

THE CHAIR AND ALL MEMBERS OF THE COUNCIL

Tuesday 22 November 2022

Dear Member

COUNCIL - WEDNESDAY 30TH NOVEMBER, 2022

You are hereby summoned to attend a meeting of the Council of the Borough of Middlesbrough to be held on **Wednesday 30th November, 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 - Extraordinary Council Meetings - 31 August and 19 October 2022 and Ordinary Council Meeting - 7 September 2022 5 - 26
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).
There are no questions from members of the public.
6. Mayor's Statement and Report
7. Executive Member reports 27 – 68
8. Report of the Overview and Scrutiny Board 69 – 74
9. Medium Term Financial Plan Update and Budget Savings Proposals 2023/24 75 - 100
10. Local Plan Scoping Report 101 – 128
11. Urgent Items

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

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| 12. | Members' Question Time | |
| 13. | Notice of Motions | 129 – 132 |
| 14. | Notice of Urgent Motions (if any) | |
| 15. | Corporate Governance Improvement Plan and progress update | 133 - 144 |
| 16. | Vacancies on Committees and Outside Body | 145 - 150 |



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

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COUNCIL

A meeting of the Council was held on Wednesday 31 August 2022.

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

OFFICERS: C Benjamin, S Bonner, C Breheny, B Carr, A Hoy, D Johnson, A Johnstone, S Lightwing, A Pain, T Parkinson and A Perriman

APOLOGIES FOR ABSENCE: Councillors D Davison, N Gascoigne, L Lewis, J Platt and R Sands

22/31 **DECLARATIONS OF INTEREST**

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

22/32 **REQUEST FOR EXTRAORDINARY COUNCIL MEETING TO DISCUSS THE EXTERNAL AUDIT REPORT PRODUCED BY ERNST AND YOUNG REGARDING MIDDLESBROUGH COUNCIL IN WHICH THE COUNCIL'S ACCOUNTS WERE QUALIFIED**

The Chair invited Councillor M Storey to outline the reasons for calling the Extraordinary Council meeting.

Councillor Storey stated that he believed that councillors needed the opportunity to discuss the recent audit report in a public forum. He stated that in his view, the report was scathing and damning.

Councillor Storey stated that the auditor's report was unprecedented. The report highlighted examples of governance failings relating to the employment of a Mayoral Assistant, BOHO X and the purchase of unusable antibody tests. The report also highlighted issues in relation to declarations of interest in relation to the mayor.

One of the perceived failings included within the report, was that the Council did not have proper arrangements in place to ensure that the Council took properly informed decisions and deployed resources to achieve planned and sustainable outcomes for taxpayers and local people. Councillor Storey pointed out that this was not a function of back bench councillors, it was the function of the Executive and the Mayor.

Councillor Storey outlined the background to each of the examples of governance failings outlined in the report. He pointed out that the report did not make any reference to governance failures or audits in previous years. The Annual Governance Statement had not yet been signed off and the Chief Executive had asked central government to intervene at the Council.

Councillor Storey highlighted that the report did not refer to Standards complaints or wasted money investigating Standards complaints.

The Labour group had presented a comprehensive dossier of perceived governance failings to the auditors, central government, and the press. Councillor Storey advised that officers had faced difficult times over the last three years, working in a broken culture, but, going forward, it was important for officers and elected members to work together in a spirit of mutual respect and honesty.

Councillor Storey stated that the Labour group wished to work with officers and elected members, across the political divide, to deliver solutions and to ensure that the Council did not ever find itself in the situation it currently faced. Councillor Storey stated that the Labour group

recognised the importance of a council that functioned, worked for local people, and that delivered value for money.

Councillor Storey stated that previously, almost all the Executive had resigned. He stated that the mayor must take responsibility for the situation that the Council currently faced. Councillor Storey stated that in his view, the issues currently facing the council could not be resolved by the current Mayor.

The mayor stated that it was very important that people were honest about the good and bad things that had occurred, and in his view, some of the issues highlighted by Councillor Storey had been misleading.

The mayor stated that the political context of the governance report should be discussed. He stated that the context was that real progress had been made, despite issues with Covid and the financial challenges that the Council faced. The mayor highlighted some of the things that the Council had achieved. He advised that in the last four months, Middlesbrough had been identified by the FT and its partners as the third best small city, in the whole of Europe, for investment. Middlesbrough had also been identified, by the Office for National Statistics, as the most enterprising place in the North-East. Social housing was being built for the first time in a generation. Middlesbrough Council was leading the way in rebuilding Middlesbrough, an example of this was that Captain Cook Square was now a leisure and entertainment destination. The mayor referred to the works at Exchange Square and the fact that some of the older buildings in the town were being restored and brought back to life.

The mayor stated that the town was an educational powerhouse. The university was growing and thriving and there was a large increase in foreign students, which had a positive impact on the economy. Middlesbrough College was fighting digital poverty by ensuring that all students received a laptop. The Council had managed to retain the Northern School of Arts, the only art further education college in the north.

The mayor referred to plans to build a new community centre in Nunthorpe and a new community centre to replace the former Southlands centre, The Council was also building new play parks and refurbishing some of the old parks.

The mayor advised that the auditors had highlighted issues with some governance procedures and the situation had deteriorated over time. He stated that everyone could play a role in turning the situation around with regards to governance procedures.

The mayor stated that the increase in the submission of freedom of information requests, standards complaints and threats on social media should cease. He stated that he was willing to accept some of the blame for the current situation, but all members should consider the report of the auditors and work together to turn the situation around. All members of the Council needed to put the town ahead of politics.

Councillor Thompson stated that she was sure that members were shocked and saddened at the content of the audit report. Councillor Thompson stated that she shared the anger of residents regarding the waste of council taxpayer's money. Many residents who were already reliant on food banks, faced a large increase in fuel bills, together with a rise in the cost of living, and the combined effect was placing people in poverty, particularly, some children.

Councillor Thompson referred to some of the governance failings included within the report. Councillor Thompson highlighted that in her ward, footpaths were crumbling, there were numerous issues with the roads which relied on a rolling road repair programme.

Councillor Thompson referred to a boxing club for young people in Thorntree, occupying a Council building where the roof leaked, there was water damage and damage to the electrics and the toilets were unusable, but the Council was unable to fund the repairs. Many other members faced similar issues in their ward, and Councillor Thompson urged the mayor to make sure that his priorities were right.

Councillor C Hobson stated that when she resigned from the Executive, it was not because she did not have any confidence in the mayor, it was because the mayor had taken some decisions that she did not agree with and as a result, she no longer wanted to be involved in the Executive. Councillor Hobson stated that the mayor had however taken some good

decisions and there was progress in the town.

Councillor Smiles stated that many of the issues highlighted in the report were not new and the Council's accounts had been qualified in the past. The situation at the present time was serious, and the situation had deteriorated, but all members needed to get involved in efforts to improve the situation. Residents were more interested in resolving issues such as potholes, reducing anti-social behaviour and maintaining green spaces and parks, rather than listening to members blaming each other for the situation.

Councillor McTigue referred to the employment of an advisor by the first elected Mayor and advised that no objections to the appointment had been made at that time.

Councillor J Walker stated that the audit report was not a shock. Councillor Walker stated that she was elected to represent her resident's concerns and needs and that she was a member of a number of different committees that looked after the whole town. Councillor Walker stated that her role had become more difficult, in her view, because since 2019, there had been a toxic atmosphere at the Council, and in other meetings because of the political difference between the newly elected independents and their attitude to political parties.

Councillor Walker stated that the new Mayor was inexperienced in political matters. There was a lack of transparency when carrying out some transactions which sometimes resulted in officers being blamed.

Many of the newly elected councillors had been appointed as Chairs of scrutiny panels and committees when they lacked experience of the panel or committee.

Councillor Mawston stated that there had been a toxic atmosphere during the campaigning for the 2019 elections. The auditors had encouraged members to work together, and he urged members to work together for the benefit of the town.

Councillor S Walker stated that the audit report was unique as the Council had never in its history, faced the threat of government intervention. The audit report was made up of two components, the first one related to governance failings. He stated that he had tried to look at where things had failed.

The current Mayor had adopted a different approach to his role, compared to the approach adopted by the previous labour Mayor. The experience of many of the current members was in relation to the private sector rather than the public sector. Part of the distrust was in relation to the mayor's approach to his role. He advised that CIPFA would produce an improvement plan for the Council to follow. He stated that all members were responsible for making the town a better place.

Councillor Cooke stated that members should listen more to their residents. Councillor Cooke advised that the building project currently taking place in his ward only had one layer of bricks. It did not fix the state of dilapidation and the level of anti-social behaviour in the Cannon Park estate which was currently managed by the Thirteen group.

Councillor Cooke stated that residents would rather see issues or repairs in respect of their own properties fixed before new projects are commenced. He stated that when residents felt like they were not being listened to, then councillors needed to do something about it.

Councillor Cooke stated that rather than talk about cross party working, it needed to happen. Councillor Grainge stated that he was new to politics, but he wanted to do the best for the Beechwood and Easterside estate. He stated that all members aimed to make the town a better place and members needed to stop judging each other. He stated that, in his view, the mayor was doing great things for the town and all members needed to work for the good of the town.

Councillor Hellaoui stated that there were a number of different mechanisms for members to work together, such as scrutiny. Councillor Hellaoui stated, that in her view, some of the newer members did not understand the correct processes for challenging people.

The object of scrutiny was to scrutinise, and to do this, members needed to read the papers before the meeting, so that they were fully prepared and were able to ask questions at the

meeting. Members appeared to have a lack of respect for each other.

Councillor Arundale stated that in his experience, politics only came into effect in the council chamber, they did not appear to affect meetings such as the Licensing Committee or scrutiny panels. Members needed to find a constructive way forward and keep politics out of the council chamber.

Councillor Hubbard reminded members that when the mayor was first elected, he offered all members the opportunity to apply to be a member of the Executive, but none of the members of the labour group had put their name forward. He stated that the mayor would have welcomed the experience of some of the labour members.

Councillor Hubbard pointed out that in relation to challenge to the mayor, there had been no call-ins over the last year, initiated by the labour members.

Councillor Hubbard highlighted a number of instances in relation to the sale of Council assets, from when the Labour group were in control, where, in his view, poor decisions had been taken. He stated that although the Council had made mistakes since 2019, this needed to be put into context. Councillor Hubbard stated, that in his view, the mayor was doing a great job for the town.

Councillor Saunders stated that the labour group had never accepted the election results from 2019, and he urged them to stop calling for the mayor's resignation.

Councillor Rooney stated that the report was shocking and damning. The Executive summary of the report referred to how the Council managed risk, which decisions were supported by evidence, allowing for challenge and transparency, and how members and officers discharged their responsibilities.

Councillor Rooney pointed out that the main findings of the report could be broken down into areas of significant risk and value for money. In relation to significant risk, the report highlighted instances where the Council did not follow the correct procurement rules such as the BOHO X project, the purchase of the Covid-19 tests and the engagement of the advisor to the mayor, which was described as an unlawful action.

Councillor Rooney pointed out that on page 19 of the report, it highlighted that not all instances of where there may have been potential breaches of governance had been identified. The report also stated that the involvement of the Executive had strayed into operational matters on numerous occasions.

In relation to value for money, the report referred to the relationship between senior officers and elected members and the lack of trust, which was having an effect on the governance of the Council. Councillor Rooney stated that for members and officers to move forward to work together, intervention and support would be needed.

Councillor Rooney referred to issues regarding the Declaration of Interests. The Corporate Affairs and Audit Committee had requested the background information in relation to the report. Councillor Rooney requested that the Monitoring Officer and her team produce a report to provide the evidence that resulted in the audit report highlighting a pervasive lack of trust overreaching of members and the mirroring of the work that would come forth from CIPFA and that the report be made available to all members.

Councillor Rathmell stated that there had been criticism of non-acceptance of past and current failings within the Council. He stated that it was easy to blame officers or the new Executive, but members should take collective responsibility. The issues facing the Council were not new. There had been a breakdown in some relationships between officers and members.

All members should attend any training sessions or members briefings open for them to attend to enable them to scrutinise and challenge decisions. Councillor Rathmell highlighted that attendance at some members briefings and training sessions was poor. In terms of training, Councillor Rathmell advised that if members felt that the training being delivered was not relevant to their needs, they should advise officers, who could then look at alternate ways of delivering the training.

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The Chair of the Council stated that when he started at the council, he had been treated badly by the majority group but over the years that had changed. He stated that the current labour group were the best he had ever worked with, and it was important that everyone worked together well, for the good of the town.

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COUNCIL

A meeting of the Council was held on Wednesday 19 October 2022.

PRESENT: Councillors J Hobson, R Arundale, A Bell (Vice-Chair), I Blades, D Branson, C Cooke, B Cooper, D Coupe, D Davison, S Dean, C Dodds, T A Grainge, A Hellaoui, T Higgins, A High, S Hill, C Hobson, N Hussain, D Jones, L Lewis, L Mason, T Mawston, D McCabe, M Nugent, J Platt, E Polano, A Preston (The Mayor), J Rathmell, D Rooney, J Rostron, R Sands, M Smiles, M Storey, P Storey, J Thompson, Z Uddin, J Walker, S Walker, G Wilson and C Wright

ALSO IN ATTENDANCE: C Farrugia (CIPFA) and J O'Hallaron (CIPFA)

OFFICERS: C Benjamin, S Bonner, C Breheny, G Field, A Hoy, D Johnson, S Lightwing, T Parkinson, S Reynolds and K Whitmore

APOLOGIES FOR ABSENCE: were submitted on behalf of Councillors T Furness, N Gascoigne, B Hubbard, C McIntyre, J McTigue, G Purvis and M Saunders

22/47 **DECLARATIONS OF INTEREST**

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

22/48 **MIDDLESBROUGH COUNCIL CULTURE AND GOVERNANCE: CIPFA REPORT - SEPTEMBER 2022**

The Chartered Institution of Public Finance and Accountancy (CIPFA) had been commissioned to undertake a review of culture and governance at Middlesbrough Council following a qualification to the Value for Money (VFM) judgement in the External Auditors' Report in July 2022.

The Head of CIPFA's Consultancy Services presented the report, a copy of which had been circulated with the agenda for the meeting. The review had been undertaken in the context of VFM qualifications in the External Auditors' Reports for the years ended 31 March 2020 and 31 March 2021 and longer standing issues in relation to culture and Member behaviour. The Auditors would return in six months expecting to see positive progress.

CIPFA interviewed a wide range of Officers and Members to gauge the situation and identified that following the 2019 election and unprecedented political change, the Council had struggled to adapt to the entrepreneurial style of the new administration. Notwithstanding the seriousness of the situation, CIPFA believed that if everyone worked together and accepted that the problems existed and why, then significant improvements could be made.

Attention was drawn to Section 5 of the submitted report which detailed the serious issues in the governance and operation of the Council that had been identified during the review and the following points were highlighted:

- Clash of cultures.
- Covid.
- Roles and Responsibilities.
- Communication.
- Member training.
- Officer morale.
- Resolution of FOIs and complaints.
- Focus on the past.

In conclusion, the issues facing the Council were significant and having a negative impact on the culture and the Council's ability to deliver good governance. The Council had an opportunity to made considerable improvements, but not without acceptance that the issues contained in the report were real, serious and needed resolution.

CIPFA's recommendations were set out as follows:

- the Mayor should seek the support of the full Council for the development, in conjunction with CIPFA, of an Action Plan with clear milestones to address the issues highlighted in the report.
- Officers and Members were involved in the development of the Action Plan and that it included deliverables and milestones on a timescale of 30, 60 and 90 days. Cross-party working groups should be used as a way of involving Members in creating solutions.
- the Mayor should agree a review process for the plan, which involved all parties.

ORDERED that the report was received and noted.

22/49

CORPORATE GOVERNANCE IMPROVEMENT JOURNEY – CIPFA FINDINGS AND NEXT STEPS

The Mayor thanked CIPFA for their report as presented at Agenda Item 3 and commented that this was an opportunity to start the process of creating the most effective, constructive, challenging and strong Council in the country. The Mayor also urged all present to agree the recommendations proposed by CIPFA in order to move forward and become a Council that set the standard for others to follow.

The Executive Member for Finance and Governance presented the joint report of the Mayor and the Chief Executive which summarised the findings of the independent diagnostic work completed by CIPFA and the proposed next steps.

It was proposed that a politically balanced Improvement Board consisting of Statutory Officers, Elected Members, CIPFA representatives, and an independent Chair would have responsibility for agreeing, delivering and reporting an action plan to improve governance across the Authority. Wider groups of Members and Officers would be involved in task and finish sub-groups as the improvement plan developed to ensure wide engagement in the improvement journey. The Executive Member had received nominations for all sub-groups and confirmed that the details would be circulated to all Members.

Councillor M Storey referred to the CIPFA report findings and stated that nobody should have to come into their place of work in fear or trepidation of being bullied. The fact that this had been highlighted was a stain on the Council and Members would do everything they could to ensure Officers felt supported at all times. Councillor Storey also commented that the Board and Sub Groups were the right way to progress and the Labour Group would support this process wholeheartedly.

Responding in relation to a query regarding the percentage of people interviewed by CIPFA, the Executive Member stated that responsibility for the review was delegated to CIPFA and he was confident that CIPFA's findings were accurate.

Regarding the response times from Officers to Members' queries, the Executive Member commented that Officers were doing the best they could under immense pressure. However, improvement in this area could be discussed as part of the improvement plan.

Councillor C Hobson stated that the Middlesbrough Independent Group (MIG) understood the seriousness of the situation, wished to think positively about moving forward and urged all present to agree with the recommendations in the Report.

The Executive Member for Environment, speaking on behalf of Middlesbrough Independent Councillors Association (MICA) stated that the group were looking forward to working with everyone and building bridges. The Executive Member proposed that the membership of the sub groups should be extended to include one place for Conservatives on each sub group.

On a vote being taken, it was **ORDERED** that the proposed membership of the sub groups was amended to include one allocated place on each sub group for Conservatives.

Some further discussion took place amongst Members in relation to the amended membership of the sub-groups and the issue of proportionality. The Mayor thanked Members for their comments and stated whilst there could be follow up conversations, the vote had

now been taken.

ORDERED as follows that Council:

1. Thanked CIPFA for their report and accepted all findings set out within it.
2. Agreed the creation of the Improvement Board and its proposed membership as set out in the body of the submitted report at paragraph 22.
3. Agreed the creation of the Improvement Board sub-groups and their proposed membership, as set out in the body of the report at paragraph 25, with the addition of one place allocated to Conservatives on every sub-group.
4. Endorsed the further commissioning of CIPFA to support work to develop a detailed response plan.
5. Agreed that the developed plan would be reported to Council for noting in November 2022.

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COUNCIL

A meeting of the Council was held on Wednesday 7 September 2022.

PRESENT: Councillors J Hobson, A Bell (Vice-Chair), R Arundale, I Blades, D Coupe, C Dodds, T Furness, TA Grainge, A Hellaoui, T Higgins, C Hobson, B Hubbard, N Hussain, D Jones, L Lewis, L Mason, D McCabe, M Nugent, J Platt, E Polano, A Preston (The Mayor), J Rathmell, D Rooney, J Rostron, R Sands, M Saunders, M Smiles, M Storey, P Storey, Z Uddin, J Walker, S Walker and G Wilson

OFFICERS: S Bonner, C Breheny, S Butcher, B Carr, G Field, R Horniman, A Hoy, A Humble, D Johnson, A Pain, T Parkinson and A Perriman

APOLOGIES FOR ABSENCE: Councillors D Branson, C Cooke, B Cooper, D Davison, S Dean, N Gascoigne, A High, S Hill, T Mawston, C McIntyre, J McTigue, G Purvis, J Thompson and C Wright

21/1 **DECLARATIONS OF INTEREST**

Councillor Coupe declared a non-pecuniary interest in Agenda Item 15 – Community Governance Review – Final recommendations for approval – as Councillor for Stainton and Thornton Ward

Councillor Smiles declared a personal prejudicial interest in Agenda Item 15 – Community Governance Review – Final recommendations for approval – as Ward and Parish Councillor for Nunthorpe Ward

21/2 **MINUTES - COUNCIL - 6 JULY 2022**

The minutes of the Council meeting held on 6 July 2022 were submitted and approved as a correct record.

21/3 **ANNOUNCEMENTS/COMMUNICATIONS**

There were no announcements or communications for this meeting.

21/4 **QUESTIONS FROM MEMBERS OF THE PUBLIC (IF ANY).**

The Chair advised that a question from a member of the public had been received, details of which was included at Agenda Item 5.

As the member of the public was unable to attend the meeting, he had requested that the Chair read the question out on his behalf. The Chair invited the Executive Member for Neighbourhood Safety to respond to the question.

The Executive Member for Neighbourhood Safety advised that the council worked very closely with a range of partners and stakeholders both internal and external to the council to ensure support was put in place to help individuals.

Where identified individuals continued to cause harassment, alarm and distress to the public and business owners, robust enforcement action was taken by Middlesbrough Council. This included Civil Injunctions, criminal behaviour orders and the use of other available tools and powers from the Crime and Policing Act 2014.

The council had a focused multi agency operation in the town centre which was led by Middlesbrough Council's Neighbourhood Safety Team. This had been in place since June 2022 and was called Operation Banton.

Operation Banton tackled people who caused issues for visitors and businesses within the town centre. This also included working with partners to reduce the level of begging in the

town centre. Recorded anti-social behaviour was at the lowest levels in three years.

21/5

MAYOR'S STATEMENT AND REPORT

The Mayor stated that begging was still a real problem in the town. He stated that many people thought that when they saw beggars that they were begging for food or were homeless. He stated that unfortunately, in Middlesbrough, this was not the case, as most beggars were begging for money to buy drugs. He urged the public not to give money to beggars. If people wanted to assist the less fortunate, then it would be of more benefit to donate to charities that provided support to addicts to assist with their recovery.

The Mayor referred to the fact that the country had a new Prime Minister. He stated that the feedback from the government was that there would be some assistance forthcoming to help with the challenges to be faced from the rising cost of living.

The Mayor commented that to combat the rising energy costs, the government would have to borrow around £1b. They might have to bail out businesses as otherwise jobs would be lost, and shopping precincts could disappear.

Councils were in an extraordinarily frightening position and emergency plans might need to be put in place. Some Councils could go bust or would lose vital services. Councils could be in the position where they would have to choose which services to retain because of a lack of funding. The Council needed to lobby the government for more funding to support essential services such as funding children in care and fixing potholes.

The Mayor acknowledged that members appeared to be keen to work together for the benefit of the town.

Councillor M Storey stated that the Council needed to work together on a cross party working group to develop a strategic approach to the cost-of-living crisis. The decision to freeze energy prices was a good decision, however the freeze on energy prices should include businesses and councils. The Prime Minister had not indicated how the price freeze would be funded. Councillor Storey indicated, that in his view, a windfall tax on the oil and gas companies was needed.

Councillor Storey pointed out that tax cuts did not lead to growth. There would be massive savings required and the cost-of-living crisis was a bigger crisis than Covid. People were likely to die because of issues caused by the cost-of-living crisis.

Councillor Storey highlighted that any decision by the government to cut public sector funding would be a political choice. People needed to lobby Simon Clarke MP to urge him to ensure that this Council received the necessary funding for services. The previous cuts had impacted on staff, so if the Council could employ more staff, services would improve.

21/6

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).

Questions on Deputy Mayor and Executive Member for Children's Services report

Councillor Hellaoui regarding Government-funded Holiday Activity Fund and Feast of Fun Groups.

Councillor Hellaoui referred to the two groups mentioned in the Executive Member report in respect of the Government-funded Holiday Activity Fund and advised that there had been 34 Holiday Activity Groups and 12 Feast of Fun Groups, that had provided food, activities, and trips to over one thousand children. Many of those children had been in receipt of free school meals. Councillor Hellaoui listed all 34 Holiday Activity groups and all 12 Feast of Fun Groups and stated that she wished to thank all those involved.

The Executive Member stated that she had mentioned in her report that there were activity

groups operating across the whole of the town. Over £1m had been spent locally on the provision of free activities and over £200m nationally, which assisted in preventing social isolation and provided food to those children who might not otherwise have received a warm meal. The Executive Member thanked all those involved in organising the Holiday Activity and Feast of Fun Groups.

Councillor Saunders commented that it was pleasing to see the improvement in Children's Services. He stated that on behalf of the MICA group, he would like to give credit to the current Director of Children's Services, the staff, and the Executive Member for Children's Services.

The Executive Member stated that recruitment to the service was still an issue alongside placement of children outside the area, but this was a national problem. The Executive Member advised that it was a whole team effort which included the labour group members that were members of the Children's Services Scrutiny Panels.

Questions on Executive Member for Environment report

The Chair advised that as the Executive Member had submitted his apologies for the meeting, the two councillors that had indicated that they would like to ask questions on his executive report could email him direct or ask the questions and they would be forwarded to the Executive Member for a written response.

Councillor Furness stated that the provision of nutritious meals was good, but it would be tough going forward. He stated that he was a Governor at Newham Bridge School and they had noticed an increase in parents in receipt of Universal Credit. The school was looking to bridge the gap by providing free breakfast clubs. He asked whether the Council could look to fund free meals across all schools.

The mayor advised that not only people on benefits, but some people who were in work, struggled to pay for school meals. The Council would be unable to fund free meals for all schools as funding was the responsibility of schools and the government. The mayor advised that if people who did not currently qualify for school meals were struggling then they should contact the Council. The mayor stated that he was happy for Councillor Furness to contact him and the Executive Member to discuss the issue.

