

Council

A meeting of Council was held on Wednesday, 12th September, 2012.

Present: The Worshipful the Mayor (Cllr Lynne Apedaile); Cllr Paul Baker, 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 Kevin Faulks, Cllr Robert Gibson, Cllr David Harrington, Cllr Ben Houchen, Cllr Barbara Inman, 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 Alan Lewis, Cllr Ken Lupton, Cllr Ray McCall, Cllr Mrs Ann McCoy, Cllr Mrs Kathryn Nelson, Cllr Steve Nelson, Cllr Mrs Jean O'Donnell, Cllr Ross Patterson, Cllr Maurice Perry, Cllr Mrs Maureen Rigg, Cllr Andrew Sherris, Cllr Michael Smith, Cllr Norma Stephenson, Cllr Mick Stoker, Cllr Tracey Stott, Cllr Steve Walmsley, 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: J Danks, B Brown (R); P Dobson (DNS); J Humphreys (CESC); D E Bond, P K Bell (LD).

Also in attendance: 8 Members of the public.

Apologies: Cllr Ian Dalgarno, Cllr John Gardner, Cllr David Rose and Cllr Andrew Stephenson.

C 62/12 Councillor Eddy

Members stood in a minute's silence as a mark of respect for Councillor Mick Eddy.

C 63/12 Lauren Dalgarno of Conyers School, Yarm

The Worshipful the Mayor informed Members that Lauren Dalgarno of Conyers School, Yarm had won Inspirational Teacher of the Year Award at the annual Times Educational Supplement Awards. Members congratulated Lauren on her achievement.

C 64/12 Kat Copeland - Olympic Champion

The Worshipful the Mayor informed Members that Kat Copeland, the first Olympic Champion to have trained largely on the River Tees, had a hero's welcome when she returned to her rowing club. Hundreds of members of the public and invited family, friends and other VIP's greeted Kat. The Council had donated a double sculling boat, along with an accompanying bursary to the Tees Rowing Club. Members congratulated Kat on her achievement.

C 65/12 Northumbria in Bloom

The Worshipful the Mayor informed Members that at the Northumbria in Bloom awards Stockton again scooped the Best City category – an accolade it had received every year since 2004.

Billingham had won gold in the Best Large Town category and Thornaby had won gold in the Best Small City award.

St Francis of Assisi Church in Ingleby Barwick again impressed the judges to win the Best Kept Grounds of a Religious Establishment Maintained by Parishioners.

Preston Lane Allotments were winners of the Best Allotment Association

category defending the top award they received last year. Brent Court Allotment Association in Billingham was awarded a Silver Gilt.

In the award for the best combined efforts of residents of a community Parkfield Community Gardening Project won the gold medal along with St Cuthbert's Court in Thornaby.

In the category for the best kept grounds of a care or residential home Millbeck House Care Home in Norton and Parkside Court Residential Home in Thornaby both took Silver.

Teesside Industrial Estate was awarded Silver in the Best Business Park section.

Cowpen Bewley Woodland Park took Gold in the Best Conservation Project and in the Best Shopping Precinct section it was a clean sweep for the Borough. Wellington Square in Stockton took Gold, Thornaby Town Centre won Silver and Station Road Parade in Billingham secured Bronze.

C
66/12 **Frank Wilson, Artistic Director SIRF**

The Worshipful the Mayor informed Members that Frank Wilson would no longer be the Artist Director of The Stockton International Riverside Festival (SIRF).

SIRF was established, by Frank, in 1988 and, as Artistic Director, he was its driving force for 25 years.

SIRF was internationally renowned for its programming; it was the best, established street theatre festival in Britain and had been Stockton's flagship event for many years. SIRF had a worldwide reputation for quality and there was no doubt that the festival had raised the profile of Stockton regionally, nationally and internationally.

Frank Wilson's importance to SIRF and the key role he had played in making it the success it had been could be in no doubt and in recognition of this the Council had formally invested him into the Hall of Fame and Frank had also received the Stockton Medal.

