

THE CHAIR AND ALL MEMBERS OF THE COUNCIL

Tuesday 30 August 2022

Dear Member

COUNCIL - WEDNESDAY 7TH SEPTEMBER, 2022

You are hereby summoned to attend a meeting of the Council of the Borough of Middlesbrough to be held on **Wednesday 7th September, 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 - 6 July 2022 5 – 18
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). 19 – 20
6. Mayor's Statement and Report
Verbal Report
7. Executive Member reports 21 – 58
8. Report of the Overview and Scrutiny Board 59 – 64
9. Flexible Use of Capital Receipts Strategy 65 – 76
10. Review of the Emerging Local Plan 77 – 106
11. Urgent Items
To consider and Deal with any urgent business brought before the Council by the Proper Officer (if any).

- | | | |
|-----|--|-----------|
| 12. | Members' Question Time | |
| 13. | Notice of Motions | 107 – 108 |
| 14. | Notice of Urgent Motions (if any) | |
| 15. | Community Governance Review - Final recommendations for approval | 109 - 124 |



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 6 July 2022.

PRESENT: Councillors J Hobson, I Blades, D Branson, C Cooke, B Cooper, D Coupe, D Davison, S Dean, C Dodds, N Gascoigne, TA Grainge, A Hellaoui, T Higgins, A High, S Hill, C Hobson, B Hubbard, N Hussain, L Lewis, L Mason, T Mawston, D McCabe, C McIntyre, J McTigue, M Nugent, E Polano, G Purvis, J Rathmell, D Rooney, J Rostron, R Sands, M Saunders, M Smiles, M Storey, P Storey, J Thompson and S Walker

OFFICERS: C Benjamin, S Bonner, C Breheny, B Carr, G Field, A. Glover, D Johnson, S Lightwing, A Pain, T Parkinson, S Reynolds, A Wilson and I Wright

APOLOGIES FOR ABSENCE: Councillors R Arundale, A Bell (Vice-Chair), T Furness, D Jones, J Platt, A Preston (The Mayor), Z Uddin, J Walker, G Wilson and C Wright

22/16 **DECLARATIONS OF INTEREST**

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

22/17 **MINUTES - COUNCIL - 25 MAY 2022**

The minutes of the Council meeting held on 25 May 2022 were submitted and approved as a correct record.

22/18 **ANNOUNCEMENTS/COMMUNICATIONS**

The Chair welcomed Councillor Ian Blades to his first meeting of the Council. Councillor Blades was elected as Councillor for Berwick Hills and Pallister Ward on 30 June 2022.

22/19 **QUESTIONS FROM MEMBERS OF THE PUBLIC (IF ANY).**

There were no valid questions submitted within the required timescale, from members of the public for this meeting.

22/20 **MAYOR'S STATEMENT AND REPORT**

The Chair advised that as the Mayor had submitted apologies, there was no report from the Mayor for this meeting.

22/21 **EXECUTIVE MEMBER REPORTS**

The Chair invited Members to raise items for general discussion arising from the Information Booklet of Executive Member reports which detailed activities carried out within the respective Executive Member portfolios (Section 1), Executive decisions taken (Section 2) or to be taken where known, prior to and following the meeting (Sections 3 and 4).

Question on Executive Member for Adult Social Care, Public Health, Public Protection and Digital Inclusion report

Councillor Higgins in relation to Covid-19 Update

Councillor Higgins advised that she was surprised that there were not any up-to-date figures in relation to the number of Covid-19 cases in the town. Councillor Higgins also commented on the lack of availability of vaccines.

Councillor Coupe advised that he was not aware of any shortage of vaccines in the town. He advised that he had recently received up to date figures in respect of the number of Covid-19 cases and the number of people that were in hospital because of Covid-19, and he would share the figures with all members of the Council.

Question on Executive Member for Culture and Communities report

Councillor Dean in relation to Homes for Ukraine

Councillor Dean queried regarding the figures for the number of people from Ukraine that were being hosted in Middlesbrough and whether any comparison had been carried out in relation to other towns that were the same size as Middlesbrough.

Councillor Dean also queried regarding whether the families had been well received, were happy and settled, and whether English lessons were being provided.

Councillor Hill advised that at the current time, 30 people were still waiting to travel to Middlesbrough. He advised that he respond to Councillor Dean's other queries in due course, following the meeting.

Questions on Executive Member for Environment report

Councillor P Storey in relation to Waste & Green Collections

Councillor P Storey advised that a year ago, the Council had promised to provide an alley cat refuse vehicle for the Linthorpe Ward, however, to date, they had still not received the vehicle.

Councillor Cooper advised that there had been issues regarding vehicles breaking down and problems with accessing spare parts for the vehicles, but he was not aware of the Council's intention to purchase a new vehicle.

Councillor Storey stated that she had been advised that the Council intended to purchase a new alley cat vehicle for use in Linthorpe Ward.

Councillor Cooper advised that an order had been submitted, but he was unable to advise on a specific date regarding when the new vehicle would arrive. He stated that Councillor Storey would be notified once the vehicle had arrived.

Councillor Cooke in relation to Waste & Green Collections

Councillor Cooke advised that the Council currently collected unwanted fridges and mattresses that had been reported on separate days, but they had committed to providing a complete clean-up so that all the items could be taken away at the same time, but this had not happened.

Councillor Cooper advised that two different vehicles were required to pick up fridges and mattresses. There would also be issues with staffing levels if a complete clean-up was carried out because of the requirement to use two different vehicles. Councillor Cooper advised that he could not provide an exact date for when a complete clean-up would be carried out.

Councillor Cooke advised that the clean-up scheme was supposed to fix the issue of things being collected at different times. The scheme was submitted at the same time as other schemes which had been implemented. Councillor Cooper advised that he investigate the matter and report back to Councillor Cooke.

Councillor Branson in relation to Tree Policy/Planting

Councillor Branson stated that he was pleased that the Tree Policy had been reviewed. He queried regarding what changes had been made to the policy and when the revised policy would be implemented.

The Executive Member advised that the section that had indicated that the Executive Member for Environment would be the arbiter in case of any disputes in relation to the future of any tree had been amended to say that any disputes would be considered by the Head of Service in conjunction with the Executive Member for Environment.

In terms of the implementation of the revised Tree Policy, Councillor Cooper advised that it was intended that the amended Tree Policy would be published as soon as possible.

Question on Executive Member for Finance and Governance report

Councillor M Storey in relation to 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)

Councillor M Storey stated that the Executive Member report did not make any reference to inflation and inflation pressures, when inflation was currently at 9% and the level was expected to increase in the near future to 11%. He queried regarding what action the Executive Member planned to take to mitigate the negative impact of inflation.

The Executive Member advised that he had discussed the issue in depth with the Director of Finance and had been advised that the biggest impact was the pay rise for staff. This was outside the Council's control as national negotiations were ongoing with Trade Unions and the relevant body that dealt with pay for staff. It was an ongoing developing issue, but it was a high priority.

The Executive Member referred to the earmarked reserves for Adult Social Care and Children's Services and advised that £7m had been transferred partly to support the improvement journey for Children's Services but to acknowledge that the costs would likely increase.

The Executive Member advised that although there was no specific reference to inflation contained within the report, discussions had been held with the Director of Finance regarding this issue.

The Executive Member advised that each service needed to look at contingencies for instance in case of potential strike action by staff.

Question on Executive Member for Neighbourhood Safety report

Councillor Higgins in relation to Crime and Anti-Social Behaviour (Increase CCTV across the whole town)

Councillor Higgins stated that it was good to hear about the installation of further cameras and she queried regarding how many staff monitored the cameras and within which time periods.

Councillor Grainge advised that the cameras were monitored on a 24/7 basis and sometimes, they were monitored by two people but at less busy times, they would be monitored by two people or at times, one person.

Councillor Higgins expressed concern regarding the fact that if the number of cameras increased to 700, there would be only one person monitoring them. Councillor Higgins also commented that the Council had spent thousands of pounds on the purchase of Belfast cameras but there was still lots of dumping of rubbish occurring and there was no evidence that the police were taking any action against the perpetrators. Councillor Higgins requested the figures for the number of CCTV cameras installed in each Ward.

The Executive Member advised that he get back to Councillor Higgins in due course, regarding the number of CCTV cameras installed in each Ward. He advised that the cameras acted as a deterrent, but they also recorded twenty-four hours a day and evidence from the recordings had been used as evidence to prosecute fly tippers and had been used in the past as evidence in a murder case and various robberies.

Councillor Grainge advised that people needed to get better at reporting crimes or instances of anti-social behaviour. The cameras that had been installed had to be placed on a legal basis so evidence of reported instances of crime or anti-social behaviour could be used as a basis for determining the location of cameras.

Recently in the Ladgate Ward, evidence of a person damaging a house with a sledgehammer was captured and as a result, a camera was installed as a matter of urgency.

Question on Executive Member for Regeneration report

Councillor Branson in relation to new housing at St Hilda's

Councillor Branson queried regarding the effect of 'nutrient neutrality' on future planning applications in the town and how wide an area would be affected and when the issue was likely to be resolved.

The Executive Member advised that the question was difficult at this time. All the Tees Valley authorities were affected. Stockton was the lead council in respect of this issue as they held all the finances.

Although the Council was unable to grant any planning permissions for housing developments at the moment due to this issue work was ongoing to bring potential schemes forward.

BCGEI were continuing to work with developers on plans for the 500 plus units needed at St Hilda's.

Councillor Branson advised that funding was tight for local authorities and this issue could affect the Council's revenue. He queried whether the Council would receive any compensation from the Government in terms of extra funding or whether services would need to be cut to make up for the shortfall.

The Executive Member advised that this issue was caused by agriculture. He advised that some funding had been allocated but Stockton were leading on any funding received.

Councillor Hubbard in relation to Southlands Centre

Councillor Hubbard queried whether the Executive Member agreed with engaging with all those people affected by the proposal in relation to the design and location of the Southlands Centre.

The Executive Member advised that funding for the building was in place and the Council was working with the local Councillors and residents to ensure that the plans were acceptable for them to be submitted to the Planning and Development Committee. It was hoped that work would start on the development in November, although this could not be guaranteed due to the volatility of the construction sector. Councillor Polano advised that he was in favour of working with the community regarding this proposal.

Councillor Thompson in relation to commencing work on the new Southlands Centre

Councillor Thompson commented that all East Middlesbrough councillors had not been contacted regarding the proposals for the Southlands Centre, only the independent councillors had been invited to the meetings to discuss the proposal. Councillor Thompson also queried about the timescale for commencing the building of the centre as the proposal had been agreed three years earlier.

The Executive Member advised that there had been ongoing negotiations with Sport England, Football England, the Council, and the local community which had taken time to come to an agreement.

Councillor Saunders stated that Councillor Thompson had received invitations to take part in the consultation process. Councillor Thompson advised that she had not been involved in the process. The Executive Member apologised if Councillor Thompson had not been invited to take part in the consultation process.

Questions on Executive Member for Young Adults and Democratic Engagement report

Councillor M Storey in relation to help increase Political Participation and engagement across the town

Councillor Storey commented on the impact of the Elections Bill. He stated that 158 million votes had been cast in the last three elections and there had only been two convictions for voter impersonation. Over 3.5m people did not have photo id. and many of those were from

disadvantaged groups. The type of photo id. currently used was typically a passport or a driving licence. It was currently £75 for a passport and £43 for a driving licence, so it was likely that many people would not be able to afford photo id.

Councillor Storey queried regarding what the Executive Member was going to do to ensure that people would be able to vote and had access to photo id.

Councillor Storey stated that the authority should be promoting the use of postal votes by holding roadshows, going door-to-door, and sending a postal vote application form out to every address with a stamped addressed envelope. Councillor Storey asked if the Executive Member would involve him in future discussions regarding the impact of the Elections Bill.

The Executive Member advised that the Elections Bill did have some benefits.

From the next elections, people would be required to provide a photo id. People could use their driving licence or passport as id. or in December 2022, people could apply for a free voter id. The Council would be promoting and marketing the availability of the id. In addition to this, in terms of accessibility, disabled people over the age of 18 would be allowed to be accompanied by an adult at the polling station.

In terms of absent voting, people would have to renew their application for a postal vote every three years instead of five years. Political entities would no longer be allowed to handle any postal votes that did not belong to them. Members of the public would only be allowed to hand in up to six postal votes at a polling station. With regards to proxy voting, people would only be allowed to act as a proxy for up to four people.

With regards to EU citizens, they would no longer be allowed to register to vote or stand in UK elections. There were however some exceptions to this provision. Countries that the UK had reciprocal agreements with such as Spain would still be allowed to vote and those who had leave to remain in the UK would still be allowed to vote.

There was currently a fifteen-year limit on allowing people that had left the UK to vote in UK elections, but this limit would be scrapped in the future.

The Mayoral, TVCA Mayoral and the PCC elections would in future be conducted using the first past the post system rather than the alternative vote method.

The Executive Member stated that the Elections Bill brought forward several good new provisions which would require a huge effort from the Council to facilitate. If the voter id system could be rolled out effectively, by promoting the system via the Council and Council members it could improve engagement in democracy.

Councillor Storey stated that the Elections Bill was created to address a problem that did not exist. It would make it harder for people to vote at elections. The last By-election turnout was 11% and this needed to be improved. People needed to be encouraged to sign up for postal votes to avoid the need for photo id.

The Executive Member advised that he would be happy to discuss the issue with Councillor Storey.

22/22

REPORT OF THE OVERVIEW AND SCRUTINY BOARD

The Chair of the Overview and Scrutiny Board presented a report, the purpose of which was to provide an update on the current position regarding progress made by the Overview and Scrutiny Board and each of the individual Scrutiny Panels.

ORDERED that the report be noted.

22/23

URGENT ITEMS

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

MEMBERS' QUESTION TIME

The Chair announced that three questions had been received from members of the Council. The detail of the specific questions was included at Agenda Item 10.

Question 1/2022 - Councillor Saunders to the Executive Member for Environment regarding the cost to Middlesbrough Council on taxis for children who require a taxi to take them to school.

The Executive Member for Environment advised that there was a statutory requirement for the Council to provide transport for vulnerable children. The Council looked to provide best value in the provision of transport to vulnerable children.

The Executive Member provided members with detailed information regarding the number of children using the transport, the types of transport used such as buses, taxis, or minibuses. The costs of each type of transport and details of the tendering process. The Executive Member advised that he email the information after the meeting.

Question 2/2022 – Councillor Wilson to the Deputy Mayor and Executive Member for Children's Services regarding how the youth service will tackle anti-social behaviour.

The Deputy Mayor and Executive Member for Children's Services advised that the Council had a range of different Youth Services in Middlesbrough, some of which were directly commissioned by the Council. This included The Linx Youth Project who offered open access Youth Clubs and provision across Middlesbrough for all young people to access, Middlesbrough Football Club Foundation who worked with young people in schools to support them with transitions, and The Junction who worked directly with young people who were vulnerable and required one to one support.

The Junction also delivered detached youth work whereby the Youth Workers went directly onto the streets and estates and engaged with young people. This type of youth work was focused in areas where there was anti-social behaviour.

The Council worked closely with the Police and Community Safety Teams to make sure that these Youth Workers were in the right areas of Middlesbrough. In addition to the Youth Services that the Council funded, there was a range of other Voluntary and Community sector youth services who were working with young people across Middlesbrough through church groups and other organisations.

For those young people who were identified as being involved in anti-social behaviour, the Council had a range of other services including the Neighbourhood Safety Officers and Youth Offending Services who aimed to divert young people away from anti-social behaviour.

Question 3/2022 – Councillor McIntyre to the Executive Member for Culture and Communities regarding the Executive Member's personal experience of visits to some of our cultural venues and what can be done to improve them?

The Executive Member for Culture and Communities advised that he had visited all the Council lead cultural community spaces such as the Dorman Museum, Captain Cook Birthplace Museum, Middlesbrough Theatre, Teesside Archives. Newham Grange Farm, My Place, all the major parks and community hubs and libraries, in addition to several non-Council venues such as MIMA, Ubuntu and Ormesby Hall, all of which formed part of the cultural partnership.

The Council's venues were already improving, with new management at the museums and Newham Grange Farm, looking at ways to bring in revenue to plough back into the venues to improve facilities.

One of the biggest pieces of work that had been undertaken was the Cultural Investment Prospectus. It was crucial to improving the Council's improvement offering and the document was used to attract funding to the town. It was how the Council managed to attract the £5m funding for the renovations to Central Library and the Railway Station. The prospectus had already been praised by several national organisations, including the Arts Council.

The Executive Member advised that if the scrutiny panel or any other members had any ideas for new events or proposals to improve any of the venues, he would be happy to receive them.

22/25

NOTICE OF MOTIONS

Consideration was given to Motion No. 153, moved by Councillor Branson, and seconded by Councillor Hellaoui of which notice had been given in accordance with Council Procedure Rules No. 53-60 as follows:

Toxic chemicals in the River Tees

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.

There has been some dispute between DEFRA and independent experts in respect of this.

In view of the uncertainty over the cause and the potential impact on the marine environment, we ask the council to agree to:

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.

The Chair invited Councillor Branson to speak to the Motion.

Councillor Branson stated that the issue had already been highlighted in the press. There had been mass morbidity of crabs and lobsters in the Tees Estuary, and it was having a major impact on fishing catch. There had been protests by local fishermen and there had been concerns from dog walkers regarding the effect on the health of dogs when walking on beaches.

There had been 2 separate investigations carried out. The investigation carried out by DEFRA was not able to identify the cause, but they referred to the presence of algae bloom in the sea. They thought this could be the cause of the issue as it led to oxygen depletion. DEFRA were unable to discover any toxicity in the water. DEFRA relied on satellite pictures to identify the location of the algae bloom; they did not carry out any physical tests.

The findings of DEFRA were challenged by the fishermen and the Whitby Commercial Fishing Association, and they commissioned a marine biologist, Tim Deere-Jones to carry out an independent investigation. Mr Deere-Jones discounted the investigation by DEFRA regarding the presence of algae bloom because for it to be present, the water would need to be over 68° Fahrenheit and the temperature in the sea did not reach those levels.

Mr Deere-Jones identified the presence of a chemical called pyridine in the water around the Tees Estuary. He carried out an investigation into the levels of pyridine in the crabs and discovered that it was seven times higher than the level found in crabs in the south of England. The conclusion of Mr Deere-Jones was that the issue was caused by dredging.

Councillor Branson stated that the true cause of the problem needed to be ascertained. The aim of the motion was to request the TVCA to commission a new report to look at the issue again. The motion also requested that all the other Tees Valley authorities write to the TVCA

regarding their concerns about the issue.

Councillor Cooper advised that DEFRA, the Environment Agency, and Natural England were still looking into the issue. He queried regarding who would fund the commissioning of the new report and why a new report was needed.

Councillor Cooper proposed an amendment to the motion. The amendment was that point 1 and 2 of the motion be deleted so that only point 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" remained.

Councillor Polano seconded the amendment to the motion.

Councillor Cooke queried why the Council would not want to write to the TVCA as this was the organisation that sat above the other 4 authorities. All the other authorities intended to submit similar motions to their respective Council meetings. Councillor Cooke pointed out that there were clearly inconsistencies regarding the two reports.

Councillor M Storey stated that he did not see any reason to remove point 1 and 2 of the motion.

Councillor Branson stated that the reason the motion asked TVCA to look at the issue was because the economic health and safety implications were very important. If the issue was not tackled, it could cause substantial harm to the crab and lobster population. The concern was that the issue had not been investigated properly.

The Chair invited the Monitoring Officer to put the proposed amendment to the vote.

Following the vote, the amendment was not carried.

