

**Date:** Tuesday 12 November 2024 at 3.00 pm

**Venue:** Jim Cooke Conference Suite, Stockton Central Library, Church Road,  
Stockton on Tees, TS18 1TU

**Cllr Sylvia Walmsley (Chair)**  
**Cllr Kevin Faulks (Vice-Chair)**

Cllr Marc Besford  
Cllr Richard Eglington  
Cllr Shakeel Hussain  
Cllr Sufi Mubeen  
Cllr Paul Rowling  
Cllr Laura Tunney

Cllr Carol Clark  
Cllr Lynn Hall  
Cllr Niall Innes  
Cllr Tony Riordan  
Cllr Marilyn Surtees

## **AGENDA**

- |          |                                      |                 |
|----------|--------------------------------------|-----------------|
| <b>1</b> | <b>Evacuation Procedure</b>          | (Pages 7 - 8)   |
| <b>2</b> | <b>Apologies for Absence</b>         |                 |
| <b>3</b> | <b>Declarations of Interest</b>      |                 |
| <b>4</b> | <b>Meeting Procedure</b>             | (Pages 9 - 10)  |
| <b>5</b> | <b>Powering our Future - Call In</b> | (Pages 11 - 40) |

**Members of the Public - Rights to Attend Meeting**

With the exception of any item identified above as containing exempt or confidential information under the Local Government Act 1972 Section 100A(4), members of the public are entitled to attend this meeting and/or have access to the agenda papers.

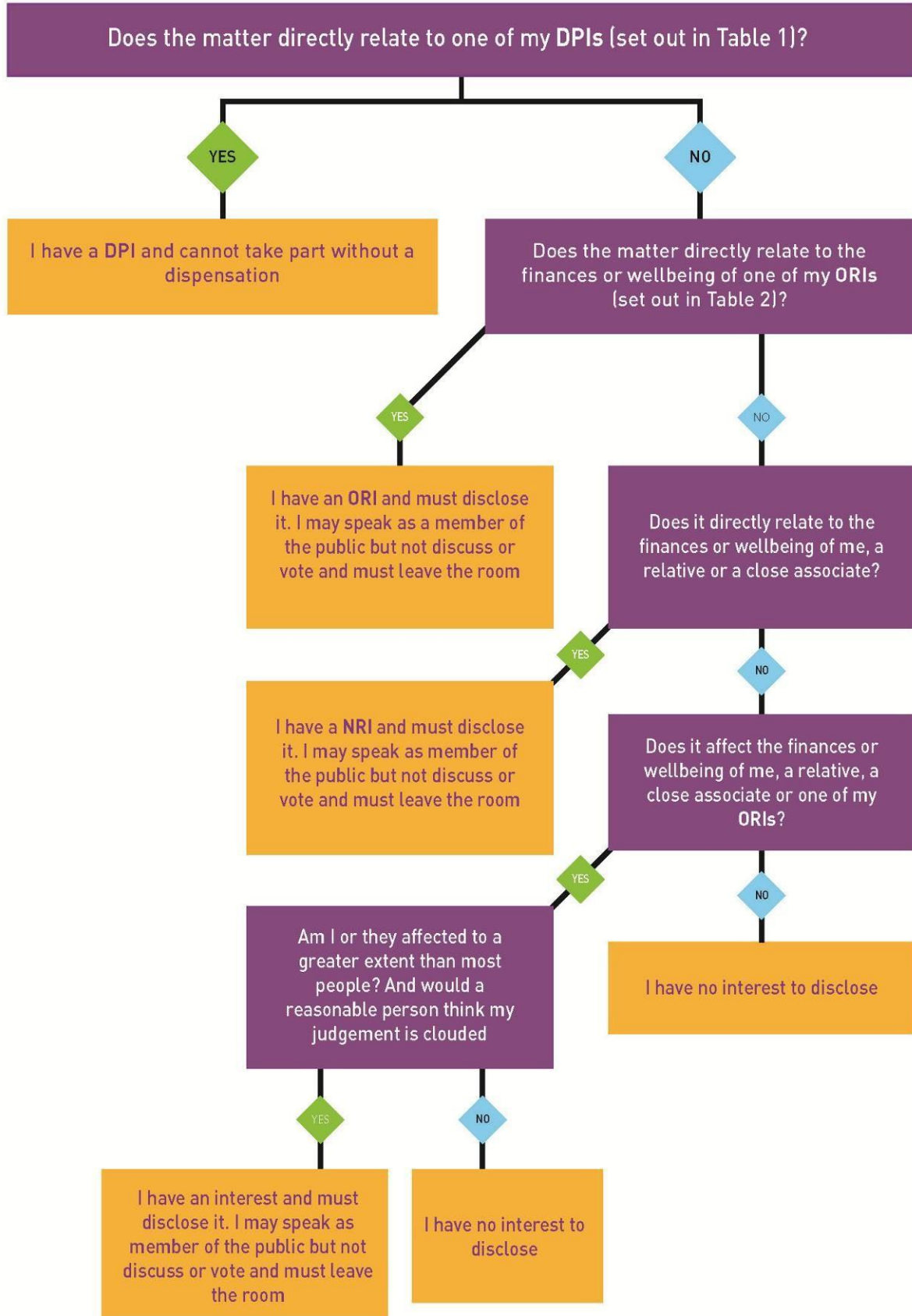
Persons wishing to obtain any further information on this meeting, including the opportunities available for any member of the public to speak at the meeting; or for details of access to the meeting for disabled people, please

Contact: Democratic Services Manager, Judy Trainer on email [Judy.Trainer@stockton.gov.uk](mailto:Judy.Trainer@stockton.gov.uk)

**KEY - Declarable interests are:-**

- Disclosable Pecuniary Interests (DPI's)
- Other Registerable Interests (ORI's)
- Non Registerable Interests (NRI's)

**Members – Declaration of Interest Guidance**



**Table 1 - Disclosable Pecuniary Interests**

<b>Subject</b>	<b>Description</b>
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain
<b>Sponsorship</b>	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
<b>Contracts</b>	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
<b>Land and property</b>	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
<b>Licences</b>	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer.
<b>Corporate tenancies</b>	Any tenancy where (to the councillor's knowledge)— (a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
<b>Securities</b>	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

\* 'director' includes a member of the committee of management of an industrial and provident society.

\* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

## Table 2 – Other Registerable Interest

You must register as an Other Registrable Interest:

- a) any unpaid directorships
- b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) any body
  - (i) exercising functions of a public nature
  - (ii) directed to charitable purposes or
  - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management

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## **Jim Cooke Conference Suite, Stockton Central Library** **Evacuation Procedure & Housekeeping**

If the fire or bomb alarm should sound please exit by the nearest emergency exit. The Fire alarm is a continuous ring and the Bomb alarm is the same as the fire alarm however it is an intermittent ring.

