

Council

A meeting of Council was held on Wednesday, 17th January, 2007.

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 Dixon, 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 L Narroway, Cllr Mrs K F Nelson, Cllr S Nelson, Cllr Mrs E A Nesbitt, Cllr W Noble, Cllr Mrs J O'Donnell, Cllr R Patterson, Cllr M Perry, Cllr R Rix, Cllr J M Roberts, Cllr Mrs B Robinson, Cllr F G Salt, Cllr A B L Sherris, Cllr M Smith, Cllr M Stoker, Cllr N Teasdale, Cllr Mrs A Trainer, Cllr S F Walmsley, Cllr Mrs M B Womphrey, Cllr M E Womphrey, Cllr B Woodhead, Cllr B Woodhouse.

Officers: G Garlick, J Haworth (CE); A Baxter (CESE); N Schneider (DNS); D E Bond, P K Bell (LD); J Danks (R).

Also in attendance: 5 Members of the Public.

Apologies: Cllr Dewison, Cllr Faulks, Cllr Larkin, Cllr Lynch, Cllr Mrs Norton, Cllr Parry, Cllr Mrs Rigg and Cllr Mrs Wade.

917 Minutes

The minutes of the meeting held on 29th November 2006 were agreed as a correct record subject to the following correction:-

With reference to the declarations of interest by Councillor Nelson and Councillor Mrs Trainer under the Housing and Community Safety Select Committee Minutes - Minute 764 - Page 642 and Page 643 please delete:-

“and his son was employed by Tristar Homes Ltd”

918 Declarations of Interest

Cabinet

All Members present declared personal, non prejudicial interests in respect of minute number 803 as they were Members of Stockton on Tees Borough Council.

Councillor Leonard declared a personal, non prejudicial interest in respect of minute numbers 798 and 866 as he was a Member of Tristar Homes Board.

Councillor Nelson declared a personal, non prejudicial interest in respect of minute numbers 798 and 866 as he was a Member of Tristar Homes Board.

Councillor Roberts declared a personal, non prejudicial interest in respect of minute numbers 798 and 866 as she was a Member of Tristar Homes Board.

Councillor Mrs Trainer declared a personal, non prejudicial interest in respect of minute number 798 and 866 as she was a Member of Tristar Homes Board.

Councillor Woodhead declared a personal, non prejudicial interest in respect of minute numbers 798 and 866 as he was a Member of Tristar Homes Board.

Councillor Brown declared a personal, non prejudicial interest in respect of minute numbers 798 and 866 as he was a Member of Tristar Homes Board and his son was employed by Tristar Homes.

Housing and Community Safety Select Committee

Councillor Leonard declared a personal, non prejudicial interest in respect of minute numbers 702 and 738 as he was a Member of Tristar Homes Board.

Councillor Nelson declared a personal, non prejudicial interest in respect of minute numbers 702 and 738 as he was a Member of Tristar Homes Board.

Councillor Roberts declared a personal, non prejudicial interest in respect of minute numbers 702 and 738 as she was a Member of Tristar Homes Board.

Councillor Mrs Trainer declared a personal, non prejudicial interest in respect of minute numbers 702 and 738 as she was a Member of Tristar Homes Board.

Councillor Woodhead declared a personal, non prejudicial interest in respect of minute numbers 702 and 738 as he was a Member of Tristar Homes Board.

Councillor Brown declared a personal, non prejudicial interest in respect of minute numbers 702 and 738 as he was a Member of Tristar Homes Board and his son was employed by Tristar Homes.

Adults, Leisure and Culture Select Committee

Councillor J Fletcher declared a personal, non prejudicial interest in respect of minute numbers 698 and 760 due to being a Member of the Friends of Billingham International Folklore Festival.

Councillor Mrs S Fletcher declared a personal, non prejudicial interest in respect of minute numbers 698 and 760 due to being a Member of the Friends of Billingham International Folklore Festival.

Corporate Policy Review Select Committee

Councillor J Fletcher declared a personal, non prejudicial interest in respect of minute number 756 due to being a Member of Egglecliffe Parish Council.

Agenda Item 26 - Cleveland Police Authority Executive - Minutes

Councillor Cook declared a person, non prejudicial interest in respect of agenda item 26 as a family member was a serving Officer in the Police.

Councillor Coombs declared a personal, non prejudicial interest in respect of agenda item 26 as he was a Member of Cleveland Police Authority.

Councillor Dixon declared a personal, non prejudicial interest in respect of agenda item 26 as he had a relative who was a serving member of Cleveland Police.

Councillor Womphrey declared a personal, non prejudicial interest in respect of

agenda item 26 as he was a Member of Cleveland Police Authority.

Agenda Item 30 - Police Joint Committee - Minutes

Councillor Cook declared a personal, non prejudicial interest in respect of agenda item 30 as a family member was a serving Officer in the Police.

Councillor Coombs declared a personal, non prejudicial interest in respect of agenda item 30 as he was a Member of the Police Joint Committee.

Councillor Dixon declared a personal, non prejudicial interest in respect of agenda item 30 as he had a relative who was a serving member of Cleveland Police.

