

THE CHAIR AND ALL MEMBERS OF THE COUNCIL

Tuesday 16 May 2023

Dear Member

COUNCIL - WEDNESDAY 24TH MAY, 2023

You are hereby summoned to attend a meeting of the Council of the Borough of Middlesbrough to be held on **Wednesday 24th May, 2023** at **7.00 pm** in the Council Chamber to transact the following business, namely:-

1. Election of the Chair of the Council for the Municipal Year - 2023 – 2024
2. Election of the Vice-Chair of the Council for the Municipal Year 2023-2024
3. Apologies for Absence
4. Declarations of Interest
To receive any declarations of interest.
5. Minutes - Council - Extraordinary Meeting - 22 March 2023 and Ordinary Meeting 29 March 2023 5 - 12
6. Announcements/Communications
To receive and consider any communications from the Chair, Mayor, Executive Members or Chief Executive (if any).
7. Mayoral and Local Elections results - 4 May 2023 13 – 18
8. Political Balance - Allocation of Places on Committees - 2023 – 2024 19 - 28
9. Executive Scheme of Delegation 29 – 50
10. Council Committees - Establishment - Terms of Reference - Allocation of Places - Memberships - 2023 – 2024 51 - 78
11. Appointments by the Council and Executive to Joint Committees and Outside Bodies - 2023 - 2024 79 - 98

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|-----|-------------------------------|-----------|
| 12. | Council Diary | 99 – 104 |
| 13. | Redesignation of S151 Officer | 105 - 108 |

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

Charlotte Benjamin,
Director of Legal and Governance Services

PLEASE NOTE THERE IS RESTRICTED
DISABLED ACCESS TO THE COUNCIL CHAMBER

Inspection of Papers – Documents referred to on this Summons may be downloaded from the Council's Website.

Should you have any queries in regard to the items on this agenda please contact Bernie Carr, Democratic Services on (Direct Line 01642 729714 or e-mail on: bernie_carr@middlesbrough.gov.uk).

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

Website: www.middlesbrough.gov.uk

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COUNCIL

A meeting of the Council was held on Wednesday 22 March 2023.

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

OFFICERS: C Benjamin, S Bonner, B Carr, N Finnegan, A Humble and A Pain

APOLOGIES FOR ABSENCE: Councillors R Arundale, T Higgins, M Nugent, G Purvis, R Sands, M Saunders, P Storey, J Walker and C Wright

22/89 **DECLARATIONS OF INTEREST**

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

22/90 **ANNOUNCEMENTS**

The Chair announced, with sadness, the death of former Councillor for Nunthorpe, Lesley McGloin. Lesley represented the Nunthorpe Ward from 2015 – 2019.

The Chair invited members to join him in a minutes' silence, as a mark of respect.

Councillor Rathmell paid tribute to Lesley McGloin.

22/91 **SENIOR MANAGEMENT ARRANGEMENTS**

The Chair of the Chief Officer Appointments Committee presented a report, regarding the appointment of an Interim Chief Executive and arrangements for appointment of an interim S151 Officer.

The Mayor responded to queries from councillors regarding the proposed working arrangements and the appointment process of the Interim Chief Executive. The Mayor also outlined the risks to the Council if it did not appoint an Interim Chief Executive Officer.

The Deputy Mayor advised that although she had concerns regarding the proposed remuneration of the Interim Chief Executive, if an appointment was not made, it could increase the risk of government intervention at the Council.

In response to a query regarding whether the Council's work with CIPFA would cease, it was clarified that the work that CIPFA were currently undertaking was separate to the appointment of the Interim Chief Executive.

The Chair invited the Monitoring Officer to conduct a vote on the recommendations contained within the report.

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

That Council approves:

- The appointment of Clive Heaphy as the Interim Chief Executive/Head of Paid Service for a period of up to 12 months.
- The temporary re-designation of the section 151 officer function to the Head of Financial Planning and Support.

COUNCIL

A meeting of the Council was held on Wednesday 29 March 2023.

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

OFFICERS: S Bonner, B Carr, C Heaphy, A Humble, A Pain and A Perriman

APOLOGIES FOR ABSENCE: Councillors R Arundale, D Davison, N Gascoigne, T Higgins, A High, N Hussain, D Jones, L Lewis, C McIntyre, M Nugent, G Purvis, R Sands, M Saunders, J Thompson and J Walker

21/92 **DECLARATIONS OF INTEREST**

Councillor Coupe declared a pecuniary interest in Agenda Item 13 – Border to Coast Governance Arrangements.

Councillors Bell, C Hobson, Hubbard, D Rooney and Rostron declared a non-Pecuniary interest in Agenda Item 13 – Border to Coast Governance Arrangements.

21/93 **MINUTES - ORDINARY COUNCIL MEETING - 18 JANUARY 2023, EXTRAORDINARY COUNCIL MEETING - 24 FEBRUARY 2023 - COUNCIL BUDGET MEETING - 27 FEBRUARY 2023**

The minutes of the Council meetings held on 18 January, 24 and 27 February 2023 were submitted and approved as a correct record.

21/94 **ANNOUNCEMENTS/COMMUNICATIONS**

The Chair advised that the local elections were due to take place on 4 May 2023 and the Council was now in the pre-election period. He reminded members of the guidelines and restrictions on publicity during the pre-election period that started on 20 March 2023.

The primary restriction during the pre-election period was on proactive publicity by the council which particularly related to candidates and other politicians involved directly in the election.

On that basis, the Chair requested members that when asking or responding to questions, that they refrain from proactively promoting themselves or any other member of the Council at this meeting.

The Chair welcomed Clive Heaphy, the Interim Chief Executive, to his first meeting of the Council.

21/95 **QUESTIONS FROM MEMBERS OF THE PUBLIC (IF ANY).**

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

21/96 **MAYOR'S STATEMENT AND REPORT**

The Mayor referred to the following in his update report:

- Previous issues with development in the Gresham Ward
- Cost of living crisis
- Provision of emergency food to children in the town
- How the Council had become more financially aware
- The increase in retail and entertainment venues in the town

- The level of crime in the town and the purchase of additional security cameras
- The work of the Street Wardens
- Rebuilding in the town of Southlands and Nunthorpe Community Centres and the rebuilding of the area of the former Tollesby shops
- The planting of 33,000 new trees which would absorb 20 kilos of carbon
- Creation of BOHO X
- The location of GB Bank in Middlesbrough offices
- The planting of wildflowers in the town
- The opportunities available to the town

21/97 **EXECUTIVE MEMBER REPORTS**

The Chair advised that no questions had been received in respect of the reports of Executive Members.

ORDERED that the Executive Member reports be noted.

21/98 **REPORT OF THE OVERVIEW AND SCRUTINY BOARD**

The Vice-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.

The Chair invited members to note the report.

ORDERED that the report be noted.

21/99 **URGENT ITEMS**

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

21/100 **MEMBERS' QUESTION TIME**

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

21/101 **NOTICE OF MOTIONS**

Consideration was given to Motion No. 158, moved by Councillor Wright, and seconded by Councillor P Storey of which notice had been given in accordance with Council Procedure Rules No. 53-60 as follows:

Looked after children and young people and care leavers a protected characteristic

“Middlesbrough Council resolves that ‘looked after children and young people and care leavers’ be added as an additional characteristic in the Council’s Equality Impact assessments to determine the impact on care experienced people, alongside those who formally share a protected characteristic”.

Councillor Wright spoke in support of the motion.

Councillor McTigue and Councillor Mawston spoke in support of the motion.

The Chair requested that the Deputy Monitoring Officer proceed to the vote on the motion.

Following a vote, the motion was **CARRIED**

Consideration was given to Motion No. 159, moved by Councillor M Storey, and seconded by Councillor D Rooney of which notice had been given in accordance with Council Procedure Rules No. 53-60 as follows:

Retiring Councillors

“Middlesbrough Council recognises the service of Councillors who are not intending to seek re-election at the forthcoming elections. Being an elected official is a privilege. All members

make a time commitment to the benefit of the town. This can often impact their work and time with family.

This Council therefore recognises the dedication of retiring members to their wards and the wider town.

This Council resolves:-

The Chair of the Council will write to those members standing down and put on record the Council's thanks for their service.

Councillor M Storey spoke in support of the motion and referred to the long service of Councillor Mawston who was due to stand down at the next elections. He acknowledged the commitment and hard work required as part of the role of a councillor.

Councillor Rooney spoke in support of the Motion. Councillor Rooney thanked the officers of the Council for all their work in supporting councillors and Executive members.

The Chair requested that the Deputy Monitoring Officer proceed to the vote on the motion.

Following a vote, the motion was **CARRIED**

21/102 **NOTICE OF URGENT MOTIONS (IF ANY)**

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

21/103 **BORDER TO COAST GOVERNANCE ARRANGEMENTS**

The Director of Finance and Executive Member for Finance and Governance submitted a report the purpose of which was to ask Council to approve updated documents setting out how Partnership Pensions Limited ('Border to Coast') was governed.

The Executive Member for Finance and Governance presented the report.

