

THE CHAIR AND ALL MEMBERS OF THE COUNCIL

Tuesday 14 May 2024

Dear Member

COUNCIL - WEDNESDAY 22ND MAY, 2024

You are hereby summoned to attend a meeting of the Council of the Borough of Middlesbrough to be held on **Wednesday 22nd May, 2024** at **7.00 pm** in the to transact the following business, namely:-

1. Election of the Chair of the Council for the Municipal Year 2024-2025
2. Election of the Vice-Chair of the Council for the Municipal Year 2024-2025
3. Apologies for Absence
4. Declarations of Interest
To receive any declarations of interest.
5. Minutes - Council - 27 March 2024 and 24 April 2024 3 – 12
6. Announcements/Communications
To receive and consider any communications from the Chair, Mayor, Executive Members or Chief Executive (if any).
7. Political Balance - Allocation of Places on Committees - 2024 – 2025 13 - 22
8. Executive Scheme of Delegation 23 – 44
9. Council Committees - Establishment - Terms of Reference - Allocation of Places - Memberships - 2024 – 2025 45 - 72
10. Appointments by the Council and Executive to Joint Committees and Outside Bodies - 2024 – 2025 73 - 94
11. The Mayor's Annual Address

Verbal Report

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| 12. | Members' Scheme of Allowances 2024-2025 | 95 – 112 |
| 13. | Statutory Officer Protocol | 113 – 132 |
| 14. | Council Diary 2024-2025 | 133 - 138 |



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 inspected between 9.00 am and 4.00 pm Monday to Friday at the Town Hall, Middlesbrough. Copies may also be downloaded from the Council's Website.

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

Should you have any queries in regard to the items on this agenda please contact Scott Bonner/Susan Lightwing, Democratic Services on (Direct Line 01642 729708/729712 or e-mail on: scott_bonner@middlesbrough.gov.uk; susan_lightwing@middlesbrough.gov.uk.

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

Website: www.middlesbrough.gov.uk

COUNCIL

A meeting of the Council was held on Wednesday 27 March 2024.

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

OFFICERS: S Bonner, S Lightwing, C Heaphy, C Benjamin, G Field, R Horniman, A Hoy and K Whitmore

APOLOGIES FOR ABSENCE: Councillors TA Grainge, B Hubbard, J McConnell, M Saunders and M Smiles

23/102 **DECLARATIONS OF INTEREST**

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

23/103 **MINUTES - COUNCIL - 17 JANUARY 2024**

The minutes of the Council meeting held on 17 January 2024 were submitted and approved as a correct record.

23/104 **MINUTES - COUNCIL - 8 MARCH 2024**

The minutes of the Council meeting held on 8 March 2024 were submitted and approved as a correct record.

In relation to Minute Number 23/101 - Local Government Boundary Commission 2023/24 (Phase Two Council Proposal), the Monitoring Officer referred to the intervention by Councillor Morrish at the meeting, highlighting that there were some factual inaccuracies in the submitted report. Post-meeting, the report was amended to correct those factual inaccuracies prior to submission to the Local Government Boundary Commission. A copy of the final submission would be circulated to all Councillors.

NOTED

23/105 **ANNOUNCEMENTS/COMMUNICATIONS**

There were no Announcements or Communications for this meeting.

23/106 **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.

23/107 **SUSPENSION OF COUNCIL PROCEDURE RULE 4.13.2 - ORDER OF BUSINESS**

In accordance with Council Procedure Rule No. 4.57, it was **ORDERED** that Council vary the order of business to deal with the agenda items in the following order: Agenda Item 16, Agenda Item 17, Agenda Item 19, Agenda Item 18, Agenda Items 7-15.

23/108 **APPROACH TO TRANSFORMATION OF MIDDLESBROUGH COUNCIL**

A joint report of the Mayor and the Executive Member for Finance and Governance was presented to set out the proposed direction of travel in relation to the Council's Recover, Reset, Deliver transformation programme, with further and fuller detail to be provided to full Council on 24 April 2024. The report also reiterated the proposed funding arrangements associated with transformation, as well as seeking approval for the Flexible Use of Capital

Receipts Strategy 2024/25.

The Executive Member for Finance and Governance drew Members' attention to the request for approval of expenditure totalling £4.827m in respect of Phase 1 investment which included funding for estimated redundancy costs of approved savings (including Pension Strain), New Members' Enquiry System, Children's Charity – SHIFT 3-year Contract, programme costs to 30 April and consultancy resource – schemes (subject matter expertise).

ORDERED as follows that Council:

1. Noted that the transformation of Council services was critical to achieving service improvements from a lower cost base to recover the Council's financial position and achieve financial sustainability over the medium to long term.
2. Noted that officers continued to work on the development of transformation programme and business cases to enable full consideration of the proposed transformation portfolio to be considered by Council at a meeting on 24 April 2024.
3. Noted the total investment required over the next three years, (including expenditure of £4.827m), as approved within the MTFP for 2024/25 as set out at paragraph 2.3 of the submitted report.
4. Approved expenditure of £4.827m in respect of the items set out at paragraph 2.4 and the associated Flexible Use of Capital Receipts Strategy attached Appendix 2 to the submitted report, to fund this work.
5. Noted the Executive-approved governance and decision-making arrangements for the Transformation Portfolio, as approved by Executive and its programmes and projects to deliver cost savings, as detailed in the 2024/25 budget, attached at Appendix 1 to the submitted report.

23/109

PAY POLICY STATEMENT

A joint report of the Director of Legal and Governance and Executive Member for Finance and Governance was presented, the purpose of which was to set out the Pay Policy Statement 2024/2025 for consideration by full Council.

The Executive Member for Finance and Governance advised Members that Council was required to approve a Pay Policy annually in order to comply with the Localism Act 2011.

ORDERED that the Pay Policy Statement 2024/25 was approved.

23/110

MIDDLESBROUGH INDEPENDENT IMPROVEMENT ADVISORY BOARD: SECOND UPDATE REPORT

The second update report from the Middlesbrough Independent Improvement Advisory Board (IIAB) was presented by the Chair of the Board who set out the background to the Board's appointment, a summary of activity to date and a forward view on the future focus the Council should have in its improvement journey.

It was highlighted that the Council had to continue to respond effectively and at pace to the deliver the improvements set out in both the Corporate Governance Improvement Plan and the Section 24 report in order to effectively address the concerns around its culture, governance and financial challenges. However, a real risk existed that the Government might decide not to issue a further extension to the Best Value Notice and more statutory intervention might be required. It was important for the Council to understand where it was in terms of the Notice and the short timeframe to July. It was emphasised that the work that the Council had been doing should continue, so that Government could be satisfied that there was no need to move to further intervention.

The Chair concluded the report presented a really positive insight into the progress the Council was making but also identified areas where efforts needed to continue to demonstrate to IIAB and to the Government that the conditions set out in the Best Value Notice were being met. The IIAB had experienced a lot of constructive working relationships with Members and

Officers and hoped that would continue.

ORDERED that the content of the Board's second report and the planned response of the Council was noted.

23/111

CORPORATE GOVERNANCE IMPROVEMENT PLAN AND SECTION 24 ACTION PLAN PROGRESS REPORT

A joint report of the Chief Executive, Director of Finance and Director of Legal and Governance Services was presented to set out the key activities and progress since an update was last provided to Council on 17 January 2024, in response to the Section 24 recommendations made by the Council's External Auditors and the Council's Corporate Governance Improvement Plan.

It was highlighted that 94% of planned activity had either been delivered or was on-track for delivery in relation to the Corporate Governance Improvement Plan, with six planned activities across the 10 workstreams measuring as off-track. 92% of activity in relation to the Section 24 delivery plan was on-track or had been delivered, with four activities showing as off-track.

ORDERED as follows that Council:

1. noted the progress against the Corporate Governance Improvement Plan and Section 24 Action Plan.
2. agreed the proposed changes to milestones and activity in relation to the Section 24 Action Plan as follows:
 - Detailed delivery milestone plans have been developed to underpin all workstream activities within the improvement plan.
 - Where slippage occurs to individual milestones but the overarching end date for the workstream activity is not impacted, no escalation or change control will be required and it can be assumed that any required mitigated will be put in play at an operational level.
 - Where there is impact on achieving the intended measure of success or overarching end date of workstream activity, a change control will be proposed for noting and transparency.
 - The change controls since last reported to Council detailed at paragraph 6.10 of the submitted report.

23/112

TEES VALLEY COMBINED AUTHORITY (TVCA) - UPDATE

The Chair invited the Mayor to provide his update regarding the Tees Valley Combined Authority (TVCA).

Council was informed that a decision had been taken by the Government in relation to the transfer of assets to the Mayoral Development Corporation. A formula would be followed to calculate income losses and potential returns to the Council in relation to the transfer.

In relation to Adult Education Funding there had been no payments for some time, which had led to a deficit of approximately £200,000. The Mayor had asked the TVCA to reconsider the provision of this funding.

The Chair requested that Members note the Mayor's update.

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

23/113

MAYOR'S STATEMENT AND REPORT

The Mayor commented that he was pleased that Councillors had voted to approve the report on the Approach to Transformation of Middlesbrough Council and the associated Flexible Use of Capital Receipts Strategy to fund this work. The next step would be to outline what the assurance board would look like and invited all Members to have an input to show that they

could work together for the good of the people of Middlesbrough. In addition the Finance Improvement Board would be set up to look at the budget going forward and this would also be cross party group.

The Council, along with partners, had recently been successful in securing Levelling-Up funding which would deliver some good projects for the Town. The most significant of these projects would be the Cleveland Centre which would have a focus on health, adult learning and employment-hub based services and also anti-social behaviour measures. This would be a massive boost for the town and hopefully improve footfall.

The Chair requested Members to note the statement.

ORDERED that the Mayor's statement be noted.

23/114

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).

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

Councillor Clync on improvements to literacy in Middlesbrough.

The Executive Member referred to the recent World Book Day and highlighted the work of Middlesbrough Literacy Trust led by Allison Potter. The Trust provided Middlesbrough children with books they could keep and share with their families. The Trust also supported the development of spoken word performance through Poetry Slam which allowed them to perform their own work in schools. The Executive Member placed on record her thanks to Allison Potter for her continued care, dedication and energy. Members' attention was drawn to the Big Boro Book Bash which would take place in July and would also expand children's reading.

Councillor Hurst withdrew his question.

Councillor Livingstone on the Orange Pip Market and the potential for exploration of alternative venues.

The Executive Member confirmed that whilst alternative venues had been considered they were not being pursued. The Orange Pip Market was established to improve footfall to the town and contribute to its regeneration. Thanks were recorded in relation to the Regeneration and Culture Team who had managed to reduce to the running costs of the Orange Pip Market by 80%. Sponsorship of future events was sought in the region of £1500 to cover the 20% gap in funding that remained and sponsorship packs were available for any businesses who were interested. The Orange Pip Market was fundamental to the town centre's regeneration and the Council aimed for it to continue.

Questions in relation to the report of the Executive Member for Community Safety

Councillor Livingstone on the use of CCTV cameras as a deterrent to fly-tipping.

The Executive Member explained that the Council had a finite number of CCTV cameras available and areas requesting a camera were prioritised according to the available data in relation to fly-tipping and other incidents.

Councillor M Storey in relation to the Safe Haven Service.

The Executive Member agreed that the Safe Haven was a vital service to help people who became vulnerable through alcohol, substance misuse, violence, or underage or safeguarding, during the night-time economy period. The service was an important way of making visitors to town feel safe and encouraging the night-time economy and town to thrive. The Executive Member also highlighted that she had witnessed first-hand, the Safe Haven

staff working closely with the Police, Boro Angels, Women Street Watch, and licensed premises door staff during a Friday evening.

Councillor Ewan in relation to vehicle seizure for fly-tipping.

The Executive Member agreed that fly-tipping was an unacceptable blight on the town and the Council wanted to support residents who were affected. The Council had recently seized a van and would use it to remove fly-tipping from the streets and continue to find those responsible and prosecute them. Where appropriate, vehicles would be seized and repurposed to clean up fly-tips.

Question in relation to the Executive Member for Environment

Councillor Blades on suicide prevention parapets.

The Executive Member confirmed that the Council was committed to carrying out the work on the A174 Marton Interchange Overbridge which included installation of suicide prevention parapets to prevent future tragedies. The work would take approximately 3 months once approval had been obtained from Network Rail.

23/115 **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.

The Chair invited members to note the report.

ORDERED that the report be noted.

23/116 **URGENT ITEMS**

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

23/117 **MEMBERS' QUESTION TIME**

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

23/118 **NOTICE OF MOTIONS**

Consideration was given to Motion No. 163, moved by Councillor M Storey, and seconded by Councillor Clynch of which notice had been given in accordance with Council Procedure Rules No. 4.28 – 4.34 as follows:

This Council notes:

- Middlesbrough Council and the people of Middlesbrough have a proud history of welcoming people seeking safety to Middlesbrough.
- Significant capacity problems in the UK asylum system are directly affecting residents in Middlesbrough with a record backlog of cases awaiting a decision from the Home Office. This is leaving many asylum seekers who have not yet had their claims decided in 'limbo' unable to legally work.
- Middlesbrough Council believes everyone has the right to seek safety and all asylum claims should all be treated fairly and equally.

Therefore, this Council resolves to:

- Not cooperate with any UK Government plans to build or repurpose facilities within Middlesbrough Council's local authority area for the purpose of detention or warehousing of people seeking safety, except where Middlesbrough Council is legally bound to do so.
- Defend the right to seek safety from war and persecution in the UK by signing up as a

Council to Refugee Action's Fight the Anti-Refugee Laws Pledge.

Fight the Anti-Refugee Laws Pledge

We believe that people seeking protection from war and persecution should be welcomed and that everyone's claim for asylum should be treated equally and fairly.

We believe that the UK should offer sanctuary to those who need it. That's why we're taking a stand against the anti-refugee laws.

We pledge to:

- Defend the right to seek safety from war and persecution in the UK.
- Speak out against attempts to criminalise and punish those who make their own way to safety.
- Challenge the anti-refugee laws which will risk the lives and well-being of people.
- Work towards a refugee protection system that treats all people with dignity and compassion.

Councillor M Storey spoke in support of the Motion.

Councillor Mason voiced his concern in relation to persons entering the UK illegally and detailed a recent high-profile case where a known offender was not deported and, having lived illegally in the UK for a number of years, was eventually granted asylum, and then committed a serious assault.

Councillors Gavigan, Kabuye and Clynych spoke in support of the Motion.

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

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

23/119 **NOTICE OF URGENT MOTIONS (IF ANY)**

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

23/120 **UPDATE ON URGENT DECISIONS**

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

ORDERED that the report be noted.

COUNCIL

A meeting of the Council was held on Wednesday, 24 April 2024.