Councillor Hellaoui stated that it was imperative that the authorities received independent research. In September 2021, PD Ports had facilitated the dredging of the Tees Estuary. In October 2021, there was a significant increase in the deaths of sea life in the area. The January/February investigation had referred to temperatures of 20 to 24 degrees, but the actual temperature was likely to be nearer 13 degrees which was not conducive to the presence of algae bloom.

The investigation carried out by Tim Deere-Jones had been crowd funded and he had found no evidence of algae bloom in the sampling that he had carried out. The sample of the mud that had been dredged had revealed contamination. If there was contamination in the area, it would affect future development and public health. Councillor Hellaoui stated that it was therefore important to have a full investigation and receive a detailed report on the outcome.

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

Following a vote, the motion was carried.

22/26 **NOTICE OF URGENT MOTIONS (IF ANY)**

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

22/27 **VACANCIES ON COMMITTEES AND OUTSIDE BODIES**

Council received a report which sought nominations for appointment, following resignations from Committees and vacancies that remained outstanding following the Annual meeting.

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

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

Schedule B

LIVE WELL – SOUTH TEES HEALTH BOARD

2 Vacancies – No nominations received

Schedule C

CHIEF OFFICER APPOINTMENTS COMMITTEE

1 Vacancy – Councillor Grainge appointed

CHILDREN AND YOUNG PEOPLE'S LEARNING SCRUTINY PANEL

1 Vacancy - No nominations received

CHILDREN AND YOUNG PEOPLE'S SOCIAL CARE AND SERVICES SCRUTINY PANEL

1 Vacancy - No nominations received

CULTURE AND COMMUNITIES' SCRUTINY PANEL

1 Vacancy – Councillor Nugent appointed

CORPORATE HEALTH AND SAFETY STEERING GROUP

1 Vacancy – No nominations received

LICENSING COMMITTEE

1 Vacancy: Councillor Gascoigne appointed

OVERVIEW AND SCRUTINY BOARD

1 Vacancy: Following a vote Councillor C Hobson appointed

SOUTH TEES HEALTH SCRUTINY COMMITTEE

1 Vacancy: Councillor Rooney appointed

TEES VALLEY HEALTH SCRUTINY COMMITTEE

1 Vacancy: Councillor Blades appointed

TEESSIDE PENSION FUND COMMITTEE

1 Vacancy: Councillor Wilson appointed

WORKS COUNCIL

1 Vacancy: Councillor Thompson appointed

Outside Body

NORTH EAST REGIONAL EMPLOYERS' ORGANISATION (NEREO)

1 Vacancy: Councillor Cooper appointed

22/28 UPDATE ON URGENT DECISIONS

The Director of Legal and Governance Services and the Mayor submitted a report which provided Council with an update with regard to all urgent decisions that had been taken under the urgency rules.

ORDERED that the report be noted

22/29 UPDATE TO THE CONSTITUTION

A report was submitted by the Executive Member for Finance and Governance and Director of Legal and Governance Services and Monitoring Officer regarding an update to the Council Constitution.

The Executive Member for Finance and Governance advised that 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 were 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".

The following amendments to the Council Procedure Rules were proposed:

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 regarding 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 was proposed that the text regarding 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.

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.

Replacement of Senior Management Chart

The updated version of the Senior Management Chart should be inserted into the Constitution at Part 5 – Management Structure.

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), had been included within the Constitution at Article 12 - Paragraph 12.3 – Decision Making.

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

Access to Information Rules

The revised Access to Information Procedure Rules be approved and included in the Constitution.

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.
Following a vote, it was **ORDERED** as follows:

That Council approve the following:

(a) The proposed changes to the Constitution as detailed above and notes that the Monitoring Officer would, under delegated powers, amend the Constitution accordingly.

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

22/30

PAPER-LITE AND REMOTE MEETINGS

A report was submitted by the Executive Member for Finance and Governance and Director of Legal and Governance Services and Monitoring Officer regarding paper-lite and remote meetings.

The Executive Member for Finance and Governance presented the report. The report requested Council to consider the implementation of a four-month trial of paper-lite meetings, meaning that all councillors would access their committee papers through

Modern Gov.

To ensure all concerns in the implementation of this pilot were addressed, it was proposed that members would be offered guidance, support, and training alongside a degree of flexibility for members to print off their own meeting papers, either at home, through a multi-functional device within the Town Hall, or request that a copy be posted out.

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

Following a vote. It was **ORDERED** that:

- 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 would 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 would be reviewed should further government guidance or legal clarity can be achieved.

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**COUNCIL MEETING – 7 SEPTEMBER 2022
 QUESTIONS FROM MEMBERS OF THE PUBLIC
 COUNCIL PROCEDURE RULE NO.40**

QUESTION NO.	QUESTION FROM	QUESTION TO	QUESTION
1/2022	A Inanlou	Executive Member for Neighbourhood Safety	<p>Unfortunately, in recent years we have seen an increase in petrified addicts and beggars on the streets of Middlesbrough town centre while not wearing proper clothes, sitting or walking around town centre demanding money from people and the police and the council are not trying to gather them, doing such anti-social behaviour and movements that are tarnishing the image of the city. We have not seen any police or council program to collect these people at all. These people sometimes force citizens to help them financially. In the past, the police used to collect these people, but everyone says that neither the police nor the council haven't had any serious plans or decisions for these people for several years.</p> <p>My question is how do you plan to tackle the anti-social issues in the town centre?</p>

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

Council Meeting: 7 September 2022

DEMOCRATIC SERVICES

EXECUTIVE MEMBER REPORTS AND ADDITIONAL INFORMATION

COUNCIL MEETING: 7 SEPTEMBER 2022

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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 28 June 2022.

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.

INTRODUCTION

This document contains Executive Member reports relevant to the Council meeting to be held on **7 September 2022**.

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

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

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

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

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

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

Contact details

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

EXECUTIVE MEMBER REPORT TO COUNCIL

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

DATE OF MEETING: 07 September 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. ACTIVITY IN MY PORTFOLIO:

- 1.1. Children's Services continues to improve – and it's down to the determined efforts of our staff at every level.
- 1.2. We have had great recent feedback from not only Ofsted but also from the Department for Education (DfE).
- 1.3. The findings from Ofsted were a result of its latest Monitoring Visit.
- 1.4. In its fifth visit since the council was deemed 'inadequate' in January 2020, the watchdog looked at a number of areas including the 'front door' to the service, child protection inquiries and child in need and early help assessments.
- 1.5. Inspectors point to continued strong leadership which is helping to drive forward improvements.
- 1.6. Improvements to early help support for vulnerable children were highlighted along with improved partnerships, information sharing and decision-making.
- 1.7. DfE has also recently given our Children's Services feedback on our improvement journey.
- 1.8. In their letter they stated: "Frontline staff and team managers all demonstrated genuine dedication, loyalty and commitment to working in Middlesbrough.
- 1.9. "They recognise the investment senior leaders and the wider council are making and feel valued as a result.
- 1.10. "Staff described leaders of children's services as visible and approachable and they felt well supported by managers, something they recognise as a massive shift from where they were previously."

- 1.11. However we simply cannot afford to rest on our laurels. We have major challenges – that are reflected nationally – such as increasing costs for external residential care placements and huge pressures on recruitment. I have written about some of these challenges for Conservative Home: [Mieka Smiles: Levelling up in Middlesbrough must include a better chance for children in care | Conservative Home](#)
- 1.12. We are committed to tackling these pressures and aim to become an 'employer of choice' for social workers. As an incentive, new starters will qualify for a one-off £5,000 'welcome aboard' payment on top of competitive salaries ranging from £28,672 to £36,922.

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

2. ACTIVITY IN MY PORTFOLIO:

- 2.1. Youth provision in our area is so important and I regularly visit some of the fantastic groups and clubs we have in operation – both that we directly commission such as from The Junction, Linx and Middlesbrough Football Club Foundation and those that are operated by independent organisations such as Youth Focus North East.
- 2.2. I've had recent visits to youth clubs in North Ormesby and Coulby where it was clear to see how much the young people were benefitting and the positive impact it's having in communities, helping to divert young people from occasional challenging behaviour.
- 2.3. It's also been a real pleasure to visit the amazing work that's gone on over the summer holidays courtesy of the Government-funded Holiday Activity Fund. These are sessions run by groups and organisations to provide school age children with fun activities and healthy food throughout the summer holidays. Sessions like this are more important than ever given the current cost of living crisis.
- 2.4. Sessions were run by Lisa McGee Education at North Ormesby Primary Academy for primary age children as well as boxing-themed sessions at Pallister Park for those aged between 11 and 16.
- 2.5. We are now working in partnership with The Junction on a bid to the Youth Investment Fund (YIF) which is set to offer significant capital investment in Middlesbrough. The Junction is keen to identify a Middlesbrough Council property and with funds from YIF develop this into bespoke youth club provision.

STRATEGIC PRIORITY - Children and Young People

3. ACTIVITY IN MY PORTFOLIO:

- 3.1. I'm happy report that Middlesbrough is set to benefit from £3m over three years to run a 'family hub' programme.

3.2. The programme will operate from existing Children's Centres in Middlesbrough.

3.3. The programme will provide a one stop shop of child support services, bringing together health, social care and a range of other local and national support providers.

3.4. The hub programme will:

- Provide support to parents and carers so they are able to nurture their babies and children
- Support the reduction in inequalities in health and education outcomes for babies, children and families
- Level up outcomes for vulnerable children

3.5. A family hub is a way of providing joined up family support services to help children from pre-birth through to the age of 19 and will really help us build upon our 'early help' offering which has the aim of preventing escalating need and intervention.

3.6. Our officers are working hard to establish exactly the kind of extra help that will be available within communities and I will update you as more information becomes available.

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Adult Social Care, Public Health, Public Protection and Digital Inclusion

DATE OF MEETING: 07 September 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. ACTIVITY IN MY PORTFOLIO: Public Protection

- 1.1. Under anti-social behaviour laws, three-month Closure Orders were granted against at a retailer (Bosc Vagas) in Gresham Road and a retailer (Bacau Mini Market) in Parliament Road, plus a three month extension to an existing Closure Order for a second retail premises (Bucharest Mini Market) in Parliament Road was obtained. All premises were involved in the sale of illicit tobacco.
- 1.2. Two males involved in the sale of illicit tobacco from European Supermarket, Gresham Road were sentenced to 12-month community orders, 10 Rehabilitation Activity Requirement days and 80 Hours of unpaid work.
- 1.3. Food businesses in the town have been provided with support to improve hygiene ratings with free 'health-checks' and advice visits during a 'week of action'. Businesses sought advice on managing food allergens, developing food safety management procedures and improving their hygiene rating. There are currently 1,376 food premises in the town with 500 inspection of these visited by Environmental Health ever year. 94% of businesses in Middlesbrough have a food hygiene rating of 3, 4 or 5 with 78% achieving the top '5' (very good) hygiene rating.
- 1.4. An Emergency Prohibition Order under Housing laws was served on a private rented property in Borough Road after Environmental Health and Fire Safety Officers found unsafe conditions. The residents were supported to find alternative accommodation and investigations into the conditions are ongoing
- 1.5. A Forfeiture Order was granted to Public Protection for the destruction of counterfeit clothing and footwear seized from a private address in North Ormesby and from a town-centre retail outlet.

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

2. ACTIVITY WITHIN MY PORTFOLIO: Adult Social Care

2.1. *MBC Provider Day Care Services*

All services are now operating post covid. We now have all the service users back in service which has been much valued by Carers and families, as it has provided essential respite for them.

2.2. *Community Inclusion Services – Adults with Learning Disabilities & Autism*

Cumberland Resource Centre are having some of their kitchens on site refurbished, which will be a great help around the independent living skills programmes that are undertaken with service users on site. As we move forward we are looking to get wifi in place again for the service users so that we can promote new technologies and assist with increased learning and development activities. Our facebook page continues to be a great success with many posts added around activities and events that have taken place within the service.

2.3. *Orchard- Complex health and social care for Adults with a Learning Disability*

The service has gone through a year of change with a new manager and co-ordinator being appointed. This has seen the service establish a new and exciting direction, and has been well received by service users/ carers, staff and our partnership colleagues in TEWV.

2.4. Service has a very active programme that centres around the units person centred path. One key aim is to venture more frequently into the community through the use of community transport, service users love having a varied activity programme.

2.5. *North Ormesby Resource Centre – Elderly People*

North Ormesby Resource Centre has just seen the completion of a toilet refurbishment programme in July 2022. The refurbishment has significantly improved the facilities on site providing increased toilet provision both in the dementia resource area, and also a complete re-configuration of the main toilet and disabled facilities in the main area. The added feature was the introduction of Changing Place facility, the first in the North Ormesby area.

2.6. *North Ormesby Resource Centre - Deaf Services*

Middlesbrough Council continues to work with both RNID (Royal National Institute for the Deaf) and CDYP (Children & Death Youth Project) both of whom use the North Ormesby resource as a base to provide their services from. After a recent period off site due to the refurbishment both organisations are back on site.

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Culture and Communities

DATE OF MEETING: 07 September 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 – (Cultural Funding Streams) We will invest in our existing cultural assets, create new spaces and events and improve access to culture.

1. ACTIVITY IN MY PORTFOLIO:

- 1.1. The past few months have been rather busy for the culture team, as they have been actively involved in several funding bids. These include the following:
- 1.2. *Levelling Up Fund (Round 2)* - The Culture team have been actively contributing to the application of the Levelling Up fund, led by a team from Regeneration, for the redevelopment of the former House of Fraser building and the former premises of The Crown. The bid includes proposals for cultural/creative use of some of the spaces within both buildings, informed by consultation with members of the Middlesbrough Cultural Partnership, who remain active in advocating for cultural spaces and events within Middlesbrough.
- 1.3. *Arts Council, Cultural Development Fund (Round 3)* - This funding bid has also incorporated the former House of Fraser building, for which the team have submitted an Expression of Interest to the Arts Council for this particular stream. The bid also includes proposals for capital improvements at the International Centre on Abingdon Road, which is one of the projects detailed in our Cultural Capital Investment Prospectus.
- 1.4. *Arts Council, MEND fund* - Middlesbrough Council also submitted an Expression of Interest in June to the Arts Council's MEND fund for repairs needed at the Dorman Museum- I'm happy to say that EOI was accepted, and we have been shortlisted for the funding, and invited to make a full application.

STRATEGIC PRIORITY – (Cultural Health) We will invest in our existing cultural assets, create new spaces and events and improve access to culture -

2. ACTIVITY IN MY PORTFOLIO:

- 2.1. Middlesbrough Council, in conjunction with Redcar and Cleveland Council, held a "Creative Conversations" event at Ormesby Hall on the 20th July, which brought together artists and creative organisations with professionals from the health

sector, to share ideas around commissioning and delivering creative health solutions in the South Tees area.

- 2.2. The event was part of a body of work being undertaken by consultant Alice Thwaite from Equal Arts, a charity which specialises in improving the lives of older people and those living with Dementia, through creativity and arts activities.
- 2.3. One of the major outcomes of the event was a commitment to deliver creative consultation around the new Health and Wellbeing Strategy for the South Tees (2023-2028), which is being led by the Council's Director of Public Health.

<i>STRATEGIC PRIORITY – (Creative Locations) We will invest in our existing cultural assets, create new spaces and events and improve access to culture -</i>

3. ACTIVITY IN MY PORTFOLIO:

- 3.1. Middlesbrough Theatre has had a successful Spring season, with both income and attendance exceeding 2019 levels. Sales for the Autumn season are encouraging, and advance sales for the Theatre's much loved pantomime- "Jack and the Beanstalk" starring Mark Little and Philip Green, who are making a triumphant return to Middlesbrough Theatre's stage after their success in "Peter Pan" last year- are ahead of sales this time last year.
- 3.2. Unfortunately, this year's season, while successful, is not quite as busy as pre-Covid years, due to some groups who we reserve diary space for still being unwilling to take the risk of putting on productions. However, it still contains a wide variety of shows, from stand-up comedy to classical ballet, not forgetting the successful staging of a brand new musical, "Our Trevor" over the summer, based on the true story of a Middlesbrough lad brought up in the 1960's.
- 3.3. The Town Hall Courtyard has also played host to another season of open-air theatre over the summer holidays, with stagings of plays by a wide variety of playwrights, from William Shakespeare to David Walliams. This is the first time the Courtyard has mounted a full season and, despite some challenges from occasional inclement weather, the full offering has been very well received by audiences.
- 3.4. The Dorman Museum and Albert Park have played host to one of the Council funded Holiday Activity Fund programmes over the summer holidays. HAF is intended to support families and children who receive free school meals and who might be at risk of food poverty through the school holidays.
- 3.5. In conjunction with Abingdon Primary School, the Park and Museum have held four weeks of activities for 43 children from Abingdon Primary, with the children enjoying such fun as creative music workshops, museum based education and art classes, sports and physical activities, and wildlife and environmental workshops. Alongside these activities, the children also received a nutritious breakfast and lunch on each day of the programme. This set of HAF activities built on three previous successful HAF programmes hosted by the Park, and has further strengthened the relationship between the two locations and Abingdon Primary School.

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

4. ACTIVITY IN MY PORTFOLIO:

- 4.1. Middlesbrough Council's events team continues to deliver a variety of events for the benefit of our residents. Highlights of the past few months have included the Jubilee programme, our ongoing monthly Orange Pip market and its special, Jubilee themed editions, The Commonwealth Games Baton Relay, the Boro Reads festival (held in conjunction with Middlesbrough Libraries) and our longest running event, The Middlesbrough Mela.
- 4.2. The Mela returned to business as usual this year, drawing an audience of around 50,000 people over the two days, continuing to be a favourite of all communities across the Tees Valley and beyond.
- 4.3. The Events Team are now moving on to supporting and planning the delivery of our Autumn season, which will include the perennial Orange Pip Market, Dino Day at Teessaurus Park, Eco Fest, Discover Middlesbrough, our Remembrance Day services and events at the Cenotaph, the Christmas Light switch on, and the Magical Middlesbrough Christmas Parade, featuring Father Christmas and his reindeer.

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Environment

DATE OF MEETING: 07 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 – Children and Young People - 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.

1. ACTIVITY WITHIN MY PORTFOLIO

1.1. We have a lot of exciting things happening within our Middlesbrough school meals teams; from September we are launching a rebalanced menu which offers a healthy and nutritious meal option.

1.2. The department is also going live with new uniforms, new branding, our mascot "Terry the Tomato" will be rolled out to our 31 schools, we are holding a training day which is taking place on 30th August 2022 where the teams will be learning new cooking techniques/learning new recipes.

STRATEGIC PRIORITY - Physical Environment We will work closely with local communities to protect our green spaces and make sure that our roads, streets and open spaces are well-designed, clean and safe.

2. ACTIVITY WITHIN MY PORTFOLIO

2.1. The Highways department have continued important work in several areas since my last report to Council including:

- Demolition of the former Slam Nightclub is currently underway and once works are complete we will be progressing with relevant repairs;
- Phase 1 of the carriageway resurfacing programme for 2022/23 is underway; and
- With regard to Street Lighting - the Borough wide structural assessment and electrical testing programme for the Council's lighting stock is almost complete. To date we have had 23,197 street lighting columns inspected which has required the immediate removal of 178 columns, of which 157 have been replaced. We have a further 516 columns programmed for replacement over the next 12 months and will be putting together a testing/replacement programme for future maintenance.

STRATEGIC PRIORITY Climate Change: We will ensure our town acts to tackle climate change, promoting sustainable lifestyles.

3. ACTIVITY WITHIN MY PORTFOLIO

3.1. In terms of Waste and Green Collection, the team continues to promote and educate residents regarding recycling and what can and cannot be recycled. Events have included:

- Resident presentations
- Fun Day – Grove Hill
- Fun Day – Easterside

3.2. During these events we were able to engage with a number of residents to ensure they were fully aware of the waste services provided by Middlesbrough Council and how they can recycle as much as possible.