The report outlined that the main changes made to the Shareholder Agreement (SHA) included:

- a) Removing provisions relating to pre-establishment that are no longer relevant;
- b) Altering the proportion of Shareholders required for majority consent from 75% to 66.6%, which will continue to be in line with public procurement requirements for joint control of a company.
- c) Including provisions from a Supplemental Agreement executed on 6 October 2020. This amended the SHA to include additional provisions relating to when capital contribution calls may be made on the Partner Funds for expenses resulting from Border to Coast's capacity as an authorised alternative investment fund manager (clauses 4.11 – 4.19). It should be noted that the original drafting from the Supplemental Agreement related to the Border to Coast Authorised Contractual Scheme; this has been extended to cover unregulated arrangements (such as limited partnerships);
- d) Amending the provisions relating to record keeping so it is not necessary for Partner Funds to use their powers to ensure Border to Coast maintains accounting and financial records. The company is responsible for ensuring compliance in this area (clause 6.8);
- e) Removing the requirement for Partner Funds to approve Border to Coast's conflicts policy, as this is not necessary (clause 6.9);
- f) With respect to the provision of information to Shareholders, management accounts will now need to be provided within 90 days of the end of the quarter instead of 30. This provides greater flexibility for the Company which experience has shown would

be useful (clause 14);

- g) Including a framework in a new schedule to the agreement with details of how a merger of two authorities may be managed (although allowing flexibility depending on the circumstances) (clause 15.3);
- h) Updates to the Reserved Matters which require unanimous Shareholder approval, including:
 - i) Excluding agreements to provide services to Shareholders as customers approved under the Strategic Plan (Schedule 1 Part A paragraph 3);
 - ii) Excluding amendments to the Articles required by a direct request from the Financial Conduct Authority (FCA) or following legal advice (it should be noted that a special resolution requiring the consent of 75% of the Shareholders will still be required) (Schedule 1 Part A paragraph 12);
 - iii) Excluding the approval of the removal or appointment of interim directors (previously Schedule 1 Part A paragraph 15);
 - iv) Excluding the requirement for consent to defend claims (although consent is still required to commence or settle any claims); and also excluding non-material claims of £1m or less (Schedule 1 Part A paragraph 15); and
 - v) Excluding the formation of a subsidiary of Border to Coast if done in accordance with the Strategic Plan (Schedule 1 Part A paragraph 17).
- i) Updates to the Reserved Matters which require approval by Shareholder Majority (which is now 66.6%) including:
 - i) Rather than approving the annual accounts of the Company, Shareholder Approval is required for any proposal not to table the accounts at the Company's AGM (Schedule 1 Part B paragraph 5);
 - ii) Excluding the need to determine directors' remuneration, and instead approving a remuneration policy for directors (Schedule 1 Part B paragraph 6);
 - iii) Excluding approval being required to amend a pension scheme for employees of the Company (Schedule 1 Part B paragraph 7);
 - iv) Excluding entering into agency, distribution or similar agreements (previously Schedule 1 Part B paragraph 8);
 - v) Increasing the threshold for leases requiring consent to £500,000 (from £100,000) (Schedule 1 Part B paragraph 9).
- j) Finally, the list of shared objectives in Schedule 2 has been amended to include the objective to primarily invest assets through the collective investment vehicle operated by Border to Coast, which was already recorded in the IAA.

It was highlighted that the above was not an exhaustive list and did not note typographical amendments or minor drafting changes.

The report also detailed minor updates to the Articles of Association, which included:

- a) Increasing the maximum number of directors from 8 to 10;
- b) Amending the required quorum for General Meetings of Shareholders to 66.6% to match the majority requirements that will now be set out in the SHA; and
- c) changes relating to the redeeming of class B shares in order to meet FCA regulatory requirements that in order for shares to qualify as Tier 1 regulatory capital, they must not be redeemable and cannot be reduced or repaid other than on liquidation

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

That the Council:

- Agree to approve the revised Border to Coast Inter Authority Agreement attached at Appendix A to the report.
- Agree to approve the revised Border to Coast Shareholder Agreement attached at Appendix B to the report.
- Agree that approval of future amendments to the Border to Coast governance documents is delegated to the Pension Fund Committee.

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MIDDLESBROUGH COUNCIL	
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Report of:	Director of Legal and Governance Services/Returning Officer
Submitted to:	Council
Date:	24 May 2023
Title:	Mayoral and Local Elections results – 4 May 2023
Report for:	Information
Status:	Public
Strategic priority:	All
Key decision:	Not applicable
Why:	Not applicable
Urgent:	Not applicable
Why:	Not applicable

Executive summary
This report informs the Council of the results of the Mayoral and Local elections held on 4 May 2023

Purpose

1. The purpose of the report is to report the results of the municipal elections for the Elected Mayor and Councillors for the Borough on 4 May 2023.

Background and relevant information

2. The Appendix 1 to this report provides details of the candidates elected to hold the office of Elected Mayor, Councillors for the Borough of Middlesbrough and Nunthorpe Parish Councillors for the four-year term of office following elections held on Thursday 4 May 2023 together with their political make-up (Table 1).

The Monitoring Officer has been advised that 14 of the 15 Independent councillors that were elected on 4 May have now joined the Middlesbrough Independent Councillors Association political group.

Prior to the election, both the Labour and MICA Groups had political assistants. The Act that makes provision for political assistants specifies that in order to qualify for a political assistant a group must have at least one – tenth of the membership of the Authority. In respect of this Council that requires a group to have at least 5 members. At present, only the Labour Group and the MICA Group has the requisite number of members.

What decision(s) are being recommended?

3. That the Council:

Notes the results of the municipal elections for the Elected Mayor and Councillors for the Borough held on 4 May 2023.

Rationale for the recommended decision(s)

4. The results of the municipal elections are always reported to full Council.

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

5. There are no other potential decisions.

Impact(s) of the recommended decision(s)

Legal

6. There are no legal implications arising from this report.

Strategic priorities and risks

7. This report is for information only and does not impact on strategic priorities and risks as it is simply advising council of the election outcome.

Human Rights, Equality and Data Protection

8. No direct implications of this specific decision in relation to human rights of the Equality Act 2010 have been identified. There are no data protection implications.

Financial

9. There are no direct implications arising from the report.

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

Action	Responsible Officer	Deadline
Update Modern Gov with the new councillors	Bernie Carr	31 st May 2023

Appendices

1	Election Results – 4 May 2023
2	
3	

Background papers

Contact: Charlotte Benjamin, Director of Legal and Governance Services/Returning Officer

Email: charlotte_benjamin@middlesbrough.gov.uk

ELECTION OF MAYOR

Chris Cooke	Labour
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ELECTION OF BOROUGH COUNCILLORS

Ward	Name	Political Party (If any)
Acklam (2)	Sheila Dean	Labour
	Tom Livingstone	Liberal Democrats
Ayresome (2)	Antony High	Labour
	Janet Thompson	Labour
Berwick Hills and Pallister (3)	Ian Blades	Labour
	Julia Cooke	Labour
	Donna Jones	Independent
Brambles and Thorntree (3)	Jack Banks	Labour
	Stella Tranter	Labour
	Graham Wilson	Independent
Central (3)	Linda Lewis	Labour
	Matthew Storey	Labour
	Zafar Uddin	Labour
Coulby Newham (3)	David Branson	Labour
	Luke Mason	Conservative
	Jo Nicholson	Labour
Hemlington (2)	Jeanette A Walker	Labour
	Nicky Walker	Labour
Kader (2)	Jim Platt	Independent

	Sharon Platt	Independent
Ladgate (2)	Tony Grainge Luke Hurst	Independent Conservative
Linthorpe (2)	Naweed Hussain Phillipa Storey	Labour Labour
Longlands and Beechwood (3)	Peter Gavigan Joan McTigue Mary Nugent	Labour Independent Labour
Marion East (2)	Jason McConnell Dorothy Davison	Independent Independent
Marion West (2)	David Jackson Ian Morrish	Independent Independent
Newport (3)	Jill Ewan John Kabuye Anne Romaine	Labour Labour Labour
North Ormesby (1)	Jan Ryles	Labour
Nunthorpe (2)	Morgan McClintock Mieka Smiles	Liberal Democrats Conservative
Park (3)	Edward Clynch Theo Furness Julia Rostron	Labour Labour Labour
Park End and Beckfield (3)	Stephen Hill Brian A Hubbard Michael Saunders (Mick)	Independent Independent Independent
Stainton and Thornton (1)	David Philip Coupe	Conservative
Trimdon (2)	Christine Cooper	Independent

	Dennis McCabe	Independent
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TABLE 1 – MIDDLESBROUGH COUNCIL POLITICAL BALANCE

Political Groups and Others	Total
Labour	25 + Elected Mayor
Conservative	4
Independents	15
Liberal Democrats	2

ELECTION OF NUNTHORPE PARISH COUNCILLORS

Name of Parish Councillor	Political Party (if any)
James Hayton	Independent
Russ Lynch	Independent
Carol Ann McCardle	-
Morgan McClintock	Liberal Democrats
Jon Rathmell	Independent
John Edward Shaefer	Independent
Adrian Walker	Liberal Democrats

MIDDLESBROUGH COUNCIL

Report of:	Executive Member for Finance and Governance and Director of Legal and Governance Services
Submitted to:	Council
Date:	24 May 2023
Title:	Political Balance Allocation of Places 2023
Report for:	Decision
Status:	Public
Strategic priority:	All
Key decision:	No
Why:	Not applicable
Urgent:	No
Why:	Not applicable

Executive summary

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

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

Purpose

1. To recommend the allocation of places on committees and sub-committees for 2023 in accordance with the political balance of the Council.

