

MEETING OF MIDDLESBROUGH COUNCIL

At the Meeting of Middlesbrough Council, lawfully convened, and held in the Town Hall, Middlesbrough on 26 June 2019.

PRESENT: Councillors J Hobson (Chair), L Garvey (Vice-Chair), Mayor A Preston (Elected Mayor), R Arundale, A Bell, D J Branson, C Cooke, B Cooper, D P Coupe, D Davison, S Dean, C Dodds, T Furness, J Goodchild, A Hellaoui, T Higgins, A High, C Hobson, B A Hubbard, N Hussain, D Jones, L Lewis, T Mawston, D McCabe, C McIntyre, J McTigue, M Nugent, J Platt, E Polano, G Purvis, J Rathmell, D Rooney, J Rostron, R M Sands, M Saunders, M L Smiles, D Smith, M Storey, P Storey, J Thompson, Z Uddin, J A Walker, S Walker, A Waters, G Wilson and C Wright

OFFICERS: A Allen, S Bonner, J Bromiley, B Carr, P Clarke, J Etherington, G Field, R Horniman, A Hoy, D Johnson, A Pain, K Parkes, T Parkinson, J Robinson, J Shiel, K Whitmore

DECLARATIONS OF INTERESTS

There were no Declarations of Interest at this point in the meeting.

1 MINUTES - COUNCIL ANNUAL MEETING - 22 MAY 2019

The minutes of the Annual Council meeting held on 22 May 2019 were submitted and approved as a correct record.

2 ANNOUNCEMENTS/COMMUNICATIONS

The Mayor advised those present that for the first time, the meeting was being live-streamed on Facebook live and U Tube, in line with the new spirit of openness.

The Mayor advised that as the Executive was very new, and the Executive Members had not been in place long enough to write meaningful reports, there would be no Executive Member reports for this meeting. The reports would however be submitted to the next meeting in July.

The Mayor stated that he would like to make a statement with regard to the Middlesbrough Local Plan. He stated that the previous administration's Local Plan had been controversial and, in parts, unpopular. He stated that he wanted to consult with the public, and he encouraged members and officers to talk to the public to get their views on the content of the Local Plan. He advised, that, in addition, some of the statistical data currently contained within the Local Plan was out of date and required updating. For the above reasons, a decision had been made not to submit the Local Plan to the Government at this point in time.

The Mayor advised that the Local Plan would be revised, but this would not involve a lengthy delay or cost the Council any money. He stated that he was confident that the Council could come up with a better Local Plan that would allow the Council to build more houses in the right places.

The Mayor also announced that he wanted to look at Members Allowances and expenses. He advised that he had recently met with the Council's Independent Remuneration Panel and he wanted to reflect on the outcome of that meeting with a view to reporting back to the next Council meeting in July.

3 COUNCIL QUESTIONS FROM MEMBERS OF THE PUBLIC

The Chair advised that the member of the public who had submitted Question 1/19 was unable to attend the meeting and he had been requested to read the question out on the member of the public's behalf. The Chair read out Question 1/19 and invited the Elected Mayor to respond.

The Mayor referred to three of the words contained within the question; openness,

transparency and consultation. He stated openness meant honesty and he stated that the Council would be open and honest. Transparency meant showing that the Council was visibly honest and that was one of the reasons for the livestreaming of the meeting. In terms of consultation he stated that this was about sharing ideas and hopes and working together to shape communities in Middlesbrough and the Council would consult the public far more in the future.

4 **REVISED EXECUTIVE SCHEME OF DELEGATION**

As required by the Council's Constitution, a report was submitted setting out the revised membership of the Executive appointed by the Mayor as at Appendix B together with details of the amended 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.

5 **MEMBERS' QUESTION TIME**

The Chair announced that there were five questions from Members of the Council. Question 3/19 had been subsequently withdrawn. The details of the specific questions were included at Agenda Item 8.

Question 1/19 - Councillor M Storey to the Mayor - Regarding the Empower Community Action Fund.

In response the question submitted by Councillor Storey, the Mayor stated that there was nothing wrong with helping the community to do good things and make great things happen. He stated that there were some incredible local organisations carrying out good things in the community such as the Ballinger Trust, Tees Valley Community Foundation and the Middlesbrough and Teesside Philanthropic Foundation. He stated that the timing of the announcement with regard to the Empower Community Action Fund, when the Council was having to make savings and when libraries and children's services were being cut and jobs were being lost, to find £1.3m of funding when other organisations were carrying out this work, seemed odd. He stated that the announcement was made prior to the elections and the funding was targeted at Wards that primarily voted Labour, when other Wards were poorer. He stated that giving money to empower communities to do good things to determine their future was a good thing.

