

Council

A meeting of Council was held on Thursday, 15th December, 2016.

Present: The Worshipful the Mayor (Cllr Ken Dixon); Cllr Helen Atkinson, Cllr Sonia Bailey, Cllr Chris Barlow, Cllr Jim Beall, 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 John Gardner, Cllr Lisa Grainge, Cllr Lynn Hall, Cllr Elsi Hampton, Cllr David Harrington, Cllr Di Hewitt, Cllr Ben Houchen, Cllr Barbara Inman, Cllr Mohammed Javed, Cllr Eileen Johnson, Cllr Paul Kirton, Cllr Mrs Ann McCoy, Cllr Allan Mitchell, 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 Stephen Richardson, Cllr Paul Rowling, Cllr Michael Smith, Cllr Norma Stephenson O.B.E, Cllr Mick Stoker, Cllr Tracey Stott, Cllr Julia Whitehill, Cllr David Wilburn, Cllr Bill Woodhead MBE and Cllr Barry Woodhouse.

Officers: Neil Schneider (CE) Julie Danks, Peter Bell (DCE), Jane Humphreys, Martin Grey (CHS), Jamie McCann (CS), Ann Workman (AH); David Bond (Proper Officer), Richard McGuckin (EGDS), Reuben Kench (CL&E).

Also in attendance: Members of the public.

Apologies: Cllr Ian Dalgarno, Cllr Phil Dennis, Cllr Kevin Faulks, Cllr Stefan Houghton, Cllr Laura Tunney, Cllr Matthew Vickers, Cllr Sylvia Walmsley and Cllr Norma Wilburn.

C 76/16 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 77/16 The Great British High Street Awards 2016

The Worshipful the Mayor thanked the thousands of people who voted for Stockton High Street in the Great British High Street awards. The Worshipful the Mayor was delighted to hear the great news that the High Street had won this prestigious national accolade in the Rising Star category.

The result was based not just on the judges visit but also on a public vote so it was a tribute to everyone who registered their vote.

Janice Auton and Jason Maxwell, the Chair and Vice Chair of Stockton Business Improvement District were in attendance at the meeting and on behalf of the Council the Worshipful the Mayor thanked them for all the hard work that they had put into the winning of the award.

C 78/16 Declarations of Interest

Councillor Steve Nelson declared a personal non prejudicial interest in respect of agenda item 8 – Welfare Reform Update as he was a Member of Tees Credit Union and a Director of Tristar Homes.

Councillor Di Hewitt declared a personal non prejudicial interest in respect of agenda item 8 – Welfare Reform Update as she was a Trustee of SDAIS.

Councillor Ann McCoy declared a personal non prejudicial interest in respect of agenda item 8 – Welfare Reform Update as she was a Trustee of SDAIS.

Councillor Paul Rowling declared a personal non prejudicial interest in respect of agenda item 8 – Welfare Reform Update as he was a Director of Tristar Homes.

Councillor Chris Clough declared a personal non prejudicial interest in respect of agenda item 12 – Members’ Question Time as his wife was a Blue Badge holder.

**C
79/16** **Minutes**

The minutes of the meeting held on Wednesday 19 October 2016 and 17 November 2016 were signed by the Worshipful the Mayor as a correct record.

**C
80/16** **Armed Forces Week**

It gave the Worshipful the Mayor great pleasure to welcome representatives from the Freedom Regiments: The Rifles, The Yorkshire Regiment and 1st Close Support Battalion REME.

The region had a proud military heritage, which included supporting veterans, cadets and serving military personnel, and the Council continued that support through its commitment to the Armed Forces Covenant.

Since 2011 the Mayor of the Borough had organised events and activities during Armed Forces Week to honour past and present members of the armed forces. It also provided opportunities for residents of the borough to come and meet with members of the armed forces, civilian support services and cadets.

As part of the Armed Forces Week activities, the Council raised much needed funds for the Freedom Regiments through the ‘Mayor’s Charity Duck Race’. The total raised from this year’s duck race was £1700.31, giving a total £566.77 to each of the regiments.