If the Fire Alarm rings exit through the nearest available emergency exit and form up in Municipal Buildings Car Park.

The assembly point for everyone if the Bomb alarm is sounded is the car park at the rear of Splash on Church Road.

The emergency exits are located via the doors between the 2 projector screens. The key coded emergency exit door will automatically disengage when the alarm sounds.

The Toilets are located at the front of the Library where a security code will be required to access them. Please ask a Member of Library staff for the security code.

### **Microphones**

During the meeting, members of the Committee, and officers in attendance, will have access to a microphone. Please use the microphones, when directed to speak by the Chair, to ensure you are heard by the Committee.

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**Meeting Procedure for Executive Scrutiny meeting on 12 November 2024**

At this meeting, it is suggested that the following procedure be followed, at the discretion of the Chair:

1. A spokesperson for the Members who have requested the call in, will present and explain the reasons for calling in the decision.
2. The Committee may ask questions and/or seek clarification on what has been presented. Also, with the permission of the Chair, a Member/Officer, who has been required to attend the meeting, may request clarification of any points.
3. Members who have declared personal and prejudicial interests, will be given the opportunity to make representations and respond to questioning from the Committee. Members with a personal and prejudicial interest may then leave the meeting.
4. The written response, which is marked to follow to the agenda papers, will be presented by a representative(s) from the Corporate Management Team.
5. The Committee may ask questions and/or seek clarification from Members, Officers and other interested parties who have been required/requested to attend the meeting:
  - Cllr Bob Cook – Leader of the Council
  - Corporate Management Team
6. The Committee will deliberate and come to a decision.

Executive Scrutiny Committee can take one of the following actions in response to a call in:

- If the Committee considers that the decision was taken in accordance with decision making principles, as set out in the constitution, it need take no further action and the decision will become effective immediately at the close of the meeting  
**OR**
- If the Committee has concerns about how the decision was made, in terms of the decision-making principles, it may refer it back to Cabinet for reconsideration, providing a statement of the reasons for the referral. All Members who signed the call in petition will be invited to the relevant Cabinet meeting. The Cabinet's reconsideration of the matter, and subsequent decision, (i.e. whether to amend or retract the decision) will be final.  
**OR**
- If the Committee, having taken appropriate advice, considers the decision is contrary to the Council's policy framework or approved budget/Medium Term Financial Plan, or is not within the Cabinet's remit or powers, it can refer the matter to Council.

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**EXECUTIVE SCRUTINY  
COMMITTEE**

**12 NOVEMBER 2024**

**REPORT OF THE  
HEAD OF DEMOCRATIC  
SERVICES**

## **Powering Our Future – Call In**

### **Detail**

1. The decisions of Cabinet, taken on 17 October 2024 in relation to the Powering our Future Programme has been subject to a valid call in. The call-in applies to the following decisions:

#### **RESOLVED**

1. The recommended options set out in the report in respect of the Waste and Recycling Reviews be approved:

- Introduction of charging for green waste from 1st April 2025
- Introduction of weekly food waste and recycling service from 1st April 2026 with the acquisition of associated vehicles and the development of a Waste Transfer Station
- Cease the provision of the Community Recycling Centres with immediate effect.

2. The removal of the maximum charge for non-residential care be approved.

5. The changes to car parking charges in Stockton and Yarm Town centres be approved; including the removal of the first hour free parking and introduction of the rate of £1.50 for three hours stay in short stay car parks, alongside an uplift to long stay car parking charges.

#### **Cabinet Recommended to Council:-**

10. Council approve £4.3m prudential borrowing for the acquisition of food and recycling waste receptacles, green waste bins, site preparation costs for a Waste Transfer Station and resurfacing of Wellington Square car park.

2. The reasons for call in relate to the following principles of decision making:

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from Officers;
- respect for human rights and equality of opportunity;
- a presumption in favour of openness;
- clarity of aims and desired outcomes; and
- an explanation of what options have been considered and giving the reasons for decisions
- relevant matters have not been ignored
- clarity and explanation of information provided

3. The following Members and Officers have been requested to be present at the meeting:
  - Cllr Bob Cook – Leader of the Council
  - Corporate Management Team
4. It was noted and agreed that the Director of Regeneration and Inclusive Growth and the Director of Children’s Services would not be required to attend the meeting as the matters subject to the call in do not relate to their portfolios.
5. In addition, the following Members and Officers will be attending the meeting:
  - Cllr Pauline Beall – Cabinet Member for Adult Social Care
  - Cllr Clare Besford – Cabinet Member for Environment and Transport
  - Clare Harper – Assistant Director, Finance, Transformation and Performance
  - Craig Willows – Assistant Director, Community Services and Transport
  - Angela Connor - Assistant Director, Adult Social Care
6. The documents, detailed below, are attached for consideration by the Executive Scrutiny Committee:

Call in Form  
Decision Record  
Report of Monitoring Officer  
Response Paper

Appendix 1  
Appendix 2  
Appendix 3  
Appendix 4

**Assistant Director of Head of Democratic Services**  
**Contact Officer: Jonathan Nertney**  
**Telephone No: 01642 526312**  
**Email: Jonathan.nertney@stockton.gov.uk**

## Stockton-on-Tees Borough Council

### Call-In Request Form

I/We request that the following matter be called-in for consideration by the Executive Scrutiny Committee for the reason(s) stated below.

I/We understand that a minimum of six Members of the Council excluding Cabinet Members, or two Education representatives with voting rights in respect of education matters, must submit this request before the call-in procedure is implemented.

<b>Decision making body ie. Cabinet, Officer, or Joint Arrangement</b>	Cabinet
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<b>Details of decision</b>	Powering Our Future – Programme Update
<b>Ref. number (if any)</b>	
<b>Date of decision</b>	17 <sup>th</sup> October 2024

<b>We consider that the decision is not in accordance with the following principle(s) of Paragraph 1.35 of the Constitution for the reason stated -</b>	
<b>Principle(s) (overleaf)</b>	<b>Reason(s)</b>
<ul style="list-style-type: none"> <li>• proportionality (i.e. the action must be proportionate to the desired outcome);</li> <li>• due consultation and the taking of professional advice from Officers;</li> <li>• respect for human rights and equality of opportunity;</li> <li>• a presumption in favour of openness;</li> <li>• clarity of aims and desired outcomes; and</li> <li>• an explanation of what options have been considered and giving the reasons for decisions</li> <li>• relevant matters have not been ignored</li> <li>• clarity and explanation of information provided</li> </ul>	<p>Although the Cabinet Report covers a wide range of issues, it is only the following matters that are requested to be called in.</p> <p>It is recognised that the prudential borrowing recommendations are a full council matter, however it is also recognised that Council would need the detailed information, that is lacking (in parts) within the report, to make an informed decision.</p> <p>The Cabinet Report contains the following recommendations to introduce the subsequent decisions made,</p> <p><i>Cabinet is recommended to agree the updates and recommendations to ensure that the Council continues to deliver its commitment to the Powering Our Future Missions; to address the financial challenges we face at the same time as improving outcomes for communities, including:</i></p> <ul style="list-style-type: none"> <li>• <i>Creation of opportunities to build brighter futures for our communities and reduce inequality, using the limited amount of money we have available.</i></li> </ul>

- *Carefully managing our resources, creating a new relationship with communities, while providing efficient services that are valued by our residents.*

Although the introduction reference's improving outcomes for our communities, creating brighter communities and reducing inequality, while providing efficient services valued by our residents, it is believed this is wording used simply to soften the blow and detract from the main focus of the report, which is to address the financial blackhole and problems created by under investment and neglect of the issues over many years.

