

## **Cabinet**

A meeting of Cabinet was held on Thursday, 14th January, 2010.

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

**Officers:** N.Schneider (CE); Ms J.Humphries, S.McClurg, R.Kench (CESC); R.McGuckin, Ms J.Edmonds, Ms J.Nixon, Ms C.Straughan, Ms S.Thomas (DNS); M.Henderson, Mrs M.Waggott (LD); Mrs J.Danks, P.Saunders (R).

**Also in attendance:** Councillors Beall and Fletcher.

**Apologies:** Councillor David Coleman.

### **CAB     Declarations of Interest**

**156/09**

All members present declared a personal, non-prejudicial interest in respect of the item entitled Medium Term Financial Plan as a result of being Council tax payers to the Borough.

Councillor Cook declared a personal, non-prejudicial interest in respect of the item entitled Representatives of School Governing Bodies, as he was a member of the Blakeston School Board of Governors. Councillor Beall declared a personal, non-prejudicial interest in respect of the item entitled Representatives of School Governing Bodies, as he was a nominee for appointment referred to in the report.

Councillor Lupton declared a personal non prejudicial interest in respect of agenda item 6 - Review of the Stockton Renaissance Partnership Board as he was the Chairman of the Stockton Renaissance Partnership Board.

### **CAB     Parkfield/Mill Lane and Swainby Road Housing Regeneration**

**157/09**

Consideration was given to the associated issues regarding the delivery of the Council's Housing Regeneration ambitions at Parkfield/Mill Lane and Swainby Road, including proposals for the delivery of the two individual schemes and a way forward presented for mitigating future funding risks post the next comprehensive funding review.

Significant progress had been achieved on the Parkfield/Mill Lane scheme ,including:

Phase 1

- 190 demolitions
- 67 new mixed tenure homes built

Phase 2

- 176 properties acquired and households successfully relocated
- 124 properties scheduled to be demolished January 2010
- 2 commercial properties acquired

Phase 3

- Detailed community consultation undertaken which identified face lift and

refurbishment for residential properties as preferred option for local residents

- Face lift works completed at Outram Street
- Improvements to Trinity Church Gardens
- 12 new Tees Valley Housing Group homes for rent under construction due for completion February 2010

During this time, a number of significant events had also occurred, including the global recession, cuts in public spending, the decision to retain and refurbish Phase 3 and approval of planning consent for Aldi, which had resulted in the need to review the delivery strategy and masterplan for this area. An independent review of the masterplan was undertaken in 2007 by Nathaniel Litchfield and Partners (NLP) following the decision to retain the Phase 3 area, and again in September 2009 in light of the recession. Both these reviews had recommended extending the demolition boundary of the Phase 2 area to Dovecot Street, details of which were provided, in order to provide enough scale of change to bring sustainable regeneration and attract the private sector and new households to come and live in the area. The reviews also concluded that frontage on to Yarm Lane was still a key driver for the success of the scheme.

The Homes & Communities Agency (HCA) had recently confirmed an additional allocation of £8m to help fund the extension of the demolition boundary but required this funding to be split between Swainby Road as well as PML Phase 2. A condition of this funding was that any capital receipts generated from the sale of land within the scheme areas would be split in accordance with the relative contributions. This is currently anticipated to be 67% to HCA and 33% to SBC. In addition to the HCA funding, PML Phase 2 was funded by Single Housing Investment Pot (SHIP) and Housing Market Renewal (HMR) funding. Until very recently this funding was presumed to be a certainty in future Comprehensive Spending Reviews (CSR), however, this can no longer be presumed to be the case due to anticipated cuts in public spending.

