

Council

A meeting of Council was held on Wednesday, 9th March, 2016.

Present: The Worshipful the Mayor (Cllr Ian Dalgarno); Cllr Helen Atkinson, Cllr Sonia Bailey, Cllr Paul Baker, Cllr Chris Barlow, Cllr Derrick Brown, Cllr Julia Cherrett, Cllr Carol Clark, Cllr Chris Clough, Cllr Robert Cook, Cllr Nigel Cooke, Cllr Gillian Corr, Cllr Evaline Cunningham, Cllr Philip Dennis, Cllr Ken Dixon, Cllr Kevin Faulks, Cllr Lisa Grainge, Cllr Lynn Hall, Cllr Elsi Hampton, Cllr David Harrington, Cllr Di Hewitt, Cllr Ben Houchen, Cllr Barbara Inman, Cllr Eileen Johnson, Cllr Paul Kirton, Cllr Mrs Ann McCoy, Cllr Mick Moore, Cllr Mrs Kathryn Nelson, Cllr Steve Nelson, Cllr Mrs Jean O'Donnell, Cllr Stephen Parry, Cllr Ross Patterson, Cllr Maurice Perry, Cllr Lauriane Povey, Cllr Rachael Proud, Cllr Paul Rowling, Cllr Michael Smith, Cllr Andrew Stephenson, Cllr Norma Stephenson O.B.E, Cllr Mick Stoker, Cllr Tracey Stott, Cllr Laura Tunney, Cllr Matthew Vickers, Cllr Mrs Sylvia Walmsley, Cllr Sally Ann Watson, Cllr Julia Whitehill, Cllr David Wilburn, Cllr Norma Wilburn, Cllr Bill Woodhead and Cllr Barry Woodhouse.

Officers: Neil Schneider (CE), Julie Danks, Peter Bell, Jenna McDonald (ACE), Richard McGuckin (EG&D), Beccy Brown (HR,L&C), Jane Humphreys (CS), Garry Cummings (F&BS), Jamie McCann (CS), Reuben Kench (C,L&E), Martin Gray (CS), Peter Kelly (A&H); David Bond (Proper Officer).

Also in attendance: Members of the public.

Apologies: Cllr Jim Beall, Cllr Michael Clark, Cllr John Gardner, Cllr Stefan Houghton and Cllr Mohammed Javed.

C 96/15 Welcome, Evacuation Procedure and the Recording of the Meeting

The Worshipful the Mayor welcomed everyone to the meeting and outlined the procedure for the recording of the meeting.

The evacuation procedure was also noted.

C 97/15 Declarations of Interest

Each of the Members present had a personal interest in respect of agenda item 11 - Motion - Members Allowances but could participate in the debate and vote on the matter.

C 98/15 Minutes

The minutes of the meeting held on 20th January 2016 were signed by the Worshipful the Mayor as a correct record.

C 99/15 Former Councillor Derek Cooke, Former Councillor Ken Craggs and Former Councillor Mike Diaz

Members stood in a minute's silence as a mark of respect for former Councillors Derek Cooke, Ken Craggs and Mike Diaz.

C 100/15 Review of the Council's Constitution

As part of a review of the Council's constitution a report was presented to, and considered by the Members Advisory Panel ("the Panel") on the 19 January 2016 regarding a proposed amendment to the procedure for questions by the public at Council meetings, in circumstances where the person who had submitted the question did not attend the relevant meeting.

The Council Procedure Rules were attached to the report.

Rule 10 related to Questions by the Public, and rule 10.7 provided that:-

“The Mayor will invite the questioner to put the question to the Member named in the notice. This will not preclude another Member from responding to the question when it is considered appropriate to do so. If a questioner who has submitted a written question is unable to be present, they may ask a representative or the Mayor to put the question on their behalf. The Mayor may ask the question on the questioner’s behalf, or indicate that a written reply will be given or decide, in the absence of the questioner and the questioner’s representative, that the question will not be dealt with.”

The provision to enable questions to be put and answered at full Council in the absence of the questioner, or a representative, was intended to be a provision that would be used rarely, as a fall-back provision. However, at recent Council meetings, it had become common practice, as a first resort, for the questioner not to attend and to ask the Mayor to read out their question on their behalf; for the relevant Cabinet Member to be asked to respond at the meeting, and for a written copy of that reply to be asked to be sent to the questioner.

This was not the intention when the procedure rules were drafted.

