

# Council

A meeting of Council was held on Wednesday, 6th November, 2013.

**Present:** The Worshipful the Mayor (Cllr Mrs Kathryn Nelson), Cllr Mrs Lynne Apedaile, Cllr Paul Baker, Cllr Jim Beall, Cllr Derrick Brown, Cllr Mark Chatburn, Cllr Julia Cherrett, Cllr Carol Clark, Cllr Michael Clark, Cllr David Coleman, Cllr Robert Cook, Cllr Nigel Cooke, Cllr Gillian Corr, Cllr Evaline Cunningham, Cllr Ian Dalgarno, Cllr Phillip Dennis, Cllr Kevin Faulks, Cllr Robert Gibson, Cllr David Harrington, Cllr Ben Houchen, Cllr Barbara Inman, Cllr Mohammed Javed, Cllr Eileen Johnson, Cllr Jean Kirby, Cllr Paul Kirton, Cllr Terry Laing, Cllr Miss Tina Large, Cllr Colin Leckonby, Cllr Ken Lupton, Cllr Ray McCall, Cllr Mrs Ann McCoy, Cllr Mick Moore, Cllr Steve Nelson, Cllr Mrs Jean O'Donnell, Cllr Ross Patterson, Cllr Maurice Perry, Cllr Mrs Maureen Rigg, Cllr David Rose, Cllr Andrew Sherris, Cllr Michael Smith, Cllr Andrew Stephenson, Cllr Norma Stephenson O.B.E, Cllr Mick Stoker, Cllr Steve Walmsley, Cllr Mrs Sylvia Walmsley, Cllr David Wilburn, Cllr Mrs Mary Womphrey, Cllr Mick Womphrey and Cllr Barry Woodhouse.

**Officers:** N Schneider (CE); J Danks, B Brown (R), J Humphreys (CESC); P Dobson (DNS); P Kelly (DPH); D E Bond, P K Bell (LD).

**Also in attendance:** Members of the Public.

**Apologies:** Cllr Ken Dixon, Cllr John Gardner, Cllr Elliot Kennedy, Cllr Alan Lewis, Cllr Tracey Stott, Cllr Norma Wilburn and Cllr Bill Woodhead.

## **C 67/13**      **Declarations of Interest**

Councillor Gibson declared a personal prejudicial interest in respect of agenda item 7 - Care Ready Retirement Housing (Billingham) as he was on Tristar Board.

Councillor Nelson declared a personal prejudicial interest in respect of agenda item 7 - Care Ready Retirement Housing (Billingham) as he was on Tristar Board.

Councillor Large declared a personal prejudicial interest in respect of agenda item 7 - Care Ready Retirement Housing (Billingham) as she was on Tristar Board.

Councillor Norma Stephenson declared a personal prejudicial interest in respect of agenda item 7 - Care Ready Retirement Housing (Billingham) as she was on Tristar Board.

Councillor Mrs Rigg declared a personal prejudicial interest in respect of agenda item 8 - Designation of Neighbourhood Areas for Wynyard, Eggescliffe and Eggescliffe as she was Chair of Eggescliffe and Eggescliffe Parish Council.

## **C 68/13**      **Minutes**

The minutes of the meeting held on 11th September 2013 were signed by the Worshipful the Mayor as a correct record.

## **C 69/13**      **Northumbria in Bloom / Britain in Bloom Awards**

The Worshipful the Mayor and the Cabinet for Environment congratulated Jamie McCann, Jo Robinson, Christine James and Grounds Operatives Malcolm Allinson and Fred Casling from the Care For Your Area Team for their recent success in the Northumbria in Bloom / Britain in Bloom Awards.

**C  
70/13**      **Public Question Time**

The Director of Law and Democracy informed Members that no Public Questions had been received.

**C  
71/13**      **Members' Policy Seminar Programme**

Consideration was given to a report that provided an overview of content from the Members Policy Seminar in September 2013. An update on the work of Tees Valley Unlimited and the position in respect of the recent changes to the NHS structures and current ways of working was clarified.

RESOLVED that the report be noted.

**C  
72/13**      **Care Ready Retirement Housing (Billingham)**

Consideration was given to a report on Care Ready Retirement (Billingham).

The report sought approval for the sale of the 'car park site' (directly adjacent to Billingham Community Centre) for the provision of a mixed tenure, 'Care Ready', retirement housing scheme and sought support for an additional one-off resource to fund the necessary car park re-provision.

