

Council

A meeting of Council was held on Wednesday, 15th October, 2008.

Present: The Worshipful the Mayor (Cllr John Fletcher), Cllr Mrs Lynne Apedaile, Cllr Paul Baker, Cllr Jim Beall, Cllr Mrs Jennie Beaumont, Cllr Phillip Broughton, Cllr Mrs Ann Cains, Cllr Dick Cains, Cllr Julia Cherrett, Cllr Aidan Cockerill, Cllr David Coleman, Cllr Robert Cook, Cllr Mrs Eileen Craggs, Cllr Alex Cunningham, Cllr Ken Dixon, Cllr Jackie Earl, Cllr Mick Eddy, Cllr Kevin Faulks, Cllr Mrs Suzanne Fletcher, Cllr Robert Gibson, Cllr David Harrington, Cllr Miss Barbara Inman, Cllr Mohammed Javed, Cllr Paul Kirton, Cllr Terry Laing, Cllr Miss Tina Large, Cllr Andrew Larkin, Cllr Colin Leckonby, Cllr Alan Lewis, Cllr Ken Lupton, Cllr Mrs Ann McCoy, Cllr Lee Narroway, Cllr Mrs Kath Nelson, Cllr Steve Nelson, Cllr Mrs Liz Nesbitt, Cllr Mrs Jean O'Donnell, Cllr Ross Patterson, Cllr Maurice Perry, Cllr Mrs Maureen Rigg, Cllr Roy Rix, Cllr Fred Salt, Cllr Andrew Sherris, Cllr Michael Smith, Cllr Mick Stoker, Cllr Mrs Allison Trainer, Cllr Steve Walmsley, Cllr Mrs Sylvia Walmsley, Cllr Bill Woodhead and Cllr Barry Woodhouse.

Officers: N Schneider, H Dean, E Chesworth (CE); D E Bond, P K Bell (LD); M Robinson (DNS); J Danks (R); J Humphreys (CESC).

Also in attendance: F Hayes (Chairman of the Standards Committee), 4 Members of the Public.

Apologies: Cllr Aggio, Cllr Dalgarno, Cllr Frankland, Cllr Gardner, Cllr Noble, Cllr Womphrey and Cllr Mrs Womphrey.

C Stand up Against Poverty

181/08

The Worshipful the Mayor reported that Stand up Against Poverty on 17th October - 19th October 2008 involved people standing up while a declaration against poverty in the World was read.

The Worshipful the Mayor hoped that Stockton on Tees Borough Council employees could join in at their workplaces.

C Local Democracy Week

182/08

The Worshipful the Mayor informed Members that Local Democracy Week was being held on 13th October - 17th October 2008.

C Councillor Aggio and Councillor Frankland

183/08

Members agreed that best wishes letters be sent by the Worshipful the Mayor to Councillor Aggio and Councillor Frankland on behalf of the Council.

C Minutes

184/08

The minutes of the meeting held on 3rd September 2008 were signed by the Worshipful the Mayor as a correct record.

C Care For Your Area - Northumbria in Bloom Awards and Communities in Bloom Competition

185/08

The Worshipful the Mayor presented Team Leaders Dave Mace and Alex Greenhow from the Care For Your Area team with a trophy for the Northumbria in Bloom award for 2008 and a certificate for the International Communities in Bloom awards. This was the 5th time in a row that Stockton on Tees Borough Council had won the trophy for Northumbria in Bloom. The Care For Your Area

team were also winners of the 2008 APSE (Association of Public Service Excellence) "Streetscene and Public Ream" award and held 5 Green Flag awards in recognition of the parks and cemeteries. In acknowledgment of the achievements the Care For Your Area Team had been invited to partake in the International Communities in Bloom awards, picking up the highest possible rating in recognition of the Borough's parks, open spaces, cleanliness and community involvement in all things green.

C
186/08

Declarations of Interest

Councillor Nelson declared a personal non prejudicial interest in respect of agenda item 8 - Audit Committee minutes, minute A 27/08, as he was a Member of Tristar Homes Management Board.

Councillor Gibson declared a personal non prejudicial interest in respect of agenda item 8 - Audit Committee minutes, minute A 27/08, as he was a Member of Tristar Homes Management Board.

Councillor Woodhead declared a personal non prejudicial interest in respect of agenda item 8 - Audit Committee minutes, minute A 27/08, as he was a Member of Tristar Homes Management Board.

Councillor Cherrett declared a personal non prejudicial interest in respect of agenda item 8 - Audit Committee minutes, minute A 27/08, as she was a Member of Tristar Homes Management Board.

Councillor Mrs Trainer declared a personal non prejudicial interest in respect of agenda item 8 - Audit Committee minutes, minute A 27/08, as she was a Member of Tristar Homes Management Board.

Councillor Miss Large declared a personal non prejudicial interest in respect of agenda item 8 - Audit Committee minutes, minute A 27/08, as she was a Member of Tristar Homes Management Board.

