

Council

A meeting of Council was held on Wednesday, 25th September, 2019.

Present: The Worshipful the Mayor (Cllr Lynn Hall), Cllr Helen Atkinson, Cllr Louise Baldock, Cllr Chris Barlow, Cllr Jim Beall, Cllr Pauline Beall, Cllr Jacky Bright, Cllr Julia Cherrett, Cllr Carol Clark, Cllr Chris Clough, Cllr Robert Cook, Cllr Nigel Cooke, Cllr Evaline Cunningham, Cllr Ian Dalgarno, Cllr Kevin Faulks, Cllr Luke Frost, Cllr John Gardner, Cllr Ray Godwin, , Cllr Tony Hampton, Cllr Stefan Houghton, Cllr Barbara Inman, Cllr Mohammed Javed, Cllr Eileen Johnson, Cllr Paul Kirton, Cllr Tina Large, Cllr Mrs Ann McCoy, Cllr David Minchella, Cllr Mick Moore, Cllr Mrs Jean O'Donnell, Cllr Ross Patterson, Cllr Stephen Richardson, Cllr Andrew Sherris, Cllr Michael Smith, Cllr Andrew Stephenson, Cllr Norma Stephenson O.B.E, Cllr Mick Stoker, Cllr Ted Strike, Cllr Hilary Vickers, Cllr Matthew Vickers, Cllr Steve Walmsley, Cllr Mrs Sylvia Walmsley, Cllr Alan Watson, Cllr Sally Ann Watson, Cllr Paul Weston, Cllr Bill Woodhead MBE and Cllr Barry Woodhouse.

Officers: Beccy Brown, Jonathan Nertney (HR&L), Jamie McCann, Peter Bell (DS).

Also in attendance: Members of the Public.

Apologies: Cllr Ken Dixon, Cllr Lisa Evans, Cllr Clare Gamble, Cllr Steve Nelson, Cllr Maurice Perry, Cllr Lauriane Povey, Cllr Tony Riordan, Cllr Marilyn Surtees, Cllr Laura Tunney, Cllr Julia Whitehill.

C Welcome and Evacuation Procedure

39/19

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

C Declarations of Interest

40/19

Councillor Nigel Cooke declared a personal non prejudicial interest in respect of agenda item 10 – Scrutiny End of Term Report 2015-19 as he was an employee of TEWV.

Councillor Ray Godwin declared a personal non prejudicial interest in respect of agenda item 10 – Scrutiny End of Term Report 2015-19 as he was an employee of TEWV.

Councillor David Minchella declared a personal non prejudicial interest in respect of agenda item 10 – Scrutiny End of Term Report 2015-19 as he was an employee of TEWV.

Councillor Ann McCoy declared a personal non prejudicial interest in respect of agenda item 13 – Motion to Council.

C Minutes

41/19

Consideration was given to the minutes of the meeting held on 24 July 2019.

RESOLVED that the minutes of the meeting held on 24 July 2019 be confirmed and signed as a correct record.

C Armed Forces Week

42/19

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 £ 1987, giving a total £ 662 to each of the regiments.

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

Major Bob Roberts, The Rifles Regiment.
Major Pat Ralph, The Yorkshire Regiment.
Warrant Officer Class 3 Richie Howells, 1st Close Support Battalion, Royal Electrical and Mechanical Engineers

C
43/19 **Long Service Awards**

Nina Weatherill had completed 25 years' service with the Adults and Health Service as a Support Co-ordinator. Unfortunately Nina Weatherill couldn't make the meeting but the Worshipful the Mayor would make sure that she received her certificate.

C
44/19 **Public Question Time**

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

C
45/19 **Appointment of the Managing Director**

Consideration was given to a report on the Appointment of the Managing Director.

In line with section 3.330 of the Constitution "Employment Procedure Rules" the duly constituted Appointments Panel, appointed in line with section 2.72 of the Constitution had met and carried out a selection process to identify a Managing Director and Head of Paid Service for Stockton on Tees Borough Council.

