

MEETING OF MIDDLESBROUGH COUNCIL

At the Meeting of Middlesbrough Council, lawfully convened, and held in the Town Hall, Middlesbrough on 5 December 2018.

PRESENT: Councillors S E Bloundele (Chair); R Brady(Vice Chair), S Biswas, J Blyth, D J Branson, Mr D Budd, M Carr, D P Coupe, S Dean, E Dryden, J Goodchild, T Harvey, A Hellaoui, T Higgins, C Hobson, J Hobson, B A Hubbard, N Hussain, L Lewis, T Mawston, D McCabe, J McGee, L McGloin, J Mohan, G Purvis, J Rathmell, C M Rooney, D Rooney, J Rostron, M Storey, M Thompson, Z Uddin, J A Walker, N J Walker, V Walkington, M Walters and L Young

OFFICERS: M Allinson, J Bromiley, B Carr, G Cooper, A Hoy, A Humble, D Johnson, A Pain, K Parkes, T Parkinson, B Roberts, J Robinson, E Scollay

APOLOGIES FOR ABSENCE were submitted on behalf of Councillors Councillor R Arundale, Councillor J Brunton Dobson, Councillor D Davison, Councillor T Lawton, Councillor F McIntyre, Councillor J McTigue, Councillor M Saunders, Councillor J Sharrocks, Councillor J Young.

DECLARATIONS OF INTERESTS

None Declared

18/67 **MINUTES - COUNCIL - ORDINARY MEETING - 17 OCTOBER 2018 AND EXTRAORDINARY MEETING 17 OCTOBER 2018**

The minutes of the Ordinary Council meeting and the Extraordinary Council meeting held on 17 October 2018 were submitted and approved as a correct record.

18/68 **ANNOUNCEMENTS/COMMUNICATIONS**

The Chair of the Council announced with sadness, the death of Councillor Peter Purvis on 25 October 2018, aged 79. Councillor Purvis was elected in 2007 and was Councillor for the former Thorntree Ward and more lately, the Brambles and Thorntree Ward.

Councillor Purvis was a popular Councillor and a community stalwart. He was an active member of Community Ventures Middlesbrough and also sat on the River Tees Port Health Authority, as well as serving as the Vice Chair of the Council's Corporate Affairs and Audit Committee. He was also a member of the Overview and Scrutiny Board and the Adult Health and Social Care Scrutiny Panel. Councillor Purvis was a great advocate for his ward and for the town as a whole.

The Chair also announced with sadness, the death of former Councillor Peter Sanderson on 15 November 2018, aged 71. Peter Sanderson was Councillor for Nunthorpe Ward from 2003 - 2015. He was a member of the Planning and Development Committee and was also Vice Chair of Economic Regeneration and Transport Scrutiny Panel.

All present stood in silence as a mark of respect.

18/69 **COUNCIL QUESTIONS FROM MEMBERS OF THE PUBLIC**

The Chair stated that two questions from members of the public had been submitted, the details of which had been circulated with the agenda.

The Chair invited the member of the public who had submitted Question 17/18 to pose his question to the Executive Member for Economic Development and Infrastructure.

In response to Question 17/18, the Executive Member advised that the Council regularly used

traffic counting wires/tubes to measure traffic flow right across Middlesbrough and would continue to do so. This information was used to feed in to the Council's overall traffic management plans, and did not stop just because the Council had future works proposed in certain areas.

The Arup work referred to, recommended the proposed widening, rather than warning against it.

The Chair advised that the member of the public who had submitted Question 18/18 was unable to attend the meeting and he had been requested to read the question on the member of the public's behalf. The Chair read out Question 18/18 and invited the Executive Member to respond.

The Executive Member advised that he would provide a response in writing to the member of public that had submitted the question.

18/70 **MAYOR'S STATEMENT AND REPORT**

The Mayor highlighted that he wished to provide clarification in respect of an article that had appeared in the Evening Gazette regarding a Tees Valley Combined Authority (TVCA) meeting where a process, chemicals and energy sector action plan had been agreed. The article had proceeded to quote the Tees Valley Mayor's support for fracking. The Mayor advised that these were two separate items and he highlighted that fracking was not mentioned in the report and it was not discussed as part of the item. The Mayor clarified that there was no support from him or any of the other Tees Valley authorities for fracking. The confusion had arisen as a result of the article in the Evening Gazette.