Councillor Mrs McCoy declared a personal, prejudicial interest in respect of agenda item 11 - Cabinet minutes, minute CAB 93/08, as she was a Member of Billingham Town Council and she left the meeting room during consideration of the matter.

Councillor Smith declared a personal, prejudicial interest in respect of agenda item 11 - Cabinet minutes, minute CAB 93/08, as he was a Member of Billingham Town Council and he left the meeting room during consideration of the matter.

Councillor Mrs O'Donnell declared a personal, prejudicial interest in respect of agenda item 11 - Cabinet minutes, minute CAB 93/08, as she was a Member of Billingham Town Council and she left the meeting room during consideration of the matter.

Councillor Stoker declared a personal, prejudicial interest in respect of agenda item 11 - Cabinet minutes, minute CAB 93/08, as he was a Member of Billingham Town Council and he left the meeting room during consideration of

the matter.

Councillor Large declared a personal, prejudicial interest in respect of agenda item 11 - Cabinet minutes, minute CAB 93/08, as she was a Member of Thornaby Town Council and she left the meeting room during consideration of the matter.

Councillor Mrs Trainer declared a personal, prejudicial interest in respect of agenda item 11 - Cabinet minutes, minute CAB 93/08, as she was a Member of Thornaby Town Council and she left the meeting room during consideration of the matter.

Councillor Mrs Craggs declared a personal, prejudicial interest in respect of agenda item 11 - Cabinet minutes, minute CAB 93/08, as she was a Member of Thornaby 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 11 - Cabinet minutes, minute CAB 93/08, 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 11 - Cabinet minutes, minute CAB 93/08, as he was a Member of Thornaby Town Council and he left the meeting room during consideration of the matter.

Councillor Mrs Walmsley declared a personal, prejudicial interest in respect of agenda item 11 - Cabinet minutes, minute CAB 93/08, as she was a Member of Thornaby Town Council and she left the meeting room during consideration of the matter.

Councillor Dixon declared a personal non prejudicial interest in respect of agenda items 30 and 31 - Cleveland Fire Authority minutes, as he was a Member of Cleveland Fire Authority.

Councillor Stoker declared a personal non prejudicial interest in respect of agenda items 30 and 31 - Cleveland Fire Authority minutes, as he was a Member of Cleveland Fire Authority.

Councillor Beall declared a personal non prejudicial interest in respect of agenda items 30 and 31 - Cleveland Fire Authority minutes, as he was a Member of Cleveland Fire Authority.

Councillor Cherrett declared a personal non prejudicial interest in respect of agenda items 30 and 31 - Cleveland Fire Authority minutes, as she was a Member of Cleveland Fire Authority.

Councillor Mrs O'Donnell declared a personal non prejudicial interest in respect of agenda items 30 and 31 - Cleveland Fire Authority minutes, as she was a Member of Cleveland Fire Authority.

Councillor Salt declared a personal non prejudicial interest in respect of agenda

items 30 and 31 - Cleveland Fire Authority minutes, as he was a Member of Cleveland Fire Authority.

Councillor Woodhead declared a personal non prejudicial interest in respect of agenda items 30 and 31 - Cleveland Fire Authority minutes, as he was a Member of Cleveland Fire Authority.

Councillor Dixon declared a personal non prejudicial interest in respect of agenda item 32 - Cleveland Police Authority Executive minutes, as his son was a member of Cleveland Police.

Councillor Kirton declared a personal non prejudicial interest in respect of agenda items 32 - Cleveland Police Authority minutes, as he was a Member of Cleveland Police Authority.

Councillor Larkin declared a personal non prejudicial interest in respect of agenda items 32 - Cleveland Police Authority Executive minutes, as he was employed by Cleveland Police.

Councillor Mrs Fletcher declared a personal non prejudicial interest in respect of agenda item 14 - Corporate, Adult and Social Inclusion Select Committee minutes, as she was a Member of Friends of Billingham International Folklore Festival.

Councillor Fletcher declared a personal non prejudicial interest in respect of agenda item 14 - Corporate, Adult and Social Inclusion Select Committee minutes, as he was President of Billingham International Folklore Festival and a member of Friends of Billingham International Folklore Festival.

Councillor Mrs McCoy declared a personal, prejudicial interest in respect of agenda item 35 - Members Advisory Panel minutes, minute MAP 17/08, as she was a Member of Billingham Town Council.

Councillor Smith declared a personal, prejudicial interest in respect of agenda item 35 - Members Advisory Panel minutes, minute MAP 17/08, as he was a Member of Billingham Town Council.

Councillor Mrs O'Donnell declared a personal, prejudicial interest in respect of agenda item 35 - Members Advisory Panel minutes, minute MAP 17/08, as she was a Member of Billingham Town Council.

Councillor Stoker declared a personal, prejudicial interest in respect of agenda item 35 - Members Advisory Panel minutes, minute MAP 17/08, as he was a Member of Billingham Town Council.