Background and relevant information

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

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

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

7. Where a Group chooses not to take up their full allocation, according to political balance, those vacant places will become available for all groups to take up. Once the seat has been reallocated at Council, this appointment will remain in place for the whole of the Municipal year.
8. Independent Members who have not formed a political group in accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations, are to be allocated in accordance with section 16 (3) of the Regulations: i.e. any seats not allocated according to the requirements in section 15 and 16 of the Act, to be allocated to members who are not members of any political group.
9. Certain committees of the Council are exempt from the requirements relating to political balance as they are established under separate legislation. For this reason the following committees are not covered by the recommendations of this report. Where places are not reserved for particular members for example by virtue of their title or position, those remaining places have been allocated in accordance with the numbers shown in Table 3. These committees include:
 - The Executive
 - All Executive committees, sub-committees, working groups
 - Live Well South Tees Board
 - Licensing Sub-Committees with the exception of the Licensing Sub-Committee (General) when dealing with licences under the Scrap Metal Dealers Act 2013.
10. The total number of places on committees is therefore **155** places and these will be allocated in a manner that reflects the overall political balance of the Council.
11. The calculations relating to the allocation of the **155** places on those committees to be subject to political balance rules are attached at Appendix 1.
12. As will be seen from Table 4 in Appendix 1, the outcome of applying the required method of calculation would result in the following:

Name of Group/Unallocated	No. of Seats
Conservative	13
Labour	84
Liberal Democrats	7
Middlesbrough Independent Councillors Association (MICA)	47
Unallocated/Vacancy	4
Total	155

Method to Calculate Places

13. The principles in paragraph 6 are applied as below:
 - I. Calculate the total number of seats with votes on all the committees subject to Political Balance.

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

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

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

What decision(s) are being recommended?

16. That the Council:

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

Rationale for the recommended decision(s)

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

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

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

Impact(s) of the recommended decision(s)

Legal

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

Strategic priorities and risks

20. If the Council doesn't respond effectively and efficiently to legislative it could be in breach of statutory duties in relation to service delivery and fail to make the most of opportunities. The Council are obliged to comply with any legislation or statutory guidance to ensure that the Council is fulfilling its statutory duties.

Human Rights, Equality and Data Protection

21. 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

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

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

Action	Responsible Officer	Deadline
Allocate places on committees according to the Political Balance	Bernie Carr	31 May 2023

Appendices

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

Background papers

Body	Report title	Date
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Contact: Charlotte Benjamin
Email: charlotte_benjamin@middlesbrough.gov.uk

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

Table 1

Name of Committee	Places
Chief Officer Appointments Committee	7
Constitution and Members' Development Committee	9
Corporate Affairs & Audit Committee	7
Corporate Health and Safety Steering Group	10
Corporate Parenting Board	9
Licensing Committee	14
Planning & Development Committee	10
Staff Appeals Committee	9
Standards Committee	9
Teesside Pension Fund Committee	9
Works Council	10
Overview & Scrutiny Board	7
Adult Social Care and Services Scrutiny Panel	9
Children & Young People's Scrutiny Panel	9
Environment Scrutiny Panel	9
Health Scrutiny Panel	9
Regeneration Scrutiny Panel	9
Total	155

Appendix 2

Step 2 - Calculate overall proportionality for all eligible committees

(i.e. politically balanced)

Total Places:

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

Table 2				
Group		Number in group	Allocation of places	Number of places (rounded)
Labour		25	84.24	84
Conservative		4	13.48	13
Middlesbrough Independent Councillors Association		14	47.17	47
Liberal Democrats		2	6.74	7
<i>Unallocated* Independent and vacant</i>		1	3.37	4
Total		46		155
* Do not count as a group				
mayor not counted				

Appendix 3

Step 3 - Political balance according to size of committee

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

Table 3									
Size of committee	Labour Group		Conservative Group		Middlesbrough Independent Councillors Association		Liberal Democrats Group		Unallocated
	25		4		14		2		1
1	1	0.54	0	0.09	0	0.30	0	0.04	0
3	2	1.63	0	0.26	1	0.91	0	0.13	0
4	2	2.17	0	0.35	1	1.22	0	0.17	1
5	3	2.72	0	0.43	2	1.52	0	0.22	0
6	3	3.26	1	0.52	2	1.83	0	0.26	0
7	4	3.80	1	0.61	2	2.13	0	0.30	0
8	4	4.35	1	0.70	2	2.43	0	0.35	1
9	5	4.89	1	0.78	3	2.74	0	0.39	0
10	5	5.43	1	0.87	3	3.04	0	0.43	1
11	6	5.98	1	0.96	3	3.35	0	0.48	1
12	7	6.52	1	1.04	4	3.65	1	0.52	-1
13	7	7.07	1	1.13	4	3.96	1	0.57	0
14	8	7.61	1	1.22	4	4.26	1	0.61	0
15	8	8.15	1	1.30	5	4.57	1	0.65	0
16	9	8.70	1	1.39	5	4.87	1	0.70	0

Appendix 4

Step 4 - Apply figures in Table 3 to each committee						
Table 4						
	Total	Lab	Cons	MICA	Lib Dems	Unallocated
Chief Officer Appointments Committee	7	4	1	2	0	0
Constitution and Members' Development Committee	9	5	1	3	0	0
Corporate Affairs & Audit Committee	7	4	1	2	0	0
Corporate Health and Safety Steering Group	10	5	1	3	0	1
Corporate Parenting Board	9	5	1	3	0	0
Licensing Committee	14	8	1	4	1	0
Planning & Development Committee	10	5	1	3	0	1
Staff Appeals Committee	9	5	1	3	0	0
Standards Committee	9	5	1	3	0	0
Teesside Pension Fund Committee	9	5	1	3	0	0
Works Council	10	5	1	3	0	1
Overview & Scrutiny Board	7	4	1	2	0	0
Adult Social Care and Services Scrutiny Panel	9	5	1	3	0	0
Children & Young People's Scrutiny Panel	9	5	1	3	0	0
Environment Scrutiny Panel	9	5	1	3	0	0
Health Scrutiny Panel	9	5	1	3	0	0
Regeneration Scrutiny Panel	9	5	1	3	0	0
Totals	155	85	17	49	1	3
Total Allocation Allowed (as per Step 2 above)		84	13	47	7	4
ADJUSTMENT REQUIRED		-1	-4	-2	6	1

MIDDLESBROUGH COUNCIL	
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Report of:	The Mayor
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Submitted to:	Council
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Date:	24 May 2023
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Title:	Executive Scheme of Delegation
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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	
<p>The Mayor is required to report any changes to his Executive Scheme of Delegation to Council.</p> <p>The report on the Mayor's Executive Scheme of Delegation is to be noted.</p>	

Purpose

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

Background and relevant information

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

The Executive collectively

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

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

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

Individual Executive Members

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

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

Deputy Mayor – Delegated Authority

7. The Deputy Mayor has delegated powers:

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

Executive Sub-Committee for Property

8. When not referred to the Mayor, Executive or Executive Member to determine, the Executive Sub-Committee for Property is delegated the following powers:
- To determine the Council's corporate property priorities.
 - To approve the allocation of resources from the Small Scheme Allocation budget.
 - To be consulted upon the capital programme.
 - To determine 'in year' changes to the new start investment programme and small scheme allocation projects should it become necessary.
 - To consider and determine the acquisition and disposal of assets (including land and buildings), other than equipment, plant and machinery for resale, in accordance with the requirements of Financial Regulations and Contract Standing Orders.
 - To be consulted upon planning brief proposals.
 - To establish effective communication channels to cascade the Council's corporate property priorities.
9. The Membership of the Executive Sub-Committee for Property is as follows:
- All Members of the Executive

Decision Making by Joint Bodies

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

Joint Archives Committee

Officer delegated authority

Decisions by officers

11. Officers have the power to undertake without reference to Council, the Executive, or to any of the Council's committees, matters of day-to-day management and associated activities. Subject to the provisions within the Mayor's scheme of delegation above, officers can take executive non-key decisions. Unless specifically delegated by the Mayor and his Executive, officers do not have the delegated powers to take key decisions.

Decision Making by Chief Executive

12. The Chief Executive of the Council, or any officer nominated by the Chief Executive as his Deputy in this regard, in consultation with the Mayor, will have delegated

authority to make Executive decisions of a policy, financial and operational nature in response to an emergency.

What decision(s) are being recommended?

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

Rationale for the recommended decision(s)

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

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

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

Impact(s) of the recommended decision(s)

Legal

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

Strategic priorities and risks

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

Failure to adhere to Local Code of Corporate Governance and deliver governance improvements outlined in the Annual Governance Statement. By providing the appropriate information regarding the make-up of the Executive and the Scheme of Delegation, the Mayor is complying with the requirements of the Constitution and the Council is demonstrating that good governance is in place and so this would have a positive impact on this risk.

Human Rights, Equality and Data Protection

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

Financial

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

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

Action	Responsible Officer	Deadline
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Note the report and make and appropriate changes to the Council's Committee Management system	Democratic Services	31 May 2023
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Appendices

1	Executive Scheme of Delegation
2	Details of Executive Members

Background papers

Body	Report title	Date

Contact: Charlotte Benjamin

Email: charlotte_benjamin@middlesbrough.gov.uk

APPENDIX A

Executive Scheme of Delegation

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

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

Executive Scheme of Delegation

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

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

The Executive Terms of Reference (collectively)

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

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

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

Executive Terms of Reference (Individual Executive Members)

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

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

Decision Making by Joint Bodies

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

Joint Archives Committee

EXECUTIVE PORTFOLIOS

THE MAYOR AND EXECUTIVE MEMBER FOR ADULT SOCIAL CARE AND PUBLIC HEALTH

CHRIS COOKE



PORTFOLIO

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

Service areas and Functions

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

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

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

General responsibilities of the Mayor

Duties and responsibilities of the Mayor include: -

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

As part of the Adult Social Care and Public Health element of their portfolio the Mayor will take the political leadership of shaping the Council's work in response to vulnerable adults; adults in need of care and support; Public Protection and Public Health.