It was noted that even after the HCA £8m allocation, there would still be an estimated financial shortfall to complete the boundary extension of £3.9m. It was hoped that this would be met by SHIP/HMR in the next CSR announcements. However, as a contingency, an arrangement had been provisionally agreed with the HCA where they have agreed to invest their share of the anticipated Swainby Road capital receipt (approximately £2.7m) on condition that SBC contributes their share (approximately £1.3m). This is clearly financially advantageous to the Council given the higher value of the HCA's share of the receipts and in line with a previous Cabinet decision which approved that surpluses in housing regeneration schemes should be used in the first instance to off set short falls in other housing regeneration schemes (Min 15/03/07 1077 refers). In addition, 50% of any capital receipts the Council receives from the sale of 'Housing' land is required to be 'set aside' to pay off the Council's overhanging debt unless they are reinvested for 'Regeneration' under the terms of the Local Government Act 2004. This recommendation is based on the Swainby Road capital receipts rather than PML Phase 2 as the Swainby Road site will be brought to the market first. It was therefore proposed that the Council's share of the capital receipts from the Swainby Road site be utilised in the first instance to off set any financial shortfall with the PML Phase 2 boundary extension. Contingency plans had also been agreed with the HCA should the Swainby Road receipts be less than anticipated given that they are estimates provided in a very uncertain housing market.

The Masterplan for PML included the acquisition of commercial premises to provide the much needed frontage on to Yarm Lane AND also recommended the demolition of the commercial premises on the opposite side of Yarm Lane within the Phase 3 area although this was not approved due to the decision to undertake further community consultation with the residents there. To date, the M & D Club and Tony's Motors had been purchased. The Council's ability to complete the assembly of the remainder of the commercial premises had been constrained due to the loss of the 'Aldi site' following the recent approval at Planning Committee of the supermarket application. The total estimated cost of acquiring the remainder of the commercial premises on both sides of Yarm Lane was currently estimated to be in the region of £4.3m. It was therefore proposed that a further report outlining the way forward be brought to Cabinet after the next CSR when the funding position was clearer. Further to the required change in strategy, it was proposed that Cabinet approve a '2 stage' consultation process with residents regarding demolition of their homes in order that all affected were properly informed of the reasons behind the amended strategy.

The Swainby Road proposal sought to create a sustainable community through the demolition of 187 Council owned properties, 2 former Right to Buy (RTB) properties, 15 privately owned terraced houses on Norton Road, a small piece of private land on Windmill Terrace and 2 commercial premises (Fish and Chip Shop and Brown Jug Public House). This approach would create an attractive development site for new high quality homes for sale and rent. The homes for rent would be provided by a Registered Social Landlord (RSL) and ring fenced for the original residents who's homes had been demolished.

Extensive consultation had been held with the community (82% of the community having taken part) which revealed that there was:-

- Strong recognition of the need for regeneration
- Over 99% support the demolition proposal (only one tenant said they didn't)
- 57 tenants want to return
- 17 of those wishing to return would like bungalow accommodation
- The Fish Shop and Brewery which own the Brown Jug Public House also support the demolition proposal

Moving forward, the only significant community issue foreseeable was the over demand for the new social housing built. Although the design of the new neighbourhood had not begun, it was estimated that the new site would be able to accommodate approximately 40 new social rented homes at a ratio of circa. 20%. This approach was in line with the Governments Sustainable Communities Plan which encouraged mixed tenure neighbourhoods to deliver sustainable regeneration. 60 of the Council properties were occupied by Asylum Seekers and the Asylum Seeker contract with the Home Office was due to end May 2011 and these residents would move as part of this coming to an end. A decision was yet to be made on whether the contract would be renewed but if it was, accommodation would be procured from the private rented sector and Asylum Seeker residents would be dispersed in small clusters throughout the Borough. It was proposed to commence relocating Council tenants at Swainby Road in January 2010, funded by SBC housing capital programme funds and to begin acquiring the private properties on Norton Road from April 2010 with HCA

funding. In order to move the scheme further forward, it was proposed that approval be sought to appoint a Registered Social Landlord partner for Swainby Road and a private developer partner(s) for the sites through a Development Brief.

