

**COUNCIL**

A meeting of the Council was held on Wednesday 25 October 2023.

**PRESENT:** Councillors J Rostron (Chair), Councillors J Banks, I Blades, D Branson, E Clynch, C Cooke - Elected Mayor, C Cooper, D Coupe, D Davison, S Dean, J Ewan, T Furness, P Gavigan, S Hill, B Hubbard, L Hurst, N Hussain, D Jackson, J Kabuye, L Lewis, T Livingstone, L Mason, D McCabe, M McClintock, J McConnell, J McTigue, I Morrish, J Nicholson, M Nugent, J Platt, S Platt, A Romaine, M Saunders, M Smiles, M Storey, P Storey, J Thompson, S Tranter, N Walker, G Wilson and J Young

**OFFICERS:** C Benjamin, S Bonner, M Brown, B Carr, K Dargue, G Field, C Heaphy, R Horniman, S Lightwing, M Nath, A Perriman and J Weston

**APOLOGIES FOR ABSENCE:** Councillors J Walker (Vice-Chair), J Cooke, TA Grainge, D Jones, J Ryles and Z Uddin

23/46 **DECLARATIONS OF INTEREST**

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

23/47 **MINUTES - COUNCIL -18 SEPTEMBER 2023**

The minutes of the Council meeting held on 18 September 2023 were submitted and approved as a correct record.

23/48 **ANNOUNCEMENTS/COMMUNICATIONS**

The Chair reminded members, that when raising a Point of Order, they must specify which law or Council Procedure Rule had been broken and why.

23/49 **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.

23/50 **TEES VALLEY COMBINED AUTHORITY (TVCA) - UPDATE**

The Mayor stated that he would break the Tees Valley Combined Authority update down into three parts:

**Tees Valley Combined Authority Cabinet Meetings**

The Mayor advised that no major decisions had been made in relation to recent meetings of the TVCA Cabinet.

**Middlesbrough Development Corporation**

A decision had been made not to hold any meetings of the Middlesbrough Development Corporation, until the conclusion of the Tees Works inquiry. Once the Inquiry was concluded, planning and decision-making meetings would commence.

**Inward Investment Portfolio**

The Mayor advised that he had been allocated the Inward Investment Portfolio. One of the tasks that he had set officers of the TVCA was to ensure that the right investment was in the right place, by trying to identify the strengths of the industries that already existed in local areas to make sure that when new businesses were attracted to the area, that they were in the right place, with the right workforce and with the appropriate education strategies in place.

The Mayor advised that further updates would be provided in due course.

The Chair requested that Members note the report.

**ORDERED** that the Tees Valley Combined Authority update from the Mayor be noted.

23/51

### **MAYOR'S STATEMENT AND REPORT**

The Mayor stated that the Council was facing challenging times and it had inherited a difficult reserves position. The Council was currently working incredibly hard to make sure that this year's budget fell within the spending limit. The aim was to produce a plan not just for next year but for the consecutive three years. The plans were all starting to take shape.

The Mayor advised that there had been a need to delay some of the budgetary consultation periods. The plan was to wait until after the Autumn Statement which would provide a clearer indication of what the Council's spending allocation could look like. The Mayor stated that working on the budget had taken up a considerable amount of his and the Executive's time, including members briefings and the challenge regarding what was being spent on each portfolio.

The Mayor advised that he wished to highlight the recent SEND inspection. The results of the inspection were currently embargoed. He stated that he would like to thank the Director of Education and Partnerships and his team for their excellent work in relation to the inspection. The Mayor advised that he would send the outcome of the SEND inspection to all members once it was available. A special event would be held, where members could attend and meet the staff involved in the inspection, to thank them for their hard work.

The Mayor stated that he would like to thank those members involved in the Ward walk arounds. He encouraged any members who wished to hold a Ward walk around to contact him and he would be happy to attend.

The Chair requested members to note the statement.

**ORDERED** that the Mayor's statement be noted.

23/52

### **EXECUTIVE MEMBER REPORTS**

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

Councillor McCabe advised that he wished to withdraw his question on the Mayor's Executive report.

*Question in relation to the report of the Deputy Mayor and Executive Member for Education and Culture*

#### **Councillor M Storey in relation to Culture.**

The Deputy Mayor and Executive Member for Education and Culture advised that more big events were planned for the town. The Council wanted to ensure that Middlesbrough remained at the heart of culture in the Tees Valley.

