

Council

A meeting of Council was held on Wednesday, 22nd July, 2020.

Present: The Worshipful the Mayor (Cllr Mohammed Javed), 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 Ken Dixon, Cllr Lisa Evans, Cllr Kevin Faulks, Cllr Luke Frost, Cllr Clare Gamble, Cllr John Gardner, Cllr Ray Godwin, Cllr Lynn Hall, Cllr Tony Hampton, Cllr Stefan Houghton, Cllr Barbara Inman, Cllr Eileen Johnson, Cllr Paul Kirton, Cllr Mrs Ann McCoy, 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 Norma Stephenson O.B.E, Cllr Mick Stoker, Cllr Ted Strike, Cllr Marilyn Surtees, Cllr Laura Tunney, Cllr Hilary Vickers, Cllr Matthew Vickers, Cllr Steve Walmsley, Cllr Mrs Sylvia Walmsley, Cllr Alan Watson, Cllr Sally Ann Watson, Cllr Paul Weston, Cllr Julia Whitehill, Cllr Bill Woodhead MBE and Cllr Barry Woodhouse.

Officers: Julie Danks (MD); Margaret Waggott, Nigel Hart, Michael Henderson, Sarah Whaley, Peter Bell (DS); Beccy Brown, Julie Butcher (HR,L&C), Garry Cummings (F&BS).

Also in attendance: None.

Apologies: Cllr Tina Large, Cllr David Minchella, Cllr Stephen Richardson and Cllr Andrew Stephenson.

C 9/20 Welcome

The Worshipful the Mayor welcomed everyone to the meeting and outlined the arrangements for the meeting.

C 10/20 Declarations of Interest

Councillor Steve Nelson declared a personal non prejudicial interest in respect of agenda item 6 - Council Plan 2020-23 and agenda item 7 - MTFP Outturn March 2020 and Current Year 2020/21 as he was a Director of Thirteen.

C 11/20 Minutes

Consideration was given to the minutes of the meetings held on 29 January 2020 (Special), 29 January 2020 (Ordinary), 26 February 2020 (Special) and 24 June 2020 (Annual Council).

RESOLVED that the minutes of the meetings held on 29 January 2020 (Special), 29 January 2020 (Ordinary), 26 February 2020 (Special) and 24 June 2020 (Annual Council) be confirmed and signed as a correct record subject to the following correction to the minutes of the meeting held on 24 June 2020 (Annual Council):-

Add:-

**C
2/20** Minute's Silence

Members stood in a minute's silence as a mark of respect to all of people who have sadly passed away due to coronavirus.

**C
3/20** Address by the Worshipful the Mayor

The Worshipful the Mayor, Councillor Lynn Hall addressed the meeting to thank the charities she had supported and to all those that had supported her during year in office. The two nominated charities were Great North Air Ambulance Service and Neo Angels. The Worshipful the Mayor also gave a donation to Butterwick Hospice, as well as raising money for the charities linked to the three Armed Forces that have freedom of the borough (REME, The Rifles, and The Yorkshire Regiment).

C
12/20 **Public Question Time**

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

C
13/20 **Council Plan 2020-23**

Consideration was given to a report that presented a Council Plan for 2020-23.

The Council Plan set out the vision for the Borough looking forward to 2023 and the key priorities the Council would be working on as the Council in the coming years to bring the vision to life.

The Plan set out what the Council wanted the Borough to be:

- A place where people are healthy, safe and protected from harm
- A place that is clean, vibrant and attractive
- A place with a thriving economy where everyone has opportunities to succeed

Discussion sessions were held on 12th and 14th February 2020 for Members to discuss the Council Plan and the Medium Term Financial Plan. Cabinet considered the Council Plan at its meeting held on 27 February 2020 and a copy of the relevant minute extract was attached to the report. The Council Plan was due to be approved at Full Council in March 2020 but this meeting was cancelled due to the Coronavirus pandemic.

The Council Plan was attached to the report. The version had been revised since the version endorsed by Cabinet in February 2020 to start to take account of the impact of Coronavirus. There had been no change to the 3 elements of the vision described in paragraph 2 above as these remain the same despite the current circumstances. The main addition was a description of the approach the Council was taking to understand the impact of Coronavirus on the priorities the Council planned to work on this year and the long term impact upon the Borough.