3.3. We have received a request from the Locality Working team to provide individual bins in a part of North Ormesby to remove the communal bins. It is hoped doing so will reduce the amount of fly tipping in that area. Subsequently, we are writing to properties in that area to inform them we are removing the communal bins and replacing with individual wheeled bins.

STRATEGIC PRIORITY Climate Change: We will ensure our town acts to tackle climate change, promoting sustainable lifestyles.

4. ACTIVITY WITHIN MY PORTFOLIO

4.1. Though MEC have lost the contract to run cycling activities across the town (to Sustrans), we will continue to operate from the unit at the Bus Station. Given that we already run Shopmobility out of the unit, we are extending the usage to a “One Stop Shop” for all our other projects where residents can come in for advice on Affordable Warmth, Healthy Eating, Grow Your Own, Eco Shop and living a more sustainable lifestyle etc.

4.2. This will fit closely with Middlesbrough Council’s Green Strategy. To make the unit more useful we decided to expand all our projects into the unit, so one day a week one of the MEC project officers will be available at the Hub for face to face consultations / information. We are also opening the Hub for partners to use the space to promote sustainable living and the work they do in Middlesbrough. One of the main aims of the Green Hub for MEC is to promote the Green Strategy for Middlesbrough and a place where residents can come for information.

STRATEGIC PRIORITY - We will work closely with local communities to protect our green spaces and make sure that our roads, streets and open spaces are well-designed, clean and safe

5. ACTIVITY WITHIN MY PORTFOLIO

- 5.1. Area Care are in the process of planning for the final planting of UTCF trees, incorporating 550 standard trees for this Autumn/winter.
- 5.2. A66/A172 Road closures are now underway with all areas having the cleansing and grass cutting maintenance completed along with the removal some trees that posed a potential issue.
- 5.3. A Tree copse are of circa 3,500 square metres on the westbound carriageway of the A66 (to the rear of Charles Clinkards, Cannon Park) will commence on 12/09/22. The works will take place during evenings, to minimise traffic disruption. The works will involve the felling of all trees, to remove the risk they pose in being so close to the highway. It is envisaged that the works will take approximately five evenings to complete.
- 5.4. Area Care are also programming the cutting of the urban meadows throughout the town and this is expected to be completed before the winter.
- 5.5. Play area painting is to be reinstated early February once the summer holidays have ended, this will be completed by the second week in September and the Middlesbrough 5k and 10k runs, are programmed this weekend with the cleansing assistance from Area Care.

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Finance and Governance

DATE OF MEETING: 07 September 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: We will ensure the recovery of local communities, businesses and the Council's operations from COVID-19, taking opportunities to build back better.

1. ACTIVITY WITHIN MY PORTFOLIO

- 1.1. Since our previous full council meeting on 6th July 2022 the auditor report for the financial year ending 2021 have been published and presented in the meeting of the Corporate Affairs and Audit Committee held on the 22nd July 2022.
- 1.2. The audit results report contained various findings and outcomes, but the most material has arguably been that of the value for money opinion.
- 1.3. The value for money opinion contained a qualification in the year ending 2020 financial period due to the weaknesses at that point in time of children services. Since then, the Council has made improvements in this service due to its implementation of its Children's Services improvement plan. The audit report recognised this improvement and within its audit opinion did not recognise this service area as a significant weakness for the year ending 2021.
- 1.4. The audit report does however make a narrative on this service to confirm that it will remain an area of focus, particularly when considering that the improvement is not yet complete. It is a focus of concern in my role. The cost of living crisis for example is one area which is very likely going to result in an increased demand for Children Services within Middlesbrough Council. The funding mechanisms however are, as I understand them, archaic at best. If as an authority we experience a potential huge increase in demand and thus cost, we do not receive an equivalent increase in funding to cover this cost.
- 1.5. It is therefore crucial that the council explores mechanisms to anticipate the potential increase in demand of this service beyond the provisions we have such as the social care transformation reserve which this Executive have recently created and instead have a proactive approach to exploring non-

statutory ways to reduce demand in our upcoming medium term financial strategy.

- 1.6. The value for money opinion contained a qualification focused on governance, specifically member and senior officer relationships. The report noted that there exists *“a pervasive lack of trust within the Council between officers and elected members, and between elected members”*.
- 1.7. This negative culture is ultimately resulting in a lack of proper governance for the Council and this is something that all members should be focused on improving for the benefit of the Council and ultimately the benefit of the residents we have been elected to represent. I would like to note in this report that whilst the auditor opinion have contained a qualification they have also provided the council with an opportunity to improve and have not yet exercised their statutory powers..
- 1.8. From the publication of the auditor’s report, we have embarked on an improvement, arguably comparable in some element to that of children services which has thus far produced positive outcomes, by engaging with CIPFA (the Chartered Institute of Public Finance and Accountancy) who are currently performing a diagnostic type of qualitative analysis. By the time of our meeting in September I would have anticipated that a selection of members have had a confidential interview with CIPFA and it should be noted that this body will be monitoring member conduct in all relevant proceedings.
- 1.9. The report highlighted specific examples of governance failings including the change of scope of Boho X, purchase of COVID-19 tests and the engagement of an external political assistant on a non-employed basis. In my role as Executive Member for Finance and Governance I have attempted to understand how each of the examples have arisen and occurred. In each case there is a narrative in which an explanation can be given and the cases may involve some degree of failings by senior officers to give the correct advice. However, the auditor opinion makes it clear that how the failings have come about does not change the outcome.
- 1.10. Therefore, the fundamental focus at this stage is first to understand our governance failings without assigning blame, and then to ensure that we all collectively, members and officers, focus on improvement.
- 1.11. A related subject matter is that of the Annual Governance Statement (AGS) of the council for the year ending 2021 which to date has not yet been agreed upon and approved. This was prompted by the Chief Executive who, as I understand the position, has concerns that the drafted 2021 AGS does not adequately reflect the potential extent of the governance issues we face as a council and does not reflect his view that these issues have most likely become worse in the financial year ending 2022.
- 1.12. As such, I have worked alongside the Mayor, the Deputy Mayor, the Section 151 officer, the Monitoring Officer and the Chief Executive to have this documented redrafted and agreed upon. I have also engaged with the Local Government Association on this to ensure that we have an AGS which is both robust and fair. It should be noted that ordinarily, the lack of agreement on the

AGS affects our collective reputation and raises concerns with government and it is therefore crucial that we have this document agreed upon by the Chief Executive and the Mayor as soon as possible.

- 1.13. On the 3rd August 2022 I attended an Executive meeting in which I voted to approve the consultation response on the proposed Mayoral Development Corporation. It should be noted that this vote was simply to endorse the consultation response and that as an Executive we agreed that further information was required in terms of how this entity would function and what the Council would have to input and expected returns..
- 1.14. One item which the above mentioned audit report highlights as a potential future issue is the increased acquisition and the valuation of commercial properties since the 2021 financial year end. The Council should therefore seek to develop a robust and proactive approach to asset valuation in line with the relevant accounting standards but also to ensure that any potential transfer of assets ensures best value for the Council. Arguably, in terms of potential future governance problems, this could be one area which is liable to future audit qualifications and indeed the council has received value for money qualifications on this general subject several times previously. It is also therefore of fundamental importance that the Council remains vigilant to ensure proper appraisals and due diligence are made with any potential asset transfer to the proper Mayoral Development Corporation.
- 1.15. On the 12th July 2022 I attended an Executive meeting in which I presented to fellow Executive Members an updated Welfare Strategy for the Council. This strategy is designed to combine existing policies and approaches of the Council into a singular framework designed both to obtain economies of scale (therefore reducing staff burden) but more importantly to improve the experience of those people who require Council welfare resources. This innovative new approach has already been nominated for a national award and will be crucial for the coming year and winter in particular. I would like to note my sincere thanks to the council officers Mark Symmonds and Jeanette Savage for their work on producing this updated strategy.
- 1.16. During the period since our last meeting the council has also seen the departure of its previous section 151 officer, Ian Wright, alongside the appointment of the new section 151 officer, Helen Seechurn. The new appointment is temporary and part-time in nature.
- 1.17. Since our last meeting I have met with senior council officers to discuss our upcoming medium term financial strategy. At this stage I am not able to report any conclusive figures to members due to various ongoing contingencies. Along with other councils, we are facing financial uncertainty such as the impact of inflation on Council supply chains, the impact of national pay negotiations on Council staffing commitments and the impact of the cost of living crisis both on direct Council commitments and potential increase demand on some service areas.
- 1.18. I can confirm however that with all of these considerations we will face a budget gap for the next financial year. The amount of this gap is yet to be properly determined and alongside the governance improvement journey, my

focus of attention will be to ensure that we explore all possible mechanisms to reduce this gap.

- 1.19. On the 18th July 2022 I was appointed as the chair of the Teesside Pension Board. During this meeting I was presented with work plan updates and an administration update alongside an update on the draft pension fund report and accounts for the year ending 2022. The value of the pension fund has increased substantially over the past few years. This is demonstrated by the below table. I have concerns that due to the various global threats of the ongoing war in Ukraine, the increase of inflation in various economies which is leading to raising of interest rates and the various quantitative easing mechanisms explored by various governments over the period below to maintain their economies during lockdown periods that the value of various assets could be reduced significantly over the next few years. I am aware the employers contribution rate is under review and the contribution rates for Middlesbrough Council to our fund is generally below the norm, partially because the value of the fund. I have therefore written to the relevant council officer to express my concerns and this will be a topic which will have further work in future meetings.

Fund Value at 31 March



EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Neighbourhood Safety

DATE OF MEETING: 07 September 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 (Support the police and hold them to account for each neighbourhood)

1. ACTIVITY WITHIN MY PORTFOLIO:

Warden and Neighbourhood Safety Officer activity.

- 1.1. School parking contraventions have seen parking patrols take place daily and have been made up from patrols utilising the CCTV enforcement car and traditional foot patrol. Where parking issues are prevalent at schools, Enforcement patrols have been present each morning and afternoon during term time. This includes dedicated morning and afternoon patrols at schools in Nunthorpe and Marton wards. In addition, parking issues have also continued at Pritchard Road and areas of the town centre with delivery agents.
- 1.2. Neighbourhood Safety Officers anticipate issues to be prevalent on match days on the approach to the Riverside Stadium from the A66 and North Ormesby. Enforcement activity at this location will continue on match days.
- 1.3. Since my last report, below is a break down of Enforcement activity for the months of June and July 2022, which provides an overview of the total Penalty Charge Notices (PCNs) issued in the reporting period.
- 1.4. By means of comparison, in the same reporting period of 2021/2022 a total of 3,193 PCNs were issued compared to 3,124 in 2022. Of these 25 were issued at local schools for parking contraventions.

PCN's Issued 2022-23													
Month	April	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Total
No. PCN Issued	1124	764	653	583									3124

The following information related to Neighbourhood Safety Wardens and Officers Activity for the month of May only 01/07/2022 – 31/07/2022

- 1.5. Members will be aware that the Council has a team of seven dedicated Neighbourhood Safety Officers to support the work of its Neighbourhood Safety Wardens. Together those teams take positive action against perpetrators, and

adopt a problem solving approach to tackle issues that present within their ward areas.

- 1.6. Since my last report Neighborhood Safety Officers engaged with 72 victims and have progressed several actions against perpetrators of Anti-Social Behavior. I have included examples of this work in the good news stories section at the end of this report.
- 1.7. In this reporting period the Neighbourhood Safety Team has carried out in excess of 300 actions within communities, including This including initial warning letters and a breach of a Civil Injunction. The team is now utilising Community Protection Notice Powers and have issued a total of nine Warnings and one full notice.
- 1.8. Since my last report 1,696 service requests have been handled, with fly tipping being the predominant request for service, followed by requests for removal of dumped materials Anti-Social Behaviour (ASB) issues, untaxed/ abandoned vehicles and stray dogs/ animals respectively. Analysis shows a reduction in requests of an environmental nature but an increase in those concerning ASB between June and July.
- 1.9. Officers continue to be proactive with the use of the Public Space Protection Orders (PSPO) and have issued 80 instructions and three fixed penalty notices for breaches.
- 1.10. Environmental Wardens have issued a total of six fixed penalty notices in the last four weeks for environmental related matters and issued a total of eight Community Protection Notice (CPN) warnings and five full notices for none compliance of the Community Protection Notice Warning. Environmental Wardens also removed 13 vehicles from Middlesbrough roads for being untaxed or abandoned.
- 1.11. I have also included examples of Neighbourhood Safety Teams in action around the town:
 - Hemlington's Neighbourhood Safety Officer has worked with the Council's Legal Team and Youth Offending Service to address a specific issue in that area and the Neighbourhood Safety Team has organised ASB drop-in sessions for Hemlington residents to meet with the local authority and partners. The meetings were well attended with the Mayor providing his support.
 - The Neighbourhood Safety Team has continued with Operation Banton with our Neighbourhood Police Colleagues, focusing on prolific shoplifters, beggars, and substance users. Utilising CCTV, and through collaborative working, two of the most has led to successful convictions and custodial sentences.

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

2. ACTIVITY WITHIN MY PORTFOLIO:

- 2.1 It is widely appreciated that reducing Anti-Social Behaviour must be preventative as well as enforcement based. One such initiative is to provide activities that young people can meaningfully engage with. As such, I have been engaging with teenagers

in Hemlington who have identified they would love to join a boxing gym. I am working with Council Officers to transform an old depot space that would be a great space for a boxing gym. I am also working with three local residents all of whom have boxing experience and who are passionate about making a difference in the area.

2.2 They have started a constituted group called 'Hemlington boxing club' in partnership with Recovery Connections. This will be available to young people who want to box or just keep fit. It also has a small cafe attached to the side of it where young people and residents can use it as a 'drop in.'

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Regeneration

DATE OF MEETING: 07 September 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 – (Developing the Town Centre and Middlehaven) We will transform our town centre, improving accessibility, revitalising unused assets, developing iconic new spaces and building more town centre homes.

1. ACTIVITY WITHIN MY PORTFOLIO

- 1.1. A public consultation on the formation of a Mayoral Development Corporation by TVCA was held recently, with responses being received from a number of individuals and organisations.
- 1.2. The response submitted by the Council offered broad support, but flagged the need to examine the detail around any issues potentially affecting the Council's Medium Term Financial Plan, and the transfer of any planning powers that end up being requested. Further discussion on the MDC and its relationship with the Council will be held when more detailed plans emerge. The proposed MDC is likely to play a key role in the development of new housing at Middlehaven.

STRATEGIC PRIORITY – (Nutrient Neutrality) We will work closely with local communities to protect our green spaces and make sure that our roads, streets and open spaces are well-designed, clean and safe.

2. ACTIVITY WITHIN MY PORTFOLIO

- 2.1. The Government has also issued a significant update on the nutrient neutrality issue that is currently curtailing planning permissions for new developments across Tees Valley and other selected areas of the country.
- 2.2. They are working with Natural England to implement a scheme to balance the nutrient impact of new development and allow developers to fund off-site measures to mitigate their schemes. Although this is seen as a major step forward, the timescales associated with the Government's scheme would mean a significant hiatus in development locally. As a result, local measures are still being explored to seek an appropriate short term solution.

STRATEGIC PRIORITY – (Future Development of the Crown) We will transform our town centre, improving accessibility, revitalising unused assets, developing iconic new spaces and building more town centre homes.

3. ACTIVITY WITHIN MY PORTFOLIO

- 3.1. After recent pressure from the Council, the owner of the Crown (former ABC Cinema) on Borough Road has developed a range of options for reusing the building and is seeking to discuss them with the Council. The Council will look to support the most economically viable solutions, along with protecting the heritage of the building.

STRATEGIC PRIORITY – (Tackling Derelict Buildings and Sites) We will transform our town centre, improving accessibility, revitalising unused assets, developing iconic new spaces and building more town centre homes.

4. ACTIVITY WITHIN MY PORTFOLIO

- 4.1. Bids have been submitted to Government to seek funding for a number of projects affecting derelict buildings through their Levelling Up Fund. The fund was created to enable different infrastructure or transformation projects to commence, where the lack of resources was constraining activity.
- 4.2. The bids submitted by the Council focus on providing the resources to bring a number of town centre buildings back into use, with a decision expected in the Autumn. A further bid was submitted in conjunction with Redcar and Cleveland to provide the road infrastructure required to bring forward major housing development sites.

STRATEGIC PRIORITY – (Tackling Derelict Buildings and Sites) Promoting investment in Middlesbrough's economy and making sure we work as effectively as possible to support our ambitions for People and Place

5. ACTIVITY WITHIN MY PORTFOLIO

- 5.1. A recent report produced by one of Europe's largest small business lenders has identified that the number of new small businesses registered in Middlesbrough for the first half of 2022 (610 per 100,000 people) has increased 43% from the same period in 2021 and 94% from the same period in 2019. This equates to 5 new business start-ups per day, and represents by far the highest rate of new business creation in the North East.
- 5.2. This recognition builds upon the recent high ranking for Middlesbrough in the Financial Times' European Cities and Regions of the Future report.

STRATEGIC PRIORITY – (Town Centre Regeneration) We will transform our town centre, improving accessibility, revitalising unused assets, developing iconic new spaces and building more town centre homes.

6. ACTIVITY WITHIN MY PORTFOLIO

- 6.1. A number of workshop meetings have been held with town centre businesses to identify the key issues affecting their sustainability and to ensure the Council is responding to their needs.
- 6.2. The key issues identified were around safety, security and caretaking in the centre, and an action plan is being put in place to focus resources on these issues, backed up by recent operations between the Council and the Police to provide a greater presence and response. Further workshops will be held to ensure the businesses are engaged in the delivery of the action plan.

STRATEGIC PRIORITY – (Town Centre Animation) We will transform our town centre, improving accessibility, revitalising unused assets, developing iconic new spaces and building more town centre homes.

7. ACTIVITY WITHIN MY PORTFOLIO

- 7.1. The Council has also received a number of proposals around the provision of large electronic screens that show a mixture of local content and advertising (but primarily advertising), as seen in other major centres around the country.
- 7.2. As the views held around the benefits and disbenefits of such screens vary significantly, particularly in relation to their proximity to the road infrastructure, the Council is seeking to develop a proactive policy to determine preferred locations and set out agreed criteria to ensure road safety.

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Young Adults and Democratic Engagement

DATE OF MEETING: 07 September 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 and update members on changes to upcoming legislation.

1. ACTIVITY WITHIN MY PORTFOLIO:

Working collaboratively with relevant departments to ensure that we keep up to date with any/all changes to legislation surrounding elections. Additionally, we are beginning to launch a variety of initiatives to ensure residents are aware of the upcoming local elections in May.

- 1.1 There presently exists a difficulty in relation to developing a comprehensive strategy to combat the effects which the Elections Bill 2022 will have on Political Participation and engagement across the town as there have been a number of delays to the publication of Secondary legislation. Despite this there are some updates to report.
- 1.2 Voter identification implementation has been moved from December 2022 to January 2023. This should have little effect in the grand scheme of things and simply means that the Voter Card application service has been moved back one month to January 2023.
- 1.3 Postal vote handling and secrecy measures due to come into force for the May 2023 elections will now be implemented at some point after this election cycle (likely sometime in Autumn 2023).
- 1.4 The voter ID card or electoral identification document could be an A4 based document with additional security features. The key reason for this change is the fact that there will likely be a substantial number of documents requested by voters and it is crucial this demand is met in time for the election.