PRESENT: Councillors J Rostron (Chair), J Walker (Vice-Chair), J Banks, I Blades, D Branson, E Clynch, C Cooke - Elected Mayor, J Cooke, D Coupe, D Davison, S Dean, J Ewan, T Furness, P Gavigan, TA Grainge, S Hill, N Hussain, D Jackson, J Kabuye, L Lewis, T Livingstone, L Mason, D McCabe, M McClintock, J McConnell, I Morrish, J Nicholson, M Nugent, J Platt, S Platt, A Romaine, J Ryles, M Storey, P Storey, J Thompson, S Tranter, Z Uddin, N Walker, G Wilson and J Young.

OFFICERS: C Benjamin, A Davis, G Field, C Heaphy, R Horniman, A Humble, C Lunn and K Whitmore.

APOLOGIES FOR ABSENCE: Councillors C Cooper, B Hubbard, L Hurst, D Jones, J McTigue, M Saunders and M Smiles.

23/121 **DECLARATIONS OF INTEREST**

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

23/122 **TRANSFORMATION OF MIDDLESBROUGH COUNCIL**

A joint report of the Mayor and the Executive Member for Finance and Governance was presented to set out the proposed direction, aspirations, investment, and funding requirements in relation to the Council's Recover, Reset, Deliver Transformation Programme.

The Mayor provided a rationale for the report before referring Members to page three and advising of a proposed amendment to recommendation C. It was suggested that the recommendation be reworded slightly to avoid specific Executive Member portfolios being attached to it. The revised recommendation would read as follows:

- c) *Delegates authority to the Chief Executive in consultation with the Elected Mayor, Director of Finance and the Executive Member with responsibility for finance, to apply Transformation Programme contingency of £1.717m and remaining Redundancy Budget of £2.900m for the purposes set out in this report.*

Following Members' consideration of the report, one single vote in respect of revised recommendation C, together with recommendations A, B and D as stated in the report, would be undertaken.

The Executive Member for Finance and Governance provided details regarding Capital Receipts; the following points were highlighted:

- Page three, paragraph 1B set out the financial decision taken by Members on 27 March 2024 (referred to as Phase One), and the decision to be taken at this meeting, i.e., a request for additional funding (Phase Two). The total funding for the Transformation Programme was £13.700m; £4.827m for Phase One, and £8.873m for Phase Two, subject to approval at this meeting. It was possible that further phases may come forward as the programme progressed.
- As outlined in the report, Local Authorities were not usually permitted to utilise capital, i.e., one-off monies generated from assets, land and property sales, to fund their revenue budgets, which paid for day-to-day operational costs such as staffing and service delivery. However, the government had created an exception whereby in certain circumstances, receipts from the sale of assets could be utilised on a one-off basis to support the revenue budget. In essence, capital receipts could be utilised to reduce the costs of services, to increase revenue income, or to support a more efficient way of operating services. There were restrictions around the utilisation of capital receipts. For example: a capital receipt received five years ago could not be utilised in the current year.
- The additional funding being requested was necessary for the following reasons:

1. To deliver the savings that Council had agreed as part of the revenue budget. It was explained that capital receipts were required to fund those identified savings, some of which were additional staffing or other investment costs, and others redundancies, which Members had agreed at the last meeting.
2. To fund the Transformation Programme. It was explained that following feedback from Members about a lack of clarity in detail, officers had been requested to provide further information to identify each of the budget saving suggestions and the costs or investment required against those. This had been provided and was shown in the annex at page 34 onwards of the report.
3. Unlike some other Local Authorities, Middlesbrough Council was not in a financial position to fund the Transformation Programme through revenue reserves. The statutory recommendations instructed the Council to identify sources to fund its own transformation journey.

The Chair thanked the Mayor and the Executive Member for the information provided, and invited Members to ask questions on the report.

- A question was raised regarding the total number of redundancies involved in the transformation plans. In response, the Executive Member for Finance and Governance confirmed this to be 74.5. Further details were shown in the table on page 34 of the report.
- In response to a question regarding the business plan associated with the Transformation Programme, the Mayor indicated that this had been conveyed during the recent Member briefing sessions, and was also outlined in Appendix 1 of the report. Reference was made to planned projects, such as the Neighbourhoods Model, which would increase effectiveness, improve efficiency, and achieve savings. As time and the work of the Assurance Board progressed, clarity around the level of savings, where savings would be identified, and which projects were going to be the most successful, would be achieved.
- A question was raised in respect of the transformation plans and income generation. In response, the Mayor explained that the first priority was to reduce the Council's spending to bring it in line with the budget, and to maintain reserves. The Council currently overspent by 10% annually. Once this had been achieved and services started to be reshaped, investment would then begin.
- A question was raised regarding the consequences for Middlesbrough if the report was not approved and, as a result, a Section 114 notice was issued. In response, the Mayor explained that, fundamentally, decision-making powers would be removed from the Council and handed to government commissioners. In addition, the Council would fail to meet the requirements of the government's improvement journey. The Council needed to bring its finances under control, whilst concurrently demonstrating a plan for both it and its services.
- In response to a question regarding the Transformation Programme and the approach to customer service, the Mayor explained that changes in service design would help deliver more effective and efficient services. The example of moving services to shared physical localities to facilitate collaborative and cross-team working was provided. Reference was made to other models utilised by neighbouring Local Authorities, such as those used to foster a more holistic approach, and consideration given as to how best practice could be identified and shared. It was felt that a move away from silo and independent working, both from the perspective of individual departmental teams and the Local Authority as an entirety, would result in improved services for all. In addition, the greater line of management generated from the localisation of areas would also result in improved responses for residents.
- A question was raised regarding the planned outcome of the Transformation Programme, in essence, that the aim was to provide a more effective and efficient Council for residents. In response, the Mayor indicated that this was the outcome needed for all stakeholders. Reference was made to the recent roll-out of the garden waste scheme bins and it was acknowledged that errors were made. It was important that when such instances occurred, recognising the source of mistakes and learning from those was vital. It was explained that, in striving for improvement and ensuring accountability going forward, the importance of having local contacts for Councillors to raise any issues would help achieve improved results for all.

- A Member queried how transformation work would be scrutinised, and what evidence would be provided to demonstrate the success of the programme, particularly in relation to investment input versus output. In response, the Mayor explained that the top-level Assurance Board accountable to the Executive and Chief Executive was made up of a cross-party group, and all the group leaders had been invited to sit on that. The Board would meet monthly to monitor the progress of all projects and ensure accountability, as required. Consideration was given to performance monitoring in preparation for the next budget setting round, together with the distribution of funding for the various departments of the Council. It was indicated that the Department for Levelling Up, Housing and Communities (DLUHC) would also be monitoring progress and holding the Council to account.
- A comment was made regarding the austerity measures that had faced Middlesbrough over recent years, and that the Transformation Programme would set the Council on a new path to an improved future. A request for reassurance to residents that the proposed changes were for the better was made. In response, the Mayor advised of the importance of focusing not only on the savings that the Transformation Programme would provide, but also on the investment being awarded to different services. The recent examples of increased funding towards community safety and area care were provided. It was explained that once a more balanced position had been achieved, the next important step was to ascertain where funding was best reinvested. A review of investment saving proposals and identification of areas most important to residents would need to be undertaken. Investment in staff, including performance management and training, was crucial, as was investment in appropriate buildings and facilities.
- A question was raised regarding the primary difference that residents would see from the Council undertaking this Transformation Programme. In response, the Mayor explained that the Neighbourhoods Model would be the most impactful, with named management and dedicated wardens and area care staff being made available. It was felt that if programmes such as SHIFT were successful, a natural byproduct of this would be a reduction in youth related Antisocial Behaviour and matters attributed to that. Essentially, taking back ownership of what happened both internally within the Council, and externally in local communities, was key.

The Chair invited the Monitoring Officer to conduct a vote. The Monitoring Officer clarified that the vote being taken referred to recommendations A, B and D contained in the report, together with the amended recommendation C.

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

- a) The proposed direction, aspirations, investment, and funding requirements of the Council's Recover, Reset, Deliver Transformation Programme and to achieve financial balance over the period of the Medium-Term Financial Plan be approved.
- b) The additional transformation expenditure in 2024/25 of £8.873m, as summarised in Table Two in the main body of the report (paragraph 34), and the revised Phase Two Flexible Use of Capital Receipts Strategy detailed in Appendix Two incorporating total expenditure for 2024/25 of £13.700m, to be funded from flexible use of capital receipts in accordance with government regulations, be approved.
- c) Authority be delegated to the Chief Executive in consultation with the Elected Mayor, Director of Finance and the Executive Member with responsibility for finance, to apply Transformation Programme contingency of £1.717m and remaining Redundancy Budget of £2.900m for the purposes set out in this report.
- d) The target return on investment in transformation of at least £2.50 for each £1.00 invested, will provide a target net financial benefit of at least £34.0m for £13.6m of programme investment costs over the term of the Medium-Term Financial Plan, which includes savings of £21.028m as approved in the 2024/25 Revenue Budget, Medium Term Financial Plan Report, approved by full Council on 8 March 2024, be noted.

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MIDDLESBROUGH COUNCIL	
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Report of:	Director of Legal and Governance Services
Relevant Executive Member:	Executive Member for Finance and Governance
Submitted to:	Council
Date:	22 May 2024
Title:	Political Balance Allocation of Places 2024/25
Report for:	Decision
Status:	Public
Council Plan priority:	Delivering Best Value
Key decision:	No
Why:	Not applicable
Subject to call in?:	No
Why:	Not Applicable

Proposed decision(s)	
That the Council:	
(i)	Approves the allocation of seats on committees that are subject to the rules relating to political balance.

Executive summary	
<p>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.</p> <p>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.</p>	

1. Purpose

- 1.1 To seek approval for the allocation of places on committees and sub-committees for 2024 in accordance with the political balance of the Council

2. Recommendations

- 2.1 That the Council:

- (i) Approves the allocation of seats on committees that are subject to the rules relating to political balance.

3. Rationale for the recommended decision(s)

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

4. Background and relevant information

- 4.1 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.

- 4.2 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.

- 4.3 The Council is under a duty to:

- (i) 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.
- (ii) 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.
- (iii) Allocate seats on the committees to the political groups in proportion to their numerical strength on the Council, as far as practicable;
- (iv) Accept nominations made by the groups for the filling of seats allocated to them.

- 4.4 In determining the allocation of seats, the Council must also apply the following four principles, as far as reasonably practicable:

- (i) Not all seats to be allocated to the same political group;
- (ii) If a political group has a majority on the Council, it must have a majority of seats on committees;

- (iii) Subject to (i) and (ii) above, the total of all seats on ordinary committees be allocated to the groups in proportion to their respective strengths on the Council, and
- (iv) Subject to (i) to (iii) 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.

4.5 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.

4.6 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.

4.7 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.

4.8 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.

4.9 The total number of places on committees is therefore **151** places and these will be allocated in a manner that reflects the overall political balance of the Council.

4.10 The calculations relating to the allocation of the **151** places on those committees to be subject to political balance rules are attached at Appendix 1.

4.11 As can 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	78
Liberal Democrats	7
Marton Independent East Group	7
Middlesbrough Independent Councillors Association (MICA)	39
Unallocated/Vacancy	7
Total	151

Method to Calculate Places

4.12 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 unallocated/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.

4.13 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.

- 4.14 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.

5. Other potential alternative(s) and why these have not been recommended

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

6. Impact(s) of the recommended decision(s)

6.1 *Financial (including procurement and Social Value)*

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

6.2 *Legal*

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

6.3 *Risk*

If the Council does not 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 is obliged to comply with any legislation or statutory guidance to ensure that the Council is fulfilling its statutory duties.

6.4 *Human Rights, Public Sector Equality Duty and Community Cohesion*

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.

6.5 *Climate Change / Environmental*

Not Applicable.

6.6 *Children and Young People Cared for by the Authority and Care Leavers*

Not Applicable.

6.7 *Data Protection*

Not Applicable.

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

Action	Responsible Officer	Deadline
Allocate places on committees according to the Political Balance	Susan Lightwing	31 May 2024

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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Appendix 1

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
Audit Committee	7
Corporate Affairs Committee	7
Corporate Health and Safety Steering Group	10
Corporate Parenting Board	9
Licensing Committee	14
Planning and Development Committee	10
Staff Appeals Committee	9
Standards Committee	9
Teesside Pension Fund Committee	9
Works Council	10
Overview and Scrutiny Board	15
People Scrutiny Panel	13
Place Scrutiny Panel	13
Total	151

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	24	78.78	78
Conservative	4	13.13	13
Middlesbrough Independent Councillors Association	12	39.39	39
Marton East Independent Group	2	6.57	7
Liberal Democrats	2	6.57	7
Unallocated* Independent	2	6.57	7
Total	46	151.00	151
* 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		Marton East Independent Group		Liberal Democrats Group		Unallocated
	24		4		12		2		2		2
1	1	0.52	0	0.09	0	0.26	0	0.04	0	0.04	0
3	2	1.57	0	0.26	1	0.78	0	0.13	0	0.13	0
4	2	2.09	0	0.35	1	1.04	0	0.17	0	0.17	1
5	3	2.61	0	0.43	1	1.30	0	0.22	0	0.22	1
6	3	3.13	1	0.52	2	1.57	0	0.26	0	0.26	0
7	4	3.65	1	0.61	2	1.83	0	0.30	0	0.30	0
8	4	4.17	1	0.70	2	2.09	0	0.35	0	0.35	1
9	5	4.70	1	0.78	2	2.35	0	0.39	0	0.39	1
10	5	5.22	1	0.87	3	2.61	0	0.43	0	0.43	1
11	6	5.74	1	0.96	3	2.87	0	0.48	0	0.48	1
12	6	6.26	1	1.04	3	3.13	1	0.52	1	0.52	0
13	7	6.78	1	1.13	3	3.39	1	0.57	1	0.57	0
14	7	7.30	1	1.22	4	3.65	1	0.61	1	0.61	0
15	8	7.83	1	1.30	4	3.91	1	0.65	1	0.65	0
16	8	8.35	1	1.39	4	4.17	1	0.70	1	0.70	1

Appendix 4

Table 4

	Total	Lab	Cons	MICA	MEIG	Lib Dems	Unallocated
Chief Officer Appointments Committee	7	4	1	2	0	0	0
Constitution and Members' Development Committee	9	5	1	2	0	0	1
Audit Committee	7	4	1	2	0	0	0
Corporate Affairs Committee	7	4	1	2	0	0	0
Corporate Health and Safety Steering Group	10	5	1	3	0	0	1
Corporate Parenting Board	9	5	1	2	0	0	1
Licensing Committee	14	7	1	4	1	1	0
Planning and Development Committee	10	5	1	3	0	0	1
Staff Appeals Committee	9	5	1	2	0	0	1
Standards Committee	9	5	1	2	0	0	1
Teesside Pension Fund Committee	9	5	1	2	0	0	1
Works Council	10	5	1	3	0	0	1
Overview and Scrutiny Board	15	8	1	4	1	1	0
People Scrutiny Panel	13	7	1	3	1	1	0
Place Scrutiny Panel	13	7	1	3	1	1	0
Totals	151	81	15	39	4	4	8
Total Allocation Allowed (as per Step 2 above)	151	78	13	39	7	7	7
ADJUSTMENT REQUIRED		-3	-2	0	3	3	-1

MIDDLESBROUGH COUNCIL



Report of:	Director of Legal and Governance Services
Relevant Executive Member:	Executive Member for Finance and Governance
Submitted to:	Council
Date:	22 May 2024
Title:	Executive Scheme of Delegation
Report for:	Decision
Status:	Public
Council Plan priority:	Delivering Best Value
Key decision:	No
Why:	Report is for information only
Subject to call in?:	No
Why:	Not Applicable

Proposed decision(s)

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

Executive summary

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 the Councillors chosen to be members of the Executive, including the Deputy Mayor.

