

Cabinet

A meeting of Cabinet was held on Thursday, 3rd September, 2009.

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, Cllr Mrs Mary

Officers: N. Schneider (CEO); J. Danks, L. King (R); J.Humphreys, P. Seller, C. Walsh, S. Willson (CESC); P. Dobson, M. Robinson, S. Daniels, R. Poundford, R. McGuckin (DNS); J. Grant, M. Henderson (LD)

Also in attendance: Cllr Ken Dixon, Cllr Jim Beall, Cllr David Harrington, Cllr Mrs Jean Kirkby, Cllr R. Patterson, Cllr Mrs Maureen Rigg

Apologies: Cllr Steve Nelson

CAB 72/09 **Declarations of Interest**

Councillor Cook declared a personal interest, non prejudicial interest in item 5 Options on South of the Borough as he was a governor of one of the schools referred to in the report.

Councillor Mrs McCoy declared a personal, non prejudicial interest in respect of this items 7 and 8 - Transitional Neighbourhood Renewal Programme and Economic Climate update as she served on the Stockton and District Advice and Information Service Board, which was referred to in the reports.

Councillor Coleman declared a personal, non prejudicial interest in item 7 Transitional Neighbourhood Renewal Programme item as he served on the Central Area Partnership Board which was referred to in the report.

Councillor Cunningham declared a personal, non prejudicial interest in item 12 - Tees Valley Transport Schemes as he served on the Rural Development Agency which was referred to in the report.

Councillor Dixon declared a personal , non prejudicial interest in item 5 - Options on South of the Borough as he was a governor of All Saints Secondary School

CAB 73/09 **Appointment of Local Authority Representatives to School Governing Bodies**

In accordance with the procedure for the appointment of school governors, approved at Minute 84 of the Cabinet (11th May 2000), Cabinet were requested to approve the nominations to school Governing Bodies as detailed within the report.

RESOLVED that appointments be made to the vacant Governorships subject to successful List 99 check and Personal Disclosure, as follows:-

Bewley Junior School – Mr N Jones
Pentland Primary School – Mrs F Robinson (Cons)

**CAB
74/09**

Myplace-DCSF Funded Capital Programme

Members were provided with a report that provided background information and an update of progress made on the work undertaken through the myplace youth centre capital programme, funded through the Department for Children, Schools and Families (DCSF).

Members were also presented with the outline requirements of the funding process and demonstrated how the project plans to meet the timescales and requirements set by DCSF in the funding programme.

Cabinet was reminded that the Council had had been successful in securing £4,995,250 funding to develop a new youth facility in Tilery area of Stockton on Tees.

It was explained that the funding was administered by Big Lottery on behalf of the DCSF but timescales for the project had been set by DCSF. In July a request was submitted to Big Lottery asking for an extended time period, until the 9 November 2009. This extension was rejected and a new submission date of the 30 September was issued for a detailed Capital Delivery Plan, Business Plan, Draft Partnership Agreement and Legal Documentation. Big Lottery would then assess all plans and provide formal agreement to proceed by December 2009. Capital programmes had to commence by June 2010 and all projects had to be completed by June 2012.

Cabinet was provided with an update on work being undertaken and planned work by the Project Implementation Team and its sub groups to fulfil the numerous requirements associated with the project. Members noted the tight timescales associated with the project and given this agreed a suitable delegation to the Chief Executive Officer in consultation with the Cabinet Member for Children and Young People.

RESOLVED:-

1. that the development of the implementation process, to date, including the consultation programme on the concept design be approved together with the proposed work schedule for the programme and that the tight timescales be noted.
2. that delegated authority be given to the Chief Executive, in consultation with Lead Cabinet Member, to endorse the required Capital Delivery Plan, Business Plan, Draft Partnership Agreement and Legal Documentation for submission to DCSF.

**CAB
75/09**

Options for South of the Borough in BSF

Consideration was given to a report on Building Schools for the Future (BSF): Review of Options for the South of the Borough.