RESOLVED that:-

#### Parkfield Mill Lane Phase 2

1.The commencement of a '2 stage' community consultation process with local residents at Parkfield Mill Lane Phase 2 'Extended Area' (as detailed in Appendix 1 to the report provided) be approved on the proposal to extend the demolition boundary and final approval to acquire and demolish the properties be delegated to the Corporate Director of Development and Neighbourhood Services in consultation with the Ward Councillors, Cabinet Members for Housing & Community Safety and Regeneration & Transport, subject to the results of the consultation and funding.

2.The position surrounding the remaining commercial premises be noted and that a further report be presented to Cabinet on the way forward once future funding is confirmed.

#### Swainby Road

3.The Swainby Road housing regeneration scheme and demolition area (as shown at Appendix 2 to the report provided) be approved.

4.A local lettings policy be developed with local residents and the appointed Registered Social Landlord partner and be then agreed by the Corporate Director for Development and Neighbourhood Services in consultation with the Cabinet Members for Housing & Community Safety and Regeneration & Transport and thereafter implemented in accordance with the policy.

5.The serving of Initial Demolition Notices in order to suspend the Right to Buy in the area approved for demolition and within the boundary of the scheme, be approved in accordance with Schedule 5A of the Housing Act 1985 as amended by S. 183 of the Housing Act 2004, and authority be delegated to the Corporate Director for Development and Neighbourhood Services in consultation with the Cabinet Members for Housing & Community Safety and Regeneration & Transport authority to determine the period to be specified in the Initial Demolition Notices having regard to the programme of phased development of the site.

6.The Corporate Director of Development and Neighbourhood Services, in consultation with the Cabinet Members for Housing & Community Safety and Regeneration & Transport, be authorised to instruct the Head of Legal Services to serve the Final Demolition Notices at the appropriate time.

#### Joint Scheme Recommendations

7.Development briefs be finalised taking on board the public consultation issues as appropriate and thereafter be agreed by the Corporate Director for Development and Neighbourhood Services in consultation with the Cabinet

Members for Regeneration & Transport and Housing & Community Safety.

8. Both schemes be progressed on a phased basis in accordance with their finalised development briefs, to include all necessary acquisitions, demolitions, appointments of Registered Social Landlords and private developer partners and authority to enter into all necessary legal agreements and other documents necessary to give effect to the development briefs subject to appropriate funding being available in respect of each phase, with amendments to be agreed by the Corporate Director of Development and Neighbourhood Services in consultation with the Cabinet Members for Housing & Community Safety and Regeneration & Transport.

9. The Council enters into the £8m Funding Agreement with the Homes and Communities Agency and the Corporate Director for Development and Neighbourhood Services and Corporate Director for Resources be authorised to agree the final terms and conditions of the Funding Agreement in consultation with the Cabinet Members for Housing & Community Safety and Regeneration & Transport.

10. The need for the exercise of compulsory purchase powers to deliver both regeneration schemes be recognised in principle, and officers be authorised, in consultation with the schemes legal advisers, to investigate further the cases for compulsory purchase and to formulate strategies for the potential use of compulsory purchase powers, with further details to be reported back to Cabinet in due course.

11. The statutory policy for Home Loss Payments be reinstated for all qualifying tenants across all the Council's major housing regeneration schemes to allow payments to be made only if they have occupied the properties for more than 12 months (amending the current discretionary policy).

#### **RECOMMENDED to Council that-**

**12. The capital receipt from the sale of the Swainby Road site be utilised to off set any financial shortfall in respect of the extension of the demolition boundary at Parkfield/Mill Lane Phase 2.**

#### **CAB 158/09 Children's Social Care Workload Pressures**

Further to the last update received on 1st October 2009, Cabinet was advised of the latest position with regard to the recent growth in the number of social care referrals being received by the Council.

The number of referrals and assessments during September and October had continued to fall, and it was hoped that this could be the beginning of a levelling off of these pressures.