The Worshipful the Mayor presented the following representatives from the Freedom Regiments with their cheques:-

Major Chris Lawton, The Rifles Regiment.
Major Pat Ralph, The Yorkshire Regiment.
RSM Davidson, 1st Close Support Battalion, Royal Electrical and Mechanical Engineers

**C
81/16** **Presentation of Ministry of Defence's ' Silver Award' 'Employer Recognition Scheme**

The Ministry of Defence had introduced an Employer Recognition Scheme to recognise and thank employers for their commitment and contribution to supporting Armed Forces personnel and their families.

The Council was awarded the Silver Award and the Worshipful the Mayor presented the Council’s Armed Forces Champion, Councillor Stephen Parry with the Silver Award.

C Public Question Time

82/16

The Proper Officer informed Members that no public questions had been received.

C Welfare Reform Update

83/16

Consideration was given to a report that provided an update on the monitoring of outcomes and impacts of welfare reform and a summary of actions undertaken by the Council to mitigate against circumstances arising from the implementation of these changes.

The monitoring framework was set out under the following issues:

- Advice and Information Services;
- Discretionary Housing Payments;
- Social Fund/Crisis Payments;
- Housing;
- Local Council Tax Support Scheme;
- Employment; and
- General/cross cutting

The reduced Benefit Cap was introduced from 7 November 2016, lowering the maximum amount of benefits payable to claimants outside London by £6,000 to £20,000 (£384.62 per week) for couples and single parents and by £4,800 to £13,400 (£257.69 a week) for single people. The benefits included in calculating the reduced Benefit Cap were detailed within the report.

In Stockton, those affected by the Benefit Cap would have their Housing Benefit payments reduced to bring them to the weekly cap levels.

This much reduced level of Benefit Cap led to 384 couples and single parents being identified as likely to be adversely affected. No single claimants were identified as likely to be adversely affected by the new level of Benefit Cap.

The Welfare Rights Unit had worked in partnership with Stockton Families First, other Council departments and landlords and had managed to contact most of these families, prioritising contact with those at risk of the greatest level of financial reduction.

Details were provided on the outcomes of 206 families contacted to date. Further attempts would be made to engage with the 55 families that had decided not to engage with the Unit.

The Local Government Finance Act imposed a duty upon local councils from 2013-14 to adopt a Local Council Tax Support Scheme (LCTSS), to replace Council Tax Benefit. Members considered a number of options for Stockton's LCTSS and, following public consultation, agreed on the "shared reduction" option with all working age claimants paying a minimum contribution of 20% of the Council Tax charge.

There had been an independent review undertaken of the operation of LCTSS throughout England and Wales, but as yet no formal response from the

government. On that basis, Cabinet were asked to recommend to Council that the existing LCTSS was retained for the financial year 2017-18. Local Council Tax Support Schemes were not fully funded so there could be some impact on the medium term financial plan and reports would be provided as part of the financial report to Cabinet. Any future scheme review would require full consultation with the public.

SBC commissioned a contract for the provision of borough wide advice and information services. The aim of the service was to provide residents with access to a high quality advice and information service which met local needs from simple diagnosis and information through to legal advice, assistance and advocacy and representation at court proceedings. The current contract was awarded to Stockton Advice and Information Services (SDAIS) for two years and expired in March 2017.

Cabinet had considered the matter at their meeting held on 10th November 2016 and a copy of the relevant minute extract was attached to the report.

RESOLVED that the current Local Council Tax Support Scheme be retained for the financial year 2017-18 (see paragraphs 17 to 18 within the report).

C 84/16 **Community Governance Review – Grindon Parish**

Consideration was given to a report on the Community Governance Review - Grindon Parish.

Following receipt of a community governance petition which called for the splitting of Grindon into two separate parishes, the report invited consideration of the proposed approach to a community governance review in response to the petition.

A community governance review enabled a principal council to review and put in place new arrangements, making changes to current community governance systems and structures, for example by creating, merging, abolishing or changing parish or town councils in the review area.

The Government had emphasized that the aim of a review should be to bring about improved community engagement, more cohesive communities, better local democracy, and result in more effective and convenient delivery of services.