Policy Framework

- Think Local Act Personal, The Direction for Social Care Services
- Health and Social Care Reform.
- Health and Well Being Strategy
- NHS Commissioning and Delivery Plans – Local, Regional and National
- Public Health England Plans – Local, Regional and National
- Statement of Principle Gambling (2005 Act)
- Licensing Authority Policy Statement 2003 Act

Other Plans and Strategies

- Better Care, Higher Standards
- Prevention Strategy
- National Health Service Plan
- Older Peoples' Strategy
- Physical Disabilities Strategy
- Social Services' Equalities Plan
- Social Services' Care Service Plan
- Mental Health Strategy
- Mental Health Champion
- Learning Disabilities Strategy
- No Secrets, Protection of Vulnerable Adults from Abuse
- Joint Strategic Needs Assessment
- NHS Health Check programme
- Middlesbrough Health and Wellbeing Strategy
- Public health advice to NHS commissioners
- Comprehensive sexual health services
- Health protection - incidents, outbreaks, emergencies and hazards
- Tobacco control and smoking cessation services
- Alcohol and drug misuse prevention, early intervention and treatment services
- Obesity and physical activity - lifestyle and weight management services
- Workplace health
- Public mental health and suicide prevention
- Oral health promotion and dental public health
- Accidental injury prevention
- Prevention and early diagnosis of cancer and long-term conditions
- Preventing seasonal mortality
- Public health intelligence – JSNA and DPH annual report
- Annual Public Health Report
- NHS Health Check programme
- Environmental Health
- Environmental Health and Trading Standards
- Trading Standards (including Metrology)
- Licensing (Inc. Taxi Licensing)

- Homelessness Strategy
- Selective Landlord Licensing

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EXECUTIVE MEMBER FOR ENVIRONMENT

COUNCILLOR DAVID BRANSON



PORTFOLIO

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

Policy Framework

- Relevant Environment and Waste Policies and Strategies
- Green Strategy

Other Plans and Strategies

- Environment Service Plan (where relevant to the portfolio)
- Waste Management Plan
- Environment Service Plan (where relevant to portfolio)
- Highways Services Plan
- Emergency Planning.
- Asset Management Plan
- Bereavement Services Plan
- Fleet Strategy
- Flood Management Plan
- Public rights of Way.
- Environment Commercial Services
- Surface Water Management

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EXECUTIVE MEMBER FOR REGENERATION

COUNCILLOR THEO FURNESS



PORTFOLIO

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

Policy Framework

- The Local Plan
- Local Transport Plan

Other Plans and Strategies

- Investment Prospectus
- Regeneration service plan
- Policies and strategies for housing activity
- Development briefs and master plans
- Estates Strategy

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DEPUTY MAYOR AND EXECUTIVE MEMBER FOR EDUCATION AND CULTURE

COUNCILLOR PHILIPPA STOREY



PORTFOLIO

The Deputy Mayor and Executive Member for Education and Culture will Chair meetings of the Executive and act in place of the Mayor, if for some reason the Mayor is unable to act.

As part of the Education element of their portfolio the Executive Member for Education and Culture has responsibility to ensure that all children are provided with the opportunity to realise their educational attainment potential.

The Executive Member will also oversee the provision of educational statutory services to address the needs of all children and young people and adults who need services (including youth justice).

Policy Framework - Education

- National Curriculum - 2013
- Assessment & Accountability Framework 2020/21
- Children & Families Act 2014 – SEND Reforms
- Ofsted Education Inspection Framework September 2022
- School Finance Regulations 2013
- Education Act 2011
- Academies Act 2010
- Education and Skills Act 2008
- Education and Inspection Act 2006
- Children Act 2004(relevant to portfolio)
- Education Act 2002
- Crime and Disorder Act 1998
- School Standards & Framework Act 1998 as amended
- Education Act 1996 as amended
- Statutory Framework for Early Years Foundation Stage
- Apprenticeships, Skills, Children and Learning Act 2009
- Early Years Foundation Statutory framework 2021
- Crime and Disorder Act 1998
- Academies Act 2010
- Local Area SEND Inspection Framework Jan 2023

Other Plans and Strategies - Education

- Children and Young People's Plan
- Education and Priorities Strategy
- School Effectiveness Strategy
- 14-25 Strategy
- Children's Services Improvement Plan
- Capital Strategy & Asset Management Plan (Schools)
- Scheme for Financing Schools
- Youth Employment Strategy
- School Improvement Strategy
- Healthy Child Programme (5 – 19) (including School Nursing service)
- School Improvement Strategy
- Youth Justice Plan
- SEND Strategy
- Inclusion Strategy
- National Standards for Youth Justice
- SEND Code of practice
- SEND Sufficiency Strategy

As part of the Culture element of their portfolio, the Executive Member for Education and Culture also has responsibility for strengthening the town's cultural sector.

Policy Framework - Culture

- Cultural Strategy

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EXECUTIVE MEMBER FOR COMMUNITY SAFETY

COUNCILLOR JANET THOMPSON



PORTFOLIO

The Executive Member for Community Safety also has responsibility for strengthening the town's cultural sector and creating safer communities, in accordance with the Mayor's Priorities.

The Executive Member for Community Safety will have responsibility for:

- Community Safety Partnership
- Libraires and Hubs
- Community Cohesion
- Locality working
- Community Safety and Community Development
- Empowering communities and individuals to access opportunities
- Migration and Asylum Seekers

Policy Framework - Communities

- Voluntary Sector
- Community Safety including Law and Order Issues
- Community Development
- Community Hub Development
- Civil Contingencies Act 2004
- Crime and Policing Act 2014
- Human Rights Act

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EXECUTIVE MEMBER FOR CHILDREN'S SERVICES

COUNCILLOR ZAFAR UDDIN



PORTFOLIO

The Executive Member for Children's Services will be the Lead Member for Children's Social Care, ensuring that our children are protected, to safeguard their welfare and wherever possible, seek to enable or provide a safe environment that reduces dependency on services, including the most disadvantaged and vulnerable and their families and carers.

Policy Framework

- Statutory guidance on the roles and responsibilities of the Director of Children's Services and the Lead Member for Children's Services
- General principles of UN convention on the rights of the child
- Children Act 1989
- Section 19 of the Children Act 2004
- National Standards for Youth Justice Services
- Children Act 2004
- Ofsted policy Framework

Other Plans and Strategies

- Children's Services Improvement Plan
- Corporate Parenting Strategy
- Middlesbrough Safeguarding Children Board Business Plan
- Looked After Children Strategy
- MSCB Business Plan
- Children and Young People's Plan
- Children's Services Partnership
- Youth Employment Strategy??

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EXECUTIVE MEMBER FOR FINANCE AND GOVERNANCE

COUNCILLOR NICKY WALKER



PORTFOLIO

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

Policy Framework

- Strategic Plan (Overview)
- Council's Budget Strategy
- Capital Strategy
- Medium Term Financial Strategy
- Pay Policy Statement
- Welfare Rights

Other Plans and Strategies

- Corporate Equality and Diversity Policy
- People Strategy
- Digital Strategy
- Corporate Risk Management Strategy
- Strategic Risk Register
- Corporate Business Continuity Plan
- Annual Audit and Inspection Letter
- Treasury Management
- Member Development Strategy
- Procurement Strategy
- Information Governance Strategy
- ICT Strategy
- Customer Strategy

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APPENDIX B

THE MAYOR'S EXECUTIVE:

Portfolio	Name	Ward
Deputy Mayor and Executive Member for Education and Culture	Councillor Philippa Storey	LINTHORPE
Executive Member for Children's Services	Councillor Zafar Uddin	CENTRAL
Executive Member for Community Safety	Councillor Janet Thompson	AYRESOME
Executive Member for Environment	Councillor David Branson	COULBY NEWHAM
Executive Member for Finance and Governance	Councillor Nicky Walker	HEMLINGTON
Executive Member for Regeneration	Councillor Theo Furness	PARK

MIDDLESBROUGH COUNCIL



Report of:	Executive Member for Finance and Governance and Director of Legal and Governance Services
Submitted to:	Council
Date:	24 May 2023
Title:	Council Committees - Establishment - Terms of Reference - Allocation of Places - Memberships - 2023 – 2024
Report for:	Decision
Status:	Public
Strategic priority:	All
Key decision:	No
Why:	Not applicable
Urgent:	No
Why:	Not applicable

Executive summary

1. The annual meeting provides an opportunity for the Council and Executive to review its decision-making and that the committees, sub-committees, boards, panels and working groups be established, and the terms of reference as detailed in the attached Appendix be approved.
2. That, subject to receipt of nominations to vacancies or amendments to places indicated in the attached schedules, Council approves the places allocated in accordance with the wishes of the political groups and other councillors as shown.
3. That the membership, size, and terms of reference of the Executive, its sub-committees and advisory bodies approved by the Mayor for 2023 onwards as set out in Schedule A in the Appendix to the report, be noted.
4. That the vacancies listed at Paragraph 6 be filled in accordance with political group and other councillors' preferences.

Purpose

1. To approve the establishment of committees, sub committees, boards, panels and working groups for the 2023-2024 Municipal Year, or until amended by Council, (whichever is the latter).

Background and relevant information

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

What decision(s) are being recommended?