*Question in relation to the report of the Executive Member for Community Safety*

#### **Councillor Livingstone in relation to Community Safety.**

The Executive Member for Community Safety advised that she was aware of the issues with parking around and in the town centre, particularly on the Linthorpe cycle lane. The Executive Member advised that she had been sent photographic evidence of illegal parking and this had been passed on to the Enforcement Team. This issue had also been reported by a number of businesses in the area, The wardens were conducting regular patrols in the area and would continue to do so to try and address the problems. The Executive Member advised that given the issues currently being experienced in terms of illegal parking, that she agreed with the

councillor's views with regard to the removal of the cycle lanes.

**Councillor Kabuye in relation to requests undertaken by the Neighbourhood Safety Team for the month of September 2023.**

The Executive Member explained that the anti-social behaviour and crime figures came from a range of sources, including the police, fire authority, Thirteen and the local authority. These statistics were monitored through the Active Intelligence Mapping (AIM) meetings.

The data was used to investigate trends and patterns in crime and anti-social behaviour. Any trends were reported to the Community Safety Partnership. The Community Safety Partnership was a multi-agency forum, and they had a strategy to reduce crime and anti-social behaviour.

The town centre had been discussed at the last meeting of the Community Safety Partnership, and as a result, a multi-agency strategic Town Centre Group was being established to review the delivery plan. This approach had been used successfully, to reduce crime and anti-social behaviour in other 'hotspot' areas such as Hemlington and Berwick Hills. A strategic group was already operational in the Newport area, and they were addressing the recent spike in the data.

Since locality working had been introduced, there had been a significant reduction in crime and anti-social behaviour. Action plans would be produced and monitored and delivered by the multi-agency teams.

The Executive Member also announced that funding had been secured to employ an additional ten Street Wardens which would mean that there would be a presence on the estates as well as in the town centre, in addition to CCTV. The street lighting would also remain on.

**Councillor Hubbard in relation to Netherfields.**

The Executive Member advised that the Council was working with partners to respond to the issues around anti-social behaviour around 31 October. An update would be provided at the November Council meeting. In terms of fireworks being used inappropriately, the effects of fireworks could have an impact on the whole community, and consequently, the Executive Member urged members to report any illegal sales of fireworks to the Council so that they could take any appropriate action.

*Question in relation to the report of the Executive Member for Environment*

**Councillor Livingstone in relation to Area Care - Lack of resources.**

The Executive Member for Environment advised that lack of resources was an issue, particularly when the Council was facing budget pressures. He stated that it was imperative that resources were used wisely, to be imaginative and collaborative, to consult with and listen to external organisations. He advised that at the last Council meeting on 18 September he had invited councillors who had any ideas for transformation to meet with him. He stated that he had already had a useful meeting with Councillor McClintock, and this offer was open to all members. The Council was also keen to meet with third party organisations and businesses to look at their innovative skills to help the Council deliver a better service for residents.

The Executive Member stated that he had already had two meetings with third party organisations, and this would be pursued further. The Council was looking at transforming services in order to deliver a better service for residents. Council staff had also been consulted regarding their views on how services should be delivered. The aim was to deliver efficient services that provided value for money.

*Questions in relation to the report of the Executive Member for Regeneration*

**Councillor Dean in relation to Opening of Tollesby Shops.**

The Executive Member for Regeneration advised that the area had been blighted for a long time with anti-social behaviour. The building of the new shops, in addition to the other

commercial units that would be rented out by the Council and the twenty-four residential units above the shops, had resulted in an improvement to the area. It had also helped older people as they now had access to shops in the vicinity of their homes.

**Councillor McClintock in relation to Local Plan.**

In response to the question from Councillor McClintock, the Executive Member advised that a review of assets was underway because of the current financial position of the council.

The Council was starting to rethink what the authority did in the future. It was also good practice to review the assets that the Council owned. The review of assets was the reason why the consultation process on the Local Plan had been put back as some land might become available for development. The public consultation on the Local Plan would be conducted in January and February. The full Council would make a decision on the Local Plan.

The Executive Member highlighted that the Local Plan was one of the most important documents that the Council had in terms of the allocation of housing and this was the reason why it was considered to be a priority.