All principal councils had a legal duty to carry out a community governance review if they received a valid petition. For a community governance petition to be valid in an area of less than 2500 electors, as was the case with Grindon (electors), it must be signed by 187 local government electors, define the area to which the review relates and specify one or more recommendations. The petition called for the splitting of Grindon into two separate parishes along the boundaries of the parish wards of Grindon East and Grindon West.

The petition stated:

“Thorpe Thewles village is part of Grindon Parish Council. The Parish Council works for you and your community influencing planning, fly tipping,

environmental issues and local matters. It is also a link to Stockton Borough Council Departments. From the maps attached you can see Grindon Parish Council is in two areas, Grindon East and is mainly Wynyard Park and Grindon West which consists of Thorpe Thewles and The Elms near Junction Road. Over the years the demands and needs of these communities in Grindon West and Grindon East have become more and more diverse due to the number of houses in each area. There are approximately 800 houses in Wynyard and another 400 planned making a total of 1200 whilst in Grindon West there are approximately 200 homes. There is a strong feeling among some residents that Grindon Parish Council should be split into separate areas and manage their own affairs.”

Under the Local Government and Public Involvement in Health Act 2007 a principal council had the power to undertake a community governance review, and must set terms of reference that allowed for the petition to be considered. The petition received contained in excess of 187 valid signatures and it was therefore valid.

The DCLG had produced guidance for Principal Councils on undertaking community governance reviews and it had been duly considered in the proposed approach. The guidance highlighted the legislative requirements that a review must have regard to, namely that it:-

- reflected the identified and interests of the community in the area under review, and
- was effective and convenient

Influencing factors that should also be considered were:-

- the impact of community governance arrangements on community cohesion, and
- the size, population and boundaries of a local community or parish

The proposed approach to undertaking a community governance review would commence with Council approving a terms of reference for the review, this must clearly identify the matter/s on which the review was to focus and would therefore include the aims of the review, reference to the legislation that guided it, how the Council proposed to consult, and a timetable that recognised that the review must conclude within 12 months from receipt of a valid petition (received 2016). Terms of reference were attached to the report.

The key stages of the review were as follows:-

Consultation with all Local Government Electors in the area 9 January 2017 – 28 February 2017

Consideration of the wider forms of Community Governance in the area 9 January 2017 – 28 February 2017

Initial findings considered and draft proposals presented for consideration by SMT 13 March 2017

Cabinet meeting 20 April 2017 would consider findings.

Draft recommendations to Council 3 May 2017

Consult on draft proposals 8 May 2017 to 31 May 2017

Final recommendation to Cabinet 15 June 2017

Final recommendation to 21 Council June 2017
Final Recommendations and reasons for the decision published and stakeholders informed on 22 June 2017
Recommendations implemented from 1 December 2017 (if changes were required to Parish Boundaries)
Implementation will be dependent upon publication of a re-organisation order

An integral part of the review was to consult with the local government electors for the area under review and any other person or body, including a local authority (i.e. the Parish Council) who appeared to have an interest in it.

A range of consultation mechanisms were proposed including:-

- A letter to every local government elector explaining the issue with a consultation reply slip attached that asked for views. A business reply envelope would be provided
- Review Notices would be placed on the web, in Municipal Buildings, Billingham Customer Services, and displayed within the Parish
- An item would be placed on the Parish Council agenda meeting to raise awareness
- Awareness raising with Ward Members via letters and a Member drop in session.
- A letter to the Locality Forum advising the review was ongoing
- Press releases at each key stage
- Stockton News Article

Key Stakeholders would include:-

- Lead Petitioner
- Residents' Groups
- Ward Councillors
- Grindon Parish Council
- MP

Cabinet had considered the matter at their meeting held on 1st December 2016 and a copy of the relevant minute extract was attached to the report.

RESOLVED that:-

1. A Community Governance Review of Grindon Parish commences following the receipt of the valid petition from residents.
2. The Terms of Reference for the Review, timetable and consultation programme be agreed.

**C
85/16** **Amendments and Appointment to Committees, Outside Bodies and Panels for 2016/19**

At its Annual Meeting, held on Wednesday 3 June 2015, the Council approved appointments to its Committees and Joint Bodies for 2015/19.

