CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

14 SEPTEMBER 2017

REPORT OF ASSISTANT DIRECTOR ADMINISTRATION, DEMOCRATIC AND ELECTORAL SERVICES

CABINET DECISION

Leader of the Council – Councillor Cook

ELECTORAL UPDATE

1. Summary

To provide feedback from the TVCA Mayoral Election in May 2017 and the UK Parliamentary Elections in June 2017 and an update on Electoral Registration and emerging issues.

2. <u>Recommendation</u>

That the report be noted.

3. <u>Reasons for the Recommendations</u>

To update Cabinet.

4. <u>Members' Interests</u>

Members (including co-opted Members) should consider whether they have a personal interest in any item, as defined in **paragraphs 9 and 11** of the Council's code of conduct and, if so, declare the existence and nature of that interest in accordance with and/or taking account of **paragraphs 12 - 17** of the code.

Where a Member regards him/herself as having a personal interest, as described in **paragraph 16** of the code, in any business of the Council he/she must then, **in accordance with paragraph 18** of the code, 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 and the business:-

- affects the members financial position or the financial position of a person or body described in **paragraph 17** of the code, or
- relates to the determining of any approval, consent, licence, permission or registration in relation to the member or any person or body described in **paragraph 17** of the code.

A Member with a personal interest, as described in **paragraph 18** of the code, may attend the meeting but must not take part in the consideration and voting upon the relevant item of business. However, a member with such an interest may make representations, answer questions or give evidence relating to that business before the business is considered or voted on, provided the public are also allowed to attend the meeting for the same purpose whether under a statutory right or otherwise (**paragraph 19** of the code)

Members may participate in any discussion and vote on a matter in which they have an interest, as described in **paragraph18** of the code, where that interest relates to functions of the Council detailed in **paragraph 20** of the code.

Disclosable Pecuniary Interests

It is a criminal offence for a member to participate in any discussion or vote on a matter in which he/she has a disclosable pecuniary interest (and where an appropriate dispensation has not been granted) **paragraph 21** of the code.

Members are required to comply with any procedural rule adopted by the Council which requires a member to leave the meeting room whilst the meeting is discussing a matter in which that member has a disclosable pecuniary interest (**paragraph 22** of the code)

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ELECTORAL UPDATE

SUMMARY

To provide feedback from the TVCA Mayoral Election in May 2017 and the UK Parliamentary Elections in June 2017 and an update on Electoral Registration and emerging issues.

RECOMMENDATIONS

That the report be noted.

BACKGROUND

- 1. This report highlights what went well and lessons learned to enable the Returning Officer to plan for future polls.
- 2. Once again the elections team were placed under significant pressure between September 2016 and June 2017 taking the lead in the first TVCA Mayoral Election in May followed by the snap General Election in June. This work took place alongside four other by-elections, the elections for the MYP, the Annual Canvass, postal vote refresh exercise and a Household Notification Exercise during February.
- 3. The statutory election period for the Parliamentary election was underway before the polls for the Mayoral Election had been held. The risks associated with concurrent planning and administration of the polls under different legislation and Guidance should not be under estimated. To illustrate the scale of the work, on the main elections alone:

TVCA Election

- 400 assenter details on nomination papers had to be checked against the electoral register, across five Council areas
- 92 agents were appointed
- 100 polling stations were booked
- 453 staff were appointed to 1153 jobs
- 34256 postal ballot packs were issued and 19054 were receipted and opened and processed
- 586 postal votes were returned on polling day which all had to be opened and processed for verification as soon as possible after 10pm

UK Parliamentary Election

- 100 polling stations were booked
- 489 staff were appointed to 986 jobs
- 36151 postal ballot packs were issued and 30946 were receipted and opened representing an unprecedented 86% turnout of postal voters

- A staggering 2748 postal votes were returned on polling day. Of these 1097 postal ballot packs were returned at the close of poll from the stations; all had to be opened and processed for verification.as soon as possible after 10pm
- In addition, electoral registration activity significantly increased; during the statutory election period for the Parliamentary election, 7,132 registration applications were received between 2 May and 22 May. Of these, 3291 were duplicate applications which also needed to processed.
- 5. Despite the challenges, the 2017 polls at Stockton were delivered successfully. Clear leadership, effective team working and project management enabled a timely and planned approach to delivery including positive working relationships with partners and suppliers and thereby achieving successful election outcomes. Clear roles and good communications continue to contribute to this success and will stand us in good stead for future elections.
- 6. Regular meetings were held in the region and sub region particularly in the early planning stages. These meetings and good communication with the Electoral Commission and Association of Electoral Administrators continue to be invaluable in sharing ideas and best practice.