The Panel carried out the appointments process in line with the guidance set out in section 2.71 of the Council's constitution and in line with the Council's policies and employment procedures.

Following a national advert in the Local Government Chronicle and online advertising on the Council's website and North East jobs website, the Panel considered applications from 11 candidates, shortlisted four candidates and

interviewed three candidates for the post of Managing Director. The Panel also considered two employment references for each candidate and feedback from:

- A Members panel, with invited representative Members from all political groups
- A Stakeholders panel with representatives from:
 - Cleveland Police
 - The CCG
 - Catalyst
 - TVCA Business representative
 - Stockton Riverside College
 - Unison
 - Bright Minds Big Futures
- A “Talent Network” panel with employee representatives from across the organisation.
- A panel of the Leader of the Council and the Leader of the largest opposition group.

Having taken all this evidence into account the Appointments Panel recommend the appointment of Julie Danks.

At this point Members agreed that the meeting should move into private session and the press and public were excluded from the meeting.

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 1 of Part 1 of Schedule 12A of the Act.

At this point the meeting moved back into public session and the press and public were re-admitted to the meeting.

A vote took place and it was agreed that Julie Danks be appointed to the post of Managing Director and Head of Paid Service.

RESOLVED that Julie Danks be appointed to the post of Managing Director and Head of Paid Service.

C
46/19

Supplementary Planning Documents – Update Report

Consideration was given to a report that updated Members of the preparation of new Supplementary Planning Documents (SPD) and associated documents required to support the general implementation of newly adopted Stockton-on-Tees Local Plan (STLP) policies. It set out the statutory procedures and the programme and indicative timescales.

The National Planning Policy Framework defined a Supplementary Planning Document (SPD) as:

‘Documents which add further detail to the policies in the local Plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are

capable of being a material consideration in planning decisions but are not part of the development plan'.

The Council had eight SPDs and three Supplementary Planning Guidance (SPG) documents. These were out of date and in need of streamlining to reflect the approach and objectives of the newly adopted STLP. New documents would set out clear and effective methods of implementing planning policies to aid colleagues, developers, the community and any other interested party.

Following a high level internal review, it was proposed to reduce the number of SPD/SPGS to four, as set out below:

- Housing SPD
- Householder Extensions and Alterations SPD
- Sustainable Design SPD
- Planning Obligations SPD

Details of existing SPDs and SPGs with their replacements, the key areas covered within them and those recommended for deletion as they are no longer relevant were attached to the report.

The production of SPD's could be a resource intensive exercise. Involved in the process was detailed internal consultation with colleagues and each SPD also required at least one round of public consultation, engagement and the production of the following documents:

- Strategic Environmental Assessment Screening Report (subject to five week external consultation)
- Equality Impact Assessment
- Consultation Statement

A period of consultation for each SPD was required. Briefing sessions would be held to ensure that all Members had the opportunity to see the SPDs and provide their feedback before they were presented to Council for adoption.

Comments received as part of the consultation would be considered and where necessary amendments would be made. Final drafts of the SPDs would then be considered by Cabinet for recommendation to Council for formal adoption.

The key milestones and indicative timescales for the production and adoption of SPD's was detailed within the report. The programme would take into account the requirements outlined above as well as advice from Development Management colleagues to identify which SPD's should be prioritised to ensure local residents and stakeholders had access to the most up to date guidance in accordance with the adopted Local Plan.

At its meeting held on 12 September 2019 Cabinet had RESOLVED that:-

1. The contents of the report, in particular the key milestones and indicative timescales for completion of the programme of SPDs be noted.

RESOLVED that:-

2. Delegated authority be given to the Cabinet Member for Regeneration and Housing and Director of Economic Growth and Development to authorise the development and statutory consultation of the draft SPDs and to make any necessary amendments as a result of consultation comments received, prior to formal adoption of the final documents by Council.