**Councillor Ewan in relation to Asset Review November 21<sup>st</sup>.**

The Executive Member advised that the Council needed to review what it did as a Council. It was good practice to review any assets that the Council had, particularly considering the current financial position. The Council would need to reprioritise how it worked in the future.

23/53

**REPORT OF THE OVERVIEW AND SCRUTINY BOARD**

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

A member queried with regard to scrutiny of the Mayor's priorities.

The Chair of Overview and Scrutiny Board advised that the Mayor had attended the Overview and Scrutiny Board and answered questions regarding the Middlesbrough Development Corporation, how it would operate and its future role. The Board had asked other difficult questions of the Mayor with regard to his portfolio.

The Mayor had delivered on his promise to keep the streetlights on, and other priorities would be delivered in due course.

The Chair of Overview and Scrutiny Board outlined the various topics that had been discussed at the meetings in respect of the portfolio of each Executive member that had attended. He advised that the Board was a cross party committee where members of all parties were provided with the opportunity to ask questions. However, if any member had concerns with regard to how scrutiny was operating, then they should contact him, as it was important that the scrutiny process was a success.

He stated that in his view, the current scrutiny process was collaborative and was working well.

The Chair invited members to note the report.

**ORDERED** that the report be noted.

23/54

**URGENT ITEMS**

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

23/55

**MEMBERS' QUESTION TIME**

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

23/56

**YOUTH JUSTICE PLAN**

Council received a report that sought approval of the Youth Justice Plan, in accordance with Regulation 4 of the 'Local Authorities (Functions and Responsibilities) (England) Regulations 2000'.

The Deputy Mayor and Executive Member for Education and Culture presented the report.

The report outlined that the Youth Justice Plan was a legally required strategic document as set down by Section 40 the Crime and Disorder Act 1998 and by National Standards for Youth Justice. Section 40 stated that it was the duty of each local authority, after consultation with partners, to formulate a youth justice plan which outlined how youth justice services in the area were to be provided and funded.

The plan provided an overview of the work of the Youth Justice Service over the previous year, including an overview of performance against the 3 main Youth Justice National Indicators:

- First Time Entrants
- Use of Custody
- Re-offending

The plan also outlined the priorities for South Tees Youth Justice Service (STYJS) in 2023/24, and how those priorities would be achieved.

In accordance with Regulation 4 of the 'Local Authorities (Functions and Responsibilities) (England) Regulations 2000', Youth Justice Plans, in England, were required to be signed off by the full Council.

Following a vote, it was **ORDERED** that the Youth Justice Plan 2023/24 be approved.

23/57

**NOTICE OF MOTIONS**

Consideration was given to Motion No. 162, moved by Councillor Hurst, and seconded by Councillor Smiles of which notice had been given in accordance with Council Procedure Rules No. 4.28 – 4.34 as follows:

“Credit Their Service” Motion

This motion seeks to amend locally administered means tested benefits regarding veterans by Middlesbrough Council where applications are made in respect of Discretionary Housing Payments and/or the Disabled Facilities Grant.

It is acknowledged that Middlesbrough Council does disregard Military Compensation and Supplementary Payments for some benefits.

This motion seeks to ensure that no member of the Armed Forces Community within Middlesbrough should have their military compensation taken into account to access the same welfare support as their civilian counterparts.

To ask the relevant executive member to amend relevant local policies to reflect this position and ensure that all payments made under military compensation schemes are disregarded.

Following discussions with the Head of Resident and Business Support, the financial implications of the proposal set out in this motion have very little financial impact to the Council.

This motion seeks to bring MBC in line with the “Credit Their Service” campaign by the RBL.

Councillor Hurst spoke in support of the motion.

The Executive Member for Finance and Governance advised members that the provisions requested within the motion would be budget neutral and consequently, the relevant local policies would be amended.

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

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

23/58 **NOTICE OF URGENT MOTIONS (IF ANY)**

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

23/59 **CORPORATE GOVERNANCE IMPROVEMENT PLAN UPDATE**

Council received a report from the Mayor and the Chief Executive with regard to the Corporate Governance Improvement Plan and Section 24 Action Plan progress report.