DETAIL

TVCA MAYORAL ELECTION

Stockton Lead for TVCA Mayoral Elections

- 7. In May 2017, the Mayoral Election was held for the first time for the Tees Valley Combined Authority. The poll was administered across five Local Authority boundaries and to new legislation and guidance. The excellent working relationship across the Tees Valley Elections Teams during previous PCC elections laid strong foundations for Stockton taking the lead on this election as Combined Authority Returning Officer (CARO). The inclusion of Darlington in this election also required additional discussions and planning.
- 8. The CARO role meant that Stockton had additional responsibilities relating to directing and overseeing the work of the other Returning Offices. The CARO also had responsibility for statutory notices, the nominations process, the content of election addresses and production of the Mayoral Booklet, co-ordinating public awareness, count arrangements and duties relating to expenses returns.

Nominations Process

9. A key role for the CARO was managing the nominations process during the narrow statutory nominations period. In addition to liaising with political parties around authorisations, 100 assenter details had be checked for each candidate across five different electoral registers with 10% of assenters needing to be from each Council area. Arrangements were put in place to have electronic and hard copy access to other Council's Electoral Registers.

Mayoral Booklet

- 10. Another key role for the CARO was the production of the Mayoral Booklet which had to be sent to all electors. The process for co-ordination, proofing and agreeing the booklet with all candidates and Councils proved to be extremely protracted and time consuming. There was considerable discussion nationally about the layout and content of the Booklet to address complaints about lack of information from the electoral in previous PCC elections.
- 11. The only complaints received from the public were in relation to the use of our printers who are based in Huddersfield. The print requirements for elections and electoral registration are

extensive and quite specialist in nature and there are no local firms in the area who provide these services. The current providers, Adare, were awarded the contract for a number of local authorities throughout the North East after an open tendering exercise conducted by the North East Purchasing Organisation. The expertise of our Electoral printers was invaluable during this process.

Verification and Count

12. The CARO had responsibility for co-ordinating and collating verification results from local verification venues. Practice runs and CARO representative at each local verification venue assisted with communication and the smooth transmission of results on the Thursday night. The CARO also had responsibility for the central count on the Friday after poll. Considerable planning and discussion took place with the other Returning Officers and liaison with other Council Services. The layout of the count hall was reviewed from the PCC count in order to accommodate Darlington mini count tables and the different sections were colour coded for clarity.

UK PARLIAMENTARY ELECTION

Registration

- 13. The impact of the General Election on registration was significant. In Stockton, 7,132 applications to register were made between the 2 and 22 May. Registration has risen from 141,108 in January to 143,871 in July 2017 and attainer registration has risen from 1,475 in January to 2,093 in July 2017. Duplicate registrations continue to place a significant pressure on staff resource and the Cabinet Office and Electoral Commission continue to seek ways to reduce the number of duplicate applications.
- 14. In July, the Electoral Commission published a report on voter registration at the General Election. June's general election had the largest ever electorate for a UK-wide poll, with an estimated 46.8 million people registered to vote. This figure is approximately 500,000 more electors than the last general election in 2015. The report finds that online electoral registration has transformed access to elections in Great Britain. This, combined with active campaigns to encourage registration in the run-up to recent polls, particularly aimed at under-registered groups, meant a record electorate. But the report also argues that further modernisation is urgently required to improve the service to voters and relieve burdens on local authorities, especially from the current large number of duplicate registration applications. The report's specific recommendations include:
 - Urgent action to reduce both the scale and the administrative impact of duplicate registration applications ahead of future polls. The Commission wants to work with the UK's governments to incorporate more automatic checks into the online application service to highlight if someone has already submitted an application
 - Electoral registration should be more joined-up with other public services, to make registering to vote even simpler for the public and more efficient for EROs. This should include integrating applications into other public service transactions and better use of national data to identify new electors or home movers
 - Funding for EROs needs to reflect better the scale of activity required to process electoral registration applications ahead of major polls
 - Automatic registration methods should be explored further, drawing on insights from other comparable countries