C
67/12 **Declarations of Interest**

There were no interests declared.

C
68/12 **Minutes**

The minutes of the meeting held on 18th July 2012 were signed by the Worshipful the Mayor as a correct record.

C
69/12 **Public Question Time**

The Director of Law & Democracy informed Members that no Public Questions had been received.

C **Members' Policy Seminar Programme**

Consideration was given to a report that provided Council with an overview of content from the Members Policy Seminar held in July 2012 which gave an update on the Review of Learning Disabilities including consultation arrangements and an overview of the work of the Armed Forces. Two special drop in sessions were also organised for Members to receive initial findings from the ILG work on the impact of Welfare Reform.

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 had been in place since January 2009 and 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.

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.

There had been one Member Seminar since the last report to Council. The July seminar provided an opportunity for Members to be briefed on the progress made to date with the review of services for Adults with Learning Disabilities and also a presentation by the Armed Forces Engagement Team on the services and support they provide to defend the country.

The Learning Disabilities Review covered all services provided and funded by Stockton on Tees Borough Council for working age adults. This was some 550 service users and covered a budget of £14.6 million gross. The Learning disability population was expected to grow by 11% by 2030.

Following an initial consultation in the early stages of the review, some key messages were received that went on to inform the main review activity. These included :-

- a. Day service lack variety
- b. The time spent on travelling
- c. Transition issues
- d. Lack of local services
- e. Respite services
- f. Support for community enterprises
- g. Personal Budgets

A series of actions were developed as a result of the consultation and the presentation updated Members on the action taken to date which included, improved levels of intelligence leading to better future predictions of need / improved service planning, better contract negotiation delivering improvements for service users, delivery of new services such as Autism, identifying housing needs and improved transition services.

The consultation provided information to inform the provision of services going forward and as a result a set of principles on which future services would be

developed, had been proposed. These were the subject of an extensive consultation exercise which was ongoing giving users, carers, providers etc opportunity to comment and participate in focus groups and consultation events. The results of the consultation would be used to inform service provision in the future. The outcome of the review was expected by the end of the financial year.

The second presentation was given to Members by Majors Magdalen Miller and George Crozier from the Armed Forces Engagement Team. This presentation was to provide further background to Members on the work of the Armed Forces in support of the Compact recently signed by the authority. The presentation provided details of the service army personnel provide, the support the Armed Forces gave them and their families whilst undertaking these duties and identified areas of support other organisations such as Local Authorities could provide, to both current and ex army personnel, during and after their length of service. The presentation was very informative and well received.

A further drop in session was arranged in July for Members to receive the initial findings from the work that the ILG had undertaken on the impact of the Welfare Reform agenda on Stockton. These were early findings and further work to understand impact and behaviours around these changes continued.

All slides, agenda and supporting material from the seminars could be accessed at <http://kyit.stockton.gov.uk/members/policyupdatesessions>

RESOLVED that the report be noted.

C
71/12

Members' Question Time

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

“The recent decision by Labour Members and one IBIS Member on the Council’s Planning Committee to approve the application for 350 homes at Morley Carr Farm, Yarm has caused significant distress to local residents who believe sufficient weight was not given to their objections when the application was under consideration.

The report presented to the Planning Committee on Morley Carr Farm, notwithstanding the recommendation to approve, clearly highlighted that the application was contrary to a number of the Council’s adopted policies. The Council’s own Spatial Planning expert, even went so far as to say that the current shortfall in the five year supply was only a temporary problem and did not in itself represent sufficient reason to approve the application. The decision to approve this application has potentially set a very dangerous precedent.

The Council are currently undertaking consultation on the Regeneration and Environment Local Development, Preferred Options Document does he not believe that by approving this application the Council has denied the right of the community to consider the implications and impact of all of the proposed sites under consideration and that it will weaken the Council’s position when considering future applications?”

The Leader of the Council responded with:-

"Councillor Lupton, the answer to your question is no, I am not of the opinion that this will weaken the Council's position in the future. Every application must be considered on its merits and the material planning considerations at that time. As you are aware, the NPPF which came into force in March this year places great emphasis on the provision of a 5 year land supply of deliverable housing land which this Council does not have.

