

# Council

A meeting of Council was held on Wednesday, 19th July, 2006.

**Present:** The Worshipful the Mayor (Cllr Mrs Fletcher); Cllr Mrs J L Apedaile, Cllr P Baker, Cllr Mrs J Beaumont, Cllr D T Brown, Cllr D Cains, Cllr Mrs P A Cains, Cllr M Cherrett, Cllr D Coleman, Cllr B Cook, Cllr C Coombs, Cllr A Cunningham, Cllr I J Dalgarno, Cllr K Dewison, Cllr K Dixon, Cllr K Faulks, Cllr J A Fletcher, Cllr M Frankland, Cllr R Gibson, Cllr D Harrington, Cllr Miss B Inman, Cllr E Johnson, Cllr B Jones, Cllr P Kirton, Cllr T Laing, Cllr C Leckonby, Cllr K Leonard, Cllr K Lupton, Cllr J M Lynch, Cllr L Narroway, Cllr Mrs K F Nelson, Cllr S Nelson, Cllr Mrs E A Nesbitt, Cllr W Noble, Cllr Mrs A Norton, Cllr Mrs J O'Donnell, Cllr S W D Parry, Cllr M Perry, Cllr Mrs M Rigg, Cllr R Rix, Cllr Mrs B Robinson, Cllr F G Salt, Cllr A B L Sherris, Cllr M Smith, Cllr M Stoker, Cllr Mrs A Trainer, Cllr Mrs J Wade, Cllr S F Walmsley, Cllr Mrs M B Womphrey, Cllr M E Womphrey, Cllr B Woodhead, Cllr B Woodhouse

**Officers:** G Garlick, V Rutland(CE); A Baxter(CESC); M Robinson(DNS); P K Bell, Mrs J Grant(LD); J Danks(R).

**Also in attendance:** None

**Apologies:** Cllr Larkin, Cllr Patterson, Cllr Roberts, Cllr Teasdale.

## **302 Former Councillor Malcolm Roots**

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

## **303 Minutes of the Council Meeting held on 14th June 2006**

The Minutes of the meeting held on 14th June 2006 were signed by the Worshipful the Mayor as a correct record.

## **304 Declarations of Interest**

Cabinet

Councillor Mrs Beaumont declared a personal and non prejudicial interest in respect of minute no. 262 as she was Member of Tees Active Board.

Councillor Cook declared a personal non prejudicial interest in respect of minute 255 as a result of the proposals affecting a family member.

Councillor Cunningham declared a personal and non prejudicial interest in respect of minute no. 292 as he was a Member of Sure Start Board.

Councillor Dewison declared a personal and non prejudicial interest in respect of minute no. 300 as he was Member of Billingham Partnership Board.

Councillor Leonard declared a personal and non prejudicial interest in respect of minute no. 258 as he was a Director of Hardwick in Partnership.

Councillor Nelson declared a personal and non prejudicial interest in respect of minute no. 258 as he was a Member of the Board of Stockton Development and Information Service.

Councillor Mrs Nesbitt declared a personal and non prejudicial interest in

respect of minute no. 258 as she was a Member of the Board of Stockton Development and Information Service.

Councillor Mrs O'Donnell declared a personal and non prejudicial interest in respect of minute no. 262 as she was a Member of Tees Active Board.

#### Housing and Community Safety Select Committee

Councillor Brown declared a personal and non prejudicial interest in respect of minute nos. 241 and 242 as he was a Member of Tristar Management Board and his son also worked for Tristar Homes.

Councillor Leonard declared a personal and non prejudicial interest in respect of minute nos. 241 and 242 as he was a Member of Tristar Management Board.

Councillor Nelson declared a personal and non prejudicial interest in respect of minute nos. 241 and 242 as he was a Member of Tristar Management Board.

Councillor Mrs Trainer declared a personal and non prejudicial interest in respect of minute nos. 241 and 242 as he was a Member of Tristar Management Board.

