

# COUNCIL

A meeting of Council was held on Wednesday 20 March 2024.

**Present:** The Worshipful the Mayor (Cllr Jim Beall), Cllr Pauline Beall, Cllr Michelle Bendelow, Cllr Marc Besford, Cllr Carol Clark, Cllr Diane Clarke OBE, Cllr Nigel Cooke, Cllr Robert Cook, Cllr John Coulson, Cllr Ian Dalgarno, Cllr Richard Eglinton, Cllr Lisa Evans, Cllr Dan Fagan, Cllr Kevin Faulks, Cllr Jason French, Cllr Nathan Gale, Cllr Clare Gamble, Cllr John Gardner, Cllr Ray Godwin, Cllr Lynn Hall, Cllr Elsi Hampton, Cllr Stefan Houghton, Cllr Shakeel Hussain, Cllr Barbara Inman, Cllr Niall Innes, Cllr Eileen Johnson, Cllr Mrs Ann McCoy, Cllr Mick Moore, Cllr Sufi Mubeen, Cllr Steve Nelson, Cllr Ross Patterson, Cllr David Reynard, Cllr Stephen Richardson, Cllr Tony Riordan, Cllr Paul Rowling, Cllr Susan Scott, Cllr Vanessa Sewell, Cllr Andrew Sherris, Cllr Norma Stephenson OBE, Cllr Mick Stoker, Cllr Ted Strike, Cllr Marilyn Surtees, Cllr Emily Tate, Cllr Hilary Vickers, Cllr Marcus Vickers, Cllr Sylvia Walmsley, Cllr Alan Watson, Cllr Sally Ann Watson, Cllr Paul Weston, Cllr Katie Weston and Cllr Barry Woodhouse.

**Officers:** Mike Greene (CE), Ged Morton, Judy Trainer, Peter Bell, Stuart Levin (CS), Garry Cummings (DCE&F, T&P), Reuben Kench (DoCS,E&C), Carolyn Nice (A,H&W).

**Also in attendance:** Members of the Public.

**Apologies:** Cllr Stefan Barnes, Cllr Alex Griffiths, Cllr Hugo Stratton, Cllr Jim Taylor and Cllr Laura Tunney.

## **COU/89/23 Welcome and Evacuation Procedure**

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

## **COU/90/23 Declarations of Interest**

There were no declarations of interest.

## **COU/91/23 Minutes of Council from the meetings which were held on 24 January and 21 February 2024**

Consideration was given to the minutes of the meetings held on 24 January and 21 February 2024.

RESOLVED that the minutes of the meeting held on 24 January and 21 February 2024 be confirmed and signed as a correct record.

## **COU/92/23 Public Question Time**

The following question had been submitted by David Cooper for response by the Cabinet Member for Environment and Transport (Cllr Clare Gamble):-

“Does the council take the view that S72 of the 1835 Highway Act is no longer in force? (This relates to the edict from the council that parking on the pavement is permitted).”

The Cabinet Member for Environment and Transport responded with:-

“We are not aware of any edict being issued by this Council in relation to parking on pavements.

Section 72 of the Highways Act 1835 is still in force, it does not relate to parking. It primarily covers some offences of driving on the footway and of cycling on the footway as well as more historic issues relating animals on the highway.

Currently, there is no legislation, outside of London, making parking on the pavement illegal however, the Highway Code states that drivers should not do so elsewhere (outside of London) unless signs permit it. It is illegal to leave your vehicle or trailer in a dangerous position or where it causes any unnecessary obstruction which is once again stated in the Highway Code. Any instances of dangerous or obstructive parking can be reported to the Councils Civic Enforcement team.”

David Cooper asked the following supplementary question:-

“Given the decision of the council to permit drivers to park on pavements, what would its advice be to those teaching children how to be safe?”

The Cabinet Member for Environment and Transport:-

“Noting the answer to the previous question, confirming that the Council continues to be guided by current national legislation, we recommend those teaching children how to be safe follow the relevant national guidance, provided by the Department for Transport. The Governments ‘Think! Road safety’ website provides excellent education resources, designed for different age groups.

If you enter the term THINK! – Road safety or think.gov.uk into your preferred search engine you should find the resources you need.”

