

Cabinet

A meeting of Cabinet was held on Thursday, 20th January, 2011.

Present: Cllr Ken Lupton(Chairman), Cllr Jim Beall, Cllr Mrs Jennie Beaumont, Cllr David Coleman, Cllr Robert Cook, Cllr Mrs Ann McCoy, Cllr Steve Nelson, Cllr Mrs Mary Womphrey

Officers: N. Schneider (CEO); J. Danks, J. Spittle, G. Cummings, L. King, A. Kelly, E. Chesworth (R); P. Dobson, R. McGuckin, I. Hodgson, R. Kench, C. Straughan (DNS); D. Bond, M. Waggott and M. Henderson (LD); S. Willson (CESC)

Also in attendance: Cllr Mrs M. Rigg, Cllr Walmsley, Lynne Snowball (Audit Commission), Cath Andrew (Audit Commission) plus union representatives and Council staff.

Apologies: Cllr Terry Laing

CAB 136/10 **Declarations of Interest**

Councillor Mrs Beaumont declared a personal non prejudicial interest in the item entitled Strategic Housing Land Availability Assessment and Rural Housing Needs Study as she was a resident of one of the villages mentioned in study.

CAB 137/10 **Minutes of meetings held on 25 November 2010, 16 December 2010 and 20 December 2010.**

Members confirmed the minutes of Cabinet meetings held on 25 November 2010, 16 December 2010 and 20 December 2010.

CAB 138/10 **Audit Commission Annual Audit & Inspection Letter 2010**

Cabinet considered a report relating to the Audit Commission's Annual Audit Letter for 2010. Officers from the Audit Commission were in attendance and presented the letter to members.

It was explained that the Commission had issued an unqualified audit opinion on the Council's financial statements for 2009/10. Members noted that the Council was addressing concerns raised about general IT controls and data quality.

Cabinet was informed that the Commission had issued an unqualified value for money conclusion stating that the Council had "adequate" arrangements to secure economy, efficiency and effectiveness in the use of resources. Adequate was the highest level of approval that the Commission could give in this context.

The Commission considered that "the Council continues to deliver high quality, low cost services and is working hard to improve further despite challenging economic and financial conditions. Local people are involved in financial and service planning and commissioning services and they express high levels of satisfaction with the Council's services".

RESOLVED that the content of the letter be noted.

CAB 139/10 **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 nomination to school Governing Body as detailed within the report.

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

Ash Tree School – Mr R. McCall
Billingham South Primary School – Mr R. McCall

CAB 140/10 Children Services Annual Assessment 2010

2010 Annual Assessment of Children's Services

2. Record of the Decision

Cabinet considered a report, which presented a letter from Ofsted relating to the annual assessment of Children's Services in Stockton on Tees

Members noted that the assessment identified a few areas for development. The overall 'performing well' rating, although the same as the 2009 annual assessment, reflected the progress made since the Unannounced Inspection of Contact, Referral and Assessment in January 2010 when 'Areas for priority action' were identified which could have resulted in an annual assessment of 'performing poorly'. The findings of the Safeguarding and Looked After Children Services Inspection undertaken by Ofsted in September 2010, along with the overall good or better quality of many of our schools, children's homes, and other inspected provision, had contributed to the 'performing well' rating which reflected the breadth of universal, targeted and specialist services.

It was explained that the annual assessment report would contribute to the ongoing review of performance and improvement plans by the Council and partners in the Children's Trust Board. The Children and Young Peoples Plan provided the strategic framework for improvement in services, and included a range of actions already in place to address areas for development.

Ofsted had issued a summary of annual assessments nationally. It was noted that the key areas for development identified in the Council's assessment report were common to many other local authorities.

Progress in delivery and improvement of services for children and young people would continue to be monitored as part of the performance frameworks for the Children's Trust Board and the Council, with quarterly reports to Cabinet highlighting key achievements and areas for development.

RESOLVED the report be received and the outcome of the 2010 annual performance assessment, of performing well, be noted.

CAB 141/10 Stockton Heritage Strategy

Cabinet considered a report, which presented the first Stockton Heritage Strategy, setting out the heritage of the area, showing how it had been

preserved and interpreted, and proposing ways in which it could be further protected and celebrated. The Heritage Strategy brought together information from a range of sources and reflected the aspirations and interests of a number of organisations. It was expected that it would serve as a framework for those groups and any member of the public interested in finding out about and adding to our understanding of Stockton's heritage.