Councillor Large declared a personal, prejudicial interest in respect of agenda item 35 - Members Advisory Panel minutes, minute MAP 17/08, as she was a Member of Thornaby Town Council.

Councillor Mrs Trainer declared a personal, prejudicial interest in respect of agenda item 35 - Members Advisory Panel minutes, minute MAP 17/08, as she was a Member of Thornaby Town Council.

Councillor Mrs Craggs declared a personal, prejudicial interest in respect of agenda item 35 - Members Advisory Panel minutes, minute MAP 17/08, as she was a Member of Thornaby Town Council.

Councillor Eddy declared a personal, prejudicial interest in respect of agenda item 35 - Members Advisory Panel minutes, minute MAP 17/08, as he was a Member of Thornaby Town Council.

Councillor Walmsley declared a personal, prejudicial interest in respect of agenda item 35 - Members Advisory Panel minutes, minute MAP 17/08, as he was a Member of Thornaby Town Council.

Councillor Mrs Walmsley declared a personal, prejudicial interest in respect of agenda item 35 - Members Advisory Panel minutes, minute MAP 17/08, as she was a Member of Thornaby Town Council.

Councillor Gibson declared a personal non prejudicial interest in respect of agenda item 17 - Executive Scrutiny Committee minute EXC 36/08 as he was a Director of SMASH.

C Public Question Time

187/08

The Director of Law and Democracy informed the Worshipful the Mayor that no Public Questions had been received.

C Members' Question Time

188/08

The following question was submitted by Councillor Harrington for response by the Cabinet Member for Children and Young People:-

"Does the Cabinet Member still believe that Academy Schools proposed under the BSF Programme are appropriate?"

The Cabinet Member for Children and Young People responded with:-

"Yes Academies are a key element of the national BSF programme. Local Authorities are required to consider establishing academies to replace any schools that meet the criteria set out in the governments Academies Prospectus. They also add to the diversity within our overall school family."

Councillor Harrington asked the following supplementary question:-

"Given the recent example of a private sector company seeking to end its sponsorship of an academy, could Councillor Cunningham explain what safeguards will be in place to protect Stockton against a public sector sponsor withdrawing its sponsorship?"

The Cabinet Member for Children and Young People responded with:-

"This is not relevant to Stockton Borough but I will comment. Business services company Amey has sponsored Unit Academy since 2002. According to news reports from the BBC, the company has said that its expertise in managing

change and organisational efficiency was of most value in the early years after the school was set up. Amey paid its full £2m contribution up front, and there will be no financial consequences for the academy. This has no relevance to the possible academies in Stockton and Thornaby. We have an expert group of officers who will ensure the best interests of our schools and children are protected."

The following question was submitted by Councillor Dixon for response by the Cabinet Member for Children and Young People:-

"Can the Cabinet Member for Children and Young People elaborate on his statement on where he stated that a new entrance to the proposed school site at Egglecliffe would be sought from Uray Nook Road? The information I have is that they are looking to put the entrance off Emsworth Drive directly under the pylon structure and under high voltage power lines as this is the only other option.

This would mean that everybody would have to pass under these hazards. If this is the case I find it totally unbelievable that pupils/teachers health is being put at risk when you stated that children's health was of utmost importance."

The Cabinet Member for Children and Young People responded with:-

"Nothing has been finalised yet but the option of constructing a new premise for Egglecliffe School at Allens West is being examined by technical advisers. Present indications are that BSF funding may be available for that part of the borough between 2014 and 2016. All the issues around the Allen's West site, and access to it, will be taken into account before any firm proposals are brought forward. Safety of our young people will always be paramount."

Councillor Dixon asked the following supplementary question:-

"I don't know if Councillor Cunningham has seen the latest copy of the Now and Then magazine which boasts a readership of 78000.

In this edition under the heading of a powerful warning it examines the disturbing findings into overhead power cables and the effect on childrens health.

Frank Cook believes that OHPC are a health hazard and the building of schools near to them should be stopped.

Dr Howard Stoate who led the cross party report I referred to at last full Council states that enough evidence has already been taken to warrant immediate implementation of sound precautionary measure to protect the health of children as there is a link between childhood leukaemia and proximity to power lines.

Professor Henshaw believes links show how over head power cables cause cancer clusters.

Professor Preece supports those who believe schools near power lines should be banned as they are in Sweden and USA.

Draper Report (2005) states 70% increase in childhood leukaemia for people living within 200 metres of power lines.

Can Councillor Cunningham tell me why in the face of academic and political statements he continues to be blinkered with his intention to continue with building a school next to power lines to the detriment of children and teachers? As it is my view that we should be reviewing this site sooner rather than later as we are taking about children's health here."

The Cabinet Member for Children and Young People responded with:-

"I am not blinkered at all. An all-party working party has examined evidence relating to the possible long term risks of living or working in close proximity to high voltage power lines. That inquiry recommended a temporary moratorium on the construction of new homes or schools within 50 metres of lines carrying the highest voltage until more evidence has been considered.

