

Council

A meeting of Council was held on Wednesday, 18th November, 2020.

Present: Deputy Mayor (Cllr Kevin Faulks), Cllr Helen Atkinson, Cllr Louise Baldock, Cllr Chris Barlow, Cllr Jim Beall, Cllr Pauline Beall, Cllr Carol Clark, Cllr Robert Cook, Cllr Nigel Cooke, Cllr Evaline Cunningham, Cllr Ian Dalgarno, Cllr Ken Dixon, Cllr Lisa Evans, Cllr Luke Frost, Cllr Clare Gamble, Cllr John Gardner, Cllr Ray Godwin, Cllr Lynn Hall, Cllr Stefan Houghton, Cllr Barbara Inman, Cllr Eileen Johnson, Cllr Paul Kirton, Cllr Tina Large, Cllr Mrs Ann McCoy, Cllr David Minchella, Cllr Mick Moore, Cllr Steve Nelson, Cllr Mrs Jean O'Donnell, Cllr Ross Patterson, Cllr Maurice Perry, Cllr Lauriane Povey, Cllr Stephen Richardson, 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 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); Becky Brown, Julie Butcher (HR,L&C), Garry Cummings (FDBS), Ann Workman (AS), Martin Gray (ChS), Reuben Kench (ECLE), Richard McGuckin (TCI), Jamie McCann (CS).

Also in attendance: None.

Apologies: Cllr Jackie Bright, Cllr Tony Hampton, Cllr Mohammed Javed and Cllr Laura Tunney.

C **Welcome** **30/20**

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

C **Declarations of Interest** **31/20**

Councillor Nigel Cooke declared a personal, non-prejudicial interest in respect of agenda item 11 - Licensing Act 2003 – Statement of Licensing Policy Review 2021 as he was a non-remunerated board member of Tees Music Alliance who operated two premises within the Borough.

C **Minute's Silence – Councillor Julia Cherrett** **32/20**

Members were aware of the very sad news that Councillor Julia Cherrett had passed away.

Councillor Cherrett had represented the Bishopsgarth and Elm Tree ward on Stockton-on-Tees Borough Council since being elected 2005.

Councillor Cherrett served on several council and partner committees and served as chair and vice chair of the Housing and Community Safety Select Committee.

Councillor Cherrett would be missed by the residents of Bishopsgarth and Elm Tree.

Members stood in a minute's silence as a mark of respect for Councillor Julia Cherrett.

C **Minutes**

33/20

Consideration was given to the minutes of the meeting held on 23 September 2020.

RESOLVED that the minutes of the meeting held on 23 September 2020 be confirmed and signed as a correct record.

**C
34/20**

Public Question Time

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

**C
35/20**

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 Tony Hampton was incapacitated due to illness and had been unable to attend any meeting of the authority for a period in excess of 3 months. Councillor Tony Hampton was unlikely to be able to attend a meeting soon and had requested that Council considers granting him a dispensation.

RESOLVED that Councillor Tony Hampton be granted a dispensation to allow him to remain qualified until such time as he can attend a meeting of the Council.

**C
36/20**

Appointments / Amendments to Committees, Joint Bodies and Cleveland Police and Crime Panel

vacancies in the Council had created vacancies in a number of its Committees and Panels. Additionally, two members of the Council were no longer members of political groups and were single, non-grouped, members.

As such, they had no automatic right to the seats on Council Committees, that they held. However, Council may allocate seats to those members, if it wished.

In order to fill the vacancies and achieve/move toward political proportionality on each Committee involved, a process had been undertaken where the vacant seats had been offered to relevant political groups.

The outcomes of that process, and the names of the members nominated, were detailed within the report.

Following the above process, any remaining vacancies, or seats held by non-grouped members, were offered to all political groups. The three non-grouped members were also given the opportunity of indicating if they

wished to retain seats that they held and/or nominate themselves to any of the vacancies. Details of the Committees and nominations received were provided within the report.

Nominations for the position of Vice Chair of Executive Scrutiny Committee were also detailed within the report.

Changes to political composition, across the membership of the local authorities that make up the Cleveland Police Force area, meant that a recalculation and reallocation of seats on the Cleveland Police and Crime Panel had been necessary.

Details of the required change, to Stockton on Tees Borough Council's representation on the Panel, was detailed within the report.

At this point members agreed the uncontested seats.