Although the number of child who were subject to a child protection plan had steadily increased over the last three months, the number of child protection conferences and children subject to a child protection plan, had remained relatively stable. In terms of the reasons for child protection conferences, neglect continued to be a significant and increasing issue.

The overall numbers of looked after children had peaked in August, but had since reduced slightly in October to 245.

Reference was also made to difficulties in being able to recruit to permanent positions within the section, the number of vacancies of social work posts being currently 5, as opposed to 2.8 reported previously.

The budgetary impact of these pressures was being considered as part the overall Medium Term Financial Plan and particular budget pressures regarding the independent fostering agency, social work staffing budget and child protection conferences and looked after children, was noted.

Following the introduction in June 2009 of unannounced inspections of contact, referral and assessment by Ofsted, three local authorities within the region had now had an unannounced inspection. This Council had taken part in a mock inspection carried out by external consultants as part of our preparations for an unannounced inspection.

RESOLVED that:-

1. The continued workload pressures within the social care system and the associated impact this is having on caseloads, performance and budget be noted.
2. Further update reports on a quarterly basis in order to continue to monitor the impact of these workload pressures be received.

**CAB 159/09 LA Nominations**

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:-

Blakeston School – Cllr J Beall (Lab)  
Egglescliffe School – Mr D Brown  
Fairfield Primary School – Mrs L Emmerson  
Oakdene Primary School – Cllr B Woodouse (Lab)

**CAB 160/09 Stockton Renaissance Partnership Review - Update**

Consideration was given to a report that provided details on the outcome of the review of the Stockton Renaissance Partnership Board and the proposals for the future working of the Board. A partnership diagram was attached to the report.

The purpose of the review of the Stockton Renaissance Partnership Board was to strengthen and rationalise partnership arrangements including engagement and culture; further improve the partnership approach to delivering better

outcomes for local communities and support the Comprehensive Area Assessment.

A report was presented to Stockton Renaissance at its April 2009 meeting proposing that the review would focus on;

- Improved focus and alignment of plans across all sectors to achieve cross cutting Stockton Renaissance priorities;
- Improved identification and alignment of resources to deliver shared priorities;
- Support achievement of the cross cutting Local Area Agreement/Sustainable Community Strategy targets prioritised by Renaissance for 2009/10;
- Better business sector engagement in Stockton Renaissance;
- Better children and young people engagement in Stockton Renaissance; and
- Support a positive judgement from Comprehensive Area Assessment;

The review focussed on a combination of methods including researching good practice, identifying toolkits and government guidance, reviewing outcomes from analytical activity to date and piloting a themed priority task based approach to cross cutting issues. This was followed up by a series of workshops/discussion groups with stakeholders.

Overall the review of the Renaissance Partnership Board had indicated that it was valued as a vehicle for partnership working in the borough and compared favourably with the meeting attendees' experience of other LSP's in the Tees Valley. This view was supported by the independent Comprehensive Area Assessment emerging initial findings which indicated that LSP priorities and arrangements were strong and flexible enough to respond to key issues.

Those areas that were highlighted for improvement throughout the review work were set out within the report and planned improvements to address the issues were attached to the report.

Incorporating the results from the discussions with the Renaissance Partnership Board members, other key stakeholders and the desk top analysis, it was proposed to:-

#### Governance

a.Reduce the number of meetings from monthly to bi monthly:-

- Hold 3 housekeeping meetings for standard LSP business items i.e. Local Area Agreement/Sustainable Community Strategy endorsement and review, Comprehensive Assessment Area reporting and dialogue and 3 pre-scheduled debate meetings, where expert speakers could be invited and relevant stakeholders. This would be more like an event format rather than a board meeting
- This would force a more streamlined focussed approach, cutting out those items which were for information rather than a decision/input/action. Having more focussed agendas and less meetings would justify more qualitative and lengthier debate and respond to the feedback about short meetings curtailing discussion

