

Council

A meeting of the Council was held on Wednesday 14th June 2006.

Present: The Worshipful the Mayor (Councillor Mrs Fletcher), Councillors Baker, Brown, Mrs Beaumont, Mrs Cains, Cains, Cherrett, Coleman, Cook, Coombs, Cunningham, Dalgarno, Dewison, Dixon, Faulks, Fletcher, Frankland, Gibson, Harrington, Miss Inman, Johnson, Jones, Kirton, Leckonby, Leonard, Lupton, Lynch, Narroway, Mrs Nelson, Nelson, Mrs Nesbitt, Noble, Mrs Norton, Mrs O'Donnell, Perry, Mrs Rigg, Rix, Roberts, Mrs Robinson, Salt, Sherris, Smith, Stoker, Teasdale, Walmsley, Mrs Womphrey, Womphrey, Woodhead and Woodhouse.

Officers: J.Haworth (CE); A. Baxter (CESC); J Danks (R); N.Schneider (DNS); D E Bond, N.Hart (LD).

Apologies for absence were submitted on behalf of Councillors Mrs Apedaile, Laing, Larkin, Parry, Patterson, Mrs Trainer and Mrs Wade.

171 Former Councillor Mrs Gwen Porter

The Worshipful the Mayor referred to the recent sad news that former Councillor Mrs Gwen Porter had passed away. On behalf of the Council, a letter of condolence would be sent by the Mayor to Mrs Porter's family.

172 Minutes

The Minutes of the meeting held on 3rd May 2006 were signed by the Worshipful the Mayor as a correct record.

173 Declarations of Interest

	<u>Minute No(s)</u>	<u>Interest</u>
<u>Cabinet</u>		
Councillor Cook	159	Personal, non-prejudicial- Employed within Chemical industry
Councillor Coombs	160	Personal/non prejudicial- Member of PANIC Board
Councillor Kirton	160	Personal/non prejudicial- Member of PANIC Board
Councillor Leonard	163	Personal/non prejudicial – Member of Tristar Management Board
Councillor Nelson	163	Personal/non prejudicial – Member of Tristar Management Board
Councillor Teasdale	157	Personal/Non-Prejudicial- Works for an agency employed within the Local Education Authority
<u>Housing and Community Safety Select Committee</u>		
Councillor Brown	104, 107, 144	Personal/non prejudicial – Member of Tristar Management Board
Councillor Leonard	144	Personal/non prejudicial – Member of Tristar Management Board
Councillor Roberts	104, 142	Personal/non prejudicial – Member of Tristar

Councillor Woodhead	144	Management Board Personal/non prejudicial – Member of Tristar Management Board
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Licensing Sub Committee

Councillor Coombs	150	Personal/non prejudicial- Governor at Riverside College
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Councillor Mrs Beaumont	150	Personal/non prejudicial- Governor at Riverside College
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Planning Committee

Councillor Mrs Beaumont	71	Personal/Non-Prejudicial- objector known to member
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Councillor Mrs Nesbitt	80	Personal/non prejudicial- Relatives affected by application
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Councillor Salt	131	Personal/Prejudicial-Objected to application
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Councillor Teasdale	132	Personal/Non-Prejudicial-Family Member employed at application site
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Councillor Woodhouse	68	Personal/Prejudicial-Objected to application as Ward Councillor
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Health Select Committee

Councillor Woodhouse	88	Personal/Non-Prejudicial-Family Member employed as Dentist
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Agenda Item No 5 Members Question Time