**C
47/19** **Scrutiny End of Term Report 2015 - 2019**

Consideration was given to a report on the Scrutiny End-of-Term Report 2015-19.

The Scrutiny End of Term Report was produced for the period 2015-19 and was attached to the report. The Report highlighted the work of the Council's Select Committees during the last four years, and contained infographics which summarised each year's work programme in detail. These infographics function as each year's Annual Report.

The End of Term report was considered by each Select Committee prior to the Local Government Elections, and was circulated to the Executive Scrutiny Committee.

It was noted that review recommendations were made at a certain point in time, and naturally as the Report covered a four year period, a number of the issues covered had developed further.

Aside from those relating to a small number of more recently completed reviews, the majority of scrutiny recommendations from this period had been subject to monitoring by Select Committees and had been signed off as complete.

Production of the End of Term Report and consideration by Cabinet and Council (25 September 2019) supported the aims of the statutory Guidance. Consideration of the Report by Council also fulfilled the requirements of the Constitution.

**C
48/19** **Appointments and Amendments to Committees, Panels and Other Bodies for the Municipal Years 2019/23**

At its Annual Meeting, held on Wednesday 22 May 2019, the Council approved appointments to its Committees, Panels and Joint/Outside Bodies for 2019/23.

Vacancies on the General Licensing Committee and Statutory Licensing Committee had arisen. The vacancies were seats that the Labour Group were entitled to hold but it had indicated that it did not wish to fill them, at this time. The seats had therefore been offered to other Groups and the following nominations had been received:

General Licensing Committee

Cllr Norma Stephenson – Remove from the General Licensing Committee
Cllr Andrew Sherris – Withdrew from the process
Cllr Chris Clough – Appointed to the General Licensing Committee

Statutory Licensing Committee

Cllr Norma Stephenson – Remove from the General Licensing Committee
Cllr Andrew Sherris – Withdrew from the process
Cllr Chris Clough – Appointed to the General Licensing Committee

Tees Valley Combined Authority – Audit and Governance Committee

The Council had received notification from Tees Valley Combined Authority of changes to the political proportionality on its Audit and Governance Committee. The Council had been requested to change its appointment from a Conservative Group Member to a Labour Group Member. Details of the required change is detailed below:

Tees Valley Combined Authority - Audit and Governance Committee

Cllr Stefan Houghton – Remove from the Tees Valley Combined Authority - Audit and Governance Committee
Cllr Laura Tunney (Substitute) – Remove from the Tees Valley Combined Authority - Audit and Governance Committee
Cllr Barry Woodhouse – Appointed to the Tees Valley Combined Authority - Audit and Governance Committee
Cllr Lauriane Povey (Substitute) - Appointed to the Tees Valley Combined Authority - Audit and Governance Committee

RESOLVED that the above appointments / amendments be approved.

**C
49/19**

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 Marilyn Surtees 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 Marilyn Surtees was unlikely to be in a position to attend a meeting in the near future and had requested that Council considered granting her a dispensation.

RESOLVED that Councillor Marilyn Surtees be granted a dispensation to allow her to remain qualified until such time as she is able to attend a meeting of the Council.

**C
50/19**

Motion

The following motion which has been submitted in accordance with Council Procedure Rule 12.1. The motion was moved by Councillor Ann McCoy, seconded by Councillor Louise Baldock:-

“This Council notes that free TV Licences for the over 75s was introduced by a Labour Government in 2000, and that maintaining free TV Licences for the over 75s was a 2017 Conservative Manifesto commitment.

This council acknowledges that 4 million households will be affected when the concession is ended which could push 50,000 pensioners below the poverty line.

We therefore call on the Government to reclaim responsibility, reinstate and fully fund the right to free TV Licences for the over 75s beyond 2020 and a copy of the motion be sent to the Secretary of State and the two local MPs.”

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

“We call on the BBC to reconsider its decision to remove free TV Licences for some over 75s.”