The BSF Strategy for Change Part 2 (SfC2) agreed by Cabinet in February 2009 included a commitment to review possible options to increase the number of secondary school places in Ingleby Barwick. The current preferred option,

as set out in SfC2, is to increase capacity at All Saints Church of England Voluntary Aided School in Ingleby Barwick from 600 to 900 places, with corresponding reductions in the capacity of Conyers School in Yarm and Egglecliffe School, and to relocate Egglecliffe School to its playing fields at Allens West. These schools, the three highest achieving secondary schools in the borough, should be considered together because any action to increase capacity at one school would inevitably impact on the others.

Three other options had emerged from discussions between the school communities, members and officers, namely to establish another secondary school in Ingleby Barwick; to increase the size of All Saints School beyond 900 places (with greater reductions in the size of Conyers or Egglecliffe); or to relocate Egglecliffe School to a site within Preston Park.

These options had not yet been explored in detail because capital funding for these schools was not included in the first wave of BSF funding. As a result of strenuous efforts over the past year, the scope of the Wave 6 programme had been enlarged from five mainstream schools in Stockton to include all mainstream schools in Billingham, Stockton and Thornaby as well as two special schools and the pupil referral unit. However a letter from the Department for Children, Schools and Families dated 4 August stated very firmly that the three remaining schools in the south of the borough would not be brought into Wave 6. No indication had been received of the timing of a second wave of funding. This meant that the Council could not commit at this stage to delivering any of the options considered in the report.

RESOLVED that:-

1. Further work be carried out to explore the feasibility of the three new options, i.e. establishing a second school in Ingleby Barwick; increasing the capacity of All Saints School beyond 900 students; and relocating Egglecliffe School on land within Preston Park.
2. These options be explored further with Partnerships for Schools (PfS) and the Office of the Schools Commissioner (OSC) to obtain their views as these proposals would differ from those submitted and approved in SfC2.
3. If, during the feasibility study, other potentially viable options are identified, the Corporate Director of Children, Education and Social Care (CESC) be given delegated authority, in consultation with the Cabinet Member for Children and Young People, to authorise similar feasibility work to be undertaken on these new options.
4. A further report be brought to Cabinet outlining the results of this additional work for consideration by Cabinet, prior to informing an extensive programme of public consultation.

**CAB
76/09**

To determine the scope of a Local Education Partnership (LEP)

Consideration was given to a report on Building Schools for the Future (BSF): Scope of the Local education Partnership (LEP).

A Local Education Partnership (LEP) was the default procurement vehicle for

BSF programmes with a capital value in excess of £100 million. Cabinet had already agreed in principle to the establishment of a LEP to deliver the Stockton-on-Tees BSF programme (most recently in Strategy for Change Part 2 agreed on 5 February 2009).

The LEP would enter a long-term Strategic Partnering Agreement with the Council to develop and procure BSF building projects for approval by the Authority, and to supply managed services for ICT and facilities management to schools in the BSF programme. The Agreement would grant to the LEP exclusive rights to provide these services for a fixed term, subject to satisfactory performance.

The Agreement could also allow the LEP to negotiate directly with the Council to provide other services in addition to those directly relevant to the BSF programme. Where the LEP could demonstrate best value, this would avoid any need to conduct a separate procurement process for those services.

The report described the outcome of a series of workshops involving Council members, officers and school governors to consider the potential for including additional services within the scope of the LEP. The report also considered the likely impact of the LEP on services delivered by the Council or procured directly by schools. The recommendations in the report had been discussed with Partnerships for Schools and had been agreed by the BSF Project Board.

