

# Council

A meeting of Council was held on Thursday, 1st December, 2011.

**Present:** The Worshipful the Mayor (Cllr Paul Baker); Cllr Mrs Lynne Apedaile, Cllr Jim Beall, Cllr Derrick Brown, Cllr Mark Chatburn, Cllr Julia Cherrett, Cllr Carol Clark, Cllr Michael Clark, Cllr David Coleman, Cllr Robert Cook, Cllr Nigel Cooke, Cllr Gillian Corr, Cllr Evaline Cunningham, Cllr Phillip Dennis, Cllr Ken Dixon, Cllr John Gardner, Cllr Robert Gibson, Cllr David Harrington, Cllr Ben Houchen, Cllr Mohammed Javed, Cllr Eileen Johnson, Cllr Elliot Kennedy, Cllr Jean Kirby, Cllr Paul Kirton, Cllr Terry Laing, Cllr Miss Tina Large, Cllr Colin Leckonby, Cllr Ken Lupton, Cllr Ray McCall, Cllr Mrs Kath Nelson, Cllr Steve Nelson, Cllr Mrs Jean O'Donnell, Cllr Ross Patterson, Cllr Maurice Perry, Cllr David Rose, Cllr Andrew Sherris, Cllr Michael Smith, Cllr Andrew Stephenson, Cllr Norma Stephenson, Cllr Mick Stoker, Cllr Mrs Sylvia Walmsley, Cllr David Wilburn, Cllr Norma Wilburn, Cllr Mrs Mary Womphrey, Cllr Mick Womphrey, Cllr Bill Woodhead and Cllr Barry Woodhouse.

**Officers:** N Schneider (CE); D E Bond, P K Bell (LD); P Dobson (DNS); J Danks, L King (R); J Humphreys (CESC).

**Also in attendance:** 4 Members of the public.

**Apologies:** Cllr Ian Dalgarno, Cllr Mick Eddy, Cllr Kevin Faulks, Cllr Barbara Inman, Cllr Alan Lewis, Cllr Ann McCoy, Cllr Maureen Rigg, Cllr Tracey Stott and Cllr Steve Walmsley.

## **C Declarations of Interest**

**157/11**

Councillor Mrs Cunningham declared a personal non prejudicial interest in respect of agenda item 6 - Parliamentary Constituencies Review as her husband was a sitting MP.

Councillor Cook declared a personal non prejudicial interest in respect of agenda item 6 - Parliamentary Constituencies Review as he worked for a sitting MP.

Councillor Gibson declared a personal prejudicial interest in respect of agenda item 12 - Motion to Council - Employment Schemes as he was a board member of Know How North East.

Councillor Cunningham declared a personal non prejudicial interest in respect of agenda item 12 - Motion to Council - Employment Schemes as she was a board member of Know How North East.

Councillor Mrs Wilburn declared a personal non prejudicial interest in respect of agenda item 12 - Motion to Council - Employment Schemes as she was a board member of Know How North East.

## **C Minutes**

**158/11**

The minutes of the meeting held on Wednesday, 19th October, 2011 were signed by the Worshipful the Mayor as a correct record.

## **C Public Question Time**

**159/11**

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

## **C Sex Establishment Licensing Policy**

**160/11**

Consideration was given to a report on the adoption of Sex Establishment Licensing policy.

On 22nd December 2010 Cabinet determined that a draft Sexual Establishments Policy by officers should be prepared for consultation with relevant parties (minute CAB 134/10 refers).

On 26th July 2010 the Licensing Committee determined that the Corporate Director of Development and Neighbourhood Services carry out consultation on the draft policy document with all relevant stakeholders and that the draft Sex Establishment Policy together with the results of the consultation exercise be referred to Cabinet for approval (minute L 17/11 refers).

Consultation on the draft policy was undertaken with:-

- Cleveland Police Force
- Cleveland Fire Brigade
- Existing Premise Licence holders
- Existing Club Premise Certificate holders
- Existing Personal License holders
- Representatives of businesses and residents in the Stockton Borough Council area
- The Local Safeguarding Children's Board
- Trade bodies and Associations
- A number of Solicitors Practices who undertake licensing work in this area.

