

## **Members Advisory Panel-New Constitution**

A meeting of Members Advisory Panel-New Constitution was held on Thursday, 28th August, 2008.

**Present:** Cllr Terry Laing (Chairman), Cllr Mrs Lynne Apedaile, Cllr Jim Beall, Cllr Mrs Jennie Beaumont, Cllr Mrs Ann Cains, Cllr David Coleman, Cllr Mrs Suzanne Fletcher, Cllr Robert Gibson, Cllr Ken Lupton, Cllr Bill Noble and Cllr Steve Walmsley.

**Officers:** M Waggott, L Lawty, P K Bell (LD).

**Also in attendance:** Cllr Mick Eddy.

**Apologies:** Cllr Lee Narroway.

### **MAP 14/08**      **Declarations of Interest**

There were no interests declared.

### **MAP 15/08**      **Member Seminars**

Consideration was given to a report on the effective delivery of member seminars.

It was outlined that Member Seminars were an important aspect of member training and development, but also an effective means of communicating important issues and gauging views. Feedback received could often help provide a steer to officers.

However, the benefits of seminars, and feedback received, can be lessened due to poor attendance. Unfortunately, many seminars provided by officers were attended by only a handful of members. When attendance was particularly low it raised questions about the value of holding that seminar at all.

Members often indicated that the time of the seminar was a factor in their non attendance as they had work commitments which prevented them from attending all the seminars offered. Other commitments including Council and ward work also provided members with capacity problems in terms of the time they had available.

In order to increase turnout officers had provided more than one sessions of certain seminars to accommodate the differing requirements of our members. Typically this had meant sessions had been provided during the day, on an evening and occasionally on a Saturday morning. Feedback from officers indicated that this had only slightly improved overall member attendance. This slight increase in numbers was disproportionate to the amount of additional officer time and other resources needed. Saturday morning sessions had proved particularly unpopular and it was suggested these suit the needs of a very small number of members.

In an effort to make seminars as valuable and relevant as possible expert speakers from outside the authority were sometimes invited to attend. The availability of such people clearly had an influence on when the seminar was held and their availability tended to be limited to normal office hours. Such

seminars can't be fully reproduced at other times. Officers do offer literature to all Members and one to one and small group sessions had also been offered to members on certain topics. The implications for officer time, should a large number of members take this offer up, were obvious.

There did not appear to be any one initiative that would resolve the problems identified and it would seem to be an impossible task to accommodate the needs of every individual councillor. However, attempts should continue to be made to identify ways of delivering seminars, convenient to as many members as possible, in an effective manner.

A recent seminar initially identified to provide members with information about New Executive Arrangements, also focused on recommendations coming from the Councillors Commission review i.e. two potential seminars were delivered at the same event. Just over half of all members attended which was a significant improvement on single topic events. Although it was impossible, on the strength of one event, to be certain that the "bundling" of seminars would improve attendance it was perhaps an avenue officers may wish to consider going down in the future. Attendance was encouraging and it was suggested that there would have been positive effects on the capacity of both members and officers, as only one event was held. Savings in terms of venue, travelling, subsistence etc would also have occurred.

It was suggested that the above approach be explored further and when possible and appropriate efforts should be made to "bundle" seminars together.

As mentioned earlier the above approach may increase member attendance, as areas of interest would be widened but concentrated within one event. Members with work and other commitments may be able to attend one event (rather than 2 or 3) and receive information and contribute to discussions on a number of issues.

The Chairman reported that he was disappointed with Members attendance and that every effort should be made to try and improve the situation.

Members discussed the options and issues surrounding Members Seminars and made the following points:-

- \* If a seminar is repeated it should not be repeated in the same week as if a Member is on holiday for that particular week they would not be able to attend either event.
- \* If seminars are bundled together they should only take place in half day events as it would be difficult for some Members to attend a full day event.
- \* The presentations by officers should be more focused and shorter in length concentrating more on the issues that will affect the Borough.
- \* To cut the registration and coffee time from half an hour to 10 minutes.
- \* The seminars to commence promptly at the given time.
- \* Officers make better use of "Drop in Sessions".