Councillor Baker		Personal/Prejudicial – Member of Teesside Pension Fund
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Councillor Brown		Personal/Prejudicial – Member of Teesside Pension Fund
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Councillor Mrs Cains		Personal/Prejudicial – Member of Teesside Pension Fund
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Councillor Cains		Personal/Prejudicial – Relative of a Member of Teesside Pension Fund
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Councillor Coleman		Personal/Prejudicial – Member of Teesside Pension Fund
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Councillor Coombs		Personal/Prejudicial – Member of Teesside Pension Fund
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Councillor Dixon		Personal/Prejudicial – Member of Teesside Pension Fund
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Councillor Fletcher		Personal/Non-Prejudicial- Member of Teesside Pension Fund
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Councillor Mrs Fletcher		Personal/Non-Prejudicial- Member of Teesside Pension Fund
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Councillor Harrington	Personal/Prejudicial – Member of Teesside Pension Fund
Councillor Miss Inman	Personal/Prejudicial – Member of Teesside Pension Fund
Councillor Johnson	Personal/Prejudicial – Member of Teesside Pension Fund
Councillor Jones	Personal/Non-Prejudicial- Member of Teesside Pension Fund
Councillor Kirton	Personal/Prejudicial – Member of Teesside Pension Fund
Councillor Leonard	Personal/Prejudicial – Member of Teesside Pension Fund
Councillor Lupton	Personal/Prejudicial – Member of Teesside Pension Fund
Councillor Nelson	Personal/Prejudicial – Member of Teesside Pension Fund
Councillor Mrs Nelson	Personal/Prejudicial – Member of Teesside Pension Fund
Councillor Mrs Nesbitt	Personal/Prejudicial – Member of Teesside Pension Fund
Councillor Mrs Rigg	Personal/Non-Prejudicial- Member of Teesside Pension Fund
Councillor Rix	Personal/Prejudicial – Member of Teesside Pension Fund
Councillor Roberts	Personal/Non-Prejudicial- Member of Teesside Pension Fund
Councillor Smith	Personal/Prejudicial – Member of Teesside Pension Fund
Councillor Stoker	Personal/Prejudicial – Member of Teesside Pension Fund
Councillor Teasdale	Personal/Prejudicial – Member of Teesside Pension Fund
Councillor Woodhouse	Personal/Prejudicial – Relative of a Member of Teesside Pension Fund

Agenda Item No 7 –
Minutes

Councillor Brown	Personal/ non prejudicial – Member of Cleveland Fire Authority
Councillor Cook	Personal/ non prejudicial – Relative of a serving officer within Cleveland Police Authority
Councillor Dixon	Personal/ non prejudicial – Relative employed by Cleveland Police

	Authority
Councillor Mrs O'Donnell	Personal/ non prejudicial – Member of Cleveland Fire Authority
Councillor Roberts	Personal/ non prejudicial – Member of Cleveland Fire Authority
Councillor Salt	Personal/ non prejudicial – Member of Cleveland Fire Authority
Councillor Teasdale	Personal/ non prejudicial – Family Member serving with Cleveland Police Authority
Councillor Kirton	Personal/ non prejudicial – Member of Cleveland Fire Authority
Councillor Walmsley	Personal/ non prejudicial – Member of Cleveland Fire Authority
Councillor Woodhead	Personal/ non prejudicial – Member of Cleveland Fire Authority

174 Public Question Time

The Director of Law and Democracy informed the Worshipful the Mayor that no Public questions had been received.

175 Members Question Time

The following question was submitted by Councillor Roberts:-

'Can the Deputy Leader confirm whether he is aware of the concern expressed in recent weeks in the local government press about the investment by many Council pension funds in shareholdings in the arms trade, and whether he would ask Middlesbrough Borough Council, as Trustee of the Teesside Pensions Fund (which is responsible for the superannuation of this Authority's employees other than teachers), to switch from shareholdings in the arms trade, both in the UK and overseas, into more ethical investments?'

The Leader of the Council, in the absence of the Deputy Leader, advised that he was aware that the Teesside Pension Fund; whilst having a good investment performance record, did not currently have an ethical investment policy and that he would therefore write to the Chairman of the Fund requesting that they consider the adoption of such a policy.

