

# Council

A meeting of Council was held on Wednesday, 11th September, 2013.

**Present:** The Worshipful the Mayor (Cllr Mrs Kathryn Nelson); Cllr Paul Baker, Cllr Jim Beall, Cllr Derrick Brown, Cllr Mark Chatburn, Cllr Carol Clark, Cllr Michael Clark, Cllr David Coleman, Cllr Robert Cook, Cllr Nigel Cooke, Cllr Gillian Corr, Cllr Evaline Cunningham, Cllr Ian Dalgarno, Cllr Phillip Dennis, Cllr Ken Dixon, Cllr Robert Gibson, Cllr David Harrington, Cllr Ben Houchen, Cllr Barbara Inman, Cllr Mohammed Javed, Cllr Eileen Johnson, Cllr Elliot Kennedy, Cllr Paul Kirton, Cllr Miss Tina Large, Cllr Alan Lewis, Cllr Ken Lupton, Cllr Ray McCall, Cllr Mrs Ann McCoy, Cllr Mick Moore, Cllr Steve Nelson, Cllr Mrs Jean O'Donnell, Cllr Ross Patterson, Cllr Maurice Perry, Cllr Mrs Maureen Rigg, Cllr David Rose, Cllr Andrew Sherris, Cllr Michael Smith, Cllr Andrew Stephenson, 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:** N Schneider (CE); J Danks, B Brown (R), J Humphreys (CESC); P Dobson (DNS); P Kelly (DPH); D E Bond, P K Bell (LD).

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

**Apologies:** Cllr Lynne Apedaile, Cllr Julia Cherrett, Cllr Kevin Faulks, Cllr John Gardner, Cllr Jean Kirby, Cllr Terry Laing, Cllr Colin Leckonby, Cllr Norma Stephenson and Cllr Michael Smith.

## **C       Declarations of Interest**

**56/13**

There were no interests declared.

## **C       Minutes**

**57/13**

The minutes of the meeting held on 17th July 2013 were signed by the Worshipful the Mayor as a correct record.

## **C       Armed Forces Week Presentation**

**58/13**

The Worshipful the Mayor welcomed representatives from the Freedom Regiments: The Rifles, The Yorkshire Regiment and 1st Close Support Battalion REME.

The North East region had a proud military heritage, which included supporting veterans, cadets and serving military personnel and the Council had signed up to the Armed Forces Covenant.

Since 2011 the Mayor had organised events and activities during Armed Forces Week so that the people of the borough could come to meet and talk with members of the armed forces, civilian support services and cadets.

During the week the Mayor held a Charity duck race to generate much needed funds for charities helping the Armed Forces.

The total money raised from the Duck Race and Collection was £ 2292.93 giving a total £764.31 to each of the regiments.

The Representatives from the Freedom Regiments were in attendance at the meeting and were presented with cheques:-

Major Chris Lawton, The Rifles Regiment

Major Pat Ralph, The Yorkshire Regiment

Captain Fred Comber Military Cross and RSM Evan Edwards 1st Close Support Battalion, Royal Electrical and Mechanical Engineers

**C  
59/13**      **LGA 'Local Government Challenge' Award – Steve Hume (Community Safety Manager)**

The Worshipful the Mayor and the Cabinet Member for Housing and Community Safety congratulated Steve Hume, the Council's Community Safety Manager who had entered the 'Local Government Challenge', competing for the Bruce-Lockhart Scholarship.

He had made it through to the final three and gave a presentation at the LGA Conference in July on a personal project, which was based on using mobile phone technology to make it much easier for residents to report Anti-Social Behaviour.

**C  
60/13**      **Association of Public Service Excellence (APSE) Awards**

The Leader of the Council reported that the Council had been shortlisted for the fourth year in a row for the prestigious Council of the Year Award in the Association of Public Service Excellence (APSE) awards.

Stockton Council won the award in 2010 and was shortlisted again in 2011 and 2012.

As well as being nominated by APSE for the Council of the Year Award, Stockton was nominated in four separate service award categories:-

- Best Local Democracy Initiative
- Best Service Team: Parks, Grounds and Horticultural
- Best Service Team: Waste and Refuse Management
- Best Service Team: Building/Facilities Cleaning

Unfortunately the Council had not won an award but it was a great achievement to be one of only six local authorities across the country that had been shortlisted for the overall Council of the Year award and to be shortlisted in four other categories as well.

This recognition from APSE followed the really positive feedback from the Ipsos MORI survey of residents as well as a recent national study that identified Stockton as one of the best places in the country to do business.

**C  
61/13**      **Public Question Time**

The following question was submitted by Anthony Hoban for response by the Cabinet Member for Corporate Management and Finance:-

"Can SBC tell me why they charge full domestic council tax for landlords who supply housing properties when they are empty, but give a minimum of 3 months discount to landlords who supply business properties?"