- \* Officers investigate how other Local Authorities make use of seminars.
- \* Officers provide examples of what sort of topics could be bundled together.
- \* Officers provide attendance figures for previous seminars.
- \* For all future seminars Officers specifically use Outlook and request that if a Member is not going to attend they give the reasons for their non attendance e.g. work commitments, subject matter etc.
- \* Officers look into the possibility of scheduling dates in the Democracy Diary for Seminars.
- \* Officers look into the possibility of joint seminars with other authorities.

It was concluded that a further report be prepared for consideration at the next meeting providing further information on the above points.

AGREED that Officers provide a further report for consideration at the next meeting of the Panel.

**MAP  
16/08**      **Annual Meeting**

Consideration was given to a report on the format and venue of future Annual Council meetings.

It was outlined that the Council's Annual Meeting was the key Council meeting of the year. It established the new Council, appointing the Borough's Mayor and Deputy Mayor and also made appointments to:-

- the Council's Cabinet, including the Leader
- Committees, Panels
- Chairmen and Vice-Chairmen of most Committees and Panels
- Outside Bodies

The appointments were dealt with following established procedures.

After considerable preparations prior to the Annual Meeting, the meeting follows an established procedure.

The initial part of the agenda was concerned with the appointment/installation of the Mayor and had a strong ceremonial aspect to it. It provided an opportunity for the outgoing Mayor to thank those who had assisted him/her during the year as well as allowing the Council, through its Members, to thank him/her for the work undertaken on the Council's behalf.

Equally, the incoming Mayor was given the opportunity of thanking the Council for his/her appointment and to briefly set out their goals for the coming year.

This meeting was attended by the Mayor's (incoming and outgoing) families and friends, as well as local dignitaries.

Currently, the ceremonial and business aspects of the Annual Meeting take place at the same meeting i.e. following the appointment of the Mayor and Deputy Mayor the Council immediately deals with other business, typically those identified at para1. It was noted that, although unlikely, there was still potential for nominations, other than those anticipated, to be made for election to the offices of Mayor and/ or Deputy Mayor.

Following the ceremonial aspect, described above, the Annual Meeting dealt with appointments and other business based on established practice, and procedures detailed within the Constitution.

Appointments to Committees, Panels and certain Joint Bodies were subject to political proportionality regulations. However, there was potential for debate and voting to take place on any of the appointments of:

- Leader
- Cabinet
- Committee Chairs and Vice Chairs
- Outside Bodies

Although attempts were made prior to the Annual Meeting to identify nominations and highlight possible voting situations, there was always the potential that additional nominations would be received at the meeting.

The current venue, Billingham Forum Theatre, whilst appropriate for the ceremonial aspect of the meeting and subsequent reception, did not lend itself to the conducting of normal Council business. This and the factor highlighted above, may lead to considerable confusion for all concerned and/or a protracted meeting. This could impact on arrangements made for other guests and create a negative impression of the day for the Mayor, his family and civic guests.

As the Forum Theatre may not be available next April for the Annual Meeting, due to refurbishment, an alternative venue needed to be identified. When considering possible venues it was appropriate to consider the format of the meeting, as this was a factor in any venue used. As indicated above the current format was not entirely suitable for Billingham Forum Theatre and if Annual Council was to remain there it was considered that the format of the meeting should be changed.

Officers had contacted the other Tees Valley Authorities plus Sunderland and Newcastle. Other than Redcar and Cleveland, all of them adopt the same format as Stockton. Redcar and Cleveland holds it's Mayor making one day and the business meeting the following week.

Other Possible options were identified as: -

Option 1

Retain current meeting format

Option 2

Split the ceremonial aspect of the Annual Meeting and deal with the appointment to Cabinet, Committee etc the following day/week.

### Option 3

Hold Mayor Making first as currently happens and then Mayor requests Civic guests retire to hospitality whilst formal business is dealt with.

The possible venues identified were as follows:-

1. Wynyard Rooms
2. Education Centre
3. Council Chamber, Town Hall
4. Stockton Parish Church

Members discussed the different options that were available and felt that the format of the Council meeting should be split and the meeting be possibly held in the Town Hall. It was agreed that a further report be prepared on how this would actually work in practice.