As part of his statement the Mayor discussed the following:

- Austerity and the views of Professor Philip Alston with regard to extreme poverty and human rights and the effects of government policies on local authorities in respect of austerity and the fact that austerity was a political choice.
- The statement from the Chief Constable of Cleveland Police with regard to cuts to Cleveland Police budgets, the reduction in the number of police officers and police community support officers and the effect on services.
- The fact that the Mayor and 75 other local authorities had written to the Government with regard to a request for increased funding in respect of the Local Government Settlement figure.
- The pressure on local government finances in respect of adult social care and children's services.
- The Mayor advised that he would share with Councillors, the Local Government Settlement figure, once it was available.

A member commented on the Mayor's Statement.

18/71 **DEPUTY MAYOR AND EXECUTIVE MEMBER REPORTS**

The Chair invited Members to raise items for general discussion arising from the Information Booklet of Executive Member reports which detailed activities carried out within the respective Executive Member portfolios (Section 1), Executive decisions taken (Section 2) or to be taken where known, prior to and following the Council meeting (Sections 3 and 4).

Members commented and posed questions in relation to the following matters and Executive Members responded where appropriate:-

The following questions/comments were put in respect of the report of the Deputy Mayor and Executive Member for City Centre Strategy:-

a) Centre Square - a member queried whether any tenants had been secured for either of the new Centre square office blocks excluding Middlesbrough Council. The Executive Member advised that Middlesbrough Council would be leasing one of the blocks and there had been

more interest in the other block than there was space available. The Executive Member advised that he hoped provide further information on tenancies in the office blocks, in the new year.

b) Railway Station- a member commented on the recent developments to the railway station and how pleasing it was to see how quickly the Council's Masterplan was being developed. He stated that this was a Middlesbrough Council lead project and a Middlesbrough Council Masterplan. He acknowledged the financial support from the TVCA, the work carried out by the Council's Executive, Council Officers, the support received from the Middlesbrough MP, who was also the Shadow Transport Secretary, and Middlesbrough Council. The Executive Member stated that the Council continued to invest in the public realm and he advised that a meeting, facilitated by the MP for Middlesbrough had been set up with concerned parties, to discuss further improvement to the station.

The following question/comment was put in respect of the report of the Executive Member for Adult Social Care and Public Health:-

c) Grandparents Plus - a member commented that it was pleasing to see that funding had been allocated from Sport England's Families Fund towards encouraging grandparents and their grandchildren to become active and she complimented the Grandparents Plus Project and urged people to join in. The Executive Member advised that Project Workers would work from the Live Well Centre. The project would run from April 2019 until September 2021. The Executive Member advised that many of the kinship carers were grandparents and the Council was always pleased to be able to assist kinship carers.

The following question/comment was put in respect of the report of the Executive Member for Children's Care:-

d) Ofsted Focused Visit - August 2018 - a member commented on the recent Ofsted report in respect of the Council's Front Door service, and made reference to the fact that only a selection of the report was included in the Executive Member report. The member made reference to a number of the negative comments in the report and stated that one child let down was one too many. The Executive Member stated that he agreed with the fact that one child let down was one too many however he stated that some of the comments in the report, referred to by the member, had been taken out of context. He stated that one of the outcomes of the report was that all children in Middlesbrough's care were safe and all decisions taken by the Front Door Service were correct. The report had highlighted that although there had been considerable weaknesses in the quality of front line practice, following the appointment of a new Director and Chief Executive, there had been improvements in the service. Many good points had been highlighted in the report and as part of the improvement plan, a new approach had been adopted called Believe in Families. In April 2019, a new South Tees Multi Agency Children's Hub was due to go live which involved Redcar and Cleveland Council, Middlesbrough Council and other partner agencies.