RESOLVED that the notice to be placed in the Official Journal of the European Union (OJEU) advertising the Building Schools for the Future programme in Stockton-on-Tees should:-

1. Define the scope of services for which the Local Education Partnership (LEP) will be given exclusivity, namely the provision of:-
 - a. capital building works funded by the BSF programme procured under Private Finance Initiative (PFI) or Design & Build (D&B) contracts;
 - b. maintenance and facilities management (FM) services for schools subject to capital works under the BSF programme;
 - c. a managed service to deliver Information and Communication Technology (ICT) to the schools in the BSF programme (including any facilities which may not be subject to BSF-funded capital works).

2. Include a statement that the LEP might be invited to provide the following additional services, but will not be granted exclusivity:-
 - a. school building works funded by the Primary Capital Programme or other funding programmes;
 - b. building maintenance, facilities management, and a managed ICT service for schools (including primary schools) outside the BSF programme.

CAB 77/09 Transitional Neighbourhood Renewal Programme 2008/09 and Safer Stronger Communities Fund

Consideration was given to a report on final progress of the transitional Neighbourhood Renewal programme within the Borough which ended March 2009, the development of Area Partnership priorities for their allocation of Communities Fund, and the Neighbourhood Element (Safer Stronger Communities Fund) programme progress.

In November 2007, the government announced 'The Working Neighbourhoods Fund' (WNF) which was created 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 fund, part of the non-ring fenced Area Based Grant (ABG) was seen as the successor to the Communities and Local Government's Neighbourhood Renewal Fund and continues the focus of neighbourhood renewal on these core areas of regeneration.

Due to the late announcement of the funding, in February 2008 Cabinet agreed a transitional Neighbourhood Renewal Programme for the financial year 2008/9 of £2,738,703 as part of the exit arrangements for NRF funded projects. The programme aimed to continue those projects evaluated as successful from the last round of Neighbourhood Renewal Funding, which were unable to secure alternative funding. It was also agreed the remaining WNF would be referred to as the Communities Fund (CF).

Programme monitoring for the transitional NRF took place on a six monthly basis to align the work with the Local Area Agreement, although some Package Leads continued to monitor quarterly on a risk basis.

Annex 1 to the report provided a summary of some key achievements within the last six months. Some examples of key achievements and progress to date included:-

- Safer Communities: Licensing have undertaken 171 Test Purchase Attempts for under age sales in the last six months of the year with 8 positive sales as a result.
- Children and Young People: Over 130 Children & Young people have gained accreditation through the Twister Arts project which is double the estimated amount.
- Environment: Work undertaken in the Portrack and Tilery area by the Waste Education Team, has contributed to a 12% increase in recycling participation levels within the area and a 2% decrease in households using more than one wheelie bin.
- Housing: Raising the Standard project has issued 58 licences to houses in Multiple Occupation, all of which are in the NRF areas

Economic Regeneration and Transport: Overall 297 people have gained employment, 440 people have obtained recognised qualifications and 51 people have started their own business. Seven of the nine key outputs were exceeded.

At the end of the financial year 2008/09 and the programme there was a slight underspend of £2,931, which as agreed previously will be rolled into the wider Communities Fund pot.

RESOLVED that the report be noted.

**CAB
78/09** **Economic Climate Update Report**

Consideration was given to a report that provided Members with an overview of the current economic climate, outlining the effects that this was having on

Stockton Borough, and the mitigations already in place and those being developed in response to this.

The monthly update report enable a focussed account to be made of any recent changes to economic circumstances (both positive and negative) the direct impact that this may be having on the Borough, and the responses and mitigations either in place or being developed to support businesses and residents. Members referred to how valuable this developing monthly report was proving to be to them.

RESOLVED that the content of the report be noted and the work being undertaken supported.

**CAB
79/09**

Role Description and Appointment of Older People's Champion

Members were provided with a general role description for Councillors appointed as "Champions" together with specific responsibilities in relation to older people's issues and was asked to agree the role descriptors and appointment an Older People's Champion in accordance with the recommendation of the Corporate, Adult Services and Social Inclusion Select Committee following its scrutiny review of the Older People's Strategy.