RESOLVED that the Council Plan 2020-23 be approved.

C
14/20 **MTFP Outturn March 2020 and Current Year 2020/21**

Consideration was given to a report that updated Members on the financial

performance and position as at 31 March 2020 which showed an improvement in Revenue Balances of £332,000.

The report also summarised the Council's financial position for 2020/21 in the context of the Covid 19 situation and considered emerging implications for the Medium Term Financial Plan.

The Council was seeing a number of related financial pressures across a range of service areas in responding to the Covid pandemic. Whilst it was difficult to forecast the position due to the uncertainty of timescales for the pandemic response, the pressures were estimated at around £17m based on experience of the first 3 months of the year.

Government announcements indicated that Council's would receive funding to cover the financial impact of the pandemic. The Council had received £11m and the Government had announced further funding on 2 July 2020 which would provide additional support. Whilst this was still being analysed, it was unlikely that it would cover the overall costs.

Members were aware that the Council retained revenue balances of £7.4m to deal with urgent financial pressures which could not be predicted. Given the position reflected those circumstances and so not to de-stabilise the Council's year's budget position, should Government funding not be received then it was suggested balances should be used. These would need to be replenished as part of the 2021/22 budget process

The pressures associated with Council Tax and Business rates collection were being closely monitored to assess the impact for the current and future years. Any shortfall in the current year would mean a shortfall on the Collection Fund which would need to be funded in 2021/22.

The financial position was being closely monitored including work to assess impact on 2021/22 and future years. This was made more difficult given the uncertainty of Government funding and a further report would be presented as part of the 2021/22 budget process.

Whilst there was no impact on the Council's MTFP, there was a continued national pressure in respect of Dedicated Schools Grant, specifically in relation to Special Education Needs and Disabilities, and this results in a pressure of £4.4m for Stockton. Again, this was a National issue and lobbying was taking place.

The Capital budget up to 2022 was attached to the report and summarised in a table contained within the report.

Members noted that the programme had been updated to reflect the approvals contained within the 2020/21 Budget Report and to reflect changes to the programme resulting from the sourcing of external funding. The changes were summarised in an attachment to the report. The Programme had also been updated to reflect schemes which had completed in 2019/20.

Cabinet had consider the matter at its meeting held on 16 July 2020 and a copy of the relevant minute extract had been circulated to Members.

Members received an addendum to the original report that outlined that following publication of the Cabinet and Council reports the local authority had received confirmation of an additional allocation of Covid support grant funding. It was therefore necessary to update the report and the recommendation to Council to reflect this additional funding.

The following changes were made to the body of the report:

Paragraph 14 - add:

On Thursday 16th July local authority level allocations were announced from the national £500m additional support fund. The allocation for Stockton was £1.792m. This further allocation increased the total support funding allocation in 2020/21 from £11.023m to £12.815m.

Paragraph 28 - The table be revised as below to reflect the increase in grant funding:

Area	£'000
Adult Social Care	- 4,000
Children's Social Care	- 3,500
PPE and other Direct Covid Costs	- 800
Tees Active Support	- 2,000
Waste	- 1,000
Reduction in income	- 4,000
Capital Scheme – Globe	- 1,200
Capital Scheme – Ingleby Barwick Leisure Centre	- 500
Total	- 17,000
Covid Grant	- (12,815)
Net Position	- 4,185

The above table indicated that the pressures and costs exceed the grant available and that there would be a financial pressure of around £4.2m.

The final sub paragraph be amended to the following:

If the funding was not sufficient to cover the pressures, it be recommended that this be funded from general balances. Based on a worst case scenario of no additional funding, this would mean that general fund balances would reduce from £7.732m outlined in paragraph 9 to £3.532m. The level of balances would need to be replenished in the 2021/22 budget back to the £7.4m level at a cost of £3.868m.

Paragraph 30 - The third bullet point is amended to:

- The Council would need to plan to replenish balances by up to £3.868m

and fund the deficit on the collection fund.

Moved by Councillor Bob Cook, seconded by Councillor Nigel Cooke that:-

1. The draft outturn position for the year ended 31 March 2020 be noted.
2. General Fund Balances of up to £4.2m be used to supplement the Government funding to resolve the financial pressures summarised in paragraph 28 of the main report.