## **COU/93/23 Amendments to Committee for 2023/27**

Consideration was given to a report on an amendment to a committee and an appointment to an outside body for 2023/27.

RESOLVED that:-

Place Select Committee - Cllr Shakeel Hussain be removed and Cllr Sufi Mubeen be added.

NEREO - Cllr Jim Beall be appointed

## COU/94/23 Members' Question Time

The following question had been submitted by Councillor Ted Strike for response by the Cabinet Member for Access, Communities & Community Safety (Councillor Norma Stephenson OBE):-

“SBC are expanding their “Street Trading Consent “ to cover the whole borough as of the 1st March this year. Despite raising my concerns at a cabinet meeting and Full Council meeting as well as emailing licencing I have not had any explanation of what this involves. IBCP’s first market is April 13th and at the time of submitting this question I have had no clarification of what this new regulations entail.

On Friday evening I received a call from the organiser of SirenFest who was concerned as she had been sent a link and was confused. She spoke to an officer from licencing who advised that the cost would be £100 for up to 20 traders.

Having looked at this link can the cabinet member advise me:

Is my understanding correct,

- 1) That established markets are exempt? The Ingleby Community Market has been trading for 9 years, is that classed as an established market.
- 2) Fairs are exempt. Does this include our well-established Christmas Fair?
- 3) Does the Family Fun weekend come under these rules?
- 4) Are events that charge to attend exempt?

If events that charge are exempt then why have SirenFest been advised they need to pay?

Could I have some clarity please and can you forward me a copy of the response?”

The Cabinet Member for Access, Communities & Community Safety responded with:-

“The whole Borough Street Trading regime was implemented on 1 March 2024, after a period of extensive period of consultation, during which all Elected Members were included also. During the consultation period changes were made to the procedural guidance which included changes to DBS requirements to community events, and charity events on religious or school grounds, themes which were concerns raised during the consultation period.

With regards to your specific points of clarity, I can offer the following:

That established markets are exempt? The Ingleby Community Market has been trading for 9 years, is that classed as an established market.

The Ingleby Community Market, whilst an asset to the area and well attended, is not an established market under the Markets Charter and as such would require a temporary event consent.

Fairs are exempt. Does this include our well-established Christmas Fair?

Fairground rides are not classed as trading under the primary legislation, so they would not require the consent. However, any trading (selling of goods) would require a temporary event consent.

Does the Family Fun weekend come under these rules?

The commercial trading at these events would fall under the regime, yes. They would require a temporary event consent. Any fairground rides etc. would not require consent.

Are events that charge to attend exempt?

Providing robust plans are in place to control access to the event, for example a car boot sale with an entrance fee, then they would be exempt.

For clarity, Temporary Event Consents are not new to the street trading regime, the consent and subsequent fee has been in place for some time but we have now extended the area to which they apply to include the whole Borough. The new procedural guidance is available online at: [www.stockton.gov.uk/street-trading-consent](http://www.stockton.gov.uk/street-trading-consent) and a new online application and payment process is in place to ensure the process is as easy and efficient as it can be.”

Councillor Ted Strike asked the following supplementary question:-

“Stockton Borough Council prides itself for being an events Council, taxing private community events does not sit well with that position. Does the Council agree with me that all established markets should be exempt from this stealth tax, not just Stockton Borough Council markets? If the Council insists on charging this then the cost to Ingleby Barwick Community Partnership is the minimum of £100 per market for up to 20 stalls and even more if we exceed this amount. We will certainly not be paying it and if necessary put £1 entry fee charge on that can be re-deemed on the day. Some of my opponents have over the years tried some tricks over the years to stop Ingleby Barwick having events being held in the car park but these have failed. Stockton Borough Council could be more successful and ease these un-necessary taxes. Can the Council advise me what the Council will do with their 30 pieces of silver? Also how does this sit with the Council’s Power our Future? And I quote ‘We will be a bold innovating Council, together with our partners we will make sure Stockton-on-Tees is a fair and equal place, where everyone is proud to live and work and our communities flourish and people feel like they belong, we want everyone in our Borough to participate in building a brighter future for all. How is charging our market traders and not SBC market traders fair and equal?, Will SBC change these rules immediately and exempt existing events including but not limited to Thornaby Show, Billingham Show, Ingleby Barwick Family Fun Weekend, Ingleby Barwick Market and Thrift?”

