

Council

A meeting of Council was held on Wednesday, 20th November, 2019.

Present: Cllr Lynn Hall (The Worshipful the Mayor); Cllr Helen Atkinson, Cllr Louise Baldock, Cllr Chris Barlow, Cllr Jim Beall, Cllr Pauline Beall, Cllr Jacky Bright, Cllr Carol Clark, Cllr Chris Clough, Cllr Robert Cook, Cllr Nigel Cooke, Cllr Evaline Cunningham, Cllr Ian Dalgarno, Cllr Ken Dixon, Cllr Kevin Faulks, Cllr Luke Frost, Cllr Clare Gamble, Cllr Ray Godwin, Cllr Barbara Inman, Cllr Mohammed Javed, Cllr Eileen Johnson, Cllr Paul Kirton, Cllr Tina Large, Cllr Mick Moore, Cllr Steve Nelson, Cllr Mrs Jean O'Donnell, Cllr Ross Patterson, Cllr Maurice Perry, Cllr Lauriane Povey, Cllr Tony Riordan, Cllr Andrew Sherris, Cllr Michael Smith, Cllr Andrew Stephenson, Cllr Norma Stephenson O.B.E, Cllr Mick Stoker, Cllr Ted Strike, Cllr Marilyn Surtees, Cllr Laura Tunney, Cllr Hilary 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: Julie Danks (MD), Beccy Brown, Julie Butcher (HR&L), Garry Cummings (F&BS), Richard McGuckin (ED&D), Ann Workman (AH) Reuben Kench (C,L&E), Peter Bell (DS).

Also in attendance: Members of the Public, Representatives from Show Racism the Red Card.

Apologies: Cllr Julia Cherrett, Cllr Lisa Evans, Cllr John Gardner, Cllr Tony Hampton, Cllr Stefan Houghton, Cllr Ann McCoy, Cllr David Minchella, Cllr Stephen Richardson, Cllr Matthew Vickers and Cllr Julia Whitehill.

C Welcome and Evacuation Procedure

53/19

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

C Declarations of Interest

54/19

Councillor Clare Gamble declared a personal non prejudicial interest in respect of agenda item 8 - Private Hire and Hackney Carriage Licensing Policy Amendments as a family member was a taxi driver.

C Minutes

55/19

Consideration was given to the minutes of the meeting held on 25 September 2019.

RESOLVED that the minutes subject be agreed and signed as a correct record.

C Show Racism the Red Card

56/19

The Worshipful the Mayor welcomed George Friend who was a Middlesbrough player, Steve Howey, who was a former England player and had played for a number of clubs including Newcastle and Manchester City, they were both joined by David Foster from Show Racism the Red Card and Paul Dews who was the Middlesbrough FC Press Officer to the meeting.

The Cabinet Member for Access, Communities and Community Safety reported that last year he had referenced the racial abuse experienced by Raheem Sterling the week before that Council meeting. Sadly a year on and we had recently seen the England team having to twice leave the pitch after racist abuse from Bulgarian "fans". Also Harringey Borough walked off the pitch during a game with Yeovil Town after their goalkeeper was racially abused.

These depressing incidents highlighted the continuing need for the brilliant work

done by Show Racism the Red Card who were 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.

Middlesbrough FC were a huge supporter of Show Racism the Red Card and the club weren't new in their support in fact they had been involved for 22 years and indeed Viv Anderson and Bryan Robson helped found the organisation.

Police and Crime Commissioner Barry Coppinger funded educational workshops run by Show Racism the Red Card to help young people understand the impact of racist behaviour. Workshops to educate young people about the causes and consequences of racism had been attended by over 1700 Cleveland children in the last financial year alone. And thanks again to Middlesbrough FC for hosting these workshops.