•A reduced number of meetings will mean less of a time commitment for partners which may be more attractive to the private sector, although we may have to hold 'special meetings' to be responsive to emerging priorities.

b.Actions arising from the themed debates and feed back on progress to be directed through appropriate thematic partnerships for action and reporting arrangements back to renaissance partnership board to be strengthened through development of a guidance note. A guidance note which illustrated the respective role of the Renaissance Partnership Board, the thematic partnerships and the area partnerships was attached to the report.

c.Add Renaissance Board, thematic and area partnerships agendas and minutes to the agenda system.

Performance Reporting and Communication:-

d. Streamline and tailor performance reporting to our different audiences, using a revamped website to highlight a "you said we did approach"

e. Revamp the Renaissance Website

An improvement plan which detailed timescales for implementing the proposals was attached to the report.

RESOLVED that:-

1. The report be noted.

2. The future way of working outlined in the report and the improvement plan be endorsed.

**CAB**     **Minutes of Various Bodies**  
**161/09**

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:-

Environment Partnership Meeting-24th September 2009  
Central Area Partnership-24th September 2009  
Western Area Partnership Board-28th September 2009  
SMI Joint Member Meeting-29th September 2009  
Billingham Partnership Board-5th October 2009  
Children's Trust Board-6th October 2009  
Western Area Partnership Board-26th October 2009  
Central Area Partnership Board-29th October 2009  
Billingham Partnership Board-2nd November 2009  
Safer Stockton Partnership-3rd November 2009  
Stockton Renaissance-10th November 2009  
Environment Partnership Meeting-12th November 2009  
Central Area Partnership-26th November 2009



Housing & Neighbourhood Partnership-1st December 2009  
Billingham Partnership Board-7th December 2009  
Stockton Renaissance-8th November 2009

**CAB**     **Annual Meeting**  
**162/09**

Cabinet considered a report that presented recommendations made by the Members' Advisory Panel relating to the future format of the Council's Annual Meeting and a venue for 2010.

In January 2009 Council agreed to change the format of the Annual Meeting and also agreed that, following the 2009 meeting, a review of its operation be undertaken by the Members Advisory Panel. That review had taken place and the Panel agreed that the new format had been unsuccessful and recommended a return to the format that existed prior to 2009.

The Panel also identified a venue for 2010.

**RECOMMENDED to Council that:-**

**1.The format of the Annual Meeting 2010, and future meetings, return to that used immediately prior to the 2009 meeting.**

**2.It note that the 2010 Annual Meeting will be held in the Jamal Building, New Street, Thornaby.**

**CAB**     **Review of the Medium Term Financial Plan**  
**163/09**

Cabinet was provided with a report that updated Members with the current position of the Medium Term Financial Plan ahead of budget and Council tax setting which was to take place at full Council on 24 February 2010. The statutory deadline for the Council to set a balanced budget was 11 March 2010

The report outlined a number of pressures faced by the Council and suggested a strategy for dealing with those pressures both in the immediate future and into the medium term. Part of the strategy involved the continuation of the Efficiency, Improvement and Transformation programme (EIT), an outline of the proposed year 2 reviews was also contained in the report.

**RECOMMENDED that Council notes the financial position detailed within the report and the proposed year 2 EIT reviews.**

**CAB**     **LDF-SPD Landscaping and Recreation**  
**164/09**

Members considered a report relating to the Open Space, Recreation and Landscaping Supplementary Planning Document (SPD).

The SPD was designed to provide certainty to developers and facilitate the Council's negotiation of the planning obligation contributions required for open space, sport and recreation facilities. This was to be achieved through the application of standards for provision set out in the document. Standards had been determined for the quantity, quality and proximity of open space, sport and recreation facilities. The Supplementary Planning Document was provided to

Members.