The report to the Panel at its meeting on the 16 January, proposed that an amendment be made to procedure rule 10.7 in order to provide that if a questioner who had submitted a written question, or another member of the public who was the questioner’s representative, was unable to be present at the relevant council meeting to ask the question in person, the question would not be dealt with. A written response would instead be provided.

The Panel agreed that this amendment should be made to Council Procedure Rules.

This amendment would bring the procedure for Public Questions more into line with the arrangements regarding member Questions, which did not contain provisions similar to the current procedure rule 10.7.

Council was asked to support the Panel’s views and to agree the proposed amendment to Council Procedure Rules relating to questions by the public, and to authorise the Proper Officer to make the necessary changes to the Procedure Rules to reflect the agreed amendment.

RESOLVED that:-

1. The proposed amendment to the Council procedure rules relating to questions by the public be agreed.
2. The Proper Officer be authorised to make the necessary changes to Council Procedure Rules, in order to reflect the agreed amendment.

C
101/15 **Public Question Time**

The following question had been submitted by Barbara Warren for response by the Leader of the Council:-

“In 2010 Bishopsgarth Association of Residents (BAR) raised £168,000 from various sources to provide play equipment and a Multi-Use Games Area (MUGA) on the estate.

This was made up as follows:

Playbuilder: £40,000

Big Lottery: £43,000

Provident Finance: £20,000

Impetus Environmental Trust: £47,000

Councillor’s Community Participation Budget: £18,000

That funding was received by SBC’s Parks and Countryside Department who claimed 10% (£16,800) as management costs. We also believe that following our successful bid to Provident Finance, Stockton Council received a further £60,000 in funding for other areas.

Despite initial consultation with BAR and local residents about what would be provided, council officers have taken it upon themselves to change the specifications with no consultation – as an example, Care For Your Area estimated £65,370.10 for works but the final bill was £1,644.12 over and above that amount. This amount was approved by council officers with no discussion with BAR.

After discussion with Richard Bradley following vandalism / defects, BAR (of which I am Chair) agreed to £5,000 of the funding being made available for repairs and maintenance. We are now led to believe that this money has been spent on such things as grass cutting which the council would have had to do whether the play area was there or not.

Despite repeated requests, BAR, has never been provided with proof of expenditure nor always asked for prior approval of any spend from these funds raised in our name. A council officer has verbally stated that BAR cannot close as long as there are funds still to be spent. This suggests that BAR is responsible for expenditure.

So, can the Leader of the Council please confirm whether or not BAR is accountable for the expenditure from the income received from the above sources and exactly how much funding remains to be spent?”

The Leader of the Council responded with:-

“No BAR is not accountable for the expenditure from the income received from the sources that you have identified.

There is a remaining balance of £2621.”

Barbara Warren asked the following supplementary question:-

"I'm surprised to learn we are not accountable when all grant applications had to be signed off by me personally, one of your own officers told us they could not wind up the association as long as there are funds to be spent.

Would you agree Councillor Cook that having used the residents association name to bring in large sums of money this Council should show more respect and consideration to the people that have put themselves out at their own expense to make things better for the local communities?"

The Leader of the Council responded with:-

"We do appreciate the work of the voluntary and community associations. It is those associations that can get funds of this type from the lottery but the accountable body has to be a statutory body.

C
102/15 **Parkfield and Oxbridge Ward By-Election Result**

Consideration was given to a report on the result of the Parkfield & Oxbridge Ward By-Election held on Thursday 28 January 2016.

BRANEY Peter Barrie Temple - UK Independence Party (UKIP) - 113
DURNING Drew - Liberal Democrats - 65
MITCHELL Allan - Labour Party - 598 Elected
RICHARDSON Stephen John - Conservative Party Candidate - 363

* If elected, the word "Elected" appears against the number of votes

The number of ballot papers rejected was as follows:

A	Want of an official mark	0
B	voting for more Candidates than voter was entitled to	1
C	writing or mark by which voter could be identified	0
D	unmarked or void for uncertainty	0

Total 1

Vacant Seats: 1 Electorate: 5194 Ballot Papers Issued: 1140 Turnout: 21.95%

Allan Mitchell was duly elected to the Council.

RESOLVED that the results of the Parkfield & Oxbridge Ward By-Election be noted.