The report on the Mayor's Executive Scheme of Delegation is to be noted.

1. Purpose

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

2. Recommendations

- 2.1 That the Council note the Mayor's Executive Scheme of Delegation.

3. Rationale for the recommended decision(s)

- 3.1 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.

4. Background and relevant information

- 4.1 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 portfolios are detailed at Appendix A. The membership of the Mayor's Executive is detailed at Appendix B.

- 4.2 The 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

- 4.3 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.
- 4.4 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

4.5 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

- 4.6 The Deputy Mayor has delegated powers:
- (i) To appoint to outside bodies, made by the Executive or jointly with Council.
 - (ii) To appoint to Executive Advisory Bodies (Excluding membership to the Full Executive)

Executive Sub-Committee for Property

4.7 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.

4.8 The Membership of the Executive Sub-Committee for Property is as follows:

- All Members of the Executive

Decision Making by Joint Bodies

4.9 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

4.10 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

- 4.11 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.

5. Other potential alternative(s) and why these have not been recommended

- 5.1 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.

6. Impact(s) of the recommended decision(s)

6.1 *Financial (including procurement and Social Value)*

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

6.2 *Legal*

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.

6.3 *Risk*

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.

6.4 *Human Rights, Public Sector Equality Duty and Community Cohesion*

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.

6.5 *Climate Change / Environmental*

Not applicable.

6.6 *Children and Young People Cared for by the Authority and Care Leavers*

Not applicable.

6.7 Data Protection

Not applicable.

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

Action	Responsible Officer	Deadline
Note the report and make and appropriate changes to the Council’s Committee Management system	Democratic Services	31 May 2024

Appendices

1	Executive Scheme of Delegation
2	Details of Executive Members
3	

Background papers

Body	Report title	Date

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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 lead on the delivery of ensuring vulnerable adults are protected and pushing forward on the dementia-friendly agenda.

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
- The Mayor (or whoever he decides to nominate) to exercise the Council's rights as a shareholder in BCCP Limited on behalf of the Teesside Pension Fund.

Other Plans and Strategies

- Supporting People Strategy
- 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 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 PETER GAVIGAN**



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
- One Planet Living and Assisted Energy Strategies

Other Plans and Strategies

- Environment Service Plan (where relevant to the portfolio)
- Carbon Reduction and Climate Adaptation (CRACA) Plan
- Waste Management Plan
- Environment Service Plan (where relevant to portfolio)
- Public rights of way
- 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

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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
- Assessment & Accountability Framework 2020/21
- Children & Families Act 2014 – SEND Reforms
- Ofsted Framework
- 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
- Crime and Disorder Act 1998

Other Plans and Strategies - Education

- Children and Young People's Plan
- Education and Priorities Strategy
- School Effectiveness Strategy
- 14-25 Strategy
- Vulnerable Learners Strategy
- Children's Services Improvement Plan
- Capital Strategy & Asset Management Plan (Schools)
- Scheme for Financing Schools
- Adult Learning Plan
- Youth Employment Strategy
- Special Educational Needs and Disability Reforms
- School Improvement Strategy
- Healthy Child Programme (5 – 19) (including School Nursing service)
- School Improvement Strategy
- Youth Justice Plan
- SEND Strategy
- Inclusion 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 Communities and Education 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 Communities Safety will have responsibility for:

- Services to support vulnerable people
- Community Safety and Community Development
- Empowering communities and individuals to access opportunities
- Supporting people into employment
- Cultural Strategy
- Migration and Asylum Seekers
- Welfare Rights

Policy Framework - Communities

- Voluntary Sector
- Strategic Approach to Addressing Poverty
- Community Safety including Law and Order Issues
- Community Development
- Community Hub Development
- Civil Contingencies Act 2004
- Crime and Policing Act 2014
- Human Rights Act
- Cultural Strategy

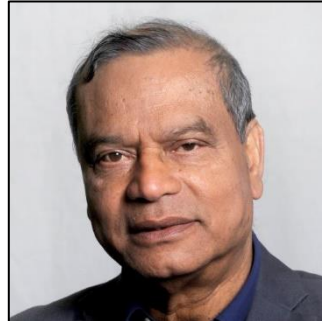
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EXECUTIVE MEMBER FOR CHILDREN'S SERVICES

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 Plan
- Pay Policy Statement

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
- Estates 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 Peter Gavigan	LONGLANDS AND BEECHWOOD
Executive Member for Finance and Governance	Councillor Nicky Walker	HEMLINGTON
Executive Member for Regeneration	Councillor Theo Furness	PARK

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MIDDLESBROUGH COUNCIL



Report of:	Director of Legal and Governance Services
Relevant Executive Member:	Executive Member for Finance and Governance
Submitted to:	Council
Date:	22 May 2024
Title:	Council Committees - Establishment - Terms of Reference - Allocation of Places - Memberships – 2024-2025
Report for:	Decision
Status:	Public
Council Plan priority:	Delivering Best Value
Key decision:	No
Why:	Not applicable
Subject to call in?:	No
Why:	Not Applicable

Proposed decision(s)

That Council:

- (i) Subject to receipt of nominations to the following vacancies or amendments to places indicated in the attached schedules:
- (ii) 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

3 vacancies – open to all Members

Corporate Parenting Board

2 vacancies – open to all Members

Licensing Committee

1 vacancy – open to all Members

Standards Committee

1 vacancy – initially open to Liberal Democrats and Marton East Independent Group

Works Council

1 vacancy – open to all Members

- (iii) That Council notes the nomination of representatives/vacancies detailed in Appendix B – Council/Executive appointments and Appendix C – Executive appointments.
- (iv) That the bodies identified in the schedules submitted be regarded as approved duties for the payment of travel and subsistence allowance.
- (v) 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.

Executive summary

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.

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.

That the membership, size, and terms of reference of the Executive, its sub-committees and advisory bodies approved by the Mayor for 2024 onwards as set out in Schedule A in the Appendix to the report, be noted.

That the vacancies listed at Paragraph 2 be filled in accordance with political group and other Councillors' preferences.

1. Purpose

- 1.1 To approve the establishment of committees, sub committees, boards, panels and working groups for the 2024-2025 Municipal Year, or until amended by Council, (whichever is the latter).

2. Recommendations

- 2.1 That, subject to receipt of nominations to the following vacancies or amendments to places indicated in the attached schedules:
- 2.2 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

3 vacancies – open to all Members

Corporate Parenting Board

2 vacancies – open to all Members

Licensing Committee

1 vacancy – open to all Members

Standards Committee

1 vacancy – initially open to Liberal Democrats and Marton East Independent Group

Works Council

1 vacancy – open to all Members

- 2.3 (i) 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.

3. Rationale for the recommended decision(s)

- 3.1 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.

4. Background and relevant information

- 4.1 The report provides an opportunity for the Council and Executive to review its decision-making and committee structures and make any necessary changes.
- 4.2 The annual meeting provides an opportunity for the Council and Executive to review its decision-making and committee structures and make any necessary changes.
- 4.3 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.
- 4.4 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.

5. Other potential alternative(s) and why these have not been recommended

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

6. Impact(s) of the recommended decision(s)

6.1 *Financial (including procurement and Social Value)*

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

6.2 *Legal*

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

6.3 *Risk*

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.

6.4 Human Rights, Public Sector Equality Duty and Community Cohesion

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.

6.5 Climate Change / Environmental

Not applicable.

6.6 Children and Young People Cared for by the Authority and Care Leavers

Not applicable.

6.7 Data Protection

Not applicable.

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 2024

Appendices

1	Appendix A - Council Appointments to Committees
2	
3	

Background papers

Body	Report title	Date

Contact: Charlotte Benjamin

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**MIDDLESBROUGH COUNCIL
COMMITTEES, MEMBERSHIPS
AND TERMS OF REFERENCE
FOR THE EXECUTIVE
(EXCLUDING PORTFOLIOS)
AND
COMMITTEES OF THE COUNCIL
2024/2025**

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EXECUTIVE 2023/2024

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

Chair: The Mayor and Executive Member for Adult Social Care and Public Health – C 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 Gavigan
Councillor N Walker
Councillor Furness

Terms of Reference:

1. 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.

**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:

1. 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:

1. 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:

1. 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 Cooke and P Storey

Council Officers:

J Tynan	Executive Director of Children's Services
M Adams	Director of Public Health
P Rice	Director Adult Social Care Redcar & Cleveland Council
E 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 or the Local Authorities (Standing Orders) (England) Regulations 2001 and for which political balance rules will apply.

AUDIT COMMITTEE (7)

4 LAB: 1 CON: 2 MICA:

Plus up to 2 Independent Non-Elected Members without voting rights

Membership/Restrictions: No Executive Members

Chair: 2 nominations: Councillor Ewan and Councillor Hubbard

Vice-Chair: 1 nomination: Councillor Hubbard

Members: Councillors Coupe, Blades, Branson, Lewis, Wilson

Terms of Reference:

To have delegated powers to:

1. Consider whether appropriate accounting policies have been followed in the Council's annual statement of accounts and whether there are any concerns arising from the financial statements or from the audit that need to be brought to the attention of the Executive.
2. Receive reports on the Council's treasury and investment management policies, practices and activities, including an annual strategy and plan in advance of the year, a mid-year review and an annual report after its close in the form prescribed in the Council's treasury management practices and the investment management practices.
3. External Audit Functions
 - (a) Advise on the appointment of the Council's external auditor.
 - (b) Discuss with the external auditor the nature and scope of audit coverage, including value for money (VFM).
 - (c) Review external audit reports and annual audit letters, together with the management response, and make recommendations to the Executive.
 - (d) Examine any other concerns of the external auditors.
4. Internal Audit Functions
 - (a) Monitor the progress and performance of internal audit.

- (b) Review the internal audit annual plan.
- (c) Consider significant findings of internal audit reviews and investigations, together with management responses, and monitor implementation of agreed recommendations
- (d) Advise the Executive on the internal audit function, resourcing and standing within the Council.
- (e) Ensure co-ordination between internal and external auditors.
- (f) Consider the Audit Manager's annual report and comment annually on the adequacy and effectiveness of internal audit control systems within the Council.

5. Risk Management Functions and Business Continuity Functions

- (a) Support and monitor the implementation and ongoing processes for identifying and managing key risks for the Council.
- (b) Ensure that effective and proper processes and procedures are in place to ensure business continuity of the Council.

6. Internal Control Functions

- (a) Review the Annual Governance Statement, a statutory document, which explains the processes and procedures in place to enable the Council to carry out its functions effectively.
- (b) Monitor the Council's compliance with its own published standards and controls and recommend any necessary changes to the Financial Procedure Rules and the Contract Procedure Rules.

7. Corporate Governance

- (a) Keep under review the Council's arrangements for corporate governance and propose any necessary actions to ensure compliance with best practice.
- (b) Keep under review corporate policies such as the Whistleblowing Policy and Anti-fraud Strategy.
- (c) Ensure that effective systems are in place to underpin the Council's processes and ensure the highest standards in respect of audit and corporate governance matters.
- (d) Maintain an overview of complaints handling and Ombudsman investigations.
- (e) To exercise the Council's functions in relation to the control of pollution or the management of air quality pursuant to the Pollution Prevention and Control Act 1999, Part IV of the Environment Act 1995, Part I of the Environmental Protection Act 1990, and the Clean Air Act 1993, including the determination of applications for variation of authorisations under sections 1031 and 1132 of the Environmental Protection Act 1990, and permits under the Regulation 17 of the Pollution Prevention and Control Regulations 2000, involving a substantial change.

8. Reporting

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

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 Jackson, Thompson

Vice Chair: 1 nomination: Councillor Jackson

The Mayor: C Cooke

Deputy Mayor: P Storey

Members: Councillors Blades, Ewan, Lewis, Saunders, Smiles
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 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:

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

CONSTITUTION AND MEMBERS' DEVELOPMENT COMMITTEE (9)

5 LAB: 1 CON: 2 MICA: 1 SPARE

Chair of Council

Vice-Chair of Council

Deputy Mayor

Chair of Overview and Scrutiny Board

Membership/Restrictions: Nil

Chair: Chair of Council

Vice-Chair: Vice Chair of Council

Deputy Mayor: Councillor P Storey

Chair of Overview and Scrutiny Board: Chair of OSB

Members: Councillors Blades, Ewan, Hurst, Morrish, Rostron, Wilson, N Walker, Young

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 COMMITTEE

4 LAB: 1 CON: 2 MICA:

Membership/Restrictions:	No Executive Members
Chair:	Chair of Council
Vice-Chair:	Councillor
Members:	Councillors Blades, Ewan, Coupe, Hussain, Rostron, Morrish, Wilson

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. 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.

CORPORATE HEALTH AND SAFETY STEERING GROUP (10)

5 LAB: 1 CON: 3 MICA: 1 SPARE (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:	1 nomination: Councillor Branson
Vice-Chair:	Staff Side

Members: Councillors Mayor Cooke, Cooper, Gavigan, Hubbard, Saunders, P Storey,
3 vacancies

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.