The Cabinet Member for Corporate Management and Finance responded with:-

"I am aware that Mr Hoban has received detailed communications from the Council's Head of Customer Services & Taxation explaining the Council's approach and the differences in legislation between Council Tax and Business Rates when it comes to charging for empty properties. I will summarise what Mr Hoban has already been told.

In 2012, the government made legislative changes to provide councils with more flexibility over the Council Tax charges they can make for empty dwellings. Certain Government defined discounts and exemptions were removed, allowing Councils to determine their own schemes, within certain limits, that meet local priorities.

Along with many other councils, Stockton-on-Tees Borough Council took a decision to charge full Council Tax on dwellings as soon as they become empty, unless the dwelling is covered by a specific, government defined exemption. The decision was taken following a public consultation exercise and a Scrutiny Review of empty and abandoned properties. It was taken on the basis that the changes would make a positive contribution to:-

- Bringing empty dwellings back into use in order to turn empty properties into homes that people value, improve neighbourhoods and reduce homelessness lists; and
- Generating additional income that will help to reduce the budget gap and deal with the financial pressures faced in delivering core services.

The legislative changes covered Council Tax only. There is a separate set of legislation that covers charges for empty business premises, and councils have not been given the same discretion to vary the charges. When a business property becomes empty, it is exempt from empty property charges for 3 months, or 6 months for certain empty industrial premises. After these periods rates are payable in full, unless the property falls into a category defined by the government as fully exempt from empty property rates."

Anthony Hoban asked the following supplementary question:-

"So if this is to generate income to Councils why aren't you charging for empty business premises."

The Cabinet Member for Corporate Management and Finance responded with:-

"I have already answered that question in my previous response."

The following question was submitted by Anthony Hoban for response by the Cabinet Member for Corporate Management and Finance:-

"Can SBC tell me why they charge full domestic council tax on empty domestic properties, but give a 25% discount to domestic properties if solely occupied, even though SBC will be providing a reduced service to unoccupied properties,

i.e. weekly refuse collection?"

The Cabinet Member for Corporate Management and Finance responded with:-

"I have already explained the decision to charge full Council Tax on empty dwellings. It is a legislative requirement that all Councils allow a 25% discount on the Council Tax charge when a property is occupied by only one adult and there is no discretion to vary or remove the 25% single occupancy discount. Council Tax payments are not determined by the range of services an individual property or resident receives – Council Tax is a contribution towards the provision of the services the Council provides across the borough. Even when a property is empty, it continues to benefit from services paid for through Council Tax, such as police and fire services, highways and street lighting."

Anthony Hoban asked the following supplementary question:-

"Because of these policies I know people who have inherited properties and are having to sell them at an under value."

The Cabinet Member for Corporate Management and Finance responded with:-

"I am not aware of that happening but I will arrange for the Head of Customer Services & Taxation to email you to explain the Council's position with regard to such cases."

## **C 62/13**

### **Independent Persons**

Consideration was given to a report that provided Council with the recommendations from the meeting of the Standards (Independent Persons) Appointment Panel ("the Panel") held on 18 July 2013 regarding the Panel's views on whether or not further terms of office for the Council's current Independent Persons should be recommended.

At the Panel's meeting on 5 July 2012 the Panel recommended to Council that:-

- Norman Rollo be appointed as the Independent Person and that Jeff Bell and Mike Hill be appointed as the two Independent Person reserves; and that
- Their terms of office be for an initial term of 15 months, with effect from 1 July 2012, with a review after 12 months to determine whether further terms of office should be recommended.

Council approved these recommendations at the meeting on 18 July 2012.

The Panel reviewed the three appointments on the 18 July 2013.

As a result the Panel had recommended as follows:-

1. The terms of office of the Independent Person and two reserve Independent Persons should be extended for a period expiring two months after the next local government elections in May 2015.
2. The remuneration of the Independent Persons should remain at its present

level (i.e. equivalent to a Co-optee's allowance of £650 pa, together with travel and subsistence costs at member rates).

Attached to the report was a copy of the report to the Panel, together with a copy of the Independent Person's role description, duties and responsibilities and the selection criteria/eligibility for appointment.

Also attached to the report was a copy of the relevant minutes from the Panel's meeting.

RESOLVED that:-

1. The report be noted.
2. The terms of office of the Independent Person and two reserve Independent Persons should be extended for a period expiring two months after the next local government elections in May 2015.
3. The remuneration of the Independent Persons should remain at its present level (i.e. equivalent to a Co-optee's allowance of £650 pa, together with travel and subsistence costs at member rates).

