

MEETING OF MIDDLESBROUGH COUNCIL

At the Meeting of Middlesbrough Council, lawfully convened, and held in the Town Hall, Middlesbrough on 9 October 2019.

PRESENT: Councillors R Arundale, D J Branson, C Cooke, B Cooper, D P Coupe, C Dodds, T Furness, L Garvey, J Goodchild, A Hellaoui, T Higgins, A High, S Hill, C Hobson, J Hobson, D Jones, L Lewis, T Mawston, D McCabe, C McIntyre, J McTigue, M Nugent, J Platt, E Polano, A Preston, G Purvis, J Rathmell, D Rooney, J Rostron, R M Sands, M Saunders, M L Smiles, M Storey, P Storey, J Thompson, Z Uddin, J A Walker, A Waters, G Wilson and C Wright

PRESENT AS OBSERVERS: J Cain

OFFICERS: A Allen, M Allinson, S Bonner, J Bromiley, B Carr, Z Farrow, G Field, R Horniman, D Johnson, E Kunonga, A Pain, T Parkinson, A Perriman, S Reynolds, E Scollay, K Whitmore, A M Wilson, I Wright

APOLOGIES FOR ABSENCE were submitted on behalf of Councillor A Bell, Councillor D Davison, Councillor S Dean, Councillor B A Hubbard, Councillor N Hussain, Councillor D Smith, Councillor S Walker.

DECLARATIONS OF INTERESTS

None Declared

1 **MINUTES - EXTRAORDINARY COUNCIL MEETING - 7 AUGUST 2019 AT 6PM: EXTRAORDINARY COUNCIL MEETING - 7 AUGUST 2019 AT 7PM; ORDINARY COUNCIL MEETING - 4 SEPTEMBER 2019**

The minutes of the two Extraordinary Council meetings held on 7 August 2019 and the Ordinary Council meeting held on 4 September 2019 were submitted and approved as a correct record.

2 **ANNOUNCEMENTS/COMMUNICATIONS**

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.

3 **QUESTIONS SUBMITTED BY MEMBERS OF THE PUBLIC**

The Chair invited the member of the public who had submitted Question 6/19 to put his question to the Mayor.

The Mayor advised that the Council currently had many children in care due to a number of complex issues including impoverished communities, unemployment and drug addiction, amongst a host of other issues. The Council was working hard to address these issues and streamline processes but the Council's clear priority was vulnerable people, especially children. The Council had spent £1.44 million on supporting families and looked after children and the Mayor and the Chief Executive were currently reviewing processes to ascertain if this figure could be reduced. He stated that the staff working in Children's Services were working very hard to keep families together and protect vulnerable children.

The Chair invited the member of the public who had submitted Question 7/19 to put his question to the Mayor.

The Mayor advised that he would attend the event on Friday night, for the first 30 minutes as he had already committed to attend another event. He stated that he aimed to attend the event the following week, for a few hours. The Mayor stated that these events were fantastic

and he had attended these events for the last five or six years.

4 **MAYORS STATEMENT AND REPORT**

The Mayor advised that he wished to speak about the following issues:

Centre Square Offices

The Mayor stated that he hoped to make an announcement at the next Council meeting with regard to the newly built vacant offices in Centre Square.

Investment

The Mayor stated that he would be announcing, in the near future, details of a game changing investment which would bring more jobs and prosperity to the town.

Public Spaces Protection Order

The Mayor stated that the purpose of PSPO's was about making communities safer and better. They would allow business to thrive, to protect and create jobs and bring people into the town. He stated that the launch was getting near and the response from the public had been great. He stated that some pressure groups and councillors were against the introduction of the PSPO but his priority was the people of Gresham.

In response to a query regarding Centre Square, the Mayor advised that he wanted to hold more events and to make visiting the square fun.

Councillor Cooke advised that he had raised concerns with regard to the PSPO in the past. He queried with regard to when Ward Councillors would receive a de-brief on the consultation. The Mayor advised the Councillor to go and see him the following week to discuss it.

Councillor Storey advised that there had been a lot of consultation with the public with regard to Centre Square and he thanked officers for the regular briefings to Councillors. He stated that he was pleased to see that the Mayor was delivering on the promise of the previous Mayor to bring jobs, regeneration and prosperity to the town as part of the previous Mayor's Investment Prospectus.

5 **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 meeting (Sections 3 and 4).

The Chair advised that nineteen Executive Member questions had been submitted. The Chair requested questions and answers on the reports to be precise. Only one question per Member would be allowed in the first instance and if there was time left before the time allowed for questions had elapsed, Members that had submitted a second question, would be given the opportunity to ask their second question.

Questions on the report of the Executive Member for Adult Social Care and Public Health

The question on performance from Councillor Rooney was withdrawn at the meeting.

In the absence of the Executive Member, Councillor P Storey advised that she would email the question on Maternal Infant and Child Health Partnership directly to the Executive Member.

Questions on the report of the Executive Member for Children's Services

a) Children in Care Table and NEET Table

Councillor Arundale referred to the 2 tables in the Executive Member's report under the heading of Performance. The NEET figures were very positive and it was a success story as the figures had reduced from 12.3 % in 2013 to 5.0% in 2018. It was encouraging that Manchester City Council had requested a visit to Middlesbrough to look at best practice and he congratulated the staff concerned in achieving this improvement.

The figures for the Children in Care were not very encouraging and it was an area of great concern. The children in care costs amounted to approximately a third of the budget and he stated that it amounted to approximately £37m a year. He stated that the Council needed to investigate the root causes of this and he urged the Mayor to look into this issue.

The Executive Member thanked the member for bringing it to the Council's attention that Manchester City Council thought that the Council was outstanding in terms of NEET. The Executive Member stated that he recognised that the cost of LAC had gone up but it was a statutory duty that the Council had to perform. He advised that he was willing to listen to any ideas in respect of saving money. He advised that the staff were working very hard and he had spent eight hours with staff from Middlesbrough and Redcar and Cleveland, including Social Workers, nurses, doctor's assistants and a Councillor. He stated that the Council had a long term plan to bring the children LAC elsewhere back to Middlesbrough.

b) Performance

Councillor Hellaoui queried why there was no information in the Executive Member's report in relation to education and learning and she listed some of the headings from previous Executive Member reports. The Councillor advised that she wished to congratulate the staff involved in the improvements in the NEET figures and the staff working in the SEND area. Councillor Hellaoui indicated that she would have liked to know the result of the Key Stage 2, 3, and 4 exams and she indicated that she found it worrying that there was a lack of information in relation to education and learning.

The Executive Member advised that he did not have the full data set due to changes in GCSEs but he would however provide the outcomes in a separate report in the near future.

c) Performance

Councillor Furness referred to the statistics included in the Executive Member's report in respect of Children in Care. He queried whether the Executive Member could provide year on year figures to see if the Council was improving in respect of this issue. The Executive Member advised that he would provide the figures for the previous 5 years.

d) Special Educational Needs and or Disabilities (SEND) Performance

Councillor Hellaoui indicated that she would like to thank the SEND Team on the significant improvements with the NEET figures.

Questions on the report of the Executive Member for Culture and Communities

e) Nitrous Oxide

Councillor Mawston referred to the recent findings in relation to nitrous oxide. He stated that it was a town-wide problem and he queried with regard to what was being done to prevent the supply of nitrous oxide and catch the offenders.

The Executive Member advised that this was a national problem but it was also a worrying growing trend in Middlesbrough because of the cheap price of the nitrous oxide canisters. In May an Action Plan was launched and the Council was working with the police, Middlesbrough College and a range of young groups to tackle the issue through education

and to advise them of the consequences of the use of nitrous oxide. It was not illegal to supply the canisters. It was legal to sell them but illegal to supply them to under 18's. The Council was not aware of any shops selling them but they were carrying out checks.

f) Public Space Protection Order

Councillor Cooke stated that the question he had been to put was with regard to a de-brief on the introduction of the PSPO and this had been addressed by the Mayor earlier in the meeting.

g) Victoria Road/Abingdon Road

Councillor Uddin referred to the fact that Street Wardens had been monitoring the Victoria Road/Abingdon Road area over the weekend and he referred to reports of people fighting and carrying knives. He advised that the Ward Councillors had been working with the Council's Anti-Social Behaviour Team to try and tackle these issues. He queried whether the support recently provided was going to be ongoing given the issues in this area. The Executive Member advised that the Council was in the process of employing an additional 23 Street Wardens and the aim was to divert Street Wardens to the areas that needed the wardens most.

h) Selective Landlord Licensing

Councillor Hellaoui stated that given the impact and the success of Selective Landlord Licensing in North Ormesby, Newport and Gresham, it was important that the scheme be extended across the whole of the town, particularly in challenging areas.

The Executive Member advised that she was waiting for a report on how successful the scheme had been in Gresham and North Ormesby and if there was statistics to indicate that it had been a success then it was something that the Council could look at.

In terms of expanding the SLL scheme across the other wards of the Council, if 20% of the housing stock was covered by a SLL scheme in Middlesbrough, then the Council would have to seek permission from the Secretary of State to expand the scheme further.

i) FPNS/Warnings

Councillor Cooke referred to the four warnings issued in respect of begging and he queried whether there should have been a more diverse range of warnings issued. The Executive Member advised that 34 warnings had been issued and to date no Fixed Penalty Notices had been issued which proved that the initial warning system was working. Of the 34 warnings that were issued, 23 were issued in the Town Centre, 4 in North Ormesby and 6 in Gresham. The reasons for the warnings ranged from dropping litter, fly tipping and spitting. The Executive Member advised that once the PSPO was introduced it would give the Council more powers to deal with these issues.

Questions on the report of the Executive Member for Finance and Governance

The question on Strategic from Councillor Rooney was withdrawn at the meeting.

j) Involvement and Promotion - Captain Cook Museum

Councillor Mawston commented that the consultation in respect of the Captain Cook Museum had been extensive. The new style trust with its charitable status could apply for funding as a charity and he stated that the trust would assist the Council with museums in any way it could. The Executive Member stated that she was pleased with what was going on with the museums and the way the museums had engaged in the consultation process. It had all been very positive and she stated that the trust's charitable status would make a big difference to the future of the museum.

Questions on the report of the Executive Member for Regeneration

k) Ongoing Investment - BOHO and TAMP

Councillor Furness queried whether there could be regular updates in respect of BOHO and TAMP. The Executive Member advised that in respect of TAMP there was interest but with the uncertainty of Brexit, no firm agreements had been reached. The Executive Member advised that he would continue to provide regular updates.

The question from Councillor Arundale in respect of house building was withdrawn at the meeting

l) Planning Update

Councillor Cooke queried how many successful housing dwelling applications were expected for the coming year and how many would be completed. The Executive Member advised that he did not have the exact figures but he would provide them to the member in due course.

Questions on the report of the Executive Member for Environment

m) Albert Park

Councillor Furness queried whether Albert Park would be included on the list for future investment given the damage that had been sustained to some of the park. The Executive Member stated that £117k had been spent on the parks and £25k had been allocated to be spent on Albert Park.

6 REPORT OF THE OVERVIEW AND SCRUTINY BOARD

The Chair of the Overview and Scrutiny Board submitted a report, the purpose of which was to provide an update on the current position regarding progress made by the Overview and Scrutiny Board and each of the individual Scrutiny Panels. The Chair advised that there was a very varied Scrutiny Work Programme for this year and the Panels were looking at some very worthwhile topics.

The Chair of the Overview and Scrutiny Board expressed her disappointment with regard to the fact that the Executive had not agreed any of the recommendations put forward by the Board in respect of the recent Call-in meeting held in relation to the Long Term Lease of the Gresham Site to Thirteen Group.

7 MEMBERS' QUESTION TIME

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

8 NOTICE OF MOTIONS

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

9 NOTICE OF URGENT MOTIONS (IF ANY)

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

10 MEMBERS' SCHEME OF ALLOWANCES

A report of the Independent Panel on Members Remuneration was submitted, the purpose of which was to provide Members with the opportunity to consider the proposals of the

Independent Panel on Members Remuneration in respect of the Scheme of Allowances or retain the Council's current scheme of allowances. In doing so Members would also adopt the relevant Scheme of Allowances. The Council were also required under The Local Authorities (Members' Allowances) (England) Regulations 2003 to publish a Members Scheme of Allowances on an annual basis.

There was a requirement for the Council to have due regard to the recommendations of the Independent Panel on Members Remuneration. Members Allowances were reviewed by the Independent Panel on Members Remuneration annually, and a full review was undertaken every four years. The Panel carried out a full review in early 2018 and submitted their recommendations to Council.

When reviewing the basic allowance the Panel had regard for the current economic climate and examined comparative allowances in both elected Mayoral authorities and authorities with traditional Leader / Cabinet models of governance. These comparators were examined nationally, regionally and locally. The Panel found that the basic allowance in Middlesbrough was considerably lower than the majority of other authorities.

The average for Mayoral authorities' basic allowances was £9251 with the Teesside average being £8184. As Special Responsibility Allowances (SRA's) were currently based on a multiplier of the basic allowance the Panel felt the level of the basic allowance should also be considered in greater detail in this review. As a consequence, the Panel felt that the Basic allowance should be increased to the Teesside average of £8,300 and be phased in over a four year period.

The Panel felt those roles attracting an SRA were all still relevant, recognising the time commitment and responsibilities involved. It was also recognised that, generally, the rates afforded to Special Responsibility Allowances in Middlesbrough were comparatively higher than other Local Authorities but still believed the amounts were not unreasonable, based on the above. Nevertheless, the Panel felt that despite this, the levels of Special Responsibility Allowances, with the exception of the Deputy Mayor allowance, should be reduced by 14% and that this should take effect immediately, as a consequence of increases to the Basic Allowance. The Panel also agreed that no increase in inflation or in staff pay awards should be applied but this would be reviewed on an annual basis. This would lessen budgetary pressures.

The Panel's report was attached and details of the Panel's recommendations were attached at Appendix 1 to the report. The financial effect of the Panel's proposals, once fully implemented, would be a budget increase in the region of £48,000 over a period of 4 years.

The recommendations were as follows:

(i) That Council consider and agree to one of the following two options:

- a) The recommendations proposed by the Independent Panel on Members' Remuneration;
- b) No change (to retain the current Scheme of Allowance).

The Deputy Monitoring Officer explained to Members that a vote for the recommendations proposed by the Independent Panel on Members' Remuneration would mean that Members would be voting to accept the recommendations of the Independent Remuneration Panel. A vote against the recommendations of the Independent Remuneration Panel would mean that Members would be voting for no change to the current Scheme of Allowances.

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

The recommendations proposed by the Independent Panel on Members' Remuneration be agreed as follows:

- I. Only increases in the Basic Allowance should be reflective of staff pay awards going forward.
- II. That the basic rate of allowance for Councillors be increased to match the Teesside

average for that payment, namely from £6,506 to £8,300.

III. That the increase in the basic rate of allowance be introduced over a four year period.

IV. That the rate of Special Responsibility Allowance be decreased by 14% in a single reduction and should take effect from September 2019.

V. That the rate of Special Responsibility Allowance for the role of Deputy Mayor remain at current levels and be reviewed within six months.

VI. That a Special Responsibility Allowance be awarded to the two largest minority group leaders, as stipulated in the Council's Constitution.

VII. The multiplier system be suspended for a period of four years with a view to review this after two years.

VIII. All other parts of the Scheme of Allowances not referred to above to remain the same.

11 **COUNCIL COMMITTEES - CHANGES TO POLITICAL BALANCE - ALLOCATION OF PLACES AND MEMBERSHIPS 2019**

The Strategic Director of Finance, Governance and Support submitted a report, the purpose of which was to recommend the allocation of places on committees and sub-committees for 2019 in accordance with the revised political balance of the Council and to advise of the registration of a new political group.

In line with usual practice, it was recommended that the Monitoring Officer be authorised to amend memberships of committees following resignations received from members and to appoint to vacancies in accordance with group preferences or, where not in a group, in accordance with individual Member's wishes. However, where more than one person (non-group members) applied for the same place, they should decide amongst themselves how those places should be allocated. If agreement could not be reached between the individual Members, the Council would make that determination.

A copy of Committees, Memberships and Terms of Reference for the Executive (excluding portfolios) and Committees of the Council for 2019/2020 was circulated at the meeting.

AGREED 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):

Corporate Health and Safety Committee

Lose 1 MICA Place: Councillor Arundale

2 MIG Spare Places: Councillor Waters to take up 1 MIG place: 1 Spare Place: Councillor Higgins appointed

Corporate Parenting Board

1 Spare Place: Councillor Wright appointed

Adult Social Care and Services Scrutiny Panel

1 Spare Place: Councillor Hill appointed

Economic Development, Environment and Infrastructure Scrutiny Panel

1 MIG Spare Place: Councillor Garvey appointed

Health Scrutiny Panel

1 MIG Spare Place: Councillor Mawston appointed

Teesside Pension Fund Committee

1 MIG Spare Place not taken up: Councillor Coupe appointed

Works Council

1 MIG Spare Place not taken up: Councillor Rooney appointed.