Councillor Storey posed a supplementary question and he stated that if the Mayor accepted that funding and supporting communities was a good thing, he queried whether the Mayor agreed that by saying that the Council should not do that, undermined the Council's responsibility as an organisation that helped organisation to facilitate local people and communities to do those things. He stated that if the Mayor agreed that this was a good thing then it was a good idea whether it was before or after an election. Councillor Storey stated that he felt that the Council was being undermined when the Mayor said that it was not the Council's role to support communities in the way that the Empower Community Action Fund would.

The Mayor stated that the Council should support and empower communities. He stated that the Council already had money that was not being used. He stated that the Council needed to work with groups that were had the skills and expertise to do this and consider part funding them.

Question 2/19 - Councillor J Walker to the Mayor - Regarding the Empower Community Action Fund.

In response to the question submitted by Councillor J Walker, the Mayor stated, that in his view, the announcement of the announcement of the funding was a political move, timed just prior to the election. He stated that there were existing local groups that did this work. He

stated that it was targeted at Wards that voted for a particular political party.

Councillor J Walker queried whether the Mayor had asked why Hemlington Ward had been included. Councillor Walker advised that Hemlington had been included at the request of the Thirteen Group, not at the request of officers or Councillors. Councillor Walker stated that this the creation of the Empower Community Action Fund was not politically motivated. Councillor Walker stated that they were intending to make major investment in the deprived Dodford Estate area of Hemlington following a consultation exercise, and the inclusion of the Empower Community Action funding was an important element of this. Councillor Walker stated that residents were very concerned as Thirteen may have to change certain elements because of the cessation of the Empower Community Action Fund.

The Mayor stated that Hemlington was a great area and had huge challenges and he stated that he wanted the Council to do great work there. He stated that the Council and the politicians had reported that the funding was awarded according to deprivation. The deprivation indices clearly stated who should receive funding.

Question 4/19 - Councillor Cooke to the Mayor - Regarding the proposed Public Spaces Protection Order

In response to the question submitted by Councillor Cooke, the Mayor stated that the Council were currently carrying out a consultation exercise with regard to PSPOs. The Mayor stated that he was aware of schemes across the country but he had talked to people on the streets, in the shops and on street corners and people had indicated that they were not happy with the state of the area. This was why he had decided to consult with the public. As part of the informal consultation exercise, 400 people had responded and the vast majority were in favour of the introduction of PSPOs. A formal consultation process would follow.

Councillor Cooke referred to bin searching and he stated that the issue was littering rather than bin searching. He stated that instead of just fining residents, the Council should be targeting landlords leaving properties in disrepair, or allowing their properties to be open for access and which were subsequently used for drug purposes and business owners using domestic bins to dispose of rubbish, rather than buying commercial bins. Landlords were disposing of used furniture on the streets or use their builders were dumping material on the streets leading to vermin and blocked drains. He stated that Landlords and businesses needed to be fined and a standard needed to be set for everyone. He queried whether the Mayor would consult with all TS1 residents in the consultation process to ensure that nobody would be left in a worse position or not held to the same standard as others.

The Mayor stated that there people who tried to profit from looking through bins and the Mayor emphasised he was not referring to people looking for food. The Mayor stated that they would tip the bins upside down and residents were left to clean up the mess.

Councillor Cooke queried whether the Mayor would consult with residents of the TS1 residents. The Mayor confirmed that he would include them in the consultation process.

Question 5/19 - Councillor Furness to the Mayor - Regarding MHomeS and its progress.

In response to the question submitted by Councillor Furness, the Mayor stated that the Council had set up MHomeS, a limited company, owned and run by the Council. This would enable the Council to build new homes as there were severe restrictions on Councils in respect of house building. The Mayor stated that it was based on three separate schemes to build a small number of homes (37 homes) in Gresham, Hemlington and Beechwood. He stated that unfortunately, in his view the scheme that was proposed was flawed and it was financially incorrect. He had spoken to a person from a large housing association about the scheme in Gresham and was advised that rather than have a small scheme, they should do something significant.