Planning Policy Guidance Note 17: Planning for Open Space, Sport and Recreation outlined the need to move away from previous national standards to set locally derived standards. In order to derive these standards a robust local evidence base was required in the form of a Planning Policy 17 Assessment as outlined in *Assessing Needs and Opportunities: A Companion Guide to PPG17*.

This guidance outlined a process in which local needs had to be identified, local provision audited, standards set and applied and policies drafted. Identifying local need had been undertaken through the Sport, Recreation and Leisure Survey and interest group consultation. Auditing local provision had been achieved through the Open Space Audit, a recent Open Space Audit Update and a Built Facilities Audit. The PPG17 Assessment was provided.

A summary of the evidence was included in the PPG17 Assessment along with explanation of the standards. This would be provided as an appendix to the SPD in order to support the standards contained in it. The Assessment and SPD would provide evidence for policies that would be contained in the Core Strategy, Regeneration and Environment Development Plan Documents. The Assessment would also provide evidence for the emerging Green Infrastructure Strategy and the emerging Sport and Active Leisure Strategy.

Standards were not intended to be applied retrospectively to existing built development, although they could be used to inform improvements where opportunities arose; rather they were to be a requirement for new development. Quantity standards would be used to identify the level of demand caused by the new development and areas where provision did not yet meet the quantity standard. Quality information would be used to identify sites for improvement. Proximity would be used to highlight areas that were further away from facilities and to demonstrate the location of open space and facilities that were directly related to developments.

To determine if open space was to be provided onsite a 'minimum acceptable size' standard had been included for different types of space to ensure that spaces were only included on site if they were to be of a sensible size to be of use and efficient to maintain.

In order to ensure that high quality developments were created the SPD included a landscaping section. This section of the SPD had been prepared by Urban Design, in close consultation with colleagues from other sections. The landscaping section of the SPD had been designed to increase the weight given to existing knowledge and practice through its inclusion in planning guidance.

The statutory six-week consultation period for this document was undertaken between 18 May and 29 June 2009. Responses were received from 23 organisations and individuals that resulted in 119 individual comments. These comments were used to amend and improve the SPD, Assessment and Sustainability Appraisal. Significant changes included further work to the PPG17 Assessment requested by Sport England, removal of some of the landscaping section to the Sustainable Design SPD where it would be expanded upon, and the introduction of a provision hierarchy for the built sports facilities proximity standard. The next stage in the production of the document was adoption after

which the document could be used in the determination of planning applications.

**RECOMMENDED to Council that the report be noted and the Open Space, Recreation and Landscaping Supplementary Planning Document be agreed for adoption**

**CAB  
165/09      Housing Futures (Options for Future Investment)**

Members were reminded that in September 2009, Cabinet formally endorsed 'stock transfer' as the Authority's preferred delivery option to secure future stock and service investment needs. Since then a number of key work streams had been taken forward including; the establishment of the new-style Tristar Homes Shadow Board, identification of 'other' assets that may transfer (for example associated land and estate shops), consultation with tenants in estates that were deemed not to be sustainable in the long term, ongoing financial modelling, the development of the Offer document and critically negotiations with the Homes and Communities Agency (HCA) leading to the submission of a formal Transfer Application. A progress summary of each was provided to Members.

The Shadow Board had met on a number of occasions to progress the business of the potential new landlord.

It was explained that as part of the transfer the Council needed to consider if it was appropriate to transfer associated assets such as estate shops, land and park and cemetery lodges.

Members noted the position with regard to these and it was explained that on completion of further work reports relating to shops and land would be presented to Members.

With regard to the 11 properties within the HRA which were either park or cemetery lodges it was suggested that, given 'strategic' importance of these properties, in terms of future regeneration, their location in terms of accessing the various parks/cemeteries, as well as practical issues such as occupancy linked to employment they should be retained by the Council. Advice has been sought from the Council's legal advisors who have confirmed it was possible for the Council not to include these properties in the transfer (and still close the Housing Revenue Account), however to achieve this they would need to be transferred to the General Fund which will require Secretary of State consent.