Overseas Voters

15. Delivery and return of overseas postal votes continues to be a concern despite the continued practice of an earlier despatch of postal votes to overseas electors and the use of a dedicated air mail overseas postal voting licence (in line with Electoral Commission guidance). Particular problems were experienced with the postal service to Australia. Attempts were made to minimise potential problems by contacting overseas voters to encourage them to utilise a proxy or postal proxy vote. Government's proposals to allow votes for life removing the current 15 year time limit of voting rights of British Citizen living overseas for UK Parliamentary elections is likely to increase pressure on the postal voting timetable. It is clear, however, that changes to improve access to voting for overseas electors are needed.

Postal Voting

- 16. In response to difficulties faced by electors unexpectedly needing a postal vote owing to the snap general election, a further wave of postal votes were released in addition to the two scheduled. It is proposed to build a further postal vote release into future electoral events to improve the service to voters and support the early return of postal ballot packs for verification.
- 17. Dealing with postal votes at the close of poll continues to present a pressure in terms of finalising verification of personal identifiers to enable ballot papers to go forward to the count. Additional postal vote opening teams were employed for the Parliamentary Election designated and poll clerks were instructed to bring postal votes directly to the count venue immediately after 10pm. Again, these proved to be prudent decisions as postal vote turnout was 86% and 2,748 postal votes were returned to polling stations on polling day.

Security Threat

- 18. During the planning for all elections, risks, integrity and business continuity arrangements are reviewed and schedules are put in place with Council services and suppliers to provide a range of support and minimise risk.
- 19. However, following terror attacks in the lead up to the General Election, the threat assessment was raised to Substantial (an attack is a strong possibility). Cleveland Police therefore provided a fixed visible police presence at count venues for the full duration of the counts and dedicate specific neighbourhood officers to visit polling stations. In addition, each count venue was reviewed by the Counter Terrorism Security Co-ordinator and a full risk assessment conducted with the Acting Returning Officer. Support on the day from the Police was excellent.

ISSUES RELEVANT TO BOTH POLLS

Polling Stations in Schools

- 20. An increasing problem in planning for elections is the growing reluctance of schools to allow the use of rooms in school premises for polling stations owing to disruption and safeguarding issues.
- 21. Owing to the lack of alternative venues in some polling districts, mobile stations have therefore been used. Mobiles are expensive, however, lack privacy, do not have good access and are unpopular with voters. In busy stations, larger portabins have been needed and this increases the cost further whilst still not providing a positive experience for the voter.
- 22. Following recent terror attacks, concerns have also now been expressed by some parents about the use of schools as polling stations.

- 23. DFE guidance states that Local Returning officers have the power to require a school to act as a polling venue and may choose to do so where no suitable alternative accommodation is available. Whether or not the school then has to close is a decision for the Head Teacher.
- 24. Decisions about closure will usually depend on what arrangements can be made for voting to take place separately from the rest of the school premises. If pupils and the voting public can be kept apart, with a separate entrance and exit, and without compromise to the school's controlled access or interruption to education, it may be possible for the school to remain open. However, this is ultimately a decision for the Head Teacher.
- 25. It is proposed that the issue of polling stations in schools is reviewed fully as part of the statutory review of polling districts, places and stations in 2018.

Mobile Stations

26. In response to complaints from voters about the inaccessibility of mobile polling stations and queues forming, a decision was taken to book a number of larger mobiles for the 2016 Referendum for polling districts where the electorate warranted it. Whilst the mobiles do not have good access and are unpopular with voters, the larger mobiles were an improvement and they were used successfully again in May and June 2017. Unfortunately the larger mobiles are more expensive to hire. Again the identification of suitable alternatives to mobile stations will be looked at as part of the 2018 polling district review.

