

Council

A meeting of Council was held on Wednesday, 9th December, 2009.

Present: The Worshipful the Mayor (Cllr Paul Kirton); Cllr Hilary Aggio, Cllr Mrs Lynne Apedaile, Cllr Paul Baker, Cllr Jim Beall, Cllr Mrs Jennie Beaumont, Cllr Mrs Ann Cains, Cllr Dick Cains, Cllr Julia Cherrett, Cllr David Coleman, Cllr Robert Cook, Cllr Mrs Eileen Craggs, Cllr Alex Cunningham, Cllr Ian Dalgarno, Cllr Ken Dixon, Cllr Jackie Earl, Cllr Mick Eddy, Cllr Kevin Faulks, Cllr John Fletcher, Cllr Mrs Suzanne Fletcher, Cllr Maurice Frankland, Cllr John Gardner, Cllr Robert Gibson, Cllr David Harrington, Cllr Miss Barbara Inman, Cllr Mohammed Javed, Cllr Jean Kirby, Cllr Miss Tina Large, Cllr Andrew Larkin, Cllr Alan Lewis, Cllr Ken Lupton, Cllr Mrs Ann McCoy, Cllr Mrs Kath Nelson, Cllr Steve Nelson, Cllr Bill Noble, Cllr Mrs Jean O'Donnell, Cllr Ross Patterson, Cllr Maurice Perry, Cllr Mrs Maureen Rigg, Cllr Roy Rix, Cllr Fred Salt, Cllr Andrew Sherris, Cllr Mick Stoker, Cllr Mrs Allison Trainer, Cllr Steve Walmsley, Cllr Mrs Sylvia Walmsley, Cllr Mrs Mary Womphrey, Cllr Bill Woodhead and Cllr Barry Woodhouse.

Officers: N Schneider (CE); D E Bond, P K Bell (LD); P Dobson (DNS); J Danks, B Brown (R); P Seller (CESC).

Also in attendance: Mr F W Hayes (Chairman of the Standards Committee), 4 Members of the Public.

Apologies: Cllr Phillip Broughton, Cllr Aidan Cockerill, Cllr Terry Laing, Cllr Colin Leckonby, Cllr Elizabeth Nesbitt, Cllr Michael Smith and Cllr Womphrey.

C Declarations of Interest

219/09

There were no interests declared.

C Public Question Time

220/09

The Director of Law and Democracy reported that no Public Questions had been received.

C Minutes

221/09

The minutes of the meeting of Council held on 21st October 2009 were signed by the Worshipful the Mayor as a correct record.

C Arts Leisure & Culture Select Committee Minutes

222/09

Moved by Councillor Mrs O'Donnell, seconded by Councillor Sherris and RESOLVED that the minutes of the Arts, Leisure and Culture Select Committee held on 7th October 2009 (Minute ALC 22/09 - ALC 28/09) be confirmed subject to the following correction:-

Minute ALC 26/09, Page 510:-

At point 6 replace the word "consumed" with the word "subsumed".

C Cabinet Minutes

223/09

Moved by Councillor Lupton, seconded by Councillor Mrs Beaumont and RESOLVED that the minutes of the Cabinet held on 5th November 2009

(Minute CAB 101/09 - CAB 117/09) be confirmed or received as appropriate subject to the following correction:-

Minute CAB 101/09, Page 512:-

Within the Declarations of Interest minute, the second recorded interest, on the last line delete the name "Cook" and replace with the name "Nelson".

C
224/09 **Cabinet Minutes**

Moved by Councillor Lupton, seconded by Councillor Mrs Beaumont and RESOLVED that the minutes of the Cabinet held on 26th November 2009 (Minute CAB 118/09 - CAB 138/09) be confirmed or received as appropriate subject to the following correction:-

Minute CAB 137/09, Page 27 of the minute book supplement:-

At the end of the recommendation to Council add the words "be endorsed".

