

MEETING OF MIDDLESBROUGH COUNCIL

At the Meeting of Middlesbrough Council, lawfully convened, and held in the Town Hall, Middlesbrough on 31 May 2017.

PRESENT: Councillor R Brady (Vice - Chair) - (In the Chair, Councillors R Arundale, S Biswas, D J Branson, J Brunton, Mr D Budd, M Carr, D P Coupe, D Davison, S Dean, J Goodchild, A Hellaoui, T Higgins, C Hobson, J Hobson, B A Hubbard, N Hussain, L Lewis, T Mawston, L McGloin, F McIntyre, J McTigue, G Purvis, P Purvis, J Rathmell, C M Rooney, D Rooney, J Rostron, M Saunders, M Storey, M Thompson, Z Uddin, J A Walker, N J Walker, M Walters, J Young and L Young

OFFICERS: B Carr, L Henman, A Hoy, D Johnson, S Lightwing, J McCulloch, N Mumtaz, A Pain, S Reynolds, B Roberts and J Shiel,

APOLOGIES FOR ABSENCE were submitted on behalf of Councillors Councillor S E Bloundele, Councillor J Blyth, Councillor E Dryden, Councillor T Harvey, Councillor T Lawton, Councillor D McCabe, Councillor J McGee, Councillor J Sharrocks.

DECLARATIONS OF INTERESTS

None Declared

1 ELECTION OF THE CHAIR OF THE COUNCIL FOR 2017/2018

The Head of Legal and Democratic Services invited nominations for the election of Chair of the Council for the Municipal Year 2017- 2018.

Moved, seconded and **ORDERED** that Councillor Bloundele be elected Chair of the Council for the Borough of Middlesbrough to hold office for the Municipal Year 2017- 2018 pro tem.

2 APPOINTMENT OF VICE-CHAIR OF THE COUNCIL FOR 2017/2018

In the absence of the Chair, the Head of Legal and Democratic Services sought nominations for the election of Vice-Chair of the Council for the Municipal Year 2017- 2018.

Moved, seconded and **ORDERED** that Council Brady be appointed Vice-Chair of the Council for the Borough of Middlesbrough to hold office for the Municipal Year 2017- 2018.

(In the absence of the Chair of the Council, Councillor Brady assumed the Chair).

3 MINUTES - COUNCIL - 29 MARCH 2017

The minutes of the Council meeting held on 29 March 2017 were submitted and approved as a correct record.

NOTED**4 ANNOUNCEMENTS/COMMUNICATIONS**

With sadness, the Vice-Chair announced the recent deaths of Councillor Peter Cox and Councillor Bernie Taylor.

All present stood in silence as a mark of respect.

The Mayor and Members paid tribute to the two Councillors.

5 REPORT OF THE INDEPENDENT PANEL ON MEMBERS' REMUNERATION

The Head of Legal and Democratic Services presented the recommendations of the Independent Panel on Members' Remuneration.

The Independent Panel on Members' Remuneration had considered the annual review of Members' Allowances and all Elected Members were invited to put written representations to the Panel.

Representations had been received from a number of councillors and a member of the public.

Moved, seconded and **ORDERED** as follows:

1. That the Monitoring Officer approaches external organisations such as Teesside University, the Chamber of Commerce and the MVDA, in order to attract new members to the Panel.
2. That there be no changes to Basic Allowance; the travel and subsistence allowance or pension entitlement, however the basic allowance should continue to be linked to officers' pay awards.
3. That a full review of the Basic Allowance and the Special Responsibility Allowances and the banding scheme index be reviewed in 2018.
4. That the SRA for the Vice Chair of the Council be ceased.
5. That amendments to 11.6 (Part Entitlements) of the scheme be made to recognise the additional time and commitment of substitutes when an appointed person receiving an SRA is unavailable for a large percentage, or long periods of time.
6. That a review of the Dependent Carers allowance rates be undertaken to reflect the national living wage rates and that the hours to be claimed be limited to 7 hours per week.

6 **SCHEME OF ALLOWANCES 2017/2018**

A report of the Head of Legal and Democratic Services was presented, the purpose of which was to approve the Scheme of Allowances for the year 2017/2018, which reflected the recommendations of the Independent Panel on Members' Remuneration. A copy of the Scheme of Allowances was attached to the submitted report.