Our experts will do everything to ensure the safety of our children and indeed teachers."

The following question was submitted by Councillor Dixon for response by the Cabinet Member for Regeneration and Transport:-

"Can the Cabinet Member for Regeneration and Transport tell me why when Arriva want to change the route of the X6 around Ingleby Barwick, it is up to Stockton on Tees Borough Council to install up to 6 new bus stops at a cost of £30,000 to £40,000. Please clarify if this cost is solely borne by the Council and is no way subsidised by Arriva or any of the bus companies, which if correct I find incredible?"

The Cabinet Member for Regeneration and Transport responded with:-

"The Council's transport policy, defined in the Local Transport Plan, is that the local authorities work in partnership with bus operators to encourage bus operators to run bus services. In essence the local authority provides the on street bus infrastructure and bus operators provide and run the bus service. Many bus services in the area may well not be viable should the bus operators have to pay the capital costs for infrastructure such as bus stops, low floor platforms and CCTV for instance. Consequently, such bus stop provision is funded by the Council either through its Local Transport Plan Capital Allocation from Government or through contributions from planning applications, where appropriate.

In this instance the X6 service is a similar partnership, though it is funded through government grants, and operated by Arriva, as a part of a National "Kickstart" scheme to develop new bus services. The government funding lasts for three years and expires in 2009. Therefore, from next year Arriva will have to achieve commercial viability on the route if the service is to continue running. The route change, introduced by Arriva, is aimed at increasing passenger numbers, improving access to the service for Ingleby Barwick residents, and addressing safety issues experienced relating to buses turning right out of Thornaby Road into Low Lane. All these issues will help the service to continue after the grant funding expires. Should the X6 fail to achieve

commercial viability, then Ingleby Barwick would be left with one hourly daytime bus service. Ward members were consulted and actively involved in the investigation of the new bus stop sites, including a site visit to which ward Members were invited. Indeed there were requests for additional stops from ward members at the site meeting and these will be considered further to determine if they can be accommodated.

The Council funding for this bus shelter provision is entirely consistent with the way we work, in partnership, to support bus provision in all other wards within the Borough."

The following question was submitted by Councillor Cherrett for response by the Cabinet Member for Regeneration and Transport:-

"Can the Cabinet Member for Regeneration and Transport inform us how many hours the Public Access system for on line planning has been inaccessible to councillors and members of the public since April 1st 2008 and what penalties have been incurred by the external provider of this system due to the failures?"

The Cabinet Member for Regeneration and Transport responded with:-

"There have been a variety of issues with regards to Public Access, ranging from those caused by CAPS/IDOX to the upgrading of the servers on a managed basis by IT/Planning Services.

In June, a problem reported and subsequently rectified by CAPS led to further issues within Public Access, i.e. recent applications could not be viewed, nor could associated documents. All other functionality of Public Access was working, and this issue took 6 weeks to resolve. During this period the helpdesk calls were escalated, CAPS account managers contacted, CAPS chief executive was also made aware of the problem along with our growing dissatisfaction with the level of service we were receiving.

Two CAPS consultants spent the day on-site on 11th August (one was a senior consultant from the CAPS side, the other a senior technician from the IDOX side) at their expense and within a few hours they discovered that the problem had been caused by an IDOX technician whilst dealing with the initial problem reported in June. They had replaced a specific part of the IDOX software to rectify the problem with indexing within the IDOX system, unaware that it had adversely affected the Public Access system.

Therefore although the Public Access system was "available" to the public (and this includes any period where Stockton's internal internet service was down as this has no effect on our Public Access system), some functionality was unavailable (viewing documents for recent applications) for a total of 6 weeks, and, although this can be seen as a 'major' function of the system to the public, the general checking of applications, application statuses, submitting applications etc. were all functioning normally. The only 'real', or 'full' downtime incurred by the system (where the Public Access website was totally unavailable) was when the servers had to be restarted during the investigations into the problem, and when the swap-over to the new servers was being implemented.

To date, an outstanding invoice has not been paid until all the issues are satisfactorily resolved and remain stable to our satisfaction.

Although the Public Access website is a convenient and free tool for the general public to use as an alternative to contacting the Planning department directly, the Planning department can provide all of the information necessary for any planning application upon request, so any limited functionality of the Public Access service does not stop the core business of the service being provided."

Councillor Cherrett asked the following supplementary question:-

"Can it be made a matter of routine that when the planning website is inaccessible, a notice to such effect is placed on the Council website informing people of this and advising them to contact Gloucester House directly, and is it considered that the Planning Department is sufficiently staffed to be able to cope with over 100 people turning up at Gloucester House wanting to view details of an application?"

The Cabinet Member for Regeneration and Transport responded with:-

"Planning staff are always available to assist people at Gloucester House to help people view details of an application. The Planning Department is also open until 7.00pm every Thursday. I will make sure something is placed on the Council website informing people the website is inaccessible in the future."

