

COUNCIL

A meeting of the Council was held on Wednesday 11 September 2024.

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

OFFICERS: C Benjamin, S Bonner, B Carr, G Field, A Glover, C Heaphy, R Horniman and S Lightwing

APOLOGIES FOR ABSENCE: Councillors C Cooke - Elected Mayor, B Hubbard, L Hurst, M Nugent and M Saunders

24/30 **BUILDING EVACUATION PROCEDURE**

The Chair welcomed all present to the meeting and read out the Building Evacuation Procedure.

24/31 **DECLARATIONS OF INTEREST**

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

24/32 **MINUTES - COUNCIL - 17 JULY 2024**

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

24/33 **ANNOUNCEMENTS/COMMUNICATIONS**

The Chair announced, with sadness, the death of Jeanette Walker, Councillor for Hemlington Ward.

Jeanette represented the town's Hemlington ward for more than 17 years and passed away after a long illness.

Jeanette had overcome major transplant surgery and played a huge role in Council life, chairing the Children and Learning Scrutiny Panel for many years, and more recently was Chair of both the Licensing and Adult Social Care Committees.

As Ward Councillor for Hemlington, Cllr Walker was heavily involved in campaigns to save Hemlington Library and the local lollipop lady and bring a GP surgery to Hemlington, and was committed to community events. Jeanette also chaired both Hemlington Community Council and Hemlington Linx Youth Project.

Councillor Nicky Walker paid tribute to Jeanette.

Council was also asked to remember former Councillors Barbara Grant and James Allan Jones, who had sadly passed away recently.

The Chair invited Members to join her in a minute's silence, as a mark of respect.

24/34 **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.

24/35 **TEES VALLEY COMBINED AUTHORITY (TVCA) - UPDATE**

There was no update for this meeting.

24/36 **MAYOR'S STATEMENT AND REPORT**

There was no Mayor's Statement and Report for this meeting.

24/37 **EXECUTIVE MEMBER REPORTS**

The Chair requested those Members who had submitted questions for The Mayor to email them to the Mayor direct.

Question in relation to the Report of the Executive Member for Regeneration.

Councillor McCabe in relation to the housing allocation for Middlesbrough and unfinished housing developments.

The Executive Member agreed that target number of 589 new houses set by the Government was a high number and unlikely to be achievable. Middlesbrough Council would be challenging that allocation. Within the Local Plan all land that was allocated would be built on eventually. The Executive Member agreed that when housing developments were finished, the roads and services should be completed in a timely manner but was unable to give any assurances that the work would be done until new estates were adopted by the Council.

Question in relation to the Report of the Deputy Mayor and Executive Member for Education and Culture.

Councillor Morrish in relation to the Early Years Information Service.

The Executive Member agreed that the recent news that the Early Years Information Service had achieved 105% take up of 2-year-old nursery places was a fantastic achievement that should be applauded and publicised. The Executive Member promised to ascertain why the Council had not issued a press release congratulating the team's achievement.

Question in relation to the Report of the Executive Member for Children's Services.

Councillor J Platt in relation to the high number of agency staff in the Children's and Disabilities Team, caseloads in the Children Looked After Team and a predicted overspend of £3.7 million in Children's Services.

The Executive Member agreed to provide the requested information as soon as possible.

Question in relation to the Report of the Executive Member for Community Safety.

Councillor Ewan in relation to the recent riots and the Riot Compensation Scheme.

The Executive Member confirmed that the Riot Compensation Scheme was administered by the Police and Crime Commissioner's (PCC) Office, who would assess all applications for compensation. Clarification was awaited on how funds would be paid to eligible residents. The details of the scheme and the application form were available on the PCC website and also included in the Executive Member's report. Anyone whose property was affected by the riots was encouraged to apply.

Question in relation to the Report of the Executive Member for Environment.

Councillor McCabe in relation to the tonnage of green waste collected this year in comparison to the previous year and also how much fly tipping had occurred.

The Executive Member stated that he would provide the information requested the following day.

Question in relation to the Report of the Executive Member for Finance and Governance.