It was noted that all allowances detailed in the report would be revised following approval of the recommendations at Agenda Item 7.

Moved, seconded and **ORDERED** as follows:

1. That Council agrees the attached Scheme of Allowances.

7 **POLITICAL BALANCE - ALLOCATION OF PLACES ON COMMITTEES 2017/2018**

Council received and considered a report of the Monitoring Officer, recommending the allocation of places on Committees and Sub Committees in line with the political balance of the Council and, in accordance with the requirements of Sections 15 and 16 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990.

The Monitoring Officer advised that there was currently two vacancies and political balance had been calculated on the current political balance. A further report would be brought back to the Council following the result of the two forthcoming by elections.

Paragraph 8 of the report stated that where meetings were (a) advisory in nature or (b) where the Council has determined otherwise, and no Member has voted against, the political balance requirements need not apply.

Previously the requirements in relation to political balance had been waived in respect of the following committees:

(a) Corporate Health and Safety Committee
Local Pensions Board
Works Council

(b) Chief Officer Appointments Committee
Constitution and Members' Development Committee

The requirement in relation to the waiving of political balance was that the Council had to agree unanimously.

A member indicated that he would like to object to the waiving of political balance in respect of the above Committees.

The Monitoring Officer advised that he was conscious that a representation would be made in relation to the waiving of political balance and as a consequence he had produced revised political balance calculations. A copy of the revised documentation was circulated to all members of the Council.

The revised table showed that the total number of places on committees had risen from 136 to 173. Members were requested to note the revised political balance and agree nominations for any vacancies at a future meeting.

Moved, seconded, and **ORDERED** as follows:

1. That the revised political balance calculations be noted.
2. That the revised allocation of seats on committees that were subject to the rules relating to political balance be approved as follows:-

Labour - 118 seats
Conservative - 18 seats
Middlesbrough Independent Councillors Association (MICA) - 18 seats
Marton Independent Group - 7 seats
Independents - 12 seats

3. That the Monitoring Officer be authorised to fill any unallocated seats and make any necessary further adjustments to remove or replace members where directed by the relevant group or member.

4. That any committees established prior to the next review be appointed on the basis of the places shown in Table 3 of the appendix to the report submitted.

8 **EXECUTIVE SCHEME OF DELEGATION**

As required by the Council's Constitution, a report was submitted setting out membership of the Executive appointed by the Mayor as at Appendix B together with details of the Executive Scheme of Delegation as at Appendix A delegating responsibility for certain functions to the Executive, Individual Executive Members, Executive Sub-Committees, joint arrangements and, where appropriate, Officers of the Council.

Moved, seconded and **ORDERED** that the report be noted.

9 **COUNCIL COMMITTEES - ESTABLISHMENT, TERMS OF REFERENCE, ALLOCATION OF PLACES AND MEMBERSHIP 2017/2018**

Council received a report of the Monitoring Officer, regarding the establishment of committees, sub-committees, boards, panels and working groups for the 2017-2018 Municipal Year, or until amended by Council, (whichever was the latter)

Schedule A of the report submitted set out the Executive and Executive Sub-Committees and

Advisory Bodies as agreed by the Mayor.

Schedules B and C identified the nominations received from the various groups and individual Councillors for places on the committees to be established by the Council in accordance with Sections 15 and 16 of the Local Government Act 1989 and Local Government (Political Groups and Committees) Regulations 1990.

The report included a list of current vacancies on various committees and nominations were put forward at the meeting by the individual Members' concerned.

Moved, seconded, and **ORDERED** as follows:

1. That the membership, size and terms of reference of the Executive, its sub-committees and advisory bodies approved by the Mayor as set out in Schedule A in the Appendix to the submitted report, be noted.
2. That the appointment of chairs and vice-chairs of Executive sub-committees and advisory bodies, as indicated in Schedule A in the Appendix to the submitted report, be noted.
3. That the committees, sub-committees, boards, panels and working groups be established, and the terms of reference as detailed in the Schedules B and C in the Appendix to the submitted report be approved for the 2017-2018 Municipal Year, or until amended by Council, (whichever was the latter).
4. Council approved (a) the places allocated in accordance with the wishes of the political groups and other Councillors as shown and (b) the chair/vice-chair appointments indicated for the 2017-2018 Municipal Year, or until amended by Council, (whichever was the latter).
5. That the following appointments, nominated at the meeting, were approved:

Schedule B Appointments:

Chief Officer Appointments Committee - Councillor Hubbard

Works Council - Councillor McGloin

Schedule C Appointments:

Licensing Committee - Councillor Lawton

Ad Hoc Scrutiny Panel - Councillor McGloin

Children and Learning Scrutiny Panel - Councillor McGloin

Culture and Communities Scrutiny Panel - Councillor McGloin

Economic Development and Infrastructure Scrutiny Panel - Councillor McGloin

Environment Scrutiny Panel - Councillor McGloin

Health Scrutiny Panel - Councillor McGloin

Social Care and Adult Services Scrutiny Panel - Councillor McGloin

Staff Appeals Committee - Councillor McGloin

Standards Committee - Councillor McGloin

Teesside Pension Fund and Investment Panel - Councillor McGloin

The Monitoring Officer advised that the political groups would be emailed group vacancies and these would be approved by the Monitoring Officer.

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APPOINTMENTS BY THE COUNCIL AND EXECUTIVE TO JOINT COMMITTEES AND OUTSIDE BODIES 2017/2018

A report of the Monitoring Officer, regarding the appointment of representatives to joint committees and outside bodies had been circulated.

Moved, seconded and **ORDERED** as follows:-

1. That appointments to the organisations shown in Appendices A (Council nominations) and B (Council/Executive nominations) of the report submitted, for the 2017-2018 Municipal Year be approved, until amended by Council/Executive, (whichever was the latter).

2. That the following appointments for the 2017-2018 Municipal Year, nominated at the meeting, be approved and noted, until amended by Council/Executive (whichever was the latter).

Appendix A:

Better Health Programme Joint Committee - vacancy carried forward
Cleveland Police and Crime Panel - Councillor Coupe and Councillor Mawston
Cleveland Show Society - Councillor Davison and Councillor McGloin

Appendix B

Captain Cook Birthplace Trust - Councillor Davison, Councillor Mawston and Councillor McGloin
Sacre - Councillor Lawton

Appendix C

Forum for Looked After Children - Councillor Davison and Councillor McGloin
Nunthorpe and Marton Playing Fields Association - Management Committee - Councillor Mawston and Councillor McGloin

3. That the nomination of representatives for appointments made by the Deputy Mayor and Executive Member for Regeneration relating to appointments set out in Appendix C (Executive) of the report submitted be noted.

4. That the bodies identified in the schedules submitted be regarded as approved duties for the payment of travel and subsistence allowance.

5. That subject to consultation with the Deputy Mayor and Executive Member for City Centre Strategy (for Executive appointments), the Group Leader (where a vacancy rested specifically with that political group), or the Chair of the Council (for all other nominations/appointments), the Monitoring Officer be authorised to remove or replace representatives on outside bodies.

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UPDATE TO CONSTITUTION

The Monitoring Officer presented a report, the purpose of which was to seek Council's agreement to the amended Council Procedure Rules within the Constitution.

Following a number of requests at the beginning of 2017, a meeting of the Constitution and Members' Development Committee was convened on 22 February 2017, to consider the Council Procedure Rules.

That meeting considered the provisions of the Council Procedure Rules, and agreed the following amendments to those rules:

a) Paragraph 2, Annual Meeting of the Council, Timing and Business: insert 'or June' after 'In any other year, the Annual Meeting will take place in March, April, May...'

b) Paragraph 2, Annual Meeting of the Council, Timing and Business: insert an additional point '(k) the Mayor's Address.'

c) Paragraph 21 (b): add the words 'or contains obvious falsehoods.'

d) Paragraph 21 (g): remove the words 'is seeking an expression of an opinion, or contains an expression of opinion, inferences or imputations.'

e) Paragraph 21: add a sentence to clarify that the Chair of the Council's decision to reject a

question is final.

f) Motions: add a sentence to clarify that the Proposer should be required to read the Motion out loud before debate commences.

g) Standing to Speak: insert the words 'if able' in the sentence which begins 'When a councillor speaks at full Council they must stand...'

h) Substitutes: add a sentence to clarify that substitutes must be from the same political Group.