RESOLVED that the following appointments be made to the Committees and Panels for the Municipal Years 2020 – 2023 as listed:-

Executive Scrutiny Committee (2 seats) 1 Lab, 1 TIA - Cllr Jean O'Donnell and Cllr Luke Frost

General Licensing Committee - 1 Lab - Cllr Bob Cook

Statutory Licensing Committee - 1 Lab - Cllr Bob Cook

Employee Appeals Committee - 1 FYI or IBIS - Cllr William Woodhead MBE

Appeals and Complaints Committee - 1 FYI or IBIS - Cllr Maurice Perry

Standards Panel X 2 - 2 Con - Cllr Lynn Hall and Cllr Tony Riordan

Members' Advisory Panel – FYI - Cllr William Woodhead MBE

Corporate Parenting Board - Cllr Pauline Beall

People Select Committee - Cllr Helen Atkinson

Place Select Committee - Cllr Maurice Perry

Cleveland Police and Crime Panel – Remove Cllr Steve Walmsley – Add Cllr Stefan Houghton

River Tees Port Health Authority – Con – Cllr Hilary Vickers

At this point Members considered the contested seats.

Moved by Cllr Sylvia Walmsley, seconded by Cllr Ray Godwin that Cllr Ian Dalgrano be appointed to the Planning Committee for the Municipal Years 2020 – 2023.

Moved by Cllr Maurice Perry, seconded by Cllr Andrew Sherris that Cllr Bill Woodhead MBE be appointed to the Planning Committee for the Municipal Years 2020 – 2023.

At this point a vote took place.

RESOLVED that Cllr Bill Woodhead MBE be appointed to the Planning Committee for the Municipal Years 2020 – 2023.

Moved by Cllr Norma Stephenson, seconded by Cllr Bob Cook that Cllr Eileen Johnson be appointed to the Audit and Governance Committee for the Municipal Years 2020 – 2023.

Moved by Cllr Tony Riordan, seconded by Cllr Lynn Hall that Cllr Ted Strike be appointed to the Audit and Governance Committee for the Municipal Years 2020 – 2023.

At this point a vote took place.

RESOLVED that Cllr Eileen Johnson be appointed to the Audit and Governance Committee for the Municipal Years 2020 – 2023.

At this point Cllr Ted Strike withdrew his nominations for the Appointments Panel and the Standards Panel.

RESOLVED that the following appointments be made to the Panels for the Municipal Years 2020 – 2023 as listed:-

Appointments Panel – Cllr Carol Clark
Standards Panel – Cllr Barry Woodhouse

Moved by Cllr Sylvia Walmsley, seconded by Cllr Mick Moore that Cllr Ian Dalgarno be appointed as Vice Chair of the Executive Scrutiny Committee for the Municipal Years 2020 – 2023.

Moved by Cllr Bill Woodhead MBE, seconded by Cllr Andrew Sherris that Cllr Maurice Perry be appointed as Vice Chair of the Executive Scrutiny Committee for the Municipal Years 2020 – 2023.

Moved by Cllr Lynn Hall, seconded by Cllr Julia Whitehill that Cllr Tony Riordan be appointed as Vice Chair of the Executive Scrutiny Committee for the Municipal Years 2020 – 2023.

At this point a vote took place.

RESOLVED that Cllr Maurice Perry be appointed as Vice Chair of the Executive Scrutiny Committee for the Municipal Years 2020 – 2023.

C 37/20 **Constitution Update**

Consideration was given to a report that sought Council approval for the changes required to update the version of the Constitution which has been in place since May 2019.

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, para 1.37 of the Stockton on Tees Borough Council Constitution includes the following provisions:

Para 1.37 “The Monitoring Officer on behalf of and in consultation with the Managing Director, will monitor and review the operation of the Constitution on a regular basis, in order to ensure that it is up to date and may make amendments to ensure that legislative references are updated, it reflects the Councils structures and decision-making requirements and any other required changes are made.”

Para. 2.4 “The Council will adopt the Council’s Constitution and approve amendments to it (except where specifically delegated to the Monitoring Officer).”

The Council had adopted a new constitution for the Authority in December 2018 with an implementation date from the Annual Meeting held on 22 May 2019.

In line with the requirements of the Constitution a review had been undertaken to ensure that it remained up to date. The proposed amendments to the Constitution had been collated and a full “track changes” version of the May 2019 Constitution was available as a background paper to the report. The complete document with track changes details all proposed amendments including minor typographical and grammatical changes, updates to Council Structures and job titles and portfolios.