C
225/09 **Children & Young People Select Committee Minutes**

Moved by Councillor Harrington, seconded by Councillor Eddy and RESOLVED that the minutes of the Children and Young People Select Committee held on 22nd September 2009 (Minute CYP 38/09 - CYP 39/09) be confirmed.

C
226/09 **Children & Young People Select Committee Minutes**

Moved by Councillor Harrington, seconded by Councillor Eddy and RESOLVED that the minutes of the Children and Young People Select Committee held on 30th September 2009 (Minute CYP 40/09 - CYP 44/09) be confirmed.

C
227/09 **Corporate, Adult Services & Social Inclusion Select Committee Minutes**

Moved by Councillor Stoker, seconded by Councillor Mrs Apedaile and RESOLVED that the minutes of the Corporate, Adult Services and Social Inclusion Select Committee held on 1st October 2009 (Minute CAS 22/09 - CAS 24/09) be confirmed.

C
228/09 **Education Support Panel Minutes**

Moved by Councillor Perry, seconded by Councillor Frankland and RESOLVED that the minutes of the Education Support Panel held on 26th October 2009 (Minute ESP 1/09 - ESP 3/09) be received.

C
229/09 **Employee Appeals Panel Minutes**

Moved by Councillor Rix, seconded by Councillor Mrs Nelson and RESOLVED that the minutes of the Employee Appeals Panel held on 10th September 2009 (Minute EAP 7/09 - EAP 9/09) be received.

C
230/09 **Employee Appeals Panel Minutes**

Moved by Councillor Rix, seconded by Councillor Mrs Nelson and RESOLVED that the minutes of the Employee Appeals Panel held on 14th September 2009 (Minute EAP 10/09 - EAP 12/09) be received.

C
231/09 **Environment Select Committee Minutes**

Moved by Councillor Mrs Rigg, seconded by Councillor Rix and RESOLVED that the minutes of the Environment Select Committee held on 5th October 2009 (Minute ENV 29/09 - ENV 35/09) be confirmed.

C
232/09 **Environment Select Committee Minutes**

Moved by Councillor Mrs Rigg, seconded by Councillor Rix and RESOLVED that the minutes of the Environment Select Committee held on 9th November 2009 (Minute ENV 36/09 - ENV 37/09) be confirmed.

C
233/09 **Executive Scrutiny Committee Minutes**

Moved by Councillor Gibson, seconded by Councillor Miss Large and RESOLVED that the minutes of the Executive Scrutiny Committee held on 20th October 2009 (Minute EXC 30/09 - EXC 35/09) be received.

C
234/09 **Health Select Committee Minutes**

Moved by Councillor Mrs Cains, seconded by Councillor Faulks and RESOLVED that the minutes of the Health Select Committee held on 14th September 2009 (Minute H 25/09 - H 32/09) be confirmed.

C
235/09 **Licensing Committee Minutes**

Moved by Councillor Woodhead, seconded by Councillor Mrs Nelson and RESOLVED that the minutes of the Licensing Committee held on 6th October 2009 (Minute L 41/09 - L 49/09) be received.

C
236/09 **Licensing Committee Minutes**

Moved by Councillor Woodhead, seconded by Councillor Mrs Nelson and RESOLVED that the minutes of the Licensing Committee held on 29th October 2009 (Minute L 50/09 - L 52/09) be received.

C
237/09 **Licensing Committee Minutes**

Moved by Councillor Woodhead, seconded by Councillor Mrs Nelson and RESOLVED that the minutes of the Licensing Committee held on 10th November 2009 (Minute L 53/09 - L 64/09) be received.

C
238/09 **Licensing Sub Committee Minutes**

Moved by Councillor Woodhead, seconded by Councillor Mrs Nelson and RESOLVED that the minutes of the Licensing Sub Committee held on 20th October 2009 (Minute LSC 13/09 - LSC 15/09) be received.