The following question was submitted by Councillor Walmsley for response by the Cabinet Member for Regeneration and Transportation:-

"When a fundamental change to a Planning Application is introduced at the last minute, in the interests of openness and fairness, should not the matter then be deferred for further consultation?"

The Cabinet Member for Regeneration and Transport responded with:-

"It will be a matter of fact and degree as to whether, in the opinion of the Council's Head of Planning, or representative, and/or the Legal Adviser, a change in the nature of an application or the information being presented results in a materially different application. If it is considered that the change is not a significant material one, the officer recommendation will remain unchanged

If it is considered a material change upon which members require additional information in order to be able to determine the application with full knowledge of the planning considerations, or the proposed amendment may so significantly alter the material planning considerations that it would be unfair to those who had commented previously not to be given the opportunity to comment on the amended proposal, then the application would be recommended for deferment.

In the event it is considered that the new information is significant and materially changes the nature of the application, further consultation would take place as necessary. Any comments received would be considered and addressed in the subsequent officer's report with the material planning considerations which would address any changes.

Members of Planning Committee always have the ability to move deferment of an item if they feel they have insufficient information or cannot determine it for other reasons."

Councillor Walmsley asked the following supplementary question:-

"The reference is to a planning application for Thornaby FC and a nonsense that at a Planning Committee meeting the financial well being of a multi millionaire should be given priority over the well being of a local community. Members of the public take planning applications at face value and may not register to speak at the Planning Committee. I think that if an application is changed fundamentally it should be deferred for further consultation. Also can we assume that pre determination is something of a nonsense when decisions appear to be made in little huddles or in political groups?"

The Cabinet Member for Regeneration and Transport responded with:-

"As a Committee Member you can ask for an item to be deferred."

The following question was submitted by Councillor Walmsley for response by the Cabinet Member for Adult Services and Health:-

"Can a phone call declaring the councils intentions be seriously considered as a discussion with family members? I refer to the distraught family of 101 year old Sarah Rutter who was moved from Parkview Home on the 9th of October."

The Cabinet Member for Adult Services and Health responded with:-

"Members of the family and the solicitor were given written notice of the proposal to move Mrs Rutter to Rosedale (following a best interest decision) on 18th September 2008, when 7 days notice and our plan for safe transfer were shared. Certain family members engaged in discussion with the Local Authority regarding the proposed move, others chose not to, although they were given the opportunity to do so.

The plan was also submitted to the High Court on 3rd October and also to the Court of Appeal on 8th October.

One of Mrs Rutter's daughters who visits her mother daily for up to 8 hours a day had a detailed conversation with staff directly (i.e. not over the phone) whilst at Parkview about the Local Authority's proposals. The other two daughters were contacted by telephone on 9th October 2008.

Mrs Rutter's daughter who was the principal visitor/carer was integral in supporting the transfer – seeing her off from Parkview then travelling to be at Rosedale to welcome her mother and help her to settle.

Mrs Rutter was taken by taxi with disabled access accompanied by two care staff that have provided SR with care over a considerable period of time. There was no need for SR to be taken by ambulance, the taxi was also able to get closer to the building.

At the Hearing in the Court of Appeal on 8th October following all five grounds

for appeal being dismissed, Lord Justice Rix was absolutely clear that the family and solicitor were not to delay any transfer of SR by further tactics and that the family had been given ample opportunity by SBC to discuss any issues re: possible placements and that they should have considered options in SRs best interest should the Judicial Review and Appeal fail.

The Judge stated "SR should be moved sooner rather than later bearing in mind the clement weather that week."

The Local Authority has also been able to fully implement its plan re: SR regarding the use of Parkview care staff that will remain caring for SR at Rosedale for a minimum of one week, this would not have been possible if SR had gone to an independent placement.

Since the transfer on 9th October SR has settled well into Rosedale and has been visited by all three daughters and extended family members."

Councillor Walmsley asked the following supplementary question:-

"This is a serious matter. There have been some reported injuries in the private sector. Mrs Rutter's family travelled back from court and found Mrs Rutter sat in a chair at Rosedale without pressure pads and her room wasn't even ready. Her bed requirements also didn't seem to be known. Is this Council a contributor to the ethos of hand washing and out of sight and out of mind?"

The Cabinet Member for Adult Services and Health responded with:-

"The lady you refer to in private care in the first part of your question was not the responsibility of Stockton Council and we do not engage with that home.

With regard to the allegations and Mrs Rutter, her daughter spends 8 hours a day with her and she was there with her when she got to Rosedale. Everything was ready for Mrs Rutter when she arrived there and her daughter would have complained and staff would have been taken to task if this had not been the case. They were both happy with Rosedale and you should apologise to her daughter."

C **Arts Leisure & Culture Select Committee Minutes**
189/08

Moved by Councillor Mrs O'Donnell, seconded by Councillor Sherris and RESOLVED that the minutes of the Arts, Leisure and Culture Select Committee held on 25th June 2008 (Minute ALC 5/08 - ALC 10/08) be confirmed.