The report lacks any consideration of consultation with residents, it lacks an obvious impact assessment that should have been conducted, there is no evidence provided to support the decisions that inequality will be reduced and providing efficient services valued by our customers.

#### **Waste and Recycling**

The report contains the following,

*Cabinet is recommended to:*

1. *Approve the recommended options set out in the report in respect of the Waste and Recycling Reviews:*

- *Introduction of charging for green waste from 1st April 2025*
- *Introduction of weekly food waste and recycling service from 1st April 2026 with the acquisition of associated vehicles and the development of a Waste Transfer Station*
- *Cease the provision of the Community Recycling Centres with immediate effect.*

The Cabinet report proposes to introduce an annual charge of £40 to residents from April 2025 for the collection of green waste, suggesting that the present arrangements are effectively fully subsidised by the Council. This statement is misleading, the council presently have a budget to collect this waste, and it is taken from monies provided to the council by the taxpayer. The present proposal is to effectively charge the council taxpayer

	<p>twice for the same service and provide no service for those residents who do not sign up, even though they have and continue to pay for it through council tax.</p> <p>The report recommends the borrowing of £1m to purchase 40,000 bins (£25 each).</p> <p>However, it appears only 30,000 bins will be required in years 1 and 2 (using projected income figures, 15,000 bins each year within the report) therefore the question is, why are 40,00 bins and the excess finance required. The lack of clarity around these figures needs to be explained in detail.</p> <p>No information is provided in the report to evidence why the figure of £1m has been reached (price to pay) if it has not yet been put out to tender.</p> <p>No information has been provided in the report for green waste (tonnage, ward data) collected by the council per annum despite numerous requests for this figure to be provided by officers. It is understood that a cancelled members briefing on this topic was provided to cabinet members only.</p> <p>No consultation has taken place with residents.</p> <p>The report outlines in detail the introduction of waste food collection and the associated costs with purchasing receptacle/caddies, the vehicles for collection and the making good of a waste transfer station, totalling £2.3m, and the prudential borrowing to cover the costs.</p> <p>However, the report also outlines that the government are responsible for <u>all the additional costs associated with this new burden.</u></p> <p><b><i>The introduction of weekly food waste collection is required from April 2026. Since this is a new burden to local authorities, Government is required to cover all additional costs.</i></b></p> <p>The report does not explain why borrowing is needed if the costs are to be met by government.</p> <p>Defra reported in March 2024 that new funding will cover <b>new food waste containers for homes and specialist collection vehicles</b>, targeted at local authorities that have yet to fully put food waste service in place. Why is this not referenced in the</p>
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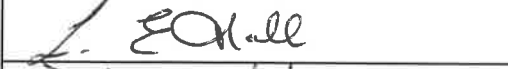


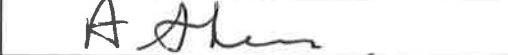
	<p>report. This is a very relevant matter and appears to have been ignored. Clarity and further information are sought.</p> <p>There is no explanation of what 'making good' a waste transfer station is defined as.</p> <p>A site has been purchased by the Council for a new waste transfer site, by way of 'urgency of decision' and by an officer seeking the agreement of the chair of the executive scrutiny committee to do so. No details are known of the costs associated with the purchase, where the finance was sought from (Defra grant or other) and why additional borrowing is required to 'make good' of the site that had to be acquired by the end of September 2024, two weeks before the report to Cabinet. The lack of clarity is disturbing, and why Cabinet have not queried these matters. This matter should have been included in the cabinet report, it is relevant and appears to have been ignored, or openness was not considered to be important.</p> <p>Further, it is not explained in the report why it is necessary to purchase 260,000 food caddies (130,000 each of 5l and 25L sizes) when there are only 80,000 households in the borough (SBC's figures) Clarity is sought as to why these figures were arrive at and why Cabinet did not query them.</p> <p>The report references the number of vehicles required,</p> <p><i>To deliver proposals, 22 recycling vehicles are needed. We currently lease 11 vehicles just for recycling which are not suitable to collect food waste. These vehicles will no longer be in use after April 2026</i></p> <p>The Council has awarded hire contracts for 13 refuse vehicles from NRG Riverside Ltd, totalling £6m plus. Are these vehicles the ones referenced, or a combination. The prudential borrowing to lease a further 11 vehicles for recycling as outlined does not appear to match, or is similar, to that needed to contract hire 13 vehicles.</p> <p>Explanation is required to the total number of vehicles required to collect general waste, recycling waste, food waste, and green waste. This is not available in the report but needs to be fully</p>
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	<p>understood to determine what is being sought with regarding funding and services.</p> <p>There is no information with regards subsequent planning permissions needed for the waste transfer site and vehicle storage. Clarity is sought and information should have been included in the report.</p> <p><b>Non-residential care charge</b></p> <p>There are concerns that proposals described as,</p> <p><i>There are currently 49 clients paying the maximum charge. If all of these clients paid the full cost of their care this would generate an additional £300,000 p.a. income. All clients are offered a financial assessment to assess what they can afford to pay, as such a deduction of 50% has been applied to arrive at an estimated additional income of £150,000p.a.</i></p> <p>will target some of our most vulnerable residents, with little or no information contained in the report as to the impacts it will have on the 49 clients. Once again the report focuses on the financial position of the council and not the welfare of its people. The targeting of residents who may have some savings to help fill the council's financial predicament is concerning and clarity and further information are sought as to what other options have been looked at to gather a lowly figure of £150k. The response appears to be disproportionate and will impact on the reputation of the council.</p> <p><b>Car Parking Charges</b></p> <p>No consultation has taken place with residents, ward councillors, business forums, and/or businesses regarding the proposed increase in car parking charges and it is imperative this takes place.</p> <p>Many businesses, and, in particular, small businesses as found on Yarm High St are still in quite a fragile post covid state and rely heavily on the free hour which allows both residents and visitors chance to grab a coffee, some lunch, or as an example to nip into the Post Office, etc.</p> <p>The Yarm Business Forum is seriously worried by the potential loss in footfall which may well be coupled</p>
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	<p>with an upcoming increase in employers National Insurance.</p> <p>The proposals may cripple those very enterprises that we are relying on for the viability and growth in Yarm and elsewhere.</p> <p>The proposal to boost revenue, from the ongoing loss-making position is in part down to inaction by the council to enforce parking time limits, the frequency of parking ticket machines being out of action (and reported by members).</p> <p>There is no information provided as to the financial gap created by these inadequacies and what the gap, if any, would be should the inefficiency be improved.</p> <p>During the briefing with group members representatives, it was put forward that all the council car parks were under invested in and the rise in charges would be a way forward. A question was raised as to what contribution council staff make to paying towards using the car parks during their workday. This went unanswered. These are options that should be investigated further.</p> <p>There is no detail within the report identifying why a figure of £1m has been arrived at to resurface Wellington Square Car Park. Further, there is no information as to why the surface was allowed to deteriorate to such an extent and needing a full resurface, and what has happened with the previous maintenance budget. What options have been explored to repair rather than resurface. Clarity and information should have been sought by the cabinet.</p> <p>The focus of the report remains on resolving the financial predicament it has found itself. The focus appears to be on the changing the financial position of our residents to improve the Council's situation, with, rather than improving the outcomes for our communities.</p>