YOU MATTER TO US - CORPORATE PARENTING BOARD (9) plus Ex-Officio Members and Ex-Officio Officers

5 LAB: 1 CON: 2 MICA: 1 SPARE

Deputy Mayor Chair of Overview and Scrutiny Board

Membership/Restrictions: Nil

Chair: Mayor C Cooke

Vice-Chair: Councillor P Storey, Deputy Mayor

Members: Councillors Clynch, Jackson, Mason, McTigue, Nugent, Uddin
2 vacancies

Ex-Officio Members: Deputy Mayor and Chair of Overview and Scrutiny Board

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

Terms of Reference:

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)

7 LAB: 1 CON: 4 MICA: 1 LIB DEM: 1 MEIG:

Membership/Restrictions:	No members of Planning and Development Committee
Chair:	2 nominations: Councillor Hill and Councillor Lewis
Vice-Chair:	1 nomination: Councillor Hill
Members:	Councillors J Cooke, Cooper, Dean, Gavigan, Jones, Kabuye, Livingstone, Mason, Romaine, Saunders, J Walker 1 vacancy

Terms of Reference:

1. 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 (15)

8 LAB: 1 CON: 4 MICA: 1 LIB DEM: 1 MIEG:

Includes Chairs of People and Place Scrutiny Panels

PLUS 4 Co-opted Members with voting rights*

PLUS up to 2 Added Non-Elected Members without voting rights

Membership/Restrictions:	Cannot include members of the Executive
Chair:	2 nominations Councillor Blades and Councillor Saunders
Vice-Chair:	2 nominations Councillor Kabuye and Councillor Saunders
Members:	Councillors Branson, Banks, Clynch, Ewan, Hubbard, Lewis, McClintock, McTigue, Morrish, Smiles, J Walker, Wilson
Chairs of 2 Scrutiny Panels:	Councillors
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:

1. 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 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-related matters.

PEOPLE SCRUTINY PANEL (13)

**7 LAB: 1 CON: 3 MICA: 1 LIB DEM: 1 MEIG:
PLUS up to 2 Added Members without voting rights**

Membership/Restrictions:	Cannot include members of the Executive
Chair:	2 nominations: Councillor Clynch and Councillor Jackson
Vice-Chair:	2 nominations: Councillor Jackson and Councillor J Walker
Members:	Councillors Banks, Hurst, McClintock, McConnell, Nicholson, Nugent, Ryles, Tranter, S Platt, 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
Co-opted Members:	Parent Governor x 2* Roman Catholic Church* Church of England *

Terms of Reference:

1. To make recommendations to the Overview and Scrutiny Board in respect of the scrutiny of all matters relating to adult social care, children's services and health 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 Adult Social Care and Children's Services which affect the area or its inhabitants, including services provided by external organisations or bodies.
 - (f) 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.
 - (g) 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.

PLACE SCRUTINY PANEL (13)

**7 LAB: 1 CON: 3 MICA: 1 LIB DEM: 1 MIEG:
PLUS up to 2 Added Members without voting rights**

Membership/Restrictions: Cannot include members of the Executive

Chair: 2 nominations: Councillor Branson and Councillor McCabe

Vice-Chair: 2 nominations: Councillor Banks and Councillor McCabe

Members: Councillors J Cooke, Cooper, Davison, Ewan, Hussain, Jackson, Romaine, Ryles, Mason, Livingstone

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 make recommendations to the Overview and Scrutiny Board in respect of the scrutiny of all matters relating to Regeneration and 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 Regeneration and Environment which affect the area or its inhabitants, including services provided by external organisations or bodies.

LOCAL PLAN WORKING GROUP (4)

Executive Advisory Body - Need not be politically balanced
Any other Ward Members, at the invitation of the Mayor or Chair of the Local Plan working group

Mayor (C Cooke)
 Executive Member for Regeneration (Councillor Furness)
 Executive Member for Environment (Councillor Gavigan)
 Executive Member for Finance and Governance (Councillor N Walker)

Membership/Restrictions: Working Group
 Need not be politically balanced
 Any other Ward Members, at the invitation of the Mayor or Chair of the Local Plan working group

Chair: Mayor C Cooke

Members: Councillors Furness, Gavigan, N Walker

Terms of Reference:

1. 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:

Membership/Restrictions: No members of Licensing Committee

Chair: 3 nominations: Councillor Coupe, Councillor Morrish and Councillor Rostron

Vice-Chair: 2 nominations: Councillor Blades and Councillor Morrish

Members: Councillors Branson, McClintock, McTigue, Ryles, Thompson, 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: 2 MICA: 1 SPARE

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: 1 nomination Councillor Dean

Vice-Chair: Councillor

Members: Councillors Davison, Hill, Hurst, Jackson, Livingstone, Rostron, Romaine, Thompson

Terms of Reference:

To have delegated powers to hear relevant staff appeals.

STANDARDS COMMITTEE (9)

5 LAB: 1 CON: 2 MICA: 1 SPARE:

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 and may not be chaired by an Executive Member

Chair: 1 nomination: Councillor Thompson

Vice Chair: Councillor

Members: Councillors Dean, Ewan, Lewis, Morrish, Romaine, Saunders, Smiles
1 vacancy

Terms of Reference:

1. The Standards Committee is responsible for ensuring individual oversight of key issues that relate to ethics in Local Government.

The Standards Committee is also responsible for:

- (a) promoting and maintaining high standards of conduct by Members;
- (b) assisting Members and the Mayor to observe the Members' Code of Conduct;
- (c) advising the Council on the adoption or revision of the Members' Code of Conduct;
- (d) monitoring the operation of, and compliance with, the Members' Code of Conduct;
- (e) advising Members and the Mayor on matters relating to the Members' Code of Conduct;
- (f) arranging to train Members and the Mayor on matters relating to the Members' Code of Conduct;
- (g) considering reports relating to the conduct of Members which may be referred to it by the Council or Chief Officers, including issues relating to Members' interests and the maintenance and management of any relevant registers of interests;
- (h) receiving information from the Monitoring Officer on live complaints and the likely timelines for their investigation to be completed;
- (i) considering relevant reports referred by the Monitoring Officer and the Chief Finance Officer and making recommendations thereon to the Council as necessary;
- (j) granting dispensations to Members, Co-opted members and Parish Councillors and the Mayor from the requirements relating to declarations of interest. The Monitoring Officer may grant a dispensation where the matter is urgent and report it to the next available Standards Committee;
- (k) determining, after due investigation, allegations of breaches of the Members' Code of Conduct and the imposing of any relevant sanctions;
- (l) receiving references from the Corporate Affairs Committee regarding issues of attendance by Members at training on the Code of Conduct; and
- (n) discharging the above functions in relation to Parish Councils.

TEESSIDE PENSION FUND COMMITTEE (9)

5 LAB: 1 CON: 2 MICA: 1 SPARE

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 Councillor Kabuye

Vice-Chair: 1 nomination: Councillor Rostron

Members: Councillors Branson, Ewan, Furness, Hill, Jackson, Young

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 is Chair
5 LAB: 1 CON: 3 MICA: 1 SPARE

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 Branson, Cooper, Dean, Gavigan, Hubbard, Thompson, Wilson, Young
1 vacancy

Terms of Reference:

1. To be an advisory body to the Council.
2. 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.
5. To review annually the operation and performance of the Works Council, including setting and evaluating performance indicators.

MIDDLESBROUGH COUNCIL



Report of:	Director of Legal and Governance Services
Relevant Executive Member:	Executive Member for Finance and Governance
Submitted to:	Council
Date:	22 May 2024
Title:	Appointments by the Council and Executive to Joint Committees and Outside Bodies – 2024-2025
Report for:	Decision
Status:	Public
Council Plan priority:	Delivering Best Value
Key decision:	No
Why:	Not applicable
Subject to call in?:	No
Why:	Not Applicable

Proposed decision(s)

- (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 next Council meeting.

Executive summary

The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) provide for the discharge of the Council's functions through executive arrangements.

The appendices to the report set out details of the Joint Committees and Outside Bodies to which Middlesbrough Council may make nominations or appointments.

1. Purpose

- 1.1 To consider the appointment of representatives to Joint Committees and Outside Bodies for the Municipal Year of 2024/2025, or until amended by Council/Executive (whichever is the latter).

2. Recommendations

2.1 That the Council

- (i) Subject to amendments to places indicated in the attached schedules, approves the appointments which are the responsibility of the Council.
- (ii) Notes the nomination of representatives/vacancies detailed in Appendix B – Council/Executive appointments and Appendix C – Executive appointments.
- (ii) Regards the bodies identified in the schedules submitted as approved duties for the payment of travel and subsistence allowance.
- (iii) 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), authorises the Monitoring Officer to remove or replace representatives on outside bodies.
- (iv) Considers a report on any outstanding Outside Body vacancies at its next Council meeting.

3. Rationale for the recommended decision(s)

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

4. Background and relevant information

- 4.1 The report provides an opportunity for the Council and the Executive to review its appointments to Outside Bodies and to make any necessary changes.

4.2 The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) provide for the discharge of the Council's functions through Executive arrangements.

4.3 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).

5. Other potential alternative(s) and why these have not been recommended

5.1 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.

6. Impact(s) of the recommended decision(s)

6.1 *Financial (including procurement and Social Value)*

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

6.2 *Legal*

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

6.3 Risk

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.

6.4 Human Rights, Public Sector Equality Duty and Community Cohesion

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.

6.5 Climate Change / Environmental

Not applicable.

6.6 Children and Young People Cared for by the Authority and Care Leavers

Not applicable.

6.7 Data Protection

Not applicable.

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

Action	Responsible Officer	Deadline
Inform the Outside Bodies which Councillors have been selected to sit on the various Outside Bodies.	Democratic Services Officers	30 June 2024

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 2024/2025

JOINT COMMITTEES – COUNCIL APPOINTMENTS 2024/2025

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: Cllrs C Cooper, Blades, M Storey	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: Cllrs Coupe, Furness, Gavigan, Hurst, 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 Cllrs Banks, Clynch Jackson, Jones, Mason	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 Cllrs Cooper, Morrish, Uddin	Annually
Tees Valley Combined Authority Cabinet	The Combined Authority Cabinet will monitor and evaluate the operation of the Constitution.	1 representative: The Mayor C Cooke Substitute: Deputy Mayor and Executive Member for Education and Culture: Cllr P Storey	Annually

JOINT COMMITTEES – COUNCIL APPOINTMENTS 2024/2025

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.	<p>3 representatives: 2 LAB; Cllr Blades and Branson 1 MICA Cllr McCabe</p> <p>Substitute Members: 2 LAB: Cllr J Kabuye, E Clynch</p> <p>1 MICA Cllr Morrish</p> <p>Members may not be a Member or Substitute Member of the Combined Authority's Cabinet or its Sub Committees.</p>	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.	<p>1 LAB Cllr N Walker 1 LAB Substitute Cllr J Ewan</p> <p>Members and Substitute Members may not be a Member or Substitute Member of the Combined Authority's Cabinet or its Sub Committees.</p>	Annually

JOINT COMMITTEES – COUNCIL APPOINTMENTS 2024/2025

Name of Organisation	Purpose of Body	Appointed	Term of Office
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: Cllr Furness Plus 1 named Substitute: Cllr Gavigan	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	Stuart Green	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 Cllr P Storey	Annually
Chemoxy	Informal meeting which discusses matters of mutual interest between the community, regulators, the Council and the Company.	6 representatives: Cllrs Ewan, Kabuye, Lewis, Romaine, Ryles and Uddin (Ward Councillors Central 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: Cllrs Kabuye and Hussain 1 MICA: Cllr McCabe 1 Spare : Cllr Coupe	4 year term appointed until 2027

JOINT COMMITTEES – COUNCIL APPOINTMENTS 2024/2025

Name of Organisation	Purpose of Body	Appointed	Term of Office
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 I Morrish	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: Cllrs Coupe, Gavigan, 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: Cllrs Clynch, Ewan, P Storey	Four year term from 2024
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>	3 representatives: Cllrs Kabuye,J Thompson and J Walker	Annually

JOINT COMMITTEES – COUNCIL APPOINTMENTS 2024/2025

Name of Organisation	Purpose of Body	Appointed	Term of Office
North East Regional Employers' Organisation (NEREO) NEREO Executive	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.	3 representatives: Executive Member for Finance and Governance (Portfolio Holder) Cllrs N Walker, Kabuye and Hurst 1 representative: Cllr N Walker	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.	1 representative: Cllr M Storey	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.	1 representative: Cllr P Gavigan	
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: Cllr Furness	Annually

JOINT COMMITTEES – COUNCIL APPOINTMENTS 2024/2025

Name of Organisation	Purpose of Body	Appointed	Term of Office
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: Cllr Uddin	Annually

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MIDDLESBROUGH COUNCIL

**OUTSIDE BODY APPOINTMENTS BY
THE COUNCIL / EXECUTIVE
2024/2025**

Outside Bodies – Council / Executive Appointments 2024/2025

Name of Organisation	Purpose of Body	Appointed By (C) Council (E) Executive	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: Executive Member for Environment: Cllr Gavigan Cllr J Rostron 1 MICA Cllr McCabe</p> <p>Plus one officer to be determined by the Executive Director of Regeneration and Culture</p>	Annually
Middlesbrough Development Corporation Board	<p>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> <p>Mayor Plus deputy Mayor (but for deputy mayor it can be a nominated individual)</p> <p>With the exception of the TVCA Mayor and elected members of Middlesbrough Council (Mayor and Deputy Mayor) Vice Chair, all Board members will serve for a period of 2 years or until the Annual General Meeting following the TVCA Mayoral Election but may be reappointed if so proposed by the TVCA Mayor.</p> <p>The Mayor and Deputy Mayor of Middlesbrough Council will be appointed to the board at the AGM of Middlesbrough Council. Any reference in this document to Deputy Mayor, may include, in the alternative, a nominated elected Councillor of the borough of Middlesbrough nominated by the Mayor of Middlesbrough Council.</p>	<p>(1) (E)The Elected Mayor C Cooke (1) (C) Deputy Mayor and Executive Member for Education and Culture</p>	2 year term

Outside Bodies – Council / Executive Appointments 2024/2025

Name of Organisation	Purpose of Body	Appointed By (C) Council (E) Executive	Term of Office
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) The Mayor C Cooke</p> <p>(1) (C) Cllr Thompson</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) Vacancy</p> <p>(E) Cllr J Nicholson</p>	Annually

MIDDLESBROUGH COUNCIL

JOINT COMMITTEE AND OUTSIDE BODY APPOINTMENTS BY EXECUTIVE 2024/2025

Outside Bodies – Executive Appointments 2024/2025

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 Cllr 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 Cllr N Walker	Annually
North East Culture Partnership – Board (ANEC)		1 representative: Cllr P Storey	Annually
Resources and Finish Task Group (ANEC)		1 representative: Cllr N Walker	Annually
Teesside Pension Board		1 representative: Executive Member for Finance and Governance: Cllr N Walker	4 year term of office until 2027

Outside Bodies – Executive Appointments 2024/2025

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: Cllrs Furness, P Storey and N Walker	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: The Mayor C Cooke	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: Cllr P Gavigan	Annually
Hustler Trust	To consider and determine issues relevant to the Hustler Trust.	3 Executive Members Cllrs Furness, P Storey and N Walker	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 J Cooke	Annually

Outside Bodies – Executive Appointments 2024/2025

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 – C Cooke Majority Group Leader – Cllr Clynch Minority Group Leader – Cllr M Saunders	Annually
North East Strategic Migration Partnership		1 representative: Cllr Thompson	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: <i>3 nominations: Cllrs McClintock and Smiles I Morrish</i>	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: Cllr 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: Mayor Cooke	Annually

Outside Bodies – Executive Appointments 2024/2025

Name of Organisation	Purpose of Body	Representative(s)	Term of Office
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: Cllrs Ryles, Uddin, J Walker, Hubbard	Annually
Stewart Park Trust	To consider and determine issues relevant to the Stewart Park Trust.	3 Executive Members Cllrs Furness, P Storey, N Walker	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: Elected Mayor C Cooke	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	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: Cllr P Storey	Annually

Outside Bodies – Executive Appointments 2024/2025

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

MIDDLESBROUGH COUNCIL



Report of:	Director of Legal & Governance Services on behalf of the Independent Panel on Members' Remuneration
Relevant Executive Member:	Executive Member for Finance and Governance
Submitted to:	Council
Date:	22 May 2024
Title:	Members' Scheme of Allowances
Report for:	Decision
Status:	Public
Council Plan priority:	Delivering Best Value
Key decision:	Not applicable
Why:	Not applicable
Subject to call in?:	Not applicable
Why:	Not applicable

Proposed decision(s)

1. That Council consider the recommendations proposed by the Independent Panel on Members' Remuneration outlined in their report at Appendix 1.