As referred to in the minute extract that was attached to the report Cabinet agreed the following recommendations:-

1. Approve, subject to the Vela Group securing planning consent to dispose of the 'car park site' (car park directly adjacent to Billingham Community Centre) for the purpose of a mixed tenure 'Care Ready' retirement housing scheme.
2. Acknowledge that to secure a financially viable affordable housing scheme it will be necessary to dispose of the site at less than its un-restricted market value. On this basis Cabinet approved (subject to Vela securing planning consent) the sale of the site at an 'undervalue' in accordance with the General Disposal Consent. Whilst it is anticipated that there will be no initial capital receipt, disposal terms will include the provision for sharing future profits should any be generated from the granting of long leaseholds (i.e. the sale units).
3. Delegate approval for the terms of the disposal to the Corporate Director of Resources in consultation with the Cabinet Member for Corporate Management and Finance.
4. Recommend to Council approval of an additional £170k from capital one-off resources (in addition to the £230k already set aside) to fund 'like for like' car parking re-provision to the rear of Billingham Community Centre. The revised cost of the new car park is £400k as detailed in paragraph 13 of the Cabinet report.

On the assumption that Council supported the recommendation of an additional capital one-off resources both the Vela Group and Technical Services had confirmed that they would be in a position to proceed with submitting a planning

application (in tandem). Once both had secured planning permission, the car park re-provision would then commence and only when complete would the 'original' car park site be released to Vela for their development to commence.

A definitive timetable which incorporated both developments was being drafted (to take into account of planning, tender and build timescales etc.), however it was anticipated that once Vela commenced works the build time for the new housing scheme would be 12 months. Once a firm timetable had been agreed copies would be shared with Billingham Ward Members and appropriate Cabinet members.

RESOLVED that an additional £170k from capital one-off resources be approved (in addition to the £230k already set aside) to fund 'like for like' car parking re-provision to the rear of Billingham Community Centre.

## **C 73/13 DESIGNATION OF NEIGHBOURHOOD AREAS FOR WYNYARD AND EGGLESCLIFFE AND EAGLESCLIFFE**

Consideration was given to a report on the Designation of Neighbourhood Areas for Wynyard and Eggescliffe and Eaglescliffe.

The report provided background to neighbourhood planning and sought the designation of neighbourhood areas for Wynyard and Eggescliffe and Eaglescliffe. Members were also asked to consider delegating a number of functions relating to the neighbourhood planning process to the Head of Planning.

Neighbourhood planning was intended to give communities more of a say in the development of their local area by enabling them to contribute to the statutory development plan by producing neighbourhood plans and neighbourhood development orders. Once neighbourhood plans were adopted, they become part of the Development Plan and applications for planning permission must be determined in accordance with them unless material considerations indicate otherwise.

Whilst the Council had a duty to support communities who chose to undertake neighbourhood planning, it would not become involved leading, preparing or financing neighbourhood planning activity. If neighbourhood plans or orders required action other than the determination of planning permissions to deliver their aims and objectives, neighbourhoods would need to remain involved to drive these forward. Neighbourhood planning was a right rather than an obligation and the Council would continue to plan for all areas of the Borough through the Local Plan process.

There were three main neighbourhood planning tools: Neighbourhood Plans, Neighbourhood Orders and Community Right to Build Orders:-

- Neighbourhood Plans guided the future development, regeneration and conservation of an area and contain planning policies which would be taken into account when the Council determined applications for planning permission.
- Neighbourhood Development Orders granted permission for particular types of development in a neighbourhood or other specified area.

- Community Right to Build Orders were a special kind of Neighbourhood Development Order which could be made by the Parish/Town Council or a community organisation.

In order to be adopted by the Council, neighbourhood plans and orders must meet the following criteria:-

- have appropriate regard to national policy
- contribute to the achievement of sustainable development
- be in general conformity with the strategic policies in the Stockton-on-Tees Development Plan
- be compatible with EU obligations (such as environmental matters and human rights)
- have regard to the protection and enhancement of listed buildings and conservation areas.

The content of neighbourhood plans and orders was largely a matter for each community, although to be part of the development plan they should focus on the development and use of land. For example, they could include policies supporting particular types of development across the neighbourhood, site allocations (for all types of development), protection and promotion of routes, improvements to community assets and requirements for infrastructure provision.

In Stockton-on-Tees, the Spatial Planning Team had received a number of enquiries from local communities about neighbourhood planning but only the two formal applications contained in the report had come forward.

The Localism Act (2011) amended the Town and Country Planning Act (1990) and the Planning and Compulsory Purchase Act (2004) to introduce a neighbourhood planning tier to the development plan system. The National Planning Policy Framework gave further guidance on the role of neighbourhood planning within the development plan system, whilst the Neighbourhood Planning (General) Regulations 2012 set out detailed requirements.