<p><b>We request that the following Cabinet Member(s)/Officer(s) to be required to attend the Executive Scrutiny Committee</b></p>
<p>Corporate Management Team and Council Leader Cllr Bob Cook.</p>

Signed	Print Name
	NIALL INNES
	TONY RIOEDAN
	HUGO STRATTON
	LYNN HALL
	DIANE CLARKE
	HILARY VICKERS
	ANDREW SHERRIS

**This form must be submitted to the Proper Officer (via Democratic Services) within four working days of the publication of the decision i.e. by 12 midnight on the fourth day.**

**Multiple forms (including faxed and e-mailed versions) may be submitted in respect of the same decision. If the form is e-mailed it must be subscribed to by one person only.**

**This form may be returned as follows:**

By hand to any Democratic Services Officer

Email – 'DL Democratic Services'

<b>Office use only</b>	
Date received:	Initials:
Valid: Yes/No	
Reasons for invalidity:	
Reasons notified	
Executive Scrutiny Committee date:	

**Extract from Constitution – Paragraph 1.35**

Decisions of the Council will usually be made in accordance with the following principles:

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from Officers;
- respect for human rights and equality of opportunity;
- a presumption in favour of openness;
- clarity of aims and desired outcomes; and
- an explanation of what options have been considered and giving the reasons for decisions
- relevant matters have not been ignored

- clarity and explanation of information provided

Please also see the guidance contained with the Scrutiny Toolkit, and Constitution.

**STOCKTON-ON-TEES BOROUGH COUNCIL**

**CABINET/COUNCIL DECISION**

**PROFORMA**

Cabinet Meeting ..... 17 October 2024

1. Title of Item/Report

Powering Our Future

2. Record of the Decision

Consideration was given to a report that provides an update on the Powering Our Future Programme including:

- Transformation Powering Our Future – proposals for new ways of working and recommended options for the following reviews:
  - Waste Collection
  - Fees and Charges – Car Parking
  - Fees and Charges – School Meals
  - Fees and Charges - Non-residential care charge
  - Administration and Business Services – Courier Services
  - Community Safety and Regulatory Services.
  
- Communities Powering Our Future:
  - Building our intelligence, skills and experience
  - Rolling out an Appreciative Inquiry approach
  - Partnership working
  - Effective communication and Proud to Care campaign.
  
- Partnerships Powering Our Future:
  - Place Leadership Board
  - Business Ambassadors Group.
  
- Colleagues Powering Our Future – implementation of the Workforce Development Strategy.
  
- Regeneration Powering Our Future – work is taking place to re-frame this Mission with a focus on Place Making. Further detail would be brought to a future Cabinet meeting.

The Powering our Future Programme continued to drive the Council plans to be a bold, brave and innovative Council and work with partners to make sure Stockton-on-Tees was a fair and equal place, where everyone is proud to live and work, where our communities flourish and

people feel they belong.

Significant progress had been made against all the Missions in the Programme, supporting the Council in the planned approach to carefully manage resources over the longer term. This would see the Council create a new relationship with communities, while providing efficient services that offer value for money and are valued by residents.

The Council approach continued to be iterative, building over time, to engage communities and undertake thorough reviews. This can avoid the need to make short-term cuts, which can be damaging to services and the residents.

The report provided an update on each of the Missions, for Cabinet comment and approval. Regular reports to Cabinet would ensure that the member-led approach drives the development and delivery of Powering Our Future.

This Mission would identify new and innovative ways of working that are better for communities and more efficient.

In April 2024, Cabinet agreed the scope for each of the Transformation Reviews in Phase 1 of the Programme. These provided clarity on the objectives for each project, in alignment with the Council's Mission Statement.

The reviews had moved into Discovery and Design stage. This work had led to a comprehensive understanding of organisational challenges, to develop and refine ideas for transformation making use of research, data and intelligence.

As part of this process, the Council had and continued to carry out extensive engagement with Members and colleagues to ensure robust challenge and feedback in shaping the change. This included:

- Members and Colleagues Marketplace Events (providing information about all Phase1 reviews)
- Colleagues Community of Practice sessions (managing interdependencies between projects across the programme)
- Member Briefings
- Informal Member Engagement Group (a cross-party group met in August to inform fees and charges reviews)
- Scrutiny Committees (the Scrutiny Programme for 2024-25 has been designed and agreed to inform reviews where areas of policy change are anticipated)

The findings relating to an initial tranche of reviews had been concluded. Drivers for change along with options, proposals and recommendations for transformation are summarised below.

In addition to the areas below, progress had been made in relation to:

- Discharge to Assess / Reablement – a new way of working is being progressed that would see the council de-commission current provision and reallocate resources for a more joined up approach to reablement. This would focus on supporting more people to live independently through a single-provider approach that makes every contact count and would support high performance of the local system, which was acknowledged as one of the best in the county. This is estimated to save up to £500,000.
- Placement Sufficiency Strategy – this operational strategy sets out our approach to provide a range of accommodation and support services that:
  - Keep children with their families of origin, wherever it is safe to do so.
  - Provide children with alternative, nurturing homes if they need short, or long-term alternative care or support arrangements.
  - Enable our children and young people with disabilities to live an ordinary life.
- Introduction of new practice for Children’s Services – this supports us in achieving the objectives set out as part of the placement sufficiency strategy and includes:
  - The creation of an Edge of Care Team designed to work intensively with individuals, siblings and families to maintain them in the family home rather than take them into care. The team has been successful in keeping children out of care, with 73 children and young people being supported by the team since January 2024.
  - The establishment of the Social Work academy and International Recruitment to address recruitment and retention issues.