At Stockton in October the Council was proud, once again, to support the Show Racism the Red Card campaign. The Council had backed the campaign for many years and 2019 the Council had again showed its support by:

- lighting the Town Hall, the fountains and the riverside in red
- The Councils passionate teams of staff and Councillors gave their time to run bake sales and raffles and of course wear red, and
- A successful five a side football tournament and a 5k relay race around the barrage
- Local retailers in Stockton promoted the campaign, showing that as a Borough, it wanted to put an end to racism.

The Cabinet Member for Access, Communities and Community Safety thanked Councillor Norma Stephenson who had done a brilliant job in organising support for the campaign at the Council. This year had been a particularly successful year and it was recognised that this owed a great deal to Councillor Norma Stephen's personal drive, dedication and commitment to the cause.

A cheque from the money that had been raised was then presented to Show Racism the Red card.

C
57/19 **Public Question Time**

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

C
58/19 **Annual Report of the Director of Public Health**

Consideration was given to the Annual Report of the Director of Public Health 2018/19.

The Annual Report of the Director of Public Health outlined some of the key

health and wellbeing challenges and opportunities in Stockton Borough, including data, local intelligence, evidence and examples of on-going work with recommendations for next steps. The 2018/19 report titled “Lonely? Get Connected’ focussed specifically on the local public health issue of loneliness.

The Director of Public Health had a statutory duty to write an Annual Public Health Report (APHR) and the Local Authority had a statutory duty to publish the independent report on the health of the local community.

The 2018/19 report began by providing an overview of the health and wellbeing of Stockton-on-Tees residents with a particular focus on health inequalities. The report then took a specific look at the public health issue of loneliness in the Borough. It explored what was known about ‘who’ was lonely and the impact on their health and wellbeing, shares some examples of local work being delivered which addresses loneliness and then explored a range of solutions and recommendations for consideration. The final chapter outlined progress on the recommendations of the previous APHR.

Cabinet considered the matter at its meeting held on 17 October 2019 and a copy of the relevant minute extract was attached to this report.

RESOLVED that the Annual Report of the Director of Public Health 2018/19 be endorsed.

**C
59/19**

Private Hire and Hackney Carriage Licensing Policy Amendments

Consideration was given to a report on Private Hire and Hackney Carriage Licensing Policy Consultation.

Members considered the views and comments received from the Licensing Committee, transport trade and other interested parties following consultation on the Private Hire and Hackney Carriage Licensing Policy.

At the Taxi Trade meeting in June 2019 private hire operators in attendance requested formal consideration of proposed amendments to the Private Hire and Hackney Carriage Policy. In addition a request was received from the chairman of the Stockton Hackney Carriage Driver Association (SHCDA) for an amendment to policy.

A 28 day period of consultation was undertaken giving all stakeholders opportunity to comment of the proposed changes. The electronic consultation survey was sent to all licensees via the Trade Times. In addition the link was emailed to private hire operators, SHCDA, other local authorities and the police. The consultation had closed and details of the responses were attached to the report.

The current policy wording and suggested amendments were also attached to the report.

Cabinet considered the matter at its meeting to be held on 14 November 2019 and a copy of the relevant minute extract had been circulated to Members. Following approval any changes agreed would come in to immediate effect.

The trade would be informed of decisions via emails to private hire operators and the SHCDA, via the trade Facebook page and via the website. In addition the requests and decisions would be added to the agenda at the next trade meeting on 5 December 2019.

RESOLVED that the revised policy wording as detailed at Appendix 2 of the report be agreed.

C Wynyard Master Plan

60/19

Consideration was given to a report on the Wynyard Master Plan.

Joint working had been on-going with Hartlepool Borough Council to prepare a masterplan for Wynyard. Approval was sought of the masterplan for use in the determination of planning applications at the site and to support delivery of allocated sites in the adopted Local Plan.

Both Stockton-on-Tees and Hartlepool Borough Councils had identified land at Wynyard as housing and employment allocations within respective adopted Local Plans. Specifically, the Wynyard Sustainable Settlement policy (H3) in the Stockton-on-Tees Local Plan outlined the Council's commitment to the production of a 'masterplan' incorporating an 'Infrastructure Phasing and Delivery Schedule'. The policy sought a proportionate contribution to the delivery of new infrastructure, with the Council working proactively with developers and other partners to deliver key infrastructure.

