

## CABINET ITEM COVERING SHEET PROFORMA

**AGENDA ITEM**

**REPORT TO CABINET**

**9 OCTOBER 2008**

**REPORT OF CORPORATE  
MANAGEMENT TEAM**

### **COUNCIL DECISION/CABINET DECISION/KEY DECISION**

**Corporate Management and Finance – Lead Cabinet Member – Councillor Laing**

#### **CIVIC CHAINS**

1. Summary

The Council has received a letter from the Chairman of Thornaby Town Council, formally requesting that the former Thornaby Borough Chains be given to Thornaby Town Council.

Following receipt of the request the matter was considered by the Members' Advisory Panel. The Panel was asked to consider the request and the related wider implications for the Civic Chains currently held by Stockton-on-Tees Borough Council

Further to the meetings of MAP held on 28<sup>th</sup> August and 24<sup>th</sup> September 2008, where there was a preference expressed to transfer the former Thornaby Borough chains to Thornaby Town Council, this report details the necessary arrangements to fulfil this transfer.

2. Recommendations

Cabinet are requested to recommend to Council that:-

1. The former Thornaby Borough chains are transferred to Thornaby Town Council;
2. The Director of Law & Democracy be given delegated authority, in consultation with the Chairman, to take all action deemed necessary to secure the transfer of the Chains including appropriate insurance and security arrangements;
3. That an offer to transfer the chains that originally belonged to Billingham Urban District Council should be made to Billingham Town Council; and that
4. The preferred replacement chains for the Deputy Mayor and Mayoress are the Stockton Rural District Chains subject to a condition report confirming that the Chains are suitable for the purpose.

3. Reasons for the Recommendations/Decision(s)

Transfer the Chains to Thornaby Town Council and Billingham Town Council to reflect the strong feeling of local heritage.

#### 4. Members' Interests

Members (including co-opted Members with voting rights) should consider whether they have a personal interest in the item as defined in the Council's code of conduct (**paragraph 8**) and, if so, declare the existence and nature of that interest in accordance with paragraph 9 of the code.

Where a Member regards him/herself as having a personal interest in the item, he/she must then consider whether that interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest (**paragraphs 10 and 11 of the code of conduct**).

A Member with a prejudicial interest in any matter must withdraw from the room where the meeting considering the business is being held -

- in a case where the Member is attending a meeting (including a meeting of a select committee) but only for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend the meeting for the same purpose whether under statutory right or otherwise, immediately after making representations, answering questions or giving evidence as the case may be;
- in any other case, whenever it becomes apparent that the business is being considered at the meeting;

and must not exercise executive functions in relation to the matter and not seek improperly to influence the decision about the matter (**paragraph 12 of the Code**).

**Further to the above, it should be noted that any Member attending a meeting of Cabinet, Select Committee etc; whether or not they are a Member of the Cabinet or Select Committee concerned, must declare any personal interest which they have in the business being considered at the meeting (unless the interest arises solely from the Member's membership of, or position of control or management on any other body to which the Member was appointed or nominated by the Council, or on any other body exercising functions of a public nature, when the interest only needs to be declared if and when the Member speaks on the matter), and if their interest is prejudicial, they must also leave the meeting room, subject to and in accordance with the provisions referred to above.**

**AGENDA ITEM 10**

**REPORT TO CABINET**

**9 OCTOBER 2008**

**REPORT OF CORPORATE  
MANAGEMENT TEAM**

**COUNCIL DECISION/CABINET DECISION**

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**RECOMMENDATIONS**

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**DETAIL**

**History**

1. The Mayor can clearly be seen as a symbol of the Authority and its area, with the insignia of the mace, robes and chains of office, representing the outward signs of the civic offices they hold.
2. In 1835, the Government resolved to create a common system of local government throughout England and, with the Municipal Corporations Act, Stockton Borough Corporation was born. In 1893, the area known as South Stockton, together with Old

Thornaby, became a Borough in its own right under Thornaby-on-Tees Borough Council, while Billingham gained an Urban District Council in 1923.

3. In 1968 all the local councils were assimilated into the County Borough of Teesside and Stockton ceased to be a Borough in its own right after more than 700 years. In 1974, a new two-tier system of counties and districts saw Cleveland County Council created and the Borough of Stockton returned, now incorporating Thornaby, Billingham and Yarm within its boundaries.
4. Until 1974 the use of the term 'Corporation' symbolised the fact that the people were considered part of the Council and this strengthened the symbolism of the Mayor being first citizen who spoke for the whole town or city and gave it an identity.
5. A nationwide review by the Local Government Commission concluded that the two-tier system should give way to a single council providing all local services. So, From April 1st 1996, Cleveland County Council vanished and Stockton Borough Council became a unitary authority.
6. Thornaby Town Council was created in 1995 and Billingham Town Council was created in 2007. Both Thornaby and Billingham continue to be part of the Borough of Stockton-on-Tees.
7. Prior to reorganisation in 1968 there were 4 sets of mayoral chains,

i) **Stockton Borough Council,**

The Mayor's Chain is 18 ct gold and was purchased by voluntary subscriptions collected by the ladies of Stockton to commemorate the eminent services rendered to the Borough and District by Joseph Richardson Esq. JP during his mayoralty 1871. Each mayor's name is engraved thereafter.

The Escort's Chain is an 18 ct gold informal medallion, it was presented to the Corporation of Stockton by Frank Brown, Mayor 1904-05 and 1905-06.

The Mayoress Chain is 18 ct gold and was presented by Alderman and Mrs Joseph Richardson to Mrs Arthur Burgess Crosby to be worn by her as Mayoress of Stockton and to be handed down to successive Mayoresses in perpetuity (1901).