The Cabinet Member for Access, Communities & Community Safety responded with:-

“With regard to established markets yes I would agree with you but as I have already pointed out that under legislation Ingleby Barwick Market is not an established market. It doesn’t fit the criteria for an established market and that isn’t SBC criteria. As far as the charges for licensing goes legislation states that any money made from licensing must be spent in licensing, it is ring fenced so that is where that funding will go for extra officers should we need them. No we won’t change the rules now.”

Member Question submitted by Cllr Ted Strike for response by the Leader of the Council (Cllr Bob Cook):-

“The bad debt (impairment) provision for council tax was £15.4m as at 31st March 2023. £5.074m was released into the councils reserves at last month’s budget. I understand that the council must have a bad debt fund, but I believe there are no guidance on the amounts to be held for bad debt.

The fact that we could release over £5m last month means that this fund could grow and grow, surely the council should set a minimum and maximum level of funding for this funding?”

The Leader of the Council responded with:-

“This evaluation considers various factors, including overall debt levels, the duration of outstanding debt, and repayment patterns. These figures don't convey meaningful insights in isolation, and their significance is further complicated by the legacy impacts of Covid, as discussed in our budget report. The council operates a collection fund that manages all income from Council Tax and Business Rates, along with provisions for bad debts and appeals. This complex account also covers the distribution of income to the Council, other precepting authorities, and the central government, detailed in the Annual Statement of Accounts on our website.

A provision is a liability of uncertain timing or amount. The Council is required to hold provisions for historic non-collected income and an estimate of future collection activity. The Collection fund accounts for Council tax and business rates which are two of the Council’s biggest income streams. There is no set guidance on what level the provision should be, but it is the responsibility of the Section 151 officer to ensure that it is fair and appropriate. The level of these provisions is reviewed regularly and set as part of the budget setting process. In order to ensure a robust review of the level of reserves, the finance function assess various measures including assessment of the latest local intelligence and behaviours, review national guidance as part of the Local Government Finance Settlement and engage with independent advisors to review the approach.

The Section 151 Officer holds a statutory responsibility to ensure the proper administration of the council's financial affairs. In coming to a professional view on these matters the Section 151 Officer must balance the need for fiscal prudence with the council's strategic objectives, ensuring that resources are allocated effectively and that risks, including those related to bad debts, are managed appropriately. Decisions regarding bad debt provisions and the financial health of the council more broadly must be made with the appropriate professional considerations.”

Cllr Ted Strike asked the following supplementary question:-

“I appreciate Cllr Cook won’t be able to answer this now but if you could provide me with the amount of funds for each year 2019/20 and for each year until the current year I would appreciate that.”

The Leader of the Council responded with:-

“I’m sure I can get those figures.”

Member Question submitted by Cllr Marcus Vickers for response by the Cabinet Member for Environment and Transport (Cllr Clare Gamble):-

“Analysis of all the SBC data by the Wolviston Community speedwatch group discovered over 870 vehicles speeding through Wolviston Village in the space of one week, this would equate to over 45,000 speeding vehicles in the village every year.

Will the Council review its policies and procedures in relation to traffic calming and speeding alongside the appropriate partners to look at keeping our communities safer.”

The Cabinet Member for Environment and Transport responded with:-

“Speeding is a criminal offence and the enforcement is the responsibility of the Police.

The identification of the need for traffic calming is currently done as part of the Council’s Annual Road Safety review, where the causes of crashes resulting in injury are analysed and locations are identified where road safety measures, such as traffic calming, could be implemented to reduce the number of collisions occurring. Wolviston has not been identified through the Annual Road Safety Review. However, locations that are not identified through this process for road safety improvements, but where there are community concerns, can be put forward for investigation via local Ward Members Ward Transport Budget.

Following a the meeting with Wolviston Parish Council (August 2023) it was agreed for speed surveys to be carried out on Wynyard Road & the High Street. The surveys were carried out and the data was passed onto the Parish Council and Ward Cllrs. For both roads, average speeds were commensurate with the speed limit.