An email from the Yarm Ward Councillors (Councillors John Coulson, Dan Fagan and Andrew Sherris) regarding the proposed car parking charges at Yarm was read out to Cabinet by Councillor Lynn Hall).

RESOLVED that:-

1. The recommended options set out in the report in respect of the Waste and Recycling Reviews be approved:

- Introduction of charging for green waste from 1st April 2025
- Introduction of weekly food waste and recycling service from 1st

April 2026 with the acquisition of associated vehicles and the development of a Waste Transfer Station

- Cease the provision of the Community Recycling Centres with immediate effect.

2. The removal of the maximum charge for non-residential care be approved.

3. An increase in the charges to schools for the provision of traded school meals service to reflect the true cost of the service provided be approved; and increase the per meal charge for Council maintained schools to £3 per meal to reflect the increased cost of provision be approved.

4. The introduction of Free School Meals auto-enrolment as detailed in paragraphs 71 and 72 of the report be approved.

5. The changes to car parking charges in Stockton and Yarm Town centres be approved; including the removal of the first hour free parking and introduction of the rate of £1.50 for three hours stay in short stay car parks, alongside an uplift to long stay car parking charges.

6. The operational changes in respect of Administration and Business Services, Community Safety and Regulatory Services set out in paragraphs 76 to 81 be noted.

7. The changes proposed will contribute £375,000 in 24/25, £2,296,000 in 25/26 and £4,644,000 in 26/27 towards the budget gap estimated within the budget report to Council in February 2024, at the same time as delivering improved outcomes, set out in the detail of the report be noted.

8. The progress updates for other aspects of the Transformation Mission outlined in paragraph 10 of the report be noted.

9. The progress updates for all other Missions of the Powering our Future Programme be noted.

Cabinet Recommended to Council:-

10. Council approve £4.3m prudential borrowing for the acquisition of food and recycling waste receptacles, green waste bins, site preparation costs for a Waste Transfer Station and resurfacing of Wellington Square car park.

### 3. Reasons for the Decision

Cabinet is recommended to agree the updates and recommendations to ensure that the Council continues to deliver its commitment to the



Powering Our Future Missions; to address the financial challenges we face at the same time as improving outcomes for communities, including:

- Creation of opportunities to build brighter futures for our communities and reduce inequality, using the limited amount of money we have available.
- Carefully managing our resources, creating a new relationship with communities, while providing efficient services that are valued by our residents.

4. Alternative Options Considered and Rejected

None

5. Declared (Cabinet Member) Conflicts of Interest

None

6. Details of any Dispensations

None

7. Date and Time by which Call In must be executed

Midnight Friday 25 October 2024 for resolutions 1 to 9 only.

Proper Officer

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## EXECUTIVE SCRUTINY COMMITTEE

12 NOVEMBER 2024

### REPORT OF THE MONITORING OFFICER

#### Assessment of Call-In Validity for Powering Our Future Programme Decisions

##### Purpose of the Report

This report is presented to the members of the Executive Scrutiny Committee to advise members on the validity assessment conducted by the Monitoring Officer concerning the call-in request related to specific decisions of the Cabinet's "Powering Our Future - Programme Update."

##### Background

1. The Local Government Act 2000 requires the Council to provide a process which allows for executive decisions that have been made but not yet implemented to be "called in" for further consideration by Overview and Scrutiny Committee for Stockton that committee is the Executive Scrutiny Committee (*section 9F, LGA 2000*).
2. Call-in is an exceptional power. For a call-in to be considered valid, it must pertain to decisions that have been made by the Cabinet and not yet implemented, and it must allege a failure to adhere to the principles of decision-making. It is essential to note that not all decisions are subject to call-in. Call-in is a check and balance on executive functions. Decisions by regulatory bodies such as planning and licensing committees or other committees or panels exercising non-executive functions fall outside this scope (*Local Authorities (Functions and Responsibilities) (England) Regulations 2000*).

##### Threshold For Call-In

3. Call in is available when six councillors, who are not members of the Cabinet have evidence which suggests that the Cabinet when making any executive decision did not take the decision in accordance with the principles set out in the Decision Making Principles.

##### Decision Making Principles

4. Decisions of the Council will usually be made in accordance with the following principles:
  - a. proportionality (i.e. the action must be proportionate to the desired outcome);
  - b. due consultation and the taking of professional advice from Officers;
  - c. respect for human rights and equality of opportunity;
  - d. a presumption in favour of openness;
  - e. clarity of aims and desired outcomes;

- f. an explanation of what options have been considered and giving the reasons for decisions;
- g. relevant matters have not been ignored; and
- h. clarity and explanation of information provided

### **The Call-in**

5. The decisions of Cabinet, taken on 17<sup>th</sup> October 2024 in relation to the “Powering Our Future -Programme Update” have been subject to a valid call in. The call-in applies only to the following decisions:-

#### **Resolution 1**

*The recommended options set out in the report in respect of the Waste and Recycling Reviews be approved:*

- *Introduction of charging for green waste from 1st April 2025*
- *Introduction of weekly food waste and recycling service from 1st April 2026 with the acquisition of associated vehicles and the development of a Waste Transfer Station*

#### **Resolution 2**

*The removal of the maximum charge for non-residential care be approved.*

#### **Resolution 5**

*The changes to car parking charges in Stockton and Yarm Town centres be approved; including the removal of the first hour free parking and introduction of the rate of £1.50 for three hours stay in short stay car parks, alongside an uplift to long stay car parking charges*

6. In respect of Resolution 1 the reasons for call in that have been validated relate to the following principles of decision making:
  - a. Proportionality: Concerns were raised about the fairness and balance of introducing charges for green waste collection,
  - b. Consultation: It was suggested that consultation process may not have sufficiently engaged all affected stakeholders in relation to green waste and food waste, which could affect the acceptance and effectiveness of the new waste management strategies.
  - c. Clarity and explanation: There was a lack of clarity in the reports of the objectives and expected outcomes of the changes. There was a need for a more detailed explanation of the cost implications.
7. That part of the Resolution 1 relating to the provision of the Community Recycling Centre’s has not been called in.
8. In respect of Resolution 2 the reasons for call in that have been validated relate to the following principles of decision making:

- a. Proportionality and equality: The removal of the cap on charges for non-residential care raised significant concerns about the potential disproportionate impact on vulnerable residents.
  - b. Clarity of Alternatives: There was insufficient detail provided on alternative options considered before deciding to remove the charge cap.
9. In respect of Resolution 5 the reasons for call in that have been validated relate to the following principles of decision making:
- a. Due Consultation and b. an explanation of what options have been considered and giving the reasons for decisions. Concerns were raised about inadequate consultation and insufficient clarity on the reasons behind options considered.

### **Areas Excluded from Call-In**

10. Certain aspects related to the Cabinet's decisions are not included within the validated scope of this call-in request due to their specific governance requirements. These are the issues relating to prudential borrowing and special urgency described in the following paragraphs of this report.