Stockton Renaissance Culture Partnership defined 'Raising the profile of our heritage' as a priority objective for the period 2008 – 2012, seeking to develop our museums and heritage assets to tell the fascinating story of the borough's history and to help develop a sense of community pride. Stockton Borough Council Museum Service has increasingly focused its efforts on telling the Stockton story, utilising its collection to illustrate that story, and attracting investment into Preston Hall Museum toward the same purpose.

Stockton had a rich and long history, including significant, Anglo-Saxon Roman, Viking, and Medieval settlements, a major role in the industrial revolution and nineteenth century industrial innovation, a notable part on our World War efforts, and numerous fascinating local events and accounts showing how Stockton and its people had changed the world.

There was a huge public appetite for history and heritage amongst the residents of the Borough. People were fascinated about the place they live in and its position in the sweep of social and technological progress. New technology had generated exciting new opportunities for Stockton to connect and reveal aspects of our history, and to release a wealth of knowledge and information from local people. Individuals were tracing their ancestry and revealing connections that helped them feel a sense of belonging and continuity. The online treasure chest 'Picture Stockton' was full of images and narratives contributed by the people of the area, adding texture and detail to the local story.

The production of the Heritage Strategy had involved a wide range of interested parties, including Tees Archaeology, Tees Valley Archives, Stockton Industrial Heritage Society and others. A vast amount of information had been gathered. The challenge of collating, checking, and integrating the information into a single readable document had been a major one.

Members were provided with the first Stockton Heritage Strategy, which would be published online and maintained as a living and evolving document.

The subject was essentially thematic, but was concerned with specific geographic sites in some instances, and people in other instances, in some cases specific chronologies and historic periods were the defining criteria. It was envisaged that the online resource based on the Heritage Strategy would allow people to approach it and interrogate a subject from thematic, chronological or geographical terms, or to search for information about particular individuals. This web based collection of information, links, and opportunities for user generated content should be available to launch in the early summer 2011.

The Strategy document would be divided into 4 main sections;
- an introduction, a summary of the heritage of the area,

- some illustrations of ways in which we had protected and revealed our heritage to date,
- guidance on how we might further protect and celebrate our heritage in the future
- a list of the famous or important individuals associated with Stockton, providing information about the person and their achievements.

A more detailed Action Plan would follow but the intention was for the Heritage Strategy to encourage and guide anyone wishing to take part in celebrating and preserving Stockton's heritage. The Action Plan for the Council and the public funded agencies would be narrower and less diverse than the full potential range of actions delivered by the wider community and the many interested groups.

RESOLVED that the 2011 Stockton Heritage Strategy be approved for publication.

CAB 142/10 Adult Social Care Annual Performance Assessment 2009-10.

Cabinet considered a letter and report from the Care Quality Commission (CQC) summarising the findings of the 2009-10 annual performance assessment (APA) for Stockton-on-Tees Council.

Members were presented with the gradings achieved which showed that Stockton was 'performing well' in six of the outcomes, and had continued to be graded as 'excellent' for the 'Making A Positive Contribution' outcome.

The APA report identified many other strengths, alongside some key areas for improvement. The report was helpful in supporting the Council's own assessment of its performance and in contributing to the review of strategic plans and service improvement plans, to ensure the necessary actions were in place to build on strengths and respond to areas for improvement.

As part of the government's review of the regulation and assessment of local public services, it had been confirmed that there would not be annual assessments of this type conducted by CQC for 2010-11 onwards. The change reflected a shift towards more sector-led assessment, with councils holding greater responsibility for driving improvement. The future role of CQC in monitoring Council performance was being reviewed and had yet to be confirmed.

The Council's progress in delivery and improvement of Adult Social Care services would continue to be monitored as part of the corporate performance framework, with quarterly reports to Cabinet highlighting key achievements and areas for development.

RESOLVED that the report be received, and the outcome of the 2009-10 annual performance assessment, of performing well, be noted.

CAB 143/10 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:-

The Culture Partnership – 6th October 2010
Northern Area Partnership Board – 1st November 2010
Tees Valley Living Board – 18th November 2010
Northern Area Partnership Board – 6th December 2010

CAB **Terms and Conditions of Employment**
144/10

Reference was made to the Council's financial position and the identified budget gap, rising to £9,489 million in 2014/15. The Council was continuing to explore ways of reducing the gap, including potential partnering opportunities. However, there were also some terms and conditions of employment with the potential for review, which could contribute positively to the position.

