

MEETING OF MIDDLESBROUGH COUNCIL

At the Meeting of Middlesbrough Council, lawfully convened, and held in the Town Hall, Middlesbrough on 7 August 2019.

PRESENT: Councillors L Garvey (Vice-Chair) (In the Chair), R Arundale, A Bell, D J Branson, C Cooke, B Cooper, D P Coupe, D Davison, S Dean, T Furness, T Higgins, A High, C Hobson, B A Hubbard, N Hussain, L Lewis, T Mawston, D McCabe, J Platt, A Preston G Purvis, J Rathmell, D Rooney, M Saunders, M L Smiles, M Storey, J Thompson, Z Uddin, J A Walker, S Walker, A Waters, G Wilson and C Wright

OFFICERS: A Allen, B Carr, S Dorchell, A Hoy, D Johnson, A Pain, T Parkinson, S Reynolds, J Robinson, J Shiel, H Watson, K Whitmore, A M Wilson

APOLOGIES FOR ABSENCE were submitted on behalf of Councillors Councillor C Dodds, Councillor J Goodchild, Councillor A Hellaoui, Councillor J Hobson, Councillor D Jones, Councillor C McIntyre, Councillor J McTigue, Councillor M Nugent, Councillor E Polano, Councillor J Rostron, Councillor R M Sands, Councillor D Smith, Councillor P Storey.

DECLARATIONS OF INTERESTS

None Declared

19/32 EXTRAORDINARY COUNCIL MEETING

In the absence of the Chair, the Vice Chair of the Council chaired the meeting. Prior to the commencement of the meeting, the Chair advised that for the reasons outlined below, that the meeting was not being live-streamed.

The Chair advised that the Extraordinary meeting had been called to discuss the issues surrounding the Stanhope Castle Inquiry. This was a very emotive subject, and he was aware that there were people present at the meeting personally affected by the issues. Members had been requested before not to turn this issue into a political football and the Chair requested that Members respect that request.

The Chair advised that it was also the case that criminal investigations were ongoing, and there was a need to keep discussion to matters in the public domain. It was not appropriate to name individuals or the details of any cases that Members may be aware of.

The Chair reminded members of the public that the Council meeting was a business meeting of the Council, and whilst members of the public were welcome to attend the meeting and listen to the debate, they were not allowed to call out, or disrupt the meeting.

The Chair advised that if any member of the public interrupted the meeting, they would be issued with a warning. If they proceeded to interrupt the meeting, they would be asked to leave.

A letter was received from five Members of the Council requesting that an Extraordinary Council meeting be arranged. The nature of the business to be transacted was to discuss the Council's current position in relation to the Stanhope Castle Inquiry and the recent updates provided by officers on 19 July 2019. While the briefing was too late to schedule a motion for full Council, the members that signed the request for the Extraordinary meeting felt it was appropriate to discuss the recent update and the Council's current position.

The Chair invited Councillor Rathmell to speak on behalf of the signatories in support of the request to call an Extraordinary meeting of the Council.

Councillor Rathmell advised that this was a sensitive subject and one that everyone had compassion for. He outlined the reasons for the meeting and advised that after a discussion with Legal Services, it was thought that holding an Extraordinary Council meeting was the appropriate route to enable recommendations to be made in respect of this subject.

Councillor Rathmell advised that Stanhope Castle was an institution which had been ran by the Home Office. In 1974, it became the responsibility of Cleveland County Council. There had been a number of allegations, abuse investigations and claims, in relation to the establishment. Councillor Rathmell advised that as Cleveland County Council no longer existed, of the local authorities that formed Cleveland County Council, Middlesbrough Council had been appointed as the administering authority to deal with any claims or allegations that had been raised in relation to Stanhope Castle. There were ongoing criminal proceedings, investigations and claims.