Mini Count

- 27. As in recent elections, a mini count approach was adopted for both polls. This means that each individual table is its own count and ballot papers allocated at the start of the process remain with the table at all times. This approach has proven to be quicker and more accurate and if problems arise they are isolated to a particular table and are easier to resolve. The accuracy of this method was demonstrated by the ease of the recount for the Stockton South seat at the Parliamentary election. A visual display of the results on six screens at the rear of the count hall again proved very successful and allowed attendees and media representatives to view the overall results as the counts were progressing without traditional candidates' tables.
- 28. The Accountancy Team performs an important role at verification and count on the control tables inputting results from each mini count table in the count hall. The spread sheets used are developed by the Returning Officer and Deputy Returning Officer with the accountancy team and generate the statements and declarations from the count and relay the results to the visual display screens in the Count Hall.

Training

29. For the 2017 polls, face to face training was once again provided for all polling station staff (as recommended by the Electoral Commission) and count staff in accordance with a detailed training plan. In addition an online training package was used to train doubtful ballot paper adjudicators for the Mayoral Election. Inevitably, there will always be some issues on stations on the day but access to the Deputy Returning Officer and support staff throughout the day supports resolution of problems as they arise.

Working with Council Services

30. Early planning meetings and close liaison with Council Services are essential to the smooth running of elections. Care for Your Area and Security Services continue to provide essential support and contribute to the smooth running of arrangements leading up to, during and after polling day (e.g. opening stations, monitoring portacabins, securely transporting postal votes and election materials).

31. ICT is critical in enabling the delivery of the election and through good working relationships with IT staff we are able to overcome any problems that we might encounter. IT critical dates (e.g. statutory deadlines, data transfer dates) are provided at an early planning stage and attendance by IT support staff at the first postal vote opening sessions and verification and count provide essential support. IT support staff continue to provide us with excellent support, and play a key role in developing the visual display results system.

Integrity Issues

32. Liaison with the Police through our Single Point of Contact (SPOC) allows us to discuss security and integrity issues in a timely manner, facilitating a risk assessment to identify and address potential concerns about electoral malpractice, thereby complying with EC advice. Prior to every electoral event, our Integrity Plan is reviewed and shared with our SPOC.

Staffing

33. The appointment of staff continues to prove very difficult. Corporate commitment remains invaluable in recruiting sufficient temporary election staff from within the Council.

PERFORMANCE STANDARDS

34. The EC performance framework standards for Electoral Registration Officers continue to reflect what needs to be done to prepare and deliver well run elections. The standards focus on key outcomes from the perspective of voters and those who wish to stand. The standards also specifically cover the role of statutory office holders.

FUTURE ELECTIONS

- May 2019 District and Parish elections
- May 2020 PCC and TVCA Mayoral elections
- May 2022 Parliamentary Elections across three different boundaries

LAW COMMISSION REVIEW

35. The EC continue to support the Law Commission's recommendation that the current laws governing elections should be rationalised into a single consistent legislative framework governing all elections. This would allow resources to be re-deployed to improve electoral processes for voters and candidates. The Law Commission require the approval of UK Government before they can move on to the next stage of drafting new legislation. The EC continue to urge the UK Government to support this work. The impact of Brexit and the availability of Parliamentary time makes this unlikely ahead of the 2020 polls.

ID IN POLLING STATIONS

- 36. In August 2016 Sir Eric Pickles MP published his report into electoral fraud. He was asked by the Government to consider what further changes were needed to make the electoral system more secure. This was particularly in light of the 2015 Tower Hamlets election court judgment that saw the disqualification of the elected mayor for a number of corrupt and illegal practices. The report makes 50 wide ranging recommendations into all aspects of electoral practice.
- 37. In December the Government announced a number of measures to tighten controls around the conduct of polls to eliminate electoral fraud. As well as piloting the use of ID in polling stations across England, the government will seek to:

- prevent the intimidation and undue influence of voters at the hands of activists and supporters
- end the dubious practice of postal vote harvesting, and
- consider measures for nationality checking that will prevent fraudulent voter registrations
- 38. The government will consider how to bring a number of these measures into practice including introducing new guidance for Electoral Registration Officers who conduct the polls.
- 39. Pilots for ID in polling stations will be conducted at the local government elections in May 2018. Electors will be required to bring ID to prove who they are before they can vote, preventing anyone fraudulently taking another person's ballot paper. Local authorities will be invited to apply to trial different types of identification, including forms of photo ID such as driving licenses and passports, or formal correspondence such as a utilities bill to prove their address backed by a signature check. Voters will be asked to produce ID before they can be given their ballot paper. If successful, the measure could be introduced for general elections and other polls from 2019.

