

Cabinet

A meeting of Cabinet was held on Thursday, 9th October, 2008.

Present: Cllr Ken Lupton (Chairman), Cllr Mrs Jennie Beaumont, Cllr David Coleman, Cllr Robert Cook, Cllr Alex Cunningham, Cllr Terry Laing, Cllr Mrs Ann McCoy and Cllr Steve Nelson.

Officers: N Schneider (CE); J Danks (RES); M Batty, J McCann, J Nixon, C Straughan, S Thomas, R Todd (DNS); J Humphreys, R Kench (CESC); D E Bond, P K Bell (LD).

Also in attendance: Cllr Eddy, Cllr Mrs Rigg and Cllr Walmsley.

Apologies: Cllr Mrs Womphrey.

CAB 82/08 **Declarations of Interest**

Councillor Nelson declared a personal non prejudicial interest in respect of agenda item 4 - Regional Spatial Strategy as he served on Tristar Homes Limited Management Board.

Councillor Cunningham declared a personal non prejudicial interest in respect of agenda item 4 - Regional Spatial Strategy as he was a member of the Regional Development Agency.

Councillor Nelson declared a personal non prejudicial interest in respect of agenda item 6 - Tees valley Growth Point Status as he served on Tristar Homes Limited Management Board.

Councillor Cunningham declared a personal non prejudicial interest in respect of agenda item 6 - Tees Valley Growth Point Status as he was a member of the Regional Development Agency.

Councillor Mrs Beaumont declared a personal non prejudicial interest in respect of agenda item 12 - Local Development Framework: Planning the Future of Rural Villages in the Stockton on Tees Borough as she was a member of Kirklevington and Castle Levington Parish Council.

Councillor Mrs McCoy declared a personal, prejudicial interest in respect of agenda item 13 - Civic Chains as she was a member of Billingham Town Council and she left the meeting room during consideration of the matter.

Councillor Eddy declared a personal, prejudicial interest in respect of agenda item 13 - Civic Chains as he was a member of Thornaby Town Council and he left the meeting room during consideration of the matter.

Councillor Walmsley declared a personal, prejudicial interest in respect of agenda item 13 - Civic Chains as he was a member of Thornaby Town Council and he left the meeting room during consideration of the matter.

CAB 83/08 **Local Authority Representatives on School Governing Bodies**

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

Roseberry Primary School – Ms J Armstrong

Yarm Primary School – Mr M Hornby

The "call in" period ending at Midnight on Friday, 17th October 2008 applies.

CAB **Regional Spatial Strategy (RSS) - Final Report**

84/08

Consideration was given to a report on the North East Regional Spatial Strategy. On the 15th July 2008, the Department of Communities and Local Government (CLG) published the final version of the North East Regional Spatial Strategy (RSS). The report provided a summary of the policies contained within the RSS and gave a broad overview of how the policies impacted on Stockton-on-Tees.

The enactment of the Planning and Compulsory Purchase act (2004) created a statutory requirement for the Regional Planning Body (North East Assembly) to develop a Regional Spatial Strategy (RSS).

Following a number of consultation drafts, The North East of England Plan - Regional Spatial Strategy (RSS) had been adopted. The RSS was the planning framework for North East England, which set out the long-term strategy as to where, when and how development would be encouraged in the region over the next 15-20 years providing a vision up to 2021. All subsequent Local Development Framework (LDF) Documents, produced by the Council, must be in general accordance with the RSS and when considering major planning applications, the Council would take account of the RSS policies.

The Strategy covered Northumberland, County Durham, Tyne and Wear and the Tees Valley and addressed matters such as the scale and distribution of provision for new housing, priorities for the environment such as countryside and biodiversity protection, transport, infrastructure, economic development, agriculture, mineral extraction and waste treatment and disposal. The policies in the Strategy set out how the Council would improve built and natural environments and create sustainable rural and urban communities, how the Council would meet housing needs, where transport improvements had to be made and where developments should take place to create jobs.

RESOLVED that the report be noted.

The "call in" period ending at Midnight on Friday, 17th October 2008 applies.

CAB **Communities Fund**

85/08

Consideration was given to a report that outlined the delivery plan and the mechanism for the allocation of the balance of Stockton's Communities Fund beyond the transitional year of NRF interventions as previously agreed by Cabinet on 24th April 2008.

The Working Neighbourhoods Fund (WNF) was created by Government to simplify and refocus local level funding to tackle worklessness and low levels of skills and enterprise within some of the most disadvantaged communities. This new fund, part of the non ringfenced Area Based Grant (ABG) replaced Communities and Local Government's Neighbourhood Renewal Fund and concentrated the focus of neighbourhood renewal on these core areas of regeneration.