The following amendments had been requested and were presented for Council consideration:-

Central Locality Forum

Remove Councillor Bill Woodhead – Add Councillor Stephen Richardson

Eastern Locality Forum

Remove Councillor Sonia Bailey – Add Councillor Derrick Brown

Adult Services and Health Select Committee

Remove Councillor Stefan Houghton – Add Councillor John Gardener

Crime and Disorder Select Committee

Remove Councillor Matthew Vickers – Add Councillor Stephen Richardson

RESOLVED that the above amendments be agreed.

C
86/16

Motion

The following motion had been submitted in accordance with Council Procedure Rule 12.1. The motion was moved by Councillor Paul Rowling, seconded by Councillor Carol Clark:-

“This Council recognises that all Councillors are Corporate Parents to all children and young people in the care of Stockton-on-Tees Borough Council. We note our special responsibility for those in our care and take seriously our role in championing their needs and protecting them from harm.

All Councillors share corporate parenting responsibilities and cannot abdicate this in favour of those responsibilities that they might deem more important. We particularly call on councillors to re-affirm our commitment to the following principles:

- Councillors should challenge prejudice towards our looked after children and protect them from negativity by those who would seek to misinform.
- Councillors should champion and represent our looked after children’s interests, ensuring they are treated the same as all other children, mirroring how you would treat your own or children who are close to you.
- Councillors will not make any adverse comments about any of our looked after children or their circumstances without considering the challenges that they may face in their lives.
- Councillors should always treat all of our children as individuals. We should never stereotype or generalise.

This Council congratulates our children and young people, many of whom have not had the best start in life, for their continued success and pay tribute to their determination to succeed which is demonstrated each day.

As Councillors we should continue to support and encourage our children and young people and do all we can to help them achieve their aspirations. We should play our role to welcome them and make them feel part of the local

community.”

In accordance with Council Procedure Rule 16.4 Councillor Carol Clark requested that a recorded vote be taken; which was supported by at least a quarter of the members present:-

For the motion:-

Cllr Helen Atkinson, Cllr Sonia Bailey, Cllr Chris Barlow, Cllr Jim Beall, Cllr Derrick Brown, Cllr Carol Clark, Cllr Chris Clough, Cllr Robert Cook, Cllr Nigel Cooke, Cllr Gillian Corr, Cllr Evaline Cunningham, Cllr Ken Dixon, Cllr John Gardner, Cllr Lisa Grainge, Cllr Lynn Hall, Cllr Elsi Hampton, Cllr David Harrington, Cllr Di Hewitt, Cllr Ben Houchen, Cllr Barbara Inman, Cllr Mohammed Javed, Cllr Eileen Johnson, Cllr Paul Kirton, Cllr Mrs Ann McCoy, Cllr Allan Mitchell, 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 Stephen Richardson, Cllr Paul Rowling, Cllr Michael Smith, Cllr Norma Stephenson O.B.E, Cllr Mick Stoker, Cllr Tracey Stott, Cllr Julia Whitehill, Cllr David Wilburn, Cllr Bill Woodhead MBE and Cllr Barry Woodhouse.

Abstention:-

Cllr Julia Cherrett.

The motion was carried.

C
87/16 **Members' Question Time**

The following question had been submitted by Councillor Chris Clough for response by the Leader of the Council:-

“In recent years the fraudulent use of the Blue Badge Scheme seems to have become endemic. The thoughtless use of disabled bays, by those not entitled to do so make the lives of disabled people even more difficult.

Will the Leader condemn the use of Disabled Bays by those using a Blue Badge fraudulently?

The Leader of the Council responded with:-

“I would like to confirm that the Council takes Blue Badge fraud very seriously and is proactive in dealing with this matter. In fact, last financial year, 44 badges were seized by the Council’s Enforcement Service for misuse under the Disabled Persons Act 2013.

If our Enforcement Officers suspect that a badge is being used fraudulently then they have to wait and observe the driver returning to their vehicle whereupon they will inspect the badge and seize it if appropriate. Any persons parking in a disabled bay without displaying a badge would be issued with a Penalty Charge Notice.”

