

THE CHAIR AND ALL MEMBERS OF THE COUNCIL

Tuesday 28 June 2022

Dear Member

COUNCIL - WEDNESDAY 6TH JULY, 2022

You are hereby summoned to attend a meeting of the Council of the Borough of Middlesbrough to be held on **Wednesday 6th July, 2022 at 7.00 pm** in the Council Chamber to transact the following business, namely:-

1. Apologies for Absence
2. Declarations of Interest
To receive any declarations of interest.
3. Minutes - Council - 25 May 2022 5 – 16
4. Announcements/Communications
To receive and consider any communications from the Chair, Mayor, Executive Members or Chief Executive (if any).
5. Questions from Members of the Public (if any).
6. Mayor's Statement and Report
7. Executive Member reports 17 – 60
8. Report of the Overview and Scrutiny Board 61 – 68
9. Urgent Items
To consider and Deal with any urgent business brought before the Council by the Proper Officer (if any).
10. Members' Question Time 69 – 70
11. Notice of Motions 71 – 72
12. Notice of Urgent Motions (if any)

13.	Vacancies on Committees and Outside Bodies	73 – 78
14.	Update on Urgent Decisions	79 – 82
15.	Update to the Constitution	83 – 112
16.	Paper-lite and remote meetings	113 - 164



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.

Questions / Motions – Details of questions or notices of motion received and not enclosed with the Summons will be circulated prior to the meeting.

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

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COUNCIL

A meeting of the Council was held on Wednesday 25 May 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, A High, S Hill, C Hobson, B Hubbard, N Hussain, D Jones, L Lewis, L Mason, T Mawston, C McIntyre, J McTigue, M Nugent, J Platt, E Polano, A Preston (The Mayor), G Purvis, D Rooney, J Rostron, R Sands, M Saunders, M Smiles, M Storey, P Storey, J Thompson, Z Uddin, J Walker, S Walker, G Wilson and C Wright

OFFICERS: C Benjamin, S Bonner, C Breheny, B Carr, G Field, D Johnson, S Lightwing, A Pain, T Parkinson, A Perriman, K Whitmore and I Wright

22/1 **ELECTION OF THE CHAIR OF THE COUNCIL FOR THE MUNICIPAL YEAR - 2022 – 2023**

The Vice-Chair of the Council pro tem invited the Monitoring Officer to request nominations for the Chair of the Council for the Municipal Year 2022 - 2023.

A nomination was received in respect of Councillor J Hobson.

ORDERED that Councillor J Hobson be elected as the Chair of the Council for the Borough of Middlesbrough to hold office for the Municipal Year 2022 - 2023 pro tem.

The newly elected Chair proceeded to Chair the meeting for the remainder of the agenda items.

22/2 **ELECTION OF THE VICE-CHAIR OF THE COUNCIL FOR THE MUNICIPAL YEAR - 2022 - 2023**

The Chair of the Council invited nominations for the Vice-Chair of the Council for the Municipal Year 2022 - 2023.

Nominations were received in respect of Councillor Bell and Councillor Uddin.

On a vote being taken, Councillor Bell received 24 votes and Councillor Uddin received 20 votes.

ORDERED that Councillor Bell be elected as Vice-Chair of the Council for the Borough of Middlesbrough to hold office for the Municipal Year 2022 - 2023 pro tem.

22/3 **APOLOGIES FOR ABSENCE**

Apologies for Absence were received from Councillor McCabe and Councillor Rathmell.

22/4 **DECLARATIONS OF INTEREST**

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

22/5 **MINUTES - COUNCIL - 30 MARCH 2022**

The minutes of the Council meeting held on 30 March 2022 were submitted and approved as a correct record.

22/6 **ANNOUNCEMENTS/COMMUNICATIONS**

The Chair announced with great sadness, the death of John Robert Foster, former Chief Executive of Middlesbrough Council and Freeman of the Borough.

Mr Foster was Chief Executive of Middlesbrough from 1973 to 1995. He was made a Freeman of the Borough of Middlesbrough in 1996, and he also served as a former Deputy Lord

Lieutenant of North Yorkshire. Mr Foster also received an OBE in 1986.

The Chair invited all those present at the meeting to join him in a minutes' silence in memory of John Foster.

22/7

POLITICAL BALANCE - ALLOCATION OF PLACES ON COMMITTEES - 2022 - 2023

The Monitoring Officer presented a report in respect of Political Balance Allocation of Places for the Municipal year of 2022/2023, the purpose of which was to recommend the allocation of places on Committees and Sub-Committees for 2022/2023 in accordance with the political balance of the Council.

ORDERED as follows:

1. That the allocation of seats on committees that were subject to the rules relating to political balance be approved as follows:

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

2. That the Monitoring Officer be authorised to fill the unallocated seats as indicated in paragraph 15 of the report, and to make any necessary further adjustments to remove or replace members where directed by the relevant group or member.
3. That any committee established prior to the next review be appointed on the basis of the places shown in Table 3 attached to the report.

22/8

EXECUTIVE SCHEME OF DELEGATION

As required by the Council's Constitution, a report was submitted setting out membership of the Executive appointed by the Mayor, included at Appendix B of the report. Details of the Executive Scheme of Delegation, were also included at Appendix A of the report, delegating responsibility for certain functions to the Executive, Individual Executive Members, Executive Sub-Committees, joint arrangements and, where appropriate, officers of the Council.

The Mayor advised that there was an error within the Executive Scheme of Delegation that had been circulated with the agenda papers. The error was on page 39 of the AGM Reports Pack with regard to the wording within Cllr Grainge's Executive portfolio.

The wording in the Executive Scheme of Delegation that had been circulated stated that "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".

This should instead have read,

"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 relevant young people in an effort to prevent youth re-offending".

ORDERED that the report, incorporating the above amendment in respect of the portfolio of Councillor Grainge, be noted.

22/9

COUNCIL COMMITTEES - ESTABLISHMENT - TERMS OF REFERENCE - ALLOCATION OF PLACES - MEMBERSHIPS - 2022 - 2023

Council received a report of the Monitoring Officer, regarding the establishment of committees, sub-committees, boards, panels and working groups for the 2022 - 2023

Municipal Year, or until amended by Council, (whichever was the latter)

Schedule A of the report submitted set out the Executive and Executive Sub-Committees and Advisory Bodies as agreed by the Mayor.

Schedules B and C identified the nominations received from the various groups and individual Councillors for places on the committees to be established by the Council in accordance with Sections 15 and 16 of the Local Government Act 1989 and Local Government (Political Groups and Committees) Regulations 1990.

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

The Monitoring Officer conducted a vote in respect of the role of Chair/Vice Chair and nominations for spare places, where applicable, in relation to the following committees:

Schedule B

LIVE WELL – SOUTH TEES HEALTH BOARD

2 Vacancies – open to all Members
1 nomination: Councillor D Davison

Councillor D Davison appointed
1 VACANCY

Schedule C

CHIEF OFFICER APPOINTMENTS COMMITTEE

1 nomination for Chair: Councillor Mawston
Chair: Councillor Mawston appointed

CONSTITUTION AND MEMBERS DEVELOPMENT COMMITTEE

Chair: Councillor J Hobson appointed
Vice Chair: Councillor Bell appointed

CORPORATE AFFAIRS AND AUDIT COMMITTEE

2 nominations for Chair: Councillor Hubbard and Councillor Rooney
Following a vote Councillor Hubbard was appointed as Chair

1 nomination from Councillor Platt for Vice Chair
Vice Chair: Councillor Platt appointed

1 Vacancy – open to all Members
1 nomination: Councillor C Hobson
Councillor C Hobson appointed

CORPORATE HEALTH AND SAFETY STEERING GROUP

1 nomination for Chair from Councillor Branson
Chair: Councillor Branson appointed

2 Vacancies: – open to all Members
1 nomination: Councillor J Hobson

Councillor J Hobson appointed
1 VACANCY

CORPORATE PARENTING BOARD

1 nomination for Chair from Councillor C Hobson
Chair: Councillor C Hobson appointed

1 nomination for Vice-Chair from Councillor Davison
Vice Chair: Councillor Davison appointed

LICENSING COMMITTEE

2 nominations for Chair: Councillor Arundale and Councillor Cooke
Following a vote, Councillor Arundale was appointed as Chair

1 nomination for Vice-Chair from Councillor Polano
Vice Chair: Councillor Polano appointed

2 Vacancies – open to all Members
1 nomination: Councillor McCabe

Councillor McCabe appointed
1 VACANCY

OVERVIEW AND SCRUTINY BOARD

2 nominations for Chair: Councillor Saunders and Councillor Thompson
Following a vote, Councillor Saunders was appointed as Chair

1 nomination for Vice-Chair from Councillor Mawston
Vice Chair: Councillor Mawston appointed

AD HOC SCRUTINY PANEL

4 Vacancies – open to all Members
4 nominations: Councillor Dean, Hellaoui, Higgins and Rooney
Councillor Dean, Councillor Hellaoui, Councillor Higgins, Councillor Rooney appointed.

ADULT SOCIAL CARE AND SERVICES SCRUTINY PANEL

1 nomination for Chair: Councillor Platt
Chair: Councillor Platt appointed

1 nomination for Vice-Chair: Councillor Wilson
Vice Chair: Councillor Wilson appointed

1 Vacancy: 1 nomination from Councillor Sands
Councillor Sands appointed

CHILDREN AND YOUNG PEOPLES' LEARNING SCRUTINY PANEL

1 nomination for Chair: Councillor McCabe
Chair: Councillor McCabe appointed

1 nomination for Vice Chair: Councillor Saunders
Vice Chair: Councillor Saunders appointed

1 Vacancy: 1 nomination from Councillor C Hobson
Councillor C Hobson appointed

CHILDREN AND YOUNG PEOPLES' SOCIAL CARE AND SERVICES SCRUTINY PANEL

2 nominations for Chair: Councillor Davison and Uddin
Following a vote, Councillor Davison was appointed as Chair

1 nomination for Vice Chair: Councillor Mawston
Vice Chair: Councillor Mawston appointed

1 VACANCY

CULTURE AND COMMUNITIES SCRUTINY PANEL

2 nominations for Chair: Councillor Lewis and McIntyre
Following a vote, Councillor McIntyre was appointed as Chair

1 nomination for Vice Chair: Councillor Wilson
Vice Chair: Councillor Wilson appointed

1 Vacancy: 1 nomination from Councillor McCabe
Councillor McCabe appointed

ECONOMIC DEVELOPMENT, ENVIRONMENT AND INFRASTRUCTURE SCRUTINY PANEL

2 nominations for Chair: Councillor Furness and McTigue

Following a vote, Councillor McTigue was appointed as Chair

2 nominations for Vice-Chair; Councillors Arundale and Thompson

Following a vote, Councillor Arundale was appointed as Vice-Chair

HEALTH SCRUTINY PANEL

1 nomination for Chair: Councillor Jones

Chair: Councillor Jones appointed

1 nomination for Vice-Chair: Councillor McIntyre

Vice Chair: Councillor McIntyre appointed

1 Vacancy: 1 nomination: Councillor Davison

Councillor Davison appointed

PLANNING AND DEVELOPMENT COMMITTEE

1 nomination for Chair: Councillor J Hobson

Chair: Councillor J Hobson appointed

1 nomination for Vice-Chair: Councillor Coupe

Vice Chair: Councillor Coupe appointed

STAFF APPEALS COMMITTEE

2 nominations for Chair: Councillor Bell and Councillor Dean

Following a vote, Councillor Bell was appointed as Chair

1 nomination for Vice-Chair: Councillor Cooper

Vice Chair: Councillor Cooper appointed

1 Vacancy: originally reserved for Labour

1 Labour nomination: Councillor Thompson

Councillor Thompson appointed

STANDARDS COMMITTEE

1 nomination for Chair: Councillor Mawston

Chair: Councillor Mawston appointed

1 nomination for Vice-Chair: Councillor Saunders

Vice Chair: Councillor Saunders appointed

TEESSIDE PENSION FUND COMMITTEE

2 nominations for Chair: Councillor Coupe and Councillor Furness

Following a vote, Councillor Coupe appointed

1 nomination for Vice-Chair: Councillor Polano

Vice Chair: Councillor Polano appointed

3 Vacancies:

2 Vacancies – open to all Members: 1 nomination: Councillor Hill

1 Vacancy open to MIG: 1 nomination: Councillor McCabe

Councillor Hill and Councillor McCabe appointed

1 VACANCY

WORKS COUNCIL

Chair is Deputy Mayor

2 Vacancies: 1 nomination: Councillor Saunders

Councillor Saunders appointed

1 VACANCY

ORDERED as follows:

1. That the terms of reference of committees, sub committees, boards panels and working groups, as detailed in the schedule to the report, be approved.
2. That subject to the receipt of nominations to vacancies or amendments to places indicated in the schedule to the report, that the places allocated in accordance with the wishes of the political groups and other councillors, be approved.
3. That the membership, size and terms of reference of the Executive and its sub-committees, 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 of the report, be filled in accordance with political group and other councillors' preferences.

22/10

APPOINTMENTS BY THE COUNCIL AND EXECUTIVE TO JOINT COMMITTEES AND OUTSIDE BODIES - 2022 - 2023

The Monitoring Officer submitted a report regarding the appointment of representatives to joint committees and outside bodies.

ORDERED as follows:-

1. That appointments to the organisations shown in Appendix A (Council nominations), Appendix B (Council/Executive nominations) and Appendix C (Executive appointments of the report submitted, for the 2022/2023 Municipal Year be approved, until amended by Council/Executive, (whichever was the latter).
2. That the following appointments for the 2022-20233 Municipal Year, nominated at the meeting, be approved and noted, until amended by Council/Executive (whichever was the latter).

Durham Darlington Teesside Hambleton Richmondshire and Whitby STP Joint Committee

Councillor Saunders appointed

River Tees Port Health Authority

Councillor Branson appointed

South Tees Health Scrutiny Joint Committee

1 VACANCY

Tees Valley Health Scrutiny Joint Committee

1 VACANCY

Tees Valley Combined Authority – Audit and Governance Committee

Councillor Hubbard appointed

North East Regional Employers' Organisation (NEREO)

1 VACANCY

Appendix B – Council/Executive Appointments

Middlesbrough Citizens Advice Bureau (CAB) Management Committee

Councillor Hellaoui appointed

Middlesbrough Environment City Trust Limited

Councillor Arundale, Councillor Rostron appointed

Middlesbrough Voluntary Development Agency

Councillor Thompson appointed

Standing Advisory Council on Religious Education (SACRE)

Councillor McCabe appointed

22/11

THE MAYOR'S ANNUAL REPORT

The Mayor made reference to the following as part of his Annual Report:

Squirrels Club

- Visit to the regions first Squirrels Club, which was a branch of the Scouts/Cubs/Beavers group aimed at children aged 3 to 5 year olds. It was officially launched in Cambridge Baptist Church and there was a long waiting list of children waiting to join. The Mayor praised the volunteers, however, the group needed more volunteers in order to meet the demand for places. The Mayor urged anyone who would be interested in volunteering to assist, to contact the group.

Africa Day

- The Mayor stated that he had attended 'Africa Day' at Middlesbrough College. It was a North East focused event in relation to people of African origin, acknowledging their achievements and raising confidence and awareness. He stated that he had met a number of different people at the event, including a professional boxer, a preacher, a professional writer, several entrepreneurs and John Kabuye, who did incredible things in the Gresham area. The Mayor thanked the African people for their contribution to the town.

The Boro Angels

- The Mayor advised that he had visited the Boro Angels who were based on Borough Road. The group worked on a Saturday night in the town, rescuing people by providing rehydration, assisting people to get taxis, and helping people on the streets.

The Mayor referred to the war in Ukraine and the impact on the people in this country.

The Mayor stated that on a positive note, that there was some good things going on in the town. There was investment in the town and more job vacancies than unemployed people. The opportunities for the town were growing. The Council was developing a leisure zone in Captain Cook square which would attract people to the town. Office buildings were being built and were being occupied. Social housing was being created and other housing was being built.

The Mayoral Development Corporation

The Mayor stated that the launch of the Mayoral Development Corporation had been announced in conjunction with the Tees Valley Combined Authority Mayor, Ben Houchen. Middlesbrough would be able to tap in to any investment and funding realised through the Development Corporation and the Government.

The Mayor referred to the global down turn in people's finances and he stated that this would get worse in October and in his view the Government should impose a windfall tax on the rich companies and distribute to those who needed it most.

The Mayor stated that if anybody was struggling, they should get in touch with their councillor or the Council itself as nobody should go hungry.

The Chair invited members to comment on the Mayor's report.

Councillor M Storey referred to the Mayor's comments on the number of job vacancies in the town. He stated that although there appeared to be a large number of vacancies, many of them were so poorly paid or on zero hours contracts, many people had to do three jobs to achieve a decent income. The town needed good quality, well paid, unionised jobs.

Councillor Storey acknowledged that there was investment in the town. In terms of the Mayor's Development Corporation, the Council needed to look at how the Council interacted with the corporation, what the authority could gain from it and what benefits were available to the Council. The Council had already secured land in Middlehaven and properties around the town, built on Centre Square and he queried with regard to the impact of the Development Corporation on the Council's future plans. He queried with regard to why a Mayoral Development Corporation was needed, at this point in time. Councillor Storey stated that Middlesbrough Council already had an excellent record of initiating and delivering on projects such as Northern School of Arts, the Dock Bridge, Boho X, Centre Square and Middlesbrough Railway Station. He stated that many of these projects had been or were currently being delivered, in collaboration with TVCA and Middlesbrough Council.

In terms of the Mayor's comments on the windfall tax, Councillor Storey stated that this was something that should have been imposed some time ago.

Councillor Storey stated that he was pleased that the Mayor was talking about poverty and hunger. He stated that many people in the town were going hungry but foodbanks and soup kitchens should not need to exist. Councillor Storey stated that poverty and hunger was not acceptable in this day and age.

The Mayor stated that it was fantastic that there was lots of jobs and more vacancies than unemployed people. Foodbanks were not a new thing. Poverty had always existed. He stated that foodbanks should be retained. Middlesbrough was making good progress in terms of investment and that was why they needed to work with the Mayoral Development Corporation. It was an exciting opportunity which involved a Government directive. He stated that the town would keep stocking the foodbanks.

Councillor McTigue queried whether personal attacks were allowed to be made on members. The Monitoring Officer clarified that personal comments were not allowed to be made.

Councillor McTigue commented on the number of people that had contributed towards the people of Ukraine.

Councillor Branson stated that foodbanks should not be required although he acknowledged that the people that operated them did a really good job.

The Mayor stated that a large number of people required foodbanks and as politicians, councillors should strive to reduce demand for them.