Councillor Morrish in relation to the £3.7 million deficit and whether robust monthly monitoring was taking place.

The Executive Member referred Councillor Morrish to the opinion of the Improvement Board and Central Government in relation to management of the budget. Both had recognised the improvements made by Middlesbrough Council over the last year. The £3.7 million deficit was in fact projected overspend based on information provided at the budget challenge sessions. Measures would be taken to control expenditure within approved budgets to bring down the projected deficit.

Question in relation to the Report of the Executive Member for Regeneration.

Councillor McClintock in relation to the sale of land at Nunthorpe Grange.

The Executive Member responded that the land was always for sale. There was a forward plan in place and the land would be sold over many years, piece by piece, along with a masterplan being redeveloped. As per the report, two offers had been received and due diligence had been completed on one of those offers. The purchase money would be received by the Council in this financial year and this would de-risk the Council from development not going ahead. The Executive Member stated that he would not have made this proposal if he did not think it was a good deal for the Council and for Middlesbrough.

Question in relation to the Report of the Executive Member for Children's Services.

Councillor Henman in relation increasing support to foster carers and addressing the gap in pay to private sector agencies.

The Executive Member agreed that all foster carers did a fantastic job. In February 2023 the Council had agreed a significant pay increase for foster carers to bring them at least in line with, private fostering agencies. Middlesbrough foster carers also received additional payments to assist with providing birthday and Christmas presents, holidays, clothes and bedding. All foster carers received monthly supervision and had access to support groups and comprehensive training as well as paid respite. The Council was on track to approve 15 new foster carers this year.

Question in relation to the Report of the Executive Member for Community Safety.

Councillor Grainge asked whether community action days and the provision of community skips would be rolled out across the town and how Councillors could apply to have them in their own wards.

The Executive Member replied that unfortunately at the present time, this initiative would not be rolled out across the town. Funding had been provided by Safer Streets Five specifically for Beechwood and Longlands and Central Wards. Those two Wards had been prioritised for the available funding based on data received from active intelligence in relation to issues such as fly tipping, crime and anti-social behaviour. The Council had received five allocations of funding to date that had been awarded to Hemlington, Newport and Berwick Hills and Pallister Wards in addition to the two mentioned above.

Question in relation to the Report of the Executive Member for Environment.

Councillor Jones to email the question direct to the Executive Member.

Question in relation to the Report of the Executive Member for Environment.

Councillor Henman in relation to parking issues in Hall Drive, Acklam Ward.

The Executive Member agreed to meet with Councillor Henman, Officers and relevant organisations to seek a solution to the current issues.

Question in relation to the Report of the Executive Member for Finance and Governance.

Councillor Kabuye in relation to the budget and the current forecasted reduction in overspend and improvement in reserves compared to the previous year.

The Executive Member commented that whilst the projected overspend was lower than the previous year, it was very important that there was no complacency. There was more for the Council to do in order to set a balanced budget next year. The Executive Member was encouraged that the Group Leaders had set aside political differences to form a joint financial resilience working group to work together on the budget.

Question in relation to the Report of the Executive Member for Regeneration.

Councillor Branson in relation to the restoration of the old Town Hall.

The Executive Member commented that the old Town hall stood alone in the area and previous attempts at regeneration had failed. The ambition was that the restored Town Hall would be the focal point of the St Hilda's area and the clock tower would be framed in a contemporary way. The Council would work with the Middlesbrough Development Corporation to bring that area of the town back to life.

Question in relation to the Report of the Executive Member for Children's Services.

Councillor Banks in relation to Children's Services being removed from government intervention, progress made over the last year and also moving forward.

The Executive Member stated that in May 2023, all senior and middle managers and most social workers had been employed on temporary contracts. Since then work had been undertaken to recruit permanent staff including two Directors, four Heads of Service and the number of agency social workers had been reduced from 58 to 40. The removal of government intervention was testament to the hard work of the refreshed leadership of the labour administration and the passion and dedication of children's services staff who had worked tirelessly to deliver the improvements for the benefit of children in care.

Question in relation to the Report of the Executive Member for Environment.