Local plans and existing planning permissions had identified significant housing growth across the Wynyard area, equating to:

- Stockton – circa 1650 homes (this includes planning permissions at Wynyard Village for 500 homes as well as at Wynyard Golf Course for 44 home and a Local Plan allocation at Wynyard Park for 1100 homes) and;
- Hartlepool – circa 1,220 homes

The scale of development allocations in Wynyard meant that there were numerous shared infrastructure requirements which needed to be delivered; this included but was not limited to a school, local centre and highway junction improvements. In addition to this there were numerous landownerships across the site. A masterplan was seen as essential in ensuring that:

- individual planning applications come forward in accordance with the masterplan to deliver a sustainable and integrated urban extension; and
- infrastructure is delivered when it is required

The masterplan would provide a clear framework for decisions setting out requirements for education facilities, green infrastructure, community infrastructure, and linkages to the public rights of way network, mitigation of any impacts of development on the highway network, including signalisation of roundabout junctions, and improvements at the junction of the A19/A689.

The Council had been working in collaboration with internal colleagues from

both Local Authorities, landowners and developers and agents to prepare a comprehensive masterplan for the sites.

The masterplan, which was attached at to the report and sought to:

- Outline the vision and development objectives for Wynyard;
- Identify constraints and their impact on development;
- Identify infrastructure requirements;
- Provide a Strategic Framework Plan to shape development proposals;
- Provide clarity regarding the requirements for planning applications; and
- Provide clarity regarding the phasing and delivery of housing and infrastructure

Following allocation of the sites within the Local Plans the masterplan could be adopted as a Supplementary Planning Document (SPD) which would require a statutory period of consultation amongst other things.

The Masterplan was supported by an Infrastructure Strategy and Schedule which provided a strategic level assessment of the infrastructure requirements arising from the sites covered in the masterplan as a whole. Building upon this strategic assessment, a detailed Infrastructure Delivery Plan (IDP) had been produced as part of the masterplan to co-ordinate the delivery of the infrastructure which was necessary to support residential development on the Wynyard sites.

The IDP drew upon the evidence base prepared to support the preparation of the masterplan and set out what infrastructure was needed and the anticipated timescales / phase of development when this should be provided.

The key infrastructure requirements identified in the IDP include the provision of:

- Junction enhancements;
- Other access and transport infrastructure;
- Local Centres, incorporating convenience facilities and community centres;
- Green infrastructure including open spaces and play equipment;
- Surface water drainage infrastructure;
- Affordable housing;
- Utilities related infrastructure.

In order to accommodate the level of development anticipated at Wynyard a number of highway interventions had been identified, modelled and agreed including:

- Widening the A19 to a three lane carriageway between Norton and Wynyard, to be completed by Highways England between 2020 and 2022;
- Improvements to 3 roundabouts on the A689 form included in a funding bid to the Major Routes Network and;
- A crossing of the A689 by foot/cycle bridge close to its junction with The Wynd and Hanzard Drive.

The Council had and would continue to work with landowners and developers to

agree an approach to the delivery of infrastructure through planning applications.

Cabinet considered the matter at its meeting to be held on 14 November 2019 and a copy of the relevant minute extract had been circulated to Members.

RESOLVED that the Wynyard Masterplan be approved for use in the determination of planning applications and to support delivery of allocated sites in the adopted Local Plan.

**C
61/19** **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.

The following appointments / amendments had been received and were presented for Council consideration:-

Adult Social Care and Health Select Committee

Remove Councillor Tina Large (TIA)
Add Councillor Luke Frost (TIA)

Home Safety Association

Nomination Councillor Ted Strike (Independent)

RESOLVED that the above amendment / appointment be agreed.

**C
62/19** **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 Julia Whitehill was incapacitated due to illness and was unlikely to be in a position to attend a meeting in the near future and had requested that Council considers granting her a dispensation.

