

THE CHAIR AND ALL MEMBERS OF THE COUNCIL

Tuesday 18 March 2025

Dear Member

COUNCIL - WEDNESDAY 26TH MARCH, 2025

You are hereby summoned to attend a meeting of the Council of the Borough of Middlesbrough to be held on **Wednesday 26th March, 2025** at **7.00 pm** in the Council Chamber to transact the following business, namely:-

1. Welcome and Fire Evacuation Procedure

In the event the fire alarm sounds attendees will be advised to evacuate the building via the nearest fire exit and assemble at the Bottle of Notes opposite MIMA.

2. Apologies for Absence

3. Declarations of Interest

To receive any declarations of interest.

4. Minutes - Council - 15 January, 19 February and 5 March 2025 3 - 20

5. Announcements/Communications

To receive and consider any communications from the Chair, Mayor, Executive Members or Chief Executive (if any).

6. Questions from Members of the Public (if any). 21 – 22

7. Tees Valley Combined Authority (TVCA) Update

8. Mayor's Statement and Report

9. Executive Member reports 23 - 80

10. Report of the Overview and Scrutiny Board 81 – 86

11. Urgent Items

To consider and Deal with any urgent business brought

- before the Council by the Proper Officer (if any).
12. Members' Question Time
 13. Notice of Motions 87 – 88
 14. Notice of Urgent Motions (if any)
 15. Local Government Association Peer Review and Middlesbrough Independent Improvement Advisory Board reports and planned approach to Continuous Improvement - moving forward 89 - 154
 16. Pay Policy Statement 155 - 164
 17. Approval of Statement of Licensing Policy 2025 - 2030 and Cumulative Impact Assessment 2025 – 2028 165 - 300
 18. Flexible Use of Capital Receipts Strategy 301 - 318



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 15 January 2025.

PRESENT: Councillors J Rostron, (Chair), J Ewan (Vice-Chair), J Banks, I Blades, D Branson, E Clynych, C Cooke - Elected Mayor, J Cooke, D Davison, T Furness, P Gavigan, T A Grainge, L Henman, S Hill, N Hussain, D Jackson, D Jones, J Kabuye, T Livingstone, L Mason, D McCabe, J McConnell, J McTigue, I Morrish, J Platt, S Platt, J Ryles, M Saunders, 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, A Davis, R Horniman, A Humble, S Lightwing, E Scollay, K Whitmore and A Wilson

APOLOGIES FOR ABSENCE: were submitted on behalf of Councillors C Cooper, D Coupe, B Hubbard, L Lewis, M McClintock, J Nicholson, M Nugent and A Romaine

24/85 **WELCOME AND FIRE EVACUATION PROCEDURE**

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

24/86 **DECLARATIONS OF INTEREST**

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

24/87 **MINUTES - COUNCIL - 27 NOVEMBER 2024**

The minutes of the Council meeting held on 27 November 2024 were submitted and approved as a correct record, subject to the following amendment:

Councillor T Mohan to be added to the list of attendees present at the meeting.

24/88 **ANNOUNCEMENTS/COMMUNICATIONS**

The Chair announced that, as per Motion 171, carried at the last Council meeting, she wrote to the Ministry of Housing, Communities and Local Government, to request that consideration was given to amending current legislation to allow for all local Councillors to be eligible for enhanced DBS checks. A response had been received from the Minister of State for Local Government and English Devolution.

The Minister had indicated that he was giving further consideration to Middlesbrough Council's recommendation for expanding eligibility for mandatory enhanced DBS checks to all Councillors.

A copy of the letter would be circulated to all Councillors following the meeting.

NOTED

Following a request from Councillor Morrish, Councillors observed one minute's silence to commemorate Holocaust Memorial Day which would take place on 27 January 2025.

24/89 **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.

24/90 **TEES VALLEY COMBINED AUTHORITY (TVCA) UPDATE**

The Mayor was pleased to announce that at a recent meeting of the TVCA Cabinet, one of the transport strategies had been approved. The strategy included a commitment of £3.2 million for a third platform at the Middlesbrough Railway Station.

24/91

MAYOR'S STATEMENT AND REPORT

The Mayor wished everyone a Happy New Year. The Mayor also welcomed the Erik Scollay, Chief Executive, and Andrew Humble, Director of Finance and Transformation to their first Council meeting in their new roles, wished them good luck and thanked all those who had taken part in their appointment process.

The Peer Review Team had been working at the Council this week and would produce a report in two to three months' time with their recommendations. The Mayor thanked everyone involved in the peer review process.

The Mayor announced that Housing would be his priority for this year. There were two policies that were being developed which had been outlined to the Place Scrutiny Panel recently. The Mayor indicated his intention to involve the Overview and Scrutiny Board in the formulation of the new policies. Housing was a crucial factor for many families and one of the cornerstones of making sure people had an improved life. It was important to regulate those providers who were not giving a good service, or good accommodation for Middlesbrough residents.

The draft Budget would be presented to the next Council meeting and the Mayor was quite confident that the Council was turning the corner. There was some growth in the draft budget in key areas such as Area Care and Culture. Work was continuing on the preparation of the draft budget and the settlement from Government. Ways of further consultation with Members and an ongoing process were being examined. This year's settlement was likely to be the last one that would not be a multi-year settlement. It was important to make this year's budget last and invest in key infrastructure to help in the future.

Responding to a Member's request, the Mayor confirmed that all Members would receive a copy of the Peer Review Report.

A Member paid tribute to everyone involved in the project to regenerate the old town hall and asked the Mayor to commit to ensuring that Middlesbrough's iconic buildings and heritage were not disrespected in future.

The Mayor responded that although funding had been sourced and allocated to regenerate the old town hall building, it was still a risk to the Council as work had not yet started and ongoing work would be required to make it secure. The Mayor added that it was not only heritage assets, but others such as the depot where staff worked, that were in need of repair. The Mayor added that all those involved deserved a huge amount of recognition and an email would be sent to those who had worked on this project thanking them.

24/92

EXECUTIVE MEMBER REPORTS

The Chair informed Council of an error on the Executive Member for Environment and Sustainability's Report as follows:

Paragraph 2.12 - heading to read as follows: Canon Street Interchange Newport instead of: A66 Hartington East and West Overbridges.

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

Councillor Morrish on the Forecast Year-end Outturn position at Quarter Two 2024/25 and accountability of Directorates.

The Executive Member reminded Council that a similar question had been asked in September in relation to accountability for Directorates and budget management. The Executive Member stated that her aim was to return in-budget and avoid having to use any of the £3.5 million exceptional support that had been added as 25% of the total savings required to deliver. Those savings could be accessed if needed. The Executive Member invited Councillor Morrish to congratulate all officers if they did return in budget and Councillor Morrish was in agreement that he would. The Executive Member requested that the Monitoring Officer clarify the Councillors' role in relation to Officers.

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

Councillor Wilson on the Captain Cook Birthplace Museum.

The Executive Member confirmed that the Council was working with Middlesbrough Football Club (MFC) in relation to the Captain Cook Birthplace Museum and also the new Southlands Centre. No decision had been taken with as to whether there would be a new building or whether the existing Museum would be demolished. The current funding had been secured to enable the Museum to continue operating while the Council continued to work with MFC to secure the Museum's future.

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

Councillor Saunders on Cared for Children.

The Executive Member explained that the number of cared for children was in his report along with 4 other key numbers which would remain in the report going forward. A great deal of work was ongoing in terms of the budget and keeping track on that number. The current number was 505 now and 503 in June, so although there had been some pressures on the Service the situation was relatively stable. The key to reducing the overspend was investment in early help and fostering which were not only less costly but delivered better outcomes for young people. The Service was also reviewing Care Orders to ensure whether they were still appropriate or whether a young person no longer needed to be in the care system or whether early help or special guardianship were valid options. In terms of oversight, the Executive Member regularly met with the Executive Member for Finance to review budgetary savings, pressures and whether additional support was needed to meet those savings.

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

Councillor Jones on Community Hubs.

The Executive Member responded that the Council was currently exploring alternative uses for a former rehabilitation near to Norfolk Shops. One of those options could potentially include a new Hub for the Berwick Hills and Pallister Park area.

Question in relation to the Report of the Executive Member for Environment and Sustainability

Councillor Grainge on Priorities.

The Executive Member advised that residents should continue to use the bins website to report waste that needed removing. Improvements were being made to the website. The Council continued to operate a no side waste policy. The Executive Member undertook to look into the problem raised in relation to the number of Council vehicles that were in use. From 2026 all households would have weekly food waste collections and would be provided with an additional bin. This would help free up room in the other bins and should alleviate some of the collection issues raised by the Councillor.

Question in relation to the Report of the Executive Member for Adult Social Care and Public Health.

Councillor McCabe on Middlesbrough Handypersons Service.

The Executive Member stated that the Handypersons Service worked alongside the Staying put Agency in Middlesbrough. The Executive Member agreed to provide the information requested by the Councillor in relation to service costs and the origin of the funding.

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

Councillor Ewan on Housing Supply.

The Executive Member agreed that it was great to have an additional £6 million government funding to tackle properties across Middlesbrough. The Council now had a new lead Officer to co-ordinate work on empty properties, associated anti-social behaviour, council tax debts and environmental concerns. The Council was hoping to acquire 60 properties to refurbish using grant funding. This would also help to alleviate some of the stresses in adults and children's social care. Within the next 5 years it was hoped there could be up to £5 million saved across all departments. The Council was also working with the Ethical Housing Group, Thirteen and other providers to acquire, renovate and put houses back on the market.

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

Councillor Banks on Fostering.

The Executive Member paid tribute to Carol and Gordon McGough on their MBE awarded to them in the King's New Years Honours List. It was a fantastic story and Carol and Gordon deserved this recognition. They had fostered over 90 young people during the past 30 years, providing respite, short and long-term placements and a stable home. It was testament to the couple that many of the young people they had cared for remained in contact with them. The couple retired last year. In terms of more effective outcomes for young people, the Executive Member hoped that more could follow their example and become foster carers for Middlesbrough. The Executive Member invited all Councillors to join him in congratulating Carol and Gordon McGough MBE.

Question in relation to the Report of the Executive Member for Environment and Sustainability

Councillor Wilson on Street Lighting.

The Executive Member responded that he was not aware of the initiative in regards to street light column replacement in Trafford, Manchester, and asked the Councillor to contact him with details so that he could investigate further. The Mayor commented that some of the new battery technology that could be placed into street light columns had improved. It was the Mayor's intention that the Council would trial the new technology in some of those street lighting columns that were due for replacement.

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

Councillor Branson on the Old Town Hall.

The Executive Member updated Council on progress to date in respect of the restoration of the Old Town Hall. A total of over £6million of funding had been allocated from the National Heritage Lottery and Towns Funds to bring the building back to life and make it a showpiece for the town. Office space would be available for the digital sector. It was anticipated that work would commence on the building in July 2025 and would help with the continued regeneration of that area of the town.

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

Councillor L Young on Outwood Academy.

The Deputy Mayor confirmed that she had met with the Minister the previous week to discuss progress with a permanent site for the Outwood Academy Riverside School. The DFE were currently submitting the required responses to the Middlesbrough Development Corporation (MDC) in respect of planning permission. A letter had been sent to the Chair of the MDC requesting that there was no slippage on the 10-week timescale for the planning application. A further meeting was scheduled with the Minister at the beginning of March and Central Ward Councillors would hopefully be invited. In addition to the impact on pupils who had to

travel by bus daily to the school, and had been educated in temporary accommodation for over seven years, the impact on local residents was also acknowledged. The Deputy Mayor stated that she would be happy to meet with residents to explain the timeline.