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

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

Schedule C

Corporate Health and Safety Steering Group

1 Vacancy: – initially open to Independent

Corporate Parenting Board

1 Vacancy

1 Vacancy: – initially open to Independent

Works Council

2 Vacancies:

1 Vacancy: – initially open to Independent

1 Vacancy – open to all Members

- (ii) That Council notes the nomination of representatives/vacancies detailed in Appendix B – Council/Executive appointments and Appendix C – Executive appointments.

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

Rationale for the recommended decision(s)

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

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

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

Impact(s) of the recommended decision(s)

Legal

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

Strategic priorities and risks

- 9. Failure to adhere to Local Code of Corporate Governance and deliver governance improvements outlined in the Annual Governance Statement. If the Council do not appoint to Council Committees, it could result in decisions not being taken or a delay in the decision-making process.

Human Rights, Equality and Data Protection

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

Financial

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

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

Action	Responsible Officer	Deadline
Update the Council's Committee Management system.	Democratic Services Officers	31 May 2023

Appendices

1	Appendix A - Council Appointments to Committees
2	
3	

Background papers

Body	Report title	Date

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**MIDDLESBROUGH COUNCIL
COMMITTEES, MEMBERSHIPS
AND TERMS OF REFERENCE
FOR THE EXECUTIVE
(EXCLUDING PORTFOLIOS)
AND
COMMITTEES OF THE COUNCIL
2023/2024**

CONTENTS

Committee	Page Number
Executive	3
EXECUTIVE ADVISORY BODIES/COMMITTEES/SUB-COMMITTEES	
SCHEDULE A	
Executive Sub-Committee for Property	4
COMMITTEES OF THE COUNCIL	
SCHEDULE B	
Casino Licensing Sub-Committee	5
Licensing Sub-Committee (General)	5
Licensing Sub-Committees (A, B and C)	6
Live Well South Tees Board	6/7
SCHEDULE C	
Chief Officer Appointments Committee	8
Chief Officer Appointments Committee – Joint Appointment Panel	9
Constitution and Members' Development Committee	9
Corporate Affairs and Audit Committee	10
Corporate Health and Safety Steering Group	12
Corporate Parenting Board	12
Licensing Committee	13
Overview and Scrutiny Board	14
Adult Social Care and Services Scrutiny Panel	15
Children and Young People's Scrutiny Panel	16
Environment Scrutiny Panel	17
Health Scrutiny Panel	17
Regeneration Scrutiny Panel	18
Local Plan Working Group	18
Planning and Development Committee	19
Staff Appeals Committee	19
Standards Committee	20
Teesside Pension Fund Committee	21
Works Council	22

EXECUTIVE 2023/2024

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

Chair: The Mayor and Executive Member for Adult Social Care & Public Health – Chris Cooke:

TITLE OF PORTFOLIO:

EXECUTIVE MEMBERS:

Deputy Mayor and Executive Member for Culture and Education
Executive Member for Children’s Services
Executive Member for Community Safety
Executive Member for Environment
Executive Member for Finance and Governance
Executive Member for Regeneration

Councillor P Storey
Councillor Uddin
Councillor Thompson
Councillor Branson
Councillor N Walker
Councillor Furness

Terms of Reference:

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

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

ADVISORY BODIES/COMMITTEES/SUB- COMMITTEES OF THE EXECUTIVE 2023/2024

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

EXECUTIVE SUB-COMMITTEE FOR PROPERTY (7) ALL MEMBERS OF EXECUTIVE

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

Chair: The Mayor and Executive Member for Adult Social Care & Public Health – Chris Cooke

Members: Councillors Branson, Furness, P Storey, Thompson, Uddin and N Walker

Terms of Reference:

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

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

**COMMITTEES OF THE COUNCIL
2023/2024**

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

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

CASINO LICENSING SUB-COMMITTEE (3)

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

Political balance rules do not apply

Membership/Restrictions:	Must be members of Licensing Committee
Chair:	Councillor
Members:	Councillors (2 vacancies)
Substitute Members:	3 vacancies (for named substitutes, must be Members of Licensing Committee)

Terms of Reference:

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

LICENSING SUB-COMMITTEE (GENERAL) (3)

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

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

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

Chair: Councillor
(as Chair of Licensing Committee)

Terms of Reference:

To have delegated powers to exercise the functions of the Council to consider,

hear and decide upon applications, renewals, variations and revocations of licences under the Scrap Metal Dealers Act 2013.

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

Political balance rules do not apply

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

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

Sub-Committee A

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

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

Sub-Committee B

Chair: Councillor

Sub-Committee C

Chair: Councillor
Terms of Reference:

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

LIVE WELL SOUTH TEES BOARD (5)

5 Elected Members:

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

Membership/Restrictions:

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

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

Voting Members

Elected Members: Councillors Cook and P Storey

Council Officers:

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

Non Voting Members

Supporting Officers

Chief Executive, Middlesbrough Council
 Managing Director Redcar and Cleveland Council

**COMMITTEES OF THE COUNCIL
2023/2024**

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

CHIEF OFFICER APPOINTMENTS COMMITTEE (7) 4 LAB: 1 CON: 2 MICA

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

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

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

Chair: 2 nominations: Councillor Davison and Rostron

The Mayor: C Cooke

Members: Councillors Davison, Dean, Hill, Smiles and Thompson

Plus Relevant portfolio holder

Terms of Reference:

The Committee will have delegated powers to:

1. Shortlist, interview and make permanent appointments to the posts of Directors.
2. Shortlist, interview and make recommendations for the interim and permanent appointment of the Head of Paid Service; Chief Finance Officer and the Council's Monitoring Officer role, subject to no objections being submitted by the Executive. The appointment of the Head of Paid Service (Chief Executive) will be subject to Full Council approval.
3. Establish a Joint Appointment Panel to consider Joint Authority / Partner Organisation vacant posts at Director level and above. Comprising of up to 4 members of the Chief Officer Appointments Committee selected by Democratic Services on a post by post basis. The selection will be politically balanced where reasonably practicable. The Chair to be appointed at the joint meeting.

4. Interim appointments of Directors, for 6 months or less are delegated to the Head of Paid Service. Longer and permanent appointments to be reserved to the Chief Officer Appointments Committee.
5. To undertake disciplinary procedures in relation to statutory officer appointments: Head of Paid Service, Monitoring Officer and Chief Finance Officer.
6. To undertake disciplinary and/or dismissal procedures in relation to Chief Officers, other than the Head of Paid Service, Monitoring Officer, and Chief Finance Officer. Dismissal of the statutory officers is reserved to Full Council.
7. To consider grievances, submitted by Chief Officers, at stage 2 of the Council's grievance policy in circumstances where, in the opinion of the Monitoring Officer/Director of Legal and Governance, following consultation with the Head of Legal Services Services and Head of Human Resources, it would be prejudicial to the fair consideration of the grievance for it to be considered by an Executive Director or the Chief Executive.

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

Comprising of up to 4 members of the Chief Officer Appointments Committee selected by Democratic Services on a post by post basis. The selection will be politically balanced where reasonably practicable.

The Chair to be appointed at the joint meeting.

Terms of Reference:

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

CONSTITUTION AND MEMBERS' DEVELOPMENT COMMITTEE (9)

5 LAB: 1 CON: 3 MICA

Chair of Council

Vice-Chair of Council

Deputy Mayor

Chair of Overview and Scrutiny Board

Membership/Restrictions: Nil

Chair: Chair of Council: 2 nominations Councillor Rostron and Saunders

Vice-Chair: Vice-Chair of Council: 2 nominations Councillor Saunders J Walker

Deputy Mayor Councillor P Storey

Chair of Overview and Scrutiny Board Councillor

Members: Councillors: Blades, Hubbard, Hurst, Kabuye, N Walker and Wilson

Terms of Reference:

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

CORPORATE AFFAIRS AND AUDIT COMMITTEE (7)

4 LAB: 2 MICA: 1 CON

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

Membership/Restrictions: No Executive Members

Chair: 1 nomination: Councillor Ewan

Vice-Chair: 1 nomination: Councillor Kabuye

Members: Councillors Coupe, Gavigan, High, Hubbard and S Platt

Terms of Reference:

To have delegated powers to:

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

Executive.

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

Ombudsman investigations.

10. Reporting

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

CORPORATE HEALTH AND SAFETY STEERING GROUP (10)

5 LAB: 1 CON: 3 MICA: 1 SPARE PLUS 1 SPARE GIVEN UP BY CON – TAKEN BY LIB DEM

1 SEAT: Deputy Mayor

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

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

Chair: 2 nominations: Councillor Branson and McCabe

Vice-Chair: Staff Side

Members: Councillors Blades, Cooper, High, Lewis, McConnell, McClintock and N Walker

Purpose

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

Terms of Reference

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

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

5 LAB: 1 CON: 3 MICA 1 SPARE GIVEN UP BY MICA 1 SPARE GIVEN UP BY CON – 1 MICA SPARE TAKEN UP BY LIB DEM

Deputy Mayor
Chair of Overview and Scrutiny Board

Membership/Restrictions: Nil

Chair: The Mayor: C Cooke

Vice-Chair: Councillor

Members: Councillors Jackson, Kabuye, Livingstone, Nugent, Uddin, J Walker, Wilson

Ex-Officio Members: Deputy Mayor and Chair of OSB

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

Terms of Reference - Corporate Parenting Board

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

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

LICENSING COMMITTEE (14)

8 LAB: 1 CON: 4 MICA: 1 LIB DEM 1 SPARE GIVEN UP BY LABOUR – TAKEN UP BY LIB DEM

Membership/Restrictions:_ No members of Planning and Development Committee

Chair: 2 nominations: Councillor Hill and Lewis

Vice-Chair: 1 nomination: Councillor Dean

Members: Councillors J Cooke, Cooper, Jones, Kabuye, Livingstone, Mason, Romaine, Saunders, Thompson and J Walker