Councillor Woodhead declared a personal and non prejudicial interest in respect of minute nos. 241 and 242 as he was a Member of Tristar Management Board.

#### Planning Committee

Councillor Mrs Beaumont declared a person and non prejudicial interest in respect of minute nos. 275 and 276 as she was a Member of Kirklevington Parish Council.

Councillor Cherrett declared a personal and non prejudicial interest in respect of minute no. 217 as he was a Member of the Ramblers Association who were one of the consultees for the planning application.

Councillor Cunningham declared a personal and non prejudicial interest in respect of minute nos. 267 and 268 as the planning applicant had discussed the plans and sought advice from him.

Councillor Rix declared a personal and non prejudicial interest in respect of minute no. 217 as he was a Member of the Ramblers Association who were one of the consultees for the planning application.

Councillor Walmsley declared a personal and prejudicial interest in respect of minute no. 217 as his wife worked for the planning applicant.

#### Health Select Committee

Councillor Woodhouse declared a personal and non prejudicial interest in respect of minute no. 233 as a family member was employed as a Dentist.

Agenda Item No.7 – Outside Bodies - Minutes

Councillor Brown declared a personal and non prejudicial interest in respect of agenda item no.7 as he was a Member of Cleveland Fire Authority.

Councillor Cook declared a personal and non prejudicial interest in respect of agenda item no.7 as he had a relative who was a serving officer within Cleveland Police.

Councillor Coombs declared a personal and non prejudicial interest in respect of agenda item no.7 as he was a Member of Cleveland Police Authority.

Councillor Dixon declared a personal and non prejudicial interest in respect of agenda item no.7 as he was a Member of Cleveland Police Authority.

Councillor Kirton declared a personal and non prejudicial interest in respect of agenda item no.7 as he was a Member of Cleveland Fire Authority.

Councillor Mrs O'Donnell declared a personal and non prejudicial interest in respect of agenda item no.7 as she was a Member of Cleveland Fire Authority.

Councillor Salt declared a personal and non prejudicial interest in respect of agenda item no.7 as he was a Member of Cleveland Fire Authority.

Councillor Walmsley declared a personal and non prejudicial interest in respect of agenda item no.7 as he was a Member of Cleveland Fire Authority.

Councillor Woodhead declared a personal and non prejudicial interest in respect of agenda item no.7 as he was a Member of Cleveland Fire Authority.

The declarations of interest were noted.

### **305 Public Question Time**

The Head of Legal Services informed the Worshipful the Mayor that no Public questions had been received.

### **306 Members' Question Time**

The following question was submitted by Councillor Dewison:-

"Can the Cabinet Member for Housing give an assurance and a commitment that at the next Stockton on Tees Borough election, that all candidates will have the same amount of access to all properties throughout the Stockton on Tees Borough area?"

The Cabinet Member for Housing responded with the following:-

"The context of this is of course that residents (many of whom are elderly and vulnerable) of our high rise blocks pay a significant service charge primarily for 24hr security and peace of mind. We have introduced sensible protocols to prevent unauthorised visitors wandering around blocks unsupervised or delivering unsolicited literature through individual flat doors.

A few points to consider:

1. Properly enveloped addressed mail will be delivered.

2. Visitors can contact residents via the intercom and concierge and if the resident wants the visitor in fine!

3. We have contacted all residents to establish if they wish to receive unsolicited mail and/or canvassers – those who do not we will respect their wishes. Those who do will receive what is left for them.

Ward Councillors are of course allowed access to carry out their roles as elected representatives – but the same protocol exists with regard to canvassing in that Councillors are not allowed to deliver leaflets of a general information/party political nature or to canvass for votes – this is applied consistently across all schemes irrespective of party standing."

Councillor Dewison then asked the following supplementary question:-

"Is there any legal requirement for candidates to gain access?"

The Cabinet Member for Housing responded with the following:-

"I have already answered that question, all Councillors have the same access but we have developed some sensible protocols to protect residents."