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

Councillor Wilson on Priorities.

The Executive Member stated that the numbers of children in care but also not in education, employment or training (NEET) was currently 64.5% which was lower than the overall rate for 15+ which was 93% in Middlesbrough. Middlesbrough Council recognised by the DFE as a top performer in terms of support for young people overall who were NEET and provided some top-quality practice. It was recognised that care experienced young people faced some additional barriers which made it more challenging for them to stay in employment, education or training. The Council had a team to provide intensive support via clinics to young people in care and personal advisers were allocated to the older age group. The Council also worked with partners such as colleges, training companies and Middlesbrough Football Foundation to encourage young people into work settings. The Council continued to work intensively to reduce the number of NEET.

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

Councillor Jones on Priorities.

The Executive Member clarified that staff had been working very hard to clear up the remains of bonfires from last November. The vast majority had now been cleared and it was anticipated that this work would be completed by the end of January. The Executive Member undertook to look at ways in which the service might be improved and suggested that Councillors contact their Neighbourhood Teams if they required an update on this issue in their Wards.

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

Councillor Clynch on Early Help.

The Executive Member stated that Early Help was a very important element of Children's Services that provided support to prevent young people entering the care system where outcomes were less and costs were higher. A range of support was provided including education, employment and benefits for the family as whole, youth support and activities and wellbeing support for parents. The Executive Member provided an example of a family who had received early help support including debt support, financial advice, counselling and therapy that had led to a positive outcome with their case being closed. The Executive Member added that the Council should be really proud of the work that staff did to support young people early on and get those outcomes for them.

24/93

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.

ORDERED that the report was noted.

24/94

URGENT ITEMS

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

24/95 **MEMBERS' QUESTION TIME**

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

24/96 **NOTICE OF MOTIONS (IF ANY)**

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

24/97 **NOTICE OF URGENT MOTIONS (IF ANY)**

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

24/98 **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 that set out the key activities, progress and impact of the Corporate Governance Improvement Plan since last reported to Council on 27 November 2024.

The report also set out an update against the Section 24 recommendations made by the Council's External Auditors and a recommendation to close that plan following delivery of all actions and the outcome of the latest Value for Money judgement made by the Council's new External Auditors which contained no statutory recommendations.

On a vote being taken it was **ORDERED** as follows that Council:

1. Agreed that the Section 24 Action plan was formally closed.
2. Approved the change control outlined in the report at paragraph 6.1 to close CT5.07 in the Corporate Governance Improvement Plan: Monitoring of Appraisal completions - 95% of staff in work to have had an appraisal.
3. Noted the progress against the Corporate Governance Improvement Plan.
4. Noted that the Corporate Peer Challenge was currently underway and would inform the Council's future continuous improvement activity.

24/99 **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:

Corporate Health and Safety Steering Group

1 vacancy – no nominations

Staff Appeals Committee

1 vacancy for Vice Chair – Councillor Livingstone appointed.

Outside Bodies Vacancies:

JOINT COMMITTEES AND OUTSIDE BODY APPOINTMENTS BY COUNCIL:

River Tees Port Health Authority

1 vacancy – no nominations

JOINT COMMITTEE AND OUTSIDE BODY APPOINTMENTS BY EXECUTIVE:

Standing Advisory Council on Religious Education (SACRE)

1 vacancy – Councillor Clynch appointed.

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COUNCIL

A meeting of the Council was held on Wednesday 19 February 2025.

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

OFFICERS: S Bonner, C Benjamin, B Carr, A Davis, G Field, R Horniman, A Hoy, A Humble, S Lightwing, J Tynan and J Weston

APOLOGIES FOR ABSENCE: Councillors D Davison, D McCabe, M McClintock, J McConnell, J McTigue, J Ryles, M Saunders and J Thompson

24/100 **WELCOME AND FIRE EVACUATION PROCEDURE**

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

24/101 **DECLARATIONS OF INTEREST**

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

24/102 **ANNOUNCEMENTS/COMMUNICATIONS**

The Chair announced, with sadness, the death of former Councillor Geraldine Purvis.

Geraldine represented Brambles and Thorntree Ward between 2011 and 2023. During her time as a Councillor Geraldine served on a number of committees and scrutiny panels and represented the Council on outside bodies including Thorntree Community Hub and the Tees Valley Arts Board.

Council were also asked to remember former Councillor Terry Lawton, who had also sadly passed away recently.

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

Motion No. 167

Motion No. 167, carried at the Council meeting held on 16 October 2024, resolved that Council would write to the Chancellor of the Exchequer asking that HM Treasury consider reforming eligibility for the Winter Fuel Payment.

A response dated 18 February 2025 had been received from Torsten Bell MP, Minister for Pensions, and a copy of the letter would be circulated to all Councillors following the Council meeting.

24/103 **COUNCIL TAX REDUCTION SCHEME 2025/26**

A joint report of the Executive Member for Finance and Director of Finance and Transformation (S151 Officer) was presented to seek Council approval for the Council Tax Reduction Scheme for 2025/26.

The report outlined the proposed Council Tax Reduction (CTR) scheme (sometimes referred to as Council Tax Support) scheme for 2025/26. Each Billing Authority in England had a statutory requirement to design and locally fund a Council Tax Reduction scheme by no later than 11 March each year, approved by a full Council decision.

The proposed scheme for 2025/26 would incorporate the minor legislative amendments to be made by Government through regulations that the Council was obliged to include.

It was recommended that the scheme's income bandings were subject to an inflation uplift to reflect the rate applied by Government to working age benefits, so that the current level of support for claimants was maintained and continued to provide appropriate support for the town's financially vulnerable residents.

A copy of Middlesbrough Council's Council Tax Reduction Scheme was attached to the submitted report.

On a vote being taken, it was **ORDERED** that the Council Tax Reduction Scheme for 2025/26 was approved.

24/104

2025/26 REVENUE BUDGET, MEDIUM TERM FINANCIAL PLAN, AND COUNCIL TAX SETTING

A joint report of the Mayor, Executive Member for Finance and Director of Finance and Transformation (S151 Officer) was presented to seek Council approval of the proposed budget for 2025/26 and the Medium-Term Financial Plan (MTFP) to 2028/29, following on from the report presented to Executive on 5 February 2025.

The Mayor presented the report and thanked all Officers and Councillors for their involvement in crafting the budget.

The annual budget report and MTFP was a detailed and complex report which formed the basis of the Budget and Policy Framework. Information presented in the main report highlighted the key issues for consideration and provided substantial detail in the supporting appendices.

The report incorporated the following sections following the conclusion of the recent budget consultation and the Final Local Government Finance Settlement (LGFS) for 2025/26 published on 3 February 2025:

- Report of the Director of Finance (s151 Officer's) in relation to the robustness of budget estimates and the adequacy of financial reserves under s25 of the Local Government Finance Act 2003 (Appendix 1).
- Medium Term Financial Plan (MTFP) 2025/26 to 2028/29 (Appendix 2).
- Proposed 2025/26 Net Revenue Budget of £143.304m (Appendix 2).
- Council Tax setting including an increase of 4.99% for 2025/26 (Appendix 7).
- Budget Consultation feedback (Paragraphs 4.8 to 4.16 and Appendix 3).
- Reserves Policy (Appendix 4).
- Fees and Charges Policy (Appendix 5).
- Proposed Capital Programme and Capital Strategy Report for 2025/26 to 2028/29 totalling £170.290m (including £74.798m for 2025/26), and the associated financing (Appendix 6).
- Schools Budgets (Appendix 8).

The report contained a number of issues for consideration and approval by Council, and also a number of issues to note which were detailed in Section 2.

The report reflected the Final Local Government Finance Settlement published on 3 February 2025, and updates on the minor changes from the report to Executive on 5 February 2025 which was based on the Provisional Local Government Finance Settlement published on 18 December 2024.

Council approval of the 2025/26 budget and proposed Council Tax was required by the statutory deadline of 11 March 2025.

The report was to be read in conjunction with the Prudential Indicators and Treasury Management Strategy 2025/26 report at Agenda Item 7 for the Council meeting. The Prudential Indicators and Treasury Management Strategy 2025/2026 translated the Council's revenue income and expenditure plans and capital investment plans for the purpose of the Council's cash flow management, together with setting the framework within which the Council's investment and borrowing activity was governed.

Councillor Mason raised a Point of Order under Council Procedure Rule No. 4.34.1 (e).

Consideration was given to a procedural motion moved by Councillor Mason and seconded by Councillor Smiles of which notice had been given in accordance with Council Procedure Rule No. 4.34.1 (e) as follows:

To adjourn the debate for a period of two weeks in order to allow Councillors more time to consider the proposed budget.

On a vote being taken the motion was **REJECTED**.

The Chair invited Members to comment on the report.

Councillors Branson, Coupe, Morrish, Smiles, Hubbard, Walker, Kabuye, Mason, Henman, Banks, L Young, Clynch, Jones and J Platt spoke on the proposed budget.

The Chair invited the Monitoring Officer to conduct a recorded vote on the recommendations contained in paragraphs 2.1.1 to 2.1.8 of the report.

The result of the vote was as follows:

Votes for: (24)

C Cooke, (Elected Mayor), Councillors Banks, Blades, Branson, Clynch, Cooke, Ewan, Furness, Gavigan, Henman, Hussain, Kabuye, Lewis, Mohan, Nicholson, Nugent, Romaine, Rostron, Storey, Tranter, Uddin, Walker, J Young, L Young.

Votes against: (14)

Councillors Cooper, Coupe, Grainge, Hill, Hurst, Hubbard, Jackson, Jones, Mason, Morrish, J Platt, S Platt, Smiles, Wilson.

Abstentions: (1)

Councillor Livingstone.

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

1. the following recommendations set out at 2.1.1 to 2.1.8 of the submitted report were approved by Council:

- Budget proposals for savings and income generation of £7.036m in 2025/26 rising to £8.686m in 2028/29, as set out in Appendix 2 (Annex 1 and 2).
- Budget growth of £2.521m in 2025/26 rising to £2.918m in 2026/27 for re-investment in services aligned to the Recover, Reset, and Deliver plan as set in Appendix 2 (Annex 4).
- Budget provision of £0.311m in 2025/26 and a further £0.100m in 2026/27 to address the removal of previously approved savings in line with the priorities outlined in the Council Plan and after listening to residents' views as set out in Appendix 2 (Annex 3).
- An increase in Council Tax of 4.99% resulting in a Council Tax level (Band D) of £2,074.34 excluding parish, Fire, and Police precepts in line with both the Government's referendum limits and the s151 Officer's advice (paragraphs 4.29 to 4.32 and detailed in Appendix 7).
- The proposed General Fund revenue budget for 2025/26 with a net budget requirement of £143.304m.
- The Financial Reserves Policy for 2025/26 (Appendix 4) including the proposed contributions to reserves to strengthen the Council's financial resilience, and which proposes:
 - a minimum General Fund Balance of least 7% of the Net Revenue budget over the MTFP period to 2028/29. In the 2025/26 proposed budget the level is 7.75% equivalent to £11.1m.
 - the building up of the Financial Resilience Reserve to at least £10m in 2025/26 and £20m by the end of 2028/29 to strengthen the Council's financial resilience.

- The proposed Fees & Charges Policy for 2025/26, and the schedule of fees and charges arising from the application of the approved policy for 2025/26 (Appendix 5).
- The Capital Strategy 2025/26 and the proposed 2025/26 to 2028/29 Capital Programme totalling £170.290m which includes the addition of new Council funded schemes, and the associated financing statement (Appendix 6).