Your Government's advice contained in the NPPF makes it clear that the lack of a 5 year supply of deliverable housing means that the Local Planning Authority's relevant housing policies cannot be considered as up to date and applications must be considered strictly in relation to the guidance in the NPPF.

The balance between the plan-making process and delivery of housing has been recalibrated by the Government to ensure housing is provided by granting planning permission where there is a lack of a 5 year supply. As much as the Local Planning Authority would have wished to progress the consideration of the acceptability of the application site through the plan-making process, the application had to be considered in accordance with the NPPF guidance in the context of the presumption in favour of sustainable development.

There are many examples where the Secretary of State decisions on housing planning applications post NPPF are particularly relevant. For example the "substantial shortfall" in Salford City Council's five-year housing land supply was cited by the Secretary of State in overturning an inspector's recommendation of refusal of 350 homes at Burgess Farm, Worsley, Salford. He said it outweighed the fact that the site did not accord with the council's development plan."

Councillor Lupton asked the following supplementary question:-

"Members may already be aware that an application to build 750 new homes along Green Lane in Yarm has now been submitted. Without asking any Member to pre-determine any individual application, could I ask if he is pre-disposed to refuse this application until the Secretary of State has made a decision whether or not to allow the Morley Carr Farm permission to proceed and until such time as the consultation process on the preferred options is completed?"

The Leader of the Council responded with:-

"I'm not sure how much Councillor Lupton knows about planning pre-determination but this would be wrong and open to legal challenge. It is not in my gift to be able to pre-dispose to refuse an application. Each planning application has to be determined on its own merits as and when an application comes in. The Council needs to get its Local Plan in place as the developers will put more applications in."

C 72/12 Forward Plan and Leaders Statement

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

Since last Council meeting in July:-

- At Direct Line in Thornaby 530 jobs would be lost. Neil Schneider would chair a co-ordinated task group (incl. Direct Line, TVU, Job Centre Plus, Stockton Riverside College, North East Chamber of Commerce & Skills Funding Agency). The Task Force would work together to support those affected and help find new jobs.

- In wake of July's Royal visit, there had been:-
 - 25th Stockton International Riverside Festival
 - Stockton Weekender
 - 48th Billingham International Folklore Festival. which the Leader had the privilege of officially opening
 - 1,000 people in River Rat Race
 - Summer Carnival
 - Olympics on giant screen in Parish Gardens
 - welcomed home Kat Copeland, Olympic Gold Medal winner

- The Leader had welcomed Britain in Bloom judges – results would be published next month; Northumbria in Bloom success had been announced, Gold awards to Stockton, Billingham and Thornaby, plus many others for local groups.

- The Council had been nominated in 9 of 21 categories for this year's APSE Awards – most nominations in history of the awards.

Since last full Council, Special Cabinet (9 August 2012) considered options & public consultation for the Local Council Tax Reduction Scheme. Other current consultations included the Learning Disability Review, the Regeneration & Environment Local Development Document and Shop Fronts & Advertising.

6th September 2012 Cabinet Meeting reports included:-

- Update on exam results
- Further development at Northshore
- Regeneration of Billingham and Stockton town centres
- Youth participation
- Surveillance activity under the Regulation of Investigatory Powers Act 2000 (RIPA)
- The Regional Scrutiny Review of health needs of ex-service community
- The EIT review of outside bodies

The next Cabinet meeting will be looking at:-

- Tees Valley Strategic Tenancy Policy
- Academies Update
- Consultation on changes to Council Tax discounts and exemptions
- Community Right to Challenge
- Asset Review
- Social Care - Local Account 2011/12.
- Joint Health and Wellbeing Strategy (JHWS)
- Local Authority Mortgage Scheme
- Community Infrastructure Levy (CIL). Approval of Preliminary Draft Charging Schedule for Consultation.
- Major Transport Scheme Funding Devolution

Review of Learning Disability Services