

Council

A meeting of Council was held on Wednesday, 12th December, 2018.

Present: The Worshipful the Mayor (Cllr Eileen Johnson); Cllr Helen Atkinson, Cllr Sonia Bailey, Cllr Paul Baker, Cllr Louise Baldock, Cllr Chris Barlow, Cllr Jim Beall, Cllr Derrick Brown, Cllr Julia Cherrett, Cllr Carol Clark, Cllr Robert Cook, Cllr Nigel Cooke, Cllr Gillian Corr, Cllr Evaline Cunningham, Cllr Ian Dalgarno, Cllr Philip Dennis, Cllr Ken Dixon, Cllr Kevin Faulks, Cllr John Gardner, Cllr Lynn Hall, Cllr Elsi Hampton, Cllr Tony Hampton, Cllr Di Hewitt, Cllr Barbara Inman, Cllr Mohammed Javed, Cllr Paul Kirton, Cllr Mrs Ann McCoy, Cllr Mrs Kathryn Nelson, Cllr Steve Nelson, Cllr Mrs Jean O'Donnell, Cllr Ross Patterson, Cllr Lauriane Povey, Cllr Stephen Richardson, Cllr Paul Rowling, Cllr Michael Smith, Cllr Andrew Stephenson, Cllr Norma Stephenson O.B.E, Cllr Mick Stoker, Cllr Marilyn Surtees, Cllr Laura Tunney, Cllr Matthew Vickers, Cllr Mrs Sylvia Walmsley, Cllr Julia Whitehill, Cllr David Wilburn, Cllr Norma Wilburn, Cllr Bill Woodhead MBE and Cllr Barry Woodhouse.

Officers: Neil Schneider (CEX), Julie Danks, Peter Bell (DCE), Garry Cummings (F&BS), Beccy Brown, Jonathan Nertney (HR, L&C), Garry Cummings (F&BS), Richard McGuckin (E,G&D), Jamie McCann (CS), Ann Workman (AH); Reuben Kench (CL&E).

Also in attendance: Members of the Public.

Apologies: Cllr Chris Clough, Cllr Lisa Grainge, Cllr David Harrington, Cllr Stefan Houghton, Mick Moore, Cllr Maurice Perry, Cllr Tracey Stott, Cllr Sally Ann Watson and Cllr Paul Weston.

C 51/18 Welcome and Evacuation Procedure

The Worshipful the Mayor welcomed everyone to the meeting and the evacuation procedure was noted.

C 52/18 Declarations of Interest

agenda item 14 – Members' Question Time as he was a member of Diabetes UK.

Councillor Phil Dennis declared a personal non prejudicial interest in respect of agenda item 9 – Review of the Statement of Principles for Gambling Premises as he was a member of a local casino and bingo club.

Councillor Norma Stephenson declared a personal non prejudicial interest in respect of agenda item 6 – Show Racism the Red Card as she was a member of the Hall of Fame.

Councillor Lauriane Povey declared a personal non prejudicial interest in respect of agenda item 13 – Motion to Council as she was employed by the Home Office.

C 53/18 Minutes

The minutes of the meeting held on 31 October 2018 were signed by the Worshipful the Mayor as a correct record.

C 54/18 Dying to Work Pledge

The Worshipful the Mayor welcomed Carrie Pearson-Loughlin (Unison) to the meeting.

Councillor Jean O'Donnell (Chair of the People Select Committee) reported that the People Select Committee conducted an extensive scrutiny review of sickness absence in Autumn 2017. One aspect that was considered was the impact of serious and terminal illness.

Being told you have a terminal illness is understandably traumatic and everyone responds differently. It may be that you are unable or do not want to work but some employees will want to or need to work. Inevitably financial security will be of particular importance as well as receiving the help and support from your employer.

The TUC Dying to Work Charter set out good employment principles and practices to help support employees at such a difficult time. The People Select Committee fully supported the pledges contained in the Charter which are consistent with the Council's policies and practice.

There was then a formal signing of the Charter.

C 55/18 **Show Racism the Red Card**

The Worshipful the Mayor welcomed Curtis Fleming and Chris Musgrave to the meeting.