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

**C
63/19** **Members' Question Time**

The following question has been submitted by Councillor Ted Strike for response by the Leader of the Council:-

“Can the Leader of the Council tell me if there are any plans for the Council to re-introduce the recording of Council, Cabinet and Planning Committee meetings and for them to be available for viewing by Councillors and the Public should they wish to challenge something? Thereby removing any doubts of what was actually said.”

The Leader of the Council responded with:-

“Cabinet, after taking advice from the Members Advisory Panel, made the decision on 16th March 2017 to cease recording meetings of Council, Cabinet and Planning Committee meetings with effect from the 2017/18 Municipal Year . This was in response to both the fact that the number of ‘views’ of meetings recorded was very low in terms of the number of members of the public it had been successful in engaging; and the cost to the Council of continuing to provide this service. There are no plans currently to review this decision.

The decision does not however affect any member of the public’s rights to record, report and commentate on public meetings of local government bodies as provided by the Openness of Local Government Bodies Regulations 2014.

Councillor Ted Strike asked the following supplementary question:-

“At a recent Planning Committee an application for the Myton House Farm shops was considered. The application was initially refused but following a statement from the SBC solicitor and Chair this decision was reversed and planning approval was given.

During the discussions, a vital email from Cleveland Police that had been sent late was considered. Members of the Committee had not been given this email. Mr Simon Grundy had this email and made mention of it but did not fully read the email relating to ASB. Mr Grundy stated that the police do recognise there had been no ASB issues in the area, he then mentioned about the layout of the shops before returning to ASB. There is limited evidence that suggests the new units would create ASB but it is recognised that there is a problem that is why we are recommending that conditions be imposed on the application. The email from the Police actually stated that another potential issue was that the proposed development is that the development will be a likely spill over for a high level of ASB. It then went on to state that the whole area around Tesco and the Myton House Farm had been subject to a recent police dispersal order due to intimidating and abusive behaviour.

Had this meeting been recorded then all of these facts could have been listened to and proof of an accurate record. I have raised my concerns over this and I have been advised there is no appeals procedure that I can take except going to court.

Can the Leader of the Council advise me if this SBC decision is part of the National Planning Policy Framework? If this is a Council decision can this be reversed? And an appeal procedure introduced and made retrospective so that Members can have all the facts and re-consider the application?”

The Leader of the Council responded with:-

“I was not in attendance at the Planning Committee you refer to and therefore I cannot comment as they are an independent planning authority. With regard to the appeal system, it is a national system and the policy guidance outlines that no third party can appeal apart from the applicant who had put the original planning application in and that is planning guidance from the government so therefore we cannot have a third party planning appeal system.”

The following question has been submitted by Councillor Ted Strike for response by the Cabinet Member for Environment and Transport:-

“There have been lots of minor accidents due to ice and snow at Priorwood Gardens and I would like to use money from the Community Participation Budget for a salt bin but I have been told by Stockton Council Officers that I can't use this money for salt bins. The closest salt bin to Priorwood Gardens is Rainford Gardens but that is too far away for residents to use safely.

Can the Cabinet Member for Environment and Transport tell me why it is not acceptable to use CPB money for salt bins as this is what my residents want and all of the Ingleby Barwick East Ward Councillors are all in agreement?”

The Cabinet Member for Environment and Transport responded with:-

“The request for an additional salt bin in Priorwood Gardens was declined as it did not meet the agreed assessment criteria for the placement of a bin. However, I am aware that there is already a salt bin located outside of 54 Priorwood Gardens as well as two other bins in close proximity in Rainham Close and Springhill Grove. This provision provides ample availability of salt for residents to use in adverse weather conditions.

Members are unable to use their CPB allocation for additional salt bins as these bins would not meet the criteria as defined within the winter maintenance policy. Only bins which achieve this criteria will be sited and the funding for salt bins comes from the provision already made within the core winter maintenance budget.”