Further clarification had established that amendment a) would be prohibited by statute, and the amendment was not, therefore, made.

A copy of the revised Council Procedure Rules was appended to the report.

Moved, seconded and **ORDERED** as follows:

That Council agree to the revised Council Procedure Rules, with immediate effect.

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MAYOR'S ANNUAL STATEMENT

The Mayor advised members that the Annual Statement was a new item for the Annual Council meeting. It was the mid-point of the Council term and the Mayor considered that it was appropriate to reflect on things that had happened throughout the last year and to look forward to what the Council was aiming to do in the future.

The Mayor stated that since 2010, budgets had been slashed and the Council had faced difficult decisions with regard to spending. Middlesbrough continued to struggle with deprivation due to the removal of funds to other wealthy boroughs in the country.

The Mayor stated that, like many other Councils, Middlesbrough faced a Social Care crisis, due to people living longer and more children needing care, and, as a consequence, the care system was overstretched. The Council however was taking action through its Strategic Plan. The Strategic Plan provided a stable four-year plan for Council finance. Intelligent use of capital investment and housing growth and measures such as those included in the Council's Investment Prospectus ensured that the Council's finances were secure.

Government cuts to schools had resulted on average, a reduction of £674 per pupil. The Council, however continued to work with schools towards raising standards and outcomes for young people. The Mayor stated that the Council could not be defined by deprivation and cuts.

Members were advised that Middlesbrough was changing:-

- Private investment had increased rapidly and businesses such as Patisserie Valerie, Disney and Mac had appeared in the town. Members were advised that this did not happen on its own, the Mayor stated that a bold vision for the city centre was the core of his administration's plans for Middlesbrough.
- New businesses in Baker Street and Bedford Street were already well established and the Orange Pip Market had expanded and was bringing millions into the economy.
- Work had commenced on completing the Centre Square with new office space and an extension to the hotel and restaurants and bars on the edge of Centre Square and new grade 'A' office space completing a proper city centre scale civic space.
- MIMA had celebrated its 10th anniversary by winning the museum of the year award at the Culture Awards.
- The Centre for Cities always refers to Middlesbrough City Centre.
- The Council would continue to work with businesses and others to attract investment and jobs.
- Planning approval for the Snow Centre had been granted.
- The Council would continue to work with Teesside University to extend the campus.
- Work was commencing on improving Middlesbrough Railway Station and the

- surrounding area ready for the creation of a high speed link to London.
- The Combined Authority had set its objectives at its recent Annual meeting around jobs, skills infrastructure education development and culture.
 - The Acklam Green site was back on track and the Mayor paid tribute to Gleeson Homes, Council officers, Councillor D Rooney and in particular to the late Councillor B Taylor for their hard work in making this happen.
 - Mr Tony Whitby, who founded Middlesbrough Boxing Club, had been awarded the Citizen of the Year for his dedication to the club over the past 15 years, which was a shining example of community engagement and partnership working.
 - The Mayor stated that he was proud of the fact that Middlesbrough had achieved status as a Dementia Friendly Town and lots of businesses had signed up to it. Cineworld had screened 60 dementia friendly screenings. The Mayor had recently opened a Quiet Space in the bus station for people living with dementia and their families. All of the bus station staff were dementia trained and the Mayor thanked everyone, in particular the bus station staff, who had undertaken the dementia training.
 - The Mayor referred to the Tour de Yorkshire and congratulated everyone involved for their efforts.
 - The Mayor referred to Selective Landlord Licensing in North Ormesby aimed at driving up standards and the subsequent prosecution of a landlord for refusing to licence a property. Money raised from Selective Landlord Licensing was being put back into the community. Middlesbrough was committed to providing fairness and support to tenants and landlords.
 - The Mayor stated that he celebrated the diversity of the town and he stated that he was looking forward to the Mela to celebrate our diversity.
 - Members were advised that the Mayor would provide an update at a later date with regard to the proposals to establish a Community Bank in Middlesbrough.
 - The Mayor paid tribute to the work carried out by the Middlesbrough Football Club foundation and expressed the hope that the club would return to the premiership soon.
 - The Mayor thanked all of the Council staff for their energy and commitment and members who worked positively for their communities and Middlesbrough as a whole.