The following amendment was move by Councillor Ted Strike, seconded by Councillor Ray Godwin:

“The funding that has been allocated for the Globe be removed from the report and subsequent recommendations and that a special meeting of Council be arranged to consider the matter once Members receive a full set of accounts for the Globe project.”

A vote took place and the amendment was not carried.

A vote then took place on the substantive motion.

The substantive motion was agreed.

RESOLVED that:-

1. The draft outturn position for the year ended 31 March 2020 be noted.
2. General Fund Balances of up to £4.2m be used to supplement the Government funding to resolve the financial pressures summarised in paragraph 28 of the main report.

C
15/20

Appointment of Independent Remuneration Panel

Consideration was given to a report that detailed a request for Council to consider proposals regarding the re-establishment of the Authority’s Independent Remuneration Panel with the terms of office of the former Panel having expired on 31st May 2020.

Regulations required that a Panel of at least three members be established, however, the Council’s Constitution stipulated that the Panel should comprise four members, with a quorum of 3. None of the Panel members must be serving elected Members of the authority in respect of which it makes recommendations, nor a member of a committee or sub-committee of such authority. Panel Members must also not be disqualified from being or becoming a member of an authority.

The three former members of the Panel, whose term of office had expired on 31st May 2020, had indicated a willingness to continue in their role. A fourth

person had also been identified who, it was considered, would be suitable to sit on the Panel, going forward. Kate Hoskin, who had held senior positions in the Civil Service, had indicated her willingness to be considered for a position on the Panel. Details of each of the appellants for the role were submitted.

The functions of the Panel were also noted, and it was proposed that the terms of office of the Panel Members be up to 31 May 2024, unless they are removed, resign or otherwise leave office before then.

Moved by Councillor Bob Cook, seconded by Councillor Jim Beall that:-

1. The Independent Remuneration Panel be established comprising the persons specified at Appendix 1 to the report.
2. The terms of office of the Panel Members be for the period up to 31st May 2024.
3. The right is reserved to remove any one or more of the Panel members at any time as indicated in paragraph 12 of the report.
4. Tony Campbell be appointed as the Chair of the Panel.
5. The Panel's functions as detailed in the Council's Constitution, and detailed in Appendix 2 to the report, be noted.
6. The allowances for the Panel's work are as specified at paragraph 13 of the report.

Moved by Councillor Tony Hampton, seconded by Councillor Tony Riordan that the recommendations remain as above except:-

4. The Panel appoint a Chair at their first meeting.

A vote took place and the amendment was not carried.

A vote then took place on the substantive motion.

The substantive motion was agreed.

RESOLVED that:-

1. The Independent Remuneration Panel be established comprising the persons specified at Appendix 1 to the report.
2. The terms of office of the Panel Members be for the period up to 31st May 2024.
3. The right is reserved to remove any one or more of the Panel members at any time as indicated in paragraph 12 of the report.

4. Tony Campbell be appointed as the Chair of the Panel.
5. The Panel's functions as detailed in the Council's Constitution, and detailed in Appendix 2 to the report, be noted.
6. The allowances for the Panel's work are as specified at paragraph 13 of the report.

C
16/20 **Appointments / Amendments to Committees for 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 / amendment had been received and are presented for Council consideration:-

Planning Committee

Remove Councillor Chris Clough (WW)
Add Councillor Helen Atkinson (WW)

TVCA – Overview and Scrutiny Committee – Named Substitutes

Named Substitute Councillor Eileen Johnson (Lab) for Councillor Chris Barlow (Lab)
Named Substitute Councillor Pauline Beall (Lab) for Councillor Norma Stephenson (Lab)
Named Substitute Councillor Lynn Hall (Cons) for Councillor Tony Riordan (Cons)

Local Government Association – General Assembly

Remove Councillor Matthew Vickers
Add Councillor Tony Riordan

RESOLVED that the above amendments / appointments be agreed.

C
17/20 **Motion**

The following motion had been submitted in accordance with Council Procedure Rule 3.40. The motion was moved by Councillor Norma Stephenson, seconded by Councillor Steve Nelson:-

“This council is wholly opposed to racism and joins with people around the globe in condemning the killing of George Floyd.

Here in Stockton-on-Tees we have a fine record of standing together against racism, as is evidenced by our annual commitment to the ‘Show Racism the Red Card’ campaign.