RESOLVED that:-

1. the generic role description for Councillors appointed as "Champions" set out in paragraph 6 of the report be approved.
2. the Cabinet Member for Access and Communities be appointed as Older People's Champion and that the additional specific responsibilities in relation to older people's issues set out in paragraph 4 of the report be approved.
3. key partner organisations be asked to consider identifying an Older People's Champion to fulfil similar roles to those outlined in paragraph 4.

**CAB
80/09**

Minutes of Various Bodies

Consideration was given to the minutes of the meetings of Various Bodies.

RESOLVED that the minutes of the following meetings be received/approved, as appropriate:-

Stockton Renaissance 12 May 2009
Local Safeguarding Children Board 21 May 2009
Central Area Partnership Board 28 May 2009
Stockton Renaissance 2 June 2009
Central Area Partnership Board 25 June 2009
Safer Stockton Partnership 16 June 2009

**CAB
81/09**

Q1 Improvement Report - Finance/Performance

Members considered a report that outlined the Council's service performance for the first quarter of the 2009/10 year from 1 April 2009 to 30 June 2009 highlighting achievements, areas for improvement, consultation activity

undertaken, complaints, commendations and comments received and outturn against revenue and capital budgets.

Cabinet was provided with the current MTFP position of each service. Recent reports had identified the difficult financial position facing the Council and officers were considering carefully expenditure in all areas. Although there were a number of emerging issues, this proactive approach meant that it was currently anticipated that expenditure would be in line with original plans. It was however very early into the year and these matters would be monitored closely. As such there were no significant changes to the MTFP.

Members noted net working balances.

As reported previously the position for the medium term was uncertain in its scope but what was certain was that it would be difficult and challenging. Since the MTFP for 2009/10 was agreed in February the Budget Speech had exposed the scale of public sector borrowing and announced reductions in overall public sector expenditure. There were no details on the actual impact for Local Government services. There was however general agreement that from 2011/12 it would be facing negative grant settlements, the only question being how large these cuts will be. The Council had started planning a course of action to ensure it was able to respond positively to the current climate. The Efficiency, Improvement and Transformation Programme that has already been initiated would undoubtedly contribute to the solution. In addition service challenges, as indicated above, had commenced. One such challenge had resulted in £150,000 per annum being saved from changing to online recruitment practice. Despite this, it would appear the size of the challenge was such that additional action needed to be taken. Options were currently being modelled prior to consideration at Cabinet/Council in the autumn. Given these concerns it was recommended that, at this time balances were not utilised. This position would be kept under review on a quarterly basis as part of the updates on the Medium Term Financial Plan.

Members noted the Housing Revenue Account position and the Capital budget and were provided with, and considered, a copy of the Treasury Management Annual Report.

In addition to the financial information members also considered information that provided a picture of the Council's performance against the National Indicator set as well as details of resident feedback and consultation activity. A series of appendices had been prepared to the report to provide a full picture of performance and these were made available to members:-

- National Indicator Set - Data available at Qtr1. (LAA indicators are identified)
- National Indicator Set – Measures where information is not available at Qtr 1 with an update on progress and explanation/ expected date for availability
- Complaints, Compliments and Commendations and Comments

Of the National Indicator measures where information is available at the end of quarter 1, 83 % (72 indicators) across all themes are predicted to achieve targets or are within the agreed tolerance set. For the remaining measures

remedial action is being taken to address areas of slippage. Details of achievements and areas of slippage were included in the thematic sections of the report.

The Local Area Agreement (LAA) was in year two of the three-year agreement with Central Government. Good progress had been made against some stretching targets in year one and this continued into year two with some of the measures within the LAA being reported at quarter one. The full Local Area Agreement measures would be monitored and reported at quarter 2. All indicators within the LAA were being closely tracked particularly those impacted by the current economic conditions. This was to ensure that we were best placed to understand our current position leading into the annual review and refresh of the LAA, which would commence in October of this year. This would provide the Council and its partners with an opportunity to review current performance and renegotiate where appropriate, measures and targets leading into the final year the LAA, upon which the performance reward elements are calculated.