The following question had been submitted by Councillor Chris Clough for

response by the Leader of the Council:-

Will the Leader promote a Stockton wide publicity campaign against the fraudulent use of Blue Badges?

The Leader of the Council responded with:-

"I can reassure Members that the Council is proactively tackling this issue. We have previously used Stockton News and specific press releases tackling this issue. This will of course continue in the future as appropriate. In addition, the Council's website has a page of information and this is to be updated in the near future to highlight the issues of misuse.

Of course, It should be pointed out enforcement can only be carried out within the Council's car parks and on the public highway. Private car parks including supermarkets and many neighbourhood shopping parades fall outside of this remit where it is the owner's responsibility to carry out enforcement."

The following question had been submitted by Councillor Chris Clough for response by the Leader of the Council:-

"Will the Leader ensure that Parking and Enforcement Officers take a more proactive approach in policing Disabled Bays throughout the Borough?"

The Leader of the Council responded with:-

"I am satisfied that the Council maintains a robust approach to Enforcement in Council operated car parks to help tackle cases of abuse with regard to Blue Badge misuse."

Councillor Chris Clough asked the following supplementary question:-

"Will the Leader of the Council work with and liaise with the private landlords, including supermarkets to make sure they also police the disabled bays as this is where the main problem is?"

The Leader of the Council responded with:-

"I totally agree with you Councillor Clough, our car parks are enforced and if a car hasn't got a Blue Badge it will get a penalty notice on it. In the past we have written out to supermarkets and it is something we can do again.

I'm hoping for a Select Committee to consider this matter in the next Municipal Year. Representatives from the supermarkets and other private car parks might be invited to attend to give evidence on how they enforce their polices within their own car parks.

I'm all in favour of ensuring that the disabled spaces that we provide for disabled people to park are enforced, which we do in our own car parks, but in private car parks as well."

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

Since Council last met in November, Cabinet met on the 1 December and considered reports on:

- The Scrutiny review of the Mental Capacity Act - Deprivation of Liberty Safeguards
- Building capacity and resilience in the organisation through the Shaping a Brighter Future and Smarter working programmes.
- The Ofsted Single Inspection Framework Action Plan
- The safeguarding and Looked After Children activity and performance update
- The review of school performance in 2015-16 for vulnerable pupils
- The Indoor, Built and Specialist Leisure Facility Assessment for the Borough.
- The Community Governance review for Grindon Parish

Cabinet would next meet on the 19 of January when the following reports would be considered:

- The Early Years and Children's Centres Review
 - An update on the Care Act Charging Policy Review
 - The Scrutiny Review of Disadvantage in Early Years and School
 - The Scrutiny Review of the Local Safeguarding Children Board
 - The review of Special Education Needs and Disabilities Provision
 - The Future Role of the Council in Education
 - Consideration of the Annual Audit Letter 2016
 - The Medium Term Financial Plan
 - Leeholme Road and Durham Lane Strategic Frameworks
 - The Scrutiny Review of Boundary Signs
 - The Scrutiny Review of DNA Testing and Dog Fouling
 - An update on ECO, including the external wall installation programme and health evaluation
- And,
- The Thirteen Housing Group Consolidation

The Leader of the Council reiterated the Mayor's comments from the opening of the meeting and joined him in thanking everyone who voted for Stockton in the Rising Star category in the Great British High Street Awards.

To win such a sought after national award was validation of all of the hard work and investment that had been put into the magnificent High Street. It was particularly pleasing to hear the judges commend Stockton's success in celebrating the local history and heritage and the reputation for events and markets. By putting on events like SIRF, specialist markets, fireworks, the Cycling Festival and most recently Stockton Sparkles, the Council was giving people another great reason to come into town and boost local trade at the same time. It was a great example of how the Council supported the local economy. There was still a long way to go, this was just a work in progress, but this award gave everyone the confidence that it was the right path.

Finally, the Leader of the Council wished Members all a Merry Christmas and looked forward to seeing Members at the next Council meeting on 25th January

2017.