2. The following key issues set out at 2.2.1 to 2.2.13 in the report were noted:

- The statutory s25 report of the Council's Section 151 Officer in respect of the robustness of the estimates within the budget and the adequacy of reserves (Appendix 1).
- The updated financial planning assumptions in the Council's Medium Term Financial Plan following the publication of the Final Local Government Finance Settlement on 3 February 2025. These include some minor changes from those contained in the report to Executive on 5 February 2025 which was based on the Provisional Local Government Finance Settlement published on 18 December 2024. (Appendix 2).
- The creation of a Delivery Risk Budget of £2m on a one-off basis in 2025/26 only to protect against unplanned use of reserves (Appendix 2).
- The transfer of the estimated surplus on the Collection Fund for 2024/25 of £3.052m to a new Savings Delivery Risk Reserve to help provide against the risk of non-delivery or delay of savings and to rebuild reserves (Appendix 2).
- The creation of a Middlesbrough Priorities Fund totalling £4.367m for 2025/26 only (Appendix 2).
- Whilst the budget is balanced for 2025/26 and 2026/27 there will still be a budget gap of £2.726m in 2027/28 rising to £5.170m by 2028/29. Further savings proposals arising from the Transformation Programme will be required as a minimum to meet these budget gaps (Appendix 2).
- The feedback of the budget consultation exercise (paragraphs 4.8 to 4.16 and Appendix 3).
- The estimated balances on unrestricted usable revenue reserves as at 1 April 2025 of:
 - General Fund balance - £11.100m.
 - Usable Earmarked reserves – unrestricted £10.269m.
- The inclusion of transformation and redundancy expenditure which can be capitalised under the Flexible Use of Capital Receipts strategy (FUoCR) of £7.500m in 2025/26 (as part of planned £26.700m Transformation Programme from 2024/25 to 2028/29), and that the annual Flexible Use of Capital Receipts (FUoCR) Strategy will be presented to Council for consideration and approval in April 2025.
- The Council's estimated revenue cost of borrowing for 2025/26 is £12.060m which is equivalent to 8.4% of the Net Revenue Budget and is approaching the maximum affordable level (currently set at 10% over the MTFP period), therefore future capital investment will need to rely more heavily on external funding and capital receipts in order to maintain borrowing at affordable levels.
- Details of the Dedicated Schools Grant (DSG) Grant for 2025/26 and the allocation to schools (detailed in Appendix 8).
- The forecast total cumulative DSG deficit of £20.693m on 31 March 2025, including £21.281m relating to the High Needs Block (Appendix 8).
- That a statutory override is in place which prevents the DSG deficit from being met from General Fund resources and the Government's plan to deliver a funding solution is awaited. This presents a potential significant medium term financial risk to the Council in the

event that the statutory override is removed without a suitable funding solution (Appendix 8).

24/105

PRUDENTIAL INDICATORS AND TREASURY MANAGEMENT STRATEGY REPORT - 2025/26

A joint report of the Executive Member for Finance and the Director of Finance and Transformation (S151 Officer) was presented to seek Council approval for the Treasury Management Strategy and Prudential Indicators 2025/26.

The Council was required to approve annually a Treasury Management Strategy and a set of Prudential Indicators, which self-regulated the level of capital financing activities of the Council and the affordability of the capital programme. These needed to be set on an annual basis to comply with the Local Government Act 2003 and the Chartered Institute of Public Finance and Accountancy (CIPFA) Codes of Practice on Capital Finance and Treasury Management.

The Treasury Management Strategy was important from both a financial and governance perspective as it set the framework within which the Council managed its borrowing and investments, how it delivered these services, and how it controlled the risks attached to any decisions made. It also set out the parameters and criteria that governed the day-to-day cashflow management activity and how these impacted on the medium to long term financial planning. These included achieving value for money from any borrowing undertaken, managing risk, and protecting any resources that had been invested.

The Prudential Indicators were an integral part of the CIPFA Capital Finance Code and demonstrated whether the capital programme was affordable, sustainable, and prudent. They included the level of capital expenditure over the next four years, how this had been financed, the maximum level of external debt and the cost to the revenue budget.

The Minimum Revenue Provision (MRP) policy governed how the Council planned to account for the repayment of loan principal in relation to its borrowing activities and had a fundamental impact upon the annual revenue cost of borrowing and over the long term. The current MRP policy was based on a 2% annuity model in line with many other local authorities. The Council took the decision during the 2022/23 financial year to review the MRP policy, the effect of which was to achieve improved affordability on an annual basis over the short to medium term, although there were higher revenue charges in 25 – 50 years' time.

The Council's underlying need to borrow was measured by the Capital Financing Requirement which was forecast to be £310.197m during 2025/26 rising to £333.295m by the end of 2026/27 and decreasing slightly thereafter. This resulted in the revenue cost of borrowing as at page 2 of the submitted report.

Whilst the Council was not an outlier in terms of its level of total debt it was reaching its limit of revenue affordability on borrowing to fund its future capital investment. The Council would need to prioritise its capital investment decisions over the medium and longer term and secure its financing through third party funds such as contributions and grants and capital receipts from the sale of assets to minimise future borrowing.

The Chair invited the Monitoring Officer to conduct a recorded vote on the recommendations contained in paragraph 2 of the report.

The result of the vote was as follows:

Votes for: (30)

C Cooke (Elected Mayor), Councillors Banks, Blades, Branson, Clynch, Cooke, Cooper, Coupe, Davison, Ewan, Furness, Gavigan, Grainge, Henman, Hill, Hurst, Hussain, Jackson, Jones, Kabuye, Lewis, Mason, Mohan, Morrish, Nicholson, Nugent, J Platt, S Platt, Romaine, Rostron, Smiles, Storey, Tranter, Uddin, Walker, Wilson, J Young, L Young.

Votes against: (0)

Abstentions: (1) Councillor Livingstone.

Following the vote, it was **ORDERED** that the following recommendations set out a paragraph 2 of the submitted report were approved by Council:

- The Prudential Indicators and Limits for 2025/26 to 2028/29 relating to capital expenditure and treasury management activity set out in tables 1 to 10 of Appendix 1.
- The Treasury Management Strategy for 2025/26, which includes the Annual Investment Strategy for that financial year.
- The Minimum Revenue Provision (MRP) Policy for the 2025/26 financial year.
- An Authorised Limit for External Debt of £331 million for the 2025/26 financial year.

COUNCIL

A meeting of the Council was held on Wednesday 5 March 2025.

PRESENT: Councillors J Rostron (Chair), J Ewan (Vice-Chair), J Banks, I Blades, D Branson, E Clynch, C Cooke - Elected Mayor, J Cooke, C Cooper, D Davison, T Furness, P Gavigan, L Henman, B Hubbard, L Hurst, D Jackson, J Kabuye, L Lewis, T Livingstone, J McConnell, I Morrish, J Platt, S Platt, A Romaine, J Ryles, M Smiles, J Thompson, S Tranter, Z Uddin, N Walker, G Wilson, J Young and L Young

OFFICERS: C Benjamin, S Bonner, B Carr, A Davis, G Field, R Horniman, S Lightwing and E Scollay

APOLOGIES FOR ABSENCE: Councillors D Coupe, TA Grainge, S Hill, N Hussain, D Jones, D McCabe, M McClintock, J McTigue, J Nicholson, M Saunders and P Storey

24/106 **WELCOME AND FIRE EVACUATION PROCEDURE**

The Chair welcomed all those present and advised attendees of the fire evacuation process.

24/107 **DECLARATIONS OF INTEREST**

Member	Type of Interest	Item/ Nature of Interest
Cllr Luke Henman	Non-Pecuniary	No. 4 (Publication Local Plan) – employed by a Registered Social Landlord.

24/108 **PUBLICATION LOCAL PLAN**

The Chair announced the passing of Brian Dinsdale, the former Chief Executive of the Council between 2003 and 2005 and prior to that he had been Chief Executive at Hartlepool Council since 1988. The Chair invited Members to join her in a minute silence.

The Chair invited the Executive Member for Development to present the report.

The report sought approval of the Publication Local Plan, which set out the Council's emerging planning policy framework that would guide development and decisions on planning applications and covered the period 2022 – 2041. Critically, it set out the housing allocations where new housing development was proposed to take place, alongside other planning policies for housing; economic growth; green and blue infrastructure; physical, social and environmental infrastructure; the historic environment; and design/placemaking.

Once agreed, the Publication Local Plan would be subject to a statutory period of public consultation, following which the plan would be submitted to the Government for Independent Examination ahead of its adoption. There was a statutory duty for the Council to prepare a Local Plan for its area. The Publication Local Plan had been prepared in accordance with national policy and legislation, taking into account other Council plans and strategies. This included being based on a robust evidence base.

It had been informed by two earlier public consultation exercises. The implications of the recommendations had been considered by the appropriate officers of the Council and were set out in the main body of the report.

The implications of the report had been considered by officers and the existing Local Plan was not fit for purpose.

Members were advised the Local Plan was an important document and the current Local Plan was not fit for purpose. The updated plan would address the changes to the National Planning Policy Framework which were detailed in the report.

The plan would give the Council an opportunity to determine where new housing was built rather than leave it to developers. Due to changes in the National Planning Policy Framework, there were transitional provisos which would allow Middlesbrough to increase the number of its dwellings to 418 throughout the plan period. National guidance allowed for up to 522 dwellings per year and as such if the report was not agreed the Local Plan would need to be reconsidered using the higher number of 522 dwellings.

The Executive Member commented there had been concerns from residents about aspects of the previous Local Plan. These had been considered in the updated version, such as the allocation of a traveller site which was now to be Canon Park.

The Executive Member invited questions from Members of the Council.

A Member commented it was a relief to see an updated version of the Local Plan before Council and there were several important elements of it. One of those related to hot food takeaways, and while it was important to consider wider health implications of this, it was also important to recognise the economic benefits. Another important part of the plan concerned Houses of Multiple Occupation and how the plan would help address the concentration of those properties in certain areas of the town.

The Executive Member agreed with the comments made and stated the plan would give the Council more control over where Houses of Multiple Occupation were located and who was responsible for them.

A Member queried how Hemlington Lane, which was refused by Planning and Development Committee, was now in the draft Local Plan. It was clarified that while land could be allocated for certain purposes in the Local Plan this was detached from specific planning application processes and that objections to Local Plan entries could be objected to.

The Ward Member for Ayresome welcomed the resolution to the Teesaurus Park issue and queried if consideration had been given to the Stainsby development. The Executive Member responded that the Stainsby site was contained in the previous Local Plan and was dependent on a developer moving onto the site for it to progress. The Executive Member thanked the Ward Member for their work in relation to Stainsby. Overall, the Stainsby Master Plan would make that site more attractive.

A Member commented that, despite recent changes to the National Planning Policy Framework, the adoption the Local Plan gave the Council more control over the number of houses that could be built in the town and in a more sustainable way. The Executive Member stated it was important that Middlesbrough had more high-quality homes and that the target number of homes in the Local Plan was more manageable than those stipulated by national guidance.

A Member commented that while the Local Plan was a very important document, it was very large and only provided to all Members with relatively short notice. They also queried the delegation cited at paragraph 2.1 of the report. It was commented that while the document was large it had been published prior to the meeting in the normal way. It was also commented that the contents of the plan had been in the public domain in some form, but recognised the document was long, despite this.