### **Prudential Borrowing Decisions:**

11. Prudential Borrowing decisions are made under specific statutory and governance requirements including the CIPFA prudential code which mandates that such decision fall under the full Councils remit.

### **Special Urgency Decisions:**

12. Decisions taken under special urgency provisions are expressly excluded from the call-in process to allow the council to act swiftly in urgent situations where delaying action would be contrary to the council's or public interest. Although excluded from call-in, these decisions are not beyond review or accountability. The leader of the council is required to report periodically to the Full Council on the use of special urgency provisions. This process ensures that there is transparency and an opportunity to consider the justification for using such measures at the full council.

### **Attendance of Officer and Members**

13. The following Members and Officers were listed in the call-in request as being required to be present at the meeting:

- CMT
- Council Leader

The committee will make a final determination of which officers and members are required to provide evidence.

### **Relevant Questions**

14. In accordance with the constitution paragraph 3.181(b)(iii) , Requesting Members should, where possible, specify the questions they wish the committee to raise, as soon as practicable, after submitting their written request. The questions should relate to the valid call-in issues.

15. The background documents to the validity assessment are

- b. Report to Cabinet, 17 October 2024 - Powering Our Future – Programme Update
- c. Cabinet Decision Notice - Powering Our Future – Programme Update
- d. Call-In Request

**Ged Morton**  
**Monitoring Officer**

## APPENDIX 4 TO ITEM 5

### EXECUTIVE SCRUTINY COMMITTEE

12 NOVEMBER 2024

### REPORT OF THE CORPORATE MANAGEMENT TEAM

#### SUPPORTING INFORMATION

#### IN RESPONSE TO THE CALL-IN OF THE POWERING OUR FUTURE REPORT FROM THE MEETING OF CABINET HELD 17<sup>TH</sup> OCTOBER 2024

##### **Purpose of the Report**

This report is presented to the members of the Executive Scrutiny Committee to provide clarification and some additional information in response to the matters raised through the call-in process. The call in relates to some specific decisions of the Cabinet's "Powering Our Future - Programme Update."

##### **Background**

Members will be aware of the significant financial challenges facing the Council across the Medium Term Financial period. Significant cost increases over recent years, as well as growth in demand for services alongside funding challenges have created huge challenges. This difficult scenario is seen in many local authorities across the Country.

Members will recall from the budget report to Council in February 2024 that the Council is facing a budget gap across the MTFP rising to £8.1m by 26/27. Recent MTFP reports have provided updates on the growing financial challenge the council is faced with. The Powering Our Futures Programme, in particular the transformation mission, will be key to delivering the savings and generate income required in order to deliver a robust financial plan.

Members are aware of the transformation programme and a report was presented to Cabinet in January 2024 outlining the scope of the outcome based reviews included within Phase 1 of the programme. These reviews are wide ranging and cover a significant proportion of the Council's budget. In order to deliver a robust financial plan, it is clear that the transformation programme will need to make savings and this will be the key activity to resolve the budget gap.

Additional information relating to the three resolutions subject to call in are attached in the appendices.

**Responsible Officers:**  
Corporate Management Team

## APPENDIX 1

### Waste and Recycling Reviews

#### Summary

This briefing note provides additional information in relation to the matters raised within the call-in request in relation to Resolution 1:

*The recommended options set out in the report in respect of the Waste and Recycling Reviews be approved:*

- *Introduction of charging for green waste from 1st April 2025*
- *Introduction of weekly food waste and recycling service from 1st April 2026 with the acquisition of associated vehicles and the development of a Waste Transfer Station*

#### Reasons for Call in

In respect of Resolution 1 the reasons for call in that have been validated relate to the following principles of decision making:

- Proportionality: Concerns were raised about the fairness and balance of introducing charges for green waste collection,
- Consultation: It was suggested that consultation process may not have sufficiently engaged all affected stakeholders, which could affect the acceptance and effectiveness of the new waste management strategies.
- Clarity and explanation: There was a lack of clarity in the reports of the objectives and expected outcomes of the changes. There was a need for a more detailed explanation of cost implications.

#### Detail

##### *Proportionality of green waste charges*

Stockton Council are now the only authority in the Tees valley who are operating a free green waste collection service. This is currently provided over a 30-week period although the service is currently funded for a 26-week service. This creates a financial pressure in relation to the additional 4 weeks provision. The service budget is not derived from any hypothecation of Council Tax.

Under the new Simple Recycling guidance, from April 2026 Local Authorities are required to offer garden waste collections to all households with gardens, over a period no less than 36 weeks in any calendar year and, as a minimum, collections must be offered during March to October. The Government have not identified any additional funding for local authorities but they have introduced the ability to issue an additional charge to deliver a green waste collection service.



Nationally, over 66% of authorities charge residents for a green waste collection service. Authorities on average charge between £35 and £60 per year for a garden waste subscription using a 240-litre bin collected on a fortnightly basis, however Hartlepool offer their garden waste service on a monthly basis.

Below shows an example of participation of some Northeast Authorities currently providing a chargeable green waste service.

Council	Charge	Receptacle	Collection Frequency	Total Properties	Properties Signed Up	Participation Rate
Durham	£38	240 litre	Fortnightly	195,000	68,000	35%
Gateshead	£36	240 litre	Fortnightly	88,999	32,039	36%
Newcastle	£43	240 litre	Fortnightly	110,000	23,000	20%
Redcar	£40	240 litre	Fortnightly	64,236	21,000	33%
Hartlepool	£35	240 litre	Monthly	43,000	12,200	28%
Middlesbrough	£40	240 litre	Fortnightly	57,041	17,664	31%

In considering fairness and balance, the fact that a majority of Authorities nationally are charging and the fact that the proposed charge in Stockton falls within a range imposed by comparable Authorities in the region, suggests that the decision would not be unfair. In addition, members are invited to consider the fact that residents are not obliged to take up and pay for the service. Garden waste can be composted on site or taken to the Household Waste & Recycling Centre, to avoid a charge.

*Consultation in relation to green waste and food waste*

There is no legal requirement to consult the public on the introduction of a charge. The Government ‘Simpler Recycling’ guidance already introduced this principle.

Consideration was given by officers to the potential to consult residents on how much to charge. However, two factors mitigated any potential benefits of consultation over the amount to be charged; first, previous experience suggests that people will seek to pay as little as possible and would choose the lowest value in any range suggested in consultation, secondly the overall financial position of the Council is such that it is necessary to recoup the full future costs of the service. On that basis, consultation which purported to invite residents to determine or influence the amount to be charged would have been misleading.