Councillor Grainge in relation to brown bins and green waste.

The Executive Member agreed there had been some confusion over a statement made that residents could put garden waste in the black bins. It was clarified that there was no sanction that could be imposed if residents did this. However, the Council strongly recommended against putting green waste in the black bin and encouraged the use of the garden waste collection service at an annual cost of £40 per household. It was also suggested that residents could share the cost by sharing a brown bin.

24/38 **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 the individual Scrutiny Panels.

The Chair invited Members to note the report.

24/39 **URGENT ITEMS**

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

24/40 **MEMBERS' QUESTION TIME**

The Chair invited Councillor Henman to ask his question as set out at Agenda Item 12 in relation to the Council's preparedness for a major incident.

Councillor Thompson, Executive Member for Community Safety, agreed that the tragedy that occurred at Grenfell Tower was an horrendous event. Councillor Thompson was sure that the whole of the Council shared her condolences and support for the families and communities who were affected by that tragic event. Middlesbrough Council was part of the Cleveland Local Resilience Partnership and worked with the Cleveland Emergency Planning Unit. A significant part of this body's activity was to work with Local Authorities and partner agencies

to be prepared for major incidents and the aftermath. Clearly the hope was that such an event never occurred in Middlesbrough or the surrounding areas. However, if it did, there was an approach and a plan in place with partners, to react to it.

24/41

NOTICE OF MOTIONS

Consideration was given to Motion No. 164 moved by Councillor Morrish, and seconded by Councillor Wilson of which notice had been given in accordance with Council Procedure Rules No. 53-60 as follows:

This council should condemn all types of violence including foul or abusive language towards politicians, following the recent assassination attempt on the Republican candidate for US president.

The Chair stated that an amendment to the motion had been received. A Member requested clarity on Council Procedure Rule 4.32.1 in relation to amendments to motions. The Chair confirmed that an amendment to a motion could be moved at the meeting in accordance with Council Procedure Rule 4.32.1. The Monitoring Officer further clarified that there was provision in the Constitution to move an amendment to a motion without notice at the meeting and referenced Council Procedure Rule 4.30.1 h).

Councillor Clynych moved the following amendment to Motion No.164:

This council condemns violence and intimidation towards elected representatives and those seeking election. This is in light of threats during the UK General Election and to politicians around the globe. We especially note the growing threats to women in elections around the world. This council resolves to make members' safety a priority with regular training and advice.

The Chair sought confirmation from the proposer as to whether the amended motion was an addition to the substantive motion. It was confirmed that the amended motion was intended to replace the substantive motion.

The motion was seconded by Councillor N Walker. The Chair invited Councillor Clynych to speak on the amendment.

A query was raised in relation to the validity of the amendment and the Chair confirmed that the amendment did not negate the substantive motion.

Councillor Livingstone spoke in support of the amended motion and commented that from a procedural point of view he would like to be able to cite a constitutional provision that allowed the text of a substantive motion to be replaced entirely by an amended motion.

The amended motion was put to the vote.

On a vote being taken the amended motion was declared **CARRIED**.

The amended motion became the substantive motion.

The substantive motion was put to the vote.

On a vote being taken the motion was declared **CARRIED**.

Consideration was given to Motion No. 165 moved by Councillor Storey, and seconded by Councillor Clynych of which notice had been given in accordance with Council Procedure Rules No. 53-60 as follows:

This Council unequivocally condemns the shameful violent disorder which took place in Middlesbrough on Sunday 4th August 2024. Completely unacceptable acts of violent disorder were committed. These included disgusting racist acts, indiscriminate and senseless criminal damage to residential properties and local businesses, and police officers being attacked.

Our communities have been shaken by the events of Sunday 4th August and we stand in solidarity with all those feeling fearful as a result of violent thuggery and dangerous extremism

which has no place in Middlesbrough.

This Council is proud of Middlesbrough's welcoming history and is committed to fostering a safe, inclusive, and tolerant society for all. Those intent on stoking disorder and division are not welcome in our communities and do not speak for our town.