The legislation and regulations set out a number of stages that neighbourhood plans and orders must go through prior to being 'made' by the Council and being used to help determine planning applications:-

- Designation of a neighbourhood area
- Designation of a neighbourhood forum (in areas where there is no Parish or Town Council) or body corporate (for Community Right to Build Orders only)
- Writing the plan or order
- Formal consultation period (organised by the group producing the plan)
- Submission to the local authority
- Formal consultation period (by the local authority)
- Independent examination
- Referendum of local people
- Formal 'making' of the plan or order by the local authority

The Council had a statutory duty to assist communities in the preparation of neighbourhood development plans and orders and to take them through a process of examination and referendum. The Localism Act 2011 (Part 6 chapter

3) sets out the Council's responsibilities as:-

- Publicising, agreeing and designating the area of the neighbourhood plan or order
- Publicising agreeing and designating a neighbourhood forum (where relevant)
- Supporting the preparation of the plan
- Receiving and publicising the submission of the plan or order
- Appointing an examiner, arranging the examination and making any changes to the plan recommended by the examiner
- Arranging the referendum
- 'Making' the plan as part of the Development Plan

The Localism Act also placed a legal duty on local planning authorities to give advice or assistance to parish councils or neighbourhood forums that wanted to undertake neighbourhood planning, however the nature and scope of this support was not defined. It was not intended that the Council would provide leadership for neighbourhood planning groups, assist with writing the plan or order itself, or provide financial assistance. The advice and assistance that could be offered include sharing evidence and information on planning issues, helping with consultation events, providing advice on assessments and evidence, providing advice on national and local plan policies with which the neighbourhood plan or neighbourhood development order would need to fit and helping communities communicate with local partners where this was required.

The Council's existing constitution stated that the full Council must approve changes to the policy framework, which included the Local Development Framework (now known as the Local Plan). In turn, the Cabinet must make recommendations to Council on any potential changes or amendments. The Planning committee must consider and provide views to the Cabinet and the Council on new or amended planning policy, the proposed plans and alterations which together comprised the Development Plan and on any revisions, modifications or variations thereto including proposals in connection with the preparation of an altered or replacement development plan, in line with the relevant regulations.

The Local Plan Member Steering Group must also be consulted in respect of the plans and alterations which together comprise the Development Plan (or which relate to alterations to or the replacement of that Plan) or represent or relate to the Local Plan.

As any Neighbourhood Plans and Neighbourhood Development Orders that completed the process would become part of the development plan and be used in the determination of planning applications alongside the adopted Local Plan, the scheme of delegation suggested that decisions relating to them should be considered by Local Plan Member Steering Group, Planning Committee, Cabinet and Council. This procedure had been followed for the two applications for Neighbourhood Area designations which were received in July and August 2013 and were discussed later in the report.

As neighbourhood planning was intended to give communities more of a say in the development of their local area, the Local Planning Authority's role in the process was largely administrative and supportive, rather than policy making. These decisions were often dictated by criteria set out in the relevant regulations with very limited scope for discretion. It was therefore recommended

that a number of the decisions related to neighbourhood planning were delegated to the Head of Planning as follows:-

- Designating or refusing a neighbourhood area application, including:-
  - whether to decline to consider an area application if the body has already made an area application and is awaiting a decision on it)
  - whether to maintain the boundaries of neighbourhood areas already designated (as neighbourhood areas cannot overlap)
  - designating the area as a business area.
  - designating a cross boundary neighbourhood area
  - ensuring that, if the application is refused due to being unsuitable, the application forms part of one or more areas designated or to be designated
- Designating or refusing a neighbourhood forum application, including cross boundary neighbourhood forums and declining to consider a forum application if a neighbourhood forum has previously been designated for the area and the designation has not expired or been withdrawn.
- Withdrawing a neighbourhood forum application, at the neighbourhood forum's request, or if the Council considers that the forum no longer meets the conditions of approval for designation.
- On receipt of a draft neighbourhood plan or order, declining to consider it if the plan proposal is a 'repeat proposal'
- Appointing an independent examiner to examine the plan or order with the agreement of the parish Council or designated neighbourhood forum
- Whether to modify an existing neighbourhood plan or order to correct errors, with the permission of the relevant Parish Council Neighbourhood Forum.