Councillor Cooke stated that making the town hunger free was misleading. He stated that he had spent the day with someone who had hardly eaten and the Council needed to do more to help. He commented on the number of Executive Member appointments. Councillor Cooke also referred to the comments on investment in the town but he queried with regard to when the Council's Local Plan would be brought forward.

The Mayor stated that nobody in the town needed to go hungry. There was a telephone number that people could ring to obtain a food parcel. In terms of the cost of the Executive, the Mayor stated that since 2019, the Executive had cost less.

In terms of the Council's Local Plan, the Mayor confirmed that the delivery of the Local Plan was back on track.

Councillor J Walker stated that she was concerned that the Mayor had misconstrued what was said about the operation of foodbanks. What was meant by the comments was that members wanted a better and fairer society where people did not have to rely on foodbanks.

People, including those people who were working, were needing to use foodbanks more, because of the cost of living and the current economic climate.

Councillor Higgins stated that members did not want to get rid of foodbanks, they wanted the Government to do more so that people did not have to rely on them.

The Mayor thanked members for clarifying that they were not proposing to close foodbanks.

ORDERED that the Annual Report of the Mayor be noted.

22/12

MEMBERS' SCHEME OF ALLOWANCES 2022 - 2023

The Executive Member for Finance and Governance and the Director of Legal and Governance Services submitted a report, the purpose of which was to request that Council consider the recommendation proposed by the Independent Panel on Members' Remuneration outlined in paragraph's 27 of Appendix 1, in respect of Members Allowances, and adopt the proposed Members Scheme of Allowances for 2022/23 (Appendix 1).

The Director of Legal and Governance Services advised that the Council were 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.

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

All elected members had been 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.

Those representations were considered as part of the Panel's deliberations and no changes were recommended at this time.

The Panel were keen to stress that in their deliberations they had carefully reviewed all the relevant information; respectfully considered all representations made to them; had been sensitive to wider economic factors and had acted independently of all other considerations.

The Panel recommended that the Scheme of Allowances should remain frozen and not reflect staff inflationary pay awards as agreed by Council in 2021.

A copy of the proposed Scheme of Allowances for 2022/23 was attached at Appendix 2 to the report.

Following a vote, it was **ORDERED** that:

1. The Scheme of Allowances should remain frozen and not reflect staff inflationary pay awards as agreed by Council in 2021.
2. Council adopt the proposed Members Scheme of Allowances for 2022/23 (Appendix 2).

22/13

UPDATE TO THE CONSTITUTION

The Chair advised that a number of queries had been received regarding the content of the report in relation to the Update to the Constitution.

The Chair suggested that the report be referred back to the Constitution and Members Development Committee for further discussion.

Following a vote, it was:

ORDERED that the report in relation to the Update to the Constitution be referred back to the Constitution and Members Development Committee for further discussion.

22/14

ADOPTION OF THE STANTON & THORNTON NEIGHBOURHOOD PLAN 2021-2036

The Executive Member for Regeneration and the Director for Regeneration and Culture submitted a report, the purpose of which was to seek the adoption of the Stainton & Thornton Neighbourhood Plan 2021-2036, in accordance with the Neighbourhood Planning Regulations 2012, and relevant Council procedures.

The Executive Member for Regeneration advised that the Stainton & Thornton Neighbourhood Plan had been subject to a referendum, with the majority of those eligible to vote within the parished area of Stainton & Thornton, voting in favour (with 96.4% in favour) of its adoption. As a result of the successful outcome of the referendum, the Council was required to adopt the Plan, otherwise the Secretary of State could be asked to intervene.

Once adopted, the Neighbourhood Plan would form part of the Council's Policy Framework, and be part of the Statutory Development Plan. The Plan could then be used in the determination of future planning applications within the designated Stainton and Thornton Neighbourhood Area.

Following a vote, it was:

ORDERED that the Stainton & Thornton Neighbourhood Plan 2021-2036 be adopted.

22/15

PROPOSED CHANGES TO TEESIDE PENSION BOARD'S TERMS OF REFERENCE

The Executive Member for Finance and Governance and the Director of Legal and Governance Services submitted a report, the purpose of which was to seek approval to changes to the Teesside Pension Board's Terms of Reference to allow greater flexibility in the appointment of new Members.

The Executive Member for Finance and Governance advised that from 1 April 2015 every Local Government Pension Scheme administering authority had to set up a Pension Board, whose role is to assist each administering authority in carrying out its duty to run their Pension Fund.

Pension Boards were not decision-making bodies, but instead performed more of a scrutiny-type role. They were in addition to, not instead of, Pension Fund Committees who typically continued to make all the decisions relating to the investment governance and administration of the Pension Fund.

Each Pension Board had to be set up with an equal number of employer and scheme member representatives, and administering authorities had to decide how many members would be on their Pension Board and how they would be recruited.

The Teesside Pension Board was established to have six members – three employer representatives and three scheme member representatives, further detailed as follows:

Scheme employer representatives

Two employer representatives appointed from the separate Councils of Hartlepool, Middlesbrough, Redcar and Cleveland, and Stockton-on-Tees.

One employer representative chosen from all of the other scheme employers of the Teesside Pension Fund.

Scheme member representatives

Two scheme member representatives appointed from the recognised trade unions representing employees who are scheme members of the Fund.

One scheme member representative appointed from the pensioner members of the Fund.

Recent attempts to fill Board vacancies 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 had come forward to take up the "other scheme employers" place on the Board and a vacancy remained.

To avoid a situation where a Board place remained vacant for a long time, the Teesside Pension Board discussed and agreed a proposal to amend the Board's Terms of Reference to provide additional flexibility in appointment situations where a vacancy had proved difficult to fill. Any amendment to the Teesside Pension Board's current Terms of Reference required Council approval.

Council was requested to agree the following change to 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."

Following a vote, it was:

ORDERED that the proposed change, as outlined above, to the Teesside Pension Board's Terms of Reference to allow greater flexibility in the appointment of new Members, be approved.

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

Council Meeting: 6 July 2022

DEMOCRATIC SERVICES

EXECUTIVE MEMBER REPORTS AND ADDITIONAL INFORMATION

COUNCIL MEETING: 6 JULY 2022

CONTENTS

SECTION 1 - Executive Member Reports

<ul style="list-style-type: none"> Deputy Mayor and Executive Member for Children’s Services <i>Councillor M Smiles</i>
<ul style="list-style-type: none"> Executive Member for Adult Social Care, Public Health, Public Protection and Digital Inclusion <i>Councillor D Coupe</i>
<ul style="list-style-type: none"> Executive Member for Culture and Communities <i>Councillor S Hill</i>
<ul style="list-style-type: none"> Executive Member for Environment <i>Councillor B Cooper</i>
<ul style="list-style-type: none"> Executive Member for Finance and Governance <i>Councillor S Walker</i>
<ul style="list-style-type: none"> Executive Member for Neighbourhood Safety <i>Councillor T Grainge</i>
<ul style="list-style-type: none"> Executive Member for Regeneration <i>Councillor E Polano</i>
<ul style="list-style-type: none"> Executive Member for Young Adults and Democratic Engagement <i>Councillor L Mason</i>

SECTION 2 – Table of Executive decisions taken and that have been through the Call-In period, since the last booklet, published on 16 November 2021.

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

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

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Deputy Mayor & Lead Member for Children's Services

DATE OF MEETING: 06 July 2022

This report aims to provide an update to members on activity within my portfolio and performance against the strategic priorities I either lead on or am involved with.

STRATEGIC PRIORITY - Consolidate and build on recent Children's Services progress to improve Ofsted rating.

1. WHAT I HAVE BEEN INVOLVED IN:

- 1.1. There's been great progress recently with Children's Services – particularly in regards to Ofsted and the inspector's thoughts on our improvement.
- 1.2. In 2019 Ofsted identified 'serious and widespread failures that leave children in harmful situations for too long' and as a result the service was rated as inadequate overall. Since then staff and politicians have worked extremely hard to try and turn this around via an 'improvement journey'.
- 1.3. To date Ofsted has completed three 'monitoring visits' looking at specific service areas - and early next year we can expect a full inspection.
- 1.4. The most recent visit in March considered matching, placement and decision-making for children in care as well as achieving permanence - forever homes - for children.
- 1.5. Significant improvements were identified including children moving to their forever homes in a more timely way. I was particularly happy to note that Ofsted considers that the service 'knows itself' which was a significant failing in the last full inspection.
- 1.6. As well as being on the improvement board, I have very regular meetings with the Executive Director of Children's Services, Sue Butcher, and work with other councillors - such as Cllr Chris Hobson who is the chair of the Corporate Parenting Board - to make sure we are scrutinising the service effectively. I also make regular visits to frontline social workers.
- 1.7. Recently I accompanied the early help team on a family visit and it was great to get a real understanding of the type of work that goes on. Last week I visited the assessment team - and again it was reassuring to see how much faith the team have in the work that is going on to improve things for Middlesbrough children.

1.8. The next monitoring visit will take place in July, focusing on early help and the Multi-Agency Children's Hub (MACH) which is the front door to children's services.

1.9. Although progress has been made there is still a considerable amount of work to be done to ensure that the outcomes for Middlesbrough's vulnerable children have been improved sufficiently to improve our Ofsted rating. A huge thank you to everyone who has contributed to our work so far.

STRATEGIC PRIORITY - Expand the current model for youth provision in areas that suffer high levels of deprivation.

2. WHAT I HAVE BEEN INVOLVED IN:

2.1. There are some exciting changes afoot for the offering that we give to our young people across the town.

2.2. There is an Executive report (due in July) which outlines proposals for enhanced youth services in Middlesbrough. This is in addition to our existing youth service which currently includes different elements such as universal youth work provided by the Linx Youth Project, transitions youth work provided by Middlesbrough Football Club Foundation and targeted youth work provided by The Junction.

2.3. The additional investment to enhance youth services includes three proposals:

- To enhance and expand our targeted youth provision in areas of Middlesbrough where there is identified anti-social behaviour
- To directly support existing voluntary and community sector provision for children and young people through grant funding
- To provide additional funding for the Music in Secondary Schools Trust (MiSST) to expand to more secondary schools

2.4. The MiSST programme has seen the whole of Year 7 learn violin at Kings Academy - with a group of them performing on stage at London's South Bank with Andrew Lloyd Webber in attendance! I was so proud of the young people involved and I'm certain it's something they will always remember.

2.5. The MiSST programme is set to expand in September, with the current Kings Academy Year 7s progressing onto Year 8 and continuing to learn violin. The new Year 7s will learn flute or clarinet. I'm also very excited to announce that – subject to executive approval - the scheme is rolling out to Outwood Riverside in September.

STRATEGIC PRIORITY - Introduce a marketing campaign and associated support to significantly grow Middlesbrough Lottery.

3. WHAT I HAVE BEEN INVOLVED IN:

3.1. The Middlesbrough Lottery was launched in September 2021 and continues to go from strength to strength.

- 3.2. The lottery supports good causes around Middlesbrough and also provides funds for cultural activity.
- 3.3. Of the £1 ticket cost, 50p goes to the good causes selected by the player, with 10p from every ticket supporting cultural activity. Players can opt to direct the full 60p towards cultural activity.
- 3.4. As of the middle of June, 62 causes are registered and the lottery has generated over £28,000 for good causes and cultural activity. On current projections it will raise £38,000 annually.
- 3.5. Just some of the good causes it supports include: My Sisters Place, Recovery Connections and The White Feather Project.
- 3.6. Since the start of this calendar year, I have been working with the marketing and communications team to grow the good cause base. This activity has seen an increase of 14 good causes join the lottery.
- 3.7. I always do what I can to promote the lottery - and I recently wrote for a national title about the project and what set it in motion. You can read it here: [Mieka Smiles: Our Middlesbrough Lottery is delivering funds for local good causes - Conservative Home](#)
- 3.8. Recently we have had two players win £2,000 – an excellent added extra.
- 3.9. Draws take place every Saturday evening and players can sign up via www.middlesbroughlottery.co.uk

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Adult Social Care, Public Health, Public Protection and Digital Inclusion.

DATE OF MEETING: 06 July 2022

This report aims to provide an update to Members on activity within my portfolio and performance against the strategic priorities I either lead on or am involved with.

STRATEGIC PRIORITY – Business (Promoting investment in Middlesbrough’s economy and making sure we work as effectively as possible to support our ambitions for People and Place.

1. WHAT I HAVE BEEN INVOLVED IN:

Public Protection

- 1.1. Environmental Health Officers carry out routine inspections of food businesses to check they meet the legal standards and to protect the public’s health from food borne illnesses. After each inspection each business is risk rated which determines how frequently they will be visited and they are also issued with a hygiene rating under the national Food Hygiene Rating Scheme.
- 1.2. The ratings range from 0 to 5 where 0 (zero) is the lowest and means major improvements are needed to a 5 rating which means Very Good. Food hygiene ratings are published monthly on a national website. All public facing food businesses are included in the hygiene rating scheme. Businesses can appeal their hygiene rating if they do not think it reflects the standards in their business. They can request a re-rating which costs £150 and is carried out after at least 3 months of the first inspection.
- 1.3. The purpose of the hygiene rating scheme is to help the public to choose where to purchase their food. The transparency of the scheme also serves as a means of promoting the businesses with the best hygiene ratings and also to encourage businesses to improve their hygiene standards as a poor rating impacts customer choice and can result in a downturn in trade. The online food ordering service “Just Eat” requires a business to have a 3, 4 or 5 rating to operate through them.
- 1.4. 93% of food businesses in Middlesbrough have a 3,4 or 5 rating, only 3% have a rating of 0 or 1 which are the lowest ratings (24 businesses) These 24 businesses are mostly takeaways and restaurants. Environmental Health Officers are planning to provide extra support and will be carrying out additional visits to some takeaways, restaurants and smaller food retail premises to carry out spot checks and provide advice. Businesses will also be encouraged to contact the Public Protection Service to request support or an additional visit.

STRATEGIC PRIORITY – Vulnerability (We will work to address the causes of vulnerability and inequalities in Middlesbrough and safeguard and support those made vulnerable).

2. WHAT I HAVE BEEN INVOLVED IN:

Adult Social Care

- 2.1. Recruitment Pressures: A further paper has been developed and is to be considered at LMT with additional proposed measures in response to the on-going challenge of recruiting staff within adult social care. The paper will seek approval to align both starting salaries and the way in which staff member's progress through career grades with Children's Services. A particular focus will be placed on measures aimed at retaining experienced Social Workers within our service. Currently we have 11 Social Work vacancies and finding resolution to this issue is essential to the effective delivery of our services.
- 2.2. Social Work Reform: Work is ongoing to analyse future demand and to prepare for the introduction of the Government's plans to change the way in which individuals are charged for their social care. A project team is in place working to understand the implications of these reforms and to plan for implementing the changes as information becomes available from the Department for Health and Social Care. This will be reported to Elected Members as it emerges – a briefing for Members is currently being planned.
- 2.3. CQC Assurance: Central Government has determined that as part of their reform agenda for adult social care they will implement an assurance process led by the Care Quality Commission; this will commence in mid-2023 with what they describe as a "base-lining" exercise. It appears likely that this will develop into a framework that will contain assessments of Councils using the same categories as OFSTED employ with Children's Services (i.e. Inadequate; Requires Improvement; Good; Outstanding). The details of the assurance framework are as yet incomplete and CQC have stated that they will not have a clearly documented set of procedures available before September of this year at the earliest. However, planning work has commenced on the basis and a briefing will be brought to Executive in August with the information that is available at that time. A briefing to Members will be programmed thereafter.

STRATEGIC PRIORITY – COVID-19 Recovery (We will ensure the recovery of local communities, businesses and the Council's operations from COVID-19, taking opportunities to build back better.)

3. WHAT I HAVE BEEN INVOLVED IN:

Public Health

Covid-19 update

- 3.1. It is important to stress the Covid-19 is still with and as such people should continue to exercise caution wherever they can. I would also strongly advise that

residents avail themselves of any Covid-19 assistance that is available, such as vaccinations.

- 3.2. While restrictions are easing the latest ONS infection survey showed an estimated 2.1% of population in Middlesbrough had Covid-19 week ending 11th June which is an increase from the previous week of 1.5%. Our local estimated prevalence rate is similar to the North East estimate of 2%. Nationally there has been a 57% increase in positive cases in the week ending 5th June.
- 3.3. Middlesbrough has also seen an increase in its rate currently at 139 per 100,000. Nationally Middlesbrough is now ranked the 56th highest local authority in the country with the highest being Rutland with rate of 257 per 100,000. Latest data from South Tees Trust shows 70 Covid-19 positive cases and 3 patients in critical care which is slightly lower than the previous week of 77. Data at an England level indicates that the most recently discovered variants BA.4 and BA.5 are showing a faster growth over the original omicron variant.
- 3.4. Current National Guidance adopted locally is anyone with symptoms of a respiratory infection, including Covid-19, and a high temperature or who feel unwell, should work from home and avoid contact with other people, until they feel well enough to resume normal activities and they no longer have a high temperature. Anyone with a positive Covid-19 test result should not come to work. They should stay at home and avoid contact with other people for five days (children under 18 three days), which is when they are most infectious. If they are well enough they can work from home.
- 3.5. Vaccination data from NHS Foundry shows that 71.6% (8,418) of eligible cohort including care home residents and over 75+ (11,142) have had all 4 Covid-19 immunisations including the spring booster. This compares to 76.4% across Cumbria & North East. Middlesbrough remains under the England average for dose 1 vaccination uptake (at 12 years plus) with a local figure of 76.7% compared to the England uptake of 79.9%, dose 2 and booster uptake is also below the England average. The vaccination community pop up programme is in place until September 2022 and we continue to use local data to target areas or communities where uptake is low.

Long Covid

- 3.6. Middlesbrough observed disproportionate levels of negative direct and indirect impacts of Covid-19. This emerged as high levels of transmission, increased clinical vulnerability and wider socioeconomic impacts, which exacerbated existing health inequalities across the town. The longevity of impact was further threatened by increasing cases of long-Covid symptoms being reported by service-users accessing wider wellbeing support.
- 3.7. In the summer of 2020 there was little evidence base about long-Covid but what was available did acknowledge symptoms such as respiratory, cardiovascular and psychological which some of our service users were presenting with. Alongside clinical symptoms, residents cited wider societal and functional issues which impacted on their ability to work, learn and manage day to day responsibilities as a result of prolonged ill health which, if left unsupported, would further widen the health inequalities gap facing some residents within the town.