Agenda Items 28 and 31 - Cleveland Fire Authority - Minutes

Councillor Woodhead declared a personal, non prejudicial interest in respect of agenda item 28 and 31 as he was a Member of Cleveland Fire Authority.

Councillor Salt declared a personal, non prejudicial interest in respect of agenda item 28 and 31 as he was a Member of Cleveland Fire Authority.

Councillor Mrs O'Donnell declared a personal, non prejudicial interest in respect of agenda item 28 and 31 as she was a Member of Cleveland Fire Authority.

Councillor Brown declared a personal, non prejudicial interest in respect of agenda item 28 and 31 as he was a Member of Cleveland Fire Authority.

Councillor Kirton declared a personal, non prejudicial interest in respect of agenda item 28 and 31 as he was a Member of Cleveland Fire Authority.

Councillor Walmsley declared a personal, non prejudicial interest in respect of agenda item 28 and 31 as he was a Member of Cleveland Fire Authority.

Councillor Roberts declared a personal, non prejudicial interest in respect of agenda item 28 and 31 as she was a Member of Cleveland Fire Authority.

919 Public Question Time

The Director of Law and Democracy reported that no public questions had been received.

920 Members' Question Time

The following question was submitted by Councillor Coombs:-

"With regard to the question asked by Councillor Dalgarno at the September 2006 Council meeting, and the recently circulated Internal Audit report, can the Deputy Leader tell us how many staff hours were devoted to the recent enquiry and whether there will be any further developments?"

The Deputy Leader responded with the following:-

"1. There was a total of 15 days work from the Internal Audit team. There was also a certain amount of time from the IT department as well as from the Monitoring Officer and the Director of Corporate Resources. It is regrettable that all of this officer time was diverted from mainstream work.

2. There will be no further formal developments but from a personal viewpoint I would like to think the whole matter could be closed and that the Councillor concerned should recognise publicly that he was wrong and apologise for the unnecessary diversion of Council resources."

921 Minutes

Moved by Councillor Fletcher, seconded by Councillor Smith and RESOLVED that the minutes of the Adults, Leisure and Culture Select Committee held on 31st October 2006 (Minute Nos 695 - 699) be confirmed.

922 Minutes

Moved by Councillor Mrs Trainer, seconded by Councillor Roberts and RESOLVED that the minutes of the Housing and Community Safety Select Committee held on 12th October 2006 (Minute Nos 700 - 703) be confirmed.

923 Minutes

Moved by Councillor Stoker, seconded by Councillor Cherrett and RESOLVED that the minutes of the Planning Committee held on 15th November 2006 (Minute Nos 704 - 715) be received subject to the following correction:-

With reference to Minute 711, Page 603 delete the fifth paragraph and replace with:-

"RESOLVED that an enforcement notice(s) be served on the owners of the land at The Stables, Rear of Greencroft bungalow, Redmarshall. The precise details and content of the enforcement notice(s) be delegated to the Head of Planning in consultation with the Director of Law and Democracy. The enforcement notice(s) should cover the following areas:-"

924 Minutes

Moved by Councillor Mrs Womphrey, seconded by Councillor Dixon and RESOLVED that the minutes of the Health Select Committee held on 16th October 2006 (Minute Nos 716 - 720) be confirmed.

925 Minutes

Moved by Councillor Woodhouse, seconded by Councillor Patterson and RESOLVED that the minutes of the Audit Committee held on 20th November 2006 (Minute Nos 721 - 727) be received.

926 Minutes

Moved by Councillor Lupton, seconded by Councillor Noble and RESOLVED that the minutes of Executive Scrutiny Committee held on 21st November 2006 (Minute Nos 728 - 730) be received.

927 Minutes

Moved by Councillor Leonard, seconded by Councillor Gibson and RESOLVED that the minutes of the Licensing Sub Committee held on 23rd November 2006 (Minute Nos 731 - 734) be received.

928 Minutes

Moved by Councillor Mrs Trainer, seconded by Councillor Roberts and RESOLVED that the minutes of the Housing and Community Safety Select Committee held on 23rd November 2006 (Minute Nos 735 - 738) be confirmed.

929 Minutes

Moved by Councillor Jones, seconded by Councillor Cherrett and RESOLVED that the minutes of the Children and Young People Select Committee held on 18th October 2006 (Minute Nos 739 - 742) be confirmed.

930 Minutes

Moved by Councillor Mrs Nelson, seconded by Councillor Kirton and RESOLVED that the minutes of the Licensing Committee held on 28th November 2006 (Minute Nos 743 - 749) be received subject to the following correction:-

With reference to Minute 749 - delete the second last paragraph on page 633 and replace with:-

“Members felt that J.W.R's behaviour was not fit and proper for a licensed driver and there were sufficient grounds under Section 61(1)(b) of the Local Government (Miscellaneous Provisions) Act 1976 to be deemed a reasonable cause for revoking J.W.R's Private Hire Drivers licence.”