The following decisions were subject to a greater level of discretion and would continue to be taken by the Council following consideration by Local Plan Steering Group, Planning Committee and Cabinet:-

- Approving or refusing a submitted neighbourhood plan or order's progress to independent examination, taking into account whether it meets the requirements of the relevant legislation and regulations
- Whether to proceed to a referendum following the examination of the plan or order and the publication of the examiner's report including whether to:-
  - make modifications to correct errors or to make the plan or order comply with the basic conditions
  - extend the area within which the referendum/s are to take place
  - refuse the plan proposal as it does not meet the basic conditions

- refer any unresolved issues to a further independent examination
- Whether to make a Neighbourhood Plan or Order following a referendum where more than half of those voting voted in favour of the proposal including:-
  - Whether making the plan would be incompatible with any EU obligation or breach the Convention on Human Rights
  - Where, in a business area, two referenda have been held and where more than half of those voting voted in favour of the proposal in one but not the other

The proposed changes to the Council's scheme of delegation were attached to the report.

With regard to funding on the 18 December 2012, DCLG's Director of Planning wrote to all local planning authorities setting out the local authority funding arrangements for neighbourhood planning in 2013/14. This funding was designed to enable the Council meet its new legislative duties in relation to neighbourhood planning, specifically, to provide advice and assistance to neighbourhoods, to hold an examination and to make arrangements for a referendum.

Subject to various national and local criteria and caps, in 2013/2014 local authorities could claim:-

- An initial payment of £5,000 following the designation of a neighbourhood area recognising the officer time supporting and advising the community in taking forward a neighbourhood plan.
- A second payment of £5,000 when the local planning authority publicises the neighbourhood plan prior to examination. This will contribute towards the costs of the examination as well as other staff costs incurred at this stage.
- A third payment of £20,000 on successful completion of the neighbourhood planning examination. This is to cover costs for that examination and any other further steps that may be needed for the neighbourhood plan to come into legal force, including referendum.

Parish and Town Councils, and Neighbourhood Forums could also apply for funding from DCLG through the Supporting Communities in Neighbourhood Planning programme to support their neighbourhood planning activities. This included startup costs, developing and analysing an evidence base, public consultations and training, as well as venue hire, printing and publicity. The programme would support groups developing neighbourhood plans in two ways:-

- direct support – advice and support, with an average value of equivalent to £9,500, tailored to meet the needs of supported neighbourhoods
- grant payments – up to £7,000 per neighbourhood area, to contribute to costs incurred by the group preparing a neighbourhood plan or order.

Communities could apply for this funding through the

www.mycommunityrights.org.uk website, where they would need to supply details including the nature of the area they were planning for, the capacity of their group, the progress of the plan and the timetable for completing the plan.

Neighbourhood Planning also had implications for funds gathered through the Community Infrastructure Levy (CIL). Where CIL was adopted, neighbourhoods would receive a 'meaningful' proportion of the Community Infrastructure Levy collected in their area. In an area where a Neighbourhood Plan had been made and/or development had taken place by way of a Neighbourhood Development Order or Community Right to Build Order, the Council would pass 25% of the CIL revenue received by the Council from development in the area, directly to those Parish and Town Councils where development had taken place. In areas without a Parish or Town Council, the Council would earmark 25% of the Levy funds for community infrastructure use. This funding was not subject to the cap of £100 per dwelling per year which was applicable in areas which had not undergone neighbourhood planning.

The Council had received applications for neighbourhood area designations from Grindon Parish Council and Egglecliffe and Egglecliffe Parish Councils. This was the first formal stage in neighbourhood planning and defines the geographical area which would be planned for by the community. The applications were attached to the report.

In order to determine the submitted applications, the Council must have regard to sections 61G, 61H and 61I of the Town and Country Planning Act (1990) as amended by the Localism Act (2011) and the Neighbourhood Planning (General) Regulations 2012.

A valid neighbourhood area application must include:-

- A map identifying the area
- A statement explaining why the area selected is considered to be appropriate
- A statement that the organisation making the application is a relevant body

Following receipt of the application, the Council was required to publicise the application and invite representations on their website and in a manner that 'is likely to bring the area application to the attention of people who live, work or carry on business in an area to which the application relates, for a period of not less than 6 weeks. Following this consultation period, Section 61G subsections 4 and 5 of the 1990 act required local authorities to exercise the power of designation where a valid application had been submitted to secure that some or all of the specified area was designated. This meant that:-

- If the neighbourhood area is acceptable it should be designated;
- If the proposed neighbourhood area requires modifications, they should be made by the local authority and the area should be designated. The authority is permitted to make modifications to existing neighbourhood areas, but only with the consent of the relevant parish council [section 61G (6)]; and
- If the neighbourhood area is refused because it is not considered an appropriate area, the local authority should identify an area that is appropriate and this should be designated. If the application is refused section 61



subsection 9 requires the authority to give reasons for refusing the application.