- 3.8. In response to this Public Health established a virtual multi-disciplinary working group (including public health practitioners, specialist physical activity instructors, clinicians, nutritionists, social support services, Tees Valley Clinical Commissioning Group and mental health providers) to help better understand the challenge and formulate a local solution to tackle the issue. The result was a first of its kind, structured and targeted support programme aimed to meet the clinical and non-clinical needs of long-covid patients in order to reduce existing pressures on health and social support services and to facilitate the longer-term recovery of Middlesbrough from Covid-19. The Re-Start Programme was launched from the Live Well Centre in the winter of 20/21 and provides secondary and tertiary prevention support to residents with long-Covid symptoms as part of an integrated recovery model. The programme offers service users holistic support tailored to their needs following a comprehensive assessment process.
- 3.9. The programme team have developed professional referral routes from primary care, hospital-based Covid recovery, mental health services and wider prevention programmes (e.g. National Diabetes Programme), to support a non-clinical approach to the ongoing management of post – Covid symptoms. This included working with Job Centre Plus to build pathways linked to fit note management.
- 3.10. As of April 2022 the programme had received 100 referrals, of these patients 96 were eligible for the programme, with the remaining patients being redirected into primary care. For those 100 who have completed the programme to date:
- 83% of participants experienced improved leg strength and endurance, with 56% average improvement overall (based on “sit to stand” test)
 - 94% of participants experienced improved functional ability, with 26% average improvement overall (based on “6 minute walk” test)
 - 83% of participants reporting improved mood, with a 13% average improvement overall (based on RAS-DS score).
- 3.11. The programme is a finalist for a National for an MJ award which is taking place in London at the end of June.

Local Health Protection Approach

- 3.12. Public Health are working closely with Public Protection to build the local health protection function including response and resilience for pandemic preparedness. The Local Health Protection Programme Board will meet on a monthly basis with a key focus on environmental issues, emergency response, communicable infectious diseases, outbreak management, immunisations and community resilience. The Board will feed into a wider, Tees Valley quarterly Health Protection Partnership meeting to discuss progress on the local health protection plan, share learning and collaboration on key work streams. The Health Protection programme aims to align the local health protection response and reduce existing health inequalities with a focus on:
- Strengthening local health protection efforts, working with key partners in different sectors, building our internal skills and capabilities and enhancing engagement with communities to ensure we make the best of our collective efforts and resources, narrowing the health gap between disadvantaged

groups, communities and the rest of the country through prevention and immunisation

- Concentrating on preventative upstream activities (Screening, immunisation and prevention of outbreaks)

STRATEGIC PRIORITY - We will show Middlesbrough's children that they matter and work to make our town safe and welcoming and to improve outcomes for all children and young people.

4. WHAT I HAVE BEEN INVOLVED IN:

Public Health

Holiday Activities & Food Programme (HAF)

- 4.1. The local Holiday Activities & Food Programme is providing thousands of places on free activities for children and young people eligible for free school meal related benefits. The programme continues to evolve and a grants process is underway to distribute the funding for the summer holiday delivery period. A dedicated internal management team is being recruited to and a market-leading booking and data management system is being commissioned, allowing for further developments and improvements to be made to the programme.
- 4.2. During the Easter 2022 Holidays, 866 children and young people in Middlesbrough attended 2,989 day places on the programme – with a hot meal, physical activity and other exciting activities provided at every session.

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Culture and Communities

DATE OF MEETING: 06 July 2022

This report aims to provide an update to Members on activity within my portfolio and performance against the strategic priorities I either lead on or am involved with.

STRATEGIC PRIORITY - Increase attendance at existing Council events like Orange Pip

1. WHAT I HAVE BEEN INVOLVED IN:

Middlesbrough's Platinum Jubilee Celebrations

- 1.1. To celebrate Her Majesty The Queen's Platinum Jubilee, Middlesbrough Council either hosted or funded a host of activities throughout Spring, culminating in a jam-packed Jubilee Weekend.
- 1.2. These events began during Local History Month in May, with the Council's culture team creating online videos on topics such as Jubilee-themed crafts and baking, plus talks and lectures developed by Officers from our Museums, Libraries and the Teesside Archives, with input from local artists and businesses. Visitors and residents were also treated to a host of Jubilee-themed talks in the Dorman Museum and other cultural spaces across the town.
- 1.3. In June, Centre Square played host to an extended, two-day long special edition of the ever popular Orange Pip Market. This event was home to the usual Orange Pip fare, including artisanal street-food and drink and craft stalls, along with more Jubilee themed activities, such as a pop-up royal pub quiz and our Celebration Parade, which filed through the Town Centre and celebrated the seven decades of Her Majesty's reign.
- 1.4. Visitor numbers at the Orange Pip are always high, but the two day event attracted a huge number of people to our Town Centre, with over 15,000 people entering Centre Square alone, with many others lining the route of the parade through the Town Centre.
- 1.5. On the evening of Thursday 2nd June, the Cenotaph played host to our official Beacon Lighting ceremony. This was a highly choreographed event, with all aspects of the ceremony dictated by Buckingham Palace, but it included a choir, bag piper and our brand new Town Crier taking part in his first official event.
- 1.6. To coincide with the Beacon Lighting, the Dorman Museum hosted "A Night at the Dorman Museum", which offered visitors a chance to take a look around the museum and take in the specially curated exhibit focussing on visits by Her Majesty and other members of the Royal Family to Middlesbrough. This event attracted over 1000 visitors to the Museum on that night alone, and attracted

praise for the staff, exhibits and Dressers Tea Room, situated inside the entrance to the museum.

- 1.7. The culmination of Middlesbrough's Jubilee Celebrations occurred over the Jubilee Weekend, with over 230 street parties and community events across Middlesbrough, funded by Middlesbrough Council. As the Executive Member, it was a pleasure for me to sit on the grants panel which awarded the funding, and brilliant to see the scope of celebrations throughout the town when I visited several street parties, with the enthusiasm from organisers and residents clear from both their applications and their parties.
- 1.8. This enthusiasm will be rewarded on Sunday 3rd July, when the Town Hall will host its very own celebratory street party in the Main Hall, Crypt and Courtyard, with the organiser from each event invited to attend and receive a thank you from myself and the Mayor.

STRATEGIC PRIORITY – We will invest in our existing cultural assets, create new spaces and events and improve access to culture.

2. WHAT I HAVE BEEN INVOLVED IN:

Middlesbrough Cultural Partnership

- 2.1. The Middlesbrough Cultural Partnership (MCP) is a collective of arts, heritage and culture organisations, businesses and freelance artists on a mission to make Middlesbrough the Most Creative Town in the UK. It has over 20 members, including MIMA, Navigator North, Platform A and the Auxiliary Project, and at its core aims to increase the visibility and engagement of culture throughout the town and its surrounding area. To this end, members of the partnership have engaged with over 1 million residents and visitors to Middlesbrough over the past financial year.
- 2.2. The MCP is an independent partnership, but is facilitated by Middlesbrough Council, with all of our important Cultural offerings represented, to showcase them at their very best. It was agreed at the inception of the Partnership that it would be free from political involvement, however, as the portfolio holder, I am regularly updated on the activities, and attend meetings as an observer, along with my regular visits to our cultural spaces and partners.
- 2.3. The Partnership was recently instrumental in securing a £5million funding bid from the Department of Culture, Media and Sport (DCMS). The majority of this fund will go to renovating and modernising Middlesbrough Central Library, but will also fund projects at the Auxiliary Project and Platform Arts, housed on Station Street and the Middlesbrough Railway Station, respectively.
- 2.4. To build on this groundswell of culture, the MCP recently launched the Middlesbrough Cultural Capital Investment Prospectus, which is designed to showcase the town's cultural offering to prospective investors. This approach has already received widespread acclaim, with Arts Council England holding it up as an example of best practice, and Historic England praising Middlesbrough for our exceptionally well joined-up cultural sector.

2.5. More information on the Middlesbrough Cultural Partnership can be found at www.boroculture.org.uk.

STRATEGIC PRIORITY – Vulnerability (We will work to address the causes of vulnerability and inequalities in Middlesbrough and safeguard and support those made vulnerable).

3. WHAT I HAVE BEEN INVOLVED IN: Homes for Ukraine

- 3.1. Following the Russian invasion of Ukraine, the Department for Levelling Up, Housing and Communities (DLUHC) provided guidance for Local Authorities surrounding the Homes for Ukraine scheme. Using this guidance, Middlesbrough Council put together a framework for internal and external services, with the aim of supporting both Ukrainians (known as “guests”) and residents (“hosts”) who wish to host them.
- 3.2. This support includes liaising with local charities and migration partnerships to ensure arrangements are in place to receive Ukrainian asylum seekers, completing property and safeguarding checks to ensure the safety of those guests once they are here, managing payments to guests and hosts, providing education, and supporting guests to access benefits and work. The council also has a duty to safeguard guests if their matching with hosts fails, leading to them becoming officially homeless.
- 3.3. The figure for potential hosts and guests currently stands at 27 host homes and 61 guests, with around half of these (12 and 29, respectively) filled. Middlesbrough has also welcomed 9 Ukrainian children (out of a potential total of 14), with one of our guests also being seven months pregnant.
- 3.4. Besides the official response to the Ukraine conflict, it should be noted that many Middlesbrough residents, including some councillors, have been active in providing relief to those Ukrainians who are unable or unwilling to leave their home country, with many of them collecting supplies and some even travelling to the border to dispense aid.
- 3.5. I would personally like to thank every resident and Member involved- in both gathering and distributing aid and in hosting Ukrainian families- for their selflessness and humanitarianism.

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Environment

DATE OF MEETING: 06 July 2022

This report aims to provide an update to Members on activity within my portfolio and performance against the strategic priorities I either lead on or am involved with.

STRATEGIC PRIORITY - Climate Change

1. WHAT I HAVE BEEN INVOLVED IN:

Waste & Green Collections

1.1. Collections are going well so far this year with the kerbside recycling and green waste services proving to be popular as ever, tonnage details below

Material	Apr-21	Apr-22	May-21	May-22
Green Waste	1163	980	736	1173
Kerbside Recycling	1099	903	939	939
Residual Waste	3656	3327	3208	3344

1.2. However, we have seen an increase in contamination rates for kerbside recycling with the following rates reported by the sorting facility:

- April = 38% Contamination
- May = 29% Contamination

1.3. This is obviously a significant amount of waste which is being presented in the bins and the main areas of contamination are:

- Food Waste
- Black Bag Waste
- Nappies

1.4. We are using this information to drive our social media and communications campaign to ensure residents are fully aware of what can and cannot go into the blue lidded recycling bins. The team are also utilising the data from the *webaspx* system to identify relevant properties / households with the intention of visiting these residents to provide any assistance that is required through our Waste Education programme. To improve this situation, our Education & Enforcement Officer is targeting offenders by door knocking & corresponding to improve their waste knowledge & to improve the recycling uptake.

- 1.5. As part of the continued drive to improve the state of the back alleys a trial was undertaken where we installed new communal bins which had reversible lids on them and the bins were secured to locking posts. The bins were installed to reduce the amount of “bin dipping” and to stop the bins being tipped over and rummaged through and this has proved to be very successful.
- 1.6. As part of the drive to increase our recycling rates, The Area Care cleansing teams have trialled Street orderly Barrows for their daily litter collection activities. These barrows enable the collected waste to be segregated from the recyclables. 8 of these barrows were used in the trial with each operative collecting on average 11 bags per week, with each bag weighing 5kg. Subject to funding, we have recommended a full roll out across the borough for our Area Care cleansing operatives.

STRATEGIC PRIORITY – *Climate Change*

2. WHAT I HAVE BEEN INVOLVED IN:

Tree Policy/Planting

- 2.1. The Tree Policy has recently been reviewed to ensure that it is fit for purpose & complies with any updated legislation.
- 2.2. This year Area Care have planted 6,735 trees/whips
- 2.3. Area care along with community volunteers have planted 10 Micro Forest (1 per council Ward). The remaining 10 wards will be planted in autumn later this year.

STRATEGIC PRIORITY – *Climate Change*

3. WHAT I HAVE BEEN INVOLVED IN:

Green Strategy

- 3.1. As part of the Green Strategy outcomes there have been several important actions carried out:
 - We are exploring options about how we can continue to electrify our fleet to further reduce our carbon emissions.
 - We are also engaging with MVDA to see how we can support the voluntary sector in their environmental ambitions and are establishing our carbon baseline data to map our path to net zero.
 - Creating 5 new community gardens with Towns Fund funding

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Finance and Governance

DATE OF MEETING: 06 July 2022

This report aims to provide an update to Members on activity within my portfolio and performance against the strategic priorities I either lead on or am involved with.

STRATEGIC PRIORITY – Quality of Service (We will ensure that we place communities at the heart of what we do, continue to deliver value for money and enhance the reputation of Middlesbrough).

1. WHAT I HAVE BEEN INVOLVED IN:

1.1. On 14th June 2022 I attended the Executive committee to firstly update Executive members of core financial outturn for year ending 2022 and secondly to ask for approval on various items, namely the creation of new reserve funds and the flexible use of capital receipts.

1.2. Regarding the financial update, the financial period which was focused on was for the year ending 2022 in which overall there was a financial overspend of £2.4million. The below table demonstrates by each directorate area how this has arisen. The service which has produced the highest overspend has been children services which has undergone and is still undergoing an improvement journey which is a core strategic priority of the council.

Directorate	2021/22 Full Year Budget	2021/22 Initial Final Outturn (excluding Covid-19)	2021/22 INITIAL OVER / (UNDER) SPEND (excluding Covid-19)	2021/22 Proposed transfer to Pay & Prices budget	2021/22 Proposed transfer to Reserves	2021/22 Proposed Flexible Use of Capital Receipts	2021/22 FINAL OVER / (UNDER) SPEND (excluding Covid-19 and after proposed transfer to Pay & Prices budget, Reserves, and proposed Flexible Use of Capital Receipts)
	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s	£'000s
Regeneration and Culture	3,569	3,522	(47)	0	0	(11)	(58)
Environment and Community Services	19,385	21,368	1,983	(1,363)	0	(263)	357
Public Health	(2,820)	(3,870)	(1,050)	0	230	0	(820)
Adult Social Care	39,682	38,706	(976)	0	0	0	(976)
Total - Adult Social Care and Health Integration	36,862	34,836	(2,026)	0	230	0	(1,796)
Education & Partnerships	737	360	(377)	0	0	0	(377)
Children's Care	40,037	48,332	8,295	0	0	(4,217)	4,078
Total - Children's Services	40,774	48,692	7,918	0	0	(4,217)	3,701
Legal and Governance Services	10,121	10,638	517	0	0	(526)	(9)
Finance	818	(816)	(1,634)	0	0	0	(1,634)
Central Budgets	4,963	715	(4,248)	1,363	0	0	(2,885)
Revenue Outturn	116,492	118,955	2,462	0	230	(5,017)	(2,325)

- 1.3. From this table Executive then approved the proposed transfers listed on the above table but crucially also approved the proposed flexible use of capital receipts.
- 1.4. This mechanism allows local authorities to use income generated from capital sales to be used on revenue expenses. Ordinarily this income would be ring-fenced for capital expenditure.
- 1.5. Whilst this flexibility can be a positive mechanism to help balance council revenue shortfalls it should not be seen as a strategic tool on which the Council can rely upon.
- 1.6. If local authorities dilute their asset base to ensure balanced revenue spending their ability to rely on this mechanism becomes increasingly difficult and unsustainable.
- 1.7. Another key item approved in the Executive meeting was the creation of a social care transformation reserve. This reserve combines a few smaller reserves from the following sources:
- Children's Services Improvement Reserve (£175,000)
 - Children's Services Demand Reserve (£732,000)
 - Social Care Demand Reserve (£500,000)
- 1.8. It then also transfers £5,665,000 from the general fund reserve to make the total value of this newly created reserve to be £7,072,000.
- 1.9. This reserve is included in the below table which shows the opening balances, changes and the end balances of each reserve and provision.

Reserves and Provisions 2021/22	Opening Balance	Use in year	Additional Contributions	Transfers between reserves	Transfers to General Fund of final year-end underspend on non-Covid 19 expenditure	Transfers from General Fund to new earmarked Reserve	Balance at Year End
	£000's	£000's	£000's	£000's	£000's	£000's	£000's
General Fund Reserve	10,500	0	695	3,340	2,325	(5,665)	11,195
Covid Recovery Reserve	4,512	(390)	0	(4,122)	0	0	0
Earmarked Reserve - Social Care Transformation Reserve	0	0	0	1,407	0	5,665	7,072
Earmarked Reserves	28,970	(45,806)	42,859	(2,748)	0	0	23,275
Earmarked Reserve - Dedicated Schools Grant (DSG)	(3,291)	(44)	0	0	0	0	(3,335)
School balances	4,864	(4,864)	4,956	0	0	0	4,956
Provisions	2,555	(3,579)	4,548	2,123	0	0	5,647
TOTAL	48,110	(54,683)	53,058	0	2,325	0	48,810

- 1.10. This new earmarked reserve for social care transformation is intended to be able to be utilised by both adult social care and children services as required. However, it is anticipated that children services will be the main beneficiary of this reserve and it is a transparent commitment from Middlesbrough Council that the improvement journey of this service will continue to have firm support.

Fair Cost of Care

- 1.11. In accordance with government requirements we have now commenced the Fair Cost of Care exercises for both older Persons Residential care, and 18+ Home Care. These exercises will seek to identify the true cost of care. This exercise is being undertaken by local authorities nationally and a fair Cost of Care report must be submitted to government by early October along with our Market Sustainability report.

Independent Fostering Framework (IFA)

- 1.12. The 12 North East Local Authorities have worked collaboratively on the commissioning of a new IFA Framework for the region and we are currently in a formal standstill process following a formal joint procurement and the new framework is due to go live on 1st July 2022. This has been a significant piece of work and we hope that the framework continues to meet the needs of the North East, there has been significant engagement of the market in the procurement to ensure a positive response. There are 19 providers going through standstill process in order to be awarded a place on the Framework which is really good.

Asset Disposal

- 1.13. A number of surplus assets have been identified for disposal during the current financial year 2022/2023 and will be brought forward for sale accordingly. In addition to the initial marketing of the Civic Centre – for the purposes of redevelopment following the proposed move to Fountain Court in September, these also include the disposal of assets located on Borough Road, a vacant social club in Thorntree, residential properties situated within Gresham, the former Teesside Archives and a retail development site at Coulby Newham.

Asset Valuation

- 1.14. The annual revaluation of land & property assets is a mandatory local government requirement and was successfully completed by the Council's subcontract valuation partner during Q4 2021/22. Arrangements for the current financial year 2022/23 have been agreed, with valuation work on the first batch of land & property assets due to commence during Q1 2022/23.