C
239/09 **Licensing Sub Committee Minutes**

Moved by Councillor Woodhead, seconded by Councillor Mrs Nelson and RESOLVED that the minutes of the Licensing Sub Committee held on 5th November 2009 (Minute LSC 16/09 - LSC 18/09) be received.

C
240/09 **Licensing Sub Committee Minutes**

Moved by Councillor Woodhead, seconded by Councillor Mrs Nelson and RESOLVED that the minutes of the Licensing Sub Committee held on 5th November 2009 (Minute LSC 19/09 - LSC 21/09) be received.

C
241/09 **Planning Committee Minutes**

Moved by Councillor Rix, seconded by Councillor Salt and RESOLVED that the minutes of the Planning Committee held on 9th October 2009 (Minute P 82/09 - P 83/09) be received.

C **Planning Committee Minutes**

242/09

Moved by Councillor Rix, seconded by Councillor Salt and RESOLVED that the minutes of the Planning Committee held on 14th October 2009 (Minute P 84/09 - P 88/09) be received.

C
243/09 **Planning Committee Minutes**

Moved by Councillor Rix, seconded by Councillor Salt and RESOLVED that the minutes of the Planning Committee held on 4th November 2009 (Minute P 89/09 - P 97/09) be received.

C
244/09 **Regeneration & Transport Select Committee Minutes**

Moved by Councillor Perry, seconded by Councillor Cains and RESOLVED that the minutes of the Regeneration and Transport Select Committee held on 5th October 2009 (Minute RTS 19/09 - RTS 23/09) be confirmed.

C
245/09 **Standards Committee Minutes**

Moved by Mr F W Hayes, seconded by Councillor Sherris and RESOLVED that the minutes of the Standards Committee held on 22nd October 2009 (Minute S 59/09 - S 74/09) be confirmed or received as appropriate.

C
246/09 **Building Schools for the Future Project Board Minutes**

The minutes of the Building Schools for the Future BSF Project Board held on the 5th October 2009 were noted.

C
247/09 **Building Schools for the Future Project Board Minutes**

The minutes of the Building Schools for the Future BSF Project Board held on the 2nd November 2009 were noted.

C
248/09 **Cleveland Police Authority Executive Minutes**

The minutes of the Cleveland Police Authority Executive held on the 4th June 2009 were noted.

C
249/09 **Parish Council Liaison Forum Minutes**

The minutes of the Parish Council Liaison Forum held on the 21st September 2009 were noted.

C **Safer Stockton Partnership Minutes**
250/09

The minutes of the Safer Stockton Partnership held on the 4th August 2009 were noted.

C **Safer Stockton Partnership Minutes**
251/09

The minutes of the Safer Stockton Partnership held on the 15th September 2009 were noted.

C **Stockton Home Safety Association Minutes**
252/09

The minutes of the Stockton Home Safety Association held on the 6th October 2009 were noted.

C **Members' Question Time**
253/09

The following questions were submitted by Councillor Mrs Fletcher for response by the Council's nominated representative on Cleveland Police Authority - Councillor Kirton:-

"1. Could reasons be sought from the Police Authority as to why it takes so long for minutes to come before Stockton Council? This December meeting is receiving minutes of the June 4th Police Authority meeting which has sub committee minutes dating back to February 2009.

Could the Police Authority be asked again to provide a document which gives an overview as to what is actually being discussed, as well as the formal minutes?

2. Item 11 of the Police Authority Minutes on page 4 refers to monitoring of Human Rights issues and says it will ask for reports on such from the Independent Custody Visiting Process.

a. is there any reason why those acting as "Appropriate Adults" are not going to be asked?

b. how many "Appropriate Adults" are being used by Cleveland Police?

c. how many times in the last 12 months have "Appropriate Adults" been called upon in the last 12 months?"

The Council's nominated representative on Cleveland Police Authority - Councillor Kirton responded with:-

"I haven't received a full response to Councillor Mrs Fletcher's questions from the Cleveland Police Authority, would it therefore be acceptable to Councillor Mrs Fletcher if these questions are brought back to the next meeting of Council."