The Cabinet Member for Access, Communities and Community Safety reported that Show Racism the Red Card was the UK's leading anti-racism educational charity. Established in England in January 1996, the charity harnesses the high-profile nature of footballers as anti-racist role models to educate against racism throughout the Country. Through their educational workshops, training sessions, multimedia packages, and a whole host of other resources, "Show Racism the Red Card" delivered training to more than 50,000 individuals a year.

At Stockton in October the Council was proud, once again, to support the Show Racism the Red Card campaign. The Council backed the campaign for many years and the Council again showed support by:

- lighting the Town Hall, the fountains and the riverside in red
- passionate teams of staff and Councillors gave their time to run bake sales and raffles and of course wear red, and
- Local retailers in Stockton promoted the campaign, showing that as a Borough, want to put an end to racism.

Thanks were given Councillor Norma Stephenson who did a brilliant job in organising the Council support for the campaign. The year had been a particularly successful year and the Council recognised that this owed a great deal to Councillor Norma Stephenson's personal drive, dedication and commitment to the cause.

A cheque from the money that had been raised was then presented to Curtis Fleming.

C **Public Question Time**

56/18

The Chief Solicitor informed Members that no Public Questions had been received.

C Review of the Council's Constitution

57/18

Consideration was given to a report on the review of the Council's Constitution.

All Local Authorities in England had a statutory duty under the Local Government Act 2000 to maintain an up to date Constitution and to make their Constitution publicly available.

In addition, Article 15 of the Stockton on Tees Borough Council Constitution imposes a duty on the Monitoring Officer:

"... on behalf of and in consultation with the Chief Executive, to monitor and review the operation of the Constitution on a regular basis, in order to ensure that the aims and principles of the Constitution are given full effect and that the Scheme of Delegation, Rules of Procedure, Codes and Protocols and all of the other constituent elements are up to date and reflect legislative changes, the outcome of reviews or inspections and decisions taken by the Council"

The report updated Members on the review of the Constitution and proposed a timetable for the conclusion of the review and the process for approval by Members of an updated version of the Constitution and an implementation date.

It was proposed that the revised Constitution be implemented following the Annual Meeting on 22 May 2019.

During the first quarter of 2019, communication and training would take place with officers to embed the updated Constitution. The Local Schemes of Delegation within directorates would be updated to tie in with the updated Constitution and a training programme would be created to be used during the Members induction programme following the election.

It was agreed that with regard to 2.3.2.7 of the Constitution, the Council Plan would be included as one of the Policy Framework Documents to be considered and approved by Council.

1. The updated Constitution be approved.
2. A timetable for adoption of the revised Constitution be approved with an implementation date of 22nd May 2019, that being the date of the next Annual Meeting.
3. The Director of HR, Legal and Communications be authorised to make any required minor changes or such changes that may be necessary to comply with any changes to statute in consultation with the Leader of the Council prior to the implementation date of 22nd May 2019.

C Review of the Statement of Principles for Gambling Premises

58/18

Consideration was given to a report on the Review of the Statement of Principles for Gambling Premises in Stockton-on-Tees.

The Authority was required, by the Gambling Act 2005, to publish a Statement of Principles that it proposed to apply when exercising its functions under the Act, in the form of a Gambling Policy. This Policy statement must be published every three years. The Council's current statement was in effect from 31 January 2016 and was due for review.

The gambling policy had been reviewed in accordance with the Gambling Act 2005 and the revised statement reflected legislative changes and those comments received during consultation. A copy of the final draft statement of principles was attached to the report.

RESOLVED that:-

1. It be noted the gambling statement of principles had been reviewed in accordance with the Gambling Act 2005 and the revised statement of principles reflects legislative changes and those comments received during consultation.
2. The revised statement of principles be agreed which would come into effect on the 1 January 2019.

C
59/18

Review of Polling Districts and Polling Places

Consideration was given to a report on the Review of Polling Districts and Polling Places 2018.

The report set out the existing arrangements for polling districts and places and the proposed changes taking into account the submission of the Returning Officer and feedback from public consultation.