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Neighbourhood Safety

DATE OF MEETING: 06 July 2022

This report aims to provide an update to Members on activity within my portfolio and performance against the strategic priorities I either lead on or am involved with.

STRATEGIC PRIORITY – Crime and Anti-Social Behaviour (Increase CCTV across the whole town)

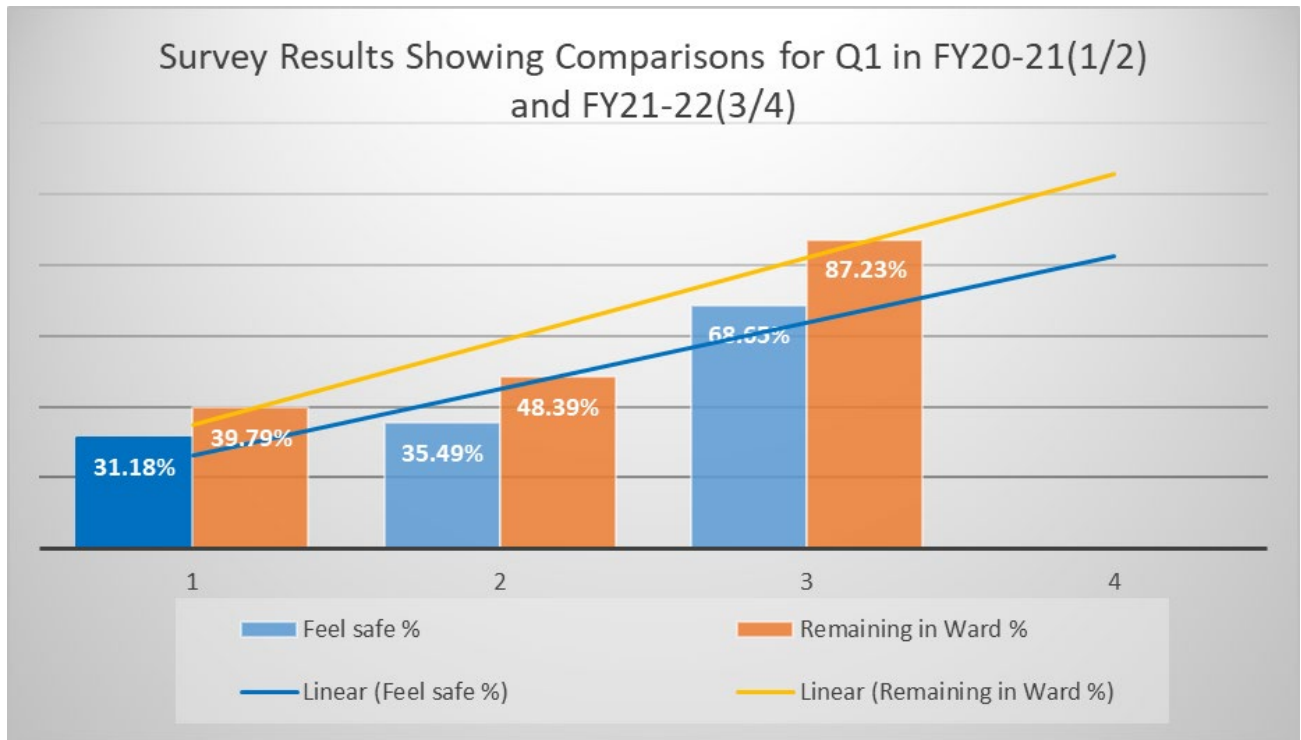
1. WHAT I HAVE BEEN INVOLVED IN:

- 1.1. In 2020 there was 258 CCTV cameras and this increased to 548 in 2021 (an increase of 290 cameras) this has continued to increase and we have installed an additional 27 cameras bringing the current number of cameras to 575.
- 1.2. We have plans to install 147 additional CCTV cameras across the whole of the Town which will bring the total number of cameras to 722 by the end of this financial year.

STRATEGIC PRIORITY Crime and Anti-Social Behaviour (Encourage more residents to report crime and ASB)

2. WHAT I HAVE BEEN INVOLVED IN:

- 2.1. Antisocial Behaviour (ASB) has seen a significant reduction in Middlesbrough with ASB levels currently at their lowest level in 4 years.
- 2.2. In relation to environmental crime (e.g. fly tipping) we have seen significant improvements since the introduction of the Flying Squad. There was a significant backlog of jobs prior to the introduction of the team in 2021 and this has now been cleared. The service has moved from being re-active to pro-active.
- 2.3. Perceptions have seen a significant improvement in the Newport and North Ormesby Locality Working pilot areas. A survey indicated that perceptions of feeling safe in their neighbourhood improved by 33.16% alongside people intending to remain in the ward over 3 years increasing by 38.84%.



STRATEGIC PRIORITY Crime and Anti-Social Behaviour (Support the police and hold them to account for each neighbourhood)

3. WHAT I HAVE BEEN INVOLVED IN:

Warden and Neighbourhood Safety Officer activity.

- 3.1. School patrols have been taking place daily and have been made up from patrols utilising the CCTV enforcement car and traditional foot patrol. Problematic schools, where parking issues are prevalent, have had enforcement patrols each morning and afternoon during term time.
- 3.2. Below you will find a break down in enforcement activity for the month of May 2022 and gives you an overview of the total PCN'S issued within the reporting period. Now the Football Championship season has drawn to a close we have seen a reduction in complaints and requests for service on the approaches to Middlesbrough Football Club.
- 3.3. We will continue with our patrols and proactively work at these locations when the season starts up again later this year. We are also seeing continuing issues on Linthorpe Road and Fairbridge Street as a result of fast food restaurants and takeaways using delivery agents such as Just Eat, Deliveroo, Uber Eats and others.
- 3.4. Pritchard Road in East Middlesbrough continues to cause issues for local residents and we are being proactive with our approach at this location. In the same reporting period of the last financial year we issued a **total of 1767** penalty charge notices, in comparison to the same period in 2022 we have seen **1888** penalty charge notices issued. **20** of the **1888** penalty charge notices were issued at local schools for

contraventions. **A total increase of 121 PCNS issued (6.8% increase)** when compared to the same reporting period in the previous financial year.

PCN's Issued 2022-23													
Month	April	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Total
No. PCN Issued	1124	764											1888

The following information related to Neighbourhood Safety Wardens and Officers Activity for the month of May only 01/05/2022 – 31/05/2022

- 3.5. To support the work of the Wardens we have a team of 7 dedicated Neighbourhood Safety Officers (NSOs) who take positive action against perpetrators, and adopt a problem solving approach to tackle issues that present within their ward areas. During May the Neighbourhood Safety Officers engaged with **58 victims**. The team have progressed several actions against perpetrators of Anti-Social Behavior and some examples of this work can be seen in the good news stories below. In May 2022 the team have carried out **971 actions** within communities.
- 3.6. The Neighbourhood Safety Service in May 2022 have dealt with **1507 service requests**. The leading category for the service area continues to be fly tipping/ dumped material with **555** service requests followed by **303** reports of ASB. There is a very slight increase in both category areas based on the previous month. We dealt with **139** requests for service relating to untaxed and abandoned vehicles. We also responded to **65** requests for service relating to stray dogs/ animal related issues. Officers continue to be proactive with the use of the PSPO and have issued **49** instructions and **5** fixed penalty notices for breaches.
- 3.7. We have undertaken several operations around nuisance vehicles. We have undertaken operations in Newport, North Ormesby and continued to support Operation Fortress in Hemlington. We attended Teesside Magistrates court towards the end of May and Teesside Crown Court relating to serious fly tipping.
- 3.8. Examples of enforcement action can be found on Middlesbrough's Neighbourhood Policing Team Facebook page: [Middlesbrough Neighbourhood Policing Team | Facebook](#).

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Regeneration

DATE OF MEETING: 06 July 2022

This report aims to provide an update to Members on activity within my portfolio and performance against the strategic priorities I either lead on or am involved with.

STRATEGIC PRIORITY: Agree action plan for the House of Fraser building

1. WHAT I HAVE BEEN INVOLVED IN:

- 1.1. As the store has now formally closed, options are being developed to use existing resources to secure a use for the ground and basement floors. A bid to the Government's Levelling Up Fund is being prepared to seek further resources to address the rest of the building, along with other key vacancies in the town centre.
- 1.2. The intersection between Corporation Road and Linthorpe Road plays a vital role in the overall health of the town centre, and the Council will be working with all of the property owners to ensure the area is fully occupied as soon as possible.

STRATEGIC PRIORITY: New housing at St Hilda's

2. WHAT I HAVE BEEN INVOLVED IN:

- 2.1. Natural England have raised an issue across much of Tees Valley regarding the impact of nutrients caused by new development on the Teesmouth and Cleveland Coast Special Protection Area (and other areas around the country).
- 2.2. This means that planning applications for new housing will now need to mitigate the additional nitrogen generated by their construction and occupation. This issue, known as 'nutrient neutrality' is affecting 42 different local authority areas in whole or in part, including all of Middlesbrough. At this point, Natural England have identified the issue and provided a methodology for calculating the impact of development, but no solutions are yet available to mitigate the impacts, or to quantify what that mitigation can achieve.
- 2.3. As a result, there is effectively a moratorium on approving planning applications for new housing until solutions can be agreed. This will naturally impact upon the Council's plans for housing growth across the borough, both in terms of timescale and in terms of cost. The extent to which it will impact upon the Council's Medium Term Financial Plan is being monitored as the situation unfolds. It is worth noting that less than 1% of the nitrogen in the water infrastructure is generated by human waste water. The vast majority is caused by farming.

STRATEGIC PRIORITY: Increased enforcement against problem properties

3. WHAT I HAVE BEEN INVOLVED IN:

- 3.1. An innovative approach is being developed to tackle those properties that require co-ordinated 'case management' to push owners from different angles at the same time to ensure that they take action to improve them.
- 3.2. A report will be brought to Executive in September setting out how enforcement action around problem properties will be tied in with investigative roles, chasing Council Tax debts and the ability to place charges on properties where the Council have had to intervene. This will enable the Council to take greater action against the worst offenders and force them to either invest in the properties or sell them on.

STRATEGIC PRIORITY: Complete planned works on Captain Cook Pub and Old Town Hall

4. WHAT I HAVE BEEN INVOLVED IN:

- 4.1. Renovation works on the Captain Cook Pub have now been completed, although supply issues mean that some of the specialist glass required for the ground floor is still to arrive. The property is being marketed on a leasehold basis, with numerous parties showing an interest.
- 4.2. Discussions and site visits have also taken place with the Heritage Lottery Fund, and an expression of interest will be submitted this summer for the resources required to fully develop the Old Town Hall as a commercial heart to the new St Hilda's.

STRATEGIC PRIORITY: BOHO digital expansion

5. WHAT I HAVE BEEN INVOLVED IN:

- 5.1. The construction of Boho X is progressing as planned and is expected to be completed on schedule in December. Agreement has been reached to let the full 60,000 sq ft of space and announcements will be made soon on the further growth of the digital cluster.

STRATEGIC PRIORITY: Commence work on the new Southlands Centre

6. WHAT I HAVE BEEN INVOLVED IN:

- 6.1. The Executive decision on 14th June to commit further funding to the development of a new community centre at Southlands and create a football hub for East

Middlesbrough has triggered the design work required to secure the appropriate planning permission. Discussions will now commence with the Football Foundation to secure further investment into the football facilities and deliver the original vision of new pitches and changing room capacity. Work should start on site by November.

STRATEGIC PRIORITY: Open three entertainment facilities within Captain Cook Square

7. WHAT I HAVE BEEN INVOLVED IN:

- 7.1. The conversion of Captain Cook Square from retail to leisure is well underway, with Level Up (Lane 7), and the Wired Lobby undergoing fit out works in preparation for an Autumn opening. A further two occupiers have been secured for the project, and announcements will be made soon on their opening plans. Further decanting of retailers from Captain Cook Square to the Cleveland Centre or other town centre space will be managed over the next 12 months, to create more space for new leisure lettings.

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Young Adults and Political Engagement

DATE OF MEETING: 06 July 2022

This report aims to provide an update to Members on activity within my portfolio and performance against the strategic priorities I either lead on or am involved with.

STRATEGIC PRIORITY - To help increase Political Participation and engagement across the town.

1. WHAT I HAVE BEEN INVOLVED IN:

Simplification of various Council documents which underline the procedures and processes from which the Council operates.

1.1. Voter engagement is crucial in getting citizens to vote and have a say in their future and we must do all that we can to ensure that people are given as much opportunity as possible to contribute to the political process as this will fundamentally improve our local democracy.

1.2. I am therefore working collaboratively with Democratic Services and the Communications Team to start developing a voter engagement strategy with key aims of:

- Educating people about the importance of voting as an act of civic engagement;
- Spreading information about the voting process, right from voter registration to polling venues and important dates;
- Reducing voter participation gaps and motivating communities with a history of poor turnout to vote;
- Increasing the Pre-registering young voters to increase future participation;
- Reviewing current documentation to improve readability for different audiences.

1.3. The strategy will include an engagement timetable and use various communication tools to get messages out there including traditional methods of radio, newspapers, video's and various social media outlets to target varying audiences. We will also be looking for councillors to volunteer to create some short promotional videos. To help promote democratic engagement with our young people, I recently helped promote the Youth Parliament elections across Middlesbrough's Schools which saw Lucy Buchart elected as Middlesbrough's latest Member of the Youth Parliament.

1.4. The Elections Bill will also introduce some significant changes to election processes and additional requirements for both voters and candidates and so we will be working with the Government, other local and regional authorities to develop a range of materials to raise awareness. By having a voter engagement strategy /schedule we will also be able to ensure that we have the appropriate resources to manage any additional demand the engagement strategy may bring.

STRATEGIC PRIORITY - To increase the opportunities that young people in our area have to develop and voice their opinions on both local and national issues.

2. WHAT I HAVE BEEN INVOLVED IN:

The development of a new means by which young people who are close to leaving secondary education (ages 15-17) are able to actively debate key contemporary issues and feel they have a proper means by which they can influence local Politics.

2.1 Politics has long been considered an area which is dominated by older members of society. Indeed the average age of Councillors in the UK is 59.4 years old (as of 2018). Although older members of society have quite often had more life experience and are therefore often able to provide a greater insight into many issues, it is equally vital that younger people also have a voice within local government.

2.2 Work is currently being undertaken to provide a means by which younger members of our society can engage with the Political sphere. By the age of 15 many young people have already developed ideas about the world and have an opinion on some of the key fundamental debates which take place across society. It is therefore only right that they should have the means with which they can discuss, debate and develop these ideas in an official, formal setting.

2.3 The end result will be a forum which largely resembles this one, whereby young people are able to bring forward a motion which can be debated with their peers. Depending on how popular/ successful this initiative becomes there is a possibility that this forum could be allocated a small budget to manage in the future.

2.4 It must be acknowledged that it is vital this forum is given some real, tangible power as this will be a key determinant with regards to how successful the initiative will be. Young people want the ability to make real, meaningful decisions which have a wider ranging and long term impact.

STRATEGIC PRIORITY - To increase the opportunities that our younger population has to enter the world of work and gain the necessary skills to have a long and successful career.

3. WHAT I HAVE BEEN INVOLVED IN:

Helping to increase the number and quality of apprenticeships available to young adults in and around the town by speaking to employers and considering how the Council can help improve uptake.

3.1 Apprenticeships are a great means by which young people are able to gain a foothold into the world of work. They provide people with vital on the job experience, can often be done alongside an additional qualification and crucially often provide a source of income.

3.2 In 2019 it was revealed that over 50% of young adults now go to University. Although this figure may initially appear to be positive, the reality is that University is simply not for everyone and there now exists a number of youngsters who are entering University and leaving with a qualification which is simply not relevant to the career they wish to pursue in life.

3.3 Given this, it is important that we look to increase awareness of the benefits of apprenticeships in our schools and colleges and try to encourage more local employers to take on apprentices.

3.4 One way which the Council currently achieving this end is through the tender process on capital projects. Capital projects are awarded on a % split between Price and Quality. Under the 'Quality' section we can find various indicators such as: Use of local labour, training opportunities, local apprenticeships and volunteer days.

3.5 To give a prominent example of this in action, Galliford Try (the main contractor for the BOHO X development) have committed to the following:

- 12 Work Experience Weeks
- 6 Careers and Guidance Events
- 12 training plans
- 200 training weeks
- project initiated apprentices

3.6 It must be acknowledged that aside from internal apprenticeships which are offered by the Council and the capital projects that we put out for tendering, the Council exercises very little direct control over this area. That is why it is vital that members and officers seek to actively engage with local businesses and use the power of persuasion to ensure that we help our young people gain the necessary skills for their ideal career.