Officers have not had any requests from Ward Councillors for traffic calming measures to be introduced in Wolviston using the Ward Transport Budget, but we would be willing to consider a scheme on Wynyard Road and High Street at the request of Ward Councillors.

The Council have plans to produce updated Road Safety guidance in the next year which will include further details on the process for determining when road safety measures like traffic calming are implemented by the Council.”

Member Question submitted by Cllr Niall Innes for response by the Leader of the Council (Cllr Bob Cook):-

“The Powering Our Future report states at Point 4, that we will have ‘Communities Powering our future’. Can the Leader inform me what actual steps are being taken to ensure our residents are driving the change rather than be passengers with no say?”

The Leader of the Council responded with:-

“Communities Powering Our Future will see us change the way we work with our communities so they use their knowledge, skills and strengths to help them deliver positive outcomes for themselves.

We will empower communities and increase individual, family and community level activities, helping people and communities to be independent and have less reliance on Council services.

We have already started gathering the views of communities through our Residents Survey which closed before Christmas. This was based around the National Wellbeing Measures, and also included some open questions to get more general thoughts on the future of the Borough. 1,637 residents responded, which has given us a really rich data set, and analysis of this on ongoing. Residents were also asked to provide their details if they would be happy to be involved in further engagement work, and this will be followed up through more targeted and focused sessions.

Building on national best practice, we are also looking to develop an Appreciative Inquiry approach, with initial steps being taken considered to train our staff in this methodology. This will can enable teams across the council to understand what is important to our communities, to work with them to harness existing strengths and shape future solutions.

Our Making it Real Board was set up in January 2024. This Board is made up of People with Lived Experience who have (or may in the future access our services), and senior leaders in Adult Social Care. The innovative nature of the Making it Real Board ensures that membership is flexible and there is a strong desire of promoting future opportunities for wider engagement and Making it Real Board developments.

Community engagement will also continue to be a key principle as we develop our major programmes. A recent example of this is the consultation to develop the Blueprint for Central Stockton, Teesdale and Thornaby

Alongside this, we are developing a comprehensive plan for engagement and communications with residents, communities, businesses and visitors. This will detail opportunities to engage with residents and help them to drive change. The role of Elected Members will be key to this, harnessing our role as community champions, with a mandate to represent local community views.”

Cllr Niall Innes asked the following supplementary question:-

“On the point of consultation with residents, I know many have felt they haven’t been consulted and I appreciate the points the Leader made about residents surveys. Just thinking about examples with the money that has through for Billingham, what steps will be taken to ensure residents of Billingham will be consulted and that residents of Billingham have that voice to be able to decide where that money is spent?”

The Leader of the Council responded with:-

“The Levelling Up money for Billingham there was consultation that took place prior to the second Levelling Up scheme that we submitted to government and as you know we got that on the third Levelling Up scheme without having to submit another bid. There is a masterplan coming forward for the town centre that will be consulted on with residents and businesses but the way the money will actually be spent is what we will have to consider that we submitted to government and there is very little flexibility but I’m sure that when the masterplan comes out people will see the things that we are looking at as a Council and with the new owners of the town centre. There will be consultation on the masterplan and we have actually done consultation on the levelling up fund that we applied for on the second tranche.

Member Question submitted by Cllr Ted Strike for response by the Leader of the Council (Cllr Bob Cook):-

“Given the difficult financial situation the council are in would it not be prudent to form a cross party "Budget Committee" of one or two members of the Conservative Party, who have 26 members and a representative from the eight Independents to work with the Labour on a united budget?

This would stop the unpleasant atmosphere that we saw last month as well as reducing significantly the time spent on the debates?”

The Leader of the Council responded with:-

“Thank you, Cllr Ted Strike, for raising this question which touches upon our democratic processes and our commitment to good governance. Considerations about how we can best navigate our financial challenges while fostering a spirit of collaboration and mutual respect are important. We must however recognise the practical challenges and political realities that accompany our roles as elected representatives. The diversity of opinions, priorities, and responsibilities we each carry into this chamber reflects the very essence of democracy. Debate, dissent, and dialogue are not only expected but necessary.