The chains are currently in use by the Mayor and Mayoress of Stockton-on-Tees Borough Council.

ii) **Stockton Rural District Council**

Chairman's Chain of office sterling silver gilt with enamelled badge of coat of arms and 20 engraving plates with links engraved with names up until 1968.

Chairman's Lady's Chain of office sterling silver gilt and enamel medallion on 20" approx sterling silver gilt rope necklet with holt ring fastener.

The chains are currently on display in the Town Hall.

iii) **Billingham Urban District Council**

The Chairman's chain presented by the industrialists of Billingham on the Council's Silver Jubilee 1948 is silver-gilt with an enamelled centre.

The Chairman's Lady's Chain is silver-gilt with an enamelled centre.

The chains are currently on display in the Town Hall.

iv) **Municipal Borough of Thornaby-on-Tees**

The Mayor's chain was presented to the Municipal Borough of Thornaby-on-Tees by Sir Horace Davey QC on 9 November 1892. It is 18ct gold with enamelled centre inscribed 'Sir Horace Davey 1892'

The Mayoress Chain was presented to the Corporation of Thornaby-on-Tees by Alderman George Butt Craig JP to commemorate his three years of office as Mayor of the Borough 1902. It is 18 ct gold with enamelled centre and alternate links set with amethysts and citrines.

The chains are currently in use by the Deputy Mayor and Mayoress of Stockton-on-Tees Borough Council.

**Current Situation**

8. The Council has received a letter from the Chairman of Thornaby Town Council, formally requesting that the former Thornaby Borough Chains be given to Thornaby Town Council.
9. Following receipt of the request the matter was considered by the Members' Advisory Panel. The Panel was asked to consider the request and the related wider implications for the Civic Chains currently held by Stockton-on-Tees Borough Council.
- 10 The Members' Advisory Panel discussed the options that were available to it;-

a. Decline the request

on the grounds that Stockton Borough Council remains the principal Council responsible for administering the Thornaby area and that this Council retains the chains on behalf of the people of Thornaby for civic use and display.

b, Transfer the former Thornaby Borough chains to Thornaby Town Council

The Chains are the property of Stockton-on-Tees Borough Council since they came into their possession in 1974 with the end of the former Teesside Borough Council. Since 1974, Stockton-on-Tees Borough Council has been the lawful owners of the chains of office and is obliged to fulfil all of the duties and responsibilities inherent in such ownership.

There is no lawful means by which a transfer of ownership could be enforced. Stockton-on-Tees Borough Council could however consent to transfer ownership of the chains to Thornaby Town Council. The Council would need to decide formally to take this course of action, a transfer agreement would need to be drawn up and agreed.

This could be achieved either by way of an Officer delegated decision in consultation with appropriate Cabinet Member(s) or by means of a report to and decision of Cabinet/Council.

c. Loaning the former Thornaby Borough chains to Thornaby Town Council

Legally, there is nothing to prevent Stockton arranging to loan the Chains to Thornaby Town Council, either temporarily or on a more permanent basis.

It would, however, again be necessary for the Council to decide formally to take this course of action. This could be achieved either by way of an Officer delegated decision in consultation with appropriate Cabinet Member(s) or by means of a report to and decision of Cabinet/Council.

In view of the Authority's duties and responsibilities as owner of the Chains, it would also be necessary as in the case of transfer, to underpin the loan arrangements with a formal agreement between Stockton Borough Council and the Town Council.

11. After consideration of the options Members' preference was to transfer the former Thornaby Borough Council Chains to Thornaby Town Council. This would be completed subject to an appropriate transfer agreement being agreed between Stockton-on-Tees Borough Council and Thornaby Town Council (see an initial draft transfer at **Appendix 1**). Members requested that the transfer should include the need to have relevant insurance and security arrangements and that in the longer term should Thornaby Town Council disband or should Thornaby Town Council no longer want the Chains then they would be returned to Stockton-on-Tees Borough Council or its successor.

### **Broader implications**

12. If a recommendation to transfer the former Thornaby Borough chains is agreed it would be timely and appropriate, to make the same offer to Billingham Town Council regarding the transfer of the Billingham UDC Chains.

### **Replacement Options**

13. If it is agreed that the Thornaby Chains are to be transferred to Thornaby Town Council then the matter of replacement chains for the Deputy Mayor and Mayoress of Stockton-on-Tees Borough Council would need to be addressed. The Members Advisory Panel considered the following options:-

1. The Deputy Mayor and Mayoress could wear the Stockton Rural district Council Chains. However, it would be necessary to investigate the suitability of the chains for this use together with any associated costs for ensuring they are fit for purpose.
2. New chains could be purchased. Of course, there would be a cost implication and it would be necessary to consider how elaborate the Chains should be. Indications are the cost of a simple silver gilt chain would cost a minimum of £1,000.
3. The Deputy Mayor and Mayoress could wear the Billingham Urban District Council Chains, subject to the same investigations as at 1 above and provided that any offer to transfer the chains to Billingham Town Council is not accepted.

### **FINANCIAL AND LEGAL IMPLICATIONS**

14. Potential financial implications of ensuring the former Stockton Rural District Council Chains are fit for purpose.

### **RISK ASSESSMENT**

15. All risks to be covered by the transfer agreement.

### **SUSTAINABLE COMMUNITY STRATEGY IMPLICATIONS**

16. Stronger Communities

**CONSULTATION INCLUDING WARD/COUNCILLORS**

17. Consultation undertaken with Members Advisory Panel

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Background Papers Members Advisory Panel 28/08/08 and 25/09/08

Ward(s) and Ward Councillors: Not ward specific

Property Not applicable