A Senior Officer from Middlesbrough Council was required to attend the Inquiry on behalf of the authority from a liability perspective. He was asked questions, which in Councillor Rathmell's view, were beyond his remit. He commended the officer for attending the Inquiry in difficult circumstances. He highlighted that Members were not made aware of the Inquiry and the Council's involvement in the Inquiry and it appeared to be secret. He stated that Councillors should be seen to be discussing the issue and acknowledging the difficult circumstances. Councillor Rathmell stated that the Inquiry was due to publish its interim findings however he wished to put forward the following recommendations:

- That the Council resolves to seek to discuss the current situation with the Councils that were involved that formed Cleveland County Council;
- That an update be brought to full Council, following the publication of the interim findings.

He stated that further discussions needed to take place following the interim findings and Members needed to be kept updated on the situation. He commended the latest briefing to Members but advised that the victims needed to be kept up to date on the situation.

Councillor Storey stated that Members needed to be careful of their use of language in relation to this issue. He stated that he did not believe the Council had behaved in a secretive way in response to this issue. He stated that he had received briefings on this issue under the previous administration, in addition to the recent briefing, and he urged Members to attend as they provided Members with information about the situation and the Council's position in relation to the issue.

He stated that, in his view, an Extraordinary Council Meeting was not the appropriate avenue to discuss such a sensitive issue. He stated that he did support the recommendations put forward by Councillor Rathmell. He stated that he would like to praise officers and the previous Executive Member - Mike Carr for the way in which they had dealt with this issue. He stated that Members did need to keep receiving information in relation to this issue.

Councillor Hobson stated that this was a very emotive subject and she urged Members to be measured in their statements. Councillor Hobson provided Members with an outline of the background to the operation of Stanhope Council.

Councillor Hobson stated that Middlesbrough Council was responsible for dealing with all the insurance claims on behalf of the four authorities that made up Cleveland County Council, arising from the operation of Stanhope Castle. The financial liability was shared between the four authorities.

Councillor Hobson highlighted that Middlesbrough Council was never involved in the running of the institution and only a small number of children from the Middlesbrough area attended the school. The school was not located in the Middlesbrough area. Middlesbrough Council's role was as the Designated Authority, not as an operator of the school.

Former pupils have approached Middlesbrough Council to make claims for compensation through the Civil Justice System as a result of their time at Stanhope Castle. She stated that it was in that role, as a potential defendant to a civil claim that Middlesbrough Council stood legally and claims continued to be progressed on a case by case basis, given the evidence available and based on legal advice.

Councillor Hobson stated that the Inquiry was required to give the co-participants of the Inquiry, four weeks' notice of the publication of the Inquiry's interim report. The Council had recently been given notice and whilst they had not been given a definite date for the publication of the interim report, it was likely that it would be published some time during August. Further advice would be sought on dealing with the claims, following the publication of the Interim report.

In terms of the provision of counselling services for the victims of Stanhope Castle, a single point of contact had been set up within Middlesbrough Council which would provide advice and guidance on how to seek specialist support. The Council did not have the experience to make a clinical judgement on the right form of treatment for individuals. This was the role of the NHS. The Council did have expertise in commissioning and could help individuals to access the right form of assessment and treatment. Victim survivors were located all over the country so it would not be appropriate to set up a single point of treatment in Middlesbrough.

Councillor Hobson advised that the Council could not make a decision at this meeting on how claims were fundamentally dealt with because it would require detailed consideration of the financial and other consequences which were difficult to predict given the availability of records relating to the school. A change of decision would need to involve the other three authorities and the Council's insurers. Councillor Hobson advised that there would be further updates in relation to this issue.

Councillor Arundale asked if the recommendations in respect of the meeting could be put clearly.

The Mayor stated that all of the Council's sympathies lay with the victims. He stated that the Council had to be careful and was restricted in what it could say because of the legalities involved in the issue. He stated that many officers had dealt with pressure in relation to this issue. He advised that officers needed to be treated with respect as they were doing their best for the victims in the framework of the law.

Councillor Rathmell advised that the decision to bring this issue and the formulation of the recommendations were agreed with the Council's Monitoring Officer, taking into account the legalities and sensitivity of the issue. He outlined the recommendations.

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

1. That the Council resolves to seek to discuss the current situation with the Councils that were involved that formed Cleveland County Council;
2. That an update be brought to full Council, following the publication of the interim findings.