It was explained that Service Groups were progressing well against the priorities and objects set out within the Council Plan with current monitoring of indicators and projects showing good progress. The quarter two report would provide a detailed update of all measures and objectives within the 2009 – 2012 Plan.

RECOMMENDED to Council that:-

- 1. the overall report be noted.**
- 2. the revised MTFP be approved (paragraph 4 of report)**
- 3. the level of working balances be approved and retained at £8.4 million.**
- 4. the re-profiled Capital Programme is approved (paragraph 12 of the report).**
- 5. the annual Treasury Management report be approved.**

**CAB
82/09**

Tees Valley Transport Schemes

Cabinet were informed that there were some major transport projects being developed in the Tees Valley, and within the Borough, which would bring around £100m of investment into the sub-region.

Members were provided with background information relating to 4 major schemes, together with preferred strategies for their delivery and details of the next steps to be taken.

The following points were specifically highlighted

East Billingham Transport Corridor

The timescales involved in delivering the scheme would be challenging but achievable. The funding had been allocated over two financial years, £1m in 2009/10 and then a further £4m in 2010/11.

The majority of funding allocated for this financial year would be spent on land acquisition. The aim would be to achieve this through negotiations but, if this was unsuccessful, Compulsory Purchase Orders may be needed to achieve the objective.

As the proposed alignment of the EBTC was in the vicinity of the RSPB Saltholme Reserve and the medieval village of Cowpen Bewley, a full Environmental Impact Assessment (EIA) would need to be carried out to ensure the design and construction of the road had minimal adverse impact on the surroundings and that mitigation measures were in place. The EIA would also determine the route alignment and land acquisition required. This work would also be carried out during this financial year.

Tees Valley Bus Network Improvements

The scheme was approved entry into the DfT's Local Authority Major Schemes Programme (Programme Entry) on the 23 June 2009. On granting this approval, the DfT set out the conditions that must be satisfied following Programme Entry and further work that would be required to gain the required Full Approval.

The further work required included further modelling work on a small number of individual schemes, confirming the Stockton Infrastructure Register, obtaining contractor prices for Year 1 schemes and processing and implementing any Traffic Regulation Orders (TRO's) required for Year 1 schemes. TRO's will be processed by the Corporate Director of Law and Democracy and any objections submitted will be considered.

Once this additional work was complete, a revised Major Scheme Business Case will be submitted to the DfT in a bid to gain Full Approval. It was anticipated that this Business Case will be signed off by the Tees Valley Bus Network Improvements Project Board at their meeting on 2 November 2009 and submitted to the DfT the following day.

Tees Valley Metro

The estimated local contribution required from each of the partner Councils is £800,000 for phase 1 and it was anticipated that this would be taken from LTP3 since the contribution is due after March 2011. This contribution would be reduced through any third party contributions received, for example, through Section 106 agreements (Allens West). Funding for the subsequent phases (2 & 3) needs to be identified through the Regional Funding Allocation, the new franchise for local train services, developer contributions, the Third Local Transport Plan (LTP3) and Network Rail investment plans and would be detailed in further Cabinet and Council reports for approval.

Despite the wider economic benefits, it was unlikely that the project would secure DfT funding in one package given major scheme funding criteria. It was therefore recommended that delivery be carried out in three phases to better attract funding, to fit in with the renewal of the franchise for Northern Rail train services in 2013 and to ensure realism in delivering such a big project. In addition, each component part of a phase was separately funded, again to help

ease the funding process. A phased delivery plan also meant that the benefits of each stage may be more easily assessed to help support the case for further funding.