- 1.5 The voter card application deadline will be 6 working days ahead of the poll. This will help alleviate pressure on local authorities and ensure deliveries can be managed effectively.
- 1.6 Despite this rapidly changing situation it is important to highlight that some work is already being undertaken by Electoral Services. The annual canvass is currently underway which is a process used to update the electoral register. In addition to the normal canvass forms we enclosed a postal vote application form in the packs to encourage the uptake of postal voting. To date, 64,000 households have received a pack and we have had over 1,900 applications returned. The canvass will not be fully completed until November so we will not have a complete picture of how successful this effort has been until then.
- 1.7 With regards to our future communication plans we are currently seeking regular timetables for publications such as Middlesbrough News to help ensure we are in a strong position to publicise any legislative changes in the run up to the next elections. Developing awareness through Social Media is also likely to be invaluable.
- 1.8 We have also commissioned an advertisement in the Middlesbrough Football Club Foundation folder to encourage young people to pre-register to vote. This folder will be distributed throughout August 2022 in Secondary schools, colleges, libraries, job fairs, hospitals and many more locations. It contains information on everything from how to live a healthier lifestyle to further education and should receive a good level of traction amongst younger people.

STRATEGIC PRIORITY - To increase the opportunities that young people in our area have to develop the necessary skills to gain employment in the local area.

2. ACTIVITY WITHIN MY PORTFOLIO:

Working with officers to ensure that we help support young people progressing onto the next stages of their lives and explore more ways which we can involve local businesses and encourage them to give opportunities to younger people.

- 2.1. Thursday 18th and Wednesday 25th August will see the release of A-Level and GCSE results respectively. Whilst this is indeed a time of jubilation for many students across the region it should also be noted that there are many students who do not wish to pursue a career in higher/ further education and may wish to pursue other, less publicised routes to employment.
- 2.2. It is crucial that we as an authority seek to support these young people as best as we can by considering what grant and additional support we are entitled to from central government to set up and encourage local firms to offer training to those who require it. This approach offers a clear route to employment for young people (and may be especially appealing to those who do not wish to progress further in education) and also

provides local businesses with the opportunity to train people to best serve their company.

- 2.3. In addition there are also many opportunities which could be open to younger people to provide a benefit to their communities. The Youth Opportunities Fund (YOF) is one such potential option. This fund provides money for young people to use on activities and projects that are of benefit to themselves and the wider community.

Ultimately it is important to recognise that we need to do everything we can to encourage young people to stay here in Middlesbrough and ensuring they have good employment prospects is key to achieving this end. We need to find ways to appeal to both academic and trade driven professions to maintain a good balance of labour supply which can best boost our local economy.

STRATEGIC PRIORITY - To increase the level of engagement that the Council has with younger people.

3. ACTIVITY WITHIN MY PORTFOLIO:

Working with officers to devise ways which we can boost political participation for both younger and adult residents and considering how we might best increase participation.

3.1 'Participation works' is a partnership of six national children and young people's agencies that enable organisations to effectively involve children and young people in the development, delivery and evaluation of services that affect their lives and is highly effective at outlining some of the key components to successfully engaging as many young people as possible.

3.2 It defines youth participation in the following terms: 'Participation is a fundamental part of citizenship. It is the process by which children and young people can influence decision making which affects their lives to bring about positive change. Participation is not solely the act of expressing an opinion and having it taken seriously, but of being able to construct that opinion freely through accessing information and deliberating with others'.

3.3 It is for this reason why it is so important that we as a Council look towards introducing more ways for young people to get involved with things they are passionate about. In a political sense, this is one of the key reasons why it will be fantastic to see a chamber filled with young people debating key issues which matter to them. In a wider sense, we must facilitate the conditions necessary for young people to pursue whatever career, hobby or interest that they may have.

3.4 It is also well worth highlighting that there exists a number of national organisations which have been established to promote youth engagement. We of course have the UK Youth Parliament which gives younger people the chance to raise issues on a national level. The British Youth Council host a huge range of campaigns on everything from

addressing the issues posed by climate change through to reducing the voting age to 16. The Council undoubtedly has a responsibility to promote organisations such as these as they provide a highly effective way from which participation can take place.

3.5 One significant barrier to younger people getting involved in local Politics is a simple lack of understanding. Many of the processes and procedures of the Council are highly complex and can prove difficult to navigate for even the most seasoned of members and staff. In light of this the Council is looking at ways which we can help educate people and simplify processes. This would of course be beneficial not just to Young People but also to our adult population. One way which we may achieve this is by producing short, clear guidance which can be delivered by different sources on various mediums.

EXECUTIVE MEMBER REPORTS AND ADDITIONAL INFORMATION

SECTION 2 – DECISIONS TAKEN

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DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
12 Jul 2022	Executive	Application to the World Health Organisation (WHO) to Achieve Age Friendly Status	The purpose of the report is to seek approval from the executive for an application to the World Health Organisation (WHO) for Middlesbrough Council to join the Global Network of Age Friendly Cities and Communities to achieve Age Friendly Town Status.	Yes
12 Jul 2022	Executive	Welfare Strategy	This report seeks approval to adopt a new welfare strategy	Yes
12 Jul 2022	Executive	Final Report of the Children and Young People's Social Care and Services Scrutiny Panel - Locality Working from a Children's Services Perspective - Service Response	To seek the Executive's approval of the final report of the Children and Young People's Social Care and Services Scrutiny Committee Locality Working from a Children's Perspective (Appendix 1) and the resulting action plan (Appendix 2).	No
12 Jul 2022	Executive	Final Report of the Economic Development, Environment and Infrastructure Scrutiny Panel - Green Strategy - Service Response	To provide an update and action plan that relates to the recommendations made by the Environment and Infrastructure Scrutiny Panel.	No
12 Jul 2022	Executive	Restoration of the Old Town Hall	To seek approval to submit an Expression of Interest (EOI) to the Heritage Lottery Fund to secure funding to support the regeneration of the Old Town Hall.	No

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
12 Jul 2022	Executive	Strategic Housing Site Disposals - Part A and Part B	To seek Executive approval for the disposal of sites in South Middlesbrough, which are allocated in the Housing Local Plan (2014), in accordance with the Council's Asset Disposal Process, and to inform Executive of the next steps to take these sites to market.	Yes
12 Jul 2022	Executive	Exempt Report: Further Office Provision	The purpose of this report is to: a. note the progress made on the existing and current phases of the Centre Square development; b. prioritise greater interaction between the current and future phases of the Centre Square development and the town centre economy; and c. establish the rationale and seek approval for additional capital funding to complete the fit-out of the vacant food and beverage unit.	Yes
03 Aug 2022	Executive	Mayoral Development Corporation – Consultation Response	The purpose of this report is to highlight the potential establishment of a Mayoral Development Corporation in Middlesbrough, and the seek endorsement for a council response to the current consultation exercise being undertaken by TVCA	Yes
05 Aug 2022	Executive Member for Regeneration	Town Centre Progress and Strategic Investment - PART A and PART B	This report sets out the progress made in the modernisation and transformation of Middlesbrough town centre; key issues which are emerging; new funding opportunities; and, seeks approval for the case for strategic investment to support our main shopping thoroughfares and gateways.	Yes

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

DATE	PROPOSED DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
6 Sep 2022	Executive	Increasing Enforcement Against Problem Properties/Streets/Gardens in Disrepair	To seek approval of the spend of £40k and the approach to be used when increasing enforcement against problem properties/streets/gardens in disrepair as per Executive report of 5/4/22.	Yes
6 Sep 2022	Executive	Corporate Performance Update: Quarter One 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	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	Final Report of the Children and Young People’s Social Care and Services Scrutiny Panel - Locality Working From A Children’s Services Perspective - Service Response	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.	No
6 Sep 2022	Executive	Final Report of the Children and Young People’s Social Care and Services Scrutiny Panel - Sufficiency and Permanency (Perceptions of Children in	Recommendations of the scrutiny panel are considered by Executive following it's investigation into Sufficiency & Permanency report	No

DATE	PROPOSED DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
		Care) - Service Response		
6 Sep 2022	Executive	Nunthorpe Neighbourhood Area	The decision concerns the designation of a neighbourhood area, for which a neighbourhood plan is being prepared and which will ultimately form part of the statutory development plan for the borough. The application has been made affecting 2 wards; as such, it is a key decision. This type of decision falls within the remit of the Executive.	Yes
6 Sep 2022	Executive	Final Report of the Children and Young People's Learning Scrutiny Panel - Special Educational Needs and Disabilities (SEND) - Service Response	Service Response	No
6 Sep 2022	Executive	Proposal to Progress the Development of Nunthorpe Community Centre	The reports seeks approval for the process to develop a community centre within the Nunthorpe Ward. The report sets out the previous process undertaken and the issues regarding this, the options for progressing forward, the recommendation and reaffirms the financial commitment available for the project.	Yes



SECTION 4 – DECISIONS TO BE TAKEN FOLLOWING THE COUNCIL MEETING

DATE	PROPOSED DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
4 Oct 2022	Executive	Poole Hospital Definitive Map Modification Order	Decision to progress with the DMMO	No
4 Oct 2022	Executive	Enhanced Youth Service	To present proposals for the new Enhanced Youth Service in Middlesbrough.	Yes
4 Oct 2022	Executive	50 Futures Expansion	Update and plans to expand the 50 Futures Work Experience programme	No
4 Oct 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
4 Oct 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
4 Oct 2022	Executive	Exempt - Expansion of the Digital Sector - Boho 11 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

DATE	PROPOSED DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
4 Oct 2022	Executive	Expansion of the Digital Sector - Boho 11 Part A	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
4 Oct 2022	Executive	Improving our Highways	The report is going to Exec to approve our revised priority assessment process and to agree the forward works carriageway programme for our classified and strategic routes.	Yes
4 Oct 2022	Executive	Tees Advanced Manufacturing Park – Phase 2 Funding Agreement	Executive to approval an additional 1.5 million pounds of capital which will be repaired through retention through business rates of the enterprise zones site.	Yes
4 Oct 2022	Executive	Request to Increase Bereavement Services Charges in Year	As part of the 2022/23 Budget setting, the Council agreed a 1% inflation increase for chargeable services. The Service is requesting Executive to agree to a further in year increase of 5% due to increasing external charges & fees for the period October 2022 – March 2023. The purpose of the in-year increase is to assist the service area in achieving a balanced budget	Yes
4 Oct 2022	Executive Member for Finance and Governance	Revision to Community Benefit Policy Arising from Asset Disposal Policy	This report outlines amendments to the asset disposal policy to ensure that where assets are disposed above market value, the 3% community benefit expenditure is limited to local authority direct or procured provision only.	Yes
4 Oct 2022	Executive	Fair Cost of Care - Residential and Home Care Services	To provide an update on the fair cost of care exercise undertaken with both the residential care market and home care market within Adult Social Care	Yes
4 Oct 2022	Executive	Approval for consultation on the Draft Statement of Licensing Policy 2022-2027 and Cumulative Impact Assessment.	This report seeks Executive approval for the draft Statement of Licensing Act Policy 2022-27 for a period of consultation to be undertaken. It sets out the proposed changes to the Statement of Licensing Policy 2022-27 and the proposed Cumulative Impact Assessment which support the Cumulative Impact Policies in the town.	Yes

DATE	PROPOSED DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
4 Oct 2022	Executive	Planning and Building Control Fees	The consideration of fees and financial implications is not an officer decision. As a consequence, it requires a member decision.	Yes
4 Oct 2022	Executive	Business Support Strategy	The Business Support Strategy sets out the Council's approach to providing support to businesses; identifying initiatives both internal and external that can support a business through its business journey with the aim of providing a simplified effective route to accessing financial assistance, early identification of need (including any welfare issues) and signposting to relevant partners and services to provide appropriate support and guidance	No
4 Oct 2022	Executive	TS1 PSPO Extension	Executive approves a reapplication as the current TS1 PSPO expires in October.	Yes
4 Oct 2022	Executive	Adult Social Care Reform Update	To update Executive of local progress against central government's Adult Social Care reform agenda and the planned commencement of inspections of Adult Social Care by the Care Quality Commission in 2023	Yes
4 Oct 2022	Executive	Designation of the Newport 2 Ward Area for a Selective Landlord Licensing Scheme	Executive approval is required as this scheme is delivered via a legislative framework that requires organisational approval to start formal consultation prior to implementation. The proposed designation contributes both to Middlesbrough Council's Housing Strategy through improving the quality of the private rented sector and reducing fuel poverty. The designation will also contribute to reducing health and social inequalities by tackling deprivation in the least well-off areas; improving the quality of housing, environmental conditions and reducing crime and disorder which has a direct impact on health and wellbeing.	No

DATE	PROPOSED DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
4 Oct 2022	Executive	Final Report of the Culture and Communities Scrutiny Panel - Tough Enough? Enforcement in Middlesbrough and its Impact on Crime and Anti-Social Behaviour - Service Response	To present the final report of the Culture and Communities Scrutiny Panel following its investigation into 'Tough enough? Enforcement in Middlesbrough and its impact on crime and anti-social behaviour'.	No
4 Oct 2022	Executive	Police, Crime, Sentencing and Courts Act 2022 - Serious Violence Duty	That the Executive Supports the proposals of the Serious Violence Duty implementation which will be managed by Middlesbrough's Community Safety Partnership	Yes
8 Nov 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
8 Nov 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 Dec 2022	Executive	Healthy Weight Declaration Adoption	This report outlines the purpose and process of signing up to the Healthy Weight Declaration in Middlesbrough.	Yes
TBC	Deputy Mayor and Executive Member for Children's Services	MISST Program	Single Member Decision required to allocate funding to this project.	No
TBC	Executive Member for Environment	Surveillance Policy 2022/23	The proposed policy will ensure that surveillance activity undertaken by the Council in pursuit of its strategic priorities is lawful and that due regard is given to human rights and to data protection rights.	No

DATE	PROPOSED DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
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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:	7 September 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 19 July 2022.

At that meeting the Board considered / received information in respect of the following:

- Executive Forward Work Programme;
- Executive Member Update;
- Chief Executive's Update;
- The Children and Young People's Learning Scrutiny Panel - Final Report - Special Educational Needs and Disabilities (SEND);
- Scrutiny Work Programme Report 2022-2023;
- Scrutiny Chairs Updates.

SCRUTINY PANEL UPDATES

3. 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

4. The Adult Social Care and Services Scrutiny Panel last met on 22 June 2022.
5. 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.
6. The Scrutiny Panel discussed and selected topics for the Work Programme 2022/2023 which were subsequently forwarded to, and approved by, the Overview and Scrutiny Board.
7. A proposed meeting schedule for the 2022/2023 Municipal Year was also approved by the panel.
8. The next meeting of the panel is scheduled for 7 September 2022; Members will continue with their 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

9. The Scrutiny Panel's last meeting was held on 18 July 2022.
10. The Scrutiny Panel held a one-off meeting on the topic of School Meals and Physical Education. The Council's Advanced Public Health Practitioner provided the Scrutiny Panel with:
 - an overview of school meals and healthy eating standards in schools;
 - information on free school meals and Middlesbrough's headline facts and figures; and
 - information on the physical education curriculum and details of school-based activities.
11. The Principal of Unity City Academy was also in attendance to provide the Scrutiny Panel with information on the academy's PE curriculum.
12. The Scrutiny Panel was advised that:
 - There are a number of programmes that will be offered to schools starting from September 2022 to improve the diets and physical activity levels of Middlesbrough's children and their families. However, addressing obesity, nutrition and physical activity requires action and a whole system approach is needed, from influencing the individual to changing the environment in which they live.
 - By the time they start primary school (aged 4/5 years), around one in ten children in the borough are living with obesity and this increases to one in five by the time that they are in Year Six (10/11 year olds).

- Children living with obesity suffer from worse physical and mental health outcomes and achieve poorer educational results.

13. In light of the evidence received, the Scrutiny Panel was in agreement that as the health of children in Middlesbrough is a significant concern and the Health Scrutiny Panel should undertake a full review of Childhood Obesity.

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

14. At its meeting on 26 July 2022, the Scrutiny Panel was provided with an introduction to its new scrutiny topic – Supporting Young People in the Transition to Adulthood. The Panel was asked to consider which areas it wished to focus on as part of examining the current arrangements and support available for young people transitioning to adulthood.

15. The date of the next meeting of the Panel is Monday, 19 September 2022.

Culture and Communities Scrutiny Panel

16. The Culture and Communities Panel met on Thursday 21 July 2022. The panel received information in respect of the following:

- Future High Street Fund

The Head of Economic Growth and Infrastructure provided the panel with a presentation in relation to the future high street fund and the development of the town centre.

- Cultural Strategy

The Acting Head of Culture provided a presentation in relation to the Cultural Strategy.

17. The date of the next meeting of the panel is 22 September 2022.

Economic Development, Environment and Infrastructure Scrutiny Panel

18. At a meeting held on 20 July 2022, the Panel received an update on Teesside Crematorium from the Director of Environment and Community Services in line with a previous scrutiny recommendation from 2020. The Panel agreed that the future updates on Bereavement Services' income would be presented annually rather than six monthly.

19. The Director of Environment and Community Services also delivered a presentation on environmental enforcement.

20. The Panel had received a request to give consideration to adding Toxic Chemicals in the River Tees to the scrutiny topics in this year's Work Programme, following approval of Motion No 153 at a Council meeting held on 6 July 2022. Given that a formal request from the Council would be submitted to the Tees Valley Combined Authority for a further independent investigation to be undertaken, the Panel agreed that the outcome of that investigation (if one was undertaken), was needed prior to the Panel undertaking any work on this topic. The Panel resolved that Councillor Branson would keep a watching brief on this developing issue and report back to the Panel as appropriate.

21. Following a request from the Overview and Scrutiny Board, the Panel revised its Work Programme for 2022- 2023 to include the topic of Nutrient Neutrality, and remove the following topics: Tree Replacement Programme, Allotments and Empty Properties.

22. The next meeting of the Panel is scheduled to take place on 14 September 2022.

Health Scrutiny Panel

23. At its meeting on 19 July 2022, the Scrutiny Panel considered a number of items including the South Tees Quality Account 2021-2022, the Health and Well-Being Strategy, the Joint Strategic Needs Assessment (JSNA), Director of Public Health's Annual Report 2021-2022 and the formal establishment of the NENC ICB – a new statutory NHS organisation, as launched on 1 July 2022.

24. Information was also provided in respect of NHS proposals to develop a new model of Integrated Urgent Care (IUC) in Middlesbrough and Redcar and Cleveland. The proposals aim to bring urgent care provision in South Tees in line with the offer currently provided in other areas of the Tees Valley. A public consultation exercise would be launched in August, with a view to gathering the views of residents and stakeholders by early October 2022. It is anticipated that the South Tees Joint Health Scrutiny Committee will consider the findings of the consultation prior to providing a formal consultation response on behalf of Middlesbrough and Redcar and Cleveland Borough Council.

Tees Valley Joint Health Scrutiny Committee

25. The Tees Valley Joint Health Scrutiny Committee (TVJHSC) is next scheduled to meet on 23 September 2022.

Tees Valley Combined Authority Overview and Scrutiny Committee

26. The Tees Valley Combined Authority Overview and Scrutiny Committee met on 14 July and 10 August 2022.

27. At its meeting on the 14 July the Committee considered the following:-

- Group Chief Executive Update;
- Transport Update;
- Delegated Decisions;
- Draft Overview and Scrutiny Annual Report 2021-2022;
- Feedback of Consultation on Quorum in Other Combined Authorities;

28. At its meeting on 10 August the Committee considered the following:-

- Referral from Cabinet: Investment Plan Refresh

SCRUTINY REPORTS SUBMITTED TO EXECUTIVE

29. 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 6 September 2022.

30. The Final Report of the Children and Young People's Scrutiny Panel – Special Educational Needs and Disabilities (SEND), was submitted to Executive on 6 September 2022.

What decision(s) are being recommended?