A Member drew attention to objective E in the plan which referred to the need to protect the natural environment. When looking at the southern wards it was queried if objectives E, F H in the plan were applicable to those areas. The Member also asked what percentage of brown field sites would be built on over the next 15 years. The Executive Member stated they could not provide specific percentages, but most brown field sites were in the town centre, such as the Gresham. In terms of objectives E, F and H; new and high-quality housing would contribute to those objectives. It was commented that many of the established areas within Middlesbrough were once farmlands and expanding into such sites was a sign of growth in the town.

The Member continued that he was concerned about the infrastructure in the southern parts of the town, specifically a lack of cycleways as well as doctors and dentists. While some of those issues were not directly in the Member's ward they would have an impact on their ward. It was clarified that the creation of such services would be dependent on demand but there would be

improvements in infrastructure as developments progressed.

A Member asked how the Council would make sure the correct infrastructure was in place, and how residents could be reassured the Local Plan was appropriate. There were several initiatives in Nunthorpe that had still not happened, and residents were concerned about this in light of new houses being built. The Executive Member responded that the Local Plan had to consider infrastructure in relevant areas.

The Executive Member for Children's Services commented there was a need for more homes across the country and the Local Plan enabled the delivery of quality homes that were needed in Middlesbrough. The town had gone for too long without a Local Plan which led to the Council not having sufficient control over developments.

A Member commented that much of the Local Plan was a step in the right direction. However, despite it providing a structure for where new homes could be built there were very few places in the town the Local Plan did not allow building to take place. The plan seemed to be a step too far for residents and arguing central government would direct the Council in the absence of a Local Plan was not convincing. The Executive Member responded that central government would only instruct on how many houses could be built. There were areas of the town that developers had identified for new housing, but the Council had rejected. In terms of green space sites, it was commented that those sites were, by and large, old farming sites and were unlikely to have had public access. The Local Plan did allow for improved biodiversity which would see an increase in tree planting and waterways.

A Member queried what mitigations were being put in place to alleviate disruption to people's lives when developments were started. It was commented there were strict controls for developers when planning applications were made. Any breaches could potentially lead to action being taken against developers.

With regards to the St David's development, a Member stated the original plan allowed for 119 houses, however this had grown to 139. They asked if there was any reassurance that the Stainsby site would not expand beyond its planned 1,200 houses. The Executive Member stated the Local Plan was in place to ensure that developers adhered to the numbers of houses stated in the Local Plan, and any associated master plans, which also provided certainty.

The Mayor commented the plan ran until 2041 so any works identified would not be immediate. The Local Plan gave the planning process a stronger position as it would be working within the confines of the Local Plan.

ORDERED that Council

1. Approves the Publication Local Plan its subsequent submission to the Secretary of State for Independent Examination; and
2. Recommends that the Council delegates authority to the Director of Regeneration, in consultation with the Executive Member for Development, to agree minor changes to the plan during the Independent Examination.

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COUNCIL MEETING – 26 MARCH 2025
QUESTIONS FROM MEMBERS OF THE PUBLIC
COUNCIL PROCEDURE RULE NO. 4.26

QUESTION NO.	QUESTION FROM	QUESTION TO	QUESTION
2/24	Susan Peat	Executive Member for Environment and Sustainability	What Zone K residents' views were used, obtained and represented when Resident Parking Permit charges were first drawn up ready to be proposed and what did Councillors and Officials understand of Zone K? Were Zone K residents' views represented initially? How do we ask the Council to reconsider the charging proposals?
3/24	Rachel Forster	Executive Member for Environment and Sustainability	<p>Some years ago a parking permit scheme was introduced in beechwood to stop inappropriate parking by hospital staff/visitors evading hospital parking costs.</p> <p>This caused a problem for the flow of traffic through the estate, especially buses, bin wagons and emergency services, I accepted the inconvenience of permits to assist.</p> <p>I was informed by a neighbour we will now be charged a substantial amount for this.</p> <p>This will severely affect residents' finances and wellbeing, we have not been included/informed and I believe this is unfair and underhand.</p> <p>What residents views were obtained and represented?</p> <p>How do we appeal?</p> <p>What is the cost of implementing this scheme and has it been justified?</p>

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

Council Meeting: 26 March 2025

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THE MAYOR AND EXECUTIVE MEMBER REPORTS AND ADDITIONAL INFORMATION

COUNCIL MEETING: 26 March 2025

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SECTION 1 - Executive Member Reports

<ul style="list-style-type: none">• Deputy Mayor and Executive Member for Education and Culture <i>Councillor Philippa Storey</i>
<ul style="list-style-type: none">• Executive Member for Adult Social Care and Public Health <i>Councillor Jan Ryles</i>
<ul style="list-style-type: none">• Executive Member for Children's Services <i>Councillor Luke Henman</i>
<ul style="list-style-type: none">• Executive Member for Development <i>Councillor Theo Furness</i>
<ul style="list-style-type: none">• Executive Member for Environment and Sustainability <i>Councillor Peter Gavigan</i>
<ul style="list-style-type: none">• Executive Member for Finance <i>Councillor Nicky Walker</i>
<ul style="list-style-type: none">• Executive Member for Neighbourhoods <i>Councillor Janet Thompson</i>

SECTION 2 – Table of Executive decisions taken and that have been through the Call-In period, since the last booklet, published on 7 January 2025.

SECTION 3 – Table of Executive decisions planned to be taken from dispatch of this booklet up until the date of the Council meeting.

SECTION 4 – Table of Executive decisions planned to be taken following the Council meeting.

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INTRODUCTION

This document contains the Elected Mayor and Executive Member reports relevant to the Council meeting to be held on **26 March 2025**.

The booklet, in addition to containing details of Executive Member activities covering the period following the last Council meeting (section 1), also details those Executive decisions taken since the last booklet was published (section 2) together with those decisions planned to be taken from dispatch of this booklet up until the date of the Council meeting (section 3) and those decisions planned to be taken following the Council meeting (section 4).

The table at section 2 contains details of decisions taken by individual Executive Members, the full Executive, Executive Sub-Committees and Joint Archives Committee. The public reports that were considered are also available through the Modern Gov system.

The tables at section 3 and 4 contain details of the decisions to be taken by individual Executive Members, the full Executive, Executive Sub-Committees and Joint Archives Committee. Further details on key decisions that are to be taken can also be found on the Modern Gov Forward Plan.

The Elected Mayor and Executive Member reports and the additional decision-making information will hopefully assist Members when considering any questions they may have for Executive Members at Council, which can be asked within accordance of the Council's procedure rules.

Details of those decisions to be taken, as outlined in Section 3 and 4, may sometimes be subject to change (e.g., dates of meetings may alter). Members are therefore advised to check with the Democratic Services should they have an interest in specific issues.

Charlotte Benjamin
Director of Legal and Governance Services
(01642) 729024

Contact details:

Susan Lightwing Interim Democratic Services Manager - (01642) 729712

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EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Deputy Mayor & Executive Member for Education and Culture

DATE OF MEETING: 26 March 2025

The purpose of this report is to provide an update to members on areas of activity within my portfolio including performance against strategic priorities.

1. COUNCIL PLAN PRIORITIES

- A Successful and Ambitious Town
- A Healthy Place
- Safe and Resilient Communities

2. HIGHLIGHTS

EDUCATION & PARTNERSHIPS

2.1. Proclaim: Mentoring and creating local expertise to keep vulnerable children in school

Middlesbrough is on a journey towards creating attachment-aware and trauma-informed schools. The Council is offering learning and mentorship to teachers in trauma informed approaches to children. Learning serves as the cornerstone of empowerment, equipping our schools with the knowledge and skills necessary to implement and sustain systemic change towards a trauma informed approach to learning.

PROCLAIM aims to foster growth, building confidence, resilience, and a sense of purpose when adopting a relational approach in the classroom. PROCLAIM Mentorship, offered to Head Teachers, provides invaluable guidance and support. Mentors offer encouragement, help set goals, and assist in overcoming obstacles, serving as positive role models who demonstrate the behaviours, attitudes, and values that contribute to success and well-being.

For schools committed to becoming attachment-aware and trauma-informed, integrating learning and mentorship into their framework is crucial. Inclusive education ensures that learning opportunities are accessible to the entire school community.

PROCLAIM offers a model of change that empowers staff and young people, helping them thrive despite the challenges they may face. This holistic approach not only addresses the immediate needs of staff and students but also lays the foundation for their long-term success and well-being.

Currently 6 schools have taken up the offer of Mentorships and Postgraduate Certificates in Attachment, Trauma and Mental Health. On completion, the lead in each school will become a mentor and support other schools on their journey.

The trauma informed approach helps keep children in school, reduces suspensions and assists teachers in dealing with situations in a nonconfrontational manner.

I would like to extend my gratitude to Victoria Banks (Virtual School Head) and Dr Lisa Garforth (Specialist Senior Educational Psychologist) for creating and running this programme and for making such a significant positive difference to the lives of our children.

2.2. SHiFT

SHiFT is an innovative organisation, founded in 2019, with a track record for delivering exceptional outcomes that break the destructive cycle of children and young people caught up in, or at risk of, crime.

SHiFT Middlesbrough provides 1-1 intensive support for 27 of the most vulnerable children and young people in Middlesbrough. Children and young people identified for SHiFT are those for whom, despite the efforts of other professionals, 'business as usual' responses have not been able to make the difference needed and where concern about their wellbeing is high and escalating. For over a quarter of the children SHiFT Middlesbrough is working with, their vulnerabilities and professional responses to their management to date, mean that they were, at the start of SHiFT's work, accommodated in high-cost placements, often a long way from home and not making the difference desired to improve the child's situation. For all children there are concerns about increasing risk, vulnerability, and the negative impacts this can have on their living arrangements.

The highly complex needs of this vulnerable group needs the intensity and expertise of the work SHiFT is delivering. SHiFT Guides work alongside existing professionals, including Social Workers, providing a level of intensity that Social Workers are not resourced to be able to deliver. SHiFT has an evidenced track record for delivering exceptional outcomes and in year cost savings and cost avoidance through, for example, reducing reliance on high-cost placements, avoiding children being remanded in custody, and supporting children to return to mainstream education from alternative provision.

CULTURE

2.3. Musinc

Musinc continues to deliver expert engagement in music. Creating opportunities for all ages and circumstances to come together to participate, create and enjoy music of different genres.

This must include a huge well done to everyone from Open Orchestra who journeyed down to the Symphony Hall in Birmingham to perform in Music for Youth, an inclusive music festival celebrating, D/deaf, disabled and neurodivergent young musicians. The orchestra is made up of 25 young musicians from Priory Woods School and Beverley School.

Musinc also produce the annual Shine Choirs Festival, a celebration of community and school vocal performances, at Middlesbrough Town Hall. The two day festival featured

performances from 15 choirs and 11 school groups, with a total of approx.. 900 performers. The event was BSL interpreted by Jenna, who signed 75 songs across the events.

Musinc run a whole range of programmes and I would recommend anyone to follow them on social media and sign up to take part. Unfortunately, I have no musical talent, but I do enjoy seeing and listening to the amazing musical talent that Middlesbrough has.

3. THE TIME AHEAD

3.1. VE Day 80

VE Day 80 celebration funding and organising are underway, with an announcement either made or about to be made by the time this report is published.

3.2. New Festivals

Two new festivals are being planned with partners, including the MFC Foundation, National Literacy Trust Middlesbrough and Teesside University, for next two years, leading up to Middlesbrough's Bicentennial.

3.3. Orange Pip

Orange Pip is returning.