The Statutory Notice publicising the review was displayed on / sent to:

- Libraries
- Community Centres
- Website
- All Members
- MP's
- Parish Clerks

In addition, the Statutory Notice and the Returning Officer's submission was displayed / sent to:

- Municipal Buildings
- Website
- All Councillors
- MPs
- Parish Councils
- Disability Groups / BME / faith community

All correspondence / comments sent to the Returning Officer as part of the review had been published on the Council's website. A table within the report contained a summary of the comments received and comments / revised proposals in response to the consultation feedback.

Existing arrangements for all wards and the final proposals of the Returning Officer following consultation were attached to the report. The Returning Officers proposals resulted in an overall reduction of four polling districts and one polling place. It had also resulted in the overall increase of three polling stations.

RESOLVED that the changes to Polling Districts and Polling Places be agreed.

C 60/18 **Reshaping Town Centres**

Consideration was given to a report on Reshaping Town Centres.

Town Centres nationally faced an unprecedented threat with changing retail habits leaving them with an unsustainable reliance on traditional retail and an over provision of retail floor space. Whilst the many initiatives and investment from the Council and its partners across the Borough's Town Centres had meant that the impact of these drastic changes had been offset in part, there was a need for radical intervention if they were to thrive in the future.

The future of the Town Centres relies on a fundamental repurposing and reshaping programme. Realistically, nobody other than the Local Authority was going to intervene or act to secure their long term vitality and function.

There were emerging opportunities for the Council to make strategic acquisitions of commercial and retail property which would enable control and influence to be exercised and the report sets those out in more detail.

Town Centres nationally were facing an unprecedented threat in the form of changing retail habits brought about by online shopping and out of town retail parks, the imbalance in the national taxation system that these alternative retail outlets benefit from and the impact which that had on competitiveness of Town Centre retailers. These clear financial imbalances were allied with an increase in a more discerning customer base who was increasingly looking for a better quality and variety of 'experience' when visiting Town Centres. In many cases these issues were exacerbated by the volume of retail floorspace and the 'spread out' nature of the existing retail units and main shopping centres.

It was clear that the many initiatives and investment from the Council and its partners across the Borough's Town Centres had meant that the impact of these drastic changes had been offset in part. The investments in high quality public spaces, in public art works, innovative lighting schemes, and heritage restoration had ensured that the towns continued to be attractive destinations.

The retention and improvement of libraries in Stockton, Billingham, Thornaby, Yarm, Norton and, most recently, Ingleby Barwick had created lively hubs of activity that drew visitors to the towns where they were located. Alongside this

the Council investment in town-centre leisure and Customer Service Centres had all assisted in attracting visitors and business. The phase of major investment initiatives in town centres in the form of the Globe redevelopment, Hampton by Hilton Hotel and Leisure & Customer Service Centre in Ingleby Barwick would build upon this success, providing high quality leisure facilities that would act as an attractant to new visitors to and a further means of stimulating economic growth through spend from visits to these key attractions.

The investment in physical assets had also been underpinned by an equally important sustained commitment to a high quality events programme, with investment in year round events across the borough's towns. The programme of events from the major international scale attractions such as SIRF, the Great North City Games, the Cycling Festival and the Billingham International Folklore Festival to the smaller specialist markets and community events all combine to attract people to our towns and to support the businesses who trade there. The co-ordinated and comprehensive programme of Christmas events in December across all the towns in the borough was an example of the commitment to drive continued support to the towns.

These new facilities would be supplemented by a growing, high quality events programme, as evidenced by the recent announcement that the Great North CityGames would be hosted in Stockton in 2019.

There had also been significant private sector investment in and around Town Centres, particularly associated with the delivery of new residential developments. Sites such as West End Gardens, Norton Park, Jubilee Gardens, Mandale and Northshore were all delivering new homes at present with other developments at Whitewater Glade and the former Thomson's Scrapyard site due to deliver further homes in the future. Alongside this, further investment in the former Victoria Estate would add a quality residential offer in Stockton Town Centre. Furthermore, there was a continued upward trend in new restaurants, micro pubs and bars across our Town Centres, underlining a growing level of interest and confidence.