Councillor Arundale stated that he would like to ask his questions and would be happy to receive a written response.

Councillor Arundale stated that his questions were as follows:

1. Are there any proposed sites for tree planting sites around the Sandy Flatts area?
2. As the Council is responsible for several meadows; are all of them harvested as well as cut?

Questions on Executive Member for Finance and Governance report

Councillor Rooney referred to the Head of Resident & Business Support and the Welfare Benefits Team and congratulated them on their work in relation to the Welfare Strategy.

Councillor Rooney referred to paragraph 1.4. of the Executive Member report regarding the comment that the funding for Children's Services was "archaic". Councillor Rooney queried regarding what the Executive Member intended to do regarding Children's Services Funding to mitigate the issue.

Councillor Rooney queried whether there was a Council-wide strategy that would cut across all services to deal with the impact of the current cost of living. The Councillor also queried regarding what the Council intended to do about the people who were working who fell through the gaps in terms of funding because they were not entitled to access certain children's services.

The Executive Member advised that in terms of a Council-wide strategy, the Welfare Strategy brought lots of vulnerable people together, similar to a one stop shop. However, in terms of financial strategy, work was in progress to refresh the Medium-Term Financial Plan.

The cost-of-living crisis would increase cost drivers for adult social care and children's services. The two main cost drivers were the over reliance on agency staff and the commercial nature of children placements. One of the things that the Council could consider was setting up its own centres.

The Executive Member highlighted that in terms of funding for children's services, the Council received a set amount, so even if the demand for children's services increased, the Council would not receive any additional funding to deal with the increased demand on services. Some of the issues facing children's services would take one to two years to improve.

Councillor Rostron referred to the role of Section 151 officer and the fact that the Council had appointed to the role on a temporary, part-time basis. Councillor Rostron queried whether employing a Section 151 officer on a temporary/part-time basis was viable.

The Executive Member advised that when the job was advertised, because of the criteria required to carry out the role, no applications had been received. The person who was currently carrying out the role was hardworking and often worked out of hours. The aim however was to employ a full time Section 151 officer.

Councillor Furness queried whether the figure of £9m was correct in terms of the budget gap and what percentage it represented in terms of the Council's budget shortfall.

The Executive Member advised that the £9m represented the current years overspend. The service areas were required to produce a recovery plan to meet the shortfall. The projected budget gap for the following year was changing all the time, but a more accurate prediction could be available in December.

Questions on Executive Member for Neighbourhood Safety report

Councillor Higgins referred to parking issues outside schools in the Nunthorpe and Marton Wards and queried whether patrols were there was a rota in place to ensure that patrols could be carried out outside other schools in the town. Councillor Higgins stated that in a school in her ward, some disabled children were unable to get off their bus due to people parking inappropriately.

The Executive Member advised that walking to school was being actively encouraged in schools which was better for children's health and allowed them to converse with parents on the way to school.

The Street Wardens were patrolling in areas where there were known issues, but Councillors should contact the one-stop shop to advise where there were issues with inappropriate parking outside schools. The Street Wardens were patrolling in other wards in the town.

Councillor Blades advised that it was good to see that the use of CCTV and collaborative working had resulted in convictions and custodial sentences. The Executive Member had advised at the last meeting of the Council, that he would provide a list showing the number of CCTV cameras by ward, however the list had not been received.

The Executive Member advised that he had sent the list to Councillor Higgins, but he would circulate the most up to date list showing the number of CCTV cameras by ward, as requested.

Questions on Executive Member for Regeneration report

Councillor J Walker referred to paragraph 4.1 of the Executive Member report regarding the fact that bids had been submitted to the Government to seek funding for a number of projects affecting derelict buildings through the Levelling Up Fund. Councillor Walker queried regarding which derelict buildings were included and the level of funding requested. Paragraph 4.2 of the report stated that the bids submitted by the Council, focussed on providing the resources to bring a number of town centre buildings back into use, with a decision being expected by the autumn. Councillor Walker queried whether the bids referred to in paragraph 4.2 were the same bids mentioned in paragraph 4.1 of the report.

Councillor J Walker stated that she was pleased to see one of the units in the Cleveland

Centre re-opening as a clothing shop. Councillor Walker queried with regard to how much the Cleveland Centre was costing to maintain in terms of rent, cleaning, security, and insurance and whether the Council was receiving rent from the businesses in the Cleveland Centre or any other Council owned shopping centres.

Councillor Walker stated that she would like this information by the next Council meeting, and she suggested that they might be included in the Executive Member's next report.

Councillor Walker also commented that it was good to see that the town had the highest business start-up, but she queried regarding how many of the businesses were still running after one year.

The Executive Member advised that he did not have the exact figures for funding requested from the Levelling Up Fund to bring derelict buildings back into use, but he would provide Councillor Walker with them in due course. The funding could potentially be used on bringing back into use, the House of Fraser store, and the former Crown Bingo premises.

Councillor J Walker advised that as her questions were quite long, she would forward a copy to the Executive Member for a written response.

Councillor Hellaoui noted that there had been an increase in small businesses in 2022, which might be expected because of the covid pandemic. Councillor Hellaoui queried regarding ongoing support and monitoring available to small businesses and how many new small businesses had folded in the same period. The councillor also queried with regard to how many new jobs had been created as a result of the new business start-ups, how many had been lost and what contribution to the town budget the new businesses had made.

The Executive Member advised that a report produced by one of the largest lenders to small business had identified that the number of small businesses registered in Middlesbrough in the first part of 2022, equated to 610 per 100,000 people. This represented a 43% increase for the same period in 2021 and a 94% increase for the same period in 2019. This equated to 5 new business start-ups per day and represented the highest number of new business start-ups in the North-East.

The Executive Member advised that he did not currently have the figures requested for the number of small businesses that had closed and the number of new jobs that had been created, but he would forward them to Councillor Hellaoui in due course.

Councillor Hellaoui advised that she forward a copy of her questions to the Executive Member following the meeting.

Questions on Executive Member for Young Adults and Democratic Engagement report

Councillor Rooney commented that the level of take up for postal voting was positive, but she queried whether a copy of the postal vote application form and how to register for a postal vote could be included in the Love Middlesbrough magazine. Councillor Rooney also queried about how many first-time registrations had occurred and figures in respect of the postal vote returns.

The Executive Member advised that he fully accepted the comments from Councillor Rooney, and he acknowledged that the more ways used to promote postal voting the more advantageous it would be.

Councillor Hellaoui queried regarding engagement with young people on voting and democracy.

Councillor Hellaoui queried with regard to what materials would be used to encourage and motivate young people to become engaged, what curriculum strategies teaching materials and lessons plans would be used and how much time in the school timetable would be allocated to these lessons. In addition, how would the Executive Member be able to ensure that there was no political bias in the material that was being delivered to young people. The councillor also queried whether it would be possible to collect any data in respect of whether there was an increase in young people voting, following the initiative to increase engagement of young people in the democratic process.

The Executive Member advised that it may be difficult to collate the data requested by Councillor Hellaoui. In terms of engaging with young people, the aim was to make the process as interactive as possible. The Youth Council would be urged to engage with young people. The Executive Member advised that in terms of political bias that councillors needed to step out of their political realms when engaging with young people.

Councillor Furness referred to the number of documents requested by voters in respect of the requests for Voter ID. cards. Councillor Furness queried whether the Council was going to receive further funding to assist with the requests.

The Executive Member advised that the Council had not received any information in relation to potential funding available at this time, but he would update the Council once the information became available.

21/7

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.

21/8

FLEXIBLE USE OF CAPITAL RECEIPTS STRATEGY

The Director of Finance and the Executive Member for Finance and Governance submitted a report, in respect of the Flexible Use of Capital Receipts Strategy 2022/23.

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, the report proposed a Flexible Use of Capital Receipts Strategy for 2022/23 for approval by Council.

The report detailed the proposed individual projects, totalling approximately £2.7m, which were planned to be funded from the flexible use of capital receipts in 2022/23 in accordance with the Statutory Guidance.

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

This was 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 would help the Council maximise the use of financial resources available, while ensuring that there was a minimum impact on the level of service delivered to the public or on the Council Taxpayer.

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

That the Council:

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

21/9

REVIEW OF THE EMERGING LOCAL PLAN

The Director of Regeneration and the Executive Member for Regeneration submitted a report for Council's consideration in respect of a Review of the Emerging Local Plan.

The Executive Member for Regeneration stated that in July 2019, the Council made a decision not to submit the Local Plan to Government for Independent Examination.

The main reasons for this were:

- a change in priorities as a consequence of the local elections, such as an increased emphasis on urban living;

- to allow the evidence base to be updated; and
- to consider revisions to the Government's National Planning Policy Framework.

Since then, a significant amount of work had been undertaken in reviewing the evidence base, with up-to-date information now in place on the town centres, the local economy, and housing. The Council had also adopted a Green and Blue Infrastructure Strategy that would put green and blue infrastructure at the heart of the Local Plan.

However, it had become apparent that the Council could no longer simply continue to progress where they left off, for a number of reasons:

- 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 placed additional requirements on the Council;
- Different strategic priorities than those that the emerging Local Plan had been seeking to deliver;
- Some of the baseline information upon which the emerging plan had been based was now out-of-date and needed updating; and
- The impacts of Brexit and the Covid-19 pandemic needed to be taken into account.

It was therefore recommended that the Council officially cease work on the emerging Local Plan and start work on a new Local Plan.

The Executive Member for Regeneration advised that a new Local Development Scheme, which set out the timetable for preparing the Local Plan, had also been prepared. The first stage in the new Local Plan would be the Scoping Report which would be brought before Council in October.

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

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.

21/10 **URGENT ITEMS**

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

21/11 **MEMBERS' QUESTION TIME**

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

21/12 **NOTICE OF MOTIONS**

Consideration was given to Motion No. 154, moved by Councillor M Storey, and seconded by Councillor Rostron of which notice had been given in accordance with Council Procedure Rules No. 53-60 as follows:

Public Censure

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.

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.

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.

Councillor M Storey advised that the motion had been due to be considered by the Council meeting on 6 July however, Councillor Saunders, the acting Chair of the Standards Committee at the time the resolution was passed, had refused to bring the motion to Council, because he had concerns regarding the fact that the complaint had been processed, given the six months deadline for submission of complaints, contained in the procedure rules. In Councillor Saunders view, the complaint was not submitted within the required six months deadline. Councillor Storey advised that Councillor Saunders believed that on the above technicality, Councillor McTigue should not be censured. The Standards Committee had however unanimously agreed that Councillor McTigue had breached the Members' Code of Conduct and as a consequence, the motion to Council to censure Councillor McTigue had been agreed.

The matter was considered again at an informal meeting of the Standards Committee, following advice from legal services, where a decision was made that Councillor M Storey and Councillor Rostron should propose the censure motion at the Council meeting scheduled for 7 September 2022.

Councillor Storey stated that Councillor McTigue had posted unacceptable information about an officer on social media. The motion to censure would send a clear message to members with regard to how they should behave towards officers.

It was essential that members abided by the Members Code of Conduct and the Nolan principles, and when members failed to abide by these rules, then action should be taken.

The Chair advised that as Councillor McTigue was unable to attend the meeting, she had requested that he read a statement out prepared by the councillor, setting out the reasons, why in her view, she should not be censured. The Chair read the statement out to the meeting, as requested by Councillor McTigue.

Councillor Saunders advised that at the Standards Committee held on 11 May, where Councillor Mc Tigue was adjudged to have broken the Code of Conduct, he was acting as the Chair of the Standards Committee.

Councillor Saunders stated that he had advised the Monitoring Officer of his concerns regarding the 6 months cut off deadline for submission of Standards complaints. The six months rule for submission of complaints was contained in the procedure rules. The procedure rules were subsequently removed from the internet as they were misleading. Councillor Saunders stated that in his view, this was a governance failing and, as a consequence, he stated that he was unable to support the motion for censure.

Councillor Hubbard stated that he concurred with the comments of Councillor Saunders. The procedure rules had been submitted to the Constitution and Members Development Committee in April 2018 and had been subsequently confirmed by full Council, on 16 May 2018. He stated the issue was not about a technicality, it was regarding policies and procedures and whether Council officers should be allowed to change them.

Councillor M Storey pointed out that officers, at both meetings, had provided clear guidance, to the Chair of the Standards Committee, that there was no time restriction for hearing the complaint. There was an archaic document on the website but that was taken down. Councillor Storey advised that both labour and independent councillors were present at the meeting, where the committee decided to recommend that Councillor McTigue be censured.

The Deputy Monitoring Officer advised that the Council delegated functions to various

committees, and the authority to deal with Standards functions had been delegated by Council to the Standards Committee. The Standards Committee was overseeing the governance arrangements in respect of complaints about breaches of the Members' Code of Conduct, and by doing so, the committee was making decisions on behalf of full Council. The Standards Committee were unanimous in their decision that there had been a breach of the Members Code of Conduct.

The Deputy Monitoring Officer pointed out that the members of the Standards Committee were provided with advice before and after the committee meeting.

There was an opportunity for the councillor subject to censure, to challenge the decision of the Standards Committee and the councillor was at liberty to do that.

The Deputy Monitoring Officer stated that members might want to consider whether they were undermining the authority of the Standards Committee if they chose not to consider the motion submitted through the Standards Committee. The Deputy Monitoring Officer reminded members that they were voting on a motion of the Standards Committee to censure Councillor McTigue.

Councillor Rathmell stated that he acknowledged the view and the opinion of the legal officers. He stated that the issue was not about undermining the Standards Committee, because paragraph 51 of the Council Procedure Rules stated "The Council shall consider recommendations made to it by Committees on matters falling within the Committee's terms of reference. The recommendation shall be moved by the Chair of that Committee". A seconder to the motion is not required.

Councillor Rathmell stated that any motion to censure the councillor should have been submitted by the Chair of the Standards Committee, in accordance with paragraph 51 of the Council Procedure Rules.

Councillor Rathmell stated that Councillor McTigue had sought clarification on the Standards complaints guidance and with regard to whether there was any provision within the Localism Act with regard to this issue however the guidance had been removed from the Council website because it was archaic and there was no response received with regard to the query about the Localism Act.

For the above reasons, Councillor Rathmell stated that it was not appropriate to pass the motion of censure in respect of Councillor McTigue.

Councillor Rathmell proposed a motion under paragraph 93 (c) of the Council Procedure Rules. The motion to proceed to the next business was seconded by Councillor Hubbard.

Councillor Rooney requested that a recorded vote be held.

The Deputy Monitoring Officer advised that in order for a recorded vote to be held, a vote would need to be carried out. If 12 councillors indicated that they wished to have a recorded vote, then a recorded vote would be held.

As more than 12 councillors indicated that they wished to have a recorded vote, the Deputy Monitoring Officer conducted a recorded vote on whether to proceed to the next business.

The outcome of the recorded vote to proceed to next business was as follows:

FOR: Mayor – A Preston, Councillors A Bell, C Hobson, J Hobson, B Hubbard, D Jones, L Mason, D McCabe, M Nugent, J Platt, E Polano, J Rathmell, R Sands, M Saunders, G Wilson

AGAINST: Councillors R Arundale, I Blades, T Furness, A Hellaoui, T Higgins, N Hussain, L Lewis, D Rooney, J Rostron, M Storey, P Storey, Z Uddin, J Walker

ABSTAIN: Councillors D Coupe, C Dodds, T Grainge, M Smiles, S Walker

Following the outcome of the recorded vote, it was **ORDERED** as follows:

That the Council proceed to the next item on the agenda.

21/13 **NOTICE OF URGENT MOTIONS (IF ANY)**

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

21/14 **COMMUNITY GOVERNANCE REVIEW - FINAL RECOMMENDATIONS FOR APPROVAL**

The Chief Executive presented the report in respect of the Community Governance Review - Final recommendations for approval.

Councillor Rathmell stated that he agreed with the recommendations contained in the report, to reduce the number of Nunthorpe Parish Councillors from 9 to 7.

Councillor Smiles stated that she would like to recommend an amendment to the report to reduce the number of Nunthorpe Parish Councillors from 11 to 9.

Councillor Smiles stated that there were not many applicants for the role of Parish Councillor however the workload had increased because there were a number of very important issues affecting Nunthorpe at the current time including the Nunthorpe Neighbourhood Plan, the application for the building of the new community centre and many other planning issues associated with Nunthorpe. The current demographic of Parish Councillors tended to be older people and Councillor Smiles stated that it would be good to encourage some younger people to take up the role, to provide resilience when other Parish Councillors were unable to fulfil their role.

The role of a Parish Councillor was a voluntary unpaid role so there would be no cost to the Council if the number of Parish Councillors was reduced to 9.

The Chief Executive clarified that, following the outcome of the consultation process, the recommendation in respect of the Nunthorpe Parish Council was that the number of Nunthorpe Parish Councillors be reduced to 7.

Councillor Smiles stated that thirty people responding to the consultation did not equate to a good response.

Councillor Coupe stated that he was happy with the recommendations in respect of the number of Stainton and Thornton Parish Councillors being retained at 7. He queried whether the number could be revisited if new properties at Hemlington Grange were moved into the boundary.

Councillor Rathmell pointed out that 30 people had responded to say that the number of Parish Councillors should be reduced to 7. Councillor Smiles advised that all current Parish Councillors were in favour of reducing the number of Parish Councillors to 9.

The Deputy Monitoring Officer advised that members were being asked to vote on the recommendations arrived at following the outcome of the consultation process.

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

- 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.

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

Council Meeting: 30 November 2022

DEMOCRATIC SERVICES



INTRODUCTION

This document contains Executive Member reports relevant to the Council meeting to be held on **30 November 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 – Democratic and Registration Manager - (01642) 729714

EXECUTIVE MEMBER REPORTS AND ADDITIONAL INFORMATION

COUNCIL MEETING: 30 NOVEMBER 2022

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SECTION 2 – Table of Executive decisions taken and that have been through the Call-In period, since the last booklet, published on 30 August 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.

EXECUTIVE MEMBER REPORT TO COUNCIL

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

DATE OF MEETING: 30 November 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 has now received its sixth monitoring visit from Ofsted focusing on older children in care and care leavers.
- 1.2. There was a two week lead in period and two inspectors, Jan Edwards and Jo Warburton, were with us for two days on November 1 and 2.
- 1.3. Jan was the lead inspector for our original inspection in November/December 2019 - so was able to gauge the progress we have made in this area since that time.
- 1.4. The preparations for the visit went well and all of the documentation was submitted in a timely way.
- 1.5. The inspectors interviewed a range of people, with Jan including me in that process for the first time. As chair of the Corporate Parenting Board Councillor Chris Hobson was interviewed alongside me. Jan was extremely thorough, however, it did feel like a positive meeting.
- 1.6. The inspectors spent time talking with social workers about the young people they are allocated to work with. Inspectors also spent time with young people so they could hear for themselves what young people were saying about their care.
- 1.7. Verbal feedback was received at the end of day two and a draft report was sent to us a week later to check for factual accuracies. This was returned on November 15 but all information is embargoed until the final report is published on December 6. This was the final Ofsted monitoring visit and the service is now preparing for the full inspection in the New Year.

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

2. ACTIVITY IN MY PORTFOLIO:

2.1. Working in collaboration with The Talent Foundry (TTF) and M&G plc, work is underway to help young people to discover what they are amazing at, develop valuable employment skills and prepare them for the world of work.

2.2. TTF has two central beliefs:

- Firstly, is the belief that everyone has something they can be amazing at; they just need to discover what that is, and collectively, we can help them do that.
- Secondly, is the belief that all young people deserve equal opportunities in life, regardless of their background or financial circumstances.

2.3. This partnership will provide early engagement with young people to support them to make informed choices during their school journey, change perceptions of their future opportunities and support the raising of aspirations.

2.4. TTF work with schools with a higher than average proportion of young people eligible for Pupil Premium.

2.5. As part of this mission, the Skills for Life: Middlesbrough programme has been developed and offered as a fully-funded package of employability and enrichment opportunities to secondary schools in Middlesbrough in the 2022-23 academic year.

2.6. Through a variety of awareness and aspiration raising workshops and initiatives, we are collectively working together to help prepare young people in Middlesbrough with the core skills needed to succeed in the world of work.

STRATEGIC PRIORITY: Introduce a marketing campaign and associated support to significantly grow the Middlesbrough Lottery

3. ACTIVITY IN MY PORTFOLIO:

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

3.2. The lottery supports good causes around Middlesbrough and also provides funds for cultural activity.

3.3. Of the £1 ticket cost, 50p goes to the good causes selected by the player, with 10p from every ticket supporting cultural activity. Players can opt to direct the full 60p towards cultural activity.

3.4. On current projections it will raise £37,000 annually. Just some of the good causes it supports include: My Sisters Place, Recovery Connections and The White Feather Project.

- 3.5. I continue to work with the marketing and communications team to grow the lottery.
- 3.6. Gatherwell has provided comparison data between the Middlesbrough Lottery and three others that also launched in September 2021.
- 3.7. The data shows the Middlesbrough Lottery is performing strongly compared to those of a similar age.
- 3.8. We have had two players win £2,000.
- 3.9. Draws take place every Saturday evening and players can sign up via www.middlesbroughlottery.co.uk

STRATEGIC PRIORITY: Promote Middlesbrough on the national stage

4. ACTIVITY IN MY PORTFOLIO:

- 4.1. The marketing and communications team has been trialling different distribution methods and approaches in an attempt to get more positive national coverage of the town.
- 4.2. A recent success saw The Times feature MIMA's exhibition of local man Steve Waller's model of St Hilda's.

EXECUTIVE MEMBER REPORT TO COUNCIL

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

DATE OF MEETING: 30 November 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 – Working with communities and other public services in Middlesbrough to improve the lives of local people.

1. ACTIVITY IN MY PORTFOLIO:

Public Protection

1.1. Staff from the Public Protection Team have been extremely busy in connection with a range of their regulatory roles. Housing inspections have increased in frequency as have food hygiene inspections of premises and Trading Standards enforcement work on, particularly, counterfeit cigarettes, illegal tobacco and illegal vaping products. Some of this latter work has been part of Operation Cece – a joint HMRC and Trading Standards crackdown that aims to disrupt and tackle the trade in illicit tobacco – and recently led to the closure of a shop in Middlesbrough for at least three months after illegal tobacco was seized from the premises. During the intervention in September more than 6,600 cigarettes and 4.5kg of tobacco were seized from the premises and related vehicles. Similarly, enforcement work on illegal vaping products has resulted in the recent seizure of a large volume of potentially hazardous vaping materials.

Adult Social Care

Charging Reform Delays

1.2. Work continues within the directorate as part of the government's adult social work reform agenda to prepare for both the launch of the new Care Quality Commission-led inspection framework, which is due to commence nationally in April 2023, and the "Dilnot Reform" changes to how individuals pay a means-tested contribution towards the cost of their care. In his Autumn Statement the Chancellor confirmed that the implementation of these charging reforms will be delayed for two years until 2025 however elements of preparatory work will need to continue to ensure readiness. The Chancellor announced that in the short term the funding that would have been provided by central government to support the

charging reforms will be allocated to fund additional care packages as part of the Local Government Finance Settlement.

Adult Social Care Discharge Fund

- 1.3. On 16 November 2022 central government announced the establishment of a new fund to support arrangements for hospital discharge. A national funding allocation of £500million was announced with 40% (£200million) being distributed to Local Authorities and 60% (£300 million) to Integrated Care Boards (ICBs). Detailed instructions and conditions for the funding have not yet been received at the time of writing but there is an expectation that both Local Authorities and Integrated Care Boards will be required to demonstrate how they have worked in partnership to determine how both elements of the funding can be used most effectively to support discharge from hospital. The allocation to Middlesbrough Council from the Local Authority 40% is £631,614.

Public Health

Warm Welcome

- 1.4. Public Health are coordinating the Warm Welcome spaces initiative across the town and various community groups and businesses are now joining the initiative. 11 of the Warm Spaces are from Council buildings including The Live Well Centre and Community Hubs and 6 are from community venues including community centres, faith groups, Teesside University, MFC, The Fork in the Road and the BME community network. Advice will be available on affordable warmth and support on a wide range of issues will also be available including benefit advice, housing, mental health and addiction.
- 1.5. Not all areas across the town have a Warm Welcome Space, to mitigate this, a mapping exercise will be undertaken to identify areas that don't currently have any Warm Welcome venues or where there are high levels of vulnerability and some engagement work will be undertaken with businesses/community venues to join the initiative. [Warm spaces | Middlesbrough Council](#)

Making Every Contact Count (MECC) Training

- 1.6. MECC Awareness Training has commenced in Middlesbrough, to ensure staff, partners, communities and health champions make the most of their daily interactions with clients, customers, and community members to impact on improving their health and wellbeing and signpost to services. This is especially important at the moment for people struggling with the Cost of Living crisis; the MECC training will ensure all services who have face to face contact with people impacted by the CoL issues, know how to have conversations with them to encourage them to address their needs, this may include access to benefit advice, affordable warmth advice or access to health and wellbeing services. The use of the MECC Gateway website is invaluable to this and this is being promoted appropriately www.meccgateway.co.uk/nenc

Syphilis Outbreak

- 1.7. Since 2018 there has been an increase in syphilis cases on Teesside. The greatest increases have been seen in Stockton-on-Tees and Middlesbrough predominantly in men who have sex with men (MSM).
- 1.8. Local authority commissioners working closely with the Tees Health Protection from UKHSA formed an Outbreak Control Team with key partners. Actions taken have included:
 - Undertaking a thorough audit of syphilis data for 2020 and 2021 which highlighted that over time the pattern has changed from MSM in 2018. In 2020/21 syphilis diagnoses on Teesside were greater in women and heterosexual men than MSM. This is of great concern for pregnant women as syphilis can be transmitted to the baby which can cause permanent damage to the brain and other vital organs including blindness, deafness and lifelong disability.
 - HCRG (formally Virgin Healthcare) have been working with maternity units on a pathway for referring positive cases for pregnant women into the service for rapid treatment. There have been no cases of congenital syphilis since 2019 mainly as a result of antenatal screening of all pregnant women.
 - Setting up a communications group to work with the HCRG to align and dovetail communication messages to raise awareness to pregnant women, young people and MSM groups across a range of social media platforms.
 - Working with HCRG to develop a syphilis action plan to reach target groups, work with maternity units, increase and improve contact tracing and management.
- 1.9. Monthly monitoring of syphilis data shows that new cases may be slowing down.