The budget is approved by full Council, at which point all members can vote on the budget proposals, and as such we are not required to hold a cross party budget committee in addition to this process. In line with our constitution, any member or party can put forward alternative budget proposals. Members are invited to be involved in the budget process by means of members seminars, group briefings and invitation from officers to individual meetings to discuss the proposals.

The MTFP update report to Cabinet in December often includes the main issues that will be addressed in the MTFP and Budget report to Council in the following February. Similar to the run up to the February budget report, offers are available from officers to meet with individual members or groups to discuss at this stage.

There are 4 MTFP update reports presented throughout the year; taken in July, September and December to Cabinet and in February to Council. These reports are then taken to Scrutiny Committee with cross party representation for discussion.

The Audit and Governance Committee meet on a regular basis with a cross party representation, which provides updates on the financial performance of the Council and well as assessment of governance, risk and audit.”

Cllr Strike asked the following supplementary question:-

“The 7 independent Councillors that support you as a minority Council, do they get involved pre-budget or are they the same as everyone else with the information that we all get?”

The Leader of the Council responded with:-

“Like all groups they are entitled to have the 151 officer and the finance team to brief them on what is in the budget and all groups have got the same facility in doing that and as an individual Councillor the finance team would do the same if you would ask. It is the most important decision we need to make each year. Going back to what you said in your original question, if you could get an amendments to the Council budget



earlier to all members so people could actually look at them might be a way forward and then we could get agreement from all parties concerned.”

Member Question submitted by Cllr Paul Weston for response by the Leader of the Council (Cllr Bob Cook):-

“Could you please tell me how much the council tax support grant has been cut since Labour were last voted out?”

Could you tell what that is in both cash terms and in real terms if that's possible? Specifically, can you tell me how much more would be in the budget if it was the same as 2010 plus inflation.”

The Leader of the Council responded with:-

“I am assuming this is a reference to Revenue Support Grant received by the Council. The overall position around Local Government Finance has changed over the years. In 2010 we had a funding formula and received grant, this was replaced by a new system in 2013/14 when business rates retention came in alongside RSG. Overall, though, we received £78m through formula Grant in 2010/11 =£78m. Revenue Support Grant and Business Rates is £67m in 2024/25 – a reduction of £11m in cash. In real terms however this amounts to £44m per year.

There were other funding streams that also reduced however and the total difference in overall government funding between 2010/11 to 2024/25 in cash terms is £711 Million, which is around £1 Billion (assuming funding would increase in line with inflation).” Cllr Paul Weston asked the following supplementary question:-

“Is this the real reason why Council’s have had to put up council tax up so much over the years and why our council tax payers in the middle of a cost of living crisis have had to fill the gap even though we have had to cut services and reduce staff?”

The Leader of the Council responded with:-

“The way local government is funded now compared to 2010 is that government is putting less money into the coffers of local councils and therefore to bridge that gap councils have had to increase council tax over the years. When this government does its spending assessment they have always includes the increase in council tax and the social care levy. The government are giving less to local authorities and they are expecting local residents to pay more council tax. The money that we have lost equates to 1200 jobs lost in the council. They have done this so they can’t get the blame for putting up council tax but in reality the reduction in the revenue support grant for all councils has been reduced.”

### **COU/95/23 Forward Plan and Leader’s Statement**

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

Council last met on the 21st February to consider the Medium Term Financial Plan and to set the Council Budget. Since then, Cabinet met on 14 March and considered the following matters:

- Procurement Plan, Higher Value Contracts and Social Value Update

- Syllabus for Primary Religious Education
- Durham Lane Industrial Estate Redevelopment

Cabinet would meet again on 18 April. So far on the forward plan Cabinet is due to consider:

- A Powering Our Future - Programme Update
- Scrutiny Review of Cost of Living Response

The next meeting of full Council will be 3 April at the Forum Theatre in Billingham which is of course the annual meeting and a significant civic event.

The Leader of the Council also reminded members that elections for both the Police and Crime Commissioner and the Tees Valley Combined Authority Mayor will take place on 2nd May and the Council was in the election period. The monitoring officer had issued advice to members and officers in respect of this period.

Coming up at the end of this month there was Stockton Calling on 30th March taking place at various locations.

The Leader of the Council looked forward to seeing Members at the Forum on 3rd April 2024.