

## THE CHAIR AND ALL MEMBERS OF THE COUNCIL

Tuesday 17 November 2020

Dear Member

### COUNCIL

**Please note that this is a virtual meeting. The meeting will be live-streamed via the Council's Facebook page <https://en-gb.facebook.com/MiddlesbroughCouncil/> at 7.00 pm on Wednesday 25th November, 2020**

1. Apologies for Absence
2. Declarations of Interest

To receive any declarations of interest.

3. Minutes- Council - 14 October 2020 5 - 12
4. Announcements/Communications

To receive and consider any communications from the Chair, Mayor, Executive Members or Chief Executive (if any).

5. Questions from Members of the Public (if any). 13 - 14
6. Mayor's Statement and Report
7. Deputy Mayor and Executive Member reports 15 - 56
8. Report of the Overview and Scrutiny Board 57 - 62
9. Urgent Items

To consider and Deal with any urgent business brought before the Council by the Proper Officer (if any).

10. Notice of Motions
11. Notice of Urgent Motions (if any)
12. Members' Question Time 63 - 64
13. Members' Scheme of Allowances 2020/2021 65 - 76
14. Business Report of the Director of Legal and Governance Services 77 - 92

Charlotte Benjamin, Director of Legal and Governance Services

AS THIS IS A VIRTUAL MEETING THERE WILL BE NO ACCESS TO THE COUNCIL CHAMBER

Inspection of Papers – This Summons may be downloaded from the Council's Website.

Should you have any queries in regard to the items on this agenda please contact Bernie Carr on (Direct Line 01642 729714 or e-mail on: - [bernie\\_carr@middlesbrough.gov.uk](mailto:bernie_carr@middlesbrough.gov.uk)).

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**MEETING OF MIDDLESBROUGH COUNCIL**

At a Virtual Meeting of Middlesbrough Council, lawfully convened, and held on 14 October 2020.

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

**OFFICERS:** C Benjamin, S Bonner, C Breheny, S Butcher, B Carr, G Field, S Lightwing, C Lunn, T Parkinson, A Perriman, S Reynolds, K Whitmore, A M Wilson, I Wright

**APOLOGIES FOR ABSENCE** were submitted on behalf of Councillor C Dodds, Councillor L Garvey, Councillor B A Hubbard and Councillor D Rooney.

**DECLARATIONS OF INTERESTS**

None Declared

**1 MINUTES - COUNCIL - 2 SEPTEMBER 2020**

The minutes of the Council meeting held on 2 September 2020 were submitted and approved as a correct record

**2 ANNOUNCEMENTS/COMMUNICATIONS**

There were no formal Announcements for this meeting.

**3 QUESTIONS FROM MEMBERS OF THE PUBLIC (IF ANY)**

There were no valid questions submitted from members of the public for this meeting.

**4 COUNCIL PROCEDURE RULE 5 - ORDER OF BUSINESS**

Due to technical issues, in consultation with the Monitoring Officer, the Chair agreed that the Mayor's report and the Revised Executive Scheme of Delegation would be moved to later in the agenda, to enable the technical fault to be rectified.

**5 MAYOR'S STATEMENT AND REPORT**

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

**COVID 19**

The Mayor stated that although COVID rates were high in the town at the moment, over the previous 7 days, the infection rates appeared to have stabilised. The Government were in conversations with the North East Councils regarding the requirement to proceed to Tier 3 of the lockdown arrangements. There was a risk that the Government would try and put Middlesbrough into Tier 3. He stated that the Council need to converse with the Government and if the Government provided evidence to support this course of action, then the Council would support it. The Mayor confirmed that there had been no contact with Middlesbrough so far from anyone from the Government.

The Mayor stated that his biggest concern was jobs. There was a financial and social cost to the loss of jobs. He stated that the Council and the Government needed to fight to keep jobs.

Boho X

The Mayor commented on Boho X.

Homes

The Mayor advised that the Thirteen group had announced that they were planning to build 295 homes in Grove Hill. The Mayor also referred to planning permission for 145 high quality homes in Gresham that had recently been approved. He stated that there would be further building on brownfield land.

Crime

The Mayor announced that crime was steadily falling. The Police were getting support from Middlesbrough Council and were doing a better job but more needed to be done. The drug dealers were being challenged but he urged residents to report street dealing.

Children's Services

The Mayor announced that after 10 years of decline and receiving bad Ofsted reports, Children's Services was improving and he thanked the Deputy Mayor and the Executive Director of Children's Services for their hard work in bringing about these improvements.

Centre Square

The Mayor thanked officers for their work in bringing businesses to Centre Square which would bring more business and leisure to the town and an increase in people living in the town.

Councillor M Storey advised that he agreed that officers should be congratulated for their work on Centre Square. He stated that he particularly wanted to thank Kevin Parkes, the Executive Director for Growth and Place, who had recently retired from the Council after 17 years, as he had brought about huge economic regeneration in the town.

Councillor Storey stated that the Government had failed to provide adequate funding to the Council. In terms of the COVID pandemic, the local Public Health teams knew what Middlesbrough needed they just required the resources to be made available to ensure that it was deliverable.

The Mayor acknowledged the work carried out by Kevin Parkes, the former Executive Director for Growth and Place.

Councillor Cooke responded to an earlier comment regarding the lack of Youth services in the town and advised that he had worked with 3 organisations involving young people.

Councillor Cooke stated that he would like to see more capital invested in properties that were derelict or that had neglectful landlords who were letting properties become run down.

Where the Council was building new houses, it was important that the rest of the area was viable and by working on derelict property, it would improve the area and there could be job or apprenticeship opportunities.

The Mayor advised that work was ongoing in relation to this area and he invited Councillor Cooke to meet to discuss the issue.

6

**REVISED EXECUTIVE SCHEME OF DELEGATION**

As required by the Council's Constitution, a report was submitted setting out details of a revision to the Executive Scheme of Delegation.

Councillor Higgins advised that she had concerns regarding the combination of the

Communities and Education portfolios, as in her view, both areas warranted an Executive Member portfolio. The Mayor indicated that in his view, the merging of the two portfolios was the right combination.

**ORDERED** that the report be noted.

7

## **DEPUTY MAYOR AND EXECUTIVE MEMBER REPORTS**

Councillor M Storey raised a Point of Order in relation of paragraph 37 of the Council Procedure Rules. He stated that prior to the meeting, members of the Labour group had been advised that a number of the Executive Member questions submitted by the group had been ruled out of order, and in his view, they were relevant questions. He stated that not allowing the questions to Executive Members was not open and transparent. The Monitoring Officer later clarified, that the Point of Order raised by Councillor Storey was not valid as it did not comply with the requirements of a Point of Order, as set out in the Council's Constitution.

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).

### Councillor Mawston to Deputy Mayor and Lead Member for Children's Social Care regarding Youth Service

In response to a question from Councillor Mawston with regard to whether the new Youth Service contract would be up and running by April 2021, due to the COVID situation, the Deputy Mayor advised that following a senior management restructure, £250k had been saved and this would be targeted at youth services provision. It would cover 3 areas, Universal, Targeted and Transitional provision. The procurement process was on target and youth services should be functioning from April 2021.

### Councillor Mawston to Deputy Mayor and Lead Member for Children's Social Care regarding Ofsted Improvement Journey

Councillor Mawston stated that he wished to thank the Deputy Mayor and all of the officers involved in bringing about improvements in the provision of Children's Services. He queried how confident the Deputy Mayor was, that the Council would continue on this path of improvement.

The Deputy Mayor advised that the improvements had been brought about by the hard work of Senior Officers, Managers and frontline staff. Ofsted had carried out a follow-up review following the report received earlier in the year. The review had been carried out in September by the same lead investigator from the original review and this provided consistency in the approach. The focus of the review was on frontline services, in particular, the front door e.g. safeguarding assessments and the quality of thresholds. Feedback from staff was that the review had appeared to go smoothly. The formal feedback was expected to be received on 16 October but that could be changed.

The Deputy Mayor advised that a further 6 month review from a commissioner from the Department of Education was due to be carried out in November 2020.

The Council was working with an Improvement Board which consisted of representatives from the Police, Health and Education and the Council was seeing that change and progress was being made.

### Councillor J Thompson to Executive Member for Environment regarding Tree Planting/Whip Planting

In response to Councillor Thompson's question with regard to whether trees that had been lost in the town would be replaced, whether the cost had been budgeted for, and whether they would have tubes around the whips to protect them, the Executive Member advised that the

trees that had been vandalised, damaged or had died, would be replaced and the whips would have tubes around them for protection. There would be no additional cost to the Council as the cost had been covered via a grant.

Councillor M Storey to Executive Member for Regeneration regarding Centre Square

Councillor Storey congratulated officers and the Council on getting businesses into the town and he congratulated the previous labour administration on building the offices in the first place and in relation to bringing about Tees AMP. He emphasised how important Tees AMP was to the town in terms of manufacturing. In response to the comments from Councillor Storey, the Executive Member acknowledged the work that the previous labour administration had done in building the offices. He congratulated the Mayor and Officers for encouraging businesses to take up space in the offices, particularly during the COVID pandemic. The Executive Member also congratulated the Tees Valley Mayor for his work on Tees AMP Development.

Councillor J Walker to Executive Member for Adult Social Care and Public Health regarding Sexual Health

In response to Councillor Walker's question on the contract for sexual health with regard to the location of the clinics and the advice provided, the Executive Member advised that the tenders were due to go out the following week. The Executive Member advised that she would take into account the comments from Councillor Walker.

**\*\*At this point of the meeting, connectivity to Councillor Furness was lost and the Mayor was able to return to the meeting. It was suggested that the Mayor provide his update to the Council.**

The Mayor appeared to still have connectivity issues and at this point the Monitoring Officer sought clarification from Councillor Storey with regard to an earlier Point of Order. It was clarified that the issue raised did not meet the requirements of a Point of Order as specified in the Council Constitution.

**\*\*The meeting was adjourned at this point to try and re-establish connectivity with the Mayor.**

Following the presentation of the Mayor's Report, questions on the Executive Member reports recommenced.

Councillor Furness to Executive Member for Regeneration regarding Future High Street Fund

In response to the question from Councillor Furness regarding funding for businesses during the lock down period, the Executive Member advised that it was very important that the town did not lose jobs or businesses. The Revenues and Benefits team had been very proactive in assisting businesses with grants and in coming up with new ideas to help businesses. The Council had restarted its Recovery Groups and they were looking at ways in which to assist businesses. The Executive Member advised that along with the Mayor he would be willing to approach Central Government with regards to any potential grant assistance for businesses.

8 **REPORT OF THE OVERVIEW AND SCRUTINY BOARD**

The Chair of the Overview and Scrutiny Board submitted a report that provided an update on the current position regarding progress made by the Overview and Scrutiny Board and each of the individual Scrutiny Panels.

**ORDERED** that the report be noted.

.9 **PAY POLICY STATEMENT 2020/2021**

The Director of Legal and Governance Services and the Executive Member for Finance and Governance submitted a report, the purpose of which was to seek the agreement of full



Council to the Pay Policy Statement 2020/2021.

The Executive Member for Finance and Governance presented the report. Members were advised that it was a requirement under the Localism Act 2011, Section 38, for the Pay Policy statement to be approved by full Council.

Following a vote, it was **ORDERED** that the Pay Policy Statement 2020/2021 be approved.

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### **NOTICE OF MOTIONS**

Consideration was given to Motion No.145, moved by Councillor M Storey and seconded by Councillor Hellaoui of which notice had been given in accordance with Council Procedure Rules No. 53-60 as follows:

#### Black Community Motion

The motion has been compiled and written in collaboration with members of our black community in Middlesbrough and highlights the issues that of greatest importance to them and their community.

This, the month of October, is black history month in the UK, Netherlands and Ireland. The purpose of having a black history month is to shine a light on the life, culture and history of our black residents, friends and family in our own community, across Britain and the world.

Black History Month 2020 is also a time to look forward and celebrate the here and now - and the future possibilities. In years gone by, October has been the only time of year when the UK talks about the achievements of Black people in Britain. Hopefully, the events of 2020 will be a catalyst for Black history to be shared much more widely - in museums, galleries, schools, universities, public places.

Whilst the recent death of George Floyd in the US has attracted significant international attention and peaceful protest, this is just one such incident in a depressing trend in many countries, including the UK.

This Council supports a message of solidarity and support to the local Black community in Middlesbrough, in recognition of the continuing battle against racial injustice, racist violence, and abuse of power, and in recognition that the right to life, liberty, and justice of every citizen is precious.

Middlesbrough Council resolves:

1. That a programme of training to be delivered to all elected members to educate Councillors in black history and issues of race and how they manifest themselves in society.
2. That Black literature and media are represented in Middlesbrough Libraries and cultural spaces and to deliver promotion of these materials within Council settings.

Middlesbrough Council notes:

1. A request to support local educational establishments to promote and embed positive Black-led education initiatives.
2. A request for a commitment from the Council to support Black-led businesses and organisations in Middlesbrough.

The Chair invited members to speak to the motion.

Councillor Arundale spoke in opposition to the motion.

Councillor Higgins spoke in support of the motion.

Councillor Hellaoui spoke in support of the motion and outlined the reasons why she was

seconding the motion.

Councillor Storey outlined the reasons for the motion and spoke in support of it.

The motion was put to the vote.

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

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

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

12 **MEMBERS' QUESTION TIME**

The Chair announced that there were two questions from Members of the Council. The details of the specific questions were included at Agenda Item 14.

Question 6/20 - Councillor Branson to Councillor Davison regarding the introduction of Clean Air Zones.

In response to the question raised, the Executive Member advised that Public Health had circulated a document in May, to all Councillors called 'Air Quality in the South Tees - As Clean As It Can Be'. Air pollution in Middlesbrough had been on a downward trend for many years. Clean Air Zones had been introduced in towns and cities where levels of nitrogen dioxide were found to be exceeding the national standard. In 2018, air quality monitoring had been carried out in two locations within the town to demonstrate that the levels of nitrogen dioxide were compliant with the national standard, and therefore there was no requirement to introduce a Clean Air Zone. The aim of the Council was to ensure that the air in the town was as clean as it could be. The Council aspired to improve and promote alternative greener transport and to develop the transport infrastructure.

Councillor Branson stated that the use of Clean Air Zones was recommended by the Government and he hoped that Middlesbrough would look at introducing Clean Air Zones in the future.

Question 7/20 - Councillor Hellaoui to the Mayor regarding Track and Trace in Middlesbrough

In response to the questions raised, the Mayor advised that Track and Trace operated at three levels, national, regional and local and in Middlesbrough all three levels operated together. In terms of success with Track and Trace, and actual numbers, 1425 cases had been tracked and 2855 people had been traced. It was believed that the local Track and Trace process was the most effective method of tracking and tracing people and the Council aimed to operate more Track and Trace locally. Testing capacity was also improving.

The Mayor advised that the Council had provided funding to various people. It had offered grants to self-employed taxi drivers to facilitate the installation of dividing screens in their vehicles and the provision of hand sanitiser. Grants had also been offered to small businesses to assist in making them COVID safe. The Council had allocated huge areas of staff to this area.

The Council had also ensured that every property in the Middlesbrough area had received free face masks. Face masks were also handed out at the Boro match and around the town in general. The Mayor stated that he envisaged that the Council would receive more powers to act locally in the future.

Councillor Hellaoui requested that members receive regular updates in terms of figures and statistics in relation to COVID and the Track and Trace system. The Mayor advised that he would provide updates.

**13 LOCALISM ACT 2011 - REPEAL OF LEGISLATION - DEALING WITH PETITIONS**

The Director of Legal and Governance Services submitted a report, the purpose of which was for Members to consider the Council's revised Petitions Scheme.

The report was considered by the Constitution and Members' Development Committee on 24 July 2020 where it was recommended that the revised scheme be submitted to full Council for approval, subject to the threshold for the number of signatures required, before a petition can be debated at full Council, being revised from 1500 to 500 signatures.

Following a vote, it was **ORDERED** that the revised Petitions Scheme be approved.

**14 UPDATE TO THE CONSTITUTION**

The Head of Democratic Services submitted a report outlining details of general updates to the Constitution and requesting approval of the revised Financial and Contract Procedure Rules.

Following a vote, it was **ORDERED** that the general updates to the Constitution be noted and that the revised Financial and Contract Procedure Rules be approved.

**15 COUNCIL BUDGET MEETINGS - CHANGE OF DATES**

The Chair advised that it was proposed to change the dates of the Council meetings that were scheduled to discuss the Budget from, 3 February and 3 March 2021, to 24 February 2021 and 5 March 2021, in order to fit in with the budget process.

**ORDERED** that the change of Council meeting dates to consider the Council's budget, be noted.

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**COUNCIL MEETING – 25 NOVEMBER 2020  
 QUESTIONS FROM MEMBERS OF THE PUBLIC  
 COUNCIL PROCEDURE RULE NO.40**

QUESTION NO.	QUESTION FROM	QUESTION TO	QUESTION
1/2020	Mr J Roebuck	Councillor A Waters Executive Member for Regeneration	<p>Hemlington North Development Brief</p> <p>In the adopted Local Housing Plan, Policy H23 Hemlington Grange, paragraph (f) specifically indicates that “Apartments will not be permitted in the development”</p> <p>Will the Council therefore reject the adoption of the Hemlington North development brief, as agreed by the Executive Committee on 27<sup>th</sup> October, and request planning officers to develop a brief that meets the requirements of the said Policy H23, and also addresses respondents’ issues, which were totally ignored by planning officers?</p>
2/2020	Mr A Walker	Councillor A Waters Executive Member for Regeneration	<p>Further to the recent decision to adopt the development briefs, for sites at Hemlington North and Hemlington Grange South, would Councillor Waters be willing to request that the Executive Committee re-visit this decision on the basis that the planning officers/department did not apply the requirements of the statement of community involvement in responding to the consultation, failing to respond to legitimate concerns raised by respondents, and instead used a cut and paste approach.</p> <p>In answering my question, please can Councillor Waters also indicate the extent to which he agrees or disagrees with the statement below, taken from paragraph 1.10 of Middlesbrough Council's Statement of Community Involvement:</p> <p>“for planning to be seen as positive, all sections of the community must have confidence that the process is legitimate, operates in a timely manner and produces outcomes that are in the public interest. The process should be simple to follow and delivered in a fair, transparent and efficient manner”</p> <p>This demonstrates that the Council clearly are not listening to the people or making sure everyone is on board.</p> <p>The last sentence relates to comments made by Councillor Waters in The Gazette.</p>

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**Executive Member Reports  
and additional Executive  
decision information**

**Council Meeting: 25 November 2020**

**DEMOCRATIC SERVICES**

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## INTRODUCTION

This document contains Executive Member reports relevant to the Council meeting to be held on **25 November 2020**.

The booklet, in addition to containing details of Executive Member activities covering the period following the last Council meeting (section 1), also details those Executive decisions taken since the last booklet was published (section 2) together with those decisions planned to be taken from dispatch of this booklet up until the date of the Council meeting (section 3) and those decisions planned to be taken following the Council meeting (section 4).

The table at section 2 contains details of decisions taken by individual Executive Members, the full Executive, Executive Sub-Committees and Joint Archives Committee. The public reports that were considered are also available through the E-Genda system.

The tables at section 3 and 4 contain details of the decisions to be taken by individual Executive Members, the full Executive, Executive Sub-Committees and Joint Archives Committee. Further details on key decisions that are to be taken can also be found on the E-Genda Forward Plan.

The Executive Member reports and the additional decision making information will hopefully assist Members when considering any questions they may have for Executive Members at Council, which can be asked within accordance of the Council's procedure rules.

Details of those decisions to be taken, as outlined in Section 3 and 4, may sometimes be subject to change (e.g. dates of meetings may alter). Members are therefore advised to check with the Executive Office should they have an interest in specific issues.

Charlotte Benjamin  
**Director of Legal and Governance Services**  
(01642) 729024

### Contact details

Bernie Carr – Principal Democratic Services Officer - (01642) 729714

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## EXECUTIVE MEMBER REPORTS AND ADDITIONAL INFORMATION

### COUNCIL MEETING: 25 NOVEMBER 2020

#### CONTENTS

##### SECTION 1 - Executive Member Reports

<ul style="list-style-type: none"> <li>Deputy Mayor and Lead Member for Children's Social Care <i>Councillor A High</i></li> </ul>
<ul style="list-style-type: none"> <li>Executive Member for Adult Social Care and Public Health <i>Councillor D Davison</i></li> </ul>
<ul style="list-style-type: none"> <li>Executive Member for Communities and Education <i>Councillor M Smiles</i></li> </ul>
<ul style="list-style-type: none"> <li>Executive Member for Environment <i>Councillor D McCabe</i></li> </ul>
<ul style="list-style-type: none"> <li>Executive Member for Finance and Governance <i>Councillor C Hobson</i></li> </ul>
<ul style="list-style-type: none"> <li>Executive Member for Regeneration <i>Councillor A Waters</i></li> </ul>

**SECTION 2** – Table of Executive decisions taken and that have been through the Call-In period, since the last booklet, published on 6 October 2020.

**SECTION 3** – Table of Executive decisions planned to be taken from dispatch of this booklet up until the date of the Council meeting.

**SECTION 4** – Table of Executive decisions planned to be taken following the Council meeting.

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**EXECUTIVE MEMBER REPORT TO COUNCIL  
Wednesday 25<sup>th</sup> November 2020**

**STRATEGIC**

**Youth Services**

1. Youth Service is on track to start on 1st April 2020, with the following timeline in place:
  - The Youth Service Specification was completed and finalised on the 12th October 2020.
  - The tender went live on the 19th October 2020 with the closing date for submissions by providers as the 23rd November 2020.
  - The evaluation of the tenders will take place between 23rd November 2020 and 3rd December 2020, both successful and unsuccessful bidders will be notified on the 4th December 2020.
  - There is then a standstill period between 4th December 2020 – 14th December 2020.
  - The confirmation of the contracts awarded will be given on 15th December 2020 meaning that successful providers will have from 15th December 2020 – 31st March 2021 as the mobilisation period.
  - Contracts for the provision of youth services will commence on 1st April 2021.

**Ofsted Improvement Journey**

2. The letter outlining Ofsted's findings from their visit to Middlesbrough's Multi-Agency Children's Hub (MACH) and the Assessment Service on 23rd and 24th September has been received. The letter notes that improvements have been made albeit from a low base and there is a great deal more to do. It is positive to note that no cases were referred back to us which happens when Ofsted felt that children are unsafe. Staff report a more positive experience than during the full inspection in Nov/Dec 2019 with preparation sessions and a planned and coordinated response in the lead up to and during the monitoring visit.
3. There is a change to Ofsted's inspection programme as the next planned visit to Middlesbrough will be a focused visit. This will take place over three days with the in-depth pre-inspection preparations and there will be three social care inspectors plus one education inspector. It will focus on decision making across Children's Services and take place any time before now and the end of March 2021. After the focused visit Ofsted will decide if we should have another full inspection or remain on a programme of focused visits.
4. In addition to the above we have our Annual Engagement Conversation with Ofsted on 11th December. During these meeting, which take place for all authorities, Ofsted will scrutinise specific areas of practice again across the whole of the service. Ofsted

have not yet sent us their agenda which should provide us with more details of what they wish to discuss.

5. Our commissioner Peter Dwyer is with us from 9 – 11th November gathering information for his second report to the minister. The timetable is in the process of being put together and includes meetings with groups of front line staff and interviews focusing on themes such as quality assurance. This visit will double as the DfE's own review of our progress. The above does indicate the amount of external scrutiny that Middlesbrough is working through.

### **Leadership and Management**

6. There have been some significant changes in the Children's Services leadership team. I am delighted to tell you that against external competition Rachel Farnham has been appointed by members to the post of Director of Children's Care. Rachel is already working in the role on an interim basis so there will be a seamless transition into the permanent role. I would like to thank members of the stakeholder panel and the young person's panel for their involvement in the process. Rachel's previous role was of Lead for Transformation, a fixed term post with two years funding. We will be recruiting to this role as soon as possible.
7. Paula Jemson, whose substantive post is that of Quality Assurance Manager is now acting up into the Looked After Children Head of Service position. Paula has a forensic approach to her work, a solid understanding of what good practice looks like and knows Middlesbrough well. We intend to advertise for the permanent role in the near future.
8. I acknowledge the significance of these changes and there are more to come as indicated above but in my view they are all necessary to build a strong whole service leadership team capable of leading delivery against the improvement plan with pace and in the best interests of Middlesbrough's children and young people.

### **Social Work Teams**

9. The Ofsted letter notes that 'Caseloads are too high and are affecting social workers' ability to provide a timely service for children and their families'. Heads of Service are always considering ways in which to create capacity within existing resources for example in the Safeguarding and Care Planning Service in recognition of the size of each team and the current workload, an additional team has been created on a temporary basis from within the staffing structure to enable team managers to supervise fewer staff thus enabling them to have a greater grip on practice.
10. A number of social work vacancies and the caseloads of social workers who are off sick are covered by agency staff. Agency workers bring many positives such expertise and experience of working in other authorities and currently Middlesbrough cannot do without them. However, the workforce can become less stable particularly because agency workers can leave the authority at a week's notice and they are also more expensive for the local authority than directly recruited staff. There is a national shortage of experienced social workers and currently Middlesbrough is able to attract few suitable agency staff. A campaign targeting the recruitment of permanent social workers and team managers is to be launched as soon as possible with a wider more

in-depth campaign planned for when the work to develop a Workforce Strategy has been completed.

11. Ten new social work students started on our Frontline programme recently and they are currently enjoying their introduction to social work practice and meeting up with our social work teams. I am sure that the board will join me in wishing them every success as students in Middlesbrough and as future social workers.
12. The Innovate team, commissioned to reduce the number of children in residential placements, support fragile placements and promote permanency is working well particularly in conjunction with FFF. The contract is due for a mid-point review on 22nd October and I will report in more detail in my next report.

### **Covid-19 and Children's Services**

13. The pandemic continues to put considerable pressure on children's services and schools across Middlesbrough. As staff and pupils are either diagnosed with COVID or have to self-isolate bubbles of students, year groups and whole schools can be affected.
14. Figures as at 21st October show that 202 members of staff and 3563 children have been self-isolating since September. In these circumstances it is important to maintain contact with our vulnerable children namely those known to a social worker. We have a process in place whereby schools phone Children's Services using a designated number staffed by business support staff and share information relating to the absence of vulnerable children. Business support staff note the details on the child's file and take responsibility for contacting the social worker. The child's social worker then updates the child's safety plan and contacts the child's family or carers as appropriate. This process is being extended to include vulnerable children who should be in school but are not there. Guidance has been re-issued to social care staff about the best ways of keeping in contact with children at this time. As per government guidance Children's Services staff are expected to work from home unless it is not possible for them to do so. This will remain the situation for several months. This does have an effect on team morale as some social workers and from my conversations with them particularly the more inexperienced feel quite isolated.

### **Care Leavers Offer**

15. The Participation Team are working to develop the Care Leavers Offer and there has been a number of workshops held with the Pathways Service and young people to develop this. Care Leavers week starts on the 26th October. We are planning a full week of communications including the launch of the new Care Leavers Local Offer, the Middlesbrough Children Matter website, Mental Health messages and more.

## **PERFORMANCE**

### **Future for Families**

16. Last month I reported on the start of the Futures for Families project. The service is developing well, referrals have been accepted for thirty-nine young people. Eleven young people are currently in foster placements and their foster carers are being supported to care for them. A further three young people being supported are still in

residential placements whilst foster placements are being sourced. In addition there are brilliant examples of the project offering excellent support to maintain children in fragile placements and to offer care to children in crisis situations. This has allowed children to continue to be cared for in Middlesbrough and continue to attend school whilst appropriate longer term placements are secured and matching requirements are given full consideration.

### **Corporate Parenting Strategy**

17. The Corporate Parenting Strategy, which encompasses our Permanency Strategy, our Sufficiency Strategy and our Participation Strategy is out for consultation for the whole of October. A multi-agency planning session is arranged to develop the operational action plan that will sit behind the strategy and will support the local authority and partner agencies to achieve the identified priorities.

### **Integrated Commissioning Model**

18. The tenders for the specialist services have been evaluated and once they have been checked by legal we will enter the 10 day standstill period. It is during this 10 standstill period that we will receive any challenges to the decisions. We are comfortable that due process was followed and the tender evaluations were robust and fair.

19. A draft structure for the Core Team has been agreed but is subject to change once services transfer in on 1st April 2021. The development of the Case Management System is underway and is on track to go live on 1st April 2021.

### **Pot Hole Initiative**

20. Middlesbrough Council's Highways Infrastructure Team have now completed works in the first sixteen wards, and are on target to complete the whole programme by week commencing 30th November subject to no delays caused by inclement weather. To date they have identified and repaired a total of 4033 defects - equating to 20165 individual potholes. The work has seen 1105.5 tonnes of tarmac and 11471m<sup>2</sup> of patches laid, with a further 13,204m<sup>2</sup> of carriageway surfacing to be completed by the main contractor.



## EXECUTIVE MEMBER REPORT TO COUNCIL 25<sup>th</sup> November 2020

### ADULT SOCIAL CARE AND PUBLIC PROTECTION

#### PERFORMANCE

##### Integrated Commissioning Model

1. The tenders for the specialist services have been evaluated and once they have been checked by legal we will enter the 10 day standstill period. It is during this 10 standstill period that we will receive any challenges to the decisions. We are comfortable that due process was followed and the tender evaluations were robust and fair.

##### Local Authority Asylum Support Liaison Officers (LAASLOs)

2. Cessation of both those who have been granted leave to remain and those who have been refused it has restarted. The LAASLO team has developed excellent working relationships with Mears (Home Office accommodation provider), the VCS, and Homeless, which means that it has been possible to avoid people becoming homeless. Restarting cessations has also meant that there has been an increase in the number of Universal Credit applications, Child Benefit applications, and bank account applications.
3. The LAASLO team has seen an increase in the number of settled refugees who require new support around issues such as health, housing, and employment.
4. The team continues to notice a greater than usual negative impact on mental health and well-being in both settled refugees and current asylum seekers. A number of referrals have been made to counselling services, health services, and social care as a result.
5. The LAASLO team is taking part in the locality working model, which has shown to be beneficial in terms of working together with other internal and external partners on the ground in North Ormesby and Newport in particular. The team now works from Newport Hub on Monday & Tuesday, and North Ormesby Hub on Thursday & Friday. Face to face appointments happen in the Civic Booth and in North Ormesby Hub.
6. There is currently no new asylum dispersal into Middlesbrough. However, the LAASLO team will be made aware of new dispersal and will continue to provide #UTB masks and a brief welcome once it does.
7. The LAASLO Manager is also working with Public Health and Public Protection to develop better community responses and appropriate contact tracing within the refugee and asylum seeker community in relation to Covid-19 and other public health issues.
8. From 1<sup>st</sup> November the LAASLO's move into Stronger Communities so will come under Geoff Field's directorate.

##### Domestic Abuse/Sexual Violence

9. Government has launched consultation and issued guidance to councils prepare for the introduction of Domestic Abuse Bill (April 2021) which places a duty on council to assess and provide support and safe accommodation to victims and their children. Councils can prepare by linking in with other agencies such as police or health commissioners to map existing provision.

Councils need to be ready for this new duty from April 2021 and the government is consulting with them on the best way to allocate funding to ensure we meet this new obligation. <https://www.gov.uk/government/consultations/funding-allocation-methods-new-domestic-abuse-duty>

10. An opportunity has arisen in Middlesbrough to embed **IRIS Programme** (Identification and Referral to Improve Safety) which is an evidence-based health intervention that was developed specifically to improve the GP response to domestic abuse. My Sisters Place, a specialist Domestic Abuse Service in Middlesbrough have been confirmed as a formal partner within the IRIS programme and have secured part of the funding necessary to implement IRIS in Middlesbrough. A number of recommendations in recent DHRs relate to improving clinical pathways in relation to Domestic Abuse. Embedding IRIS would bring significant benefit for Middlesbrough, not only in addressing the recommendations but also in improving early intervention and reducing impact on criminal justice system. In order for the programme to be implemented successfully My Sisters Place needs to secure match funding.

## **INVOLVEMENT AND PROMOTION**

### **Staying Put Agency LGC Awards 2020**



11. On the 28<sup>th</sup> October, the LGC celebrated “the best and brightest of local government” at the **Local Government Chronicle Awards** – and **Middlesbrough’s Staying Put Agency** were a part of that celebration.
12. The biggest celebration of excellence in local government saw over 1500 attendees who tuned in to watch this year’s event, virtually, and the Awards were trending 8<sup>th</sup> in the UK on Twitter!
13. With over 700 entries, being Shortlisted for Team of the Year has been a big achievement for the agency. Judges throughout the judging and presentation process commented on the impressive nature of all the entries; stating that the Staying Put Agency were a “Strong professional and continuously developing organisation”.
14. Middlesbrough Staying Put Agency has concentrated on becoming an equal partner in the integration of health and social care over the past few years. The Agency now plays a vital role in redesigning health and social care services. As well as developing a wide range of support that includes everything from digital inclusion to a successful hospital discharge service. As one of the country’s leading HIA’s the agency works hard to collaborate with partners and share learning with neighbouring local authorities. The Agency has become an integral part of the larger welfare authority, which allows it to deliver on key social care functions and outcomes such as assistive technology, facilitating discharge from hospital and preventing greater costs accruing elsewhere in the local health and care system.

### **Prevention Services**

15. Our ‘Preventative Services’ focus on optimising an individual’s ability to maintain control over how and where they live by helping them to help themselves whilst also offering low level support and short term interventions at any stage of the care pathway to optimise peoples’ outcomes and manage demand.

16. Our services are inter-related and in some cases inter-dependent, however they are currently dispersed around the town and as a result any synergies or potential efficiencies cannot be realised. A strategy for the provision of preventative services has been set out and within that was the purchase and refurbishment of Phoenix House (previously Lodge), Marton Road, Middlesbrough in order to provide a centrally located base for these services which include:

- Connect & Assistive Technology,
- Reablement,
- Sensory Support,
- Independent Living Services,
- Staying Put Agency; and,
- Handyperson service.

17. The purchase of Phoenix House was completed in February 2020 and a refurbishment of the building has been undertaken to create new and modern facilities to accommodate our service. Work was completed mid-October however, due to the current restrictions around Covid, a phased approach will be taken to relocate staff into Phoenix.

### **PROVIDER DAY CARE SERVICES –COVID -19 – RE-OPENING**

18. On September 21<sup>st</sup> 2020 all Middlesbrough Council Provider Day care Services for Adults with Learning Disabilities /Complex needs/ Autism and Older people re-opened. This was a result of a lot of hard work from all the managers and staff to prepare and get their units ready safely.

19. Since re-opening the past 5 weeks have seen all services maintaining and delivering day care provision for a number of individuals within COVID-19 safe working environments really well. The re-opening was very well received and appreciated by service users and carers, and has provided much needed support for many people during this unsettled time.

20. All staff prior to coming back underwent briefing sessions with managers to help explain and share with them how the services were going to operate under COVID -19 restrictions. We also ensured that a comprehensive guide was provided for Service Users and Carers to explain to them how day care services were going to operate.

21. Besides the day care managers and staff a big thanks must also go to all who have helped the re-opening happen, this includes Middlesbrough Councils John Armstrong and his Health and Safety team, Neville Mackay and his property services team, and Ged Faint and her Transport team.

### **PUBLIC HEALTH**

#### **PERFORMANCE**

##### **South Tees Smoke Free Action Alliance**

22. Coordinated action continues with Alliance Partners to reduce smoking prevalence in the highest risk groups. The aim of the Alliance is to achieve a 5% smoking prevalence by 2025, to reduce health inequalities and make smoking history.

23. Annual smoking prevalence figures show that the NE is 15.3% down from 16%. Middlesbrough is at 17.2% down from 17.4% and Redcar 15.5% up from 13.5%.

24. The South Tees Stop Smoking service engaged with 3,267 people in 2019/20 across a variety of settings within pharmacy, GP, Community and in specialist clinics. 1019 successfully quit at 4 weeks, with 495 from Middleborough. A total of 1,085 referrals in Middlesbrough were received by the service.

25. Smoking at the time of delivery (SATOD) across South Tees is down to 16.5% from 19.3% which is the lowest on record.

26. The Stop Smoking service and other Alliance partners have been involved in amplifying the Quit4Covid messaging, as smokers have reduced immunity, poor respiratory and cardiovascular

health and are at an increased risk of poorer outcomes should they contract COVID-19. An additional 156 referrals were made to the SSS as a direct result of local promotional activity and internal communications during this period.

27. The target audience for Stoptober this year is primarily 35 – 60 year olds and a secondary audience of 18-34 year olds and aimed at motivating people to make a quit attempt on the 1<sup>st</sup> October. A communications plan has been developed for Middlesbrough and includes a number of digital and offline activities.

### **Illicit Tobacco action Including enforcements, seizures and prosecutions**

28. Trading Standards are key partners in the South Tees Smokefree Alliance and were involved in high level enforcement activities during 2019/20, 9 programmed visits were carried out, 23 intelligence led visits and 3 warrants, resulting in the seizure of over 100 000 cigarettes, 24.24kg hand rolling tobacco and 2 large boxes of raw tobacco. There were 5 closure notices, 5 successful prosecutions and 4 cases awaiting trial later this year and 3 ongoing investigations.
29. Seizures included the identification of a tobacco factory where the raw tobacco and all packaging materials were seized. One case involved prolific underage sales of cigarettes from a private house.

### **INVOLVEMENT AND PROMOTION**

#### **EcoShops Supporting Vulnerable People during the Pandemic**

30. “EcoShops” was set up by Middlesbrough Environment City (MEC) in 2019 as a means of reducing the amount of food sent to landfill and providing people on low incomes with affordable food.
31. The project works with Fairshare North East, a not-for-profit organisation that collects food from the supply chain that would otherwise have gone to disposal and then distributing this to membership organisations. Members pay a monthly subscription to cover the costs of collection and distribution.
32. The original EcoShop model was developed in schools, where pupils, staff and volunteers ran the service. Parents were able to choose ten items from the shop for a donation £2, with some addition fresh produce being available for free. The focus is always on helping the environment by using surplus food, reducing the stigma so often associated with affordable food provision.
33. As the spring lockdown was announced, most of the twelve EcoShops had to close. MEC developed a new model – the Virtual EcoShop (VES), delivering a bag of food to vulnerable people each week for £2. The scheme initially worked with the Foodbank to help people move out of dependency; referrals now come mainly through word of mouth. Funding from Public Health South Tees, the National Lottery Community Fund and the government’s Emergency Food Fund (through Middlesbrough Council) has enabled the scheme to expand. The VES serves over 150 households with more than 190 parcels per week. Communities have actively come together, accepting parcels and distributing them themselves, allowing the service to reach more people.
34. Moving forward the aspiration is to encourage VES users to access a place based EcoShop near them. Where they are unable to do so, MEC will be working with EcoShops to encourage local deliveries.
35. A boost to the programme came in the summer, when Fareshare received government funding to access additional food supplies, with an additional 20 pallets of food each week being made available locally. This was used to both supplement the Virtual EcoShop and supply summer programmes such as Feast of Fun, run by Together Middlesbrough and Cleveland. This additional support would not have been possible without the assistance of PD Ports who provided both free warehousing and transport and Thirteen, who are now providing storage space.
36. EcoShops are now starting up again. Middlesbrough now has 16 school and community EcoShops running, collectively redistributing over 1.5 tons of surplus food (approximately 3,700 meals) to communities every week.

37. There is still a significant amount of waste food in the supply chain that could be redistributed. The limiting factor to future expansion is the logistical issue of moving food from Fareshare's Newcastle base to Teesside. MEC is currently exploring with Fareshare suitable warehouse spacing and funding to set up the operation locally.

### **Walking and Cycling – Part of Covid-19 Health and Wellbeing Recovery**

38. At the most recent Health and Wellbeing Recovery Group meeting, Mark Fishpool from Middlesbrough Environment City presented on the role of cycling and walking as part of our recovery from the Covid-19 pandemic. Cycling and walking fit under the theme of "Maximising Environmental Benefit and Sustainability", alongside affordable warmth and a sustainable food system, particularly tackling food poverty and encouraging healthier diets. As such it links closely with the Mayor's Green Strategy.
39. In light of the Covid-19 pandemic, the role of walking and cycling is of paramount importance in assisting recovery and meeting the Council's objectives. Increased levels of walking and cycling participation provide us with many opportunities:
40. Environmental sustainability – Reducing environmentally damaging emissions which are creating global warming and unprecedented levels of extreme weather events.
41. Health and Wellbeing – Physical activity is important not only for the body, but also the mind. This is particularly pertinent in the current pandemic situation, where the impacts of lockdown are taking their toll on mental and physical health.
42. Supporting economic growth – In light of the reduced public transport capabilities, walking and cycling offer an option to access employment, education and local amenities whilst also limiting the enclosed space interactions with others, enabling adherence to new lockdown measures.
43. In order for the full benefits of active travel to be realised, a "whole system approach" is required, similar to that being used in the Sport England funded "You've Got This" programme. This recognises that achieving change at scale needs action at all levels of the system. For cycling this means both capital and revenue investment to achieve our ambitions. We need to ensure people have a roadworthy cycle that they have the skills to ride safely and to maintain their bike. We also need to ensure that workplaces, schools and other venues provide secure cycle parking and good cycling directions. Projects such as the "You've Got This" and the DfT Access Fund are empowering residents with skills and capabilities such as providing training, roadworthy equipment, and encouraging uptake. A capital programme is also needed to create comprehensive cycle way network that is well maintained, part of our local aspiration.
44. Government has recently announced "Gear Change", the blueprint for an ambitious cycle network fit for the 21<sup>st</sup> Century. This will ensure that local infrastructure matches the ambitious plans of the government and provides funding opportunities to develop local networks.

### **Managing Undernutrition South Tees (MUST) Service**

45. The MUST Service provides nutrition and hydration training and support to all 29 elderly care homes in Middlesbrough. The training enables care homes to achieve the Care Quality Commission (CQC) essential standards of quality and safety in nutrition and hydration and ensures resident's nutritional requirements are being met.
46. Due to the ongoing pandemic, face-to-face training with care home staff is no longer possible. The service has been rapidly adapted to ensure sustainability of training and support to care homes through a virtual offer. MUST Training webinars are now available to all care home staff.
47. From July to September, the MUST service visited care homes in Middlesbrough to complete MUST audits in line with the COVID-19 risk assessment. Staff only visited care homes with agreement from the care home manager, the allocation of a room away from staff and residential areas and followed strict PPE and IPC protocols. Staff also had a negative COVID test prior to visiting each care home.

48. The MUST audits identified 83 'Residents of concern' - residents most at risk due to not being correctly identified by care staff as at risk of malnutrition, appropriate nutrition care plans were not in place or referral to the Dietitian was not in place. All residents' care plans were rectified with support from the MUST Service improving nutritional outcomes for those residents.
49. From October, due to the rise in COVID-19 cases in Middlesbrough, MUST self-assessments will replace care home visits until further notice. The MUST self-assessment is completed on a sample of residents to audit completion and accuracy of MUST screening and nutritional care planning. Each care home has an allocated MUST Trainer, who supports care home staff virtually to continue to achieve good standards of nutritional care for elderly people living in care homes.

**Councillor Dorothy Davison**  
**Executive Member for Adult Social Care & Public Health**

**EXECUTIVE MEMBER REPORT TO COUNCIL**  
**WEDNESDAY 25<sup>TH</sup> NOVEMBER 2020**

**EDUCATION**

**1. South Tees Youth Offending Service**

South Tees Youth Offending Service (STYOS) is now delivering interventions to young people at risk of committing crime and anti-social behaviour or where there are behaviours impacting upon their education, training or employment. This preventative work was introduced in September 2020 with the overall objective being to reduce the number of first time entrants in to the criminal justice system.

**2. Schools**

It's been a delight to visit a number of primary schools over the last half term – in a Covid safe way of course. It's excellent to learn about what makes each of our schools unique and to build up relationships with headteachers and staff. I want them to know that we as an authority are here to support them and make sure our children achieve their full potential.

The Ethnic Minority Achievement Team (EMAT) has provided speedy and varied support to schools for their COVID response – such as creating videos in various languages to help relay important messages to parents. The team is now working closely with schools to develop remote teaching packages for pupils with English as an additional language.

**3. Hullabaloo**

Hundreds of babies have received a free Hullabaloo pack as a result of some fantastic partnership working between Middlesbrough Council's School Readiness Team, South Tees Public Health and The Hullabaloo Theatre.

Families of babies born during Covid lockdown were contacted by the School Readiness Team and offered a free resource pack developed by the Hullabaloo Theatre, aimed at promoting babies' creative and imaginative development through play. Parents of these babies missed out on the social element of attending baby groups like the ones delivered from children's centres, which are vital for peer support and receiving information, advice and guidance on baby's development. During these calls staff were able to provide this support, whilst getting families registered with the children's centres.

**4. Bath, Book, Bed**

Children's centres, libraries and The National Literacy Trust's 'Middlesbrough Reads' supported The Book Trust's 'Bath, Book, Bed' campaign a little differently in September. This time we went digital using our Family Information Service Facebook page. Our first digital Bath, Book, Bed Week reached 3.4k people during the week generating 57 responses from families sharing their bed time top tips, favourite family bedtime story and

ideas for bath time fun. Four lucky winners received either a bundle of books or a bath time fun pack.

## **CULTURE**

### **5. Town Hall Phone Boxes**

I'm thrilled to give an update on our Town Hall phone boxes which have returned following refurbishment. They look very smart and were renovated by a Middlesbrough company.

They now await their arty makeover, which will see them fitted with an art installation featuring 'sound bars' that will respond to surrounding noise. This work is scheduled to take place in January.



### **6. Middlesbrough Town Hall**

The Town Hall continues to provide space for the Nightingale Court Service to be delivered as well as socially distanced lecture space for Teesside University. These hires fill our largest spaces Monday to Friday and will be in place until the end of the year with options to extend the hire until March 2021 when we are hopeful we will be able to return to a more traditional program. We continue to work with hirers and promoters to reschedule shows and events planned for 2020 into 2021.

Regional promoters are keen to deliver small scale socially distanced events within the Crypt, Fire Station and Court Room as soon as Covid restrictions allow us to – some of



these events will include our monthly Big Mouth Comedy Club, the launch of Folklines Fridays and Crypt music sessions.

In October we launched the Middlesbrough Town Hall AIR (artist in residence) project, which has had a very positive reaction from not only the public and local artists, but also the BBC – which has now partnered with us to deliver ‘AIR Sessions from the Crypt’ online.

The first session featured Amelia Coburn who herself is a BBC Young Folk Award nominee and has reached 17k people since the streaming took place. This was followed by further weekly streaming sessions of the other AIR cohort members Shakk, Michael Gallagher and Jodie Nicholson, with the final live streaming session featuring Dylan Cartlidge. We are thrilled that the project has launched with such support online and look forward to a time when delivery within the town hall will be possible once again.

For a short time the Middlesbrough Town Hall performing arts school and Musinc project were able to return to delivery on site and it was wonderful to welcome young people back to the venue to perform and learn again. Both projects have now returned to an online delivery model in response to lockdown restrictions but we hope for a swift return to live delivery as soon as guidance allows.

I’m very happy to report that Middlesbrough Town Hall’s application to the Cultural Recovery Fund was successful and we have been granted £209,000 from the fund to support us during the pandemic. Some of this funding will be used to purchase equipment that will allow cinema and live streaming to be delivered by the venue in the coming months.



## 7. Middlesbrough Theatre

Middlesbrough Theatre was due to reopen for its first socially distanced performances in November but this was sadly impacted by the announcement of a further national lockdown leading to the cancelation of these performances.

We have been fortunate in being one of 20 theatres nationally to have received funding from the Theatres Trust to install hygiene facilities to make us Covid secure. We will be in a strong position to offer both audiences and visiting companies alike the best possible facilities we can re-open.

## **8. Newham Grange Farm**

After a very busy socially-distanced Summer season at the farm, the Autumn weather historically brings a decline in farm visitors as flip flops are swapped for wellies. But this year the farm's popularity has not swayed even a little bit - a massive 8,210 visitors booked and paid on line to visit the farm in October with 6,650 people visiting in October half term alone. The security of having a socially distanced controlled outdoor experience has proved to be a huge hit with families from across Teesside.

To celebrate Halloween, the farm put on a socially distanced Halloween trail with hay bale art featuring giant spiders and skeletons and pumpkin picking. The activity was a huge success. We were fully booked from October 24 – October 31 (NB: The farm capacity is reduced in line with Covid Risk assessment).

Plans for Christmas are developing in conjunction with events team and we are hosting Newham Grange Festive Farm special which is programmed to take place from December 5 – December 24.

## **9. Events**

A full Christmas events programme was planned during the Summer with 'Plan B' options ready should a Tier 2 or 3 lockdown be brought into place. Sadly full lockdown will now prevent all the Plan B hyper local community events - including the parade - from taking place.

But Christmas is not lost! As well as some wonderful activity taking place at Newham Grange Farm we will also deliver a virtual Christmas light switch on. The switch on will feature our very own Santa and his mischievous elves who are on quest to get the Christmas lights turned on in Middlesbrough Town Centre. The virtual switch on is designed to offer a fun alternative option to the traditional switch on.

A Christmas window is also currently being created with a gingerbread Middlesbrough skyline theme and will be visible within the town centre.



## **10. Middlesbrough Museums**

Visitor numbers to the museums have developed a very definitive trend with mid-week visitor numbers outside of school holidays remaining low but Friday and Saturday figures regularly hitting the pre booking allocation.

Digital engagement with the museums has never been so popular and in line with this increased following we are developing a digital video exhibition of toys through time which will be delivered by none other than Santa himself.

## **COMMUNITIES**

### **11. Wardens**

Despite recently imposed restrictions, the town centre remains busy and parking issues continue to affect traffic management. Penalties have been issued in several locations throughout the ward - although some drivers were dealt with through guidance and advice.

To support local businesses, wardens have conducted several welfare checks to local firms to see how best they can support them. Wardens and police officers (who work as part of the town centre team) also work closely with retail security guards by increasing vigilance for known shoplifters. Last weekend wardens assisted Cleveland Centre Security with the detainment of a known prolific shoplifter who had stolen items from Boots.

Wardens regularly support people when injured. This month, wardens were called to assist an elderly male who had sustained a nasty fall resulting in cuts and abrasions to his face and hands. Wardens wish to express their thanks and appreciation to the two nurses and member of the public for their assistance with this incident.

Headteachers contacted me about dangerous parking outside their schools. As a result I asked wardens to visit schools at drop off and pick up times and ticket those who are parked inappropriately. This operation is still ongoing at schools across the whole of Middlesbrough.

### **12. Community Safety Partnership**

The AIM (Active Intelligence Mapping) partnership directs resources and sets short-term action plans in line with current crime and disorder issues and priorities. This work is carried out through a fortnightly tactical assessment of crime and disorder in conjunction with Cleveland Police and other partners identifying emerging trends. Current priorities include youth related antisocial behaviour and criminal damage in Thorntree, Berwick Hills and Pallister wards, Trimdon Avenue shops and the Saltersgill area of West Middlesbrough. Partners have committed resources to target these areas with dispersal orders, enforcement and youth services outreach.

Middlesbrough's Community Safety Partnership has, amongst other responsibilities, a duty to monitor Domestic Homicide Reviews (DHR's). In relation to some of the recommendations from recent DHR's we are supporting a fundraising initiative to enable the delivery of the IRIS Programme (Identification and Referral to Improve Safety). This model is an evidence-based health intervention, to improve the GP response to domestic abuse. My Sister's Place, a specialist domestic abuse service in Middlesbrough, has been confirmed as a formal partner within the IRIS programme and has secured part of the funding necessary to implement the model within Middlesbrough. CSP members have also agreed to part fund the project over the next two years.

### 13. Digital Libraries



Our top reading duo, Tammy and Monty relaunched their popular “Time for a Story” videos during the half-term break. Tammy also posted a number of activity videos throughout the week including a Lego Club.

**Dennis McCabe**

**EXECUTIVE MEMBER REPORT TO COUNCIL  
Wednesday 25<sup>th</sup> November 2020**

**DECISIONS**

**Green Strategy**

1. The Executive gave approval to commence consultation on the adoption of the emerging Green Strategy. We are due to go out on consultation week commencing 9 November until 15 January. Following the consultation period, we will be going back to Exec in February with findings and proposals.
2. The strategy sets a programme to meet Government targets for Recycling uptake and Greenhouse gas emissions and make the council more climate resilient to make sure we are prepared and can adapt to changes in climate and to minimise the environmental impact of council services in future. This also supports the One Planet Living framework and the 10 principles already adopted by the council.
3. The Green Strategy – ‘A Greener Future for Middlesbrough’ has 3 main aims:
  - To make Middlesbrough Council net carbon neutral by 2029
  - To ensure Middlesbrough as a town is net carbon neutral by 2039.
  - To make Middlesbrough a lead authority on environmental issues.

**LOBNR**

4. A Proposal has been submitted to the council by the Tees Valley Nature Partnership for a new nature reserve to the Junction of North Ormesby/Shepherdson Way and the A66. This is being considered by the council and a report will be submitted to Executive.

**STRATEGIC**

**Pot Hole Initiative**

5. The responsive maintenance team have now completed 16 Wards of a planned 20 Ward programme. They have identified and repaired 20165 defects, laid 1105 tonnes of tarmac over an area of 11471 square metres and have programmed a further 13204 square metres of resurfacing works to be carried out by a main contractors to repair those areas too large to patch.

## **Street Lighting**

6. We are now underway with Christmas lights and decorations installations and will resume with the LED replacement programme as soon as the Christmas decorations are complete.
7. We are now scheduled to complete the LED installations by mid January 2021. Following completion of this programme we will resume with planned column replacements with 300 columns due to be replaced by the end of March 2021.

## **Street Works**

8. Discussions are ongoing with City Fibre to manage the planned 38 month project to install a fibre to home network across Middlesbrough as part of a works programme to create a third national fibre network. The national scope of the project is to connect 8m premises, which is 30% of UK households with investment planned at £4bn. Middlesbrough is included in the 3rd wave of the project with major works planned to start in March 2021 with the plan to provide fibre connectivity to 83,000 homes.

## **Traffic Signals/UTMC**

9. The new UTMC and UTC system development is progressing well with Siemens carrying out the works to have the new system in place soon. TCF funding is available to expand our UTMC assets across the Tees Valley, with the UTMC manager currently working with Fore Consulting to develop an asset plan for hardware type and location (VMS, CCTV, ANPR, Air Quality, Traffic Counting, Weather monitoring etc.)

## **Highways Projects**

10. Whilst progress with the planned capital verge and footway scheme works has been significantly delayed due to Covid-19 restrictions the planned highways team are underway with the 2020/21 works programme and are working towards having all of the scheme works complete prior to April 2021.

## **Waste Collection**

11. WebAspx is now in full use with the majority are working fine. However there are a few teething problems which we are working closely with IT to iron out.
12. The Webaspx system will reduce paperwork for the Crews and also provide an economically enhanced daily route for each round.
13. The benefits of the system are:
  - MBC Carbon Footprint due to a reduction in miles travelled by a 26t HGV Refuse Compaction Vehicle (RCV).
  - Measure the performance of the individual Crew to highlight any spare time within the rounds.

- Automatic Digital Job Tickets which will improve the Customer Experience as the job can be updated in real time recording the time it was complete.
- Significantly reduce the amount of paper used.
- Offer a 'real time' picture of round progress so that any issues can be addressed in a timely manner.
- Improve information to the Contact Centre Staff who will have information available to give to residents rather than have to call the Depot.
- Improved information gathering on an individual property basis so that we are able to provide a more detailed response to issues.
- Confirmation of Assisted Collections to reduce the amount of missed collections which will improve the Customer Experience.
- Improved Service Performance Reports.

### **Green Waste Service**

14. Collections are still going well and will continue until the end November. This popular service has run very smoothly this year and tonnages are still looking comparable to previous years despite the late start due to Covid pandemic.

### **UCTF Tree planting**

15. Whilst progress with the planned tree planting works have been delayed due to Covid-19 restrictions the Area Care team are underway with the 2020/21 works programme and are working towards having all of the trees planted by end of March 2021. The first of the trees are due to be collected next week as they were not ready to be lifted this week, with the intention of commencing the planting in Thorntree Park & Netherfields playing field next week.

### **MBC Whip Planting**

16. 7,500 whip planting programme commenced this week and is expected to be completed by the end of December 2020.

### **Wildflower**

17. Although we missed the spring sowing window in March of this year due to Covid-19 restrictions we are now looking to programme the sowing down of 30,000m<sup>2</sup> by spring 2021. The wild flower preparation has commenced and all areas will be sprayed off week commencing 9 November. The cultivation of land and subsequent sowing of Wildflower seed will commence in February 2021 and will be completed by March 2021.

## **INVOLVEMENT AND PROMOTION**

### **MBC/MEC community tree planting initiative**

18. This was planned to take place week commencing 16 November. However due to very recent decision on national lockdown due to Covid-19 we will be working with MEC and looking at alternate ways to promote and get the whips to residents/communities.



## **EXECUTIVE MEMBER REPORT TO COUNCIL Wednesday 25<sup>th</sup> November 2020**

### **DECISIONS**

The following papers went to Executive on 27<sup>th</sup> October:

Members Small Scheme Allocation 2020/21

The following papers went to Executive on 24<sup>th</sup> November:

Medium Term Financial Plan and Budget Savings Proposals 2021/2022

Revenue and Capital Budget – Projected Outturn Position as at Quarter Two 2020/2021

Nunthorpe Grange Farm: Disposal – Church Lane – PART A / PART B

### **STRATEGIC**

#### **Human Resources - £95k Exit Cap**

1. The regulations to limit Public Sector Exit payments to £95,000 came in to force on 4<sup>th</sup> November 2020, this includes pension strain costs, redundancy or settlement costs. There are further reforms from MHCLG currently under consultation which potentially impact on Local Government Pension Regulations. When the outcome of the consultation is known the Pay Policy Statement will be amended accordingly and submitted to Council for approval.

### **PERFORMANCE**

#### **ICT - First Line & Service Desk**

2. ICT Service Desk Statistics October 2020
  - 2834 telephone calls this month in total (up 644 calls from the same month last year)
  - 1732 emails to the desk (by 461 from Sept 20 and up by 485 from Oct last year)
  - 1219 self-serve requests (1 down from Sept 20 and up 232 from Oct last year)
  - 206 self-serve incidents (3 down from Sept and up 44 from Oct last year)
3. Overall Demand:
  - 47% of all customer interaction via phone
  - 53% of all customer interaction by digital
4. The ICT First Line Support team continue to maintain an onsite presence, as they have since the 23<sup>rd</sup> of March, rolling out new devices to those migrating to home

working, setting up new starters and providing onsite support and guidance not possible over the phone.

5. As a direct result of the ongoing pandemic response, First Line and the Service Desk teams continue to deal with unprecedented levels of demand. Statistics show that we are dealing with, on average, 1000 additional requests for help and support, compared to the same time period, last year.

### **ICT – Infrastructure**

6. Despite the challenges of working from home the ICT Infrastructure team continue to ensure the systems that underpin our infrastructure remain fit for purpose, should a technical disaster occur. The annual test of the resilience of both the Councils ICT Data Centres is now complete. In the event of a loss of power within the Town or if one of the Data Centres goes off-line, the other will maintain all of the Councils Enterprise and key line of business applications.
7. Again, due to current demand and in order to ensure the Council continues to communicate effectively Video Conferencing licencing (WebEx) has been increased to ensure services such as Adult and Children's Social Care can work collaboratively, wherever they are.

### **Revenues and Benefits – Free School Meal Support**

8. Well done to our Revenues and Benefits Service who have managed to issue over 7000 Free School Meals Vouchers to the parents/carers of our Middlesbrough children to help out with food purchases over the half term.
9. Within 72hours of the request, the service in conjunction the Education team managed to design a solution, link in with over 50 schools, obtained lists of all our children who receive free school meals, and make payment to 7600 parents to help them feed their children over the half term. Working to unprecedented timescales, the service have provided much needed support. The Service have received an overwhelming amount of 'thanks' from parents who have been very appreciative of the much needed support.

### **Housing Benefit Performance**

10. In early 2017, the Benefit Service was being closely monitored by the DWP's performance development team due to the number of days taken to process applications. At the time, new claims were taking an average of 40 days to process with changes in a residents circumstances taking 13 days to be actioned.
11. Through a number of initiatives, performance has significantly improved and been maintained for the last 18 months. This achievement is even more remarkable given the number of initiatives introduced by Central Government over recent months to help residents as a result of Covid 19. Current performance is now showing 18 days for a new claim to be processed and 3 days for a change in circumstance to be actioned. This level of performance has recently been recognised by DWP who have confirmed that both areas of performance are well within national expectations.

## **Self-Isolation Payments**

12. In addition to the above, our Revenues and Benefits Service have been supporting the NHS Self Isolation Programme. The service has currently paid £52,000 to 104 residents as at 8 November 2020. These payments have provided much needed financial support in their time of need, allowing residents to self isolate and fulfil legal requirements. The team's involvement in providing both residents and businesses with financial support over Covid has been enormous. It is so pleasing to see that despite all the additional work they still continue to deliver improvements in benefit processing times.

## **INVOLVEMENT AND PROMOTION**

### **ICT – Applications Team**

13. The ICT Social Care Support team continues to focus on developing and implementing the changes identified as part of the overall improvement plan for Children's Services. An in-house solution has been developed and approved recently which will enable the recording of allegations against professionals that are being investigated by the local authority designated officer (LADO). This solution has saved the service £16k this year and a further £2k annually against the purchase of the Liquid Logic - Legal Workspace module.

14. In response to the continued pressures placed on Directorates, to deliver not only business as usual activity but new solutions, the applications team have developed a number of new solutions using the Council's Firmstep product. The following solutions are now live:

- A new Household Waste Booking system which replaces the off-the-shelf Reservio product
- An online form for requesting the collection of mattresses
- An online form for processing Self Isolation Payments for Covid.
- A new Covid questionnaire process for internal use to help to Track and Trace positive cases. This solution has been shared with Redcar
- A new form for requesting Free School Meals support during the holiday period

15. The ArcGis open data site for the Council went live in the last few weeks. Some examples of the data provided to the public on this site are spatial data relating to care homes, land ownership, schools and ward boundaries and non-spatial data relating to school term dates, financial spending over £500 and election results. The sharing of key performance data with the public fosters trust, credibility, accountability as well as reducing the effort to respond to repeated queries for the same information.

16. The ArcGis solution has also been used to create a COVID-19 web application for Middlesbrough and Redcar. The solution processes the public health data, showing where the positive cases are within the authorities. This is for internal COVID-19 planning use but the aim is to develop an external version (without the personal data) in the future.

### **ICT - Community Safety Data Recording System – CDPSoft**

17. CDPSoft is a new case management system that effectively manages victims, perpetrators and locations involved in crime and antisocial behaviour. This system is due to go live in April 2021 and work is ongoing to enable implementation by this date. Middlesbrough's Community Safety Team currently uses Flare as a case management system; the Flare system has been in place since 2003. When Flare was acquired Community Safety was under the same umbrella as Public Protections/ Environment and it was beneficial to use the same system.
18. The team is now more closely aligned to Youth Offending Service, Early Help and Troubled Families, and works with the same individuals. CDP will be utilised by Middlesbrough council and our partner agencies (Police, Cleveland Fire Brigade, Probation Service etc.) CDPSoft allows us to better extract data, we can deploy our own and partner resources more effectively which will support us to reduce crime and ASB, in accordance with our statutory duty and support the Mayors '2025 vision' to create safer communities and further reduce the impact of crime and ASB.

### **Commissioning & Procurement – Care Homes**

19. The service has facilitated payments to both the Care home sector and community care providers this month for Infection, prevention and Control. The Government provided £1,929,898 for Infection, Prevention and control measures, of which £1,156,937 has been allocated to care homes and £414,960 to community care providers with registered offices in Middlesbrough. The remaining 20% will be allocated at the local authorities discretion targeted at infection prevention measures at wider areas of care. The payments have to be paid in two instalments, the first at the end of October, the second in December. The condition attached to this funding include measures concerning isolating residents safely, restricting staff movement between providers and payment of staff full wages whilst self isolating. These grants will be monitored to ensure grant conditions are met.

### **Commissioning & Procurement - PPE**

20. The service has this month introduced the Government requirement for the local authority to provide free PPE to all schools, registered childcare setting and further education. Processes have been established with these settings to enable them to place orders directly through to our PPE warehouse to ensure Middlesbrough Council accords with the government instructions. The warehouse receives a monthly delivery direct from the Government and ensures that this is available for all education settings.

### **Human Resources – Face to face Counselling Support during Covid-19**

21. To supplement the Employee Assistance Programme we already have in place we have introduced Face to Face counselling (via video link) to run from November 2020 through to March 2021. This will be for employees who are struggling to cope and the telephone counselling service is not meeting their needs.

## **ASHLEY WATERS**

### **EXECUTIVE MEMBER REPORT TO COUNCIL Wednesday 25<sup>th</sup> November 2020**

#### **STRATEGIC**

##### **Infrastructure**

1. Funding of £60,000 has been identified for the installation of two new crossing points (following successful consultation) as follows.
2. The Avenue (Linthorpe) – A zebra crossing is proposed outside of St Edwards Primary school. Although plans have been in process for some time, this investment follows the recent incident where by a School Crossing Patrol Officer was involved in a collision with a vehicle at the location. The improvements will assist greatly in highlighting the demand at the location, and providing a safe crossing point for school children, and the general public, helping to encourage more active travel.
3. Newham Way (Coulby Newham) – A zebra crossing is proposed on Newham Way, connecting North/South pedestrian/Cycling infrastructure either side of the carriageway. Newham way intersects a number of these key routes, and providing this crossing will assist residents accessing local amenities.

##### **Infrastructure Connectivity**

4. Middlesbrough Council has been working to bring next generation broadband to the town, as part of an investment of over £42m, through CityFibre's plans to help replace the UK's legacy copper networks - with gigabit-capable full fibre optic connectivity. Practically every home and business will gain access to next-generation broadband.
5. The state-of-the-art infrastructure is forecast to boost business productivity and innovation, deliver millions of pounds in economic benefits for Middlesbrough and help the region to recover from the economic downturn - while giving residents and businesses access to the UK's fastest broadband services of up to 1,000 megabytes per second.
6. Detailed planning is already underway as CityFibre designs a network capable of serving Middlesbrough's current and future demands. Upon completion, the network will be in reach of nearly every home and business in the area, providing a platform for a new generation of "smart city" applications and the roll-out of 5G mobile services.
7. MAP Group (UK), based in the Tees Valley, is constructing the network on behalf of CityFibre. They will be using modern build techniques, including, where possible, utilising

existing underground and over ground infrastructure to ensure a fast and successful roll-out. Their teams are following social distancing protocols to ensure their own safety, as well as that of the general public.

- CityFibre will be further engaging with Middlesbrough Council and local communities in coming months, to ensure a fast and successful roll-out. Ward Councillors will be briefed as plans are finalised for the local community, with residents being kept informed by door-to-door teams and mailings ahead of works commencing in their streets.

### **Business Support**

- During the Covid-19 epidemic, the Government has made available a range of business grants and financial support. Part of this package is the Coronavirus Business Interruption Loan Scheme (CBILS) and the Bounce Back Loan Scheme (BBLs). Middlesbrough businesses are being signposted to available support. Especially BBLs which is 100% backed by Government and requires no personal guarantees.
- As at 19<sup>th</sup> October, Middlesbrough Businesses have accessed £88m of combined CBILS and BBLs. Nationally latest figures are:

<b>Data up to close of business</b>	<b>Value of Facilities Approved</b>	<b>Number of Facilities Approved</b>	<b>Total Number of Applications</b>
18 October	£17.16bn	73,094	159,277
<b>BBLs</b>			
18 October	£40.20bn	1,336,320	1,660,845
<b>CLBILS (large)</b>			
18 October	£4.57bn	623	1,034

## **PERFORMANCE**

### **The Digital City**

- Boho 8 is making great progress, with all units now on site and completion expected by January 2021. Advanced discussions are being held with four businesses about taking all units on completion – a mix of businesses taking additional space, and those expanding into the Boho Zone. There has been a recent trend of businesses taking significantly more space due to growth over the last six months, with this development allowing us to secure a number of high growth businesses within Middlesbrough.

### **Centre Square**

- Despite the UK office market assumed to be subdued during the prevailing crisis; the Council has let the majority of the 93,896 sq. ft. of new office space provided at Centre Square to international and UK businesses.
- Four tenants have been secured with 97% of Centre Square One let and 68% of Centre Square Two let; with significant interest in the remaining space.

14. All tenants are expanding their current operations and employment. The privately funded, multi-million pound fit-outs are underway in both buildings – it is expected that occupancy will commence in the New Year, Covid restrictions permitting. The new tenants are:-

- Causeway (digital).
- GB Bank (financial services).
- XPS (pensions).
- Firstsource (outsourcing).

### **TeesAMP**

15. Phase 1 provides 180,000 sq. ft. of high-quality light industrial units c. 60,000 sq. ft. (or 33%) of the units available have been let to a number of specialist companies, with a terms agreed on a further 69,000 sq. ft. and awaiting referral to solicitors. The new tenants are:-

- Firth Vickers Engineering (Paralloy Ltd.)
- Sulzer Chemtech (UK) Ltd.
- Durata UK Ltd.
- Dynoremaps.
- Nixon Safety Supplies.
- Close Protection Security.

### **National Centre of Excellence**

16. TeesAMP has been selected by the Government as the location for a National Centre of Excellence to research and develop the use of hydrogen technology to power transport. TVCA is set to invest £14m in the project. The Council finalised the terms of the sale and exchange of contracts completed on 27<sup>th</sup> October 2020. The National Centre of Excellence will be built next to the TWI technology and training centre, in partnership with Teesside University. It is expected to be operational within 18 months.

### **Pyrolysis Plant**

17. The Executive previously approved the sale of a northerly plot to CPIL to develop the plant in 2017. The plant – which will recycle plastic waste – awaits detailed planning approval, further to which the land transaction will complete.

### **Plot 23**

18. On 14<sup>th</sup> July 2020, the Executive approved a report which approved the sale of Plot 23 to CPIL in order to facilitate a £7.5m investment by an advanced manufacturing technology based business; which would bring 50 jobs initially, rising to 175 jobs in the long-term. The Council and CPIL are now close to finalising the detailed aspects of the transaction to secure the investment.

### **Town Centre Economy - Rio Brazilian Stackhouse**

19. The Rio Brazilian Steakhouse was scheduled to open in the former Bistrot Pierre premises at the beginning of November however due to national lockdown it has now been put back to beginning of December.
20. The restaurant (part of the Tomahawk Steakhouse group) has received an outstanding response on social media. The recruitment process was a huge success and they have now appointed to all positions (36 new staff employed in addition to 40 at Tomahawk Steakhouse at Acklam Hall).

## **Albert North**

21. The multi-million pound regeneration of Albert Road continues as it becomes home to more successful businesses. SIXTEEN26 Albert North (formally Sun Alliance House) is now at full occupancy with Big Bite and SockMonkey Studios joining other creative and digital businesses, complementing the already thriving digital sector based in the Boho Zone. Bespoke male groomers, King B, are also a recent addition to the ground floor units alongside Cocoon & Bauer, Pie Jackers, Alkaline Kitchen and Ananda Wellbeing. Work will commence shortly on transforming the former Barclays Bank building to further expand the digital and creative hub, helping to create a vibrant business community. Circa 42,000 sqft has been let in SIXTEEN26 and including the ground floor F&B / retail and leisure units to date circa 48,000 sqft has been let in just over a year.

## **INVOLVEMENT AND PROMOTION**

### **Infrastructure Safety**

22. Council Officers hosted a Covid-secure and successful **Let's Cycle Safety!** Event at Riverside Park on Monday 2 November which involved members of the Cleveland Road Safety partnership – supported by Middlesbrough Environment City (MEC). It was a positive event, where officers spoke to a variety of cyclists covering all age groups and genders. MEC carried out bike services and repairs to nine cycles, with MEC adding, “We carried out some pretty important repairs to those that did attend.”
23. The event was promoted on Council, MEC and Let's Go Tees Valley social media channels with a reach of:
- Facebook:
    - 1864 people reached
    - 70 engagements (Likes, reactions etc. ;)
  - Twitter:
    - 697 impressions
    - 13 engagements (Retweets, likes etc. ;)
  - Instagram:
    - 7 likes
    - 116 people reached

(This was promoted alongside our regular Dr. Bike session, for the record)

All Coronavirus H&S protocols were followed, creating a safe and secure day.







## EXECUTIVE MEMBER REPORTS AND ADDITIONAL DECISION INFORMATION

### SECTION 2 - DECISIONS TAKEN

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DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
12/10/20	Executive Member - The Mayor	Test and Trace Support Discretionary Payment Scheme	The Self Isolation Policy has emerged following the most recent update from Local Government and will financially support Middlesbrough residents who are having to self isolate due to Covid 19.	Yes
27/10/20	Executive	Adoption of Development Briefs for sites at Hemlington North and Hemlington Grange South	That Executive adopts Development Briefs for sites at Hemlington North and Hemlington Grange South.	No
27/10/20	Executive	Council - Future Office Accommodation Update	The Executive reconsiders the preferred option of Centre North East for the future accommodation of Council Staff and approves that alternative options for accommodation are explored	Yes
27/10/20	Executive	Covid-19 Grant Funding and Expenditure	That the Executive notes the governance arrangements that were and remain in place to support timely decision-making during the COVID-19 pandemic, and decisions taken between June and September 2020. That the Executive notes the robust lessons learned process undertaken on the Council's overall response as part of its commitment to continuous improvement and the changes implemented and planned as a result. That the Executive approves the planned adjustments to decision-making processes to reflect those lessons learned.	No

			That the Executive approves a quarterly update report on COVID-19 decision-making to be presented alongside existing updates on the Strategic Plan and the Council's financial statements which will also be presented to Overview and Scrutiny Board.	
27/10/20	Executive	Members Small Scheme Allocation 2020/21	That Executive considers the schemes set out in this report and in respect of each scheme either: Approves the scheme; Rejects the scheme, or Endorses the scheme for future consideration.	Yes

## **SECTION 3 - DECISIONS TO BE TAKEN UP UNTIL THE COUNCIL MEETING**

DATE	PROPOSED DECISION MAKER	TITLE	DETAIL	KEY DECISION
24/11/20	Executive Member - The Mayor	Revenue and Capital Budget - Projected Outturn Position as at Quarter Two 2020/21	To advise the Executive of the Council's financial position at Quarter Two 2020/21, including the projected effect of Covid-19 on the Council's finances. To approve the proposed revenue budget virements over £150,000, and to approve the proposed revised Investment Strategy to 2022/23.	Yes
24/11/20	Executive	Annual Update: Special Educational Needs and or Disabilities 0-25	Local Area SEND Update	No
24/11/20	Executive	Children's Services Improvement Quarterly Briefing	To update the Executive and to seek comments on the progress made against the Children's Services Improvement agenda	No
24/11/20	Executive	Exempt - Nunthorpe Grange Farm: Disposal - Church Lane [Part B]	Disposal of part of the Council's freehold interest in land at Nunthorpe Grange Farm	Yes
24/11/20	Executive	Invest to save proposal. Reducing high cost placements and improving outcomes for children in care.	<p>Permission to extend the contract for a managed team on an invest to save basis.</p> <p>In June 2020 Children's Services commissioned a managed team from 'Innovate' to bring in additional capacity focussing on specific areas of work. This was agreed on an invest to save basis as one of these areas of work focussed on moving young people from external residential placements back to Middlesbrough either into our own residential provision, into local foster care or back to the care of their parents where it is safe and appropriate to do so. This is good social work practice. As external residential placements are the most significant budget pressure across the service moving young people from them into local provision avoids some further costs</p>	No

24/11/20	Executive	Medium Term Financial Plan and Budget Savings Proposals 2021/22	That the Executive notes the Medium-Term Financial Plan position for 2021-24. That the Executive endorses proposed budget savings for 2021/22 and the proposed Council Tax increase for 2021/22. That this report is presented to Council on 16 December 2020, allowing consultation on the proposed budget savings to commence	Yes
24/11/20	Executive	Nunthorpe Grange Farm: Disposal - Church Lane [Part A]	Disposal of part of the Council's freehold interest in land at Nunthorpe Grange Farm	No
24/11/20	Executive	Place Planning Strategy Action Plan	The Place Planning Strategy sets out the challenges that the council faces in terms of ensuring an adequate and appropriate number of school places are available in Middlesbrough, and gives a broad outline of how the Authority will respond to them. The Action Plan will provide a more detailed account of how the Strategy will be delivered, including timescales and key benchmarks.	No
24/11/20	Executive	Quarter Two report - Progress against the Strategic Plan	To outline progress against the strategic plan and identify actions to address off target performance	No
24/11/20	Executive	Refreshing the Strategic Plan for the 2021-24 period	Prior to consideration by Full Council on 16 December 2020, this report will seek the Executive's endorsement of proposed revisions to the Council's strategic priorities. It is proposed that consultation on these priorities and the 2021/22 revenue budget will form part of the first 'annual conversation' with local communities and the Council's stakeholders and inform the refresh of the Strategic Plan for the 2021-24 period, which would be presented to the Executive on 16 February 2021 prior to consideration by Council on 5 March 2021.	No
24/11/20	Executive	Reprocurement of Sexual Health Services	To seek approval for Middlesbrough to be part of a reprocurement of a Tees Integrated Sexual Health Service, with a view to commence the new Service on the 1ST august 2021	Yes
24/11/20	Executive	Residual Waste Collection	That Executive consider the report on Fortnightly Residual Refuse Collections and approve: The proposal to consult on the move to Alternate Weekly (Fortnightly) Refuse Collections. That the results of the consultation be presented to Full Executive for consideration in November 2020.	Yes
24/11/20	Executive	Revised approach to COVID-19 Recovery	Update to Executive on progress of recovery and a request to reset recovery priorities and timeframe.	Yes
24/11/20	Executive	Town Centre Strategy	To update the town centre strategy in response to changing economic circumstances.	Yes

## **SECTION 4 - DECISIONS TO BE TAKEN FOLLOWING THE COUNCIL MEETING**

DATE	PROPOSED DECISION MAKER	TITLE	DETAIL	KEY DECISION
01/12/20	Executive Member for Environment	Pot Hole Initiative	To implement a town wide coordinated pothole repair programme.	Yes
02/12/20	Executive Member for Finance and Governance	Revised Interim Corporate Procurement Strategy 2020 - 2023	That Single Executive Member for Finance, Governance & Support approves the revised interim Corporate Procurement Strategy 2020 – 2023.	No
22/12/20	Executive	Additional Highways Capital	It is recommended that Executive approves the additional Highways Capital funding.	Yes
22/12/20	Executive	Adult Social Care Winter Update	To provide Executive with an update on the Department of Health and social cares instruction to local Authorities on arrangements for hospital discharges over the winter.	Yes
22/12/20	Executive	Boho Residential Towers - Site Disposal	That Executive approves the proposal to proceed with the disposal of the Council's freehold interest in land at Middleshaven in order to facilitate the development of the Boho Residential Towers.	Yes
22/12/20	Executive	Calculation of Council Tax Base for 2021/22	The report seeks Executive to endorse the council tax base for the financial year 2021/2022 which has to be approved by Council by the statutory deadline of 31 January 2021.	Yes
22/12/20	Executive	Electric Vehicle Charging Stations - Cargo Fleet Lane Depot	That Executive approve the installation of Electric Vehicle Charging Stations	Yes
22/12/20	Executive	Gresham Housing Phase 2 – Long Term Lease	That Executive approves the disposal of Phase 2 of the Gresham Housing Site to Thirteen Housing Group on a 999 year lease.	Yes
22/12/20	Executive	Lower Ormesby Beck Nature Reserve	That Executive approve the designation of Lower Ormesby Beck as a Local Wildlife Site.	Yes

22/12/20	Executive	Middlesbrough Leisure Indoor and Built Facility Strategy	That Executive approves the adoption of the Middlesbrough Leisure Indoor Built Facility Strategy for use as a source of reference in decisions pertaining to Middlesbrough's sport/leisure indoor built facilities.	Yes
22/12/20	Executive	Middlesbrough Playing Pitch Strategy	That Executive approves the adoption of the Middlesbrough Playing Pitch Strategy for use as a source of reference in decisions pertaining to Middlesbrough's playing pitches.	Yes
22/12/20	Executive	Transporter Bridge	It is recommended that Executive approves the implementation of a repair programme and the funding requirements to ensure the ongoing structural integrity of the Transporter Bridge.	Yes
22/12/20	Executive	Virtual School Interim Annual Report	Annual Virtual School Update	No
01/02/21	Executive Member for Culture and Communities	Annual Equality and Diversity report	To present the annual equality and diversity report that gives an overview of the diversity of the town and the composition of Council employees along with proposed actions for the next 12 months.	No
16/02/21	Executive Member for Finance and Governance	Revenue and Capital Budget - Projected Outturn position as at Quarter Three 2020/21	To advise the Executive of the Council's financial position at Quarter Three 2020/21, including the projected effect of Covid-19 on the Council's finances. To approve the proposed revenue budget virements over £150,000, and to approve the proposed revised Investment Strategy to 2022/23.	Yes
11/05/21	Executive Member for Finance and Governance	Revenue and Capital Budget - Year End Outturn position 2020/21	To advise the Executive of the Council's financial position at year end 2020/21, including the effect of Covid-19 on the Council's finances. To approve the proposed revised Investment Strategy to 2022/23.	Yes



<b>MIDDLESBROUGH COUNCIL</b>	
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**AGENDA ITEM 8**

**COUNCIL**

<b>Report title</b>	Scrutiny Progress Report
<b>Chief Executive or Director</b>	Director of Legal and Governance Services
<b>Date</b>	25 November 2020

**Summary**

<b>Proposed decision(s)</b>
To update the position in respect of the Council’s Overview and Scrutiny Board (OSB) and scrutiny panels. The current position regarding progress made by the Board and each of the panels is set out below.

<b>Report for:</b>	<b>Key decision:</b>	<b>Confidential:</b>	<b>Is the report urgent?</b>
To be noted	No	The report is not confidential	Non-urgent report

<b>Contribution to delivery of the 2020-23 Strategic Plan</b>		
<b>People</b>	<b>Place</b>	<b>Business</b>
N/A	N/A	Members will be able to keep abreast of the work carried out through the Scrutiny Process
<b>Ward(s) affected</b>		
No wards in Middlesbrough are directly affected.		

**What is the purpose of this report?**

1. To update the position in respect of the Council’s Overview and Scrutiny Board (OSB) and scrutiny panels.

**Why is this report necessary?**

2. The report is necessary so that Members are aware of the work being carried out by the individual Scrutiny Panels and the Overview and Scrutiny Board.

**What decision(s) are being asked for?**

3. That Council note the report.
4. The current position regarding progress made by the Board and each of the panels is set out below.

## **OVERVIEW AND SCRUTINY BOARD**

The Overview and Scrutiny Board met on 5 November 2020 and considered the following:-

- a) Executive Forward Work Programme;
- b) Middlesbrough Council's Response to COVID-19;
- c) Executive Member Update: Deputy Mayor and Lead Member for Children's Social Care;
- d) Overview and Scrutiny Board Membership;
- e) Final Report – Adult Social Care and Services Scrutiny Panel – Physical Activity for Older People (Aged 65-Plus);
- f) Final Report – Children and Young People's Learning Scrutiny Panel – Addressing Poverty Issues and the Impact on Learning;
- g) Final Report – Economic Development, Environment and Infrastructure Scrutiny Panel – Teesside Crematorium; and
- h) Scrutiny Chairs Update.

## **SCRUTINY PANEL UPDATES**

The updated position in respect of the work of each of the Council's scrutiny panels is shown below.

### **Adult Social Care and Services Scrutiny Panel**

The Panel met on 11 November 2020 and received updates from officers in relation to a previous review on Reducing Loneliness and/ or social isolation in later life. The Panel also received information on what is being done to combat isolation during Covid 19.

The Panel also received an update from the Aging Better Middlesbrough Programme Manager who updated the panel on work undertaken to date, impact of Covid 19, together with plans for the future.

### **Ad Hoc Scrutiny Panel**

At its last meeting on 3 November 2020 the Panel received information from the Director of Legal and Governance, the Head of Information, Strategy and Governance and the Health and Safety Manager in relation to its review of the Council's Health and Safety provision.

### **Children and Young People's Learning Scrutiny Panel**

The Scrutiny Panel met on 12 October 2020 to:

- agree the final report in respect of the topic of Addressing Poverty Issues and the Impact on Learning; and
- receive an update on the progress made with the implementation of recommendations in respect of the previous review of Mental Health in Schools.

The Panel last met on 9 November 2020. At that meeting, the Scrutiny Panel began its new review of Behaviour, Discipline and Bullying in Schools. The Director of Education, Prevention and Partnerships; the Head of Access to Education and Alternative Provision and the Strategic Lead for Inclusion and Specialist Support Services were in attendance to provide the scrutiny panel with:

- an overview of the powers and duties of schools to manage behaviour and discipline pupils;
- data over recent academic years in respect of the number of fixed-term and permanent exclusions in each Middlesbrough school (both primary and secondary), including the reasons schools report for excluding pupils; and
- an outline of the Local Authority's role in supporting schools with behaviour management.

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

The Scrutiny Panel met on 12 October 2020 and received a detailed presentation from the Executive Director of Children's Services and the Director of Children's Care in relation to the profile of Middlesbrough's Children Looked After population.

The presentation provided the Panel with a better understanding of the children in our care and included data on numbers and placement types and comparisons nationally and with statistical neighbours.

In addition, a Member of the Scrutiny Panel shared their personal story of their pathway through Children's Social Care, giving the Panel an insight from the child/young person's perspective and how they might feel they are perceived.

The Panel met again on 9 November 2020 and was provided with an update on the recent Ofsted monitoring visit to the Multi-Agency Children's Hub (MACH) in Middlesbrough. The Panel was also provided with information in relation to fostering placement stability and placement breakdowns as part of evidence-gathering for its current scrutiny topic. The Panel also considered the Terms of Reference for its current review.

The Scrutiny Panel's next meeting is scheduled for 7 December 2020.

### **Culture and Communities Scrutiny Panel**

The Panel met on 15 October 2020 where it was provided with an overview of the Council's approach to supporting and delivering Cultural Events by the Director of Regeneration and Culture.

The Panel heard that the Council largely supported events, and those delivering them, rather than deliver them directly. The Council had significant plans to grow its event base for 2020, primarily to grow the Middlesbrough brand. However, the Covid pandemic has paused the majority event activity.

The Panel also learned that instead of trying to cultivate cultural activities around historically based themes (such as Steel and Iron) it may be better to capitalise on existing and emerging themes such as Multicultural events and e-gaming.

At the Panel's next meeting on 12 November the Panel will discuss potential Terms of Reference for its Cultural Events review. It will so be receiving an update on the PREVENT agenda as well as considering the draft final report into its review of Community Cohesion.

### **Economic Development, Environment and Infrastructure Scrutiny Panel**

The Economic Development, Environment and Infrastructure (EDEI) Scrutiny Panel met on 7 October 2020 and received an update on Air Quality from the Head of Public Protection. The Head of Public Protection provided assurance in relation to information reported in local media earlier this year, in the Centre for Cities Report 2020, which appeared to contradict evidence provided to the Panel previously. The Panel was reassured that the air quality in Middlesbrough continues to meet national standards and all efforts are made to ensure the air quality is as good as it can be.

The Panel's main topic for this year is Middlesbrough Regeneration Post Covid-19. As an introduction to the review, the Head of Economic Growth, Town Centre Manager and the Towns Fund Co-ordinator, provided an overview of the Future High Street and Towns Fund Bids at the meeting.

The Final Report on Teesside Crematorium was approved by the Panel and submitted to the Overview and Scrutiny Board for consideration.

The EDEI Scrutiny Panel's next meeting is scheduled for 18 November 2020, when it is due to receive an update on the Local Plan as well as information in relation to the issue of parking on grass verges.

### **Health Scrutiny Panel**

The Scrutiny Panel is currently investigating the topic of Opioid Dependency. The Panel met on 13 October 2020 to receive evidence from Tees Esk and Wear Valley NHS Foundation Trust (TEWV), Dr Baxi Sinha (Consultant Psychiatrist) and Dominic Gardener (Director of Operations – Teesside) were in attendance along with Jonathan Bowden and Rachel Burns from the Council's Public Health Team.

TEWV advised that in terms of working with those addicted to opioids it was felt difficulties were increasing (anecdotal reports), getting the right help at the right time (in terms of helping an individual addicted to opioids) could be challenging and there was an association with adverse outcomes including fatalities.

In addition the Director of Public Health (South Tees), Director of Commissioning (TVCCG) and Medical Director (TVCCG) were also in attendance to provide an update in respect of COVID-19 and the local Public Health / NHS response.

The Scrutiny Panel also met on 10 November 2020. At this meeting, the Panel received a further update in respect of COVID-19. The Panel heard that the COVID-19 infection rate (rolling 7 day average) in Middlesbrough had increased from 297 per 100,000 (as of 13 October 2020) to 410 per 100,000 (as of 8 November 2020).

Healthwatch were also in attendance at the meeting to present on the work they'd undertaken with the local community in 2019/20, as well as to discuss with the Panel their report on 'Experiences of lockdown across South Tees'.

## **Tees Valley Health Scrutiny Joint Committee**

The Committee met on 20 November 2020 and considered the following items:-

- Local Covid Response – Presentation from the Director of Public Health for South Tees.
- Tees, Esk and Wear Valleys NHS Foundation Trust updates: Teesside Rehabilitation Services Development Update, Roseberry Park Remedial Works Update, West Lane Hospital.
- Work Programme and Future Meetings.

## **Tees Valley Combined Authority Overview and Scrutiny Committee**

The Committee met on 12 November 2020 and considered the following items:-

- Business Growth Portfolio Update: Mayor Andy Preston
- Group Chief Executive's Update
- Culture Taskforce Update: Annabel Turpin
- Acquisition of South Tees Site Company Limited by South Tees Development Corporation
- Delegated Decisions
- Meetings and Forward Plan

## **SCRUTINY REPORTS SUBMITTED TO EXECUTIVE**

Since the last update to Council, the following Scrutiny Panel reports have been submitted to Executive.

16 June 2020 - Economic Development, Environment and Infrastructure Scrutiny Panel - review of Infrastructure Delivery.

14 July 2020 - Culture and Communities Scrutiny Panel - review of Foodbanks

## **Other potential decisions and why these have not been recommended**

5. No other options were considered.

## **Impact(s) of recommended decision(s)**

### **Legal**

6. There are no legal implications as a result of the proposed appointments.

### **Financial**

7. There are no financial implications arising from this report

## **The Mayor's Vision for Middlesbrough**

8. The report is line with the Mayor's vision for Middlesbrough

## **Policy Framework**

9. The report does not impact on the overall budget and policy framework.

## **Wards**

10. The report does not impact on wards

## **Risk**

11. Not applicable.

## ***Equality and Diversity***

12. An Impact Assessment has not been completed, as it is not applicable.

## **Actions to be taken to implement the decision(s)**

13. Not applicable

## **Background papers**

No unpublished background papers were used in the preparation of this report.

**COUNCILLOR J THOMPSON  
CHAIR OF OVERVIEW AND SCRUTINY BOARD**

## **Contact Officer:**

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Democratic Services

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COUNCIL MEETING – 25 NOVEMBER 2020

QUESTIONS FROM MEMBERS

COUNCIL PROCEDURE RULE NO. 28 - 33

QUESTION NO.	QUESTION FROM	QUESTION TO	QUESTION
8/20	Councillor J Walker	Councillor McCabe	<p>Regarding the decision to go ahead with the fortnightly waste collections.</p> <p>Despite a large number of residents completing the online consultation expressing very real concerns about the proposal, the decision has been to go ahead.</p> <p>Residents are quite rightly angry and upset that it appears to have been a tick box consultation and of no worth whatsoever, this will call into question of what worth is any further consultation with MBC. Residents are quite rightly concerned that this decision will cause many problems in neighbourhoods already experiencing fly tipping and general rubbish issues.</p> <p>As a ward Councillor for Hemlington I have received many questions and complaints regarding this decision. We have in Hemlington estates where they have the black bag system due to no space for wheelie bins and residents in those areas are concerned as to where they will store black bags of household waste for two weeks. Rats very much come to mind and smell also people then dumping them around the area. What about those who already have a large bin due to medical issues who require their bins emptying regularly due to medical waste? You say larger bins will be available, what is the plan for all the smaller bins? At what cost does this decision mean? Also larger bins, more bins, where do people who already have limited space outside actually place these bins? A majority of residents in Middlesbrough do not live in large houses with a garden space to match. Surely the wagons collecting a fortnights waste will have to make more journeys to the waste collection point as they will be fuller quicker where are the savings in that?</p> <p>MBC also should if making decisions such as this give a thought to recycling education, in what form will that take, it already seems a hard task for many residents.</p> <p>Also we must remember that 12 jobs are to be lost when you make this decision.</p> <p>I would like a full explanation including savings and justification regarding my questions in regards to the decision to go ahead despite the many objections.</p>
9/20	Councillor Dean	Councillor Waters	<p>Could Cllr Waters please explain why the go ahead was given for a second consultation on the closure of Church Lane and St Marys Walk?</p>

10/20	Councillor Hellaoui	Councillor Smiles	<p>Given that we have approximately 28,000 children and young people in educational establishments in our town, how is it possible that we have so little information related to educational issues in the report presented for tonight's meeting?</p> <p>Would the Executive Member please explain why there is so little information about education in her report about issues such as attainment and assessment, the Covid response, SEND issues, referrals to specialist services, wellbeing, mental health and staff morale? These are only some of the issues which we should know about.</p> <p>As a governor of two schools in our town, I am very aware of the challenges and crises facing schools and I know that many of the challenges are faced by many other schools too.</p> <p>So, would you please tell us what we as a Council and as Councillors are doing and could do to ensure that schools and colleges are offered our wholehearted support?</p>
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MIDDLESBROUGH COUNCIL



<b>Report of:</b>	Director of Legal & Governance Services
<b>Submitted to:</b>	COUNCIL – 25 November 2020
<b>Subject:</b>	Members’ Scheme of Allowances 2020/21

**Summary**

<b>Proposed decision(s)</b>
That Council consider the recommendations proposed by the Independent Panel on Members’ Remuneration outlined in paragraph’s 5-9 and adopt the proposed Members Scheme of Allowances for 2020/21 (appendix 1 )

<b>Report for:</b>	<b>Key decision:</b>	<b>Confidential:</b>	<b>Is the report urgent?</b>
Decision	No	N/A	N/A

<b>Contribution to delivery of the 2018-22 Strategic Plan</b>		
<b>Business Imperatives</b>	<b>Physical Regeneration</b>	<b>Social Regeneration</b>
N/A	N/A	N/A

<b>Ward(s) affected</b>
All wards will be affected equally.

**What is the purpose of this report?**

1. To provide Members with the opportunity to consider the proposals of the Independent Panel on Members Remuneration and adopt the Scheme of Allowances.

**Why does this report require a Member decision?**

2. The Council are required under The Local Authorities (Members' Allowances) (England) Regulations 2003 to publish a Members Scheme of Allowances on an annual basis and to have due regard to the recommendations of the Independent Panel on Members Remuneration.

## Report Background

3. Members Allowances are reviewed by the Independent Panel on Members Remuneration annually, and undergo a full review every four years. The Panel carried out a full review in early 2019 and submitted their recommendations to Council for agreement. The panel made recommendations for a four year period to incrementally increase the basic allowance by £449, in order to bring Middlesbrough's Basic Allowance in line with the average Basic Allowance of other Tees Valley authorities. It also recommended that the level of special responsibility allowances be reduced by 14% and that the Deputy Mayor's allowance be revisited after 6 months. The Council approved those recommendations in October 2019.
4. The Panel's 6 monthly review meeting was postponed due to Covid and the Panel met again in November 2020 to review Members' Scheme of Allowances for 2020/21 as per its legislative requirements.
5. At the meeting the Chair advised the Panel of the resignation of Brian Footitt, who had retired on ill health grounds. The Chair expressed his thanks and wanted to ensure that Brian received the appropriate recognition for his services and volunteering on the Panel and suggested the Mayor writes to Brian personally.
6. Following the resignation it was felt that the Council should look to increase / review panel membership and consider advertising for new panel members or look at alternative provision i.e. investigating the possibility utilising other authority independent panels due to difficulties in recruiting panel members .
7. The Panel reviewed its previous recommendations and the Deputy Mayor's portfolio. The Panel determined that there had been an increase in level of responsibility and that the portfolio now spanned a wider remit than that previously viewed by the Panel, as it now included the Executive Member of Children's Social care.
8. The Panel felt this was a significant addition to the role and deserved some recognition. However, the Panel were also aware of the current economic climate and therefore recommends that the Deputy Mayor's Special Responsibility Allowance (SRA) be increased by £1,000 per annum subject to the Panel's annual & four yearly reviews should any other significant changes occur. Therefore, for 2020/21 the Deputy Mayor's SRA should increase from £19,518 to £20,518 21 and in 2021/22 from £20,518 to £21,518 (remaining subject to review by the Panel).
9. It was recommended that that the remainder of the Members' Scheme of Allowances remain unchanged in line with the Panel's previous report.

## Recommendations

10. That Council consider the recommendations proposed by the Independent Panel on Members' Remuneration outlined in paragraph's 5-9 and adopt the proposed Members Scheme of Allowances for 2020/21 (appendix 1 )

## Other potential decisions and why these have not been recommended

11. Not applicable.

## **Legal**

12. Not applicable.

## **Financial**

13. For 2020/21 the basic allowance of £7608 will be paid in equal monthly instalments, this includes the agreed inflationary staff award increase of 2.75% and the £449 annual increment as agreed by Council in 2019.

14. The basic allowance will continue to increase by £449 annually until 2022, in order to reach the median basic allowance for the Tees Valley region. The Basic Allowance will also continue to be increased in line with any subsequent annual staff pay award.

15. The report does not impact on the Council's policy framework.

## **Equality and Diversity**

16. Not applicable.

## **Risk**

17. If the recommendations of the Independent Panel are not accepted, the Basic Rate of Allowance for elected Members will remain de-aligned from the Council's neighbours and may affect future recruitment of Members or skew the demographic profile of the Council so that it does not represent the community it serves.

## **Actions to be taken to implement the decision(s)**

- I. The Head of Democratic Services to advise payroll of any changes.
- II. The Head of Democratic Services to publicise relevant Scheme of Allowances based on recommendations proposed in this report.
- III. The Head of Democratic services seeks new panel membership and or alternative Independent Panel provision

## **Appendices**

1 Members' Scheme of Allowances 2020/21

## **Background papers**

New Council Constitutions – Guidance on Consolidated Regulations for Local Authority Allowances.

**Contact:** Sylvia Reynolds – Head of Democratic Services

**Email:** sylvia\_reynolds@middlesbrough.gov.uk

## APPENDIX 1

### MEMBERS SCHEMES OF ALLOWANCE 2020/21

Middlesbrough Borough Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 hereby makes the following Scheme:

1. This Scheme may be cited as the Middlesbrough Borough Council Members' Scheme of Allowances', and shall have effect for the year commencing on 1<sup>st</sup> April 2020 and subsequent years, unless amended by the Council.

2. In this Scheme:

"Year" means the 12 months ending with 31<sup>st</sup> March.

#### **3. Basic Allowance**

3.1 All Elected members including the Mayor of Middlesbrough Council receive a basic allowance to recognise the time devoted to carry out their work as Members. It is also intended to cover incidental costs such as use of members' homes, attendance at meetings with officers, community meetings, and ward activities.

3.2 The Local Authorities (Members' Allowances) (England) Regulations 2003 provide for the payment of a basic allowance in respect of each year to each member of an authority, and the amount of such an allowance shall be the same for each such member. Subject to paragraphs, 10 and 11 the allowance will be paid to each elected Councillor for the year 1<sup>st</sup> April 2020 to 31<sup>st</sup> March 2021.

3.3 For 2020/21 the basic allowance of £7608 will be paid in equal monthly instalments, this includes the agreed inflationary staff award increase of 2.75% and the £449 annual increment as agreed by Council in 2019.

3.4 The basic allowance will continue to increase by £449 annually until 2022, in order to reach the median basic allowance for the Tees Valley region. The Basic Allowance will also continue to be increased in line with any subsequent annual staff pay award.

#### **4. Special Responsibility Allowances**

4.1 Special Responsibility Allowances (SRAs) are paid in addition to the basic allowance to members who hold positions with significant responsibilities over and above the general duties of a councillor and are also paid in equal monthly instalments.

4.2 For each year a special responsibility allowance shall also be paid to those Members who hold the special responsibilities in relation to the Authority that are specified in Schedule 1, PROVIDED THAT no Member shall be entitled to receive more than one Special Responsibility Allowance. SRA allowances will remain static and shall not be increased in line with any subsequent annual staff pay award.

- 4.3 Special Responsibility Allowances were originally arrived at by an agreed multiple of the basic allowance. This process has been suspended from 1 April 2019 and will be further reviewed in 2022.
- 4.4 Subject to paragraphs 10 & 11.1 the amount of each such allowances shall be the amount specified against that special responsibility in Schedule1.
- 4.5 A special responsibility allowance relating to the duties of a Political Group Leader shall be payable to the leader of the overall majority group and to the leaders of the two largest minority Groups, where each of the minority Groups comprise at least 10% of the total number of Members of the Council.
- 4.6 Where there is no over-all majority group, the two largest political group leaders will receive a minority special responsibility allowance. Where only one of the two largest minority Groups comprise at least 10% of the total number of Members of the Council, a special responsibility allowance relating to the duties of Political Group Leader shall be payable to the leader of the next largest minority Group.

## **5. Travelling and Subsistence Allowance – Councillors**

- 5.1 A Councillor shall be entitled to receive appropriate travel and subsistence allowances where he/she necessarily incurs expenditure on travel or subsistence in order to perform an approved duty.
- 5.2 The amount of the allowance payable to a Member in respect of subsistence shall be the same as that approved by the Authority in respect of officers of the Council who are paid officer rates.
- 5.3 The subsistence allowance payable shall be increased or decreased to the same extent as determined by the Authority in respect of officers.
- 5.4 The allowance payable to a Member in respect of travel mileage shall be paid at the Inland Revenue rate (45p per mile).
- 5.5 For the purposes of this paragraph, approved duties shall include all those duties, which are specified in Part I of Schedule 2 to this Scheme.

## **6. Travelling and Subsistence – Co-opted Members**

- 6.1 A Co-opted Member shall be entitled to receive appropriate travel and subsistence allowances as specified in Part II of Schedule 2 to this Scheme.

## **7. Dependent Carers Allowance**

- 7.1 A Councillor or Co-opted Member shall be entitled to receive a dependent carers allowance to provide for child/ren or adult care, where he/she has necessarily incurred that expenditure in respect of a dependent who is looked after by a registered provider whilst the Councillor or Co-opted Member is carrying out an approved duty.

- 7.2 The dependent carers allowance referred to in paragraph 7.2 above shall be paid per hour and be in line with the national living wage and limited to 7 hours per week.
- 7.3 The allowance will not be payable to a member of the claimant's own household.
- 7.4 For the purposes of this paragraph, an approved duty is any duty listed in Part I of Schedule 2 to this Scheme.

## **8. Telephone / Broadband Allowance**

- 8.1 A member is entitled to a communications allowance of a £15 contribution towards their telephone connections and a £10 contribution towards broadband connections. One claim per household, subject to annual proof of service.

## **9. Pensions**

- 9.1 No councillor shall be entitled to pensions in accordance with this scheme

## **10. Renunciation**

- 10.1 A Member may by giving notice in writing to the Director of Legal and Governance, or the Head of Democratic Services elect to forego all or part of their entitlement to an allowance under this Scheme. Where such a declaration is made, it remains in force until a further notice in writing is given to the Director of Legal and Governance or the Head of Democratic Services to withdraw it.

## **11. Part-year Entitlements**

- 11.1 The provision of this paragraph shall have effect to regulate the entitlements of a Councillor to basic and special responsibility where, in the course of a year, this Scheme is amended or that Councillor becomes, or ceases to be, a Councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.
- 11.2 If an amendment to this Scheme changes the amount to which a Councillor is entitled by way of a basic allowances or a special responsibility allowance, then in relation to each of the periods:
- a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
  - b) beginning with the day on which an amendment takes effect and ending with the day that on which the next amendment takes effect, or (if none) with the year,

The entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this Scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

- 11.3 Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor to a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which his/her term of office subsists bears to the number of days in that year.
- 11.4 Where this Scheme is amended as mentioned in sub-paragraph 11.2, and the term of office of a Councillor does not subsist throughout the period mentioned in sub-paragraph 11.2a, the entitlement of any such Councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which his term of office as a Councillor subsists bears to the number of days in that period.
- 11.5 Where a Councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he has such special responsibilities bears to the number of days in that year.
- 11.6 Where a remunerated person has been absent due to exceptional circumstances, and another Member acts as chair for more than 50% of the meetings in any Municipal Year or chairperson is absent for more than two consecutive months, then the person who has acted as chair shall be remunerated in place of the appointed chairperson (on a pro rata basis).
- 11.7 Where payment of any allowance has already been made to the initially appointed person, the authority may require that such part of the allowances paid to the appointed person for any such period to be repaid to the authority (determined by the Monitoring Officer).
- 11.8 Where this Scheme is amended as mentioned in sub-paragraph 11.2 and a Councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph 11.2a of that paragraph any such responsibilities as entitle him or her to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.
- 11.9 Where a scheme of allowances is amended, the Council can choose to apply any amendment retrospectively to the beginning of the financial year in which the amendment is made.

## **12 Claims and Payments**

- 12.1 Payments of allowances shall be made as follows:
- a) Basic Allowances: Automatically Paid Monthly
  - b) Special Responsibility Allowances: Automatically Paid Monthly
  - c) Travel and Subsistence Allowance: Monthly (Claim)
  - d) Dependent Carers Allowance: Monthly (Claim)
  - e) Co-optees Allowance: Monthly (Claim)
- 12.2 All payments shall be made direct to a Bank or Building Society.
- 12.3 A claim for expenses/subsistence under this scheme shall be made within two months of the date of the meeting in respect of which the claim is made.
- 12.4 Claims for travel and subsistence (other than mileage for approved duties) shall only be approved where receipts of expenditure have been provided and have been incurred in relation to an approved duty or with the approval of the Head of Democratic Services.
- 12.5 For each claim, Members shall submit an electronic claim acknowledging that they are entitled to claim the expenses and where appropriate that they hold the appropriate valid driving documentation.
- 12.6 Members should submit their claims by the 7th day of the month
- 12.7 The Director of Legal & Governance Services shall have authority to agree a different frequency of payment with an individual Member on request.



## SCHEDULE 1

### **BASIC 2020/21 - £7608 x 47 Members (including Mayor)**

### **SPECIAL RESPONSIBILTY ALLOWANCES (SRAs)**

The following roles are specified as those designated as receiving a special responsibility allowances, and the amounts of those allowances. These allowances are **not** subject to the to the inflationary increase in line with staff pay awards.

<b><u>OFFICE</u></b>	No of Positions	ALLOWANCE	<b><u>Total</u></b>
Mayor	1	£55,952	£55,952
Deputy Mayor	1	£20,518	£20,518
Executive Members	6	£11,190	£67,140
Chair of Overview & Scrutiny Board	1	£11,190	£11,190
Chair of Licensing Committee	1	£8,393	£8,393
Chair of Planning & Development Committee	1	£8,393	£8,393
Chair of the Council	1	£5,595	£5,595
Chair of Corporate Affairs and Audit Committee	1	£5,595	£5,595
Chairs of Scrutiny Panels	6	£5,595	£33,570
Chair of Standards Committee	1	£2,798	£2,798
Chair of Staff Appeals Committee	1	£2,798	£2,798
Chair of Teesside Pension Fund Committee	1	£2,798	£2,798
<b>Political Group Leaders:</b>			
Majority Group (currently not claimed)	1	£8,393	£8,393
Largest Minority Groups – maximum x 2 providing they have 10% of Council membership	2	£2,798	£5,596
<b>Total cost of SRA</b>	25	<b>£152,004</b>	<b>£238,729</b>

**Banding Scheme Index** – The Council’s “Multiplier” System of calculating Special Responsibility Allowances has been suspended for a period of 4 years (2022-23, or until it is next reviewed.

## **SCHEDULE 2**

### **TRAVEL & SUBSISTENCE ALLOWANCES**

#### **Part 1      Duties that may qualify for Travelling & Subsistence Allowances**

- a) the attendance at a meeting of the Authority or of any Committee or Sub Committee of the Authority, or of any other body to which a member has been appointed to by the authority, or of any Committee or Sub Committee of such a body;
- b) the attendance at any other meeting, the holding of which is authorised by the Authority, or a Committee or Sub Committee of the Authority, or a Joint Committee of the Authority and one or more Local Authority within the meaning of Section 270(1) of the Local Government Act 1972, or a Sub Committee of such a Joint Committee provided that:
  - (i) where the Authority is divided into two or more political groups it is a meeting to which Members of at least two such groups have been invited, or
  - (ii) if the Authority is not so divided, it is a meeting to which at least two Members of the Authority have been invited;
- c) the attendance at a meeting of any association of Authorities of which the Authority is a Member providing no other attendance / mileage allowance is paid;
- d) the attendance at a meeting of the Executive or a meeting of any of its Committees, where the Authority is operating executive arrangements;
- e) the performance of any duty in connection with the discharge of any function of the Authority conferred by or under any enactment and empowering or requiring the Authority to inspect or authorise the inspection of premises;
- f) the carrying out of any other duty approved by the Authority, or any duty of a class so approved, for the purposes of, or in connection with, the discharge of the functions of the Authority or of any of its Committees or Sub Committees. For the purpose of this Section approved duties shall include the following:
  - i) travel in connection with Scrutiny site visits or investigations
  - ii) authorised attendance at Seminars or Conferences
- g) In cases of urgency, the Monitoring Officer is authorised to approve duties.

Travelling allowances may not be claimed for political group meetings;

## **Part 2 - Subsistence**

1. Subsistence allowances for meals and accommodation can be reimbursed to Middlesbrough Members' for duties undertaken outside the unitary authority. This allowance reflects the scheme in place for officers of Middlesbrough Council.
2. Members are entitled to claim subsistence if their duties mean that they are away from the authority for at least 5 hours, preventing them from following their normal meal arrangements AND they have to incur expenditure which is in addition to their normal outlay.
3. Any claims for subsistence costs must be for the actual amount paid (up to the maximum amount claimable) and supporting receipts of this cost must be kept by the Member. The reimbursement of costs associated with alcohol will not be paid under any circumstances.

## **Part 3. Telephone / Broadband Allowance**

1. A member is entitled to a communications allowance of a £15 contribution towards their telephone connections and a £10 contribution towards broadband connections. One claim per household, subject to annual proof of service.

## **Part 4. Co-opted Members Travelling & Subsistence Allowances**

1. Co-opted Members of the following Council bodies shall be entitled to receive a combined travel & subsistence allowance as specified in paragraph (b) following production of a signed declaration that expenses had been incurred:
  - Scrutiny Committees (including Overview & Scrutiny Board, Scrutiny Panels and Scrutiny Working Groups);
  - Standards Committee (including Sub Committees and Panels)
  - The Independent Panel on Members' Remuneration,
  - Teesside Pension Fund Committee
  - School Appeal Panels
2. The amount of the combined Travel & Subsistence Allowance shall be £10 per meeting.

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<b>Report of:</b>	Director of Legal and Governance Services
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**AGENDA ITEM 14**

<b>Submitted to:</b>	Council – 25 November 2020
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<b>Subject</b>	Proposed Amendments/Additions to the Constitution/ Amendment to the Terms of Reference of the Chief Officer Appointments Committee/Amendment to Paragraph 4 of the Officer Employment Procedure Rules
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**Summary**

<b>Proposed decision(s)</b>
<ol style="list-style-type: none"> <li>1. That the Council considers and endorses the proposed amendments to the following provisions within the Constitution:                             <ol style="list-style-type: none"> <li>a) Make-up of the Overview and Scrutiny Board.</li> <li>b) Council’s Filming / Livestreaming Protocol</li> <li>c) Chairing and Votes of No Confidence</li> </ol> </li> <li>2. That the Council approves the amendment to the Terms of Reference of the Chief Officer Appointments Committee</li> <li>3. That the Council approves the amendment to Paragraph 4 of the Officer Employment Procedure Rules.</li> </ol>

<b>Report for:</b>	<b>Key decision:</b>	<b>Confidential:</b>	<b>Can be called-in:</b>
Decision	No	No	No

<b>Contribution to delivery of the 2020-23 Strategic Plan</b>		
<b>People</b>	<b>Place</b>	<b>Business</b>
Not applicable	Not applicable	The Constitution sets out how the Council operates, how decisions are made and the procedures, which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter for the Council to choose.

<b>Ward(s) affected</b>
Not applicable

**What is the purpose of this report?**

1. The purpose of the report is to request the views of members with regard to;
  - a) Reviewing the Terms of Reference and political composition of the Overview and Scrutiny Board. The purpose of the review is to ensure that all of the individual Chairs of the six Scrutiny Panels have a seat on the Board.
  - b) Temporarily revising the Council’s Filming Council Meetings protocol due to Covid 19 and the implementation of remote meetings.
  - c) Adding a section on the appointment of chairs and votes of no confidence as the Constitution is currently silent on these issues. And deleting the references at paragraph 21(f) and 57(b) of the Council procedure rules.
2. To amend the Terms of Reference of the Chief Officer Appointments Committee to reflect the fact that only the appointment of the Council’s Chief Executive needs to be confirmed by the Full Council.
3. To amend Paragraph 4 of the Officer Employment Procedure Rules to reflect the fact that the appointment of the Monitoring Officer and the Chief Finance Officer (S151 Officer) is the responsibility of the Chief Officer Appointments Committee. An offer of employment to these posts shall only be made where no well-founded objection has been received from any member of the Executive.

**Why does this report require a Member decision?**

4. The Constitution is a live document, which from time to time requires adjustment to reflect how the Council operates. It is sometime since a comprehensive review has been undertaken and therefore a phased review is underway to ensure that the constitution is fully up to date. The Constitution and Member Development Committee initially consider changes to the Constitution before being approved by full Council.
5. Changes to the Constitution usually fall within three broad areas, and the proposed changes that have been endorsed by the committee are described as follows:-

**I. Alterations made as a result of decisions of either the Council or the Executive.**

There are no alterations made as a result of decisions of either the Council or the Executive.

**Alterations made under the delegated powers given to the Monitoring Officer to deal with changes required because of legislative changes.**

There are no alterations made as a result of changes required because of legislative changes.

ii. **Alterations to improve the working of the Council or, to attempt to resolve ambiguities or amend typographical or drafting errors.**

**Overview and Scrutiny Board** - Up until the last elections which took place in 2019, there was a large majority in favour of one political party, and, as a consequence, because of political balance, almost all of the Chairs of the Council's Scrutiny Panels were taken up by members of that political party. Following the elections, and the political balance being close does not always allow all of those members who have been elected as a Scrutiny Panel Chair to automatically have a seat on the Board.

A number of different scenarios have been considered, including changing the number of members on the Board, but this still does not always allow for all of the Scrutiny Panel Chairs to be a member of the Board. The Chair of the Overview and scrutiny Board has been consulted and agrees with the proposed solution.

One option that could be considered is for all the Chairs of the individual Scrutiny Panel's to become Ex Officio (an obligation or privilege a person has, by virtue of their position, to serve on a board or committee) Voting members of the Overview and Scrutiny Board (see **Appendix 1**) . This would ensure that all Scrutiny Panel Chairs were automatically afforded a seat on the Board. The remaining seats could then be allocated, according to political balance.

**Filming / Livestreaming Protocol** - The Filming Council Meeting Protocol previously agreed by the Committee but not yet approved by Council was primarily developed to advise of processes for press and public when attending public meetings in person. Due to COVID all public Council and Committee meetings are now live streamed and member of the public access through Facebook or Youtube. Therefore filming/recording is not carried out in a way that may disrupt Council meetings. However, there are some elements that still remain relevant and will advise the public of current procedures for remote meetings. Therefore a revised protocol to deal with Live Streaming meetings is attached at **Appendix 2** for consideration.

**Chairing** - Due to major changes in political structures and the fluidity of group formation in the immediate period following the local elections, it was decided, at least for that municipal year that the Chairs of committees and panels would be appointed at the first respective meetings following the AGM. Historically such appointments take place at the Council's AGM, However, there is a lack of information in the current Constitution regarding the appointment of chairs as well as being silent on the point of votes of no confidence. Desktop research has been carried out of other local authorities and proposed additions / amendments for consideration are attached. **Appendix 3**. It is also proposed that references at paragraph 21(f) and 57(b) of the Council Procedure Rules be deleted as there may be occasions where the conduct of a member/chair may impact on the Council or the ability a committees/panels ability to run effectively.

**Officer Employment Procedure Rules**

To amend Paragraph 4 of the Officer Employment Procedure Rules to reflect the fact that the appointment of the Monitoring Officer and the Chief Finance Officer (S151 Officer) is the responsibility of the Chief Officer Appointments Committee. An offer of employment to these posts shall only be made where no well-founded objection has been received from any member of the Executive.

6. **Revision to the Chief Officer Appointment Committee's Terms of Reference to correct an ambiguity.**

The Chief Officer Appointment Committee's Terms of Reference currently include the provision that the appointment of the Chief Executive, the Chief Finance Officer and the Monitoring Officer are required to be confirmed by the Full Council.

There is a legal requirement under section 4 (1) (a) Local Government and Housing Act 1989 for the Council to designate one of its officers as the head of paid service. Under Para 4 (1) of Schedule 1 Part II Local Authorities (Standing Orders) (England) Regulations 2001, Council approval must be obtained before an offer of employment is made to appoint the Head of Paid Service.

Under the Council's Constitution (Paragraph 3 of the Officer Employment Procedure Rules) the full Council must approve the appointment of the Chief Executive following the recommendation of such appointment by the Chief Officer Appointments Committee.

There are no legal requirements for the appointment of the Chief Finance Officer or the Monitoring Officer to be confirmed by Full Council.

A copy of the revised Chief Officer Appointment Committee's Terms of Reference is attached at **Appendix 4**

**What decision(s) are being asked for?**

7. That Council consider proposals to update the Constitution and agree as follows:

- (a) That Council approves the proposed changes to the Constitution as detailed in the report and notes that the Monitoring Officer will, under delegated powers, amend the Constitution accordingly.
- (b) That the Monitoring Officer, maintains under delegated powers to be authorised to amend the Constitution and make any necessary minor textual changes or further adjustments to comply with any subsequent legislative changes, changes to reflect decisions taken by Council and/or Executive and changes which are of typographical/drafting error nature.
- (c) That the Terms of Reference of the Chief Officer Appointments Committee be amended to reflect the fact that only the appointment of the Council's Chief Executive needs to be confirmed by Full Council.
- (d) That paragraph 4 of the Officer Employment Procedure Rules be amended to reflect the fact that the appointment of the Monitoring Officer and the Chief Finance Officer (S151 Officer) is the responsibility of the Chief Officer Appointments Committee. An offer of employment to these posts shall only be made where no well-founded objection has been received from any member of the Executive.



### **Why is this being recommended?**

7. Continually keeping the Constitution under review provides clarification and ensures the Council has effective decision making processes

### **Other potential decisions and why these have not been recommended**

8. Maintaining the status quo leaves uncertainty and ambiguity for elected members.

### **Impact(s) of recommended decision(s)**

#### ***Legal***

9. No impact.

#### ***Financial***

10. No impact.

#### ***Policy Framework***

11. Not applicable. The report does not propose an amendment to the policy framework.

#### ***Equality and Diversity***

12. Not applicable.

#### ***Risk***

13. If the Council does not have adequate governance processes in place to ensure that it complies with all relevant legislation, it could result in a breach in governance requirements leading to (depending on the seriousness of the breach) fines, reputational damage, government intervention alongside failure to deliver organisational priorities

### **Actions to be taken to implement the decision(s)**

14. The Monitoring Officer will make any necessary changes to the Constitution, and the Terms of Reference of the Chief Officer Appointments Committee, as agreed by Council.

#### **Background papers**

15. Surrey Heath; Adur & Worthing Borough Council and Harrowgate Council Constitutions

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Overview & Scrutiny Board

### **Purpose of the Committee**

The Overview and Scrutiny Board is the overarching vehicle by which the effectiveness of scrutiny is monitored and where work undertaken by themed panels can be coordinated to avoid duplication and to ensure that areas of priority are being reviewed. The Board also scrutinises general management matters relating to the Council and further details are given in the terms of reference below. The Overview and Scrutiny Board has oversight of performance information submitted to the Council's executive and also leads on scrutiny of the Council budget and associated information. 'Call-ins' of Executive decisions are also dealt with by the Board.

### **Quorum:**

**4**

### **Membership**

Seats:

7 Ex-officio members with full voting rights – Chair of OSB and 6 Scrutiny Panel Chairs

6 politically balanced places

### **Officials**

### **Remit**

The Overview and Scrutiny Board will have delegated power to appoint and disband such scrutiny panels as it thinks fit, and if appropriate after receiving a report from a scrutiny panel, will exercise the following functions of the Council:-

- (a) On behalf of the Council to scrutinise executive decisions.
- (b) On behalf of the Council to scrutinise recommendations by the Executive to the Council.
- (c) Following use of the Council's Call-in procedure to refer back executive decisions once only, PROVIDED that the decision in question shall not already have been actioned. References back must contain details of the Board's concerns together with any revisions proposed.
- (d) To scrutinise the performance of Council services.
- (e) To scrutinise statutory plans of the Council.

(f) To invite attendance by appropriate individuals to advise (as an 'expert witness') the Board in exercising its role. Such individuals will have expertise in the area subject to scrutiny; e.g. they may be a service user or a professional in the relevant discipline.

(g) To question members of the executive relating to the scrutiny of executive decisions and recommendations and the performance of Council services.

(h) To question chief officers, or any other officer after consultation with the chief officer, relating to the scrutiny of service performance and reports on which executive decisions are based.

(i) To make recommendations to the Council on issues arising from scrutiny of executive decisions, recommendations and performance including for example recommendations that an area of Council policy should be reviewed. Such recommendations must be contained in a report which the executive will see, and have the opportunity to comment on, in draft form before it is finalised and submitted to Council.

(j) To monitor compliance with audit, external inspectorate reports following their consideration and adoption by the Executive and Council.

(k) To scrutinise and monitor matters relating to Council budgets, audit and resources issues.

(l) To refer any significant internal control issues to the Corporate Affairs and Audit Committee.

(m) To review or scrutinise the decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions, and

(p) To make reports or recommendations to the local authority with respect to the discharge of those functions.

(q) To consider Councillor Calls for Action.

\* NB Church and Parent Governor Co-opted Members will exercise their vote only when the Board considers any education or education related matters.

### **Restrictions:**

No Member of the Executive may sit on the Board

### **Meetings**

4 Weekly

**Council Meetings – Live Streaming and Public Access**

1. Due to Covid 19 all Council and Committee meetings are currently being held remotely and therefore the filming and recording of Council meetings by the press and public have been suspended.
2. However, all formal public meetings are now to be live streamed through the Council's YouTube or Facebook Channel
3. The regulations that govern this are the 'Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020' and they apply to local authority and Parish Council meetings that are required to be held, or held, before 7th May 2021.

**Members and Officer Participation**

4. The Council will use WebEx as its remote meeting tool.
5. Any Member participating in a meeting remotely, must when they are speaking, be able to be heard (and ideally seen) by all other Members in attendance, and the remote participant must, in turn, be able to hear (and ideally see) those other Members participating.
6. Officers participating in a meeting must be able to be heard, and ideally seen when speaking during the meeting. Officers/ Members observing meetings should turn off their sound and video for the avoidance of doubt.

**Public Participation**

7. There is still a requirement to ensure that meetings are open to the public, however this now includes access by remote means, including video conferencing, live webcast and live interactive streaming. Where a meeting is accessible to the public through such remote means, the meeting is open to the public whether or not members of the public are able to attend the meeting in person.
8. The Council will endeavour to facilitate public access by live streaming meetings via the Council's YouTube or Facebook account. Meetings will be made available to view on the Council's website, so that the public can observe the meetings as they take place.
9. Public inspection of any agenda items will be via the Council website only.
10. Members of the public who are invited to participate at a meeting should be aware that they are considered to be part of the public meeting and therefore will be live streamed and recorded. If a member of the public who wishes to speak at

a meeting does not want to be filmed/photographed/recorded they should say so when they register their interest to speak and the Council will advise on how to switch off the video function within WebEx. The Council cannot control what data processing takes place by third parties or the public.

### **Arrangements for Confidential/Part B items of business**

11. The Council have arrangements in place which will enable Members to go into a private session that is entirely separate to the public meeting to enable such matters to be dealt with in private.

### **Moving or cancelling/rearrange remote meetings**

12. The Monitoring Officer may, following consultation with the Chair of the relevant remote meeting move or cancel or rearrange a remote meeting without further notice.

### **Commenting on social media**

13. Prior to the meeting and as part of the post containing the live video we ask those commenting on social media to show respect for others and abide by the Facebook Community Standards.
14. Social media comments will be monitored (but not responded to) and unacceptable comments will be removed.
15. Users will be asked to keep their points to the discussions taking place. Any posts that are offensive or which contain personal comments about any individual present will be removed and users advised that their access may be restricted/blocked.

### **Legal**

16. The Council is a Data Controller under the General Data Protection Regulation (EU) 2016 and the Data Protection Act 2018 for its own filming/recording. Personal data collected during this time will be retained for 6 Months in line with the Council's Records Management policy. Further information on your rights are contained in the Democratic Services Privacy Notice which can be found on the Council website.
17. Public recording/reporting of Council's meetings is also subject to the law and it is the responsibility of those doing the recording and reporting to ensure compliance. This will include the Human Rights Act 1998, the General Data Protection Regulation (EU) 2016 and Data Protection Act 2018 and the laws of libel and defamation. Freedom of speech within the law should be exercised with personal and social responsibility, showing respect and tolerance towards the views of others.

**CHAIRING**

1. The Council will appoint chairs and vice-chairs of the Council and all committees and scrutiny panels at its Annual Meeting.
2. Where there is a vacancy for Chair, the Vice Chair will act as Chair until the council fills the vacancy *at the next general full council meeting*.
3. Written notice of the resignation of a Chair or Vice Chair will be effective on receipt by the Monitoring Officer
4. In the absence of the chair and vice-chair at a meeting, the committee will appoint a chair for that meeting or part of that meeting, as appropriate. The person presiding at the meeting may exercise any power or duty of the chair.
5. Chairs and (where required) Vice Chair of sub-committees of main committee/s will be appointed by the parent committee.
6. The Council may at any time remove a Chair or Vice Chair of a committee.
7. A joint meeting should appoint a member to chair the meeting.
8. No member of the Executive will chair any meeting of the Council, Overview and Scrutiny Board; a Scrutiny Panel or the Corporate Affairs and Audit Committee.

**No Confidence-**

9. Motions of no confidence in a Chair of a committee /scrutiny panel may be moved in a committee meeting as an interim measure. However, the Council appoint Committee Chairs, therefore a confidence motion relating to a Chair of Committee has to be approved by Full Council as a non-delegated item, with a recommendation that a new Chair be appointed by Council.

**Raising a No Confidence Motion**

***Committee and Scrutiny Chairs***

10. Any member of a committee, Overview and Scrutiny Board or any Scrutiny Panel shall be entitled to give notice to the Monitoring Officer or the Head of Democratic Services that they wish an item relevant to the Committee's function to be included on the agenda for the next available meeting (7 clear working days notice prior to of the appropriate committee). The request must contain detailed reason for the motion.
11. The Monitoring Officer will ensure it is included on the next available agenda as the first item for consideration. Where it is not feasible to give the required notice, then a Member of that Committee after consultation with the Monitoring Officer

may move that an urgent agenda item is considered at the meeting. Under the law, only the Chair can admit urgent items of business - failure of the Chair to admit a confidence motion in respect of him/herself may be submitted as a Notice of Motion to Council.

12. For consideration of such a motion, the Chair shall cease to be Chair of the Committee for that item and shall be an Ordinary Member of the Committee. The Monitoring Officer, or their representative, will act as Chairperson of the Committee during consideration of the motion.
13. Where a Member wishes to bring a confidence motion against the Chair of a Committee of which they are **not a Member**, it should be brought as a notice of motion to the Council under the Council's Procedure Rules.
14. The motion, after debate, shall be carried if it is agreed by a majority of at least two thirds of the **Members** present the Chair shall immediately stand down and the remainder of the Meeting shall be chaired by the Vice-Chairperson or, in his/her absence, or if he/she was acting as the Chairperson and the subject of the vote, by a Member elected for that purpose by the Meeting.
15. Following a successful vote of no confidence in the Chair, he/she shall not officiate at any subsequent Meeting of the Committee prior to the next meeting of the Full Council.
16. If the Council does not confirm the vote by a simple majority, the Member remains as Chairperson of the Committee.

### ***Mayor and Executive***

17. A confidence motion against an Executive Member may be brought at Council under the Council's Procedure Rules but the Executive Member can only be removed by the elected Mayor
18. A confidence motion against the Elected Mayor may be brought at Council under the Council's Procedure Rules, however by law the Mayor remains in office until resignation, disqualification or the appointment of a successor, so the Mayor cannot be dismissed by Council by a vote of no confidence.
19. Only 1 vote of no confidence can be considered in any 12 month rolling period.

### ***Chair of the Council***

20. A confidence motion against the Chair of the Council may be brought at Council under the Council's Procedure Rules.
21. Only 1 vote of no confidence can be considered in any 12 month rolling period.

### **No Confidence Motions at Council**



22. Members must give notice to the Monitoring Officer or the Head of Democratic Services that they wish put a motion to Full Council (7 clear working days notice prior to of the appropriate Council Meeting).

23. The Council shall consider whether to confirm the vote of no confidence. If by a simple majority they decide to confirm the vote, the office of Chair of the relevant Committee shall be declared vacant and the Council shall elect a new Chair.

***Procedure***

24. *Where motions of confidence are moved, the rules of debate will not strictly be applied and in accordance with the rules of natural justice, the defendant (Chair or Mayor, Executive Member) will have the right to speak last, though the mover will have the right to respond immediately before the last speaker.*

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## **Chief Officer Appointments Committee**

### Terms of Reference - Chief Officers Appointments Committee

The Committee will have delegated powers to:

1. Shortlist, interview and make permanent appointments to the posts of Directors.
2. Shortlist, interview and make recommendations for the interim and permanent appointment of the Head of Paid Service; Chief Finance Officer and the Council's Monitoring Officer role, subject to no objections being submitted by the Executive. The appointment of the Head of Paid Service (Chief Executive) will be subject to Full Council approval.
3. Establish a Joint Appointment Panel to consider Joint Authority / Partner Organisation vacant posts at Director level and above. Comprising of up to 4 members of the Chief Officer Appointments Committee selected by Democratic Services on a post by post basis. The selection will be politically balanced where reasonably practicable. The Chair to be appointed at the joint meeting.
4. Interim appointments of Directors, for 6 months or less are delegated to the Head of Paid Service. Longer and permanent appointments to be reserved to the Chief Officer Appointments Committee.
5. To undertake disciplinary procedures in relation to statutory officer appointments: Head of Paid Service, Monitoring Officer and Chief Finance Officer.
6. To undertake disciplinary and/or dismissal procedures in relation to Chief Officers, other than the Head of Paid Service, Monitoring Officer, and Chief Finance Officer. Dismissal of the statutory officers is reserved to Full Council.
7. To consider grievances, submitted by Chief Officers, at stage 2 of the Council's grievance policy in circumstances where, in the opinion of the Monitoring Officer/Director of Legal and Governance, following consultation with the Head of Democratic Services and Head of Human Resources, it would be prejudicial to the fair consideration of the grievance for it to be considered by an Executive Director or the Chief Executive.

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