Executive summary

Following its 2024 review of Members' allowances, the Independent Panel on Members' Remuneration recommend an increase to the Basic Allowance from £7,608 to £8,000. The Panel also recommend freezing Special Responsibility Allowances at their current levels.

The Council is asked to consider the Panel's recommendations and either accept or reject them. If, after having due regard of the Panel's recommendations, the Council reject the Panel's proposals it will need to create its own Scheme of Allowances.

1. Purpose

- 1.1 To provide Members with the opportunity to consider the proposals of the Independent Panel on Members' Remuneration and adopt the Scheme of Allowances.

2. Recommendations

- 2.1 That Council consider the recommendations proposed by the Independent Panel on Members' Remuneration outlined in their report at Appendix 1.

3. Rationale for the recommended decision(s)

- 3.1 The Council are required under The Local Authorities (Members' Allowances) (England) Regulations 2003 to publish a Members Scheme of Allowances on an annual basis.
- 3.2 The allowances should reflect the level of work, time and commitment of the role of Councillor and to provide a reasoned approach the impact the recommendations will have on the Council.

4. Background and relevant information

- 4.1 The Council are required under The Local Authorities (Members' Allowances) (England) Regulations 2003 to publish a Members Scheme of Allowances on an annual basis and to have due regard to the recommendations of the Independent Panel on Members Remuneration.
- 4.2 Members Allowances are reviewed by the Independent Panel on Members' Remuneration annually and undergo a full review every four years. The Panel carried out a full review in 2023 and submitted their recommendations to Council for agreement.
- 4.3 In 2023 the Panel made recommendations that the Basic Allowance continue to be increased incrementally, for a four-year period to bring it in line with the average Basic Allowance of other Tees Valley authorities. It was also recommended that the Basic Allowance should continue to be increased in line with any inflationary staff pay awards.
- 4.4 The Panel were informed that an annual review of the Members' Scheme of Allowances was required for the municipal year 2024-2025. The review is a process that encompasses the amount of allowances paid and the mechanisms by which they are assigned.
- 4.5 In determining the rate of Special Responsibility Allowances (SRA) the Council had previously used a banding scheme index model, based on multiples of the Basic

Allowance. However, the index-banding system has been suspended following the 2018 review.

- 4.6 The Council are still required to publish an Annual Scheme of Allowances and therefore the Independent Panel still conduct an annual review to address any issues that have arisen or significant changes to roles receiving a Special Responsibility Allowance.
- 4.7 Following the death of the Panel Chair 2023, a recruitment drive will be undertaken to appoint new panel members going forward.
- 4.8 The Panel met on 10 May 2024 to carry out its annual review of the Members' Scheme of Allowances and proposed a Scheme of Allowances for 2024/2025. They considered comparative SRA information provided by Democratic Services and wider socioeconomic factors affecting the Council and Middlesbrough generally.
- 4.9 The Panel's 2023 recommendations were to freeze allowances at 2022 levels and not reflect staff inflationary pay awards. As part of the 2024 review the Panel noted that, because of this, Middlesbrough Council's Basic Allowance remains below the Teesside average and continued to drift from its Teesside neighbours. The Panel was aware this could result in negative impacts including discouraging a wider demographic for standing for Council.
- 4.10 During the Panel's 2024 review socioeconomic factors were considered as well as the difficult financial position facing the Council. Despite this the Panel felt the Basic Allowance was in danger of becoming too low compared to other Teesside Councils. As such the Panel feel the Basic Allowance should be increased to £8,000 to reflect the work undertaken by Councillors.
- 4.11 With regard to the Mayor, the Panel examined the responsibilities of the Mayor and considered comparators with other Mayoral authorities and found that the allowance to the Mayor of Middlesbrough to be below the average of other Mayoral authorities. It was also felt that regardless of the population or the size of an authority, the time, commitment, and responsibilities of an elected Mayor are comparable. Despite this, the Panel felt the Mayor's SRA was adequate when supplemented with the Basic Allowance.
- 4.12 The Panel felt those roles attracting an SRA were all still relevant, recognising the time commitment and responsibilities involved. It was also recognised that, generally, the rates afforded to special responsibility allowances in Middlesbrough were comparable to other Teesside Authorities. As the Council has not undergone any governance changes since the last quadrennial review the Panel were confident that the comparators used in their deliberations continued to be relevant.

4.13 The Panel continue to recommend that during this period any future staff pay awards should not be applied to SRAs.

5. Other potential alternative(s) and why these have not been recommended

5.1 The Council could reject the Panel's recommendations and propose its own Scheme of Allowances having had due regard to the recommendations of the Independent Panel on Members Remuneration.

6. Impact(s) of the recommended decision(s)

6.1 Financial (including procurement and Social Value)

Should Council agree the recommendations above this would increase Basic Allowance spending from £357,576 to £376,000, an increase of £18,424. Importantly, the Independent Panel act independently from the Council and neither Council officers nor elected Members have any influence over its recommendations.

Following the recent agreement to reduce the number of Scrutiny Panels from five to two, the Special Responsibility Allowance spend has decreased by £16,785. Consequently, should Council agree the increase to the Basic Allowance the net increase to the Members Allowance budget would be £1,639. The Members Allowance budget is held within the Legal and Governance Directorate. The increase will be met from the corporate contingency budget and will be included as growth within 2025-2026 budget development plan.

6.2 Legal

The Council are required under The Local Authorities (Members' Allowances) (England) Regulations 2003 to publish a Members Scheme of Allowances on an annual basis and to have due regard to the recommendations of the Independent Panel on Members Remuneration.

6.3 Risk

Failure to adhere to Local Code of Corporate Governance and deliver governance improvements outlined in the Annual Governance Statement. A potential consequence of not having a comparable Scheme of Allowances with other Tees Valley authorities is that it may discourage a wider demographic for standing for Council.

6.4 Human Rights, Public Sector Equality Duty and Community Cohesion

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.

6.5 Climate Change / Environmental

Not Applicable

6.6 Children and Young People Cared for by the Authority and Care Leavers

Not Applicable

6.7 Data Protection

Not Applicable

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

Action	Responsible Officer	Deadline
Any changes to the Scheme of Allowances will be communicated to payroll	Head of Legal Services (People)	31 May 2024

Appendices

1	IRP Report
2	Proposed Scheme of Delegation

Background papers

Body	Report title	Date
Legislation	The Local Authorities (Members' Allowances) (England) Regulations 2003	

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MEMBERS' REMUNERATION – APPENDIX 1

REPORT OF THE INDEPENDENT PANEL ON MEMBERS' REMUNERATION

Panel Membership

1. The establishment of an Independent Panel on Members Remuneration, and its resultant recommendations is required under sections 20 and 21 of the Local Authorities (Members' Allowances) (England) Regulations 2003. The Panel consists of three members (with two vacancies), and meets on an annual basis to review Members Remuneration.
2. Following the sad passing of the panel chair a recruitment exercise will be undertaken to recruit additional panel members.
3. The Panel are keen to stress that in their deliberations they have carefully reviewed all the relevant quantitative information; are sensitive to wider economic factors affecting Middlesbrough and the Council and have acted independently of all other considerations.

Annual Review - 2024

4. The Panel were informed that an annual review of the Members' Scheme of Allowances was required for the municipal year 2024-2025. The review considers the amount of allowances paid and the mechanisms by which they are assigned.

Allowances

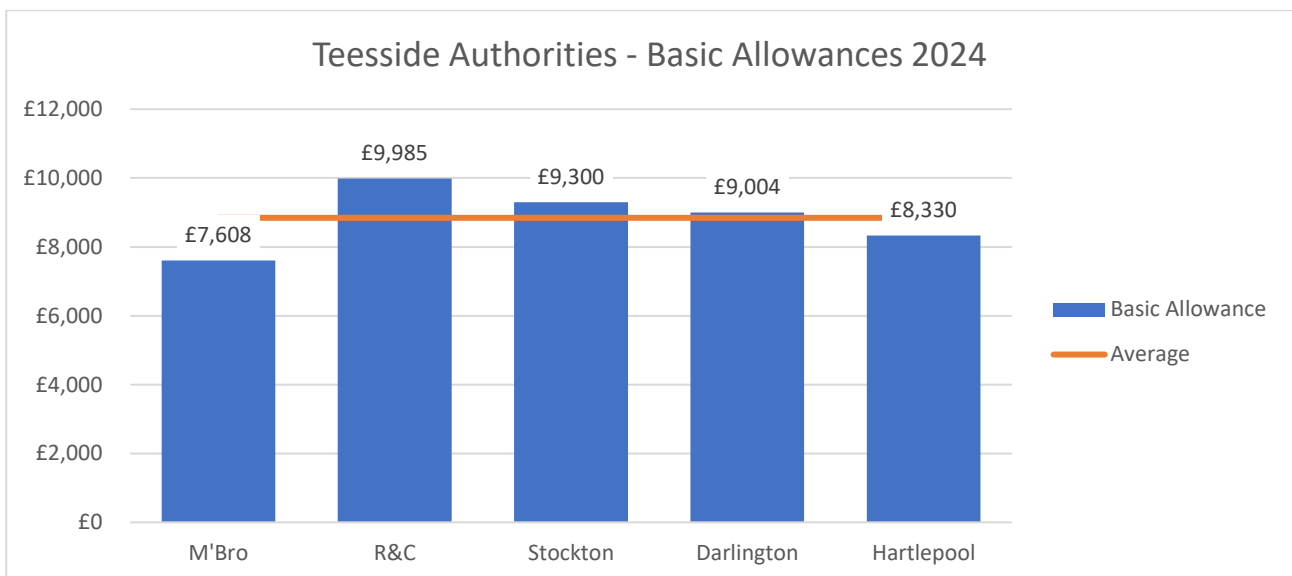
5. The Panel were advised, and wish to convey to Members, that when considering allowances they have strong regard for the current economic conditions for local authorities; recent pay settlements for MBC employees; whether the level of remuneration reflect the responsibilities and commitment expected of Councillors and if they are set at levels which also recognise the well-established principle of voluntary unpaid public service.
6. In determining the rate of Special Responsibility Allowances (SRA) the Council previously utilised a banding scheme index model, based on multiples of the Basic Allowance. That system has been suspended following the 2018 review initially for a period of four years. However, given rates of allowances have remained static for several years, the indexing system has not yet been reinstated. In conducting the 2024 review, the Panel examined the levels of the Basic Allowance in line with the 2023 review.
7. The Panel were provided with background information which included the Executive Scheme of Delegation, an overview of all roles currently receiving an SRA and comparator information for other local and Mayoral authorities in order to assist the Panel with their deliberations. Providing comparator information against the other Tees Councils was not possible on an exact like for like basis, as each authority has a different political structure and committee make-up. However, data was examined on a best fit basis.
8. All elected members were invited to put written representations to the Panel. Two representations were received. Those representations included a 50% reduction of

SRAs for all Committee Panel Chairs, freezing Basic the Basic Allowance at its current levels and not affording an SRA to any Vice Chairs.

- These were considered as part of the Panel's deliberations and no changes to SRAs are recommended at this time.

Basic Allowance

- The Panel's 2023 recommendations were to freeze allowances at 2022 levels and not reflect staff inflationary pay awards.
- The Panel noted that, because of this, Middlesbrough Council's Basic Allowance remains below the Teesside average and continues to drift from its Teesside neighbours, as demonstrated in the table below. One potential consequence may be to discourage a wider demographic for standing for Council.
- During the Panel's 2024 review, socioeconomic factors were considered as well as the difficult financial position facing the Council. Despite this the Panel felt the Basic Allowance was in danger of becoming too low compared to other Teesside Councils. As such the Panel feel the Basic Allowance should, again, be increased to £8,000 to reflect the work undertaken by Councillors.



Special Responsibility Allowances (SRA)

Authority	Mayoral Allowance
Newham	£93,575
Hackney	£92,686
Lewisham	£80,759
Tower Hamlets	£80,579
Watford	£73,607
Salford	£71,829
North Tyneside	£68,499
Leicester	£66,938
Bedford	£66,480
Doncaster	£58,133
Middlesbrough	£55,952
Mansfield	£49,377

13. The Panel were advised that the ‘Guidance on Consolidated Regulations for Local Authority Allowances’ stated that SRAs should only be paid when Councillors have “significant additional responsibilities” over and above the generally accepted responsibilities of a Councillor.
14. Until the 2018 review, the method of determining Special Responsibility Allowances was based on a ‘multiplier’, using the Basic Allowance as a base then multiplying it by a factor ranging from 0.5 to 10, depending on the role. This system has been suspended since 2018 given the increase to the Basic Allowance and simultaneous decrease of SRAs.
15. In their deliberations the Panel can only take into account the level of responsibility and commitment required for the role, they cannot take into account personal perceptions of a person appointed to a post.
16. The Panel were keen to express that when considering SRAs that they look at a role in its entirety and that an allowance was not solely based on the number of meetings held/attended. For example, they would take into consideration the depth and range of the portfolio; the level of responsibility; policy development; work with senior officers; level of accountability, decision making, and the time commitment required. For Overview and Scrutiny other commitments were also considered, e.g. researching topics, site visits, external meetings with contributors to Panels, effective challenge and the coordination and selection of topics for review and call ins etc.
17. Regarding the Mayor the Panel examined the responsibilities of the Mayor and considered comparators with other Mayoral authorities and found that the allowance to the Mayor of Middlesbrough to be below the average of other Mayoral authorities. It was also felt that regardless of the population or the size of an authority, the time, commitment, and responsibilities of an elected Mayor are comparable. The Panel were advised the Mayor was carrying the responsibility of a large portfolio as well as the role of Mayor. The Panel was also advised this was the Mayor’s choice and could delegate this responsibility if he chose to. Despite this, the Panel felt the Mayor’s SRA was adequate when supplemented with the Basic Allowance.
18. The Panel felt those roles attracting an SRA were all still relevant, recognising the time commitment and responsibilities involved. It was also recognised that, generally, the rates afforded to Special Responsibility Allowances in Middlesbrough were comparable to other Teesside Authorities. As the Council has not undergone any governance changes since the last quadrennial review the Panel were confident that the comparators used in their deliberations continued to be relevant.
19. The Panel continue to recommend that during this period any future staff pay awards should not be applied to SRAs.
20. The Panel recognise the valued work and commitment provided by all Members.