The report detailed the substantive changes that were proposed.

RESOLVED that the proposed amendments identified in the report and supporting papers be approved.

**C
38/20**

Ward Boundary Review – Phase 2 – Warding Patterns Consultation

Cabinet, at its meeting held on 17th September 2020, recommended to Council approval of the proposed Council Size submission as part of the Local Government Boundary Commission Stockton on Tees Electoral Review 2020. This submission was subsequently approved by Council and forwarded to the Local Government Boundary Commission (LGBC) for comment.

Cabinet noted that the Commission had now responded and confirmed that they had approved our future Council Size of 56 Members; a decision which should now be applied when considering the next phase of the consultation, Phase 2 examining warding patterns.

Phase 2 – Consultation on Warding Patterns commenced with all elected members from 24th September – 29th October 2020 and the results from this consultation were summarised at Appendix 1 to the report.

The deadline for submission of comments as part of this consultation was scheduled to end on 11th January 2021 and comments can be submitted direct to LGBC via their website.

The Commission's decision on council size will not be formalised until the Final Recommendations are agreed and published at the end of August 2021.

RESOLVED that the responses received as part of Phase 2 Warding Patterns consultation be noted and be submitted to The Local Government Boundary Commission for England.

C
39/20 **Licensing Act 2003 – Statement of Licensing Policy Review 2021**

Council considered a report on a proposal to readopt the current Statement of Licensing Policy which was statutorily due to renew by January 2021 until such a time as temporary legislation etc ceased, and there was sufficient and meaningful consultation carried out with licence holders in the hospitality trade and relevant stake holders.

The Licensing Act 2003 required all Local Authorities to develop a Statement of Licensing Policy, and policies were to be reviewed at least every five years. Recent Government advice received was for local authorities to readopt the current Statement of Licensing Policy given the impact of COVID 19 on the licensed trade, the revised government regulations and current rules impacting the trade. It was considered that this provided a pragmatic and fair approach to all those working within the licensable activity sector, whilst continuing to meet our statutory obligations under the Licensing Act 2003.

The proposal to readopt the current Statement of Licensing Policy was circulated for response to Responsible Authorities under the Licensing Act 2003 and relevant Members, as well as being advertised on the Licensing website and within all library notice boards. Comments were to be received by 26 October 2020. No comments objecting to the proposal have been received.

The Licensing Authority plan to consult with licence holders in the hospitality trade and relevant stakeholders as and when the trade regains some degree of normal trading.

RESOLVED that the current Statement of Licensing Policy be readopted.

C
40/20 **Members' Question Time**

The meeting was informed that Councillor Ray Godwin had withdrawn his question.

C
41/20 **Forward Plan and Leader's Statement**

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

Since the last meeting of Council on the 23 September 2020, Cabinet had met twice, first on the 15 October and then on the 12 November when it considered the following matters:

- A report on Customer Service Excellence
- The annual Greenhouse Gas Emissions Report
- An update on our investment in town centres
- The Economic Climate Update report
- An update on the Medium-Term Financial Plan position
- The Targeted Action Area Review
- The Licensing Policy review
- An update report on the Phase 2 of the Ward Boundary Review

And,

- A report from the Adult Social Care and Health Select Committee of their scrutiny review of Hospital Discharge

Looking ahead, Cabinet would next meet on the 17 December and then on the 21 January and consider reports on:

- An update on the 2020-2023 Council Plan
- An update from the Bright Minds Big Future Committee
- The Annual memorial lighting calendar
- The review of the Members Allowance scheme
- An update on the Medium-Term Financial Plan
- The economic climate update
- The Learning and Skills Service Annual Review
- And reports from the Scrutiny reviews of:
 - Business Support and Engagement
 - The Local Council Tax Support Scheme
 - Public Consultation
 - The cost of school uniforms
 - Fly Grazed horses
 - Planters in residential streets

The next meeting of Council would be on the 27 January 2020.

Until then the Leader of the Council hoped that everyone stayed safe and well and hoped that we start to see some improvement in the Covid situation. The Council was continuing to keep a close eye on the local position and to respond and adapt services as required. The Leader of the Council would continue to provide updates.

And to finish on a positive note, the Leader of the Council shared a short film. There had been announcements of some of the great acts that were coming to play at the Globe in 2021. Partners at ATG held a great virtual industry launch for the venue last month, which was available to watch in full on the SBC website.