C
103/15 **Director of Public Health Annual Report 2014/15**

Consideration was given to a report regarding the draft Annual Report of the Director of Public Health for Stockton-on-Tees Borough Council for 2014/15. The Report outlined the key health and wellbeing challenges and opportunities in Stockton Borough, particularly around health inequalities. The Report outlined work over the past year to address local health challenges, including service reviews, commissioning, population-wide programmes and work with partners. The Report fitted with the priorities in the Joint Health and Wellbeing Strategy 2012-18 and the Council Plan.

RESOLVED that the report be noted.

C **Council Plan 2016 - 19**

104/15

Consideration was given to a report that presented a draft Council Plan for 2016-19. A copy of the plan was attached to the report.

The Council Plan set out the overall ambitions and priorities of the Council and described the key outcomes, objectives and activities the Council aimed to deliver. It also identified the key performance indicators to be used to challenge and monitor progress. It aimed to provide clarity and focus for Councillors, managers, staff, members of the public and partners about the Council's ambitions and direction of travel.

The contents of the Council Plan 2016-19 were as follows:-

Foreword – joint statement from the Leader and Chief Executive

Section 1 – Vision, policy principles and culture

Section 2 – Context and background

Section 3 – Resources

Section 4 - Outcomes, objectives and activities

Section 5 – Key performance indicators

Section 6 - Outcomes, objectives and activities (by policy principle)

The final version of the plan would include, at Section 5, targets for the key performance indicators. Targets were being considered using the latest available outturn data and, where available, revised targets were included in the plan. However, for some indicators where year-end data was required, Cabinet recommended to Council that delegated authority, for the agreement of targets for key performance indicators, be given to the Director of Finance & Business Services, in consultation with the Leader of the Council.

Discussion sessions had been organised for the 10 and 11 February 2016, for elected members to discuss the Council Plan 2016-19 alongside the medium term financial plan arrangements.

Further work on target setting for key performance indicators continued as year-end data became available.

A summary version of the Council Plan 2016-19 would be developed following approval of the full version of the plan. Both the full and summary version of the Council Plan 2016-19 would be published on the Council's website following approval by Council.

RESOLVED that:-

1. The draft Council Plan be endorsed and approved.

2. Delegated authority be given, for the agreement of targets for key performance indicators, to the Director of Finance & Business Services, in consultation with the Leader of the Council.

C
105/15 **Motion**

Consideration was given to the following motion which had been submitted in accordance with Council Procedure Rule 12.1 by Councillor Vickers:-

"This council resolves that Councillors should not be provided with food or drinks at the expense of the taxpayer. As a result:

- a) Councillors will be asked to cover the cost of food and drink when eating or drinking at events and functions
- b) The breakfast and evening meal allowances, and entitlement to claim for meals as part of the subsistence allowance, will be removed from the members allowance scheme."

Councillor Cook moved the following amendment:-

"The matter and the wider scope of Councillor expenses be referred to the Members Advisory Panel."

A vote took place and the amendment was carried.

It was agreed that the matter would be referred to the Members Advisory Panel.

C
106/15

Member Question Time

The following question had been submitted by Councillor Stott for response by the Cabinet Member for Children and Young People:-

"Could the Cabinet Member for Children and Young People please tell me the outcome of the Ofsted Inspections that have taken place at all Children's homes in Stockton?"

The Cabinet Member for Children and Young People responded with:-

I'm absolutely delighted to read out the list of results for our small group of homes.

There are currently nine children's homes in the borough. There are six run by Stockton-on-Tees Borough Council, two run by Spark of Genius as part of the joint venture and one privately run home.

The current Ofsted inspection judgements are as follows:

Council

Hartburn Lodge – outstanding.

Piper House – outstanding.

Tilery – outstanding.

Ayton – good.

Princess Avenue – good.

Rose House – good.

Joint Venture Partnership

Fairview – good.

Red Plains – requires improvement but as I have spelt out in previous meetings all the recommendations have been put in place and we are waiting for the re-inspection which should happen before the end of March and I'm confident it will change from "requires improvement".

Private
Huntercombe House – requires improvement.

I think we do a fantastic job, these young people deserve everything that they are able to receive from this Council. I would also like to remind Members there is a seminar on 21st March 2016 on Children's Services including Early Help and Social Care. I would encourage all Members to attend the seminar."