C **Audit Committee Minutes**
190/08

Moved by Councillor Woodhouse, seconded by Councillor Lupton and RESOLVED that the minutes of the Audit Committee held on 26th August 2008 (Minute A 22/08 - A 27/08) be received.

C **Audit Committee Minutes**
191/08

Moved by Councillor Woodhouse, seconded by Councillor Lupton and RESOLVED that the minutes of the Audit Committee held on 29th September 2008 (Minute A 28/08 - A 32/08) be received.

C **Cabinet Minutes**
192/08

Moved by Councillor Lupton, seconded by Councillor Laing that the minutes of the Cabinet held on 11th September 2008 (Minute CAB 70/08 - CAB 81/08) be confirmed or received as appropriate and that consideration be given to the recommendations detailed in minute CAB 81/08.

Councillor Mrs Beaumont moved and Councillor Broughton seconded the following amendment to Minute CAB 81/08:-

1. The alterations to the constitution and planning protocol which refer to officer's attendance at Appeals (where Members have refused applications against Officer recommendations) be approved.
2. The necessary changes to the Constitution be made to incorporate the new protocol as in recommendation 1.
3. The change in protocol to defer the decision notice for 3 weeks whilst Officers examine the reasons for refusal or acceptance against Planning Officers' advice are examined, be deferred for a full background report to be presented to Council at a future Council Meeting.
4. A review be undertaken by the Head of Planning and the Chair of Planning Committee in consultation with the Cabinet Member for Regeneration and Transport one year after the implementation of the protocol for appeal hearings and inquiries made contrary to Officer recommendation.

A vote took place and the amendment was carried.

Councillor Mrs Rigg moved and Councillor Cherrett seconded the following amendment to Minute CAB 81/08:-

Delete recommendation 4 and replace with:-

4. A review be undertaken one year after the implementation of the changes to the Constitution and the planning protocol. This review be undertaken by the Head of Planning and the Planning Committee in consultation with the Cabinet Member for Regeneration and Transport. The findings and any subsequent recommendations will be reported to Cabinet and acted upon within a timeframe agreed by Cabinet and Planning Committee.

A vote took place and the further amendment was carried.

RESOLVED that the minutes of the Cabinet held on 11th September 2008 (Minute CAB 70/08 - CAB 81/08) be confirmed as amended or received as appropriate.

C
193/08 **Cabinet Minutes**

Moved by Councillor Lupton, seconded by Councillor Laing and RESOLVED that the minutes of the Cabinet held on 9th October 2008 (Minute CAB 82/08 - CAB 94/08) be confirmed or received as appropriate.

C
194/08 **Children & Young People Select Committee Minutes**

Moved by Councillor Harrington, seconded by Councillor Eddy and RESOLVED that the minutes of the Children and Young People Select Committee held on 9th July 2008 (Minute CYP 17/08 - CYP 22/08) be confirmed.

C
195/08 **Children & Young People Select Committee Minutes**

Moved by Councillor Harrington, seconded by Councillor Eddy and RESOLVED that the minutes of the Children and Young People Select Committee held on 30th July 2008 (Minute CYP 23/08 - CYP 24/08) be confirmed.

C
196/08 **Corporate, Adult Services & Social Inclusion Select Committee Minutes**

Moved by Councillor Stoker, seconded by Councillor Apedaile and RESOLVED that the minutes of the Corporate, Adult and Social Inclusion Select Committee held on 15th July 2008 (Minute CAS 16/08 - CAS 21/08) be confirmed.

C
197/08 **Environment Select Committee Minutes**

Moved by Councillor Mrs Rigg, seconded by Councillor Smith and RESOLVED that the minutes of the Environment Select Committee held on 21st July 2008 (Minute ENV 13/08 - ENV 18/08) be confirmed.

C
198/08 **Executive Scrutiny Committee Minutes**

Moved by Councillor Gibson, seconded by Councillor Leckonby and RESOLVED that the minutes of the Executive Scrutiny Committee held on 5th August 2008 (Minute EXC 27/08 - EXC 33/08) be received.

C **Executive Scrutiny Committee Minutes**
199/08

Moved by Councillor Gibson, seconded by Councillor Leckonby and RESOLVED that the minutes of the Executive Scrutiny Committee held on 2nd September 2008 (Minute EXC 34/08 - EXC 38/08) be received.

C **Health Select Committee Minutes**
200/08

Moved by Councillor Mrs Cains, seconded by Councillor Faulks and RESOLVED that the minutes of the Health Select Committee held on 4th August 2008 (Minute H 42/08 - H 46/08) be confirmed.

C **Housing & Community Safety Select Committee Minutes**
201/08

Moved by Councillor Mrs Trainer, seconded by Councillor Mrs Cherrett and RESOLVED that the minutes of the Housing and Community Safety Select Committee held on 10th July 2008 (Minute HCS 15/08 - HCS 20/08) be confirmed.