EXECUTIVE MEMBER REPORTS AND ADDITIONAL INFORMATION

SECTION 2 – DECISIONS THAT HAVE BEEN TAKEN AND HAVE BEEN THROUGH THEIR CALL-IN PERIOD

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DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
7 Dec 2021	Executive	Corporate Performance Update: Quarter Two 2021/22	This report advises the Executive of corporate performance at the end of Quarter Two 2021/22 and where appropriate seeks approval of any changes, where these lie within the authority of the Executive.	No
7 Dec 2021	Executive	Annual Update: Standing Advisory Council on Religious Education (SACRE)	To provide an update to members with an update of work undertaken by Standing Advisory Council on Religious Education (SACRE)	No
7 Dec 2021	Executive	Virtual School Peer Review	The purpose of this report is to advise Executive that Children's Services has commissioned a peer review from the National Association of Virtual School Heads (NAVSH) as part of the Council's commitment to continuous improvement. Children's Services would like Executive to endorse the findings of the peer review to improve service delivery to young people.	No
7 Dec 2021	Executive	Calculation of Council Tax Base for 2022/2023	To set the council tax base for the financial year 2022/2023 by the statutory deadline of 31 January 2022.	Yes

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
7 Dec 2021	Executive	Corporate Debt Write Off Policy	<p>1. The purpose of this new policy is to provide a corporate approach to the writing off of bad and irrecoverable debts in a fair and timely manner, whilst seeking to maximise the opportunity for collection thereby minimising the need for write off.</p> <p>2. All service areas must follow this policy to allow the Council to operate a consistent approach to debt write off, whilst having due regard to the customer's ability to pay.</p> <p>3. Whilst some parts of debt write off are governed by particular legislative requirements such as Council Tax, Business Rates, Adult Social Care Debt, etc, wherever possible the overall principle of debt write off should be efficient and effective, always giving consideration to the financial impact on the Council when debt is written off.</p> <p>4. This policy will underpin any specific recovery strategies and will be applied across all directorates.</p> <p>5. This new policy will also support cross directorate communication where a shared customer base exists. It is envisaged that the approach will work within Data Protection legislation, and should be considered at a corporate level to reduce multiple officer engagements across directorates with the same resident and or business base.</p>	Yes
7 Dec 2021	Executive	International Centre - Transfer of Freehold	The purpose of the report is to consider the proposal to transfer the Council's freehold interest of the International centre to a community organisation.	Yes
11 Jan 2022	Executive	Digital Inclusion Strategy	To adopt the Digital Inclusion Strategy (DIS).	Yes
11 Jan 2022	Executive	Final Report of the Culture and Communities Scrutiny Panel - Cultural Events in Middlesbrough: Their Impact and Future - Service Response	To provide an update and action plan that relates to the recommendations made by the Culture and Communities Scrutiny Panel.	No

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
11 Jan 2022	Executive	Final Report of the Economic Development, Environment and Infrastructure Scrutiny Panel - Middlesbrough Regeneration Post COVID-19 - Service Response.	This report seeks Executive approval of the services response and action plan relating to the recent final report of the Economic Development, Environment and Infrastructure Scrutiny Panel – investigating Middlesbrough Regeneration post covid-19.	No
11 Jan 2022	Executive	Corporate Crisis Policy	<p>1. The purpose of this new policy is to provide a corporate approach to the definition of crisis, what is considered to be a suitable crisis following which access to the supporting mechanisms can be made, and also covers what is not a crisis. Whilst predominantly focussing on the term crisis, the policy also defines and provides for situations where a ‘disaster’ occurs. The policy also defines how any support payments will be made.</p> <p>2. All service areas must follow this policy to allow the Council to operate a standardised and coordinated approach to crisis, which would include data sharing (where appropriate and legal to do so), and a ‘price list’ of support payments.</p> <p>3. Every effort will be made to support residents who are in crisis. Service Areas will work together, where appropriate to do so, and also share data to make informed decisions about what support can be offered. The overall decision and distribution of funds falls within the remit of Resident and Business Support, in collaboration with other service areas.</p> <p>4. This policy is designed to provide consistency, clarity and a payment framework when responding to residents who present themselves to the service when in need of emergency support, and will be applied across all directorates</p>	Yes

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
11 Jan 2022	Executive	Elected Members Small Scheme Allocation 2021/22	Executive considers the schemes set out in this report and either approves, declines or recommends alternative funding in respect of the Elected Members Small Scheme Allocation (EMSS).	Yes
11 Jan 2022	Executive	Whorlton Road - Disposal [Part A] & [Part B]	The purpose of the report is to consider the proposal to dispose of the Council's freehold interest in Whorlton Road Industrial Estate.	Yes
12 Jan 2022	Executive Member for Regeneration	Middlesbrough Council Local Implementation Plan (LIP); Consultation findings	To seek adoption of the LIP following public consultation.	Yes
12 Jan 2022	Executive Member for Regeneration	Off-street Electric Vehicle Charging Point Installations	To seek Executive Member approval to work with Tees Valley Combined Authority (TVCA) and their preferred contractor EB, to install Electric Vehicle (EV) Charging Points at specified Council operated Car Parks within Middlesbrough.	Yes
13 Jan 2022	Executive Member for Environment, Finance & Governance	COVID-19 Business Financial Support – Covid Additional Relief Fund (CARF) and Omicron Hospitality and Leisure Grant Scheme.	To seek approval for the proposed terms of the Council's policy required to allow central government CARF funding to be applied to reduce local business ratepayer bills for 2021-2022.	Yes
9 Feb 2022	Mayor, Executive Member for Adult Social Care and Public Health	Hackney Carriage and Private Hire Licensing Policy	The purpose of the report is to seek approval for two proposed changes to the Council's Taxi Policy following numerous requests from the Taxi Trade. The changes relate to the permitted vehicle age limit and window tints permitted for Hackney Carriage and Private Hire vehicles licensed by the Council.	Yes
14 Feb 2022	Executive	Corporate Performance Update: Quarter Three 2021/22	This report advises the Executive of corporate performance at the end of Quarter Three 2021/22 and where appropriate seeks approval of any changes, where these lie within the authority of the Executive.	No
14 Feb 2022	Executive	Revenue and Capital Budget - Projected Outturn position as at Quarter Three 2021/22	This report advises the Executive of the Council's financial position at Quarter Three 2021/22, including the projected effect of Covid-19 on the Council's finances.	Yes

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
14 Feb 2022	Executive	Revenue Budget, Council Tax, Medium Term Financial Plan, and Capital Strategy 2022/23	<p>1. This report presents the recommended Revenue Budget of £118,328,934, Council Tax increase of 2.99% (paragraphs 71 to 91), and Capital Strategy Report for 2022/23 (paragraphs 151 to 162). Attached to the report are a number of appendices, which are listed at the end of the report.</p> <p>2. Following on from the previous report presented to Council on 24 November 2021, this report also provides a refreshed Medium Term Financial Plan (MTFP) for the period 2022/23 to 2024/25 to reflect the 2022/23 Local Government Finance Settlement (paragraphs 17 to 29).</p> <p>3. The Medium Term Financial Plan update in this report is integrated with the £207.3 million Investment Strategy for Middlesbrough for the period from 2021/22 to 2024/25, supported by £102.4 million of the Council's own resources. The updated Investment Strategy is shown in Appendix 4.</p> <p>4. This budget continues to support the Mayor's commitment to invest in Middlesbrough and transform service delivery for residents. It is intended that through this strategy the Council can achieve the challenging financial targets faced in the Medium Term Financial Plan period whilst ensuring that there is a minimum impact on the level of service delivered to the public.</p>	Yes
14 Feb 2022	Executive	Virtual School Peer Review	<p>1. The purpose of this report is to advise Executive that Children's Services has received the Virtual School peer review report from the National Association of Virtual School Heads (NAVSH). Children's Services would like Executive to note the findings of the Virtual School peer review report and endorse the accompanying action plan. This is not an inspection report however the learning still remains valuable and supports the broader improvement journey.</p> <p>2. The Virtual School is composed of a small team of officers that sits within Children's Services as part of the Education and Partnerships Directorate. The team is managed by the Virtual School Head which is a statutory post within all Local Authorities. The purpose of the Virtual School is to champion and prioritise the educational provision for looked after children. This means that staff work in partnership with</p>	No

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
			schools, carers, Social Care and a wide range of other stakeholders to ensure that looked after children receive the best and most appropriate education possible.	
14 Feb 2022	Executive	Appointment of External Auditors 2023/24 to 2027/28	<p>1. The current auditor appointment arrangements (the 'National Scheme') cover the period up to and including the audit of the 2022/23 accounts. The Council opted into the 'appointing person' national scheme established by Public Sector Audit Appointments (PSAA) for the period covering the accounts for 2018/19 to 2022/23.</p> <p>2. PSAA is now undertaking a procurement for the next appointing period, covering audits of the accounts for the financial years, 2023/24 to 2027/28. During autumn & winter 2021, all local government bodies need to make important decisions about their external audit arrangements from 2023/24. They have options to arrange their own procurement and make the appointment themselves or in conjunction with other bodies, or they can join and take advantage of the national collective scheme administered by PSAA.</p> <p>3. This report considers the options available and asks Executive to endorse a preferred way forward for recommendation to Council.</p>	No
14 Feb 2022	Executive	Local Council Tax Support 2022/23	This report seeks approval for the amendment of the Council's Council Tax Support (CTS) Scheme for 2022/2023.	Yes
14 Feb 2022	Executive	Tackling Crime and Antisocial Behaviour – CCTV	Request that Executive release the remaining capital funding of £350,000 to the wider development of CCTV in alleys and hot spot areas throughout Middlesbrough to reduce crime, antisocial behaviour and environmental crime.	Yes
14 Feb 2022	Executive	Final Report of the Culture and Communities Scrutiny Panel - Cultural Events in Middlesbrough: Their Impact and Future - Service Response	To provide an update and action plan that relates to the recommendations made by the Culture and Communities Scrutiny Panel	No

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
14 Feb 2022	Executive	Final Report of the Economic Development, Environment and Infrastructure Scrutiny Panel - Middlesbrough Regeneration Post COVID-19 - Service Response	This report seeks Executive approval of the services response and action plan relating to the recent final report of the Economic Development, Environment and Infrastructure Scrutiny Panel – investigating Middlesbrough Regeneration post covid-19.	No
23 Feb 2022	Executive Member for Regeneration	Tees Valley Combined Authority Enhanced Bus Partnership Plan and Scheme	The purpose of this report is approve that Middlesbrough Council become party to the 'shell' Enhanced Partnership agreement, noting that there are no direct obligations at this stage.	Yes
8 Mar 2022	Executive	Children's Services Improvement Programme: Update Report	To brief members of the Executive on the progress made against the Children's Service Improvement Plan with particular reference to the findings of Middlesbrough's Ofsted Monitoring Visit in December 2021.	No
8 Mar 2022	Executive	2022/23 Transport and Infrastructure Capital Programme	The purpose of this report is to gain approval to allocate funding to develop and deliver transport and infrastructure improvements contained within the report.	Yes
8 Mar 2022	Executive	Fountain Court Refurbishment - Phase Two Works	That Executive: a) Notes the progress made on phase one works at Fountain Court; and, b) Delegates approval for the award of the phase two refurbishment works contract to the Director of Regeneration and Culture, Richard Horniman and Director of Finance, Ian Wright.	Yes
8 Mar 2022	Executive	Final Report of the Adult Social Care and Services Scrutiny Panel - The Recruitment and Retention of Staff within Adult Social Care - Service Response	To provide an update and action plan that relates to the recommendations made by the Adult Social Care and Services Scrutiny Panel.	No
8 Mar 2022	Executive	Towns Fund - Ward Initiatives	To seek approval to deliver the programme of schemes developed as part of the Towns Fund Ward Initiative project and for the Council to adopt and maintain the assets.	Yes

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
5 Apr 2022	Executive	Refreshing the Strategic Plan workplan for the 2022-24 period	<p>1. The Strategic Plan is the Council's overarching business plan for the medium-term, and whilst it is typically refreshed on an annual basis and sets out the priorities of the Elected Mayor of Middlesbrough and other corporate priorities for the Council, its supporting workplan is the mechanism by which those priorities and associated outcomes will be delivered.</p> <p>2. On 30 March 2022, Council was advised that an annual refresh for the Strategic Plan 2021-24 would not be brought forward and that as such the Strategic Plan would remain in place for the coming financial year, to ensure that the Council has sufficient time to consider implications of national and potential forthcoming local changes on its strategic direction.</p> <p>3. Council was further advised that the Strategic Plan's supporting workplan would be refreshed to reflect and address issues identified in the recent budget consultation, including infrastructure within the town. This report seeks Executive approval for the refreshed Strategic Plan workplan for the 2022-24 period. Directorate Priorities for 2022/23, which in conjunction with the Strategic Plan workplan, provide a cohesive approach to the delivery of key priority activities across Council services, are provided for information.</p>	No
5 Apr 2022	Executive	Schools Capital Programme 2022	To seek approval of schemes to be added to the schools capital programme for delivery to commence in the academic years 2021/22 and 2022/23.	Yes
5 Apr 2022	Executive	Local Cycling and Walking Implementation Plan; Linthorpe Road Corridor phase 2	The purpose of this report is to gain approval to commence the proposals to re-allocate road space along the Linthorpe Road corridor (between and Ayresome Street and Devonshire/Cumberland Road) to create protected cycle lanes in both directions.	Yes
5 Apr 2022	Executive	Tender Pipeline Approval 2022/23	To approve Middlesbrough Council's tender pipeline for 2022/23 and agree delegation of award to the relevant Director in consultation with their Executive Member.	Yes

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
19 Apr 2022 & 29 Apr 2022	Executive	Homes for Ukraine Impact	To update Executive on the impact of the Homes for Ukraine programme in Middlesbrough and get agreement on how it is being managed locally.	Yes
19 Apr 2022 & 29 Apr 2022	Executive	Star Academies – Option for Land Disposal	<p>This report outlines the case to provide Eton College with a first option to purchase the designated land at Middlehaven under agreed commercial terms, subject to the outlined conditions. The conditions require that DFE support and funding is approved for the project and the land is disposed of at market value. This decision is recommended for the following reasons:</p> <ul style="list-style-type: none"> • The previous three educational developments have all been progressed on commercial terms, namely discovery school at Natures world, Northern School of Art and more recently Outwood Academy Riverside at Middlehaven. • This will generate a capital receipt • Ensuring the parcel of land is ringfenced for this development signals a clear commitment to all parties that the local authority is supportive of this proposal. • The future potential disposal may be at a value in excess of the £150k threshold <p>A future report detailing the disposal will be brought to Executive for consideration in accordance with the Asset disposal Policy.</p>	Yes
26 Apr 2022	Executive Member for Environment, Finance and Governance	Section 13A (1) (a) (Exceptional Hardship Fund) Policy	This report seeks approval to amend the Council's Section 13A (1) (a) policy, under the Local Government Finance Act (LGFA) 1992 (as amended).	Yes
10 May 2022	Executive	Cultural Capital Investment Prospectus	<p>The purpose this report is to:</p> <ol style="list-style-type: none"> brief the Executive Members on the Cultural Capital Investment Prospectus and Cultural Partnership; and gain support for the Cultural Development Fund. 	Yes

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
10 May 2022	Executive	Demolition of the former Slam Nightclub	The purpose of the report is to seek Executive approval for the demolition of the former Slam nightclub.	Yes
10 May 2022	Executive	Green Strategy - Year Two Action Plan	The purpose of this report is to seek approval of Middlesbrough Council's Green Strategy Year Two action plan and to summarise the progress made in Year One.	Yes
10 May 2022	Executive	Improving our Highways	<p>1. Substantial investment is required in order to improve road / footway network. It is therefore timely to re-evaluate the current approach to maintaining and improving highway assets, with a view to improving the condition of the road / footway network back to a publicly acceptable and manageable level.</p> <p>2. The Executive is therefore asked to approve prioritisation of immediate works required for 2022/23 (detailed in Appendix 1), on the premise that during which time a re-evaluation exercise will be undertaken to address the approach to Red / Amber carriageway defects; developing a longer-term strategy for maintenance and improvements, in-line with the medium-term financial plan.</p>	Yes
10 May 2022	Executive	Proposed Service Delivery Model and associated Subsidised Charges for Residential Pest Control	The purpose of this report is to ask Executive to approve the proposed service delivery model and associated subsidised charges for residential pest control.	Yes
10 May 2022	Executive	Tees Advanced Manufacturing Park - Next Phase - PART A and PART B	This report proposes the development of a second phase at TeesAMP, funded by Middlesbrough Council (£8.82m), subject to complementary funding from Tees Valley Combined Authority; and, an additional £335k to balance the first phase development budget.	Yes
7 Jun 2022	Executive	Adoption of Stainsby Country Park and Masterplan	<p>1. In preparing the Masterplan, the Council is not seeking to develop the Stainsby site. Nor is it seeking to introduce a link road. The aim of the Council is to ensure the best possible development when the private sector being their scheme(s) forward.</p> <p>2. The report seeks to adopt the Stainsby Country Park and Masterplan, which has been finalised following public consultation, and delegate authority to the Director for Regeneration, in consultation with</p>	Yes

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
			the Executive Member for Regeneration, to make any subsequent minor amendments to the Stainsby Country Park and Masterplan.	
14 Jun 2022	Executive	Children's Services Improvement Update	The progress made to improve outcomes for Middlesbrough's vulnerable children as set out in our Children's Services Improvement Plan 2020/2023. The effect of this work on showing 'Middlesbrough Children that they Matter'.	No
14 Jun 2022	Executive	Developing New Community Centres at the Southlands	The report seeks to detail the next steps to deliver the Council's aim for a new sporting hub and Community Centre in East Middlesbrough and a new Community Centre in Nunthorpe. The proposals are based upon the desire to assist the areas to secure the social and economic regeneration of the community for the benefit of local residents, as well as satisfying Sport England planning requirements to allow the Marton Avenue housing development to progress. The report requires an Executive approval as the decisions would impact more than two wards and exceed £150,000 expenditure.	Yes
14 Jun 2022	Executive	Revenue and Capital Budget – Year-End Outturn position 2021/22	This report advises the Executive of the Council's revenue and capital financial position at Year-End 2021/22, including the effect of Covid-19 on the Council's finances	Yes
14 Jun 2022 Report Deferred	Executive	Economic Development, Environment and Infrastructure Scrutiny Panel's Final Report - Green Strategy - Service Response	Determine how the Council can best implement its Green Strategy and increase biodiversity across Middlesbrough.	No
14 Jun 2022	Executive	Corporate Performance Update: 2021/22 Year End Results	This report advises the Executive of corporate performance at Year-End 2021/22 and where appropriate seeks approval of any changes, where these lie within the authority of the Executive	No



SECTION 3 – DECISIONS TO BE TAKEN UP TO THIS COUNCIL MEETING

DATE	PROPOSED DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
1 Jul 2022	Deputy Mayor and Executive Member for Children's Services	Annual Equality and Inclusion Report 2021 (Date TBA - July 22)	The report sets out how the council complies with its equality duties and provides equality and inclusion data about its workforce and the town.	No

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SECTION 4 – DECISIONS TO BE TAKEN FOLLOWING THE COUNCIL MEETING

DATE	PROPOSED DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
7 Jul 2022	Executive Member for Finance and Governance	Discretionary Energy Rebate Scheme.	This report seeks approval for the discretionary fund scheme.	Yes
12 Jul 2022	Executive	Exempt - Centre Square Further Office Provision	That the Executive approves prudential borrowing up to a maximum of £305,000 to create an additional 4,589 sq. ft. office suite at 1 Centre Square; and ? approves that provided the holistic budget limit is not exceeded, that the Director of Regeneration be delegated authority on all decisions pertaining to development management, including: - procurement and contractual arrangements; - appointment of specialist advisors and commercial agents; - lease eligibility criteria and incentives within the envelope of a reasonable return on investment; and - marketing and communications.	Yes