We therefore reaffirm our commitment to stand in solidarity with our brothers and sisters in the US, the UK and around the world, in sharing the vital message that Black Lives Matter.

We're proud to show our allegiance with people taking a stand against racism, calling out that Black Lives Matter and fully support the right of local people to engage in peaceful protest, even in these difficult times, when an issue is so important that they have to make their voices heard.

As people feel moved to attend organized protests, we ask that they remember that right now it's safest for everyone to observe social distancing throughout."

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

C
18/20

Members' Question Time

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

"If government limitation of council tax increases is breached triggering a referendum, what is the mechanism for carrying out said referendum?"

Councillor Steve Walmsley informed the meeting that he was withdrawing his question.

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

"There are a lot of angry and concerned parents in the borough over the new rules for "paid for seats" on school buses following SBC's new interpretation of the PSVA regs 2000. Can you advise me how SBC intend to ensure the 90 or so children, including approximately 30 from Ingleby Barwick are safe on their journeys to and from school."

The Cabinet Member for Environment and Transport responded with:-

"The Public Service Vehicle Accessibility Regulations 2000 (PSVAR) is legislation which describes the accessibility requirements for public service vehicles. It requires all busses and coaches designed to carry more than 22 passengers and used on local or scheduled services to be fully accessible, and from 1st January 2020 all older busses and coaches are required to be in scope.

Where transport is provided to the pupil free of charge (which is the case for children who are eligible for free home to school transport), then the regulations do not apply. However, where a separate fare is paid, the vehicle will be required to fall in-scope. It only requires one pupil paying a fare (or accessing a paid for seat), for the vehicle to be required to comply with the regulations. This is government legislation and is not Stockton's interpretation or something that

we have discretion over.

The regulations will impact around 90 children who live in Stockton from September 2020 and this was communicated to parents and councillors in December 2019.

From September 2020 we are unable to provide travel assistance for those pupils who are not eligible under policy, and it will be the responsibility of parents to ensure pupils travel to and from school safely.”

Councillor Ted Strike asked the following supplementary question:-

“Would the cabinet member advise if the council contacted the Department of Transport to see if our interpretation was correct?”

The Cabinet Member for Environment and Transport responded with:-

“The regulations and changes for the 90 children was advised to the parents in 2019 as we are unable to support them financially, we are though trying to find a solution to the situation.”

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

“A little over twelve months ago I asked at the Special Full Council meeting whether or not the money asked for then would be the last time that public funds would be used to prop up the Globe Project. The Leader of the Council responded with “hopefully”, can the Leader now offer a definitive answer that this, once again, will be the final time that public funds will be used to prop the Globe?”

The Leader of the Council responded with:-

“I can confirm that prior to the impact of the restrictions, introduced due to Covid-19, the Globe was due to be complete within the Budget established and set at the Special Council meeting referred to in the question.

The project would have been complete within the revised budget, by November 9th 2020.

Covid-19 restriction has resulted in unprecedented circumstances across the World and not surprising has impacted upon Council services and projects presenting many financial challenges.

The Globe project remains a very important project for the Council and one we will continue to prioritise.

We are also working with National Lottery Heritage Fund, who have recognised the challenge Covid-19 restrictions have introduced to some of the capital projects they are supporting.

We are therefore seeking an increase in grant, to help reduce some of the financial impact of Covid-19 costs on the Council.

We will, however, continue to support the delivery of all the Council's priorities, during these unprecedented times.”

Councillor Luke Frost asked the following supplementary question:-

“Can the Leader of the Council explain what contractual obligations the Council has should the public have to pay any more funds into this shambolic project?”

The Leader of the Council responded with:-

“The events of Covid that have happened recently are classed as “unforeseen event – force majeure” within the contract. Neither party is at fault here.

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

“With two (at the time of writing) pubs having publicly made a statement about customers who have tested positive for Covid, what are we doing to ensure that pubs and eateries are safe for people to use and what are the ramifications for those establishments that disregard the guidance?”

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

“As part of our outbreak prevention plans for key settings and communities, we are working with businesses through our existing relationships to support their planning to protect their staff, customers and the community. This includes advice around use of outside space for seating and signage to encourage social distancing on streets where premises are located.