Support for businesses also continued with close working relationships established with the winning of the Stockton Business Improvement District (Great British High Street Rising Start Award 2016) and the newly formed Yarm Business Forum as well as a similar venture within Norton. Support for independent businesses continued in the form of the Fountains Shopping Mall, business advice and small scale grants alongside support for activities all aimed at increasing vibrancy and visitors to the Town Centre.

Through these Stockton-on-Tees had gained a National reputation as a forward thinking Council and most recently hosting visits from Parliamentary Select Committee and British and Parliamentary representatives, publication as an example of good practice.

Despite the undoubted success of recent investments and initiatives, work remained to be done if the Town Centres were to thrive in the future. The challenges set out above could only be addressed through radical intervention and strong local leadership. Realistically, nobody other than the Local Authority was going to intervene or act to secure the long term vitality and function of our Town Centres.

The future of the Town Centres relied on a fundamental repurposing and reshaping programme. Whilst retail was still very important, particularly the on-going growth of independent retailers, the centres couldn't survive predominantly on that use as they had in the past. It's imperative that the Council diversify the use of the buildings, space and infrastructure within Town Centres, reintroducing commercial, residential and leisure offers in and around these areas including continuing to encourage and grow a high quality evening economy. Equally, creating high quality spaces in which events could be staged, visitors could enjoy and that create an attractive environment were essential alongside improving, restoring and celebrating history and heritage. In order to achieve these fundamental changes and influence the future of Town Centres positively, the Council needed to take control of key sites and assets.

There were emerging opportunities for the Council to make strategic acquisitions of commercial and retail property which would enable control to be exercised influencing occupancy, further reducing the level of property or re-purposing this for an alternative use. Where it was appropriate, increasing the Council's control would enable further strategies on the future of our town centres to be developed.

If the Council were to intervene and make such acquisitions, there was a requirement that funding needed to be approved by Council. The process and negotiations associated with such acquisitions were complex, commercially sensitive, and were normally subject to confidentiality agreements and time constraints.

The Council needed to be in a position to react and initiate negotiations knowing that funding was in place as this was a key requirement for vendors to commit to agreeing to progress to Heads of Terms. Cabinet were therefore recommending to Council that prudential borrowing could be utilised to fund any commercial developments and acquisitions where the prudential borrowing costs could be fully covered by income, and therefore there was no call on Core Council funding from within the MTFP and no impact on Council Tax. It suggested that a limit of £30million be approved. Details of the specific proposals would be presented to Cabinet for consideration and approval.

The Council were in active discussions and had agreed Heads of Terms in respect of one particular asset which would allow control of a significant area of a town centre. Whilst the details of the proposal were commercially sensitive (and exempt from publication):

- a. This acquisition would allow control of a significant area of a town centre
- b. Allow the Council to influence occupation and develop a wider strategy
- c. Consider how best to use the asset to re-shape the town centre
- d. Generate an income stream (although this is not the primary purpose)

Full Details of the proposal were shown at Appendix A of the report which was commercially sensitive and confidential.

Given the significance and complexity of the project, the Council was working with experts for specific advice and support. All had significant expertise in acquisitions of this nature. Jones Laing Lascelle were providing expertise in

property and valuation and were advising on negotiations. KPMG, one of the biggest Accounting firms, were providing financial due diligence and Freeths providing expert legal advice.

The capital costs of the asset could be funded through prudential borrowing with the borrowing costs covered through the rental income stream. Whilst there were risks associated with future income reducing given the current climate, there were also, conversely opportunities for this to increase. The financial due diligence undertaken by KPMG confirmed that there was a significant differential between revenue and borrowing costs, even when scenarios of reduced occupancy were considered.

Subject to Council agreeing prudential borrowing, Cabinet were to approve the acquisition and delegate final negotiations on price and completion of legal documentation, to the Director of Finance and Business Services and Director of HR, Legal and Communications, in consultation with the Leader of the Council and Cabinet Member for Regeneration and Housing.