Additionally a notice was placed in the local press and copies of the consultation document placed on the Trading Standards and Licensing website.

Comments received supported the introduction of the draft policy.

Cabinet at its meeting held on 3rd November 2011 was reminded of the results of the consultation and was provided with the draft Sex Establishment Licensing Policy. The consultation results and draft policy could be viewed via agenda on the Council's web site.

Following consideration Cabinet agreed the draft Sex Establishment Licensing Policy and recommended that Council adopt it. A copy of the relevant Cabinet minute was attached to the report.

RESOLVED that the draft Sex Establishment Licensing Policy, as detailed in the report to Cabinet on 3rd November 2011, in relation to applications made under the Local Government (Miscellaneous Provisions) Act 1982 Schedule 3 as amended by Section 27 of the Policing and Crime Act 2009 be adopted.

## **C** **Parliamentary Constituencies Review** **161/11**

Consideration was given to a report on the Parliamentary Constituencies Review.

The purpose of the report was to secure Council's agreement to the comments which would be submitted to the Boundary Commission for England, regarding its initial proposals for new parliamentary constituencies for the

Stockton-on-Tees Borough area.

The Parliamentary Voting System and Constituencies Act 2011 ("the Act") required the four Boundary Commissions to conduct a review of the parliamentary constituencies in their part of the UK and to submit final reports to Government before 1st October, 2013.

The Act required there to be a fixed number of 600 constituencies for the whole of the UK (as opposed to the current 650). The number of constituencies allocated to England was 502 (including the two reserved for the Isle of Wight).

The Boundary Commission for England ("BCE") had subdivided the 500 England constituencies between the regions used for European Parliament elections.

The North East had been allocated 26 constituencies (at the time of the meeting it had 29). The BCE's initial proposals would ensure that each of these constituencies were wholly contained in the North East region.

The BCE was also required by the Act to ensure that each constituency had an electorate that was no less than 95% and no more than 105% of the UK electoral quota. This quota had been calculated at 76,641. Accordingly, each constituency must have an electorate that was no smaller than 72,810 and no larger than 80,473.

Taking these requirements into account, the BCE published its initial proposals for England, including the North East on 13th September, 2011.

Details of the North East proposals had been made available for inspection at the Municipal Buildings and at Libraries across the Borough.

A direct link to the proposals had also been provided from the front page of the Council's website.

Both of the existing constituencies (Stockton North and Stockton South) had been changed significantly. The Stockton-on-Tees Borough area had been split into four constituencies, with the Borough Council retaining full electoral responsibility for one.

The Billingham North Ward had been included in the Hartlepool Borough constituency. Billingham was not referred to in the name of that Constituency. The other four Billingham wards were retained in a new Stockton and Billingham Constituency, even though Billingham North was not a part of it and there were other wards within the Constituency.

The three Thornaby wards were included in a new Middlesbrough Borough Constituency. There was no reference to Thornaby in the Constituency name.

The wards of Eaglescliffe, Ingleby Barwick East and Ingleby Barwick West, Parkfield and Oxbridge, Western Parishes and Yarm were included in a new Sedgefield and Yarm County (Durham) Constituency. Yarm was included in the Constituency title, even though there were other wards, one of which had a larger electorate (Eaglescliffe). More than half of the Constituency electorate

were Stockton Borough electors.

Copies of the description of and the maps for the proposals affecting the Stockton Borough area were included in the report to Cabinet on 3rd November 2011.

Views on the proposals for Stockton-on-Tees Borough area were canvassed at the Members' Policy Seminar on 10th October 2011.

Further views were invited from Members at a morning drop in event on 17th October, together with a similar opportunity before the Council meeting on 19th October.

Cabinet considered these views at its meeting on 3rd November, and further comments were made by Cabinet Members. The details were referred to in the report to Cabinet and the relevant Cabinet minute was attached to the report.