Under our Local Outbreak Control Plan, we have set up a Local Outbreak Engagement Group, chaired by the Leader and involving Ward Cllrs as necessary, to lead on messaging – both preventative and for containment. Under its umbrella, we are developing public health key messages for businesses to promote control measures such as social distancing and hand hygiene among staff and customers and the importance of reporting symptoms and testing. Our prevention plans will also include support around practical implementation of infection control advice where needed.

We always seek to work together with local businesses on protecting population health and in the majority of cases do not need to use our enforcement powers. However where needed, we are able to use the powers available to local authorities in preventing the spread of infectious disease and protecting the public's health, to enforce action by businesses (including closure in more extreme circumstances).”

Councillor Luke Frost asked the following supplementary question:-

“To help local businesses would the Council consider waiving the £100 fee for the pavement licence?”

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

“I will get you a written response to that supplementary question as that is not within my portfolio.”

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

“With parks and playgrounds reopening to the public, what are we doing to ensure that families are safe?”

The Cabinet Member for Environment and Transport responded with:-

“As per government guidance, all play areas were closed for public use until relaxations were made and play areas were allowed to reopen on Saturday 4th July 2020.

Throughout their closure, all play areas were visited regularly to ensure that ‘closure’ signage and hazard tape was in place. In advance of play areas re-opening, a full safety inspection of all sites was undertaken as well as an overarching play area risk assessment was also completed in line with current government guidelines as well as health and safety best practice.

Play areas were all safe to open after signage had been placed at the entrances and other applicable locations to make users aware of current guidance around social distancing, hand washing as well as the importance of parental control for younger children.

The safety inspection of play areas has commenced in line with health and safety best practice and in line with our own policy, at which time a check will be made to ensure that Covid signage is in place. Any signs which are missing will be replaced.”

Councillor Luke Frost asked the following supplementary question:-

“Government guidelines had been issued for the cleaning of playgrounds, are we doing that?”

The Cabinet Member for Environment and Transport responded with:-

“Yes we have been cleaning and putting up signs in line with best practice and RoSPA and Covid guidance.”

The Cabinet Member also advised he would send his response to the original question in writing to Cllr Frost as he had missed some of it due to connection difficulties.

C 19/20 **Forward Plan and Leaders Statement**

This was the first full meeting of Council since the Annual Meeting on 24 June 2020. Since then Cabinet met virtually on 16 July 2020 and considered the following matters:

- The Xentrall Annual Report for 2019/20
- A Covid-19 update report
- A report on the Business & Planning Act 2020 regarding Pavement Licences and Modifications to Premises Licences under the Licensing Act 2003
- The Children's Services Progress Update and report on the award of a planned higher value contract
- The Adoption Tees Valley annual report

And,

- A report on the Tees Valley Future Waste Energy Recovery Facility

- Cabinet also considered two reports which have been considered here this evening:
 - o the MTFP Outturn report for March 2020 and current year update, and
 - o a report on the appointment of the Independent Remuneration Panel

Looking ahead, Cabinet would next meet on the 17 September 2020 and consider reports on:

- The Annual report for the Borough from the Local Government and Social Care Ombudsman.
- An MTFP update report

And,

- A report on the Local Government Boundary Commission Ward Boundary Review

After that the Leader of the Council looked forward to the next meeting on the 23 September 2020.

Normally at this point the Leader of the Council would highlight some of the summer events coming up. This year was different, but it wouldn't be the summer without SIRC. So this year despite not being able to deliver the festival on Stockton High Street the Council would be bringing it to audiences in a new way through "SIRC at Home":

- World class performances that were planned for 2020 would be delivered digitally over the SIRC website and social media channels
- The Council would also be showing archive footage of classic SIRC moments.
- And even the SIRC Community Carnival had gone virtual. The Council would be using all the pictures and films of the creations and contributions sent in by members of the public to create a virtual community carnival parade which

would be broadcast on 1 August 2020.

Finally, the Leader of the Council would like to finish by saying a few words of support for the Mayor's new approach to raising funds for his charities this year. It would be an unusual civic year because of the pandemic and unfortunately one of the consequences was that some of the opportunities to raise funds for the Mayor's charities would not be possible. So the Mayor had set up a fundraising page on the Go Fund Me website and the Leader of the Council would be supporting him as he uses it to raise funds for Macmillan Cancer Support, The Great North Air Ambulance and the Halo Project. The Leader of the Council wished him all the best with his fundraising activities and the Leader of the Council was sure they would be a great success.