The following question had been submitted by Councillor Rowling for response by the Cabinet Member for Children and Young People:-

"Young people are the future of our Borough. I welcome the fact that recent Ofsted Inspections of our children's homes have shown them to be good or outstanding. I am proud that this council along with partners such as the police treat their responsibility to our young people with the highest level of care. Can the cabinet member please confirm that despite the savage unfair cuts from central government, we will continue to give our young people, who have often not had the best start in life, the best chance to succeed, always support them and as a council celebrate their achievements at every opportunity?"

The Cabinet Member for Children and Young People responded with:

"As Cabinet Member for Children and Young People I am passionate and fully committed to ensuring that Stockton-on-Tees Borough Council provides the best possible standard of care for our looked after children. As we all know, the council is currently operating within an extremely challenging financial context but, together with my fellow cabinet members, I will continue to do everything possible to ensure that the appropriate resources are made available to children's services to meet the needs of all the children in our care.

We take every opportunity to celebrate the achievements of our looked after children and I had the pleasure of attending our annual awards ceremony for our care leavers a few weeks ago. Once again I was completely blown away by the spirit, resilience and achievements of our young people who have achieved great things against the odds.

I would like to invite Councillor Rowling and any other council member to join me in attending a future event to celebrate the achievements of the amazing looked after children we are all corporate parents for.

I do know that some Members did attend that award ceremony and they were equally proud of the young persons achievements. A few months ago I also went to an awards ceremony for our younger looked after children and it was an absolute pleasure to see the joy and pride on their faces when they received their awards. I would also like to remind Members when I brought a copy of the mural by our "Lets Take Action Group" it was very moving and when the Director and myself attended the last meeting I told them it is now hanging in the Chief Executive's office they were absolutely amazed and I thank Neil for that.

Also can I remind you of the young lady who received the "Young Persons Award" what a wonderful role model that young lady is and what a tribute for our

staff who cared for her for a number of years.

There have been questions challenging the amount we are spending on our joint venture even though we know there are much needed savings to be made by bringing our young people back into Stockton. So I want to say to you as Oscar Wilde said "You know the cost of everything and the value of nothing".

It is those values that together with Spark of Genius are enabling us to make sure our looked after children are safe, cared for and they know they can have a successful and happy future and that they have an absolute right to live anywhere in the Borough because Stockton is their home. So as a corporate parent let us celebrate and be positive that we are helping the children and young people to be valuable members of the community and be proud citizens of the Borough of Stockton-On-Tees."

C **Suspension of Procedure Rule 12.1**

107/15

Under Council Procedure Rule 22.1, Councillor Cook moved and Councillor Beall seconded the suspension of procedure rule 12.1 regarding the notice normally required for the submission of motions to Council so that a motion could be considered.

RESOLVED that Council Procedure Rule 12.1 be suspended for the following item only.

C **Motion**

108/15

Consideration was given to the following motion that had been submitted by Councillor Cook:-

"Council is asked to agree the revision of the existing protocol (electing the Deputy Mayor / Mayor – in Article 5, part two of the constitution) regarding the appointment of the Deputy Mayor, where in any year more than one councillor satisfies the criterion as the Councillor with the longest cumulative service on the Council and no one agreed nominee has been chosen, nominations will be submitted and voted upon for the position of Deputy Mayor at Annual Council."

A vote took place and the motion was carried

C **Forward Plan and Leader's Statement**

109/15

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

This was the first meeting since the Council met on the 24th of February to consider the Medium Term Financial Plan.

The Council had, as always, got a busy period coming up - Cabinet would next meet on the 23rd of March to consider reports on:-

- The Peer Challenge review of Personalisation
- An update on the delivery of Probation Services in the Borough
- A proposal for Xentrall to deliver ICT hosting services for Northumberland

County Council

- The Scrutiny review of Consultation
- The results from the 2015 Residents survey
- The 3rd Quarter Welfare Reform update
- The 2016-17 Childcare Sufficiency Assessment for the Borough
- An update on schools in the Borough and the review of post-16 education in the Borough

Arrangements

- The Economic Climate report
- An update on The Globe
- The establishment of a Governing Body for the Learning and Skills Service

Service

- The Community Governance Reviews of Billingham Town Council and Elton Parish Council.

Following that the Leader of the Council looked forward to seeing Members at the Annual Meeting on the 6th of April at Billingham Forum and then at the next meeting on the 27th of April.

In the meantime it's good to welcome the start of the busy Spring / Summer season of events with the Duathlon marking the first major event of the season at Stockton riverside on the 24th of April.