The following question was submitted by Councillor Walmsley:-

Can the relevant Cabinet Member respond to the following:-

In light of the Ombudsman's findings of injustice caused by maladministration in regard access to funding (Harold Wilson/TIBS), can we now assume that the full inquiry that TIA had asked for will now take place and, bearing in mind the amounts of money involved, that a police investigation will be part of that inquiry?

The Cabinet Member for Arts, Leisure and Culture responded with the following:-

"The Ombudsman has carried out a full independent inquiry into the matter. Nothing in the Ombudsman's report indicates that police involvement would be justified. The Ombudsman's investigation found that the Council did support both bids, but accepted that there were good reasons why the bid in relation to the Harold Wilson Scheme did not proceed at the time. These reasons are set out in paragraph 21 of the Ombudsman's report.

In early spring this year the Council allocated £50,000 to progress the project and it is hoped to attract further national funding as well."

Councillor Walmsley then asked the following supplementary question:-

"I will have to talk to the opposition Members regarding this, have you read

paragraph 40 of the report?"

The Cabinet Member for Arts, Leisure and Culture responded with the following:-

"I feel I have answered you as well and as consistently as possible and I can not add anything further".

The questions and answers were noted by Members.

**307 To receive or consider the minutes of the Meeting of the Corporate Policy Select Committee held on 2nd May 2006**

Moved by Councillor Woodhead, seconded by Councillor Harrington and RESOLVED that the minutes of the Corporate Policy Review Select Committee (Minute Nos 196-197) be confirmed.

**308 To receive or consider the Minutes of the Meeting of the Standards Committee held on 25th May 2006**

Moved by Councillor Sherris, seconded by Councillor Mrs Beaumont and RESOLVED that the minutes of the Standards Committee (Minute Nos 198-204) be received or confirmed as appropriate.

**309 To consider the Minutes of the Meeting of the Children & Young People Select Committee held on 30th May 2006**

Moved by Councillor Mrs Rigg, seconded by Councillor Jones and RESOLVED that the minutes of the Children and Young People Select Committee (Minute Nos 205-207) be confirmed.

**310 To receive or consider the Minutes of the Meeting of the Planning Committee held on 31st May 2006 and 21st June 2006**

Moved by Councillor Stoker, seconded by Councillor Cherrett and RESOLVED that the minutes of the Planning Committee (Minute Nos 208-218, 265-277) be received or approved as appropriate subject to the following correction:-

Minute 271

The last paragraph to read "Eaglescliffe" and not "Eggescliffe" and "Preservation" not "Parish".

**311 To receive or consider the Minutes of the Meetings of the Licensing Sub Committees held on 1st and 5th June 2006**

Moved by Councillor Woodhead, seconded by Councillor Mrs Rigg and RESOLVED that the minutes of the Licensing Sub Committee (Minute Nos 219-220, 224-228) be received subject to the following correction:-

Minute 226

The last paragraph to read "Eggescliffe Parish Hall" and not "Eggescliffe Hall".

**312 To receive the Minutes of the Meeting of the Appeals and Complaints held on 1st June 2006.**

Moved by Councillor Brown, seconded by Councillor Lynch and RESOLVED that the minutes of the Appeals and Complaints Committee (Minute Nos 221-223) be received.

**313 To consider the Minutes of the Meeting of the Environment and Regeneration Select Committee held on 5th June 2006**

Moved by Councillor Mrs Beaumont, seconded by Councillor Woodhead and RESOLVED that the minutes of the Environment and Regeneration Select Committee (Minute Nos 229-230) be confirmed.

**314 To consider the Minutes of the Meeting of the Health Select Committee held on 5th June 2006**

Moved by Councillor Mrs Womphrey, seconded by Councillor Dixon and RESOLVED that the minutes of the Health Select Committee (Minute Nos 231-233) be confirmed.