Monkeypox

- 1.10. Monkeypox is a rare infection most commonly found in Africa. Recently, there has been an increase in cases in the UK, however the risk remains low. Locally, numbers remain very low across Teesside with less than 5 cases.
- 1.11. Monkeypox transmission is from person to person through close physical contact with someone affected with monkeypox e.g. sexual contact, coughs and sneezes. Anyone can get monkeypox however, currently most cases have been in men who are gay, bisexual or have sex with other men.
- 1.12. In September, vaccine clinics were held locally and over 40 patients identified nationally to be from the most at risk groups, gay, bisexual, men who have sex with men and those taking PrEP medication to prevent onward transmission of HIV were vaccinated. The service is currently working with NHSE&I to secure additional vaccine to vaccinate staff.
- 1.13. Nationally, new Monkey pox cases are slowing down.

SMI Pilot (Stop Smoking Service)

- 1.14. Through ICS Funding, Middlesbrough has been chosen to deliver a pilot scheme focussing on those who are diagnosed with Severe Mental Illness

(SMI). Public Health are working alongside all three Primary Care Networks (PCNs) in Middlesbrough to target individuals who are on the SMI register, who smoke and would like support to quit.

- 1.15. All GP practices across the three PCNs are utilising their Care Coordination teams and Social Prescribers to facilitate a targeted approach on these patients and will support them to access the Specialist Stop Smoking Service where they will receive an enhanced and extended level of support to help patients achieve their goals around quitting.
- 1.16. Smoking prevalence in patients with mental illness has always been higher than those not suffering with poor mental health and the standard approach offered by services does not always work often creating barriers to those that wish to access. It is anticipated that this adapted approach will remove some of these barriers and reduce smoking prevalence in SMI patients as well as reduce other health risks related to smoking. The pilot will be initially for 9 months and is funded by a grant payment from the NENC ICS.

NHS Staff NRT / VAPE offer

- 1.17. From September 2022 South Tees Stop Smoking Service began supporting all NHS staff to quit smoking through access to free NRT / Vaping products. Staff who work in any role for any NHS Trust can access the service, there is a dedicated referral link that NHS in house tobacco advisors can use to refer staff and colleagues into the service. Even though this has only been running for 6 weeks, 36 staff members from James Cook Hospital and TEWV have been supported to stop smoking. This programme hopes to aid the local Trusts to reach / maintain a Whole Site Smoke Free status as well as educating staff members to support patients / visitors to stop smoking when accessing their services and refer onto the SSS provision when they leave. The cost of NRT Vapes are will be covered by payments from NHS.

Specialist Physical Activity Team (SPA)

- 1.18. Recently the Health Development Team has rebranded and relaunched following Covid Restrictions as the new SPA team (Specialist Physical Activity Team). There are three offers within the service – Active, Functional and Maintenance with each providing different levels of support dependant on the clients health needs and risk factors and where symptoms may be reduced or improved through physical activity.
- 1.19. Working collaboratively with partners there has been an increase in referrals from G.Ps as well as specialist teams within STHFT. To support sustained physical activity behaviours following exit from the service, Public Health have secured free / reduced access to community sessions through Everyone Active for individuals that complete their pathway.

Annual International day for Older Persons (IDOP) 1st October

- 1.20. IDOP aims to raise awareness of the impact of an ageing population and the need to ensure that people can grow old with dignity and continue to participate in society as citizens with full rights.

- 1.21. An event was held at the Town Hall on the 29th September to mark this day and to acknowledge and appreciate the valuable contributions and achievements of older people in Middlesbrough. Over 350 people attended including 30 organisations who held advice and information stalls. This was a really crucial time with the Cost of Living Crisis to bring older people together and there were lots of referrals and signposting to services for those in need, including the Staying Put Agency, DWP, Age UK Teesside, Alzheimer's Society and much more. Over 45 people registered their interest to join Tai Chi and Chair based exercise in the community and additionally 15 people expressed an interest to become Age Friendly Middlesbrough Ambassadors.
- 1.22. We were also able to offer space at the old fire station to the Community Vaccines Clinic which was promoted alongside the event and lots of people over 50 received their Autumn Covid booster vaccinations.

Community Covid Vaccine Clinics

- 1.23. The vaccination community pop up programme has been extended until December 2022 and we continue to use local data to target areas or communities where uptake is low. Low uptake unfortunately remains in wards with high levels of deprivation including Central, Berwick Hills and Pallister Park, North Ormesby and Newport.
- 1.24. Vaccination data from NHS Foundry shows that of those eligible for the seasonal booster the uptake rate for Middlesbrough as of 17th Nov was 52.5% compared to a rate of 56.8% across Cumbria & North East. In Middlesbrough, Holgate PCN had the highest vaccination rate of 58.4% and Greater Middlesbrough PCN lowest with 49.8%.
- 1.25. Weekly covid vaccine walk-in sessions are continuing to be held in the Cleveland Centre as well as weekly sessions in targeted areas of Middlesbrough where uptake remains low. These clinics have been targeted at those eligible for the Autumn Boosters (over 50's and clinically vulnerable). A Radio campaign has been updated with a Christmas theme and is receiving some interest on the 'JabtheBoro' url link promoted through the radio ads.

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Culture and Communities

DATE OF MEETING: 30 November 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 invest in our existing cultural assets, create new spaces and events and improve access to culture.

1. ACTIVITY IN MY PORTFOLIO:

Venues

- 1.1. Our venues have been characteristically busy over the past few months, playing host to a wide array of activities and events.
- 1.2. The Town Hall had an extremely busy start to the Autumn season, with filming of the BBC New Comedy Awards taking place in October, the wrap of filming for Scarlett Moffatt's new show ("Scarlett's Driving School, airing on BBC One in the new year), the Middlesbrough Older Peoples Conference, Oktoberfest, and performances from 10cc, Giants of Soul and Jason Manford, among others. If Members would like a full list of recent and up-coming events in the Town Hall, they're welcome to contact me.
- 1.3. Our museums, too, have had a busy time, with the Ancient Egyptian exhibit at the Dorman Museum opening in October. This exhibit is a joint venture with the British Museum, with pieces from the Dorman's archives displayed alongside artefacts loaned by the British Museum. The venture- the first of its kind in the UK- is designed to allow people (particularly children) outside of London to experience some of the amazing historical treasures collected by the British Museum, and has already been well received by school and family groups. The Dorman Museum will officially welcome the exhibit at an evening reception on 30th November, where it will play host to the director of the British Museum, Hartwig Fisher.
- 1.4. The Captain Cook Birthplace Museum also hosted some special guests last month, when they welcomed the Cook Islands rugby team on Captain Cook's birthday. The team were given a tour of the museum's Cook Island's collection as well as exchanging gifts- the team were presented with a patchwork quilt made by local artists and children from Marton Manor primary school, with the museum receiving a signed rugby jersey.
- 1.5. The visit also allowed the museum team to re-establish relations with the Cook Islands tourist board, allowing Middlesbrough Council to foster future

engagement projects, including a pen-pal project between pupils at Captain Cook primary and their peers on the other side of the world.

- 1.6. A special thanks must be given to the members of the Captain Cook Birthplace Trust (namely Cllrs Davison and Mawston, Martin Peagam, Robert Nichols, Sylvia Ross and Francis Annett) for being instrumental in securing the visit and facilitating during the day.
- 1.7. In our parks, we have two new “friends of” groups starting- one in Pallister and another in Thorntree. Both groups currently have representation from local partners, clubs, organisations and councillors, and will shortly be looking to engage local residents to inform both the conversations and directions of the groups.
- 1.8. Working alongside Sport England’s local delivery pilot (“You’ve Got This”), the Friends of Thorntree Park are also delivering a consultation exercise with Thorntree residents to ascertain which activities they would like to see in the park. Moving forward, both groups will be working with partners to seek funding to assist with the utilisation of both Thorntree and Pallister Parks.
- 1.9. In Albert Park, the parks team are working in partnership with Breckon Hill School and Park Run to establish a junior park run, which will build on the success of the same venture at Hemlington Lake. The team have already secured £4,000 worth of funding required to establish the run, and it is anticipated that the first run will take place early in the New Year. This weekly event will complement the town’s other three park runs (in Stewart Park, Albert Park and Hemlington) and, coupled with work being undertaken with Everyone Active to develop their athletics and running offer, will hopefully see the development of a clear pathway between participation in the park runs and a sustained involvement in athletics at Middlesbrough Sports Village.
- 1.10. Over Hallowe’en, Newham Grange Farm held its annual spooky farm trail, which saw over 12,000 visitors hunt and purchase over 3,600 pumpkins, alongside engaging in Hallowe’en themed activities and events.
- 1.11. The Farm has also been shortlisted for the North East England Tourism Awards 2023 in the category of small visitor attraction, with judges due to visit the farm between November and February, with the awards ceremony taking place in the first half of next year.

National Portfolio Organisation (NPO)

- 1.12. As part of the Town Hall’s NPO (National Portfolio Organisation) commitments, in September it hosted its second community cast event, a production of the Tony Award winning musical Spring Awakening, a hard-hitting, folk-rock infused show, dealing with adolescent sexuality in 19th Century Germany, based on the 1891 play by Frank Wedekind. The production featured a cast of 16 up-and-coming young actors performing in the Old Courtroom.
- 1.13. In November, Arts Council England confirmed that Middlesbrough Town Hall and the Tees Valley Museum group would continue to be an NPO during 2023-2026. Locally, MIMA, Teesside University, ARC and SIRF (the Stockton

International Riverside Festival) all also retained their NPO status. Alongside these continuing NPOs, Middlesbrough also had success with new ventures, including the Festival of Thrift, The Auxiliary and Tees Valley Arts.

- 1.14. This designation means that all of these organisations will receive funding from the Arts Council for the next three years (with the existing NPOS receiving an increase in their funding), which is particularly good news at the moment, when creative industries and other organisations in the arts sector are struggling to survive.

Arts and Health

- 1.15. As part of the Creative Health South Tees pilot programme, we awarded four artist commissions for the delivery of creative health programmes for people in the South Tees. These include a multi-sensory project in care homes, a photography and creative writing project with MIND staff, a creative wellbeing day service open to all, and an intergenerational dance project.
- 1.16. A fifth commission is currently being advertised for 2 x musician residencies working in family hubs in Middlesbrough and Redcar & Cleveland.
- 1.17. We have also been working with South Tees Public Health to look at how we can creatively engage communities in consultation over the new Health and Wellbeing Strategy. A workshop for representatives from the creative and voluntary sectors will take place on 24 November to explore ideas for creative consultation.
- 1.18. A film highlighting the benefits of Creative Health and some of the excellent work taking place in the South Tees area has been produced and will soon be available to share through the Council's comms channels.

<i>STRATEGIC PRIORITY – We will work to address the causes of vulnerability and inequalities in Middlesbrough and safeguard and support those made vulnerable</i>

2. ACTIVITY IN MY PORTFOLIO:

Afghan Programme

- 2.1. Work with our Afghan asylum seeker residents has continued throughout Middlesbrough, with activities including:
 - Trips to Redcar to introduce families to the local area and the use of public transport.
 - Delivery of English lessons focussing on driving license theory tests, which have led to one of the individuals taking part passing their test.
 - Creating a women's only Whatsapp group to help build independence and offer peer support.
 - Introducing families to independent living through such things as supporting with applications to social and private housing, job applications, securing bank accounts, Universal Credit, council tax reductions, and housing and child benefits.

- Four of our asylum seekers have found long term employment through the help delivered by Middlesbrough Council, with another individual setting up his own business.
- 2.2. The team are also finalising a “resettlement pack” that outlines roles and responsibilities, and provides information on building a life in Middlesbrough. The initial draft is nearing completion, after which we will work with the families to ensure all information is relevant and accurate.

Homes for Ukraine

- 2.3. Our newly appointed Support Worker (who speaks fluent Russian) has been working tirelessly with families in order to help them settle into Middlesbrough. Some of the pieces of work include;
- Welcome barbeque in Stewart Park
 - Development of weekly ESOL class in partnership with Middlesbrough and Stockton MIND, delivered at the International Centre.
 - Weekly yoga classes offered by Ukrainian resident at Newport Community Hub.
 - Weekly drop-in session developed in partnership with grassroots volunteers in a local art gallery, offering support and a “community shop” (all items free). People from Ukraine are now helping in running and maintaining the space
 - Working together with the Rotary Club to provide financial support to families with children for things such as school uniforms. Over £1,000 was provided by the Rotary Club

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Environment

DATE OF MEETING: 30 November 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

CATERING TEAM

The team are working with a number of schools to improve meal uptake which includes taster sessions, parents evenings tasters and exploring new ways to improve uptake.

They are in the process of analysing a school meal survey from both staff in the schools and parents as well as working in collaboration with Public Health to produce a document "You asked We did".

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

HIGHWAYS

Carriageway Resurfacing

2.1. The Council has awarded the second surfacing contract to Tarmac Trading Ltd though NEPO (North East Procurement Organisation) for stage 2 of the resurfacing programme which is now underway. Ward Members are being informed of works within their Wards as the programme progresses. The roads that have been resurfaced are those in the worse condition, which should have an impact on reducing the number of insurance claims, and also have a positive impact on the local areas throughout the town.

Bridges & Structures

- 2.2. All but 4 principal inspections have been completed. The remaining inspections are due to be completed upon confirmation of track possession from Network Rail which are expected to be approved within the next few weeks. The reports are been compiled into a programme of works with a full updated schedule to be made available as soon as all the inspections are completed. We are progressing on planned works on A66 Newport/ Cannon Park Interchange, A66 Hartington Interchange, Borough Road Flyover. The NEPO tender to carry out repairs to Column 20B under the elevated section of the A66 will be published this week with tender award, and completion of repairs by January 2023.

Flood Management

- 2.3. We continue to work proactively on flood risk management through joint working with the EA (Environment Agency) and NWL (Northumbrian Water Ltd). The council introduced the gully management and asset mapping software Gully Smart earlier in 2022 to help display the physical infrastructure and status of gullies and to simplify the ongoing updating of inspection and maintenance records. The ongoing use of Gully Smart will ensure the council has a clear picture of the size and condition of the asset, which will improve the long-term planning and maintenance of gullies.

Laboratory

- 2.4. Highways Laboratory have completed the Classified Road Coring Programme for Middlesbrough. The coring reports will aid the tender documentation sent out to asphalt suppliers/contractors for the upcoming road maintenance program. The Laboratory team have also completed calibration of the Council's gritting fleet and tested the salt stock held at Resolution House to ensure compliance with salt and moisture content.

Traffic Signals/UTMC

- 2.5. The redevelopment of Fountains Court has enabled the creation of a new ground floor UTMC (Urban Traffic Management and Control) office where we will be developing a state of the art facility to cover the whole of the Tees Valley Traffic Signal/UTMC Network. The team are expected to move in to the new office within the next few weeks.

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

3. ACTIVITY WITHIN MY PORTFOLIO

Refuse & Recycling

- 3.1. Green waste collections have changed to monthly collections and have remained popular with residents. The Waste team have continued to work hard with residents and our recycling contractors to try and reduce

contamination – this work has included viewing the sampling process at Cumbrian Waste Management to identify the main issues in the recycling and then using this information to develop our communications and social media campaigns. The team have also carried out resident visits to provide advice on what can and cannot go into the blue lidded recycling bins.

3.2. Alongside the above the team have also attended the following events:

- Recycling Roadshow – Middlesbrough Bus Station
- Educational visit – Priory Woods School
- Ten Ward Clean Up events

Middlesbrough Environment City

- 3.3. 422 young people engaged - Continued delivery for climate change curriculum including biodiversity & habitat loss. Great Big Green week programme including climate change quiz, climate change time capsule and plastic decomposition. Beach clean & litter pick. All Our Futures conference. Bug hotels. Allotment, forest school, nature walks & farm visits. Climate training with young people of African heritage.
- 3.4. Carbon Awareness for all - In addition to our (approx.) 6-weekly training, we're delivering an adapted version for people with learning disabilities - this mixed carbon theory and practical workshop has been very well received; and there are plans to deliver something similar to clients of another support organisation over the coming months.
- 3.5. Sustainability oversubscribed! - Our sustainability workshops are becoming increasingly popular with several of the courses filling up very fast! Attendees are not only keen to learn the climate impact of living more sustainably, but are looking to make savings wherever they can in the current economic climate. Workshops included Natural Soap Making, Lacto-Fermentation and Foraging – both urban and in the wild
- 3.6. Cut and collect win! - Our CAM (Climate Action Middlesbrough) partners, Tees Valley Wildlife Trust, had a big win recently with Middlesbrough Borough Council's purchase of a 'cut and collect' machine. By collecting grass after cutting it, we can increase the diversity of our grasslands, improve habitats, and reduce carbon by mowing less often.

Area Care

- 3.7. Area Care are in the process of planning for the final planting of UTCF (Urban Tree Challenge Fund) trees, incorporating 550 standard trees for this Autumn/winter. With an expected completion by late December 2022
- 3.8. Bonfire removal is in place following 05 November, these will be removed on a priority basis and pending ground/weather conditions.
- 3.9. As well as pruning shrubs & hedge for the winter, Area Care are also in the process of cutting the urban meadows throughout the town which is expected to be completed before the winter. The areas will then be prepared for sowing of more seed for 2023. An additional 10,000m² are to be added to

next year's programme which will include extensions of some current areas and also some new areas throughout the town.

- 3.10. Play area refurbishments/replacements are also programmed for various sites throughout the town.

Green Strategy

- 3.11. The new community garden at Grove Hill is near completion with a launch event planned for 21st November and will be used by the councils Staying Put programme clients.

- 3.12. The next community garden installation will be at Trinity Church North Ormesby.

- 3.13. We are looking at consortium led bid with Teesside University for hydrogen vehicles.

- 3.14. Exploring options for photovoltaic panels on Zetland Street carpark roof.

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Finance and Governance

DATE OF MEETING: 30 November 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. Since our last ordinary council meeting on the 7th September the council has embarked on the second phase of the governance improvement journey recommended by CIPFA.
2. At this stage, meetings have occurred with both the improvement board and the sub-boards focusing on roles and responsibilities, training and development, constitution and culture and communications.
3. At this stage, dialogue within the sub-boards between members and senior officers is ongoing and will ultimately form part of a final document of work which should have positive general outcomes as well as ensuring better overall ongoing governance.
4. Since the last ordinary council meeting there have been further developments regarding the general financial outlook of the council.
5. On the 8th November I attended the meeting of the Executive in which the Medium Term Financial Plan update and budget savings proposals for the financial year 2023/24 were presented and are being presented at the full council meeting this evening.
6. At this stage, all councils are dealing with high levels of uncertainty regarding both income from central government grants (which comprises a majority of our income) which will not be announced until, it is anticipated, December 2022, and the same concept applies to our outgoings which is subject to inflation, which has increased considerably over the past year, and future national pay awards.
7. Consequently, it can be certain that without proposed budget savings, the budget gap for the next financial year for Middlesbrough Council will be in the region of £10million to £20million. This gap alone is highly concerning, but the gap variance being materially large is a testament to the highly challenging environment in which local authorities operate within.
8. Since our last meeting The Chancellor of the Exchequer has provided a limited degree of clarity for local authorities to consider in his announcement that the cap on the level in which council tax can be increased without a referendum will be

eased. How this is fully implemented and whether or not in the climate of a cost-of-living crisis this is viable option to consider are topics which I am following closely and on the latter topic would seek guidance from members as well as the public in general.

9. At the same meeting of the Executive on the 8th November the quarter 2 outturn report was also presented which showed that even with our in year financial recovery plan, the anticipated in year overspend which was £9.4million and is now forecasted to be £2.1million. Whilst ongoing work will occur to reduce this amount further I would anticipate that an end of year overspend position would still exist by the end of the financial year. If this outcome is the reality then it is anticipated that this overspend will be met by utilisation of the social care transformation reserve fund. This earmarked reserve fund currently has a balance of £5million.
10. This meeting also saw the approval of a new business support strategy which follows the implementation of the welfare strategy which was approved in July 2022. The business strategy essentially provides a proactive one stop shop for local businesses seeking any form of help, support or guidance from the council for a multitude of potential needs such as seeking guidance on potential grants or support with business rates.
11. Since the time of our last meeting I have also held two single member executive decisions – one being focused on rearrangement of the telephony system of the council to allow for more efficient utilisation of staff time to be concentrated on residents which require support. This process will be enhanced as the Welfare Strategy becomes fully implemented. The second decision was focused on updating the lettings policy of the council to make it up to date and more consistent. I would like to continue work on this in the future and incorporate the feedback of voluntary groups into the policy to ultimately foster better working relationships between the council and the voluntary sector which provides an important social positive output for our area.
12. The following items provides a general update of developments within HR:
 - a. Email for All – In late October we implemented email addresses for all staff, so now all frontline staff have access such as Area Care, Cleaning etc. This means that everyone gets access to the same information on organisational updates and access to employee wellbeing and support. They can also use their council email address to access the new benefits platform.
 - b. Vivup Benefits Platform – Implementing in late November the platform gives access for all employees to a variety of benefits including;
 - i. Home and Electronics – provides the opportunity to enjoy the latest technology and home essentials in a more manageable way, enabling the cost of high value items to be spread through a net deduction from pay over a set period of time, negating any need for credit checks or using high interest lenders
 - ii. Cycle to Work – salary sacrifice scheme which provide savings in National Insurance and Tax (will replace current offer).
 - iii. Lifestyle savings – instant discounts to help staff save money across major retailers, supermarkets, restaurants, travel, and entertainment.

- c. Staff Pay Award – The NJC Pay Award has been agreed and will be processed in December including back pay to 1st April 2022.

13. The following provides a general update on the pension fund:

- a. Initial results of the actuary's three-yearly valuation of the Pension Fund were presented to the October Pension Fund Committee and November Pension Board. These show the Fund's asset value at 31 March 2022 was over £5 billion, around £1 billion higher than at the previous valuation as at 31 March 2019. This was largely a result of much better than expected investment performance over the three years. The headline funding level has improved slightly from 115% to 116% but there are challenges ahead, primarily caused by a reduction in expected future investment returns and an increase in expected future inflation. This means employer contribution rates are expected to increase from what is currently a very low base (at least for the four main councils in the scheme). The actuary is continuing to work on finalising employer contribution rates and is expecting to communicate the results to employers in the coming weeks.
- b. The investments team continue to work to move the strategic asset allocation closer to its long-term target. This has allowed the Pension Fund to remove some risk and volatility by reducing its overall allocation to equities (global stock markets) from around 76% at the end of June last year to around 58% currently, much closer to its 55% strategic target. Over the next month or so the team will be working with the Pension Fund's investment advisors to review the overall strategic asset allocation approach in the light of the latest valuation results.
- c. Work continues on drafting the procurement documents to allow the pensions administration contract (currently carried out by XPS Administration) to be put out to tender. The tender is expected to be put out before Christmas with the successful bidder being appointed early in the New Year.

14. Finally, there are various updates regarding insurance at present as the council prepares to tender the insurance arrangements for the first time since 2007. Actuarial reviews of the Middlesbrough and Cleveland funds have been completed. An Insurance Broker appointed to assist with preparing the tender documents. The aim is to tender the contract during the period of Summer 2023.

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Neighbourhood Safety

DATE OF MEETING: 30 November 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:

Active Intelligence Mapping (AIM)

- 1.1. AIM meetings take place monthly and reviews data from Cleveland Police, Fire, and MBC environmental reports for the previous calendar month. Changes to the meeting include a revised hotspot table which contains information on specific incidents which are then tracked. Any recurring issues prompts additional analysis around the area with the view to adapt a task and finish approach, similar to what was applied in Hemlington.
- 1.2. In addition to this, requests for analysis around other issues can also be requested. Recently analysis around mischief night was presented to the group outlining that in 2022 the total of 139 combined incidents of crime and ASB was the lowest recorded level in the last 5 years. Furthermore in problematic areas such as Hemlington the average number of incidents during this period previously was 15 incidents, this year was reduced to 6.

Community Safety Partnership

- 1.3. Recent meetings have focused on the 2022/24 community safety plan and ensuring the associated delivery plan reflects all partner agency priorities. In addition to this, the plan contains actions and priorities identified through the strategic needs assessment. The needs assessment was completed and distributed to CSP members, the priorities identified through the SNA were as follows:
 - Increase in Crime
 - Serious Violence
 - ASB – with significant increases in youth Anti-Social Behaviour
 - Fly tipping
 - Deliberate Fires
 - Begging (Town Centre & Newport)
 - Hate Crime
 - And Youth offending service – First time entrants

- 1.4. Now that the priorities have been agreed, partners have been asked to consider their actions and suggest a measurable outcome to add into the CSP delivery plan to ensure the priorities are achievable, deliverable, and so that progress towards these can be monitored.