**C  
63/13      Localism Act 2011 – The New Standards Regime – Review of the Council's  
Local Standards Arrangements**

Consideration was given to a report that provided details of a review of the Council's Standards regime.

At the meeting on 9 February 2012 Cabinet considered and recommended to Council new standards arrangements, as required by the Localism Act 2011 ("the Act"). Cabinet's recommendations were agreed by Council on 7 March 2012. Subsequently, Council approved a new code of conduct for Stockton's members under the Act on 18 July 2012. Council agreed that the new local standards arrangements and the new code should be reviewed by the Monitoring Officer after 12 months of operation.

A review had been undertaken, and a copy of the report from the Monitoring Officer was considered. Cabinet was asked to consider the report and to recommend it to Council, along with the recommendations specified within the covering report.

With regard to recommendation 4, if it was considered appropriate to review and update the descriptions of the principles of conduct in the Council's Code of Conduct in light of the revisions to the descriptions of the Nolan principles, initial discussions would take place with Members about any suggested changes, prior to a report back to Cabinet and to Council for further consideration. The Audit Committee had considered a similar report regarding the review of the Council's Standards Arrangements at its meeting on 24 June. The Committee approved the recommendations which were outlined in the report to Cabinet.

RESOLVED that:-

1. The review report be considered and agreed.

2. No changes be made to the Council's code of conduct for members.
3. Appropriate advice, guidance and training continues to be provided in connection with the code.
4. Proposals to update the descriptions of the principles of conduct in the preamble to the code, in light of the revisions to the descriptions of the Nolan principles, be the subject of further reports to Cabinet and Council.
5. The arrangements for dealing with member misconduct complaints remain as originally approved by Council.
6. The position of Norman Rollo, as Independent Person, and Mike Hill and Jeff Bell as reserve Independent Persons, be considered, taking into account the recommendations of the Standards (Independent Persons) Appointment Panel.
7. Regular reminders, advice and guidance continued to be provided to Stockton's members and to the members of Town/Parish Councils in Stockton's area regarding the need to submit and keep up to date their registrable interests.
8. The procedures relating to the disclosure of interests and withdrawal from meetings; sensitive interests and dispensations, be reaffirmed.
9. Further training regarding the code of conduct, disclosable pecuniary interests and the arrangements for dealing with allegations of member misconduct be provided as and when required or considered appropriate.
10. The Monitoring Officer reviews the Council's standards arrangements again after a further 12 months of operation, and that the outcome with any recommendation for change be reported back to the Audit Committee, Cabinet and Council for consideration.

**C**  
**64/13**

### **Armed Forces Annual Report**

Consideration was given to a report that presented the first Annual Armed Forces Report to Council. It summarised the work with the Armed Forces and the progress so far on the implementation of Stockton's Armed Forces Community Covenant. It also outlined proposed projects for the coming year and included a statement from the Commanding Officer of 102 Battalion REME.

On 18th January 2012 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."

The motion requested 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 with full Council support.

Following the motion to Council Stockton Council and partners signed the Stockton Armed Forces Community Covenant on March 7th 2012. The Covenant was intended to encourage support for the Armed Forces working and residing in the Borough of Stockton-on-Tees, and to recognise and remember the sacrifices made by members of the community. The Covenant commits the Council and Renaissance partners to:-

- support employees who volunteer for reserve duties;
- ensure that the voice of serving and ex-service personnel is heard through the Council’s engagement mechanisms;
- report annually to Council on the impact of the Covenant;
- identify key officer and Member champions, and implement the other recommendations of the Regional Scrutiny Review of the Health Needs of the Ex-Service Community.

The Armed Forces had in return committed to deliver annual updates to both Members and updates on operational experiences and policy changes, and to be involved in community activities and events. A Members Policy seminar was delivered in October as part of this commitment. A further seminar would be requested once the Armed Forces were in a position to inform the Council how changes to the services and local Armed Forces bases / units would impact on the Borough, probably early 2014.

As part of their commitment to the covenant an annual statement had been prepared by the Commanding Officer for 102 Battalion REME and this was attached to the report.

The Armed Forces Community Covenant identified 4 Member Champions Cllr Steve Nelson, Housing and Community Safety, Cllr Mike Smith – Transport and Regeneration, Cllr David Coleman – Access and Communities with Cllr Jim Beall – Adult Services and Health and Deputy Leader being the lead Member Champion.

The actions from the Regional Healthy Scrutiny Committee on the Health Needs of the Service Community were incorporated into Stockton’s Community Covenant which recognised the contribution made by the Armed Forces as a whole. The final report of the Regional Health Scrutiny Committee following its review of the health needs of ex-service personnel was considered by Cabinet in February 2011. The review was an innovative and wide ranging piece of work covering physical, mental and socio-economic needs. The project received contributions from all 12 of the region’s local authorities, the Ministry of Health, Department of Health, NHS bodies, and ex-service charities and

personnel themselves, amongst others.