The Council had previously acquired the former Glam nightclub and Post Office building with a view to taking control of the properties to avoid any undesirable use. An assessment of the buildings for potential use had been undertaken and it had been concluded that the best solution would be to demolish these buildings and create a pocket park and a car park. This was estimated to cost £2.5m and it was proposed that this would be funded from resources allocated in the Budget and MTFP report presented and approved in February 2017 to support Town Centre regeneration.

It was noted that the government had launched a £675 million Future High Streets Fund to help local high streets evolve and adapt to the structural changes arising from changes in shopping habits. It was further noted that the aim of the new fund exactly matched what the Council was trying to achieve in the borough. "...to encourage vibrant town centres where people live, shop, use services, and spend their leisure time. The Future High Streets Fund will support and fund local areas' plans to make their high streets and town centres fit for the future." (MHLG Policy Paper 29 October 2018).

The Government had announced that the fund would support local areas to prepare long-term strategies for their high streets and town centres, and it would also co-fund with local projects. Applications to the fund would be considered for investment in physical infrastructure, public and other transport access, new housing and workspace development, and investment in land assembly, including to support the densification of residential and workspace around high streets in place of under-used retail units.

It was noted that the full prospectus for the Fund, detailing the objectives of the Fund provide further detail on the nature of projects that were eligible for funding alongside assessment criteria, would be launched before the end of the year. Stage 1 applications would be invited in Spring 2019 and it was recommended that Council support preparation for a bid to be submitted in line with the final requirements.

It was proposed that a broad ranging discussion and consultation be undertaken with the public about the future role and vision for the town centres.

Consultation activity would take place with the business forums and town centre businesses, community groups, residents and through the Bright Minds Big Futures programme with the young people of the borough.

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act.

Consideration was given to Appendix A of the report.

Following consideration of Appendix A of the report the press and public were readmitted to the meeting.

RESOLVED that:-

1. The use of prudential borrowing be approved to fund town centre related developments and acquisitions up to the value of £30million where the borrowing costs can be fully funded by income and where there is no call on Core Council funding from within the MTFP.
2. A bid be made to the Government's Future High Streets Fund in spring 2019 to support further structural change and development in the Borough's town centres.

At its meeting held on 12 December 2018 Cabinet RESOLVED that:-

3. The acquisition outlined at Appendix A of the report be approved and the finalising of further negotiations and final agreement on price and finalising of the contract for the acquisition be delegated to Director of Finance and Business Services, Director of HR, Legal and Communications in consultation with the Leader of the Council and Cabinet Member for Regeneration and Housing.
4. The demolition of the former Glam nightclub and the former Post Office buildings and the creation of green space and a temporary car park be approved and that this be funded from the allocation to support Town Centre regeneration included within the 2017 budget report.
5. A broad consultation and discussion on the future vision for the Borough's town centres be approved.

C
61/18

Dispensation

Section 85 of the Local Government Act 1972 provided that where a council member fails, throughout a period of six consecutive months, to attend any meeting of the authority then the member ceases to be a member of the authority, unless the failure was due to some reason approved by the authority before the expiry of that period.

Councillor Mick Moore was incapacitated due to illness and had been unable to

attend any meeting of the authority for a period in excess of 5 months. Councillor Mick Moore was unlikely to be in a position to attend a meeting in the near future and had requested that Council grant him a dispensation.

RESOLVED that a dispensation be granted to allow Councillor Mick Moore to remain qualified until such time as he is able to attend a meeting of the Council.

**C
62/18**

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 Norma Stephenson.

“Stockton-on-Tees Borough Council notes with concern the effect that the loss of hundreds of front-line police officers since 2010 has had and continues to have on our communities. We support the hard work being done to keep us safe and praise the police for all that they are doing under the harsh financial constraints imposed by government. Government cuts to Cleveland Police have been disproportionately severe leading to many of our residents saying they no longer feel safe. The government is letting Cleveland Police down by not giving them the resources to do the job that the public expect.

In his recent budget the Chancellor of the Exchequer said that austerity is over yet there was no sign of a change of course. Whilst extra money was rightly made available for counter terrorism, nothing was done to address the funding shortages that we are seeing locally. It is time for the government to change course and fund our police properly.