ELECTORAL REGISTRATION

40. The impact of our democratic engagement work, pro-active data mining and the impact of recent polls continues to have a positive impact on registration levels which are illustrated in the table below:

	Revised register 2016/2017	01/12/2016	140,964	7,503	1,407	32,411		513	101
Register Month 2017	Dates of 1st input and deadline	Date	Electorate	Pending Electors	Attainers	Postals	Proxies	Overseas	Service
January	20/11/2016- 12/12/2016	03/01/2017	141,108	7,329	1,475	32,345	266	513	101
February	13/12/2016- 10/01/2017	01/02/2017	141,245	7,182	1,553	32,603	266	511	101
March	11/01/2017- 07/02/2017	01/03/2017	141,926	6,638	1,736	32,847	266	513	94
April	08/02/2017- 10/03/2017	03/04/2017	141,781	6,107	1,897	34,490	254	500	87
May	11/03/2017- 06/04/2017	02/05/2017	142,073	5,989	1,955	34,659	262	451	85
June	07/04/2017- 10/05/2017	01/06/2017	142,718	5,211	2,012	36,329	574	464	87
July	11/05/2017- 09/06/2017	03/07/2017	143,871	5,190	2,093	35,112	312	519	87
August	10/06/2017- 10/07/2017	01/08/2017	143,798	5,558	2,097	35,171	306	512	87

CANVASS 2017

- 41. Household Enquiry Forms (HEFs) have now been sent to all properties as the first stage of the Annual Canvass.
- 42. As usual residents are asked to confirm that their details have not changed either by returning the form in the pre-paid envelope provided or by using the online, telephone or text options.

- 43. Where there are changes, residents can advise Electoral Services by using the on-line service, calling the Helpline or by returning the hard copy HEF.
- 44. The HEF form is not a registration form; anyone added to the form is directed to www.gov.uk/register-to-vote to register. If they do not, we will write to those individuals separately to invite them to register. Individuals can also register by calling the electoral helpline on 01642 526196 but they will still need to provide national insurance number and date of birth in order to register.
- 45. The second stage of the canvass will commence with canvassers door knocking all properties not returning a HEF. Door knocking will take place between 8 September and 20 October 2017.
- 46. Final HEF reminders will be mailed on 30 October and the revised Register will be published on 1 December.

ABSENT VOTE SIGNATURE REFRESH

- 47. In January 2018 there will be 7,570 absent voters (postal/ proxy voters) who will be required to provide a fresh specimen signature. The law requires Electoral Registration Officers by 31 January each year, to send every absent voter whose signature on the personal identifiers record is more than five years old a notice in writing:
 - requiring them to provide a fresh signature if they wish to remain an absent voter, and
 - informing them of the date on which they would cease to be entitled to vote by post or by proxy in the event of a failure or refusal to provide a fresh signature (i.e. six weeks from the date of sending the notice). A reminder notice is sent after three weeks if a response is not received

POLLING DISTRICT REVIEW 2018

- 48. Each Local Authority is required to carry out reviews of Polling Districts and Polling Places in its area.
- 49. The Electoral Registration and Administration Act 2013 changed the timing of these reviews which must in future be held within a 16 month period starting on 1 October every fifth year after 1 October 2013. It is proposed therefore that the statutory timetable for the next polling district review formally commence on 1 October 2018 with a view to any changes being implemented prior to the scheduled local and parish elections in May 2019. Preliminary work will, however, commence well ahead of time in the New Year.
- 50. These reviews look at polling districts and polling places in an Authority's area. A council's area is divided into polling districts. One or more polling districts can make up a Borough Council ward. A polling place is an area or building within a polling district in which a polling station is situated. Consequently, it is inevitable that polling stations are also considered as part of these reviews. The suitability of polling stations is assessed along with their accessibility, facilities for voters and, in particular, for those with a disability.