C **Housing & Community Safety Select Committee Minutes**
202/08

Moved by Councillor Mrs Trainer, seconded by Councillor Mrs Cherrett and RESOLVED that the minutes of the Housing and Community Safety Select Committee held on 4th September 2008 (Minute HCS 21/08 - HCS 25/08) be confirmed.

C **Licensing Committee Minutes**
203/08

Moved by Councillor Woodhead, seconded by Councillor Mrs Nelson and RESOLVED that the minutes of the Licensing Committee held on 23rd September 2008 (Minute L 39/08 - L 48/08) be received.

C **Licensing Sub Committee Minutes**
204/08

Moved by Councillor Woodhead, seconded by Councillor Mrs Nelson and RESOLVED that the minutes of the Licensing Sub Committee held on 15th August 2008 (Minute LSC 25/08 - LSC 27/08) be received.

C **Licensing Sub Committee Minutes**
205/08

Moved by Councillor Rix, seconded by Councillor Mrs Nelson and RESOLVED that the minutes of the Licensing Sub Committee held on 10th September 2008 (Minute LSC 28/08 - LSC 30/08) be received.

C
206/08 **Licensing Sub Committee Minutes**

Moved by Councillor Woodhead, seconded by Councillor Mrs Nelson and RESOLVED that the minutes of the Licensing Sub Committee held on 11th September 2008 (Minute LSC 31/08 - LSC 33/08) be received subject to the following correction:-

At minute LSC 33/08 page 510 delete the wording:

3. Use appropriate management controls to reduce the likelihood of customers causing noise disturbance to local residents when vacating the premises and using the beer garden and passageway. This should include placing throughout the premises, in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises and use the beer garden in a quiet manner.

And replace with the wording:

3. Use appropriate management controls to reduce the likelihood of customers causing noise disturbance to local residents when vacating the premises. This should include placing throughout the premises, in a place where they can be seen and easily read by the public, notices requiring customers to leave the premises in a quiet manner.

C
207/08 **Licensing Sub Committee Minutes**

Moved by Councillor Woodhead, seconded by Councillor Mrs Nelson and RESOLVED that the minutes of the Licensing Sub Committee held on 22nd September 2008 (Minute LSC 34/08 - LSC 36/08) be received.

C
208/08 **Licensing Sub Committee Minutes**

Moved by Councillor Kirton, seconded by Councillor Mrs Nelson and RESOLVED that the minutes of the Licensing Sub Committee held on 25th September 2008 (Minute LSC 37/08 - LSC 39/08) be received.

C
209/08 **Planning Committee Minutes**

Moved by Councillor Rix, seconded by Councillor Gibson and RESOLVED that

the minutes of the Planning Committee held on 3rd September 2008 (Minute P 66/08 - P 74/08) be received.

**C
210/08 Regeneration & Transport Select Committee Minutes**

Moved by Councillor Perry, seconded by Councillor Cains and RESOLVED that the minutes of the Regeneration and Transport Select Committee held on 11th August 2008 (Minute RTS 16/08 - RTS 19/08) be confirmed.

**C
211/08 Standards Committee Minutes**

Moved by Mr F W Hayes, seconded by Councillor Dixon and RESOLVED that the minutes of the Standards Committee held on 28th August 2008 (Minute S 59/08 - S 66/08) be received.

**C
212/08 Cleveland Fire Authority Minutes**

To receive and/or consider the minutes of the meeting of Cleveland Fire Authority on Friday, 6th June 2008

The minutes of the meeting of the Cleveland Fire Authority held on 6th June 2008 were noted.

**C
213/08 Cleveland Fire Authority Minutes**

To receive and/or consider the minutes of the meeting of Cleveland Fire Authority on Friday, 25th July 2008

The minutes of the meeting of the Cleveland Fire Authority held on 25th July 2008 were noted.

**C
214/08 Cleveland Police Authority Executive Minutes**

To receive and/or consider the minutes of the meeting of Cleveland Police Authority Executive on Thursday, 5th June 2008

The minutes of the meeting of the Cleveland Police Authority Executive held on 5th June 2008 were noted.

**C
215/08 Local Joint Consultative Panel Minutes**

The minutes of the meeting of the Local Joint Consultative Panel held on 2nd June 2008 were noted.

**C
216/08 Markets Forum Minutes**

The minutes of the meeting of the Markets Forum held on 23rd July 2008 were noted.

C
217/08 **Members Advisory Panel-New Constitution Minutes**

The minutes of the meeting of the Members Advisory Panel held on 28th August 2008 were endorsed.

C
218/08 **Parish Council Liaison Forum Minutes**

The minutes of the meeting of the Parish Council Liaison Forum held on 16th June 2008 were noted.

C
219/08 **Forward Plan and Leaders Statement**

The Leader of the Council gave his Forward Plan and Leaders Statement.

Stockton-Middlesbrough Initiative: ONE and Sport England had approved funding for the £3.5million upgrade of the Tees White Water Course, with contributions from British Waterways and Stockton and Middlesbrough Councils. Tenders were due in by November 10 2008 and work should start on site soon after, with opening early next summer.

