a series of business cases/funding bids from the Department for Transport for infrastructure improvements, primarily the local bus and rail networks.

It was explained that a series of consultation meetings had taken place and it was indicated that a Members Seminar would be arranged.

Cabinet were informed that discussions had taken place with ONE, Government Office and the North East Regional Assembly. All had indicated informally their support for the document.

In addition positive responses to the document had been received from the Department of Communities and Local Government, Department of Trade and Industry and the Department for Transport

RESOLVED that

- 1.The Tees Valley City Region Development Programme and Business Case be endorsed
- 2.That an all Member Seminar be arranged.

**567 Regional Spatial Strategy for the North East - Examination in Public Panel Report July 2006.**

Cabinet considered a report that informed Members of the publication of the Panel Report into Submission Draft Regional Spatial Strategy (RSS).

The report also detailed the following:-

- how the objections made by the Council had been taken into account
- the Panel's recommendations for changes to RSS on those issues of relevance to Stockton Borough
- the next steps in the production of RSS.

Cabinet noted that a similar report had recently been considered by the Planning Committee.

RESOLVED that

- 1.the publication of the Panel Report and its recommendations be noted.
2. the further stages in the preparation of the final version of the Regional Spatial Strategy be noted

**568 Heads of Service Review**

Cabinet considered an interim report which detailed changes in service delivery responsibility at Head of Service level following the departure of the Head of Property Development, Head of Lifelong Learning and Head of Service Integration. It also highlighted issues which would impact on services over the

next 6 months.

Members were reminded that it had been ten years since Local Government Re-organisation and in that time the Council had continued to respond to the ever-changing expectations of local government services and the demands placed on managing the delivery of those services through organisational change in management structures.

It was noted that the large departmental based management team of the Council had evolved to a small corporate management team dedicated to the overarching business critical issues facing the Council. Heads of service were either predominantly responsible for :-

- a) the delivery of significant operational services with a strategic aspect to a greater or lesser extent depending on the job role or the job OR
- b) strategic and or performance development of services with a small operational service role

Planning for the Future 2 created the three main service groupings of Children, Education and Social Care (CESC), Development and Neighbourhood Services (DNS) and Resources. Service areas had moved between the service groupings on occasions to ensure the most effective and efficient service delivery, for example Parks and Countryside moved from CESC (Leisure) to DNS (Direct Services).

Members were informed that the departure of a number of Heads of Service in recent months had provided the opportunity to review existing service delivery. In the case of some Heads of Service a direct replacement had been sought, for example Head of HR, however with regard to the Head of Property Development in DNS and the Head of Lifelong Learning and Head of Services Integration in CESC it was considered that restructuring service delivery would provide an opportunity to re-align services to respond to the changing agenda the Council is now facing.

Members were provided with details of interim arrangements relating to Heads of Service roles and responsibilities across a number of services.

It was explained that although considerable work had already been undertaken by the Corporate Directors to improve and stream line service delivery to maximise the efficient and effective delivery of services there were a number of issues highlighted that would have an impact over the next 6 – 12 months. These included: -

- Access to Services review which would be presented to Cabinet in January 2007
- Stockton/Darlington Partnership for which cabinet would receive a report in January/February 2007
- Planned retirement of the lead operational manager for Adults in CESC in 2007
- Potential further work to align operational asset management of buildings across CESC, DNS and our partners
- Further work to identify a potential lead role or a more co-ordinated

approach to strategic sports development across CESC/ DNS and Tees Active Limited particularly bearing in mind potential opportunities for the Tees Valley as a result of the 2012 Olympic Games

- Development of Integrated Service Areas in CESC

As there were a number of key issues to be considered by Cabinet in the next 6 months it was considered that the additional roles undertaken as a result of the departure of and non-replacement of the three Heads of Service across CESC and DNS should be assessed next year. Equally recent recruitment campaigns for Heads of Service had highlighted the difficulty in attracting high calibre candidates for roles at this level not only in this Council but others across the region. It was suggested that it may be necessary to consider the grading structure and remuneration package (ie pay and non pay benefits) of jobs at this level in line with Council's of similar size and services delivered to identify issues for the future for recruitment and retention of key employees. Recruitment and retention, including market forces had already been identified for consideration as part of the Single Status Agreement following the introduction of a new pay and grading structure. It was possible that a similar exercise would need to be undertaken for Heads of Service.

It was suggested that the grading implications be deferred until the issues identified above had been considered and resolved, as this could involve further changes which would affect Heads of Service. An assessment of changes across all services could then be made.

RESOLVED that

- 1.The intention to implement the interim situation following discussion with the Unison Branch Secretary be noted.
- 2.That a further report be presented to Cabinet following conclusion of the issues highlighted in the report.

## **569 INFORMATION ITEMS**

Members considered the following items that had been presented for information:-

- a) Access to Tristar Services - Review
- b)Investors in People
- c) Tristar Improvement Plan Progress
- d) Stockton Markets Redevelopment

Members highlighted the Investors in People report that referred to.....