Councillor Ted Strike asked the following supplementary question:-

“There was a salt bin previously located in this location but it wasn't replaced when it failed due to funding restrictions from central government. I was brought up with the belief that the customer is always right. Our customers are the residents, will the Leader of the Council and the Cabinet Members review this policy of not allowing CPB to be used for salt bins?”

The Cabinet Member for Environment and Transport responded with:-

“This down to Tory cuts and because of that there has been a national shortage of salt and last year we had to import salt. We now need to control the use of salt.

In situations where we experience severe and prolonged bad weather, restrictions on salt distribution nationally can occur, meaning that salt must be

preserved initially for the priority gritting routes and, only after they are serviced, can salt bins be filled. It is therefore vital that we only service those bins that are compliant against the current winter maintenance policy.

If Members are aware of locations which are problematic then Officers will be able to undertake an on-site assessment and will make a determination based upon agreed policy.”

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

“Did buyer due diligence before the purchase decision was made for Wellington Shopping Centre reveal vendor annual accounts of income from rent and operating cost. i.e. were results positive or negative and in terms of ownership by Stockton BC , using prudential borrowing will annual on-going income from rent exceed operating costs including cost of financing demonstrating this in answer by on-going annual forecasting for remaining duration of medium term financial plan?”

The Leader of the Council responded with:-

“When I read your question Cllr Stephenson, I was truly amazed that you decided to ask it in the first place as an experienced Councillor. Firstly thinking that officers or councillors would come to an important decision like this without doing due diligence or is the simple fact that you never read the report to Cabinet.

So, the simple answer is yes the Council did do due diligence and the report to Cabinet on 12 December 2018 outlined that we worked with industry experts for advice and due diligence. The details of the firms used are included in the report. The costs of the borrowing were covered by rental income.”

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

“Did buyer exercise due diligence in the purchase of Castlegate and swallow hotel site, were the latest annual accounts looked at and did this show a profit or loss on the running costs against rent received with SBC using prudential borrowing what is the expected profit/loss to be for this next financial year?”

The Leader of the Council responded with:-

“The Swallow Hotel is part of Castlegate and not a separate site. Once again, the answer to your question is again yes, the report to Cabinet on 7 March 2019 outlined that we worked with industry experts for advice and due diligence.

The details of the firms used are included in the report. The costs of the borrowing were covered by rental income. The report outlined that the acquisition would mean an initial surplus of £518,000. ”

Councillor Andrew Stephenson asked the following supplementary question:-

“Moving forward what is the expected cost of the redevelopment of the Castlegate and the Swallow Hotel?”

The Leader of the Council responded with:-

“It is hard to say what the cost is going to be but we are in the process of doing a consultation and this will be reported back to Council.”

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

“With the passing of the motion to Council that all staff involved in purchasing should be trained to ensure SBC comply with 2015 anti-slavery laws what has being the cost to the council of this compliance and who many staff have being trained to spot slavery?”

The Leader of the Council responded with:-

“Not sure what Cllr Stephenson is implying is he trying to say the council shouldn't comply with the 2015 anti-slavery laws.

Officers are currently working on the proposals outlined in the motion. Plans have been developed for the 25 members of the procurement team to complete the online training which will take place by the end of December. This training is free of charge.”

Councillor Andrew Stephenson asked the following supplementary question:-

“How many cases of anti-slavery have SBC reported because Cleveland Police have not prosecuted anyone?”

The Leader of the Council responded with:-

“There have been a number of cases in the Tees Valley area. The police are arresting people and putting them on trial. If you had asked that original question I could have had the details for you.”

The following question had been submitted by Councillor Ray Godwin for response by the Cabinet Member for Environment and Transport:-

“Can the Cabinet Member for Environment and Transport please tell us why a tens of million pound bypass into Ingleby Barwick is limited in the traffic it can take due to having 7.5T weight restrictions on every exit of the roundabout as it enters Ingleby Barwick? If Ingleby Barwick is now classed as a town and not a housing estate surely it must be expected to take its proportion of large goods traffic on its main artery roads especially when diversions are in place on the A19 and A66?”