Terms of Reference:

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

**OVERVIEW AND SCRUTINY BOARD (13)
SCRUTINY PANEL CHAIRS OF 5 SCRUTINY PANELS WITH VOTING RIGHTS**

4 LAB; 1 CON; 2 MICA: 1 SPARE – TAKEN UP BY LIB DEM - PLUS 4 Co-opted Members with voting rights * PLUS up to 2 Added Members without voting rights

Membership/Restrictions:	Cannot include members of the Executive
Chair:	2 nominations: Councillor Davison and Councillor M Storey
Vice-Chair:	2 nominations: Councillor Davison and Kabuye
Politically Balanced Members:	Councillors Dean, Ewan, McClintock, J Platt, Smiles
Chair of Scrutiny Panel Ex Officio Voting Members:	5 Chairs of Scrutiny Panels Councillors TBC
Co-opted Members:	Parent Governor x 2 * Church of England * Roman Catholic Church*
Added Members:	Up to a maximum of 2 non-voting, non-elected Members whose term of office will be for the duration of any particular scrutiny investigation

Terms of Reference:

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

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

- (e) To scrutinise statutory plans of the Council.
- (f) To invite attendance by appropriate individuals to advise (as an 'expert witness') the Board in exercising its role. Such individuals will have expertise in the area subject to scrutiny; e.g. they may be a service user or a professional in the relevant discipline.
- (g) To question members of the executive relating to the scrutiny of executive decisions and recommendations and the performance of Council services.
- (h) To question chief officers, or any other officer after consultation with the chief officer, relating to the scrutiny of service performance and reports on which executive decisions are based.
- (i) To make recommendations to the Council on issues arising from scrutiny of executive decisions, recommendations and performance including for example recommendations that an area of Council policy should be reviewed. Such recommendations must be contained in a report which the executive will see, and have the opportunity to comment on, in draft form before it is finalised and submitted to Council.
- (j) To monitor compliance with audit, external inspectorate reports following their consideration and adoption by the Executive and Council.
- (k) To scrutinise and monitor matters relating to Council budgets, audit and resources issues.
- (l) To refer any significant internal control issues to the Corporate Affairs and Audit Committee.
- (m) To review or scrutinise the decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions, and
- (n) To make reports or recommendations to the local authority with respect to the discharge of those functions.
- (o) To consider Councillor Calls for Action.

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

ADULT SOCIAL CARE AND SERVICES SCRUTINY PANEL (9)

5 LAB: 1 CON: 3 MICA PLUS up to 2 Added Members without voting rights

Membership/Restrictions: Cannot include members of the Executive

Chair: 2 nominations: Councillor Mason and Councillor J Walker

Vice-Chair: 1 nomination: Councillor Mason

Members: Councillors J Cooke, Grainge, High, McConnell, Nugent, Tranter and Wilson

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

Terms of Reference:

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

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

CHILDREN AND YOUNG PEOPLE'S SCRUTINY PANEL (9)

5 LAB: 1 CON: 3 MICA: PLUS up to 2 Added Members without voting rights

Membership/Restrictions: Cannot include members of the Executive

Chair: 2 nominations: Councillor Clynych and Councillor Hill

Vice-Chair: 1 nomination: Councillor S Platt

Members: Councillors Davison, Hurst, Kabuye, J Nicholson, Nugent and J Walker

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

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

Terms of Reference:

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

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

ENVIRONMENT SCRUTINY PANEL (9)

5 LAB: 1 CON: 3 MICA PLUS up to 2 Added Members without voting rights

Membership/Restrictions:	Cannot include members of the Executive
Chair:	2 nominations: Councillor Grainge and Councillor Ryles
Vice-Chair:	1 nomination: Councillor Morrish
Members:	Councillors Banks, Ewan, Lewis, Mason, Nugent and S Platt
Added Members:	Up to a maximum of 2 non-voting, non-elected members whose term of office will be for the duration of any particular scrutiny investigation

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

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

HEALTH SCRUTINY PANEL (9)

5 LAB: 1 CON: 3 MICA PLUS up to 2 Added Members without voting rights

Membership/Restrictions:	Cannot include members of the Executive
Chair:	3 nominations: Councillor Banks, Coupe and Jones
Vice Chair:	3 nominations: Councillor Coupe, Jones and M Storey
Members:	Councillors Cooper, Gavigan, Jackson, Kabuye and Rostron
Added Members:	Up to a maximum of 2 non-voting, non-elected members whose term of office will be for the duration of any particular scrutiny investigation

Terms of Reference:

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

REGENERATION SCRUTINY PANEL (9)

5 LAB: 1 CON: 3 MICA: PLUS up to 2 Added Members without voting rights

Membership/Restrictions:	Cannot include members of the Executive
Chair:	2 nominations: Councillor Blades and Hill
Vice-Chair:	1 nomination: Councillor Hurst
Members:	Councillors Ewan, Hussain, Jackson, Kabuye, Morrish and Ryles

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

Terms of Reference:

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

- (a) Decisions made or actions taken in connection with the discharge of any of the Council's functions.
- (b) Existing and proposed policies and strategies, including those of the Council and those produced at a national level.

- (c) Service provision.
- (d) Performance information.
- (e) Any matters relating to regeneration which affect the area or its inhabitants, including services provided by external organisations or bodies.

LOCAL PLAN WORKING GROUP (8)

Mayor (Chris Cooke)
 Executive Member for Regeneration (Councillor Theo Furness)
 Executive Member for Environment (Councillor David Branson)
 Executive Member for Finance and Governance (Councillor Nicky Walker)
 Chair of Planning and Development Committee
 Vice-Chair of Planning and Development Committee

Membership/Restrictions: Working Group
 Need not be politically balanced

The Mayor: C Cooke

Chair: Councillor

Members: Councillors Coupe

Terms of Reference:

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

PLANNING AND DEVELOPMENT COMMITTEE (10)

5 LAB: 1 CON: 3 MICA: 1 SPARE – TAKEN UP BY LIB DEM

Membership/Restrictions: No members of Licensing Committee

Chair: 2 nominations: Councillor J Platt and J Rostron

Vice-Chair: 1 nomination: Councillor J Platt

Members: Councillors Blades, Coupe, Ewan, McClintock, Morrish, Nugent, Ryles and Wilson

Terms of Reference:

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

STAFF APPEALS COMMITTEE (9)

5 LAB: 1 CON: 3 MICA 1 SPARE GIVEN UP BY CON – TAKEN UP BY LIB DEM

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

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

Chair: 2 nominations: Councillor Dean and McCabe

Vice-Chair: 1 nomination: Councillor McCabe

Members: Councillors J Cooke, Hill, Jackson, Lewis, Livingstone, Romaine and J Thompson

Terms of Reference:

To have delegated powers to hear relevant staff appeals.

STANDARDS COMMITTEE (9)

5 LAB: 1 CON: 3 MICA: Plus, if required, 2 Parish Council representatives (1 Nunthorpe Parish Council and 1 Stainton and Thornton Parish Council)

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

Chair: 3 nominations: Councillor Davison, Kabuye and Smiles

Vice Chair: 2 nominations: Councillor Davison and Smiles

Members: Councillors Dean, Ewan, McCabe, McConnell. M Storey and Thompson

Terms of Reference - Standards Committee

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

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

- the approval by the Council of local codes of conduct for Members and officers, codes of practice, standing orders and protocols, taking account of national models and guidance or case tribunals.
- the implementation of local codes of conduct etc, and the dissemination throughout the Authority of information and guidance on their operation.

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

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

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

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

TEESSIDE PENSION FUND COMMITTEE (9)

5 LAB: 1 CON: 3 MICA: 1 SPARE GIVEN UP BY MICA – TAKEN UP BY LIB DEM

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

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

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

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

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

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

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

terms.

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

Chair: 2 nominations: Councillor Coupe and Rostron

Vice-Chair: 1 nomination: Councillor Coupe

Members: Councillors Branson, Ewan, Furness, Hill, Kabuye, Livingstone

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

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

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

WORKS COUNCIL (10)

Deputy Mayor will Chair the meeting plus 5 LAB: 1 CON: 3 MICA: 1 SPARE PLUS 1 SPARE GIVEN UP BY CON

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

Chair: (Deputy Mayor) Councillor P Storey

Vice-Chair: Staff Side

Members: Councillors Blades, High, Hubbard, McConnell, Saunders, Thompson and N Walker

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

Terms of Reference:

1. To be an advisory body to the Council.
1. To establish regular consultation between elected members of the Council and the recognised trades unions on issues affecting the Council at a strategic level. As this is not a negotiating body, the rights of the trades unions to negotiate issues through the proper negotiating process are preserved.
3. To present resolutions for the Executive's consideration.

4. To discharge any functions specifically assigned to the Works Council.
2. To review annually the operation and performance of the Works Council, including setting and evaluating performance indicators

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MIDDLESBROUGH COUNCIL	
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Report of:	Executive Member for Finance and Governance and Director of Legal and Governance Services
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Submitted to:	Council
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Date:	24 May 2023
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Title:	Appointments by the Council and Executive to Joint Committees and Outside Bodies - 2023 – 2024
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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>The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) provide for the discharge of the Council's functions through executive arrangements.</p> <p>The appendices to the report set out details of the Joint Committees and Outside Bodies to which Middlesbrough Council may make nominations or appointments.</p>	

Purpose

1. To consider the appointment of representatives to Joint Committees and Outside Bodies for the Municipal Year of 2023/2024, or until amended by Council/Executive (whichever is the latter).