31. That Council note the report.

Rationale for the recommended decision(s)

32. 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

33. 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

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

Strategic priorities and risks

35. 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

36. 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

37. 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
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MIDDLESBROUGH COUNCIL	
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Report of:	Executive Member for Finance and Governance Director of Finance
Submitted to:	Council
Date:	7 September 2022
Title:	Flexible Use of Capital Receipts Strategy 2022/23
Report for:	Decision
Status:	Public
Strategic priority:	All
Key decision:	Yes
Why:	Decision(s) will incur expenditure or savings above £150,000
Urgent:	No
Why:	

Executive summary	
<p>Following the adoption of a Flexible Use of Capital Receipts Strategy in 2021/22 as approved by Council on 20 October 2021, and the publication of further legislation and guidance for a further 3-year extension from 1 April 2022, this report proposes a Flexible Use of Capital Receipts Strategy for 2022/23 for approval by Council.</p> <p>The report details the proposed individual projects, totalling approximately £2.7m, which are planned to be funded from the flexible use of capital receipts in 2022/23 in accordance with the Statutory Guidance.</p> <p>Full Council is required under the Statutory Guidance on the Flexible Use of Capital Receipts to approve the Council's Flexible Use of Capital Receipts Strategy.</p> <p>This is recommended to enable the effective management of finances, in line with the Council's Local Code of Corporate Governance, the Scheme of Delegation, and agreed corporate financial regulations. The approach set out within the report will help the Council maximise the use of financial resources available, while ensuring that there is a minimum impact on the level of service delivered to the public or on the Council Tax payer.</p>	

To not propose a Flexible Use of Capital Receipts Strategy for 2022/23 would mean the Council would potentially forego the opportunity to maximise the use of financial resources available to it.

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

Purpose

1. This report proposes a Flexible Use of Capital Receipts Strategy for the Council for 2022/23 for approval by Full Council, and details the proposed individual projects which are planned to be funded from the flexible use of capital receipts in 2022/23 in accordance with the Statutory Guidance.

Background and relevant information

Introduction

2. Local authorities are limited in their ability to utilise capital receipts (the disposal proceeds from the sale of fixed assets or repayment of loans for capital purposes). Statutory guidance issued under section 15(1) of the Local Government Act 2003 by the Ministry of Housing, Communities and Local Government (as amended) generally precludes capital receipts being used to fund revenue expenditure and requires them to be applied to either fund capital expenditure or repay debt. The Act also requires local authorities to have regard to other guidance as issued or directed by the Secretary of State – this currently includes the following guidance issued by the Chartered Institute of Public Finance and Accountancy [CIPFA]:
 - The Prudential Code for Capital Finance in Local Authorities; and
 - The Code of Practice on Local Authority Accounting.
3. The Spending Review 2015 included a relaxation to the above regulations allowing the use of capital receipts for a limited period, between 2016/17 and 2018/19, to fund revenue expenditure “that is designed to generate ongoing revenue savings in the delivery of public services and/or transform service delivery to reduce costs or improve the quality of service delivery in future years”. This announcement was implemented by the issuing of regulations in March 2016. The period over which these amended regulations applied was extended for a further 3 years to 2021/22 in the 2018/19 Local Government Finance Settlement.
4. Middlesbrough Council implemented a Flexible Use of Capital Receipts Strategy for the first time in 2021/22 under the Statutory Guidance and a report was approved by Council on 20 October 2021.
5. On 4 April 2022 the Secretary of State issued a new direction and Statutory Guidance for the extension of the freedom for local authorities to use eligible capital receipts to fund the revenue costs of projects that deliver ongoing savings or improved efficiency for a further 3 years from 1 April 2022, i.e. for 2022/23, 2023/24 and 2024/25. An updated direction and Statutory Guidance was then issued on 2 August 2022, which replaced the one issued on 4 April 2022. A summary of the key points of the updated direction and the Statutory Guidance are provided in the paragraphs below and a link to the detailed Statutory Guidance is included in the Background Papers section to this report.
6. Capital receipts are the money councils receive from asset sales, the use of which is normally restricted to funding other capital expenditure or paying off debt. The receipts cannot usually be used to fund revenue costs.
7. The direction allows authorities to use the proceeds from asset sales to fund the revenue costs of projects that will reduce costs, increase revenue or support a more efficient

provision of services. This is an extension of the flexibility that has been in place since 2016, and will allow this freedom to continue to 2024/25 to help authorities plan for the long-term.

8. Local authorities can only use capital receipts from a qualifying disposal of property, plant and equipment assets received in the years in which this flexibility is offered.
9. The Statutory Guidance provides a definition of expenditure that qualifies to be funded from the capital receipts flexibility. Qualifying expenditure is expenditure on any project that is designed to generate ongoing revenue savings in the delivery of public services and/or transform service delivery to reduce costs and/or transform service delivery in a way that reduces costs or demand for services in future years for any of the public sector delivery partners. The Statutory Guidance provides some examples of qualifying expenditure.
10. The updated direction issued on 2 August 2022 introduces a new restriction that authorities may not use the flexibility to fund discretionary redundancy payments, i.e. those not necessarily incurred under statute. This does not affect other types of severance payments, and to be clear, does not restrict including pension strain costs, which may still be qualifying expenditure.
11. The updated direction also clarifies that the capital receipts obtained must be disposals by the local authority to an entity outside the local authority's group structure. The intent of this condition is that capital receipts which are to be used by authorities under the flexibilities afforded by the direction, should be from genuine disposals of assets by the authority. Where an authority retains some control of the assets, directly or indirectly, and retains exposure to the risks and rewards from those assets, the disposal does not give rise to a capital receipt that can be used in accordance with the direction.
12. For each financial year, each Council is required to prepare a "Flexible Use of Capital Receipts Strategy" to be approved by Full Council. This Strategy does not need to be a separate document, and the requirement can be satisfied by including relevant documents within the Annual Budget documents or as part of the Mid-Term Financial Plan (or equivalent).
13. As a minimum, the Strategy should list each project that plans to make use of the capital receipts flexibility and that on a project-by-project basis details of the expected savings/service transformation are provided. The Strategy should report the impact on the local authority's Prudential Indicators for the forthcoming year and subsequent years.
14. In the updated direction issued on 2 August 2022 it is now a required condition of the direction that local authorities send details setting out their planned use of the flexibility in advance of use for each financial year. This condition can be met by sending the authority's own strategy documents, provided they contain the detail asked for in the direction. The form to cover this requirement and for submitting the strategy for the Flexible Use of Capital Receipts for 2022/23 is to be submitted via DLUHC's DELTA system by 30 September 2022. This is not an approval process, but the information must be sent to ensure transparency and allow proper monitoring by central government.
15. For the 2022/23 Strategy and in each future year, the Strategy should contain details on projects approved in previous years, including a commentary on whether the planned

savings or service transformation have been/are being realised in line with the initial analysis.

16. The Statutory Guidance allows local authorities to update their Strategy during the year, however the amount capitalised in the financial year must not exceed the amount set out in the plan, including any updated plans, provided to the Secretary of State. If the Council wishes to amend their plans, they are required to notify DLUHC. This is to allow central Government to keep track of planned use of the flexibility for national accounts purposes.

Progress against the 2021/22 Strategy

17. As per the Statutory Guidance, there is a need to include details on projects approved in previous years, including a commentary on whether the planned savings or service transformation have been/are being realised in line with the initial analysis.
18. Middlesbrough Council implemented a Flexible Use of Capital Receipts Strategy for the first time in 2021/22 under the Statutory Guidance and Council approved a report on 20 October 2021 relating to this. Due to the ongoing Children's Services Ofsted Improvement Plan work the adoption of such a Strategy helped support the significant and continued transformation work taking place within the Council, which will deliver improvement and efficiencies in the future.
19. The Flexible Use of Capital Receipts Strategy for 2021/22 approved by Council on 20 October 2021 included proposed projects along with estimated costs and potential savings. Progress against the approved Strategy for 2021/22 was monitored throughout the financial year as part of regular budget monitoring arrangements and reported accordingly as part of the current quarterly budget monitoring reports to Executive, along with any updates to the Strategy as proposals were developed and expenditure was incurred. The final end of year schedule for 2021/22 of the projects to transform services that were funded through flexible use of capital receipts for 2021/22 along with the final costs for 2021/22, and the associated estimated annual revenue savings or future cost avoidance, was reported as part of the Revenue and Capital Budget – Year-End Outturn position 2021/22 report to Executive on 14 June 2022, and is shown for information in the table below.

Project	Further Details	Investment Required 2021/22 £000	Estimated annual savings £000
Children's Services - Children's Care	Funding for transformation of service and Ofsted Improvement Plan to improve services and outcomes		
	Specialist agency teams in Referrals & Assessments to improve the "front door model"	1,145	Cost avoidance
	Specialist agency team examining placements in order to reduce high cost placements	592	624
	Workforce remodelling - experienced social worker recruitment and retention / agency worker reduction strategy	427	200
	Transformation costs associated with increasing internal residential provision	26	521
	One-off transformation costs associated with improvements in practice to reduce future numbers of children looked after (includes professional fees, legal costs, increased S17 payments)	132	Cost avoidance
	Transformation of Children with Disabilities long-term packages of support to prevent young people entering care	0	0
	Additional posts to drive improvement and transformation	183	Enabling
Central budgets - Ofsted Improvement	Ofsted Improvement Plan additional posts to drive improvement and transformation	1,811	Enabling
		4,316	1,345
Central budgets - Change Fund			
Digital Transformation	One-off implementation costs related to the Digital Transformation Project	148	1,094
Children's Services	Additional posts to support changes in Senior Management and Programme Managers	140	Enabling
Management and Staffing Review	Service reconfiguration, restructuring or rationalisation of management and staff, where this leads to ongoing efficiency savings or service transformation	327	192
Organisational Development	Organisational Development upskilling linked to the Council's values	23	Enabling
HR System	Development of the Council's HR system	0	Enabling
Project Support for Transformation Projects	Support for the transformation across the Council	63	Enabling
TOTAL		5,017	2,631

20. Entries were made in the Council's accounts in 2021/22 for these having due regard to the Local Authority Accounting Code of Practice, including the effect on the Council's Investment Strategy.

The Council's Proposals for 2022/23

21. When Council approved the Revenue Budget, Council Tax, Medium Term Financial Plan (MTFP) and Capital Strategy report on 23 February 2022, the Government had not passed formal legislation to allow the extension of the flexible use of capital receipts into 2022/23, and therefore within that report such a Strategy could not be formally included and approved. The Council however in that report announced its intention to consider the merits of the implementation of such a Strategy in 2022/23 subject to legislation being passed, and this was re-iterated in the Revenue and Capital Budget – Projected Outturn position as at Quarter One 2022/23 report presented to Executive on 6 September 2022.
22. As seen above the legislation was initially passed on 4 April 2022 and then further updated on 2 August 2022. It is therefore now the intention of the Council to propose the approval of such a Strategy for 2022/23, similar to that adopted in 2021/22, mainly again to help support the significant and continued transformation work taking place within Children's Services and the Council, which will deliver improvement and efficiencies. The current level of estimated capital receipts in 2022/23 is approximately £2.7m as shown in the Revenue and Capital Budget – Projected Outturn Position as at Quarter One 2022/23 report, and it is intended to fully utilise these for the proposed Flexible Use of Capital Receipts Strategy in 2022/23.
23. The table below presents the projects to transform services that are proposed to be funded through flexible use of capital receipts for 2022/23, along with the estimated projected costs, and the associated estimated annual revenue savings or future cost avoidance. In some cases there is a direct link between a project and the realisable financial benefit, however in others it is difficult to quantify and the project contributes to enabling savings or costs avoidance in other areas or provide a wider benefit, which would not otherwise be realised.

Project	Further Details	Estimated Investment Required 2022/23 £000	Estimated ongoing annual savings £000
Children's Services	Funding for transformation of Service and Children's Services Ofsted Improvement Plan to improve services and outcomes		
	Specialist agency teams in Referrals & Assessments to improve the "front door model"	1,100	Cost avoidance
	Workforce Development - set up costs for the creation of a Social Worker Academy to reduce the requirement for agency staff	349	420
	Workforce Development - specialist training to reduce the requirement for agency staff	105	
	Children's Services Ofsted Improvement Plan - Additional posts linked to compliance and support to drive improvement and transformation	265	Enabling & Cost Avoidance
Children's Services Ofsted Improvement Plan - Additional posts to improve and embed good practice	875	Enabling	
TOTAL		2,694	420

24. As mentioned in the Revenue Budget, Council Tax, MTFP and Capital Strategy 2022/23 report presented to Council on 23 February 2022, Children's Social Care remains the biggest area of financial concern and a three-year plan was drawn up in July 2021 for the potential MTFP impact. This will require a reduction in the overall current level of expenditure by Children's Services by 2024/25, and the transformation projects outlined above are part of enabling this transformation to take place, which will improve practice and produce significant cost reductions/savings.
25. There are also potential costs which may be incurred in 2022/23 associated with potential transformation across the Council which may be required due to the current financial position of the Council as outlined in the Revenue and Capital Budget – Projected Outturn position as at Quarter One 2022/23 report. These are likely to be linked to service reconfiguration, restructuring or rationalisation of management and staff, where this leads to ongoing efficiency savings or service transformation. These such costs will potentially be included if any of the above estimated costs relating to Children's Services Improvement Plan do not materialise, and also providing there are sufficient capital receipts generated in 2022/23. As per the Statutory Guidance, only statutory redundancy payments can be included.
26. In the future, if legislation permits, a Flexible Use of Capital Receipts Strategy will be included within the budget report presented to Full Council in February each year.

Monitoring the Strategy

27. The Strategy will be monitored throughout the financial year as part of regular budget monitoring arrangements and be reported accordingly as part of the current quarterly budget monitoring reports to Executive. The Strategy may be updated and replaced as proposals are developed and expenditure is incurred.
28. It should be noted that the use of the Strategy in 2022/23 will be dependent on the estimated capital receipts being generated and qualifying expenditure being made in 2022/23.
29. The legitimacy of the use of the Strategy will be determined by the Council's s151 Officer in order to ensure that it meets the requirements set out by the Secretary of State.

The Prudential Code

30. The Council will have due regard to the requirements of the Prudential Code and the impact on its prudential indicators from implementing the proposed Strategy. The capital expenditure prudential indicators will be amended and approved as appropriate.
31. The indicators that will be impacted by this Strategy are set out below:
- Capital financing requirement will be increased by an estimated approximate £2.7m in 2022/23 as these capital receipts were intended to support schemes within the existing Investment Strategy that are now budgeted to be financed by prudential borrowing. Schemes financed by prudential borrowing are reflected within the prudential indicators as set out within the Treasury Management Strategy and included as part of the budget.

- Financing costs as a percentage of net revenue stream (%), noting that the savings generated from these projects will meet the debt financing costs arising from the additional borrowing. The current indicative cost of borrowing the estimated approximate £2.7m in 2022/23 is approximately £126,000 p.a.

32. The prudential indicators show that this Strategy is affordable and will not impact on the Council's operational boundary and authorised borrowing limit set by the Council for 2022/23. However, this will need to be closely monitored as part of the current quarterly budget monitoring reports to Executive.

33. The Council will also have due regard to the Local Authority Accounting Code of Practice when determining and including the entries required from undertaking and funding the projects within the Council's Statement of Accounts.

What decision(s) are being recommended?

That the Council:

- approves the proposed Flexible Use of Capital Receipts Strategy for 2022/23.

Rationale for the recommended decision(s)

34. To enable the effective management of finances, in line with the Council's Local Code of Corporate Governance, the Scheme of Delegation, and agreed corporate financial regulations. The approach set out within the report will help the Council maximise the use of financial resources available, while ensuring that there is a minimum impact on the level of service delivered to the public or on the Council Tax payer.

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

35. To not propose a Flexible Use of Capital Receipts Strategy for 2022/23 would mean the Council would potentially forego the opportunity to maximise the use of financial resources available to it.

Impact(s) of the recommended decision(s)

Legal

36. Full Council is required under the Statutory Guidance on the Flexible Use of Capital Receipts to approve the Council's Flexible Use of Capital Receipts Strategy.

Strategic priorities and risks

37. The MTFP has been reviewed to ensure that the correct assumptions are made in the MTFP and that this will not result in a funding gap requiring further savings to be made (08-059).

38. In line with the Council's Risk Management Policy, the corporate Strategic Risk Register will be reported to Executive on a quarterly basis as part of the Corporate Performance quarterly update reports.

Human Rights, Equality and Data Protection

39. No negative differential impact on diverse groups and communities is anticipated from the adoption of the Flexible Use of Capital Receipts Strategy.

Financial

40. The adoption of the proposed Flexible Use of Capital Receipts Strategy for 2022/23 will enable the Council to use an estimated approximate £2.7m of capital receipts in 2022/23 to contribute towards the cost of transformation within the Council, in particular with respect to the Children's Services Ofsted Improvement Plan.

41. The Council's capital financing requirement will be increased by an estimated approximate £2.7m as these capital receipts were intended to support schemes within the existing Investment Strategy that are now budgeted to be financed by prudential borrowing. The current indicative cost of borrowing the estimated approximate £2.7m in 2022/23 is approximately £126,000 p.a. and this will be factored into future updates of the Council's Medium Term Financial Plan.

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

Action	Responsible Officer	Deadline
If approved the Flexible Use of Capital Receipts Strategy for 2022/23 will be adopted and submitted to DLUHC via the DELTA system.	Head of Financial Planning & Support	30/9/22
The capital expenditure prudential indicators will be amended and approved as appropriate.	Head of Financial Planning & Support	31/3/23
Regular monitoring of the Flexible Use of Capital Receipts Strategy for 2022/23 will take place throughout 2022/23 as part of the current quarterly budget monitoring reports to Executive, with any amendments required to the plans contained in the Strategy as proposals are developed and expenditure is incurred being reported to Executive and notified to DLUHC as appropriate.	Head of Financial Planning & Support	30/6/23

Appendices

None

Background papers

Body	Report title	Date
Department for Levelling Up, Housing & Communities (DLUHC)	Flexible use of capital receipts direction: local authorities Direction - Flexible use of capital assets (publishing.service.gov.uk)	2/8/22
Department for Levelling Up, Housing & Communities (DLUHC)	Statutory Guidance on the Flexible Use of Capital Receipts (updated August 2022) Guidance on the flexible use of capital receipts (updated August 2022) - GOV.UK (www.gov.uk)	2/8/22
Council	Flexible Use of Capital Receipts Strategy 2021/22	20/10/21
Council	Revenue Budget, Council Tax, Medium Term Financial Plan and Capital Strategy 2022/23	23/2/22
Executive	Revenue and Capital Budget – Projected Outturn position as at Quarter One 2022/23	6/9/22

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MIDDLESBROUGH COUNCIL	
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Report of:	Director of Regeneration Executive Member for Regeneration
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Submitted to:	Council
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Date:	7 September 2022
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Title:	Review of the Emerging Local Plan
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Report for:	Decision
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Status:	Public
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Strategic priority:	Physical environment
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Key decision:	No
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Why:	Choose an item.
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Urgent:	No
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Why:	
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Executive summary

This report recommends that the Council formally agrees to cease work on the emerging Local Plan, in order to allow work to begin on a new Local Plan. It also recommends that a new Local Development Scheme, which sets out the timetable for preparing the Local Plan, be approved.

The key reasons for this are:

- Significant changes to local and national policies since work on the Local Plan began, including the Green Strategy and a stronger emphasis on design quality;
- New legislation that places additional requirements on the Council;
- Different strategic priorities than those the emerging Local Plan had been seeking to deliver;
- Some of the baseline information upon which the emerging plan had been based is now out-of-date and needs updating; and
- The impacts of Brexit and the Covid-19 pandemic need to be taken into account.