(Councillors Baker, Brown, Mrs Cains, Cains, Coleman, Coombs, Dixon, Harrington, Inman, Johnson, Kirton, Leonard, Lupton, Nelson, Mrs Nelson, Mrs Nesbitt, Rix, Smith, Stoker, Teasdale and Woodhouse left the meeting room during consideration of this item, having declared a personal and prejudicial interest in the matter due to their membership of the Teesside Pension Fund.)

176 Planning Committee – Minutes

Moved by Councillor Stoker, seconded by Councillor Cherrett and RESOLVED that the minutes of the Planning Committee (Minute Nos 68-85, 129-141) be received or approved, as appropriate.

177 Health Select Committee – Minutes

Moved by Councillor Mrs Womphrey, seconded by Councillor Dixon and RESOLVED that the minutes of the Health Select Committee (Minute Nos 86-88) be confirmed.

178 Licensing Committee – Minutes

Moved by Councillor Mrs Nelson, seconded by Councillor Johnson and RESOLVED that the minutes of the Licensing Committee (Minute Nos 89-95) be received.

179 Children & Young People Select Committee – Minutes

Moved by Councillor Mrs Rigg, seconded by Councillor Jones and RESOLVED that the Minutes of the Children & Young People Select Committee (Minute Nos 96-97) be confirmed.

180 Environment & Regeneration Select Committee - Minutes

Moved by Councillor Mrs Beaumont, seconded by Councillor Teasdale and RESOLVED that the minutes of the Environment & Regeneration Select Committee (Minute Nos 98-100, 148) be confirmed.

181 Adults, Leisure & Culture Select Committee – Minutes

Moved by Councillor Fletcher, seconded by Councillor Smith and RESOLVED that the minutes of the Adults, Leisure & Culture Select Committee (Minute Nos 101-103) be confirmed subject to Councillor Smith's name being added to the list of apologies submitted.

182 Housing & Community Safety Select Committee – Minutes

Moved by Councillor Roberts, seconded by Councillor Lupton and RESOLVED that the minutes of the Housing & Community Safety Select Committee (Minute Nos 104-108, 142-144) be confirmed subject to Councillor Mrs Trainer's name being added to the list of apologies submitted.

183 Standards Committee – Minutes

Moved by Councillor Sherris, seconded by Councillor Mrs Beaumont and RESOLVED that the minutes of the Standards Committee (Minute Nos 109-114) be received or confirmed as appropriate.

184 Licensing Sub Committee – Minutes

Moved by Councillor Woodhead, seconded by Councillor Gibson and RESOLVED that the minutes of the Licensing Sub Committee (Minute Nos 115-118) be received.

185 Licensing Sub Committee – Minutes

Moved by Councillor Leonard, seconded by Councillor Gibson and RESOLVED that the minutes of the Licensing Sub Committee (Minute Nos 149-153) be received.

186 Audit Committee– Minutes

Moved by Councillor Woodhouse, seconded by Councillor Cains and RESOLVED that the minutes of the Audit Committee (Minute Nos 119-124, 167-170) be received subject to Councillor Fletcher's name being added to the list of members present on both occasions.

187 Executive Scrutiny Committee – Minutes

Moved by Councillor Lupton, seconded by Councillor Noble and RESOLVED that the minutes of the Executive Scrutiny Committee (Minute Nos 125-128) be received subject to the following correction:-

Minute No 126

Line 2 to read 'elicit', not 'illicit'

188 Appeals & Complaints Committee-Minutes

Moved by Councillor Brown, seconded by Councillor Lynch and RESOLVED that the minutes of the Appeals & Complaints Committee (Minute Nos 145-147) be received subject to Councillor Lynch's name being added to the list of members present.

189 Cabinet – Minutes

Moved by Councillor Gibson, seconded by Councillor Coleman and RESOLVED that the minutes of the Cabinet (Minute Nos 154-166) be received or confirmed as appropriate.