We pay tribute to the heroic actions of the police and other emergency service personnel who put themselves in harm's way to protect our people, homes, and businesses on Sunday 4th August. We also welcome the swift and effective response from the Government to tackle the violent thuggery we witnessed in Middlesbrough and across the country.

Those who engaged in violent disorder on our streets on Sunday 4th August are now facing the full force of the law. Over 60 people have already been arrested in connection with the disorder and many more are being investigated by the police. The community spirit we witnessed in the aftermath of the events on Sunday 4th August highlighted the very best of Middlesbrough. Volunteers from all backgrounds came together in a major clean-up effort on Monday 5th August. We are deeply grateful to each and every person who attended. The kindness and generosity which we have witnessed in our town since the violent disorder represents the real Middlesbrough. This Council expresses our gratitude to every single member of our community who has helped to clean up our town and support one another.

This Council resolves to learn from and respond to the impacts of these events, providing all available support to our communities to ensure our town comes back stronger from these events and to reaffirm our commitment to a safe, inclusive, and tolerant Middlesbrough.

Councillors Storey, Livingstone, J Thompson, Kabuye, Branson, Grainge, Henman, L Young and spoke in support of the motion.

The motion was put to the vote.

On a vote being taken the motion was declared unanimously **CARRIED**.

24/42 **NOTICE OF URGENT MOTIONS (IF ANY)**

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

24/43 **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 by the Deputy Mayor. The report set out the key activities, progress and impact of the Corporate Governance Improvement Plan and activity in response to the Section 24 recommendations made by the Council's External Auditors, since last reported to Council on 17 July 2024.

The Deputy Mayor was delighted to announce that on 6 September 2024 the Minister for Children and Families had informed the Council that as a result of progress on the improvement journey, the statutory direction on improvement had been revoked. Further to this, on 9 September 2024, the Council received the fantastic news that the Best Value Notice would not be renewed. The Deputy Mayor thanked the Children's Services Directorate staff, commenting that they had been fantastic.

Both letters recognised the fantastic work that Officers and Members from all parties had undertaken to reset culture and the Deputy Mayor took the opportunity to thank all Members. Whilst the fantastic progress had been recognised there was more work to do and the Council would continue forward on a two-year improvement journey with all Members. The Department would continue to engage with the Council on an informal basis and the Minister would receive periodic updates on progress. The Improvement Board would remain in place until March 2025. The next step would be a Local Government Association Peer Review which would take place in January 2025.

Members were invited to submit any questions on the report to the Mayor via email for a written response.

ORDERED that the report was noted.

24/44

YOUTH JUSTICE PLAN 2024/25

A joint report of the Deputy Mayor and Executive Member for Education and Culture and the Director of Education and Partnerships was presented to request Council's approval of the South Tees Youth Justice Plan for 2024/2025.

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

This was a partnership with Middlesbrough and Redcar and Cleveland Councils, Cleveland Police, the Probation Service, the North East and Cumbria Integrated Care Board and in consultation with young people – The Children's Voice.

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

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

The plan also outlined the priorities for South Tees Youth Justice Service in 2024/25, and how those priorities would be achieved.

The Youth Justice Grant of £92.2 million had recently been announced, this was an increase of 0.3% and the details of Middlesbrough's allocation were awaited.

ORDERED that the South Tees Youth Justice Service Youth Justice Plan for 2024/25 was approved.

24/45

VACANCIES ON COMMITTEES 2024-2025

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

The report included a list of current vacancies on various Committees and Outside Bodies and nominations were put forward at the meeting by individual members.

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

Committee Vacancies:

People Scrutiny Panel

1 vacancy for Vice Chair - Councillor Banks appointed.

Corporate Health and Safety Steering Group

2 vacancies – no nominations received.

You Matter to Us – Corporate Parenting Board

1 vacancy - Councillor L Young appointed.

UPDATE ON URGENT DECISIONS

The Director of Legal and Governance Services submitted a report which provided an update with regard to all urgent decisions that had been taken under the urgency rules since last reported to Council on 27 March 2024.

ORDERED that the report be noted.