Phase 1 of Metro (estimated cost £35m), scheduled for implementation between 2009 and 2012, was another scheme to benefit from the re-profiling of the RFA (as discussed in point 4) and funding had been granted for the following elements:

- a. New Platforms at Darlington and Middlesbrough Stations;
- b. Relocation of Stations at Durham Tees Valley Airport and Wilton;
- c. Station improvements at Eaglescliffe, Thornaby and Hartlepool;
- d. A new station at James Cook University Hospital; and
- e. Refurbished trains with higher levels of passenger quality and comfort than that currently used operating four times an hour between Darlington and Saltburn during the day.

A consultation strategy would be developed to engage with communities and stakeholders.

In terms of elements proposed within the Borough; the improvements to Eaglescliffe and Thornaby Stations were scheduled for implementation during 2010/11 and will consist of upgrades to the current station buildings at both locations, a new footbridge with DDA lifts at Eaglescliffe and a contribution to a new footbridge and DDA lifts at Thornaby.

As an investment project on Network Rail land; the Metro project has to be assessed through Network Rail's Guide to Railway Investment Projects (GRIP). This project management system has 8 stages with stage 6 being the construction stage. Currently, the majority of the component parts of the Metro project are at GRIP3. There was now a need to undertake a GRIP4 feasibility study at a cost of £1.25 million, to be obtained through the RFA programme, to prepare more detailed designs, confirm feasibility and refine cost estimates. The GRIP4 process would also include applications for planning permission where required and involves public consultation on the detail of station improvements.

It was anticipated that the GRIP4 process would take a maximum of 12 months meaning that any decision about whether to proceed further would be taken in summer 2010. In parallel to the engineering feasibility work contained in GRIP4, the Tees Valley Joint Strategy Unit (JSU) and train operator, Northern Rail, would lead on work to refine the benefits expected from phase 1 in terms of improved reliability, estimated increases in passengers and improved accessibility. Members would need to consider the results of this stage of the feasibility work at the time, so that an application can be made for funding to the Department for Transport for all of the phase 1 works except for those at Darlington Station which would be subject to a separate Major Scheme Business Case.

Highway Agency Improvements to the A19 and A66

The Tees Valley A19(T) / A66(T) Network Management Strategy had been successful in securing £3.975m of funding to implement traffic signal control on

slip road of the A19 and A66

RECOMMENDED to Council that:

- 1. Officers be authorised to proceed with the delivery of the East Billingham Transport Corridor scheme as detailed in this report and any amendments to the scheme as a result of the Environmental Impact Assessment be delegated to the Corporate Director of Development and Neighbourhood Services in consultation with the Cabinet Member for Regeneration & Transport.**
- 2. Officers be authorised to pursue the acquisition of land required for the delivery of the East Billingham Transport Corridor subject to any route realignment as a result of the Environmental Impact Assessment.**
- 3. Officers be authorised to proceed with the delivery of the Tees Valley Bus Network Improvements as detailed in this report, in particular the Stockton Infrastructure Register (Appendix 2) and any amendments to the programme be delegated to the Director of Development and Neighbourhood Services in consultation with the Cabinet Member for Regeneration & Transport.**
- 4. Members note that further reports will be presented to Cabinet regarding the consultation strategies for each of the four transport projects, as those strategies are developed. This will include consultation with Ward Members, Town and Parish Councils and the general public.**
- 5. Officers be authorised to proceed with the delivery of the Tees Valley Metro project as detailed in this report and any amendments to the programme be delegated to Director of Development and Neighbourhood Services in consultation with the Cabinet Member for Regeneration & Transport.**
- 6. Members re-affirm the Council's commitment to the financial contributions to the Tees Valley Metro Phase 1 (Maximum of £800,000 – reducing depending on third party contributions) and Tees Valley Bus Network Improvements (maximum of £2,212,720 – reducing depending on third party contributions and not including £4,000,000 for land acquisition which was subject to previous Cabinet decision) as detailed within the report.**
- 7. Members note that a successful Community Infrastructure Fund 2 (CIF2) bid has secured £3.975m of funding to implement traffic signal control on slip roads of the A19 and A66.**