*Clarity and explanation*

*The Call in submission highlighted a need for clarification on the following;*

- *Number and costs of green waste bins*
- *Green waste tonnage ward data*
- *Number and costs of vehicles and caddies required for food waste*

- *Transfer station costs and the availability of DEfRA funding*
- *Explanation of the work referred to by the term 'making good'*

#### Number and cost of green waste wheeled bins

The reference in the Cabinet report to the figure of £1m has been reached based upon the current price that is paid for wheeled bins and anticipated take up. The estimation of costs based on market information is normal practice and it is not normally necessary to complete a tender before a financial provision is made.

In respect of the number of bins required, estimates have been based on the figures provided in the independent WRAP report, which assumes demand levels in Stockton that are consistent with national comparators. These assumptions were set out in the WRAP report which was provided to the Select Committee Scrutiny of Waste & Recycling and which are available to all Councillors.

WRAP modelling suggest a conservative estimate of take up to be 20% in year 1 and 40% in year 2. However, some other neighbouring authorities have seen take up rates approaching 40% in year 1. The request for resources sufficient to purchase 40,000 dedicated green waste bins provides capacity to meet the estimated initial need. This includes the council having sufficient stocks in place to issue additional bins to those residents who wish to purchase 2 or more bins due to the size of their gardens, a scenario which modelling suggests is likely.

Lead in times for bins from the manufacturer can be lengthy and it would be prudent to carry these additional stock levels to mitigate delivery timelines and meet customer expectations.

The call in suggests that a cancelled members briefing on this topic was provided to cabinet members only. In fact the All Member Briefing on waste and recycling was postponed rather than cancelled, it was delivered on 1/10/2024. The information provided to cabinet was also provided to members.

#### Green waste tonnage ward data

Green waste tonnages are not collected on a ward basis.

#### Number of recycling receptacles

The request has been made to fund 260,000 food waste receptacles (130,000 internal 5L 'kitchen caddies' and 130,000 external 25L containers).

This number has been determined due to the current dwelling stock figure, from government, shows Stockton currently has 89,050 properties (April 24 data) and it is anticipated that there will be properties that request additional food waste containers and, as with green waste bins, it is always prudent to retain additional supplies of caddies for future housing developments etc. Also having spoken to other Authorities who have rolled out food waste collections, they have projected that around 5% of food waste caddies will be damaged or lost by residents which will need to be replaced. These are some of the elements which have determined the requirement for 130,000 items.

### Transfer station costs and the availability of DEFRA funding

As has been highlighted in the call-in request, SBC have received a capital grant from Defra which was to cover vehicles and receptacles only and no provision has been made for the additional depot space that would be required to operate the new service.

New depot space is required as we have no special capacity at any of the 3 depot locations to run extra services, nor do we have legal capacity on our Fleet Operators License, therefore a new location is required.

Under the government pledge that LA's should face no 'new burdens', we believe the provision of land is a qualifying expenditure. Therefore we have submitted a formal appeal for additional grant support to cover some of the purchase costs for land which will act as the base for the new food waste collection service and waste transfer station.

The mandated collection date for the launch of the new service is April 2026 which is an extremely challenging deadline, so the recommendation was made to purchase the land in the interim and then seek to reclaim some of the purchase and refurbishment costs from Defra. We have written to Defra again in November 2024 reinforcing SBC's appeal against the original allocation although no update has been received to date.

Up to £2.5m of borrowing will allow us to purchase the required land whilst providing some allocation to undertaken basic enabling and infrastructure works in readiness for an April 2026 implementation. Alongside this there is £1.2m required to purchase food waste receptacles, giving a total capital requirement of £3.7m. The Council has currently received £1.4m of grant from DEFRA. Prior to the outcome of any further communication from the Government Department, this leaves a funding gap of £2.3m which is referenced to be met through prudential borrowing.

### Explanation of the work referred to by the term 'making good'

A waste transfer station will allow Community Services to deposit dry recycling and food waste directly in the Borough before transferring to the relevant Material Recovery Facility, thereby reducing transport times and waiting times for tipping off at our recycling partners location, which is in Hartlepool. The establishment of a waste transfer station is calculated to avoid the costs £450k per year for vehicles, staff and supplies and services associated with delays and extra journeys.

The infrastructure required to create a waste transfer facility within the expanded depot at Yarm road, referred to in the report as 'making good', would include;

- Repurposing the onsite weighbridge
- Placing additional security fencing
- Developing vehicle and staff parking
- Placing welfare facilities

## APPENDIX 2

### Removal of the Maximum Charge for Non-Residential Care

#### Summary

This briefing note provides additional information in relation to the matters raised within the call-in request in relation to Resolution 2:

*The removal of the maximum charge for non-residential care be approved.*

#### Reasons for Call in

In respect of Resolution 2 the reasons for call in that have been validated relate to the following principles of decision making:

- a. Proportionality and equality: The removal of the cap on charges for non-residential care raised significant concerns about the potential disproportionate impact on vulnerable residents.
- b. Clarity of Alternatives: There was insufficient detail provided on alternative options considered before deciding to remove the charge cap.

#### Detail

*Proportionality and equality: The removal of the cap on charges for non-residential care raised significant concerns about the potential disproportionate impact on vulnerable residents.*

The Council adopted the maximum charge approach for non-residential care with the introduction of the Fairer Charging guidance in 2002 which recommended that these be set to encourage and facilitate people to remain at home.

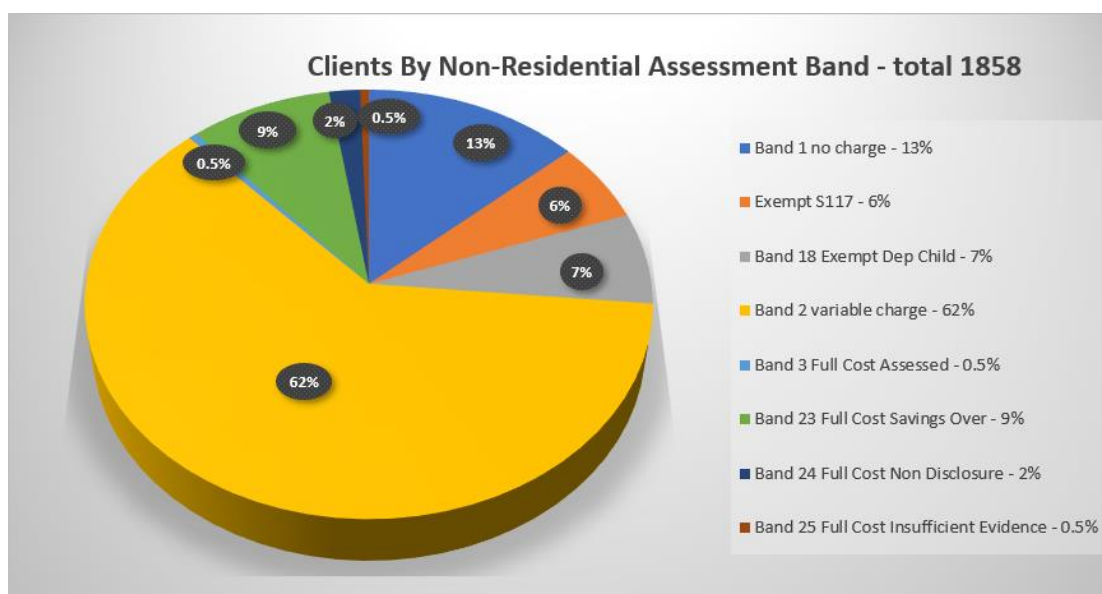
Stockton Council has maintained the maximum charge in its local charging policy since this time while other local authorities around the country removed this on the basis of the loss of income and the lack of fairness and consistency to all service users that charging policies were meant to bring.