The Cabinet Member for Environment and Transport responded with:-

“Where there is an incident or planned closure of the A19, Highways England have a requirement for the provision of the shortest route. It is recognised that Thornaby provides this due to its close proximity to the A19.

If there is concern that during normal traffic patterns there are more HGVs using local roads in Thornaby than would be expected, other than for access, then as Cabinet Member I would welcome discussions over those concerns so that I can have them investigated and identify solutions.”

Councillor Ray Godwin asked the following supplementary question:-

“There is a disparity between Thornaby and other parts of the Borough. Since Ingleby Barwick’s incarnation the traffic volume in Thornaby has increased tremendously from traffic to and from Ingleby Barwick and the traffic to and from the A66 and the A19. The new bypass gives a very clear link between A19 and A66 and yet it is impossible to use that bypass and the very good road network at Ingleby Barwick when there are diversions in place which means that all the traffic goes through Thornaby. Can I seek re-assurance that this issue is looked at?”

The Cabinet Member for Environment and Transport responded with:-

“The shortest route to get traffic back on the A19 is through Thornaby and because Highways England look for that this is what would happen. The last thing we want to do is to create a rat run and if we lifted those weights that would create a rat run. This would also cause more traffic congestion in Thornaby. I’m more than happy to sit down with you and officers to look for a solution.”

C 64/19 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 September and since then Cabinet had met on the 17 of October and the 14 of November and considered the following matters:

- The Director of Public Health’s Annual Report
- The Annual Audit Letter
- The 2019 Childcare Sufficiency Assessment
- The SEND Inspection and Written Statement
- The School Organisation Plan
- School Performance
- The Economic Climate Update
- The 2019 Greenhouse Gas Emissions Report
- The Corporate Peer Review
- The Procurement Plan for higher value contracts
- The Member Development Charter Plus reaccreditation
- Support to the Voluntary, Community and Social Enterprise Sector
- Adoption Tees Valley annual performance report
- The Council Plan mid-year update

- The Scrutiny review of accommodation and buildings
- The Inspection of Local Authority Children's Services action plan
- Local Authority Governor Nominations
- The Affordable Loan Scheme for Vulnerable Homeowners
- The 2018/19 Fuel Poverty Estimates and summary of Affordable Warmth Measures
- The Private Hire and Hackney Carriage Licensing Policy Consultation
- The Wynyard Master Plan
- The Tees Valley Future Waste project

And a great 6month update from the Big Committee on their

- Bright Minds, Big Futures – Big Plan

Looking ahead, Cabinet would next meet on the 12 of December and consider reports on:

- The 2019 Events round-up and the memorial lighting calendar
- Council owned companies board membership
- The Financial update and Medium-Term Financial Plan
- The Local Government Boundary Commission Electoral Review of the Borough
- The Learning and Skills Service Annual report
- The Children's Service performance update
- The School performance report for vulnerable pupils

Cabinet would then meet on the 23January and consider reports on:

- A Community Cohesion strategy
- The Independent Safety Advisory Group – Annual Report
- The Rail Heritage Bi-centenary proposals
- The 2019 residents' Survey
- The Economic Growth Plan and Economic Climate update
- The Scrutiny review of Domestic Violence
- The Scrutiny Review of the protection of vulnerable older residents at home
- A Yarm Parking update
- The Scrutiny Review of the Area Transport Strategy

The Leader of the Council reminded Members that the Stockton Sparkles Festival would starts shortly. The Sparkles Festival would be a little different with a Victorian Christmas Fair running from the launch night until Sunday 1 December, there would be lots of new attractions and of course the popular Christmas Market from the 5 to the 8 of December. The Mayor's Carol Services would also take place at Stockton Parish Church on the 5 and 6 of December this year.

After that the Leader of the Council looked forward to seeing Members at next meeting on the 29 of January.

Members stood in a minute's silence as a mark of respect for Paul Saunders.