DATE	PROPOSED DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
12 Jul 2022	Executive	Application to the World Health Organisation to achieve Age Friendly Status	Communities can apply to join the W.H.O Network when they have commitment by the political leadership to engage in this process.	Yes
12 Jul 2022	Executive	Welfare Strategy	To adopt a new Welfare Strategy which brings together a significant number of existing and future policies under one overall strategic approach.	Yes
12 Jul 2022	Executive	Strategic Housing Site Disposals Part A	To seek approval to commence the process of preparing two Council owned housing sites (Newham Hall and Nunthorpe Grange) for sale. Both sites are contained within the 2014 Local Plan, and approval is needed to commence preparatory work.	Yes
12 Jul 2022	Executive	Exempt - Strategic Housing Site Disposals Part B	To seek approval to commence the process of preparing two Council owned housing sites (Newham Hall and Nunthorpe Grange) for sale. Both sites are contained within the 2014 Local Plan, and approval is needed to commence preparatory work.	Yes
12 Jul 2022	Executive	Overview and Scrutiny Board - Final Report of the Children and Young People's Social Care and Services Scrutiny Panel Locality Working From A Children's Services Perspective	The aim of the investigation was to examine what impact the locality working pilots in Newport and North Ormesby were having on Children's Services.	Yes
12 Jul 2022	Executive	Restoration of the Old Town Hall	To seek permission to submit an expression of interest to the Heritage Lottery Fund for additional funding.	No
6 Sep 2022	Executive	Overview and Scrutiny Board - Final Report of the Children and Young People's Social Care and Services Scrutiny Panel	Recommendations of the scrutiny panel are considered by Executive following its investigation into Sufficiency and Permanency report.	No

DATE	PROPOSED DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
		Sufficiency and Permanency (Perceptions of Children in Care)		
6 Sep 2022	Executive	Enhanced Youth Service	To present proposals for the new Enhanced Youth Service in Middlesbrough.	Yes
6 Sep 2022	Executive	50 Futures Expansion	Update and plans to expand the 50 Futures Work Experience programme	No
6 Sep 2022	Executive	Tree Maintenance	Executive to approve the re-establishment of an in-house Arboricultural team and in line with this, to approve any amendments to the Authorities current Tree Policy.	Yes
6 Sep 2022	Executive	Revenue and Capital Budget – Projected Outturn position as at Quarter One 2022/23	The report advises the Executive of the Council's financial position as at Quarter One 2022/23.	Yes
6 Sep 2022	Executive	Strategic Plan 2021-2024 – Progress at End of Quarter 1 2022/23	Quarterly monitoring, review and action planning plays a central role in ensuring that the Strategic Plan is delivered effectively.	No
6 Sep 2022	Executive	Locality Working – Evaluation and Next Steps	To ask Executive to consider the evaluation of the pilot and to approve the next phase of Locality Working.	Yes
6 Sep 2022	Executive	Tees Valley Waste Report	To seek approval for MBC to enter with seven other councils a Special Purpose Vehicle company in order to manage the Tees Valley energy recovery facility that will be responsible for the disposal of Middlesbrough municipal waste.	Yes

DATE	PROPOSED DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
6 Sep 2022	Executive	Middlehaven – Electricity Reinforcement Works	The report is seeking approval from Executive for funding to facilitate the upgrade of electricity provision in Middlehaven.	Yes
6 Sep 2022	Executive	Transporter Bridge Update	The purpose of the report is to inform Executive of the current status of the Transporter Bridge, highlight what works have been carried and to seek approval/endorsement to identify funds and to carry out further repairs to the Transporter Bridge as identified in the Special Inspection carried out by Rapid Consultants and the follow up Principal Inspection carried out by Atkins Global.	Yes
6 Sep 2022	Executive	Poole Hospital Definitive Map Modification Order	Decision to progress with the DMMO	No
6 Sep 2022	Executive	Expansion of the Digital Sector – BOHO 11 PART A and PART B	To seek approval for the Capital Funding to progress with the expansion of the Digital Sector in Middlesbrough through the development and delivery of BOHO 11	Yes

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MIDDLESBROUGH COUNCIL	
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Report of:	The Chair of Overview and Scrutiny Board and the Director of Legal and Governance Services
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Submitted to:	Council
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Date:	6 July 2022
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Title:	Scrutiny Progress Report
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Report for:	Information
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Status:	Public
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Strategic priority:	All
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Key decision:	No
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Why:	Not applicable
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Urgent:	No
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Why:	Not applicable
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Executive summary	
To update the position in respect of the Council's Overview and Scrutiny Board and scrutiny panels. The current position regarding progress made by the Board and each of the panels is set out below.	

Purpose

1. To update the position in respect of the Council's Overview and Scrutiny Board and scrutiny panels.

Background and relevant information

OVERVIEW AND SCRUTINY BOARD

2. The Overview and Scrutiny Board met on 27 April, 11 May and 22 June 2022.

At the 27 April 2022 meeting the Board considered / received information in respect of the following:

- Executive Forward Work Programme;
 - School Exclusions: Discussion with Secondary Schools;
 - Chief Executive's Update;
 - The Economic Development, Environment and Infrastructure Scrutiny Panel - Final Report - The Green Strategy;
 - Scrutiny Chairs Updates.
3. At the 11 May 2022 meeting the Board considered / received information in respect of the following:
- Executive Forward Work Programme;
 - Executive Member Update: Executive Member for Neighbourhood Safety and the Executive Member for Young Adults and Political Engagement;
 - Chief Executive's Update;
 - School Exclusions: Feedback from School Visits;
 - The Children and Young People's Social Care Scrutiny Panel - Final Report - Sufficiency and Permanency;
 - The Children and Young People's Social Care Scrutiny Panel - Final Report - Locality Working from a Children's Services Perspective;
 - Town Centre Update.
4. At the 22 June 2022 meeting the Board considered / received information in respect of the following:
- Executive Forward Work Programme;
 - Chief Executive's Update;
 - The Communities and Culture Scrutiny Panel - Final Report - Enforcement in Middlesbrough and its impact on crime and anti-social behaviour;
 - School Exclusions: Feedback from School Visits;
 - Strategic Plan 2021-24 - Progress at Year-End 2021/22;
 - Revenue and Capital Budget - Year-End Outturn Position 2021/22;
 - Scrutiny Chairs Updates;

SCRUTINY PANEL UPDATES

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

Adult Social Care and Services Scrutiny Panel

6. The Adult Social Care and Services Scrutiny Panel met on 30 March 2022 and 22 June 2022.

At its final meeting of the 2021/2022 Municipal Year, held on 30 March 2022, the Scrutiny Panel continued to gather evidence in respect of its review of the Role of the Voluntary and Community Sector (VCS) in supporting Adult Social Care (with a focus on Covid-19 Recovery).

At this meeting, representatives from Recovery Connections and Streets Ahead for Information were in attendance to provide information regarding their experience of working through the Covid-19 pandemic; the work undertaken with the Local Authority; and potential next steps for the recovery phase. The panel also agreed the Terms of Reference for the review.

The Director of Adult Social Care and Health Integration provided Members with an update regarding the integration of Health and Social Care.

At the panel's first meeting of the 2022/2023 Municipal Year, held on 22 June 2022, the Director of Adult Social Care and Health Integration was in attendance at the meeting to provide an overview of the service area, and also to provide Members with an update regarding the integration of Health and Social Care.

The Scrutiny Panel discussed and selected topics for the Work Programme 2022/2023, which will be forwarded to the Overview and Scrutiny Board for approval.

A proposed meeting schedule for the 2022/2023 Municipal Year was also approved.

The next meeting of the panel is scheduled for 7 September 2022; the panel will continue with its investigation regarding the Role of the Voluntary and Community Sector (VCS) in supporting Adult Social Care (with a focus on Covid-19 Recovery).

Children and Young People's Learning Scrutiny Panel

7. At its meeting on 25 April 2022, the Scrutiny Panel continued to gather evidence in respect of its review of Special Educational Needs and Disabilities (SEND).
8. At this meeting, the Headteacher at Discovery Primary Academy and the Deputy Headteacher at Ayresome Primary School were in attendance to provide information on how schools work with the Local Authority to identify and support children with SEND.

The Scrutiny Panel was provided with:

- an overview of how schools identify where a pupil may be having difficulty which may be because of SEN;
- an overview of the support that schools provide to those students who have or may have SEND;
- information on how schools work with the Local Authority to meet the needs of pupils with SEND and ensure appropriate support is in place to enable them to achieve the best possible outcomes; and
- case studies demonstrating the impact of partnership working.

At this meeting, the scrutiny panel also received its first 6 monthly report on exclusions. The Council's Head of Access to Education and Alternative Provision was in attendance to present data on permanent exclusions, fixed-term exclusions, reasons for exclusions and information on how the Council is increasing the level of challenge and support.

The last meeting was held on 20 June 2022. At this meeting, the Scrutiny Panel considered:

- an overview of education and learning, including information on the main service areas within its remit and an outline of priorities, key issues and challenges for the year ahead;
- its Work Programme for 2022/23; and
- its draft final report on the topic of SEND.

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

9. Since the last OSB update report to Council, the Children and Young People's Social Care and Services Scrutiny Panel met on 26 April and 21 June 2022.

At the April meeting, Panel Members considered two draft final reports – Locality Working from a Children's Services Perspective and Sufficiency and Permanency (Perceptions of Children in Care), which were subsequently agreed by the Overview and Scrutiny Board on 11 May.

At the Panel's last meeting on 21 June, it discussed topics to include on its Work Programme which will be submitted for approval to the next Overview and Scrutiny Board. The Panel was also provided with an update in relation to the Children's Services Ofsted Monitoring Visit carried out in March.

Culture and Communities Scrutiny Panel

10. The Culture and Communities Panel met on Thursday 7 April 2022 and were joined by Tracey Godfey- Harrison, Manager of Middlesbrough foodbank, who provided the panel with some up to date figures of foodbank usage.

Figures- to date in 2021/22 are as follows:

- Vouchers fulfilled 3595
- Adults 5080
- Children 3398
- Total number fed 8,478

The Manager explained that they have closed one foodbank in Whinney banks (which is a good step), however have had to open 2 more food distributions centres to cope with demand. They are also struggling to get food donations so quite often have to get deliveries from Morrison's to replenish their stock.

Following on from this presentation, the Panel received a really informative presentation from Janette Savage and Martin Barker, Middlesbrough council officers who provided information on what the Council is doing in relation to what is known as the 'welfare strategy'. In April 2020, a new service was established called Resident and Business support which undertakes a whole host of services, including, but not exclusive, financial assistance, financial support and they are the corporate lead on food poverty. This is an excellent service and officer of the council should be applauded for the work undertaken.

11. The panel also met on 19 May 2022 and agreed the final report on Tough Enough? Enforcement in Middlesbrough and its impact on crime and anti-social behaviour'. The final report was submitted to the Overview and Scrutiny Board for approval on 22 June 2022.
12. At the panel's first meeting of the 2022/2023 Municipal Year, held on 23 June 2022, the Director of Regeneration and Culture and the Director of Environment and Community Services were in attendance at the meeting to provide an overview of the service area.

The Scrutiny Panel discussed and selected topics for the Work Programme 2022/2023, which will be forwarded to the Overview and Scrutiny Board for approval.

A proposed meeting schedule for the 2022/2023 Municipal Year was also approved.

Economic Development, Environment and Infrastructure Scrutiny Panel

13. The Economic Development Infrastructure and Environment (EDEI) Scrutiny Panel met on 6 April 2022 to agree conclusions and recommendations on the Final Report on the Green Strategy. The Final report was approved by the Overview and Scrutiny Board and then submitted to the Executive. At the meeting of the Executive on 14 June 2022, and following a request from the Chair of the EDEI Scrutiny Panel, consideration of the report was deferred to enable the Panel to review the report and recommendations. The Scrutiny Panel will review the

Final Report on the Green Strategy at the July meeting, make any amendments, and it will then be re-submitted to the Overview and Scrutiny Board in line with the usual process.

14. At the Panel meeting held on 15 June 2022, the Panel discussed and agreed topics for the Work Programme 2022-2023. In addition, a proposed meeting schedule for the 2022/2023 Municipal Year was approved.

Health Scrutiny Panel

15. At its meeting on 5 April 2022, the Scrutiny Panel considered a number of items including the Health and Social Care Bill and its implications for health scrutiny, the issues being considered by the Tees Valley Joint Health Scrutiny Committee (TVJHSC) and a Covid-19 update.
16. The Panel was advised that at a recent TVJHSC a number of health issues affecting communities across the Tees Valley were discussed. One of the main issues was the CQC inspection of the Tees, Esk and Wear Valley (TEWV) Mental Health Trust. Members of the TVJHSC had been provided with information from both TEWV and the CQC about the recent inspection and the work being undertaken to improve the care provided by the Trust.
17. The panel heard that whist Members of the TVJHSC remained concerned about the results of the inspection, they had agreed to participate in a visit to Roseberry Park Hospital to tour its facilities and get a first-hand account of the improvements being made. It was also highlighted that Stockton Borough Council had written to the Secretary of State calling for a public inquiry into the quality of care being delivered by TEWV NHS FT.
18. The Director of Public Health (South Tees) provided the Panel with an update on the ongoing response to Covid-19 and the shift to living with Covid-19. It was advised that infection rates stood at 579 per 100,000 but as the availability of testing was decreasing this would likely result in a significant drop in reported infection. It was noted that although national infection rates remained high thankfully the number of patients in James Cook University Hospital remained low. Analysis showed that those in hospital who were ill with Covid-19 were less ill than in previous waves.
19. At the Panel meeting held on 21 June 2022 the Panel discussed and agreed topics for the Work Programme 2022-2023. In addition, a proposed meeting schedule for the 2022/2023 Municipal Year was approved.

Tees Valley Joint Health Scrutiny Committee

20. The Tees Valley Joint Health Scrutiny Committee (TVJHSC) met on 8 June 2022 and considered the following:
 - Protocol for the Tees Valley Joint Health Scrutiny Committee;
 - Tees, Esk and Wear Valley NHS Foundation Trust – Quality Account 2021/2022;
 - Tees, Esk and Wear Valley NHS Foundation Trust – CQC Inspection Update;
 - Work Programme

The TVJHSC meeting was held at Roseberry Park Hospital and prior to the meeting Members undertook a tour of the hospital site, which included a visit to the Secure Inpatient Services: Ridgeway, the Adult Mental Health Urgent Care Services and the Mental Health Services for Older People provision.

SCRUTINY REPORTS SUBMITTED TO EXECUTIVE

21. Since the last update to Council, the Final Report of the Economic Development, Environment and Infrastructure Scrutiny Panel – Green Strategy, was submitted to Executive on 14 June 2022 but deferred for future consideration.

What decision(s) are being recommended?

22. That Council note the report.

Rationale for the recommended decision(s)

23. The Constitution requires the Council to be provided with an update with regard to the work of the Overview and Scrutiny function.

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

24. That an update on the work of the scrutiny function is not provided to full Council. This would not comply with the requirements for updates on the scrutiny function, to be reported to full Council.

Impact(s) of the recommended decision(s)

Legal

25. The Constitution requires regular updates on the scrutiny function, to be submitted to full Council.

Strategic priorities and risks

26. 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 updates on the work of the scrutiny function were not provided to Council, it would not be in accordance with the requirements of the Constitution.

Human Rights, Equality and Data Protection

27. 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

28. 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

Appendices

1	
2	
3	

Background papers

Body	Report title	Date

Contact: Charlotte Benjamin

Email: charlotte_benjamin@middlesbrough.gov.uk

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6 JULY 2022

QUESTIONS FROM MEMBERS

COUNCIL PROCEDURE RULE NO. 28 - 33

QUESTION NO.	QUESTION FROM	QUESTION TO	QUESTION
01/2022	Councillor Saunders	Councillor Cooper	On the 20th of June 2022 the Evening Gazette reported that the cost to Middlesbrough Council on Taxi's for children who require a Taxi to take them to school is £33,000 per week. This seems high. Please can you advise why Middlesbrough Council has to pay this amount of money and what actions can be taken to reduce the cost without impacting on children, especially the town's most vulnerable children?
02/2022	Councillor Wilson	Councillor Smiles	The majority of young people in this town are great but there are a few who persist to cause real problems for residents with antisocial behaviour. What is our youth service going to tackle this?
03/2022	Councillor McIntyre	Councillor Hill	Can the executive member for culture inform us of his personal experience of visits to some of our cultural venues and what can be done to improve them?

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**COUNCIL MEETING – 6 JULY 2022
NOTICE OF MOTION**

COUNCIL PROCEDURE RULE NOS. 53-60

MOTION NO.	PROPOSER	SECONDER	MOTION
153	Councillor Branson	Councillor Hellaoui	<p>Toxic chemicals in the River Tees</p> <p>In recent weeks, there has been a growing concern over the effects of toxic chemicals in the Tees Estuary, which have had to a significant impact on crab and lobster numbers.</p> <p>There has been some dispute between DEFRA and independent experts in respect of this.</p> <p>In view of the uncertainty over the cause and the potential impact on the marine environment, we ask the council to agree to:</p> <ol style="list-style-type: none"> 1. Write a letter to the TVCA within 28 days to request that they seek to clarify the existing and conflicting scientific research through the commissioning of a new independent report. 2. Write to the other Councils of the TVCA within 28 days to urge them to work together on addressing these environmental issues through, for example, sending a joint letter to the TVCA expressing our concerns and asking for next steps 3. To recommend that the Economic Development, Environment and Infrastructure Scrutiny Panel gives consideration to adding this environmental issue to the scrutiny topics in the work programme.

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MIDDLESBROUGH COUNCIL	
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Report of:	Executive Member for Finance and Governance and Director of Legal and Governance Services
Submitted to:	Council
Date:	6 July 2022
Title:	Vacancies on Committees and Outside Bodies
Report for:	Decision
Status:	Public
Strategic priority:	All
Key decision:	No
Why:	Not applicable
Urgent:	No
Why:	Not applicable

Executive summary
<p>To seek Members' approval for nominations of appointment to vacant positions on committees and scrutiny panels as a result of vacancies that were not filled at the Annual Council meeting and resignations from Committees.</p>

Purpose

1. To seek Members' approval for nominations of appointment to vacant positions on committees/scrutiny panels/outside bodies, following resignations and vacancies that remained, following the Annual Council meeting.

Background and relevant information

2. Following resignations from Committees and places on Committees and Outside Bodies that were not taken up at the Annual Council meeting, a number of vacancies exist. Council is required to consider and approve nominations for appointment to the vacancies.

What decision(s) are being recommended?

3. That the Council:

Subject to receipt of nominations to the following vacancies, approves the places allocated in accordance with the wishes of the political groups and other councillors and fills the following vacancies:

Chief Officers Appointment Committee

1 Vacancy (initially for Independent Member)

Children and Young People’s Learning Scrutiny Panel

1 Vacancy (initially for Labour)

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

1 Vacancy

Culture and Communities Scrutiny Panel

1 Vacancy

Corporate Health and Safety Steering Group

1 Vacancy

Licensing Committee

1 Vacancy

Live Well Board

1 Vacancy

Overview and Scrutiny Board

1 Vacancy

South Tees Health Scrutiny Committee

1 Vacancy

Tees Valley Health Scrutiny Committee

1 Vacancy

Teesside Pension Fund Committee

1 Vacancy: 1 nomination; Councillor Wilson

Works Council

1 Vacancy

Outside Body

North East Regional Employers' Organisation (NEREO)

1 Vacancy

Rationale for the recommended decision(s)

4. Council is required to appoint to any vacant places on Committees or Outside Bodies to ensure that all meetings will be quorate.