190 Cleveland Police Authority – Minutes

The minutes of the meeting of the Cleveland Police Authority held on 23rd and 24th February 2006 were noted.

191 Cleveland Fire Authority – Minutes

The minutes of the meetings of the Cleveland Fire Authority held on 24th March 2006 were noted.

192 Elderly Citizens Liaison Forum – Minutes

The minutes of the meetings of the Elderly Citizens Liaison Forum held on 25th April and 30th May were noted.

193 Stockton Home Safety Association – Minutes

The minutes of the meeting of the Stockton Home Safety Association held on 11th April 2006 were withdrawn pending their consideration by the next quorate meeting of the Association.

194 Motion – submitted in accordance with Council Procedure Rule 12.1 by Councillor Fletcher

The following motion submitted under the Council Procedure Rule 12.1 was moved by Councillor Fletcher and seconded by Councillor Narroway:

'This Council :-

- Conscious of the effect of recent changes in 'bus services (swiftly followed by a fare increase) on the lives of so many of the residents of this Borough who depend on public transport,
- Aware that the decline in 'bus patronage in the North East of England has not been halted despite the best efforts of local authorities,
- Affirming the advantages of public transport (over expanding car use) to the environment and to the reduction of traffic congestion,
- Having spent considerable sums of public money (and planning to continue to do so) on facilities for bus passengers and on subsidised bus services,
- Has received residents' complaints that low-floor 'buses are no longer running on routes on which physical adaptations have been made for them at the public expense,

- Notes that the Commons' Public Accounts Committee, *recognising that it is difficult to turn things around in the unregulated bus market outside London, has just called on the Department of Transport to do more than stand on the touchline mildly exhorting the players to up their game;
- Notes also that the Local Government Association added that Councils outside of London were already doing everything within their power to try and encourage bus operators to run reliable services, and needed greater influence over the local bus network so similar improvements could be made; and
- Notes that the Association frequently points out to the Department of Transport the difficulty in finding enough revenue resources to support the subsidised bus routes given the heavy inflation in costs.

Therefore this Council now calls on:

- a. The bus companies to play their part by providing reliable, comfortable and convenient services, giving the public adequate notice and information about changes:

And

- b. The Government to go beyond telling local authorities to achieve, by giving them sufficient powers and revenue resources to obtain a real change for the better in their own areas.

This Council, while recognising the efforts of its officers to achieve from limited powers and resources the best they can for residents, therefore instructs the appropriate officers to:

- i. Seek a meeting between representatives of local government in the Tees Valley and Ministers to stress these points to the Government;
- ii. Implement the two-year-old recommendation of the Environment & Regeneration Select Committee, approved by Cabinet and contained in the Local Transport Plan, to establish a bus users' forum; and
- iii. Report in writing to all Members by the end of July 2006 what progress they have made.'

The following amendment to the motion was moved by Councillor Cook and seconded by Councillor Lupton:-

'At paragraph I) above, delete all words and insert 'The Cabinet Member for Regeneration and Transport, together with the Chair of the Executive Scrutiny Committee, prepare a statement for submission to the Local Government Association, and copied to the relevant ministers requesting their response, based upon the points contained above regarding the lack of ability of Local Authorities to exert real influence over privately owned Bus companies and seeking more powers.'

In recognition of the above, Councillor Fletcher indicated he would be prepared to support this amendment subject to the proviso that all parties would have input to the statement. A vote was taken on the amendment, which was unanimously carried.

A vote was then taken on the substantive motion and was unanimously carried. Thanks were also extended to officers for their assistance in addressing reported user problems.

195 Forward Plan and Leader's Report

The Forward Plan for the period 1st June 2006 to 30th September 2006 and 1st July to 31st October 2006 had previously been circulated to Members.

The Leader of the Council reported on significant decisions which the Cabinet had taken since the last Council Meeting and which the Cabinet was proposing to take over the coming months.