Serious Violence

- 1.5. As per the new Serious Violence Duty requirements, once the strategic needs assessment has been completed for the CSP, a separate problem profile for Serious Violence in Middlesbrough needs to be developed.
- 1.6. The current profile is still in draft phase due to waiting times on data sources. In order to try to better understand the themes and drivers of serious violence in Middlesbrough a range of data sources have been requested:
 - Police data on Serious violent crime
 - Police Missing from home persons data
 - Youth Offending Service Orders for Violent/weapon related orders
 - Fixed term exclusions data
 - ASC Mental Health support data
 - Custody release data for those with violent offences
- 1.7. In addition to the problem profile, a serious violence Power BI dashboard has been developed based on police data to track and monitor serious violence in Middlesbrough. A presentation from police analysts to the CSP earlier this year outlined that Cleveland has one of the highest rates of SV crime in the country, and that Middlesbrough has the highest rate per 1000 head of population out of all Cleveland local authority areas.
- 1.8. Close links with the OPCC lead for the Cleveland Unit for Reduction in Violence (CURV) have been established. The lead analyst involved in this work has been informed of current work around SV and been introduced to members of the CSP and analytics teams.

Community Triggers

- 1.9. We have continued to receive a greater number of Community Trigger requests than have been seen over previous years. The process has been refined with work currently ongoing to look into improvements to the way that agencies are involved in the Community Trigger process. Associated documentation and the website have also been updated.
- 1.10. Of the recent Community Triggers there were three in September and one in October, three of which went to full panel reviews that involved joint working from various colleagues within Middlesbrough Council, Cleveland Police and local RSL's.
- 1.11. We will soon be signing up to the Community Trigger Pledge with the national charity "ASB Help" and will likely be the first Local Authority in the Cleveland area to do so. This will involve a number of commitments, including wider promotion of the Community Trigger via a publicity campaign. A briefing session

has also been arranged for elected members to enhance their awareness of the process.

Reducing Reoffending

- 1.12. Work continues with supporting the project leads Barnardo's and Public health head start on the mentors in Violence Prevention -now expanded to two further secondary schools in Middlesbrough. Currently the community safety partnership officer is tasked with supporting the school staff with increased resilience factors around processes to improve school community safety and staff confidence in dealing with any potential issues. In addition to this we are ensuring referral pathways to other public services are strengthened through partnership information sharing and accurate Thrive reporting.
- 1.13. Work also continues in partnership with Public Health's Criminal Justice Lead supporting those clients subject to court ordered Alcohol Treatment Requirements (ATR) and Drug Rehabilitation Requirements (DRR). Work has moved now from raising partners and key stakeholders awareness of the Public Health's role and accessibility in supporting clients to understanding the barriers affecting compliance with requirements for clients. This work is necessary for any subsequent plans to address these barriers to improve compliance and positive client life outcomes moving forward into 2023.
- 1.14. The Community Safety Partnership Officer is also in discussion with existing members of the operational group regarding proposed plans for 2023 and a potential change to the group dynamic in order to increase opportunity to address the issues and challenges by the new plans proposed. These will seek to incorporate more lived ambassador experience and continue to focus on supporting the work of the ATR/DRR Criminal justice lead.

Hate Crime

- 1.15. A multi-agency Operational Hate Crime Group is currently being developed to address emerging trends, discuss specific hate crime cases and to lead on promotion of referral pathways for hate crime reporting across the authority whilst promoting True Vision and Third Party reporting. Issues will be fed into the Cleveland wide Strategic Hate Crime Group.
- 1.16. MBC website to also currently being updated to reflect ongoing changes and partners will continue to receive support in the delivery of education/engagement interventions across the authority area to promote fundamental British values and increase hate crime awareness.

Safer Streets 4 update

- 1.17. MBC are working with the OPCC to deliver all of the projects set out within the funding bid, which seen nearly £700,000 being awarded to tackle anti-social behavior in Hemlington and Pallister Park. Some of the actions to date include;
 - Monthly Steering Group established to oversee each project
 - Delivery Plan developed which outlines all of the specific projects/costings/timescales
 - Lots of site visits conducted to finalise work required/costings

- Recruitment of a Community Development Worker
- Development of Professional Witness Service
- Leaflets developed for target hardening (wardens to deliver to approx. 1000 properties)
- CCTV locations identified and awaiting installation

TS1 PSPO Extension

- 1.18. Executive recently approved proposals to extend the current Public Space Protection Order within the TS1 area following a public consultation exercise. Overwhelmingly respondents voted in favour of extending the current order for a further 3 year. The also will also be varied to include chugging & bin rummaging.

STRATEGIC PRIORITY – Vulnerability - We will tackle crime and anti-social behaviour head on, working with our partners to ensure local people feel safe

2. ACTIVITY WITHIN MY PORTFOLIO:

STEP Programme

- 2.1. Our refugee STEP advisor (which is now called North East Rise) was funded by World Jewish Relief to help support refugees into employment opportunities. Work is continuing to help individuals prepare CVs, interview preparation, identifying ESOL and functional skills opportunities.
- 2.2. Of the 92 people currently on case file (of which 65 are active), 18 people are currently employed, 2 have set up their own business (barbershop and accountancy firm), 5 are currently volunteering and 9 have met “intermediate outcomes” necessary to support sustainable employment on the programme.
- 2.3. We are continuing to work in partnership with various organisations to improve employment outcomes and have attended various regional and national partnership events to celebrate best practice. Acknowledgement has also been received from national partners that Middlesbrough have been a “leader” in the STEP programme.

Cohesion work

- 2.4. Work is continuing in terms of support for the asylum seeker mother and baby unit. Partnership working with Mears to support integration through signposting to community services is working really well and staff are also working with Barefoot Kitchen CIC to develop a garden space for the women.
- 2.5. “Amazing alley” work has taken place in Athol Street and Abingdon Road. Videos have been developed with local faith leaders (Islam, Hindu, Christian, Sikh) to discuss community in their faiths. These videos were completed on International Peace Day.

2.6. Attendance is still going well at the monthly “Day at Skins” event which offers free haircuts, a hot drink/soup, and a friendly chat at Skins and Needles Barbers, in partnership with Middlesbrough’s Helping Hands.

2.7. Other recent/pending projects include;

- Support of monthly “Cuppa and Chat” at Newport Community Hub, working with residents to address any concerns
- Attended Orange Pip’s African Carnival to have community conversations – key issues raised included worries about the economy and education
- Give a Coat a Home event at Newport Community Hub. Over 150 people attended, received free food and clothing
- Black History Month event to bring together black community activists and encouraged them to set up a partnership/network to have voices heard in the community
- Hemlington – working with resident whose children have been targeted by young people in the community. Working with Cleveland Police to develop work in schools
- North Ormesby – attended Community Council to discuss role and encourage residents to work in partnership to address issues around cohesion and resilience
- International Peace Day 2023 – organising a Peace Walk together with Faith leaders and community organisations
- World Cup Football Tournament at Newport Community Hub on 19 November 2022, including support services for residents
- North Ormesby Welcome Orientation – delivering tried and tested orientation to new and emerging communities to alleviate community tensions

2.8. Finally, every month we’ll be celebrating two Middlesbrough residents for being good neighbours, and we’re looking for anyone who’s made a difference to their community. It doesn’t matter whether that’s something big or something small. The only rule is that they have to live in Middlesbrough. More information on this initiative can be found on the Council’s website here: [Good Neighbour Awards | Middlesbrough Council](#) or you can ask me for more information.

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Regeneration

DATE OF MEETING: 30 November 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 – Town Centre, 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

Zetland Car Park Solar Panels

- 1.1. Middlesbrough Council has secured £30k grant from Tees Valley Combined Authority, for the installation of a 100kw solar panel array on top of the Zetland car park. The £100k scheme will generate huge levels of electricity and save Middlesbrough Council a minimum of £20,000 in electricity costs per year and contribute to Middlesbrough's Green Strategy. Whilst some parking spaces will be covered over by this installation, modern working arrangements and travelling habits means that there remains plenty of capacity in the car park for commuter use. The installation will commence in early 2023 and will be operational by the summer.

Developing the Town Centre – Market Cross

- 1.2. Middlesbrough Council has supported a key Middlesbrough Business to expand operations into a prominent Town Centre property. Market Cross Jewellers has announced it will increase the size of its town centre store by taking over the former Miss Selfridge building, on the corner of Linthorpe Road and Corporation Road. The jewellers has been a fixture in Middlesbrough for more than 30 years, bringing a range of jewellery brands to loyal shoppers. Its current premises on Linthorpe Road, directly next door to the empty corner store, will remain open while work gets underway to knock through and expand.

Developing Middlehaven

- 1.3. Middlesbrough's Town Deal Board has approved a £1m contribution to Middlesbrough College's relocation of the TTE engineering training facility to its campus on Middlehaven. The £1m is matched by £1m from the Tees Valley Indigenous Growth Fund and a further £10m of Department of Education (DfE),

and Middlesbrough College's own money. The site will expand with a new facility and up to 2,000 additional students, bringing a major boost to the Town Centre. Works are due to commence in early 2023 and will aim to complete for the 2024 academic year.

New Cleveland Centre Tenancies

- 1.4. Middlesbrough Council's ownership of the Cleveland Centre reports an 'improving' position for the investment. New major tenancies have been agreed with BeMoreGeek, Leading Labels and Dart Foods. The facility is bucking national trends and securing tenancies to attract people into Middlesbrough. Additional leases are under discussion and residents can expect future announcements in future months.

Revitalising Exchange Square

- 1.5. As part of the High Street Heritage Action Zone project funded by Historic England, a number of investments are underway around the Exchange Square / Rail Station area. Work has started on an external transformation of Bloom (Formerly Spensley's) and 2-3 Exchange Place that will house a new restaurant. The Historic England grants awarded through the Council are part funding the transformational investment in these properties by their respective owners, and will be supplemented by further properties commencing work in the coming two months. This builds on the recent completion of the transformation of Exchange Square through the same funding route.

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Young Adults and Democratic Engagement

DATE OF MEETING: 30 November 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 increase our provision of Community Learning and ensuring everyone in our town has the opportunity to further increase their employability through gaining qualifications and further developing existing skills

1. ACTIVITY WITHIN MY PORTFOLIO:

- 1.1 We are pleased to announce that Middlesbrough Council, has been successful in securing Multiply funding in a joint bid with Hartlepool, Stockton, Redcar and Darlington Local Authorities.
- 1.2 Multiply is a new government-funded programme to help adults across the UK to brush up their numeracy skills and boost their number confidence. It is an element of Pillar 3, People and Skills, within the UK Shared Prosperity Fund, to which up to **£559m** of the £2.6bn total UKSPF (United Kingdom Shared Prosperity Fund) has been allocated by government to local areas.
- 1.3 In partnership with the other 4 Local Authorities the programme will aim to support 4490 adults, over 3 years, across the Tees Valley to improve their maths skills in daily life, home and work including household finances and supporting parents with their child's home work. The funding secured over the three years is £1,567,000.
- 1.4 Multiply courses will be free for all residents over the age of 19 for those who want to improve their maths skills, who don't already have maths qualifications at GCSE Level.
- 1.5 Here in Middlesbrough we will work with our partners within the Voluntary sector and schools to ensure all those who want to improve their skills, have the opportunity to do so. By giving our residents the opportunity to improve their skills, they will not only increase their employability in the job market but will also gain a large number of skills which will be beneficial across many aspects of their lives.
- 1.6 For further information on our Community Learning strategy I would strongly advise members take a look at the 'Middlesbrough Community Learning Strategy Plan 2021-24.

This document gives an excellent summary of the provision which the Council provides and is filled with many interesting facts/ statistics.

- 1.7 In addition to this, a member briefing is being drafted for all members which should help to further develop members understanding of this Council service.

STRATEGIC PRIORITY - To ensure that our young people have the opportunity to get involved in local Politics and have their voices heard at a local level.

2. ACTIVITY WITHIN MY PORTFOLIO:

- 2.1 Our young people are absolutely vital to the future prosperity of our town moving forward and it's crucial we look to retain as much talent as possible and give them the necessary skills to succeed in life.
- 2.2 The successes which many of our young people achieve at University are often well publicised whilst many of our young apprentices' achievements are often overlooked by local media so to this end....
- 2.3 We held an apprentice celebration event earlier this month, which celebrated those completing their apprenticeship throughout the pandemic.
- 2.4 The event was held in the town hall crypt to mark the success of the apprentices' final end point of assessment and around 90% of those completing their assessments achieved either a merit or distinction grade.
- 2.5 Notably, some of those young people who succeeded in their apprenticeships have now gone on to be employed by Middlesbrough Council. This is an incredible achievement and provides a clear indication of how important it is to ensure our young people are given as much support as possible to ensure they can succeed.

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.

3. ACTIVITY WITHIN MY PORTFOLIO:

- 3.1. Middlesbrough Council proudly supports the BYC (British Youth Council) which is a national organisation responsible for empowering young people under the age of 25 to get involved and influence some of the decisions that affect their lives.
- 3.2. It is this organisation which is ultimately responsible for the British Youth Parliament and back in March 2022 saw Lucy Butchart and Phoebe Teasdale elected as the MYP and DMYP respectively.

3.3. On Friday 4th November MYPS from across the country were invited to take part in a debate in the House of Commons chaired by speaker the Rt Hon Sir Lindsay Hoyle MP.

3.4. The event saw a fantastic attendance and the standard of debate was first class. It was also attended by a number of ministers and shadow ministers who offered their own insight into a range of issues.

3.5. The issues discussed on the day included:

- Impact of discrimination on health
- Environment and Health
- Education and Health
- Cost of living and Health
- Mental Health services

3.6. These are some of the key issues which are clearly very important to young people up and down the country and work will now begin to best consider how we as a local authority can help to address some of these issues at a local level. A progress update will be provided in next month's executive report.

STRATEGIC PRIORITY - To increase Political participation across our town through increased democratic engagement.

4. ACTIVITY WITHIN MY PORTFOLIO:

4.1. Middlesbrough Council continues to engage with residents on a wide range of different topics in an effort to gauge public opinion and ensure decisions are made in consultation with residents.

4.2. Currently the budget is out for public consultation and we have received a number of comments and suggestions around its contents which will all be considered carefully. These have come from both individual residents across the town and organisations representing specific interests. Consultations such as these are vitally important as they give our residents a direct input into key decisions which affect them.

4.3. The Council continues to engage with residents in a range of conventional methods such as the 'Love Middlesbrough' magazine and on our various social media platforms, all of which receive a good response from residents.

4.4. As the May election draws closer we will also consider ways in which we can attempt to boost voter turnout. One way we could perhaps look to do this is through direct involvement from members explaining the importance of voting in elections.

4.5. The annual Canvass has now been completed and an update on this will be provided as soon as our team have managed to collate all of the gathered information.

4.6. There have been no substantial changes to Secondary legislation around the Elections Bill to make members aware of at this time since the last report.

EXECUTIVE MEMBER REPORTS AND ADDITIONAL INFORMATION

SECTION 2 – DECISIONS TAKEN

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DATE	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

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
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 Care) - Service Response	Recommendations of the scrutiny panel are considered by Executive following it's investigation into Sufficiency & Permanency report	No
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
8 Sep 2022	Deputy Mayor and Executive Member for Children's Services	Advertising on Council website	To seek approval of the Deputy Mayor and Executive Member for Children's Services to allow advertising space to be sold on the new Council website and to note the associated policy.	Yes

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
9 Sep 2022	Executive Member for Adult Social Care, Public Health, Public Protection and Digital Inclusion	CONFIDENTIAL – Project Funding	Project Funding	Yes
6 Oct 2022	Executive Member for Finance and Governance	Estates Strategy – Lettings Policy	The purpose of the report is to seek approval for further enhancements to the Estates Strategy that clarify the processes for letting land and premises owned or managed by the Council.	Yes
11 Oct 2022	Executive Member for Finance and Governance	Resident and Business Support Telephony Solution	This report seeks approval for amendments to the inbound telephony opening hours for Resident and Business Support.	Yes
18 Oct 2022	Executive	Poole Hospital Definitive Map Modification Order	Decision to progress with the DMMO	No
18 Oct 2022	Executive	50 Futures Expansion	Update and plans to expand the 50 Futures Work Experience programme	No

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
18 Oct 2022	Executive	Designation of the Newport 2 Ward Area for a Selective Landlord Licensing Scheme	<p>Executive approval is required as this scheme is delivered via a legislative framework that requires organisational approval to start formal consultation prior to implementation.</p> <p>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.</p>	No
18 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
18 Oct 2022	Executive	Financial Recovery Plan	This report sets out arrangements by each Directorate to support the Council's financial recovery plan for 2022/23.	Yes
18 Oct 2022	Executive	Town Centre Strategy	The purpose of the report is to seek Executive approval for a new partnership approach to tackle town centre anti-social behaviour and crime to sustain and to protect the transformation of Middlesbrough Town Centre. The report also seeks executive approval to secure circa. £1.1 million from Tees Valley external funding resources to aid the delivery of this ambition.	Yes
18 Oct 2022	Executive	Exempt – Dealing with Major Vacant Town Centre Properties	Dealing with Major Vacant Town Centre Properties	Yes

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
20 Oct 2022	Executive Member for Adult Social Care and Public Protection, ICT and Digital Inclusion	Approval of the framework for calculating the level of civil penalty charge in relation to breaches of the Tenant Fees Act 2019 and relevant Letting Agency legislation	Approval of the framework for calculating the level of civil penalty charge in relation to breaches of the Tenant Fees Act 2019 and relevant Letting Agency legislation	Yes
25 Oct 2022	Executive Member for Culture and Communities	Music In Secondary Schools Trust (MISST) Program	To allocate funding to this project	Yes
8 Nov 2022	Executive	Medium Term Financial Plan Update and Budget Savings Proposals 2023/24	<p>This report provides an update to Executive of the Council's Medium Term Financial Plan (MTFP) for the period to 2025/26, and the current estimated budget gap for 2023/24.</p> <p>The report sets out the proposed budget savings and other proposals, and proposed Council Tax increase for 2023/24, and notes that following Council on 30 November 2022 the proposals will be, where required, subject to public consultation.</p>	Yes
8 Nov 2022	Executive	Corporate Performance Update: Quarter Two 2022/23	This report advises the Executive of corporate performance at the end of Quarter Two 2022/23 and where appropriate seeks approval of any changes, where these lie within the authority of the Executive.	No
8 Nov 2022	Executive	Revenue and Capital Budget – Projected Outturn position as at Quarter Two 2022/23	This report advises the Executive of the Council's financial position as at Quarter Two 2022/23.	Yes
8 Nov 2022	Executive	Business Support Strategy	This report highlights the opportunity for efficiencies with a scale up (or down) approach according to economic climate and resource availability within the Local Authority. Working with businesses effectively from the outset streamlines processes and avoids duplication of work.	Yes

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
8 Nov 2022	Executive	Community Benefit Arising from Asset Disposal	The purpose of the report is to seek approval for revision to the Asset Disposal Policy that further clarifies the process for claiming community benefit contributions and ensures that expenditure linked to this is limited to local authority direct or procured provision only.	Yes
8 Nov 2022	Executive	Key Stage 4 Outcomes Report	The purpose of this report is to provide the Executive with an analysis of Key stage 4 2022 outcomes and an outline of support offered to schools.	No
8 Nov 2022	Executive	Special Educational Needs and Disabilities Sufficiency and Capital Developments	This report sets out the requirements to provide sufficient places and schools in Middlesbrough to meet the needs of children and young people with Special Educational Needs and Disabilities and to seek a decision of the Executive for capital programmes to achieve this requirement	Yes
8 Nov 2022	Executive	Approval of the Taxi Licensing Policy 2022	To seek Executive approval for the Taxi Licensing Policy 2022.	Yes
8 Nov 2022	Executive	Planning Fees	To seek approval for the introduction of a schedule of new fees, a review of existing fees, and an overview of the processes for increasing fee income for the functions falling within the remit of the Planning Service	Yes
14 Nov 2022	Executive Member for Adult Social Care, Public Health, Public Protection and Digital Inclusion	Extension to Clinical Substance Misuse Prescribing Service – Part A and Part B	This report seeks approval to extend the current contract with Foundations Medical Practice for a further twelve months, for the period 1/4/23 to 31/3/24.	Yes
15 Nov 2022	Executive Member for Neighbourhood Safety	Executive approves a reapplication as the current TS1 PSPO expires in October.	Executive approves a reapplication as the current TS1 PSPO expires in October.	No



SECTION 3 – DECISIONS TO BE TAKEN UP UNTIL THE COUNCIL MEETING

There are no decisions to be taken during this time period

SECTION 4 – DECISIONS TO BE TAKEN FOLLOWING THE COUNCIL MEETING

DATE	PROPOSED DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
6 Dec 2022	Executive	Residential Block Contract - Part A	Executive report seeking permission for Middlesbrough Council to publish its intention to enter into a children's residential block contract with a provider opening a new 3 bedded home in Middlesbrough in order to assist us in meeting our statutory sufficiency duty and keeping children and young people in Middlesbrough.	Yes
6 Dec 2022	Executive	EXEMPT - Residential Block Contract - Part B	Executive report seeking permission for Middlesbrough Council to publish its intention to enter into a children's residential block contract with a provider opening a new 3 bedded home in Middlesbrough in order to assist us in meeting our statutory sufficiency duty and keeping children and young people in Middlesbrough.	Yes
6 Dec 2022	Executive	Calculation of Council Tax Base for 2023/24	This report is for Executive to endorse the Council Tax Base for 2023/24. The report is then to be presented to Council on 11 January 2023, and that following approval the Police and Crime Commissioner, the Cleveland Fire Authority and the Parish Councils are notified of the 2023/2024 council tax base.	Yes
6 Dec 2022	Executive	Exchange House – Disposal [Part A]	This report advises on the proposal to dispose of the Council's freehold interest in Exchange House	Yes

DATE	PROPOSED DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
6 Dec 2022	Executive	EXEMPT Exchange House Disposal (PART B)	This report advises on the proposal to dispose of the Council's freehold interest in Exchange House	Yes
6 Dec 2022	Executive	EXEMPT - Fostering Allowances	Fostering allowances decision.	Yes
12 Dec 2022	Executive Member for Finance and Governance	Corporate Food Poverty Policy	This policy, part of the Council's existing Welfare Strategy, and closely linked to the Crisis Policy, sets out the Council's internal and local partnership guidelines for tackling the causes and effects of food poverty within the borough.	Yes
10 Jan 2023	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
10 Jan 2023	Executive	Children's Services Improvement Update	To provide the quarterly update to Executive on the Ofsted Improvement Journey	Yes
14 Feb 2023	Executive	Corporate Performance Report: Quarter Three 2022/23	To review the corporate performance of Q3	Yes
14 Feb 2023	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
TBC	TBC	Adult Social Care Reform Update (Date TBA)	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	Yes

DATE	PROPOSED DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
			2023	
14 Feb 2023	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
14 Feb 2023	Executive	Middlehaven - Electricity Reinforcement Works	The report is seeking approval from Executive for funding to facilitate the upgrade of electricity provision in Middlehaven.	Yes
14 Feb 2023	Executive	Healthy Weight Declaration Adoption	This report outlines the purpose and process of signing up to the Healthy Weight Declaration in Middlesbrough.	Yes

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:	30 November 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 21 September 2022

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

- Scrutiny Chairs Updates.

3. The Overview and Scrutiny Board met on 11 October 2022.

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

- Executive Forward Work Programme
- Executive Member Update (Adult Social Care, Public Health, Public Protection and Digital Inclusion)
- Scrutiny Chairs Updates.

4. The Overview and Scrutiny Board met on 16 November 2022.

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

- Executive Forward Work Programme;
- Chief Executive's Update;
- Executive Member Update (Finance and Governance)
- The Adult Social Care and Services Scrutiny Panel - Final Report - The Role of the Voluntary and Community Sector (VCS) in Supporting Adult Social Care (With a Focus on Covid-19 and Recovery);
- Scrutiny Chairs Updates.

SCRUTINY PANEL UPDATES

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

Adult Social Care and Services Scrutiny Panel

6. The Adult Social Care and Services Scrutiny Panel held meetings on 7 September 2022, 5 October 2022 and 2 November 2022. Over the course of the three meetings, the panel:

- Continued and completed its investigation in respect of 'The Role of the Voluntary and Community Sector (VCS) in Supporting Adult Social Care (With a Focus on COVID-19 and Recovery)' (final report to be submitted to the Overview and Scrutiny Board in November);
- Received updates from the Director of Adult Social Care and Health Integration in respect of ongoing integration work and the progress being made; and
- Received information from the Director of Adult Social Care and Health Integration, and the Head of Strategic Commissioning and Procurement, regarding 'The Impact of the Energy and Cost of Living Crises on Caring for Vulnerable Adults' (further periodic updates to follow in due course).

7. The next meeting of the panel is scheduled for 30 November 2022. At this meeting, Members will receive an update from the Independent Chair of the Teeswide Safeguarding Adults Board (TSAB) regarding the Annual Report 2021/22 and the Strategic Plan 2022-25. In addition, the panel will receive an update regarding the impact of the cost of living crisis and the action taken by Adult Social Care to date, together with an update regarding the Integration of Health and Social Care. Both updates will be provided by the Director of Adult Social Care and Health Integration.