Government intended that the fund would provide the basis for a new approach, recognising the need to tackle worklessness on a local community wide basis to provide maximum flexibility to local authorities to design local worklessness programmes to meet local needs.

Stockton had been allocated £13,511,065 over a three-year period. As a result of the late announcement of the WNF, Cabinet had agreed a transitional year for the remaining 40 NRF projects, which amounted to an expected expenditure of £2,785,027 during 2008/09. A further allocation for the Area Partnerships of £516,705 over the three years had also been agreed. Consequently, there was £10,209,333 available for activities to tackle worklessness and increase the levels of skills and enterprise in the Borough.

In Stockton, Cabinet had agreed to refer to the Working Neighbourhoods Fund as the Communities Fund. This was in recognition of the emphasis placed on budget setting and commissioning in the recently published 'Unlocking the talent of our communities' and the consultation paper on the Statutory Guidance on Strong and Prosperous Communities about working with and within local communities. This guidance, in addition to the DWP's Green Papers, A new deal for welfare: Empowering people to work, and No one Written off, focused on tackling poverty and social exclusion. This devolved responsibility to local authorities offered the unique opportunity to use WNF to have more control over the delivery of accountable services that best suited the needs of the locality. It offered the opportunity to give the community the tools to get involved and leads to neighbourhood empowerment.

The value of provision reflected the training and support that was needed for a person to achieve sustainable employment, as this would vary depending on the complex and individual needs of that person.

In line with Government guidance for the Working Neighbourhoods Fund to tackle worklessness and the low levels of skills and enterprise consideration had been given to allocate the Communities Fund to three distinct elements in recognition of the work that would be required to improve the status quo.

RESOLVED that:-

1. The balance of £10.2 million already allocated to the Communities Fund be apportioned as follows:

- £7.2M of the fund will 'follow the person' and be allocated to employability activity and increasing skill levels in the Borough.

- £2M be targeted towards increasing levels of enterprise in the Borough in line with the themes identified through the previous Local Enterprise Growth Initiative (LEGI) bid.
 - £1M be allocated to a Communities Contingency Fund for ongoing evaluation of the programme and a further Skills Audit to better inform the needs of the community.
2. The delivery plan including the “worklessness, employability and skills”, “enterprise” and “contingency” elements be procured through the Public Contracts Regulations 2006 and Stockton Council’s own contract procedure rules be agreed.
 3. The delivery of the employability programmes concentrate on five adjacent geographical areas, generally aligned to the Area Partnership boundaries and that up to five lead providers be commissioned to deliver those programmes/services be agreed.
 4. Payments be defrayed on the basis that there be a fixed allocation for the delivery of the programme paid monthly to help assist with cash flow, a variable staged progression payment, which included measurable milestones and a performance/reward payment be agreed. The actual proportion of each payment stage be agreed as part of the procurement process.
 5. The priorities and criteria set out in paragraphs 5 to 6.4 of the report be endorsed.

The "call in" period ending at Midnight on Friday, 17th October 2008 applies.

**CAB
86/08**

Tees Valley Growth Point Status

Consideration was given to a report on the Tees Valley Growth Point status. At the 24th April 2008 Cabinet (min CAB 14/08 refers) Members endorsed a bid by the Tees Valley Local Authorities for round 2 Growth Point status to the Department of Communities and Local Government (CLG). On 24th July 2008 CLG announced that the Tees Valley had been successful. The report provided an update to Members and sought approval for the ‘Programme of Delivery’.

Growth Point status required the Tees Valley to increase its housing growth by 20% above the approved Regional Spatial Strategy target up to the period 2016/17. It was described as an accelerated development programme, which identified key infrastructure investment necessary to speed up the development of the city region. Growth Point status brought with it 2 separate sources of funding, the Community Infrastructure Fund and the Growth Fund.

RESOLVED that:-

1. The content of the report be noted.
2. Approval of the draft ‘Programme of Delivery’ be delegated to the Interim Chief Executive in consultation with the Cabinet Members for Regeneration & Development and Housing & Community Safety.

The "call in" period ending at Midnight on Friday, 17th October 2008 applies.

**CAB
87/08**

Development of Outdoor Play in Stockton Borough

Consideration was given to a report on the development of outdoor play in the Stockton Borough. In April 2008 Stockton Council secured £1.1 million capital funding through the Department for Children, Schools and Families' (DCSF) 'Playbuilder' programme.