The report also recommends that the Council delegates authority to the Director for Regeneration, in consultation with the Executive Member for Regeneration, to make any future revisions to the Local Development Scheme, to ensure that the timetable remains up- to-date.

Purpose

1. In order to positively respond to Covid-19, and to help deliver a greener borough through good design and high quality development, this report seeks approval to formally withdraw the emerging Local Plan, and to agree the Local Development Scheme 2022 - 2024, which sets out the timetable for preparing a new Local Plan.
2. The report also recommends that the Council delegates authority to the Director for Regeneration, in consultation with the Executive Member for Regeneration, to make any future revisions to the Local Development Scheme, to ensure that the timetable remains up-to-date.

Background and relevant information

3. Under the provisions of the Planning and Compulsory Purchase Act 2004, the Council is required to prepare a statutory development plan for the borough that sets out the policies and land allocations to guide development in the area.
4. The Council agreed to undertake a comprehensive review of the Local Plan in May 2016. The intention was to update all existing policies (except those concerning minerals and waste development) that are contained within the Housing Local Plan (2014), retained parts of the Core Strategy (2008) and Regeneration (2009) Development Plan Documents, and policies saved from the 1999 Local Plan, and bring the policies together into a single Local Plan document.

The existing adopted Local Plan

5. The Council's adopted Local Plan for the borough is made up of various documents, as follows:
 - Housing Local Plan (2014);
 - Core Strategy Development Plan Document (DPD) (2008) – retained policies only;
 - Regeneration DPD (2009) – retained policies only;
 - Tees Valley Joint Minerals and Waste Core Strategy (2011);
 - Tees Valley Joint Minerals and Waste Policies and Sites DPD (2011); and
 - Middlesbrough Local Plan (1999) – saved policies only.
6. The adopted Local Plan, as set out above, will remain the Local Plan for the borough until it is replaced by a new Local Plan.

The Emerging Local Plan

7. In November 2016, the Council undertook a public consultation on the Issues & Options Paper. This statutory plan making stage set out the intention to prepare a new Local Plan to replace the adopted Local Plan, and defined its scope in terms of topics that were to be addressed and its geographical coverage.
8. In May 2018, the Executive agreed a 'Preferred Options' Local Plan, following which a public consultation was undertaken. The feedback from this was taken into account in preparing the 'Publication Local Plan', agreed by the Council in October 2018. This was

subject to a formal period of public consultation, during which representations were sought on the soundness and legal compliance of the plan ahead of public examination by an Independent Planning Inspector.

9. In July 2019, following the local elections, the Council agreed that the emerging Local Plan should not progress to public examination, and a new timetable for preparation be pursued, in order to take into account a number of changes, namely:
 - a change in priorities as a consequence of the recent local elections, such as an increased emphasis on urban living;
 - additional information becoming available to enable the underpinning evidence base to be updated; and
 - revisions to the Government's National Planning Policy Framework (NPPF) and the methodology used to calculate required housing numbers.
10. The Council's Planning Service has continued to update the evidence base, and draft a revised Local Plan in readiness for a new 'Preferred Options' consultation.

Subsequent issues affecting Local Plan preparation

Brexit

11. In January 2020, the UK's withdrawal from the European Union was completed. Much of the legislation upon which the planning system operates is directly affected by European Law. The European Union (Withdrawal) Act 2018 made provision to retain EU law into the UK's domestic legal framework, meaning there were no immediate implications for plan making. However, there is a Government commitment to introduce planning reforms in the near future, and these are likely to impact on the way Local Plans have to be prepared.

Covid-19

12. In March 2020, the Covid-19 pandemic resulted in a series of lockdowns, significantly reducing the ability of officers and consultants to complete research and evidence base work, and thus prepare the Local Plan. It was agreed to further delay the Local Plan in order to ensure a robust and credible evidence base upon which it could be prepared. This work is now largely complete, and it is considered that there is currently an up-to-date evidence base.

13. The longer term impacts of Covid-19 are as yet unknown. However, it is possible that assumptions around how people live, shop, work and travel could no longer be appropriate, and further consideration should be given to how this may affect the planning of the area.

Changes to National Planning Policy

14. The NPPF is periodically updated, and is important to both local plan preparation and decision-making, with the most recent changes being made in July 2021. The NPPF now places significantly more emphasis on achieving good quality design, and it is important that new local plan policies are able to ensure the best quality possible for Middlesbrough.

15. In June 2022, the Government announced that further revisions to the NPPF would be published over the summer. The new Local Plan will need to be prepared in accordance with the most up-to-date NPPF.

Council's Green Strategy

16. The Council adopted its Green Strategy in January 2021 setting out the Council's ambitious 10 year vision to develop a Green agenda to rise to the challenge of climate change and support and improve biodiversity within Middlesbrough. It sets a programme to meet Government targets for greenhouse gas emissions, and make the town more climate resilient so that it is prepared and can adapt to changes in climate and minimise the environmental impact of Council services in future. Restarting the Local Plan review will provide an opportunity to ensure that it is developed around the core principles of the Green Strategy, and ensure that they are enshrined throughout the Local Plan's policies and allocations.

Mayoral Development Corporation

17. In May 2022, the Middlesbrough Mayor and Tees Valley Mayor announced the intention to establish a Mayoral Development Corporation in Middlesbrough, under legislation associated with the Tees Valley Combined Authority. At this moment there is a lack of certainty over the impact this will have on Local Plan preparation.

Nutrient Neutrality

18. In March 2022, Natural England issued formal advice to the Council stating that new development that involved additional overnight stays, including residential and tourist accommodation, should not be approved unless 'nutrient neutrality' could be achieved. This is because there are excessive levels of nitrogen in the River Tees, which is adversely affecting the Teesmouth and Cleveland Coast Special Protection Area. New development has the potential to worsen this situation.

19. Whilst the immediate impact is on planning applications, including for developments in the existing Local Plan, it will now be necessary to consider nutrient neutrality in the new Local Plan.

Levelling-up and Regeneration Bill

20. Following the publication of the *Planning for the Future White Paper*, the Government introduced proposals to reform the planning system through the Levelling-up and Regeneration Bill. The overarching purpose of the new bill is to "*drive local growth, empowering local leaders to regenerate their areas, and ensuring everyone can share in the United Kingdom's success*", and it is expected to result in significant changes to how local plans are prepared, and how associated infrastructure will be delivered.

21. The Bill is expected to become law during 2023, and the new Local Plan will now need to be prepared in accordance with this new legislation.

New responsibilities arising from the Environment Act 2021

22. In January 2022, the new Environment Act came into force. Whilst much of this new legislation does not affect planning, there are some key aspects that will have a significant impact. The most notable of these is the introduction of Biodiversity Net Gain, where it will become a requirement for development to ensure a higher biodiversity value as a result of development than had previously existed. The Council will be expected to address Biodiversity Net Gain through the new Local Plan.

Risks of continuing to progress the emerging Local Plan

23. There are a number of risks associated with continuing to prepare the emerging Local Plan:

- The challenges facing the borough as a result of the Covid-19 pandemic are significantly different to those which the emerging plan has set out to address. There is a risk that if we pursue with the emerging Local Plan then it will not be fit for purpose in a post-Covid world;
- The amount of time that has passed since preparation commenced. The baseline position and scope were established in 2016, and it could be argued that the plan being prepared is substantially different to that originally envisaged;
- Some of the baseline information that was gathered to undertake the Sustainability Appraisal and Habitats Regulations Assessment is now out-of-date. In order to ensure the soundness of the emerging plan, it is necessary to refresh this information and consideration needs to be given to reviewing the Sustainability Appraisal objectives and indicators; and
- The change in administration of the Council means that the strategic context has altered significantly since work on the Local Plan commenced. For example, more emphasis is now being made on bringing forward urban, brownfield sites over significant greenfield extensions and making provision for a greener borough through supporting the implementation of the Green Strategy.

24. These risks significantly increase the risk of the Local Plan being found unsound at the Independent Examination stage. If this happens, the Council would not be able to adopt the Local Plan and would, instead, have to prepare a new Local Plan, with further delays and costs. In order to address these issues, it is recommended that the emerging Local Plan be withdrawn, and for the Council to commence the preparation of a new Local Plan.

Local Development Scheme

25. In accordance with the legislation, the Council is required to prepare a Local Development Scheme (LDS) that sets out its intentions for preparing a Local Plan and the proposed timetable for doing so.

26. The most recent LDS was agreed in 2020 and reflects the intentions for preparing the Local Plan at that time. As such, it is now out-of-date and a new LDS must now be agreed.

27. The new LDS for 2022 – 2024 is attached at Appendix 2, with the timetable summarised below:

Stage	Timescale	Description
Scoping Report	October 2022 Consultation November 2022 – January 2023	Formal commencement of the new Local Plan
Draft Local Plan	June 2023	A non-statutory stage that provides the opportunity for the

Stage	Timescale	Description
	Consultation June – July 2023	Council to set out its preferred approach and to engage with the community on the emerging policies
Publication Local Plan	October 2023 Consultation October - December 2023	Statutory stage, seeking formal representations on the Local Plan that the Council wishes to adopt
Submission	April 2024	Formal submission to the Secretary of State.
Public Examination	April - August 2024	Independent Examination of the Plan to determine legal compliance and soundness. Can only be adopted if found to be sound
Adoption	September 2024	Formal adoption of the new Local Plan by the Council

Next Steps

28. In order to restart work on the Local Plan, it is necessary to formally withdraw the emerging Local Plan. A Withdrawal Statement will be prepared and publicised in accordance with the legislation.
29. The Local Development Scheme will be placed on the Council's website, and kept under review.
30. A further report will be brought to the Council to seek approval for a Local Plan Scoping Report, which will detail what the new Local Plan will cover. This report will formally commence the preparation of a new Local Plan. It is expected to be brought to the Council in October 2022, following which there will be a period of public consultation on the Local Plan Scoping Report.

What decision(s) are being recommended?

31. That the Council:

1. In order to positively respond to Covid-19, and to help deliver a greener borough through good design and high quality development, approves the formal withdrawal of the emerging Local Plan; and
2. Approves the Local Development Scheme 2022 – 2024;

3. Delegates authority to the Director of Regeneration, in consultation with the Executive Member for Regeneration, to make future amendments to the Local Development Scheme.

Rationale for the recommended decision(s)

32. The withdrawal of the emerging Local Plan will allow the Council to reconsider the scope and strategic direction of the new Local Plan, to ensure it aligns to the Executive's preferred approach and reflects current and emerging Government policy and legislation. It will allow full consideration of the infrastructure required to support the development programme being pursued. It would also enable the baseline data to be updated, including the environmental information, which would help ensure the soundness of the plan and its compliance with the legislation.
33. The approval of the Local Development Scheme 2022 – 2024 would confirm the programme for preparing the new Local Plan and ensure the Council meets its statutory obligation to publish and maintain an up-to-date LDS.

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

34. **Continue to prepare the emerging Local Plan.** This is the currently agreed course of action. As detailed above, there have been significant changes to the policy and legislative context within which the plan must be prepared, and it is considered that there are substantial risks in continuing to prepare the emerging Local Plan. The risks are detailed in paragraph 23, and it is highly likely that the Local Plan would be found unsound if this options was pursued. Being found unsound would further delay the adoption of a new Local Plan and would have substantial financial implications.

Impact(s) of the recommended decision(s)

Legal

35. The withdrawal of the emerging Local Plan must be undertaken in accordance with the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012.
36. Decisions on the statutory stages of the Local Plan are a non-executive function, and must be made by the Council as required by the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 and the Council's Constitution.
37. There is a statutory requirement for the Council to prepare a Local Plan for the borough. A further report will be brought to the Council to seek approval for a Local Plan Scoping Report, which will satisfy the legal requirements governing commencing preparation of a new Local Plan.
38. There is a statutory requirement for the Council to publish a Local Development Scheme and keep it up-to-date.
39. The adopted Local Plan for the borough will not be affected by this decision, and will continue to be used in the determination of planning applications until a new Local Plan is prepared.

Strategic priorities and risks

40. The following risks are considered to be affected by this report:

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.	<p>The proposal to withdraw the emerging Local Plan has been considered in accordance the legislation and latest Government guidance. The proposal will provide the opportunity to best ensure legislative requirements will be satisfied, so this will have a positive impact on this risk.</p> <p>Continuing to prepare the emerging Local Plan presents a risk that it will be found unsound through the examination process, resulting in having to restart the work in any case.</p>
O1-005	If poor economic growth occurs, then this will reduce public and private sector investment in the town, including town centre retail, housing development and business.	The development of a new local plan will support the revitalisation of the town with urban housing etc. so will have a positive impact on this risk.
O1-051	A major downturn in housing growth that results in a significant decline in new housebuilding in Middlesbrough, resulting in lower house building rates lower Council Tax receipts and thereby increasing the risk of impact on successful delivery of the MTFP.	By producing a new local plan with revised base data this will ensure that the correct data is being utilised and that any links with the MTFP will be more accurate so this will have a positive impact on this risk.
O1-052	Substantial areas of the town have high residential voids/low sales values and high population churn, effectively creating market failure resulting in significant social consequences which in turn have implications for Council resources and service delivery. Such an approach is unsustainable and will result in the need for significant market invention at great cost to the Council.	By reviewing the local plan it will create a positive planning framework for areas across the Borough but with the new strategic direction this will look at the revitalisation of the town centre so this would have a positive impact on this risk.

Human Rights, Equality and Data Protection

41. The proposal to withdraw the emerging Local Plan has been subject to an initial Impact Assessment (IA), which accompanies this report (see Appendix 1). This identifies that a full IA is not necessary.

Financial

42. The costs associated with preparing, implementing and monitoring the Local Plan can be broadly categorised as follows:

- **Staff time.** The majority of the work on the Local Plan is undertaken by the Strategic Policy Team, with input from other service areas as and when required. Staff costs are met from existing departmental revenue budgets, supplemented through grants and funds secured from Section 106 agreements;
- **Maintaining an up-to-date evidence base.** It is important that the Local Plan is based on a robust and credible evidence base, so that policies relate to local circumstances and take into account broader corporate aims and objectives. The evidence base is a combination of work done in-house by Council staff and studies completed by external consultants and is most often updated in response to changes in national policy and legislation, in addition to more localised factors.

The evidence base is additionally used for the implementation of existing policies and in the consideration of planning applications. Critically, it helps deliver the Council's Capital Programme. As such, it is important that it is continually kept up-to-date, whether or not a Local Plan is being prepared.

The costs associated with maintaining the evidence base are partly met from existing departmental revenue budgets. However, a significant proportion is met through capitalisation due to its relationship with the Council's Capital Programme.

The average cost of maintaining the evidence base averages circa. £85,000 per annum. The total costs of maintaining the evidence base when the emerging Local Plan was being prepared (i.e. between 2016 and 2019) was circa. £230,000. Since 2019, the evidence base has continued to be updated at a total cost of circa. £205,000. These studies, and a number of the earlier ones, are used in considering planning applications, and are still considered to be sufficiently robust to underpin the preparation of the Local Plan. The commissioning of any further studies/work will primarily be the result of changes to legislation and national policy; and

- **Examination costs.** The Local Plan must be subject to an Independent Examination, and found to be 'sound', before it can be adopted by the Council. The Examination is undertaken by a Government-appointed Planning Inspector. The costs associated with this can vary but are usually circa. £100,000, financed through existing budgets. They are normally the most significant one-off cost associated with preparing a Local Plan. No examination costs have been incurred from Local Plan preparation since 2014.

43. The decision to withdraw the emerging Local Plan, and commence work a new Local Plan, will be met through these established departmental budgets.

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

Action	Responsible Officer	Deadline
The Council is required to issue a formal notice of withdrawal, and notify the statutory and general consultees in accordance with the regulations.	Alex Conti, Strategic Policy Manager	September 2022
The Local Development Scheme will be published on the Council's website.	Alex Conti, Strategic Policy Manager	September 2022
A further report will be brought to a future meeting of the Council to seek agreement to formally commence work on a new Local Plan.	Alex Conti, Strategic Policy Manager	October 2022

Appendices

1	Initial Impact Assessment of the proposal to withdraw the emerging Local Plan
2	Middlesbrough Council Local Development Scheme 2022 – 2024

Background papers

Body	Report title	Date

Contact: Alex Conti, Strategic Policy Manager
Email: alex_conti@middlesbrough.gov.uk

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Appendix 1 – Initial Impact Assessment of the Review of Emerging Local Plan

Impact Assessment Level 1: Initial screening assessment

Subject of assessment:	Review of Emerging Local Plan			
Coverage:	Crosscutting			
This is a decision relating to:	<input checked="" type="checkbox"/> Strategy	<input checked="" type="checkbox"/> Policy	<input type="checkbox"/> Service	<input type="checkbox"/> Function
	<input type="checkbox"/> Process/procedure	<input type="checkbox"/> Programme	<input type="checkbox"/> Project	<input type="checkbox"/> Review
	<input type="checkbox"/> Organisational change	<input type="checkbox"/> Other (please state)		
It is a:	New approach:	<input type="checkbox"/>	Revision of an existing approach:	<input checked="" type="checkbox"/>
It is driven by:	Legislation:	<input type="checkbox"/>	Local or corporate requirements:	<input checked="" type="checkbox"/>
Description:	<p>Key aims, objectives and activities To assess the impact of proceeding with the withdrawal of the emerging Local Plan.</p> <p>Statutory drivers The Council must prepare Local Plans and associated planning documents, under the Planning and Compulsory Purchase Act 2004, and the National Planning Policy Framework (NPPF).</p> <p>Differences from any previous approach Work commenced on the emerging Local Plan in 2016. Since then, there have been changes to national planning policy and guidance, and new relevant legislation is expected in the near future. There has been a change in the administration of the Council since work commenced, and there are now different local priorities that the new Local Plan will need to take into account.</p> <p>Key stakeholders and intended beneficiaries (internal and external as appropriate) The key stakeholders are: the Council; Local Community; and Private Landowners.</p> <p>Intended outcomes.</p>			

	To seek approval to formally withdraw the emerging Local Plan and to agree the Local Development Scheme 2022 -2024, which sets out the timetable for preparing a new Local Plan.			
Live date:	The Full Council will consider the report seeking the withdrawal of the emerging Local Plan on 7 th September 2022.			
Lifespan:	Once the decision is made work on preparing the emerging Local Plan will cease. The new Local Development Scheme will come into effect, with the timetable for preparing the Local Plan being kept under periodic review.			
Date of next review:	Not applicable			
Screening questions	Response			Evidence
	No	Yes	Uncertain	
Human Rights Could the decision impact negatively on individual Human Rights as enshrined in UK legislation?	☒	☐	☐	The Council is required to be prepare a local plan for the area based on an up to date evidence base. The emerging local plan will be prepared in accordance with the legislation, national policy and local consultation standards, and will provide opportunities for all sectors of the community to be involved. In light of the above, it is not considered that the report will have an adverse impact on individual human rights.
Equality Could the decision result in adverse differential impacts on groups or individuals with characteristics protected in UK equality law? Could the decision impact differently on other commonly disadvantaged groups?	☒	☐	☐	The Council is required to be prepare a local plan for the area based on an up to date evidence base. The emerging local plan will be prepared in accordance with the legislation, national policy and local consultation standards, and will provide opportunities for all sectors of the community to be involved. In light of the above, it is not considered that the report will have an adverse impact on different groups or individuals in terms of equality.