The following questions/comments were put in respect of the report of the Executive Member for Culture and Communities:-

e) Selective Landlord Licensing- a member commented on the formal consultation of Selective Landlord Licensing in the Newport Ward and highlighted the many advantages of the Council's Selective Landlord Licensing Scheme. She outlined research that she had carried out in respect of the initiative and provided details of some of the comments received from landlords in respect of the scheme. The Executive Member thanked the member for her comments and expressed disappointment at the negative comments in the press about the scheme. He stated that the scheme provided support for landlords with difficult tenants and discussions would be held with those landlords who had concerns about the charges for the scheme. The Executive Member highlighted that the work involved in establishing and running the scheme as resource intensive and at significant cost.

f) The Glass Ceiling - a member commented on the excellent Glass Ceiling theatre work marking 100 years since the first British women were given the right to vote funded by the TVCA and the combined authorities. The Executive Member stated that it was a fantastic

event which he had attended with his daughter and granddaughter and he hoped it would encourage all women to vote whenever the opportunity became available.

g) Neighbourhood Safety - a member commented on Hate Crime Week which took place 13 - 20 October 2018. The Executive Member advised that he had recently attend a meeting with the Local Government Association which discussed the rise of the far right and fascism. The Executive Member stated that Middlesbrough would not tolerate fascism or have any dealings with people who spread hate.

The following question/comment was put in respect of the report of the Executive Member for Economic Development and Infrastructure:-

h) Housing Sites Update - a member commented that he had been attending the consultation meetings in respect of the Stainsby Masterplan and he was disappointed to note that there was no 20mph speed limits proposed. In respect of the Mandale site, he suggested that another option would be to leave the area as it was and plant trees to enhance the area when the houses were eventually built. The Executive Member advised that he would take the suggestion regarding the proposed 20mph speed limits back for consideration. In terms of the Mandale site, the Executive Member advised that the area had always been allocated for housing and following consultation with residents the amount of housing to be built on the site had been significantly reduced. The Executive Member stated that he would like to thank residents for engaging in the consultation exercise as by participating in the process, they had helped to shape the Masterplan. The Executive Member also highlighted that the Stainsby Country Park had been allocated as a strategic priority in the Local Plan.

The following question/comment was put in respect of the report of the Executive Member for Environment and Commercial Services:-

i) Parks and Recreation - a member referred to the impressive increase of visitors to the Newham Grange Leisure Farm in October 2018 compared to October 2017. The member requested whether the Executive Member could provide details of the breakdown of footfall and the takings for that period. The Executive Member advised that she would forward details of footfall and the increase in takings to the member concerned, together with information regarding feedback on the Newham Grange Leisure Farm.

The following question/comment was put in respect of the report of the Executive Member for Finance and Governance:-

j) People Strategy - a member queried whether the Executive Member could confirm that all staff who had worked consistently for Middlesbrough Council had been issued with written contracts of employment and when outsourcing/insourcing services if she could confirm that TUPE regulations were applied correctly and in a redundancy scenario, appropriate consultation was carried out with all staff and basic rights such as maternity leave and pay were provided. The member stated that he understood that this had not been the case with former Southlands Centre staff. The Executive Member stated that her stance as a Councillor, in relation to individual staff contracts etc, was that there were appropriate procedures and processes in place and as such, she would not get involved in such matters and would advise staff to consult with their trade union representative or somebody suitably qualified and professional in Human Resources. The Executive Member stated that her broad understanding was that some people were employed on a casual basis, following the time when the Southlands was earmarked for closure or it was known that it was likely to close so they were purposely employed on a casual basis and were not issued with permanent contracts. The Executive Member stated that she understood that some people had engaged with those people and provided them with advice although as an Executive Member she did not have knowledge of individual contracts or rates of pay etc. The Executive Member stated that she would advise the Councillor to advise staff with any issues to contact their union representative or if they were not part of a union, to seek reliable informed and professional HR advice.

The following questions/comments were raised in respect of the report of the Executive Member for Education and Skills:-

k) Park End Primary in the Spotlight - a member commented on the excellent work being carried out at Park End Primary school and in particular the recognition received in November for the school's participation in a regional chess event as part of the national Chess in Schools and Communities (CSC) Initiative.

l) The Junction - Young Carers Service - a member commented on the valuable work provided by the Junction Carers Project.