Background and relevant information

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

Appendix A – Council nominations
Appendix B – Council/Executive nominations (Nominations within Appendix B are local choice matters which are nominated on a shared basis between Council and Executive).
 - (ii) Appendix C - representation approved by the Executive via delegation to the Deputy Mayor as outlined in the Mayor's Executive Scheme of Delegation:

Deputy Mayor – Delegated Authority

The Deputy Mayor has delegated powers:

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

What decision(s) are being recommended?

7.
 - (i) That, subject to amendments to places indicated in the attached schedules, Council approves the appointments which are the responsibility of the Council.
 - (ii) That Council notes the nomination of representatives/vacancies detailed in Appendix B – Council/Executive appointments and Appendix C – Executive appointments.
 - (iii) That the bodies identified in the schedules submitted be regarded as approved duties for the payment of travel and subsistence allowance.

- (iv) That subject to consultation with the Deputy Mayor (for Executive appointments), the Group Leader (where a vacancy rests specifically with that political group), or the Chair of Council (for all other nominations/appointments), the Monitoring Officer be authorised to remove or replace representatives on outside bodies.
- (v) That a report on any outstanding Outside Body vacancies be submitted to the Council meeting on 5 July 2023.

Rationale for the recommended decision(s)

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

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

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

Impact(s) of the recommended decision(s)

Legal

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

Strategic priorities and risks

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

Failure to adhere to Local Code of Corporate Governance and deliver governance improvements outlined in the Annual Governance Statement. The Council can be kept up to date on any significant developments that may affect the town or the authority by the representative on the Outside Body.

Human Rights, Equality and Data Protection

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

Financial

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

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

Action	Responsible Officer	Deadline
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Inform the Outside Bodies which Councillors have been selected to sit on the various Outside Bodies.	Democratic Services Officers	
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Appendices

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

Background papers

Body	Report title	Date

Contact: Charlotte Benjamin

Email: charlotte_benjamin@middlesbrough.gov.uk

MIDDLESBROUGH COUNCIL

JOINT COMMITTEES AND OUTSIDE BODY APPOINTMENTS BY COUNCIL 2023/2024

JOINT COMMITTEES – COUNCIL APPOINTMENTS 2023/2024

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

JOINT COMMITTEES – COUNCIL APPOINTMENTS 2023/2024

Name of Organisation	Purpose of Body	Appointed	Term of Office
Tees Valley Combined Authority – Overview and Scrutiny Committee	The work programme of the Scrutiny Committee is intended to encompass upstream work reviewing the most important strategic decisions and the direction of the TVCA, and ensuring that any decisions which are made by the TVCA are in line with its agreed policies.	3 representatives: 2 LAB; Cllr Blades and M Storey 1 MICA Cllr McCabe Substitute Members Councillor Ewan Councillor J Walker Councillor Wilson	Annually
Tees Valley Combined Authority – Audit and Governance Committee	The Audit and Governance Committee is a key component of the TVCA's corporate governance arrangements and is an important source of assurance about the organisation's arrangements for managing risk, maintaining an effective control environment; reporting on financial and other performance; and for the promotion and maintenance of high standards of conduct by its Members.	1 LAB Councillor N Walker 1 LAB Substitute Councillor J Ewan	Annually
Tees Valley Combined Authority - Transport Committee	To agree any transport related business plans as the TVCA may delegate to the TVTC. To agree national representation (including substitutes) on transport Boards and influencing groups where a Tees Valley representative is required. To delegate any appropriate transport functions by unanimous vote to Constituent Authorities.	Executive Member for Regeneration - Councillor Furness Plus 1 named Substitute Cllr	Annually
Tees Valley Combined Authority – Independent Remuneration Panel	One Member with current or recent experience of the Independent Remuneration Panel (this can be an Elected Member or an Independent Member). Members may not be a Member or Substitute Member of the Combined Authority's Cabinet or its Sub Committees	Jim Whiston	Annually
Tees Valley Combined Authority – Education, Employment and Skills Partnership Board	To have responsibility for agreeing all Tees Valley education, employment and skills policy, provisioning and partnership activities for the Combined Authority, including allocating key resources to achieve goals.	Deputy Mayor and Executive Member for Education and Culture Councillor P Storey	Annually

JOINT COMMITTEES – COUNCIL APPOINTMENTS 2023/2024

Name of Organisation	Purpose of Body	Appointed	Term of Office
Chemoxy	Informal meeting which discusses matters of mutual interest between the community, regulators, the Council and the Company.	6 representatives: Councillors (Central Newport and North Ormesby)	Annually
Cleveland Combined Fire Authority	To determine policy and strategy relating to the objectives of the Authority and its priorities. Each authority appoints in accordance with own political balance.	4 representatives: 2 LAB: Cllr Kabuye and J Thompson 1 MICA: Cllr McCabe 1 Spare Cllr Coupe	4 year term.
Cleveland Police and Crime Panel	The Panel will have the following powers and responsibilities to: Review the draft Police and Crime Plan; Publicly scrutinise the PCC's Annual Report; Review and scrutinise decisions and actions of the PCC; Review and veto the PCC's proposed precept levels.	3 representatives: Politically Balanced Elected Mayor plus 1 LAB: Cllr J Thompson 1 MICA; Cllr J Platt	Annually
Federation of British Cremation Authorities Executive Committee	Trade Association which offers protection to all its members.	1 representative: Bereavement Services Manager	Annually
Hartlepool Power Station Local Liaison Committee	To act as an advisory and consultative committee on matters relating to the operation of the power station and to liaise with national and local organisations and members of the general community.	4 representatives: Councillors Kabuye, Romaine 2 vacancies	Annually
Levick Trust	The main task of the Trust is to allocate the tenancies of the bungalows to people who meet the qualifying criteria.	3 representatives: Cllr Clynch and Ewan Councillors, P Storey , (Term ends 2024)	Four year term

JOINT COMMITTEES – COUNCIL APPOINTMENTS 2023/2024

Name of Organisation	Purpose of Body	Appointed	Term of Office
Middlesbrough-Oberhausen Town Twinning	<p>To promote and foster friendship and understanding between the people of Middlesbrough District and those of Oberhausen District, Germany.</p> <p>To encourage visits by individuals and groups to and from the linked towns, and the development of personal contacts, and by so doing to broaden the mutual understanding of the cultural, recreational, educational and commercial activities of the linked towns.</p> <p>To organise fund-raising activities to foster the aims of the Association.</p>	<p>3 representatives: 6 nominations: C Cooke Councillors Kabuye and J Walker Cllr Hill, Morrish and Cooper</p>	Annually
<p>North East Regional Employers' Organisation (NEREO)</p> <p>NEREO Executive</p>	Brings all regional employers together with trade unions to discuss annual pay rise and other work related issues. It also hears re-grading appeals and disputes and provides training. It facilitates special groups meeting and provides a link with national employers.	<p>3 representatives: Executive Member for Finance and Governance (Portfolio Holder) Councillor N Walker, Cllr Kabuye</p> <p>1 representative: Councillor N Walker</p>	Annually
North East Regional Joint Health Scrutiny Committee	The Committee will undertake joint scrutiny of NHS bodies, relevant health service providers and commissioners in matters that affect the whole of the North East region.	<p>1 representative: Councillor M Storey</p>	Annually
Northumbria Regional Flood Defence Committee (will also be required to sit on The Tees Valley Flood Risk Partnership)	To discharge all of the Environment Agency's regional flood defence functions, as laid down in S106 of the Water Resources Act 1991, except the raising of drainage charges, issuing of levies and the borrowing of money and to report annually to the Agency on its activities.	<p>1 representative: Councillor D Branson</p>	Shared on a 4 year rotation with Stockton Council

JOINT COMMITTEES – COUNCIL APPOINTMENTS 2023/2024

Name of Organisation	Purpose of Body	Appointed	Term of Office
Tees Heritage Trust Ltd (was Cleveland Building Preservation Trust)	To preserve buildings of particular beauty or historical architectural or constructional interest within the Tees Valley area.	1 representative: Cllr M Storey	Annually
Teesside International Airport Consultative Committee	To advise the Managing Director of Teesside International Airport on any matter he may refer to them.	1 representative: 2 nominations Cllr Furness and Cllr S Platt	Annually
Tees Valley Community Foundation – Patron of Trustees	The promotion of any charitable purposes for the benefit of the community in the Tees Valley and its immediate neighbourhood and in particular the advancement of education the protection of good health both mental and physical and the relief of poverty and sickness.	1 representative: Chair of the Council Cllr J Rostron	Annually
Tees Valley Community Foundation – The Endowment Funds Advisory Board	The promotion of any charitable purposes for the benefit of the community in the Tees Valley and its immediate neighbourhood and in particular the advancement of education the protection of good health both mental and physical and the relief of poverty and sickness.	1 representative: Councillor Ewan	Annually