Children and Young People's Learning Scrutiny Panel

8. The Children and Young People's Learning Scrutiny Panel last met on 10 October 2022.
9. In respect of the scrutiny panel's 2021 review of Behaviour, Discipline and Bullying in Schools, the Council's Strategic Lead for Inclusion and Specialist Support Services and Head of Inclusion, Assessment and Review were in attendance to provide:
 - an update on the progress made with the implementation of the agreed recommendations/actions; and
 - information and data demonstrating the impact of the 0-25 Inclusion and Outreach Model.
10. The information received demonstrated that there was emerging data, case study and impact evidence to suggest that the Inclusion and Outreach Model was having a positive impact for children, families and schools.
11. At the meeting, the scrutiny panel also considered and agreed the Terms of Reference for its review of Youth Offending and Partnership Working with Schools.
12. The Scrutiny Panel's next meeting is scheduled to take place on 21 November 2022. At this meeting, Members will receive a comprehensive report on school exclusions.

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

13. The Panel met on 27 September 2022 and received further information in relation to its scrutiny topic – Supporting Young People in the Transition to Adulthood. The Head of Looked After Children and Corporate Parenting was in attendance to provide detailed information specifically in relation to Care Leavers and the Pathways (Leaving Care) Service and the role it plays in supporting young people to independence.
14. The Panel next met on 24 October 2022 and was provided with an update in relation to the South Tees Safeguarding Children Partnership's (STSCP) Annual Report for 2021/22. The Partnership Manager provided an overview of the local partnership arrangements for safeguarding children, the work undertaken by the Partnership and key areas of significance within the Annual Report, including the Partnership's priorities.
15. The Panel last met on 14 November 2022 when further information was provided by the Head of Children with Disabilities and the Head of Inclusion, Assessment and Review, in relation to the support provided specifically to Children with Disabilities in the transition to adulthood.
16. The Panel's next meeting is scheduled to take place on Tuesday, 20 December 2022.

Culture and Communities Scrutiny Panel

17. The Culture and Communities Panel met on Thursday 20 October 2022 and received information from Dale Metcalfe, Operational Community Safety Manager on the Council's strategies and power to help combat Offroad bikes. The Panel learnt about Operation Endurance, a multi-agency approach with Cleveland Police which operates throughout Cleveland.
18. The Panel, further discussed the work programme and it was agreed that they would consider the Museum service. A detailed plan for the topic would be brought forward to the next meeting.
19. The date of the next meeting of the panel is 17 November 2022.

Economic Development, Environment and Infrastructure Scrutiny Panel

18. The Panel's latest meeting was held on Wednesday 12 October 2022. The Panel discussed the topic of prevention of damage to grass verges with key officers from Environment and Commercial Services. Information was provided with regard to potential prevention measures including legal powers that were available to the Council.
19. The Panel also received an overview of its new scrutiny topic: Nutrient Neutrality, from the Head of Planning.
20. The next Scrutiny Panel meeting is scheduled to take place on 9 November 2022, with the Flood Risk Management Update on the agenda. The Panel will also discuss progress with the Work Programme 2022-2023.

Health Scrutiny Panel

20. The Health Scrutiny Panel met on 13 September 2022 and considered the following:-

- {my} Dentist - Proposed Cleveland Retail Park Scheme – Consultation
- Integrated and Urgent Care in Middlesbrough and Redcar and Cleveland
- Department of Health & Social Care Guidance – Health overview and scrutiny committee principles
- Next Steps in Increasing Capacity and Operational Resilience in Urgent and Emergency Care Ahead of Winter – NHS England
- Chair's OSB Update

21. The Health Scrutiny Panel met on 11 October 2022 and considered the following:-

- Integrated and Urgent Care in Middlesbrough and Redcar & Cleveland
- Regional Health Scrutiny Update
- Dental Health and the impact of COVID-19 - Setting the Scene
- Opioid Dependency Review – Update
- Chair's OSB Update
- Date of next meeting – 13 December at 4pm

Tees Valley Joint Health Scrutiny Committee

22. The Tees Valley Joint Health Scrutiny Committee (TVJHSC) met on 23 September 2022.

23. At its meeting on the 23 September the Committee considered the following:-

- Clinical Journey and Quality Journey - Tees, Esk and Wear Valley NHS Foundation Trust – Presentation by the Chief Executive, Tees, Esk and Wear Valley NHS Foundation Trust
- North-East and North Cumbria Integrated Care Board and System Implementation – Presentation by the Executive Director of Place-Based Delivery - Central and Tees Valley, North-East and North Cumbria Integrated Care Board
- Urgent and Emergency Care Access – Update by Director, North-East and North Cumbria Integrated Care Board
- Paediatric Ophthalmology Services – Report of the Clinical Lead for Ophthalmology
- Work Programme – Report of the Assistant Director Law and Governance
- Date of next meeting – 16 December 2022

Tees Valley Combined Authority Overview and Scrutiny Committee

24. The Tees Valley Combined Authority Overview and Scrutiny Committee met on 14 October 2022.

25. At its meeting on the 14 October the Committee considered the following:-

- The appointment of Chair and Vice-Chair
- Group update from Helen Kemp Director of Business Skills;
- A discussion took place on TVCA,s investment plan which the Cabinet had asked the group to look. This was completed and passed back to Cabinet for consideration at their meeting on 28th October;
- Presentation on Culture;
- Date of next meeting – 12 January 2023.

SCRUTINY REPORTS SUBMITTED TO EXECUTIVE

26. Since the last update to Council, the Final Report of the Culture and Communities Scrutiny Panel - Tough Enough? Enforcement in Middlesbrough and its Impact on Crime and Anti-Social Behaviour was submitted to Executive on 18 October 2022.

What decision(s) are being recommended?

27. That Council note the report.

Rationale for the recommended decision(s)

28. 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

29. 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

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

Strategic priorities and risks

31. 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

32. 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

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

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

Action	Responsible Officer	Deadline

Appendices

1	
2	
3	

Background papers

Body	Report title	Date

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

<p>MIDDLESBROUGH COUNCIL</p>	
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<p>Report of:</p>	<p>Elected Mayor of Middlesbrough Director of Finance</p>
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<p>Submitted to:</p>	<p>Council</p>
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<p>Date:</p>	<p>30 November 2022</p>
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<p>Title:</p>	<p>Medium Term Financial Plan Update and Budget Savings Proposals 2023/24</p>
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<p>Report for:</p>	<p>Information</p>
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<p>Status:</p>	<p>Public</p>
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<p>Strategic priority:</p>	<p>All</p>
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<p>Key decision:</p>	<p>Not applicable</p>
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<p>Why:</p>	
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<p>Urgent:</p>	<p>No</p>
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<p>Why:</p>	
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Executive summary

The report provides an update to Council of the Council's Medium Term Financial Plan (MTFP), and the current estimated budget gap for 2023/24. It also sets out the proposed budget savings and other proposals, and proposed Council Tax increase for 2023/24, and notes that, where required, these will be subject to public consultation.

The report requests that Council:

- Notes the updated Medium Term Financial Plan position, and the potential budget gap of £10m to £20m in 2023/24, with £15m being the mid-case assessment
- Notes the following measures to contribute towards the potential budget gap in 2023/24, and notes that consultation will commence, where required, on 1 December 2022 and conclude on 23 January 2023:
 - the proposed budget savings and other proposals for the 2023/24 budget. These total £14.2m in the full year, of which £4.6m are deemed to

potentially affect service delivery levels and will be subject to public consultation (as detailed in Appendix 2)

- the proposed total Council Tax increase of 2.99% for 2023/24 (comprising of a 1.99% increase in general Council Tax and a 1% Adult Social Care Precept), subject to potential further review in light of the revised referendum limits announced in the Government's Autumn Spending Review of 17 November 2022

Purpose

1. This report provides an update to Council of the Council's Medium Term Financial Plan (MTFP), and the current estimated budget gap for 2023/24.
2. The report sets out the proposed budget savings and other proposals, and proposed Council Tax increase for 2023/24, and notes that the proposals will be, where required, subject to public consultation.

Background and relevant information

Strategic Plan for the 2022-24 period

3. Full Council approved a Strategic Plan for the period 2021-24 on 24 February 2021, setting out nine strategic priorities for this period in the light of Covid-19 and other external factors, following consultation with local communities.
4. On 30 March 2022, Council was advised that an annual refresh for the Strategic Plan 2021-24 would not be brought forward and that as such the current plan would remain in place for the coming financial year.
5. The "Refreshing the Strategic Plan workplan for the 2022-24 period" report to Executive on 5 April 2022 approved revisions to the Strategic Plan workplan for the 2022-2024 period, to demonstrate progress towards and achievement of Council approved Strategic Plan outcomes.

Medium Term Financial Plan

6. The Council maintains a Medium Term Financial Plan (MTFP) that sets out the financial envelope that is necessary to achieve those aims and the savings necessary for living within those financial plans (budget savings). The MTFP:
 - accurately analyses the current financial climate and the medium-term horizon, including the range of spending pressures facing the Council;
 - addresses the budget savings requirements for the MTFP period;
 - focuses investment on growing the town's economic base to improve local prosperity, and secure a robust and independent income stream to fund the Council's services.
7. The Medium Term Financial Plan to the end of 2024/25 was included as part of the Revenue Budget, Council Tax, Medium Term Financial Plan and Capital Strategy 2022/23 report presented to Council on 23 February 2022.
8. Since the report to Council in February 2022, there have been a number of changes which require the Council's MTFP to be updated. As reported previously in the 2022/23 Quarter One Projected Outturn report to Executive on 6 September 2022, and in the 2022/23 Quarter Two Projected Outturn report to Executive on 8 November 2022, there are a number of factors which have the potential to significantly impact on the Council's financial position both in 2022/23 and in future years. These factors were largely unknown at the start of 2022/23 and are national issues which are being experienced by all local authorities. The current economic climate is providing a very

high level of uncertainty for all local authorities. These can be summarised as follows, with further details being provided in paragraphs 15 to 52 below:

- Government funding uncertainty
 - Children's Social Care
 - Additional hyper-inflation and the cost of living crisis
 - Uncertainty around the level of the Local Government pay award
 - Economic uncertainty, in particular increasing interest rates
9. In light of the projected overspend for 2022/23 reported at Quarter One, Executive on 18 October 2022 approved a Financial Recovery Plan 2022/23 which was intended to reduce the projected outturn for 2022/23. This included certain discretionary expenditure being curtailed, the early implementation of fees and charges increases, additional controls around vacancy and agency staff, the setting up of a Children's Focus Group, and the implementation of the approved Flexible Use of Capital Receipts Strategy. The achievement of the Financial Recovery Plan 2022/23 is a risk impacting the 2023/24 budget, and Directors are working on delivering the Financial Recovery Plan and seeking further discretionary spend savings in 2022/23 in order to try to achieve a balanced budget in 2022/23 and minimise the risk on the 2023/24 budget.
 10. The MTFP was initially revised in July 2022 and since then a number of meetings have been held with Executive during the summer, and a meeting was also held with the Group Leaders of all the political parties on 13 October 2022 to provide elected members with an overview of the MTFP and to brief them as to current MTFP gap and options available to fund the 2023/24 budget gap.
 11. This update report was presented to Executive on 8 November 2022, and is now brought forward for noting by this Council, as part of the usual annual budget setting process. The report details the anticipated changes to the Council's financial position since the budget report to Full Council in February 2022, along with the main assumptions and risks contained within the updated MTFP.
 12. Following the thorough review of all the factors affecting the Council's financial position, it is currently estimated that there will be a budget gap of between £10m and £20m for 2023/24, with a mid-case assessment of £15m. In previous years a more accurate estimate would be provided at this stage, however this year it is only currently possible at this stage to provide a very wide range of estimates for the potential budget gap for 2023/24 due to the high level of uncertainty that exists regarding a number of the factors as mentioned above. Further updates will be provided of any major changes to the estimated budget gap during the period until the budget report is presented to Full Council in February 2023.
 13. It should be noted that the financial position faced by the Council is not unique to Middlesbrough, and a number of other local authorities have announced that they are currently facing budget pressures and similar levels of budget gaps in 2023/24.
 14. No estimates of the potential budget gap in 2024/25 and 2025/26 have been provided at this stage as part of this update, due to the high level of financial uncertainty surrounding future local government funding, and at this stage no additional budget savings are proposed to cover any potential budget gap in 2024/25 and 2025/26 until further information is received and estimates are more robust. The estimates and the

potential requirement for any further budget savings in 2024/25 and 2025/26 will be reviewed again in the budget report to Full Council in February 2023.

Budget Assumptions

15. The budget report to Full Council in February 2022 detailed the key assumptions made in the MTFP, and this report shows the major changes since February 2022, with the following paragraphs providing details.

Government funding

16. The Autumn Budget and Spending Review 2021 (SR21), published by the Government on 27 October 2021, set out the Government's spending plans for the lifetime of the parliament.
17. Whilst SR21 provided a number of indications of the level of funding that will be available for local government over the period, it did not provide full details of the funding mechanism, or confirm that a multi-year funding settlement would be provided to local authorities. It also did not provide individual funding allocations for each local authority. The amount of funding for local government each year will be confirmed and the allocation to individual local authorities will be announced as part of the Local Government Finance Settlement each year, which for 2023/24 is expected to be provisionally published in late December 2022 (no date has yet been formally announced) and confirmed in February 2023. This level of uncertainty means that future funding still remains one of the most significant risks to the Council.
18. SR21 announced additional funding for local government and additional funding was received for 2022/23 as part of the Local Government Financial Settlement for 2022/23, however this was largely one-off for 2022/23 only and was not recurring. This was announced at a time of a stable economy and the economic circumstances have now changed.
19. Also, since the February 2022 budget report there have been numerous changes in senior positions within the Government leading to a continuing state of flux within the Government and a lack of any meaningful Government announcements regarding funding for local government both in the short term and in the future. At the time of writing, we are awaiting a statement on the Government's Medium Term Fiscal Review.
20. These factors and the level of uncertainty that exists remains one of the most significant risks to the Council.
21. Currently the following other assumptions regarding government funding have been made in the updated MTFP:
 - That there will be no increase or decrease to the current levels of Revenue Support Grant (RSG) and Business Rates Top Up Grant in 2023/24 and future years, apart from the application of inflationary increases
 - That currently there are no major changes to other grant assumptions outlined in the report to Full Council in February 2022.

22. The estimates of government funding will be revised when further information is available from the provisional Local Government Finance Settlement, which is expected in late December 2022, and this may mean changes are required to the Council's budget for 2023/24. These will be further updated in the 2023/24 budget report to Full Council in February 2023 upon receipt of the final confirmed Local Government Finance Settlement for 2023/24.
23. The Government have announced that the potential re-set of business rates retention of 75% (from the current 50%) and the introduction of a new "fair funding" formula for local government will now not take place within the period of the current Spending Review. Also, very few further details of the Government's "levelling-up" agenda have been provided to date. The key for Middlesbrough, as with other local authorities, will be the detail of the new systems and in how the new formulae are derived. The extent to which deprivation is recognised as a key cost driver for service need, in particular for adults and children's social care and public health, will be vital.
24. Notwithstanding the high levels of uncertainty regarding future Government funding, the Council's budgetary assumptions are based on the most up to date reliable information.

Local funding increases – Council Tax and Business Rates

25. The Revenue Budget, Council Tax, Medium Term Financial Plan and Capital Strategy 2022/23 report to Full Council on 23 February 2022 assumed that the Council would apply a 1.99% increase per year in the core general element of Council Tax in both 2023/24 and 2024/25.
26. In SR21 the Government indicated that the Adult Social Care Precept, which was allowed in previous years, will apply again in 2022/23, 2023/24 and 2024/25 (at a maximum increase of 1% per year). This in previous years has allowed Councils with Adult Social Care responsibility to increase their Council Tax by a set amount to help pay for the increased costs of Adult Social Care.
27. Therefore, following discussions regarding the Council Tax increase for 2023/24, Executive Members indicated in the report to Executive on 8 November 2022 that their current recommendation is that the Council adopts a 1.99% increase in the core general Council Tax for 2023/24, and also an increase of 1% for the Adult Social Care Precept, meaning a total proposed Council Tax increase of 2.99% for 2023/24. This is an increase from the previous assumption of a 1.99% increase, but is in line with Government expectations as announced in SR21.
28. Executive Members have made this decision in order to reduce the additional budget savings that are required to be made in setting the budget for 2023/24. Also, it reflects the fact that the Government are likely to assume that the Council will increase its Council Tax by this amount in their calculation of the Council's Core Spending Power, which is a measure of how much the Government believes the Council can raise from Council Tax and that it has available to spend.
29. It should be noted that each 1% increase in Council Tax produces estimated additional income to the Council of approximately £650,000 per annum.

30. The effect of the proposed total Council Tax increase to 2.99% in 2023/24 on the Middlesbrough Council only element of the Council Tax (excluding Fire, Police and Parish precepts) for Band A and Band D properties is shown in the table below:

Band	2.99% increase	
	Annual (£)	Weekly (£)
A	36.07	0.69
D	54.11	1.04

31. In SR21 the Government announced that the referendum threshold for increases in Council Tax is expected to remain at 2% per year for 2022/23, 2023/24 and 2024/25. In addition, local authorities with social care responsibilities are expected to be able to increase the Adult Social Care precept by up to 1% per year over this period. The Government announced in its Autumn Statement 2022 published on 17 November 2022 that it is giving local authorities in England additional flexibility in setting Council Tax by increasing the referendum limit for increases in Council Tax to 3% per year from April 2023, and in addition, local authorities with social care responsibilities will be able to increase the Adult Social Care precept by up to 2% per year. The Department for Levelling Up, Housing and Communities (DLUHC) will set out full details of the Council Tax referendum principles and proposed approach to allocating grant funding through the Local Government Finance Settlement for 2023/24. The proposed 2.99% total increase in Council Tax in 2023/24 is within the referendum limits set by the Government in SR21. The recent proposed change to the referendum limits in the Autumn Statement 2022 may mean that the level of proposed Council Tax increase for 2023/24 may be revised following review by Executive.
32. There is estimated to be an increase in Council Tax income in 2023/24 and 2024/25 due to a predicted increase in the Council's Tax Base resulting from projected Housing Growth over the period. The estimates are currently being reviewed from those contained in the previous MTFP, following further analysis and information received as part of the Council Tax Base return submitted to Government in October 2022. These estimates will continue to be reviewed on a regular basis in light of the potential effect of delays to house building, currently mainly due to nutrient neutrality issues and lack of available resources in materials and labour, and will be updated as part of the budget report to Full Council in February 2023 when further information is available.
33. No growth, and only an amount for inflation, has been assumed in the Local Share of Business Rates estimated to be received by the Council in 2023/24 and 2024/25.

Pay awards

34. It was mentioned in the Quarter One and Quarter Two reports to Executive, that no agreement had yet been reached between the National Employers and the NJC Trade Unions as to the pay award for 2022/23 for Local Government Services employees effective from 1 April 2022. The National Employers offer of an increase of £1,925 on all NJC pay points 1 and above effective from 1 April 2022 has now eventually been agreed and will be implemented. This equates to approximately an average 6.5% pay award costing approximately £6.5m per annum and this will mean that there will be a recurring additional £2m required in future years of the MTFP.

35. The current assumptions in the MTFP are for a 3% pay award each year in 2023/24 and 2024/25 and 2% in 2025/26. In light of the likely 2022/23 pay award and the potential underlying inflation that exists in the economy, the assumption for the 2023/24 pay award has been revised upwards. There is also a high level of uncertainty around local government pay awards in future years, and therefore the assumptions made in the MTFP for future years will be constantly reviewed.
36. The Council set aside recurring funding for the effect of having to pay from 2022/23 increased National Insurance contributions for its own staff. Whilst the Government announced that this increase would be reversed from 1 November 2022 the Government is likely to recover this funding from local government, as it provided additional funding for this in the form of a grant.

Inflation

37. One of the major areas of increased expenditure during the latter part of 2021/22 and which has continued in 2022/23 was the level of inflation that existed in the economy, As shown in the Quarter One and Quarter Two reports to Executive, several Directorates have been substantially affected by the hyper-inflationary increases that existed in areas such as fuel, energy, utilities, food, and also increased costs from providers for services such as Waste Disposal, transport provision for children and adults, and Adults and Children's Care providers due to the inflationary increases they have suffered. Further detail is provided within the Directorate variances section of the Executive report. An additional inflation contingency of approximately £4.6m recurring funding was built into the updated Medium Term Financial Plan (MTFP) presented to Full Council in February 2022 and this is held centrally. In light of the current continuing high level of inflation, there has been a need to review the amount and an additional £2m per annum has been included from 2023/24 to cover the potential effects of the additional inflation. There will be a need to closely monitor this, and further updates will be provided in future budget monitoring reports and the MTFP will be amended accordingly as appropriate and adjusted in the budget report in February 2023.
38. Contractual inflation has been provided for in the MTFP period, with approximately £1.6m being provided for in 2023/24. The level of contractual inflation will be reviewed again in the budget report to Full Council in February 2023.
39. Previously no provision has been made for inflation for general supplies and services, and it was previously expected that any inflationary pressures in this area would be met by Directorates from efficiency savings. This assumption is currently being reviewed as it is becoming increasingly difficult for this approach to be continued.
40. In the budget report to Full Council in February 2022 income from fees and charges had been assumed to increase on average by approximately 1% per annum over the MTFP period. However due to the budget gap that currently exists for 2023/24 this has been reviewed as mentioned in paragraph 55. All income will be closely monitored for performance against income targets and reviewed as necessary.

Living Wage

41. Increases in the National Living Wage will impact upon organisations – principally adult social care providers – who are contracted to carry out functions on behalf of the Council. Currently increases in the National Living Wage do not have an impact on Council employed staff as the current pay rates paid to Council staff are above the current National Living Wage rates.
42. In SR21 the Government announced that it remains committed to raising the National Living Wage in order so that it reaches two-thirds of median earnings, and the amounts that are allocated in the MTFP to cover the increases in cost expected as a result of this have been revised in line with current available information, and an amount of £2.7m has been allocated for this in 2023/24 and £6m over the MTFP period.
43. As with future pay awards there is a high level of uncertainty around this and whether the Government will further change the levels of increase for future years, and therefore this will be reviewed again in the budget report to Full Council in February 2023.
44. The Council previously made a commitment to follow the Living Wage Foundation recommended levels for pay. In light of the Council's current financial position this is now becoming very difficult to sustain. Any changes to the commitment will be brought forward for approval by Full Council in the budget report in February 2023.

Spending pressures –Children's Social Care

45. As extensively reported previously in line with national trends Children's Social Care, remains the biggest area of financial concern for the Council. The costs of these pressures in respect of increased level of need in relation to children in care and the increase in the cost of providing care is constantly being monitored.
46. The Council has an Ofsted Improvement Plan in place, and the financial situation is being closely monitored jointly by the Service and Finance, and a three year plan was drawn up in July 2021 for the potential MTFP impact.
47. The approximate £5m temporary funding provided to Children's Care in 2022/23 has been made permanent, and also in light of the current expenditure an additional £2m per annum has been provided for in the revised MTFP from 2023/24. This means that additional support totalling approximately £7m per annum has been provided for this in the revised MTFP from 2023/24 in order to achieve a steady state for the Service and ensure that the improvements currently being made in Children's Social Care are not compromised, and also in order so that the Service is on a firm financial footing with an appropriate budget which can be managed within.
48. It should be noted that whilst this additional funding has been provided for in the MTFP, if Children' Care continue to spend at its current rate then there is likely to be a further overspend of £5m in future years. Work has now commenced to re-establish budget arrangements with a view to reducing expenditure. Arrangements have also been brought in to enhance permanent staff pay, including the use of market supplements, in order to recruit and retain staff and reduce the reliance on agency staff.

49. Whilst the Local Government Finance Settlement in 2021/22 and 2022/23 provided additional funding for Social Care there is still a significant risk of additional increased level of need in relation to children in care and the increased in the cost of providing care and that in the event of this, sufficient additional Government funding is not provided to mitigate this. Along with funding uncertainty, the continued pressure of demands on Children's Social Care is the most significant financial risk to the Council.
50. Further Children's Social Care demand increases and any delays to the implementation of the Council's Ofsted Improvement Plan and any further negative Ofsted judgement continue to be a major potential risk to the Council and this is being constantly monitored, and further updates will be provided in future quarterly budget monitoring reports to Executive and in the budget report to Full Council in February 2023.