18/72 **REPORT OF OVERVIEW AND SCRUTINY BOARD**

Council received and considered a report of the Chair of the Overview and Scrutiny Board outlining the work of the Board and Scrutiny Panels.

NOTED

18/73 **STRATEGIC PLAN UPDATE, MEDIUM-TERM FINANCIAL PLAN BUDGET PROPOSALS 2019/20 AND INVESTMENT STRATEGY REVIEW**

Council received and considered a report of the Elected Mayor of Middlesbrough and the Strategic Director of Finance, Governance and Support which requested:

That the Council notes progress against the Strategic Plan 2018-22.

That the Council notes the Medium-Term Financial Plan position for 2019-22.

That the Council approves the proposed savings initiatives for 2019/20 and notes the proposed savings initiatives for 2020-22 which will require further development prior to being brought forward for approval (Appendices 1-3).

That consultation on the proposed savings initiatives for 2019/20 commences on 6 December 2018.

That the Council approves the proposed changes to the Investment Strategy and that these are included in the revised strategy for 2018-22.

The Mayor and the Executive Member for Finance and Governance presented the report.

An amendment to Recommendation 3 had been circulated prior to the meeting and which was tabled at the meeting, was amended as follows:

That the Council approves **the commencement of such consultations as are required for the** proposed savings initiatives for 2019/20 and notes the proposed savings initiatives for 2020-22 which will require further development prior to being brought forward for approval (Appendices 1-3).

The following amendment to the impact of ECS 11 contained in Appendix 2 - Initiatives considered to potentially affect front line service delivery levels was also highlighted:

Impact: Green waste collections will have two less collections per year.

A Member referred to paragraph 46 of the report which stated that "Following a review of the achievability of the proposed savings and the requirement to balance the MTFP over the period the previously agreed contingency of £1.2m per annum provided for 2019/20, 2020/21 and 2021/22 has now been removed". The member stated that to date the proposed savings for each year had never been delivered. He requested that details of the totals amounts of savings planned but not achieved for each of the last three financial years be provided and he queried with regard to what confidence there was with regard to the proposed savings for the next three years to be delivered so that the contingency would not be needed.

The Executive Member for Finance and Governance advised that she did not recognise the statement that the savings had not been delivered. Regular reports were submitted to the Executive in respect of progress against the savings. The Council had a very good record on delivering the savings and where it was not possible to achieve savings, where possible,

these were usually mitigated by service areas with alternative saving measures. The Executive Member advised she would provide the information above, requested by the member.

The Executive Member clarified that in respect of contingency savings these had in the past been allocated by service areas and this had now been replaced by a general contingency figure, however this had now been removed.

It was Moved, Seconded and **ORDERED** as follows:

That the progress against the Strategic Plan 2018-22 be noted.

That the Medium-Term Financial Plan position for 2019-22 be noted.

That the commencement of such consultations as are required for the proposed savings initiatives for 2019/20 be approved and that the proposed savings initiatives for 2020-22 which will require further development prior to being brought forward for approval (Appendices 1-3) be noted.

That consultation on the proposed savings initiatives for 2019/20 commences on 6 December 2018 be approved.

That the proposed changes to the Investment Strategy be approved and that these are included in the revised strategy for 2018-22.

That the proposed amendments to the report as detailed above be approved.

18/74 **FAIR FUNDING REVIEW - TEES VALLEY CHIEF EXECUTIVE'S BRIEFING PAPER (EXTRACT)**

The Mayor advised that the Fair Funding Review carried out by the Tees Valley Chief Executive was a valuable piece of work. The report provided essential context for members when considering the most recent iteration of the Council's Medium-Term Financial Plan (MTFP), which was set out in the Strategic Plan Update, Medium-Term Financial Plan, Budget Proposals 2019/20, and Investment Strategy Review.

The report highlighted the fact that despite the impact of funding reductions, Tees Valley authorities had continued to promote economic growth in their areas and to transform their delivery models to innovate so that they could continue to deliver for the most vulnerable in society.

The report also highlighted that figures obtained from the National Audit Office via Freedom of Information suggested that there had been a clearly disproportionate effect of the austerity cuts on local authorities in deprived areas such as the North East compared to national averages and to more affluent areas in the South.