**315 To receive or consider the Minutes of the Meetings of the Executive Scrutiny Committee held on 6th June and 4th July 2006**

Moved by Councillor Lupton, seconded by Councillor Noble and RESOLVED that the minutes of the Executive Scrutiny Committee (Minute Nos 234-238, 283-288) be received subject to the following correction:-  
Minute 286  
It should read approved by Council on 25th January 2006.

**316 To receive or consider the Minutes of the Meeting of the Housing & Community Safety Select Committee held on 8th June 2006**

Moved by Councillor Mrs Trainer, seconded by Councillor Mrs Rigg and RESOLVED that the minutes of the Housing and Community Safety Select Committee (Minute Nos 239-242) be confirmed.

**317 To receive or consider the Minutes of the Meetings of the Employee Appeals Panel held on 12th and 30th June 2006**

Moved by Councillor Rix, seconded by Councillor Cherrett and RESOLVED that the minutes of the Employee Appeals Panel (Minute Nos 243-244, 281-282) be received.

**318 To receive or consider the Minutes of the Meeting of the Licensing Committee held on 13th June 2006**

Moved by Councillor Mrs Nelson, seconded by Councillor Mrs Wade and RESOLVED that the minutes of the Licensing Committee (Minute Nos 245-250) be received.

**319 To receive or consider the Minutes of the Meetings of Cabinet held on 15th June and 13th July 2006**

Moved by Councillor Gibson, seconded by Councillor Coleman and RESOLVED

that the minutes of the Cabinet (Minute Nos 251-264, 289-301) be received or confirmed as appropriate.

**320 To receive or consider the Minutes of the Meeting of the Audit Committee held on 29th June 2006**

Moved by Councillor Woodhouse, seconded by Councillor Fletcher and RESOLVED that the minutes of the Audit Committee (Minute Nos 278-280) be received.

**321 To receive the Minutes of the Meeting of the Stockton Home Safety Association held on 11th April 2006**

The minutes of the Stockton Home Safety Association held on 11th April were noted.

**322 To receive the minutes of the Cleveland Fire Authority held on 31st March 2006**

The minutes of the Cleveland Fire Authority held on 31st March 2006 were noted.

**323 To receive the minutes of the Cleveland Police Authority held on 19th May 2006.**

The minutes of the Cleveland Police Authority held on 19th May 2006 were noted.

**324 To receive the minutes of Safer Stockton Partnership held on 25th April 2006**

The minutes of the Safer Stockton Partnership held on 25th April were noted.

**325 Changes to Select Committee Membership**

At its Annual Meeting held on Wednesday 5th April 2006 the Council approved Appointments to its Cabinet, Committee's and Panels for the Municipal Year 2006/2007.

Subsequently, necessary amendments to the Membership of two Select Committee's had been identified that required approval by the Council viz:-

Health Select Committee

Cllr Noble to be replaced by Cllr Baker.

Cllr Frankland to be replaced by Cllr Miss Inman

Housing & Community Safety Select Committee

Cllr Baker to be replaced by Cllr Noble.

Cllr Miss Inman to be replaced by Cllr Frankland.

RESOLVED that the amendments to the Membership of Health Select Committee and Housing and Community Safety Select Committee be approved.

**326 Appointment of Representatives to Outside Bodies**

Members considered the appointment of the following nominations to outside body organisations:-

| Organisation                  | No. of Reps | Nominations                         | Retiring   |
|-------------------------------|-------------|-------------------------------------|------------|
| Training & Employment Service | 3           | Cllrs Coleman,<br>Frankland & Noble | May 2007   |
| Teesside Valuation Tribunal   | 1           | Mr K.Roberts<br>(Lay Member)        | April 2009 |
| North East Purchasing Org.    | 3           | Cllrs Leonard,<br>Perry & Woodhead  | May 2007   |

RESOLVED that the appointment of representatives to outside body organisations be approved.

**327 Forward Plan and Leader's Report**

The Forward Plans for the period 1st July 2006 to 31st October 2006 had previously been circulated to Members. The Forward Plan for the period 1st August 2006 to 30th November 2006 would be published on the 17th July 2006.

The Leader of the Council will 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.