Neighbourhood areas were largely defined by the communities who wish to plan for them. In parished areas, there was a presumption that the neighbourhood area would correlate with the Parish Boundary, however this did not have to be the case. A smaller area may be chosen, or multiple organisations may come together for neighbourhood planning purposes. In non-parished areas, prospective neighbourhood forums (representative groups of at least 21 local people) would have to apply for the area they considered to be their neighbourhood to be designated. There could only be one neighbourhood area for each neighbourhood plan and only one neighbourhood plan for each neighbourhood area. There can be more than one neighbourhood development order for each area.

If a proposed neighbourhood area was wholly or predominantly business in nature, the local authority can decide to designate it as a business area. This had the effect of allowing business people to vote in an additional referendum on the final plan or order.

In determining the neighbourhood area application, the Council must consider:-

- How desirable it is to designate the whole of the area as a neighbourhood area,
- How desirable it is to maintain the existing boundaries of areas already designated as neighbourhood areas,
- Whether the area should be designated as a business area

The refusal or modification of a neighbourhood area application should be based on either planning reasons or the validity of the application.

The report detailed the applications for Neighbourhood Areas for Wynyard and Egglecliffe and Egglecliffe.

With regard to the next steps following the designation of the neighbourhood areas, the Council must comply with regulation 7 of the neighbourhood planning regulations. This required publication of various details about the designation or refusal to designate on the Council website. The Council would also claim initial payments of £5,000 per neighbourhood area available from DCLG following the designation of a neighbourhood area to recognise the costs involved in supporting groups undertaking neighbourhood planning. As the Wynyard Neighbourhood Area crosses administrative boundaries, the Neighbourhood Area would also need to be designated by Hartlepool Borough Council and the relevant £5,000 payment will need to be shared with them.

The community proponents of neighbourhood planning take responsibility for writing their plans, including gathering evidence and undertaking public consultations. The Planning Service would continue to support the groups' neighbourhood planning activities to ensure the final plans meet the basic conditions and to encourage the development of sound planning policies at neighbourhood level. It was understood that both groups had applied for grant funding for their activities through DCLG through the Supporting Communities in

Neighbourhood Planning programme.

Future decisions regarding neighbourhood planning applications and progress would be made in accordance with the schedule which was attached to the report. The next decision to be made by members in relation to Wynyard and Egglecliffe and Egglecliffe would be whether to approve or refuse the submitted neighbourhood plans' progress to independent examination, taking into account whether it met the requirements of the relevant legislation and regulations. The timescale for reaching this stage was unknown.

Progress on neighbourhood plans would be reported on the Council's website and through the Authority Monitoring Report published each year.

RESOLVED that:-

1. The proposed Egglecliffe and Egglecliffe Neighbourhood Area be Designated.
2. The proposed Wynyard Neighbourhood Area be Designated with minor alterations as detailed in Appendix 4 of the report.
3. The changes to the scheme of delegation as referred to in paragraphs 14 to 16 and detailed in Appendix 1 of the report be approved.

**C  
74/13**

### **Transforming Rehabilitation: A Strategy for Reform - Update**

Consideration was given to a report on developments since the report to Cabinet on 5 September 2013 and sought approval for the next phase of work.

Cabinet received a report on the issue at its meeting of 5 September 2013 and agreed to support a proposed bid from a locally based consortium, and to receive further reports as more details become available.

Since that report discussions had continued, with three more local authorities taking part, in addition to the partners previously identified, and the Ministry of Justice had issued the Pre Qualification Questionnaire (PQQ). Work was underway to complete the PQQ by the initial deadline of 31 October 2013, and whilst this had now been extended to the 14th November 2013, the process was still a challenging timescale, and meant that the PQQ process must be completed in parallel with the design and establishment of the local consortium. However, the PQQ process envisaged that some of the bidding organisations would be new consortia established for the purpose of this procurement exercise.

One unexpected feature of the PQQ detail was that the Ministry of Justice had stated that bidding organisations must be able to "demonstrate access to funding equivalent to 50% of the annual contract value of any one lot they want to bid for". For the Durham and Cleveland Contract Package Area this figure was £7 million, i.e. double the initial estimate of £3 million to £4 million given in the previous report. Some commentators had interpreted this statement as a tacit acknowledgement by the Ministry of Justice that their systems would struggle to cope with making timely contract payments, and others as a way of keeping smaller organisations out of the competition.