<p>Community cohesion</p> <p>Could the decision impact negatively on relationships between different groups, communities of interest or neighbourhoods within the town?*</p>	☒	☐	☐	<p>The Council is required to be prepare a local plan for the area based on an up to date evidence base. The emerging local plan will be prepared in accordance with the legislation, national policy and local consultation standards, and will provide opportunities for all sectors of the community to be involved.</p> <p>In light of the above, it is not considered that the report will impact negatively on relationships between different groups, communities of interest or neighbourhoods within the town.</p>
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Next steps:

- ➡ If the answer to all of the above screening questions is No then the process is completed.
- ➡ If the answer of any of the questions is Yes or Uncertain, then a Level 2 Full Impact Assessment must be completed.

Assessment completed by:	Alex Conti	Head of Service:	Paul Clarke
Date:	28/07/22	Date:	28/07/22

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Middlesbrough Council

Local Development Scheme 2022-2024



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1. Introduction

- 1.1 Local Planning Authorities (LPAs) such as Middlesbrough Council are required to produce a Local Development Scheme (LDS). This is, in essence, a project plan that sets out the LPA's timetable and programme for the production of their Local Plan. As a result, the LDS should be the starting point for any person wishing information on the Council's plan-making activities.
- 1.2 More detailed information on the LDS is provided in section two.

2 The Local Development Scheme

2.1 As set out in paragraph 1.1, the LDS should be the starting point for any person wishing information on the Council's plan-making activities, including:

- a brief description of the Local Plan documents to be prepared (including those prepared jointly with other LPAs) and, where appropriate, the geographic area to which they relate;
- a timetable for Local Plan production that gives timings for the achievement of the following key milestones:
 - Formal commencement of plan preparation, including notification of what subject(s) the local plan will address and associated consultation on this (also known as 'Scoping' or 'Issues & Options');
 - Preferred Options (for informal public participation);
 - Publication (for formal public participation);
 - Submission to the Secretary of State for examination; and
 - Adoption (by the Council).

2.2 Progress on Local Plan preparation is subject to continuous review via the Authority's Monitoring Report (AMR). This provides an assessment of:

- progress made against the timetable and milestones; and
- the effectiveness of the policies in delivering national, regional and/or local targets.

2.3 The findings of the AMR are then used to:

- consider the need to review and amend the LDS timetable;
- identify if additional Local Plan documents are required, in order to ensure the Local Plan is responsive to changing circumstances; and
- establish whether policies require amending. For example, this may be because they are:
 - not being implemented;
 - not achieving the desired outcomes; or
 - no longer consistent with national planning policy.

2.4 This is the 11th version of the LDS Middlesbrough Council has produced since the original in 2005, and it covers the period from 2022 - 2024.

3. Middlesbrough Statutory Development Plan (Local Plan)

3.1 The following adopted documents form part of the current Middlesbrough Local Plan:

- **Housing Local Plan** (Adopted 2014) The Housing Local Plan replaces the housing elements of the Core Strategy (2008) and Regeneration DPD (2009), outlining the context and vision for future housing development within the town up to 2029. The Housing Local Plan contains Middlesbrough's allocated housing sites for the period 2012 - 2029. The Plan also includes policies relating to the delivery of many of these allocations, specifically those deemed of strategic importance.
- **Core Strategy** (Adopted 2008) The spatial vision and strategy for the town's future development up to 2023, identifying its development needs and the broad locations where this will take place. All other subservient DPDs must be in conformity with the Core Strategy DPD. Strategic allocations and policies related to housing are no longer extant however, having been superseded by those in the Housing Local Plan (see above).
- **Regeneration DPD** (Adopted 2009) - site-specific allocations for key regeneration sites, covering employment, mixed, retail, leisure, and transport uses. Likewise the Housing Local Plan, it also includes policies relating to the delivery of allocations. Policies and allocations related to housing are no longer extant however, having been superseded by those in the Housing Local Plan (see above);
- **Tees Valley Minerals and Waste Core Strategy DPD** (Adopted 2011) (prepared jointly with Darlington, Hartlepool, Redcar and Cleveland, and Stockton-on-Tees Councils) - the long-term spatial vision and strategic policies needed to achieve key objectives for minerals and waste-related development in the Tees Valley;
- **Tees Valley Minerals and Waste Policies and Sites DPD** (Adopted 2011) (prepared jointly with Darlington, Hartlepool, Redcar and Cleveland, and Stockton-on-Tees Councils) - site-specific allocations for minerals and waste-related development, and policies that will be used to assess such applications.
- **Middlesbrough Local Plan 1999** (Saved policies) Until such time as a new Local Plan is adopted, a number of 'saved' Local Plan policies remain extant;
- **Proposals Map (also known as the Policies Map)** - illustration of site-specific allocations in the Regeneration DPD and Housing Local Plan (the map will be updated as new DPDs are revised or adopted);
- **Marion West Neighbourhood Plan (2021)** forms part of the Council's Development Plan, and a 'material consideration' in the determination of planning applications within the designated Marion West Neighbourhood Area; and
- **Stainton and Thornton Neighbourhood Plan (2022)** forms part of the Council's Development Plan, and a 'material consideration' in the determination of planning applications within the Stainton and Thornton Parish area.

4. Neighbourhood Plans

- 4.1 As the Council does not prepare neighbourhood plans and progress is dependent on the community, detailed timetable information is not available and thus cannot be included in the LDS. However, as and when neighbourhood plans are known to be under preparation, or have been adopted by the Council as part of its Local Plan, a brief synopsis will be provided (in the LDS) for information purposes.
- 4.2 Currently Middlesbrough has two adopted Neighbourhood Plans. The modified Marton West Neighbourhood Plan was adopted by the Council in 2021, and now forms part of the Council's Development Plan, and a 'material consideration' in the determination of planning applications within the designated Marton West Neighbourhood Area.
- 4.3 The Stainton and Thornton Neighbourhood Plan was adopted by the Council in June 2022 now forms part of the Council's Development Plan, and a 'material consideration' in the determination of planning applications within the Stainton and Thornton Parish Area.
- 4.4 On the 18th February 2019 the Council approved two applications from residents within the Gresham area for Neighbourhood Area status, and to set-up the Gresham Neighbourhood Forum, for the purpose of preparing a Neighbourhood Plan.
- 4.5 The Council has also received an application from Nunthorpe Parish Council to establish a Neighbourhood Area in order for the Parish Council to prepare a Neighbourhood Plan. Following a period of public consultation, this application is due to be considered in September 2022.

5. Future Local Plan timetable

- 5.1 Middlesbrough Council is preparing a new Local Plan to replace the all existing Local Plan documents with the exception of the Joint Minerals and Waste DPDs. The Middlesbrough Local Plan will cover the whole of the Middlesbrough administrative area and will be produced by Middlesbrough Council.
- 5.2 The Local Plan will replace the Housing Local Plan, the Core Strategy and the Regeneration DPDs and saved policies from the 1999 Local Plan. It is anticipated that it will cover all topic areas (excluding minerals and waste) although this will be established formally by the Scoping Report. Topic areas will include, economic growth, housing, the historic environment, nature conservation, open space, retail and the Town Centre, and infrastructure.
- 5.3 The proposed timetable for preparation of the Local Plan is set out in table 1 below and more detailed information can be found in appendices A and B:

Table 1: Schedule of Local Plan Documents - more detailed timetable information is provided in Appendix A and B

Stage	Timescale	Description
Scoping Report	Approval - October 2022 Consultation - November 2022 – January 2023	Formal commencement of the new Local Plan (Regulation 18)
Draft Local Plan (Preferred Options)	June 2023 Consultation June – July 2023	A non-statutory stage that provides the opportunity for the Council to set out its preferred approach and to engage with the community on the emerging policies
Publication Local Plan	October 2023 Consultation October - December 2023	Regulation 19 - Statutory stage, seeking formal representations on the Local Plan that the Council wishes to adopt (Regulation 19)
Submission	April 2024	Formal submission to the Secretary of State (Regulation 22).
Public Examination	April - August 2024	Independent Examination of the Plan to determine legal compliance and soundness. Can only be adopted if found to be sound (Regulation 24)
Adoption	September 2024	Formal adoption of the new Local Plan by the Council (Regulation 26)

6. Resources and Programme Management

- 6.1 Local Plan preparation will be carried out by the Planning Policy Team within Planning Services. The timetable in Table 1 is based on the (assumed) staff resource set out in Table 2 below.

Table 2: Core team resources

Staff posts	% Working time	Full time or part time
Head of Planning	20%	Full time
Strategic Policy Manager	60%	Full time
Planning Policy Group Leader	80%	Part time
Principal Planning Officer	85%	Full time
Senior Planning Officer	60%	Full time
Planning Officer	90%	Full time
Planning Assistant	-	Currently Vacant
Technical Officer	60%	Full time
Conservation Officer	20%	Part time

- 6.2 The input of other Council Service Areas (expertise and resources) will also be required throughout preparation of the Local Plan. Private consultants will be commissioned, where appropriate to undertake specialist/technical pieces of work where deemed necessary, particularly during evidence-gathering phases.
- 6.3 The Strategic Policy Manager and Planning Policy Group Leader have overall responsibility for the preparation of the Local Plan, which is overseen by a cross party Member Working Group. .
- 6.4 A budget is in place to cover the cost of work that needs to be undertaken externally by private consultants, as well as printing and other costs associated with the consultation and examination of the Local Plan.

Risk Assessment

- 6.5 Preparation of the Local Plan is the Planning Policy team's key priority and, consequently, takes precedence over other work. Nevertheless, there are a number of factors that could result in delaying the achievement of milestones set out in Table 1 and Appendix B. Whilst delays to plan preparation will sometimes be unavoidable, and contingency is built in to the process, it is important members of the public and stakeholders are made aware of the main risks to slippage, as well as measures the Council have, or will put in place, in order to mitigate or reduce them. These are set out below in Table 3.

Table 3: Risk assessment

Number	Risk	Potential Impact	Mitigating actions
1	Significant changes to National planning legislation, policy or guidance	<ul style="list-style-type: none"> Additional work may be required including evidence base to comply with new policies or guidance causes a slippage in the local plan programme 	<ul style="list-style-type: none"> Keep up to date on emerging national context and respond to changes early Respond to proposed policy shifts highlighting potential local consequences

2	<p>Capacity of Local Plan Team to deliver the Local Plan to the agreed timetable due to:</p> <ul style="list-style-type: none"> • small size of team; • the potential of Local Plan Project Team being required to do other unforeseen work; or • the volume of work being greater than anticipated, for example higher level of representations than expected, or significant interest in preparing Neighbourhood Plans. 	<ul style="list-style-type: none"> • Diverts members of the team from the Development Plan and causes a slippage in the programme • Cost implications 	<ul style="list-style-type: none"> • Ensure timetable is realistic but has some flexibility built in • Monitor progress against LDS • Consider additional resources/ re-prioritisation of work • Appoint external consultants for certain elements of the work programme, in particular the evidence base. • Manage and develop the staff to reduce the skills shortage. • Ensure recruitment to vacant positions as soon as is practicable. • Ensure the Development Plan remains a priority • Identify key staff to be 'shielded' from other work
3	<p>Evidence base not robust or out of date</p>	<ul style="list-style-type: none"> • Evidence base challenged/ undermined • Plan is found to be unsound 	<ul style="list-style-type: none"> • Ongoing monitoring and review of evidence base to ensure to is up to date and relevant • Keep up to date with national changes to evidence base requirements
4	<p>Community engagement results in a significant level of representations being made, either numerically or in the nature of the issues raised. Either scenario could require a significant amount</p>	<ul style="list-style-type: none"> • Delay in Plan preparation and potential slippage in Local Plan timetable 	<ul style="list-style-type: none"> • Engagement and Communication Strategy to be developed. • SCI updated March 2020 to ensure appropriate

	of officer time to analyse and address.		<p>methods are used at each stage of plan preparation.</p> <ul style="list-style-type: none"> • Ensure staff resource is available to assess representations in a timely manner. • Ensure ongoing dialogue with Member steering group. • It is considered possible, despite the Council's best endeavours, that consensus may not be reached with regard to some policies/allocations and this may need to be resolved through the independent examination.
5	Insufficient budgetary provision to finance the Local Plan	<ul style="list-style-type: none"> • Work cannot be progressed • Objectives on quality compromised 	<ul style="list-style-type: none"> • Local Plan budget is in place • Budget/cost to be kept under review
6	Delays in political decision making	Slippage in timetable and key milestones.	<ul style="list-style-type: none"> • Elected Members are involved at an early stage in the preparation process. • A cross-party Steering Group has been set-up to help resolve any issues and secure political 'buy-in' ahead of committee decisions. • Ensure that Members are fully briefed and consulted prior to formal decision making
7	Submitted document fails test of soundness or duty to cooperate	Document cannot be adopted without additional work	<ul style="list-style-type: none"> • Ensure the Development Plan is sound, founded

			<p>on a robust evidence base with sustainability appraisal and well audited community and stakeholder engagement</p> <ul style="list-style-type: none">• Maintain joint working arrangements and proactively engage with Local Plans for neighbouring local authorities• Consider the need for external health check prior to submission of a document
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Appendix A: Profile of the future Local Plan

Middlesbrough Local Plan	
Document details	<ul style="list-style-type: none"> • Role: the identification of strategic and site-specific policies related to employment, housing, the historic environment, education, nature conservation, green infrastructure, retail and the Town Centre, transport, and other infrastructure requirements. • Geographic coverage: Borough-wide. • Status: DPD (comprising part of the Local Plan). • Chain of conformity: • NPPF
Timetable <i>(Denotes key milestones)</i>	<ul style="list-style-type: none"> • <i>Commence preparation of the Local Plan – October 2022</i> • <i>Preferred Options and stakeholder involvement/public participation – June –July 2023.</i> • <i>Publish Local Plan for a period of no less than six weeks October –December 2023</i> • Consider representations made during publication stage – January 2024 • <i>Submit Local Plan to Secretary of State – April 2024</i> • <i>Pre-examination meeting – April/May 2024 (if required).</i> • <i>Examination – April-August 2024</i> • Receipt of Inspector’s report – November 2024. • Adoption of Local Plan -December 2024.
Arrangements for production	<ul style="list-style-type: none"> • Lead organisation/department - Planning Policy Team, Middlesbrough Council. • Other Council Input – Economic Growth and Infrastructure, Education, Capital Projects, Environment, and Streetscene. • Management arrangements - Planning Policy and Local Plan Member Working Group. • Evidence base - see section eight. • Resources required - standard resource requirement for producing a DPD. • Approach to involving stakeholders and the community - in line with the standards set out in the SCI.
Review	<ul style="list-style-type: none"> • Any need to review the Local Plan will be identified in the AMR.

Appendix B: Indicative timetable for the preparation of Middlesbrough Local Plan

Document	2022												2023												2024											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
Local Plan																																				
Policies Map																																				

Legend

	Evidence gathering, preparation of document		Preparation of Publication Local Plan (regulation 19) document		Adoption (Regulation 26)
	Scoping (Regulation 18) Consultation		Publication Local Plan (Regulation 19) Consultation		Inspectors Report
	Assessment of Scoping responses and preparation of Preferred Options		Submission of Local Plan for Examination to Secretary of State (Regulation 22)		Update of policies map
	Preferred Options Consultation		Examination in Public (Regulation 24)		

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**COUNCIL MEETING – 7 SEPTEMBER 2022
NOTICE OF MOTION**

COUNCIL PROCEDURE RULE NOS. 53-60

MOTION NO.	PROPOSER	SECONDER	MOTION
154	Councillor M Storey	Councillor J Rostron	<p>Public Censure</p> <p>A Standards Committee Meeting held on 11 May 2022 concluded that Councillor J McTigue, acting in her capacity as a member of Middlesbrough Borough Council ('the Council'), had breached items 3.2, 3.5 and 3.12 of the Members Code of Conduct on social media posts on 28 November 2019 and on 23 December 2020, in that she did not respect others, conducted herself in a manner which was likely to bring the authority, office, or the Member into disrepute and did not use social media responsibly.</p> <p>Following consideration of the Standards complaint, the Standards Committee in consultation with the Independent Person, ordered that a number of sanctions be imposed, one of which included that Councillor McTigue to be subject of a motion of public censure at the full Council meeting.</p> <p>In accordance with the Standards Committee's resolution, the matter of a motion of censure is now placed before Council in respect of Councillor McTigue's conduct in respect of the matters detailed by the Investigating Officer in the report to the Standards Committee meeting held on 11 May 2022.</p>

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MIDDLESBROUGH COUNCIL	
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Report of:	Tony Parkinson - Returning Officer & Electoral Registration Officer
Submitted to:	Council
Date:	7 September 2022
Title:	Community Governance Review - Final recommendations for approval
Report for:	Decision
Status:	Public
Strategic priority:	All
Key decision:	Not applicable
Urgent:	Not applicable

Executive summary
<p>This report marks the last stage of the Community Governance Review process which will culminate in Council formally determining the final governance arrangements of the Borough's parish councils, taking into account those matters which arose during the consultation.</p> <p>Council is asked to agree the below final recommendations which are based on the outcomes of the second stage consultation process.</p> <ol style="list-style-type: none"> I. That the Stainton and Thornton Parish Council boundary is retained and unaltered. II. That the number of Parish Councillors to be elected for Stainton & Thornton Parish Council remains at 7. III. That Nunthorpe Parish Council is retained with the following proposed changes: <ol style="list-style-type: none"> a. the Parish Council boundary for Nunthorpe Parish Council is extended to be co terminus with the Nunthorpe electoral ward boundary i.e., to include 1-29 Yew Tree Grove, TS7 8QX, 1-16 Milan Grove, TS7 0DQ

- b. That the Council seeks permission from the Local Government Boundary Commission for England to amend Principal Council electoral ward boundaries for Nunthorpe ward be amended to include 12-16 Milan Grove and the Brethren's area.
 - c. That the number of Nunthorpe Parish Councillors be reduced to 7
- IV. That the Council agree to a Reorganisation Order being submitted and that all changes above will take effect from the next local elections that take place on 4 May 2023.
- V. That a further detailed review of community councils by the Stronger Communities Team be undertaken, to consider how we engage with community groups and assess what support is required/available.

Purpose

1. The purpose of the review was to make sure that local governance is effective and convenient, and that it reflects the identities and interests of local communities, culminating with this report seeking to secure a resolution of Council which will finalise the future governance arrangements of the parish councils within Middlesbrough.

Background and relevant information

2. The Local Government and Public Involvement in Health Act 2007 ("the 2007 Act") provides for a Principal Council to conduct a review of the community governance arrangements for the whole or part of its area for the purpose of considering whether to make changes to parish boundaries or the size and/or the creation of new parishes; and the review of the electoral arrangements for new and/or existing parishes. This is the first Community Governance Review that Middlesbrough Council has ever undertaken.
3. The Act requires principal authorities to take account of certain criteria when conducting a review, namely:
 - The identities and interests of the community in an area; and
 - The effective and convenient governance of the area.
4. Council agreed (21/7/21) that a full Community Governance Review be carried out to consider arrangements for parish councils, such as creating, merging, altering or abolishing parish councils, changing a parish council's boundary or the naming of parish councils and their electoral arrangements. Although the above legislation does not apply to community councils, full Council also agreed to include community councils in the consultation exercise as they also play a pivotal role in community engagement at a grass roots level.
5. The Corporate Affairs and Audit Committee were delegated authority to agree the Community Governance Review Terms of Reference; consider the initial representations made; and to approve initial recommendations from the first stage of the public consultation that would go on to a second stage consultation, resulting in final recommendations being considered by Council.