Redundancy pay, under the Council's current scheme applied a multiplier of 2.2 against the statutory scheme for each completed year of service at actual pay up to a maximum of 66 weeks. This was one of the most generous compared with other local authorities in the region.

Members were provided with an example, which detailed what redundancy costs would be, based on the Council's current calculator, and the potential savings, should the calculator be reduced.

It was noted that the Council was seeking expressions of interest within Efficiency Improvement and Transformation reviews for volunteers for redundancy and it was accepted that a changed scheme may limit its attractiveness, however, this had to be balanced against the costs of the current scheme and the impact this had on jobs.

Members noted that the Council paid overtime at a rate of time and a half for all hours worked in excess of 37 hours per week. During the previous year £428,536 had been paid in enhanced overtime (excluding schools) so removal of the enhancement would realise savings of around £142,845. Although it was considered that it would be useful to retain some flexibility within the scheme to ensure cover was maintained in some critical areas Removal of the premium would also bring the Council into line with other Tees Valley Authorities as well as providing a long term and ongoing saving to the Authority.

It was proposed that consultations be opened with the Trade Unions with the aim of reducing the redundancy multiplier and removing the enhancement on overtime. It was noted that any changes to the redundancy scheme were not likely to take place until September 2011.

A further report would be brought to Cabinet on 17 March on the progress being made.

Cabinet noted two other areas of significant spending in terms of employee costs; salaries and occupational sick pay. In terms of salary costs, the national pay bargaining position was not yet known following a series of road shows undertaken by the Employers Organisation in December. The position was that

there had been a 2 year pay freeze in respect of Chief Officers and 1 year for other employees and the clear message from the North East Region was that there should be a further pay freeze for 2011/12. It was therefore suggested that the Council's position be kept under review pending the outcome of the national negotiations.

In terms of occupational sick pay, although absence levels continued to fall, the annual cost was still considerable. There were a number of alternatives, which could be considered to reduce this cost and it was therefore proposed that the current scheme be reviewed to develop a more flexible and innovative model, which would reduce costs whilst rewarding those employees with good levels of attendance.

Prior to taking a decision on this matter non executive members, union officials and staff were able to comment and make representations. Union officials urged Cabinet to consider the negative effects any cuts to redundancy payments would have on staff and asked that payments remain at existing levels.

RESOLVED that:

1. consultations take place with the recognised Trade Unions, with a view to amending the current Redundancy Policy and Policy in respect of Overtime Payments.
2. the position relating to Occupational Sick Pay and salary levels be kept under review.

CAB 145/10 Legionella Control and Water Hygiene Policy and Asbestos Management Policy

Cabinet considered a report which detailed the procedures which had been in place for sometime to reduce the risk associated with Legionella and Asbestos in Council buildings.

Policy documents had been produced that took into consideration the latest guidelines on reducing the risk associated with Legionella and Asbestos. The policy documents also clearly defined levels of responsibility.

Members noted that Legionnaire's disease was a potentially fatal form of pneumonia. The bacteria reproduce to high numbers in warm, stagnant water (between 20°C and 46°C). Typically plumbing systems and hot water tanks, pools, showers, fire and sprinkler systems installed in Council buildings that used water and operated at temperatures in excess of 20°C could generate an aerosol presenting a Legionella risk. High temperatures of 60°C and over would kill the bacteria.

The main aim of the Legionnaire's policy was to reduce the risk associated with Legionella by correct; system design and operation, methods of control monitoring, and water treatment. The recommended cleaning and disinfection procedures must be considered if the risk was to be minimised.

Members noted that Asbestos was a mineral that is resistant to heat, fire and

corrosive chemicals. There were three main types:

- Crocidolite (blue)
- Amosite (brown)
- Chrysolite (white)

Members also noted that Asbestos was composed of small fibres, which can only be detected by using a microscope under laboratory conditions.

The main aim of the Asbestos policy was to ensure that any asbestos located within Council buildings was managed in accordance with relevant legislation. There would also be a requirement on contactors to demonstrate that all staff had sufficient knowledge to recognise asbestos if they encountered it.