The Mayor advised that the Council may still continue with MHomeS, and it may still build some new houses in Beechwood and Hemlington, but for the time being MHomeS would not be building in Gresham.

Councillor Furness stated that he was glad that the Mayor agreed with social housing as there was a gap in the market as private builders would not fill the gap. He stated that he hoped the Mayor would continue with MHomeS and he stated that if the Mayor considered that the schemes were not viable then he hoped the Mayor could make them viable.

The Mayor stated that the housing market in some areas locally was broken and it needed intervention. He stated that he was not sure whether the Council should build Council housing as there was some very skilled housing associations that were equipped to build new houses. The Mayor stated that he would initially work with them to create a vibrant centre of Middlesbrough.

Question 6/19 - Councillor Furness to the Mayor - Regarding Selective Landlord Licensing

In response to the question submitted by Councillor Furness, the Mayor stated that it had already started on 13 June 2019. The Mayor advised that there was two sides to Selective Landlord Licensing and it would need to be monitored to see if it worked before rolling it out in other places.

Councillor Furness advised that it was working well in other parts of the country and he hoped it would be rolled out in other places in the town.

6 NOTICE OF MOTIONS

Consideration was given to Motion No. 137, moved by Councillor M Storey and seconded by Councillor Cooke of which notice had been given in accordance with Council Procedure Rules No. 53-60 as follows:

Motion- 'Lift the Ban' campaign - Right to Work

Middlesbrough Council notes that:

- Since 2002, people seeking asylum have only been able to apply for the right to work after they have been waiting for a decision on their asylum claim for over a year, and only if they can be employed into one of the narrow, highly-skilled professions included on the Government's Shortage Occupation List;
- Asylum decisions are getting slower with over half (53%) of asylum decisions taking more than 6 months in 2017. This situation is getting worse: it was 41% at the end of 2016 and 20% at the end of 2015.
- People seeking asylum are left to live on a government stipend of £5.39 per day, struggling to support themselves and their families, and left vulnerable to destitution, isolation, and exploitation;
- The UK spends between £70 and £100 million per year housing and supporting asylum seekers who could be working, earning, and fending for themselves;

Middlesbrough Council further notes the work of the Lift to Ban Coalition, which includes more than 150 organisations from across the UK who have come together to call on the Government to give people seeking asylum the right to work.

Middlesbrough Council believes that:

- People seeking asylum who are unable to work are unable to properly integrate with their local area, can't get to know their neighbours, and find it more difficult to learn English;
- Restrictions on the right to work can lead to extremely poor mental health outcomes, and a waste of potentially invaluable talents and skills both for the economy of Middlesbrough and the UK; and
- We are right to campaign for people seeking asylum to be given the right to work unconstrained by the shortage occupation list after they have waited 6 months for a decision on their initial asylum claim.

Middlesbrough Council resolves to:

- Join the Lift to Ban Coalition; and
- Call on the UK Government to support the Campaign to give people seeking asylum the ability to seek work under the conditions outlined above.

The Chair invited Councillor M Storey to speak in support of the motion. Councillor Storey outlined the reasons for the motion.

Councillor Cooper commented on the motion. Councillor M Storey responded to the comments of Councillor Cooper.

The motion was put to the vote.

On a vote being taken the motion was declared **CARRIED**.

Consideration was given to Motion No. 138, moved by Councillor Rooney and seconded by Councillor Hellaoui of which notice had been given in accordance with Council Procedure Rules No. 53-60 as follows:

Social Rights Motion:

As a Party to the International Covenant on Economic, Social and Cultural Rights, the UK must take steps to the maximum of its available resources to achieve progressively the realisation of social rights.

- However, 14 million people, a fifth of the population, live in poverty - four million of them are more than 50% below the poverty line, and 1.5 million are destitute, unable to afford basic essentials.
- The UN Special Rapporteur on Extreme Poverty and Human Rights, Philip Alston, visited the UK in November, including the North East. At the end of his mission, Professor Alston concluded: 'The costs of austerity have fallen disproportionately upon the poor, women, racial and ethnic minorities, children, single parents, and people with disabilities. The changes to taxes and benefits since 2010 have been highly regressive, and the policies have taken the highest toll on those least able to bear it. The experience of the United Kingdom, especially since 2010, underscores the conclusion that poverty is a political choice.'

'It is the opinion of this council that successive governments could have done more to bring socio-economic duty to life.'