The Mayor presented the report. He advised of the following typographical errors in the table at Section 9 of the report:

- Balance Sheet Review - Original target date should be 30/09/2023 rather than 30/09/2024.
- Adopt and implement sensitivity analysis and scenario planning to inform required contingency and reserves, as part of budget development process - Original target date should be 30/09/2023 rather than 30/09/2024.

The Chair invited members to note the report.

**ORDERED** as follows:

That Council notes the progress made and the adjustments to the delivery plan dates set out at paragraph 9 of the report, in addition to the amended target dates highlighted at the meeting.

23/60 **REVIEW OF THE TERMS OF REFERENCE AND MEMBERSHIP OF THE LOCAL PLAN WORKING GROUP.**

Council received a report regarding the review of the Terms of Reference and membership of the Local Plan Working Group.

Under the provisions of the Planning and Compulsory Purchase Act 2004, the Council is required to prepare a statutory development plan for the borough that sets out the policies and land allocations to guide development in the area.

Following discussions with officers and the Mayor, it was decided to update the terms of reference of the working group as the current terms of reference were outdated and not fit for purpose. The proposed new terms of reference also included changes to the membership of the group.

The proposed new terms of reference and membership were attached at Appendix 1 to the report.

A number of members expressed concern that the Local Plan Working Group did not include representatives from all political parties. The Executive Member for Regeneration advised that individual members would be invited to attend the meetings, as and when appropriate.

The Chair requested the Monitoring Officer to conduct a vote on the new terms of reference and membership of the Local Plan Working Group.

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

That the new terms of reference and membership of the Local Plan Working Group, be approved.

23/61 **REPORT ON URGENT DECISIONS**

Council received a report containing details of decisions that had been taken under the urgency rules.

The Chair invited members to note the report.

**ORDERED** that the report be noted.

23/62 **APPOINTMENT OF INDEPENDENT PEOPLE (STANDARDS COMMITTEE)**

Council received a report from the Standards Committee which recommended the appointment of a further two Independent People to the Standards Committee for a period of 4 years.

Section 28 of the Localism Act 2011 and the Council's arrangements for dealing with Member Code of Conduct complaints require an Independent Persons view to be sought by the Monitoring Officer before making a decision on a Member Code of Conduct allegation.

The report on best practice published in January 2019 by the Committee on Standards in Public Life recommended that local authorities should have access to at least two Independent Persons. An Independent Person should be appointed for a term of no more than four years.

The Council had been operating with two Independent Persons; however, one had decided to move on from the role and in terms of good practice and local requirements further Independent Persons were required to provide resilience and continuity.

Following a recruitment exercise, involving a Panel consisting of the Chair of Standards Committee, Head of Legal Services (Places) and Head of Legal Services (People), the Panel decided to recommend David Wilson and Shada Mellor for appointment as Independent Persons to the Standards Committee.

The Chair invited the Monitoring Officer to conduct a vote on the appointment of the Independent Persons.

Following a vote, it was **ORDERED** that the appointment of Shada Mellor and David Wilson to serve as the Council's Independent Persons for a term of 4 years, be approved.

23/63 **VACANCIES ON COMMITTEES AND OUTSIDE BODIES**

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

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

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

**Overview and Scrutiny Board**

1 vacancy – (open to Independent councillor)

**Councillor J Young appointed.**

**Adult Social Care and Services Scrutiny Panel**

2 vacancies (Labour)

**No nominations.**

**Corporate Health and Safety Steering Group**

1 vacancy (open to all councillors)

**Councillor P Storey appointed.**

**Corporate Parenting Board**

1 vacancy – open to all Councillors

**Councillor Romaine appointed.**

**Licensing Committee**

1 vacancy (Labour)

**Councillor P Storey appointed.**

**Live Well Board**

1 vacancy (open to all councillors)

**No nominations.**

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**Outside Bodies Vacancies**

**Durham, Darlington, Teesside, Hambleton, Richmondshire and Whitby STP Joint Committee**

1 vacancy (Labour)

**Councillor Blades appointed.**

**Hartlepool Power Station Local Liaison Committee**

1 vacancy (open to all councillors)

**Councillor P Storey appointed.**

**Nunthorpe and Marton Playing Fields Association**

1 vacancy (usually open to Ward Councillors in Marton or Nunthorpe)

**Councillor Smiles appointed.**