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EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member Adult Social Care and Public Health

DATE OF MEETING: 26 March 2025

The purpose of this report is to provide an update to members on areas of activity within my portfolio including performance against strategic priorities.

1. COUNCIL PLAN PRIORITIES

A Healthy Place – Helping our residents to live longer, healthier lives.

2. HIGHLIGHTS

Update:

Public Health

2.1. The Live Well Centre

The Live Well Centre effectively relocated to the Cleveland Centre in December 2024, being fully operational in the New Year. All services transitioned to the facility, which has also experienced increased demand from the VCSE, commercial, and public sector organisations seeking to utilise space within the centre and engage in collaborative efforts. The centre is also happy to endorse the establishment of a 'wellbeing hub' that offers a secure environment for older individuals, those with sensory impairments, and residents experiencing dementia. The room is permanently accessible and is currently establishing a schedule to serve the residents through associated organisations.

The centre is constantly demonstrating its efficacy in collaborative efforts with other council sectors and local partners, while advancing opportunities to enhance the 'Health on the High Street' initiative in conjunction with the NHS/STHFT to improve access to healthcare in the town and supporting town centre regeneration.

2.2. New Sexual Health Service Provider

Following a robust re-procurement of sexual health services across Tees, Tees Alliance Partnership (TAP) will now provide sexual health services. TAP is made up of a North Tees and Hartlepool NHS Foundation Trust, South Tees hospitals NHS Foundation Trust, Hartlepool and Stockton Health (H&SH) and ELM Alliance Ltd, with North Tees and Hartlepool NHS Foundation Trust the lead member. The new contract will start on 1 August 2025.

Services will include a full range of contraception including complex contraception needs such as coil fittings and hormone replacement therapy (HRT) for menopause, testing for sexually transmitted infections (STIs) with treatment when positive and partner notification to reduce the onward spread. Services will also include providing vasectomies, cervical screening, psychosexual counselling and HPV vaccinations for men who have sex with men.

Community contraception will be delivered by the Tees' two GP Federations HASH and Elm. Services will include all methods of contraception (excluding complex contraception), emergency contraception including copper coil and Emergency Hormonal Contraception (EHC), and opportunistic cervical screening.

2.3. National HIV Testing Week

Across Tees, Terence Higgins Trust held clinics at Teesside University and the Live Well Centre Middlesbrough carrying out point of care testing (POCT).

HCRG, the current Tees provider of sexual health services also offer testing for a range of sexually transmitted infections (STIs). Testing is free and confidential. It's also the only way to know if you have HIV and worth doing because people can live with HIV for a long time without any symptoms.

HCRG and our partners are working towards the Government aim to end new HIV transmissions by 2030 in England by promoting prevention, increasing detection, and offering treatment to prevent onward transmission.

2.4. The Live Well Centre Ageing Well Hub

The Ageing Well Hub has recently been opened at the Live Well Centre, with some activity starting on Monday 10th March.

The Hub is a welcoming space for older adults in Middlesbrough and their families and carers, who are seeking some emotional and practical support, by offering a meet up place, an opportunity to take part in activities and events, and a place for support, advice and information from various support organisations. Some current activities include digital support including, IT Skills, digital history walk with multimedia heritage experiences and improving wellbeing through digital tracking (MBC Rekindle); 6 weekly Wellbeing Programme including, mindfulness, film club and wellbeing walks (Age UK Teesside) and Dementia Awareness Session (Public Health and Dementia Action Teesside).

2.5. Community Health Checks and Awareness Raising

Targeting communities most at risk of CVD/high blood pressure, Health Champions and wider partners are continuing to offer community blood pressure testing in community venues, with lifestyle and referral advice given to those with high BP readings. Some partners are also able to loan take home BP kits for residents to monitor their own BP levels for a week. Data is being gathered to demonstrate the value of the project.

Interpreted Talk cancer awareness sessions for Afghan ladies and the Ukrainian community have been held. This was a collaboration between Public Health, Cancer Research UK and the Migration and Cohesion team. Funding has also been secured for further cancer awareness projects focused on ethnic minority groups. Public Health has also worked with the Muslim community and BME Network to share healthy eating and cancer awareness messages via Ramadan LIVE magazine and Ramadan Radio broadcast.

2.6. Holiday Activities and Food Programme - Bring it On!

Bring it On! has had funding confirmed for an additional year until 31 March 2026. The programme will currently run in the same format as previous years – official guidance from the DfE is yet to be published.

Middlesbrough has been awarded just over £1million, this unfortunately is a reduction of over £12,000 despite significant increases in FSM numbers. School census data used for these calculations was the census information prior to our auto enrolment process.

Planning for the Easter Holidays is currently under way.

2.7. Stop Smoking Service

Middlesbrough has higher rates of smoking related deaths and is the 5th highest in the country. Acknowledging the harm caused by smoking and the aim to be at 5% prevalence by 2030 the government provided additional stop smoking grant funding to local services to increase local activity. Since the additional grant funding the service has recruited six tobacco dependency advisors across South Tees going from one delivery site in Middlesbrough to 11. The service was the first in the region to commence varenicline clinics with two in Middlesbrough. The team's achievements this year have been remarkable, with their work exceeding both national (35-70%) and regional (55%) quit rate averages. Middlesbrough's quarterly quit rates have consistently surpassed 75%, a testament to the team's dedication and impact.

To further improve quit rates and accessibility, the team has proactively removed barriers by adapting service pathways. Notably, they were the first in the region—and remain the only provider—to offer **varenicline** as a prescribed stop smoking treatment and the **Stop to Swap scheme**, which uses vapes as a quit aid. These innovative initiatives were recently recognised when the service received the South Tees Healthwatch Award for Collaborative Approaches.

2.8. Recovery Solutions Team – ACT

The service continues to receive positive feedback from service users and partners including from Hardwick House who provide Veteran's Supported Housing and Trinity School who have acknowledged the Naloxone in Schools project led by the Young Person's Team which has contributed towards the schools recent Ofsted rating of Good from Required Improvements. The service recently had their first CQC Inspection and whilst the service will have to wait a few months for the formal report, the informal feedback has been really positive with the Inspectors commenting on how much of a lovely environment it is for both staff and service users. A number of staff have been shortlisted for prestigious awards including the Lung Health Pathway being nominated for an LGA, a member of staff shortlisted for the British Journal of Nursing Award, recognising contributions to the Tuesday Night Clinic which provides support for vulnerable women, and the Housing Support Team and Lung Health Pathway have been shortlisted for Council Staff Awards. Seven individuals have been supported by the Detox and Rehab Team & Housing Support Team and are now all in Recovery Connections rehab together. The service users have formed a positive, solid peer group and are doing great working through the programmes. All the group members were caught in a cycle of alcohol dependence and the majority were also reliant on other none opiates, it is a fantastic achievement that they are now substance free in our local rehab.

Update:

Adult Social Care

2.9. Care Quality Commission Review

In February 2025 Middlesbrough Council received its Care Quality Commission (CQC) rating for Adult Social Care.

The Government announced their intention to introduce assurance in adult social care in a White paper “Integration and Innovation: working together to improve health and social care for all” in February 2021. This was followed up with a White Paper “People at the Heart of Care” in December 2021 in which it was announced that the Care Quality Commission (CQC) would independently review and assess local authority performance in delivering their adult social care duties under Part 1 of the Care Act 2014.

Therefore, the inspection focused only on local authority performance. Independent providers, such as care homes, home care agencies all get inspected separately by CQC, and they were not included within the scope of this inspection.

In June 2024 the local authority had to submit their LAIR (Local authority Information Return). This was a self-assessment document with supporting evidence. An onsite inspection took place at the end of October in which inspectors spoke with front line staff, reviewed cases and spoke with key stakeholders. The draft report was developed on the 11th December with factual accuracy responses only to be submitted by 2nd January.

Ongoing dialogue with the lead inspector has been undertaken with notification of a final publication date of the 21st February 2025. The report and associated outcome was under embargo until the final report was published by CQC.

2.10. What was the Inspection Outcome?

The overall outcome was “Requires Improvement”, the score given was on the borderline with a “Good” rating. Overall Middlesbrough scored 62%. To be rated as “Good” a score of 63% was required.

The inspection looked at 9 key Quality Statements:

Quality Statements	Assessing Needs	Supporting People to love healthier Lives	Equity in experience & outcomes	Care provision, Integration and continuity	Partnerships and Communities	Safe Systems, pathways and transitions	Safeguarding	Governance, management & Sustainability	Learning Improvement and Innovation
Evidence categories									
People's experience	2	2	2	2	3	3	2	2	3
Feedback from staff & leaders	3	3	3	3	3	3	3	3	2
Feedback from partners	2	3	2	2	2	3	3	2	2
Processes	2	3	2	2	3	3	3	2	2
Overall % Qs score	57	69	57	57	69	75	69	57	57

Middlesbrough scored “Requires Improvement” in 5 categories and “Good” in 4 categories.

This is a new national inspection programme and therefore there have been no previous inspection results against which to compare.

The service area has since submitted an initial “10 day” response to the Department of Health & Social Care (DHSC), this response provided the information on our next steps on our improvement journey and how this will be effectively monitored.

DHSC will require quarterly monitoring information on progress against the actions planned. A full presentation on the detailed inspection findings will be presented to People Scrutiny Panel, along with the detailed action plan for improvement. Monitoring of progress against this plan will also be presented to people Scrutiny on a regular basis.

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EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Cllr Luke Henman, Executive Member for Children's Services

DATE OF MEETING: 26 March 2025

The purpose of this report is to provide an update to members on areas of activity within my portfolio including performance against strategic priorities.

COUNCIL PLAN PRIORITIES

We will show Middlesbrough's children that they matter and work to make our town safe and welcoming and to improve outcomes for all children and young people.

KEY FIGURES

- **Number of families accessing early help via Middlesbrough Council:** 637
- **Number of foster carers with Middlesbrough Council:** 80 foster carers, 56 connected carers, looking after a total of 178 children.
- **Number of children in our care:** 506
- **Percentage of children in our care in Education, employment or training:** 88.3% of all children aged five to 18. (96.7% of five to 15 years-olds and 64.5% for 16+.)

Highlights

1. I attended a two-day LGC course recently in Warwick for portfolio holders in Children's Services. It was an opportunity to meet opposite numbers from different parties and councils, as well as mentors with huge experience as DCSs. It was really useful for me to listen to developments in the field, learn about areas to focus on and how to provide constructive challenge.
2. As mentioned below, last week was World Social Work Week and I was glad to have had the chance to drop into the event which the Learning, Review and Development Team organised to celebrate our staff. I had some fantastic conversations with social workers who shared their experiences. They really emphasised the importance of stability and consistency and the strides they felt we have made recently. They also shared with me areas they wanted to see improvement. I am incredibly proud of our staff and the work they do to keep young people safe, as well as the positive and inquisitive culture they have nurtured.
3. I met with fellow portfolio holders from across the Tees Valley recently, alongside a care experienced young person from Stockton to look at our care leaver's offer and the differences between our councils. We are collaborating to compare our offers and how we can make sure that a Middlesbrough young person living in Stockton, for example, can benefit from their care leaver offer.
4. I was proud to attend the Staff Awards where staff from across Children's Services were recognised and I want to add my thanks to all of them:

- a. Early Help were shortlisted for the Team Spirit category– the team are constantly adapting the way that they work to meet the needs of the families they work with, utilising a multi-agency approach, working closely with a variety of partners to make things better for families. The voice of the child is at the centre of their work.
- b. The Fostering Service were also nominated for Team Spirit award for their co-ordinated approach to supporting both the carers and the children that remain in our care. They ensure our brilliant foster carers receive the best training possible to give young people the best start in life.
- c. Anthony Bariek, who provides admin support to the fostering team was also nominated. He is known as friendly and humorous colleague who rises to every challenge with a smile. Anthony is really passionate about delivering the best service to our foster carers to ensure payments are right and made on time. Anthony really encompasses the Council's values on a day to day basis.
- d. Rosecroft Children's Home was shortlisted for the Extra Mile Award, and the Resource Team was shortlisted for the Delivering the Right Results Award, recognising the unwavering dedication and hard work of both teams.
- e. Independent Reviewing Officer, Helen Carling who was shortlisted for the 'Going The Extra Mile' Award. Helen went over and beyond to ensure that a young person in our care could spend the day with his family making memories to last a lifetime.
- f. The Resource team were nominated for the Delivering the Right Results award. The team's focus is proactive in stopping children entering the care system through creative and collaborative approaches that keep the children's needs at the heart of everything they do. In January 2025, the team supported 71 families a week, down from 116 families in 2024, this reduction in the need for intervention shows their approach is working.