Other Spending pressures

51. Provision has been made in the updated MTFP from 2023/24 for the following ongoing spending pressures / service demand pressures which have been identified and are likely to continue in the future:

- £640,000 for the Integrated Transport Unit budget – increased demand due to a greater number of children qualifying for home to school transport, new schools, and an increase in costs to transport children out of the area. This is after providing for the effects of inflation on this budget mentioned above
- £500,000 for Adult Social Care - relating to Recruitment & Retention measures for staff groups difficult to recruit to where there are established shortages of staff, and increased staffing in the Integrated Support Service due to increased demand
- £1m per annum due to a requirement to build up Reserves of up to £10m for Insurance in order to cover claims that will potentially arise in the future as indicated by the recent Insurance actuarial review
- £400,000 per annum for 2023/24 to 2025/26 relating to an anticipated increase in Employers Pension contributions following the recent triennial actuarial review
- £1.1m to cover increased capital financing costs. This comprises of approximately £500,000 for the impact on the capital financing budget of the Council's current Investment Strategy, £250,000 for the impact of rising interest rate costs, and approximately £350,000 for provision in respect of the potential new and enhanced projects as outlined in paragraph 81 which subject to approval by Executive will be added to the Council's agreed Investment Strategy in the future

52. The following factors have also been considered in assessing the underlying budget gap and the adequacy of reserves:

- Potential requirement to repay Dedicated Schools Grant (DSG) Deficit to the Government - this could be £5m upwards
- Adult Social Care – Fair Cost of Care Reform
- Capital financing – increased borrowing requirement due to increasing construction costs
- Capital Financing – further increases in interest rate costs

Approach to solving the Budget Gap 2023/24

53. Executive Members have held a number of discussions regarding the MTFP and the changes that have occurred and the forecast budget gap of £10m to £20m for 2023/24 (with a mid-case assessment of £15m), which needs to be addressed. There is a legal requirement to set a balanced budget for the Council each year.
54. This has led to a requirement to examine a number of areas including potential additional budget savings and/or changes to the assumptions relating to the Council Tax increase in 2023/24, in order to enable a balanced budget to be set in 2023/24.
55. To mitigate the budget gap in 2023/24, the following areas were explored including:
- Applying the Adult Social Care Precept at 1% p.a., which will increase total Council Tax assumed to 2.99% p.a.
 - Recurrent savings from the 2022/23 discretionary spend review (as per the Financial Recovery Plan 2022/23)
 - Revisiting previously proposed (but not taken up) service savings proposals
 - Review of non-statutory services currently provided
 - Review of statutory services currently over-provided
 - Review of the Capital Investment Strategy to produce revenue capital financing costs savings
 - Review of expected income from Commercial Developments made by the Council
 - Increasing fees & charges (including the continuation of those early implemented in the Financial Recovery Plan 2022/23, and new proposals)
 - Accountancy technical adjustments (mainly Flexible Use of Capital Receipts) – one year effect only
56. As mentioned, in paragraph 27 Executive endorsed an increase in the Council Tax from the 1.99% increase assumed in the previous MTFP to a 2.99% total increase for 2023/24 (which includes 1% Adult Social Care precept for 2023/24). This is in line with Government expectations as announced in the Spending Review on 27 October 2021 (see paragraph 31 for further details). Further detail on the proposed increase in Council Tax is provided in paragraphs 25 to 31. These proposals are brought forward for noting by Full Council, after which public consultation on the budget and the proposed total Council Tax increase of 2.99% for 2023/24 will commence.
57. The following paragraphs show the proposed budget savings for 2023/24 and other options for reducing the budget gap in 2023/24.
58. The above approach demonstrates that the Council has considered the issues strategically and has a deliverable plan to ensure the Council's financial sustainability. However, it should be noted that due to the uncertainty around future Government funding and other factors this is a constantly moving situation, and this means that the financial position and Council Tax increase and the potential need for additional budget savings are subject to change. The reports to Executive and Full Council in February 2023 will provide a further update of the MTFP incorporating any further information which has become available, including the impact of the Local Government Finance Settlement which is expected to be provisionally received in late December 2022 and then finalised in February 2023.

Proposed Budget Savings

59. As mentioned in paragraph 12 the refreshed MTFP identifies that there is a budget gap in the region of £10m to £20m with a mid-case assessment of £15m, and therefore as well as the proposed increase in Council Tax, budget savings or other proposals will be required in order to balance the 2023/24 budget.
60. In their report of 8 November 2022 Executive proposed additional budget savings proposals with a full year effect totalling £9.4m towards the budget gap in 2023/24. The budget savings proposals include proposed increases in fees and charges (including both the continuation of those implemented early in November 2022 as part of the Financial Recovery Plan 2022/23, and new proposed increases), and also proposed capital financing savings arising from a review of the Council's current Investment Strategy. These have been categorised using the same categories as in previous years as set out below:

Appendix	Description
1	<p><u>Budget Savings proposals that are considered to have minimal or no effect on front line service delivery levels -</u></p> <p>These proposals require no, or no further public consultation or impact assessment prior to consideration by Full Council as part of the 2023/24 revenue budget for implementation in 2023/24. Some internal consultation may be required prior to implementation if the proposals have a significant impact on employees, and this will be undertaken by management as appropriate.</p>
2	<p><u>Budget Savings proposals considered to potentially affect front line service delivery levels -</u></p> <p>These proposals will form part of the 2023/24 revenue budget, and will be subject to the impact assessment process and consultation either prior to consideration by Full Council as part of the 2023/24 revenue budget, or during 2023/24 for implementation in that year.</p>

61. Since the report to Executive on 8 November 2022, whilst the total level of additional budget savings proposals remains the same, there has been a transfer of part of the savings between two individual budget savings proposals (CC07 and CC10), and also some movement between appendices. In addition, further information regarding the impact has been added to the budget savings proposals included in Appendix 2. It should be noted that there may be some further movement between appendices. If it becomes clear that this is necessary, further work will be undertaken as appropriate.
62. Some proposed savings may not be fully achievable in 2023/24 and only a part year saving may be achieved in 2023/24, due to consultation requirements for staff, and any consultation required over and above the standard budget consultation because of nature of the proposals and the groups impacted, as per previous guidance on legitimate expectation and statutory basis. These such savings are however assumed to be fully achieved from 2024/25. The figures included in the appendices show the

amount that will be saved in 2023/24 and then the additional amount that will be saved in 2024/25 to reflect the full year effect of these such savings. The impact of transition to implement the full year effect of the savings is approximately £2m in 2023/24 and this will be funded on a one-off basis in 2023/24 as it will continue to provide a recurring saving.

63. Following consultation, if any of the proposed budget savings are deemed to not be achievable then alternative budget savings will have to be found in order to meet the gap in the budget.
64. Savings proposals are subject to robust governance and monitoring and full delivery of the amounts included is assumed. If full delivery of the proposed budget savings is not achieved, then alternative or additional savings will be required.
65. As mentioned in paragraph 14 at this stage due to the level of uncertainty that exists the potential budget gap in 2024/25 and 2025/26 has not yet been fully determined and therefore any budget gap in these years may need to be funded from additional budget savings in the future. The requirement for any future years' savings proposals will be outlined in future MTFP update reports and will be subject to full consultation.

Other proposals to meet budget gap

Flexible Use of Capital Receipts

66. It is proposed that a Flexible Use of Capital Receipts Strategy is implemented for 2023/24, as was the case in 2021/22 and 2022/23, to fund transformation costs across the Council. In order to satisfy the legislation relating to this, this will be subject to approval by Full Council in the budget report in February 2023, and also confirmation will be required that the capital receipts are available in 2023/24 and that the transformation expenditure will provide future ongoing savings before the strategy can be implemented. It is currently estimated that the Flexible Use of Capital Receipts Strategy will amount to £3m in 2023/24, however this will be subject to further review and therefore may change.

Additional income from Commercial Developments

67. The income budgets relating to developments that the Council has made in the town have been reviewed in respect of Centre Square Buildings 1 and 2, Tees Advanced Manufacturing Park (TeesAMP), Captain Cook Square Shopping Centre, and the Cleveland Centre Shopping Centre. This review has produced estimated additional income of approximately £1.2m in 2023/24 to help meet the budget gap in 2023/24. These developments have provided additional income to the Council, after deducting capital financing costs, which has negated the need for the Council to make budget reductions to front line services.

Consultation

68. Consultation in respect of the proposed budget savings for 2023/24 detailed in Appendix 2 and the proposed Council Tax increase for 2023/24 will commence on 1 December 2022 and conclude on 23 January 2023, with appropriate impact assessments undertaken considering responses to the consultation.

69. It is planned that the budget consultation will be undertaken this year as part of an “annual conversation” with local communities and the Council’s stakeholders on the direction of travel and future (including spending plans), an approach which is being embedded within the Council’s locality working approach. The “annual conversation” will build on the success of the previous years’ budget consultations, closely involving elected members in proactively engaging stakeholders in the development of the Council’s plans and spending decisions. It will have a clear brand identity and be promoted across social media and other channels, gathering both quantitative and qualitative information that will provide both real insight for the Council and real influence for respondents. The aim is to encourage more people to take part in the annual budget consultation.
70. It is planned that the consultation will be politically led and will include:
- a general public survey on the Council’s website, with hard copies on request
 - a general consultation email address
 - consultation with the Council’s Overview and Scrutiny Board
 - consultation with the Council’s partners and the local business sector, including a specific consultation meeting with the town’s Chamber of Commerce
71. As mentioned in paragraph 62, due to consultation requirements for staff, and any consultation required over and above the standard budget consultation because of nature of the proposals and the groups impacted, as per previous guidance on legitimate expectation and statutory basis, some proposed budget savings may require a longer consultation than the budget consultation period and therefore there will be need to ensure that a consultation plan is developed, along with an appropriate final decision making point for these proposals.
72. The output of the consultation process will then be reported to Executive on 14 February 2023 and then to Full Council on 27 February 2023, which will:
- again refresh the MTFP following the Local Government Finance Settlement, set the 2023/24 budget and any required associated budget savings and targets, and set the Council Tax level for 2023/24;
 - comply with the Public Sector Equality Duty and set out any impacts identified from the proposals for 2023/24 and future years.

Adequacy and use of Financial Reserves

73. The Director of Finance has reviewed the proposed level of balances held in the General Fund Reserve and advised that she considers it is appropriate to currently continue to maintain a minimum of £12m for 2023/24, as the current risk environment does not indicate an improved position. This advice is based on an assessment of financial risks against criteria set out by the Chartered Institute of Public Finance and Accountancy and the extent to which specific provisions are available to meet known and expected liabilities.
74. The current estimated level of the General Fund Reserve at the end of 31 March 2023 is approximately £12m as reported in the Revenue and Capital Budget – Projected Outturn position as at Quarter Two 2022/23 report to this Executive.

75. In the budget report to Full Council in February 2022, it was intended to add approximately £1.2m to reserves, however in light of the current financial environment it is intended that a central contingency to meet unexpected cost and price increases is created.
76. This updated MTFP, including the proposed Council Tax increase for 2023/24, should enable the level of the General Fund Reserve to remain above the minimum recommended level for 2023/24.
77. Further work will be carried out on the appropriate level of reserves for 2023/24 onwards following the receipt of the provisional Local Government Finance Settlement in late December 2022 and the latest financial performance in 2022/23, and will be updated in the budget report in February 2023.
78. The Council intends to allocate an additional £500,000 in 2023/24 to its Change Fund in order to support the achievement of the proposed budget savings, including any redundancy payments required to be made to affected staff, and also any other transformation activity required.

Investment Strategy

79. The Council's Investment Strategy is updated each quarter via the quarterly budget monitoring reports, and in accordance with this the Investment Strategy has been further revised as part of the Revenue and Capital Budget – Projected Outturn position as at Quarter Two 2022/23 report to this Executive.
80. The Investment Strategy will be further updated at Quarter Three, and also a full revision of the Investment Strategy for the MTFP period, including 2025/26, will be included in the budget report to Full Council in February 2023.
81. As mentioned in paragraph 51 provision has been made in 2023/24 in respect of the potential capital financing costs for potential projects which subject to approval by Executive will be added to the Council's agreed Investment Strategy in the future. These relate to new and enhanced capital projects which have been deemed to be essential replacement or repairs to assets:
 - Purchase of new replacement vehicles
 - Replacement Traffic Signals
 - Repairs to Bridges and Structures
 - Essential repairs to Newport Bridge
 - Replacement of Street Lighting columns
82. As mentioned in paragraph 60 as part of the proposed budget savings it is proposed that following a review of the Council's Investment Strategy a number of projects are either reduced or removed from the Council's current Investment Strategy in order to produce revenue capital financing savings. These are shown in the proposed budget savings in Appendices 1 and 2 and total £324,000 in 2023/24.

What decision(s) are being recommended?

The report requests that Council:

- Notes the updated Medium Term Financial Plan position, and the potential budget gap of £10m to £20m in 2023/24, with £15m being the mid-case assessment
- Notes the following measures to contribute towards the potential budget gap in 2023/24, and notes that consultation will commence, where required, on 1 December 2022 and conclude on 23 January 2023:
 - the proposed budget savings and other proposals for the 2023/24 budget. These total £14.2m in the full year, of which £4.6m are deemed to potentially affect service delivery levels and will be subject to public consultation (as detailed in Appendix 2)
 - the proposed total Council Tax increase of 2.99% for 2023/24 (comprising of a 1.99% increase in general Council Tax and a 1% Adult Social Care Precept), subject to potential further review in light of the revised referendum limits announced in the Government's Autumn Spending Review of 17 November 2022

Rationale for the recommended decision(s)

83. The Council has a legal obligation in relation to setting a balanced budget and to meet the challenging financial targets faced in the MTFP. The setting of the budget is part of the policy framework and therefore requires Full Council approval.
84. To enable the Council to meet its statutory responsibility to set a balanced revenue budget in 2023/24 and to ensure that a proper framework is in place for the medium term financial management of the Council, which will enable the Council to take a systematic, coherent, and controlled approach to addressing ongoing financial challenges over the medium-term, while attempting to maximise its contribution to the Mayor's priorities for Middlesbrough.

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

85. Not applicable.

Impact(s) of the recommended decision(s)

Legal

86. The Council is required under legislation to set a balanced budget for each year. The Medium Term Financial Plan and revenue and capital budgets form part of the Council's policy framework, as set out in its constitution. The approach outlined within the document will enable the Council to operate within the resources available and continue to meet its many statutory duties.

87. Elected members (individually and collectively) have a fiduciary duty to local taxpayers and so duty to facilitate, rather than frustrate, the setting of a lawful budget, and not to do so would bring damaging legal, financial, operational, and reputational consequences for the Council, and precepting authorities such as the police, fire service and local parish councils. It may also give rise to personal liability for individual members for misfeasance in public office, negligence, or breach of statutory duty, should they be found to be purposely failing to set a lawful budget.

Strategic priorities and risks

88. The revision of the Council's Medium Term Financial Plan for 2023/24 to 2025/26 plays a fundamental role in ensuring that the Strategic Plan is delivered effectively.
89. The proposed approach will ensure a positive impact on the strategic risk that the Council fails to achieve a balanced budget. The proposed approach also aligns with legal requirements around consultation and assessing the impact of proposals. It therefore impacts positively on the risks that the Council could fail to achieve good governance or comply with the law.
90. There is a risk that the financial position of the Council will be adversely affected by any non-achievement of the Financial Recovery Plan 2022/23 as detailed in paragraph 9, and any non-achievement of the proposed budget savings and other proposals for 2023/24 outlined in the report.

Human Rights, Equality and Data Protection

91. As stated in paragraph 60, savings proposals for 2023/24 and beyond have been initially assessed and categorised in Appendices 1 and 2.
92. The Council must ensure that, in line with the Public Sector Equality Duty, that any budget saving proposals, other budget proposals, or proposed Council Tax increases thought to impact on those with protected characteristics are assessed, mitigated where possible and/or justified. As such impact assessments for specific proposals and the proposed Council Tax increase will be completed prior to consideration by the appropriate decision-making body, where required. This will be either prior to the presentation of the 2023/24 budget report to Full Council in February 2023, or during 2023/24 prior to the decision to implement the proposed budget saving being taken.

Financial

93. The reports highlights that there is a current estimated budget gap in 2023/24 of £10m to £20m, with a mid-case assessment of £15m.
94. This report sets out proposed budget savings for 2023/24 in Appendices 1 and 2 totalling a full year effect of £9.4m. It is proposed that budget savings proposals in Appendix 2 will now be the subject of public consultation. As mentioned in paragraph 62 some proposed savings may not be fully achievable in 2023/24 and only a part year saving may be achieved in 2023/24, due to consultation requirements for staff, and any consultation required over and above the standard budget consultation because of nature of the proposals and the groups impacted, as per previous guidance on legitimate expectation and statutory basis. These such savings are

however assumed to be fully achieved from 2024/25. The figures included in the appendices show the amount that will be saved in 2023/24 and then the additional amount that will be saved in 2024/25 to reflect the full year effect of these such savings. The impact of transition to implement the full year effect of the savings is approximately £2m in 2023/24 and this will be funded on a one-off basis in 2023/24 as it will continue to provide a recurring saving.

95. Other proposals which will help to meet the current estimated budget gap in 2023/24 have also been developed. These include the proposed implementation of a Flexible Use of Capital Receipts Strategy, estimated to be £3m in 2023/24 (see paragraph 66 for details), and a review of additional income from commercial developments estimated to be worth approximately £1.2m in 2023/24 (see paragraph 67 for details).
96. It is currently proposed that for 2023/24 Council Tax will increase by a total of 2.99% (comprising of a 1.99% increase in general Council Tax and a 1% Adult Social Care Precept), (see paragraphs 25 to 31 for details). This is an increase from the 1.99% increase previously assumed in the MTFP and will produce a further £650,000 of income per annum to the Council.
97. The table below provides a summary of the proposals, totalling £14.2m, to meet the current estimated budget gap for 2023/24:

	Full year effect £m
Proposed budget savings not subject to public consultation (Appendix 1)	4.8
Proposed budget savings subject to public consultation (Appendix 2)	4.6
Proposed implementation of a Flexible Use of Capital Receipts Strategy for 2023/24	3.0
Additional income from Council Commercial Developments	1.2
Additional income from proposed increase in Council Tax from 1.99% to 2.99% for 2023/24	0.6
TOTAL	14.2

98. The final proposed 2023/24 budget will be presented to Executive on 14 February 2023, and then to Full Council for approval on 27 February 2023.
99. In the event that significant changes to the Council's financial position come to light in the interim then the level of proposed budget savings and proposed Council Tax increase in 2023/24 may need to be revised ahead of the budget report to Full Council on 27 February 2023.

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

Action	Responsible Officer	Deadline
Consultation on the proposed budget savings and Council Tax increase will commence on 1 December 2022 and conclude on 23 January 2023, with appropriate impact assessments undertaken considering responses to the consultation	Head of Financial Planning & Support	1 December 2022
The output of the consultation process will be reported as part of the Revenue Budget, Council Tax, Medium Term Financial Plan, and Capital Strategy 2023/24 report to Executive on 14 February 2023 and Full Council on 27 February 2023	Head of Financial Planning & Support	27 February 2023

Appendices

1	Budget savings proposals that are considered to have minimal or no effect on front line service delivery levels
2	Budget Savings proposals considered to potentially affect front line service delivery levels

Background papers

Body	Report title	Date
Council	Revenue Budget, Council Tax, Medium Term Financial Plan and Capital Strategy 2022/23	23/2/22
Executive	Refreshing the Strategic Plan workplan for the 2022-24 period	5/4/22
Executive	Revenue and Capital Budget – Projected Outturn position as at Quarter One 2022/23	6/9/22
Council	Flexible Use of Capital Receipts Strategy 2022/23	7/9/22
Executive	Financial Recovery Plan 2022/23	18/10/22
Executive	Revenue and Capital Budget – Projected Outturn position as at Quarter Two 2022/23	8/11/22
Executive	Medium Term Financial Plan Update and Budget Savings Proposals 2023/24	8/11/22

Contact: Andrew Humble, Head of Financial Planning & Support
(Deputy S151 Officer)

Email: andrew_humble@middlesbrough.gov.uk

Appendix 1: Budget Savings proposals that are considered to have minimal, or no effect on front line service delivery levels

These proposals require no, or no further public consultation or impact assessment prior to consideration by Full Council as part of the 2023/24 revenue budget for implementation in 2023/24. Some internal consultation may be required prior to implementation if the proposals have a significant impact on employees, and this will be undertaken by management as appropriate.

Ref:	Budget savings proposal	23/24 (£000's)	24/25 (£000's)	Total (£000's)
Various	Continuation of fees and charges increases implemented early in November 2022 as part of the Financial Recovery Plan 2022/23 (full year effect)	1,111	0	1,111
ASC02	10% increase in charges for Health Authority contributions to Adult Social Care services	77	0	77
ASC03	Adult Social Care - Increase in assessed client contributions to packages of care - 2.5% for clients receiving care in the community and 3.35% for client care in residential homes	251	0	251
ASG04	Increased charges to recipients of Adult Social Care services	88	0	88
ASC05	Remove funding for unused Move in Move on service	86	0	86
CC07	Maximise Supporting Families Grant and use for Council services	300	67	367
CC08	Cease to develop the Trauma Informed Practice model	15	0	15
CC11	Delete Participation posts in Children's Strategic Services	85	0	85
CC13	Reduction in specialist staffing compliment providing services to children and young people	85	0	85
CEN02	Senior Management Review	341	244	585
CEN03	Capital financing cost savings arising from a review of the Investment Strategy	162	0	162
ECS02	10% increase in charges for Building Cleaning to schools and other organisations	249	0	249
ECS04	10% increase in Streetworks permit scheme charges (subject to national guidance)	32	0	32
ECS09	Cease enhanced level of support to community groups for environment projects	50	0	50
ECS10	Reduction of 1 supervisor in Highways Services	35	0	35
ECS11	Reduction in Council funding to Environment City	47	0	47
ECS13	Vacate Co-op building used for Locality Working in Newport and use alternative location	30	0	30
ECS16	Increased use of Indigenous Growth Fund (IGF) grant funding to fund Council services in the town centre, such as Area Care	142	0	142

EP02	Cease Council contribution to Virtual School	26	0	26
EP04	Reduce Education Achievement Team from 3 to 1 members of staff	62	44	106
EP05	Technical adjustment within Ethnic Minorities Achievement Team (EMAT) budget	6	0	6
EP06	Develop Children's Centres into Family Hubs	154	153	307
LGS02	Saving in IT licensing fee	16	0	16
LGS03	Democratic Services - Reduction in member and non-member related administration	44	31	75
LGS04	Deletion of 2 project management posts	100	0	100
LGS05	Delete apprentice post in ICT service	14	0	14
LGS06	Delete political assistant vacancy	20	19	39
LGS07	Reduction in admin. support to senior managers	47	0	47
PH01	Reduced management capacity of the Public Health Team	181	0	181
PH02	Reduction in expenditure on miscellaneous Public Health programmes, including reduced support to other networks	115	0	115
RC03	Director of Regeneration - general restriction of discretionary spend	25	0	25
RC04	Economic Development - Reshaping of the Economic Growth Team to provide a greater focus on town centre issues that will be funded by external resources	100	0	100
RC08	Reduction of 20% in the Council's Marketing and Communications function	70	28	98
RC09	Highways Service Management - Reduction in in the team supporting development of the road network	30	0	30
TOTAL		4,196	586	4,782

Appendix 2: Budget savings proposals considered to potentially affect front line service delivery levels

These proposals will form part of the 2023/24 revenue budget, and will be subject to the impact assessment process and consultation either prior to consideration by Full Council as part of the 2023/24 revenue budget, or during 2023/24 for implementation in that year.