RESOLVED that:

1. the policy for Legionella Control & Water Hygiene be approved
2. the policy for Asbestos Management be approved
3. the responsible officers within the policies be noted and delegate authority be given to the Head of Finance & Assets and the Head of Technical Services to manage, monitor and implement the policy as necessary.

CAB 146/10 Sport and Active Leisure Strategy

Members considered a report relating to a Sport and Active Leisure Strategy. The Strategy had been produced in order to provide a commonly agreed direction for sport within the Borough for the next five years. It was a Strategy for Stockton Council and its partners in the public, private and voluntary sectors. It was recognised that partnership and sharing resources and expertise would be key to its success.

The Strategy built upon many related policies and existing partnerships, and aimed to provide quality opportunities for participation in sport and active leisure in order to meet the needs and aspirations of the entire community.

Whereas previous strategies had dealt primarily with facilities, this document attempted to connect the facilities and the activity they made possible to maximise the opportunities for participation and the fulfilment of sporting aspiration.

It was noted that the Strategy would provide the overarching framework for sport & active leisure and was accompanied by eight supplementary delivery plans, which were in development. Those plans were:

- Children & Young People
- Adults & Older People
- Sports Facilities/ Planning
- The Voluntary Sector
- Sports Events & Activity Tourism
- Information, Marketing & Communications

- Access & Inclusion in Sport
- The 2012 Olympic & Paralympic Games.

RESOLVED that the Sport & Active Leisure Strategy 2011-2015 be approved.

CAB 147/10 2012 Olympic and Paralympic Games Opportunities Plan - 2011-2013

Cabinet considered a report which presented the Olympic & Paralympics Games Opportunities Plan (OPGOP) and demonstrated how Stockton Borough Council with its partners intended to exploit the benefits of the 2012 Olympic & Paralympic Games for the benefit of Stockton Borough's residents.

Members noted the 3 strategic priorities that Stockton would focus on:-

Strategic Priority 1

- To use the London 2012 Olympic & Paralympic Games, and the interest in sport & elite sports performers that it generates, to increase the number of people of all ages participating in sport and active leisure, towards health, wellbeing, and personal achievement objectives.

Strategic Priority 2

- To use the London 2012 Olympic & Paralympic Games, and the media and public discourse surrounding the Games, to highlight and celebrate positive national identities and shared values, in ways, which celebrate diversity and strengthen and connect communities locally.

Strategic Priority 3

- Promote awareness of the business opportunities associated with the London 2012 Olympic & Paralympic Games and enable Stockton and Tees Valley businesses to win direct and indirect new business, through coordination, support and brokerage, including the pursuit of Olympic & Paralympic Games training site opportunities.

Members also noted how the plan would be delivered including details of external funding opportunities.

RESOLVED that the Olympic & Paralympic Games Opportunities Plan(OPGOP) be agreed.

CAB 148/10 Strategic Housing Land Availability Assessment and Rural Housing Needs Study

Cabinet considered a report relating to the Strategic Housing Land Availability Assessment (SHLAA) and the Rural Housing Needs Assessment.

Members noted that the 2010 SHLAA had been completed . The assessment showed that Stockton on Tees Borough Council had a 5-year supply of deliverable housing land based on sites with planning permission that had been assessed as deliverable and that commitments (using a base date of 1 April 2010) met housing requirements up to 2020. Cabinet was provided with details

of the process by which the 2010 SHLAA had been produced. All Members had been provided with access to the document.

It was explained that Arc4 (a housing research consultancy) had been commissioned in September 2009 to carry out a Rural Housing Needs Assessment. The assessment period ran from September 2009 to January 2010. Arc4 undertook the study in conjunction with an independent rural housing specialist. The purpose of the survey had been to find out the level of housing need in each parish from both existing and future households. The study, which was provided to members was completed in March 2010. Cabinet noted the background to the study, a summary of the methodology and the key findings. Cabinet also noted delivery options and actions to meet rural affordable housing needs.

RECOMMENDED to Council that:-

- 1. the contents of the report be noted.**
- 2. the Strategic Housing Land Availability Assessment: Final Report be approved for publication as the Stockton-on-Tees 2010 Strategic Housing Land Availability Assessment Report.**
- 3. the Rural Housing Needs Assessment: Final Report be approved for publication as the Stockton-on-Tees 2010 Rural Housing Needs Assessment.**