Members noted the extensive consultation that had been undertaken with tenants in unsustainable areas.

It was explained that two key areas of work have been progressed in terms of the financial modelling:

Mitigating the implications of stock transfer on the Council:

Members were reminded that the proposed transfer would involve writing off the Council's remaining housing debt (referred to as "overhanging debt") by the HCA. The calculation for debt that was written off was usually calculated as a

'notional figure' (the capital subsidy financing requirement). In Stockton this figure was higher than the 'actual housing debt', thereby giving a positive receipt to the Authority to help mitigate any potential costs and liabilities arising from the transfer. The clearing of debt would generate a saving to the Council's General Fund of £0.93m in the first year, reducing thereafter by 4% per annum.. The Council had made a formal Transfer Application to the HCA and as part of the HCA assessment and sign-off process the Authority expected a formal response on this issue.

Members note that if the 'notional' debt write off position was not achieved it would create a revenue pressure in the region of between £600k/£800k per annum and seriously question the viability of the transfer. On this basis Members were asked to agree to proceed to formal tenant consultation on the understanding that the HCA make a favourable reply back to the Council. If it is not, an urgent report would be brought back to Cabinet.

#### Stock valuation financial modelling and the new landlord Business Plan

As part of the Authority's Transfer submission, the Council was required to submit a Single Transfer Model (SMT), the STM detailed, for example; the stock valuation, details of the new landlords investment plan, details relating to the Housing Revenue Account debt, the cost of funding the transfer (i.e. the level of private finance required) and how the transfer proposal provides value for money to the Government and hence the taxpayer.

Members noted that following Cabinet approval to progress transfer immediate contact was made with the HCA to commence the transfer negotiations. At the HCAs request a letter was sent to both the HCA and the Communities and Local Government Department (CLG) to re-affirm the Authority's position on transfer and significantly that this decision had been taken following detailed consideration of the ongoing HRA review.

On the 22nd October 2009, a meeting was held with HCA representatives (London and North East). At this meeting the Authority sought clarification on timescales for a formal Transfer Application. The HCA strongly advised the Council that if it wanted to progress transfer (on the current more advantageous terms and not those proposed as part of the HRA review) that it needed to submit both the Transfer Application (with the associated financial modelling) and the draft Offer document by the end of November 2009.

Despite earlier attempts to clarify timescales, this was the first time this submission timetable had been raised by the HCA and was considerably earlier than the Authority had been working to.

As members will recall the financial proposals contained within the HRA review regarding stock transfer were financially less advantageous than the current terms of transfer, on this basis it was vital that the Council moved forward as a matter of urgency to ensure that we did not lose this 'window of opportunity'. Following the HCA meeting a submission date of the 27th November was agreed and a formal request made by the Authority that the HCA assess the Authorities application and formally replied by the 8th January 2010.

To ensure this new application timetable was achieved officers of the Housing

Service in partnership with Tristar Homes revised the Housing Futures project plan and fast tracked these critical areas of work. It had been originally anticipated that as the Offer document developed that members would be involved and be provided with the opportunity to comment on early working drafts, unfortunately given the new timetable this was not viable. Immediate contact was made by the Head of Housing to the Cabinet Member for Housing and Community Safety and each party Leader to explain the revised submission timescales and the implications of this. With their agreement a draft copy of the Offer Documents was issued to each for comment before the final version was submitted. To ensure that all Members were aware of the commitments/promises detailed in the Offer two briefings had been held prior to Cabinet.

It was vital (and a clear expectation of both the HCA and TSA – Tenant Services Authority) that the Offer was developed by tenants for tenants and that the commitments detailed in it have been fully costed up and could be afforded by the new landlord. To recap, the Offer document was the Council's offer to its tenants, it set out to tenants a series of 'promises' in relation to both property and service improvements and clearly detailed the implications of either 'staying with the Council' (a 'no' vote) or transferring to the new-style Tristar Homes (a 'yes' vote).