Ref:	Budget savings proposal	23/24 (£000's)	24/25 (£000's)	Total (£000's)
CC02	Redesigning part of Gleneagles Residential Home to provide long-term residential care for children Impact : There will be no impact on the centre's current capacity to provide short break respite care. The proposal will be to increase the capacity of the centre to provide additional spaces to increase the Council's ability to provide in-house longer term care, reducing the cost of this type of care to the Council	334	334	668
CC03	Stop providing dedicated Family Group Conferencing and incorporate into social work teams Impact : Cessation of dedicated resource to maintain the voluntary Family Group Conferences offer. The purpose of the service is to support children to remain at home with parents or extended family members rather than being cared for by the Council. Should this service be disbanded this work would be added onto the workload of social workers	195	0	195
CC04	End Safe Families contract Impact : Services currently delivered by the contract would cease. This includes short hosting stays for children, befriending support to families provided by volunteers, and practical family resources, such as basic goods and services to support family life; for example, improving home conditions through de-cluttering, decorating, gardening, or providing furniture, baby equipment, washing machines, beds etc.	56	19	75
CC05	Reduction in Council funding for Youth Services. Support is currently being provided to youth work organisations to access funding from central Government Impact : This proposal is not to reduce the provision of the targeted and specialist youth services currently funded by the Council but to support the providers to access funding available from central Government. If this funding is not available or if bids for the funding are not successful then youth provision for our more vulnerable young people will be affected which could lead to an escalation in their needs and therefore an increase in the level of intervention. If alternative funding is not achieved, the saving will be achieved by the cessation of the universal element of youth service provision	83	17	100
CC06	Do not implement Council decision to extend Youth Services in areas of high anti-social behaviour Impact : This would reverse a previous decision of Executive to allocate additional funding support to Youth Services	150	0	150
CC09	Cease the Young Carers contract to support children and young people with caring responsibilities Impact : The contribution of the Council to this contract would reduce by 25%. The Young Carers Contract is a South Tees contract in partnership with Redcar and Cleveland Council. The impact of ceasing this contract would be to cease services for children and young people who are caring for siblings or their parents	28	9	37

CC10	Reduce provision of services delivered by Not in Education, Employment or Training (NEET) Team to the statutory minimum Impact : The capacity of the service will be reduced and therefore this may adversely affect the length of time it takes to provide support to young people who are not in Education, Employment or Training	32	22	54
CC12	Reduce direct provision of and financial support to families to provide non-residential short breaks for children and young people with disabilities Impact : Children with Disabilities short break grants and financial support provide activities for children with all levels of disabilities to meet individual children and young people's needs, either by the procurement from external providers or by providing financial support to families to commission their own support. This proposal would be implemented by reviewing and raising thresholds for access to the service and a review of current funded activities. Assessed identified needs will continue to met in line with statutory duties	368	368	736
CEN01	Do not implement Council decision to pilot Locality Officer in Hemlington Impact : This proposal will reduce the impact of the opening of the locality Hub at Hemlington and will lead to reduced levels of focused locality work in the Hemlington area with members of the public, businesses and partner organisations	40	0	40
ECS03	School Catering - increase in primary school meal prices from £2.15 to £2.40 and secondary school meal prices from £2.25 to £2.50 in line with inflation Impact : The proposal could see children shift away from school meals to packed lunches	181	0	181
ECS05	Increase rent charges by 10% at Metz Bridge Travellers Site in line with inflation Impact : This will result in an increase of around £9.50 per week in rent	10	0	10
ECS06	Street Lighting - approx. 1 in 2 lights will be turned off between midnight and 6am in less used spaces and intermittently in other appropriate spaces where safe to do so (will not affect road junctions and major roads) Impact : This will see darker streets and spaces between midnight and 6 am. The locations of those lights turned off will be kept under review to manage any safety concerns	74	74	148
ECS07	Do not implement Council decision to provide Pest Control Services Impact : If this proposal is agreed it will mean that the Council does not offer a subsidised domestic pest control service. People will still be able to obtain private pest control services. The Council will still undertake pest control on its land	90	0	90
ECS08	Do not implement Council decision to provide additional Tree Maintenance service Impact : This proposal will see the present tree maintenance policy maintained and the council will keep its present tree maintenance regime and react to dead, dying, diseased, or dangerous trees	150	0	150
ECS12	Reduce Council expenditure on Neighbourhood Safety and seek to maximise grant funding Impact : This proposal will see a reduction in neighbourhood wardens in estates and other residential areas. Environment Wardens will still be maintained to deal with flytipping and other environmental crime. The Town Centre and areas of the town that have a Public Space Protection Order in place will still have a warden presence	583	417	1,000

ECS14	Reduce opening hours of hubs in line with demand, and introduce self-serve at Rainbow and Neptune libraries and reduce opening hours of other libraries in line with demand. Also delete vacant posts and reduce expenditure on supplies and services in Libraries and Hubs Impact : Libraries and hubs will be closed to the public by an additional day a week on average in line with demand. Those groups who hire the facilities will still be able to do so on those days through the introduction of key holding where required. Some libraries will move to self service in respect to loaning books	208	63	270
ECS15	Scale back approved additional capital investment of £15 million in Highways Repairs and Maintenance to £7.5 million producing capital financing cost savings Impact : There will continue to be a repairs programme, however it will be reduced by half. In real terms this will reduce capacity to maintain roads by approximately two thirds as a result of the increased cost of materials	162	0	162
EP03	Reduce Council subsidy for nurseries so that our nurseries are economically viable, which could mean the potential closure of Bright Stars Nursery due to falling demand and other provision in the area Impact : Bright Stars Nursery will close and the Council will reduce its 'maintained' nurseries from two to one. Customers will be signposted to other provision in the area	12	9	21
FIN06	Cease Welfare Rights Service Impact : This will result in the removal of support to residents to maximise benefit entitlement and challenge Department of Work and Pensions (DWP) decisions where appropriate. It will also result in cessation of representation at tribunals. Welfare Rights play a vital role in the recently developed welfare strategy ensuring residents are signposted to the correct funding / most appropriate funding streams and this will also cease	130	44	174
RC02	Captain Cook Car Park - introduction of £1 charge as replacement of 3 hours free parking at Captain Cook after fall off of Tees Valley Combined Authority (TVCA) grant Impact : Shoppers staying for up to three hours would be able to park for £1 rather than for free under the current offer	200	0	200
RC05	Culture - Use external funding to deliver events such as the Orange Pip Market Impact : This would result in the deletion of the Events Team, and redundancy of two posts. All Council run events would cease, and no Council support would be provided to other events on Council land. External funding would be sought to replace the Council funding	120	28	148
RC06	New model for parks management Impact : The number of parks staff would be reduced by removing current vacancies, leading to the presence in parks being provided on a 'touring' basis rather than for fixed hours each day	44	0	44
RC07	Move to digital only production of Love Middlesbrough magazine Impact : The Love Middlesbrough magazine would only be available online and by email	7	0	7
TOTAL		3,257	1,403	4,660

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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:	30 November 2022
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Title:	Local Plan Scoping Report and Evidence Base
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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:	
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Urgent:	No
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Why:	
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Executive summary

This report seeks approval for the Local Plan Scoping Report. This is the first stage of preparing the new Local Plan and will ensure that the initial legal requirements for its preparation are met.

A public consultation will take place between 5th December 2022 and 31st January 2023 to notify statutory and general consultees of the intention to prepare a new Local Plan and invite representations on what it ought to contain. Consultation will also take place on the associated Sustainability Appraisal Scoping Report, and the Call for Sites.

Purpose

1. This report seeks approval for the Local Plan Scoping Report.

Background and relevant information

2. 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.
3. In September 2022, the Council agreed to formally cease work on the previous emerging Local Plan. It also agreed a new Local Development Scheme, which identified that a new Local Plan would be prepared and the timetable for doing so. The first stage in the Local Plan process is the Local Plan Scoping Report.
4. Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (the Regulations) requires that, in order to commence preparation of a Local Plan, the local planning authority must notify each of the specified bodies and persons of the subject of the Local Plan and invite them to make representations on what the Local Plan ought to contain.
5. The Local Plan Scoping Report identifies that the Middlesbrough Local Plan will cover the entire Middlesbrough Local Authority area and will cover all planning matters, except for Minerals and Waste. These matters will continue to be dealt with jointly with the other Tees Valley local planning authorities.
6. A Sustainability Appraisal (SA) Scoping Report has been prepared to accompany the Local Plan Scoping Report. SA is a statutory requirement under the planning legislation that ensures that environmental, economic and social considerations are taken into account when preparing the Local Plan. The SA Scoping Report will be subject to public consultation alongside the Local Plan Scoping Report.

Local Plan evidence base

7. The evidence base, upon which the Local Plan will be prepared, is comprised of several technical research documents to inform plan preparation. Completed studies are already publicly available, and future studies will be made available as soon as they are ready. These evidence studies are not themselves generally subject to direct public consultation, or require political approval to commission, but they can be scrutinised through the Local Plan process at the various stages of consultation and through the Independent Examination. It is the intention that officers keep this evidence base under review and updated as required.
8. As part of reviewing the evidence base, the Council will undertake a 'Call for Sites' alongside the consultation on the Local Plan Scoping Report. This will involve publishing a list and maps of all the sites that have already been submitted to the Council to be assessed as potential future housing allocations, alongside our established economic development sites, and asking if there are any other sites that landowners would like to be assessed. All housing sites will be included in a future 'Strategic Housing Land Availability Assessment' (SHLAA), and any additional employment sites will be assessed

in line with the Employment Land Review (ELR). The SHLAA and the ELR will be used to guide the selection of the housing and employment allocations in the new Local Plan.

Next Steps

9. Once the Local Plan Scoping Report is approved, public consultation will be undertaken between 5th December 2022 and 31st January 2023 in accordance with the regulations. This will include writing to statutory and other consultees, making the document available on the Council's website and in Middlesbrough House, libraries and Community Hubs, and inviting representations on the matters the Local Plan ought to contain. Full details of the consultation are attached at Appendix 2.
10. Following the consultation period, all representations made will be considered and a report of consultation prepared that details these representations. All the representations will be taken into consideration as the Draft Local Plan is prepared. A further period of public consultation will take place on the Draft Local Plan. This is currently timetabled for June 2023.

What decision(s) are being recommended?

11. That the Council approves the Local Plan Scoping Report.

Rationale for the recommended decision(s)

12. In order to meet the Council's statutory duty to prepare a Local Plan, and to satisfy the Regulations, it is necessary to invite representations on what the Local Plan ought to contain. The approval of the Local Plan Scoping Report will allow the Council to meet its statutory duties, and formally commence work on a new Local Plan.

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

13. No other potential decisions have been considered, as this decision necessary to meet our statutory requirements. The Council has already agreed to the process and timetable for preparing the new Local Plan in September 2022.

Impact(s) of the recommended decision(s)

Legal

14. The preparation of the 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. This includes the requirement to undertake a Sustainability Appraisal of the Local Plan at each stage of its preparation.
15. 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.
16. There is a statutory requirement for the Council to prepare a Local Plan for the borough. The Local Plan Scoping Report will satisfy the legal requirements governing commencing preparation of a new Local Plan.

17. The adopted Local Plan for the borough will not be affected by this decision. It will continue to be used in the determination of planning applications until a new Local Plan is prepared.

Strategic priorities and risks

18. The following risks are 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.	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. 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.
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	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.

	invention at great cost to the Council.	
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Human Rights, Equality and Data Protection

19. The Local Plan Scoping Report has been subject to an initial Impact Assessment (IA), which accompanies this report (see Appendix 3). This identifies that a full IA is not necessary.

Financial

20. The costs associated with preparing and consulting upon the Local Plan Scoping Report are being met through established departmental budgets.

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

Action	Responsible Officer	Deadline
The Local Plan Scoping Report will be published on the Council's website.	Alex Conti, Strategic Policy Manager	December 2022
The Local Plan Scoping Report will be made available to view in Middlesbrough House and all libraries and Community Hubs in the borough.	Alex Conti, Strategic Policy Manager	December 2022
A period of public consultation will take place between 5 th December 2022 and 31 st January 2023 in accordance with the Consultation Plan. All statutory and other consultees will be notified directly and invited to make representation on the Local Plan Scoping Report	Alex Conti, Strategic Policy Manager	December 2022

Appendices

1	Local Plan Scoping Report
2	Local Plan Scoping Report Consultation Plan
3	Initial Impact Assessment of the Local Plan Scoping Report

Background papers

Body	Report title	Date
Middlesbrough Council	Review of Emerging Local Plan	September 2022

Contact: Alex Conti, Strategic Policy Manager

Email: alex_conti@middlesbrough.gov.uk

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Middlesbrough Local Plan

Scoping Report

October 2022

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Introduction

1. The Council is required by law to prepare a Local Plan that sets out a vision and framework for the future development of Middlesbrough. In doing so it must be based on a robust evidence base that takes account of the projected population change for the area, and assesses the level of development that will be required to support the needs of this population.
2. The Local Plan should also take account of the Council's other plans and strategies to ensure they can be supported by the planning framework, that economic development and growth are not constrained through the planning system, and that there is enough land available to meet all of the borough's needs and aspirations.

Background

3. In 2016, the Council started preparing a Local Plan to replace its existing policy framework. Commencing with an 'Issues and Options' consultation in December 2016 to January 2017, which started the process and provided an initial opportunity to comment on the proposed topics that the Local Plan should address.
4. Further public consultation was undertaken on the 'Preferred Options' in May and June 2018, which set out the Council's preferred policy approach at that time, with a series of public events held where this could be discussed further. The comments received during this consultation were used to finalise the emerging Local Plan, with formal representations invited on the 'Publication Local Plan' between November and December 2018.
5. However, a change in Council administration resulted in a halt to the Local Plan, which was never submitted to Government for Public Examination. Instead, the Council has continued to review its evidence base and consider alternative approaches to development in Middlesbrough.
6. In September 2022, the Council agreed to formally cease work on this emerging Local Plan, recognising that the issues being faced now were significantly different to those the Local Plan has previously been seeking to address. A further Council report was agreed to formally commence work on a new Local Plan, beginning with this Scoping Report.

Purpose of this Scoping Report

7. This Scoping Report has been prepared to formally start the process for preparing a new Local Plan. It defines the scope of the Local Plan in terms of geography and the topics that will be addressed.
8. The Council will undertake a period of community engagement on the Scoping Report to ensure that the local community and key stakeholders are aware of the intention to prepare a new Local Plan, and to provide an opportunity to have a say on what it should contain.
9. The preparation of the Scoping Report, and the associated Community Engagement, will help satisfy Regulation 18 of the Regulations (see paragraph 12).

Existing Local Plan

10. The Council's existing 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.
11. The full list of policies that will be replaced by the new Local Plan is set out in Appendix 1. The adopted Local Plan will remain the Local Plan for the borough until it is replaced by a new Local Plan.

Legislative Framework and National Planning Policy/Guidance

12. The preparation of the Local Plan is a legal requirement of the Planning & Compulsory Purchase Act 2005. The Town and Country Planning (Local Planning) (England) Regulations 2012 set out further requirements in accordance with the 2004 Act.
13. The legislation sets out statutory stages for plan preparation:
 - Regulation 18 – Preparing a Local Plan
 - Regulation 19 – Publishing a Local Plan
 - Regulation 22 – Submitting a Local Plan to the Secretary of State
 - Regulation 24 – Independent Examination
 - Regulation 26 – Adoption of a Local Plan
14. There are other statutory requirements regarding plan preparation:
 - **Community involvement** – including who must be consulted, when consultation must take place, and for how long
 - **Sustainability Appraisal** – an appraisal of the economic, environmental, and social effects of a plan, to help ensure development will be sustainable
 - **Habitats Regulations Assessment** – an assessment of the impacts of the plan on protected wildlife sites
 - **Duty to Cooperate** – a legal requirement to work with nearby Local Planning Authorities and other statutory organisations on strategic and cross boundary matters

Council Strategies and Plans

15. Other plans and strategies that have been adopted by the Council will be taken into account when preparing the new Local Plan including:
 - Strategic Plan 2021 - 2024
 - Green Strategy
 - Green & Blue Infrastructure Strategy
 - Transforming Middlesbrough's Town Centre – A post-Covid strategy

Background Evidence

16. The Council has an established evidence base, and will continue to keep this under review to ensure it remains up-to-date as the new Local Plan is prepared. The existing relevant documents are as follows (all available on the Council's website <https://www.middlesbrough.gov.uk/planning-and-housing/planning/planning-policy/evidence-library>):

Housing

- Middlesbrough Local Housing Needs Assessment 2021
- Gypsy and Traveller Accommodation Assessment (GTAA) 2020
- Affordable Housing Plan 2018
- Local Plan Viability Assessment 2018
- Strategic Housing Market Assessment update jobs uplift 2018
- Strategic Housing Market Assessment 2016 (SHMA) 2016

Economy

- Employment Land Review 2021
- Retail Study - Stage 1 - Need Assessment 2020
- Retail Study - Stage 2 - Middlesbrough Town Centre 2020
- Retail Study - Stage 3 - District and Local Centres Study 2020
- Railway Station and Historic Quarter Action Plan 2018
- Tees Valley Strategic Economic Plan 2016

Natural Environment

- Middlesbrough Green and Blue Infrastructure Strategy 2021-2037 - part 1 2021
- Middlesbrough Green and Blue Infrastructure Strategy 2021-2037 - part 2 2021
- Playing Pitch Strategy 2020
- Playing Pitch Strategy Needs Assessment 2020
- Green Wedges Study 2018
- Open Space Needs Assessment 2018
- Strategic Flood Risk Assessment 2018
- Land South of Newham Hall 2016
- Landscape and Heritage Assessment 2016

Historic Environment

- Middlesbrough Branch Line Report 2018

Local Plan Process & Next Steps

17. The key stages and timetable for preparing the Local Plan are set out in the **Local Development Scheme (LDS)**. This will be kept under review as the Local Plan is being prepared. A summary of the LDS (2022) is set out 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 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	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

Community Engagement

18. The Council has adopted a Statement of Community Involvement that sets out the standards and expectations for undertaking community engagement when preparing the Local Plan, and for other planning processes (such as dealing with planning applications). The Council is committed to undertaking full and meaningful engagement with our communities throughout the preparation of the Local Plan.
19. For each stage of the plan making process, a bespoke consultation and communications plan will be prepared that will set out how the consultation will be undertaken. The specific techniques will vary, and the Council will endeavour to ensure they are appropriate for full and meaningful community engagement. For every consultation, the relevant documents will be made available for inspection in person and online. The Council will ask for comments or representations to be made in writing, and a report of consultation that summarises what has been said alongside the Council's response will be prepared.
20. The first consultation is on this Scoping Report. The main purpose of this consultation is to inform our communities and key stakeholders that we have started to prepare a new Local Plan, and to seek views on what it should contain.

21. Future consultations will be undertaken on the Draft Local Plan (preferred options), where the Council will be asking for views on its preferred policy approach, and on the Publication Local Plan, where formal representations on legal compliance and soundness matters will be sought. Additional consultations may be undertaken should it be considered appropriate/necessary.

Scope of the new Local Plan

Geography

22. The new Local Plan will cover the whole of the Middlesbrough Local Authority Area.

Plan Period

23. The new Local Plan will cover the period 2022 – 2039.

Topics

24. It will deal with all planning matters except for minerals and waste, which will continued to be dealt with jointly with the other Tees Valley Local Planning Authorities.

25. Matters that the Local Plan will cover include topics as set out in the NPPF:

- Achieving sustainable development
- Delivering a sufficient supply of homes
- Building a strong, competitive economy
- Ensuring the vitality of town centres
- Promoting healthy and safe communities
- Promoting sustainable transport
- Supporting high quality communications
- Making effective use of land
- Achieving well-designed places
- Meeting the challenge of climate change a flooding
- Conserving and enhancing the natural environment – Green Infrastructure
- Conserving and enhancing the historic environment

26. In addition, a suite of development management policies will be included that will be used in the consideration of planning applications.

27. All of the new policies that will be applied to specific sites or areas will be illustrated on the Local Plan Policies Map.

Anticipated structure of the new Local Plan

28. The draft objectives, and proposed layout of the new Local Plan, are set out below. Please note these are intended to indicate the scope of topics to be covered and may change in response to evidence, including this consultation.

Objectives

29. A series of key objectives will be defined that will help define the issues the Local Plan will need to address. The following draft objectives have been determined based on the existing evidence base and knowledge of the local area.

- **Objective A** To deliver new high quality, well-designed and energy efficient development that meets the needs and aspirations of our current and future residents
- **Objective B** To revitalise Middlesbrough Town Centre through diversifying our retail and leisure offer, and attracting new urban dwellers
- **Objective C** To strengthen our local economy by supporting existing businesses and attracting new employers
- **Objective D** To build high quality homes that help strengthen our communities
- **Objective E** To protect and enhance our Green and Blue Infrastructure Network
- **Objective F** To ensure that new development is properly served by new and improved physical, social and environmental infrastructure
- **Objective G** To recognise and value our historical and culturally important assets; and
- **Objective H** To achieve healthy and safe communities

Key Chapters / Topics

30. The proposed layout of the new Local Plan is as follows:

Introduction

31. We will introduce the Local Plan and set out how it has been prepared.

Strategy & Vision

32. An overarching strategy for development will be prepared, within the context of the key objects set out above. The broader strategic context will be explained, including the other key local plans, strategies and policies, alongside how the Local Plan will support these. A Vision will paint a picture of what Middlesbrough will look like by the end of the plan period.

Design

33. The Council recognises the value of high quality design and considers the layout and design of new development to be particularly important in ensuring its success. Policies will set out the standards and expectations that new development must deliver to achieve successful place making.

Green and Blue Infrastructure

34. Green and blue infrastructure is, and will continue to be, critical in creating high quality places where people want to live. The Local Plan will set out a strategic approach based upon the recently adopted Green and Blue Infrastructure Strategy 2021-2037. The overall approach will seek to establish a network of interconnected green and blue spaces that will enhance the borough and provide better opportunities for our residents to access a range of good quality public open spaces. Policies and designations will be included to protect and manage open spaces, recreation and leisure facilities, green wedges and important sites designated for their biodiversity and geodiversity value. The approach to biodiversity net gain will also be established.

Physical, social and environmental infrastructure

35. The Council will set out an approach to ensure that all new development is appropriately supported by and connected to existing and new infrastructure, including transport and highways, education, health, cemeteries and communications. Where appropriate land will be identified to provide for/meet identified new infrastructure needs. A separate Infrastructure Delivery Plan will be used to identify what is necessary to support the Local Plan.

Housing

36. The Local Plan will include a strategic approach to housing, to clarify how and where new housing will be developed, and what it aims to achieve. An evidence-based housing requirement will be determined using the 'standard method' as a baseline, taking into account other Council aims and objectives. A series of housing allocations will determine the locations for new housing development to meet the requirement. Other housing policies will deal with the type, mix and tenure of housing and what will be required to meet the needs identified in the evidence base. Specific policies will be included to address affordable housing and to meet Gypsy, Traveller and Travelling Showpeople needs.

Economic Development

37. An economic strategy will be determined, that will identify the key sectors that the Council will support through the Local Plan. Employment areas will be allocated based upon the

findings of the Employment Land Review and any other evidence, to ensure that there is sufficient land to support economic growth.

Town Centres

38. The Local Plan will recognise the changing role of shopping areas, and set out a strategy to support their future viability and resilience. The Middlesbrough Town Centres Study will be used to guide a review of Middlesbrough Town Centre, the primary shopping area and other designations within our main centre. The network and hierarchy of other centres will be reviewed to ensure they remain fit for purpose and meet local retail and other shopping needs. Local thresholds for the sequential and impact tests will be determined, and a specific policy to deal with the proliferation and concentration of hot food takeaways will be included. A policy approach to dealing with town centre uses in non-centre locations will also be considered.

Managing the Historic Environment

39. The Local Plan will include policies that recognise our heritage assets and set out an approach for managing them in a way that protects and enhances their significance. Appropriate opportunities to secure their future use will be prioritised.

Development Management Policies

40. A suite of development management policies will be included and will cover issues such as general development principles, developer contributions, and space standards for new residential development.

Questions

41. The Council is seeking views on this Scoping Report and also what the new Local Plan should contain. All comments are welcomed, particularly answers to the questions below:

- **Question 1** Is the proposed geographical area (i.e. the whole of Middlesbrough Local Authority Area) appropriate for preparing a new Local Plan?
- **Question 2** Is the proposed plan period of 2022 – 2039 appropriate?
- **Question 3** Do you consider that the proposed evidence base sufficiently covers all relevant matters for the Local Plan?
- **Question 4** Do you agree with the identified Objectives?
- **Question 5** Having read the Scoping Report, is there anything else we should include within the new Local Plan?
- **Question 6** Do you have any other comments?

How to respond to this consultation

42. Consultation on the Local Plan Scoping Report, and the accompanying Sustainability Appraisal Scoping Report, will take place between Monday 5th December 2022 and Tuesday 31st January 2023. Consultation will be undertaken in line with the Consultation and Communications Plan as per the process set down in the SCI.
43. The Local Plan Scoping Report and Sustainability Appraisal Scoping Report will be available in Middlesbrough House, and all the Council libraries and Community Hubs.
44. All documents associated with the preparation of the Local Plan are available to view on the Planning Services pages of the Council's website at www.middlesbrough.gov.uk
45. Any comments you wish to be taken into account must be made in writing:
- on the Council's consultation portal, which can be accessed from the Planning pages of the Council's website www.middlesbrough.gov.uk
 - by email to: planningpolicy@middlesbrough.gov.uk
 - via post to: Planning Policy Team, Planning Services, Middlesbrough Council, Fountain Court, 119 Grange Road, Middlesbrough, TS1 2DT

APPENDIX 1 Policies to be replaced by the new Local Plan

Housing Local Plan 2014

Policy Ref	Policy Name
<i>Housing Core Strategy</i>	
H1	Spatial Strategy
H2	Greater Middlehaven
H3	Inner Middlesbrough (Gresham, Acklam Green, Grove Hill)
H4	Prissick
H5	Brookfield
H6	Ladgate Lane
H7	Hemlington Grange
H8	Coulby Newham
H9	Stainton
H10	Nunthorpe
H11	Housing Strategy
H12	Affordable Housing
H13	Provision for Gypsies and Travellers, and Travelling Showpeople
CS17	Transport Strategy
CS20	Green Infrastructure
<i>Housing DPD</i>	
H14	Greater Middlehaven – Mix of uses and phasing
H15	Greater Middlehaven – Development and design principles
H16	Greater Middlehaven – Transport infrastructure
H17	Gresham/Jewels Street area
H18	Acklam Green
H19	Grove Hill
H20	Prissick
H21	Brookfield
H22	Land South of Ladgate Lane (Cleveland Police Authority Headquarters Site)
H23	Hemlington Grange
H24	Hemlington Grange – Employment Uses
H25	Hemlington Grange - Transport Infrastructure
H26	Coulby Newham
H27	Stainton
H28	Land at Grey Towers Farm
H29	Land at Nunthorpe, South of Guisborough Road
H30	Land at Ford Close Riding Centre
H31	Housing Allocations
H32	Clairville
H33	Acklam Iron & Steelworks Club
H34	St. David's (Former RC School Site)
H35	Beechwood
H36	Low Gill
H37	Gypsy and Travelling Showpeople Site

Regeneration DPD 2009 (retained policies)

Policy Ref	Policy Name
REG7	Hemlington Regeneration Area
REG9	Abingdon
REG10	North Ormesby
REG12	Employment Allocations
REG13	Riverside Park – General Development Considerations
REG14	Riverside Park – South West Ironmasters
REG15	Riverside Park – Enterprise Centre
REG16	East Middlesbrough Business Action Zone (embaz)
REG17	Green Blue Heart
REG20	Principal Use Sectors
REG21	Primary Shopping Frontage
REG22	Cannon Park Sector
REG23	Middlehaven Sector
REG24	Southern Sector
REG25	Centre Square East
REG26	Gurney Street Triangle
REG27	Middlesbrough Leisure Park
REG28	District Centres
REG29	Local Centres
REG30	Neighbourhood Centres
REG31	Prissick Base
REG32	St Lukes Hospital
REG33	Cargo Fleet Medical Centre
REG34	East Middlesbrough Transport Corridor
REG36	Zetland Car Park
REG37	Bus Network 'Super Core' and 'Core' Routes

Core Strategy DPD 2008 (retained policies)

Policy Ref	Policy Name
CS4	Sustainable Development
CS5	Design
CS6	Developer Contributions
CS7	Economic Strategy
CS8	Existing Employment Provision
CS10	Replacement Dwellings
CS13	A Strategy for the Town, District, Local and Neighbourhood centres
CS14	Leisure Development
CS15	Casinos
CS16	Education
CS18	Demand Management

CS19	Road Safety
CS21	Green Blue Heart
DC1	General Development

Saved Local Plan Policies 1999

Policy Ref	Policy Name
E2	Green Wedges
E3	Development Adjoining Green Wedges
E4	Greenlink Network
E5	Teesdale Way
E7	Primary Open Space
E8	New Primary Open Space
E10	Secondary Open Space
E13	Outdoor Sports, Proposals
E20	Limit to Urban Development
E21	Special Landscape Areas
E22	New Housing In Countryside
E23	Conversion of Rural Buildings
E24	Conversion of Rural Buildings for Residential Purposes
E25	Stables and Similar Structures
E28	Recreational Uses in the Countryside
E44	Advertisement in Conservation Areas and on Listed Buildings
E49	Development Along Main Approach Roads
COM4	Cemetery, Acklam
U2	Telecommunications

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Middlesbrough Local Plan Scoping Report Consultation Plan

Title	Description
Name of Consultation	Middlesbrough Local Plan Scoping Report
Purpose of Consultation	To notify statutory and general consultees of the intention to prepare a new Local Plan and invite representations on what it ought to contain. Consultation will also take place on the associated Sustainability Appraisal Scoping Report.
Consultation period	Date Monday 5 th December 2022 to Tuesday 31 st January 2023 (8 weeks)
Where is consultation being hosted	https://www.middlesbrough.gov.uk/planning-and-housing/planning/planning-policy/emerging-local-plan
Documents to be made available	<ul style="list-style-type: none"> • Local Plan Scoping Report • Link to consultation portal • Downloadable version of response form • Sustainability Appraisal Scoping Report • Call for sites – housing and economic land
Methods of awareness raising	<ul style="list-style-type: none"> • Documents available at Middlesbrough House and all Libraries and Community Hubs • Letters/emails to Local Plan consultee database (inc. all MBC Cllrs, statutory consultees etc.) • Press Release • Social Media channels • Officers will be available to discuss the consultation throughout
How to respond?	<ul style="list-style-type: none"> • All comments should be made and received within the consultation period. • The online portal should be the principal point for making comments. • A downloadable form will be provided, which can be emailed or returned via post. • All other written submissions received by email or through the post will be accepted provided they are made/received within the consultation period.