COMMUNITY GOVERNANCE REVIEW - GRINDON

51. Following the receipt of a petition calling for the splitting of Grindon into two separate parishes along the ward boundaries of Grindon East and Grindon West with an alteration to the boundary line, a Community Governance Review was carried out. The review culminated in the Council resolving:

1. That Grindon Parish is abolished and Grindon Parish Council is dissolved and that two new parishes and parish councils are created based on the ward boundaries of Grindon East and Grindon West;

2. That the new parish in the Grindon West Ward is called Grindon and Thorpe Thewles Parish and the new parish in the Grindon East Ward is called Wynyard Parish;

3. That Grindon and Thorpe Thewles Parish Council comprise 6 Parish Councillors and Wynyard Parish Council comprise 7 Councillors;

4. That, a reorganisation order be made to implement the changes which will come into force at the next ordinary parish elections in May 2019.

52. Liaison will now take place with the existing parish council and a reorganisation order will be drafted to give effect to the Council's decisions coming into effect in May 2019.

BOUNDARY REVIEW

- 53. In 2011 legislation was passed to reduce the number of MPs from 650 to 600, but the review of constituency boundaries that would have made the recommendations necessary to implement these changes was halted because of disagreements within the previous Government over constitutional reform.
- 54. A new review by the Boundary Commission must be conducted after the 2015 General Election and completed by October 2018. It must again divide the UK into 600 constituencies.
- 55. On 13 September 2016, the Commission published initial proposals for new constituencies in England and consulted on them for 12 weeks. The responses to the initial proposals can all be viewed via their consultation portal <u>www.bce2018.org.uk</u>. Full transcripts of the 36 public hearings that took place as part of the initial consultation can also be viewed. The statutory secondary consultation period allowing people to comment on the responses received to the initial proposals commenced on 28 February and ended on 27 March 2017.
- 56. The Commission are in the process of considering in detail all the evidence put forward by responses in both the initial and secondary consultation, and determining what revisions may need to be made to the initial proposals. A final public consultation will then take place on the revised proposals towards the end of 2017.
- 57. The Review must conclude by September 2018 and revised constituencies will be implemented at the next General Election. Any by elections in the meantime would be held on the basis of the old constituencies.

"STAND UP FOR WHAT YOU BELIEVE IN – BE A COUNCILLOR" CAMPAIGN OCTOBER 2017 – MAY 2019

- 58. Like most Local Authorities, we undertake a programme of activity focused on promoting local democracy and increasing democratic engagement. Promoting the role of councillor and encouraging more people to consider standing for election is an important part of this work.
- 59. Increasing the pool of talent from which councillors are elected is a key challenge for local government. Ultimately, it's the electorate that decides who becomes a councillor, but the Council can help to raise the quality and diversity of the candidates they choose from.
- 60. Prior to the local elections in 2011 and 2015, the Council ran an 18 month campaign called "Make a difference – Be a Councillor" to encourage more people to think about standing as a candidate and find out more about the role of a councillor.

- 61. We intend on running a refreshed and updated version of the campaign leading up to the local elections in May 2019. The campaign covers four stages:
 - I. Produce publicity materials highlighting current councillors which convey the message that Councillors are ordinary people like you so you could be one too!"
 - II. Distribute the publicity materials and promote the opportunity for people to:
 - a. find out more about what councillors do;
 - b. explore the possibility about whether they could be a councillor;
 - III. Provide specific information about how to become a councillor to the people identified at stage two.
 - IV. Organise 'Be a Councillor' workshop events for those interested in finding out more to meet current councillors from different parties and make a decision about whether they intend standing as a candidate in the 2019 local elections
- 62. The campaign will link in and make use of the Local Government Association's "Stand up for what you believe in Be a Councillor" campaign. They have a range of resources which we can tailor for our local area.
- 63. The campaign is due to be launched in October 2017 as part of our 'Local Democracy' programme for the tenth anniversary of European Local Democracy Week.

FINANCIAL AND LEGAL IMPLICATIONS

64. Duty to comply with the requirements of the electoral legislation.

RISK ASSESSMENT

65. Development and implementation of future elections will include an appropriate risk log, integrity plan and business continuity plan to mitigate against any perceived risks.

COUNCIL PLAN

66. Stronger Communities.

CONSULTATION

67. All stakeholders will be consulted on the arrangements for future elections.

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Background Papers: Ward(s) and Ward Councillors: Property Implications: