

THE CHAIR AND ALL MEMBERS OF THE COUNCIL

Tuesday 17 May 2022

Dear Member

COUNCIL - WEDNESDAY 25TH MAY, 2022

You are hereby summoned to attend a meeting of the Council of the Borough of Middlesbrough to be held on **Wednesday 25th May, 2022** at **7.00 pm** in the Council Chamber to transact the following business, namely:-

1. Election of the Chair of the Council for the Municipal Year - 2022 – 2023
2. Election of the Vice-Chair of the Council for the Municipal Year - 2022 – 2023
3. Apologies for Absence
4. Declarations of Interest
To receive any declarations of interest.
5. Minutes - Council - 30 March 2022 5 – 12
6. Announcements/Communications
To receive and consider any communications from the Chair, Mayor, Executive Members or Chief Executive (if any).
7. Political Balance - Allocation of Places on Committees - 2022 – 2023 13 - 22
8. Executive Scheme of Delegation 23 – 42
9. Council Committees - Establishment - Terms of Reference - Allocation of Places - Memberships - 2022 – 2023 43 – 72
10. Appointments by the Council and Executive to Joint Committees and Outside Bodies - 2022 – 2023 73 - 94
11. The Mayor's Annual Report

Verbal Report

- | | | |
|-----|---|-----------|
| 12. | Members' Scheme of Allowances 2022 - 2023 | 95 – 110 |
| 13. | Update to the Constitution | 111 – 140 |
| 14. | Adoption of the Stainton & Thornton Neighbourhood Plan
2021-2036 | 141 - 214 |
| 15. | Proposed Changes to Teesside Pension Board's Terms of
Reference | 215 - 230 |

A handwritten signature in black ink that reads "CJ Benjamin". The signature is written in a cursive, flowing style.

Charlotte Benjamin,
Director of Legal and Governance Services

PLEASE NOTE THERE IS RESTRICTED
DISABLED ACCESS TO THE COUNCIL CHAMBER

Inspection of Papers – Documents referred to on 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, Democratic Services on (Direct Line 01642 729714 or e-mail on: bernie_carr@middlesbrough.gov.uk).

Address: Democratic Services, Middlesbrough Council, Town Hall, Middlesbrough TS1 9FX

Website: www.middlesbrough.gov.uk

This page is intentionally left blank

COUNCIL

A meeting of the Council was held on Wednesday 30 March 2022.

PRESENT: Councillors J Hobson, A Bell (Vice-Chair), R Arundale, D Branson, C Cooke, B Cooper, D Coupe, D Davison, S Dean, C Dodds, T Furness, N Gascoigne, TA Grainge, A Hellaoui, T Higgins, C Hobson, B Hubbard, N Hussain, L Mason, T Mawston, D McCabe, C McIntyre, J McTigue, M Nugent, J Platt, E Polano, A Preston (The Mayor), J Rathmell, D Rooney, R Sands, M Saunders, M Smiles, M Storey, P Storey, Z Uddin, S Walker and G Wilson.

OFFICERS: C Benjamin, S Bonner, C Breheny, B Carr, D Johnson, A Johnstone, A Pain, T Parkinson, S Reynolds, K Whitmore and I Wright

APOLOGIES FOR ABSENCE: Councillors L Garvey, A High, S Hill, D Jones, L Lewis, G Purvis, J Rostron, J Thompson, J Walker and C Wright

21/108 **DECLARATIONS OF INTEREST**

There were no declarations of interest received at this point in the meeting.

21/109 **MINUTES - ORDINARY COUNCIL MEETING - 26 JANUARY 2022 AND BUDGET COUNCIL MEETING - 23 FEBRUARY 2022**

The minutes of the Council meetings held on 26 January and 23 February 2022 were submitted and approved as a correct record.

21/110 **ANNOUNCEMENTS/COMMUNICATIONS**

The Chair read out a prepared statement in relation to the submission of Executive Member reports.

The Chair advised that the Executive reports were a useful source to identify what activities were taking place in each service area. They also provided information with regard to the work of Executive members and they assisted in answering queries from residents' about projects or works that were being undertaken within individual members' wards.

21/111 **QUESTIONS FROM MEMBERS OF THE PUBLIC (IF ANY).**

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

21/112 **MAYOR'S STATEMENT AND REPORT**

The Mayor advised that he was feeling positive following meetings with potential investors in the town.

The Mayor announced that the Rugby League World Cup was due to take place at the Riverside Stadium. He urged the public to ensure that the stadium was full. The Mayor stated that the fact that the match was being held at the Riverside could inspire children to take part in sports.

Two new office blocks were currently being constructed, one at the former Melrose House building and Boho X. The Mayor advised that both blocks had already secured tenants and this would bring jobs to the town. The Heads of Terms had been signed some time ago for the Boho X building and the lease was due to be signed in the near future.

The Mayor announced, that following years of dereliction in the Gresham area, the Thirteen Group were back on site, building homes and volunteers were cleaning the alleyways in the area.

New housing was also currently being built opposite the Captain Cook public house, and the

first sixty homes were due to be completed in the next two months.

The Mayor referred to the leisure facility due to open in Captain Cook Square, which included a bowling and Go-Kart facility, Indoor golf and the facility to host live music and comedy.

The Mayor stated that the original plan for Centre Square Building 1 which had cost £20m to erect, was for officers of the Council to occupy the building. The building was now fully occupied by a tenant. The top floor of Building 2 was currently let to XPS and the second floor was let to GP Bank. The ground floor was currently occupied, mainly by a chamber of barristers.

The Mayor advised that in terms of the production of Executive reports, previously officers had spent a long time producing reports for politicians to read at Council. He advised that he was reviewing how the Executive would connect with members and the public.

A new on-line facility would be introduced which would allow members and the public to submit a question to an Executive Member and the details of the question and the response would be published online within 10 working days.

The Mayor stated that he planned to invite Executive Members to speak at Council to advise Members of any activity that was occurring in respect of their individual portfolios. The Mayor advised that the Deputy Mayor and Executive Member for Children's Services would provide members at this meeting with an overview of the current situation in respect of Children's Services and the Executive Member for Neighbourhood Safety would discuss issues regarding crime and neighbourhood safety.

The Chair announced that given that the Mayor had raised the issue of Executive Member reports, it would be appropriate for Councillor Uddin to pose his question with regard to the production of Executive Member reports.

Councillor Uddin put his question to the Mayor regarding Executive Member reports.

The Mayor stated that any person elected by the people of Middlesbrough should be open and accessible. He stated that Executive Member reports were important but they needed to come from the heart of the Executive Member, rather than from officers. He stated that the format of the reports had been discussed with officers and the Executive.

Councillor C Hobson commented that she was concerned about the lack of Executive Member reports. Members and the public needed to know what the Executive Members were working on. The Executive Member reports should have continued to be submitted until an alternative format had been agreed.

The Mayor stated that the production of Executive Member reports did not mean that the public were getting value for money. The Executive aimed to be open and transparent. Any Member wishing to ask a question of an Executive Member could email them direct.

Councillor McTigue stated that the Executive Member reports usually detailed events that had already taken place. When reports were written by officers, the Executive Members sometimes struggled to answer questions on the reports. Councillor McTigue stated that she would like to see a change in the format and would like to see all Executive Member reports written by the Executive Members.

Councillor Rathmell stated that having Executive Members stand up and speak at the Council meeting in relation to activity relating to their portfolios could be trialed and if it didn't work, the process could be reviewed.

Councillor M Storey cited a number of examples of where money had been wasted as a result of amended projects and issues with the purchase of Covid tests that the Council had been unable to utilise. He stated that accountability was important. He stated that previous Executive Member reports had been excellent and well written with the assistance of officers. Councillor Storey stated that any changes with regard to the submission of Executive Member reports would need to be discussed at Constitution and Members' Development Committee, prior to agreement by Council. If an Executive Member report had been circulated prior to the meeting, Members would be able to ask questions on the content.

Councillor Rathmell stated that the two Executive Members should be allowed to provide any highlights in relation to their portfolios.

In response to the comment from Councillor M Storey, the Mayor explained the rationale behind changes to the Boho X project.

Councillor M Storey queried if the Mayor could confirm that the plans had changed as a result of Covid.

The Mayor stated that the change in any plans could be influenced by a number of factors, but the biggest factors in relation to the changes in the Boho X project were Covid and the potential to save £10m.

Councillor Cooke advised that Executive Member reports were important as they included details of work that was being carried out in the community. He cited a number of examples of work that was currently being carried out within the Newport Ward.

The Mayor commented that Councillor Cooke was an excellent Councillor and he commended those involved in the Letitia House scheme for their work with assisting in getting vulnerable people off the streets.

Councillor Rooney stated that the Mayor had made reference to the developments in the town centre and she pointed out that many of the projects had been initiated as a result of the Investment Prospectus, which had been produced by the previous Elected Mayor.

Councillor Rooney stated that, in terms of the prospect of the two Executive Members speaking at this Council meeting, there was no agenda item relating to Executive Member reports, so they should not be allowed to speak. The requirement for Executive Members to report to Council on activities on their portfolio was included at item 4 in the Executive Scheme of Delegation.

Councillor Rooney stated that as a former Executive Member, she had written all of her own reports to Council, with the assistance of an officer.

Councillor Mawston stated that it was good to hear that the Rugby League World Cup was taking place at the Riverside Stadium. The Captain Cook Birthplace Trust had been involved in many activities with the team.

In terms of Executive Member reports, Councillor Mawston stated that the reports did need an overhaul. He stated that he had emailed an Executive Member to ask them a question but he had not received a response.

The Mayor stated that he wasn't suggesting that the new system, where Members could submit questions, would replace Executive Member reports.

Councillor Branson stated that Executive Member reports could be shorter and more concise, but it was important that Members received them in advance of the meeting and that they were kept informed of what was happening in respect of the different portfolios.

Councillor Higgins stated that it was important to be open and transparent. Members often found out what was happening in the local press and it was important for Executive Member reports to be received in advance of the meeting.

The Chair stated that any changes to the Constitution needed to be agreed by full Council.

21/113

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.

The Chair of Overview and Scrutiny Board stated that all Executive Members were invited to the Board to provide a comprehensive overview of the Executive Member's aims and

aspirations, progress made to date and to highlight any emerging issues relating to their portfolios, but it was still important for Council to receive Executive Member reports.

ORDERED that the report be noted.

21/114 **URGENT ITEMS**

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

21/115 **MEMBERS' QUESTION TIME**

The Chair announced that there were now only three questions from Members of the Council, as Question 12/2021 had been dealt with under the Mayor's report agenda item. The details of the specific questions were included at Agenda Item 11.

In response to Question 9/2021 - Councillor Branson to the Mayor in relation to bus services, the Mayor stated the following:

- Middlesbrough Council recently approved the decision to formally sign up to the region's imminent Bus Service Improvement Plan.
- This would cover a number of key themes such as improvements to infrastructure, punctuality and ticketing offers for young people.
- It was envisaged that along with this plan, and the Council's own funding there would be local schemes to focus on issues that would improve bus journeys and make them a more viable alternative for people.
- The Council's strategies had sustainable modes of transport at their heart and the Council would keep pursuing those.

In response to Question 10/2021 - Councillor Furness to Councillor Polano with regard to the ongoing trend and decline in footfall and trade given the current economic climate of high Inflation, Councillor Polano stated the following:

The Council was trying to change the offer in the town centre and move away from being so reliant on retail. As things were becoming more expensive, the existing retailers would find life harder and the Council would do what they could to help them. The Council had expert commercial asset managers in place (Praxis) for both centres, and they were experienced at managing through difficult times. The Council's financial projections for the centres had not been built on 'best case scenarios' so they did have some ability to withstand any shocks. The Council would however hope to retain as much of the current offer as they could.

In response to Question 11/2021 - Councillor Furness to Councillor Polano with regard to landlord licensing, Councillor Polano stated the following:

There were certain legal criteria which had to be met to designate an area for selective licensing. They included a high proportion of property in the private rented sector, low housing demand, significant and persistent problems caused by anti-social behaviour and poor property conditions. In relation to future roll out the Council was currently preparing a proposal document for the Newport 2 area which would be submitted to Executive for approval prior to a consultation exercise being carried out? After this scheme was implemented the Council was planning to review areas for potential future schemes based on the legal criteria.

In North Ormesby there was currently 894 licensable properties. To date, 606 properties had applied for their licence.

In Newport 1, there was 1166 licensable properties. To date, 1158 properties had applied for their licence.

Work was still ongoing in both areas to licence the properties. Legal action could be taken if the property owner did not apply for a licence, although this had only been necessary in a small number of cases.

21/116 **NOTICE OF MOTIONS**

Consideration was given to Motion No. 152, moved by Councillor M Storey and seconded by

Councillor Dean of which notice had been given in accordance with Council Procedure Rules No. 53-60 as follows:

“Middlesbrough Council recognises and sends its congratulations to Her Majesty the Queen on reaching 70 years on the throne.

The Platinum Jubilee is an opportunity for people to pay tribute and thank the Queen for leading Britain. In her 70 years as monarch she has been a calming and reassuring presence to the people of the United Kingdom and Commonwealth. It is also an opportunity for people to reflect on the changes that have occurred during her long reign.

This Council therefore takes this opportunity to recognise her longevity and hard work on behalf of the country in her time as sovereign”.

The Chair invited Members to speak on the motion.

Councillor Furness commented on the grants available towards community events for the Queen's Jubilee celebration taking place over the long Bank Holiday weekend (Thursday 2 June to Sunday 5 June 2022).

Councillor Arundale stated that he was one of many who had sworn allegiance to the Queen. He stated that the Queen was a wonderful asset to the country and he would be supporting the proposed motion.

Councillor Smiles stated that the Queen had given extraordinary service to the country. The grants scheme was a wonderful way in which to help residents and communities to celebrate the Queen's Jubilee. Councillor Smiles advised that she would be supporting the motion.

Councillor Dean stated that the Queen had done a wonderful job over the last 70 years. Lots of communities and residents had secured funding through the Council's scheme to enable them to hold parties to celebrate the event.

Councillor M Storey advised that the Queen had visited the area a number of times. The first visit was in 1956. In 1977, the Queen visited Tees Dock as part of her Silver Jubilee celebrations. In 1993, the Queen visited Pallister Park and in 2012, the Queen had visited the Tees Barrage. Councillor Storey stated that the grants scheme was a fantastic way of enabling residents to celebrate the Queen's Jubilee.

The Chair invited the Monitoring Officer to conduct a vote on the motion.

The motion was put to the vote.

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

21/117 **NOTICE OF URGENT MOTIONS (IF ANY)**

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

21/118 **COUNCIL DIARY REPORT**

The Executive Member for Environment, Finance and Governance and the Director of Legal and Governance Services submitted a report, the purpose of which was to agree the timetable of meetings for the Municipal Year 2022/2023.

The Director of Legal and Governance Services advised that the dates contained within the timetable were tentative, and could be subject to change.

Following a vote, it was:

ORDERED as follows:

- (i) That the timetable of meetings for the Municipal Year 2022/2023, as detailed in the

Appendix to the report, be approved.

- (ii) That, with the exception of the following, the dates for ordinary meetings of the Council be designated as meetings at which questions will be taken from members of the public:

- Budget/Council Tax Setting Meetings – 27 February and 8 March 2023
- Wednesday 24 May 2023 (Annual Meeting).

21/119 **VACANCIES ON COMMITTEES REPORT**

Council received a report which sought nominations for appointment, following resignations from Committees and the freeing up of places on scrutiny panels, vacated as a result of members being appointed to the Executive.

The report included a list of current vacancies on various committees and nominations were put forward at the meeting by individual members.

ORDERED that the following vacancies allocated in accordance with the wishes of the political groups, be approved by Council:

Adult Social Care and Services Scrutiny Panel

1 Vacancy – Open to all Councillors - No nominations - Deferred

Children and Young Peoples' Learning Scrutiny Panel

1 Vacancy – Councillor C Hobson appointed

Durham Darlington Teesside Hambleton Richmondshire and Whitby (DDTHRW) STP Joint Overview and Scrutiny Committee

1 Vacancy – Councillor J Hobson appointed

Economic Development, Environment and Infrastructure Scrutiny Panel

1 Vacancy – Councillor J Hobson appointed

Health Scrutiny Panel

1 Vacancy – Councillor M Saunders appointed

Chair of Health Scrutiny Panel

1 Vacancy – Councillor D Davison appointed

South Tees Health Scrutiny Committee

1 Vacancy – Councillor Dodds appointed

Tees Valley Health Scrutiny Committee

1 Vacancy – Open to all Councillors - No nominations - Deferred

Overview and Scrutiny Board

1 Vacancy - Councillor Hubbard appointed

Corporate Parenting Board

1 Vacancy - Councillor Dodds appointed

Vice-Chair of Corporate Parenting Board (must be a member of Corporate Parenting Board)

1 Vacancy – Councillor Davison appointed

Planning and Development Committee

1 Vacancy – Councillor Davison appointed

This page is intentionally left blank

MIDDLESBROUGH COUNCIL

Report of:	Executive Member for Finance and Governance and Director of Legal and Governance Services
Submitted to:	Council
Date:	25 May 2022
Title:	Political Balance Allocation of Places 2022
Report for:	Decision
Status:	Public
Strategic priority:	All
Key decision:	No
Why:	Not applicable
Urgent:	No
Why:	Not applicable

Executive summary

The Local Government and Housing Act 1989 requires that the Council periodically reviews the political composition of the Council, and how this is applied to appointments to committees and sub-committees of the Council.

The report outlines the rules with regard to political balance and provides details of the total number of places on committees and how those places will be allocated in a manner that reflects the overall political balance of the Council.

Purpose

1. To recommend the allocation of places on committees and sub-committees for 2022 in accordance with the political balance of the Council.

Background and relevant information

2. The Local Government and Housing Act 1989 requires that the Council periodically

reviews the political composition of the Council, and how this is applied to appointments to committees and sub-committees of the Council.

3. The rules for securing political balance on committees and sub-committees appointed by local authorities are contained in sections 15 and 16 of the Act and the Local Government (Committees and Political Groups) Regulations 1990.
4. The Council is under a duty to:
 - (a) Ensure that the membership of those committees and sub-committees covered by the rules reflect the political composition of the Council, as far as practicable.
 - (b) Review the allocation of seats to political groups at or as soon as practical after the Annual Council meeting and at certain other specified times for example, as a result of changes in political balance or an increase in the number of committees established.
 - (c) Allocate seats on the committees to the political groups in proportion to their numerical strength on the Council, as far as practicable;
 - (d) Accept nominations made by the groups for the filling of seats allocated to them.
5. In determining the allocation of seats, the Council must also apply the following four principles, as far as reasonably practicable:
 - (a) Not all seats to be allocated to the same political group;
 - (b) If a political group has a majority on the Council, it must have a majority of seats on committees;
 - (c) Subject to (a) and (b) above, the total of all seats on ordinary committees be allocated to the groups in proportion to their respective strengths on the Council and
 - (d) Subject to (a) to (c) above the number of seats on ordinary committees or sub-committees to be allocated to each political group in proportion to the number of all the seats on the committee or sub-committee in proportion to their respective strengths on the Council.
6. As per the Local Government (Committees and Political Groups) regulations 1990, appointments are made in accordance with the wishes of a political group, then, as long as that person's seat continues to be allocated to that group, the authority or committee which made the appointment shall act in accordance with the wishes of that group in determining whether and when to terminate the appointment. If a group fails to express its wishes within a period of three weeks of being notified of the allocation or vacancy, the Council may make such appointment as it thinks fit.

7. Where a Group chooses not to take up their full allocation, according to political balance, those vacant places will become available for all groups to take up. Once the seat has been reallocated at Council, this appointment will remain in place for the whole of the Municipal year.
8. Independent Members who have not formed a political group in accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations, are to be allocated in accordance with section 16 (3) of the Regulations: i.e. any seats not allocated according to the requirements in section 15 and 16 of the Act, to be allocated to members who are not members of any political group.
9. Certain committees of the Council are exempt from the requirements relating to political balance as they are established under separate legislation. For this reason the following committees are not covered by the recommendations of this report. Where places are not reserved for particular members for example by virtue of their title or position, those remaining places have been allocated in accordance with the numbers shown in Table 3. These committees include:
 - The Executive
 - All Executive committees, sub-committees, working groups
 - Live Well South Tees Board
 - Licensing Sub-Committees with the exception of the Licensing Sub-Committee (General) when dealing with licences under the Scrap Metal Dealers Act 2013.
10. Additionally, where meetings are (a) advisory in nature or (b) where the Council has determined otherwise, and no Member has voted against, the political balance requirements need not apply. However on the assumption that there has not been a will to waive political balance in respect of any of the Council Committees in the past few years, the report has been prepared assuming that political balance will not be waived. The figures for seats on Committees have therefore been calculated on the basis that political balance will not be waived.
11. The total number of places on committees is therefore **173** places and these will be allocated in a manner that reflects the overall political balance of the Council.
12. The calculations relating to the allocation of the **173** places on those committees to be subject to political balance rules are attached at Appendix 1.
13. As will be seen from Table 4 in Appendix 1, the outcome of applying the required method of calculation would result in the following:

Name of Group/Unallocated	No. of Seats
Conservative	11
Labour	75
Middlesbrough Independent Councillors Association (MICA)	38
Middlesbrough Independent Group (MIG)	34
Unallocated/Vacancy	15

Method to Calculate Places

14. The principles in paragraph 6 are applied as below:

- I. Calculate the total number of seats with votes on all the committees subject to Political Balance.
- II. Calculate the proportion that each political group forms of the total membership of the Authority. Reserve an appropriate number of seats for ungrouped members.
- III. Apply those proportions to the total number of ordinary seats to give the aggregate entitlement of each group; the requirement to apply the proportions “so far as reasonably practicable” are met by rounding down fractional entitlements of less than half, and rounding up entitlements of a half or more; if this results in a greater aggregate than the number of seats available, the fractional entitlement(s) closest to a half should be rounded in the other direction until entitlements balance the available seats.
- IV. Apply the proportions to the number of councillors on each committee to give provisional entitlement to seats on that committee.
- V. Finally, adjust the seats on each committee so that the total allocated to each group is as near as possible to their aggregate entitlement, whilst preserving the results reached at steps (iv) and (v) (thus applying principle (c) in paragraph 11). Where calculations identify additional seats (not allocated) the largest group followed by the next largest group etc., will have their choice of which committee places they wish to take their allocation from in the un-allocated/independent /vacant columns.
- VI. Unallocated spaces will be available to any independent members (who are not members of a group) – where more than one independent member is nominated for a seat then the seat is allocated at the discretion of Full Council

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

16. In order to avoid the need to completely recalculate all committee memberships in the case of an ad hoc (or other) committees being established prior to the next review, it is proposed that any committees or sub-committees be appointed on the basis of the places shown in Table 3 attached.

What decision(s) are being recommended?

17. That the Council:

Approve the allocation of seats on committees that are subject to the rules relating to political balance.

Rationale for the recommended decision(s)

18. The report is necessary so that places on committees are allocated in accordance with the Local Government (Committees and Political Groups) Regulations 1990.

Other potential decision(s) and why these have not been recommended

19. Do Nothing. The Council must ensure that places on committees are allocated in accordance with the Local Government (Committees and Political Groups) Regulations 1990.

Impact(s) of the recommended decision(s)

Legal

20. The Council must adhere to the Local Government (Committees and Political Groups) Regulations 1990.

Strategic priorities and risks

21. The relevant risks this decision would influence are cited below, with an explanation as to why they are relevant and how it would affect each risk.

Risk No	Risk Description	Impact
O8-055	If the Council doesn't respond effectively and efficiently to legislative it could be in breach of statutory duties in relation to service delivery and fail to make the most of opportunities.	The Council are obliged to comply with any legislation or statutory guidance to ensure that the Council is fulfilling its statutory duties.

Human Rights, Equality and Data Protection

22. The subject of this report is not a policy, strategy, function or service that is new or being revised. It is considered that an equality impact assessment is not required.

Financial

23. There are no financial implications or impact on any budgets or the Medium Term Financial Plan (MTFP) arising from the content of this report.

Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline
Allocate places on committees according to the Political Balance	Bernie Carr	25 May 2022

Appendices

1	Appendix 1 - Step 1 - Total places on those committees subject to rules of proportionality
2	Appendix 2 - Step 2 - Calculate overall proportionality for all eligible committees
3	Appendix 3 - Step 3 - Political balance according to size of committee
4	Appendix 4 - Step 4 – Application of figures in Table 3 to each committee

Background papers

Body	Report title	Date

Contact: Charlotte Benjamin

Email: charlotte_benjamin@middlesbrough.gov.uk

Step 1 - Total places on those committees subject to rules of proportionalityTable 1

Name of Committee	Places
Corporate Affairs & Audit Committee	7
Licensing Committee	14
Overview & Scrutiny Board	7
Ad-Hoc Scrutiny Panel	9
Adult Social Care and Services Scrutiny Panel	9
Children & Young People's Learning Scrutiny Panel	9
Children & Young People's Social Care Services Scrutiny Panel	9
Culture and Communities Scrutiny Panel	9
Economic Development, Environment & Infrastructure Scrutiny Panel	9
Health Scrutiny Panel	9
Planning & Development Committee	10
Staff Appeals Committee	9
Standards Committee	9
Teesside Pension Fund Committee	9
Chief Officer Appointments Committee	7
Corporate Health and Safety Steering Group	10
Works Council	10
Constitution and Members' Development Committee	9
Corporate Parenting Board	9
Total	173

Appendix 2

Step 2 - Calculate overall proportionality for all eligible committees

(i.e. politically balanced)

Total Places:

Formula: (Number in Group x Number of Committee Places) ÷ Total number of members:

Table 2

<u>Group</u>	<u>Number in group</u>	<u>Allocation of places</u>	<u>Number of places (rounded)</u>
Labour	20	75.22	75
Conservative	3	11.28	11
Middlesbrough Independent Councillors Association	10	37.61	38
Middlesbrough Independent Group	9	33.85	34
<i>Unallocated* Independent and vacant</i>	4	15.04	15
Total	46		173

* Do not count as a group

mayor not counted

Appendix 3

Step 3 - Political balance according to size of committee

Formula: (Number in group x number on committee) ÷ number of members:

Table 3

Size of committee	Labour Group		Conservative Group		Middlesbrough Independent Councillors Association		Middlesbrough Independent Group		Unallocated
	20		3		10		9		
1	0	0.43	0	0.07	0	0.22	0	0.20	1
3	1	1.30	0	0.20	1	0.65	1	0.59	0
4	2	1.74	0	0.26	1	0.87	1	0.78	0
5	2	2.17	0	0.33	1	1.09	1	0.98	1
6	3	2.61	0	0.39	1	1.30	1	1.17	1
7	3	3.04	0	0.46	2	1.52	1	1.37	1
8	3	3.48	1	0.52	2	1.74	2	1.57	0
9	4	3.91	1	0.59	2	1.96	2	1.76	0
10	4	4.35	1	0.65	2	2.17	2	1.96	1
11	5	4.78	1	0.72	2	2.39	2	2.15	1
12	5	5.22	1	0.78	3	2.61	2	2.35	1
13	6	5.65	1	0.85	3	2.83	3	2.54	0
14	6	6.09	1	0.91	3	3.04	3	2.74	1
15	7	6.52	1	0.98	3	3.26	3	2.93	1
16	7	6.96	1	1.04	3	3.48	3	3.13	2

Appendix 4

Step 4 - Apply figures in Table 3 to each committee						
Table 4						
Name of Committee	Total	Lab	Cons	MICA	MIG	Unallocated
Corporate Affairs & Audit Committee	7	3	0	2	1	1
Licensing Committee	14	6	1	3	3	1
Overview & Scrutiny Board	7	3	0	2	1	1
Ad-Hoc Scrutiny Panel	9	4	1	2	2	0
Adult Social Care and Services Scrutiny Panel	9	4	1	2	2	0
Children and Young People's Learning Scrutiny Panel	9	4	1	2	2	0
Children & Young People's Social Care Services Scrutiny Panel	9	4	1	2	2	0
Culture and Communities Scrutiny Panel	9	4	1	2	2	0
Economic Development, Environment & Infrastructure Scrutiny Panel	9	4	1	2	2	0
Health Scrutiny Panel	9	4	1	2	2	0
Planning & Development Committee	10	4	1	2	2	1
Staff Appeals Committee	9	4	1	2	2	0
Standards Committee	9	4	1	2	2	0
Teesside Pension Fund Committee	9	4	1	2	2	0
Chief Officer Appointments Committee	7	3	0	2	1	1
Corporate Health & Safety Steering Group	10	4	1	2	2	1
Works Council	10	4	1	2	2	1
Constitution and Members' Development Committee	9	4	1	2	2	0
Corporate Parenting Board	9	4	1	2	2	0
Totals	173	75	16	39	36	7
Total Allocation Allowed (as per Step 2 above)		75	11	38	34	15
ADJUSTMENT REQUIRED		0	-5	-1	-2	8

MIDDLESBROUGH COUNCIL



Report of:	The Mayor
Submitted to:	Council
Date:	25 May 2022
Title:	Executive Scheme of Delegation
Report for:	Information
Status:	Public
Strategic priority:	All
Key decision:	No
Why:	Not applicable
Urgent:	No
Why:	Not applicable

Executive summary

The Mayor is required to report any changes to his Executive Scheme of Delegation to Council.

The report on the Mayor's revised Executive Scheme of Delegation is to be noted.

Purpose

1. The report sets out to Members, as required by the Constitution, details of the revised Executive Scheme of Delegation (Appendix A) for inclusion in the Council's Scheme of Delegation.

Background and relevant information

2. The Mayor is responsible for determining his Scheme of Delegation and this covers the following areas of delegated powers: the Executive collectively, individual Executive Members, officers and joint arrangements. When he considers it appropriate however, the Mayor may still take any decision regardless of whether it has been delegated within his Scheme. The general responsibilities of the Mayor and Executive Members including their revised portfolios are detailed at Appendix A. The membership of the Mayor's Executive is detailed at Appendix B.
3. The revised composition of the Executive is as follows:
 - The Elected Mayor
 - Deputy Mayor and Executive Member for Children's Services
 - Executive Member for Adult Social Care, Public Health, Public Protection and Digital Inclusion
 - Executive Member for Culture and Communities
 - Executive Member for Environment
 - Executive Member for Finance and Governance
 - Executive Member for Neighbourhood Safety
 - Executive Member for Regeneration
 - Executive Member for Young Adults and Political Engagement

The Executive collectively

4. The Executive collectively, and individually, will drive the Council strategically relying on relevant senior officers to deliver those priorities through any strategy, plan or policy within their relevant service portfolio.
5. The Executive (the Mayor, Deputy Mayor and Executive portfolio holders) will be responsible collectively for determining the following matters in respect of all or any functions which fall within the Executive terms of reference below:
 - The delegation of authority to take Executive decisions when there are public meetings of the Executive, convened in accordance with the relevant legislation.
 - Proposals which will be submitted to the Council as part of the annual budget and policy framework together with significant in year departures from the framework.
 - New policies and procedures and changes to existing policies and procedures likely to have a significant impact on service provision or the organisation of the Council.

- The principles and funding of significant management restructuring involving more than one department.
- Compulsory redundancies arising directly in connection with proposals falling into the 2 preceding categories.
- Broad programme allocations together with proposals and overall expenditure levels, for projects with significant corporate implications, including those for which it is proposed to let a contract.
- Any matters relating to bids for funding, which are financially or strategically significant and have not been provided for within the financial and policy framework.
- Council-wide strategic performance and financial management / monitoring together with associated action.
- Strategic and significant decisions arising from service reviews.
- Key decisions, not delegated to an Executive Committee, Executive Member, officer or joint arrangement.
- Sensitive Council-wide matters which are not key decisions.
- All reports referred to the Executive by the Overview and Scrutiny Board and its Scrutiny Panels.
- Responsibility for issues relating to Corporate Risk Management.
- To report to Council on activities they have undertaken and to be held to account by Councillors and the Mayor.
- **All issues that were previously considered by the Executive Sub Committee – Grants to Voluntary Sector (which has been disbanded) including:**
 - To determine the criteria under which grants will be awarded from the Grants to Voluntary Sector budget.
 - That working within the existing frameworks and allocated resources, determine on an annual basis, the allocation of grant aid from the Grants to Voluntary Sector budget.
 - To determine ‘in year’ changes to those allocations should it become necessary.
 - To monitor and evaluate the use of grant aid once allocated.
 - Subject to available resources within the Budget, to determine ‘in year’ one off applications for grant aid.

- To consider and determine all issues relating to charities, which identify the Council as being Trustee and which are not specifically delegated to another body.
- To consider and determine policy issues in relation to Grants, Trusts and the Voluntary and Community sector not specifically delegated to another body.
- **All issues previously considered by the Executive Sub Committee for Standing Orders (which has been disbanded) including:**
 - To determine requests to waive standing orders, which fall within the remit of the Executive, relating to contracts. No exemptions can be used if EC procurement procedures apply.

Individual Executive Members

6. Individual portfolio holders will normally be responsible for the following matters in relation to the functions and service areas within the scope of their own portfolio:
- Major variations to existing policies and procedures.
 - Approval of departmental service plans.
 - Monitoring of service performance information.
 - Portfolio service reviews, including, improvement plans, external inspection, reviews and non-strategic corporate matters.
 - Policies, plans and strategies, which are not part of the financial and policy framework.
 - Key decisions which are portfolio specific.
 - Sensitive non-key decisions, which are portfolio specific.
 - Matters relating to bids for funding which do not have major financial or strategic significance, or which have either been approved in principle by the Executive or as part of the financial and policy framework.

Deputy Mayor – Delegated Authority

7. The Deputy Mayor has delegated powers:
- a. To appoint to outside bodies, made by the Executive or jointly with Council.
 - b. To appoint to Executive Advisory Bodies (Excluding membership to the Full Executive)

Executive Sub-Committee for Property

8. When not referred to the Mayor, Executive or Executive Member to determine, the Executive Sub-Committee for Property is delegated the following powers:

- To determine the Council's corporate property priorities.
- To approve the allocation of resources from the Small Scheme Allocation budget.
- To be consulted upon the capital programme.
- To determine 'in year' changes to the new start investment programme and small scheme allocation projects should it become necessary.
- To consider and determine the acquisition and disposal of assets (including land and buildings), other than equipment, plant and machinery for resale, in accordance with the requirements of Financial Regulations and Contract Standing Orders.
- To be consulted upon planning brief proposals.
- To establish effective communication channels to cascade the Council's corporate property priorities.

9. The Membership of the Executive Sub-Committee for Property is as follows:

- All Members of the Executive

Decision Making by Joint Bodies

10. The following body will exercise executive functions in accordance with the terms of the agreement currently in operation:

Joint Archives Committee

Officer delegated authority

Decision Making by Chief Executive

11. The Chief Executive of the Council, or any officer nominated by the Chief Executive as his Deputy in this regard, will have delegated authority to make Executive decisions of a policy, financial and operational nature in response to the Covid-19 emergency.

Decisions by officers

12. Officers have the power to undertake without reference to Council, the Executive, or to any of the Council's committees, matters of day-to-day management and associated activities. Subject to the provisions within the Mayor's scheme of delegation above, officers can take executive non-key decisions. Unless specifically

delegated by the Mayor and his Executive, officers do not have the delegated powers to take key decisions.

What decision(s) are being recommended?

13. That the Council note the Mayor's revised Executive Scheme of Delegation

Rationale for the recommended decision(s)

14. The Constitution requires that Council be informed by the Elected Mayor about the composition and constitution of the Executive for the coming year, and the names of councillors they have chosen to be members of the Executive including the Deputy Mayor.

Other potential decision(s) and why these have not been recommended

15. Do nothing. This is not an option as the Constitution requires that the Mayor notifies full Council of the composition of his Executive and any subsequent changes to his Scheme of Delegation.

Impact(s) of the recommended decision(s)

Legal

16. Under s.9E of the Local Government Act 2000 (as amended), the Elected Mayor (as "the senior executive member") determines how and by whom executive functions are exercised.

Strategic priorities and risks

17. The relevant risks this decision would influence are cited below, with an explanation as to why they are relevant and how it would affect each risk.

Risk No	Risk Description	Impact
O8-054	Failure to adhere to Local Code of Corporate Governance and deliver governance improvements outlined in the Annual Governance Statement.	By providing the appropriate information regarding the make-up of the Executive and the Scheme of Delegation, the Mayor is complying with the requirements of the Constitution and the Council is demonstrating that good governance is in place and so this would have a positive impact on this risk.

Human Rights, Equality and Data Protection

18. The subject of this report is not a policy, strategy, function or service that is new or being revised. It is considered that an equality impact assessment is not required.

Financial

19. There are no financial implications or impact on any budgets or the Medium Term Financial Plan (MTFP) arising from the content of this report.

Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline
Note the report and make and appropriate changes to the Council's Committee Management system	Democratic Services	31 May 2022

Appendices

1	Executive Scheme of Delegation
2	Details of Executive Members

Background papers

Body	Report title	Date

Contact: Sylvia Reynolds

Email: sylvia_reynolds@middlesbrough.gov.uk

APPENDIX A

Executive Scheme of Delegation

Under s.9E of the Local Government Act 2000 (as amended), the Elected Mayor (as “the senior executive member”) determines how and by whom executive functions are exercised. The Elected Mayor may either exercise any or all of the executive functions personally or may delegate the power to one or more of the following:

- the Executive (the Elected Mayor & Executive) collectively,
- an Executive member individually,
- an Executive committee,
- an area committee (N.B. there are no area committees currently in Middlesbrough),
- an officer (or officers) of the Authority,
- under joint arrangements with one or more other authorities *or*
- another local authority.

Executive Scheme of Delegation

The Executive (the Mayor and their Executive Members) will be collectively responsible for determining matters in respect of all or any functions which fall within the Executive terms of reference (below).

The Executive collectively, and individually, will drive the Council strategically relying on relevant senior officers to deliver those priorities through any strategy, plan or policy within their relevant service portfolio.

The Executive Terms of Reference (collectively)

The Executive (the Mayor, Deputy Mayor and Executive portfolio holders) will be responsible collectively for determining the following matters in respect of all or any functions which fall within the Executive terms of reference:

- The delegation of authority to take Executive decisions when there are public meetings of the Executive, convened in accordance with the relevant legislation.
- Proposals which will be submitted to the Council as part of the annual budget and policy framework together with significant in year departures from the framework.
- New policies and procedures and changes to existing policies and procedures likely to have a significant impact on service provision or the organisation of the Council.
- The principles and funding of significant management restructuring involving more than one department.
- Compulsory redundancies arising directly in connection with proposals falling into the 2 preceding categories.
- Broad programme allocations together with proposals and overall expenditure levels, for projects with significant corporate implications, including those for which it is proposed to let a contract.
- Any matters relating to bids for funding, which are financially or strategically significant and have not been provided for within the financial and policy framework.
- Council-wide strategic performance and financial management / monitoring together with associated action.
- Strategic and significant decisions arising from service reviews.

- Key decisions, not delegated to an Executive Committee, Executive Member, officer or joint arrangement.
- Sensitive Council-wide matters which are not key decisions.
- All reports referred to the Executive by the Overview and Scrutiny Board and its Scrutiny Panels.
- Responsibility for issues relating to Corporate Risk Management.
- To report to Council on activities they have undertaken and to be held to account by Councillors and the Mayor.

Executive Terms of Reference (Individual Executive Members)

Individual portfolio holders will normally be responsible for the following matters in relation to the functions and service areas within the scope of their own portfolio.

- Major variations to existing policies and procedures.
- Approval of departmental service plans.
- Monitoring of service performance information.
- Portfolio service reviews, including, improvement plans, external inspection, reviews and non-strategic corporate matters.
- Policies, plans and strategies, which are not part of the financial and policy framework.
- Key decisions which are portfolio specific.
- Sensitive non-key decisions, which are portfolio specific.
- Matters relating to bids for funding which do not have major financial or strategic significance, or which have either been approved in principle by the Executive or as part of the financial and policy framework.

Decision Making by Joint Bodies

The following body will exercise executive functions in accordance with the terms of the agreement currently in operation:

Joint Archives Committee

EXECUTIVE PORTFOLIOS

THE MAYOR

ANDY PRESTON



PORTFOLIO

The Mayor has overall responsibility for delivering the Mayor's Priorities and associated initiatives.

Service areas and Functions

The Mayor has overall responsibility for executive functions together with those general responsibilities detailed above. Service responsibilities have been delegated to the Executive Members.

The Mayor is the first citizen of the town and will promote the town as a whole and act as a focal point for the community. He will also take precedence with regard to any civic duties but these may be delegated to the Chair/Vice-Chair of the Council.

As the town's First Citizen, the Mayor promotes Middlesbrough in the sub-region, region and nationally.

General responsibilities of the Mayor

Duties and responsibilities of the Mayor include: -

- Providing strong and visible leadership in relation to the Council, citizens, stakeholders and partners of the Council.
- Leading on partnerships and strategic matters of significance to Middlesbrough on a local, sub-regional, regional and national basis.
- Promoting, wherever possible, public engagement in the work of the Council.
- Leading in promoting the core values and objectives of the Council.
- Leading on promoting proposals in relation to the Council's Budget and Policy Framework.
- Leading on the delivery of continuous improvement in Council services.
- Promoting the highest standards of conduct and ethics within the Council.
- Making appointments to the Executive, determining portfolios and chairing the Executive.

- Determining the Executive Scheme of Delegation.
- Responsibility for the Armed Forces Covenant.

Correspondence address:

c/o Democratic Services
Town Hall
Middlesbrough
TS1 9FX

Email: mayor@middlesbrough.gov.uk

DEPUTY MAYOR AND EXECUTIVE MEMBER FOR CHILDREN'S SERVICES

COUNCILLOR MIEKA SMILES



PORTFOLIO

The Deputy Mayor and Executive Member for Children's Services will Chair meetings of the Executive and act in place of the Mayor, if for some reason the Mayor is unable to act.

The Deputy Mayor and Executive Member for Children's Services will also act as the Statutory Lead Member for Children's Services in accordance with the Children Act 2004 and associated statutory guidance, ensuring that our children are protected, to safeguard their welfare and wherever possible, seek to enable or provide a safe environment that reduces dependency on services, including the most disadvantaged and vulnerable and their families and carers.

The Deputy Mayor has responsibility for:

- Children's Services
 - Early Years and Children's Centres
 - Supporting Education Services
 - Play and Youth Services
 - Children's Social Care

- Marketing and Communications.

Correspondence address:

c/o Democratic Services
Town Hall
Middlesbrough
TS1 9FX

Mieka_Smiles@middlesbrough.gov.uk

EXECUTIVE MEMBER FOR ADULT SOCIAL CARE, PUBLIC HEALTH, PUBLIC PROTECTION AND DIGITAL INCLUSION

COUNCILLOR DAVID COUPE



PORTFOLIO

The Executive Member for Adult Social Care and Public Health, Public Protection and Digital Inclusion in respect of part of the portfolio relating to Adult Social Care, Public Health and Public Protection has responsibility for ensuring vulnerable adults are protected, reducing health inequalities and pushing forward on the dementia-friendly agenda.

In respect of the part of the portfolio for Digital Inclusion, the Executive Member has the responsibility of ensuring that the Council operates efficiently, and promotes the use and the benefits of the internet and digital technologies.

Responsible for:

- Adults with Social Care needs
- Public Health
- Public Protection
- Welfare Reform
- Digital Inclusion

Correspondence address:

c/o Democratic Services
Town Hall
Middlesbrough
TS1 9FX

David_Coupe@middlesbrough.gov.uk

EXECUTIVE MEMBER FOR CULTURE AND COMMUNITIES

COUNCILLOR STEPHEN HILL



PORTFOLIO

The Executive Member for Culture and Communities, has responsibility for strengthening the town's cultural sector and promoting arts and culture throughout the town, in accordance with the Mayor's Priorities

Responsible for:

- Community Development and Resilience
- Voluntary and Community Sector
- Equalities
- Arts, Culture and Heritage
- Libraries

Correspondence address:

c/o Democratic Services
Town Hall
Middlesbrough
TS1 9FX

Stephen_Hill@middlesbrough.gov.uk

**EXECUTIVE MEMBER FOR ENVIRONMENT
COUNCILLOR BARRIE COOPER**



PORTFOLIO

The Executive Member for Environment has responsibility for ensuring a safer environment for Middlesbrough – ensuring Middlesbrough is cleaner and more resilient to a changing climate.

Responsible for:

- Environmental Sustainability
- Refuse, Waste Reduction and Recycling
- Roads and Highways
- Parks, Open Spaces and Cemeteries

Correspondence address:

c/o Democratic Services
Town Hall
Middlesbrough
TS1 9FX

Barrie_Cooper@middlesbrough.gov.uk

EXECUTIVE MEMBER FOR FINANCE AND GOVERNANCE

COUNCILLOR STEFAN WALKER



PORTFOLIO

The Executive Member for Finance and Governance has the responsibility of ensuring that the Council operates efficiently, openly and fairly. The Executive Member for Finance and Governance has oversight of budgetary issues.

Finance

- Finance, Property, Revenues & Benefits and Pensions
- Performance, Contract Management and Risk Management
- Procurement

Governance

- Democratic Services, Registrars and Electoral Registration
- Human Resources
- ICT
- Information Strategy
- Legal

Correspondence address:

c/o Democratic Services
Town Hall
Middlesbrough
TS1 9FX

stefan_walker@middlesbrough.gov.uk

EXECUTIVE MEMBER FOR NEIGHBOURHOOD SAFETY

COUNCILLOR TONY GRAINGE



PORTFOLIO

The Executive Member for Neighbourhood Safety will have responsibility for coordinating council responses to ASB and crime, spearheading work to improve the interaction with the police to support the police in their duty to prevent crime and the fear of crime, liaison with wardens and other departments. The portfolio holder will explore new ways to make residents feel safe and report incidents.

Responsible for:

- Community Cohesion
- Environmental Enforcement
- Neighbourhood Safety
- Prevention of Youth Re-offending
- Street Wardens

The portfolio holder will also take responsibility for making sure that communities maintain and grow a sense of neighbourliness and that residential and business property owners who bring an area down by neglect are appropriately challenged and pushed to improve.

The Executive Member will work in conjunction with the Deputy Mayor and Executive Member for Children's Services and will also take responsibility for making sure that the council engages with young adults and all groups, encouraging increased levels of democratic engagement.

Correspondence address:

c/o Democratic Services
Town Hall
Middlesbrough
TS1 9FX

tony_grainge@middlesbrough.gov.uk

EXECUTIVE MEMBER FOR REGENERATION

COUNCILLOR ERIC POLANO



PORTFOLIO

The Executive Member for Regeneration will have responsibility for delivering the Mayor's Priorities with regard to ensuring a fair access to high-quality homes, fair access to secure, well-paid jobs and meaningful training, strengthening and diversifying our local economy, and strengthening our transport links.

The Executive Member for Regeneration will be responsible for Council policy on:

- Transportation
- Inward investment
- Economic development
- Housing development
- Planning and Building Control

Correspondence address:

c/o Democratic Services
Town Hall
Middlesbrough
TS1 9FX

Eric_Polano@middlesbrough.gov.uk

EXECUTIVE MEMBER FOR YOUNG ADULTS AND DEMOCRATIC ENGAGEMENT

COUNCILLOR LUKE MASON



PORTFOLIO

The Executive Member will take responsibility for making sure Middlesbrough offers the careers, opportunities and amenities to ensure that young adults (16-25 years old) are able to thrive and to encourage other young people to relocate to the town.

Responsible for:

- Democratic Engagement and Promotion of Democracy
- Supporting Young People into Employment
- Young Adults and Community Learning
- Youth Parliament

The Executive Member will work in conjunction with the Deputy Mayor and Executive Member for Children's Services and will also take responsibility for making sure that the council engages with young adults and all groups, encouraging increased levels of democratic engagement.

Correspondence address:

c/o Democratic Services
Town Hall
Middlesbrough
TS1 9FX

luke_mason@middlesbrough.gov.uk

APPENDIX B

THE MAYOR'S EXECUTIVE:

Portfolio	Name	Ward
Deputy Mayor and Executive Member for Children's Services	Councillor Mieka Smiles	NUNTHORPE
Executive Member for Adult Social Care, Public Health, Public Protection and Digital Inclusion	Councillor David Coupe	STANTON AND THORNTON
Executive Member for Culture and Communities	Councillor Stephen Hill	PARK END AND BECKFIELD
Executive Member for Environment	Councillor Barrie Cooper	NEWPORT
Executive Member for Finance and Governance	Councillor Stefan Walker	COULBY NEWHAM
Executive Member for Neighbourhood Safety	Councillor T Grainge	LADGATE
Executive Member for Regeneration	Councillor Eric Polano	ACKLAM
Executive Member for Young Adults and Political Engagement	Councillor Luke Mason	COULBY NEWHAM

MIDDLESBROUGH COUNCIL



Report of:	Executive Member for Environment, Finance and Governance and Director of Legal and Governance Services
Submitted to:	Council
Date:	25 May 2022
Title:	Council Committees - Establishment - Terms of Reference - Allocation of Places - Memberships - 2022 – 2023
Report for:	Decision
Status:	Public
Strategic priority:	All
Key decision:	No
Why:	Not applicable
Urgent:	No
Why:	Not applicable

Executive summary

1. The annual meeting provides an opportunity for the Council and Executive to review its decision-making and that the committees, sub-committees, boards, panels and working groups be established, and the terms of reference as detailed in the attached Appendix be approved.
2. That, subject to receipt of nominations to vacancies or amendments to places indicated in the attached schedules, Council approves the places allocated in accordance with the wishes of the political groups and other councillors as shown.
3. That the membership, size and terms of reference of the Executive, its sub-committees and advisory bodies approved by the Mayor for 2022 onwards as set out in Schedule A in the Appendix to the report, be noted.
4. That the vacancies listed at Paragraph 6 be filled in accordance with political group and other councillors preferences.

Purpose

1. To approve the establishment of committees, sub committees, boards, panels and working groups for the 2022-2023 Municipal Year, or until amended by Council, (whichever is the latter).

Background and relevant information

2. The report provides an opportunity for the Council and Executive to review its decision-making and committee structures and make any necessary changes.
3. The annual meeting provides an opportunity for the Council and Executive to review its decision-making and committee structures and make any necessary changes.
4. Schedule A sets out details of Executive Sub-Committees and Advisory Bodies agreed by the Mayor. Schedules B and C identify the nominations received from the various groups and individual councillors for places on the committees to be established by Council. Wherever possible, independent members, or members who are entitled to request seats from the spare places, will be awarded at least their first choice place.
5. A number of Committees, as indicated in the schedule, will need to be appointed at a later date, due to the make-up of the membership.

What decision(s) are being recommended?

6. That, subject to receipt of nominations to the following vacancies or amendments to places indicated in the attached schedules:

Council approves (a) the places allocated in accordance with the wishes of the political groups and other councillors as shown and (b) fills the following vacancies:

Schedule C

Corporate Affairs and Audit Committee

1 Vacancy – open to all Members

1 nomination: Councillor C Hobson

Corporate Health and Safety Steering Group

2 Vacancies: – open to all Members

Licensing Committee

2 Vacancies – open to all Members

1 nomination: Councillor McCabe

Ad Hoc Scrutiny Panel

4 Vacancies – open to all Members

Adult Social Care and Services Scrutiny Panel

1 Vacancy – open to all Members

Children and Young Peoples’ Learning Scrutiny Panel

1 Vacancy – open to all Members

1 nomination: Councillor C Hobson

Children and Young Peoples’ Social Care and Services Scrutiny Panel

1 Vacancy – open to all Members

Culture and Communities Scrutiny Panel

1 Vacancy – open to all Members

1 nomination: Councillor Dodds

Economic Development, Environment and Infrastructure Scrutiny Panel

1 Vacancy for Vice Chair of the Panel – open to all Members of Economic Development, Environment and Infrastructure Scrutiny Panel

Health Scrutiny Panel

1 Vacancy – open to all Members

1 nomination: Councillor Davison

Staff Appeals Committee

1 Vacancy – open to all Members

Teesside Pension Fund Committee

3 Vacancies – open to all Members

Works Council

2 Vacancies – open to all Members

1 nomination: Councillor Saunders

- (ii) That Council notes the nomination of representatives/vacancies detailed in Appendix B – Council/Executive appointments and Appendix C – Executive appointments.
- (ii) That the bodies identified in the schedules submitted be regarded as approved duties for the payment of travel and subsistence allowance.
- (iii) That subject to consultation with the Deputy Mayor (for Executive appointments), the Group Leader (where a vacancy rests specifically with that political group), or the Chair of Council (for all other nominations/appointments), the Monitoring Officer be authorised to remove or replace representatives on outside bodies.

Rationale for the recommended decision(s)

7. The Council has to appoint to those Committees listed in the attached schedules to ensure that the meetings are quorate and the decision making process can prevail.

Other potential decision(s) and why these have not been recommended

8. Decide not to agree the terms of reference and appointments to Committees. This would prevent the Council from taking any decisions.

Impact(s) of the recommended decision(s)

Legal

8. The Council is required to agree the terms of reference and appointments to committees in accordance with the requirements of the Constitution.

Strategic priorities and risks

9. The relevant risks this decision would influence are cited below, with an explanation as to why they are relevant and how it would affect each risk.

Risk No	Risk Description	Impact
O8-054	Failure to adhere to Local Code of Corporate Governance and deliver governance improvements outlined in the Annual Governance Statement.	If the Council do not appoint to Council Committees it could result in decisions not being taken or a delay in the decision making process.

Human Rights, Equality and Data Protection

10. The subject of this report is not a policy, strategy, function or service that is new or being revised. It is considered that an equality impact assessment is not required.

Financial

11. There are no financial implications arising from the recommendations within this report

Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline
Update the Council's Committee Management system.	Democratic Services Officers	31 May 2022

Appendices

1	Appendix A - Council Appointments to Committees
2	

3	
---	--

Background papers

Body	Report title	Date

Contact: Charlotte Benjamin
Email: charlotte_benjamin@middlesbrough.gov.uk

This page is intentionally left blank

MIDDLESBROUGH COUNCIL
COMMITTEES, MEMBERSHIPS
AND TERMS OF REFERENCE
FOR THE EXECUTIVE
(EXCLUDING PORTFOLIOS)
AND
COMMITTEES OF THE COUNCIL
2022/2023

CONTENTS

Committee	Page Number
Executive	3
EXECUTIVE ADVISORY BODIES/COMMITTEES/SUB-COMMITTEES	
SCHEDULE A	
Executive Sub-Committee for Property	4
COMMITTEES OF THE COUNCIL	
SCHEDULE B	
Casino Licensing Sub-Committee	5
Licensing Sub-Committee (General)	5
Licensing Sub-Committees (A, B and C)	6
Live Well South Tees Board	6/7
SCHEDULE C	
Chief Officer Appointments Committee	8
Chief Officer Appointments Committee – Joint Appointment Panel	9
Constitution and Members’ Development Committee	9
Corporate Affairs and Audit Committee	10
Corporate Health and Safety Steering Group	12
Corporate Parenting Board	12
Licensing Committee	13
Overview and Scrutiny Board	14
Ad Hoc Scrutiny Panel	15
Adult Social Care and Services Scrutiny Panel	16
Children and Young People’s Learning Scrutiny Panel	16
Children and Young People’s Social Care and Services Scrutiny Panel	17
Culture and Communities Scrutiny Panel	18
Economic Development, Environment and Infrastructure Scrutiny Panel	18
Health Scrutiny Panel	19
Local Plan Working Group	20
Planning and Development Committee	20
Staff Appeals Committee	21
Standards Committee	21
Teesside Pension Fund Committee	23
Works Council	24

EXECUTIVE 2022/2023

Membership/Portfolios: The Mayor plus up to nine Executive Members

Chair: The Mayor:

TITLE OF PORTFOLIO:

EXECUTIVE MEMBERS:

Deputy Mayor and Executive Member for Children's Services	Councillor Smiles
Executive Member for Adult Social Care and Public Protection and Digital Inclusion	Councillor Coupe
Executive Member for Culture and Communities	Councillor Hill
Executive Member for Environment	Councillor Cooper
Executive Member for Finance and Governance	Councillor S Walker
Executive Member for Neighbourhood Safety	Councillor Grainge
Executive Member for Regeneration	Councillor Polano
Executive Member for Young Adults and Political Engagement	Councillor Mason

Terms of Reference:

Notwithstanding the fact that the Executive will consider matters which are required of it by legislation and the Council's Constitution; it will also consider issues which:

- a) include the Council's policy plans and budget;
- b) under the Executive Scheme of Delegation is, as directed by the Mayor, a matter to be determined by the Executive;
- c) are key decisions referred to the Executive by the Mayor, Executive Members, Executive Body or Officer for determination;
- d) may be submitted for information purposes;
- e) may be referred to the Executive by a non-executive body (including outside bodies) wishing to seek its views;
- f) arise out of or in connection with the Council's Scrutiny procedures;
- g) any other issues it is felt appropriate to consider.

ADVISORY BODIES/COMMITTEES/SUB- COMMITTEES OF THE EXECUTIVE 2022/2023

The following executive committees and other bodies fall within the requirements of the Local Government and Housing Act 2000 and do not need to comply with the proportionality rules under Sections 15 and 16 of the Local Government and Housing Act 1989.

EXECUTIVE SUB-COMMITTEE FOR PROPERTY (9) ALL MEMBERS OF EXECUTIVE

Membership/Restrictions: Executive Members only
Need not be politically balanced

Chair: The Mayor

Members: Councillors Cooper, Coupe, Grainge, Hill, Mason,
Polano, Smiles and S Walker

Terms of Reference:

When not referred to the Mayor, Executive or Executive Member to determine, the Executive Sub-Committee for Property is delegated the following powers:

- To determine the Council's corporate property priorities.
- To approve the allocation of resources from the Small Scheme Allocation budget.
- To be consulted upon the capital programme.
- To determine 'in year' changes to the new start investment programme and small scheme allocation projects should it become necessary.
- To consider and determine the acquisition and disposal of assets (including land and buildings), other than equipment, plant and machinery for resale, in accordance with the requirements of Financial Regulations and Contract Standing Orders.
- To be consulted upon planning brief proposals.
- To establish effective communication channels to cascade the Council's corporate property priorities.

**COMMITTEES OF THE COUNCIL
2022/2023**

The following Council/statutory committees and other bodies deal with matters which fall outside the requirements of Sections 15 and 16 of the Local Government and Housing Act 1989 in relation to political balance rules.

THE FOLLOWING SUB COMMITTEE TO BE APPOINTED AT FIRST MEETING OF FULL LICENSING COMMITTEE

CASINO LICENSING SUB-COMMITTEE (3)

3 Members of Licensing Committee plus 3 named substitute members from Licensing Committee

Political balance rules do not apply

Membership/Restrictions: Must be members of Licensing Committee

Chair: Councillor

Members: Councillors (2 vacancies)

Substitute Members: 3 vacancies (for named substitutes, must be Members of Licensing Committee)

Terms of Reference:

To determine stages 1 and 2 of the large casino competition in accordance with the procedures and consideration in the application pack, the Gambling Act 2005 and any regulations, code of practice and guidance.

LICENSING SUB-COMMITTEE (GENERAL) (3)

Political balance rules do not apply with the exception when dealing with licences under the Scrap Metal Dealers Act 2013

Membership/Restrictions: Any member of the Licensing Committee may substitute, providing they have received any necessary training.

Chair and two other members of Licensing Committee on a rota basis.

Chair: Councillor
(as Chair of Licensing Committee)

Terms of Reference:

To have delegated powers to exercise the functions of the Council to consider, hear and decide upon applications, renewals, variations and revocations of licences under the Scrap Metal Dealers Act 2013.

LICENSING SUB-COMMITTEES (A, B, C) (3 (Chairs) plus 2 others per sub-committee from members of Licensing Committee on a rota basis)

Political balance rules do not apply

Membership/Restrictions: Appointed under the Licensing Act 2003 and Gambling Act 2005

Any member of the Licensing Committee may substitute, providing they have received any necessary training

Sub-Committee A

Chair: Councillor
(as Chair of Licensing Committee or in the absence of the Chair – the Vice Chair of Licensing)

THE FOLLOWING LICENSING SUB COMMITTEES TO BE APPOINTED AT FIRST MEETING OF FULL LICENSING COMMITTEE

Sub-Committee B

Chair: Councillor

Sub-Committee C

Chair: Councillor
Terms of Reference:

To have delegated powers to exercise the functions of the Licensing Authority to hear and decide upon licensing applications requests and referrals under the Licensing Act 2003 and the Gambling Act 2005 except in so far as such functions are delegated to an officer.

LIVE WELL SOUTH TEES BOARD (5)

5 Elected Members:

Mayor or Deputy Mayor (Chair),
Executive Member for Culture and Communities plus statutory council officers and representatives from health.

Membership/Restrictions:

In a departure from the Council's Procedure Rules the following will apply to meetings of the committee:

- Quorum: At least 50% of the members are present. This should include the Chair or Vice Chair, at least one CCG representative and an officer of the Local Authority.
- Substitution: In order to ensure consistency and ability for senior decision-making, ad-hoc substitutions will not be allowed. Each member of the group to nominate one appropriate deputy.
- Voting: Decisions will be reached through a majority vote. The Chair to hold a casting vote.

Voting Members

Elected Members: Councillors Helloui, Cooper, Thompson

Council Officers:

Sue Butcher	Executive Director of Children's Services
M Adams	Director of Public Health
Patrick Rice	Director Adult Social Care Redcar & Cleveland Council
Erik Scollay	Director Adult Social Care and Health Integration

Non Voting Members

Supporting Officers

Chief Executive, Middlesbrough Council
Managing Director Redcar and Cleveland Council

**COMMITTEES OF THE COUNCIL
2022/2023**

The following Committees/Sub-Committees are appointed in accordance with Sections 15 and 16 of the Local Government and Housing Act 1989 and Local Government (Political Groups and Committees) Regulations 1990 and for which political balance rules will apply.

CHIEF OFFICER APPOINTMENTS COMMITTEE (7) 3 LAB: 2 MICA; 1 MIG: 1 SPARE

Ex Officio Voting: Mayor, Deputy Mayor and relevant portfolio holder

Membership/Restrictions: The Committee to consist of at least one member of the Executive.

Appointment of the Chief Executive will either be approved by the full Council or by full Council following recommendation by the Appointments Committee

Chair: 1 nomination: Councillor Mawston

The Mayor: A Preston

Members: Councillors Cooper, McTigue, Rostron, M Storey, Saunders, Thompson

Plus Relevant portfolio holder

Terms of Reference:

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.

**CHIEF OFFICER APPOINTMENTS COMMITTEE – JOINT APPOINTMENT PANEL
2 LAB: 1 MIG: 1 MICA**

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.

Terms of Reference:

To consider Joint Authority / Partner Organisation vacant posts at Director level and above.

**CONSTITUTION AND MEMBERS' DEVELOPMENT COMMITTEE (9)
4 LAB: 1 CON: 2 MIG: 2 MICA**

Chair of Council

Vice-Chair of Council

Deputy Mayor

Chair of Overview and Scrutiny Board

Membership/Restrictions: Nil

Chair: 1 nomination: (if Chair of Council) Councillor J Hobson

Vice-Chair: 2 nominations: (if Vice-Chair of Council) Councillor Bell/Uddin

Deputy Mayor Councillor Smiles

Chair of Overview and Scrutiny Board Councillor

Members: Councillors: Hellaoui, Higgins, C Hobson, Mason, Rooney, Saunders, M Storey

Terms of Reference:

1. To be responsible for reviewing and recommending to Council changes to the Constitution.
2. To be responsible for advising and making recommendations to the Council on any matter relating to civic and ceremonial functions of the Council.
3. To develop and review the Member Development Policy.

CORPORATE AFFAIRS AND AUDIT COMMITTEE (7)

3 LAB: 2 MICA: 1 MIG: 1 SPARE

Plus up to 2 Independent Non-Elected Members without voting rights in respect of items 4 to 9 of the undermentioned terms of reference

Membership/Restrictions: No Executive Members

Chair: 2 nominations: Councillor Hubbard and Councillor Rooney

Vice-Chair: 1 nomination: Councillor Platt

Members: Councillors Higgins Mawston, Wright
1 Spare: 1 nomination: Councillor C Hobson

Terms of Reference:

To have delegated powers to:

1. Deal with any matter, which is not an executive function and that has not been delegated to any other committee of the Council.
2. Grant dispensations to Councillors, Co-opted Members and Parish Council Members from the requirements relating to declarations of interest as set out in Section 32 of the Localism Act 2011.
3. Consider any items of urgency that would require the approval of the Council, as determined by the Chief Executive in consultation with the Chair of the Council and the Leader of the Majority Group.
4. External Audit Functions
 - (a) To advise on the appointment of the Council's external auditor.
 - (b) To discuss with the external auditor the nature and scope of audit coverage, including value for money (VFM).
 - (c) To review external audit reports and annual audit letters, together with the management response and make recommendations to the

Executive.

- (d) To examine any other concerns of the external auditors.
5. Internal Audit Functions
- (a) Monitor the progress and performance of internal audit.
 - (b) To review the internal audit annual plan.
 - (c) To consider significant findings of Internal audit reviews and investigations together with management responses and monitor implementation of agreed recommendations.
 - (d) To advise the Executive on the internal audit function, resourcing and standing within the Authority.
 - (e) To ensure co-ordination between internal and external auditors.
 - (f) To consider the Audit Manager's annual report and comment annually on the adequacy and effectiveness of internal audit control systems within the Council.
6. Risk Management and Business Continuity Functions
- (a) To support and monitor the implementation and ongoing processes for identifying and managing key risks of the Authority.
 - (b) To ensure that effective and proper processes and procedures are in place to ensure business continuity of the Council.
7. Internal Control Functions
- (a) To review and approve the Statement of Internal Control.
 - (b) To monitor the Council's compliance with its own published standards and controls and recommend any necessary changes to Financial Regulations and Contract Standing Orders.
8. Corporate Governance
- (a) Keeping under review the Council's arrangements for Corporate Governance and proposing from time to time necessary actions to ensure compliance with best practice.
 - (b) To keep under review corporate policies such as the Public Information Disclosure Code (Whistleblowing), Anti-fraud Strategies, Data Quality and Diversity Policies.
 - (c) Ensuring that effective systems are in place that will underpin the processes of the Council and ensure the highest standards in respect of audit and corporate governance matters.
9. To maintain an overview of the whistle-blowing policy, complaints handling and

Ombudsman investigations.

10. Reporting

To report to the Executive or to the Council as appropriate, with findings and recommendations.

CORPORATE HEALTH AND SAFETY STEERING GROUP (10)

4 LAB: 1 CON: 2 MICA: 2 MIG: 1 SPARE plus 1 Spare given up by LAB

1 SEAT: Deputy Mayor

Quorum: 2 Elected Members plus 2 Trade Union representatives to be present

Membership/Restrictions: Nil
(Constitutionally this is not a Committee of the Council and is not a public meeting)

Chair: 1 nomination: Councillor Branson

Vice-Chair: Staff Side

Members: Councillors Arundale, Cooper, Higgins, Mason.
McCabe, Polano, Rooney
2 Spares

Purpose

To oversee health and safety performance within the Council and recommend appropriate improvement action.

Terms of Reference

1. Promote a positive health and safety culture within Middlesbrough Council.
2. Monitor progress of health and safety performance, receiving reports from the corporate Health and Safety Committee as appropriate.
3. Be briefed on investigations into all reportable and other significant incidents and discuss the effectiveness of mitigation activity.
4. Consider the findings of relevant reports impacting upon health and safety within the Council, including reports provided by enforcing authorities.
5. Consider relevant health and safety matters raised by the Steering Group.
6. Report to full Council as appropriate.

CORPORATE PARENTING BOARD (9) plus Ex-Officio Members and Ex-Officio Officers

4 LAB: 1 CON: 2 MICA: 2 MIG

Deputy Mayor
Chair of Overview and Scrutiny Board

Membership/Restrictions: Nil

Chair: 1 nomination: Councillor C Hobson

Vice-Chair: 1 nomination: Councillor Davison

Members: Councillors Cooper, Coupe, Hellaoui, Higgins, Saunders, Uddin, J Walker

Ex-Officio Members: Deputy Mayor and Chair of OSB

Ex-Officio Officers: Head of Paid Service
Director of Children's Care
Director of Education
Director of Prevention and Partnership

Terms of Reference - Corporate Parenting Board

To be responsible for the Council's role as a Corporate Parent to those children and young people who are looked after and accommodated by the local authority, that responsibility to also include:

1. ensuring that the education, health, and social needs of children Looked After by the Authority are met;
2. developing effective corporate responses to fulfil the Authority's responsibilities as a corporate parent;
3. to implement changes to policy and practice, and inform service development in the context of corporate parenting;
4. the dissemination of information, concerned with its responsibilities associated with corporate parenting, to all elected Members and relevant staff; and
5. the implementation, maintenance, and review of this Council's 'Corporate Parenting and Strategy' document.

LICENSING COMMITTEE (14)

6 LAB: 1 CON: 3 MICA: 3 MIG: 1 SPARE plus 1 spare given up by LAB

Membership/Restrictions: No members of Planning and Development Committee

Chair: 2 nominations: Councillor Arundale and Cooke

Vice-Chair: 1 nomination: Councillor Polano

Members: Councillors Bell, Dean, Higgins, Hill, Jones, Lewis, J Walker, M Smiles, S Walker
2 Spares: 1 nomination: Councillor McCabe

Terms of Reference:

To have delegated powers to exercise the functions of the Council in relation to all licensing functions except insofar as such functions are delegated to an officer.

**OVERVIEW AND SCRUTINY BOARD (13)
SCRUTINY PANEL CHAIRS OF 6 SCRUTINY PANELS WITH VOTING RIGHTS**

**3 LAB; 2 MICA: 1 MIG: 1 SPARE - PLUS 4 Co-opted Members with voting rights
* PLUS up to 2 Added Members without voting rights**

Membership/Restrictions:	Cannot include members of the Executive
Chair:	2 nominations: Councillor Saunders and J Thompson
Vice- Chair:	1 nomination: Councillor Mawston
Politically Balanced Members:	Councillors Cooke, Hubbard, McTigue, M Storey
Chair of Scrutiny Panel	6 Chairs of Scrutiny Panels
Ex Officio Voting Members:	Councillors
Co-opted Members:	Parent Governor x 2 * Church of England * Roman Catholic Church*
Added Members:	Up to a maximum of 2 non-voting, non-elected Members whose term of office will be for the duration of any particular scrutiny investigation

Terms of Reference:

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

AD HOC SCRUTINY PANEL (9)

4 LAB: 1 CON: 2 MICA: 2MIG: PLUS up to 2 Added Members without voting rights 4 spares (places given up by 1 x CON, 1 x LAB, 1 x MICA and 1 x MIG)

Membership/Restrictions: Cannot include members of the Executive

Chair: Councillor

Members: Councillors Hellaoui, Mawston. Saunders
Thompson, J Walker
4 spares

Added Members: Up to a maximum of 2 non-voting, non-elected members whose term of office will be for the duration of any particular scrutiny investigation

Terms of Reference:

To undertake scrutiny examination on corporate issues as directed by the Overview and Scrutiny Board.

ADULT SOCIAL CARE AND SERVICES SCRUTINY PANEL (9)

4 LAB: 1 CON: 2 MICA: 2 MIG: PLUS up to 2 Added Members without voting rights 1 spare given up by CON

Membership/Restrictions: Cannot include members of the Executive

Chair: 1 nomination: Councillor Platt

Vice-Chair: 1 nomination: Councillor Wilson

Members: Councillors Davison, Higgins, Jones, Purvis, Rooney, J Walker
1 Spare

Added Members: Up to a maximum of 2 non-voting, non-elected members whose term of office will be for the duration of any particular scrutiny investigation

Terms of Reference:

To make recommendations to the Overview and Scrutiny Board in respect of the scrutiny of all matters relating to social care and adult services including:

- (a) Decisions made or actions taken in connection with the discharge of any of the Council's functions.
- (b) Existing and proposed policies and strategies, including those of the Council and those produced at a national level.
- (c) Service provision.
- (d) Performance information.
- (e) Any matters relating to social care and adult services which affect the area or its inhabitants, including services provided by external organisations or bodies.

CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL (9)

4 LAB: 1 CON: 2 MICA: 2 MIG: PLUS up to 2 Added Members without voting rights 1 spare given up by CON

Membership/Restrictions: Cannot include members of the Executive

Chair: 1 nomination: Councillor McCabe

Vice-Chair: 1 nomination: Councillor Saunders

Members: Councillors Hellaoui, Higgins, Jones, Nugent, P Storey, Wilson
1 Spare: 1 nomination: Councillor C Hobson

Co-opted Members: Parent Governor x 2*
Roman Catholic Church*
Church of England *

Added Members: Up to a maximum of 2 non-voting, non-elected members whose term of office will be for the duration of any particular scrutiny investigation

Terms of Reference:

To make recommendations to the Overview and Scrutiny Board in respect of the scrutiny of all matters relating to children and learning including:

- (a) Decisions made or actions taken in connection with the discharge of any of the Council's functions.
- (b) Existing and proposed policies and strategies, including those of the Council and those produced at a national level.
- (c) Service provision.
- (d) Performance information.
- (e) Any matters relating to education and learning which affect the area or its inhabitants, including services provided by external organisations or bodies.

CHILDREN AND YOUNG PEOPLE'S SOCIAL CARE AND SERVICES SCRUTINY PANEL (9)

4 LAB: 1 CON: 2 MICA: 2 MIG: PLUS up to 2 Added Members without voting rights 1 spare given up by CON

Membership/Restrictions: Cannot include members of the Executive

Chair: 2 nominations: Councillor Davison and Uddin

Vice-Chair: 1 nomination: Councillor Mawston

Members: Councillors Higgins, Nugent, Sands, J Walker, Wilson
1 Spare

Added Members: Up to a maximum of 2 non-voting, non-elected members whose term of office will be for the duration of any particular scrutiny investigation

To make recommendations to the Overview and Scrutiny Board in respect of the scrutiny of all matters relating to children and learning including:

- (a) Decisions made or actions taken in connection with the discharge of any of the Council's functions.
- (b) Existing and proposed policies and strategies, including those of the Council and those produced at a national level.
- (c) Service provision.
- (d) Performance information.
- (e) Any matters relating to social care and services which affect the area or its inhabitants, including services provided by external organisations or bodies.

CULTURE AND COMMUNITIES SCRUTINY PANEL (9)

4 LAB: 1 CON: 2 MICA: 2 MIG: PLUS up to 2 Added Members without voting rights 1 spare given up by CON

Membership/Restrictions:	Cannot include members of the Executive
Chair:	2 nominations: Councillor McIntyre and Lewis
Vice-Chair:	1 nomination: Councillor Wilson
Members:	Councillors Arundale, McCabe Rostron, Uddin, J Walker 1 Spare: 1 nomination: Councillor Dodds
Added Members:	Up to a maximum of 2 non-voting, non-elected Members whose term of office will be for the duration of any particular scrutiny investigation
Terms of Reference:	

To make recommendations to the Overview and Scrutiny Board in respect of the scrutiny of all matters relating to culture and communities including:

- (a) Decisions made or actions taken in connection with the discharge of any of the Council's functions.
- (b) Existing and proposed policies and strategies, including those of the Council and those produced at a national level.
- (c) Service provision.
- (d) Performance information.
- (e) Any matters relating to culture and communities which affect the area or its inhabitants, including services provided by external organisations or bodies.

ECONOMIC DEVELOPMENT, ENVIRONMENT AND INFRASTRUCTURE SCRUTINY PANEL (9)

4 LAB: 1 CON: 2 MICA: 2 MIG: PLUS up to 2 Added Members without voting rights 1 spare given up by CON

Membership/Restrictions:	Cannot include members of the Executive
Chair:	1 nomination: Councillor McTigue
Vice-Chair:	Councillor
Members:	Councillors Arundale, Branson, Furness, Hubbard, Lewis, Mawston, Saunders, J Thompson
Added Members:	Up to a maximum of 2 non-voting, non-elected members whose term of office will be for the duration of any particular scrutiny investigation

Terms of Reference:

To make recommendations to the Overview and Scrutiny Board in respect of the scrutiny of all matters relating to economic development, environment and infrastructure including:

- (a) Decisions made or actions taken in connection with the discharge of any of the Council's functions.
- (b) Existing and proposed policies and strategies, including those of the Council and those produced at a national level.
- (c) Service provision.
- (d) Performance information.
- (e) Any matters relating to economic development, environment and infrastructure which affect the area or its inhabitants, including services provided by external organisations or bodies such as the management of flood risk.

HEALTH SCRUTINY PANEL (9)

4 LAB: 1 CON: 2 MICA: 2 MIG: PLUS up to 2 Added Members without voting rights 1 spare given up by CON

Membership/Restrictions:	Cannot include members of the Executive
Chair:	1 nomination: Councillor Jones
Vice Chair:	1 nomination: Councillor McIntyre
Members:	Councillors Bell, Hellaoui, Mawston, Rooney, M Storey and P Storey

1 Spare: 1 nomination: Councillor Davison

Added Members: Up to a maximum of 2 non-voting, non-elected members whose term of office will be for the duration of any particular scrutiny investigation

Terms of Reference:

1. To investigate and make recommendations to the Overview and Scrutiny Board in respect of the scrutiny of all matters relating to public health and health service provision, in line with the powers granted in the Health and Social Care Act 2012 and delegated by full Council.
2. To be the statutory consultee, or jointly with other local authorities where appropriate, on any statutory consultations held by the local NHS in pursuance of the Health and Social Care Act 2012 in line with the delegation of such powers by full Council.

LOCAL PLAN WORKING GROUP (8)

Mayor
Deputy Mayor
Executive Member for Culture and Communities
Executive Member for Environment
Executive Member for Finance and Governance
Executive Member for Regeneration
Chair of Planning and Development Committee
Vice-Chair of Planning and Development Committee
Added Member: Councillor D Rooney

Membership/Restrictions: Working Group
Need not be politically balanced

The Mayor: A Preston

Chair: Councillor

Members: Councillors

Terms of Reference:

To guide the preparation of the Local Plan relating to changes to the planning system proposed in the Planning and Compulsory Purchase Bill, including associated changes in planning advice and guidance.

PLANNING AND DEVELOPMENT COMMITTEE (10)

4 LAB: 1 CON: 2 MICA: 2 MIG: 1 SPARE

Membership/Restrictions: No members of Licensing Committee

Chair: 1 nomination: Councillor J Hobson

Vice-Chair: 1 nomination: Councillor D Coupe

Members: Councillors Branson, Cooper, Dodds, McTigue, Nugent, Rostron, Thompson Wilson

Terms of Reference:

To have delegated powers to exercise the powers of the Council to deal with all planning and development functions, except insofar as such functions are delegated to an officer.

STAFF APPEALS COMMITTEE (9)

4 LAB: 1 CON: 2 MICA: 2 MIG 1 Spare given up by LAB

Membership/ Restrictions: Chair and two other Members to be selected from the full committee to sit at each panel meeting. Panel meetings need not be politically balanced.

Should not have had any previous involvement with the matter under consideration.

Chair: 2 nominations: Councillor Bell and Dean

Vice-Chair: 1 nomination: Councillor Cooper

Members: Councillors Cooke, J Hobson, McCabe, Rooney, M Smiles
1 Spare

Terms of Reference:

To have delegated powers to hear relevant staff appeals.

STANDARDS COMMITTEE (9)

4 LAB: 1 CON: 2 MICA: 2 MIG: Plus, if required, 2 Parish Council representatives (1 Nunthorpe Parish Council and 1 Stainton and Thornton Parish Council)

Membership/Restrictions: Appointed under the Localism Act 2011
Cannot include the Elected Mayor or Executive Leader and may not be chaired by an Executive Member

Chair: 1 nomination: Councillor Mawston

Vice Chair: Councillor

Members: Councillors Coupe, Dean, Hill, Rooney, Rostron, S Walker, Saunders, M Storey

Terms of Reference - Standards Committee

Restrictions: Cannot include the Elected Mayor or Executive Leader and may not be chaired by an Executive Member

1. To make reports or recommendations to the Council in relation to:-

- the approval by the Council of local codes of conduct for Members and officers, codes of practice, standing orders and protocols, taking account of national models and guidance or case tribunals.
- the implementation of local codes of conduct etc, and the dissemination throughout the Authority of information and guidance on their operation.
- consideration of any reports relating to the conduct of Members or officers which may be referred to it by the Council's Chair, Monitoring Officer or by the Chief Finance Officer under section 114 of the Local Government Finance Act 1988 in consultation with the Monitoring Officer, including issues relating to Members' and officers' interests and the maintenance and management of any relevant registers of interests.
- consideration of relevant reports referred by the Monitoring Officer and Chief Finance Officer and make recommendations thereon to the Council as necessary.

2. Grant dispensations to Councillors, Co-opted Members and Parish Council Members from the requirements relating to declarations of interest as set out in Section 32 of the Localism Act 2011. The Monitoring Officer may grant a dispensation where the matter is urgent and report it to the next available Standards Committee.

3. The determination, following an investigation, of allegations of breaches of Members' Codes of Conduct within such statutory provisions or guidance as may exist and the imposing of any relevant sanctions.

4. Discharge of all of the above functions required by the Localism Act 2011 in relation to Parish Councils.

TEESSIDE PENSION FUND COMMITTEE (9)

4 LAB: 1 CON: 2 MICA: 2 MIG 3 spares (2 spares given up by LAB 1 spare given up by MIG)

Plus one Borough Council Member from Hartlepool, Redcar and Cleveland and Stockton on Tees Borough Councils.

A representative of the other scheme employers in the Teesside Pension Fund the accordance with procedures agreed by the Chief Finance Officer and Monitoring Officer.

Two representatives of the scheme members of the Teesside Pension Fund, appointed in accordance with procedures agreed by the Chief Finance Officer and Monitoring Officer.

Named substitutes are permitted providing they satisfy the knowledge and skills policy of the pension fund.

Voting rights are held by all members including the scheme member representatives as long as they are not employees of Middlesbrough Council

Membership/Restrictions: Only a Middlesbrough Councillor may be the Chair and the Chair and the Vice Chair will be elected by members of Middlesbrough Council).

The representative members (for other scheme employers and scheme members), are appointed for a period of no more than six years and may be reappointed for further terms.

Councillors of the participating Councils will have a term of office to the next ordinary local government election following their appointment. They may be reappointed for further terms.

Chair: 2 nominations: Councillor D Coupe and Furness

Vice-Chair: 1 nomination: Councillor Polano

Members: Councillors Bell, J Hobson, Rostron

3 spares

One voting representative from each of the following Borough Councils (Hartlepool, Redcar & Cleveland and Stockton).

One representative of the other scheme employers in the Teesside Pension Fund

Two representatives of the scheme members of the Teesside Pension Fund.

For Terms of Reference, please see Appendix A

WORKS COUNCIL (10)

Deputy Mayor will Chair the meeting plus 4 LAB: 1 CON: 2 MICA: 2 MIG 1 SPARE plus 1 spare place given up by MIG)

Membership/Restrictions: Nil (Constitutionally this is not a Committee of the Council and is not a public meeting)

Chair: (Deputy Mayor) Councillor Smiles

Vice-Chair: Staff Side

Members: Councillors Higgins, High, Hubbard, McCabe, Purvis, Rooney, Sands

2 Spares: 1 nomination: Councillor Saunders

Quorum: 2 Elected Members plus 2 Trade Union representatives to be present

Terms of Reference:

1. To be an advisory body to the Council.
1. To establish regular consultation between elected members of the Council and the recognised trades unions on issues affecting the Council at a strategic level. As this is not a negotiating body, the rights of the trades unions to negotiate issues through the proper negotiating process are preserved.
3. To present resolutions for the Executive's consideration.
4. To discharge any functions specifically assigned to the Works Council.
2. To review annually the operation and performance of the Works Council, including setting and evaluating performance indicators

MIDDLESBROUGH COUNCIL	
------------------------------	--

Report of:	Executive Member for Environment, Finance and Governance and Director of Legal and Governance Services
-------------------	--

Submitted to:	Council
----------------------	---------

Date:	25 May 2022
--------------	-------------

Title:	Appointments by the Council and Executive to Joint Committees and Outside Bodies - 2022 – 2023
---------------	--

Report for:	Decision
--------------------	----------

Status:	Public
----------------	--------

Strategic priority:	All
----------------------------	-----

Key decision:	No
----------------------	----

Why:	Not applicable
-------------	----------------

Urgent:	No
----------------	----

Why:	Not applicable
-------------	----------------

Executive summary	
<p>The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) provide for the discharge of the Council's functions through executive arrangements.</p>	
<p>The appendices to the report set out details of the Joint Committees and Outside Bodies to which Middlesbrough Council may make nominations or appointments.</p>	

Purpose

1. To consider the appointment of representatives to Joint Committees and Outside Bodies for the Municipal Year of 2022/2023, or until amended by Council/Executive (whichever is the latter).

Background and relevant information

2. The report provides an opportunity for the Council and the Executive to review its appointments to Outside Bodies and to make any necessary changes.
3. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) provide for the discharge of the Council's functions through executive arrangements.
4. The appendices to this report set out details of the joint committees and outside bodies to which Middlesbrough Council may make nominations or appointments and identify:

- (i) proposed representation requiring approval by the Council:

Appendix A – Council nominations

Appendix B – Council/Executive nominations (Nominations within Appendix B are local choice matters which are nominated on a shared basis between Council and Executive).

- (ii) Appendix C - representation approved by the Executive via delegation to the Deputy Mayor as outlined in the Mayor's Executive Scheme of Delegation:

Deputy Mayor – Delegated Authority

The Deputy Mayor has delegated powers:

- a. To appoint to outside bodies, made by the Executive or jointly with Council.
- b. To appoint to Executive Advisory Bodies (Excluding membership to the Full Executive)

What decision(s) are being recommended?

7. (i) That, subject to receipt of nominations to the following vacancies or amendments to places indicated in the attached schedules, Council approves the appointments which are the responsibility of the Council.

Appendix A – Council nominations

Durham Darlington Teesside Hambleton Richmondshire and Whitby STP Joint Committee

1 Vacancy – initially open to MICA

River Tees Port Health Authority
1 Vacancy – open to all Members

South Tees Health Scrutiny Joint Committee
1 Vacancy – open to all Members

Tees Valley Health Scrutiny Joint Committee
1 Vacancy – initially open to MICA

Tees Valley Combined Authority – Audit and Governance Committee
1 Vacancy – open to all Members

North East Regional Employers' Organisation (NEREO)
1 Vacancy – open to all Members

Appendix B – Council/Executive Appointments

Middlesbrough Environment City Trust Limited

2 Vacancies: 3 nominations:

Councillor Arundale, Rostron and Thompson

VOTE REQUIRED

Middlesbrough Voluntary Development Agency
1 Vacancy – open to all Members

Standing Advisory Council on Religious Education (SACRE)
1 Vacancy – open to all Members

Appendix C – Executive Appointments

Langridge Crescent Initiative Centre Management Committee

1 Vacancy – usually Ward Member

Local Government Association
1 Vacancy – Minority Group Leader from MICA or MIG Group

Tennis World
2 Vacancies - open to all Members

- (ii) That Council notes the nomination of representatives/vacancies detailed in Appendix B – Council/Executive appointments and Appendix C – Executive appointments.
- (iii) That the bodies identified in the schedules submitted be regarded as approved duties for the payment of travel and subsistence allowance.

- (iv) That subject to consultation with the Deputy Mayor (for Executive appointments), the Group Leader (where a vacancy rests specifically with that political group), or the Chair of Council (for all other nominations/appointments), the Monitoring Officer be authorised to remove or replace representatives on outside bodies.

Rationale for the recommended decision(s)

- 5. The Council has agreed to appoint to those Outside Bodies listed in the attached schedules and the appointments are usually agreed at the Council Annual Meeting.

Other potential decision(s) and why these have not been recommended

- 6. Decide not to appoint to Outside Bodies. As a representative on an Outside Body, Councillors may report back to the Council whenever they or the organisation feel that a matter is of major significance to the Council or to the town.

Impact(s) of the recommended decision(s)

Legal

- 8. The Council is required to fill vacancies in accordance with Local Government legislation.

Strategic priorities and risks

- 7. The relevant risks this decision would influence are cited below, with an explanation as to why they are relevant and how it would affect each risk.

Risk No	Risk Description	Impact
O8-054	Failure to adhere to Local Code of Corporate Governance and deliver governance improvements outlined in the Annual Governance Statement.	The Council can be kept up to date on any significant developments that may affect the town or the authority by the representative on the Outside Body.

Human Rights, Equality and Data Protection

- 8. The subject of this report is not a policy, strategy, function or service that is new or being revised. It is considered that an equality impact assessment is not required.

Financial

- 9. There are no financial implications arising from the recommendations within this report

Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline

Inform the Outside Bodies which Councillors have been selected to sit on the various Outside Bodies.	Democratic Services Officers	
--	------------------------------	--

Appendices

1	Appendix A - Council Appointments to Outside Bodies
2	Appendix B – Council/Executive Appointments to Outside Bodies
3	Appendix C – Executive Appointments to Outside Bodies

Background papers

Body	Report title	Date

Contact: Charlotte Benjamin

Email: charlotte_benjamin@middlesbrough.gov.uk

This page is intentionally left blank

MIDDLESBROUGH COUNCIL

JOINT COMMITTEES AND OUTSIDE BODY APPOINTMENTS BY COUNCIL 2022/2023

JOINT COMMITTEES – COUNCIL APPOINTMENTS 2022/2023

Name of Organisation	Purpose of Body	Appointed	Term of Office
JOINT COMMITTEES			
Durham Darlington Teesside Hambleton Richmondshire and Whitby STP Joint Committee	To consider proposals for substantial development and variation to health services as contained in the 'Better Health Programme'	3 representatives: 1 LAB: 1 MICA: 1 MIG Councillors Hellaoui, J Hobson 1 MICA Vacancy	Annually
River Tees Port Health Authority	Reconstituting the harbour authority by whom the harbour is being improved, maintained or managed or altering their constitution and regulating procedure of, or of any committee of the authority and fixing the quorum at a meeting of or of any committee of the authority.	5 representatives: Councillors Cooper, Coupe, Furness, J Walker 1 Vacancy	Annually
South Tees Health Scrutiny Joint Committee	To undertake jointly with Redcar and Cleveland Council, scrutiny of any issue or topic pertaining to the south of the Tees health economy under the powers contained in the Health and Social Care Act 2001, in accordance with agreed protocols.	5 representatives: 2 LAB: 1 MICA: 1 MIG, 1 SPARE Councillors Dodds, Hellaoui, Rooney, G Wilson 1 Vacancy	Annually
Tees Valley Health Scrutiny Joint Committee	To undertake jointly with the other Tees Valley authorities, scrutiny of any issue or topic in relation to regional and special health services under powers contained in the Health and Social Care 2001 and Section 244-245 of the National Health Act 2006, in accordance with agreed protocol, statutory guidance and Secretary of State Directions.	3 representatives: 1 LAB: 1 MICA: 1 MIG Councillors Davison, Hellaoui, 1 MICA Vacancy	Annually
Tees Valley Combined Authority Board	The Combined Authority Board will monitor and evaluate the operation of the Constitution.	1 representative: The Mayor Substitute Councillor Smiles	Annually

JOINT COMMITTEES – COUNCIL APPOINTMENTS 2022/2023

Name of Organisation	Purpose of Body	Appointed	Term of Office
Tees Valley Combined Authority – Overview and Scrutiny Committee	The work programme of the Scrutiny Committee is intended to encompass upstream work reviewing the most important strategic decisions and the direction of the TVCA, and ensuring that any decisions which are made by the TVCA are in line with its agreed policies.	3 representatives: Cllr, Branson, C Hobson, J Hobson Substitute Members Councillor Furness Councillor Davison Councillor Mawston	Annually
Tees Valley Combined Authority – Audit and Governance Committee	The Audit and Governance Committee is a key component of the TVCA's corporate governance arrangements and is an important source of assurance about the organisation's arrangements for managing risk, maintaining an effective control environment; reporting on financial and other performance; and for the promotion and maintenance of high standards of conduct by its Members.	Councillor 1 Vacancy Councillor Mawston (substitute)	Annually
Tees Valley Combined Authority - Transport Committee	To agree any transport related business plans as the TVCA may delegate to the TVTC. To agree national representation (including substitutes) on transport Boards and influencing groups where a Tees Valley representative is required. To delegate any appropriate transport functions by unanimous vote to Constituent Authorities.	Executive Member for Regeneration - Councillor Polano Plus 1 named Substitute Cllr Hill	Annually
Tees Valley Combined Authority – Independent Remuneration Panel	One Member with current or recent experience of the Independent Remuneration Panel (this can be an Elected Member or an Independent Member). Members may not be a Member or Substitute Member of the Combined Authority's Cabinet or its Sub Committees	Jim Whiston	Annually
Tees Valley Combined Authority – Education, Employment and Skills Partnership Board	To have responsibility for agreeing all Tees Valley education, employment and skills policy, provisioning and partnership activities for the Combined Authority, including allocating key resources to achieve goals.	Deputy Mayor and Executive Member for Children's Services Councillor Smiles	Annually
Tees Valley Combined Authority – Culture and Tourism Thematic Partnership	Executive Member with portfolio responsibility for culture	Executive Member for Culture and Communities Councillor Hill	Annually

JOINT COMMITTEES – COUNCIL APPOINTMENTS 2022/2023

Name of Organisation	Purpose of Body	Appointed	Term of Office
Chemoxy	Informal meeting which discusses matters of mutual interest between the community, regulators, the Council and the Company.	6 representatives: Cooke, Cooper, Dodds, J Hobson, Lewis Ward Councillors (Central and North Ormesby)	Annually
Cleveland Combined Fire Authority	To determine policy and strategy relating to the objectives of the Authority and its priorities. Each authority appoints in accordance with own political balance.	4 representatives: Cllrs Higgins, Hussain, Rathmell (Term ends 2023) and Mawston (Term ends 2025)	4 year term.
Cleveland Police and Crime Panel	The Panel will have the following powers and responsibilities to: Review the draft Police and Crime Plan; Publicly scrutinise the PCC's Annual Report; Review and scrutinise decisions and actions of the PCC; Review and veto the PCC's proposed precept levels.	3 representatives: Politically Balanced Elected Mayor 1 MICA Councillor Cooper and 1 MIG Councillor Mawston	Annually
Federation of British Cremation Authorities Executive Committee	Trade Association which offers protection to all its members.	1 representative: Bereavement Services Manager	Annually
Hartlepool Power Station Local Liaison Committee	To act as an advisory and consultative committee on matters relating to the operation of the power station and to liaise with national and local organisations and members of the general community.	4 representatives: Councillors Cooke, McCabe, Polano, M Storey	Annually
Levick Trust	The main task of the Trust is to allocate the tenancies of the bungalows to people who meet the qualifying criteria.	3 representatives: Councillors D Rooney, P Storey , (Term ends 2024) A High (Term ends 2023)	Four year term

JOINT COMMITTEES – COUNCIL APPOINTMENTS 2022/2023

Name of Organisation	Purpose of Body	Appointed	Term of Office
Middlesbrough-Oberhausen Town Twinning	<p>To promote and foster friendship and understanding between the people of Middlesbrough District and those of Oberhausen District, Germany.</p> <p>To encourage visits by individuals and groups to and from the linked towns, and the development of personal contacts, and by so doing to broaden the mutual understanding of the cultural, recreational, educational and commercial activities of the linked towns.</p> <p>To organise fund-raising activities to foster the aims of the Association.</p>	<p>3 representatives: Councillors Dodds, Hill J Walker</p>	Annually
<p>North East Regional Employers' Organisation (NEREO)</p> <p>NEREO Executive</p>	Brings all regional employers together with trade unions to discuss annual pay rise and other work related issues. It also hears re-grading appeals and disputes and provides training. It facilitates special groups meeting and provides a link with national employers.	<p>3 representatives: Executive Member for Finance and Governance (Portfolio Holder) Councillor S Walker and C Hobson 1 Vacancy</p> <p>1 representative: Councillor S Walker</p>	Annually
North East Regional Joint Health Scrutiny Committee	The Committee will undertake joint scrutiny of NHS bodies, relevant health service providers and commissioners in matters that affect the whole of the North East region.	<p>1 representative: Councillor Hellaoui</p>	Annually
Northumbria Regional Flood Defence Committee (will also be required to sit on The Tees Valley Flood Risk Partnership)	To discharge all of the Environment Agency's regional flood defence functions, as laid down in S106 of the Water Resources Act 1991, except the raising of drainage charges, issuing of levies and the borrowing of money and to report annually to the Agency on its activities.	<p>1 representative: Councillor Cooper</p>	Shared on a 4 year rotation with Stockton Council

**JOINT COMMITTEES – COUNCIL APPOINTMENTS
2022/2023**

Name of Organisation	Purpose of Body	Appointed	Term of Office
Tees Heritage Trust Ltd (was Cleveland Building Preservation Trust)	To preserve buildings of particular beauty or historical architectural or constructional interest within the Tees Valley area.	1 representative: Cllr Arundale	Annually
Teesside International Airport Consultative Committee	To advise the Managing Director of Teesside International Airport on any matter he may refer to them.	1 representative: Cllr Cooper	Annually
Tees Valley Community Foundation – Patron of Trustees	The promotion of any charitable purposes for the benefit of the community in the Tees Valley and its immediate neighbourhood and in particular the advancement of education the protection of good health both mental and physical and the relief of poverty and sickness.	1 representative: Chair of the Council Councillor J Hobson	Annually
Tees Valley Community Foundation – The Endowment Funds Advisory Board	The promotion of any charitable purposes for the benefit of the community in the Tees Valley and its immediate neighbourhood and in particular the advancement of education the protection of good health both mental and physical and the relief of poverty and sickness.	1 representative: Councillor Uddin	Annually

MIDDLESBROUGH COUNCIL

**OUTSIDE BODY APPOINTMENTS BY
THE COUNCIL / EXECUTIVE
2022/2023**

Outside Bodies – Council / Executive Appointments 2022/2023

Name of Organisation	Purpose of Body	Appointed by	Term of Office
Association of North East Councils (Leaders and Elected Mayors Group)		(C) Council (E) Executive 2 representatives The Mayor (E) Deputy Mayor TBC 1 representative: The Mayor (E)	Annually
Captain Cook Birthplace Trust	To support the fabric and the work of the Captain Cook Birthplace Museum as a Leisure and Tourism Centre which also provides educational opportunities and resources for local schools.	3 representatives 2 (C) Cllr Hill C) Cllr Davison 1(E) Cllr Mawston	Annually
Middlesbrough CAB Management Committee	The promotion of any charitable purpose for the benefit of the community in Middlesbrough by the advancement of education, the protection of health and relief of poverty, sickness and distress.	2 representatives (Non voting advisors) (1) (C) Cllr (1) (E) Cllr J Walker 1 Vacancy	

Outside Bodies – Council / Executive Appointments 2022/2023

Name of Organisation	Purpose of Body	Appointed By	Term of Office
Middlesbrough Environment City Trust Limited	<p>(a) To advance the education of the public and promote public involvement in all matters concerning environmental sustainability.</p> <p>(b) To preserve, protect and enhance the environment within Middlesbrough.</p>	<p>3 representatives:</p> <p>(2) (C) Councillors Arundale, Rostron, Thompson VOTE REQUIRED Executive Member for Environment Councillor S Walker</p> <p>Plus one officer to be determined by the Executive Director of Regeneration and Culture</p>	Annually
Middlesbrough Voluntary Development Agency	<p>Charitable Trust - To promote any charitable purposes for the benefit of the community in the local government area of Middlesbrough and its neighbourhood and, in particular, the advancement of education, the protection of health and the relief of poverty, distress and sickness.</p> <p>To promote and organise co-operation in the achievement of the above purposes and to that end bring together in council representatives of the voluntary organisations and statutory authorities within the area.</p>	<p>2 representatives:</p> <p>(1)(E) Cllr Uddin</p> <p>(1) (C) 1 Vacancy</p>	Annually
Standing Advisory Council on Religious Education (SACRE)	To advise the local education authority on such matters connected with religious worship in county schools and the religious education to be given in accordance with the agreed syllabus.	<p>2 representatives (1)(C) Cllr (1) 1 Vacancy (E) Cllr Wright</p>	Annually

This page is intentionally left blank

MIDDLESBROUGH COUNCIL

JOINT COMMITTEE AND OUTSIDE BODY APPOINTMENTS BY EXECUTIVE 2022/2023

Outside Bodies – Executive Appointments 2022/2023

Name of Organisation	Purpose of Body	Representative(s)	Term of Office
JOINT COMMITTEES Executive appoints Executive Members			
Joint Archives Committee	Responsibility for the locating, collecting, preserving, processing and promoting the uses of archives and records as defined in the Local Government (Records) Act 1962.	1 representative: Portfolio Holder Executive Member for Culture and Communities: Councillor Hill Substitute: Any Executive Member	Annually
Emergency Planning Joint Committee	To discharge emergency planning duties on behalf of the four local authorities in the former Cleveland Council area.	1 representative: Portfolio Holder Executive Member for Regeneration Councillor Polano	Annually
Collaborative Procurement Sub-Committee (NEPO)	To improve co-ordination, local purchasing with the object of efficient savings in public expenditure for the benefit of all its members.	Executive Member for Finance and Governance – Portfolio Holder Councillor S Walker	Annually
North East Culture Partnership – Board (ANEC)		1 representative: Councillor Hill	Annually
Resources and Finish Task Group (ANEC)		1 representative: Councillor Hill	Annually
Teesside Pension Board		1 representative: Executive Member for Finance and Governance: Councillor S Walker	Annually

Outside Bodies – Executive Appointments 2022/2023

Name of Organisation	Purpose of Body	Representative(s)	Term of Office
OUTSIDE BODIES			
Albert Park Trust	To consider and determine issues relevant to the Albert Park Trust.	3 Executive Members Councillors Cooper, Hill and Smiles	Annually
Family Placement Panel	To consider matters relating to: The approval of adoptive parents and foster carers The permanent placement of children with substitute families	1 representative Councillor Hellaoui	Annually
Groundwork North East Tees Valley Advisory Board	To bring about the sustained regeneration, improvement and management of the local environment by developing partnerships which empower people, business and organisations to maximise their impact and contribution to environmental economic and social well-being. (Board appoints trustees to the charity and as directors of the company).	1 representative: Portfolio Holder Executive Member for Environment, Councillor B Cooper	Annually
Hustler Trust	To consider and determine issues relevant to the Hustler Trust.	3 Executive Members Councillors Cooper, Hill and Smiles	Annually
King's Academy Trust Board	The Trust Board will operate as the strategic managers of the King's Academy (South Middlesbrough).	1 representative: Cllr Branson	Annually
Langridge Crescent Initiative Centre Management Committee	To provide an economic base for the Berwick Hills and Park End area and to encourage and generate training and employment opportunities for local people.	1 representative: Ward Member: Vacancy	Annually

Outside Bodies – Executive Appointments 2022/2023

Name of Organisation	Purpose of Body	Representative(s)	Term of Office
Local Government Association	The Association represents all LA's in England and Wales. The Association works with and for member authorities to realise a shared vision of local government that will provide a better future for local people. The Association and committees meet to discuss objectives and progress.	3 representatives: Portfolio Holder The Mayor Majority Group – Councillor Storey Minority Group Leader	Annually
North East Strategic Migration Partnership		Executive Member for Culture and Communities Councillor Hill	Annually
Nunthorpe & Marton Playing Fields Association – Management Committee	To oversee the running of the various sports which are played at the playing fields, i.e. cricket, squash, football etc. and the social club.	2 representatives: Cllr C Hobson and J Hobson Usually Ward Members	Annually
PATROL Adjudication Joint Committee and The Bus Lane Adjudication Service Joint Committee	Local authorities who undertake civil parking enforcement are required by statute to make provision for independent adjudication. The relationship between the adjudicators and the Joint Committees is derived from and governed by the Traffic Management Act 2004 and, in the case of the Bus Lane Adjudication Service Joint Committee, the Transport Act 2000.	1 representative: Executive Member for Regeneration Councillor Polano	Annually
South Tees Hospitals NHS Foundation Trust: Council of Governors	To help ensure that the Trust delivers services which meet the needs of patients, carers, staff and local stakeholders by creating strong links with communities and reflecting patient and public views and interests.	1 representative: Executive Director of Children's Services	Annually
Staying Put Advisory Committee	Representatives of local services and organisations, both statutory and non-statutory involved with older and disabled persons to provide support, guidance and advice for the agency.	4 representatives: Cllrs: Cooper, Davison, Thompson and J Walker	Annually

Outside Bodies – Executive Appointments 2022/2023

Name of Organisation	Purpose of Body	Representative(s)	Term of Office
Stewart Park Trust	To consider and determine issues relevant to the Stewart Park Trust.	3 Executive Members Councillors Cooper, Hill and Smiles	Annually
Tees Health NHS Continuing Care Review Panels	To develop and implement an integrated approach to the provision of continuing care services for the people of Teesside.	2 representatives: Cllr Coupe and Hellaoui	Annually
Teesside Ability Support Centre (TASC)	Executive committee dealing with financing and activities of the centre	1 representative: Portfolio Holder Councillor Coupe	Annually
Teesside International Airport Board	To acquire, own, operate, manage, develop, administer and maintain the aerodrome known as Teesside Airport and any extension thereof and addition thereto and to acquire own, operate, control, manage, develop, administer and maintain any other aerodrome wheresoever situated and to provide and maintain facilities and services for air transport and such other services and facilities.	1 representative: Cllr B Cooper Substitute	Annually
Tees Valley Arts Board	To promote, maintain and encourage for the education of the public the development of the whole range of arts activity in the area hitherto known as Cleveland County and its environs.	1 representative: Councillor Hill	Annually
Tees Valley Local Access Forum	The Forum shall be the joint local Access Forum for the areas of Darlington, Middlesbrough, Hartlepool and Stockton-on-Tees.	1 representative Executive Member for Environment Councillor Cooper	Annually
Tees Valley Unlimited Leadership Board	The Tees Valley Unlimited Leadership Board consists of key cross-sector leaders with the support and ability to initiate real change	1 representative: The Mayor Substitute Deputy Mayor	Annually

Outside Bodies – Executive Appointments 2022/2023

Name of Organisation	Purpose of Body	Representative(s)	Term of Office
Tennis World	The management committee meets to receive updates on the financial position, activities and initiatives to promote Tennis World.	3 representatives: 2 Councillors Head of Service	Annually
Unity City Academy Trust Board	The Trust Board will operate as the strategic managers of the Unity City Academy (East Middlesbrough)	Director of Education	Annually
COMMUNITY CENTRES AND COMMUNITY HUBS			
The Rainbow and Manor Community Hub		Cllr Branson and S Walker	Annually
Grove Hill Community Hub		Cllrs Higgins and Nugent	Annually
Linthorpe CC		Cllrs Hussain and P Storey	Annually
Meath Street CC		Councillor Cooke and B Cooper	Annually
Neptune Community Hub		Councillor Jones	Annually
Newport Settlement Community Hub		Cllr Cooke Cooper Hellaoui	Annually
North Ormesby Community Hub		Councillor Gascoigne	Annually
The International Centre Community Hub		Cllr Lewis and Uddin	Annually
Thorntree Community Hub		Cllr Purvis Thompson Wilson	Annually

MIDDLESBROUGH COUNCIL



Report of:	Executive Member Finance and Governance Director of Legal & Governance Services
Submitted to:	Council
Date:	25 May 2022
Title:	Members' Scheme of Allowances
Report for:	Decision
Status:	Public
Strategic priority:	All
Key decision:	No
Why:	Not applicable
Urgent:	No
Why:	Not applicable

Executive summary

Following its 2022 review of Members' allowances, the Independent Panel on Members' Remuneration recommend no change to the Scheme of Allowances for the 2022/2023 municipal year.

The Council is asked to consider the Panel's recommendations and either accept or reject them. If, after having due regard of the Panel's recommendations, the Council reject the Panel's proposals it will need to create its own Scheme of Allowances.

Purpose

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

Background and relevant information

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.
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 2018 and submitted their recommendations to Council for agreement.
4. In 2018 the Panel made recommendations that the Basic Allowance be increased incrementally, for a four year period in order to bring it in line with the average Basic Allowance of other Tees Valley authorities. It was also recommended that the Basic Allowance should continue to be increased in line with any inflationary staff pay awards.
5. It was recommended that; the multiplier for working out the level of SRA's was also to be suspended for a four year period; that the level of Special Responsibility Allowances be reduced by 14% and that no inflationary increase be applied. They also determined that they would review the Deputy Mayor's allowance after six months once further evidence of the remit of the role could be considered.
6. The Council approved those proposals in October 2019.
7. The Council are still required to publish an Annual Scheme of Allowances and therefore the Independent Panel still conduct an annual review to address any issues that have arisen or significant changes to roles receiving a Special Responsibility Allowance.
8. At its meeting on 24 March 2021 Council decided to freeze Members' remuneration at 2020/2021 levels.
9. Following the resignation of a Panel member in 2021, a recruitment drive was undertaken which resulted in the appointment of a new Panel member on 18th March 2022.
10. The Panel met on 25 April 2022 to carry out its annual review and proposed a Scheme of Allowances for 2022/2023. They considered two representations from Councillors, comparative SRA information provided by Democratic Services and wider socioeconomic factors.
11. Having considered all of the above the Panel determined that no changes were required for the Scheme of Allowances 2022/23. The Panel also felt it would be

prudent to carry out its “full” quadrennial review after the local elections of 2023 to account for any potential governance changes.

What decision(s) are being recommended?

12. That Council consider the recommendations proposed by the Independent Panel on Members’ Remuneration outlined in their report at Appendix 1.
13. Council adopt the proposed Members Scheme of Allowances for 2022/23 (Appendix 2).

Rationale for the recommended decision(s)

14. The Council are required under The Local Authorities (Members' Allowances) (England) Regulations 2003 to publish a Members Scheme of Allowances on an annual basis.
15. The allowances should reflect the level of work, time and commitment of the role of Councillor and to provide a reasoned approach the impact the recommendations will have on the Council.

Other potential decision(s) and why these have not been recommended

16. The panel considered resubmitting their previous recommendations to Council as there was still a clear divide in the basic allowances. However, the Panel agreed that these were exceptional times and that in the current economic climate they could not justify proposing increases at this time. However, it should be revisited when the full review takes place in 2023.
17. The Council could reject the Panel’s recommendations and propose its own Scheme of Allowances having had due regard to the recommendations of the Independent Panel on Members Remuneration.

Impact(s) of the recommended decision(s)

Legal

18. 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.

Strategic priorities and risks

19. The relevant risks this decision would influence are cited below, with an explanation as to why they are relevant and how it would affect each risk.

Risk No	Risk Description	Impact
O8-054	Failure to adhere to Local Code of Corporate Governance and deliver	By providing the appropriate information regarding the make-up of the Executive and the Scheme of Delegation, the Mayor is

	governance improvements outlined in the Annual Governance Statement.	complying with the requirements of the Constitution and the Council is demonstrating that good governance is in place and so this would have a positive impact on this risk.
--	--	--

Human Rights, Equality and Data Protection

20. The subject of this report is not a policy, strategy, function or service that is new or being revised. It is considered that an equality impact assessment is not required.

Financial

21. The Basic Allowance will remain at of £7,608 and will continue be paid in equal monthly instalments and SRAs will remain at their previous levels.

Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline
<p>If Council agree the Panel's recommendations, Payroll will be advised accordingly.</p> <p>If Council reject the Panel's recommendations any subsequent Scheme of Allowances will be communicated to payroll.</p>	Head of Democratic Services	31 May 2022

Appendices

1	IRP Report to Council
2	Members' Scheme of Allowances 2022-2023

Background papers

Body	Report title	Date
	The Local Authorities (Members' Allowances) (England) Regulations 2003	

Contact: Sylvia Reynolds

Email: sylvia_reynolds@middlesbrough.gov.uk

MEMBERS' REMUNERATION – APPENDIX 1

REPORT OF THE INDEPENDENT PANEL ON MEMBERS' REMUNERATION

Panel Membership

1. The establishment of an Independent Panel on Members Remuneration, and its resultant recommendations is required under sections 20 and 21 of the Local Authorities (Members' Allowances) (England) Regulations 2003. The Panel consists of five members (with 1 vacancy), and meets on an annual basis to review Members Remuneration.
2. Following the resignation of a panel member a recruitment exercise was undertaken and a new panel member was appointed. The new panel member attended this meeting and was given an overview of the role of the panel and the purpose of the meeting
3. The Panel are keen to stress that in their deliberations they have carefully reviewed all the relevant information; respectfully considered all representations made to them; are sensitive to wider economic factors and have acted independently of all other considerations.

Annual Review - 2022

4. The Panel were informed that an annual review of the Members' Scheme of Allowances was required for the municipal year 2022-2023. The annual review is a full and robust process that encompasses the amount of allowances paid and the mechanisms by which they are assigned.

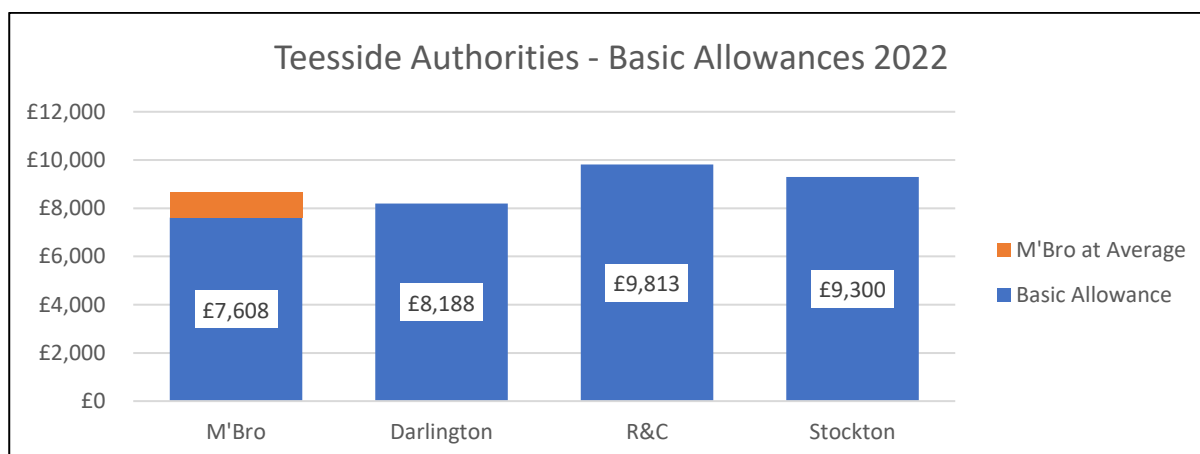
Allowances

5. The Panel were advised, and wish to convey to Members, that when considering allowances they have strong regard for the current economic conditions for local authorities; recent pay settlements for MBC employees; whether the level of remuneration reflect the responsibilities and commitment expected of Councillors and if they are set at levels which also recognise the well-established principle of voluntary unpaid public service.
6. In determining the rate of Special Responsibility Allowances (SRA) the Council previously agreed to use a banding scheme index model, based on multiples of the Basic Allowance. However, the index-banding system has been temporarily suspended following the 2018 review for a period of four years. In conducting the 2022 review, the Panel examined the levels of the Basic Allowance in line with the 2018 review and Special Responsibility Allowances.
7. The Panel were provided with background information which included executive portfolio's, an overview of all roles currently receiving an SRA and comparator information for other local and Mayoral authorities in order to the assist the Panel with their deliberations. Providing comparator information against the other Tees Councils was not possible on an exact like for like basis, as each authority has a different political structure and committee make-up. However, data was examined on a best fit basis.

8. All elected members were invited to put written representations to the Panel. Two representations were received i.e. Group Leaders allowances should be paid to all group leaders and whether the role of Chair of Corporate Parenting Board should receive a Special Responsibility Allowance.
9. These were considered as part of the Panel's deliberations and no changes are recommended at this time.

Basic Allowance

10. The Panel's 2021 recommendations were to continue the phased increase of £450 a year over a four year period, in addition to any inflationary rises in line with officer pay rises. These were rejected by Council.
11. The Panel noted that, because of this, Middlesbrough Council's Basic Allowance remains below the Teesside average as demonstrated in the table below. One potential consequence may be to discourage a wider demographic for standing for Council.
12. However, during the Panel's 2022 review socioeconomic factors were considered and the Panel agreed that allowances should remain frozen and not reflect staff inflationary pay awards as agreed by Council in 2021.



Special Responsibility Allowances (SRA)

Authority	Mayoral Allowance
Newham	£86,589
Hackney	£85,375
Liverpool	£83,539
Tower Hamlets	£75,000
Lewisham	£77,722
North Tyneside	£67,321
Salford	£68,701
Watford	£67,052
Bristol	£68,502
Leicester	£65,787
Bedford	£63,803
Middlesbrough	£55,952
Mansfield	£49,377
Doncaster	£52,864
Copeland	£51,000

13. The Panel were advised that the 'Guidance on Consolidated Regulations for Local Authority Allowances' states that SRAs should only be paid when Councillors have "significant additional responsibilities" over and above the generally accepted responsibilities of a Councillor.

14. Until the 2018 review, the method of determining Special Responsibility Allowances was based on a 'multiplier', using the Basic Allowance as a base then multiplying it by a factor ranging from 0.5 to 10, depending on the role. This system has been suspended for a

period of four years given the increase to the Basic Allowance and simultaneous decrease to SRAs.

15. The Panel were keen to express that when considering SRAs that they look at a role in its entirety and that an allowance was not solely based on the number of meetings held/attended. For example; they would take into consideration the depth and range of the portfolio; the level of responsibility; policy development; work with senior officers; level of accountability and decision making and the time commitment required. For Overview and Scrutiny other commitments were also considered, e.g. researching topics, site visits, external meetings with contributors to Panels, effective challenge and the coordination and selection of topics for review and call ins etc.
16. In their deliberation the Panel can only take into account the level of responsibility and commitment required for the role, they cannot take into account personal perceptions of those making representations of a person appointed to a post and therefore these have not been taken into consideration.
17. With regard to the Mayor the Panel examined the responsibilities of the Mayor and considered comparators with other Mayoral authorities and found that the allowance to the Mayor of Middlesbrough to be slightly below the average of other Mayoral authorities. It was also felt that regardless of the population or the size of an authority, the time, commitment and responsibilities of an elected Mayor are comparable.
18. The Panel felt those roles attracting an SRA were all still relevant, recognising the time commitment and responsibilities involved. It was also recognised that, generally, the rates afforded to special responsibility allowances in Middlesbrough were comparable to other Teesside Authorities. The Panel also felt it would be prudent to carry out its "full" quadrennial review after the local elections of 2023 to account for any potential governance changes.
19. The Panel continue to recommend that during this period any future staff pay awards should not be applied to SRAs.
20. The Panel recognise the valued work and commitment provided by all members.

Travel & Subsistence

21. The Panel considered that the legislation allowed for travel and felt no changes were necessary.
22. The Panel considered the rates for mileage that are currently based on Her Majesties Revenues and Customs national rates i.e. 45p per mile; and subsistence in line with those paid to staff. The Panel recommended no change.
23. The Panel agreed that Co-Opted Members should be allowed to make claims for allowances based on the fact that they are acting voluntarily and that the current £10 per meeting rate remained reasonable and that no changes should be made.

Dependent Carers Allowance

24. Members can claim an allowance for dependents that they care for (adults or children). This is to allow their attendance at Council meetings. This rate of allowance is currently

based on the national living wage and limited to seven hours per week. The Panel recommended no change.

Pensions

25. The 'Scheme of Allowances' sets out which Members of the authority are to be entitled to pensions in accordance with a scheme made under Section 7 of the Superannuation Act 1972.

26. In making that provision an authority may only include someone who has first been recommended by the Independent Panel. The current position is that no members receive a pension. The Panel recommended no change.

The Panel's Recommendations

27. The Panel recommends that the Scheme of Allowances should remain frozen as agreed by Council in 2021.

Why is this being recommended?

28. Members' allowances should reflect the level of work, time and commitment of the role of Councillor and to provide a reasoned approach the impact the recommendations will have on the Council.

29. The recommendation was made following consideration of all socioeconomic factors.

MEMBERS SCHEMES OF ALLOWANCE 2022/23

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 1st April 2022 and subsequent years, unless amended by the Council.

2. In this Scheme:

"Year" means the 12 months ending with 31st 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 1st April 2022 to 31st March 2023.

3.3 For 2022/23 the basic allowance of £7,608 will be paid in equal monthly instalments.

3.4 The Basic Allowance will not be increased in line with staff pay rises.

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 2023.

- 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 children 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 7.1 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 2022/23 - £7608 x 47 Members (including Mayor)

These allowances are **not** subject to the inflationary increase in line with staff pay awards.

SPECIAL RESPONSIBILITY 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 inflationary increase in line with staff pay awards.

<u>OFFICE</u>	No of Positions	ALLOWANCE	<u>Total</u>
Mayor	1	£55,952	£55,952
Deputy Mayor & Executive Member	1	£19,518	£19,518
Executive Members	8	£11,190	£89,520
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
Political Group Leaders:			
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
Total cost of SRA	25		£260,109

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.

MIDDLESBROUGH COUNCIL



Report of:	Executive Member for Environment, Finance and Governance Director of Legal and Governance Services and Monitoring Officer - Charlotte Benjamin
Submitted to:	Council
Date:	25 May 2022
Title:	Update – Council Constitution
Report for:	Decision
Status:	Public
Strategic priority:	All
Key decision:	No
Why:	Not applicable
Urgent:	No
Why:	Not applicable

Executive summary

1. The Constitution is a live document, which from time to time requires adjustment to reflect how the Council operates. Occasionally amendments are needed to reflect changes in policy and legislation whilst others deal with inconsistencies and presentational issues that have no effect on the agreed procedural rules. Other minor amendments are required to deal with the results of new legislation and do not require a change in Council processes.
2. Article 4 – The Full Council, paragraph 4.2 (a) of the Constitution specifies that only Council will have responsibility for adopting, amending and changing the Constitution, apart from the specific delegations to the Monitoring Officer to 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.

- | |
|--|
| <p>3. This report details proposed amendments to the Constitution and seeks approval from full Council for the proposed changes to the Constitution as detailed in the report.</p> |
|--|

Purpose

1. The Council's Constitution is subject to continual review together with any associated documents e.g. Scheme of Delegation, Procedure Rules and protocols to ensure that decisions taken by the Council are lawful and reflect changes in legislation and Council priorities. This report details proposed amendments to the Constitution and seeks approval from full Council for the proposed changes to the Constitution as detailed in the report.

Background and relevant information

2. A phased review of the Constitution is underway to ensure that the Constitution is fully up to date. Some topics were prioritised last year and since then amendments have been made on various topics such as motions, votes of no confidence, voting on appointments, and the Member Code of Conduct has now been refreshed following approval by Council
3. This report seeks the approval of the proposed changes to the Constitution as detailed below and notes that the Monitoring Officer, under delegated powers has authorisation to amend the Constitution in the circumstances outlined in paragraph 3 above.
4. The changes to the Constitution generally fall within three broad areas, which can be described as follows:-
 - a. Alterations made as a result of decisions of either the Council or the Executive.
 - b. Alterations made under the delegated powers given to the Monitoring Officer to deal with changes required as a result of legislative changes.
 - c. Alterations to improve the working of the Council or, to attempt to resolve ambiguities or amend typographical or drafting errors.
5. The following amendments to the Council Procedure Rules are proposed under paragraph (c) above. The proposed amendments are outlined in bold.

1. Council Procedure Rules

Recorded vote

Amendment to Paragraph 65 of the Council Procedure Rules

If 12 councillors present at the meeting demand it, or if a motion related to a decision with regard to the approval of the annual budget, **the council tax or the issuing of the precept**, the names for and against the motion or amendment or abstaining from voting will be recorded and entered into the minutes. A demand for a recorded vote will override a demand for a secret ballot (which can be used when voting for positions on committees).

Cancellation of Council Meetings

Amendment to Paragraph 12 of the Council Procedure Rules

In order to provide clarity it is proposed that the text with regard to Paragraph 12 – Cancellation of Meetings, of the Council Procedure Rules be amended to include **Once the proper officer has given notice and summons of a meeting**, the Chair, or the Vice Chair in the Chair's absence, (or the Monitoring Officer if they are satisfied that there is no appropriate business to be considered at the meeting), can postpone, re-arrange or cancel a meeting of Council, provided:

- (a) twenty four hours-notice of the cancellation of the meeting is given; and
- (b) that the reason for cancellation is given.

Chairs, or Vice-Chairs in the Chair's absence, of the relevant committee can postpone, re-arrange or cancel meetings of a committee. A meeting of the Council or its committees or sub-committees may not be cancelled or postponed after the meeting has been duly convened.

2. Inclusion of Group Leader Role Profiles within the Constitution

The Group Leader Role Profile (Appendix 1) to be included in the Council's Constitution at Part 6 – Codes and Protocols.

3. Replacement of Senior Management Chart

The attached updated version of the Senior Management Chart should be inserted into the Constitution at Part 5 – Management Structure. (see Appendix 2)

4. Key Decision Threshold

For clarification purposes, the amount of the key decision threshold, £150,000 (taking into account the lifetime costs or savings of the project), has been included within the Constitution at Article 12- Paragraph 12.3 – Decision Making.

5. Standards Committee – Changes to the Terms of Reference

Terms of Reference - Standards Committee

Restrictions: Cannot include the Elected Mayor or Executive Leader and may not be chaired by an Executive Member

To make reports or recommendations to the Council in relation to:-

- the approval by the Council of local codes of conduct for Members and officers, codes of practice, standing orders and protocols, taking account of national models and guidance or case tribunals.

- the implementation of local codes of conduct etc, and the dissemination throughout the Authority of information and guidance on their operation.
- consideration of any reports relating to the conduct of Members or officers which may be referred to it by the Council's Chair, Monitoring Officer or by the Chief Finance Officer under section 114 of the Local Government Finance Act 1988 in consultation with the Monitoring Officer, including issues relating to Members' and officers' interests and the maintenance and management of any relevant registers of interests.
- consideration of relevant reports referred by the Monitoring Officer and Chief Finance Officer and make recommendations thereon to the Council as necessary.

Grant dispensations to Councillors, Co-opted Members and Parish Council Members from the requirements relating to declarations of interest as set out in Section 32 of the Localism Act 2011. **The Monitoring Officer may grant a dispensation where the matter is urgent and report it to the next available Standards Committee.**

The determination, following an investigation, of allegations of breaches of Members' Codes of Conduct within such statutory provisions or guidance as may exist **and the imposing of any relevant sanctions.**

Discharge of all of the above functions required by the Localism Act 2011 in relation to Parish Councils.

Access to Information Procedure Rules

6. The revised Access to Information Procedure Rules (Appendix 3) be included in the Constitution.

What decision(s) are being recommended?

7. That Council approve the following:
 - (a) 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, under delegated powers 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.

Rationale for the recommended decision(s)

8. The Constitution is a live document and requires constant updating to ensure that it is compliant/compatible with appropriate legislation or standard procedures.

Other potential decision(s) and why these have not been recommended

9. Do nothing. This would result in the Constitution becoming out of date and not compliant/compatible with appropriate legislation or standard procedures.

Impact(s) of the recommended decision(s)

Legal

10. As per Section 37(1) of the Local Government Act 2000, a local authority operating executive arrangements or alternative arrangements must prepare and keep up to date a document (referred to in the section as their constitution) which contains prescribed information.

The changes suggested within this report are therefore in compliance with the above by way of keeping the constitution up to date.

Strategic priorities and risks

11. The relevant risks this decision would influence are cited below, with an explanation as to why they are relevant and how it would affect each risk.

Risk No	Risk Description	Impact
O8-055	If the Council doesn't respond effectively and efficiently to legislative changes it could be in breach of statutory duties in relation to service delivery and fail to make the most of opportunities.	The Council are obliged to comply with any new legislation or guidance. The Constitution is a live document which is updated continually to reflect any changes in legislation or guidance. The continual update of the Constitution has a positive impact on the Council fulfilling its statutory duties.

Human Rights, Equality and Data Protection

12. The subject of this report is not a function or service that is new or being revised. It is considered that an equality impact assessment is not required.

Financial

13. There are no financial implications or impact on any budgets or the Medium Term Financial Plan (MTFP) arising from the content of this report.

Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline
Update the constitution	Monitoring Officer	31 May 2022

Appendices

1	Group Leader Role Profile
---	---------------------------

2	Senior Management Structure
3	Access to Information Procedure Rules

Background papers

Body	Report title	Date

Contact: Charlotte Benjamin
Email: charlotte_benjamin@middlesbrough.gov.uk

GROUP LEADER ROLE PROFILE

Middlesbrough Council ('the Council') has an Elected Mayor and 46 Elected Members.

Middlesbrough Council's political composition is made up of 19 Labour Members, 3 Conservative Members, 10 Middlesbrough Independent Councillors Association Members, 11 Middlesbrough Independent Group Members and 3 Independent Members.

The Elected mayor is the first citizen of the town, however the Council recognises the key leadership role played by the leaders of all political groups on the Council and the importance of their commitment to cross-party working.

Role and Responsibilities

- 1 To provide the leadership of a political group providing formal effective, positive and constructive challenge to the Council's Mayor, majority party, and opposition, including the scrutiny of the political administration and policies of the Council.
- 2 When in opposition, to provide plausible checks and balances, challenges and alternatives to the ruling political group.
- 3 Liaise with other local and regional representatives as appropriate.
- 4 Monitor the performance of the Council against its budget, policy and performance plan
- 5 Notwithstanding political differences, promote Middlesbrough as a place and Middlesbrough Council, encouraging group members to act in a similar manner.
- 6 Canvass a range of views within the group in the formulation of policy
- 7 Act as principal political spokesperson for the political group.
- 8 Advise the Mayor of the group's position on issues and present alternative suggestions regarding policy/procedure.
- 9 Represent the views of the group in relation to any matter on which council officers seek consultation and guidance.
- 10 Encourage the highest standards of conduct by members of the group and promote compliance with the Members Code of Conduct.
- 11 Ensure the Monitoring Officer /Head of Democratic Services are advised of the wishes of the group in relation any amendments to group membership, nominations to serve on Committees or working groups, outside bodies and to advise of substitutes etc.

- 12 Allocate other responsibilities to group members as appropriate.
- 13 Represent the group on relevant formal and informal working groups.
- 14 Assist in ensuring appropriate levels of attendance are maintained by group members.
- 15 Promote effective communication between group members, other political groups and officers and ensure that communications are conducted in a courteous and respectful manner.
- 16 Establish and maintain effective working relationships with Chief Officers and other senior officers and to meet them regularly in order to keep fully apprised of relevant service issues.
- 17 Encourage a culture of learning and development among members, including the active participation of group members in briefings, seminars and other learning and development processes.

Chief Executive



Tony Parkinson

Environment and Community
Services



Geoff Field

Regeneration and Culture



Richard Horniman

Finance



Ian Wright

Adult Social Care and Health
Integration



Erik Scollay

Legal and Governance
Services



Charlotte Benjamin

Children's Services




Sue Butcher

Public Health



Mark Adams

Children's Care



Rachel Farnham

Education and Partnerships



Rob Brown

This page is intentionally left blank

Access to Information Procedure Rules

(Note: Where an * appears it denotes a statutory requirement)

1. SCOPE

- 1.1 These rules apply to all meetings of the Council, Overview and Scrutiny Board, area committees (if any), the Standards Committee and regulatory committees and public meetings of the Executive (together called meetings) and certain rules apply to the decisions of Individual Members and Officers.
- 1.2 The rules set out in this Section shall not apply to meetings of the Licensing Committee or sub-committees which shall be governed by Regulations made under Section 9 of the Licensing Act 2003 and any future rules determined by the Licensing Committee under that Section.
- 1.3 These rules also cover public rights of access to information, in relation to Council and Executive functions, and Members' rights of access to information.

2. ADDITIONAL RIGHTS TO INFORMATION

- 2.1 These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

3. RIGHTS OF THE PUBLIC TO ATTEND MEETINGS

- 3.1 Members of the public may attend all meetings, subject only to the exceptions in these rules.

4. NOTICES OF MEETING *

- 4.1 The Council will give at least five clear working days-notice of any meeting by posting details of the meeting on the public notice board inside the main reception of the Town Hall and on its website – www.middlesbrough.gov.uk.
- 4.2 Where it is necessary to hold a meeting in private and exclude the press and public in order to consider exempt or confidential information, notice of the intention to hold such a meeting will be published in the Forward Plan and the provisions of Rule 8 (access to agenda and reports before the meeting) will apply.

5. NOTICE OF PRIVATE MEETING OF THE EXECUTIVE *

- 5.1 Under the statutory instrument, the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, there is now a requirement for Local Authorities to give at least 28 clear days' notice of its intention to hold a meeting in private.
- 5.2 The Local Authority must:
 - (a) make available on the public notice board of the relevant local authority a notice of its intention to hold the meeting in private; and
 - (b) publish that notice on the local authority's website;

- (c) The notice must include the reasons as to why the meeting is to be held in private;
- (d) Where a date which a meeting must be held makes compliance with this regulation impracticable, the meeting may only be held in private where the decision-making body has obtained agreement from the Chair of the Overview and Scrutiny Board, or where there is no such person, or the Chair of the Overview and Scrutiny Board is unable to act, agreement would be obtained from the Chair of the Council;
- (e) The Chair of the Overview and Scrutiny Board must be provided with a clear case as to why the meeting is urgent and cannot be reasonable deferred;
- (f) Once agreement has been sought, steps (a) – (c) must be followed;
- (g) Where the report contains confidential information as defined below the public must be excluded.
- (h) Members of the Executive or its committees will be entitled to receive five clear working days' notice of a meeting to which they are summoned, unless the meeting is convened at shorter notice as a matter of urgency. The notice should set out the reasons for holding any part of the meeting in private, details of any representations received about why the meeting should be in public and the response to those representations.

6. ATTENDANCE AT PRIVATE MEETINGS OF THE EXECUTIVE

6.1 Notice and Attendance

- (a) All members of the Executive will be served notice of all private meetings of the Executive or its committees, whether or not they are members of that committee.
- (b) All members of the Executive are entitled to attend a private meeting of any committee of the Executive.
- (c) Members other than Executive members will not be entitled to attend private meetings of the Executive, and its committees without the prior agreement of the Elected Mayor or Chair.

6.2 Officer Involvement

- (a) The Head of the Paid Service, the Chief Finance Officer, the Monitoring Officer, and their nominees are entitled to attend any meeting of the Executive and its committees. The Executive may not meet unless the Proper Officer has been given reasonable notice that a meeting is to take place.
- (b) A private Executive meeting may only take place in the presence of the Proper Officer or their nominee with responsibility for recording and publicising the decisions

7 EXECUTIVE MEETINGS RELATING TO MATTERS WHICH ARE NOT KEY DECISIONS

7.1 The Executive will decide whether meetings relating to matters which are not key decisions will be held in public or private.

8. ACCESS TO AGENDA AND REPORTS BEFORE MEETING (EXCEPT FOR PRIVATE EXECUTIVE MEETINGS – SEE RULE 5) *

8.1 A summons to attend Council meetings will be emailed to members at least 5 clear working days before the meeting.

8.2 The Council will make copies of the agenda open to the public available for inspection at the main reception of the Town Hall and on its website www.middlesbrough.gov.uk not less than five clear working days before the meeting. If an item is added to the agenda later, the revised agenda will be open to inspection from the time the item was added to the agenda.

8.3 The Council will make copies of the reports available on its website www.middlesbrough.gov.uk, and upon request to Democratic Services. Where reports are prepared after the agenda has been sent out, the Council shall make each such report available to the public, as above, as soon as the report is completed and sent to Councillors.

8.4 In respect of a meeting of the Executive, a committee of the Executive, or a meeting under joint arrangements in the course of the discharge of an executive function;

8.5 The Council will make available electronic copies of the agendas and reports to all members, as well as being made available on the Council website www.middlesbrough.gov.uk, unless the report is confidential or exempt (see para x) where it would only be made available to members of the Executive or the relevant committee, not less than five clear working days before the decision is taken.

9. SUPPLY OF COPIES *

9.1 The Council will make available for the use of members of the public present at meetings, a reasonable number of copies of the agenda and of those reports which are open to the public

9.2 The Council will supply copies of the following to any person on payment of a charge for copying and postage.

- (a) any agenda and reports which are open to public inspection;
- (b) any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- (c) if the Proper Officer thinks fit, copies of any other documents supplied to Members and the Elected Mayor in connection with an item to any person on payment of a charge for copying and postage.

Alternatively copies are available on the council website and can be downloaded free of charge:

Copies of documents supplied to members of the public, where the Council is the copyright holder, may be reproduced in any publically available medium.

10. ACCESS TO AGENDAS, REPORTS AND MINUTES AFTER MEETINGS*

10.1 The Council will publish on its website and make available hard copies of the following documents for six years after the date of a meeting:-

(a) the minutes of the meeting or, in the case of meetings of the Executive, records of decisions taken including the reasons for those decisions, excluding any part of the minutes, or record of decisions, when the meeting was not open to the public or which disclose exempt or confidential information;

(b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;

(c) the agenda for the meeting; and

(d) reports relating to items when the meeting was open to the public.

11. BACKGROUND PAPERS *

11.1 List of background papers

The relevant officer, usually the author, will set out in every report a list of those documents (called background papers) relating to the subject matter of the report which in their opinion:

(a) disclose any facts or matters on which the report or an important part of the report is based; and

(b) which have been relied on to a material extent in preparing the report

This will exclude any published works or those which disclose exempt or confidential information (as defined in Rule 13) and/or in respect of reports to the Executive, the advice of a political advisor, or any draft report or document.

11.2 Public inspection of background papers

The Council will make available, on request, for public inspection for four years after the date of the formal committee meeting one copy of each of the documents on the list of background papers.

12. SUMMARY OF PUBLIC'S RIGHTS *

12.1 A written summary of the public's rights to attend meetings and to inspect and copy documents, as set out in these Rules, must be kept at and available to the public at the Council's principal offices. These Access to Information Procedure Rules constitute the written summary.

13. EXCLUSION OF ACCESS BY THE PUBLIC AND COUNCILLORS WHO ARE NOT MEMBERS OF A COMMITTEE TO MEETINGS *

13.1 Confidential information: requirement to exclude public

The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports and background papers will also be excluded.

13.2 Meaning of confidential information

Confidential information means information given to the Council by a Government Department on terms which forbid its public disclosure or information the disclosure of which to the public is prohibited by or under another Act or by Court Order.

13.3 Exempt information: discretion to exclude public

The public or councillors who are not a member of the committee **may** be excluded from meetings whenever it is likely in view of the nature of the business to be transacted that exempt information would be disclosed. Exempt information means information falling within the 7 categories outlined in 12A of the Local Government Act 1972 provided:

(a) the meeting resolves so to exclude the public or councillors who are not a member of the committee, and that resolution identifies the proceedings or part of the proceedings to which it applies, and

(b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (as outlined in Rule 14 below), the description of the exempt information giving rise to the exclusion of the public, and

(c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

In these circumstances, public access to reports, background papers and minutes will also be excluded. Such reports will be marked 'Not for publication' together with the category of information likely to be disclosed.

Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

Once the decision to exclude the public has been made, the effect of passing of such a resolution is it removes the provision that the meeting is open to anyone but the membership of that committee and those persons expressly invited to attend. This decision includes Members of the Council who are not members of that committee. Each council will have its own protocol on how other members may or may not then be a party to that exempt discussion, but the law is clear that it does exclude any other member not part of that committee.

14. **Meaning of exempt information**

14.1 Exempt information means information falling within any of the categories set out in the following table, subject to the qualifications and interpretations in Parts 2 and 3 of Schedule 12A to the Local Government Act 1972 (as amended).

14.2 Information falling within any of paragraphs 1-7 is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission under regulation 3 of the Town and Country Planning General Regulations 1992.

Category	Condition
1. Information relating to any individual.	<p>Information is not exempt information unless it relates to an individual of that description in the capacity indicated by the description i.e. it must relate to and be recognisable as referring to a particular living individual in the roles indicated.</p> <p>Information is only exempt:</p> <p>(a) where disclosure is prohibited by statute; or</p> <p>(b) where disclosure might involve providing personal information about individuals; or</p> <p>(c) where disclosure might breach a duty of confidentiality; and</p> <p>(d) in all the circumstances of the case, the public interest in not disclosing the information outweighs the public interest in disclosing the information.</p>
2. Information which is likely to reveal the identity of an individual.	<p>Information is not exempt information unless it relates to an individual of that description in the capacity indicated by the description i.e. it must relate to and be recognisable as referring to a particular living individual in the roles indicated.</p> <p>Information is only exempt:</p> <p>(a) where disclosure is prohibited by statute; or</p> <p>(b) where disclosure might involve providing personal information about individuals; or</p> <p>(c) where disclosure might breach a duty of confidentiality; and</p> <p>(d) in all the circumstances of the case, the public interest in not disclosing the information outweighs the public interest in disclosing the information.</p>

<p>3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).</p>	<p>Information is only exempt if and for so long as:</p> <p>(a) disclosure of the amount involved would be likely to give advantage to a person entering into or seeking to enter into a contract with the Council in respect of property, goods or services whether the advantage would arise as against the Council or as against other persons; or</p> <p>(b) disclosure would prejudice the efficiency and effectiveness of the use of Council resources; or</p> <p>(c) disclosure of trade secrets and other information would, or would likely, prejudice the commercial interests of any person, including the Council; and</p> <p>(d) in all the circumstances of the case, the public interest in not disclosing the information outweighs the public interest in disclosing the information.</p>
<p>4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.</p>	<p>Information is only exempt if and for so long as its disclosure to the public:</p> <p>(a) would prejudice the Council in those or any other consultations or negotiations in connection with a labour relations matter; and</p> <p>(b) in all the circumstances of the case, the public interest in not disclosing the information outweighs the public interest in disclosing the information.</p>
<p>5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p>	<p>Information is only exempt:</p> <p>(a) where a claim of legal professional privilege could be maintained in legal proceedings e.g. correspondence such as legal advice and assistance between the Council's Legal Services and its client; and</p> <p>(b) in all the circumstances of the case, the public interest in not disclosing the information outweighs the public interest in disclosing the information.</p>

Category	Condition
<p>6. Information which reveals that the authority proposes –</p> <p>(a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or</p> <p>(b) to make an order or direction under any enactment.</p>	<p>Information is exempt only if and so long as:</p> <p>(a) disclosure to the public might afford an opportunity to a person affected by the notice, order or direction to defeat the purpose or one of the purposes for which the notice order or direction is to be given or made; and</p> <p>(b) in all circumstances of the case, the public interest in not disclosing the information outweighs the public interest in disclosing the information.</p>
<p>7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.</p>	<p>Information is only exempt if its disclosure would, or would be likely to, prejudice-</p> <p>(a) criminal investigations and proceedings; or</p> <p>(b) the apprehension or prosecution of offenders; or</p> <p>(c) the administration of justice; or</p> <p>(d) the assessment or collection of any tax or duty or of any imposition of a similar nature; or</p> <p>(e) regulatory enforcement; or</p> <p>(f) any civil proceedings; or</p> <p>(g) Health and safety; or</p> <p>(h) information obtained from confidential sources; and</p> <p>(i) in all the circumstances of the case, the public interest in not disclosing the information outweighs the public interest in disclosing the information.</p>

Meaning of exempt information (health scrutiny)

Category	Condition
<p>1. Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office-holder, former office-holder or applicant to become an office-holder under, a relevant body.</p>	<p>Information is not exempt unless it relates to an individual of that description in the capacity indicated by the description.</p>
<p>2. Information relating to any particular occupier or former occupier of, or</p>	<p>Information is not exempt unless it relates to an individual of that description in the capacity indicated by the description.</p>

applicant for, accommodation provided by or at the expense of a relevant body.	
3. Information relating to any particular applicant for, or recipient or former recipient of, any service provided by a relevant body.	Information is not exempt unless it relates to an individual of that description in the capacity indicated by the description.
4. Information relating to any particular applicant for, or recipient or former recipient of, any financial assistance provided by a relevant body.	Information is not exempt unless it relates to an individual of that description in the capacity indicated by the description.
5. The amount of any expenditure proposed to be incurred by a relevant body under any particular contract for the acquisition of property or the supply of goods and services.	Information is exempt if and so long as disclosure to the public of the amount there referred to would be likely to give an advantage to a person entering into, or seeking to enter into, a contract with a relevant body in respect of the property, goods or services, whether the advantage would arise as against that body or as against other such persons.
6. Any terms proposed or to be proposed by or to a relevant body in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.	Information is exempt if and so long as disclosure to the public of the terms would prejudice a relevant body in those or any other negotiations concerning the property or goods or services.
7. The identity of a relevant body (as well as of any other person, by virtue of paragraph 6 above) as the person offering any particular tender for a contract for the supply of goods or services.	
8. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between a relevant body or a Minister of the Crown and employees of, or office-holders under, a relevant body.	Information is exempt if and so long as disclosure to the public of the information would prejudice a relevant body in those or any other consultations or negotiations in connection with a labour relations matter arising as mentioned in that paragraph.
9. Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with: (a) any legal proceedings by or against a relevant body, or (b) the determination of any matter affecting a relevant body, (whether, in either case, proceedings have been commenced or are in contemplation).	
10. Information relating to a particular person who is or was formerly included in, or is an applicant for inclusion in, a list	Information is not exempt unless it relates to an individual of that description in the capacity indicated by the description.

of persons undertaking to provide services under Part 2 of the 1977 Act prepared by a Health Authority.	
11. Information relating to a particular person who is or was providing services, or has made a request to a Health Authority to become a person providing services, under arrangements under section 28C of the 1977 Act.	Information is not exempt unless it relates to an individual of that description in the capacity indicated by the description.
12. Information relating to a particular person who is or was formerly performing personal medical services or personal dental services in accordance with arrangements under section 28C of the 1977 Act.	Information is not exempt unless it relates to an individual of that description in the capacity indicated by the description.
13. Information relating to any particular employee, former employee, or applicant to become an employee, of a person referred to in paragraph 10, 11 or 12.	Information is not exempt unless it relates to an individual of that description in the capacity indicated by the description.
14. Information relating to the physical or mental health of a particular individual.	

15. Disturbance

- 15.1 The public may also be excluded from meetings, where the meeting so resolves, in the exercise of a lawful power of exclusion in order to maintain orderly conduct or to prevent misbehaviour at a meeting.

16. ACCESS TO INFORMATION RULES TO THE EXECUTIVE *

- 16.1 Rules 17 – 31 apply to the Executive and its committees. If the Executive or its committees meet to take a key decision then it must also comply with Rules 1 – 13 unless Rule 21 (general exception) or Rule 22 (special urgency) apply.
- 16.2 If the Executive or its committees meet to discuss a key decision to be taken collectively, with an officer other than a mayoral/ political assistant present, within 28 days of the date according to the forward work programme by which it is to be decided, then it must also comply with Rules 1 – 13 unless Rule 21 (general exception) or Rule 22 (special urgency) apply.
- 16.3 A key decision is as defined in Article 12 Paragraph 12.3, of this Constitution.
- 16.4 This requirement does not include meetings, whose sole purpose is for officers to brief members.

17. PROCEDURE BEFORE TAKING KEY DECISIONS *

- 17.1 Subject to Rule 21 (general exception) and Rule 22 (special urgency), a key decision may not be taken unless:
- (a) a notice (called here a forward work programme) has been published

in connection with the matter in question;

- (b) A Key Decision must be published 28 days prior to the decision being taken on the Council's Forward Plan. Where the publication of intention to take a Key Decision is impractical, the Chair of the Overview and Scrutiny Board must be informed.
- (c) at least 5 clear days have elapsed since the publication of the forward plan; and
- (d) where the decision is to be taken at a meeting of the Executive or its committees, notice of the meeting has been given in accordance with Rule 4 (notice of meetings).

18. THE FORWARD WORK PROGRAMME

18.1 Period of forward work programme

Forward plans will be prepared by the Elected Mayor to cover a period of at least four months, beginning with the first day of any month. The Forward Plan is a live document and published once any new Forward Plan item is added.

18.2 Contents of forward work programme.

The forward work programme will contain matters which The Elected Mayor has reason to believe will be subject of a key decision to be taken by the Executive, a committee of the Executive, individual members of the Executive, officers, or under joint arrangements in the course of the discharge of an Executive function during the period covered by the work programme.

It will describe the following particulars in so far as the information is available or might reasonably be obtained:

- (a) the matter in respect of which a decision is to be made;
- (b) where the decision taker is an individual, their name and title, if any and where the decision taker is a body, its name and details of membership;
- (c) the date on which, or the period within which, the decision will be taken;
- (d) the identity of the principal groups whom the decision taker proposes to consult before taking the decision;
- (e) the means by which any such consultation is proposed to be undertaken;
- (f) the steps any person might take who wishes to make representations to the Executive or decision taker about the matter in respect of which the decision is to be made, and the date by which those steps must be taken; and
- (g) a list of the documents submitted to the decision taker for consideration in relation to the matter.

The forward work programme now also contains matters which are non-key, however there is no deadline for these decisions to be published on the Forward Plan.

Exempt information need not be included in a forward work programme and confidential information cannot be included.

18.3 Material relating to forthcoming business

(a) All Members are entitled to inspect any document which is in the possession or under the control of the Executive or its committees and contains material relating to any business to be transacted at a public meeting unless

- (i) it contains exempt information falling within Paragraphs 1, 2, 4, 5 and 7 of paragraph 12A set out above; or
- (ii) it contains exempt information falling within Paragraph 3 of Schedule 12A set out above to the extent that the information relates to any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract; or
- (iii) it contains the advice of a political adviser or
- (iv) it is a draft report or draft background paper
- (v) it is not a report or a background paper as defined in these Rules

(b) All Members are entitled to inspect any document which is in the possession of or under the control of the Council and contains material relating to any business to be transacted at a meeting of the Council or any of its committees or sub-committees unless

- (i) it contains exempt information falling within Paragraphs 1, 2, 4, 5 and 7 of paragraph 12A set out above or
- (ii) it contains exempt information falling within Paragraph 3 of Schedule 12A set out above to the extent that the information relates to any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract.

19. Material relating to Key Decisions

19.1 All members will be entitled to inspect any document (except those available only in draft form) in the possession or under the control of the Executive or its committees which relates to any key decision unless paragraph (a) or (b) above applies.

20. Nature of rights

20.1 These rights of a member are additional to any other right they may have.

21. GENERAL EXCEPTION *

21.1 If a matter which is likely to be a key decision has not been included in the forward work programme, then subject to Rule 22 (special urgency), the decision may still be taken if:

- a) the decision must be taken by such a date that it is impracticable to defer the decision until it has been included in the next forward work programme;
- b) the Proper Officer has informed the Chair of the Overview and Scrutiny Board, or in their absence the Chair of the relevant scrutiny panel, or if neither is available, each member of that Board or panel in writing, by notice, of the matter to which the decision is to be made;
- c) the Proper Officer has made copies of that notice available to the public at the offices of the Council; and
- d) at least 5 clear days have elapsed since the Proper Officer complied with (a) and (b).

22. SPECIAL URGENCY *

22.1 If by virtue of the date by which a decision must be taken Rule 21 (general exception) cannot be followed, then the decision can only be taken if the decision taker (if an individual) or the Chair of the body making the decision, obtains the agreement of the Chair of the Overview and Scrutiny Board or relevant scrutiny panel that the taking of the decision cannot be reasonably deferred. If there is no such Chair or if the Chair is unable to act, then the agreement of the Chair of the Council, or in their absence the Vice Chair will suffice.

23. RECORDS OF DECISIONS TAKEN AT MEETINGS *

- 23.1 The Council will make available copies of the following to any person on payment of a charge for copying and postage for six years after a meeting.
- (a) the minutes of the meeting or records of decisions taken, together with reasons, for all formal committee meetings, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
 - (b) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
 - (c) the agenda for the meeting; and
 - (d) reports relating to items when the meeting was open to the public.

Alternatively copies are available on the council website and can be downloaded free of charge:

23.2 Copies of documents supplied to members of the public, where the Council is the copyright holder, may be reproduced in any publically available medium.

24. REPORTS TO COUNCIL *

24.1 When the Overview and Scrutiny Board can require a report

If the Overview and Scrutiny Board or a scrutiny panel thinks that a key decision has been taken which was not:

- (a) included in the forward work programme; or
- (b) the subject of the general exception procedure; or
- (c) the subject of an agreement with the Chair of the Overview and Scrutiny Board/panel, or the Chair or Vice Chair of the Council under Rule 16; the Board/panel may require the Executive to submit a report to the Council within such reasonable time as the Board/panel specifies. The power to require a report rests with the Board/panel, but is also delegated to the Proper Officer, who shall require such a report on behalf of the Board/panel when so requested by the Chair or any 5 members. In respect of education matters this includes voting co-optees.

Alternatively the requirement may be raised by resolution passed at a meeting of the Overview and Scrutiny Board/panel.

24.2 Mayor's report to Council

The Elected Mayor may prepare a report for submission to the next available meeting of the Council. However, if the next meeting of the Council is within 7 working days of receipt of the written notice, or the resolution of the Board/panel, then the report may be submitted to the meeting after that. The report to Council will set out particulars of the decision, the individual or body making the decision and if the Elected Mayor is of the opinion that it was not a key decision the reasons for that opinion.

24.3 Quarterly reports on special urgency decisions

In any event the Elected Mayor will submit quarterly reports to the Council on the Executive decisions taken in the circumstances set out in Rule 16 (special urgency) in the preceding three months. The report will include the number of decisions so taken and a summary of the matters in respect of which those decisions were taken.

The report will also contain details of urgent decisions taken in accordance with the Overview and Scrutiny Procedure Rules (Paragraph 8.10).

25. Records of decisions at Executive meetings

25.1 After any meeting of the Executive the proper officer will, as soon as practicable, produce a written statement which must include:

- (a) the name of the decision-making body and a date of the decision;
- (b) A record of every decision taken and the reasons for those decisions;
- (c) Details of any alternative options;
- (d) A record of any conflict of interest or Disclosable Pecuniary Interests declared by any member of the decision making body;

26. DECISIONS BY INDIVIDUAL MEMBERS OF THE EXECUTIVE *

- 26.1 Where an individual Member of the Executive (a Portfolio Holder) intends to make a key decision, that decision must not be made unless it has been included in the Notice of Forthcoming Executive Decisions (see Rule 18 above) or the procedure set out in Rule 21 (general exception) or Rule 22 (special urgency) has been complied with.
- 26.2 A decision which is not a key decision may be taken without complying with the requirements in Rules 18, 21 or 22).
- 26.3 A Member of the Executive may only take an Executive Decision where s/he is authorised to do so in the Scheme of Delegations approved by the Mayor.
- 26.4 Reports intended to be taken into account** - Where an individual member of the Executive receives a report which they intend to take into account in making any key decision, then they will not make the decision until at least 5 clear days after receipt of that report.
- 26.5 As soon as practicable after an individual Member of the Executive has made an Executive decision, they must produce, or instruct the Proper Officer to produce, a written statement of that decision which must include the following information:-
- a record of the decision (including the date it was made)
 - a record of the reasons for the decision
 - details of any alternative options considered and rejected by the Member when making the decision
 - a record of any conflict of interest declared by the Member which relates to the decision; and
 - in respect of any declared conflict of interest a note of dispensation granted by the Chief Executive
- 26.6 A copy of any record produced in accordance with Rule 26.4 and any report considered by the Member which is relevant to the decision concerned must be made available for public inspection at the Council's offices and published on the Council's website as soon as reasonably practicable after the decision has been made.
- 26.7 Rule 26.5 does not authorise or require documents relating to the decision to be disclosed to the public where the documents contain confidential information or where, in the opinion of the Member making the decision, they disclose exempt information or the advice of a political assistant or adviser.

27. OVERVIEW AND SCRUTINY BOARDS ACCESS TO DOCUMENTS *

27.1 Rights to copies

Subject to Rule 27.2 below, the Overview and Scrutiny Board (including its panels) will be entitled to copies of any document which is in the possession or control of the Executive or its committees and which contains material relating to

- (a) any business transacted at a public or private meeting of the Executive

or its committees; or

- (b) any decision taken by an individual member of the Executive.
- (c) any Executive decision that has been made by an officer of the Council under their delegated powers.

The documents must be provided as soon as practicable but no later than 10 clear days after the request is received

27.2 Where the Monitoring Officer determines that Overview and Scrutiny boards are not entitled to a copy of the document that has been requested for the reasons set out above, the Executive must provide the relevant Scrutiny Committee with a written statement setting out the reasons for that decision.

28. Limit on rights

28.1 An Overview and Scrutiny Board will not be entitled to:

- (a) any document that is in draft form;
- (b) any part of a document that contains exempt or confidential information, unless that information is relevant to an action or decision they are reviewing or scrutinising or intend to scrutinise; or
- (c) the advice of a political or mayoral assistant.

29. Records of Decisions Taken By Officers

29.1 As soon as reasonably practicable, but within 28 days, after a significant operational decision taken by an officer in relation to a Council function, the officer will produce a written record of the decision and arrange for its publication on the Council's website together with the report (if any) in relation to the decision made. The record will include:

- (a) a record of the decision including the date it was made;
- (b) A statement of the reasons for it;
- (c) Details of any alternative options considered and rejected by the officer at the time of making the decision; and
- (d) A record of any interest declared by an executive member consulted by the officer who made the decision together with a note of any dispensation granted in respect of that interest.

29.2 Where an Officer intends to take a key decision, the decision making process for Executive Key Decisions must be followed. The item should be placed on the Executive Forward Plan, 28 clear days before the decision is taken. The decision should be published within 48 hours of the decision being taken.

29.3 Rule 31.5 does not authorise or require documents relating to the decision to be disclosed to the public where the documents contain confidential information or where, in the opinion of the Officer making the decision, they disclose exempt information or the advice of a political assistant.

30. Inspection and supply of documents

- (a) Background papers that have been referred to within an Executive report must now be available for public inspection. These will be published on the Council's website at www.middlesbrough.gov.uk and a hard copy will be made available at the Town Hall reception.
- (b) Confidential background papers are excluded from the rule.

31. ADDITIONAL RIGHTS OF ACCESS FOR MEMBERS *

Documents relating to council and committee business

- 31.1 Subject to Rule 31.2 below, all Members of the Council are entitled to inspect any document which is in the possession or under the control of the Council and which contains material relating to any item of business to be dealt with at a meeting of the Council or a Committee or Sub- Committee.
- 31.2 Rule 31.1 above does not require any document to be open to inspection if it appears to the Proper Officer that it discloses exempt information, unless that information falls within one of the following categories:-
- Information relating to the financial or business affairs of any particular person, including the Council, except to the extent that the information relates to any terms proposed or to be proposed by or to the Council in the course of negotiations for a contract
 - Information which reveals that the Council proposes:-
 - to give under any enactment a notice or by virtue of which requirements are imposed on a person
 - to make an order or direction under any enactment Documents relating to executive business
- 31.3 Subject to Rule 31.5 below, any Member of the Council is entitled to inspect any document which is in the possession or under the control of the Executive and which contains material relating to any business to be transacted at a public meeting of the Executive unless, subject to Rule 31.5, the Proper Officer considers that the document discloses exempt information. Such documents must be available for inspection for at least 5 clear days before the meeting concerned except that:
- where the meeting is convened at shorter notice such a document must be available for inspection when the meeting is convened; and
 - where an item is added to the agenda at shorter notice, any document required to be available in relation to that item must be available when that item is added to the agenda.
- 31.4 Subject to Rule 31.5 below, all Members of the Council are entitled to inspect any document which is in the possession or under the control of the Executive and contains material relating to:-

- any business transacted at a private meeting
- any decision made by an individual Member in accordance with the Council's Executive arrangements; or
- any decision made by an Officer in accordance with the Council's Executive Arrangements

when the meeting concludes or, where an Executive decision has been made by an individual Member or an Officer, immediately after the decision has been made, and in any event within 24 hours of the conclusion of the meeting, or the decision being made, as the case may be, unless the Proper Officer considers (subject to Rule 31.5 below) that the document discloses exempt information.

31.5 Rules 31.3 and 31.4 do not prohibit Members from inspecting documents containing the following categories of exempt information:-

- Information relating to the financial or business affairs of any particular person, including the Council, except to the extent that the information relates to any terms proposed or to be proposed by or to the Council in the course of negotiations for a contract
- Information which reveals that the Council proposes:-
 - to give under any enactment a notice under or by virtue of which requirements are imposed on a person
 - to make an order or direction under any enactment

31.6 Nothing in Rules 31.3 to 31.5 above requires any document or a part of any document to be available for inspection if it contains the advice of a mayoral/political adviser.

This page is intentionally left blank

MIDDLESBROUGH COUNCIL

Report of:	Executive Member for Regeneration Director for Regeneration and Culture
Submitted to:	Council
Date:	25 May 2022
Title:	Adoption of the Stainton & Thornton Neighbourhood Plan 2021-2036
Report for:	Decision
Status:	Public
Strategic priority:	Physical environment
Key decision:	Yes
Why:	Decision to be made in accordance with Article 12.5(a) of the Council's Constitution – Changes to the Council's policy framework.
Urgent:	No
Why:	-

Executive summary

This report seeks the adoption of the Stainton & Thornton Neighbourhood Plan 2021-2036, in accordance with the Neighbourhood Planning Regulations 2012, and relevant Council procedures. Once adopted, the Neighbourhood Plan will form part of the Council's Policy Framework, and be part of the Statutory Development Plan for the Neighbourhood Area (alongside the Middlesbrough Local Plan). It will be used in the determination of future planning applications within the designated Stainton and Thornton Neighbourhood Area.

The Stainton & Thornton Neighbourhood Plan 2021-2036 has been subject to a referendum, with the majority voting in favour of its adoption. The Council must now adopt the plan, otherwise the Secretary of State may be asked to intervene.

The decision to adopt Neighbourhood Plans is a non-Executive function, and must be made by the Borough Council, in accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, and the Council's constitution.

The implications of the recommendation have been considered by the appropriate officers of the Council and are set out below in the main body of this report.

Purpose

1. To adopt the Stainton & Thornton Neighbourhood Plan 2021-2036.

Background and relevant information

2. Under the Planning and Compulsory Purchase Act 2004, and Neighbourhood Planning (General) Regulations 2012, parish councils and designated neighbourhood forums can prepare Neighbourhood Plans that put in place a vision and general planning policies for the development, and use of land in their designated neighbourhood. Neighbourhood Plans form part of the Statutory Development Plan, against which future planning applications within the designated Neighbourhood Area will be determined.
3. A Neighbourhood Plan should be aligned with the strategic needs and priorities of the wider area and must be in general conformity with the National Planning Policy Framework (NPPF), and the strategic policies of a Council's Local Plan. In addition, Neighbourhood Plans are required to plan positively and not promote less development than set out in the Development Plan, or undermine its strategic policies.
4. In March 2017, the Council approved the designation of the parished area of Stainton & Thornton as a Neighbourhood Area, to enable the Parish Council to prepare a Neighbourhood Plan for the designated area. Those areas that fall outside of the parish boundary, but form part of the wider Stainton and Thornton Ward boundary, are not included in the designated Neighbourhood Area, or subject to the policies of the Neighbourhood Plan.
5. The Parish Council submitted its draft Neighbourhood Plan, to the Council for examination in June 2021. The Independent Examination into the draft Plan was undertaken in September 2021. The Examiner's Report was issued on the 14th December 2021, and recommended that the draft Plan should proceed to referendum stage of the Neighbourhood Planning process, subject to some amendments being made.
6. On the 26th January 2022, the Council approved the Stainton & Thornton Neighbourhood Plan, incorporating the recommendations of the Independent Examiner's Report, (see Appendix 1) to enable the draft Plan to progress to the referendum stage of the Neighbourhood Planning process. The referendum was held on Thursday 3rd March 2022, and conducted in accordance with procedures similar to those used at local government elections.
7. The referendum question put before the Stainton & Thornton electorate (those eligible to vote) was:

Do you want us to use the Neighbourhood Plan for Stainton & Thornton to help it decide planning applications in the Stainton & Thornton neighbourhood area?

The result of the referendum was as follows:	
Yes votes in favour = 423 (96.4%)	No votes against =16 (3.6%)
The electorate is 2408, giving a turnout for the referendum of 18.03%.	

8. Under the Neighbourhood Planning (Referendums) Regulations 2012 , if more than 50% of those voting in the referendum vote 'yes', then the local planning authority must bring the Plan into force as soon as reasonably practicable.
9. Following the successful outcome of the referendum, (with 96.4% in favour) the next step in the process, involves the Council formally adopting the finalised Stainton & Thornton Neighbourhood Plan 2021-2036, in the determination of planning applications within the designated Stainton & Thornton Neighbourhood Area.
10. Once the Plan has been adopted, the Council is required to issue an adoption notice to be placed on the Council's website. Any person who feels aggrieved by the Plan may apply to the High Court to seek a judicial review of the decision to adopt the Plan. This application to the High Court must be made within six weeks of the day after the Plan was adopted.

What decision(s) are being recommended?

That the Council:

- Adopts the Stainton & Thornton Neighbourhood Plan 2021-2036.

Rationale for the recommended decision(s)

11. To enable the Plan to form part of the Council's Policy Framework, to be used in the determination of future planning applications within the designated Stainton & Thornton Neighbourhood Area.

Other potential decision(s) and why these have not been recommended

12. Under the Regulations, following a successful referendum result a local planning authority must adopt the Neighbourhood Plan. If the local planning authority fails to adopt the Neighbourhood Plan, the Secretary of State may be asked to intervene.

Impact(s) of the recommended decision(s)

Legal

13. The legal framework for preparing Neighbourhood Plans is set out in the Planning & Compulsory Purchase Act 2004 and the Neighbourhood Planning (General) Regulations 2012. The Stainton & Thornton Neighbourhood Plan has been prepared in accordance with the legislation.

14. As outlined above in paragraph 8, under the Regulations, following a successful referendum result a local planning authority must adopt the Neighbourhood Plan. If the local planning authority fails to adopt the Neighbourhood Plan, the Secretary of State may be asked to intervene.
15. Upon adoption, the Stainton & Thornton Neighbourhood Plan 2021-2036 will become part of the Statutory Development Plan in the Neighbourhood Area, alongside the Middlesbrough Local Plan. Under the Planning & Compulsory Purchase Act 2004, planning applications must be determined in accordance with the statutory development plan unless material considerations indicate otherwise.
16. The Stainton & Thornton Neighbourhood Plan 2021-2036 will also become part of the Council's Policy Framework.

Strategic priorities and risks

17. Under the Regulations, where a local authority fails to adopt a Neighbourhood Plan following a successful referendum, the Secretary of State may be asked to intervene. The relevant risks this decision would influence are cited below, with an explanation as to why they are relevant and how it would affect each risk:

Risk No	Risk Description	Impact on the risk
O8-055	If the Council does not respond effectively and efficiently to legislative changes it could be in breach of statutory duties in relation to service delivery and fail to make the most of opportunities.	By undertaking this work the Council is ensuring compliance with the regulations and this will have a positive impact on this risk.

Human Rights, Equality and Data Protection

18. The Stainton & Thornton Neighbourhood Plan has been subject to an initial Impact Assessment (IA), which accompanies this report (see Appendix 2). This identifies that a full IA is not necessary. The decision does not involve the collation and use of personal data, and as such will not require a Data Protection Impact Assessment to be undertaken.

Financial

19. The financial implications as a result of this report, mainly involve administrative and publication costs that the Council is required to undertake, as part of the above Regulations.
20. Following the adoption of the Plan, the Council is eligible to apply to the Government under its Neighbourhood Planning New Burdens grant funding, which assists local planning authorities with additional neighbourhood planning costs, such as, administrative processes and undertaking the referendum.

Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline
An adoption notice will be issued and placed on the Council's website to publicise the adoption of the Plan.	Head of Planning	As soon as practical after the adoption of the Plan.

Appendices

1	Stainton & Thornton Neighbourhood Plan 2021-2036
2	Initial Impact Assessment (IA)
3	

Background papers

Body	Report title	Date
-	-	-

Contact: Charlton Gibben – Senior Planning Policy Officer.
Email: charlton_gibben@middlesbrough.gov.uk

This page is intentionally left blank



Stainton & Thornton

NEIGHBOURHOOD PLAN

PREPARED BY THE STAINTON & THORNTON NEIGHBOURHOOD
PLAN GROUP ON BEHALF OF THE STAINTON & THORNTON
COMMUNITY

2021 - 2036



FOREWORD – Alan Liddle (Chair of the Parish Council & Neighbourhood Plan Group)

The Stainton and Thornton Neighbourhood Plan sets out the vision, objectives and policies to ensure that the Parish of Stainton and Thornton maintains its character over the period 2021-2036.

Stainton and Thornton Parish is a largely rural/agricultural community of roughly 458.9 hectares to the south west of the Middlesbrough with its roots dating back to the Domesday Book. The Parish church of St. Peter and St. Paul, in the centre of the village, is where Captain James Cook's parents were married.

Ten years ago, most of the area was open agricultural land with only 9.1% of the area being built on. Since then the Rose Cottage Estate has been built, increasing the built proportion to 12.8%. At the opposite side of the village, but still within the Parish is Hemlington Grange, a 61.9-hectare site formerly owned by Middlesbrough Borough Council (MBC) but has now been sold for development for housing and a Business Park. Construction has already begun with over 150 of the projected 1290 houses built and occupied along with the completed construction of the new Community Safety Hub. When this whole site has been completed, the built area of the Parish will exceed 26%. The projected number of dwellings in the parish in 2024 is 2306 (*According to the Electoral Services Department of MBC*), compared to 626 in 2010.

To ensure that future development within the Parish is of the type, style and position to be carried out in accordance with the wishes and desires of the residents and following two public resident surveys, the Neighbourhood Plan Group under the auspices of the Parish Council was formed to construct this Neighbourhood Plan.

The aim of the plan is to work with the Local Planning Authority (LPA) to ensure that our green spaces are protected and enhanced, the community is connected to the surrounding area by improving footpaths and roads, while still maintaining the village feel, by keeping a strategic gap with nearby settlements and improving the overall amenity of the villages.

The whole process of Stainton and Thornton's Neighbourhood Plan has been working towards protecting the qualities of the villages. Since the outbreak of the COVID-19 pandemic there has been time for reflection and the working party's commitment to nurturing and protecting green spaces to the good of the physical and mental health of the existing and future residents of Stainton and Thornton has never been more relevant.

The importance of good quality green spaces to enjoy locally and a series of well thought out footpaths and cycleways allowing access to these and neighbouring areas is an integral part of our plan. Having a good quality housing design capability allows for the flexibility to adapt to the possibility of working from home, alongside the provision of good broadband.

The Neighbourhood Plan sets down a series of planning policies that, once adopted will form part of the Statutory Development Plan.

It is intended that the policies will be reviewed every 5 years to monitor the cumulative effects of the policies and, if necessary, make changes to keep them up to date and relevant. This will be undertaken in conjunction with the LPA, Middlesbrough Borough Council.

I would like to thank all members of the Neighbourhood Plan Group for all their hard work, time and effort into constructing this plan.

CONTENTS:

FOREWORD BY MR ALAN LIDDLE – CHAIR

1. INTRODUCTION
2. PLANNING CONTEXT
3. AREA CONTEXT: ABOUT STAINTON & THORNTON
4. ETHOS & CHARACTER OF STAINTON & THORNTON
5. CONSULTATION PROCESS
6. ISSUES
7. PLAN VISION AND OBJECTIVES

NEIGHBOURHOOD PLAN POLICIES:

- | | | |
|-----|---|---|
| 8. | GREEN INFRASTRUCTURE
LOCAL GREEN SPACES
NATURAL ENVIRONMENT | Policy ST1
Policy ST2
Policy ST3 |
| 9. | HERITAGE | Policy ST4 |
| 10. | COMMUNITY ASSETS | Policy ST5 |
| 11. | ACCESS AND PARKING | Policy ST6 |
| 12. | SERVICES AND COMMUNITY FACILITIES | Policy ST7 |
| 13. | DESIGN PRINCIPLES FOR NEW RESIDENTIAL DEVELOPMENTS | Policy ST8 |
| 14. | PLANNING OBLIGATIONS | Policy ST9 |
| 15. | RENEWABLE ENERGY DEVELOPMENTS | Policy ST10 |

REFERENCES

ACKNOWLEDGEMENTS

APPENDICES

1. INTRODUCTION

- 1.1 The Stainton & Thornton Neighbourhood Plan covers the period from 2021 - 2036 and will be reviewed every 5 years to ensure compliance with National and Local Planning requirements and to reflect the changing needs of the local community.
- 1.2 The Stainton & Thornton Neighbourhood Plan has been compiled by a working group of the Parish Council working closely with residents, partners and Middlesbrough Council.
- 1.3 As a parish area, the Neighbourhood Plan boundary is consistent with the Stainton and Thornton Parish boundary. The Council's Executive approved this on the 7th March 2017 following a consultation period from 20th January 2017 until 20th February 2017. Following a meeting of Stainton and Thornton Parish and Community Councils on 14th March 2017 the Stainton and Thornton Neighbourhood Plan Group was established.
- 1.4 This plan has been prepared with the engagement of the local community, full details of which are set out in the Supporting Community Involvement document. The Parish Council led the Neighbourhood Plan Group to develop a Neighbourhood Plan to give the local community more of a say in how the area should be developed in the future.
- 1.5 What is a Neighbourhood Plan? The 2011 Localism Act introduced neighbourhood planning. Neighbourhood Plans allow local communities to have a say in developing how their community will grow over a 15 year period. The plan allows the community to choose where it wants new homes to be built, to have their say on what these new buildings should look like whilst at the same time protecting the landscape and character of the area.
- 1.6 This Neighbourhood Plan must be in general compliance with Middlesbrough Council Local Plan Policies, The National Planning Policy Framework, EU Obligations and Human Rights requirements. The Neighbourhood Plan, once adopted, forms part of the Middlesbrough Council Development Framework. Its policies work alongside the Middlesbrough Council Development Plan. This means that the Borough Council and Parish Council will use it in the consideration of development proposals within the Stainton and Thornton Parish area, to ensure that we plan for a sustainable future for our community, whilst preserving the character of the area.

STANTON & THORNTON: NEIGHBOURHOOD PLAN BOUNDARY

Page 151

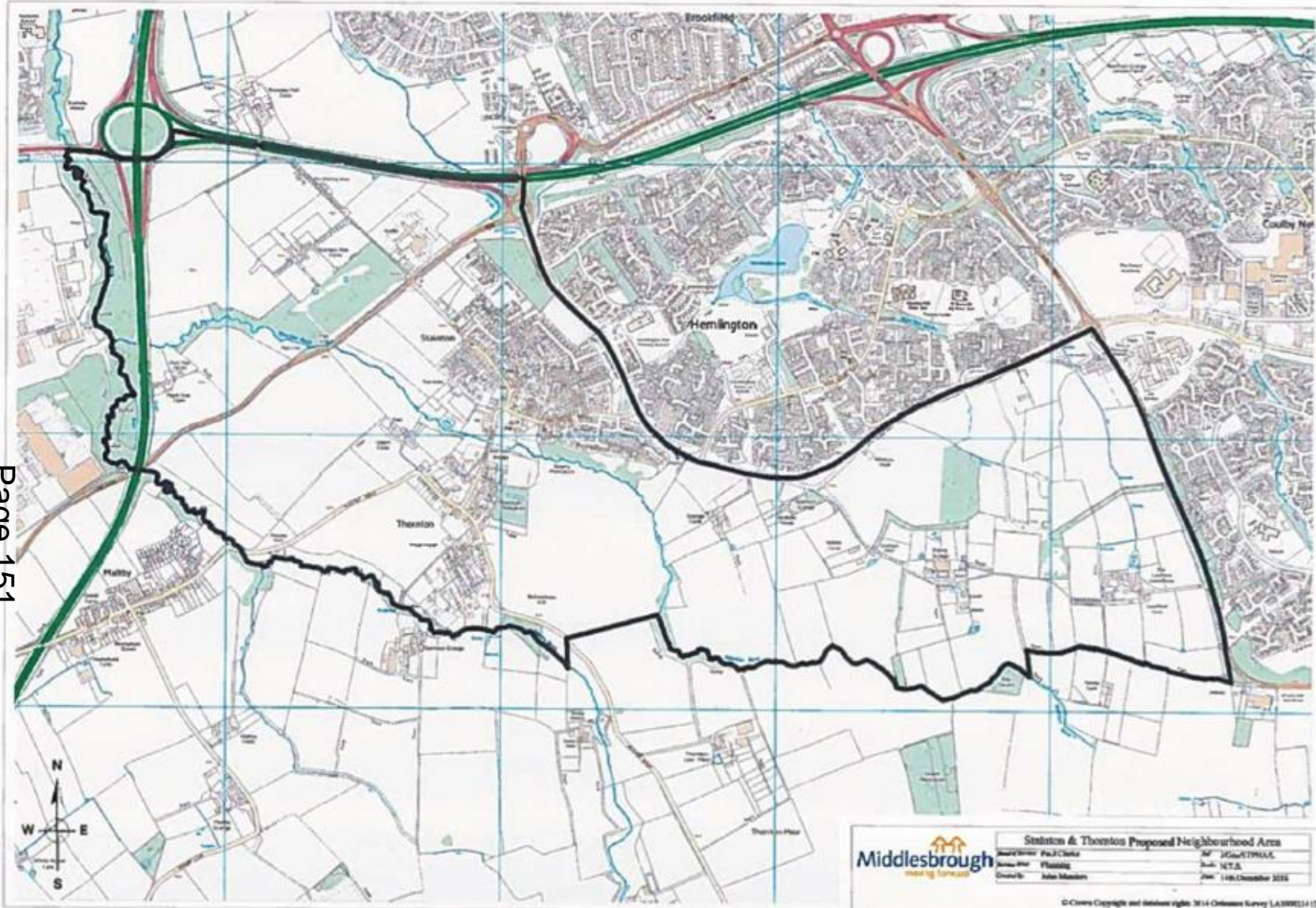


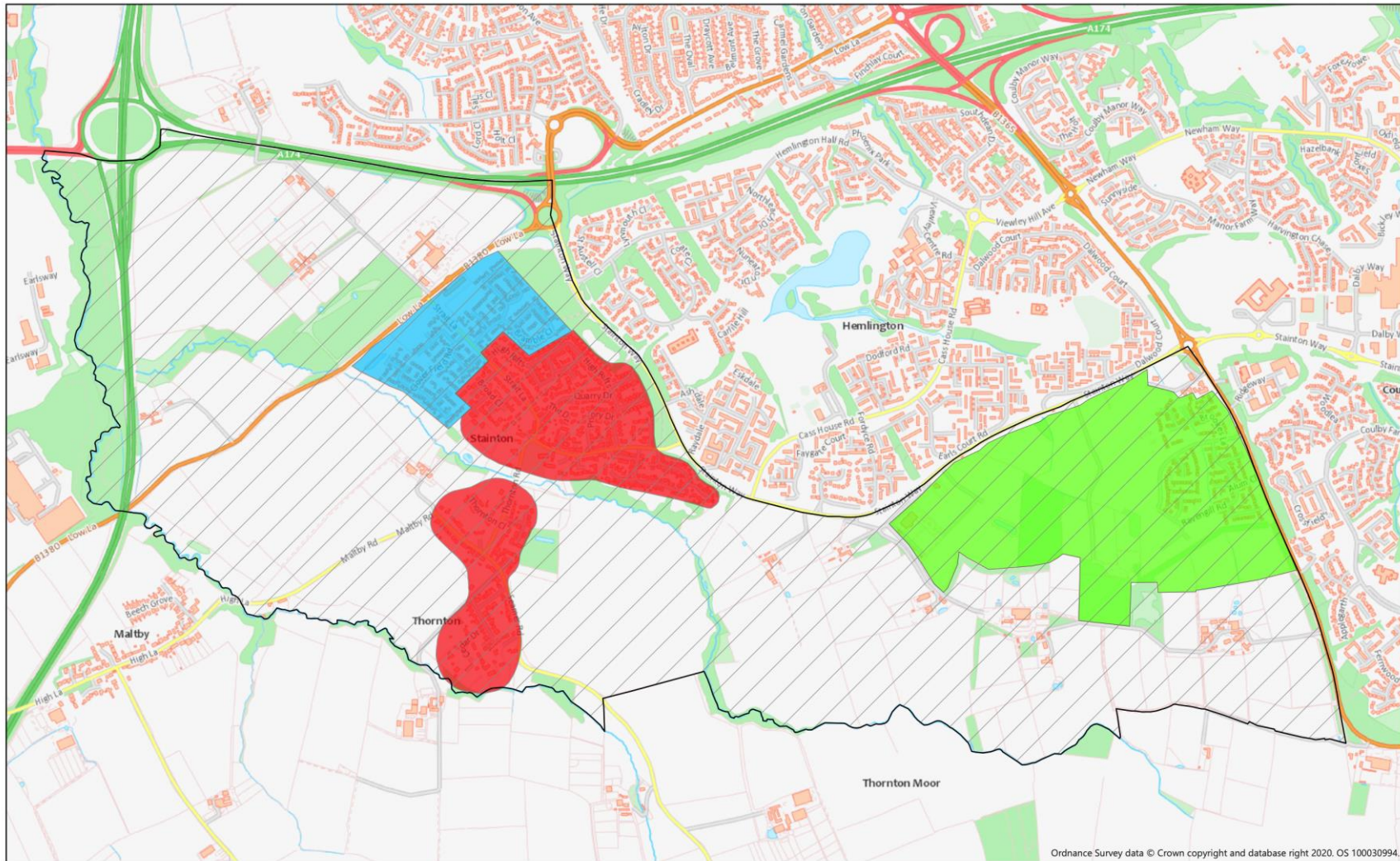
Figure 1: Stantion and Thornton Parish Boundary

2. PLANNING CONTEXT

- 2.1 At the time of preparing the Neighbourhood Plan, Middlesbrough Borough Council have a range of adopted Development Planning Documents, the most recent being the 2014 Housing Local Plan. The Council is presently looking to develop a new local plan that will replace the existing array of documents. This is currently being prepared; the local authority previously consulted on a version of the Preferred Options and Publication Documents in 2018 and 2019, following political changes the Local Plan has been put back with further consultation expected later in 2021. The Neighbourhood Plan Group will continue to respond to all proposals (full details of the response are available in the Community Engagement Document).
- 2.2 The new Local Plan will set out strategic policies for the Borough as a whole and will determine how much development should be planned for over the next 15 years or so. The strategy previously has been to promote the regeneration of the older parts of the town centre and make provision for additional housing allocations on the southern edge of the urban area. This has led to the allocation of Rose Cottage Farm and Hemlington Grange in the 2014 Housing Local Plan; 1708 homes across these two sites, both of which are in the Neighbourhood Plan Boundary.
- 2.3 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. The NPPF was first published in March 2012, and most recently updated on 20 July 2021. This Plan has had regard to the July 2021 NPPF and its accompanying PPG. Alongside the updated NPPF, the Government has published the final version of the National Design Guide (NDG) and National Model Design Code (NMDC) which has also been taken into account.
- 2.4 The recently withdrawn draft documentation as part of the review of the Local Plan suggested that further residential development is required and further sites on the southern edge of the urban area were identified. This was a considerable concern of the Neighbourhood Plan Group given the levels of strategic growth identified by the 2014 Housing Local Plan and justification methodology for further growth. The 2014 Housing Local Plan is the relevant strategic planning document at the time of preparation of this document.
- 2.5 Very strong views were expressed from all communities in the development consultations on the Neighbourhood Plan about the importance of maintaining the character and identities of the parish and safeguarding the countryside gaps between the urban area and the villages within the parish. Concerns were also expressed about the potential impact of the traffic from any major new developments on the local road network through the parish and about ensuring that the strategic highway network was improved to accommodate the additional traffic. This is in addition to concerns about safeguarding and enhancing community and green infrastructure to guarantee that future development is sustainable. The Neighbourhood Plan area has key assets that the community wants to protect; these include the green spaces within the village, community buildings and the green linkages to the wider area.
- 2.6 The Neighbourhood Plan has sought to address these concerns and includes policies that seek to ensure that any development sites on the urban edge are selected and designed so that they do not impact on the character of, or result in increased traffic flows through the parish and the wider Neighbourhood Plan area. The retention of 'green gaps' between the parish and future development is vital so coalescence doesn't impact on the identity of the villages. Improvements to the highway network are required to serve the developments, and importantly all new developments are well designed to create distinct communities integrated into existing and new

facilities and should have good internal landscaping and a strong landscape buffer on the countryside fringe.

2.7 The map below shows the impact of development on the Parish of Stainton and Thornton.



Ordnance Survey data © Crown copyright and database right 2020. OS 100030994.

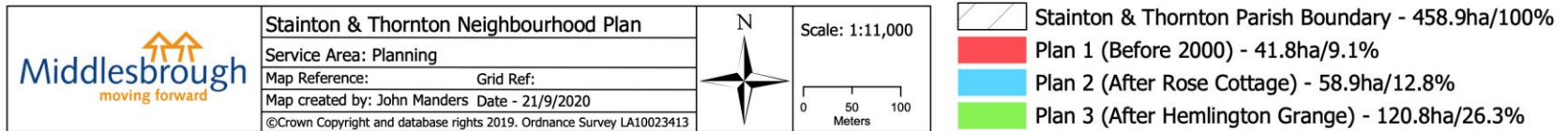


Figure 2: Housing expansion showing Percentage of Developed Land in the Parish.

3. AREA CONTEXT: ABOUT STAINTON & THORNTON

- 3.1 Stainton and Thornton parish is located to the south of the Middlesbrough planning area. The area is 490 hectares, which represents 9.10% of the total area of the borough of Middlesbrough. The Parish adjoins Hemlington and Coulby Newham; both peripheral urban areas of Middlesbrough. The A19 and A174 form the western and northern boundaries respectively.
- 3.2 The character of the area is that of a parish on the rural periphery of the urban area. It originally comprised of two villages, Stainton and Thornton in addition to a large area of agricultural farmland. Significant increases in housing have occurred over the past ten years and are continuing at a rapid pace, particularly on the Hemlington Grange site.
- 3.3 The huge increase in the size and nature due to development across Stainton and Thornton Parish is attributable to the large developments on former green field sites of Rose Cottage and Hemlington Grange – where the housing mix is predominantly of 3 – 5 bedroomed properties.
- 3.4 Details of the parish's Demographics, Housing, Education and Connectivity are in Appendix 1.

4. ETHOS & CHARACTER OF STAINTON & THORNTON

- 4.1 The character of the area is defined by its unique environmental, physical and historical attributes, which are valued by the communities living there. There is a strong will to protect and enhance the parish to ensure that what makes the parish special is the same for future generations.
- 4.2 For the purposes of the Neighbourhood Plan the area of Stainton & Thornton Parish (our adopted area) has been broken down into four distinct sections, full character descriptions are detailed in Appendix 2.

5. CONSULTATION PROCESS

- 5.1 A short two-page survey was initially delivered to every household in the area in order to engage with all residents and get their views on a shared vision for Stainton & Thornton e.g. their likes and dislikes on living in the parish and their vision for the parish in 15 years' time. A shorter questionnaire was also given to children at the village Gala Day and their opinions have also been used to shape policy
- 5.2 A further 13-page survey was carried out in October 2017 to cover a range of further issues e.g. Sustainable Development, Housing & Development, Site and Design, Infrastructure, Footpaths, Heritage & Natural Environment, protecting Stainton & Thornton Assets, Transport and what improvements they would like to see in the future. These were collated and given to the steering group to work with.
- 5.3 The draft Neighbourhood Plan was subjected to extensive consultation within the area and with key stakeholders. It is a plan for the future of Stainton & Thornton over the next 15 years. All respondents' views have been analysed using Survey Monkey and where appropriate have been taken into account. For various reasons it has not been possible to incorporate everyone's wishes. Copies of this draft plan are available on the Stainton & Thornton website and Facebook page and hard copies were distributed in various places around the area.

- 5.4 First notification regarding the development of 'The Neighbourhood Plan' was sent out in the Stainton & Thornton Community Council Newsletter dated June 2017. Posters were displayed in village noticeboards prior to the survey being distributed. Regular updates have been provided throughout the plan development to the Parish Council.
- 5.5 Regular Neighbourhood Planning meetings followed, all minuted as listed in Appendix 3.

6. ISSUES

6.1 Following the extensive consultation undertaken with residents the following areas were focused on resulting in the headline issues listed below:

- Sustainable Development – benefits and concerns
- Housing and Development – types of housing
- Where should housing go?
- Site and Design Criteria
- Infrastructure and Facilities
- Transport, Parking
- Footpaths, Cycle Routes and Bridleways
- Heritage and Natural Environment
- Stainton & Thornton Assets
- Renewable Energy

Key Issues:

- The continuous housing development in Stainton & Thornton and the impact on Village status and identity.
- Is the right type of housing being developed?
- Both villages have heritage assets and are partially covered by a conservation area. There are valued green spaces, large and small, throughout the parish – How can development be designed and landscaped to enhance the villages historic and natural assets?
- Open gaps / green spaces need to be preserved between any new future developments to retain the green countryside around the parish.
- How can future development and expansion bring enhancements and services to the existing parish? Can expansion bring employment?
- What measures are in place to safeguard and enhance historic assets?
- With limited community facilities i.e. shops, village halls, schools, doctors, clinics – what steps can be taken to ensure development improves these facilities?
- Does the parish have enough green spaces/play areas/woodland/habitat creation, should more be planned?
- Can pathways/bridleways/road systems giving better access to the parish and beyond for pedestrians, horse riders and cyclists as well as drivers, be improved?
- Public Transport – How can the needs of non-car users be met?
- Can the existing road infrastructure cope with the expanding parish?
- How can renewable energy be incorporated in the development of new properties?
- The need to use Developer Contributions to enhance the immediate area of development.

7. PLAN VISION AND OBJECTIVES

VISION

- 7.1 During the meetings of the Neighbourhood Plan group and following the first Community Survey, work was undertaken to establish a 'vision' for Stainton & Thornton. The 'vision' was shared with the community in the second survey. The results from the survey showed that 94% of residents agreed with the following vision:

“The Parish will develop appropriately, but also retain its rural village character, along with green spaces both within, and surrounding, the parish. It will maintain its community spirit and historical connections and remain distinct in its character from the urban town of Middlesbrough.”

OBJECTIVES

- 7.2 The steering group has established a set of objectives for the plan period 2021 - 2036. Both the first short survey and answers and comments from the more details second survey and the children's survey were used in conjunction with available evidence, additional data and statistics to develop the objectives of the plan. Objectives were used to address identified residents priorities. These objectives have been used to define the plan's policies.

ASPIRATIONS

- 7.3 Discussions and consideration of various options that would comply with national and local priorities were undertaken to develop a plan that would deliver the aspirations of what residents want for the Parish.

SUSTAINABLE DEVELOPMENT PRINCIPLES

- 7.4 The Stainton & Thornton Neighbourhood Plan will contribute to achieving the economic, social and environmental aspects of sustainable development by:-
- contributing to a strong and competitive economy by supporting the incremental changes that will sustain and enhance Stainton & Thornton as a place to live, and maintain its economic viability and vitality;
 - planning positively for housing growth to meet the needs of present and future generations and to ensure that any development in and around Stainton & Thornton is supported by additional infrastructure, where necessary, in order to make it more sustainable;
 - supporting the provision of a mix of housing types and sizes that can meet the needs of a wide range of people, especially older people and single person households and thereby promoting a healthy and inclusive community;
 - supporting new development where it relates well to the local area and which helps provide good connectivity with the rest of the borough and encourages the use of sustainable transport;
 - promoting policies to protect and enhance open space, heritage and environmental assets as well as biodiversity, which contribute to the sense of community and quality of life in the area;
 - promoting policies which encourage the use of sustainable transport, for the health and well-being of the community; and
 - promote the installation of renewable energy equipment within the new builds to encourage a healthy and sustainable community.

POLICIES AND POLICY JUSTIFICATION

7.5 A systematic approach was undertaken to evaluate each priority area to draft appropriate, attainable policies. Research and surveys have defined that policies should cover the following areas:

- **Green Infrastructure, Green Spaces and Natural Environment**
- **Heritage Assets**
- **Community Assets**
- **Access and Parking**
- **Services and Community Facilities**
- **Design Principles**
- **Developer Contributions and Planning Obligations**
- **Renewable Energy Developments**

8. GREEN INFRASTRUCTURE, LOCAL GREEN SPACES AND NATURAL ENVIRONMENT

POLICY JUSTIFICATION

8.1 Green Infrastructure (GI) incorporates all types of open spaces, water bodies and other environmental features, in both urban and rural areas. This includes parks and gardens, allotments and playing fields, cemeteries and churchyards, woodlands, rivers and wetlands. Strategically planned, appropriately located, well designed and managed green infrastructure performs many different functions which in turn deliver multiple environmental, social, health and economic benefits for local communities.

8.2 Benefits of a well-planned and managed GI include:

- Greater sense of place and pride in the local area
- Increased biodiversity by providing habitats for wildlife
- Health and wellbeing benefits through places for outdoor relaxation, play, recreation and exercise
- Encourages active and sustainable travel by providing cycle and walking routes
- Reduced crime, fear of crime and antisocial behaviour.
- Mitigates for the effects of climate change, e.g. flood alleviation, carbon storage, cooling urban heat islands
- Increased local food and renewable energy production
- Improved image: helping to attract businesses and inward investment

Landscape and Heritage Assessment (MBC Local Plan Review 2016)

8.3 This work was undertaken as part of the evidence base for the MBC Local Plan review, which was halted in July 2019. The Neighbourhood Plan group consider the assessment of green spaces as relevant for the development of the Neighbourhood Plan and have therefore retained reference to it in this document.

8.4 The study provided a holistic assessment of the different values placed on landscapes within Middlesbrough.

8.5 It was agreed that overall value would be assessed under four key themes:

- Landscape – being the value attached to features and characteristics;
- Visual amenity – the value attached to views and scenery;
- Historic environment – the value attached to its component assets: archaeological remains; historic structures; and historic landscape features; and
- Green infrastructure (GI) - the value placed on the functions and networks provided by green space.

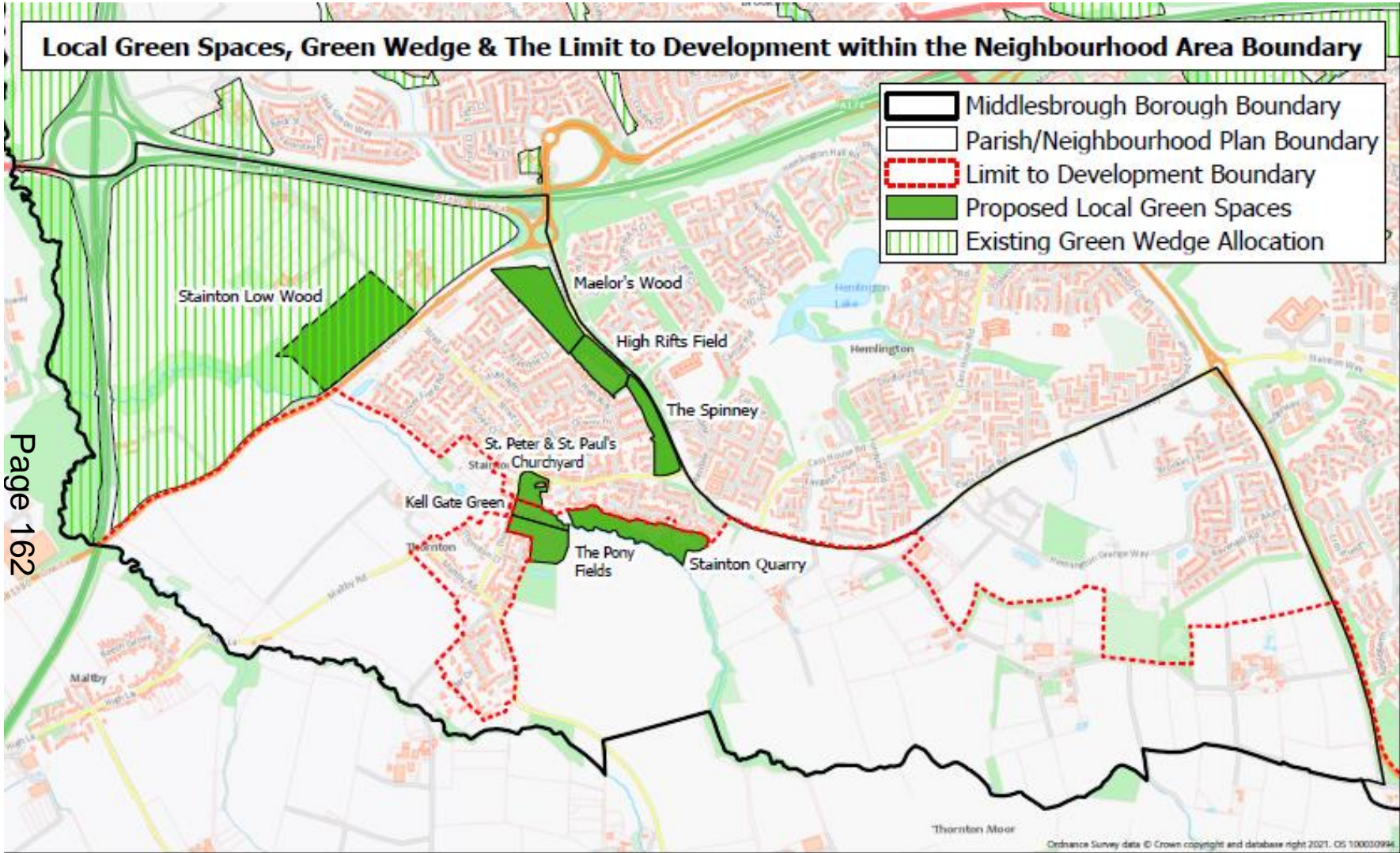
8.6 Land within Stainton and Thornton Parish and the assessment of these areas is detailed in Section 16 of this assessment.

Brown Field Sites: Ensure the protection of existing green spaces

8.7 Developments should respect the current nature of the landscape of the parish and, in line with paragraph 117 of the Government's National Planning Policy Framework, new homes should be

strategically planned to ensure as much previously developed land within Middlesbrough is allocated prior to the designation of green field sites.

- 8.8 The CPRE (Campaign to Protect Rural England) are keen to see much of the housing we need built on brownfield rather than greenfield land. Their research, using council data, demonstrates that there is enough space for more than a million homes in England. CPRE claim that more than two-thirds of these homes are deliverable within the next five years, and that many of these sites are in areas with a high need for housing.
- 8.9 This is an approach the Neighbourhood Plan supports, given the ongoing development pressure on farmland in the parish.
- 8.10 **Local Green Spaces** can be designated as part of the Neighbourhood Plan provided they meet criteria described in Paragraph 102 of the revised National Planning Policy Framework (NPPF), which are set out below:
- Where the green space is in reasonably close proximity to the community it serves;
 - Where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
 - Where the green area concerned is local in character and is not an extensive tract of land.
- 8.11 Appendix 4 details an assessment of the local green spaces that have been identified within the parish.



Page 162

	Service Area: Planning		Scale: 1:10,500
	Map Reference: Grid Ref:		
	Map created by: J Manders Date - 14/1/22		
	©Crown Copyright and database rights 2019. Ordnance Survey LA10023413		

Figure 3: Local Green Spaces, Green Wedge and the Limit to Development within the Neighbourhood Area boundary.

FARMLAND

- 8.12 Nearly three quarters of the parish is characterised as rural, with a number of working farms and active liveries, the prominent land use is for arable crops and grazing. These farms extend across the local authority boundaries into neighbouring North Yorkshire and Stockton Borough, provide businesses, employments and leisure facilities actively supporting the local rural economy.
- 8.13 Over the last 10 years there has been a considerable reduction in farmland within the parish, with high pressure for residential development.
- 8.14 The Unicorn Centre and Larchfield Community Centre occupy land in the far south east of our area. It is in all our interests to ensure that this land remains in current use for the health, wellbeing and community spirit of our Parish.
- 8.15 Farmland also provides vital habitats and encourages biodiversity especially along the field perimeters and hedgerows.

WATER COURSES

- 8.16 Becks and streams, and the habitats alongside, are important in our semi-rural environment. It is important to retain these watercourses in a natural state. Even if housing developments are close, we wish to retain open water rather than have culverts. Not at all watercourses are currently in a natural state, it is an ambition of the plan that water quality should be enhanced where possible and the water quality status of a waterbody is not deteriorated following development. This is in reference to the Water Framework Directive (WFD)
- 8.17 There was an overwhelming response from the local community through consultation in relation to the Natural Environment, 82.4% of residents felt it was very important and a further 14.29% considered it important. Our parish has a number of green areas that our questionnaires and research shows are of high importance to residents. The percentage of questionnaire respondents who consider these assets to be important to our community is given below:-
- | | |
|---------------------|-----|
| Maelor's Wood | 79% |
| High Rifts Field | 83% |
| Kell Gate Green | 80% |
| The Spinney | 80% |
| Stainton Quarry | 80% |
| Stainton Low Wood | 84% |
| Rural Rights of Way | 76% |

- 8.18 The identified issues in relation to the green spaces and green infrastructure are:
- Keep existing green spaces, they allow children some space to play, promote healthy exercise and wellbeing and health of residents
 - Lack of children's play areas identified, particularly from the Children's Survey
 - Trees are the lungs of our Parish they improve air quality and make people feel better
 - Sympathetic management of existing green spaces and infrastructure
 - Protect habitats and biodiversity for wildlife and flora
 - Connecting existing footpaths and green wedges and corridors and cycle ways
 - Encroachment of new developments
 - Lack of green spaces within new developments due to density of build
 - Green spaces to allow for natural soak of water and prevent areas of flooding

- Green Wedge and agricultural land around the Parish to be maintained to retain separate identity
- Maintain views

8.19 From these identified issues to the aspirations of this Neighbourhood Plan are:

- To protect existing green assets of the Parish from future development, except where there is a proven documented and overwhelming need and demand that cannot be met on previously developed land.
- Provide outside areas with play and sport equipment for children in the Parish.
- Protect and enhance biodiversity and develop wildlife corridors.
- Maintain and enhance current woodlands and maintain, protect, and where necessary, replace trees in the Parish, to maintain its semi-rural feel.
- More residents working with other organisations to maintain our green spaces and infrastructure.
- Conserve and maintain existing footpaths and cycle ways and develop a cohesive joined up network that also includes bridleways for the many horse and cycle users in the Parish.
- Maintain green buffer zones between developments to maintain the character of our Parish and the village settlements within it.

8.20 To develop the policy the following objectives were identified:

- Ensure the protection of existing green spaces and infrastructure
- Prevent over development spoiling walks, views, cycle ways and bridleways
- Create more areas for children to play and get outdoor exercise and keep play areas commensurate with any increase in housing
- Maintain and enhance biodiversity
- Preserve existing woodlands and increase woodland
- Maintain and protect the semi-rural aspects of our parish
- Maintain and enhance public rights of way, footpaths, and cycle ways
- Ensure green spaces between us and neighbouring developments to maintain our parish character
- Insist new developments include areas of green space suitable for recreation
- Reduce the risk of flooding by maintaining sufficient soak away areas of grass, trees and ponds
- Encourage more residents to join volunteer groups to protect and enhance green spaces

8.21 The top priority for the local community is to ensure the protection of the green spaces and green infrastructure in the parish that currently exists and where possible to enhance this. Therefore this Neighbourhood Plan seeks to ensure the protection of existing green spaces and infrastructure by:-

- Encouraging appropriate and effective management of the countryside and natural outdoor environment in and around Stainton and Thornton and the agricultural spaces surrounding our Parish
- To enhance the quality of the landscape
- Improve local biodiversity, including through striving to achieve biodiversity net gain in all developments¹.
- Maintain and extend health and wellbeing and the quality of life benefits that green spaces provide for residents of the area. This encompasses all the green areas within Stainton and Thornton Parish.

¹ 'Net Gain' Policy Statement from the Department for Environment, Food & Rural Affairs July 2019.

- 8.22 This Neighbourhood Plan designates important open spaces in the parish as Local Green Spaces in accordance with the criteria of the NPPF.
- 8.23 The justification for designating the Local Green Spaces is detailed comprehensively in the Green Space Allocations – Appendix 4.

POLICY ST1: GREEN INFRASTRUCTURE

Development proposals will be supported if they contribute towards the protection or enhancement of green infrastructure. In particular, support will be given to proposals that further enhance the quality, accessibility and usage of green spaces, public open spaces and areas of sport/play provision.

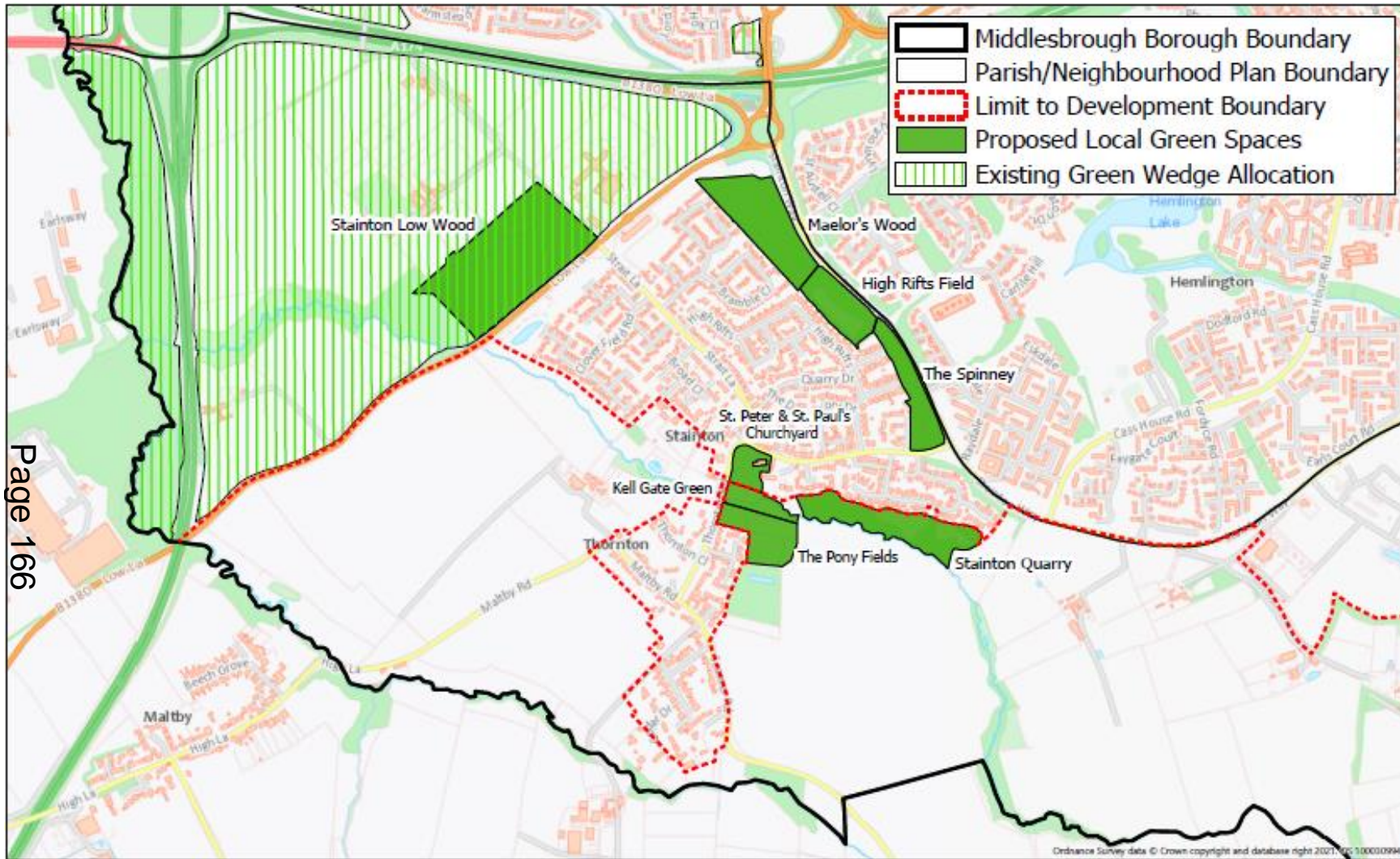
Green infrastructure and development proposals that seek to improve the connectivity between green spaces, can deliver wider benefits for nature and support efforts to address climate change will be supported.

POLICY ST2: LOCAL GREEN SPACES

The following sites, as shown in Figure 4, are designated as Local Green Spaces:

- 1) Maelor's Wood
- 2) High Rifts Field
- 3) Kell Gate Green
- 4) The Spinney
- 5) The Quarry
- 6) Stainton Low Wood
- 7) St Peter & Paul's Churchyard
- 8) The Pony Fields

The management of development within a Local Green Space will be consistent with the Green Belt policy in section 13 of the NPPF. Development will not be permitted other than in very special circumstances.



	Policy ST2 - Proposed Local Green Spaces			Scale: 1:8,000
	Service Area: Planning			
	Map Reference:	Grid Ref:		
	Map created by: J Manders	Date - 14/1/22		
©Crown Copyright and database rights 2019. Ordnance Survey LA10023413				

Figure 4: Location of Policy ST2 Local Green Spaces

POLICY ST3: NATURAL ENVIRONMENT

Development proposals will be supported where:

- 1) They have taken account of guidance in the National Design Guide and the National Model Design Code.
- 2) They do not adversely affect the distinctive local character of the open landscapes of the parish.
- 3) They contain measures that will help to mitigate the impacts of, and adapt to, climate change.
- 4) They protect and enhance wildlife areas and contain measures to sustain and improve biodiversity.
- 5) There are no adverse impacts on the watercourse and/or ponds, habitats and wildlife or the quality of the water. Developments which bound watercourse should provide an appropriate buffer zone to minimise impacts on wildlife.
- 6) They provide habitat linkages and permeability for wildlife through effective incorporation of green spaces and wildlife corridors (including watercourses), use of native planting and habitat features such as ponds and areas of meadow.

Biodiversity and wildlife corridors:

Biodiversity net gain will be supported on all developments. Development which detrimentally impacts on verges, hedges, tree corridors and watercourses will not be supported unless suitable alternative provision is made elsewhere. The creation of new wildlife corridors is encouraged and will be supported.

9. HERITAGE ASSETS

POLICY JUSTIFICATION

9.1 Heritage is a **source of identity**; a source of **character and distinctiveness**, therefore key to understanding the character of the parish, is being aware of the heritage of the area.

Heritage Assets in Stainton & Thornton

9.2 The parish has a long history, which is summarised in Appendix 5; this has influenced the historical development of the villages. The parish has always been predominantly rural with farms, many of which have heritage assets within them and the two village settlements. The earliest buildings in each of the villages are integral to the original village form characterised by rows of farmsteads. The villages of Stainton and Thornton have always been geographically close but separated by a band of fields, which remains fundamental to the historical character of the two villages.

9.3 Both villages have seen various stages for development, practically to the north of Stainton through large scale housing additions in the 1960s with High Rifts, 1970s with Cedarwood Glade and Rose Cottage farm in the last 5 years. These have had an impact on the historical rural character of the parish.

9.4 Preserving and enhancing the heritage of the parish is an important priority for residents. As development pressure remains, it is key that all development proposals appropriately assess their impact on heritage assets.

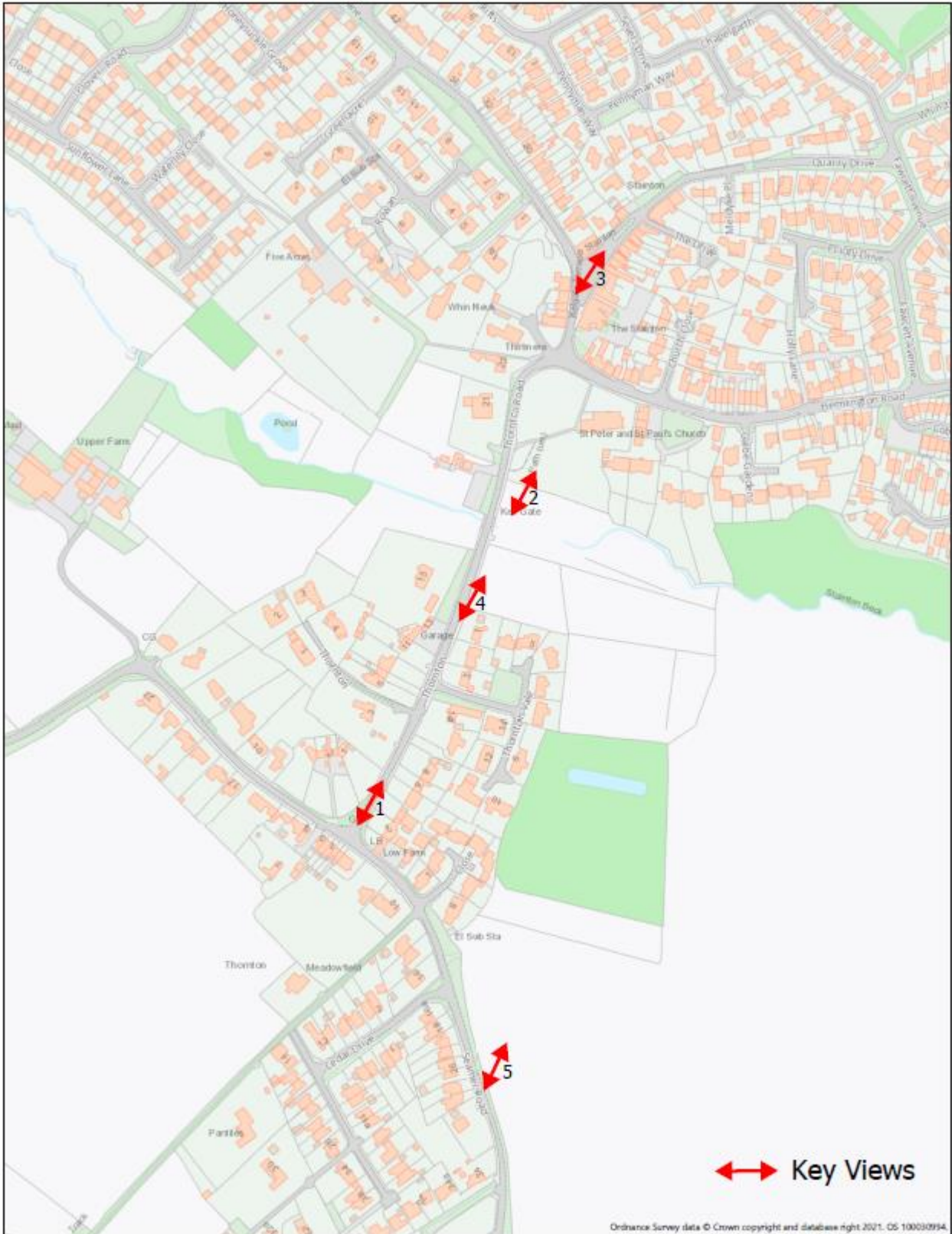
9.5 The core of the two villages was designated as a conservation area in 1988 (see map in Appendix 6), recognising the importance of the historic environment and ensuring additional protection to the heritage asset.

9.6 The most recent Conservation Area Appraisal (which includes a management plan) was undertaken in 2008. Whilst this document is more than a decade old it provides a comprehensive assessment of the strengths, weaknesses, opportunities and threats to the conservation area. Given the fairly limited change to the context of the conservation area over this timeframe and the quality of the heritage asset, this document is considered up to date. There are a number of recommendations detailed in the management plan section of the document and the Neighbourhood Plan group is supportive of implementation of actions to preserve and enhance the quality of the Conservation Area.

9.7 Local list descriptions of those premises in the parish are attached as Appendix 7.

9.8 Important to the character of the area and the historic environment are views within and into the conservation area, these views are important to define the character of the Neighbourhood Plan area, particularly around the historic core of the settlement. These should be protected and considered through future development to prevent degradation of the historic asset and character of the village. Views are detailed in the Conservation Area Character Appraisal (ref map on page 67 of document), however of particular importance are the following views:

1. Thornton Road to Church. Overlooks Kell Gate Green.
2. Top of Stainton Quarry to Thornton. Overlooks part of Quarry. Open fields.
3. Meldyke Place, including the Memorial Hall and Methodist Chapel.
4. Kell Gate Green, showing the oak tree, bridge and stream.
5. Views from Seamer Road to Thornton Wood



	S&TNP - Key Views			Scale: 1:2,500
	Service Area: Planning			
	Map Reference:	Grid Ref:		
	Map created by: John Manders Date - 26/1/2022			
	©Crown Copyright and database rights 2019. Ordnance Survey LA10023413			

Figure 5: Key Views

9.9 The Residents' Survey asked how important the Heritage and Natural Environment was to the identity and character of the Parish and, when considering new development, residents assigned importance as follows:

Conservation Area	96%
Archaeological sites	80%
Green Space & Corridors	99%
Landscape	97%
Views/Vistas	93%
Historic/Lister Buildings	93%
Wildlife/biodiversity	96%
Woodland/Protected Trees	97%

9.10 Our historic environment is very important to us and has been central to the development of this plan:

- Keeping the semi-rural identity and historic character of the Parish.
- Protect and enhance the conservation area.
- Protect and enhance our heritage assets including listed and locally listed buildings.
- Landscape, views and vistas should be maintained and enhanced in and within the setting of heritage assets.
- Archaeology should be identified, recorded and managed appropriately. The Historic Environment Record is held by Middlesbrough Council.



Stainton House, Grade II Listed property, with development within its setting.

9.11 The historic environment is recognised as a key asset within the Neighbourhood Plan area, the oldest parts of Stainton and Thornton villages are included within the Stainton and Thornton Conservation area. The role of the conservation area is important in ensuring the historic character of these areas is enhanced and protected. The following aspirations have been set out to ensure there is a future of the historic environment in the parish:

- Enhance the historic environment and engage in the heritage of the parish.

- Parish retains historic semi-rural historic character by retention of surrounding fields.
- Appropriate planning and Listed Building enforcement action should be taken to sustain and enhance the area's heritage assets.
- Consider extending the conservation area to include other buildings of interest within the parish or identification of non-designated heritage assets for the local list.
- Any future developments to respect heritage and character of original villages.
- Maintain and promote history and archaeology of the parish.
- Maintain historic woodlands trees and hedgerows around parish and improve public access to them.
- Higher levels of control and enforcement for conservation areas.

9.12 The following objectives were identified:

- Ensuring there is a gap between developments to protect the village status and prevent urban sprawl.
- Maintain rural land around village to maintain separate identity and character of parish.
- Prevent further erosion of parish character.
- Highest levels of control to maintain important conservation areas in parish.
- Protect and enhance the historic and listed buildings within the parish.
- Preserve and enhance landscape, views and vistas as part of village heritage.
- Promote and preserve history and archaeology within the parish.
- Maintain historic woodlands trees and hedgerows within the parish.

POLICY ST4: HERITAGE ASSETS

Proposals which affects a heritage asset or its setting must demonstrate how the impact of the development avoids or minimises any conflict with the significance of the asset. Proposals will be supported where this has been appropriately assessed and the outcome sustains and enhances the heritage asset. Where a proposal would result in less than substantial harm to a heritage asset this must be appropriately justified and balanced against identified public benefits.

Any proposal affecting the Stainton and Thornton Conservation Area (see map Appendix 6) including its setting should demonstrate how it would sustain or enhance its character or appearance as defined in the Conservation Area Character Appraisal.

Proposals in the Conservation Area and its setting should pay special attention to the following:

1. They have regard to the guidance contained in the National Design Guide and the National Model Design Code.
2. Key views into and out of the conservation area (see Figure 5) - proposed development should seek to protect or enhance existing views. Trees within views should, where possible, be protected.
3. The impact of design - all new development should, where possible, make use of vernacular materials, designs and scaling, reflecting those present within the conservation area.
4. Appropriate boundaries - new boundary treatments should provide enclosure, and historic walls and hedges should be retained. The removal and alteration of boundaries which negatively impact on the character of the conservation area will not be supported.
5. Densities – the density of proposals should take account of the character of the heritage asset and its setting.

Archaeological features within the parish should be protected and whenever possible, enhanced. Where development impacts on archaeology, appropriate investigation and recording should be undertaken.

The Neighbourhood Plan values the heritage assets in the parish and supports the recognition of these through designated or non-designated listing as appropriate.

- 9.13 The Neighbourhood Plan supports consideration of the introduction of an Article 4 direction through a future review of the Stainton and Thornton Conservation Area. This would protect and enhance the conservation area from the use of inappropriate materials and alterations facilitated through permitted development rights.

10. COMMUNITY ASSETS

POLICY JUSTIFICATION

10.1 In order to promote a thriving parish for all, development should support the retention and enhancement of community facilities for community uses and provision of services. Residents were asked how important to both their household and to the community the following identified community facilities were:

	Household	Community
Stainton Memorial Hall	50%	82%
Kell Gate Green	57%	80%
St Peter & Paul's Church	35%	86%
Stainton Methodist Church	29%	87%
Stainton Inn	47%	82%
Shops	55%	75%
Rights of Way	56%	76%
Maelor's Wood	54%	79%
Conservation Area	50%	80%
Pop Up Post Office	44%	81%
Stainton Quarry	52%	80%
Sporting Lodge	28%	87%
Unicorn Centre	6%	99%
Larchfield	11%	95%
The Gables	20%	93%
Stainton Low Wood	40%	84%
High Rifts Field	41%	83%

10.2 There is a real recognition by the community of the value that community assets have for the local community, they have a vital role in contributing towards the wellbeing of the population as well as the strong community spirit that is present in the parish. Losing these assets and not being able to meet the needs of the population as it grows and the parish develops is a key concern. Therefore the protection and enhancement of Stainton and Thornton's Community Assets is a priority area for the Neighbourhood Plan.

10.3 The key objectives are:

- Maintain and protect our current community assets', these are land, buildings and landscapes that are important to the community.
- Address the lack of key assets needed for a sustainable village community.
- Extend the capacity/capability of current assets to meet increasing village population.
- Promote use of community assets.
- The plan seeks to ensure that there are adequate medical, educational and recreational facilities within easy reach for our residents and to secure the long-term future of community facilities that make the parish special.
- Meet the community needs of all residents regardless of age, gender and ability.
- Increase community's social wellbeing.
- Ensure that there are accessible facilities for all age groups.

POLICY ST5: COMMUNITY ASSETS

Development proposals to sustain or extend the viable use of existing community facilities and the development of new facilities will be supported if they comply with other policies in this Neighbourhood Plan.

Development leading directly to the loss or significant reduction in the scale and value of a community facility will not normally be supported unless:

1. It is essential to meet utility infrastructure needs and there is no viable alternative, or
2. Alternative facilities of equal or better accessibility, size and suitability are provided, or
3. It can be clearly demonstrated that the operation of the asset or its ongoing delivery is no longer of value to the community, or
4. It is no longer economically viable for its current use and has been marketed at an independently agreed price by a property professional for at least a year as a community use or other suitable employment or service trade uses and it is verified that no interest in acquisition has been expressed.

11. ACCESS AND PARKING

POLICY JUSTIFICATION

- 11.1 Traffic, parking and public transport options can have a significant impact on the local environment and perception of quality of place. The effective design and management of our parish will improve the quality of our local environment. Key issues are:
- Parking in the residential and public spaces of the parish is inadequate for residents and visitors.
 - Public transport fails to connect the parish to some of the surrounding areas.
 - With few shops and services available within the parish, the need for transport is a high priority.
 - Increased traffic in the parish is of great concern and further development increases the number of vehicles in and through the parish.
 - The speed of the traffic in and through the parish is a cause for concern.
- 11.2 The survey results showed that residents feel strongly about such issues, 42% of residents strongly agree with a further 36% agreeing that there is a parking problem in Stainton and Thornton. Due to the limited bus services within the parish there is a high prevalence of car use as the primary mode of transport. 91% of residents completing the survey report that their car was their main mode of transport.
- 11.3 It is the aim of the Neighbourhood Plan to ensure that any future development contributes positively to ensure that such issues are not exacerbated further. This includes:
- To ensure the provision of bus services through the parish for the duration of the plan.
 - To improve the standard and quality of both Stainton Way and Low Lane and to create some form of traffic control measure to allow safe access and exit to the village.
 - Ensure that any new development has adequate parking and storage provision.

POLICY ST6: ACCESS AND PARKING

The Middlesbrough Council's Design Guide and Specification together with advice provided by the National Model Design Code should be used for determining the design of highways and accesses to new developments, and car parking provision. Consideration should be given to the rural nature of Stainton and Thornton and measures should be actively pursued to ensure car parking does not visually dominate developments nor actively promote car use.

All new developments should, where possible and appropriate, be served by sustainable transport links, including bus routes, cycle routes, and footpaths.

12. SERVICES AND COMMUNITY FACILITIES

POLICY JUSTIFICATION

- 12.1 Over recent years the parish has lost the permanent post office and village shop, there is a need to ensure that further services are not lost. The local community has voiced their concern about the lack of local facilities and services together with limited public transport systems, which can restrict them in securing their daily needs. This has resulted in an over-reliance on private vehicle use within the parish. Of particular concern is the lack of school, medical and playground facilities within the parish, especially given the development pressure that the parish is under.
- 12.2 A growing population is putting further pressure on already stretched services. Therefore, it is essential that any development will not add more pressure on these services, but seeks to enhance and protect the services available within the parish. Services and amenities of the Unicorn Centre, Larchfield and the Sporting Lodge are valuable as key health and wellbeing assets within the parish.

POLICY ST7: SERVICES AND COMMUNITY FACILITIES

Retention of existing facilities:

The Unicorn and The Larchfield Centres will continue to be supported as part of the village community. The retention and development of fitness facilities at the Sporting Lodge site will also be supported.

Provision of services and facilities through new developments:

Developers will be encouraged to address any identified shortfall in retail facilities, schools, medical and child care facilities, as part of the development. Support will only be given to those proposals that include appropriate provision.

13. DESIGN PRINCIPLES

POLICY JUSTIFICATION

- 13.1 Within the Neighbourhood Plan area there are a number of housing sites currently being developed. To ensure that these developments (and any future development) enhance the character of the area it is essential that their design reflect the character of the area.
- 13.2 The parish has been subject to significant residential development over a number of years and there is concern that the rate and type of development is impacting the character of the area. There are a number of issues detailed below. The policies of the Neighbourhood Plan aim to enhance the quality of development in the area to ensure that character of the parish is maintained.
- 13.3 Key issues are:
- Concern that the village character is being eroded by an over dominance of generically designed mass housing developments, which has a bearing on the sense of community.
 - The building of new properties on Green Field Sites is causing a loss of countryside and green spaces.
 - The wrong types of houses are being built.
 - The creation of taller buildings is not in character of the parish.
 - The lack of accommodation for older people and those with additional needs i.e. bungalows.
 - The housing density is impacting negatively on the open spaces in and around the parish.
 - Larger houses have a high impact on the infrastructure on the parish.
- 13.4 The community seeks to ensure that:
- The development of the village offers a range of housing types, which enhances the housing offer available in the Neighbourhood Plan area.
 - The design of housing sites and dwellings is of a high standard, taking into consideration the character of the local area.
 - New developments have integrated green spaces and appropriate facilities for the size of development.
 - Housing development on the allocated site provides an integrated mixture of housing, which does not exceed two storeys in height and includes bungalows.
 - New housing and/or housing extensions reflect the established vernacular of the area in terms of building styles and materials. The building of apartments (above 2 storeys) and buildings of three storeys and above will be strongly opposed.
 - Any new development will be linked in to the existing roads, cycleways, bridleways and footpaths to enable better access and integration.
 - Are built to the highest possible energy efficiency standard, incorporating renewable energy measures, such as solar panels, where appropriate.
- 13.5 Residents felt that overdevelopment puts pressure on already stretched infrastructure and compromises the integrity of the village status. Height restrictions on new builds will help protect valued views and vistas and the building of more, much needed bungalows to encourage the growing, ageing population to live independent lives.

POLICY ST8: DESIGN PRINCIPLES FOR NEW RESIDENTIAL DEVELOPMENTS

PART 1

All new developments (including those of less than 10 homes and infill developments) should: -

1. Take account of design guidance in the National Design Guide and the National Model Design Code.
2. Reflect the character of the villages or rural area, respecting the scale, density, proportion, form and materials.
3. Include a mix of housing to meet the identified housing needs.
4. Where appropriate, incorporate Building for Life principles throughout the design process.
5. Be of two-storeys or less, unless there is a clear design justification for developments in excess of two storeys.
6. Avoid contributing to the coalescence of Stainton and Thornton with other areas of greater Middlesbrough and surrounding urban areas.
7. Be accessed safely from the highway and incorporate appropriate pathways, cycle ways and sufficient parking spaces.
8. Include green space within the development site.

PART 2

In addition to meeting the above criteria, major new residential developments on green field sites should:

- a) Seek to create distinct new communities designed to instill a sense of place, containing a community centre, shops and other local services on a scale that meets the needs of the new community.
- b) Assist in meeting Middlesbrough Council's housing need.
- c) Incorporate a diverse housing mix with a variety of house types, sizes and tenures to meet local housing needs and aspirations, including flexible lifetime homes and bungalows.
- d) Include affordable housing in line with local plan policy requirements.
- e) Include a strong landscape buffer where the development adjoins the countryside to reduce the visual impact of the development and create a continuous habitat for wildlife linked into existing natural areas and wildlife habitats.
- f) Include landscaped open spaces, roads and footpaths, incorporating children's play areas, throughout the development linked to the peripheral landscape buffer to provide green routes

through the housing areas that enhance the quality of the development and provide wildlife habitats.

As part of any future major development of the parish, the development of community, retail, sports and leisure facilities would be supported at an appropriate scale. The Neighbourhood Plan also supports the enhancement of local infrastructure where appropriate.

The Neighbourhood Plan also supports the production of a village design guide in accordance with guidance in the National Model Design Code.



Good design of terraced housing, addressing site with distinct design and positive boundary treatment.



Although some nice design features the massing and scale of this building too large.



Green infrastructure, play and the retention of existing and planning of new trees within new development sites.



14. DEVELOPER CONTRIBUTIONS AND PLANNING OBLIGATIONS

POLICY JUSTIFICATION

- 14.1 There is a need for improvement in services, infrastructure and facilities in the Parish of Stainton and Thornton. Increased development equates to increased demand in infrastructure and depleted services as well as pressure on the environment. It is crucial that any future development is considered carefully with regard to the impact on the community and its services and where appropriate planning obligations are sought to ensure that a development is acceptable in planning terms.
- 14.2 This section brings together the issues identified through the policies in this Neighbourhood Plan, through consultation the key areas of concern are:
- Better broadband
 - Facilities, land for recreation, for Young People
 - Safer Cycle Routes
 - Safer Pedestrian Routes
 - Protect and Enhance Green Spaces
 - Improve road infrastructure
 - Improve flooding defences
 - Improve Road management systems
 - Promote Renewable Energy systems.
- 14.3 This has been refined to provide a list of projects, which will improve and enhance the community infrastructure within the parish available for all residents to utilise. This is not an exhaustive list and further projects may come forward through the Parish Council.

POLICY ST9: PLANNING OBLIGATIONS

Developers are encouraged to discuss their proposals with the community at an early opportunity to ensure early consultation on planning obligations and community infrastructure.

Developers will be expected to address the impacts of proposals on community and green infrastructure that are directly related to the development. In relation to habitat creation, it may be appropriate to consider off site provision, where a development cannot mitigate harm within the development layout.

Developer contributions will be considered on a site by site basis and, where appropriate, developers will be encouraged to take account of the local priorities listed in Appendix 9.

15. RENEWABLE ENERGY DEVELOPMENTS

POLICY JUSTIFICATION

- 15.1 Due to the semi-rural nature of the parish there is scope for the potential generation of wind and solar energy. Through the preparation of this plan there has been mixed levels of support for this kind of development, with particular concern about the impact on the landscape, environment and a biodiversity in the vicinity of any potential sites.
- 15.2 It is an aspiration of the plan to champion energy saving and efficient systems and promote a cleaner and environmentally friendly area of Middlesbrough, therefore the Neighbourhood Plan will attempt to support the development of Wind and Solar energy in the parish. It is essential that any proposals engage with the community prior to planning applications being made.
- 15.3 On a smaller scale the Neighbourhood Plan will encourage developments both in new housing and in extensions to be built to the highest energy standards. Renewable and energy efficient systems to be installed at the building stage and not added retrospectively, water butts as water saving devices will be installed in all gardens and electric charging points to be installed. Also supported are environmentally friendly alternatives to traditional ways of heating and lighting homes.

POLICY ST10 RENEWABLE ENERGY DEVELOPMENTS

Developers of large scale wind and solar energy developments will be encouraged to engage with the local community prior to the submission of applications.

Wind and solar energy developments will be supported provided the following issues are addressed in a satisfactory manner:

- the amenity of residents, including visual intrusion, noise, glare and traffic;
- siting and scale in relation to the appearance, topography, landscape and character of the area;
- impact on species, habitats and biodiversity, and on heritage assets.

Energy efficiency in new developments:

The following should be considered for inclusion in any new major housing development:

1. Solar panels
2. Electric vehicle charge points
3. Sustainable Drainage Systems (SuDS), where appropriate.

The inclusion of renewable and energy efficiency systems are encouraged on small-scale housing development and extensions to existing dwellings.

REFERENCES:

The following documentation has been used to provide background and/or helped to formulate the policies within this Neighbourhood Plan:

- Tees Valley Nature Partnership research on Green Infrastructure and Natural Health & Wellbeing
- Basic facts about Stainton and Thornton 2015 election ward
- ONS England Mid-Year Population Estimates (Ward Level)
- Census 2011 Detailed Statistics (Ward Level)
- NOMIS local Area Reports (Small Areas)
- DCLG English Indices of Deprivation 2015
- CPRE Campaign to Protect Rural England
- Teesmouth Bird Club – Local Wildlife Sites in Middlesbrough
- Stainton & Thornton Heritage Book
- Tees Valley Wildlife Information
- Tees Valley Structure Plan
- DEFRA’s Policy paper on Environmental Targets
- TVRCC Information
- MBC Local Plan
- MBC Open Space Assessment
- MBC Green Space Assessment
- MBC Strategic Information on Site Allocations and Assessments
- MBC Strategic Housing Assessment
- MBC Landscape and Heritage Assessment 2016
- MBC Local List of buildings with special architectural or historic interest (April 2011)
- MBC Preferred Options Document 2018
- Stainton and Thornton Conservation Area Appraisal and Management Plan 2008
- NPPF (National Planning Policy Framework)
- Guidance for Outdoor Sport and Play (2015), Fields in Trust

ACKNOWLEDGEMENTS

This document has been developed and produced by Stainton & Thornton Neighbourhood Plan Group. The Team would like to thank everyone involved in the preparation of the Neighbourhood Plan.

APPENDICES

1. **Area Context**
2. **Ethos and Character**
3. **Plan Group Meetings**
4. **Local Green Space Assessment**
5. **Historical Context**
6. **Heritage assets in the Conservation Area**
7. **Middlesbrough Local List**
8. **Footpaths: Overview and future route enhancements**
9. **Community Projects**
10. **Local Community Assets**

Appendix 1: Area Context

Demographics

According to the Tees Valley Combined Authority (TVCA) estimates for mid 2015, the ward area of Stainton and Thornton had a total of 2080 residents made up of the following age groups:-

	Total	0-15 years	16-64 years	65+ years
Stainton & Thornton	2080	300	1270	500
Middlesbrough	139500	28600	88800	22100
Tees Valley	667500	128600	415900	122900
National	57885400	10960400	36588700	10336300

The mean age of the Stainton and Thornton 2015 election Ward population is 44 years, compared to a mean of age of 38 years for residents in the whole of Middlesbrough. Recent trends show an increase in the proportion of residents over retirement age and a lower proportion of school age children. This reflects national trends for people to live longer. However, this trend is not reflected in planning policy for the types of homes being built. There are not over 32% of smaller homes built for pensioners or single occupancy on the new developments in the parish area, or in Middlesbrough as a whole. A more sustainable planning policy that reflects trends is required. Household composition from the 2011 census shows significant numbers of pensioners and single non-pensioner occupancy rates as the percentage of total population, given below.

Household Composition

	Pensioners	Single Non-Pensioner	Total
	%	%	%
Middlesbrough	19.6	12.7	32.3
Tees Valley	21.2	13.1	34.3
National	20.6	12.4	33.0

In addition to these stats the census shows that in 2011 8.52% of Middlesbrough's population, aged 16-64 were 'limited a lot by a health problem or disability'. The Tees Valley Combined Authority's (TVCA) Local Industrial Strategy July 2019, Evidence Report lists as one of its four Grand Challenges 'Ageing Society: harnessing the power of innovation to help meet the needs of an ageing society.'

Housing

	Owner Occupied	Social Rent	Private Rent
	%	%	%
Stainton & Thornton	70	21	8
Middlesbrough	58	25	15

There is a higher proportion of home ownership in the Plan area compared to national, regional and Middlesbrough figures with 70% of homes owned outright or with a mortgage compared to 64% nationally. There are a higher proportion of Band B properties than in the rest of Middlesbrough.

Economic Activity & Education

The plan area has a low rate of people who are claiming unemployment benefit.

According to NOMIS the figures for employment and unemployment in Middlesbrough for the period from April 2018 until March 2019 are:-

Economically Active

	Middlesbrough (numbers)	Middlesbrough (%)	North East (%)	GB (%)
Economically active	62,900	70.3	75.5	78.7
In employment	57,900	64.6	71.1	75.4
Employees	51,200	57.2	62.4	64.4
Self-employed	6,600	7.2	8.5	10.7
Unemployed	4,500	7.2	5.7	4.1

Economically Inactivity

	Middlesbrough (level)	Middlesbrough (%)	North East (%)	GB (%)
Total No of people	26,200	29.7	24.5	21.3
Students	6,900	26.2	25.1	26.8
Looking after family/home	8,000	30.5	21.3	23.6
Long term sick	5,000	19.2	27.5	22.9
Retired	2,900	11.2	9.5	11.3

With such high levels of economically inactive residents in Middlesbrough, it becomes increasingly important to ensure that their surroundings offer green spaces for outdoor activity and improvement of physical and mental health.

Education

These education details are from the ONS population survey and show educational qualifications from Jan 2018 – Dec 2018.

Numbers and % are for those aged 16-64. The % is a proportion of resident population of area aged 16-64

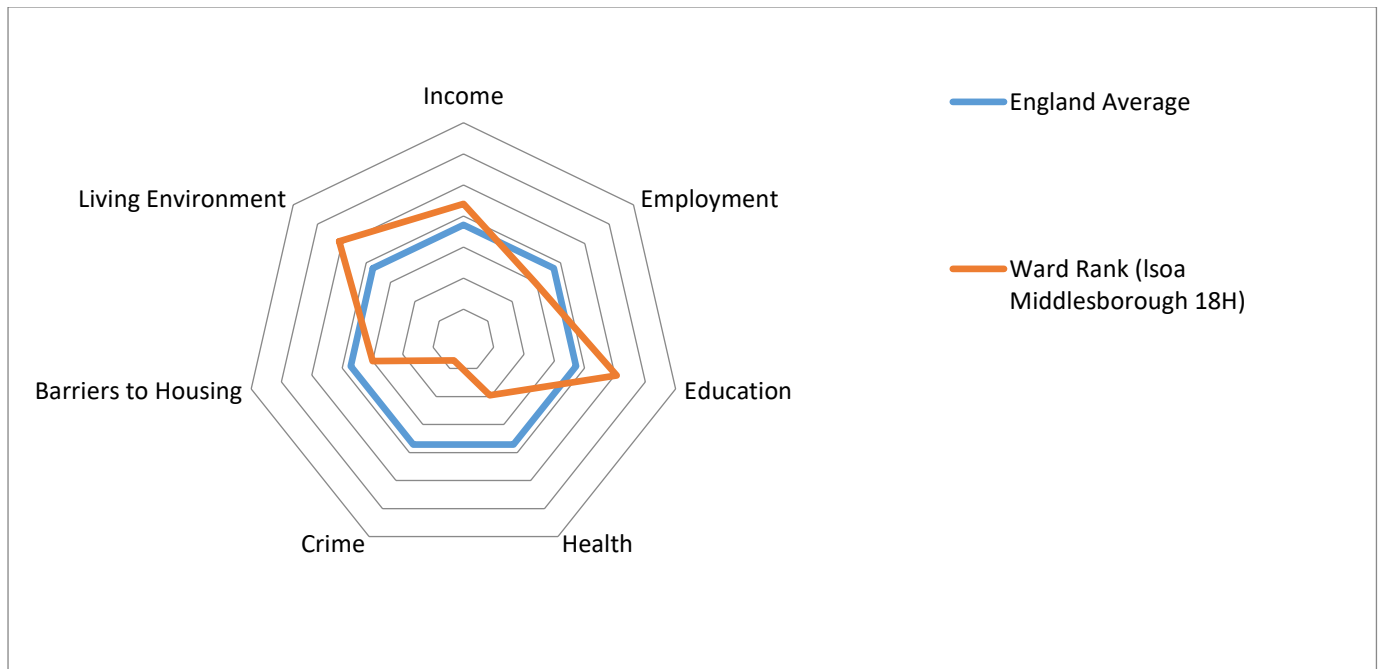
	Middlesbrough (level)	Middlesbrough (%)	North East (%)	Great Britain (%)
NVQ4 and above	24,100	27.4	31.1	39.3
NVQ3 and above	40,400	45.9	51.9	57.8
NVQ2 and above	56,000	63.5	73.0	74.9
NVQ1 and above	65,600	74.5	84.7	85.4
Other qualifications	7,500	8.5	5.8	6.8
No qualifications	15,000	17.0	9.5	7.8

The TVCA Industrial Report states that the area has high levels of self-containment (87% of Tees Valley residents work in the area). This highlights the importance of effective internal transport infrastructure in order to connect the population with learning, employment and leisure opportunities.

Our plan very much aims to improve links to neighbouring communities for work, leisure and amenities. particularly the opportunities for increasing the green infrastructure.

Index of Multiple Deprivations

Where the red line is inside the blue line the ward is more deprived than the England average, where it is outside the blue line it is less deprived than the England average.



Source: IMD 2015 England Rank

When assessed against IMD indicators to Neighbourhood Plan area is above the national average in income, living environment and education, slightly lower in terms of barriers to housing and employment. Health is lower than the national average, which may be consistent with the needs of an aging population. Crime is highlighted to be an issue – *The Community Council, which meets bi-monthly, receives reports from Cleveland Police Department regarding the number of crimes in the Parish. The Residents of Stainton and Thornton are concerned over the increase in crime and anti-social behaviour. It is generally felt that the impact of the growing population and the coalescence of neighbouring communities causes an increase in crime figures. Road offences have been noted as a particular problem as speeding traffic through the village increases.*

According to the UK Governments Department of Work and Pensions, the number of households claiming Universal Credit is as follows:-

	June 2018	May 2019
Middlesbrough	1465	6069
Darlington	985	3949
Hartlepool	6623	7553
Redcar & Cleveland	1266	3684
Stockton	1602	6779
TOTAL	11941	28034

Connectivity

The area has good road transport links provided by the A174 to Teesport and A19 to North Yorkshire to the south and the Tees Valley, Newcastle and Durham to the north meaning that there is a wide range of employment opportunities available to residents.

However, with a limited bus service and footpath and cycling routes that are in need of improving sustainable transport options are currently limited. There are bus services to nearby Hemlington and to Middlesbrough. The nearest shopping centre is at Coulby Newham: there is no direct bus service. To reach local market towns such as Stokesley and Yarm by bus is very complicated.

Survey results show that 91% of Residents use their car as their main source of transport. When asked what other forms of transport they would like to use more, 68% would like to use the bus more, 24% bike and 41% would like to walk. Public transport, better cycle routes and safer pedestrian pathways are vital improvements needed in the community.

Improvements are also needed to improve broadband speeds within the NP catchment area to facilitate more working from home – thus reducing traffic congestion and pollution.

Appendix 2: Ethos and Character

THORNTON

Thornton lies between Stainton Beck to the north and Maltby Beck and the borough boundary to the south. Low Lane marks the northwest boundary. It consists of a mixture of old and new dwellings and extensive arable and grazing farmland. There are no places of worship, schools, shops or pubs in Thornton. There is no bus service.

Immediately after crossing Kell Gate Bridge, the entrance to Kell Gate Green is on the left.

Climbing Thornton Road, there is an excellent view of Stainton church over Kell Gate Green. This helps to create an immediate feeling of a rural village. To the left, and particularly to the right around "Red Walls", are the remains of the walls of Thornton Hall kitchen garden. Thornton Hall was behind what was Thornton Nursery Garden (closed in 1980s) where the modern houses of Thornton Vale now stand. The Pennyman family owned much of the land in Thornton from the 17th Century and they lived at Thornton Hall until Ormesby Hall was completed. Thornton Hall fell into disrepair, it burned down and was later



demolished in 1742. Bricks were used to build cottages on the estate and some doors and windows were built into the farmhouse at Low Farm. The plantation and pond remain behind Thornton Vale. A giant cedar tree was in Thornton Wood: 13' 4" around the trunk, it was over 100ft high. It was blown down in a gale on 16th



February 1962.

Passing the garage on the right, which used to be the smithy, fine old properties and interesting gardens lead to the entrance to Thornton Close and shortly after is "the pump" which marks the location of an earlier drinking water pump.



The T junction provides a great deal of interest. Well-maintained flower borders and grassed areas make this a very popular stop for passing cyclists.

Across the junction are 18th Century cottages. Built in 1728, Ivy Cottage, Rose Cottage and Aitkenvale housed Wharfe's Bakery, "A Washerwoman" and a Tinker/ Itinerant Trader. Behind these



dwellings is "The Cottage" lying at right angles to the road and built in 1680. Opposite the cottages the phone box has been recently removed.

Nearby is a row of properties set well back from the road and approached through well-maintained gardens.

Travelling along Maltby Road (which continues Cycle Route 65) the entrance to Upper Farm is passed on the right on the bend. The land belonging to this farm extends 137 acres to the north and west. On the other side of the road the field is farmed by farmers based at Thornton Grange (which lies just outside the Middlesbrough boundary).



Back to the junction the road south heads towards Seamer, with a large arable field belonging to the Pennyman Estate on the left. A variety of houses line the right hand side of the road. Behind them is Cedar Drive.

STAINTON VILLAGE

This area lies south of Low Lane, with Stainton Beck to the west and south. Stainton Way defines the eastern boundary. The church and shops are located on Hemlington Road with the pub just round the corner on Meldyke Lane. There is only one small formal play area for the whole of the parish. However, "High Rifts Field", next to Maelor's Wood close to Stainton Way, and open land forming part of Stainton Quarry (accessed from Cedarwood Glade) are available for informal play.



Until recently, access to Stainton from Low Lane was by the narrow Strait Lane, with hawthorn hedges on either side, a pavement on the left side and grazing horses in the fields at Rose Cottage Farm. To the right were fields of wheat. Now, opposite The Sporting Lodge, the 3

storey Montpellier Manor Care Home has recently been constructed. Accessed from Strait Lane.

All phases of Rose Cottage are complete, Rose Cottage Phase 3 extends from Strait Lane westward to Stainton Beck.





Travelling up Strait Lane, High Rifts is on the left: this road consists of bungalows where the varied and beautifully kept gardens are a joy to see.

Back on Strait Lane, there is a narrow green on the right, between the road and several bungalows. This green has a variety of trees. Houses are on the left. At the top of the lane is a property called “The Orchard”, where there used to be a smaller dwelling situated in an orchard which is now Rowan Grove, a cul-de-sac with 9 properties. Some of the old orchard trees, including pears and a walnut, survive alongside the property boundaries to the west. Further along, on the right, is Victoria House, standing across from the Stainton pub: this was the residence of the Quarry owner and served as such for 3 generations. It had a full household staff and gardeners. Kelgate Terrace is next- a row of cottages of different designs.

The Stainton Inn opened in 1897, replacing the Blacksmiths Arms. It is a Grade II listed building.

Meldyke Lane is where the village green was originally: there was a drinking water pump which was operated by a large wheel, surrounded by white railings. Piped water was brought to the village in 1920 – 1921. A little



further along is a narrow grass island on which stand two mature horse chestnut trees: these trees were planted on 22nd August 1911 to commemorate the coronation of King George V. there was a smithy close to the chapel. The Methodist chapel was built in 1840. It was closed in 1939 and then leased to North Riding Council who used it for storing blankets. It re-

opened in 1948 and was refurbished and rededicated in 1997. In November 2016 the chapel carried out its first christening in almost 150 years, when Jacob Henderson-Thynne was baptised.



The old shool house was established on Meldyke Lane in 1844. In 1876 a new school, with the capacity to accommodate 102 children, was built over the way. The National School building was used as a Sunday school and as a school dinner hall. The school closed in 1971 and, after briefly serving as a youth club and centre for adult education, is now owned by private businesses. The headmaster's house next door is now a private residence. The old school building was sold to the parish council and it became the Memorial Hall, a Grade II listed building. The Hall is now run by Trustees on behalf of The Charities Commission and hosts a variety of activities for the residents and extended communities.



Meldyke Lane is a part of the section of the National Cycle Route 65 linking Maltby with Middlesbrough which was opened on National Bike day on 10th June 1998 by the mayor. Travelling along Meldyke Lane, the small group of bungalows at Meldyke Place is reached. Beyond that is Quarry Drive, which leads to High Rifts and Fawcett Avenue. In the latter, the bungalows were designed and built so that the sun was caught in each room at some time of the day. Some had the initial letter of the original owner on the front gable.

Cedarwood Glade is built on land which was originally the quarry. Nearby Riverslea House, dating from the 1860s and originally used as an office block for Pearson's and then by other companies became a nursing home which was demolished to make for the development now known as Cobblestone Close.



Heading along Hemlington Road towards the church, there are 18th and 19th century cottages of various sizes and design. The house on the right, with the steps, was once a farmhouse, a pub (Bay Horse), fish and chip shop, and café before becoming a private residence.

Just after Glebe Gardens on the left is Marwood Wynd. As well as 2 new large properties which enjoy views towards Thornton and a terrace of modern houses, this is where to find Stainton House, which was built in

1803 as a vicarage.

After Church Close on the right was where the post office was located. This closed in 2011 and is now a private residence. A telephone box was installed nearby in 1939 (only 7 years after electricity arrived in the village and street lamps were installed) but was removed several years ago. Next is a hairdresser and, where the village shop used to be until 2009, a brow bar. In the terrace beyond there used to be a blacksmith, a cobbler and, at the end where there are double gates, a butcher and abattoir: a small grocery

and sweets shop followed on the site and traded until 1980. Now partly renovated, plans to convert to private accommodation have been approved.

Over the road, an 18th Century way marker is built into the churchyard wall. Now eroded, it is difficult to read but the fingers point to Guisborough and Stokesley.

Heading down Thornton Road, number 23 is "Hillside", which was once called "Upper Bank House", built in the early 1900s. It was used as the vicarage until the house next door was completed in 1935. With 5 bedrooms and 3 family rooms this is much more modest than the earlier vicarage at Stainton House. From 2014 this is the residence and office of the Bishop of Whitby. Across the road, steps provide access to the churchyard and church: this was where a drinking water pump was to be found. Between the vicarage and the beck is a paddock which is used for the care of, and exercising of, ponies.



Kell Gate Bridge marks the boundary between Stainton and Thornton.

STAINTON NORTH

This area has the A19 to the west, A174 to the north and Low Lane (B1380) to the south. It consists of mixed farmland, residential properties, a hotel with leisure facilities and community woodland.

Plum Tree Farm lies in the western corner and a public footpath leads from Low Lane, past the farm, to stop at the A19 boundary. The land is both arable and grassland.

In the middle of this area is Stainton Vale Farm and farm cottage: they respectively date from the mid-18th Century and late 18th Century and the farm is a listed building. It provides livery for horses and advertises a farm shop. RTS Joinery and Shop fitting occupy some of the property.



A surfaced lane leads from Low Lane, passing between the Potting Shed and Stainton Vale to reach a bridge, which passes over the A174 to the several properties at Stainsby Hall Farm.



British Telecom occupy the area between the track and the Post House/Sporting Lodge. Both are accessed from Low Lane. The latter is a residential hotel with swimming pool and gymnasium attached. A local farmer uses an

adjacent field, at the eastern end of the area.



Stainton Low Wood, maintained by the Woodland Trust, consists of mixed woodland and open areas. Several paths provide links through the wood between Low Lane and the bridge near Stainsby Hall Farm. The clearings and woodland edges have some of the best and varied wildflower grassland in the area.



HEMLINGTON

This area has the B1365 to the east and Stainton Way to the north. The western boundary



runs from near the Stainton Way/ Cass House Road junction to Stainton Beck. The beck and borough boundary mark the southern limit of the area to the B1365 close to Cherry Hill Garden Centre. Hemlington village once occupied the northeast corner of the area. One cottage was a public house in the 19th Century. It is reported that the landlord had his licence taken away. After a ban of 110 years the licence was restored and the pub is now called The Gables. Nearby is Cygnet Newham House, which is used as a medical facility.



Middlesbrough Council bought Bell View Farm and Hemlington Grange Farm in the late 19th century and Hemlington Hospital was built on the site in 1895 as an isolation hospital (infectious control) – hence its rural location. In World War I thousands of soldiers from the front line were treated for injuries. The hospital was closed and demolished in December 1989. This land is now being used to for residential housing, Hemlington Grange.

At the west end of the site the new Cleveland Police and Community Safety Hub has been recently constructed. Next to that new build is the dormer bungalow “Whimsey Nook” which has been built following approval in November 2014 to “demolish and erect”.

To the south of Hemlington Grange lies the Larchfield Community, accessed from the B1365. Established in 1986 it provides around 25 residential and 50 day facilities for people with learning difficulties, working on the 160 acres bio-dynamically farmed farm, the garden, bakery or the shop and cafe.

Close by is which



the Unicorn opened in



Centre, 1998. This



is a purpose-built riding for the disabled facility offering riding therapy and training opportunities for over 200 disabled adults and children each week, helped by 100 local volunteers.

Grange Farm occupies land in the northwest corner of the area.



Across the track and public footpath from there lies “Gracelands”, a barn conversion and farmhouse with 5 bedrooms. Wellfield House is next door.

Stainton Grange and the garden walls are listed buildings. A previous owner was Sir William Claud Fawcett (1868-1935) who married Adeline Brentnall, daughter of the village schoolmaster Frederick Henry Brentnall, in 1901. Their son, William Fawcett (1902-1941), was a writer on horses, hunting and racing. Holme Farm is also in this area, providing residential facilities.

Appendix 3: Neighbourhood Plan Group Meetings

25.04.17	13.11.17	03.08.18	05.02.19	03.12.19
05.05.17	05.12.17	07.08.18	19.02.19	21.01.20
23.05.17	16.01.18	21.08.18	19.03.19	18.02.20
30.05.17	30.01.18	04.09.18	02.04.19	25.08.20
22.06.17	27.02.18	02.10.18	23.04.19	22.09.20
04.07.17	22.03.18	23.10.18	29.05.19	02.02.21*
25.07.17	01.05.18	06.11.18	25.06.19	10.02.21
22.08.17	29.05.18	27.11.18	20.18.19	16.02.21
05.09.17	26.06.18	18.12.18	03.08.19	09.03.21
19.09.17	17.07.18	22.01.19	19.11.19	16.03.21

**Due to lockdown restrictions, zoom meetings have continued from February 2021 and will continue until the Neighbourhood Plan is ready to be presented for inspection.*

(a) Reports have appeared in Stainton & Thornton Community Council Newsletters as follows:

June 2017 initial Survey & Headline on Newsletter	November 2018 Newsletter
July 2017 Headline and update	March 2019 Newsletter
Sept. 2017 Headline and update	
Dec. 2017 Headline and update	
March 2018 Newsletter	
July 2018 Newsletter	

(b) David Coupe: Stainton & Thornton Parish Councillor's Facebook page i.e. Stainton and Thornton Community

(c) Other means of Communication:

Village Noticeboards: Posters of meetings and updates	Chairman's bi-monthly report at Community Council meetings.
Village Gala Day – stall and child surveys	Meet The Neighbour Event 19.03.18
Polling Day Meet and Greet	Preferred Options Open Event 11-18.05.18
Discussions opportunities at weekly Saturday Coffee Mornings	Pre-submission Consultation letter delivered to every household October 2020

Progress of the Neighbourhood Plan is always discussed as an agenda item at Parish Council Meetings, all meetings are minuted which are available of the Stainton and Thornton Parish Council website.

Appendix 4: Local Green Space Assessment

Stainton Low Wood – **LGS1** - this is a woodland area with public access, which incorporates wildflower meadows. There are public Rights of Way towards Thornaby through the area.

Maelor's Wood – **LGS2** - this is a commemorative woodland with significant community value, the woodland incorporates mown paths and woodland sculptures forming a key green infrastructure and amenity route which services the parish.

High Rifts Field – **LGS3** - This is open grassland, which provides space for play and is used as a community recreation area, this is the only such facility in the parish.

The Spinney – **LGS4** - Woodland with a seasonal pond.

Stainton Quarry – **LGS5** - this area has significant historical interest for the development of the village. The area incorporates well utilised woodland and green areas, providing a key green infrastructure link between Thornton and Stainton. It is considered that this may be a suitable location to incorporate play equipment for the use of the parish community in the future. It is a local nature reserve.

Kell Gate Green – **LGS6** - This is a well utilised green space which has been used for community events such as the annual gala day, it is regarded by the community to have the value of a village green.

St Peter & St Peter churchyard – **LGS7** - Includes view to Thornton. Mostly mown grass but excellent spring flowers on south facing terraces. History, including marriage of Captain James Cook. Offers tranquillity.

The Pony Fields – **LGS8** - provide a small green space between Thornton and Stainton. One grazing field to the east of Thornton Road is adjacent to Kell Gate Green and is part of a pleasant view towards the church. Two further fields, on the west of the road straddle the beck and are used for general equine care.

Note: part of the woodland between the A19 and Teesside Industrial Estate, along Stainsby Beck, lies within the Stainton and Thornton Parish. There is no formal access to the east side of the beck but a right of way (footpath), which lies in Stockton Borough Council, follows the west side of the beck before turning to follow the north edge of the industrial estate. This area does not currently fully satisfy the requirements of a Local Green Space.

LGS 1: Stainton Low Wood

Site and Location Situated between Low Lane and Stainton Vale Farm. Owned and managed by the Woodland Trust.

Public Access As well as a public right of way, there are several informal paths through the woodland. There is no car parking facility.

Criteria for designation as a LGS

Reasonable proximity to a local community

The wood lies immediately across |Low Lane from the village of Stainton, with access points from that road. It is therefore considered to be in reasonable proximity to a local community.

An Extensive Tract of Land

The wood is enclosed by Low Lane to the south, a fenced track (and right of way) to the east, fields to the north and west, creating a well-defined compact parcel of land. It is not, therefore, considered to be an extensive tract of land.

Landscape Character and Views

There are several paths through the mixed woodland and these incorporate some wildflower meadows. At one point there are views across fields to Stainton Vale Farm.

Heritage Significance

The rights of way through, and adjacent to, this woodland lead to the ancient village of Stainsby to the north.

Wildlife significance

In summer, the meadows and “rides” are rich in wildflowers, including a variety of orchids. Moths and butterflies abound. As well as insects and birds, small mammals such as hedgehogs, grey squirrels and rodents live here. Larger mammals, such as foxes and roe deer, have been noted.

Recreational Value

The area is used by local dog walkers, nature photographers, joggers and walkers taking advantage of circular walks around the periphery of Stainton Vale Farm.

LGS 2: Maelor's Wood

Site and Location Situated between Stainton Way and the estate known locally as Rose Cottage Farm. Owned by MBC and managed by local volunteers.

Public Access Although there are no public rights of way, there are several informal paths through the woodland with access from Low Lane, Stainton Way, Rose Cottage estate and the cycle route to the east. There is limited car parking available on Low Lane.

Criteria for designation as a LGS

Reasonable proximity to a local community

The wood lies next to Rose Cottage in the village of Stainton, with access points from that estate. It is therefore considered to be in reasonable proximity to a local community.

An Extensive Tract of Land

The wood is enclosed by Low Lane to the north, Stainton Way to the east, housing to the west, creating a well-defined compact parcel of land. It is not, therefore, considered to be an extensive tract of land.

Landscape Character and Views

There are several paths through the mixed woodland and these incorporate some wildflower meadow. Several wooden sculptures can be found.

Heritage Significance

The wood is named after Maelor Williams, a highly respected Middlesbrough ward councillor in Stainton and Thornton for many years. It was due to him that the wood was planted several years ago.

Wildlife significance

Autumn fruits are in abundance here! Crab apples, hazel nuts, blackberries etc. are enjoyed by local residents and by small mammals and birds.

Recreational Value

The area is used by local dog walkers, joggers and walkers taking advantage of circular walks around the periphery of Stainton.

LGS 3: High Rifts Field

Site and Location Situated between Maelor's Wood and Cycle Route 65, with Stainton Way to the east and dwellings in High Rifts to the west. Owned by MBC and managed by MBC (grass cutting) and local volunteers.

Public Access There is no public right of way, but there is easy access from Maelor's Wood and from the cycle way.

Criteria for designation as a LGS

Reasonable proximity to a local community

The field lies next to dwellings on High Rifts in Stainton. It is therefore considered to be in reasonable proximity to a local community.

An Extensive Tract of Land

The field is enclosed dwellings on one side, Stainton Way and the cycle way creating a well-defined compact parcel of land. It is not, therefore, considered to be an extensive tract of land.

Landscape Character and Views

This an open space of grassland, with a band of trees to one side and shrubs (including several very productive blackberries) on the other. There is a small wildlife pond at the northern end.

Heritage Significance

There is no Heritage Significance.

Wildlife significance

The mown grass area is not ideal for wildlife but the peripheral shrubs and trees offer sustenance and shelter for a range of birds, mammals and insects. Larger mammals, such as foxes and roe deer, have been noted.

Recreational Value

The area is used by local dog walkers, joggers and walkers taking advantage of circular walks around the periphery of Stainton. It is also used for informal ball games.

LGS 4: The Spinney

Site and Location Situated between Hemlington Road and the Cycleway 65, running parallel to Stainton Way.

Public Access A paved way crosses The Spinney, leading from Vernon Court over Stainton Way towards Hemlington Lake. A paved way leads from this path to Hemlington Road and an informal path leads in the opposite direction towards High Rifts Field.

Criteria for designation as a LGS

Reasonable proximity to a local community

The wood lies between Stainton Way and dwellings in Vernon Court and in Whinstone and Roseberry Drives. It is therefore considered to be in reasonable proximity to a local community.

An Extensive Tract of Land

The narrow strip of woodland is enclosed by dwellings on one side and Stainton Way on the other, creating a well-defined compact parcel of land. It is not, therefore, considered to be an extensive tract of land.

Landscape Character and Views

Apart from the path from Vernon Court to Stainton Way, there is only one path through the woodland. This provides a popular link from High Rifts Field to Hemlington Road, and then on to Cedarwood Glade and Stainton Quarry beyond.

Heritage Significance

There is no heritage significance.

Wildlife significance

The trees and understory provide habitats for birds and mammals.

Recreational Value

The paths through The Spinney are used as a means of reaching further destinations, such as Hemlington Lake, or part of circuit including Maelor's Wood, The Quarry and Kell Gate Green.

LGS 5: Stainton Quarry

Site and Location Situated between Cedar Wood Glade and Stainton Beck. Owned by MBC and managed by local volunteers.

Public Access Although there is no public right of way through the site, there are several informal paths. Access, with information boards, is from Cedar Wood Glade and from the bridge which crosses Stainton Beck near Kell Gate Green.

Criteria for designation as a LGS

Reasonable proximity to a local community

This nature reserve lies immediately adjacent to Cedarwood Glade in Stainton, with an access point from that road. It is therefore considered to be in reasonable proximity to a local community.

An Extensive Tract of Land

The reserve is enclosed by dwellings to the north, a fenced field to the east and a small beck, and fields beyond, to the south, creating a well-defined compact parcel of land. It is not, therefore, considered to be an extensive tract of land.

Landscape Character and Views

There are several paths through the site and these incorporate some wildflower meadows as well as mown grass. At one point there are views across fields to Thornton.

Heritage Significance

This is the site of Stainton Quarry. It is now a Nature Reserve.

Wildlife significance

With the proximity to open fields, visiting foxes and roe deer have been noted. The mix of trees, shrubs and grassland provide habitats for a variety of birds, insects and mammals. The Woodland Trust lead nature walks through the site at different times of the year.

Recreational Value

The area is used by local dog walkers, joggers and walkers taking advantage of circular walks around the periphery of Stainton. The lower section, near the orchard, provides an area of peace and quiet. The upper "field" is flat, and offers an area for ball games.

LGS 6: Kell Gate Green

Site and Location Situated next to Thornton Road and the church yard, straddling Stainton Beck. Owned by Ormesby Estates, leased to the Parish Council and managed by local volunteers.

Public Access There is no public right of way through the site but kissing gates at either end allow access from Thornton Road and from the path leading from the Quarry.

Criteria for designation as a LGS

Reasonable proximity to a local community

Kell Gate Green straddles Stainton Beck and is, therefore, partly in Thornton and partly in Stainton. The access point on Thornton Road is useful for residents of both villages, with dwellings within easy walking distance. It is therefore considered to be in reasonable proximity to a local community.

An Extensive Tract of Land

The site is enclosed by fields to the south and east, Thornton Road to the west, and the churchyard to the north, creating a well-defined compact parcel of land. It is not, therefore, considered to be an extensive tract of land.

Landscape Character and Views

The winding beck is crossed by an interesting old bridge, leading to a wet area fed by a spring (hence the Nordic "Kell") and a magnificent oak tree which is surrounded by a circular seat.

Heritage Significance

This area may have formed part of a pleasure garden attached to the nearby Thornton Hall.

Wildlife significance

Hedges and trees are home to several insects and birds. The wet area, which has an occasional pond, offers amphibians and other aquatic species. There is an information board.

Recreational Value

The area is used by local walkers and runners, often heading for the Quarry. With a choice of seats it is also a place to rest and enjoy peace.

LGS 7: St Peter & St Paul Churchyard

Site and Location Situated on the corner of Thornton Road and Hemlington Road

Public Access There is easy access from Hemlington Road and a steep, cobbled path from Thornton Road.

Criteria for designation as a LGS

Reasonable proximity to a local community

The church and grounds occupy a central position in the village It is therefore considered to be in reasonable proximity to a local community.

An Extensive Tract of Land

The churchyard is enclosed by Thornton Road, Hemlington Road, Kell Gate Green to the south and dwellings to the east. It is not, therefore, considered to be an extensive tract of land.

Landscape Character and Views

The churchyard is mostly mown grass but there are excellent spring flowers on the south facing terraces. The area near the main church door offers good views across the beck towards Thornton. This is a tranquil location.

Heritage Significance

The church has a rich history, described elsewhere, and, with the extensive burial grounds, is central to the heritage of the village.

Wildlife significance

The trees and, particularly, the prolific ivy, are home to a wide range of wildlife.

Recreational Value

Churchyards are not used for recreation but, especially on the south side of the church, this is an excellent area for quiet contemplation.

LGS 8: The Pony Fields

Site and Location Situated on both sides of Thornton Road.

Public Access A public right of way leads through one of the fields from Thornton Road westwards past Red Walls towards Maltby Road.

Criteria for designation as a LGS

Reasonable proximity to a local community

The fields lie between Thornton and Stainton. It is therefore considered to be in reasonable proximity to a local community.

An Extensive Tract of Land

The fields are bounded by dwellings to the south, Kell Gate Green to the north and fields on the other sides. It is not, therefore, considered to be an extensive tract of land.

Landscape Character and Views

This open land divides the two villages, giving each village its own identity. The views from Thornton Road towards the church, with grazing ponies in the foreground, are considered to be some of the best in the area.

Heritage Significance

One field lies on land previously occupied by Thornton Hall. On the other side of the road the field is Glebe land.

Wildlife significance

The extensive grazing limits wildlife

Recreational Value

Children like to see and talk to the ponies in the fields and some children enjoy riding the ponies along our local roads.

Appendix 5: HISTORICAL CONTEXT – STAINTON & THORNTON

A History of Stainton and Thornton

The villages of Stainton and Thornton have a rich, varied history dating back over a millennia. Both villages are of Anglo Saxon origin, we know this because the names of both villages end in ‘ton’ which was one of the ways Anglo Saxon’s traditionally ended their place names.

Stainton was the ecclesiastical centre of a large estate in the Saxon period. The site of the original church is not known, but it was probably in the region where St Peter and Pauls currently is. The discovery of a fine Saxon jewel of the 7th century in the graveyard, confirms the importance of the site.



The importance of Stainton in the Anglo-Saxon period is confirmed by pieces of stonework which are now built into the fabric of the church. Previously they were part of freestanding crosses and grave markers commemorating important nobles. Stainton and Thornton became part of the Danelaw with the Scandinavian invasion. However, local Anglo Saxons were able to retain their identity and co-exist with their new neighbours.

Both Stainton and Thornton are mentioned in the Domesday Book as ownership was passed from the

Anglo Saxon Earl Siward, to the Norman Hugh ‘son of Norman’.

Eventually Robert de Brus, an Anglo-Norman Baron was given many Manors in Yorkshire by Henry I, of which Stainton and Thornton were included. Robert de Brus’ descendants eventually became Kings of Scotland (Robert the Bruce).

The subsequent history of the villages is fragmentary but in later times much of the village belonged to the Pennyman’s of Ormesby, to whom there are memorial wall plaques in the village church. The Pennyman’s were loyal to the crown during the

English Civil War. This loyalty was repaid after the Restoration of Charles II when James Pennyman was made a Baron of Ormesby (encompassing Stainton and Thornton) in 1664.

During the seventeenth and eighteenth centuries the Pennyman family owned Thornton Hall until around 1742, after which it was demolished. Although a few remnants still remain at Thornton Low Farm. The Pennyman’s owned many properties in Thornton and they were used to house agricultural workers who worked on their land.

The parents of the world famous navigator, explorer and cartographer Captain James Cook, (James Cook and Grace Pace) were married in the Stainton parish church on 10th October 1725, and the parish register survives.

Historical Development of Stainton & Thornton

See, also, Section 3 Area Context

A whinstone quarry was operated from the late 18th century until the 1930s. Whinstone was a valuable resource which was used in the construction of the many cobbled streets and alleyways of Middlesbrough. In July 1914 the quarry suffered its only known fatality when Edward Lamb (aged 67) working as a stonebreaker, was hit on the head by an empty tub after previously been warned to keep clear.



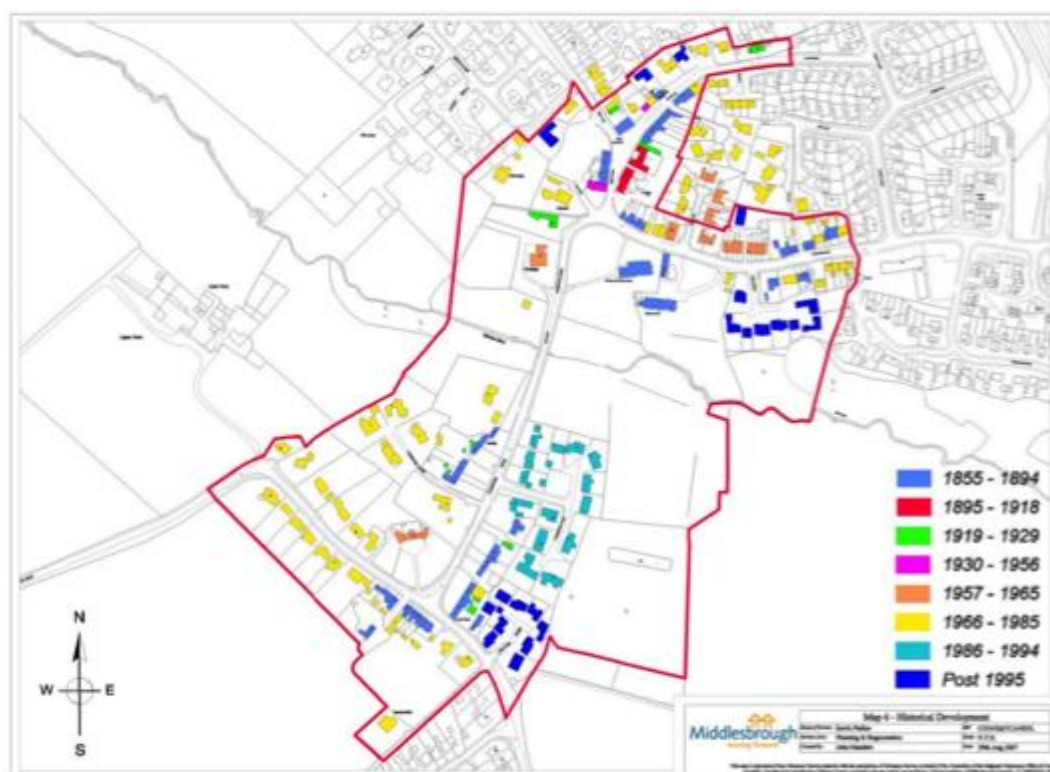
Stainton quarry in 1975 showing the quarry face.

The medieval settlement at Stainton was laid out along the road to the east of the church. It comprised two rows of properties with the farm buildings at the front of each. The line of these medieval properties can still be seen in the shape of former 18th century farmsteads stretching along the road. Settlement has also developed around the crossroads at Stainton although the origins of this are uncertain.

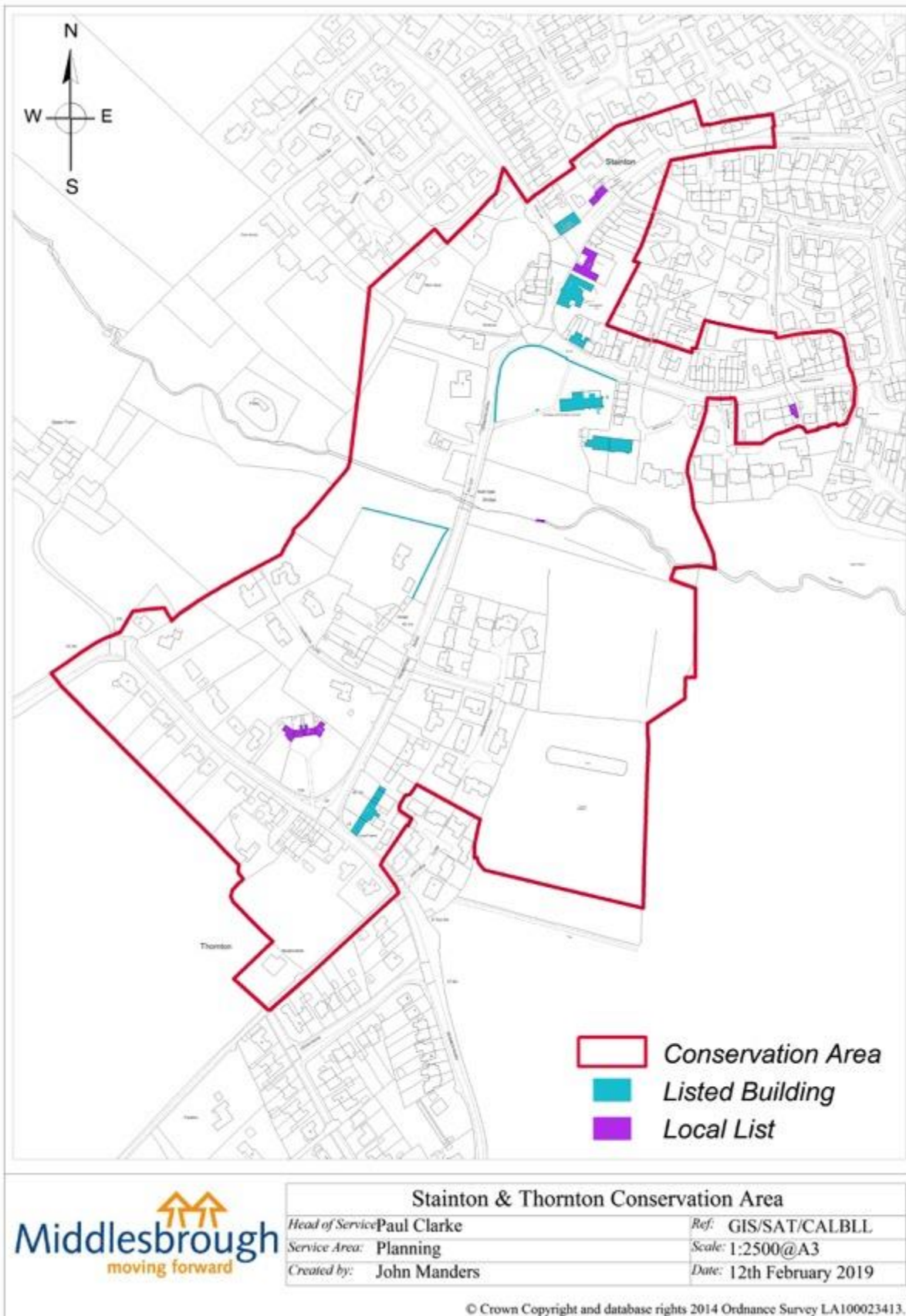
The basic shape of Thornton is the same as that of Stainton with two rows of farmsteads. It is however different in once having possessed a village green which has now been enclosed as front gardens. This was a trend of the early 19th century and is seen in a number of villages in the Tees Valley.

See following map illustrates the historical development of Stainton and Thornton.

See following map illustrates the historical development of Stainton and Thornton.



The villages of Stainton and Thornton are unique because they have such a vast, varied history. The Anglo Saxons, Vikings, Normans, the English Civil War, both the agricultural and industrial revolutions all played a part in shaping these two small villages in North Yorkshire. It is imperative that their individuality is not lost.



Appendix 7: Middlesbrough Local List

In April 2011 MBC produced Middlesbrough Local List which contained a list of buildings, structures, parks and open spaces of special local architectural or historic interest. Below are four buildings listed in the report.

Building ID: D1.1 Methodist Chapel and adjoining smithy, Meldyke Lane, Stainton Architect: unknown Date: 1840 Current use: religious Conservation Area: Stainton and Thornton.

Statement of Significance Preaching commenced here in 1838, and this traditional small village chapel was built in 1840. It is the oldest Methodist building still in use on Teesside. The building was closed throughout the early 20th Century and reopened in 1948. The chapel was re-dedicated in 1997 following refurbishment. The building is simple in form with a symmetrical frontage, with features including a date plaque above the front door, three over three sliding sashes. The walls are rendered. The adjoining smithy building, of hand-made brick with a pantile roof, has been included for group value.

Building ID: D1.2 Stainton School, 6-8 Meldyke Lane Architect: unknown Date: 1876 Current use: office and residential Conservation Area: Stainton and Thornton.

Statement of Significance Originally known as St. Peter's school, it was renamed Stainton County Primary School until it was closed when the larger Viewley Hill School in Hemlington opened in 1971. The building was erected by the Stainton, Thornton and Maltby School Board, and is currently in use as offices and residential accommodation. The school building to the right has a gable end on Meldyke Lane, with timber barge boards, shallow arches and a bull's eye window under a Gothic relieving arch. The School Master's House to the left has a half hipped gable with a clay finial, two over two sash windows in arched openings with brick lintels and stone sills. Situated alongside the Grade II listed Stainton Public House it is of great value to Stainton village and the wider Stainton and Thornton Conservation Area.

Building ID: D1.3 14 Hemlington Road Architect: unknown Date: c.1800 Current use: residential Conservation Area: Stainton and Thornton.

Statement of Significance A diminutive end terrace cottage with double pitch clay pan tile roof. The building exhibits Yorkshire horizontal sliding sash windows, a traditional design of window which is now rare in Middlesbrough. The building is a unique vestige of the linear plan village layout of this part of Stainton and is remarkably untouched example in this area.

Building ID: D1.4 1 Thornton Road, and 2-8 Maltby Road Architect: unknown Date: c. 1930 Current use: residential Conservation Area: Stainton and Thornton.

Statement of Significance. A splendid terrace of four cottages, in a butterfly plan form well suited to the corner plot between Maltby Road and Thornton Road. The collection of buildings and their large front gardens are of significant townscape value in the Stainton and Thornton Conservation Area. They are known locally as 'Pennyman's Folly' due to the unusually large front gardens. The buildings are typical of the Pennyman Estate of which they are a part, of bright red brick with a pantile roof, and sliding sash windows. The gardens are extensive and provide a pleasant green space in this part of Thornton village.

Appendix 8: Overview of current Parish Footpaths and future route enhancements

Introduction

Many of the footpaths within the parish boundary are not connected to each other and many just come to an abrupt end. Linking the footpaths is essential to enhance the current network and provide valuable green infrastructure that would promote healthy exercise and reduce the use of cars. Enhancements of the current provision are suggested below.

There are several stables in the area, yet no public bridleways. Where possible, new bridleways should be developed from nearby stables to link up with suitable rights of way to provide safe riding further afield (e.g. Hemlington Lake).

Current Rights of Way (Footpaths)

MID/012/1 leads from Low Lane past Plum Tree Farm to a dead end at the A19. This path is considered to be of no value in its current format - an alternative would provide a new walkway alongside Low Lane west, under the A19 bridge to join the PROW (in Stockton Borough Council) which heads north along the west side of Stainsby Beck.

MID/010 heads north from Low Lane past Stainton Vale Farm to eventually link with MID/011. An interesting path, which passes Stainton Low Wood and links well with paths to north and south.

MID/011 follows the track from Low Lane, along the bridge over the A174 and then alongside the A19 northwards. Beyond the A174 there is the medieval village of Stainsby and, ultimately, Thornaby. It may provide pedestrian access to the proposed Country Park between the A19 and Brookfield. A long-term proposal may be to remove all stiles and convert the footpath to a bridleway linking Stainton and Thornaby.

MID/013 from Maltby Road to Low Lane links well with MID/010 but is currently underused. **A new multi-use pavement from Strait Lane, past MID/14, to the northernmost end of MID/13 would encourage increased use of these rights of way and offer a choice of short circular walks.**

MID/014 from road junction near Stainton Inn, via Five Acres, to Low Lane. Good link to Stainton Low Wood.

MID/017 leads from Maltby Road to Kell Gate Bridge. This short walk is more direct than the road route and links well with other rural walks.

MID/016 leads from Seamer Road along the farm track towards Thornton Grange. It provides links to paths beyond Maltby Beck which lead to Maltby and Hilton.

MID/015 is a pleasant walk from Maltby Road to the track near Thornton Grange.

MID/020 leaves Stainton Way near Grange Farm and heads south to the beck, after which paths lead past Thornton Moor to Coldpool and beyond. **To reach the start of this route we currently need to walk on the grass verge alongside Stainton Way. We recommend that a multi-use pavement from Hemlington Road to the new Community Hub be installed.**

MID/021 leads from Stainton Way towards Holme Farm. It follows the hedge southwards to reach the beck, joining MID/027. **Access to the start will be improved by the pavement described above.**

MID/025 travels east from the Unicorn Centre, through farm buildings (Larchfield Community) to join MID/026 at a path junction and then MID/027 at the beck.

MID/026 links 025 and the road near Cherry Hill nursery. From there a public right of way leads across fields to Newby.

MID/027 follows the north bank of the beck between MID/021 and MID/025. Beyond the bridge, a footpath leads to the village of Newby.

Proposed Improvements

See MID/013, MID/020 and MID021 above.

A right of way is needed along the south bank of Stainton Beck from Kell Gate Green to meet the path from Grange Farm, and to continue through Fox Covert to the bridge where it will join paths to Newby and Larchfield. This would provide a key green infrastructure route within and extending beyond the parish. Part of the path would lie in the Hambleton DC\North Yorkshire CC, so cooperation with district neighbours would be required. It offers the only genuinely rural walk, of reasonable distance, without a long walk along a tarmac road.

A fully paved walkway from Jack Simon Way, over the A174 bridge, crossing the Low Lane/A174 slip road and then continuing to the Sporting Lodge, is considered a useful addition to pedestrian routes in, or adjacent to, the parish.

A pavement currently runs from Strait Lane along the southern edge of Low Lane to the roundabout and then along Stainton Way to a crossing near Hemlington Hall Road. This pavement should be extended as a multi-use surface to join the path coming out of Maelor's Wood, thus providing a link from Cycle Route 65 to the Sporting Lodge and beyond.

APPENDIX 9: Stainton and Thornton Parish Environmental and Community Improvement Priorities

Many community facilities in the parish are managed privately, and therefore contributions from developers should be directed to the relevant organisation.

Consultation should take place with the Parish Council to get an updated position on priorities for the community.

Identified Priorities:

- Superfast Broadband
- Woodland Play facilities throughout Kell Gate Green and Quarry
- Multifunctional path (foot/cycle) along Low Lane
- Improve rights of way as detailed in Appendix 8
- A new multi-purpose community open space
- Environmental improvements to green spaces
- Enhanced meeting spaces for residents

APPENDIX 10: Local Community Assets

Identified Local Community Assets are:

- St Peter & Paul's Church
- Stainton Methodist Church
- Stainton Memorial Hall
- The Stainton Inn
- The Gables
- The Sporting Lodge (particularly the Old Poste House and sporting facilities)
- Small businesses on Hemlington Road
- Larchfields Community
- The Unicorn Centre
- Playground (Rose Cottage, Phase 3)

Equality Impact Assessment

Subject of assessment:	Adoption of the Stainton & Thornton Draft Neighbourhood Plan 2021-2036			
Coverage:	Stainton & Thornton designated Neighbourhood Area.			
This is a decision relating to:	<input type="checkbox"/> Strategy	<input checked="" type="checkbox"/> Policy	<input type="checkbox"/> Service	<input type="checkbox"/> Function
	<input checked="" type="checkbox"/> Process/procedure	<input type="checkbox"/> Programme	<input type="checkbox"/> Project	<input type="checkbox"/> Review
	<input type="checkbox"/> Organisational change	<input type="checkbox"/> Other (please state)		
It is a:	New approach:	<input type="checkbox"/>	Revision of an existing approach:	<input type="checkbox"/>
It is driven by:	Legislation:	<input checked="" type="checkbox"/>	Local or corporate requirements:	<input type="checkbox"/>
Description:	<p>Key aims, objectives and activities</p> <p>To enable town councils, parish councils and designated neighbourhood forums to prepare Neighbourhood Plans, that puts in place a vision and general planning polices for the development, and use of land in their designated neighbourhood area.</p> <p>Statutory drivers</p> <p>Neighbourhood Planning forms part of the statutory process under the Town and Country Planning Act 1990 (as amended by the Localism Act 2011) and the Neighbourhood Planning (General) Regulations 2012 (as amended).</p> <p>Differences from any previous approach</p> <p>This is to adopt the Stainton & Thornton Neighbourhood Plan 2021-2036, in accordance with the above Regulations.</p> <p>Key stakeholders and intended beneficiaries (internal and external as appropriate)</p> <p>The key stakeholders are local communities.</p> <p>Intended outcomes.</p> <p>To allow local communities to shape new development and improving the social, economic and environmental well-being of their neighbourhood.</p>			
Live date:	Upon adoption			
Lifespan:	N/A			
Date of next review:	N/A			

Screening questions	Response			Evidence
	No	Yes	Uncertain	
Human Rights Could the decision impact negatively on individual Human Rights as enshrined in UK legislation? *	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The recommendation set-out in the attached Council report accord with procedural guidelines of the Neighbourhood Planning (General) Regulations 2012, to assist Local Authorities in the adoption of Neighbourhood Plans, submitted by and in consultation with local communities, and therefore will not have any implications on human rights.
Equality Could the decision result in adverse differential impacts on groups or individuals with characteristics protected in UK equality law? Could the decision impact differently on other commonly disadvantaged groups? *	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The recommendation set-out in the attached Executive report accord with procedural guidelines of the Neighbourhood Planning (General) Regulations 2012, to assist Local Authorities in the adoption of Neighbourhood Plans, submitted by and in consultation with local communities, and therefore will not have any implications on equality.
Community cohesion Could the decision impact negatively on relationships between different groups, communities of interest or neighbourhoods within the town? *	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The recommendation set-out in the attached Executive report accord with procedural guidelines of the Neighbourhood Planning (General) Regulations 2012, to assist Local Authorities in the adoption of Neighbourhood Plans, submitted by and in consultation with local communities, and therefore will not have any implications on community cohesion.
Next steps: ➡ If the answer to all of the above screening questions is No then the process is completed. ➡ If the answer of any of the questions is Yes or Uncertain, then a Level 2 Full Impact Assessment must be completed.				

Assessment completed by:	Charlton Gibben	Head of Service:	Paul Clarke
Date:	02/05/2022	Date:	02/05/2022

* Consult the Impact Assessment further guidance appendix for details on the issues covered by each of these broad questions prior to completion.

MIDDLESBROUGH COUNCIL	
------------------------------	--

Report of:	Executive Member for Environment, Finance and Governance and Director of Legal and Governance Services
Submitted to:	Council
Date:	25 May 2022
Title:	Proposed Changes to Teesside Pension Board's Terms of Reference
Report for:	Decision
Status:	Public
Strategic priority:	All
Key decision:	No
Why:	Not applicable
Urgent:	No
Why:	Not applicable

Executive summary	
<p>Council is asked to approve changes to the Teesside Pension Board's Terms of Reference to allow greater flexibility in the appointment of new Members.</p> <p>The implications of the recommendation have been considered by the appropriate officers of the Council and are set out in the main body of the report.</p> <p>If there continues to be a vacancy from the 'other employers' group there is a possibility of the Board going for long periods with vacancies which could result in meetings being inquorate.</p> <p>The proposed amendment was agreed by the Teesside Pension Board at a meeting held on 11 April 2022.</p>	

Purpose

1. To seek approval of a proposed change to the Board's Terms of Reference to allow greater flexibility in appointing Board members.

Background and relevant information

2. At present, the Board's Terms of Reference sets out that the Board should have six members, three drawn from the scheme employers and three from scheme members, and that these should be selected as follows:

Scheme employer representatives

- Two employer representatives shall be appointed from the separate Councils of Hartlepool, Middlesbrough, Redcar and Cleveland, and Stockton-on-Tees.
- One employer representative shall be chosen from all of the other scheme employers of the Teesside Pension Fund.

Scheme member representatives

- Two scheme member representatives shall be appointed from the recognised trade unions representing employees who are scheme members of the Fund.
- One scheme member representative shall be appointed from the pensioner members of the Fund.

3. Recent attempts to fill Board vacancies have had mixed results. A pensioner representative was successfully appointed following a selection process after four applicants responded to an article placed in the newsletter sent to the Fund's pensioners. However despite emails to all relevant employers, followed by a further more targeted email to all the larger employers in that group, no volunteer has come forward to take up the "other scheme employers" place on the Board and a vacancy remains.
4. In order to avoid a situation where a Board vacancy exists for a long time, the Teesside Pension Board proposes to amend the Board's Terms of Reference to provide additional flexibility in appointment situations where a vacancy has proved difficult to fill. Any amendment to the Teesside Pension Board's current Terms of Reference requires Council approval.

What decision(s) are being recommended?

5. That Council approves an amendment to the Teesside Pension Board's Terms of Reference. This would be achieved by adding the following sentence to paragraph 22 of the existing Terms of Reference:

"In circumstances where no suitable volunteers apply from a particular employer or membership group and a Board vacancy remains, the selection panel is able to appoint another suitable individual to that vacancy from outside that particular membership group, always ensuring that only scheme member representatives are appointed to a scheme member vacancy and only scheme employer representatives are appointed to a scheme employer vacancy."

The amended paragraph 22 is shown in context in a 'tracked changes' version of

the Terms of Reference attached at Appendix A.

Rationale for the recommended decision(s)

6. If there continues to be a vacancy from the 'other employers' group this can be filled by a representative from one of the four main employers in the Fund. Similarly, if a future recruitment failed to fill one of the scheme member places (pensioner or trade union representative), another suitable scheme member representative can be appointed by the selection panel.

Other potential decision(s) and why these have not been recommended

7. Do Nothing. If this option was selected there is a possibility of the Board going for long periods with vacancies which could result in meetings being inquorate.

Impact(s) of the recommended decision(s)

Legal

8. There are no legal implications in respect of the recommended decision.

Strategic priorities and risks

9. The relevant risks this decision would influence are cited below, with an explanation as to why they are relevant and how it would affect each risk.

Risk No	Risk Description	Impact
O8-054	Failure to adhere to Local Code of Corporate Governance and deliver governance improvements outlined in the Annual Governance Statement.	This decision will ensure that the Teesside Pension Board continues to be able to meet regularly and adhere to the Local Code of Corporate Governance.

Human Rights, Equality and Data Protection

10. The subject of this report is not a function or service that is new or being revised. It is considered that an equality impact assessment is not required.

Financial

11. There are no financial implications arising from the content of this report.

Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline
Amend Terms of Reference	Democratic Services Officers	25 May 2022

Appendices

1	Copy of the Teesside Pension Board's Terms of Reference
----------	--

2	
3	

Background papers

Body	Report title	Date

Contact: Charlotte Benjamin
Email: charlotte_benjamin@middlesbrough.gov.uk

TEESSIDE PENSION BOARD OF MIDDLESBROUGH COUNCIL TERMS OF REFERENCE

Introduction

1. This document sets out the terms of reference of the Teesside Pension Board, the Local Pension Board of Middlesbrough Council (the 'Administering Authority') a scheme manager as defined under Section 4 of the Public Service Pensions Act 2013. Middlesbrough Council is the scheme manager for Teesside Pension Fund. The Teesside Pension Board (hereafter referred to as 'the Board') is established in accordance with Section 5 of that Act and under regulation 106 of the Local Government Pension Scheme Regulations 2013 (as amended).
2. The Board is established by the Administering Authority and operates independently of the Committee. Relevant information about its creation and operation are contained in these Terms of Reference.
3. The Board is not a committee constituted under Section 101 of the Local Government Act 1972 and therefore no general duties, responsibilities or powers assigned to such committees or to any sub-committees or officers under the constitution, standing orders or scheme of delegation of the Administering Authority apply to the Board unless expressly included in this document.
4. Except where approval has been granted under regulation 106(2) of the Regulations the Board shall be constituted separately from any committee or sub-committee constituted under Section 101 of the Local Government Act 1972 with delegated authority to execute the function of the Administering Authority.

Interpretation

5. The following terms have the meanings as outlined below:

'the Act'	means The Public Service Pensions Act 2013.
'Administering Authority'	means Middlesbrough Borough Council as manager and administrator of the Teesside Pension Fund.
'the Board'	means the Teesside Local Pension Board, the terms of reference for which are set out in this document
'the Board Secretary'	refers to the Head of Pensions Governance and Investments who has been designated as the Secretary to the Board by the Administering Authority.
'Chief Finance Officer'	means, under Section 151 of the Local Government Act 1972 and as defined in Middlesbrough Council's

Constitution, an officer the Administering Authority is required to have who has a statutory responsibility to ensure the proper arrangement of the authority's financial affairs including the Fund.

- 'the Code'** means the Pension Regulator's Code of Practice No 14 governance and administration of public service pension schemes.
- 'the Committee'** means the Teesside Pension Fund Committee which has delegated decision making powers for the Fund in accordance with Section 101 of the Local Government Act 1972.
- 'the Fund'** means the Teesside Pension Fund managed and administered by the Administering Authority.
- 'the Guidance'** means the guidance on the creation and operation of local pension boards issued by the Shadow Scheme Advisory Board.
- 'Monitoring Officer'** means the officer of the Administering Authority as required under section 5 of the Local Government and Housing Act 1989 as amended by schedule 5 para 24 of the Local Government Act 2000.
- 'the Regulations'** means the Local Government Pension Scheme Regulations 2013 (as amended from time to time), the Local Government Pension Scheme (Transitional Provisions, Savings and Amendment) Regulations 2014 (as amended from time to time) and the Local Government Pension Scheme (Management and Investment of Funds) Regulations 2016 (as amended from time to time) and all including any earlier regulations as defined in these regulations to the extent they remain applicable.
- 'Relevant legislation'** means relevant overriding legislation as well as the Pension Regulator's Codes of Practice, as they apply to the Administering Authority and the Board, notwithstanding that the Codes of Practice are not legislation.
- 'the Scheme'** means the Local Government Pension Scheme in England and Wales.
- 'Scheme Manager'** means Middlesbrough Borough Council as Administering

Authority of the Teesside Pension Fund.

Statement of purpose

6. The Board is responsible for assisting the Administering Authority:

(a) to secure compliance with the Regulations, any other legislation relating to the governance and administration of the Scheme, and requirements imposed by the Pensions Regulator in relation to the Scheme; and

(b) to ensure the effective and efficient governance and administration of the Scheme.

7. The Council considers this to mean that the Pension Board is providing oversight of these matters and, accordingly, the Pension Board is not a decision making body in relation to the management of the Pension Fund. The Board makes recommendations and provides assurance to assist in the management of the Fund.

Duties of the Board

8. The Board should at all times act in a reasonable manner in the conduct of its purpose. It will ensure that in performing their role it is:

- done effectively and efficiently and
- complies with relevant legislation and
- done by having due regard and in the spirit of the Code of Practice on the governance and administration of public service pension schemes issued by the Pensions Regulator and any other relevant statutory or non-statutory guidance.

9. In support of this duty Board members should be subject to and abide by the Code of Conduct for Board members. The Board will adopt Middlesbrough Borough Council's Members' Code of Conduct for this purpose.

Establishment

10. The Board is established on 1st April 2015, as approved by Middlesbrough Borough Council on 1st April 2015. These Terms of Reference were updated by Middlesbrough Borough Council on 26th May 2021.

Membership

11. The Board shall consist of six voting members, as follows:

(a) Three Employer Representatives; and

(b) Three Scheme Member Representatives.

12. There shall be an equal number of Scheme Member and Employer Representatives.

Employer representatives

13. Employer representatives shall be elected members of the scheme employers of the Fund as outlined below. No elected member of the Administering Authority who is responsible for the discharge of any function of the Pension Fund under the Regulations (i.e. a member of the Teesside Pension Fund Committee) may serve as a member of the Board.

14. Employer representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.

15. Substitutes shall not be appointed.

16. A total of three employer representatives shall be appointed to the Board from the following sources:

i. Two employer representatives shall be appointed from the separate Councils of Hartlepool, Middlesbrough, Redcar and Cleveland, and Stockton-on-Tees.

ii. One employer representative shall be chosen from all of the other scheme employers of the Teesside Pension Fund.

Scheme member representatives

17. Scheme member representatives shall either be scheme members or have capacity to represent scheme members of the Fund.

18. Scheme member representatives should be able to demonstrate their capacity to attend and complete the necessary preparation for meetings and participate in training as required.

19. Substitutes shall not be appointed.

20. A total of three scheme member representatives shall be appointed from the following sources:

(a) Two scheme member representatives shall be appointed from the recognised trade unions representing employees who are scheme members of the Fund.

(b) One scheme member representative shall be appointed from the pensioner members of the Fund.

21. The scheme member representatives shall represent *all* active, deferred, pensioner and dependant members irrespective of the trades unions affiliation, or lack of it.

Appointments

22. A selection panel consisting of the Chief Finance Officer, Monitoring Officer and Board Secretary shall form an appointment panel and will be responsible for all appointments to the Pension Board. In circumstances where no suitable volunteers apply from a particular employer or membership group and a Board vacancy remains, the selection panel is able to appoint another suitable individual to that vacancy from outside that particular membership group, always ensuring that only

scheme member representatives are appointed to a scheme member vacancy and only scheme employer representatives are appointed to a scheme employer vacancy.

23. Subject to meeting the arrangements in paragraphs 30 to 35 below a Chair and Deputy Chair shall be appointed for the Board as follows:

- (a) The role of Chair will be rotated every two years with the Deputy Chair. Each of the posts will be held by one employer representative and one scheme member representative.
- (b) The existing Deputy Chair will become the Chair at the point of rotation.
- (c) A new Deputy Chair will be appointed from the appropriate representatives (i.e. employer or scheme member depending on the rotation) by the new Chair of the Pension Board. The Deputy Chair will then take over as Chair after a period of two years.

Duties of chair

24. The Chair of the Board shall:

- (a) ensure the Board delivers its purpose as set out in these Terms of Reference.
- (b) ensure that meetings are productive and effective and that opportunity is provided for the views of all members to be expressed and considered.
- (c) seek to reach consensus and ensure that decisions are properly put to a vote when it cannot be reached.
- (d) agree the agenda for each Board meeting.
- (e) approve minutes for Board meetings having regard to comments from other Board members and other attendees.
- (f) write reports on the work of the Board.
- (g) liaise with the Board Secretary on the requirements of the Board, including advanced notice for officers or advisors to attend and arranging dates and times of Board meetings.
- (h) undertake other tasks that may be requested by the members of the Board, within the remit of these Terms of Reference.
- (i) annually review and report on the performance of the Board.

The decision of the Chair on all points of procedure and order shall be final.

Notification of appointments

25. When appointments to the Board have been made the Administering Authority shall publish the name of Board members on Middlesbrough Council's website and the process followed in the appointment.

Terms of Office

26. The term of office as a member of the Board is four years from the date of the first Board meeting after their appointment.

27. Extensions to terms of office up to a maximum of two years may be made by the Appointment Panel with the agreement of the Board.

28. A Board member may be appointed for further terms of office using the methods set out in paragraphs 13 to 22.

29. Board membership may be terminated prior to the end of the term of office due to:

(a) A member representative appointed on the basis of their membership of the scheme no longer being a scheme member in the Fund.

(b) A member representative no longer being a scheme member or a representative of the body on which their appointment relied.

(c) An employer representative no longer holding the office or employment or being a member of the body on which their appointment relied.

(d) A Board member no longer being able to demonstrate to the administering authority their capacity to attend and prepare for meetings or to participate in required training.

(e) The representative being withdrawn by the nominating body.

(f) A Board member has a potential conflict of interest which cannot be managed in accordance with the Board's conflict policy.

(g) A Board member who is an elected member becomes a member of the Committee.

(h) A Board member who is an officer of the Administering Authority becomes responsible for the discharge of any function of the Administering Authority under the Regulations.

Conflicts of interest

30. All members of the Board must declare to the Administering Authority on appointment and at any such time as their circumstances change, any potential conflict of interest arising as a result of their position on the Board.

31. A conflict of interest is defined as a financial or other interest which is likely to prejudice a person's exercise of functions as a member of the Board. It does not include a financial or other interest arising merely by virtue of that person being a member of the Scheme.

32. On appointment to the Board and following any subsequent declaration of potential conflict by a Board member, the Board Secretary, with the assistance of the Monitoring Officer if required, shall ensure that any potential conflict is effectively managed in line with both the requirements of the Board's conflicts policy and the requirements of the Code.

Knowledge and understanding (including Training)

33. The Board shall establish and maintain a Knowledge and Understanding Policy and Framework to address the knowledge and understanding requirements that apply to Board members under the Act which are:

- a) a member of the Board must be conversant with:
 - i. the legislation and associated guidance of the Local Government Pension Scheme (LGPS), and
 - ii. any document recording policy about the administration of the LGPS which is adopted by the Teesside Pension Fund.

- b) a member of the Board must have knowledge and understanding of –
 - i. The law relating to pensions, and
 - ii. Any other matters which are prescribed in regulations.

It is for individual Board members to be satisfied that they have the appropriate degree of knowledge and understanding to enable them to properly exercise their functions as a member of the Pension Board.

That policy and framework shall set out the degree of knowledge and understanding required as well as how knowledge and understanding is acquired, reviewed and updated.

34. Board members shall attend and participate in training arranged in order to meet and maintain the requirements set out in the Board's Knowledge and Understanding Policy and Framework.

35. Board members shall adhere to the Training and Knowledge Policy document agreed by the Board and amended as necessary.

Meetings

36. The Board shall as a minimum meet two times each year.

37. The Chair of the Board with the consent of the Board membership may call additional meetings.

Quorum

38. A meeting is only quorate when at least one board member representing each of the scheme member and employer side is present, one of whom must be the Chair or Vice Chair.

39. A meeting that becomes inquorate will be rearranged at a time and date that will ensure sufficient members to allow it to be quorate.

Decision making and voting

40. It is expected that the Board will act collectively to reach a consensus.

41. Should it be required that a matter should be put to a vote, each Board Member will have an individual voting right on any matter to be decided. A motion is passed at a meeting of the Board if a majority of voting members are in favour of the motion.

42. A voting member of the Board is not permitted to appoint another voting member as their proxy.

43. The Chair will have a second or casting vote in the case of equality of votes.

44. The results of any voting outcomes will be reported in the Board minutes via reference to the number split of the vote.

Board administration and recommendations to the Pension Committee

45. The Chair shall agree with the Board Secretary an agenda prior to each Board meeting.

46. The agenda and supporting papers will be issued at least five working days in advance of the meeting except in the case of matters of urgency.

47. Draft minutes of each meeting including all actions and agreements will be recorded and circulated to all Board Members within fifteen working days after the meeting and subject to formal agreement by the Board via email or at their next meeting. Any decisions made by the Board should be noted in the minutes.

48. The public minutes may with the agreement of the Board, be edited to exclude items on the grounds that they would either involve the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act and/or they represent data covered by the Data Protection Act 1998. Separate exempt minutes will be recorded in relation to such items.

49. The Board Secretary shall ensure that Board members meet and maintain the knowledge and understanding as determined in the Board's Knowledge and Understanding Policy and Framework and other guidance or legislation.

50. The Board Secretary shall arrange such advice as is required by the Board subject to such conditions as are listed in these Terms of Reference for the use of the budget set for the Board.

51. The Board Secretary shall ensure an attendance record is maintained along with advising the Administering Authority on allowances and expenses to be paid under these terms.

52. The Board Secretary shall liaise with the Administering Authority on the requirements of the Board, including advanced notice for officers to attend and arranging dates and times of Board meetings.

Public access to Board meetings and information

53. The Board meetings can be open to the general public (unless there is an exemption under relevant legislation which would preclude part (or all) of the meeting from being open to the general public).

54. The following will be entitled to attend Board meetings in an observer capacity:

- (a) Members of the Committee,
- (b) Any person requested to attend by the Board.

55. Any such attendees will be permitted to speak at the discretion of the Chair.

56. In accordance with the Act the Administering Authority shall publish on the Middlesbrough Borough Council website information about the Board to include:

- (a) The names of Board members and their contact details.
- (b) The representation of employers and scheme members on the Board.
- (c) These Terms of Reference.

57. The Administering Authority shall also publish on the Middlesbrough Borough Council website other information about the Board including:

- (a) Agendas and minutes
- (b) Training and attendance logs
- (c) An annual report on the work of the Board to be included in the Fund's own annual report.

58. All or some of this information may be published using the following means or other means as considered appropriate from time to time:

- (a) On the Middlesbrough Borough Council website.
- (b) On the Teesside Pension Fund website.

(c) As part of the Fund's Annual Report.

(d) As part of the Governance Policy.

59. Information may be excluded on the grounds that it would either involve the likely disclosure of exempt information as specified in Part 1 of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A (2) of that Act and/or they represent data covered by the Data Protection Act 1998.

60. Board members shall be entitled to attend Pension Fund Committee meetings as observers, including any exempt items.

Expenses and allowances

61.

(a) Subject to (b) below, an allowance will be made to both Employer and Scheme Member Representatives for attending meetings relating to Pension Board business (including attending training) at the rates of £100 per day or £50 per half day.

(b) The allowance will not be paid if the representative is already receiving pay or an alternative allowance in relation to the period, unless it is reduced due to them not attending their normal duties.

62. The Chair of the Pension Board will receive an annual allowance, as set by the Members' Remuneration Panel but will not be entitled to also claim the allowance under paragraph 61 above.

63. All Pension Board members will also be entitled to claim travel and subsistence allowances in accordance with the procedures and allowances that would apply to a Councillor of the Administering Authority.

Budget

64. The Board is to be provided with adequate resources to fulfil its role and a budget will be agreed in advance of each financial year by the Committee. In doing so the budget for the Board will be met from the Fund.

Core functions

65. The first core function of the Board is to assist the Administering Authority in securing compliance with the Regulations, any other legislation relating to the governance and administration of the Scheme, and requirements imposed by the Pensions Regulator in relation to the Scheme. Within this extent of this core function the Board may determine the areas it wishes to consider including but not restricted to:

(a) Review management, administrative and governance processes and procedures in order to ensure they remain compliant with the Regulations, relevant legislation and in particular the Code.

(b) Review the compliance of scheme employers with their duties under the Regulations and relevant legislation.

(c) Monitor complaints and performance on the administration and governance of the scheme.

(d) Review the arrangements for the training of Board members.

(e) Review the complete and proper exercise of employer and administering authority discretions.

(f) Review the compliance of particular cases, projects or process on request of the Committee.

66. The second core function of the Board is to ensure the effective and efficient governance and administration of the Scheme. Within this extent of this core function the Board may determine the areas it wishes to consider including but not restricted to:

(a) Assist with the development of improved customer services.

(b) Monitor performance of administration, against key performance targets and indicators.

(c) Review the risk register as it relates to the Administering Authority function of the authority.

(d) Assist in the development and monitoring of process improvements on request of Committee.

67. In support of its core functions the Board may make a request for information to the Administering Authority with regard to any aspect of the Administering Authority's function. Any such request should be reasonably complied with in both scope and timing.

Administering Authority Consents

68. The Teesside Pension Board shall not:

(a) Question what investments decisions have or have not been made by the Administering Authority or its Committee, for the avoidance of doubt these shall include but not be limited to financial investment decisions and property related investment decisions.

(b) Amend the statements, strategies and reports prepared in compliance with Sections 57 to 61 of the LGPS Regulations.

(c) Consider or become involved in any internal dispute resolution appeals or the process itself.

(d) Enter into contracts on behalf of the Administering Authority.

(e) Dismiss any members of the Administering Authority.

(f) Use the Teesside Pension Board to act on behalf of a particular constituency or Pension Fund scheme member in general or in relation to a specific complaint at any time.

(g) Compromise the Administering Authority's ability to comply with its fiduciary duty to the Pension Fund and its members.

69. The Teesside Pension Board must seek written consent from the Chief Finance Officer before it:

(a) instructs any external advisor to provide a report of any kind;

(b) requests any external advisor to attend a meeting of the Teesside Pension Board which shall require any remuneration of any level;

(c) incurs a cost to the Pension Fund, unless it is explicitly covered within the Board's budget;

(d) can amend these terms of reference.

Reporting

70. The Board must provide minutes of each meeting to the following Committee meeting.

71. The Board should in the first instance report its requests, recommendations or concerns to the Committee via an official committee report. In support of this any member of the Board may attend a Committee meeting as an observer.

72. Requests and recommendations should be reported under the provisions of paragraphs 67 above.

73. The Board should report any concerns over a decision made by the Committee or the Administering Authority to the Committee subject to the agreement of the majority of Members present.

74. On receipt of a report under paragraph 71 above the Committee should, within a reasonable period, consider and respond to the Board.