There were still significant gaps in the information available about how the later stage of the procurement process would unfold and in respect of key information about how the new contract arrangements would operate. This meant that a fully detailed risk assessment could still not be prepared. Furthermore, the risk assessment for this undertaking was commercially sensitive with regard to potential competition and was also covered by a reciprocal duty of confidentiality owed by the Council to other partners within the consortium, so the outline risk assessment to date was attached to the report, which was exempt information in terms of Schedule 12A of the Local Government Act 1972.

The reporting timescale for Cabinet on 31 October and the work involved in preparing the PQQ by the same deadline date implied that the two processes would proceed in parallel, and that some of the details of the consortium arrangements would not be determined until the last few days of October. Furthermore, since the PQQ deadline was 12 noon on 31 October, preceding the time of the Cabinet meeting, the Chief Executive was asked to make the decision to identify £2 million within reserves, in line with the Urgency Procedure set out in the Council's Constitution. Cabinet considered the issue on 31 October 2013 and a copy of the relevant minute extract was attached to the report.

RESOLVED that:-

1. Council formally notes that despite the views of Stockton Borough Council and the Safer Stockton Partnership the Government has confirmed plans to outsource significant aspects of the probation service.
2. The Council continues to support the proposed bid by a local community interest company consortium.
3. The decision taken under the Urgency Procedure be endorsed that £2 million be approved in principle from the Council's investment reserve to support a bid by a local community interest company consortium in the event that the bid succeeds in the Pre-Qualification Questionnaire process and is invited to submit a substantive bid, and this decision also be endorsed by Council.
4. A further report be presented when the Pre-Qualification Questionnaire is complete and sufficient information becomes available to support a fuller risk assessment.

**C  
75/13**      **Honorary Alderman**

Consideration was given to a report on the criteria for conferring the title of Honorary Alderman.

In preparation for the changes that might result from the Local Elections in 2015, Cabinet was asked to consider the criteria for conferring the title of Honorary Alderman and whether they were fit for purpose.

In accordance with the Local Government Act 1972, for this title to be conferred, not less than two thirds of Members voting must agree at a Council meeting

specially convened for the purpose of doing so.

At the meeting on 29 March 2000 Council accepted the recommendations of the then Civic Sub-Committee that reckonable service for the purpose of conferring this title should be at least 20 years or 15 years with relevant Councils including holding a senior office over a long period. In this context it had also been the practice not to count service with the former Cleveland County Council where that service was contemporaneous with service with Stockton-on-Tees Borough Council or its predecessor authorities.

At its meeting on the 25th September 2013, the Members Advisory Panel was asked to consider if the criteria remained appropriate.

The Panel was asked:-

- if the 20 year period (without holding a senior office) should be changed.
- whether 15 years (including holding a senior office) was appropriate over a long period.
- if senior office should be defined e.g. holding an office which attracts a special responsibility allowance.
- whether a long period for holding such an office should also be defined e.g. 8 years.

The Panel considered that any Councillor who had an appropriate length of service, whether or not including holding a senior office with the Council, should qualify. The Panel agreed that an appropriate length of service should be 12 years, which equated to three election terms, and that this should be the only criterion.

Cabinet considered the matter at its meeting on the 31st October 2013. The relevant Cabinet decision record was attached to the report.

RESOLVED that the appropriate length of service for conferring the title of Honorary Alderman should be 12 years and that this should be the only criterion.

**C  
76/13**

### **Members' Special Responsibility Allowances (SRA)**

Consideration was given to a report on Members' Special Responsibility Allowances (SRA).

The purpose of the report was to give further consideration to Cabinet / Council's previous decision that no councillor should receive more than one SRA from the Council, with the exception of Mayoral Allowances; that where a councillor occupied two qualifying positions then only the higher allowance would be paid; but that this proposal relating to a councillor receiving no more than one SRA from the Council would however be the subject of further consultation.

A briefing paper regarding the proposal relating to a councillor receiving no more than one SRA from the Council was attached to the report.

The paper set out the background to the proposal and the views previously

expressed by the Council's Independent Remuneration Panel, Cabinet and Council.

On the 26 April the briefing paper was circulated to all Members, who were asked to indicate their preference regarding one of the following options:-

**Option 1**

No change to the current position which allows Members to receive more than one SRA from the Council.

or

**Option 2**

A Member could only receive one SRA from the Council, EXCLUDING mayoral allowances, and where a member qualified for more than one SRA, then only the higher/highest allowance would be payable.