The comments which Cabinet had recommended to Council as the Authority's representations in relation to the initial proposals produced by the BCE were as follows:-

- (i) There is general concern that the restrictions imposed by the legislation, specifically the proposed reduction in the number of MPs from 650 to 600 and the requirement for each Constituency to have an electorate that is no less than 95% and no more than 105% of the UK electoral quota, will cause significant problems locally, with illogical parliamentary boundaries being created and constituencies sometimes being separated only by the width of a particular street.
- (ii) Specific concerns regarding the impact on community boundaries and the loss of community identities as a result of all of the proposals.
- (iii) The proposals will create four Members of Parliament for the Stockton Borough area. This will inevitably result in an increased use of the Council's resources than at present and will not, therefore, be cost effective.
- (iv) The impact of the proposals at election time should not be underestimated. There will be voter confusion, with parts of the same communities voting for different Members of Parliament. The administration of elections for four different constituencies will be logistically complex and will require an increased use of resources.
- (v) There is widespread concern amongst residents and Members regarding the splitting of the Billingham wards and communities as a result of the proposals for Hartlepool BC and for Stockton and Billingham BC. It is, therefore, recommended that the Billingham North Ward is not included in the proposed Hartlepool BC and that it is retained with other Billingham wards, in any new, revised proposals.
- (vi) If the Billingham North ward is however to remain a part of the proposed Hartlepool BC, it is recommended that the constituency be renamed Hartlepool and Billingham North BC.

(vii) As regards the Middlesbrough BC, it is recommended that the constituency be renamed Middlesbrough and Thornaby BC

(viii) With regard to the Sedgefield and Yarm CC, the majority of the electorate will be Stockton Borough residents. The constituency should be a Stockton Borough, not County Constituency, administered by/on behalf of the Borough Council at elections. It is also recommended that it be renamed South West Stockton and Sedgefield BC

(ix) The Parkfield and Oxbridge ward is closely associated with the Stockton Town Centre area and should accordingly be retained as part of the new Stockton and Billingham BC (subject to the comments which follow regarding the name of that constituency).

(x) In relation to the Stockton and Billingham BC, the reference to Billingham will be confusing given that, at present, it will not include the Billingham North Ward. It should, therefore, be renamed North Stockton BC. It should also include the Parkfield and Oxbridge Ward, given its close association with the Stockton Town Centre area.

RESOLVED that:-

1. The comments specified at paragraph 18 of the report to Council regarding the initial proposals produced by the Boundary Commission for England be agreed as the Authority's formal representations in relation to those proposals.
2. Subject to this, the Director of Law and Democracy be authorised to submit the agreed representations to the Boundary Commission for England before the deadline of the 5th December, 2011.

## **C 162/11 Proposed Changes to the Name and Remit of the CASSI and Health Select Committees**

Consideration was given to a report on a proposal from the Executive Scrutiny Committee to realign the remit of Select Committees with that of Cabinet Portfolios by moving the "Adult Services" element of the CASSI Select Committee into the terms of reference of the Health Select Committee. This would allow a newly formed Adult Services and Health Select Committee.

Executive Scrutiny Committee, at its meeting held on 25th October 2011, considered an overview report regarding the Council's scrutiny arrangements to form part of discussions regarding the future of scrutiny against the backdrop of national developments and public sector reform. The relevant minute was attached to the report.

The Committee was advised that in 2008, Adult Services was moved from the Health Select Committee's terms of reference to allow the Select Committee to concentrate on health issues at that time. The Cabinet Portfolio for both Adult Services and Health however remained within the remit of the Cabinet Member for Adult Services & Health.

However, given the health reforms included within the Health & Social Care Bill 2011 which included the local authority having a statutory responsibility to

establish a Health & Wellbeing Board, it was considered timely to realign Select Committee remits with Cabinet portfolios by moving the “adults” element from Corporate, Adult Services and Social Inclusion Select Committee back into the Health Select Committee to create an Adult Services and Health Select. As well as returning to a structure which fully aligned Select Committees with Cabinet portfolios this would allow the Adult Services and Health Select Committee to fulfil its overview role by covering the full remit of the Health and Wellbeing Board for example. This in turn would mean that the CASSI Select Committee would now become the Corporate Social Inclusion Select Committee (CSI).

In the event that Adult Services and Health Committee became potentially be overloaded in terms of undertaking in-depth reviews, the facility existed within the Constitution for issues that were a corporate priority to be examined by other Select Committees.