Travel & Subsistence

21. The Panel considered that the legislation allowed for travel and felt no changes were necessary.

22. The Panel considered the rates for mileage that are currently based on His Majesties Revenues and Customs national rates i.e. 45p per mile; and subsistence in line with those paid to staff. The Panel recommended no change.
23. The Panel agreed that Co-Opted Members should be allowed to make claims for allowances based on the fact that they are acting voluntarily and that the current £10 per meeting rate remained reasonable and that no changes should be made.

Dependent Carers Allowance

24. Members can claim an allowance for dependents that they care for (adults or children). This is to allow their attendance at Council meetings. This rate of allowance is currently based on the national living wage and limited to seven hours per week. The Panel recommended no change.

Pensions

25. The 'Scheme of Allowances' sets out which Members of the authority are to be entitled to pensions in accordance with a scheme made under Section 7 of the Superannuation Act 1972.
26. In making that provision an authority may only include someone who has first been recommended by the Independent Panel. The current position is that no members receive a pension. The Panel recommended no change.

The Panel's Recommendations

27. For the reasons cited above, the Panel recommends that the Basic Allowance should be increased to £8,000. The Panel also recommends that Special Responsibility Allowances should remain frozen as agreed by Council in 2023.

Why is this being recommended?

28. Members' allowances should reflect the level of work, time and commitment of the role of Councillor and to provide a reasoned approach the impact the recommendations will have on the Council.
29. The recommendation was made following consideration of all socioeconomic factors.

MEMBERS SCHEMES OF ALLOWANCE 2024/25

Middlesbrough Borough Council, in exercise of the powers conferred by the Local Authorities (Members' Allowances) (England) Regulations 2003 hereby makes the following Scheme:

1. This Scheme may be cited as the Middlesbrough Borough Council Members' Scheme of Allowances', and shall have effect for the year commencing on 1st April 2024 and subsequent years, unless amended by the Council.

2. In this Scheme:

"Year" means the 12 months ending with 31st March.

3. Basic Allowance

3.1 All Elected members including the Mayor of Middlesbrough Council receive a basic allowance to recognise the time devoted to carry out their work as Members. It is also intended to cover incidental costs such as use of members' homes, attendance at meetings with officers, community meetings, and ward activities.

3.2 The Local Authorities (Members' Allowances) (England) Regulations 2003 provide for the payment of a basic allowance in respect of each year to each member of an authority, and the amount of such an allowance shall be the same for each such member. Subject to paragraphs, 10 and 11 the allowance will be paid to each elected Councillor for the year 1st April 2024 to 31st March 2025.

3.3 For 2024/25 the basic allowance of £8,000 will be paid in equal monthly instalments.

3.4 The Basic Allowance will not be increased in line with staff pay rises.

4. Special Responsibility Allowances

4.1 Special Responsibility Allowances (SRAs) are paid in addition to the basic allowance to members who hold positions with significant responsibilities over and above the general duties of a councillor and are also paid in equal monthly instalments.

4.2 For each year a special responsibility allowance shall also be paid to those Members who hold the special responsibilities in relation to the Authority that are specified in Schedule 1, PROVIDED THAT no Member shall be entitled to receive more than one Special Responsibility Allowance. SRA allowances will remain static and shall not be increased in line with any subsequent annual staff pay award.

4.3 Special Responsibility Allowances were originally arrived at by an agreed multiple of the basic allowance. This process has been suspended since 1 April 2019.

- 4.4 Subject to paragraphs 10 & 11.1 the amount of each such allowances shall be the amount specified against that special responsibility in Schedule1.
- 4.5 A special responsibility allowance relating to the duties of a Political Group Leader shall be payable to the leader of the overall majority group and to the leaders of the two largest minority Groups, where each of the minority Groups comprise at least 10% of the total number of Members of the Council.
- 4.6 Where there is no over-all majority group, the two largest political group leaders will receive a minority special responsibility allowance. Where only one of the two largest minority Groups comprise at least 10% of the total number of Members of the Council, a special responsibility allowance relating to the duties of Political Group Leader shall be payable to the leader of the next largest minority Group.

5. Travelling and Subsistence Allowance – Councillors

- 5.1 A Councillor shall be entitled to receive appropriate travel and subsistence allowances where he/she necessarily incurs expenditure on travel or subsistence in order to perform an approved duty.
- 5.2 The amount of the allowance payable to a Member in respect of subsistence shall be the same as that approved by the Authority in respect of officers of the Council who are paid officer rates.
- 5.3 The subsistence allowance payable shall be increased or decreased to the same extent as determined by the Authority in respect of officers.
- 5.4 The allowance payable to a Member in respect of travel mileage shall be paid at the Inland Revenue rate (45p per mile).
- 5.5 For the purposes of this paragraph, approved duties shall include all those duties, which are specified in Part I of Schedule 2 to this Scheme.

6. Travelling and Subsistence – Co-opted Members

- 6.1 A Co-opted Member shall be entitled to receive appropriate travel and subsistence allowances as specified in Part II of Schedule 2 to this Scheme.

7. Dependent Carers Allowance

- 7.1 A Councillor or Co-opted Member shall be entitled to receive a dependent carers allowance to provide for children or adult care, where he/she has necessarily incurred that expenditure in respect of a dependent who is looked after by a registered provider whilst the Councillor or Co-opted Member is carrying out an approved duty.
- 7.2 The dependent carers allowance referred to in paragraph 7.1 above shall be paid per hour and be in line with the national living wage and limited to 7 hours per week.

- 7.3 The allowance will not be payable to a member of the claimant's own household.
- 7.4 For the purposes of this paragraph, an approved duty is any duty listed in Part I of Schedule 2 to this Scheme.

8. Telephone / Broadband Allowance

- 8.1 A member is entitled to a communications allowance of a £15 contribution towards their telephone connections and a £10 contribution towards broadband connections. One claim per household, subject to annual proof of service.

9. Pensions

- 9.1 No councillor shall be entitled to pensions in accordance with this scheme

10. Renunciation

- 10.1 A Member may by giving notice in writing to the Director of Legal and Governance, or the Head of Legal Services (People) elect to forego all or part of their entitlement to an allowance under this Scheme. Where such a declaration is made, it remains in force until a further notice in writing is given to the Director of Legal and Governance or the Head of Legal Services (People) to withdraw it.

11. Part-year Entitlements

- 11.1 The provision of this paragraph shall have effect to regulate the entitlements of a Councillor to basic and special responsibility where, in the course of a year, this Scheme is amended or that Councillor becomes, or ceases to be, a Councillor, or accepts or relinquishes a special responsibility in respect of which a special responsibility allowance is payable.
- 11.2 If an amendment to this Scheme changes the amount to which a Councillor is entitled by way of a basic allowances or a special responsibility allowance, then in relation to each of the periods:
- a) beginning with the year and ending with the day before that on which the first amendment in that year takes effect, or
 - b) beginning with the day on which an amendment takes effect and ending with the day that on which the next amendment takes effect, or (if none) with the year,

The entitlement to such an allowance shall be to the payment of such part of the amount of the allowance under this Scheme as it has effect during the relevant period as bears to the whole the same proportion as the number of the days in the period bears to the number of days in the year.

- 11.3 Where the term of office of a Councillor begins or ends otherwise than at the beginning or end of a year, the entitlement of that Councillor to a basic allowance shall be to the payment to such part of the basic allowance as bears to the whole the same proportion as the number of days during which his/her term of office subsists bears to the number of days in that year.
- 11.4 Where this Scheme is amended as mentioned in sub-paragraph 11.2, and the term of office of a Councillor does not subsist throughout the period mentioned in sub-paragraph 11.2a, the entitlement of any such Councillor to a basic allowance shall be to the payment of such part of the basic allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days during which his term of office as a Councillor subsists bears to the number of days in that period.
- 11.5 Where a Councillor has during part of, but not throughout, a year such special responsibilities as entitle him or her to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of that allowance as bears to the whole the same proportion as the number of days during which he has such special responsibilities bears to the number of days in that year.
- 11.6 Where a remunerated person has been absent due to exceptional circumstances, and another Member acts as chair for more than 50% of the meetings in any Municipal Year or chairperson is absent for more than two consecutive months, then the person who has acted as chair shall be remunerated in place of the appointed chairperson (on a pro rata basis).
- 11.7 Where payment of any allowance has already been made to the initially appointed person, the authority may require that such part of the allowances paid to the appointed person for any such period to be repaid to the authority (determined by the Monitoring Officer).
- 11.8 Where this Scheme is amended as mentioned in sub-paragraph 11.2 and a Councillor has during part, but does not have throughout the whole, of any period mentioned in sub-paragraph 11.2a of that paragraph any such responsibilities as entitle him or her to a special responsibility allowance, that Councillor's entitlement shall be to payment of such part of the allowance referable to each such period (ascertained in accordance with that sub-paragraph) as bears to the whole the same proportion as the number of days in that period during which he or she has such special responsibilities bears to the number of days in that period.
- 11.9 Where a scheme of allowances is amended, the Council can choose to apply any amendment retrospectively to the beginning of the financial year in which the amendment is made.

12 Claims and Payments

- 12.1 Payments of allowances shall be made as follows:
- a) Basic Allowances: Automatically Paid Monthly
 - b) Special Responsibility Allowances: Automatically Paid Monthly
 - c) Travel and Subsistence Allowance: Monthly (Claim)
 - d) Dependent Carers Allowance: Monthly (Claim)
 - e) Co-optees Allowance: Monthly (Claim)
- 12.2 All payments shall be made direct to a Bank or Building Society.
- 12.3 A claim for expenses/subsistence under this scheme shall be made within two months of the date of the meeting in respect of which the claim is made.
- 12.4 Claims for travel and subsistence (other than mileage for approved duties) shall only be approved where receipts of expenditure have been provided and have been incurred in relation to an approved duty or with the approval of the Head of Democratic Services.
- 12.5 For each claim, Members shall submit an electronic claim acknowledging that they are entitled to claim the expenses and where appropriate that they hold the appropriate valid driving documentation.
- 12.6 Members should submit their claims by the 7th day of the month
- 12.7 The Director of Legal & Governance Services shall have authority to agree a different frequency of payment with an individual Member on request.

SCHEDULE 1

BASIC 2024/25 - £8,000 x 47 Members (including Mayor)

These allowances are **not** subject to the inflationary increase in line with staff pay awards.

SPECIAL RESPONSIBILITY ALLOWANCES (SRAs)

The following roles are specified as those designated as receiving a special responsibility allowances, and the amounts of those allowances. These allowances are **not** subject to the inflationary increase in line with staff pay awards.

<u>OFFICE</u>	No of Positions	ALLOWANCE	<u>Total</u>
Mayor	1	£55,952	£55,952
Deputy Mayor & Executive Member	1	£19,518	£19,518
Executive Members	5	£11,190	£55,950
Chair of Overview & Scrutiny Board	1	£11,190	£11,190
Chair of Licensing Committee	1	£8,393	£8,393
Chair of Planning & Development Committee	1	£8,393	£8,393
Chair of the Council	1	£5,595	£5,595
Chair of Corporate Affairs and Audit Committee	1	£5,595	£5,595
Chairs of Scrutiny Panels	2	£5,595	£11,190
Chair of Standards Committee	1	£2,798	£2,798
Chair of Staff Appeals Committee	1	£2,798	£2,798
Chair of Teesside Pension Fund Committee	1	£2,798	£2,798
Political Group Leaders:			
Majority Group (currently not claimed)	1	£8,393	£8,393
Largest Minority Groups – maximum x 2 providing they have 10% of Council membership	2	£2,798	£5,596
Total cost of SRA	20		£204,159

Banding Scheme Index – The Council’s “Multiplier” System of calculating Special Responsibility Allowances has been suspended since April 2019.

SCHEDULE 2

TRAVEL & SUBSISTENCE ALLOWANCES

Part 1 Duties that may qualify for Travelling & Subsistence Allowances

- a) the attendance at a meeting of the Authority or of any Committee or Sub Committee of the Authority, or of any other body to which a member has been appointed to by the authority, or of any Committee or Sub Committee of such a body;
- b) the attendance at any other meeting, the holding of which is authorised by the Authority, or a Committee or Sub Committee of the Authority, or a Joint Committee of the Authority and one or more Local Authority within the meaning of Section 270(1) of the Local Government Act 1972, or a Sub Committee of such a Joint Committee provided that:
 - (i) where the Authority is divided into two or more political groups it is a meeting to which Members of at least two such groups have been invited, or
 - (ii) if the Authority is not so divided, it is a meeting to which at least two Members of the Authority have been invited;
- c) the attendance at a meeting of any association of Authorities of which the Authority is a Member providing no other attendance / mileage allowance is paid;
- d) the attendance at a meeting of the Executive or a meeting of any of its Committees, where the Authority is operating executive arrangements;
- e) the performance of any duty in connection with the discharge of any function of the Authority conferred by or under any enactment and empowering or requiring the Authority to inspect or authorise the inspection of premises;
- f) the carrying out of any other duty approved by the Authority, or any duty of a class so approved, for the purposes of, or in connection with, the discharge of the functions of the Authority or of any of its Committees or Sub Committees. For the purpose of this Section approved duties shall include the following:
 - i) travel in connection with Scrutiny site visits or investigations
 - ii) authorised attendance at Seminars or Conferences
- g) In cases of urgency, the Monitoring Officer is authorised to approve duties.

Travelling allowances may not be claimed for political group meetings;

Part 2 - Subsistence

1. Subsistence allowances for meals and accommodation can be reimbursed to Middlesbrough Members' for duties undertaken outside the unitary authority. This allowance reflects the scheme in place for officers of Middlesbrough Council.
2. Members are entitled to claim subsistence if their duties mean that they are away from the authority for at least 5 hours, preventing them from following their normal meal arrangements AND they have to incur expenditure which is in addition to their normal outlay.
3. Any claims for subsistence costs must be for the actual amount paid (up to the maximum amount claimable) and supporting receipts of this cost must be kept by the Member. The reimbursement of costs associated with alcohol will not be paid under any circumstances.