MIDDLESBROUGH COUNCIL

**OUTSIDE BODY APPOINTMENTS BY
THE COUNCIL / EXECUTIVE
2023/2024**

Outside Bodies – Council / Executive Appointments 2023/2024

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

Outside Bodies – Council / Executive Appointments 2023/2024

Name of Organisation	Purpose of Body	Appointed By	Term of Office
Middlesbrough Environment City Trust Limited	<p>(a) To advance the education of the public and promote public involvement in all matters concerning environmental sustainability.</p> <p>(b) To preserve, protect and enhance the environment within Middlesbrough.</p>	<p>3 representatives: Politically Balanced 2 LAB: 1 MICA Cllr Grainge</p> <p>Councillors Executive Member for Environment: Cllr Branson Cllr J Rostron</p> <p>Plus one officer to be determined by the Executive Director of Regeneration and Culture</p>	Annually
Middlesbrough Development Corporation Board	Middlesbrough Development Corporation (the “Corporation”) is the Mayoral Development Corporation responsible for the agreed development and regeneration functions limited to a specified area of land at Middlesbrough	<p>(1) (E)The Elected Mayor – C Cooke</p> <p>(1) (C) Deputy Mayor and Executive Member for Education and Culture</p>	
Middlesbrough Voluntary Development Agency	<p>Charitable Trust - To promote any charitable purposes for the benefit of the community in the local government area of Middlesbrough and its neighbourhood and, in particular, the advancement of education, the protection of health and the relief of poverty, distress and sickness.</p> <p>To promote and organise co-operation in the achievement of the above purposes and to that end bring together in council representatives of the voluntary organisations and statutory authorities within the area.</p>	<p>2 representatives:</p> <p>(1)(E) Chris Cooke</p> <p>(1) (C)</p>	Annually
Standing Advisory Council on Religious Education (SACRE)	To advise the local education authority on such matters connected with religious worship in county schools and the religious education to be given in accordance with the agreed syllabus.	<p>2 representatives</p> <p>(1)(C) Cllr Grainge</p> <p>(E) Cllr J Nicholson</p>	Annually

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MIDDLESBROUGH COUNCIL

JOINT COMMITTEE AND OUTSIDE BODY APPOINTMENTS BY EXECUTIVE 2023/2024

Outside Bodies – Executive Appointments 2023/2024

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

Outside Bodies – Executive Appointments 2023/2024

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

Outside Bodies – Executive Appointments 2023/2024

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

Outside Bodies – Executive Appointments 2023/2024

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

Outside Bodies – Executive Appointments 2023/2024

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

MIDDLESBROUGH COUNCIL

Report of:	Executive Member for Finance and Governance and Director of Legal and Governance Services
Submitted to:	Council
Date:	24 May 2023
Title:	Council Diary – 2023/2024
Report for:	Decision
Status:	Public
Strategic priority:	All
Key decision:	No
Why:	Not applicable
Urgent:	No
Why:	Not applicable

Executive summary

In order to prepare a diary of meetings for the Municipal Year 2023/2024, Council is requested to approve the attached draft programme for Council, Executive and other committee meetings.

The dates are tentative at this stage and may change depending upon the meetings being re-established in the new municipal year and to the requirements of individual chairs appointed at the annual meeting.

Purpose

1. To seek approval of the draft programme of Council committee meeting dates for the Municipal Year 2023/2024 as outlined in the attached Appendix A and to approve the dates and times of Council meetings.

Background and relevant information

2. The Constitution requires that Council approve the diary of meetings for the Municipal Year 2023/2024.
3. The dates are tentative and may be subject to change, depending on the appointment and availability of individual Chairs

What decision(s) are being recommended?

That the Council:

- Approves the timetable of meetings for the Municipal Year 2023/2024, as detailed in the Appendix attached.
- That, with the exception of the following, the dates for ordinary meetings of the Council be designated as meetings at which questions will be taken from members of the public:
 - Budget/Council Tax Setting Meeting – Wednesday, 28 February 2024 and Friday 8 March 2024.
 - Wednesday 22 May 2024 (Annual Meeting)

Rationale for the recommended decision(s)

4. Council is required to approve the diary of meetings for the Municipal Year 2023/2024. The Section 151 Officer and Finance Services were consulted with regard to the proposed meeting dates for the consideration of the Budget and Council Tax Setting Meeting.

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

5. Do Nothing. If this option was selected no Council decisions would be able to be taken if there were no meetings scheduled.

Impact(s) of the recommended decision(s)

Legal

6. The dates of the meetings for the approval of the budget have been scheduled to enable the budget to be agreed by 11 March 2024, in accordance with statutory requirements.

Strategic priorities and risks

7. Failure to adhere to Local Code of Corporate Governance and deliver governance improvements outlined in the Annual Governance Statement. By setting the diary of meetings for the year then Council is ensuring that the good governance is in place and meetings take place in line with the Council's constitution so this would have a positive impact on this risk.

If the Council doesn't respond effectively and efficiently to legislative changes it could be in breach of statutory duties in relation to service delivery and fail to make the most of opportunities. The Council are obliged to hold meetings which members of the public being able to provide questions. By setting a diary of meetings this allows this to happen and has a positive impact on the Council fulfilling its statutory duties.

Human Rights, Equality and Data Protection

8. Not applicable

Financial

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

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

Action	Responsible Officer	Deadline
Schedule the meetings	Democratic Services Officers	31 May 2023

Appendices

1	Copy of the Schedule of Meetings
2	
3	

Background papers

Body	Report title	Date

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

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**MIDDLESBROUGH COUNCIL
COUNCIL AND COMMITTEE MEETINGS 2023/2024**

Committee	Time	Day	May 2023	June 2023	July 2023	Aug 2023	Sept 2023	Oct 2023	Nov 2023	Dec 2023	Jan 2024	Feb 2024	Mar 2024	Apr 2024	May 2024
Council	7.00 p.m. (unless indicated otherwise)	WEDS (unless indicated otherwise)	24(#1)		5*		6*	18*	29*		17*	28 #2	Extra Budget Mtg 8(#2) FRI 27*		22(#1)
Executive	1.00 p.m.	TUES		20	18	15	5	3	14	19	16	13	12	9	
Overview and Scrutiny Board	10.00 a.m.	WED		28	26		20	18	15	20	10	7	6	3	1
Licensing Committee	1.00 p.m.	MON		26	24		4, 25	16	6, 27	18	8, 29	26	18	15	13
Planning & Development Committee	1.30 p.m.	FRI		16	21		8	6	10	15	19	16	15	12	
Corporate Affairs and Audit Committee	3.30 p.m.	THURS		8	20			5		14		1	14		
Constitution and Members Development Committee	3.00 p.m.	FRI		9			1			8			1		
Staff Appeals Committee	10.00 a.m.	TUES		27	25		26	31	21	12	23	27	26	16	14
Teesside Pension Fund Committee	11.00 a.m.	WEDS		28	26		27			13			13		
Teesside Pension Board	2.00 p.m.	MON			17				13			19		8	
Works Council	11.30 a.m.	THUR			6			5			11			4	
Corporate Health & Safety Steering Group	9.30 a.m.	TBA	18			10			2			1			2
Standards Committee	10.00 a.m.	MON			3			18			22			15	
Joint Archives Committee	3.00pm	WED						19					1		

NOTES:

- * Council meetings at which questions may be taken from members of the public.
- (#1) Annual Meeting.
- (#2) Budget/Council Tax Setting Meeting

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MIDDLESBROUGH COUNCIL	
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Report of:	Chief Executive
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Submitted to:	Council
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Date:	24 May 2023
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Title:	Designation of Section 151 Officer role
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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:	Not applicable
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Why:	Not applicable
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Urgent:	Not applicable
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Why:	
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Executive summary
<p>Approval was given by council on 22nd March 2023 for the temporary re-designation of the section 151 officer role to the Head of Financial Planning and Support pending an appointment by the Chief Executive.</p> <p>An appointment has now been made (Debbie Middleton Interim Director of Finance) and therefore council are asked to consider the re-designation of the section 151 officer role back to the Director of Finance post.</p>

Purpose

1. To designate the section 151 officer role to the Director of Finance.

Background and relevant information

2. On 23rd February Chief Officer Appointments Committee were asked to recommend to council the redesignation of the section 151 officer role to the Head of Financial Planning and Support on a temporary basis following pending recruitment to the post.
3. The Chair of Chief Officer Appointments Committee presented a report to council on the 22nd March 2023 recommending the re-designation on a temporary basis, and this was approved.
4. The Chief Executive has now appointed an Interim Director of Finance. Terms of reference for Chief Officer Appointments Committee delegate authority to the Head of Paid Service to make interim appointments of Directors up to six months and the interim appointment was made by the Chief Executive pursuant to that delegation.
5. The Director of Finance post would ordinarily carry the section 151 officer role. The intention of the previous arrangement was to ensure the council was not left in a position of not having a section 151 officer role as required by law.

What decision(s) are being recommended?

That the Council:

- Designate the section 151 officer role to the Director of Finance.

Rationale for the recommended decision(s)

6. The section 151 officer role would ordinarily be allocated to the Director of Finance role and temporary arrangements had been put in place to cover the period between the previous Director leaving (Helen Seechurn) and a new appointment being made (Debbie Middleton).

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

7. Council could choose to leave the temporary arrangements in place however this places additional pressure on the Head of Financial Planning and Support and would leave the Director of Finance without statutory powers.

Impact(s) of the recommended decision(s)

Legal

8. The council is required by law to have a section 151 officer in place.

Strategic priorities and risks

9. Risk of not meeting the multiple challenges the council faces, making the required improvements around governance improvement and children's services savings required.

Human Rights, Equality and Data Protection

10. No protected groups are affected by the decision.

Financial

11. There are no financial implications because of this decision.

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

Action	Responsible Officer	Deadline
Confirm to Director of Finance	Clive Heaphy Chief Executive	On approval

Appendices

Not applicable

Background papers

Body	Report title	Date
Council	Appointment of Chief Executive and arrangements for appointment of an interim section 151 officer	22 March 2023

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