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
51/19 **Members' Question Time**

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

“Can the Leader of the Council please state how much was spent on events and entertainment by SBC in Stockton High Street within the last financial year excluding SIRF and how much was spent on providing events and entertainment in each of the other town centres in the borough individually?

Are these figures expected to rise within this financial year?”

The Leader of the Council responded with:-

“Event expenditure does vary over time. Events like the recent City Games don't occur every year. However, in 2018/19 the estimated event costs for each town were as follows;

Billingham - £250,540
Ingleby Barwick - £140
Norton - £440
Stockton - £388,620
Thornaby – £1,240
Yarm - £10,070

The figure for Stockton includes £178,850 for the 2018 Great Tees 10k and Elite

Mile events which were preparation for the 2019 City Games.

Some of the costs are for equipment hire, such as fencing, which is used across a number of sites and the distribution of those costs across the towns is estimated.

These figures exclude costs for Enforcement, Sports Development, Events Team and Democratic Service staff time who provide assistance to events across the whole Borough.

The total direct event expenditure figures are expected to rise for 2019/20 because of the City Games. In addition, expenditure in some towns will be greater, for example, we have already spent more this year in Thornaby than we did in 2018/19 in support of events at Harold Wilson recreation ground, and our expenditure in Billingham will be greater as we are taking the 'Singing Christmas Tree' to Billingham this Christmas."

Councillor Ray Godwin asked the following supplementary question:-

"Can the Leader of the Council make a commitment to when this disparity in the Borough will end? I say this as Thornaby Town Council has had to pay for the memorial Poppy of Honour to be displayed in the town centre recently after the response from Stockton Borough Council Events Team to organise the Poppy was as follows :-

"Currently the SBC will have to decline your request this year, the size of the structure will mean that it will not fit safely into the proposed location within the parish gardens, the Council already has an extensive programme of events for 2019 so we are unable to accommodate it within our own programme."

Could the Events Team not suggest and organise it to be put in another town centre within the Borough, it seems to be very Stockton centric when you look at the cost to other areas and it can't continue. We would love a Yorkshire Day south of the river to be supported by the Council. We would like a commitment to say that in the future events south of the water will be looked at favourably"

The Leader of the Council responded with:-

"I didn't know about this, if you had come to me we could have had a conversation about it. We do try to look favourably across the Borough. In the future we are looking at the cycle race to go south of the Borough. I can't make a commitment tonight to spend money but we will look at events that we can put on around the Borough over the next few months to help make that disparity disappear. Some of the events in Stockton and Billingham are historical events and have been going for 50 plus years and have been supported by previous Councils. Similarly with Stockton Riverside festival was supported by Dovecot Arts. I will commit to looking at events in the Borough."

The following question had been submitted by Councillor Luke Frost for response by the Deputy Leader of the Council and the Cabinet Member for Health, Leisure & Culture:-

"In August 2012 the historic coffee pot locomotive, built at Head Wrightsons in

1870 was removed from the then Halfords Roundabout and sent to Preston Park Museum and Grounds .At the time I believe it was said to be going off for restoration, has this been done ? If so what are the chances of it returning back home to its home over the river in Thornaby?”

Deputy Leader of the Council and the Cabinet Member for Health, Leisure & Culture responded with:-

“Thank you, Cllr Frost, for bringing this matter to my attention; being in a newer part of my portfolio, until now, I was not familiar with this issue.

On a general note to all Members, can I extend an open invitation to raise matters within my portfolio with me outside of this chamber to avoid any delay in address.

The steam engine in question is a historically significant piece with a strong connection to Thornaby where it was constructed around 1870. After construction it spent most of its working life at Seaham Harbour.

It came to Stockton on a permanent loan in 1970 and for many years was part of a display at Halfords roundabout. After its removal from the roundabout it was transported to Preston and work was undertaken to assess its condition and explore possible renovation.