Multi-Agency Children's Hub (MACH) and Assessment

5. The MACH is our front door – the first point of contact for concerns about a young person. The social work staff team within the MACH are permanent workers and are very effective in the day-to-day screening and signposting to appropriate services to the children of Middlesbrough and their families. The Assessment Service determine what interventions are required after the MACH have dealt with the initial enquiry.
6. Morale has been positive and three workers that had been agency staff are converting to permanent workers, two within assessment and one within the MACH. This is a really positive sign – it is a sign of confidence in our council and a sign that we are rebuilding our reputation as an employer of choice. In addition, we have recruited one permanent member of staff that has started, and two more permanent workers will commence over the next few weeks reducing our agency worker number further. Advertisements are currently out for our remaining three positions.
7. As outlined previously, professional development, learning and reflection are vital to this service. The service is continuing its audit of our screening process to develop quality and ensure that we are determining the right outcomes for our children at the earliest opportunity. The team are also holding multi-Agency audits once per month and this is enabling staff to have challenge discussions around quality and areas of development. The MACH Strategic Board is an area that we are looking to further develop, so that we have accountability with Key Partners. Our assessment timeliness has continued to improve with 97.6% of or assessments being completed within 36-45 days and 82% within

35 days. The number of young people being dealt with per staff member has remained manageable. The service has just held a development session looking at timescale for our work, quality of assessment and visits, including direct work with children to include their experience. We know we need to continue to strengthen and support workers to achieve good quality assessments that are timely and meeting the needs of our children and families.

Early Help via the Stronger Families Service

8. The Stronger Families service aims to support families early in order to stop the need for young people being taken into care. Working with families to keep children in a safe home is better for the young person's wellbeing and it is more cost effective.
9. Early help is the focus of our strategy to improving outcomes for young people and building a stable Children's Services. The average young person per practitioner is currently 19.2. This is the second lowest average in the previous 12 months. The Stronger Families Service continues to be a stable service where early help support is provided to 637 children and young people across 354 families. 66% of early help is held within the wider partnership which equates to 1260 children and young people.
10. As elsewhere across the directorate, the team is focussed on practice improvement and creating a culture where staff are supported to develop and learn. Four family practitioners are currently undertaking a social work degree, four family practitioners and two managers are completing a management qualification.
11. As part of our drive to continuously improve practice and reflect on work, monthly audits are completed to ensure quality of practice. From May 2024 – January 2025 audits of early help cases show that 3% have been graded as outstanding, 74% have been graded as good, 23% have been graded as required improvement, the service has no inadequacy. I'm proud of the open and honest attitude all of our staff approach reflection, learning and improving our practice. There has been a focus on improving the quality and impact of practice and the impact that 'My Family Plans' are having recently. This is reflected in improved outcomes for children and in the range of different services that are now taking on an Early Help Lead professional role.
12. We know that most children who have received early help services from Stronger Families do not come back into early help following 12 months of case closure, 76% have not come back into early help and 92% have not returned to Children's Social Care. This tells us that early help services are supporting families effectively and preventing the need for statutory services for the majority of families.

Fostering

13. The Fostering Service is split into three teams focussing on recruitment, support to current approved carers and support to connected carers – carers within the young person's wider family or friendship circle. Foster carers provide stable and supportive homes for young people and the work they do is more effective in terms of outcomes and cost than residential placements.
14. Collaboration with Foster with North-East (FwNE) which looks at foster carer recruitment has approval to continue until September 2025, with a further decision being taken by DCSs in the region over the summer, as to the future of this project.
15. As part of the Modernising Fostering transformation programme, we have now recruited a Team Manager for the Kinship Team. Interviews for the Social Workers for the team are

currently underway. The work of the Kinship Team will be key in ensuring that support and a review process is in place and training is made available, along with support groups for carers looking after extended family members. This will mean foster carers and young people are given the correct support, guidance, and advice and avoid the need for more costly and less effective alternatives.

Cared for Children

16. Within Middlesbrough there are currently 506 children who are cared for with a further two children exiting care in March. Work has continued to progress with progression to Court to discharge Care Orders, or seek other orders such as, Child Arrangement Orders or Special Guardianship Orders, via the DfE funded workers. The funding for this will cease at the end of this month. This work will continue as part of 'business as usual' in the teams. This has been a positive piece of work for the service and has given us the opportunity to work with potential carers to understand the barriers to them wanting to care long-term for children and young people in their wider family. The most common issues are a lack of financial support and worries that when a Care Order is discharged, they would not have support from the Authority in the long-term.
17. The lower caseloads for Social Workers have been maintained and we continue to see a high level of knowledge from workers regarding the children and young people, they are working with ensuring reports are accurate and work is progressed within timescales. This has been recognised in the increased compliments from IROs, the Courts and other professionals. The staff team has remained stable with an increase in permanent staff being recruited over the past two months. Recruitment of permanent staff remains a key focus. Performance is closely monitored, with systems in place within the teams, to support and address this. Work will be undertaken jointly between the teams and the Performance Team, to look at the data currently being collated and what we can do to improve this going forward, to ensure we can provide a consistently accurate picture of the work within the service.

Pathways team - supporting our young people moving into adulthood

18. Further work has continued around training and support to Personal Advisors. A review of this training is taking place at the end of March 2025. We have in place consistent managers, liaising with colleagues in Housing. This regular meeting ensures Housing colleagues are aware of all young people from 16 years, who may have a future housing need. By using this method young people can be added to the housing list prior to 18 and this accrued time is then evidenced at 18, when housing is needed. This also assists Housing in understanding future needs for care experienced young people, who can then plan what is needed. It is hoped that previous significant delays in suitable housing being made available, will be resolved.
19. The majority of the staff team remain permanent employees, with the additional 5 posts being interim, whilst the decision on the establishment of the team is agreed. There have been a couple of recent changes in the agency staff group, who have brought significant skills and knowledge to the team in relation to exploitation. Agency workers are keen to take up permanent posts within the service when plans are finalised.

Safeguarding & Care Planning, Children with Disabilities, Aspire and Pre-birth Team

20. The Safeguarding & Care Planning team support children on a Child in Need and Child Protection plans, as well as children that are looked after for up to six months. Our Aspire team sits within this team and focusses on supporting children who are

vulnerable to exploitation, trafficking or falling into criminal activity. We continue to monitor closely the number of children allocated to social workers and have seen an increase as children require allocation swiftly from assessment within our Safeguarding and Care Planning Teams. These numbers are higher than we would like. That said the social workers continue to ensure children are seen in timescales required meaning their experiences are understood.

21. We continue to have the challenge of high numbers of children allocated to our social workers. Just under half of that cohort are children subject to child protection plans and a further 15% are children in care, indicating that a majority of children in the service are experiencing or have experienced risk of significant harm. This highlights an increasing level of complexity within the service and social workers and managers are working hard to ensure consistent service delivery and response to need. We continue to prioritise safeguarding our most vulnerable children and are assured through the data that children are seen regularly and social workers are benefiting from supervision for support and guidance in what is a challenging environment at this time. We have increased capacity by virtue of five newly qualified social workers moving into the teams from the academy.
22. Within Children with Disabilities, we are now reviewing all children who access short breaks at Gleneagles, to give us assurance that the right children have that support and that we understand the demand for the service as we reshape it to meet the needs of families in Middlesbrough. At this time, we know we are buying in and commissioning services as we are unable to offer all children support through Gleneagles that require it and this exercise is aimed at improving this so more children are supported through Gleneagles and Home Support.

Residential and Supported Accommodation

23. Gleneagles Short Breaks Services and Willowtree Children's Home underwent Ofsted Full Inspections, with both receiving Good ratings in all areas. The feedback from the Ofsted inspectors was overwhelmingly positive, highlighting the quality of care provided. To ensure continued readiness for future inspections, Quality Assurance support has been implemented to assist managers in maintaining Ofsted compliance. I'd like to congratulate all the staff involved.
24. The commissioned service for one of our homes has recently been reviewed, reflecting the evolving needs of the children's service. This review was prompted by the move of one child to an alternative external provision that can better meet their individual needs. Additionally, alternative provisions are being explored for the other children to address their unique care planning complexities.
25. A review of the staffing structure across the homes is ongoing, and the findings will guide future steps, ensuring alignment with value-for-money objectives. This review will continue into 2025.
26. The Admissions Policy and Procedures have been successfully implemented, fostering transparency and ensuring a multi-agency approach to the matching and admissions process for children. As a result of robust joint working, occupancy across our homes has shown improvement, demonstrating the effectiveness of collaborative efforts in enhancing service delivery.

Learning, Review and Development

27. Improving the quality and consistency of practice is a priority for Children's Services as a whole. Our Quality Assurance team have developed and timetabled training and delivered

one-to-one support to practitioners in relation to best practice. Upcoming training covers understanding the lived experience of children, voice of the child and recording direct work, analytical assessment training and risk analysis training. Audit training sessions are timetabled for January 2025 for all Children's Social Care staff who complete audits.

28. It was World Social Work day on the 18th March and we held a week of training opportunities and information sharing, starting with an opportunity for staff to meet with senior leaders, take time to reflect on their roles and their wellbeing, celebrate success and discuss examples of good practice as well as learn new self-care strategies. I dropped into the event and had some brilliant conversations with our staff who gave me their account of the challenges they face but also shared their excitement at the improvements we are seeing in our service. Throughout the whole of the week there are also training sessions being delivered on key areas of practice, including understanding the lived experiences of children and young people.
29. The Quality Assurance team continue to provide one to one audit support and drop-in sessions to staff who request additional discussion or training.
30. Middlesbrough has a longstanding relationship with Frontline, with 2025 being our 8th year of collaboration. Frontline consistently advise that students want to come to Middlesbrough as their first option and this year both of our Frontline Consultant Social Workers have been nominated for awards in recognition of the great work they do with our Middlesbrough students. Shortlisting and judging for the awards are taking place in March and if successful our consultants will be invited to an awards ceremony in London in May this year.
31. The Independent Reviewing Officer service continue to have some pressure associated with one staff member having some sickness issue and we wish them all the best. The managers are in the process of seeking a temporary IRO to support the service, as sadly some of that sickness is likely to be longer-term.
32. Our Participation team continues to work with our cared for children and young people to hear from them how we better shape and improve services. They also continue to work within local schools canvassing the views of Middlesbrough children and young people. The Participation team has drafted a refreshed Participation Strategy, within which they are seeking to increase their reach across Middlesbrough's children and young people. In addition to this the team are preparing an annual forecast of events to support increased engagement through allowing people to free up diaries in advance.

EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Development

DATE OF MEETING: 26 March 2025

The purpose of this report is to provide an update to members on areas of activity within my portfolio including performance against strategic priorities.

1. LOCAL PLAN

The publication of the Local Plan was approved by Full Council on the 5th of March 2025.

It sets out the Council's emerging planning policy framework that will guide development and decisions on planning applications and covers the period 2022 – 2041.

Critically, it sets out the housing allocations where new housing development is proposed to take place, alongside other planning policies for: housing; economic growth; green and blue infrastructure; physical, social and environmental infrastructure; the historic environment; and design/placemaking.

The Local Plan will be subject to a statutory period of public consultation, following which the plan will be submitted to the Government for Independent Examination ahead of its adoption. There is a statutory duty for the Council to prepare a Local Plan for its area.

The Publication Local Plan has been prepared in accordance with national policy and legislation, taking into account other Council plans and strategies. This includes being based on a robust evidence base. It has been informed by two earlier public consultation exercises

Dates of the public consultation events:

- Tuesday 18 March from 4pm to 7pm, at the Live Well Centre, Albert Road, Middlesbrough Town Centre.
- Wednesday 19 March from 2pm to 6pm, at the Acklam Green Centre on Acklam Road, Whinney Banks.
- Wednesday 26 March from 2pm to 6pm, at Thorntree Library and Community Hub, Birkhall Road, Thorntree.
- Friday 28 March from 2pm to 6pm, at Langdon Square Community Centre, Langdon Square, Coulby Newham.

2. EXECUTIVE DECISIONS

2.1. Disposal of Land at Hemlington Grange South (Agreed)

The report sought Executive's consideration of the bids received by the Council and to

approve the disposal of the site to the preferred bidder to conclude the process. The report was considered by the Executive Sub Committee for Property.

In July 2022, Executive approved the marketing and disposal of Hemlington Grange South site, for the purpose of enabling housing development. Located towards the southern fringe of Middlesbrough, the site was a vacant, 7.05-hectare (ha) Council-owned site and was allocated within the adopted Housing Local Plan (2014).

Development Guidance was drafted for the site, and this was subsequently adopted in October 2020 following public consultation. The development guidance provided design principles and expectations with regards to how the scheme should come forward in the future. The Development Guidance was provided to bidders as part of the tender pack when marketing the site; so that any bids would be truly reflective of the standard expected on the site.

The site constituted the southeastern most section of the wider Hemlington Grange site, which was also allocated in the adopted Middlesbrough Housing Local Plan as a strategic urban extension comprising 1,230 dwellings. To date, detailed planning permission has been granted for 846 dwellings on the Hemlington Grange site, of which 699 had been completed and occupied.

The Council was aware that the site was an extremely popular and successful development. The site was ideally situated to enjoy the surrounding coastline and countryside with Saltburn by the Sea located around 14 miles to the east and the North York Moors National Park a relatively short drive to the south. The site benefits from outline planning approval, which was granted in April 2024, prior to site 05 February 2025 marketing. The site was estimated to be able to deliver up to a total of 150 units, subject to Planning, creating a high-quality development.

2.2. Revised Statement of Community Involvement (SCI). (Approved)

SCI, to explain how it will involve the community in the preparation of local development documents (such as the Local Plan), the preparation of neighbourhood plans, and on planning applications

The Council adopted its SCI in March 2020. The legislation requires that SCIs are reviewed every 5 years and, where appropriate, updated. Following a review of the SCI, a small number of amendments are proposed to reflect the most up to date National Planning Policy Framework and changes to the way the Planning Services operates.

3. LIVE WELL CENTRE

The Live Well Centre in the Cleveland Centre is now up and running. The Live Well Centre is a community-focused facility designed to support health, well-being, and lifestyle improvement. Located in a central area of the town, the centre offers a

range of services and programs aimed at promoting physical and mental health, including fitness classes, nutritional advice, and workshops on healthy living.

It provides access to expert guidance and resources to help individuals lead healthier lives, offering support for managing long-term conditions, improving mental well-being, and maintaining physical fitness. The Live Well Centre is part of Middlesbrough's commitment to enhancing public health and making well-being resources accessible to all members of the community.

4. MIDDLESBROUGH DEVELOPMENT CORPORATION

Middlesbrough Development Corporation (MDC) has agreed to provide a further £7 million to the Gresham development. For the development of a new hotel alongside professional living and student accommodation. Initial site works are expected to begin in April, with construction forecast to start in summer 2025.

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EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Environment and Sustainability

DATE OF MEETING: 26 March 2025

The purpose of this report is to provide an update to members on areas of activity within my portfolio including performance against strategic priorities.

1. COUNCIL PLAN PRIORITIES

I continue to work on policy proposals for the short, medium and long-term. We will continue to work closely with local communities to protect our green spaces, and make sure that our roads and open spaces are well-designed, clean and safe.

Since my last report dated 15th January 2025, in addition to my regular meetings with the Director of ECS I have:

- Given a presentation to the Overview and Scrutiny Committee (OSB)
- Attended two meetings of the Northumbria Regional Flood & Coastal Committee
- Undertaken site visits in Acklam and Marton West to assess proposed traffic calming measures to be considered as Single Member Executive decisions.

2. WORKS UPDATE

2.1. Traffic signal, junction and crossing upgrades:

- Junction upgrade at Hartington Road / Brentnall Street – currently ongoing
- Junction upgrade at Marton Road junction – currently ongoing
- Junction upgrade to Newport Road / Marsh Street to be replaced by Linthorpe Road / Park Road South – expected to be completed in March 2025
- Puffin crossing upgrade at Grange Road / Linthorpe Road – ongoing; civils works completed

2.2. Highways

To date, 12 of the 15 planned verge works schemes and 18 of the planned 27 footway works schemes have been successfully completed.

2.3. Transporter Bridge

Digital monitoring of the movement of the bridge continues and will feed into the design/repairs going forward. Discussion around options for the future operating model of the

structure are ongoing and funding streams need to be resolved to progress the project further. Preliminary design programme confirmed with regular meetings scheduled with contractor to discuss updates.

2.4. Newport Bridge

Further works are required to the bearings which are to be scheduled for Summer 2025.

2.5. Newport Approach Road Bridge and Structures

Main works are completed. The vehicle restraint system will require a temporary barrier installing on both sides of the road, with alterations to the road layout to two running lanes. Design work for the barrier continues with traffic flow checks and a road safety audit being undertaken before installation takes place. Lane closures using traffic cones and signs will lead up to the barriers.

Street lighting to the underside of Ayresome Road / Cannon Street was to be undertaken in February 2025. The emergency works to the parapet railings on the footway/ cycle ramp are completed.

The steps have been temporarily propped until these works can be programmed and funded. The anti-graffiti coating to the underside of Ayresome Road/ Cannon Street Bridge will now take place as part of a borough wide anti-graffiti coating scheme of subways.

Works to replace/rebuild the footways on the main part of the approach structures will be programmed over the next 2-3 years subject to funding.

Temporary netting is required to the underneath of the footways to ensure the safety of the rail infrastructure – these works will be undertaken in collaboration with Network Rail, and we are negotiating rail possession with a works start date to be confirmed.

2.6. Principal and General Bridge Inspections

The general inspections of 169 structures have been completed. Checking of the reports is ongoing.

Several of the principal inspections on structures over rail lines are awaiting the agreed access with Network Rail. The details from the reports are being used to update the backlog of works and delivery programme.

2.7. Longlands Road Overbridge

The bridge principal inspection was due to take place in mid-February. It is expected that extensive repairs, or even full replacement, will be required. A

design, principal designer, AIP, and technical approval phase will follow in 2025-26. The major works are likely to be scheduled for 2026/27 subject to the necessary funding being in place.

2.8. A66

Scope of works for repairs to the concrete piers are ongoing at Hartington Interchange. The ground investigation has shown a slight void within the carriageway, which continues to be investigated. The scope of works and work requirements, along with start date, will be reviewed once the outcome of the investigation is complete.

Specification for concrete repairs to Newport Interchange is ongoing.

2.9. Borough Road Flyover

Works on the design, approval in principle, principal designer and technical approval for replacement of the bridge joints, bearings, and carrying out localised hydro demolition and concrete repairs, will likely take place in year 2026-27 based on current budget projections.

2.10. A174 Marton Interchange Overbridge

A174 Marton Interchange Overbridge includes replacing the bridge deck waterproofing and resurfacing, concrete repairs to the abutments and the installation of suicide prevention parapets. The design work has begun, and site access and the start of works are projected to start in mid-April 2025.

2.11. Linby & Belle Vue Footbridges

Work at the Linby and Belle Vue footbridges include painting, installation of suicide prevention parapets/cages, structural repairs to piers and decks, new bearings, concrete repairs, and installation of lighting. The design phase is coming to a close. The next stage is to undertake the works. This work will progress after year 2025/26.

2.12. Carriageways

The 2024-25 resurfacing programme is ongoing.

The contractors have continued works on classified and unclassified programme with 6 left to complete on the unclassified and 1 classified. These will be completed before the end of the financial year.

The weekly road works report regularly being updated and can be viewed on the Council's website.

To date 75% of the unclassified and 75% of the classified resurfacing schemes have been completed.

A full dated programme has been agreed with the contractor with the resurfacing works due to be completed before the end of the financial year. The weekly road works report is updated regularly and can be viewed on the Council's website.

The schemes involving surface dressing and micro asphalt thin surfacing will be tendered shortly to be undertaken in early May/June 2025 due to the materials requiring dry good weather conditions to be laid to standards and to ensure a good longevity of the surface.

2.13. Street Lighting

The 2024/25 column replacement programme has resumed in various roads throughout the town. Works are ongoing to upgrade the street lighting in TS1 & TS3 with funding from the Ministry of Housing, Communities and Local Government.

3. FLOOD MANAGEMENT

Work continues on the clearance of the gullies in line with the adopted risk-based approach in prioritising gully cleansing. We continue to work proactively on flood risk management through joint working with the Environment Agency and Northumbrian Water.

Work continues reviewing and updating the Flood Risk Asset Register and in identifying potential the flood risk of culverts.

4. PUBLIC RIGHTS OF WAY

A full survey of the currently recorded Public Rights of Way network is being undertaken. A small number of furniture improvements and drainage works are due to be undertaken in February and March 2025.

5. HIGHWAYS LICENSES

Work continues to make more applications available online along with payments. Work is also underway to migrate the management of highway licences to our update Asset Management Software System.

Several Development Highway Improvement schemes are planned to start for early 2025 which will require lengthy Road Opening licences and will affect:

- Longlands Road / Cargo Fleet Lane
- Keith Road, The Vale, Marton Burn Road, Ashfield Avenue.

6. AREA CARE

The Area Care Tree Team were heavily involved with several large trees that came down during Storm Eowyn.

The Tree Team were on call for the high winds that came arrived Friday 24th January. They dealt with around 30 calls from the call centre which were for a wide range of tree issues ranging from, fallen branches to a tree that had narrowly missed a bus stop and cars travelling along Orchard Road in Linthorpe.

The staff came back out over the weekend to clear up another further 5 trees that were blocking paths and to clear up the debris

Area Care teams have now completed their scheduled winter pruning of shrub beds and hedges prior to the bird nesting season. We are currently completing a small number of heavy pruning requests while we are still in the pruning window.