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Appendix 3 – Initial Impact Assessment of the Local Plan Scoping Report and Evidence Base

Impact Assessment Level 1: Initial screening assessment

Subject of assessment:	Local Plan Scoping Report and Evidence Base			
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 the Local Plan Scoping Report and Evidence Base.</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 In September 2022 the Council agreed to cease work on the emerging Local Plan, in order to comment work on a new Local Plan. The Local Plan Scoping Report is the first stage in this process.</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. To seek approval of the Local Plan Scoping Report.</p>			

Live date:	The Full Council will consider the report seeking approval for the Local Plan Scoping Report on 19 th October 2022.			
Lifespan:	Once the decision is made the Local Plan Scoping Report will be subject to a period of public consultation. It is the first statutory stage in the plan making process and will remain relevant until the new Local Plan is adopted (currently timetabled for September 2024).			
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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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?*	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	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.
Community cohesion Could the decision impact negatively on relationships between different groups, communities of interest or neighbourhoods within the town?*	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The 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 impact negatively on relationships between different groups, communities of interest or neighbourhoods within the town.

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:	29/09/2022	Date:	29/09/2022

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**COUNCIL MEETING – 30 NOVEMBER 2022
NOTICE OF MOTION**

COUNCIL PROCEDURE RULE NOS. 53-60

MOTION NO.	PROPOSER	SECONDER	MOTION
155	Councillor Mawston	Councillor M Storey	<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>Cllr McTigue has also failed to comply with the other sanctions that were imposed by the Standards Committee at the hearing on the 11th May 2022, namely:</p> <ol style="list-style-type: none"> 1. Councillor McTigue was to provide a written apology to the Council employee who was the subject of the complaint, by 6 July 2022, with a copy provided to the Standards Committee. 2. Councillor McTigue to receive one-to-one training on the appropriate use of social media and the Member/Officer Protocol, to be provided by the relevant Council Officer(s), and this should be completed by 6 July 2022. <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>

156	Councillor P Storey	Councillor Thompson	<p>Middlesbrough Council acknowledges that Britain is in the midst of a cost-of-living crisis that is affecting household's right across our borough. We are particularly concerned about the impact on low-income families with school aged children.</p> <p>This Council notes that figures from The North-East Child Poverty Commission showed that 41.2% of children in Middlesbrough are currently living in poverty.</p> <p>This Council notes that at this time only pupils in reception and KS1 are entitled to Free School Meals in Middlesbrough. Given the cost-of-living crisis, this Council is deeply concerned that Nursery children in our maintained schools and nurseries are excluded from this offer.</p> <p>This Council therefore believes that ensuring our youngest students are included in our Free School Meal offer is a critical tool to achieving those goals.</p> <p>This Council acknowledges the Mayor and his executive have forecasted an overspend on this year's budget and that additional costs cannot be incurred lightly. However, given the longer-term benefits a healthy start in life brings, it is right that the potential of such a scheme be explored.</p> <p>This Council therefore calls upon the Mayor and Deputy Mayor and Executive Member for Children's Services to publish costs associated with an extension of Middlesbrough's Free School meal offer to include all 3 and 4 year olds' in nursery and primary schools in the Borough, and to do so by the end of December 2022.</p> <p>The Council also calls upon the Schools' Forum to set out the implications for schools, by the end of December 2022.</p> <p>This Council requests that the Children and Young People Learning scrutiny panel then consider the Mayor's assessment of the costs at its meeting in January 2023.</p>
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157	Councillor C Cooke	Councillor P Storey	<p>As we mark Bonfire Night in the month of November, it is important that we consider the effect that fireworks and loud displays can have on those who are or have served for our country and suffer long terms effects such as PTSD and will find fireworks particularly hard to cope with. A safe and peaceful space is needed during this time.</p> <p>Middlesbrough Council resolves:</p> <ol style="list-style-type: none">1. To work with Middlesbrough based armed forces charities to set up a safe and quieter space, and enable veterans to come together in support of one another.2. In the event that the council is setting up events with fireworks, the council should be mindful of the effects on others and look at ad-hoc provisioning of a safe space.
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MIDDLESBROUGH COUNCIL	
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Report of:	Mayor and Chief Executive
Submitted to:	Council
Date:	30 November 2022
Title:	Corporate Governance Improvement Plan and progress update
Report for:	Information
Status:	Public
Strategic priority:	All
Key decision:	Not applicable
Why:	Not applicable
Urgent:	Not applicable
Why:	Not applicable

Executive summary
<p>The purpose of this report is to present the work of the Corporate Governance Improvement Board which was given the mandate to develop and agree a detailed improvement plan to drive the Council’s response to the issues identified by Council’s external auditors, EY and further investigated by CIPFA.</p> <p>This report also provides the first progress update on this subject.</p>

Purpose

1. The purpose of this report is to present the work of the Corporate Governance Improvement Board which was given the mandate to develop and agree a detailed improvement plan to drive the Council's response to the issues identified by the Council's external auditors EY and further investigated by CIPFA.
2. This report is also the first in a series of reports to this meeting which will provide a summary of progress made since the last meeting.

Background and relevant information

3. At the Council meeting on 189 October, a report was submitted which set out in detail the reasons why significant weaknesses had been identified as existing in the Council's arrangements in relation to Member and senior officer relationships and the adverse impacts the Council's governance processes.
4. it also set out the progress in addressing them to that point which had included seeking external expertise from CIPFA and the LGA to support improvement and the findings of diagnostic work undertaken by CIPFA.
5. At that meeting members were advised that the Mayor and Chief Executive fully accepted all the findings in that diagnostic work and Members also unanimously agreed to accept all the findings within the report. There was also unanimous support for the proposals to create an Improvement Board with supporting working groups. That Board, with representation from all political groups and senior officers was tasked with agreeing a detailed improvement plan.
6. The detailed improvement is appended to this report at Appendix 1 for members information. While it is being submitted for information rather than decision, the Board would welcome member debate, comment and suggestion on the plan in the spirit of inclusivity.

Progress since October 2022

7. The CIPFA report was presented to Members at a meeting of full Council on 19 October 2022. The following progress has since been made:
 - the final improvement plan has been finalised with input from the supporting working groups
 - full membership is now in place for the working groups, which are politically balanced following the decision of the Conservative group to decline the offer of additional places.
 - regular meetings of the Chief Executive and Mayor are in diarised and taking place.
 - The Governance Improvement Board has met twice, on 2 November and 17 November 2022. As well as the Improvement plan, it has agreed terms of reference for its operation, terms of reference for working groups and a communications plan.
 - All Task and Finish working group membership is now at full capacity, initial meetings have taken place and contributions have been made to the detail of the improvement plan.
 - The Task and Finish working groups have established sub-groups in order to ensure detail is understood and initiative at pace.
 - Mayor and group leader meetings have been scheduled on a monthly basis.

- Ward walk-arounds have been re-established to support Members in identifying / reporting environmental concerns.
- A series of baseline surveys have been issued to staff and Members to assess their current views around corporate governance in the Council.
- New Council Headquarters provide opportunity for an informal meeting space for Councillors, with additional spaces in Town Hall also being explored.

8. The fully populated working group memberships are set out below for information:

Task and Finish Working Group	Councillor Membership	Officer Membership
Roles and Responsibilities	Cllr Ron Arundale (MIG) Cllr Chris Cooke (Lab) Cllr Janet Thompson (Lab) Cllr Stephen Hill (MICA) Cllr Jim Platt (MICA)	Director of Regeneration Director of Environment and Community Services Head of Democratic Services Head of Commissioning and Procurement Head of Early Help
Training and Development	Cllr Dennis McCabe (MIG) Cllr Alma Hellaoui (Lab) Cllr Antony High (Lab) Cllr Barrie Cooper (MICA) Cllr Luke Mason (Ind)	Director of Education and Partnerships Democratic and Registration Services Manager Head of Resident and Business Support Organisational Development Manager Community learning and employability manager
Constitution	Cllr John Hobson (MIG) Cllr Julia Rostron (Lab) Cllr Denise Rooney (Lab) Cllr Barrie Cooper (MICA) Cllr Jon Rathmell (Ind)	Executive Director of Adult Social Care and Public Health Head of Legal Services (People) Head of Legal Services (Places) Head of Democratic Services Head of Public Protection
Culture and communications	Cllr Dorothy Davison (MIG) Cllr Ian Blades (Lab) Cllr David Branson (Lab) Cllr Matt Storey (Lab) Cllr Stephen Hill (MICA)	Director of Public Health Head of Human Resources Head of Marketing and Communications Head of Economic Growth Interim Head of Culture

Finalised improvement plan

9. The Improvement Plan was agreed by the Board on 17 November 2022 following development work by the Task and Finish working groups and is appended to this report at Appendix One.
10. The overall improvement plan sets out the outcomes that will be achieved by each Task and Finish working group and they have been prioritised. Now this is in place, detailed delivery plans with milestones, action owners and target dates will be developed to ensure successful and measurable implementation of the improvement plan.

Communication and engagement

11. As well as delivering the actions, it is important that the work of the Board and its working groups is regularly shared with Members, staff and other stakeholders to ensure everyone is kept informed of progress, understands changes and are assured that the right actions have been identified and delivered.

12. Since last reported, an intranet page has now been set up which will host key information including board decisions, the improvement plan and general updates. This is supplemented by:

- regular communications to staff by the Chief Executive
- monthly catch up sessions between group leaders and the Mayor
- progress reports to Council on a six-weekly basis on delivery of the Governance Improvement plan.

What decision(s) are being recommended?

13. That Council notes the detailed improvement plan and the progress made since information on the required corporate governance journey was last presented.

Rationale for the recommended decision(s)

14. The planned approach ensures an inclusive approach to development of a response to the issues identified in the CIPFA diagnostic work while there is an agreed improvement plan in place, a detailed delivery plan will track delivery at pace and assess impact.

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

15. Not applicable.

Impact(s) of the recommended decision(s)

Legal

16. There are no direct legal implications as a result of this report.

Strategic priorities and risks

17. This report and next steps demonstrate a continued positive impact on the strategic risk of 'failure to achieve good governance'.

Human Rights, Equality and Data Protection

18. Not applicable.

Financial

19. There are no financial costs as a result of this report which is for information only.

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

Not applicable.

Background papers

Body	Report title	Date
Corporate Affairs and Audit Committee	Lessons Learnt – Best Value Inspection of Liverpool City Council	5 August 2021
Corporate Affairs and Audit Committee	Boho X – draft findings from internal audit and proposed management response	6 April 2022
Corporate Affairs and Audit Committee	Statement of Accounts 2020/21;	22 July 2022
Corporate Affairs and Audit Committee	Lessons learned – Best Value and external assurance within other councils.	22 July 2022
Corporate Affairs and Audit Committee	Commencing a corporate governance improvement journey	22 July 2022
Council	Corporate Governance Improvement Journey – CIPFA findings and next steps	19 October 2022

Contact: Mayor, Andy Preston and Chief Executive, Tony Parkinson

Appendix 1: Middlesbrough Council Corporate Governance Improvement Board Action Plan

Task and Finish Working Groups will require development of a robust delivery plans , supported by CIPFA and Council officers, complying with the corporate Programme and Project Management Framework.

Roles and Responsibilities Task and Finish Working Group		
<i>The desired outcomes for this task and finish group are expected to be:</i>		
<ul style="list-style-type: none"> • <i>Defined roles / job descriptions are in place for political groups and group leaders</i> • <i>There are clearly defined and understood roles and responsibilities of Members and Officers</i> • <i>Improved / more productive relationships between Members and Officers</i> • <i>Improved Member Enquiry process / system</i> 		
Action	Links to other Task and Finish Working / Sub-Groups	Progress timeframe
Consider how a line can be drawn under past issues from a Member perspective e.g., revised Member Code of Conduct		60 days
Review and update Member / Officer protocol	Member / Officer Protocol sub-group Training and Development Culture and Communications	30 days
Review existing process for Member enquiries, considering alternatives	Member enquiries sub-group	90 days
Develop plan to improve engagement between Members and officers	Culture and Communications	30 days
Amend political group terms of reference, to reflect revised code of conduct and expected behaviours, protocols, and principles	Culture and Communications Constitution	60 days
Develop a communications protocol for Members and Officers	Member/Officer Comms sub-group	60 days

Training and Development Task and Finish Working Group		
<p><i>The desired outcomes for this task and finish group are expected to be:</i></p> <ul style="list-style-type: none"> • <i>That training is measurable, effective and has impact</i> • <i>There is collective engagement and buy-in from Members for the need to undertake / attend training and development</i> • <i>Members are better prepared / positioned to take on role</i> 		
Action	Links to other Task and Finish Working / Sub-Groups	Progress timeframe
<p>Review current Member training provision and consider any changes/updates required:</p> <ul style="list-style-type: none"> • What induction training and ongoing development is provided and how is it delivered? • What works well and what could be improved, or added? • Ensure that training delivers greater awareness and understanding of the Nolan principles, consider how to frame training around Council values • Ensure consistent language is used across Member and Officer training • Embed understanding of dual role of Members (Ward and Council-wide) • Refocus the training offer to members on the achievement of understanding rather than delivery of training without testing whether it has landed • Design new Member training programme • Consider whether roles (e.g., committee chair) should be linked to completion of relevant training, and possible incentivisation for completion of core training by Members • Consider volume / type of training to be mandatory 	<p>Constitution Culture and Communications Member training sub-group</p>	<p>60 days</p>
<p>Consider what training should be delivered to Officers in respect of working with Members and understanding of Member/Officer protocol:</p> <ul style="list-style-type: none"> • Training should cover Member and Officer roles and responsibilities, including the principle that Council business is Member-led • Ensure consistent language is used across Member and Officer training • Review training for Heads of Service on Officer/Member training to develop relationships between Heads of Service and Members 	<p>Roles and Responsibilities Officer training sub-group</p>	<p>60 days</p>
<p>Develop learning materials in relation to the Constitution e.g. how to use it, where to find it, statutory duties, etc.</p>	<p>Constitution sub-group Member training sub-group</p>	<p>90+</p>
<p>Develop training around Member and Officer codes of conduct</p>	<p>Constitution Member training sub-group</p>	<p>90+</p>

	Officer training sub-group	
Develop training for candidates before elections to set expectations for the role and ensure candidates are well prepared	Pre-election training sub-group	60 days
Consider further opportunities to develop Executive Member and LMT use of Insights		30 days
Consider extending use of Insights to committee chairs		30 days
Deliver LGA-facilitated development sessions for Executive Members and LMT		60 days

The Constitution Task and Finish Working Group		
<p><i>Desired outcomes for this task and finish group are expected to be:</i></p> <ul style="list-style-type: none"> • <i>Improved understanding of the Constitution, its role and purpose</i> • <i>A refreshed, fit for purpose, accessible and user-friendly Constitution</i> • <i>Constitution document to support effective decision making</i> • <i>A clearly defined role and purpose for the Council</i> • <i>More effective discharging of functions / duties</i> 		
Action	Links to other Task and Finish Working / Sub-Groups	Progress timeframe
Develop framework for reviewing and updating Constitution, including looking at best practice examples and planning how and when a new Constitution will be developed: <ul style="list-style-type: none"> • What works well? • What could be improved? • Ensure that Constitution is easy to read and adhere to 	Constitution sub-group	90 days
Develop Constitution user guide	Constitution user guide sub-group	90+
Deliver training/knowledge sessions to explain new Constitution to Members and Officers	Training and Development	90 days
Review Scrutiny Panel arrangements and map to structure or priorities to ensure alignment across LMT, Scrutiny, Executive portfolios and strategic priorities		90+
Look at options to address concerns that exist in the report that the Council's Standards regime is 'toothless', and assign greater powers to Standards Committee in cases where Member misconduct is evidenced		90 days

Culture and Communications Task and Finish Working Group		
<i>Desired outcomes for this task and finish group are expected to be:</i>		
<ul style="list-style-type: none"> • A shared understanding of ways of working / service pressures / key events between Officers and Members • A forward-looking and shared understanding of town-wide / strategic priorities between Officers and Members to manage residents' expectations • A kinder and more open culture • Confident and open two-way discussions and communication between Officers and Members 		
Action	Links to other Task and Finish Working / Sub-Groups	Progress timescales
Continue to review working from home arrangements for LMT and other key Officers	Culture and communications group	30 days
Re-establish an informal meeting space for Councillors that meets their needs	Culture and communications group	60 days
Deliver communications programme/workshop for Members to outline the impact of austerity on Council finances	Culture and communications group	30 days
Conduct a staff survey to baseline current mood in relation to governance concerns and repeat this survey regularly as needed and establish feedback loops	HR	30 days
Conduct a complementary survey of Members to baseline their views and repeat to assess progress and report to the Board	HR	30 days
Develop vision for new culture: <ul style="list-style-type: none"> • Review existing Council values and consider whether appropriate across Council • Hold workshops with Members and Officers to discuss culture • Develop vision document for Council and launch to Members and Officers 	Culture sub-group	60 days
Review and update social media policy	Culture and communications group	60 days
Review the current access to information rules put in place to support members without the need to resort to FOI and consider ways in which the culture around information can be improved	Culture and communications group	60 days
Set expectations of behaviour / etiquette in meetings	Communications sub-group Roles and responsibilities group Training and Development	60 days
Create opportunities for Members to visit and experience Council services e.g. open days for Members, neighbouring LA's, etc.	Roles and responsibilities group	30 days

Create internal search directory to support Officers and Members to find the right person to speak with	Communications sub-group Training and development	60 days
Embed accessibility and communications of information (e.g. FWP, modern.gov, reports) for Members	Communications sub-group Training and development	30 days

General actions		
Action	Links to other Task and Finish Working / Sub-Groups	Progress timeframe
Establish and diarise regular meetings of Mayor and Group Leaders	Mayor	30 days
Establish regular meetings of Mayor / Chief Executive	Mayor and Chief Executive	DELIVERED
Schedule for ward walkarounds to be reinstated, enabling two-way feedback / updates to be developed	Executive Member and Director of Environment	30 days
Schedule quarterly Executive and Leadership Team strategic away days	Mayor and Chief Executive	30 days
Develop process to ensure Member questions to Executive Members are published in full and in advance, of full Council meetings	Monitoring Officer	30 days
Refresh the approach to the Strategic Plan to ensure it reflects the strategic priorities of the Council and for the town, providing a framework for measuring the Council's contribution to KPIs that will impact on those priorities, as well as reflecting the political administration's priorities	Mayor and Chief Executive	90 days
Ensure move to new Council headquarters, enables shared working space for Executive Members and Leadership Team	Chief Executive	DELIVERED

MIDDLESBROUGH COUNCIL	
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Report of:	Executive Member for Finance and Governance and Director of Legal and Governance Services
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Submitted to:	Council
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Date:	30 November 2022
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Title:	Vacancies on Committees and Outside Body
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Report for:	Decision
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Status:	Public
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Strategic priority:	All
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Key decision:	No
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Why:	Not applicable
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Urgent:	No
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Why:	Not applicable
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Executive summary
<p>To seek Members' approval for nominations of appointment to vacant positions on committees and scrutiny panels as a result of resignations from Committees and an Outside Body.</p>

Purpose

1. To seek Members' approval for nominations of appointment to vacant positions on committees/scrutiny panels/outside body, following member's resignations from those bodies.

Background and relevant information

2. Following resignations from Committees and Outside bodies, a number of vacancies exist. In accordance with the Constitution, Council is required to consider and approve nominations for appointment to the vacancies.

What decision(s) are being recommended?

3. That the Council:

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

Corporate Health and Safety Steering Group

1 Vacancy (initially for Labour)

Ad hoc Scrutiny Panel

2 Vacancies (initially open to 1 MIG and 1 MICA Member)

Children and Young People's Learning Scrutiny Panel

1 Vacancy (initially for Labour)

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

1 Vacancy open to all Members

Economic Development Environment & infrastructure Scrutiny Panel

1 Vacancy on the panel open to all Members – 1 nomination - Councillor Dodds

Vacancy for Chair of Economic Development Environment & infrastructure Scrutiny Panel (**must be a member of the above Panel**) (Current membership: Councillors Arundale, Branson, Furness, Hellaoui, Hubbard, Mawston, Saunders and Thompson plus the member appointed as a result of the vacancy on the panel).

1 nomination for Chair: Councillor Arundale

South Tees Health Scrutiny Committee

1 Vacancy (initially open to Independent Member)

Tees Valley Health Scrutiny Committee

1 Vacancy (initially for MICA/MIG Member)

Licensing Committee

1 Vacancy (initially for MIG Member)

Tees Valley Audit and Governance Committee (Substitute)

1 Vacancy for Labour Member

Rationale for the recommended decision(s)

4. In accordance with the Constitution, Council is required to appoint to any vacant places on Committees or Outside Bodies to ensure that all meetings will be quorate.

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

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

Impact(s) of the recommended decision(s)

Legal

6. The Local Government and Housing Act 1989 requires that the Council periodically reviews the political composition of the Council, and how this is applied to appointments to committees and sub-committees of the Council.
7. The rules for securing political balance on committees and sub-committees appointed by local authorities are contained in sections 15 and 16 of the Act and the Local Government (Committees and Political Groups) Regulations 1990.
8. The Council is under a duty to:
 - (a) Ensure that the membership of those committees and sub-committees covered by the rules reflect the political composition of the Council, as far as practicable.
 - (b) Review the allocation of seats to political groups at or as soon as practical after the Annual Council meeting and at certain other specified times for example, as a result of changes in political balance or an increase in the number of committees established.

Strategic priorities and risks

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

Risk No	Risk Description	Impact
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O8-054	Failure to adhere to Local Code of Corporate Governance and deliver governance improvements outlined in the Annual Governance Statement.	By ensuring that meetings are quorate then the Council is ensuring that good governance is in place and in line with the requirements of the Council's constitution so this would have a positive impact on this risk.
O8-055	If the Council doesn't respond effectively and efficiently to legislative changes it could be in breach of statutory duties in relation to service delivery and fail to make the most of opportunities.	The Council has a duty to ensure that the membership of the committees and sub committees are covered and is required to appoint to any vacant places to ensure that all meetings remain quorate. This will have a positive impact on this risk as the Council is fulfilling its duties.

Human Rights, Equality and Data Protection

9. The subject of this report is not a policy, strategy, function or service that is new or being revised.

Financial

10. There are no financial implications arising from the content of this report.

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

Action	Responsible Officer	Deadline
Add Members to Committees	Democratic Services Officers	7 December 2022

Appendices

1	
2	
3	

Background papers

Body	Report title	Date

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

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