However, Stockton Council doesn't own the engine. It was only loaned to the museum collection. We are therefore required by law to gain the permission of the owner before we undertake any substantial work to restore or modify the engine. Unfortunately, despite attempts to track down the owners and gain permission for the work we have so far been unsuccessful.

As an object in our care we have a duty to maintain it and can undertake essential preventative conservation without permission of the owners. This has allowed us to do some work to it over the years.

Since hearing of this, I have asked our legal team to commence action to gain ownership for the Council.

Without ownership or authorisation by the owner, we have not planned or identified resources for the potentially costly renovation of the locomotive. However, as and when we are able to renovate the engine we would be happy to consider any suitably secure location for its display. A location close to the original Head Wrightson yard where it was constructed would help in illustrating its origins and drawing attention to the importance of Head Wrightson Engineering throughout the Borough and wider.”

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

“On 10 September 1932 200 British union of fascist attended a rally in Stockton High Street, they were driven out of town by 2000 Stocktonions this was known as the battle of Stockton.

I attended the commemoration of the battle of Stockton on Sunday 8th

September 2019 were we were addressed by a panel of speakers.

Why does Stockton Council not send a representative to this event?"

The Leader of the Council responded with:-

"The plaque commemorating the Battle of Stockton in 1933 was installed on Stockton High Street by Stockton Council and inaugurated last year by The Mayor. The Council is pleased to have raised the profile of this historically significant event.

Due to the City Games infrastructure between the Town Hall and the Shambles it was not possible to stage an event on the plaque site this year. The event organised in the Georgian Theatre and Green Dragon Yard was attended by a number of Councillors but it was not a Civic event and so was not attended by the Mayor."

Councillor Andrew Stephenson asked the following supplementary question:-

"Will Stockton Council be sending a representative next year?"

The Leader of the Council responded with:-

"The event is not organised by Stockton Council, it is a private organisation, and if they invite someone from Stockton Council we will consider it."

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

"With Stagecarriage Bus Company collapsing what is SBC proposing to do to provide a bus service to the villages of the Western Parishes?"

Councillor Andrew Stephenson informed the meeting that he had withdrawn his question and thanked Councillor Smith, Councillor Cook and the relevant officers as the issue had now been resolved.

The following question had been submitted by Councillor Andrew Stephenson for response by the Cabinet Member for Regeneration and Housing:-

"Please confirm that SBC is borrowing £9 million for The Globe, which is recorded in the Medium Term Financially Plan at an on-going cost of £460,000 per annum. The only monies to off-set this are potential rent [rent / profit agreement with ATG] of £20,000 p.a. commencing from year five and rates paid by ATG of £75,000 p.a. set against which is the £70,000 lease payment to Jomast. Is this correct?"

The Cabinet Member for Regeneration and Housing responded with:-

"The position regarding the Globe is fully explained in the paper to Executive Scrutiny Committee on 29 July 2019. Can I refer Cllr Stephenson to this report?"

Councillor Andrew Stephenson asked the following supplementary question:-

“So if that is the correct figures, how is this funding from a non-statutory service impact on the provisions of statutory services bearing in mind Stockton Council has repeatedly made public statements about the impact on itself of government austerity policies since 2010. Therefore if you are paying out £460k per year, how is that not going to impact on the Council’s statutory commitments?”

The Cabinet Member for Regeneration and Housing responded with:-

“I was very pleased to attend the excellently chaired Executive Scrutiny Committee on 29 July 2019 where we all sat and actually bottomed out all of this. All questions have been answered. What the public wants us to do now is stop the talking and get on with the Globe. We all look forward to the opening of the Globe.”

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

“Following the Thornaby referendum and the response to the emerging local plan by Thornaby Town Council that was ignored and didn’t even receive acknowledgement, is Stockton Borough Council really a listening council or is reaction to adverse public opinion or response to less than favourable consultation simply patronising and meaningless?”