Following a full consultation and a cabinet report in 2017 it was agreed to leave the maximum charge in place. A Legislative review has been undertaken and there is no statutory requirement for consultation on this proposed change.

An equality impact assessment has been undertaken to review the impact upon those affected and any requiring mitigating actions. The key outcome from this process reinforces prioritised support for the most vulnerable based on poverty as a key characteristic. The financial assessment process which is in line with national guidance, ensures a robust approach to assessing individuals means to contribute towards the cost of their care, alongside access to support services.

A communication and engagement plan is in place to engage with the 49 clients affected.

The following graph provides a breakdown of the clients assessed for non-residential care the type of financial packages



There are currently 49 clients out of 1858 paying the maximum charge which equates to 0.5%.

*Clarity of Alternatives:* There was insufficient detail provided on alternative options considered before deciding to remove the charge cap.

As part of the review, work was undertaken to engage with authorities both locally and across the country to understand their charging policies and assess all options for charging. In reviewing the situation at the current time around the region there are a number of Authorities who have already removed their maximum charge and have done so for some time.

We engaged with the national ADASS network and received responses from 31 local authorities. Of which only one local authority still has a maximum charge, and that charge is £802 per week compared to Stockton's current charge of £459.60 per week. Most local authorities

The premise of charging policies is to be fair, consistent and charge clients on an equal basis. By continuing to implement the maximum charge we are setting a precedent for those who have more and can pay for their care to be subsidised by the Council where those who have less pay based on what they have which may seem to lack equality in how the policy is applied.

Other options that were considered as part of the review included

- Retain the cap with no change
- Retain the cap at a higher rate

## APPENDIX 3

### CAR PARKING

#### Summary

This briefing note provides additional information in relation to the matters raised within the call-in request in relation to Resolution 5:

*The changes to car parking charges in Stockton and Yarm Town centres be approved; including the removal of the first hour free parking and introduction of the rate of £1.50 for three hours stay in short stay car parks, alongside an uplift to long stay car parking charges*

#### Reasons for Call-in

In respect of Resolution 5 the reasons for call in that have been validated relate to the following principles of decision making:

Due Consultation and an explanation of what options have been considered and giving the reasons for decisions. There are alleged inadequate consultation and the clarity of the decision's impact on the community.

#### Detail

Due Consultation and an explanation of what options have been considered and giving the reasons for decisions. There are alleged inadequate consultation and the clarity of the decision's impact on the community.

Legislative review has been undertaken and legal advice sought regarding the requirement to consult on amendments to tariffs, which confirmed there is no legal requirement to consult on amendments to charges all that is required is to notify the public. This is in line with how we have previously changed tariffs.

As the Council's parking places have Traffic Regulation Order's controlling them, including the provision to charge parking charges, any amendment to those charges is made by the placing of a notice in the gazette and the posting of notices on site at least 21 days before the change is due to come into effect. There is no statutory requirement to consult on changes to car parking tariffs. The original Traffic Regulation Orders that established that parking charges were payable were subject to public consultation. This process has been used previously to change parking tariffs in Stockton and Yarm such as when the Tees Valley Combined Authority funded free parking in the town centres to mitigate the impact of COVID and the return of charging when that funding ended.

Other options were considered when looking at proposals for changing the parking tariffs. Options were included within the report to Cabinet. Benchmarking was undertaken across the Tees Valley.

The review considered the typical behaviours of visitors to the town centres travelling by car. 77% of short stay car park users only remain within the Town for the first hour, which coincides with the first hour free. The recommended option removes free parking for the first hour within Stockton and Yarm Town Centre car parks. While there is a risk that this may impact upon numbers of visitors the first hour free parking serves as a limiting factor on the length of time visitors spend within the town centre. Removing this, allows visitors to stay within the town centre for longer, visiting more local businesses. This could result in further opportunities for individuals to spend within the local economy and take advantage of various services offered within the town.

Other options for charging were considered but ruled out due to various reasons such as they would not generate enough income to cover the cost of providing the service and maintaining our car parks. Providing a shorter free period could encourage visitors to stay for even less time in our town centres. They would not be competitive compared with other towns within the Tees Valley or they would not be economically viable. The chosen option ensures that charges are comparable with other areas within the Tees Valley for the first hour and the cheapest for 3 hours parking.

There are other travel options for visiting our town centres such as public transport, walking and cycling. Investment is being made in walking and cycling routes into town centres and there is a national fare cap on bus journeys and a Tees Valley under 22-year-old offer. These modes support the commitment to decarbonise the borough, as set out in the Environmental Sustainability and Carbon Reduction Strategy 2022-2032.

An equality impact assessment has been undertaken to review the impact upon those affected and any requiring mitigating actions.

Our Civic Enforcement Service are responsible for parking enforcement in Yarm, as well as all other areas of the borough. Regular daily patrols take place at varying times throughout the week including weekends. This is the most efficient method of enforcement due to the current free parking arrangement which requires several visits to enforce under the current charging regime. In contrast, the new proposed regime of parking tariffs will result in efficiencies to enforcement activity, making enforcement activity easier to undertake with less resource therefore maximising our impact across the borough. Since 2021 the number of penalty charge notices issued in Yarm has steadily increased year on year in line with our commitment to enforce our parking regulations as resources allow.

The Council have introduced several improvements to our Pay & Display machines in the last couple of years to enhance their reliability. This includes upgrading all machines to 4G connectivity for better communication and we have entered into a proactive maintenance agreement with Metric, the machines manufacturer. This includes one of their engineers carrying out weekly visits to service all machines. These visits cover essential maintenance tasks such as battery replacements, communication link refreshes, and ticket roll changes. Metric's engineers also replace any worn equipment identified through these checks to ensure machines are up and running again quickly avoiding any delays. While we still receive the occasional report of machine faults, these have significantly reduced over the last 18 months.

Our Property Managers for Wellington Square, Knight Frank, engaged a structural engineer to produce a report for the options of maintaining or resurfacing the car park. Options were considered regarding repair versus resurface, and the type of resurfacing material. The longevity of the material and method and the cost requirement were considered when arriving at the recommendation included within the report to Cabinet.