**Option 3**

A Member could only receive one SRA from the Council, INCLUDING mayoral allowances, and where a member qualified for more than one allowance, then only the higher/highest allowance (mayoral or SRA) would be payable.

Of the Members who voted, the following voted for each option:-

Option 1 - 2

Option 2 – 12

Option 3 - 13

This information was presented to the Members Advisory Panel on the 25th September 2013. The Panel discussed the options and agreed that a member should only receive one SRA from the Council and that where a Member qualified for more than one SRA then only the higher/highest allowance should be payable. The Panel did, not, however determine which of Options 2 or 3 was preferred.

Cabinet considered the matter at its meeting on the 31st October 2013. The relevant Cabinet decision record was attached to the report.

RESOLVED that:-

1. No Councillor receives more than one SRA from the Council, including Mayoral Allowances, and that where a Councillor occupies two or more qualifying positions, then only the higher/highest allowance is paid; and that
2. This revision to the Members' Allowances Scheme takes effect from 2014/15.

**C  
77/13**

**Amendments to Committee Memberships**

At its Annual Meeting, held on Wednesday 25 May 2011, the Council approved appointments to its Committees, Panels and Joint/Outside Bodies for 2011/15.

The Council had been notified by the Conservative Group that Councillor Chatburn was no longer a member of the Group. As a consequence it was

necessary to amend the Memberships of certain Committees, Panels and Forums:-

Planning Committee

Remove – Councillor Mark Chatburn

Replacement - Councillor Phil Dennis

Executive Scrutiny Committee

Remove – Councillor Terry Laing

Replacement - Councillor Steve Walmsley

Corporate and Social Inclusion Select Committee

Remove - Councillor Mark Chatburn

Replacement - Councillor Bill Woodhead

Housing and Community Safety Select Committee

Remove - Councillor Mark Chatburn

Replacement – Councillor Phil Dennis

Independent Persons Appointment Panel

Remove – Councillor Ken Lupton

Replacement - Councillor Julia Cherrett

Parish Council Liaison Forum

Remove – Councillor Terry Laing

Replacement - Councillor Alan Lewis

RESOLVED that the above amendments be approved.

**C**  
**78/13**

**Motion**

To consider the following motion which has been submitted in accordance with Council Procedure Rule 12.1 by Councillor Smith:-

“This Council calls on the Conservative-led Government to urgently review its National Planning Policy Framework which effectively removes planning control from local authorities and communities and places it in the hands of private developers, and to reverse its huge reduction in public funding to support the development of brownfield sites for housing by investing to create jobs and new housing in the Borough and the rest of the North East.

Housing developers have made it clear they are no longer interested in developing brownfield sites because the costs of remediating these sites before they can start construction are too great. This has meant that the brownfield sites which previously contributed to the required five year supply of housing are no longer deliverable within a reasonable timescale. This is leading to Councils being directed by national Government policy, planning appeal and case law precedents, to approve developments on greenfield sites to meet their obligation to deliver a five year supply of housing land. This is causing increasing anxiety in the local communities affected, and as a result totally undermining the Government's stated intention of empowering local people to influence plans for their areas.

We have great sympathy for the many local residents who have invested considerable time and effort in contributing to local consultations on local planning frameworks and we can understand their extreme concern at the current top down interference with the democratic process that the new planning system was intended to prevent.

We resolve to write our MP's urging them to raise this issue with Ministers and to request Parliament urgently to review the National Planning Policy Framework and to look again at the levels of investment available to support development of brownfield sites."

The motion was carried.

**C  
79/13**

### **Members' Question Time**

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

"In view of the significant concern of residents living in Thorpe Thewles and Wolviston over the lack of consultation on the Joint Ventures ( Stockton BC and Spark of Genius) proposal to establish children's homes in their communities, can the Cabinet Member inform Council how they propose to undertake consultation with residents, where there are similar proposals in other communities, and what weight will be given to residents comments and concerns before completion of contracts on the purchase of any property in the future?"

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

"Councillor Lupton thank you for your question.

I would like to remind Members of 2 previous Cabinet decisions relating to the provision of care facilities for children.

In March 2010 following the Review of Child Placements, Cabinet , when you were Leader agreed a number of recommendations, including a recommendation that, subject to financial appraisal, Stockton Borough Council develop further residential provision for looked after children.

In March 2013 Cabinet agreed the establishment of a Joint Venture Partnership with Spark of Genius to deliver care and education to children with complex needs.

It also agreed to the acquisition of properties for care facilities and the renovation of King Edwin School, which was to be funded from the transformation reserve.