Part 3. Telephone / Broadband Allowance

1. A member is entitled to a communications allowance of a £15 contribution towards their telephone connections and a £10 contribution towards broadband connections. One claim per household, subject to annual proof of service.

Part 4. Co-opted Members Travelling & Subsistence Allowances

1. Co-opted Members of the following Council bodies shall be entitled to receive a combined travel & subsistence allowance as specified in paragraph (b) following production of a signed declaration that expenses had been incurred:
 - Scrutiny Committees (including Overview & Scrutiny Board, Scrutiny Panels and Scrutiny Working Groups);
 - Standards Committee (including Sub Committees and Panels)
 - The Independent Panel on Members' Remuneration,
 - Teesside Pension Fund Committee
 - School Appeal Panels
2. The amount of the combined Travel & Subsistence Allowance shall be £10 per meeting.

MIDDLESBROUGH COUNCIL

Report of:	Director of Legal and Governance Services
Relevant Executive Member:	Executive Member for Finance and Governance
Submitted to:	Council
Date:	22 May 2024
Title:	Statutory Officer Protocol
Report for:	Decision
Status:	Public
Council Plan priority:	Delivering Best Value
Key decision:	Not applicable
Why:	Not applicable
Subject to call in?:	Not applicable
Why:	

Proposed decision(s)

That Council approves the introduction of the Statutory Officer Protocol.

Executive summary

The external audit section 24 recommendations included the introduction of a Statutory Officer Protocol to provide clear guidance on roles and responsibilities and process to ensure continuity for Statutory Officer roles. It is also good practice to have a protocol in place.

1. Purpose

1.1 To seek approval from Council for the introduction of a Statutory Officer Protocol.

2. Recommendations

2.1 That the Council

- Approves the introduction of the Statutory Officer Protocol.

3. Rationale for the recommended decision(s)

3.1 Having a protocol in place was a section 24 recommendation from the external auditor.

3.2 Having a protocol in place is good practice in local government to ensure continuity in the statutory officer roles.

3.3 We currently don't have a protocol in place.

4. Background and relevant information

4.1 The council is required under the Local Government and Housing Act 1989 to have in place the statutory officers of Head of Paid Service, Monitoring Officer and Chief Finance Officer.

4.2 The purpose of the statutory officer protocol is to set out;

- The definitions of the roles included
- Restrictions on those posts
- Appointment process
- Terms and Conditions
- Performance Management
- Disciplinary procedures
- Dismissal
- Sickness Management
- Interim appointments and exit processes

4.3 The aim is always to have permanent appointments in place however there is a recognition that interims may be required at times. These appointments should be time limited and have a plan in place towards permanence.

4.4 A copy of the protocol is attached at Appendix 1.

5. Other potential alternative(s) and why these have not been recommended

5.1 The other option would be to carry on without a protocol in place. This would mean we would not be following external audit recommendations or following good practice. This could also mean that in the event of unexpected circumstances (death, incapacity or departure) this could leave the council in the position of not meeting its obligations under the Local Government and Housing Act 1989 and cause delay in securing a replacement whilst a process is formulated and approved.

6. Impact(s) of the recommended decision(s)

6.1 Financial (including procurement and Social Value)

There are no financial implications of the protocol.

6.2 Legal

The council is required under the Local Government and Housing Act 1989 to have in place the statutory officers of Head of Paid Service, Monitoring Officer and Chief Finance Officer.

6.3 Risk

The proposed protocol will have a positive impact on the risk contained in the Strategic Risk Register as it will ensure that the Council has arrangements in place to enable statutory officer functions to be exercised with minimal interruption and good levels of continuity.

6.4 Human Rights, Public Sector Equality Duty and Community Cohesion

There are no implications arising from the protocol.

6.5 Climate Change / Environmental

There are no implications arising from the protocol.

6.6 Children and Young People Cared for by the Authority and Care Leavers

There are no implications arising from the protocol.

6.7 Data Protection

There are no implications arising from the protocol.

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

Action	Responsible Officer	Deadline
Protocol issued to existing Statutory Officers	Nicola Finnegan	On approval

Appendices

1	Statutory Officer Protocol
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Background papers

No background papers were used in the preparation of this report.

Contact: Nicola Finnegan Head of Human Resources

Email: Nicola_finnegan@middlesbrough.gov.uk

Appendix 1**Statutory Officer Protocol****Introduction**

This document sets out how the Council will ensure there is continuity within statutory posts to protect corporate governance processes.

Definitions

Under the Local Government and Housing Act 1989 the Authority is required to have the following statutory officers:

- Head of Paid Service
- Monitoring Officer
- Chief Finance Officer

The Council will designate the following posts as shown:

Council Post	Designation	Role
Chief Executive	Head of Paid Service	Responsible for management functions
Director of Legal and Governance Services	Monitoring Officer	Responsible for the lawfulness and fairness of Council decision-making
Director of Finance	Chief Finance Officer	The Council's Responsible Finance Officer

Full Council may designate statutory officer roles to alternative posts as required.

Role profiles are outlined at Appendix A.

Restrictions on posts

(a) The Monitoring Officer may not be the Head of Paid Service or the Chief Finance Officer.

(b) The Chief Finance Officer may not be the Monitoring Officer.

Appointment of Statutory Officers

Where the Council proposes to appoint a Head of Paid Service, a Chief Officer, Monitoring Officer, Chief Finance Officer or other statutory or non-statutory Chief Officer and it is not proposed that the appointment be made exclusively from among their existing officers, the Council will:

- (a) draw up a statement specifying: (i) the duties of the Officer concerned; and (ii) any qualifications or qualities to be sought in the person to be appointed;
- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it;
- (c) make arrangements for a copy of the statement mentioned in (a) above to be brought to the attention of potential applicants.

A “Chief Officer Appointments Committee” of nine Members nominated annually by the Council, plus the Mayor, the Deputy Mayor and the relevant Executive Portfolio holder, shall recommend the appointment of the Head of Paid Service. The appointment shall be approved by Full Council following the recommendation of the Chief Officer Appointments Committee.

Full Council may approve the appointment of the Head of Paid Service provided that no well-founded objection has been received from an Executive Member within three (3) days of notification of the Chief Officer Appointments Committee’s recommendation.

The Chief Officer Appointments Committee will appoint the remaining Chief Officers, including the Monitoring Officer and the Chief Finance Officer, unless such appointment is on an interim basis (six months or less). Interim appointments of Chief Officers are to be made by the Head of Paid Service.

An offer of employment can be made in respect of a Chief Officer post save where an Executive Member provides a well-founded objection to the appointment within the timeframe set out in section above.

Terms and conditions

The Chief Executive will be appointed on the Joint Negotiating Committee for Local Authority Chief Executives terms and conditions.

The Monitoring Officer and the Chief Finance Officer will be appointed on terms outlined in the Joint Negotiating Committee for Local Authority Chief Officers.

Performance management process

The appraisal process for the Chief Executive is outlined at Appendix B.

The appraisal process for the Monitoring Officer and the Chief Finance Officer will follow the standard council employee procedure;

- Review of previous year's performance
- Objectives set – jointly agreed with the Chief Executive
- 6-month review
- 12-month annual review and performance rating

Disciplinary action and investigations

Any disciplinary action contemplated against the Chief Executive will follow the model procedure set out at Appendix 5 of the JNC for Chief Executives handbook.

The Local Authorities (Standing Orders) (England) Regulations 2001 (as amended by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015) in England, and the Local Authorities Standing Orders (Wales) Regulations 2006 in Wales, provide a degree of protection for the Monitoring Officer and Chief Finance Officer against unwarranted political interference in their statutory role within local authorities.

Any disciplinary action contemplated against the Monitoring Officer or Chief Finance Officer will follow the model procedures set out in the JNC for Chief Executives handbook.

Dismissal

Following the model procedures referenced above a statutory officer can only be dismissed by full Council.

Sickness Management

Statutory Officer sickness absence will be managed in line with the Managing Attendance, Health and Wellbeing Policy.

Interim appointments process

It is the authority's aim to have permanent appointments in place for statutory officer posts and any interim arrangements will be minimised and a road map for permanence identified. However, it is recognised that on occasion it is necessary to

have interim arrangements in place where the timing of the departure of a statutory officer does not allow for permanent recruitment to take place.

The Chief Finance Officer and the Monitoring Officer have nominated deputies in the event they are required to cover.

The Chief Executive can designate an existing member of the Leadership Management Team to cover for absence up to 1 calendar month, any absence longer than this will result in a meeting of the Chief Officer Appointments Committee being convened as soon as practicable to recommend a designation of the Head of Paid Service for full council approval.

In the event of the unexpected death, incapacitation or departure of the Chief Executive a meeting of the Chief Officer Appointments Committee must be convened as soon as practicable to recommend a designation of the Head of Paid Service for full council approval.

Chief Officer Appointments Committee can recommend the appointment of an Interim Chief Executive, though this is a decision reserved for full Council.

The Chief Executive can make an interim appointment for a Chief Officer including the Monitoring Officer and Chief Finance Officer for a period up to 6 months. Any extension to such appointment must be approved by Chief Officer Appointments Committee.

On the engagement of an interim appointment there should be clear expectations and objectives set to cover the assignment including a monitoring process.

Exit process for interim appointments

Interim arrangements should be time limited with plans in place to move to permanence in a planned way with adequate time for a full handover to be in place.

Unexpected departures of an interim will be covered by the deputising arrangements outlined above.

Appendix A

STATUTORY OFFICER PROFILES

This sets out the roles and responsibilities of the Council's Statutory Officers.

HEAD OF PAID SERVICE

What are the Head of Paid Services individual statutory and constitutional responsibilities?

It shall be the duty of the Head of Paid Service, where they consider it appropriate to do so, to prepare a report to the Council setting out their proposals on certain matters. Those matters are:

- (a) the manner in which the discharge by the Council of its different functions is co-ordinated;
- (b) the number and grades of staff required by the Council for the discharge of its functions;
- (c) the organisation of the Council's staff; and
- (d) the appointment and proper management of the Council's staff.

A copy of the report should be sent to each Member of the Council.

Who may be the Head of Paid Service?

The Head of Paid Service may not be the Monitoring Officer but may hold the post of Chief Finance Officer if a qualified accountant.

What is the Head of Paid Service's role?

The Head of Paid Service will:

- (a) have responsibility for the Council's management functions;
- (b) be responsible for establishing a framework for management direction, style, and standards, and for monitoring the performance of the organisation;
- (c) determine and publicise a description of the overall structure of the Council showing the management structure and deployment of officers;
- (d) report to Full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers;
- (e) be responsible for the Council's corporate and overall strategic management;

- (f) be responsible for establishing a framework for management direction, style and standards, and for monitoring the performance of the organisation;
- (g) represent the Council on partnership and external bodies, in accordance with the Scheme of Delegations; and
- (h) publish once a year a notice in at least one local newspaper regarding the Forward Work Programme.

CHIEF FINANCE OFFICER

What are the Chief Finance Officer's statutory and constitutional responsibilities in ensuring lawfulness and financial prudence of decision making?

The Chief Financial Officer will:

- (a) be responsible for the administration of the financial affairs of the Council;
- (b) be responsible for all financial elements of the corporate governance of the Council;
- (c) after consulting with the Head of Paid Service and the Monitoring Officer, the Chief Finance Officer will report to Full Council or to the Executive in relation to an Executive Function, and to the Council's external auditor, if they consider that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully;
- (d) be responsible for setting and monitoring standards and reserve the right to be involved in the appointment of all staff employed in posts designated as requiring a qualified accountant or auditor;
- (e) in compliance with section 114 of the Local Government Finance Act 1998, report to the full Council, Executive and external auditor if the Authority or one of its officers has made or is about to make a decision which involves or would involve the Council in incurring expenditure which is unlawful; has taken or is about to take a course of action which, if pursued to its conclusion would be unlawful and likely to cause a loss or deficiency is on the part of the Council; is about to enter an item of account, the entry of which is unlawful;
- (f) produce a report if it appears that the expenditure proposed by the Council in a financial year is likely to exceed the resources available to meet that expenditure;

(g) report to the Executive each year on the general financial situation of the Council and upon future financial scenarios in relation to the coming year's budget prospects and long term trends;

(h) be responsible for ensuring that a revenue budget is prepared on an annual basis for consideration by the Executive, before full submission to the Council. Each Strategic / Assistant Director shall prepare annually a forward revenue budget in accordance with the criteria specified by the Chief Finance Officer;

(i) report to the Executive not less than twice in each financial year on the activities of the treasury management operation and on the exercise of his delegated treasury management powers;

What are the Chief Finance Officer's statutory and constitutional responsibilities in relation to the administration of financial affairs?

The Chief Finance Officer will:

(a) have statutory responsibility for the financial administration and stewardship of the Council;

(b) be responsible for: the proper administration of the Council's financial affairs; setting and monitoring compliance with financial monitoring standards; advising on the corporate financial position and on the key financial controls necessary to secure sound financial management; providing financial information; preparing the revenue budget and the capital programme; treasury management, pension and trust funds; and advice on the safeguarding of assets including risk management and insurance;

(c) be responsible for maintaining a continuous review of the financial regulations and submitting any additions or changes necessary to the Executive and for approval to Full Council. Also responsible for reporting, where appropriate, breaches of the financial regulations to the Council and/or the Executive;

(d) nominate a properly qualified member of staff to deputise should they be unable to perform their duties to make statutory reports;

(e) approve all financial procedures, records, systems and accounts operated through the Council including any changes which are subsequently proposed;

(f) be responsible for keeping the principal accounting records for all Services of the Council; that the accounts and accompanying reconciliations are properly prepared and presented for audit in accordance

with relevant guidelines and statutes; undertake the day-to-day management of the financial work of the Council; provide advice on the retention and safe custody of all accounting records; produce and circulate to relevant officers a set of guidance notes for the production of final accounts; present the Statement of Accounts for the year in question to the Council's external auditors; and retain copies of the Statement of Accounts;

(g) be informed of the existence of all 'unofficial funds' and issue and update accounting instructions for them where necessary. An 'unofficial fund' is any fund where the income and expenditure does not form part of the Council's accounts but which is controlled wholly or in part by an Officer by reason of their employment by the Council or other employment, e.g. the Governors of a school or other semi-autonomous body;

(h) be authorised to pay all amounts to which the Council is legally committed;

(i) make imprest advances to Officers for the purpose of defraying petty cash expenses and issue instructions on the control and operation on the imprest account;

(j) have the final approval to authorise arrangements for payments to be automatically debited from the Council's bank account;

(k) set out the arrangements necessary to ensure that all monies due are received and banked promptly;

(l) along with the Monitoring Officer, take all reasonable steps to obtain recovery of debts;

(m) be responsible for all Executive decisions on borrowing, investment or financing delegated to the Chief Finance Officer, acting in accordance with CIPFA's Code of Practice for Treasury Management in Local Authorities;

(n) be responsible for the administration and day-to-day operation of the Council's borrowings for all purposes and raise, repay or vary the terms of loans as necessary;

(o) be the registrar for all stocks, bonds and mortgages of the Council and maintain records of all transactions relating thereto, and of all borrowings of money by the Council;

(p) be responsible for ensuring that secure arrangements are made for the preparation and holding of pre-signed cheques, stock certificates, bonds and other financial documents;

- (q) ensure that adequate insurance protection is maintained for the Council's assets and operations where it is considered to be cost effective and appropriate;
- (r) be responsible for the negotiation of all the Council's insurance contracts and have delegated responsibility for the maintenance of an adequate and effective internal audit;
- (s) ensure that the accounting arrangements to be adopted relating to partnerships and joint ventures are satisfactory and that the risks have been fully appraised before agreements are entered into with external bodies;
- (t) ensure that exemptions to Financial Procedure Rules and/or the Contract Procedure Rules must be recorded, signed by the relevant Strategic / Assistant Director and countersigned by the Chief Finance Officer. All exemptions must be monitored;
- (u) consult, and take advice from, the Monitoring Officer and Strategic Commissioning and Procurement where contracts to work for organisations other than the Council are contemplated; and
- (v) ensure that Best Value and Partnership Arrangements comply with all applicable procurement legislation and follow the principles set out in the Contract Procedure Rules. The advice of the Monitoring Officer, and Strategic Commissioning & Procurement must be taken.