To achieve the new Offer document timetable the Housing Futures Customer Group – HFCG (the tenant consultation group) supported by their appointed Independent Tenants Advisor agreed to meet with Officers of the Council and Tristar on a weekly basis. These meetings have enabled the Council to draft a document that truly reflects the aspirations and priorities of tenants. Without the time commitment made by members of the HFCG the Council would not have developed the Offer and on this basis Members are asked to 'formally thank' HFCG members.

A copy of the draft Offer document was provided to Members. Before the Offer could be issued to tenants it needed to be signed-off by both the HCA and TSA, on this basis Cabinet was asked to endorse the current document and delegate any final revisions or amendments to the Director of Development and Neighbourhood Services in consultation with the Cabinet Member for Housing and Community Safety.

To ensure that the Council was in a position to take full advantage of the current 'transfer window' it was imperative that once the HCA approved the Council's Transfer Application (and Offer document) that we proceeded immediately to the formal stages of consultation with tenants. The timetable for consultation was prescribed by Government and detailed below:

- Offer Document issued to each secure and introductory tenant (Stage 1). This would be followed by a 28 day consultation period, in this period tenants would be invited to provide feedback (via pre-paid reply cards) on the transfer proposal.

- The Council would then take account of tenants' comments and decide whether the transfer proposal needed to be altered and whether to proceed to ballot.

-If the Council decided to go ahead a letter would be sent to all tenants (called a Stage 2 letter).

-A confidential ballot would then be organised by the Council (to be carried out by an independent organisation – the Electoral Reform Society). A 28 day ballot period was considered to be the norm.

1.To ensure any unnecessary delays which would adversely affect the Authorities transfer proposal Members were asked pending:

i).Formal sign-off of the Authorities Transfer Application and securing Ministerial approval for transfer and

ii).The position regarding the write-off of housing debt is clarified as detailed in paragraphs 14/15.

to proceed with the formal stages of tenant consultation (and ultimately a tenant ballot).

In addition, delegated approval be given to the Corporate Directors of Development of Housing and Neighbourhood Services and Law and Democracy in consultation with the Cabinet Member for Housing and Community Safety to consider all feedback received following the issuing of the Offer document, decide whether any changes are required and following this assessment make a final decision to proceed to ballot.

A report detailing the outcome of the tenant ballot would be reported back to Members.

RESOLVED that:-

1.Subject to Secretary of State approval that 11 park and cemetery lodges are transferred and appropriated using powers in Section 19 of the Housing Act 1985 from the Housing Revenue account to the General Fund.

2.Subject to receiving ministerial approval and approval in principle regarding the write-off of housing debt (as summarised in the report) that formal tenant consultation is carried out with tenants on the transfer proposal.

3.Delegated authority be given to the Corporate Director of Development and Neighbourhood Services to consider comments received following the issuing of the Stage 1 consultation (Offer document to tenants) and to determine whether any changes are required, in consultation with the Cabinet Member for Housing and Community Safety.

4.Following the above, to authorise the Corporate Director of Development and Neighbourhood Services to make a final decision on whether to proceed to ballot (Stage 2 tenant consultation) in consultation with the Cabinet Member for Housing and Community Safety.

5. Members formally thank the Housing Future Customer Group for their hard work and commitment in working with the Council to develop the offer.

6. A further report is brought back to Cabinet on assets, the financial implications of stock transfer, means of mitigation to the Councils General Fund and the outcome of the tenants' ballot.

**RECOMMENDED to Council that:-**

**7.The draft Offer document be endorsed.**

**8.Subject to the above, delegated authority be given to the Corporate Director of Development and Neighbourhood Services to make any final revisions to the Offer Documents (prior to going to print) in consultation with the Cabinet Member for Housing and Community Safety.**