RESOLVED that the proposal to realign the remit of Select Committees with that of Cabinet Portfolios by moving the “Adult Services” element of the CASSI Select Committee into the terms of reference of the Health Select Committee to create both a new Adult Services and Health Select Committee and a Corporate Social Inclusion Select Committee be approved.

## **C Member Policy Update Synopsis – For Information**

**163/11**

Consideration was given to a report that provided Members with an overview of content from the Members Policy Seminars held in October and November 2011 which comprised of a Focus on Education, Welfare Reform, consultations on Parliamentary Constituencies and “Caring for our Future” presentations. Supporting material from the seminar programme could be found on the Member pages of the intranet.

Members Policy Seminars were an important vehicle for both informing and consulting with Members on a variety of topics from Policy and Legislative changes, contributions to Government consultations, and providing an update on local service provision from partner organisations. They were particularly useful for those issues which were of importance to the Council or partners but were in the early stages of development, or those which would be of interest to Members, outwith the usual reporting arrangements.

A programme of seminars was set annually with events planned on a monthly basis. Topics were reviewed monthly by the Corporate Management Team to ensure issues were current and discussions and information provision was timely. Special additional seminars were arranged as required.

The Policy Seminar programme had been in place since January 2009 and was evaluated in January 2010. The evaluation showed that there was overall a positive response from Members who felt that they provided an opportunity for in depth discussion on a wide range of topics. Feedback was received on the format, acoustics and some of the venue choices. Where possible these issues had been addressed in the programme.

The October seminar included two items, a focus on Education in Stockton and an opportunity to inform Stockton's response to the Government consultation on the Review of Parliamentary Constituencies.

The focus on Education provided members with an overview of provision from Early Years through to Further and Higher Education provision. Speakers included Professor G Henderson, Vice Chancellor of Teesside University, Martin Clinton, the Principal of Stockton 6th Form College and Lynda Brown, Head of Children, Schools and Complex Needs Service. The presentation provided an overview of provision across the Borough, an update on Policy developments and potential impact, partnership working across our Education provision and highlighted current performance and issues facing the service at this time.

The presentation on the Review of Parliamentary constituencies provided an opportunity to inform the response to the current government consultation which closes on the 5th December 2011. The presentation provided the background to the review, outlined the proposed changes nationally and the impact of these changes for Stockton and the surrounding areas. Member's discussions provided comments which had been included in the response to the consultation and informed officers in Democratic Services who had since attended further regional workshops and seminars as part of wider consultation events. The review would conclude in 2013.

An additional seminar was provided for members in October, to provide a policy update on the Welfare Reform Bill and the possible implications for the residents of Stockton. The presentation provided Members with an understanding of information known to date, the timescales of these reforms and some case studies of the potential impact on residents within Stockton. The seminar was supported by colleagues from Housing, Council Tax and Housing Benefit, Welfare Rights and Finance.

The November Seminar provided members with an opportunity to inform the Authority's response to a Department of Health consultation on "Caring for our Future". With the significant changes in demographics in Stockton over the next 20 years, this provided an important opportunity to comment and shape the future of service provision. The consultation asked for views on the requirements of a future workforce, personalisation/ choice, opportunities through the modernisation programme in the NHS for more integration, the future care market, opportunities through prevention and early intervention and the role of the financial services market in supporting users and carers in the future. The seminar was supported by colleagues in Health and Social Care who facilitated each of the discussion groups. Comments will feed into the Authority response which is required by the end of December 2011.

A regular update report on Members seminar events held would be provided to Council at each meeting going forward.

RESOLVED that the report be noted.

## **C Urgency Decision - Change of date of Council**

**164/11**

Consideration was given to a report on an officer decision taken under urgency provisions in consultation with the Mayor.

The Chief Executive Officer took the decision in consultation with the Mayor and Director of Law and Democracy to cancel the scheduled meeting of Council on

30th November 2011 and reschedule it for 1st December 2011.

The reason for the decision was the confirmation of a day of industrial action on 30th November 2011.

RESOLVED that the Chief Executive's decision taken in consultation with the Mayor and Director of Law and Democracy be noted.