The Chief Finance Officer shall have the power to make technical amendments to the Financial Procedure Rules and the Contract Procedure Rules to make them consistent with legal requirements.

What are the Chief Finance Officer's statutory and constitutional responsibilities in contributing to corporate management?

The Chief Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.

What are the Chief Finance Officer's statutory and constitutional responsibilities in providing advice / information?

The Chief Finance Officer will:

- (a) provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Members and the Mayor and support and advise the Mayor, Members and Officers in their respective roles;

- (b) be responsible for issuing advice and guidance to underpin the financial regulations that the Mayor, Members and Officers and others acting on behalf of the Council are required to follow;
- (c) be responsible for advising on effective systems of internal control. Those arrangements need to ensure compliance with all applicable statutes and regulations, and other relevant statements of best practice;
- (d) provide advice on risk with every Chief Officer and Budget Holder having a responsibility to support these initiatives; and
- (e) provide financial information to the media, members of the public and the community

MONITORING OFFICER

What are Monitoring Officer's statutory and constitutional responsibilities?

Unless the Council determines otherwise, the Monitoring Officer shall be the Council's Chief Legal Officer.

The Monitoring Officer shall be responsible for all non-financial elements of the corporate governance of the Council.

It is the duty of the Monitoring Officer to prepare a report to the Council with respect to any proposal, decision or omission by the Council, committee, or Officer that could give rise to unlawfulness, maladministration or injustice.

In preparing the report there is a duty to consult with the Head of Paid Services and the Chief Finance Officer and then arrange for a copy of it to be sent to each Member.

The Monitoring officer cannot be the Chief Finance Officer or the Head of Paid Service.

What are the Monitoring Officers responsibilities in relation to the Constitution?

The Monitoring Officer will:

- (a) provide access to an electronic copy of the Constitution for all Members, Officers and the public via the Council's website, and ensure that any updated version of the Constitution is made available within a reasonable period;
- (b) maintain an up-to-date version of the Constitution;

(c) monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect;

(d) be aware of the strengths and weaknesses of the Constitution and make recommendations for ways in which it could be amended including observing meetings; undertaking audit trails of a sample of decisions; recording and analysing issues raised by Members, Officers, members of the public and stakeholders; compare practices with other comparable authorities or national examples of best practice;

(e) give notice to the public of the time and place of any meeting in accordance with the Access to Information Procedure Rules; and

(f) be responsible for the system of record keeping in relation to all decisions made by Full Council.

What are the Monitoring Officer's responsibilities in relation to Standards and governance?

The Monitoring Officer will:

(a) after consulting with the Head of Paid Service and the Chief Finance Officer, the Monitoring Officer will report to Full Council or to the Executive in relation to an Executive Function if they consider that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered;

(b) contribute to the promotion and maintenance of high standards of conduct through the provision of support to the Standards Committee;

(c) conduct investigations into complaints against Members and Co-Opted Members, which after consultation with an Independent Person appointed for such purposes, are felt to have breached the Members' Code of conduct and make reports or recommendations in respect of them to the Standards Committee;

(d) conduct such other investigations as it appears to the Monitoring Officer are necessary to ensure appropriate corporate governance;

(e) ensure that Executive decisions, together with the reasons for those decisions and relevant Officer reports and background papers are made publicly available as soon as possible;

(f) advise on whether decisions of the Executive are in accordance with the Budget and Policy Framework;

- (g) provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Members and the Mayor;
- (h) be responsible for corporate complaints, Ombudsman cases, reviewing the Constitution and whistleblowing;
- (i) be responsible for reporting any actual or potential breaches of the law or maladministration to Full Council and/or to the Executive, and for ensuring that procedures for recording and reporting Key Decisions are operating effectively;
- (j) ensure that Executive decisions, and the reasons for them, are made public;
- (k) be responsible for advising the Mayor, all Members and Officers about who has authority to take a particular decision;
- (l) be responsible for referring to Full Council any proposed variations to approved budgets, plans and strategies and which form part of the Policy Framework;
- (m) be responsible for promoting and maintaining the same high standards of conduct with regard to financial administration in partnerships that apply throughout the Council; and
- (n) receive written notice from the Mayor on amendments to the Scheme of Delegations of Executive Functions.

JOINT STATUTORY AND CONSTITUTIONAL RESPONSIBILITIES

What are the Statutory Officers' joint statutory and constitutional responsibilities?

The Head of Paid Service, in consultation with the Chief Finance Officer, shall produce and circulate to all relevant Officers a set of guidance notes for the production of the Capital Programme

The Monitoring Officer and the Chief Finance Officer will:

- (a) give advice to the Executive, Committees of the Executive, individual executive Members and any Officers or Joint Arrangements discharging Executive Functions on making decisions outside the Budget or the Policy Framework;
- (b) provide advice to the Overview and Scrutiny Board or a Scrutiny Panel on the process of Call-in of decisions, which if made, would be contrary to the Policy Framework or not in accordance with the Budget; and

(c) be responsible for advising the Executive or Full Council whether a decision is likely to be considered contrary to or not wholly in accordance with the Budget.

The Head of Paid Service and the Monitoring Officer will be responsible for the system of record keeping in relation to all Full Council decisions.

Appendix B

Chief Executive Appraisal Process

Introduction

1. The job summary, main duties and responsibilities of the Chief Executive are set out in the job description.
2. The Chief Executive's objectives are agreed on an annual basis as part of the appraisal process and these objectives will form the basis for the ongoing performance management of the Chief Executive.

Aims of the appraisal

3. The aims of the appraisal are to:
 - agree key objectives and strategic priorities and targets for the next 12 months
 - provide a retrospective review of the targets set in the preceding 12 months
 - identify and agree any development needs

Objective Setting

4. The Council's appraisal process enables staff at all levels to see their contribution to the Mayor's Vision, the Council's strategic priorities and living Our Values. The Chief Executive's appraisal is the starting point for the annual appraisal cycle. The Chief Executive's objectives as agreed during the appraisal process will reflect the Mayor's Vision and the priorities of the Strategic Plan. These in turn will inform the strategic priorities of the Directorates and Service Areas and will inform the objectives set as part of the appraisal process for their staff.
5. The setting of objectives should be by agreement between the Chief Executive and the Mayor and the result should be to identify objectives which are measurable, relevant, challenging but achievable. In addition to reflecting the Mayor's Vision and Strategic Plan, the objectives also need to be clearly aligned with the Values of the organisation.

Process

6. The actual appraisal of the Chief Executive will be undertaken by the most senior elected member of the Council; the directly elected Mayor.

7. As part of the Council's appraisal process, it is expected that members of staff have a quarterly frequent feedback meeting to review their progress against objectives. Similarly is expected that as a matter of course the Mayor will have regular one-to-one meetings with the Chief Executive to review progress.
8. It is proposed that the appraisal process is facilitated with assistance from an external body such as the North East Regional Employers' Organisation (NEREO), Local Government Association (LGA) or Society of Local Authority Chief Executives (SOLACE). The provider of the external facilitator is subject to the agreement of both parties.
9. Consistent with the arrangements for all Council employees, the Chief Executive's appraisal will be carried out on an annual basis.
10. Preparation for the formal appraisal meeting and objective setting will be supported by the external facilitator who will provide impartial advice to both parties.
11. To conduct the appraisal effectively adequate preparation is required. This should involve collating key documents relating to the Mayor's Vision for 2025 and the Council's priorities, as well as the objectives from the previous appraisal.
12. To prepare for the appraisal a series of short meetings or conversations will need to take place:
 - An initial meeting/conversation between the independent facilitator and the Mayor to outline the objectives of the organisation, gather initial views on progress against the previous cycle targets, demonstration of the Values, any development needs and to start to shape the future appraisal objectives.
 - An initial meeting/conversation between the independent facilitator and the Chief Executive who will be asked to provide a brief report of progress against previous appraisal objectives and any new activities agreed throughout the year as circumstances dictate. The Chief Executive will also be asked to provide an initial set of proposed objectives for further discussion at the appraisal.
13. Once these preparatory meetings/conversations have taken place the formal appraisal meeting will then take place with the Mayor, Chief Executive and the external facilitator.

14. If further discussion is needed in order to reach agreement on the objectives and targets for the next 12 months, separate short meetings will take place to allow for further consideration, these will be between:
 - The Mayor and facilitator
 - The Chief Executive and facilitator
15. The formal appraisal meeting will then be re-convened for final agreement of the objectives and targets.
16. A confidential record of the outcomes of the appraisal meeting will be recorded by the independent facilitator and will be retained by the Mayor.

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MIDDLESBROUGH COUNCIL	
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Report of:	Director of Legal and Governance Services
Relevant Executive Member:	Executive Member for Finance and Governance
Submitted to:	Council
Date:	22 May 2024
Title:	Council Diary – 2024-2025
Report for:	Decision
Status:	Public
Council Plan priority:	Delivering Best Value
Key decision:	No
Why:	Not applicable
Subject to call in?:	No
Why:	Not Applicable

Proposed decision(s)	
That the Council	
(i)	Approves the timetable of meetings for the Municipal Year 2024/2025, as detailed in the attached Appendix.
(ii)	Approves that, with the exception of the following: <ul style="list-style-type: none"> • Budget/Council Tax Setting Meetings – Wednesday 19 February 2025 and Wednesday 5 March 2025 • Annual Meeting - Wednesday 21 May 2025 <p>the dates for ordinary meetings of the Council are designated as meetings at which questions will be taken from members of the public.</p>

Executive summary	
<p>In order to prepare a diary of meetings for the Municipal Year 2024/2025, Council is requested to approve the attached draft programme for Council, Executive and other Committee meetings.</p>	

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.

1. Purpose

- 1.1 To seek approval of the draft programme of Council Committee meeting dates for the Municipal Year 2024/2025 as outlined in the attached Appendix A and to approve the dates and times of Council meetings.

2. Recommendations

- 2.1 That the Council:

- (i) Approves the timetable of meetings for the Municipal Year 2024/2025, as detailed in the Appendix attached.
- (ii) Approves that, with the exception of the following:
 - Budget/Council Tax Setting Meetings – Wednesday 19 February 2025 and Wednesday 5 March 2025
 - Annual Meeting - Wednesday 21 May 2025

the dates for ordinary meetings of the Council are designated as meetings at which questions will be taken from members of the public.

3. Rationale for the recommended decision(s)

- 3.1 Council is required to approve the diary of meetings for the Municipal Year 2024/2025. 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.

4. Background and relevant information

- 4.1 The Constitution requires that Council approve the diary of meetings for the Municipal Year 2024/2025.
- 4.2 The dates are tentative and may be subject to change, depending on the appointment and availability of individual Chairs.

5. Other potential alternative(s) and why these have not been recommended

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

6. Impact(s) of the recommended decision(s)

6.1 *Financial (including procurement and Social Value)*

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

6.2 **Legal**

The dates of the meetings for the approval of the budget have been scheduled to enable the budget to be agreed by 11 March 2025, in accordance with statutory requirements.

6.3 **Risk**

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 is obliged to hold meetings with 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.

6.4 **Human Rights, Public Sector Equality Duty and Community Cohesion**

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.

6.5 **Climate Change / Environmental**

Not Applicable.

6.6 **Children and Young People Cared for by the Authority and Care Leavers**

Not Applicable.

6.7 **Data Protection**

Not Applicable.

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

Action	Responsible Officer	Deadline
Schedule the meetings	Democratic Services Officers	30 May 2024

Appendices

1	Appendix A - Copy of the Schedule of Meetings
2	
3	

Background papers

Body	Report title	Date

Contact: Charlotte Benjamin

Email: charlotte_benjamin@middlesbrough.gov.uk

**MIDDLESBROUGH COUNCIL
COUNCIL AND COMMITTEE MEETINGS 2024/2025**

Committee	Time	Day	May 2024	June 2024	July 2024	Aug 2024	Sept 2024	Oct 2024	Nov 2024	Dec 2024	Jan 2025	Feb 2025	Mar 2025	Apr 2025	May 2025
Council	7 00 p.m. (unless indicated otherwise)	WEDS (unless indicated otherwise)	22(#1)		3*		11*	16*	27*		15*	19 #2	Extra Budget Mtg 5(#2) 26*		21(#1)
Executive	12.30 pm	WEDS	22	26	24		4	2	11	4	8	5	5	2,30	
Overview and Scrutiny Board	4.30 pm	WED		26	24		25	23	20	18	22	12	19	9	
Licensing Committee	1.00 p.m.	MON		24	22		9, 30	21	18	9	13	3, 24	17	7, 28	12
Planning & Development Committee	1.30 p.m.	THURS		6	4		5	10	7	5	9	13	6	10	
Audit Committee	2.00 pm	THURS		20	25			3		12		6	13		
Constitution and Members Development Committee	1.00 pm	THURS		27			12			19			27		
Corporate Affairs Committee	TBC	TBC		TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	TBC	
Staff Appeals Committee	10.00 a.m.	TUES		11	9		10	8	5	3	14	11	11	8	6
Teesside Pension Fund Committee	11 00 a.m.	WEDS		12	17		25			11			12		
Teesside Pension Board	2.00 p.m.	MON			8				25			10	31		
Works Council	11.30 a.m.	THUR		13			19		28				20		
Corporate Health & Safety Steering Group	9.30 a.m.	TBA		13			19		28				20		
Standards Committee	10.00 a.m.	MON			8			14			20			7	
Joint Archives Committee	3.00pm	WED						2					5		

NOTES:

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