The report set out initial proposals for the development of play areas and play spaces utilising the Playbuilder funding, focusing on the delivery of six play areas and play spaces schemes during 2008/09 at:

- Carlton Avenue, Billingham
- Romano Park, Ingleby Barwick
- Village Park, Thornaby
- Cowpen Bewley Woodland Park
- Willey Flatts, Yarm
- Thorpe Thewles

It also outlined the process for developing further projects during 2009/10 and 2010/11 and sought approval for Officers to develop a second submission for funding from DCSF in the second wave of the programme.

RESOLVED that:-

1. The proposed Playbuilder allocations for 2008/09 as outlined in the report at paragraph 34 be approved.
2. The process for identifying priorities for the Borough's Playbuilder programme for 2009/10 and 2010/11 at paragraphs 16-19 be approved and noted.
3. Officers be authorised to develop a Play Pathfinder bid, for submission to the Department for Children, Schools and Families (DCSF) by 24th October 2008 and that delegation be given to the Interim Chief Executive in consultation with the Cabinet Members for Arts, Leisure and Culture and Children and Young People to make any necessary amendments to the bid prior to its submission to DCSF.

The "call in" period ending at Midnight on Friday, 17th October 2008 applies.

**CAB
88/08**

New Joint Waste Management Strategy 2008-2020

Consideration was given to a report on the new Joint Waste Management Strategy 2008-2020. The existing Joint Waste Management Strategy was developed between the four former Cleveland County Authorities and was intended for the period 1 October 2001 - 30 June 2020. However to reflect the greater joint working across the Tees Valley Area the new Joint Waste Management Strategy had also been expanded to include Darlington Borough Council.

In addition to Darlington joining the other Tees Valley Councils as part of the

Waste Management Group, much had changed in waste management terms since the current Joint Waste Management Strategy was adopted. In 2007 following extensive consultation the government published a new Waste Strategy for England. The targets of the new national strategy were reflected in the new Joint Waste Management Strategy and Implementation Plan.

RESOLVED that:-

1. The Tees Valley Joint Waste Management Strategy at Appendix 1 of the report be approved.
2. The Stockton-on-Tees Borough Council Implementation Plan at Appendix 2 of the report be approved.

The "call in" period ending at Midnight on Friday, 17th October 2008 applies.

CAB 89/08 Equality Standard for Local Government - Level 3 Peer Review Self Assessment Document

Consideration was given to a report on the Equality Standard for Local Government Level 3 Peer Review: Self Assessment. In order to assess its progress against the Equality Standard for Local Government, the Council had been encouraged to undertake an IDeA Peer Review to verify its claim to be a level 3 authority. This review had been scheduled for December this year and as part of the review, the Council was required to submit a self-assessment document outlining its position against the Equality Standard.

RESOLVED that:-

1. The self assessment document be approved.
2. Authority to make any necessary final amendments be delegated to the Assistant Chief Executive in consultation with the Portfolio Holder for Access and Communities.

The "call in" period ending at Midnight on Friday, 17th October 2008 applies.

CAB 90/08 Minutes of Various Bodies

Consideration was given to the minutes of the meeting of the Western Area Partnership Boards.

RESOLVED that the minutes of the meeting of the Western Area Partnership Board be received/approved, as appropriate.

The "call in" period ending at Midnight on Friday, 17th October 2008 applies.

CAB 91/08 Revised Constitution

Consideration was given to a report on the revised Constitution. The report asked Cabinet to agree the updated Executive Functions delegations in the

Constitution; recommend for approval to Council the revised Local Choice and Council Functions delegations and to note and/or agree the remaining revisions to the Constitution as a whole.

The Executive, Local Choice and Council Functions delegations had been updated since the Constitution was last republished (7 November 2007).

The changes had been highlighted in the current version of the Constitution and brought specifically to Members and Officers attention. They were necessary due to the need to correct existing delegations; cover functional areas which were not presently referred to; reflect new legislative provisions and to respond to changes approved by Cabinet/Council (eg revised planning and licensing delegations; delegations regarding Stockton Renaissance post Neighbourhood Renewal).

Members were asked to agree the updated Executive Functions delegations and to recommend for Council approval the revised Local Choice and Council Functions.

Amendments had also been made to other parts of the Constitution to reflect changes agreed by Council, as follows:-

- * new Cabinet Member portfolios and changed composition of Cabinet
- * changes to the select committee structure
- * new local assessment (misconduct allegations) arrangements
- * members allowances
- * adding in the agreed Communication, Consultation and Engagement Strategic Framework

RECOMMENDED to Council that:-

- 1. The updated Executive Functions delegations referred to be agreed and endorsed by Council.**
- 2. The revised Local Choice and Council Functions delegations be agreed by Council.**
- 3. The remaining revisions to the Constitution as a whole be noted or agreed as appropriate by Council.**

CAB 92/08 Local Development Framework: Planning the Future of Rural Villages in Stockton on Tees Borough

Consideration was given to a report on Local Development Framework – Planning the Future of Rural Villages in Stockton on Tees Borough. The report informed Members of the completion of the ‘Planning the Future of Rural Villages’. The study would form part of the evidence base for the Local Development Framework (LDF).