Councillor Mrs Fletcher responded with:-

"Yes that would be acceptable."

The following questions were submitted by Councillor Mrs Fletcher for response by the Cabinet Member for Access & Communities:-

"Can the Cabinet Member for Access & Communities confirm that he is dismayed (as I am) at the very disappointing response (not from the Minister, but the UK Borders Agency) to the letter from this Council which was sent to the Minister responsible, Phil Woolas MP, following the motion on the dangers for returning asylum seekers to the Democratic Republic of Congo, that Cllr Coleman quite rightly put to Council on September 9th, receiving all party support?

As this reply makes no reference to the assurances given to Frank Cook MP mentioned in both the motion and letter to the Minister, will the Cabinet Member, on behalf of the whole Council, follow up this point in this Council's letter, and make sure that those responsible actually look at evidence that has been presented to Frank Cook since 22nd June?"

The Cabinet Member for Access & Communities responded with:-

"Thank you for your question Councillor Mrs Fletcher. I agree with the sentiments expressed in your question.

The response is bureaucratic and takes no account of the fact that people's lives are at risk in this situation nor the fact that a decision made in an English court has little impact or recognition in the reality of life in the Democratic Republic of Congo miles away in a huge and war ravaged country.

I am happy to write again to Mr Woolas and try to get more detailed answers, using any further information which Frank Cook M.P. is willing to make available. I will do my best to ensure a full response but I can not do anything more than ask that the evidence is fully examined."

The following question was submitted by Councillor Walmsley for response by the Leader of the Council:-

"The abject failure of the euphemistically named 'consultation' into new executive arrangements should be a source of acute embarrassment to this Council – bearing in mind that it is now proposed to carry out postal consultation. Can members be informed of the cost of that failure to the taxpayer and why hasn't the 'outcome' been shared with members?"

The Leader of the Council responded with:-

"The cabinet report on the new executive Arrangements was to be considered at the meeting on the 26th November 2009 but as I was recommending a change to the agreed procedures I wrote to each Group Leader on the 23rd

November outlining my proposals and giving the reasons why I felt it necessary to seek a different approach.

Members were given the opportunity to discuss this further at a Members Seminar on the 1st December and again I outlined the reasons why I felt it necessary to recommend to Council that we undertake a postal survey in place of a referendum. This was mainly due to the lack of interest by the public in the subject as evidenced by the returns during the previous consultation and the identified cost of £220,000 for a referendum.

The full results of the survey were available in the Cabinet report and available at the Member seminar so I do believe that everyone was given the opportunity to see the detail if they wished.

As we were using the Viewpoint Panel, the Web site, Displays in Council offices and existing scheduled meetings with partnership groups the cost of this consultation amounted to £48."

Councillor Walmsley asked the following supplementary question:-

"Everything that we that fed into to this consultation process hasn't been taken a blind bit of notice of. Why wasn't the Consultation Strategy taken into account for something as important as the New Executive Arrangements and will the results from the consultation be binding?"

The Leader of the Council responded with:-

"It would have been inappropriate and costly to both consult and hold a full scale referendum, with whole electorate, and a postal consultation is likely to achieve a higher return. The results would inform the Council without binding them to a decision, which may be a minority view, and allow it to decide based on all of the evidence available."

The following question was submitted by Councillor Walmsley for response by the Leader of the Council:-

"'Detailed' consultation with the local community, local politicians, voluntary groups and the private sector was promised over the sale of Thornaby Town Hall. Given the fact that 'detailed' consultation has not taken place, can we now safely say that the altruistic blurb in this Council's consultation strategy is not worth the paper it is written on and therefore should regard the outcome of postal consultation with electors on the new executive arrangements as futile?"

The Leader of the Council responded with:-

"The decision on the sale of Thornaby Town Hall was determined by Cabinet in March 2008, it was subject to Call – In and then to judicial review, which supported the Councils position.