This Council resolves to:

1. Write to the Prime Minister and Home Secretary highlighting the ongoing issues and ask them to reconsider and increase police funding to the levels required.
2. Write to the MP for Stockton North and Stockton South to support them in continuing to lobby the government to properly fund our police.”

Moved by Councillor Matthew Vickers, seconded by Councillor Lynn Hall that the substantive motion be amended as follows:-

- “1. Write to the Prime Minister and Home Secretary asking them to increase Police funding.
2. Write to the MP for Stockton North and Stockton South to support them in continuing to lobby the government to properly fund our police.
3. Write to the Police & Crime Commissioner asking him to ensure funding is spent properly with the share/percentage of the force budget spent on frontline neighbourhood policing protected or increased.”

A vote then took place on the amendment to the substantive motion. The amendment was not carried.

A vote then took place on the substantive motion. The substantive motion was carried.

C
63/18 **Members' Question Time**

The following question had been submitted by Councillor Julia Cherrett for response by the Deputy Leader of the Council and Cabinet Member for Adult Social Care & Health:-

“The Stockton on Tees Health & Wellbeing Strategy 2012 – 2018 refers to “ensure a healthy standard of living for all”, “create and develop healthy and sustainable places and communities” and to “strengthen the role and impact of ill health prevention”. It further refers to “addressing ill health prevention” and “getting the infrastructure right”. NHS England has recently announced a Very Low Calorie Diet to be prescribed by GP’s – 800 calories a day in the hope of reversing Type 2 diabetes.

Whilst I was personally unable to attend the recent launch of the Stockton Sparkles event on 29th November I do believe that the event was very successful. However, I understand that the only food offer was “hog roast, posh hot dogs, loaded fries and American pancakes”.

Can the Cabinet member for Adult Social Care and Health please explain how this offer fits with healthy living and what efforts were made to ensure that there was a “healthy option” for those who might want it?

It was agreed that Councillor Julia Cherrett would receive a written response to her question that would be copied to all Members of the Council.

C
64/18 **Forward Plan and Leader’s Statement**

Council had last met in October and since then Cabinet had met twice and considered a number of important matters.

On the 15 November Cabinet considered reports on:

- The Scrutiny Review of Gambling
- The outcome of the LGA Peer Review of Physical Activity
- The Review of the Constitution
- The Council Plan mid-year update report
- The Review of the statement of principles for gambling premises in the borough
- The Learning & Skills Annual Report
- The feedback and market research findings on SIRF & the Cycling Festival
- The review of polling districts and polling places

Cabinet had also met to consider the proposals on reshaping town centres which had been discussed at this meeting of Council.

Looking forward, Cabinet was scheduled to meet on 13 December 2018 and consider reports on:

- Community Wealth building
- The School performance for vulnerable pupils
- The Children's Safeguarding partnership
- The Children's Services progress update
- The Finance mid-year update report
- The Scrutiny review of parking on grass verges

And,

- Customer Service Excellence

Cabinet was also scheduled to meet on the 24 January 2019 and consider reports on:

- The Adoption of the Local Plan
- Health and Wellbeing Governance Structures
- The Joint Health and Wellbeing Strategy for 2019-23
- Joint Strategic Needs Assessment refresh
- The Children's Plan
- The Scrutiny Review of the Consolidation of Thirteen Housing Group
- The Outcome of the consultation on Selective Licensing of Private Rented Housing
- The Waste Strategy
- The ARCC Annual Report
- The Scrutiny Review of Hate Crime
- The Scrutiny Review of Digital Optimisation
- The Scrutiny review of Bring Sites for recycling

Before then the great programme of Christmas events would continue across the Borough. The Leader of the Council particularly like to highlighted "The Gift" event. This was a great opportunity to donate gifts for the vulnerable and those who were alone in the Borough. And whilst Members were there they could also go to Drake's Book Shop on Silver Street and support the brilliant scheme that had been organised to buy a book for the young people for whom Members were Corporate Parents.

The Leader of the Council gave his best wishes for Christmas and looked forward to seeing Members in the New Year on the 31 January 2019.

C
65/18 **Reshaping Town Centres - Appendix A - Exempt**

This was the confidential information considered as part of item 11. Please refer to the detail above.