The Leader of the Council responded with:-

“The adoption of the current Local Plan in January of this year was preceded by a lengthy and thorough period of consultation and engagement including an Examination in Public (EIP). During that period over 500 representations were received and, whilst it was impractical to provide individual responses, each was taken into consideration when preparing the different iterations of the plan. The representations made, and any amendments proposed as a result of them, were considered by an Inspector appointed by the Secretary of State during the EIP with the plan subsequently found to be sound as recommended for adoption.

I can assure you that this Council has and will continue to listen to the public on all matters associated with Council business including that associated with Planning Policy.”

Councillor Steve Walmsley asked the following supplementary question:-

“I refer the Leader of the Council to the response he gave at the previous meeting of Council when he said that Thornaby’s referendum wasn’t a referendum because there wasn’t any polling stations. There were 4 times more people responded to that than the elected Mayor consultation that was a non-binding vote. It was a valid consultation. Does Labour have a problem with referendum full stop?”

The Leader of the Council responded with:-

“Stockton Council is a listening Council, under law a referendum has to be right across the area with polling stations and ballots. The other thing is that the wording only said do you want to be independent from Stockton but needs to

say where Thornaby wanted to go and therefore we couldn't refer it to the Council that you wanted to go with so there could look at if they could deliver services to Thornaby. Whichever Council it was could not deliver the services that Stockton Council does as we deliver some of the best services."

C 52/19 Forward Plan and Leader's Statement

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

The last meeting of Council was in July and since then it had been a very busy time, despite the recess:

- As always, there had been some great events with SIRF, the Billingham International Folklore Festival and the Great North City Games in particular being great successes.
- The Council had also completed a very positive LGA Corporate Peer Review. The review provided valuable learning and the Leader of the Council was pleased to hear the Peer team's positive endorsement of Council work at the end of their visit. The formal report was due in early October and the Leader of the Council would ensure that the results were shared with all Members. The Leader of the Council thanked the Members who took part in the review and spent time meeting with the Peer team.
- The Leader of the Council also thanked the Members from all groups who took part in the MD recruitment process. The Leader of the Council was delighted that Julie Danks had been appointed to the post and he was sure she would continue to be a great success in the role.
- The Council had also completed the Castlegate acquisition and started the first of the comprehensive consultations about the visions for the towns. The Stockton conversation was going well and the Leader of the Council looked forward to beginning consultations across all 6 towns before the end of the year.
- The work on the development of the crematorium was complete and the first services had been held. The value of the investment in this new and important facility in the Borough was best captured in the following message the Council had received from a resident on Monday afternoon who wrote to say "Today we said goodbye to our Grandma at the new crematorium she is the first person to have her funeral here. I would like to say what a lovely place you have created for family's to say their last goodbyes. Thank you to all the staff."

In other business, Cabinet met on the 12th of September and considered reports on:

- Customer Service Excellence
- The Compliments, Comments and Complaints policy
- The Annual Ombudsman's report
- The MTFP Quarterly update
- The Targeted Action Area progress
- The Scrutiny End of Term Report
- An update on Supplementary Planning documentation

- An update on the Tees Valley Lettings Partnership
- Our Investors In People accreditation

And,

- The 2019 Apprenticeship programme

Looking ahead, Cabinet would meet on the 17th October and the 14th of November and consider:

- The Director of Public Health's Annual Report
- The Annual Audit Letter
- The Childcare Sufficiency Statement
- The SEND Inspection and Written Statement
- The School Organisation Plan
- The Economic Climate Update
- The 2019 Greenhouse Gas Emissions Report
- The Council Plan
- The Economic Growth Plan
- The Bright Minds, Big Futures 6-month update

And reports on:

- The Corporate Peer Review
- Procurement
- The Member Development Charter Plus reaccreditation
- School Performance
- The Railway Heritage Bi-centennial proposals
- The Regional Loans Scheme
- Adoption Tees Valley

And

- Support to the Voluntary, Community and Social Enterprise Sector

After that the Leader of the Council looked forward to seeing Members at the next meeting on the 20th of November.