**C**  
**165/11**

**Motion to Council**

The following motion was submitted in accordance with Council Procedure Rule 12.1. Moved by Councillor Cook, seconded by Councillor Beall:-

“The Council recognises the contribution the Armed Forces community makes in defence of the realm, often sacrificing some civilian freedoms, facing danger and, sometimes, suffering serious injury or death as a result of their duty. The Council also recognises the vital role the families of Armed Forces personnel have in supporting their operational effectiveness.”

This motion requests Council support the signing of a local community covenant in partnership with the Armed Forces community. To agree to work and act together to honour the national Armed Forces Covenant. To work with the Armed Forces community locally, recognising and remembering the sacrifices made and in the provision of help and advice to support integration into civilian life.”

The motion was carried.

**C**  
**166/11**

**Motion to Council**

The following motion was submitted in accordance with Council Procedure Rule 12.1. Moved by Councillor Beall, seconded by Councillor Cook:-

“This Council endorses the recommendation of Stockton Renaissance to sign the on-line Alcohol Concern Charter which supports the responsible use of alcohol. The Council also endorses NE Balance’s ‘See what Sam sees’ campaign, and will encourage as many people as possible to support the accompanying petition to the Government which calls for limits on the amount of alcohol advertising to which children and young people are exposed.”

The motion was carried.

**C**  
**167/11**

**Motion to Council**

The following motion was submitted in accordance with Council Procedure Rule 12.1. Moved by Councillor Mrs Walmsley, seconded by Councillor Large:-

“This Council openly declares abhorrence of employment schemes which offer so little in terms of credible trades or crafts, but which are described as ‘apprenticeships’ presumably to pay apprentice rates to 16 – 24 year olds for mundane labour thus avoiding paying minimum wage.”



Councillor Beall moved and Councillor Cook seconded the following amended motion:-

"This Council opposes employment schemes that do not enhance the employability skills of young people and seek to exploit 16 to 24 year olds purely as cheap labour at below appropriate minimum wage levels. It will only support apprenticeships and other schemes, such as the previous Future Jobs Fund, that are delivered by quality training providers and provide genuine vocational experience, and the opportunity for young people to gain essential skills that will help them secure employment in the future."

The amended motion was carried.

**C Members' Question Time**

**168/11**

Councillor Walmsley was not in attendance at the meeting and therefore his questions were deferred to a future meeting of Council.

**C Forward Plan and Leaders Statement**

**169/11**

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

Stockton's Enterprise Week was a huge success and awarded the nationally recognised Global Entrepreneurship Week "High Impact Badge of Honour" for range/quality of opportunities offered. 300+ people took part in 25 events, workshops and challenges.

Stockton Borough Council had sponsored Children & Young People's Champion category at the Evening Gazette Community Champion Awards. Winners included one of the Boroughs foster carers who had adopted 6 children.

Stockton Sparkles was under way and the Xmas Market was open until Sunday in Parish Gardens, parking was free after 3pm until 31/12.

Also in town centre there were various grants/loan schemes that had been launched to restore buildings to use and create attractive business/retail environment.

A £1.5m housing renewal fund had been agreed (matched by SBC) to complete clearance of properties and to landscape the site at Parkfield.

Also for Parkfield £3.9m a scheme would be announced to reduce fuel poverty and offset carbon emissions through insulation and other measures to create warmer homes and cut fuel bills.

Ofsted Annual Report highlighted outstanding adoption service one of just 7 to receive the top rating. Also "Put Yourself in the Picture" fostering/adoption campaign won Association of Social Care Communicators best campaign award and greatly increased enquiries.

Carillion had been appointed to design/build new North Shore Health Academy at Tilery site and local people had been consulted on its striking design.

Olympic Flame would be visiting the Borough July 2012.

Cabinet on 8th December 2011 would be considering items on:-

- car parking in the Borough
- taxis in bus lanes
- improvements to Stockton town centre

Cabinet on 12th January 2012 would be considering items on:-

- A Framework for Tackling Family Poverty
- Preferred Options for a new standards of conduct framework following the enactment of the Localism Bill
- Update on the Review of Parliamentary Constituencies
- Independent Remuneration Panel's Report on Members' allowances
- Police & Crime Commissioners and Police & Crime Panels
- Education Policy Update
- EIT Review of Housing and Council Tax Benefit.

Work was also continuing on the 2012-16 MTFP.