Feasibility work to establish a sustainable level of housing and associated development for the Tees Marshalling Yards site was progressing and proposals would be presented initially to the SMI Member Board later in 2008, followed by an opportunity for presentation to all members. Work was also under way in the Green Blue Heart area to explore the development potential of sites such as the former Portrack Incinerator and land adjacent to Tees Barrage.

The SMI team, Joint Strategy Unit and Highways Agency continued to work on addressing strategic infrastructure issues across the core Tees Valley area, which supported regeneration proposals and this would be a topic for a future all-party member seminar.

Building Schools for the Future (BSF): The Strategy for Change Part 2 had to be submitted to the Government by the mid-December. This would explain the Stockton Borough Council strategy for transforming education across the schools in wave 6. Members had been invited to a seminar next week and/or drop-in sessions for more information.

Thornaby Town Centre: There was good progress, with the first block of shops partly complete for fitting out. Mainly occupied by Appleby House tenants, these would open in November along with the new coffee shop in St Peters Square. Appleby House demolition would begin in February 2009. The new main retail mall was ahead of schedule and should be completed in January 2009. Work would soon commence on refurbishing the library, incorporating

the new Access to Services facility, for completion in March 2009. The final phase, construction of a Lidl store on the Appleby site, was expected to be finished August 2009.

Billingham Forum: The Procurement process continued, with tenders due to be assessed at the end of October 2008 and the contractor appointed in November 2008. Subject to Cabinet approval of the scheme in spring 2009, construction was programmed to begin July 2009 for completion by January 2011. An agreement in principle, subject to contract, had been reached with the preferred theatre operator.

Splash Extension: The returned tenders were under assessment, with an anticipated start on site in mid November 2008, for completion 12 months later. Splash would remain open throughout (since the majority of works was new build). Stockton Sports Centre would not re-open after the Festive period.

Credit Crunch: The JSU and local authorities were closely monitoring the impact of the Credit Crunch on the Tees Valley and it did not as yet appear to be affecting the large industrial development projects here. For example in Stockton:-

- Growhow had announced a £2.3m contract to Aker Kvaerner to increase the capacity of their Billingham fertiliser plant from 125,000 tonnes to 650,000 tonnes/year;
- K Home Engineering in Thornaby were taking on 100 professional staff to deal with projects in the Middle East;
- Electronic Data Systems had announced a £30 million investment in taking the 300,000 sq ft Wynyard 360 development at Wynyard Park as a new IT centre.

The housing market was the area of greatest concern. Of 3,200 new homes built in the Tees Valley last year – the most for 10 years – 800 were empty. Sales in the Borough were 44% down from June 2007 to June 2008, similar to the national average. Many large house builders had laid off staff and were not currently starting any new developments. Recent Government action reflected that the issue was principally one of access to finance.

The JSU in conjunction with the Tees Valley councils had set up a Credit Crunch Task force. This would produce proposals to put to Government as to how to cope with the credit crunch. Ideas being considered were the purchase of some completed properties from builders by registered social landlords, changes to the housing grant system to improve the financial provision for intermediate rents, and registered social landlords taking the role of lead developer, along with economic and business support packages.

North East minister Nick Brown had named the North East as the fastest growing English region with a growth rate of around 2.5%. This was partly due to the strength of existing industries and diversification in recent years. It would be particularly important to continue to provide and improve the infrastructure necessary for this progress to continue.

A briefing note would be produced for members within the next few weeks. In

addition, the JSU would produce a quarterly report monitoring the impact of the credit crunch on the property market and inward investment and this would be accessible to members.

Regional Funding Allocation 2: The One NorthEast Board and the Association of North East Councils Leader's Forum had been asked to provide advice to Government on the expenditure of the regional funding allocation by February 2009. This included major transport schemes, housing (i.e. Regional Housing Board budget), economic development (ONE budget), regeneration (One NorthEast and the Homes and Communities Agency budgets) and the priorities for expenditure on adult skills. A joint Tees Valley response would be prepared for inclusion in the Regional Funding Allocation advice.

Sub National Review: The Government was due to publish its response to the consultation on this in the next few weeks. This will be available to all members.

Perhaps the key issue was whether or not the regional development agencies would be statutorily designated as regional planning bodies. It was expected that the Government would require a regional planning body to approve the integrated regional strategy. By law a regional planning body should have at least 60% of its members from a local authority. The Association of North East Councils Special Plenary meeting last month approved ANEC becoming the regional planning body, through setting up a group comprising the leaders of the 12 authorities and their nominated representatives, the Northumberland National Park Authority and a number of economic, social and environmental partners.

Items for consideration in November included:-

- Joint Strategic Needs Assessment of Health and Well Being
- Scrutiny review of Customer First
- Registered Social Landlords
- Housing Future Options proposals
- Youth Café development
- A position report on student accommodation