The report outlined the impact of cuts on Cleveland Police, the National Health Service in the area and the impact on outcomes.

The report concluded that the case to the Fair Funding Review was that if the Tees Valley received the necessary radical overhaul of the funding regime which properly reflected the need in the Tees Valley they would be able to deliver even more benefit to the people of the Tees Valley and support the economic growth of the country as a whole.

NOTED

18/75 **APPROVAL OF THE STATEMENT OF GAMBLING ACT POLICY 2019 - 2022**

The Director of Culture, Communities and Communication submitted a report, the purpose of which was to seek approval of the Statement of Gambling Act Policy 2019 - 2022.

The Executive Member for Adult Social Care and Public Health advised that it was a requirement that the Statement of Gambling Act Policy was reviewed on a three yearly basis. A comprehensive consultation exercise had taken place and the comments received had been considered as part of the consultation process.

The Executive Member advised that there had been a few additions to the Policy in respect of the inclusion of information from Public Health in relation to the harm that gambling could bring to individuals and families and, in order to assist Gambling Operators in preparing their risk assessments, the revised Policy included a Local Area Profile for Middlesbrough which included levels of deprivation in each ward and a map of Middlesbrough detailing the location of gambling premises and the locations of schools and other educational institutions. The Executive Member advised that there had not been a significant increase in the number of gambling establishments in Middlesbrough.

The Executive Member highlighted that the changes to the policy were included at Page 3, paragraph 3 and Page 4 paragraphs 6, 7 and 8.

A member stated that it had been highlighted by Public Health that gambling posed a significant problem for some people that were addicted to gambling and it could destroy lives and could impacted on families and in some cases, work colleagues. The member queried with regard to what checks Middlesbrough Council carried out with regard to those in charge of gambling premises to ensure that those people with significant gambling problems were supported to seek help.

The Executive Member advised that licensed premises were checked as part of the process and she advised that there was support available for people with gambling addiction through the services provided by Public Health. The Executive Member advised that she would make the information available if required.

It was Moved, seconded and **ORDERED** that the Gambling Act 2005: Licensing Policy Statement 2019 - 2022 be approved.

18/76

URGENT ITEMS

The Chair advised that he had been notified of one urgent item in respect of Durham Tees Valley Airport.

Councillor C Hobson Moved a motion without notice under Council Procedure Rule 61(m), to request the Council to suspend the operation of Council Procedure Rule 63, to allow the submission of an urgent motion with less than 3 clear days' notice. The motion was seconded by Councillor J Hobson.

The Mayor advised that the motion did not fall within the rules for urgent motions and there was insufficient information to consider the request and as a consequence, the Mayor Moved that the Motion without notice be rejected. This was seconded by Councillor Rostron.

On a vote being taken the request for the Council to suspend the operation of Council Procedure Rule 63 was declared **LOST**.

The Chair advised that Councillor C Hobson wished to ask a question under Council Procedure Rule 29b (ii).

Councillor Hobson put the following question to the Mayor:-

"Does this Council support Ben Houchen's plan to take back control of Durham Tees Valley Airport?"

The Mayor stated that everyone would like to see a successful airport. The Mayor advised that he could not speak in respect of what the Council would decide in respect of Durham Tees Valley Airport; that would need to be decided by the full Council, in the future. The Mayor stated that the Tees Valley Leaders were advised two weeks previously by the Tees Valley Mayor that there was no plan in place in respect of the airport. They were advised that it was in the early stages and that they would be advised when a plan was in place. The Tees Valley Leaders had not been advised of the plan. The Mayor stated that he understood that something had been announced in the press however until the Tees Valley Leaders had sight of the plan and looked at the detail, the financial implications the advice given, who the

operator would be or details of the contract, it would not be advisable to comment on whether spending £40m on buying back the airport was the right thing to do.

18/77 **MEMBERS' QUESTION TIME**

There were no questions submitted within the specified deadlines for Members Questions for this meeting.

18/78 **URGENT MOTIONS**

There were no Urgent Motions submitted within the specified deadlines for Urgent Motions for this meeting.