I understand that it was agreed to consult on the proposals for redevelopment of the Town Hall and these proposals are currently undergoing consultation as part

of an ongoing process.

I am surprised that the Town Council and Thornaby Town Councillors are opposed to a scheme that will bring the Town Hall back into use and retain and enhance a building of such historic interest. The fact it is not in public ownership will not detract from the fact that the life and future of the building is retained for the use and benefit of the town's residents."

C
254/09 **Forward Plan and Leaders Statement**

The Leader of the Council gave his Forward Plan and Leaders Statement.

The Corus closure was uppermost in our minds and the loss of 1700 direct jobs, and no doubt countless others in the supply chain, was a significant blow to the region and devastating for the those employees who would lose their jobs.

Although the Council had no details as to the structure of the financial support package announced by government it amounted to £60m of which £30m was new money and £30m was to be drawn down from the RDA.

Yesterday the Chair of TVU briefed the Regional Minister on the Low Carbon Economy Transition Plan for Tees Valley and explored how the government could get directly involved in implementing the plan. The Leader had no doubt that these would be included in the support package to bring new industries to the area.

The Leader of the Council was asked at the last Council meeting to update Members on the progress to date of the establishment of the North East's Leaders Board.

The Leaders/Elected Mayors Board acted in two capacities, as the Executive of ANEC and in a shadow role in preparation of a scheme for the establishment and operation of a Leaders Board for the region.

The main function of the Leaders Board, which in the region included the Leaders or Elected Mayors of the 12 Unitary Authorities and the Chair of the National Park Authority, had responsibility, together with the RDA , for the preparation, drafting, agreement, and implementation and monitoring of a Regional Strategy.

The legislation to establish the Leaders Board had received Royal Assent and a draft scheme for the establishment of the Leaders Board was being prepared and would be the subject of consultation with local authorities and other interested parties early in the New Year.

The North East was ahead of other regions and a number of joint meetings with the Board of One North East had been held to establish the main drivers for regeneration within the region. The Leader of the Council assured Members that as the work on determining the Regional Strategy progressed Members of the authority would be kept fully informed and involved in its preparation.

In recent weeks the Council had received good news in the form of substantial additional resources received from central Government. These include:-

- Housing and Planning Delivery Grant of nearly £297,000, which rewards improved delivery of housing and other planning outcomes.
- £921,000 to provide one-to-one tuition in the core subjects of maths and English to help primary and year 7 pupils to reach their full potential. And
- £52,000 for the empty shops revival fund. This together with the announcement by Jomast Developers of their intention to refurbish the Globe gives a real boost to the Stockton Town Centre development plans

The Time2Buy initiative for assisted house purchase had more than 560 applications, not far short of the target for the full year. The Council was on the way to spending the full £16m allocated for the Tees valley and Durham, in which the Council played the lead role.

The BSF team expected to receive approval of the Outline Business Case in the next few days. Later in December 2009, a notice would be placed in the Journal of The European Union inviting organisations to bid for the Local Education Partnership contract, marking the start of a 74 week procurement process. The preferred bidder would be announced towards the end of next year and construction was expected to start in May 2011.

The Council had supported Stockton Sparkles with a major advertising campaign, taking advantage of highly competitive rates, to promote the event on regional TV. This appeared to have been very successful and with a Christmas Carnival being held on Sunday and the Christmas Market and Victorian Fair taking place between the 17th and 20th December it was hoped to attract significant numbers of shoppers to the Town Centre.

the Leader of the Council referred Members to the Economic Climate report which would be considered by Cabinet the week after Council which showed some positive trends but clearly the Corus news had put a curb on the optimism brought about by the general slowing down in the increase in the numbers on Job Seekers Allowance with only 8 new claims in October.

Although yet to be confirmed the Council received verbal agreement from English heritage that Brunswick Street Chapel could be demolished. Although the exact timing and procedures had to be finalised it was expected that demolition would commence and the site made safe before Christmas.