Council Members will be aware of their role as Corporate Parents, this includes championing the rights of children looked after, having high aspirations for them, as well as planning and prioritising the needs of children looked after and ensuring services can meet needs locally wherever possible – we want the best possible outcomes for the children and young people in our care.

This is what a reasonable parent would do.

Local Authorities also have a duty to secure so far as reasonably practicable, sufficient accommodation within the Local Authority's area which meets the needs of the children that the Local Authority are looking after.

Members will be all too aware of the recent media interest elsewhere in the country regarding children who have been exploited. This highlights some of the risks Local Authorities have to manage when placing children out of area.

The recent All Party Parliamentary Joint Inquiry into children who go missing from care (June 2012) also made a number of recommendations, one of which stated that "urgent action" was required to reduce the number of children living outside of their Local Authority as evidence shows that this is often a major factor in causing young people to run away and put themselves at risk.

We know that children placed within their Local Authority have more opportunities to integrate in their communities which they are more familiar with and maintain links with family and siblings where appropriate.

We also know that the monitoring of looked after children's health and educational achievement works more effectively if children are placed in their own Local Authority area.

Setting up the Joint Venture run by a preferred provider, in this case Spark of Genius, will ensure that children's needs will be more locally met to a high standard, and will be more cost effective than purchasing placements for children on an individual basis outside of the Borough.

I am pleased to announce that the King Edwin site has now been renovated and Ofsted have given approval for the school to open. Members will be invited to visit the facility in due course.

Members may be aware that the Council has already purchased one property which will be the first Children's Home to be established under the Joint Venture, we are now awaiting Ofsted approval for the home.

The Council has however experienced significant opposition to the purchase of the first property, and an identified second property was subsequently removed



from the market.

We are therefore reviewing our approach to the purchasing of further properties, and Officers will be arranging a meeting with the Leaders of Political Groups to discuss this revised approach in the very near future.

I can also confirm that whenever future properties are announced, officers from the Joint Venture will ensure that a minimum 2 week consultation takes place with local communities prior to any planning application being submitted.

Members will be aware that the planning application process also given residents/ organisations the opportunity to comment on proposals as well as attending the relevant Planning Committee.

We all signed the Corporate Parenting Pledge and we should ask what we would do as parents. We should wrap these children up and help them become members of our society"

Councillor Lupton asked the following supplementary question:-

"I did not question the policy of bringing children back into the Borough but we have to be open and transparent before we have purchased a property.

Can I be assured that residents will be consulted before the property is purchased and before a planning decision is made as residents have concerns that decisions have already been made."

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

"I will give assurance for the provision of high quality care of our children."

## **C 80/13 Forward Plan and Leader's Statement**

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

Cabinet had met on 3rd and 31st October 2013 and considered a range of issues the significant items were as follows:-

- 2 In depth reports on the impact of welfare reforms
- Care Ready retirement housing at Billingham
- City Deal and Growth strategy
- Implementation of the 2013 Scrap metal Act
- Winterbourne View update
- Street Lighting – Invest to save opportunities
- Adult Social Care Local Account 2012 - 2013
- School Performance Report 2012 - 2013
- Designation of Neighbourhood Areas in Grindon and Eaglescliffe Parishes for the purpose of preparing neighbourhood plans
- Honorary Alderman
- Members Responsibility Allowances (SRA)
- Transforming Rehabilitation: A Strategy for Reform Update

Looking ahead Cabinet would next meet on the 27th November and be looking

at:-

- The Quarter 2 Performance and Finance Report Including an update on the MTFP
- Social Value (Public Services Act)
- Children’s Social Care Activity and Performance Report
- Welfare Reform Update Quarterly Report Q2
- Annual Review of Collection Fund

Looking forward to future Council meetings a petition had been received from the Save Stockton South group asking Council to consider a review of planning decisions in the Borough. It was disappointing that, despite Officers pulling out all the stops to get the petition verified in time to consider it at this meeting, the petitioners had declined to attend. The petition would have to be considered for a future meeting.

The Leader urged Members to take the opportunity to respond to the consultation about the future of the Crown Post Office in Stockton. The consultation about the proposed down-grading of the post office would begin on 25th November.

The weekend services and wreath laying ceremonies would take place across the Borough on Remembrance Sunday.

And looking further ahead there was lots to look forward to in the exciting autumn winter events programme. The Festival of Light and Colour takes place next Tuesday at the Queen’s Campus down at the riverside and the Stockton Sparkles festival starts on Thursday 28th November. The opening evening in Stockton Town Centre should not be missed with the lighting up Christmas with over a 1,000 children and a brass band.

**Mayor.....**