931 Minutes

Moved by Councillor Mrs Beaumont, seconded by Councillor Teasdale and RESOLVED that the minutes of the Environment and Regeneration Select Committee held on 16th October 2006 (Minute Nos 750 - 753) be confirmed.

932 Minutes

Moved by Councillor Woodhead, seconded by Councillor Gibson and RESOLVED that the minutes of the Corporate Policy Review Select Committee held on 31st October 2006 (Minute Nos 754 - 757) be confirmed.

933 Minutes

Moved by Councillor Fletcher, seconded by Councillor Smith and RESOLVED that the minutes of the Adults, Leisure and Culture Select Committee held on 22nd November 2006 (Minute Nos 758 - 761) be confirmed.

934 Minutes

Moved by Councillor Gibson, seconded by Councillor Coleman and RESOLVED that the minutes of Cabinet held on 30th November 2006 (Minute Nos 791 - 806) be received or confirmed as appropriate.

935 Minutes

Moved by Councillor Miss Inman, seconded by Councillor Mrs O'Donnell and RESOLVED that the minutes of the Education Support Panel held on 4th December 2006 (Minute Nos 807 - 809) be received.

936 Minutes

Moved by Councillor Leonard, seconded by Councillor Gibson and RESOLVED that the minutes of the Licensing Sub Committee held on 13th December 2006 (Minute Nos 810 - 813) be received.

937 Minutes

Moved by Councillor Lupton, seconded by Councillor Noble and RESOLVED that the minutes of Executive Scrutiny Committee held on 19th December 2006 (Minute Nos 814 - 822) be received.

938 Minutes

Moved by Councillor Stoker, seconded by Councillor Cherrett and RESOLVED that the minutes of the Planning Committee held on 6th December 2006 (Minute Nos 823 - 842) be received.

939 Minutes

Moved by Councillor Sherris, seconded by Councillor Mrs Beaumont and RESOLVED that the minutes of the Standards Committee held on 7th December 2006 (Minute Nos 843 - 855) be confirmed.

940 Minutes

Moved by Councillor Gibson, seconded by Councillor Coleman and RESOLVED that the minutes of Cabinet held on 4th January 2007 (Minute Nos 856 - 868) be received or confirmed as appropriate subject to the following amendment:-

With reference to Minute 867 entitled 'The Conservation Areas and Historic Environment Folder Supplementary Planning Document' in the recommendation to Council, and after the words '...and become a material planning consideration in determining planning applications', please insert the following:-

,subject to the statutory period for a legal challenge from the date of adoption

reading 'three months' and not 'six weeks'; and the addition of the following clarification to the Statement of Consultation:-

“The Ropner empire was vast, and the family were resident at Preston Hall, now a museum. Within the museum one may find “The Dice Players”, a painting by Francis de la Tour valued at circa £2million, which was part of the Clepham bequest that also included a Turner watercolour.”

941 To receive the minutes of the meeting of the Cleveland Police Authority Executive held on 21st September 2006

The minutes of the Cleveland Police Authority Executive held on 21st September 2006 were noted.

942 To receive the minutes of the meeting of the Local Joint Consultative Panel held on 25th September 2006.

The minutes of the Local Joint Consultative Panel held on 25th September 2006 were noted.

943 To receive the minutes of the meeting of the Cleveland Fire Authority held on 29th September 2006.

The minutes of the Cleveland Fire Authority held on 29th September 2006 were noted.

944 To receive the minutes of the meeting of the Stockton Home Safety Association held on 10th October 2006.

The minutes of the Stockton Home Safety Association held on 10th October 2006 were noted.

945 To receive the minutes of the meeting of the Police Joint Committee held on 13th October 2006.

The minutes of the Police Joint Committee held on 13th October were noted.

946 To receive the minutes of the meeting of the Cleveland Fire Authority held on 20th October 2006.

The minutes of the Cleveland Fire Authority held on 20th October 2006 were noted.

947 To receive the minutes of the meeting of the Safer Stockton Partnership held on 24th October 2006.

The minutes of the Safer Stockton Partnership held on 24th October 2006 were noted.

948 To receive the minutes of the meeting of the Elderly Citizens Liaison Forum held on 31st October 2006.

The minutes of the Elderly Citizens Liaison Forum held on 31st October 2006

were noted.

949 Membership of the Licensing Committee

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

Subsequently, necessary amendments to the Membership of the Licensing Committee had been identified that required approval by Council.

RESOLVED that Councillor Roberts be replaced by Councillor Cherrett on the Licensing Committee.

950 Appointment of representatives to Elm Tree Community Association

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

Elm Tree Community Association(2 members required):-

Councillor Mrs Fletcher
Councillor Roberts

RESOLVED that Councillor Mrs Fletcher and Councillor Roberts be appointed to the Elm Tree Community Association.

951 Forward Plan and Leader's Report

The Forward Plan for the period 1st January 2007 to 30th April 2007 had previously been circulated to Members. The Forward Plan for the period 1st February 2007 to 31st May 2007 was due to be published on or before 17th January 2007.

The Leader of the Council reported on significant decisions which the Cabinet was proposing to take over the coming months.