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

5. Do Nothing: This option could result in meetings becoming inquorate and could result in the decision making process being delayed.

Impact(s) of the recommended decision(s)

Legal

6. 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.
7. 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.

8. 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.

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.	By ensuring that meetings are quorate then the Council is ensuring that good governance is in place and in line with the requirements of the Council's constitution so this would have a positive impact on this risk.
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 has a duty to ensure that the membership of the committees and sub committees are covered and is required to appoint to any vacant places to ensure that all meetings remain quorate. This will have a positive impact on this risk as the Council is fulfilling its duties.

Human Rights, Equality and Data Protection

10. Not applicable

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
Add Members to Committees/Outside Bodies	Democratic Services Officers	7 April 2023

Appendices

1	
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2	
3	

Background papers

Body	Report title	Date

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

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MIDDLESBROUGH COUNCIL	
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Report of:	The Mayor and Director of Legal and Governance Services
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Submitted to:	Council
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Date:	6 July 2022
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Title:	Update on Urgent Decisions
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Report for:	Information
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Status:	Public
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Strategic priority:	All
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Key decision:	No
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Why:	Not applicable
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Urgent:	No
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Why:	Not applicable
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Executive summary

The Constitution requires the Council to be provided with an update with regard to any urgent decisions that have been taken.

Purpose

1. The report provides details of decisions that have been taken under the urgency rules.

Background and relevant information

SPECIAL URGENT DECISIONS

2. A special urgent decision is where the required statutory notice of the proposed decision cannot be given (i.e. it is not possible to give the five days public notice). A decision is defined as urgent where any delay likely to be caused by the call-in process would seriously prejudice the interests of the Council or the public. In terms of the Scrutiny call-in procedure, agreement that the decision cannot be reasonably deferred is always sought from the Chair of Overview and Scrutiny Board or the relevant Scrutiny Panel. Once this agreement is obtained, a copy of the notice is placed on the Council website.

The decision taker must sign a form recording the decision and a record of that decision is then published. The information is available on the Modern Gov system or via the Council website.

URGENT DECISIONS

3. An urgent decision is where the required statutory notice of the proposed decision can be given but due to urgent deadlines for implementing those decisions, the Scrutiny call-in procedure do not apply. Agreement is always sought from the Chair of Overview and Scrutiny Board or relevant Scrutiny Panel to exempt the proposed decision from the call-in process. The decision then becomes a public record. The information is also available on the Modern Gov system or via the Council website.

Date:	22/12/2021
Decision Maker	Director of Adult Social Care and Health Integration
Decision	Community Champions Fund – national funding investment in Middlesbrough
Reason for Urgency	New Memorandum of Understanding had to be signed and returned by 28 December 2021 to enable funding to be released.

Date:	13/01/2022
Decision Maker	Executive Member for Environment, Finance and Governance
Decision	COVID-19 Business Financial Support – Covid Additional Relief Fund (CARF) and Omicron Hospitality and Leisure Grant Scheme.
Reason for Urgency	The short interval between announcement of the two schemes by government and the passing of legislation means that administration-heavy options available to the Council are limited, because the COVID-19 Business Financial Support – Covid Additional Relief Fund needs to be applied against rates liabilities for the current billing year and the grants must be paid by 31 March 2022.

What decision(s) are being recommended?

4. That Council note the decisions that have been taken under the urgency rules.

Rationale for the recommended decision(s)

5. The Constitution requires the Council to be provided with an update with regard to any urgent decisions that have been taken.

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

6. That an update on urgent decisions is not provided to full Council. This would not comply with the requirements for details of any urgent decisions that have been taken and the reasons for urgency, to be reported to full Council.

Impact(s) of the recommended decision(s)

Legal

7. The Constitution requires regular updates on urgent decisions that have been taken, to be submitted to full Council.

Strategic priorities and risks

8. 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 updates on urgent decisions were not provided to Council, it would not be in accordance with the requirements of the Constitution.

Human Rights, Equality and Data Protection

9. 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

10. 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

Appendices

1	
2	
3	

Background papers

Body	Report title	Date

Contact: Charlotte Benjamin

Email: charlotte_benjamin@middlesbrough.gov.uk

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MIDDLESBROUGH COUNCIL	
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Report of:	Executive Member for Finance and Governance and Director of Legal and Governance Services and Monitoring Officer - Charlotte Benjamin
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Submitted to:	Council
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Date:	6 July 2022
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Title:	Update – Council Constitution
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Report for:	Decision
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Status:	Public
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Strategic priority:	All
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Key decision:	No
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Why:	Not applicable
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Urgent:	No
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Why:	Not applicable
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Executive summary
<ol style="list-style-type: none"> 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.

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.

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.

6. Access to Information Rules

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

7. The Officer Employment Procedure Rules

The Council previously approved the changes highlighted below to the Terms of Reference of the Chief Officer Appointments Committee, however these changes should also be reflected in the Officer Employment Procedure rules which also form part of the Constitution.

The provision for the Chief Executive to agree Interim appointments of Directors for up to six months was already included under the Chief Officer Appointment Committee Terms of Reference but needed to be replicated in the Officer Employment Procedure Rules. The changes to the Officer Employment Procedure Rules were outlined in bold.

Appointment of Executive/Strategic/Assistant Directors, Monitoring Officer, and Chief Finance Officer

(a) The appointment of Executive/Strategic/Assistant Directors, the Monitoring Officer, and the Chief Finance Officer will be made by the committee referred to in Rule 3 above, **unless the appointment is on an interim basis (6 months or less).**

(b) **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.**

(c) An offer of employment to these posts shall only be made where no well-founded objection has been received from any member of the Executive.

6. **Amendment to Constitution**

At the last meeting of Full Council the Update to the Constitution Report was deferred due to concerns raised by Members that the Monitoring Officer was able to make minor amendments to rectify typing errors, name changes etc, or where there are legislative requirements to the Constitution without member approval.

The Constitution and Members' Development Committee held on 15 June 2022 proposed to amend the current Monitoring Officer delegation to read;

“Minor amendments may be made by the Monitoring Officer **in conjunction with the Chair of the Council and the Executive Member for Finance and Governance**, to ensure that the Constitution complies with all relevant legislation, together with such other amendments as the Monitoring Officer may be authorised to make by Council”.

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) The current Monitoring Officer delegation be amended that any changes to the Constitution will be made by the Monitoring Officer in conjunction with the Chair of the Council and the Executive Member for Finance and Governance.

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. Not applicable

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

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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, or part of a meeting in private and exclude the press and public in order to consider exempt or confidential information, (whether during the whole or part of the proceedings at the meeting) the reasons will be specified in the resolution to exclude the press and public. The reasons will depend on the nature of the business to be transacted.

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.

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MIDDLESBROUGH COUNCIL	
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Report of:	Executive Member for Finance and Governance and Director of Legal and Governance Services and Monitoring Officer - Charlotte Benjamin
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Submitted to:	Council
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Date:	6 July 2022
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Title:	Paper-lite and remote meetings
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Report for:	Decision
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Status:	Public
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Strategic priority:	All
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Key decision:	No
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Why:	Not applicable
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Urgent:	No
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Why:	Not applicable
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Executive summary

Council are asked to consider the implementation of a four month trial of paper-lite meetings, meaning that all councillors will access their committee papers through Modern Gov. To ensure all concerns in the implementation of this pilot are addressed, it is proposed that members will be offered guidance, support and training alongside a degree of flexibility for members to print off meeting papers themselves; either at home, through a multi-functional device within the Town Hall, or request a copy be posted.

Council are also asked to consider its stance on retaining the flexibility of remote committee meetings for non-decision making meetings.

Purpose

To seek Council approval for the implementation of a four-month pilot of paper-lite meetings with a view to reviewing success and feeding back to Council, accordingly.

Background and relevant information

1. Democratic Services have been redesigning services to improve service delivery, with a better focus on digital opportunities, and being more efficient through investment in our ICT infrastructure, increasing member and officer self-service to achieve savings and efficiencies through a reduction of printing and postage costs by the introduction of paper-lite meetings
2. The programme was dependent upon councillors (and officers) having improved ICT devices with all the necessary functionality and software to enable them to read and annotate agendas electronically and, importantly, having the necessary training on how the devices and software operate.
3. The Council procured a new committee management system (Modern Gov) to enable the above functionality and elected members have been using the system for a year. Officers are also utilising this system and now only receive notification and access to internal managers and Council meeting papers electronically.
4. In addition to the above the reduction in the use of paper would show members commitment to reducing the Council's carbon footprint and tackling climate emergency and supporting the Council's Digital Strategy.
5. A number of local authorities nationally have already adopted a paper-lite approach to committee meetings by the use of laptops/tablets by councillors, together with the associated app enabling them to view and annotate agendas. These authorities recognise the benefits, which can generally be summarised as follows:
 - Devices are portable, convenient and easy to use once users become familiar with them.
 - Access to information can be improved – e.g. all meeting papers (current and previous) are easily available.
 - Information can be stored very securely, which is important when meeting papers contain sensitive, or exempt/confidential information.
 - Savings can be made on paper, printing and postage of meeting papers.
 - An authority's carbon footprint can be reduced - paper and stationery usage is reduced, less energy is used to produce printed papers.
6. During the pandemic there was a need to move to remote meetings and to electronic paper delivery to enable members to continue with decision making. The Council used Webex to facilitate those meetings. So members have now had some experience of utilising the systems.
7. A Paper-lite and Remote Meeting survey of all members of Middlesbrough Council was carried out by Democratic Services in April 2022, to ascertain the view of members in relation to the introduction of paper-lite meetings. The outcome of the survey is attached at Appendix 1 to the report.
8. A 'frequently asked questions' document in relation to the implications of introducing paper-lite meetings was compiled by Democratic Services. A copy of the document is attached at Appendix 2.

9. The Constitution and Members' Development Committee considered the issue at the meeting held on 15 June 2022 and recommended that Council agree that a trial of paper-lite meetings be undertaken and encourage all members to optimise the use of the technology they already have.
10. To ensure all concerns in the implementation of this pilot are addressed, it is proposed that members will be offered guidance, support and training alongside a degree of flexibility for members to print off meeting papers themselves; either at home, through a multi-functional device within the Town Hall, or request a copy be posted.

Virtual/Face-to-Face meetings

11. The Government introduced remote meetings in April 2020 under emergency legislation to enable councils to make critical decisions democratically and without delay during the pandemic. The Local Government Association and many Local authority leaders called on the Government to allow councils to hold virtual and hybrid council meetings. After the national lockdown, the Government rejected calls from local authorities to make the rules permanent and councils were forced to return to in-person meetings.
12. The rules apply to elected members as the decision makers, however there is scope for all meetings to be hybrid i.e. for officers, guests and / or the public attendance. Remote and hybrid meetings can also still be used for other events such as Member briefings, Member development events, staff conferences, meetings and training. Therefore this technology is being scoped to ensure the Council can operate efficiently and effectively going forward.
13. The Local Government Act 1972 sets out the mechanisms for how Council committees are run. This legislation specifies that council meetings within the scope of the Local Government Act 1972 must take place in person at a single, specified, geographical location and with members being "present" at such a meeting which involves physical presence at that location. These meetings include decision making meetings such as (but not limited to) Council, Licensing, Planning, Corporate Affairs and Audit, Staff Appeals.
14. It was felt that where meetings taking place in person then Council officers would also be expected to attend in person unless exceptional circumstances applied. This would be agreed with the Chair of the meeting.
15. Overview and scrutiny committees were introduced in the Local Government Act 2000 as part of new executive governance arrangements to ensure that members of an authority who were not part of the executive could hold the executive to account for the decisions and actions that affect their communities.
16. Since the lapsing of the Coronavirus legislation that allowed remote meetings to take place, there have been differing interpretations of the Local Government Act 1972 in relation to non-decision making meetings with many local authorities reverting back to face-to-face meetings and some retaining remote or hybrid meetings for those non-decision making and or informal meetings.
17. When advising members of the lifting of all Covid restrictions and that all meetings should return to in person attendance, there were conflicting views from current Scrutiny Chairs and some requests to retain the flexibility of remote meetings.

18. There are a number of committees such as scrutiny panels, Corporate Parenting Board, Health and Safety Steering Group and Works Council, that tend to make recommendations or are advisory committees and therefore are classed as non-decision making meetings that would not be subject to judicial review.
19. Again in addition to the survey political group leaders and the Constitution and Member Development Committee were consulted on the options available.
20. Those against maintaining remote meetings argued that:
- Technical difficulties and home internet access still caused problems for some
 - Managing the meeting and personal interactivity (reading the room) is more difficult
 - The loss of footfall in the town centre is having a negative impact on the local economy and businesses
 - There was a simple preference for in person meetings and paper copies of reports and need for training
21. Those in support of maintaining some flexibility argued that;
- providing virtual meeting can make council meetings more accessible e.g. allows access for those with family commitments or disabilities
 - virtual meeting improved attendance and engagement from the public, members and invited specialists
 - reduces the impact on travel time for the public, members and those attending to give evidence
22. Based on the evidence at the time the overarching view of the Committee was that the Council should have the flexibility to hold virtual, hybrid and in-person meetings to suit the local context and needs of residents and councillors within the context of the current legal framework.
23. If this was to be the case there would be a need to ensure democratic decision-making and consistency. The committee recommended that it should be the decision of the whole committee at its first meeting, following the AGM, to agree the format of those committee meetings. This decision should apply until the next AGM unless exceptional circumstances apply or where the purpose of the meeting is better served by being in person i.e. site visits / workshops or demonstrations.
24. However since the last Constitution and Members' Development Committee meeting further research has been undertaken which showed that there was an **absence of** absolute legal clarity and room for interpretation as to whether some scrutiny panels, for example, could be lawfully held virtually.
25. Therefore Council are strongly recommended to consider whether it is appropriate to introduce un-certainty into our governance processes and compliance with the law at this time.

What decision(s) are being recommended?

26. That Council approve the following:

- i. A four month trial of paper-lite meetings be held for all Council, Executive or any other Council meeting, Panel or Working Group by embracing the current technology available to councillors and officers.
- ii. That face-to -face meetings be resumed for all Council constituted formal committee meetings including scrutiny and advisory committees. This will not preclude 'experts' such as foster carers (Corporate Parenting Board) or health professionals (Health scrutiny) attending remotely but all Committee members would be required to attend the meeting in person. This will be reviewed should further government guidance or legal clarity can be achieved.

Rationale for the recommended decision(s)

27. On 11 May 2021, the Executive approved the adoption of a Green Strategy following an extensive public consultation process. The Green Strategy is a very long term approach to tackling climate change within Middlesbrough and the first year (2021 to 2022) is being treated as a baseline year to gather all necessary baseline data required to set targets and measure success going forward.

28. Council has already introduced paperless meetings at officer level; for example, the weekly meetings of the Corporate Management Team and Leadership Management Team are now fully paperless.

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

29. Do nothing. A number of councils have completed a transition to paperless meetings over the past three or four years and there is a clear direction of travel in this regard, such that over the course of the next few years it is expected to become standard practice in local government.

30. This Council is now at the point at which it can begin a transformation to radically reduce our reliance on, and use of, paper. This will not only save the Council a considerable amount of money each year, but also assist in reducing our carbon footprint and set an example to others.

31. Retaining flexibility of remote meetings improves public engagement and retains the Council's ability to operate in cases of emergency, however without legal clarity it introduces a level of unnecessary risk.

Impact(s) of the recommended decision(s)

Legal

32. The Local Government Act 1972 and the Local Government (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 set out the legal provisions governing the requirement to make available agendas and minutes of

Council and committee meetings and Executive meetings both to councillors and to the public.

33. In relation to full Council meetings, Schedule 12 – Meetings and Proceedings of Local Authorities to the 1972 Act requires us, amongst other things, to send to every member of the Council, “a summons to attend the meeting, leaving it at, or sending it by post to, the member’s usual place of residence, specifying the business proposed to be transacted at the meeting” at least five clear days before the meeting. This provision also applies to committee meetings by virtue of Section 99 of the 1972 Act.
34. In partial response to changing technologies, The Local Government (Electronic Communications) (England) Order 2015 permits delivery of an electronic summons to Councillors, subject to the consent of the Councillor.
35. In respect of Council and committee agendas, including the “connected” reports, Section 100B (1) of the 1972 Act requires that “copies of the agenda for a meeting” and “copies of any report for the meeting shall be open to inspection by members of the public at the offices of the council.”
36. Section 100B (6) of the 1972 Act requires us to make available for the use of members of the public present at the meeting “a reasonable number of copies” of the agenda.
37. Regulation 7 of the Local Government (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 requires us to make available for public inspection at least five clear days before a meeting of the Executive a copy of the agenda (including the reports) at the Council offices and on the website. Paragraph (6) of Regulation 7 requires us to make available for the use of members of the public present at the meeting “a reasonable number of copies” of the agenda and reports for the meeting.

Human Rights, Equality and Data Protection

38. This proposal does not raise any impacts for those individuals or groups with protected characteristics

Financial

39. Annual savings in printing costs and courier delivery costs could be achieved if the Council adopted paperless meetings.
40. If the proposals in this report were introduced, there would still be a requirement to produce two hard copy agendas in respect of each meeting to which the public are entitled to attend. However, the cost would be a fraction of the current costs.