6. A working group made up of representatives from parish and community councils, Executive Members and officers of the Council from various departments have all had an input into designing surveys, reviewing the returns and drafting recommendations for the Committee's consideration.
7. The first consultation period ran between 4 January 2022 and 31 March 2022, which resulted in a detailed briefing paper being submitted to Corporate Affairs and Audit, which provided the methodology of the review, the findings of the survey, details of what was considered and the rationale for the recommendations in this report. Details can be found on the Council website. A total of 130 representations were received under the First Consultation Stage.
8. The methods of consultation included:
 - Placing posters at a number of council customer service centres, libraries, etc
 - Information on the Council website
 - Press adverts and local news releases
 - Letter to all Parish and Community Councils within Middlesbrough including posters that they could use to publicise the review within their areas
 - Letter to community groups within Middlesbrough (using the Council's welfare stakeholder database)
 - Letter to all Central MPs representing constituencies within Middlesbrough and local constituency offices of registered political parties
 - Email to all Councillors asking them to raise awareness within their wards
 - Social network sites
 - A working group consisting of parish and community council representatives, elected members and cross departmental officers
 - An online survey with paper copies made available in council buildings and upon request
9. Following the approval of the initial review timetable the Local Government Boundary Commission for England have advised (April 2022) that any local authorities seeking changes to parish councils should submit their requests by 1 October 2022 to allow sufficient time to consider the recommendations. Corporate Affairs and Audit Committee agreed to a revised review consultation timetable to ensure the authority can meet this deadline. Therefore the consultation on the proposed recommendations ran from 25 July 2022 to 19 August 2022.
10. The second stage consultation involved the public being able to comment on the initial recommendations as agreed at Corporate Affairs and Audit Committee. There was a total of 51 respondents to the second stage. The table below shows the total responses to each of the recommendations, with further detailed responses at Appendix.

Proposed Recommendation	Yes	No
1. That Stainton and Thornton Parish Council Ward Boundary is retained and unaltered.	44	5
2. That the number of Parish Councillors to be elected for Stainton and Thornton either:		
a) remains at 7 Parish Councillors	30	19
b) increases to 9 to cater for the large increase in the electorate	25	23
3. That Nunthorpe Parish Council is retained with the following proposed changes:		
a) The Parish Council boundary for Nunthorpe Parish Council is extended to be co terminus with the Nunthorpe electoral ward boundary i.e., to include 1-29 Yew Tree Grove, TS7 8QX, 1-16 Milan Grove, TS7 0DQ (subject to a further consultation with those residents).	44	7
b) That the Principal Council electoral ward boundaries for Nunthorpe and Marton East wards be amended to include 12-16 Milan Grove and the Brethren's area.	43	8
c) That the number of Nunthorpe Parish Councillors either:		
i) be reduced to 7 to mirror that of Stainton & Thornton Parish Council to ensure that electors have an equal voice within both communities.	31	20
ii) be reduced to 9 to mirror that of Stainton & Thornton Parish Council if the Council chooses to increase the number of Parish Councillors in Stainton and Thornton Parish Council to 9, to ensure that electors have an equal voice within both communities.	20	31
4) That a further detailed review of community councils by the Stronger Communities Team be undertaken, to consider how we engage with community groups and assess what support is required/available.	37	14

11. Whilst the initial survey was being undertaken there had been an increase in the number of contacts with the Council from various community councils that are experiencing a number of operational issues or seeking support/training for newly appointed Executive Members.
12. A number of comments and issues were also raised as part of the review, e.g., community councils not meeting for 2 years due to Covid, loss of volunteers to take up board places, lack of support from the local authority to community councils, need for potential review of community council constitutions and support with funding.
13. However, due to the reduced timetable and legal deadlines for amending Parish Council Boundaries it is recommended that a full separate review on community councils is undertaken by the Stronger Communities Team.
14. In addition to responses from residents in relation to their views on community Councils, Democratic Services and the Stronger Communities Teams received a number of communications seeking advice on constitutional and support/ training and how communities can disband or create new community councils. Community council constitutions were last reviewed in 2014 when community councils became

independent bodies and the level of support provided by the Council has diminished over the years, and as such, community groups are struggling

15. The purpose of the review was to make sure that local governance is effective and convenient, and that it reflects the identities and interests of local communities.
16. Following a review, if the Council decides that changes should be made to the electoral arrangements, they may make an Order giving effect to these changes.
17. The last part of the process is to make a decision as to the extent to which the Final Recommendations are given effect. That decision is then implemented by the Council making a formal Reorganisation Order, setting out the changes to be made and the date these come into force. For administrative and financial purposes, Reorganisation Orders implementing Community Governance Reviews should take effect from 1 April following the date on which it is made.
18. Subject to obtaining any necessary consents from the Local Government Boundary Commission for England, a Reorganisation Order will then be made, which will implement any approved changes in time for the May 2023 elections.

What is Being Proposed?

What decision(s) are being recommended?

19. That Council agree the following recommendations:
 - I. That the Stainton and Thornton Parish Council boundary is retained and unaltered.
 - II. That the number of Parish Councillors to be elected for Stainton & Thornton Parish Council remains at 7.
 - III. That Nunthorpe Parish Council is retained with the following proposed changes:
 - a. the Parish Council boundary for Nunthorpe Parish Council is extended to be co terminus with the Nunthorpe electoral ward boundary i.e., to include 1-29 Yew Tree Grove, TS7 8QX, 1-16 Milan Grove, TS7 0DQ
 - b. That the Council seeks permission from the Local Government Boundary Commission for England to amend Principal Council electoral ward boundaries for Nunthorpe ward be amended to include 12-16 Milan Grove and the Brethren's area.



c. That the number of Nunthorpe Parish Councillors be reduced to 7

- IV. That the Council agree to a Reorganisation Order being submitted and that all changes above will take effect from the next local elections that take place on 4 May 2023.
- V. That a further detailed review of community councils by the Stronger Communities Team be undertaken, to consider how we engage with community groups and assess what support is required/available.

Rationale for the recommended decision(s)

20. Recommendations are based on the outcome of the survey and the representations submitted by the public, parish council representatives and local Ward Councillors.
21. Other than a minimum size of 5 councillors, legislation does not prescribe any maximum number of councillors, or require that the number of councillors is proportional to the electorate size.

Polling District	Streets	Properties	Voids	Electors	Number of parish Cllrs
NUNTHORPE					11
TAM - Nunthorpe	20	407	19	716	
TBM - Nunthorpe	28	688	34	1311	
TCM - Nunthorpe	61	1187	163	2097	
Total	109	2282	216	4124	Ratio of Parish Cllrs to electors 1- 374
STAINTON & THORNTON					7
PAM- Stainton & Thornton	70	1533	217	2481	Ratio of Parish Cllrs to electors 1- 354

22. As you will see from the tables above there is currently a high level of disparity in the ratio of electors that currently each Parish Councillor represents within the two parish councils. When considering the number of Parish Councillors required, the authority may want to consider the services that the parish provides and the capacity of the number of Councillors elected to deliver them. They should also consider the parity of electors and each elector should have an equal voice wherever possible.
23. This ratio of Middlesbrough electors to Parish Councillors is comparatively low when compared to local ward councillors who on average have over 2000 electors per elected ward members and who have a much larger remit.
24. There have been no contested Parish Council Elections in the last 12 years. Nunthorpe Parish have relied on co-opted members in order to fill vacancies and currently have 5 elected members and 7 co-opted members.
25. The majority of residents in both parish councils were in favour of appointing 7 parish councillors.
26. Reducing the number of Nunthorpe Parish Councillors would bring a level of parity between the two parish councils on electors and could introduce competition, raise awareness and increase community participation. As there have been no contested Parish Council elections in Middlesbrough for a considerable amount of time this should not affect the democratic process.
27. It's also proposed that the local authority also includes materials on parish councils as part of its election communication and engagement strategy for the forthcoming local elections in 2023.

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

28. The Community Governance Review also considered the creation, merging, altering or abolishing parish councils.
29. There appeared to be a level of public support to maintain the current parish councils. There were some suggestions for creating new parish councils however there was not a strong level of response to support this proposal. There was also no evidence /comments submitted to show that a new parish council would improve community cohesion or offer an improved level of community participation/representation as those areas suggested already had a community council covering the same geographical area.
30. In addition to responses from residents in relation to their views on community councils, Democratic Services and the Stronger Communities Teams received a number of communications seeking advice on constitutional and support/training and how communities can disband or create new community councils. Community council constitutions were last reviewed in 2014 when community councils became independent bodies and the level of support provided by the Council has diminished over the years, and as such, community groups are struggling. Therefore there are

no proposals to change the set up at this time until a more in-depth review can be undertaken

31. To continue with the current community governance arrangements within the Borough and accept the risk that it no longer complies with the statutory requirement to reflect the identities and interests of the community and be effective and convenient.

Impact(s) of the recommended decision(s)

Legal

32. Part 4 of the Local Government and Public Involvement in Health Act 2007 devolved power from the Secretary of State to principal councils to carry out Community Governance Reviews and put in place or make changes to local governance arrangements. The Community Governance Review was undertaken in accordance with this Act.
33. To implement the outcome of the review, the Council will be required to make a Reorganisation of Community Governance Order.
34. Section 93(6) requires the Council to take into account any representations received in connection with the Community Governance Review. It is reasonable to set a time period for representations to be made, in order to allow them to be properly considered.

Strategic priorities and risks

35. The report addresses the Council's community engagement priorities and reduces the risks of failure to comply with the law whilst promoting and maintaining good governance.

Human Rights, Equality and Data Protection

36. There are no direct equalities implications or data protection issues that have been identified as being relevant to this report.

Financial

37. There are no financial or budgetary issues identified as being relevant to this report.

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

Action	Responsible Officer	Deadline
That a further detailed review of community councils and how they are supported be undertaken by the Stronger Communities Team.	Marion Walker	April 2023

A Community Governance Order is made, published, and sent to the Secretary of State	Tony Parkinson	
That authorisation be sought from the Local Government Boundary Commission England to change Nunthorpe Electoral Ward Boundary	Tony Parkinson	
Town and parish councils must be notified of the Council decision.	Tony Parkinson	
Electoral register details to be changed, where town, parish or parish ward boundaries change.	John Stuart	
Council tax records amended to reflect any consequent changes to Council Tax precepts	Jeanette Savage	

Appendices

1	Community Governance Review - Stage 2 Consultation Results
2	
3	

Background papers

Body	Report title	Date
Government	The Local Government and Public Involvement in Health Act 2007 (“the 2007 Act”)	2007
Middlesbrough Council - <i>Full Council</i>	Community Governance Review	7 July 2021
Middlesbrough Council – Corporate Affairs and Audit Committee	Community Governance Review	9 December 2021
Middlesbrough Council – Corporate Affairs and Audit Committee	Community Governance Review - Draft recommendations for further consultation	22 July 2022

Contact: Sylvia Reynolds
Email: sylvia_reynolds@middlesbrough.gov.uk

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Appendix 1 – 2nd Stage Consultation Responses - Community Governance Review

Total of 51 responses received through the consultation portal and email response received from Nunthorpe Parish Council

Question Number	Recommendation	Yes (total number of responses)	No (total number of responses)	Comments
1	That Stainton and Thornton Parish Council Ward Boundary is retained and unaltered.	44	5	* 2 people did not respond to this question
2	That the number of Parish Councillors to be elected for Stainton and Thornton either:			<ul style="list-style-type: none"> • With the increase in housing being built within the parish, we need more/extra councillors to represent our residents effectively. • 7 should be sufficient number of councillors for the community • From what I've seen just more friends will be elected. • 7 is sufficient • The increasing expansion of the Parish warrants an increase in the number of Councillors who volunteer their time to benefit residents • It seems very odd to be considering reducing the number of Parish Councillors at a time when the number of residents is increasing. • The larger the number of residents, the more potential work there is for volunteer Parish Councillors to undertake. • They are a waste of people's money and should be abolished, same as community councils. I have never been invited to a community council meeting or informed on minutes of them <p>* 2 people did not respond to these questions</p>
2a	Remains at 7 Parish Councillors	30	19	
2b	Increases to 9 to cater for the large increase in the electorate	19	30	

Question Number	Recommendation	Yes (total number of responses)	No (total number of responses)	Comments
3	That Nunthorpe Parish Council is retained with the following proposed changes:			<ul style="list-style-type: none"> • Feel pleased that the ambiguity of Milan Grove and Yew Tree Grove's situation may finally be resolved
3a	the Parish Council boundary for Nunthorpe Parish Council is extended to be co- terminus with the Nunthorpe electoral ward boundary i.e. to include 1-29 Yew Tree Grove, TS7 8QX, 1-16 Milan Grove, TS7 0DQ (subject to a further consultation with those residents).	44	7	
3b	That the Principal Council electoral ward boundaries for Nunthorpe and Marton East wards be amended to include 12-16 Milan Grove and the Brethrens area.	43	8	
3c	That the number of Nunthorpe Parish Councillors either:			<ul style="list-style-type: none"> • To keep the Councillor/resident ratio equal. • Very positive to refresh things • Not logical to require “equal voice in both communities” when residents in most of Middlesbrough have no chance of a voice at any Parish Council. If this is a legal requirement, it would be fair to ask whether Stainton and Thornton Parish Council should mirror Nunthorpe Parish Council with a maximum of 11. The issue in practice is attracting volunteers to stand for election rather than deciding how best to limit the number of volunteers • 7 should be sufficient number of Councillors • I’ve never seen them we obviously have too many. • We have a great ward Councillor who is helpful, the conservative just blocks you for asking her questions. • They just pose for photographs but don’t actually do anything.
i	Be reduced to 7 to mirror that of Stainton & Thornton Parish Council to ensure that electors have an equal voice within both communities.	31	20	
ii	Be reduced to 9 to mirror that of Stainton & Thornton Parish Council if the Council chooses to increase the number of Parish Councillors in Stainton and Thornton Parish Council to 9, to ensure that electors have an equal voice within both communities.	20	31	

				<ul style="list-style-type: none">• I've only engaged them once and the chair was obnoxious and pompous. Very unhelpful, I always find if I have a problem councillor Rathmell is proactive and always gets results.• The parish council are bureaucratic nonsense, I've attended 2 meetings previously, never again. They just ramble on.• They're invisible• 7 is adequate as I don't know what they actually do.• Parish councils are outdated. They band together with the older gen of the village and stop new development of existing structures• More opinions, newer ideas, younger views.• More Councillors the better to challenge and make decisions more democratic• Reducing the number of Parish Councillors would increase workload for the volunteers and if this reduced to as low as 7 elections could be triggered at each re-election point which is a high cost to the residents. It is generally noted that the majority of residents are not interested in being involved in the Parish Council or anything else, mainly due to lack of time.• Reducing the number of parish Councillors will increase the workload for these volunteers• Nunthorpe is a growing community, with residents in Middlesbrough and Redcar and Cleveland areas. Therefore should have adequate representation from Parish Councillors. All of who volunteer to represent views of the area.• How much work does Middlesbrough Council expect unpaid volunteers to do for the Community?• I am not clear why it needs to mirror Stainton and Thornton. Each area is different.• Found a couple of the parish council to be unhelpful and obnoxious when recently asked for information• Can't we abolish the parish council, I've lived here 27 years and never found the point of them.
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Question Number	Recommendation	Yes (total number of responses)	No (total number of responses)	Comments
				<ul style="list-style-type: none"> Parish Councils are outdated and bureaucratic in nature. We don't need so many in Nunthorpe especially as I've never heard of them. We have borough Councillors who are great both having their own strengths. I've never heard of them I just pay through my council tax for them to do nothing Never see them, never seem to stand up for residents when it comes to selling off land. Same faces on every group in the community ie community council, parish council, our greenways they are always trying to undermine the ward Councillors that we elected
4	That a further detailed review of community councils by the Stronger Communities Team be undertaken, to consider how we engage with community groups and assess what support is required/available.	37	14	<ul style="list-style-type: none"> You must work with Community Councils and provide funding to allow the residents to have their say. "How Middlesbrough Council engage with community groups" (such as Community Councils and Parish Councils) was one of the main points announced by Middlesbrough Council when launching the Community Governance Review. It not clear why Middlesbrough Council has given up on its plan for an integrated review of all aspects of community governance and I do not support transfer of part of the Community Governance Review to a later date and to a different section of the Council. The whole point of the governance review was to do this I thought Not enough ground floor engagement. A lot of people are unaware of consultation and only having online excludes a large number of people from taking part. Residents are not interested in community councils. They have sadly become political and are hijacked at election time by Independent candidates who have hidden agendas.

				<ul style="list-style-type: none"> • It is the same volunteers who have to do everything with very little support from Middlesbrough Council and residents. • It is not necessary to duplicate the functions of Parish and Community Councils where there already is a Parish Council. • Community Councils should be independent of Ward Councillors. Why is there a need for a Community Council in areas where there is a Parish Council? Residents who do not live in a ward but have a connection with it should be allowed to be on the executive. Willing volunteers are very hard to come by. • Urgent need for better updates from Middlesbrough Council re community councils, or abolish them and get on with sorting the place out. • They should be abolished too. • They were only active when one of our Councillors was involved. Never heard of them since despite his great achievements of getting them doing events. • They've stopped doing anything • unsure regarding the best way forward regarding this a review may be helpful as long as it is not a protracted business that just delays appropriate decisions being made
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Email response submitted by Nunthorpe Parish Council

Nunthorpe Parish Council has no opinion on the most appropriate boundary of Stainton and Thornton Parish Council, nor on the optimum number of Parish Councillors for Stainton and Thornton. As stated in our response to the initial consultation, the circumstances of both Parish Councils differ. For example, in

Stainton and Thornton, it is our understanding that there is a preference to retain the existing significant difference between the Ward and Parish boundaries. Also the Ward is represented by one Councillor, whereas Nunthorpe has two. We believe that community diversity should be respected and retained, and that it would be unreasonable to require both of Middlesbrough's Parish Councils to have identical arrangements for governance.

We are pleased that Middlesbrough Council is endorsing the proposal from Nunthorpe Parish Council that the boundary of Nunthorpe Parish Council should be co-terminus with the Nunthorpe electoral ward boundary.

It follows that we would seek a further minor boundary extension of the Parish to mirror the change now proposed by Middlesbrough Council whereby the boundary of the Nunthorpe ward would incorporate all of the houses in Milan Grove and all of the Brethren Meeting Room site. (We assume that the Council's proposal relates to 12-16 Milan Grove rather than 1-3 Milan Grove as specified in the consultation document.)

We are prepared to agree to the proposed reduction in the number of Parish Councillors from 11 to 9, but not for the reasons identified.

We draw attention to the following:

- The consultation makes the interesting assumption that Stainton and Thornton should set the standard, which Nunthorpe is expected to "mirror" (rather than vice versa!) As the number of electors per Parish Councillor differs so greatly across England, and even within Local Authorities, we are not persuaded that both of Middlesbrough's Parish Councils need to be identical.
- Furthermore, as Stainton and Thornton wishes to retain having Officers of the Community Council in addition to Parish Councillors, whereas Nunthorpe has proposed an amalgamation of the two Councils, we feel that at least 9 Councillors are required if volunteers are to meet the wide range of community expectations.
- Our experience is that it is difficult enough to attract individuals to share the workload among 9 individuals, and a reduction below 9 Parish Councillors, with pro-rata increased workload, is likely to be a deterrent rather than an incentive to stand for election.

For these reasons, we strongly oppose the suggestion that Nunthorpe Parish Council might operate with only 7 Parish Councillors. However, in order to make progress, we are prepared to accept a reduction in the maximum from 11 to 9.

We are disappointed that there will be a delay in undertaking the full remit of the Community Governance Review within the timescale previously agreed, because one of the benefits of Middlesbrough Council's comprehensive Community Governance Review as initially proposed was the opportunity for integrated consideration of the interrelationship between Parish Councils and Community Councils. Such a coherent overview could now be lost if the remit of this Governance Review is confined to consideration of Middlesbrough's Parish Councils and another review considers Middlesbrough's Community Councils. In this context, we seek clarification about the process for responding to the outstanding issues raised by Nunthorpe Parish Council and Nunthorpe Community Council during the 1st Stage Consultation.