AGREED that Officers provide a further report for consideration at the next meeting of the Panel.

**MAP  
17/08**

### **Civic Chains**

Members were informed of a request from Thornaby Town Council for the transfer of the former Municipal Borough of Thornaby-on-Tees Council Chains and to consider the related wider implications for the civic chains currently held by Stockton-on-Tees Borough Council.

It was outlined that the Mayor could 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.

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.

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.

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.

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.

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.

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.

A letter dated 11 June 2008 had been received from Councillor Mick Eddy, the Chairman of Thornaby Town Council, formally requesting that the former Thornaby Borough Chains be given to Thornaby Town Council.

Following the local Government Act, 1972 and the creation of Stockton on Tees Borough council, chains of office from the former constituent authorities had been vested in the Council for safe keeping. Since 1974 Stockton had, therefore, been the lawful owner of the Chains of Office and was obliged to fulfil all of the duties and responsibilities inherent in such ownership e.g. to ensure their safety and security and insure against their damage or loss. Subject to these duties and responsibilities, how the Chains were used for civic or display purposes and who by, was entirely at Stockton's discretion.

In response to the request by Thornaby Town council, there were 3 possible options:-

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

2. 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 had been the lawful owners of the chains of office and was obliged to fulfil all of the duties and responsibilities inherent in such ownership.

There was 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.

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

Legally, there was 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.

The Agreement would (amongst other things) need to require the Town Council to:-

- insure the Chains from the start of the loan period
- confirm the arrangements for ensuring the Chains are fully secured
- allow Stockton's Officers to inspect them at all reasonable times and to return the Chains (either temporarily or permanently) to Stockton if so requested after having been given reasonable notice
- advise Stockton of any loss or damage to the Chains and not attempt any repair in the event of damage without Stockton having approved the details of the repair and the chosen repairer
- indemnify Stockton against any costs or claims arising from the loss of or damage to the Chains.

The Insurers (through the Finance Insurance Section) would need to approve the insurance and indemnity provisions of any loan agreement. The current insurance arrangements are that the items are insured as part of an extensive schedule of items insured by Stockton-on-Tees Borough Council and the cost of insurance is not itemised. One of the terms of the policy is that the Chains are stored securely and are not left unattended when in use. Should the Chains be loaned or given to Thornaby Town Council, they would need to be insured for the full replacement value and a re-evaluation would be necessary; the cost is likely to be 1% or 2% of the overall value of the Chains.

If it was agreed to transfer or loan the Thornaby Chains consideration would need to be given to the issue of replacement chains for their use because currently the former Thornaby Chains are worn by the Deputy Mayor and Mayoress. The Deputy Mayor and Mayoress of another Tees Valley Authority wear a badge instead of Chains.

Although no request has been received to date, it may be timely to consider the wider implications of Thornaby's request in relation to the future of the Billingham UDC Chains as well.

Scenario 1- The Thornaby Chains are transferred or loaned to Thornaby Town Council

Should this happen the matter of replacement chains for the Deputy Mayor and Mayoress of Stockton-on-Tees Borough Council would need to be addressed.

There were 3 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.

Scenario 2 – Consideration needed to be given to the possibility that a similar request from Billingham Town Council may be received.

If such a request is received then the options above would be reduced to either option 1 or 2 if the Thornaby Chains are too transferred / loaned.

Members discussed the various options that were available to them. After the discussion Members agreed to transfer the former Thornaby Borough chains to Thornaby Town Council. This would be done subject to Thornaby Town Council having the relevant insurance and security arrangements. Members also felt that it should be written into the legal agreement that if Thornaby Town Council is disbanded for any reason or if Thornaby Town Council no longer want the chains then the chains are returned to Stockton on Tees Borough Council.

Members felt that the chains that originally belonged to Billingham Urban District Council should also be offered to Billingham Town Council.

Members requested that a further report be prepared for the next meeting of the Panel giving detailed information of how the Chains would be transferred to Thornaby Town Council and Billingham Town Council.

AGREED that a further report be prepared for consideration at the next meeting of the Panel.