Risk

Strategic priorities and risks

41. 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.	<p>The key risks to the Council of not embracing the concept of paperless meetings are:</p> <p>(a) The opportunity of achieving financial efficiency savings would be missed.</p> <p>(b) The opportunity of demonstrating a willingness to reduce our carbon footprint, and effecting an actual reduction in CO2 emissions, would be missed.</p> <p>(c) Reputational damage to the Council as a consequence of (a) and (b) above.</p>

Actions to be taken to implement the decision(s)

Action	Responsible Officer	Deadline
Further training be delivered to those members that require it in relation to the use of Modern Gov	Democratic Services Officers	Ongoing
That the Council procedure rules be amended to include format of meetings decision	Democratic Services Officers	31 July 2022
<p>That the following amendment be made to the Access to Information Procedure Rules in Part 4 of the Constitution:</p> <p>“Reference in these procedure rules to the making available or supply of copies of any agenda and reports, or any other written material submitted to the Council, Executive, Committee or Sub-Committee shall include the provision of such copies by electronic means.”</p>	Democratic Services Officers	31 July 2022

Appendices

1	Copy of Paper-lite and Remote Meeting survey
2	Copy of frequently asked questions document.

Background papers

None

Contact: Charlotte Benjamin

Email: charlotte_benjamin@middlesbrough.gov.uk

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Paper-Lite and Remote Meeting Survey 2022

12 - 25 Apr 2022

Poll results

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- Paper-Lite and Remote Meeting Survey 2022

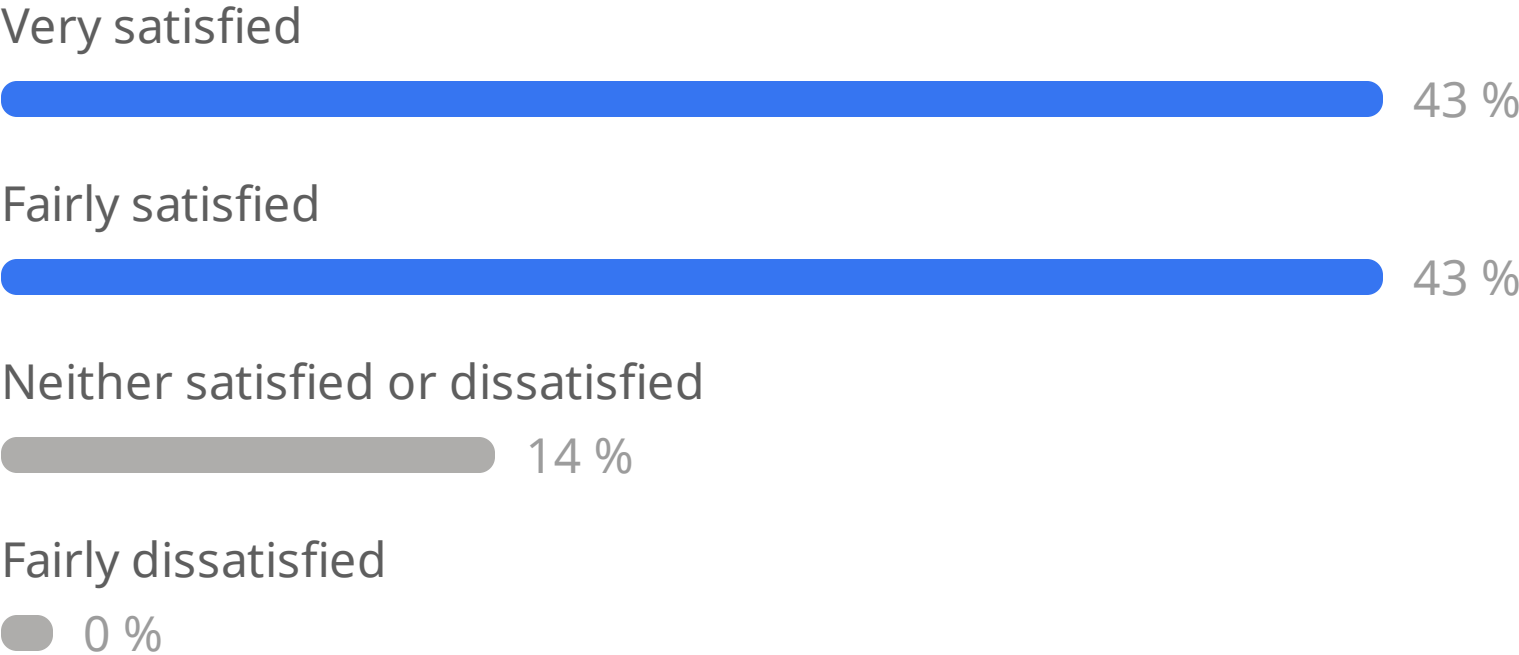
Paper-Lite and Remote Meeting Survey 2022 (1/27)

0 2 1

Q1. The Council provides IT equipment to help Members manage their workload and access Council Information. How satisfied or dissatisfied are you with the devices available to assist you with your workload e.g. tablet/screen/printer?

(1/2)

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Paper-Lite and Remote Meeting Survey 2022 (1/27)

0 2 1

Q1. The Council provides IT equipment to help Members manage their workload and access Council Information. How satisfied or dissatisfied are you with the devices available to assist you with your workload e.g. tablet/screen/printer?

(2/2)

Very dissatisfied

0 %

Don't know/No opinion

0 %

Q2a. Do you have any problems connecting to the Council IT systems in the Town Hall?

Yes



No



Q2b. Do you have any problems connecting to the Council IT systems at Home?

Yes



No



Q2c. Please provide any comments or details of any issues.

(1/2)

- Sometimes the laptop stops connecting to my home network either resetting the router or restarting the laptop fix it but if that happens during a virtual meeting its a pain. In the Civic Centre when I need to print anything there are so many Printer scanner copiers spread around the building I don't know which to select, the one I was using has been taken away. Some e mail attachments sent to me wont open either on the laptop or the mobile phone?
- Tried machine in council chamber could not get to work. Home connection not constant comes and goes
- Sometimes when using Teams I am cut off and have to reconnect

Q2c. Please provide any comments or details of any issues.

(2/2)

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- I have not used my laptop at a meeting in the Town Hall so I am unable to answer Q2a
- i have never connected to the council it systems in the the town hall
- the server sometimes won't connect and at times I have to restart my computer. however once this is done there are no further problems. this is not a fault of my broadband
- I don't usually use IT systems in the Town Hall
- Recently, could not connect to training sessions, and had to leave and rejoin to get into a virtual meeting.
- New system very poor
- Computer in the labour group room has not worked for around 2 years
- N/A
- Wifi can sometimes be intermittent in the Town Hall.

Paper-Lite and Remote Meeting Survey 2022 (5/27)

0 2 1

Q3. Do you use any personal devices to access committee meeting information?

Yes



No



Q4. Do you require any additional training or help using your laptop or other devices?

Yes



No



Paper-Lite and Remote Meeting Survey 2022 (7/27)

0 2 1

Q5a. Do you agree that the Council should strive for a paper-lite approach in all committee meetings?

Yes



No



Q5b. Do you think some committees should be exempt from a paper-lite approach?

Yes



No



Paper-Lite and Remote Meeting Survey 2022 (9/27)

0 2 1

Q5c. If the Council was to facilitate paper-lite meetings, would you be willing to provide the Council with your consent to receive papers electronically (your consent can be withdrawn at any time)?

Yes



No



Q6a. If you answered "no" to Q5c please tell us why, e.g. are there any barriers / concerns that we should be aware of / consider?

(1/3)

- Planning Committee Licensing Staff appeals to name but a few cannot be paperless
- I am not IT savvy enough to go paperless
- Some of the papers for a few meeting are very big sometimes over 100 pages
- council should be aware of members with dyslexia and other eye sight issues and those less computer minded (age related)
- i personally am not confident using a laptop to view meetings .The meetings i chair i feel the need for a paper copy .I have heard people say that they had issues at the start of their paperless journey but with time it became a lot easier but the same people were doing it everyday .In my full

Q6a. If you answered "no" to Q5c please tell us why, e.g. are there any barriers / concerns that we should be aware of / consider?

(2/3)

Page 135

- time job i do things with a computer and to me it it has become simple but to people who learn from scratch it is complex but after a while it becomes 2nd nature .With the work i do as a councillor i am not doing things everyday so i forget things that i have learnt
- Unfortunately I feel unable to collate material which is all onscreen
 - I have difficulty reading papers on screen
 - Unable to make notes and keep up with meetings if no papers.
 - There are times when you need a printed copy I am sure you can print cheaper than me. I would also like a copy of paper lite meetings sent out with the email invite. We should not have to go looking for information it should be sent

Paper-Lite and Remote Meeting Survey 2022 (10/27)

0 1 0

Q6a. If you answered "no" to Q5c please tell us why, e.g. are there any barriers / concerns that we should be aware of / consider?

(3/3)

- I would, other than for Full Council.

Q6b. If any barriers could be overcome would you then reconsider moving to paperless meetings?

Yes



No



Q6c. Please add any further comments you might have.

(1/2)

Page 138

- I wanted to go paperless but I found that hard so paper light is a good starting point, I don't ask or expect anyone do do something I wont do or cant do myself.
- In my opinion we are a million miles away from having a paper less council. As usual we are trying to run before we can walk. I think that with us not getting papers we are getting less questions as members are not reading them until last minute.
- If papers were sent to me electronically then I would print them myself
- I would not use paperless systems in the case of Planning Committee or Main Council. Other committees are OK
- i would still ask for certain papers
When we talk about paperless its not all paperless has members have the

Q6c. Please add any further comments you might have.
(2/2)

option of printing at home on a printer that is not such a good thing for the green agenda

- I am elderly. I come from an Old School of paper education. I don't find it useful to migrate to paperless.i agree "less paper used " is good. However total removal is not the answer
- I don't want to have to carry a lap top with me
- Not all

Q7. Executive committees already operate paper-lite meetings. If this were to be piloted to all other committees, how long should the pilot last?

6 Months



12 Months



18 Months



Should not be piloted.



Paper-Lite and Remote Meeting Survey 2022 (14/27)

0 2 1

Q8. Do you think members wishing to retain hard copy papers should be expected to make their own copies e.g. print / photocopy themselves?

Yes



No



Q9. Training and support for Members is a vital component of the transition to paper-lite meetings. What support would be required to facilitate the adoption of paperless meetings?

(1/3)

Page 142

- I said No to Q8 as some members are not good with tech so would find it hard to produce their own papers however I think all members should be encouraged and supported to give it a go. MBC have declared a Climate Emergency so we all need to do whatever we can to reduce our Carbon Footprint.
- Don't want paperless meetings
- i would require additional training
- I thought that this would be already available as a training package
- How to access Teams meeting and saved documents.at the same time
- How to work with a split screen if meetings are held virtual. How to highlight information
- I doubt support

Q9. Training and support for Members is a vital component of the transition to paper-lite meetings. What support would be required to facilitate the adoption of paperless meetings?

(2/3)

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with training would be sufficient for some members

- A lot
- Not sure, it will be down to the individual to state his/her needs
- More time at the keyboard. Unfortunately resulting in less time with our residents
- I have been through the training sessions, but still cannot keep up to speed. By

choosing this route, the council are keeping some members out of decision making. As for point Q8, I'm happy to print my own copies, but since the council have said it is cheaper for them to provide, I cannot see the point of the question.

- Sometimes you need hard copies, home is not the problem you need extra screens in offices

Paper-Lite and Remote Meeting Survey 2022 (15/27)

0 1 5

Q9. Training and support for Members is a vital component of the transition to paper-lite meetings. What support would be required to facilitate the adoption of paperless meetings?
(3/3)

- Lot of support
- None for myself
- Extensive IT training would be needed for certain Members (we all know how hard some found online meetings, let alone accessing and printing the papers).

Q10. If the Council was to transition to paper-lite meetings would you require any additional IT equipment to help access / read the papers at home, i.e. an additional screen or home printer?

(1/2)

Page 145

- If I had a home printer I would be tempted to print so no thank you. However a bigger 2nd monitor 24" - 26" in the office and All Members with bigger monitors in the Chamber or large display screens with officers sharing documents instead of paper might work.
- We would need every member to be able to access a computer in the Council Chamber with the addition of a big screen and a printer
- additional screen
- no
- Not at present
- Allow access to print from home to personal printer if needed.
- yes
- I already have a home printer provided by the council

**Q10. If the Council was to transition to paper-lite meetings would you require any additional IT equipment to help access / read the papers at home, i.e. an additional screen or home printer?
(2/2)**

- a printer and maybe a additional screen preferable, but not essential.
- Not for me, but people with dyslexia however mild should be considered
- No thanks
- a printer
- N/A
- Have a printer so could copy
- No
- an additional screen would be

Q11a. How confident are you in accessing Modern.Gov (for reading papers)?

Very Confident



Fairly Confident



Would like a refresher session



Would like more in depth support



Q11b. How confident are you in moving through electronic papers during meetings?

Very Confident



Fairly Confident



Would like a refresher session



Would like more in depth support



Q11c. How confident are you in making notes electronically, i.e. on reports?

Very Confident



Fairly Confident



Would like a refresher session



Would like more in depth support



Q11d. How confident are you in splitting your screen?

Very Confident



Fairly Confident



Would like a refresher session



Would like more in depth support



Paper-Lite and Remote Meeting Survey 2022 (21/27)

0 2 1

Q12a.Virtual meetings have provided several important benefits for all attendees including increased attendance; reduced travelling time and greater transparency. If given the opportunity, do you think the Council should undertake all meetings remotely?

Yes



No



Q12b. If given the opportunity, do you think the Council should undertake all committee meetings in person?

Yes



No



Paper-Lite and Remote Meeting Survey 2022 (23/27)

0 2 0

Q12c. If given the opportunity, do you think the Council should be able to choose its meeting format, i.e. hybrid or physical, depending on the nature of the meeting?

Yes



No



Paper-Lite and Remote Meeting Survey 2022 (24/27)

0 2 1

Q12d. If given the opportunity, do you think the Council should be able to choose its meeting format, i.e. hybrid or physical, depending on the preference of the Chair?

Yes



No



Paper-Lite and Remote Meeting Survey 2022 (25/27)

0 2 1

Q12e. If given the opportunity, do you think the Council should be able to react to local circumstances / events for its meeting formats, e.g. an increased prevalence of Covid-19 infections?

Yes



No



Paper-Lite and Remote Meeting Survey 2022 (26/27)

0 2 1

Q13. Legislation regarding attendance at decision making committee meetings only applies to Elected Members. Do you think other attendees should be able to continue to attend the same meetings remotely, if the appropriate technology was available?

Yes



No



Don't know



Q14. Do you have any additional comments you would like to make?

(1/4)

- Q13. Open honest member / officer / public interaction is needed but hybrid meetings should not be held up if people joining online have internet problems. Serious decisions which involve lots of public money should where possible always be conducted in person. Ward Cllr's should also be prepared to tell the Council what they have been working on for their residents.
- As has been discussed with other elected members the 'older' members prefer to read paper copies.
- I think there are great advantages in virtual meetings, especially as I have to travel a long way into Middlesbrough . However, it is essential that some key meetings remain in person where possible as noted above.
- Use my personal device to access my emails but there is still many issues

Q14. Do you have any additional comments you would like to make?

(2/4)

Page 158

with boxer app. Emails stop, cant send email and app freezes. Could a separate mobile device be provided to access emails. I have a personal laptop and council laptop The council laptop is not portable. Is there an option to provide a better device, with a touchscreen option. Currently in my other work role we are using Lenova thinkpad X13 yoga which would be ideal device for this purpose.

If not do we have an option to use our personal device to log into a Citrix portal to access our council systems.

- question 11, A B & C do not apply to me as I have Dyslexia and sight problems. When reading page after page on a shiny screen, I can develop Migraine. I don't mind printing a couple of pages via the printer but when its a full report, I then prefer it sent out to me.
- i believe members of a certain

Q14. Do you have any additional comments you would like to make?

(3/4)

Page 159

age will never get to grips with Tech thats a fact and until the next generation come into politics who have been brought up with Tech i think we should stay with paper to members who want .This i think can be achieved by saying to members if you want a paper copy come to the town hall and ask for a copy to be printed

if members are happy to read things online then the council can save the cost of printers and associated paper and inks

- I am not in favour of totally paperless system. Computer systems do frequently crash!! Best Regards Eric
- I prefer remote meetings so much easier
- The check names function needs to be returned into the boxer

Q14. Do you have any additional comments you would like to make?

(4/4)

app. Not having it makes it fairly impossible to do an email to more than one recipient without the risk of an accidental data breach.

Otherwise pretty chuffed with everything

- Leaving preference of meeting format to the chair will result in an automatic refusal, the majority don't like change but if the option to choose is removed, then they will have to make the leap.

Paper less meetings - Frequently asked questions

<p>What support is available to members in the transition from paper based meetings to Digital by Default?</p>	<p>A range of training has been and will remain on offer, for the foreseeable future. This will be delivered by Democratic Services and IT colleagues</p> <p>We want members to be reassured that ongoing support will also be available beyond any implementation date.</p> <ul style="list-style-type: none"> • Group and drop in sessions will be available when cohorts are identified to transition and can be tailored to cover different meeting types (Executive, Planning Scrutiny etc). • 1:1 sessions will also be supported where members request it • Support will also be available during the first meetings of transitions to help with any teething issues • Political Assistants will have the same devices and setup and will also be able to offer support
<p>How will I receive my meeting documents once I become Digital by Default?</p>	<ul style="list-style-type: none"> • Members will receive an email notification of the summons to the meeting Members will receive their meeting documents via the Modern Gov app or intranet. • Members can set up their own favourites list which will enable them to have access to their identified committees and papers. • Training will demonstrate how documents can be accessed
<p>I make lots of notes prior to meetings, during meetings, and sometime after meetings. How will I do this without paper?</p>	<p>Modern Gov allows the user to annotate or make notes in documents for your own personal use and no one else can see them. Training will be provided to help you do this</p>
<p>Why have laptops been chosen as the standard device offering</p>	<p>The Council previously trialled the use of tablets as the members chosen device as these were seen to be lighter and</p>

	<p>more portable. However, members struggled with the small screens and felt they were not suitable for reading council reports / documents, and there were a number of connectivity issues.</p>
<p>How will members of the public who are attending view documents?</p>	<p>Council meeting papers are by default available on the Council website.</p> <ul style="list-style-type: none"> • For those that are unable to access papers, one set of papers will be available at Town Hall reception • Some Council meetings are also webcast allowing for digital access as well as live streaming/playback.
<p>During the pandemic, meetings were held remotely will this continue?</p>	<p>At present, any decision making meeting covered by the 1972 Local Government Act requires elected members to be physically present in the room.</p> <p>However, the government will be considering whether the choice should be given to local authorities as to how their meetings are held.</p> <p>Officers are also investigating the technology for officers and the public to attend remotely allowing hybrid meetings to take place in exceptional circumstances</p>
<p>I simply do not wish to move to a Digital by Default way of working and wish to continue to receive paper copies for meetings.</p>	<ul style="list-style-type: none"> • Members have the right to opt out of the programme if after discussion and training they feel it is unworkable for them. • For Members that 'opt out', they may print off their, own papers, collect a set from the Town Hall or will be entitled to receive papers in the traditional manner. • The Council prints 7 million pieces of paper a year. Reducing our use of paper, and the courtier will contribute to Council commitment to reducing its carbon footprint.

How will I access documents if I forget my IT or the battery runs out?

We encourage Councillors to continue to plan for their meetings in advance - ensuring their laptop is fully charged and taking their laptop should be no different to taking their papers. During any transition period, Democratic Services Officers will assist where they can