Middlesbrough Council recognises that:

- Everyone is entitled to the right to education, adequate housing, healthcare, food, social security and a decent standard of living, and everyone has the right to hold the government and other public authorities to account for the decisions that affect them.

Middlesbrough Council resolves:

- To express support for local campaigns and activities that defend and promote social rights.
- That the Chair of the Council write to the Secretary of State/ Prime Minister to convey the feelings of the Full Council which met on 26 June 2019.

The Chair invited Councillor Rooney to speak in support of the motion. Councillor Rooney outlined the reasons for the motion.

Councillors Branson, Hellaoui and M Storey also spoke in support of the motion.

The motion was put to the vote.

On a vote being taken the motion was declared **CARRIED**.

7 **NOTICE OF URGENT MOTIONS (IF ANY)**

There were no Urgent Motions for this meeting.

8 **COUNCIL COMMITTEES/OUTSIDE BODIES - ALLOCATION OF PLACES AND MEMBERSHIP 2019/2020**

Council received a report of the Monitoring Officer, regarding Council Committees/Outside Bodies - Allocation of Places and Membership 2019/2020.

The report sought Members' approval for changes to the political balance and for the nominations/ appointments, arising from vacancies and resignations from Committees and appointments to Outside Bodies. The report also requested that Members note the appointment of Chairs of Committees.

A member raised a Point of Order. It was highlighted that previously when voting on Scrutiny appointments, the Executive had not voted as in their view, Executive Members should not directly or indirectly influence scrutiny appointments when those members would be required to scrutinise the Executive.

The Deputy Monitoring Officer clarified that the legal position was that Executive Members were permitted to vote on scrutiny appointments.

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

That Council approve the appointments to the following places. allocated in accordance with the wishes of the political groups and other Councillors, as shown in the report and nominated at the meeting, for the 2019-2020 Municipal Year, or until amended by Council, (whichever was the latter) and that the appointment of Chairs to various Committees be noted:

Appointment to Outside Bodies

Resources and Finish Task Group (ANEC)

Councillor Mawston

Tees Valley Overview and Scrutiny Committee

Councillor McTigue

Tees Valley Audit and Governance Committee

Councillor M Storey

Middlesbrough Environment City Trust

Executive Member for Environment - Councillor D McCabe

Durham Darlington Teesside Hambleton Richmondshire and Whitby STP Joint Committee

Councillor Hellaoui

Committees

Corporate Affairs and Audit Committee

Councillor Garvey

Licensing Committee

Councillor Waters
Councillor Jones

Overview and Scrutiny Board

Councillors Cooke, Hellaoui, Higgins, M Storey, Thompson and Uddin
Councillor Rathmell

Ad Hoc Scrutiny Panel

Councillor Garvey

Adult Social Care and Services Scrutiny Panel

Councillor Garvey
MICA Group to lose one place: Councillor Sands

Children and Young People's Learning Scrutiny Panel

Councillor Garvey
Councillor Smith
MICA Group to lose one place: Councillor Jones

Children and Young People's Social Care and Services Scrutiny Panel

Councillor Garvey
MICA Group to lose one place: Councillor Rathmell

Culture and Communities Scrutiny Panel

Councillor Garvey

Economic Development, Environment and Infrastructure Scrutiny Panel

Councillor Garvey
MICA Group to lose one place: Councillor McTigue

Health Scrutiny Panel

Councillor Rathmell
MICA Group to lose one place: Councillor Dodds

Planning and Development Committee

Councillor Garvey
Councillor Davison to be removed

Staff Appeals Committee

Councillor Waters
Councillor Smiles
MICA Group to lose one place: Councillor Cooper
Councillor Davison to be removed

Standards Committee

Councillor Waters

Teesside Pension Fund Committee

Councillor McTigue
MICA Group to lose one place: Councillor Rathmell

Teesside Pension Board

Deputy Mayor and Thematic Lead for Drugs to be replaced with Executive Member for Finance and Governance.

Chief Officer Appointments Committee

Councillor Saunders
The Mayor
Councillor High to be removed

Corporate Health and Safety Committee

Councillor Rooney
MICA Group to lose one place: Councillor Cooper

Works Council

Councillor Cooper

Constitution and Members Development Committee

Councillor Garvey

Corporate Parenting Board

Councillor Garvey
MICA Group to lose one place: Councillor McTigue