The review's 47 recommendations sought to ensure that ex-service personnel and their families were not disadvantaged due to their service in the Armed Forces. An action plan was developed and monitored by the regional committee until 31st March 2013. Stockton's actions were incorporated into the delivery of the Community Covenant.

Many of the recommendations were for external organisations (eg. NHS), or for local authorities but could be undertaken on a regional basis. For example, ANEC had agreed to take forward work in relation to improving the quality of the data flow between the armed forces and local authorities. Once all local authorities signed their individual Community Covenants a Regional Charter was signed on 9th October 2012 on behalf of the following partners:-

- The Armed Forces Community in the North East
- The Association of North East Councils (on behalf of all of the 12 Councils in the North East Region)
- The NHS in the North East
- The Royal British Legion
- JobCentrePlus
- Northumbria Probation Trust
- Durham Tees Valley Probation Trust
- North East Chamber of Commerce
- The Prison Service
- Voluntary Organisations North East (VONNE)
- Northumbria Police
- Durham Police
- Cleveland Police

The report provided an overview of all measures taken to date to support the armed forces community through the Community Covenant in Stockton-on-Tees.

2014 would be a significant year for commemoration as it would be 100 years since the start of the First World War and 70 years since the D-Day landings. Tees Valley had been successful in an Arts Council funding bid which would see a year-long programme of events commemorating the First World War. The events were primarily educational and all children across the Borough would be engaged in activities in schools, libraries and museums.

There had been achievements across each of the pillars of the Community Covenant but there was some way to go. In the coming year work would be undertaken on the following priorities:-

- Protocols for Information and Intelligence sharing
- Updating of the JSNA
- Expansion of the Youth Programme across the Tees Valley (currently piloted in Redcar and Cleveland)
- Expansion of the TEWV Veterans Mental Health Awareness Programme
- Improved links to employers and employment opportunities
- Investigation of the need for specialist Ex-Service personnel housing units
- Submission of a bid for a sustainable model of cross-sector support for Armed



Forces Community to the Community Covenant Grant Scheme.

- Commemoration of the First World War and the 70th Anniversary of the D-Day landings.
- Establish an Armed Forces Community of Interest group as part of the LSP refresh.

RESOLVED that:-

1. The progress report be noted and the on-going work to implement the actions be supported.
2. The report be endorsed.

**C**  
**65/13**      **Members' Question Time**

The Director of Law and Democracy informed Members that no Member Questions had been received

**C**  
**66/13**      **Forward Plan and Leader's Statement**

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

August had been a busy month with a successful SIF and Weekender, The River Rat Race, Stockton Carnival in Preston Park, Billingham International Folklore Festival with those and the special markets over the summer the Events Team and Officers had done a tremendous job in ensuring the events had gone smoothly and successfully, and on behalf of the council the Leader of the Council thanked all those involved in the work they had done, and for the most of the summer the weather had been kind.

Cabinet met on 4th September 2013 and considered a range of issues with significant items being follows:-

- EIT Review of Mental Health Services
- Children's Social Care Activity and Performance Report
- School Performance Report 2012 - 2013
- Stockton on Tees Local Plan Local Development Scheme
- Transforming Rehabilitation: A Strategy for Reform
- Safeguarding Vulnerable Adults Committee Report
- Big Ticket Programme Update
- Medium Term Financial Plan Update
- Localism Act 2011 – The New Standards Regime – Review of the Council Local Standards Arrangements.
- Armed Forces Annual Report

Looking ahead Cabinet would meet twice in October and it would consider:-

- An update on the Winterbourne View Workstream
- A review of the impact of Welfare
- To review Supplementary Planning Documents on the Provision of Affordable Housing and the Need for Viability Evidence and Minerals and Waste
- Billingham Care Ready Retirement Housing

- Delegation of Powers and Setting of Fees under the Scrap Metal Dealers Act 2013
- The Designation of Neighbourhood Areas in Grindon and Egglecliffe and Egglecliffe Parishes for the purpose of preparing neighbourhood plans
- An update on Stockton Town Centre and
- An update on the Tees Valley City Deal bid

As always there was lots going on across the Borough over the next few weeks. The programme of specialist markets continue in Stockton High Street, Parish Gardens and Wellington Square with the Creative Expo market this Saturday in Parish Gardens. The ever popular Halloween Walks take place at Preston Park at the end of October and of course the fireworks promise to be as spectacular as ever at the riverside on 5th November.

And finally the Labour Group in the coming weeks would be working to raise awareness of the failings of the National Planning Policy Framework.

**Mayor .....**