A study of the rural villages within Stockton-on-Tees Borough had been undertaken, to underpin and support policy development within the Local Development Framework (LDF) and to give clarity in the implementation of Core

Strategy Policy 1 (CS1) point 5; 'In catering for rural housing needs, priority will be given to the provision of affordable housing in sustainable locations, to meet identified need. This will be provided through a rural exception site policy'.

In order to establish the levels of facilities available within the Borough's rural villages, an audit was carried out followed by extensive consultation in all villages included in the study and included an LDF training event for Ward Members and Parish Councillors and Clerks.

Planning Policy Statement 1: Delivering Sustainable Development (2005) stated that "planning authorities should seek to provide improved access for all to jobs, health, education, shops, leisure and facilities on foot, bicycle or public transport rather than having to rely on access by car, whilst recognising that this may be more difficult in rural areas".

A traffic light scoring system was used to rank each village in terms of their sustainability under the following categories:

- Employment
- Health
- Education
- Shops
- Leisure
- Ancillary facilities
- Access

From the results of the traffic light scoring system a village hierarchy was established. The purpose of the assessment was to spark debate about the villages and obtain information regarding services and facilities available to villages which had not been yet been recorded. Through the response questionnaire residents were also asked a number of questions regarding future policy considerations, such as the limits of development.

The findings of the village's facilities audit and the sustainability study had been compiled into one report in order to give a clear representation of the villages within the borough. An Executive Summary of the report and a copy the full report was attached to the report.

The facilities audit for each village had been updated to reflect the current position and the traffic light scoring system used within the consultation session had been replaced by a points based scoring system. This had provided a clear hierarchy of sustainability amongst the villages.

RECOMMENDED to Council that:-

1. The following recommendations of the study be endorsed:-

- I. Development limits to be maintained around all villages.**
- II. Infill development will be appropriate within Tiers 1 and 2. However, it will not be supported in Tiers 3 and 4 where residents have a greater reliance on the private car to access facilities. Infill development should respect the rural character and density of development in the villages.**
- III. Emerging policy should promote the development of shopping facilities**

and additional amenities as infill development to meet the needs of the villages.

IV. Where a need for affordable housing has been identified through the rural exceptions policy it will be essential that these are located in areas where facilities are present or can be accessed by sustainable means, this will allow occupants of affordable housing to be able to access the services and facilities they require to live and not become marginalised.

V. Development limits to be placed around Wynyard in order to define the boundary of the village and create a policy stance in accordance with Hartlepool Borough Council (which has a limits of development in place around the section of Wynyard which lies within the Borough). As Wynyard lies within tier 4 further housing infill development would not be supported until services and facilities were in place to rate the village within tiers 1 or 2 and thus reducing reliance on the private car.

VI. An update of the facilities and services audit will be undertaken every two years in conjunction with Parish Councils in order to reassess the hierarchy of villages and direct development away from the least sustainable locations.

2. The study as part of the evidence base for the Local Development Framework be accepted.

**CAB
93/08**

Civic Chains

The Council had received a letter from the Chairman of Thornaby Town Council, formally requesting that the former Thornaby Borough Chains be given to Thornaby Town Council.

Following receipt of the request the matter was considered by the Members' Advisory Panel (MAP). The Panel was asked to consider the request and the related wider implications for the Civic Chains currently held by Stockton-on-Tees Borough Council

Further to the meetings of MAP held on 28th August and 24th September 2008, where there was a preference expressed to transfer the former Thornaby Borough chains to Thornaby Town Council, the report detailed the necessary arrangements to fulfil this transfer.

RECOMMENDED to Council that:-

- 1. The former Thornaby Borough chains be transferred to Thornaby Town Council;**
- 2. The Director of Law & Democracy be given delegated authority, in consultation with the Chairman, to take all action deemed necessary to secure the transfer of the Chains including appropriate insurance and security arrangements;**
- 3. An offer to transfer the chains that originally belonged to Billingham Urban District Council be made to Billingham Town Council; and that**
- 4. The preferred replacement chains for the Deputy Mayor and Mayoress be the Stockton Rural District Chains subject to a condition report**

confirming that the Chains are suitable for the purpose.