We are also now preparing for the growing season, carrying out weed spraying around street furniture, fence and wall lines along with the pruning of low tree branches to allow safe access for the grass cutting teams. We are currently carrying out repairs and maintenance to the Urban Tree Challenge Fund (UTCF) trees that have been planted throughout Middlesbrough over recent years.

Area Care were heavily involved in preparations for the recent royal visit. Tasks such as street cleansing, the replanting of street planters and shrub beds along with bark mulching around the bottle of notes were carried out so the area around Centre Square was as tidy as possible prior to the visit.

I would like to thank all the staff in ECS for their fantastic efforts in keeping Middlesbrough clean and tidy.

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EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Finance

DATE OF MEETING: 26 March 2025

The purpose of this report is to provide an update to members on areas of activity within my portfolio including performance against strategic priorities.

1. COUNCIL PLAN PRIORITIES

We will ensure that we place communities at the heart of what we do, continue to deliver value for money and enhance the reputation of Middlesbrough.

Update:

I continue to have weekly briefings with the Director of Finance and Transformation as well as frequent additional meetings and contact with them and other officers as appropriate.

2. HIGHLIGHTS

2.1. Revenues and Benefits Customer Service Excellence award 2025

Middlesbrough Councils Revenues and Benefits team has been awarded with the 'Customer Service Excellence' national quality mark once again.

The Customer Service Excellence award demonstrates that the team are "an exemplar", truly putting our residents and other customers at the heart of everything they do. The team continues to set the standard in an area that forms the basis of the Council's overall Customer Strategy.

The team also achieved 'compliance plus' in 26 areas of the assessment. Compliance plus is an elite standard which shows the service goes above and beyond the standard quality mark. This means that all of the customer services we deliver have been rated excellent, with half at 'Elite' standard. The team has been recognised for this prestigious award for almost 30 years now, operating at elite standard for the last 10 years.

I met with the assessor as part of the assessment process, as I have in previous years, who once again was clearly very impressed and explained that in order to retain this rating it is necessary to not just maintain standards, but to demonstrate improvements from one year to the next. He had nothing but praise for the entire team who I know every year work hard to demonstrate its high standards.

This is very important to the Transformation Programme as this external recognition confirms that the Council didn't need to look externally to assist in the development of the Customer Strategy, as we are already one of the best in this area.

I would like again to extend my congratulations to all involved on this excellent achievement and to the Resident and Business Support Team for winning the Team Spirit Award in the recent Staff Awards. This award recognised a team that embodies and promotes the Council's values, spreading positivity and motivation by demonstrating willingness to try new ideas and new ways of working.

2.2. Customer Strategy

As Executive sponsor of the Customer Strategy, I presented a report to the Executive on 05 February 2025.

The Customer Strategy is one of a number of transformation programmes as set out in the April 2024 report to Council. The programme is cross cutting across all existing directorates and services to the community.

Customers are defined in the strategy as anyone who interacts/engages with the Council e.g. residents, visitors, businesses, vulnerable groups, council employees, service users, partners, suppliers etc and is further defined in the Customer Strategy.

It offers a brand-new approach that seeks to fundamentally review, redesign, and reshape all of the Council's customer-facing and business service solutions and complements the Neighbourhood Model.

Overall, the strategy is designed to provide customers with a significantly improved experience and address some of the fragmentation and limitations that currently exist around the Council's current customer services. Consequently, as business processes are redesigned through consolidation and streamlining of similar, duplication is removed and modern technologies are introduced, this is likely to reduce the Council's overall costs and realise financial and non-financial benefits to help achieve longer term progression and sustainability for the organisation.

The Strategy will be phased in across Council Directorates, delivered through the newly designed customer model which promotes a 'one council' approach to delivering customer services. It is underpinned by a clear set of design principles and key objectives and sets out how the Council will:

- Reorganise services to reduce the multiple 'front doors' whilst ensuring that services are accessible to all;
- Aim to get it right first time;
- Integrate systems where possible to remove the current fragmented approach across services;
- Redesign business processes to consolidate and streamline similar tasks and remove duplication and reduce costs;
- Provide a 'digital first' approach where appropriate to ensure online channels are convenient and simple to use; accessible 24/7 and user friendly for residents to use on multiple devices;
- Use modern technology and automation to improve the delivery of services and speed up processes;
- Work towards creating a 'single view' of the customer by managing data across the organisation more effectively; h) Use performance and intelligence data to

optimise service delivery capabilities and productivity; i) Utilise data insights to predict customer behaviours and trends in demand, to inform policy development and respond more effectively to emerging issues.

Interestingly in 2023/24 over 125,000 calls were made to the Council's Customer Centre. There were over 4,700 in-person visits and the website attracted over 2.9 million visitors. This is only a small proportion of the Council interactions with customers. There are many more interactions that occur directly with service departments and are managed outside of the Customer Centre telephone system, however this data is limited. Work is currently underway to explore the possibility of extending the existing telephone system corporately to ensure all calls are managed through a single solution, where appropriate. This will further assist with the monitoring of call volumes, understanding the call purpose, identifying alternative channels, better call signposting and reducing unnecessary calls.

The commitment to customers will be further formalised through the introduction of a Customer Charter. Delivery of the change programme will take place over a two-year period following approval of the Customer Strategy. There are a number of dependencies that may impact delivery and timescale, one of which is the development of the Council's new Target Operating Model approved by Executive on 13 November 2024.

I would like to thank staff in Revenues and Benefits for the huge amount of work that has gone into producing this strategy.

2.3. Household Support Fund

In my recent reports to Council I outlined how central government funding, provided by the extension of the Household Support Fund would be used to assist those pensioners on low incomes, or liable to higher heating bills due to disability, who would not be eligible to receive the Winter Fuel Payment this winter. This includes:

- Pensioners aged 80 and over in receipt of Council Tax Reduction, but not eligible for the Winter Fuel Payment, will be entitled to receive £200.
- Pensioners aged between 66 and 79 and meeting the same criteria will be entitled to receive £150.
- Pensioners in receipt of Attendance Allowance will be entitled to £100 upon application.
- Pensioners not on benefits with incomes of less than £20,000 for a single person, or £26,000 for a couple will also be able to apply for a payment of £100.

Publicity included press releases and information on the council website as well as sharing information with partners of the Financial Inclusion Group (FIG) to relay to residents. Posters were provided at community hubs and libraries, and I have encouraged councillors to share this information in their wards, and am grateful to those who did so.

I requested that alternative means of application be provided for those who may struggle with online applications or completing forms, and a telephone number by which applications could be made over the telephone without the need to complete a form was included within the publicity

As of 25 February, 1,471 awards had been issued to pensioners (992 auto awards and 479 via application) with a further 204 to look at in the coming weeks. In order to allow time for applications to be processed, applications closed on March 14 2025. The Household Support Fund has also been used to help those not of pension age, those with children and without children, those on benefits and (unlike some authorities) those on low incomes but not on benefits.

The current scheme runs from 1 October 2024 to 31 March 2025. Funding was released in phases so we could support those most in need, when their need was the highest.

How we have helped:

- Vouchers to use in supermarket of choice; ranging from £35 - £60 depending on circumstances
- Payments to pensioners – ranging from £35 - £200
- Support to the foodbanks
- Community grants applications
- Carers – £100 vouchers
- Support to Actes (a Middlesbrough based charity)
- Crisis support
- Holiday and Food (HAF) payment

2.4. Forecast Year-end Outturn position at Quarter Three 2024/25

Following on from the Quarter Three Budget Challenge sessions which I chair, on 05 February I presented a report to the Executive, which provided the Forecast Year-end Outturn position at Quarter Three, or as at 31 December 2025.

I am pleased to report that there is now an underspend projected, with a forecast 2024/25 revenue outturn as at the end of Quarter Three of a year-end underspend of £6,000, if no further actions are successful in reducing this further.

This is a significant improvement from the £1.382million overspend reported at Quarter Two. However, of course work is still ongoing to improve this position further.

Members may recall that last year the Council application for Exceptional Financial Support (EFS) involved a total of £13.4million, broken down as follows:

- £4.7m required to balance the 2024/25 budget
- £3.5m contingency for non-delivery of savings risk
- £4.6m contingency for capital receipts delivery risk
- £0.6m general contingency

Based on the current forecast outturn position, only up to £4.7m of this will be required in 2024/25 relating to the element required to balance the 2024/25 budget and any further underspend would reduce the Council's need to draw down this EFS and avoid associated capital financing costs of borrowing or use of capital receipts.

The forecast year-end underspend of £6,000 currently takes into account spending pressures of £3.048m of net savings where there is a high risk that they will not be deliverable in 2024/25, but this is offset by £3.054m of operational underspends, giving the net £6,000 underspend.

The Council has achieved significant improvement in its financial position from that which existed at the start of the 2023/24 financial year. However, it continues to spend above its available annual income sources in 2024/25 as whilst there is a forecast year end underspend of £6,000 for 2024/25, this is after using £4.7m of EFS to balance the budget which means it is spending £4.7m above annual revenue income streams in 2024/25. This has been addressed in the 2025/26 Revenue Budget.

Members have been briefed on the further challenges of delivering a balanced budget in 2025/26 to 2028/29 and the latest position is set out in the 2025/26 Revenue Budget, Medium Term Financial 2025/26 to 2028/29 report which went to Council on 19 February 2025.

A summary of the key issues and variances, and actions being taken to address them, is included in Appendix 1 of the Quarter 3 Outturn report. Children's Services continues to account for the majority of the spending pressures and focus on this area is being maintained with monthly budget clinics involving officers, the Executive Member for Children's Services and with myself as chair.

It remains my aim that we return within budget by the end of the financial year, and as I have indicated to full council, I am confident that this will be achieved barring further unexpected pressures arising.

2.5. Councillor Gateway

In my role as Member Champion for Councillor Communications. I am keen to revisit the Councillor Gateway system now that it has been operating for some months. Councillors will be invited to feed into this process but if anyone has any issues they would like to raise with me, please do send me details in an email. Individual problems or issues can of course be raised through - councillorgateway@middlesbrough.gov.uk.

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EXECUTIVE MEMBER REPORT TO COUNCIL

EXECUTIVE MEMBER: Executive Member for Neighbourhoods

DATE OF MEETING: 26 March 2025

The purpose of this report is to provide an update to members on areas of activity within my portfolio including performance against strategic priorities.

1. COUNCIL PLAN PRIORITIES

Strategic Priority:

- Neighbourhoods
- Neighbourhood Safety
- Community Cohesion

Directorate Priorities:

- Further develop the Neighbourhood Model
- Reduce crime and ASB through partnership working
- Build Community Resilience and Cohesion across Middlesbrough

2. HIGHLIGHTS

2.1. Service request data

The below service request table includes data from 01/04/24 to 28/02/25, the second table relates to February 2025, which includes the variance information.

Ward	VA1 ASB Issues	VA2 Noise, Animal, Stray dogs	VA3 PSPO	VA4 Littering / Rubbish/ Waste	VA5 Vehicle Issues	VA6 Criminal Issues	VA7 Tasking / Patrols	Total
Acklam	18	8		85	22	6	88	227
Ayresome	60	9		257	44	6	75	451
Berwick Hills & Pallister	261	66		655	65	33	1268	2348
Brambles & Thorntree	85	71		315	42	29	446	988
Central	830	62	55	859	224	37	2008	4075
Coulby Newham	45	10		212	39	1	354	661
Hemlington	179	29		267	66	16	940	1497
Kader	31	11		28	27	3	53	153
Ladgate	35	30		215	47	10	76	413
Linthorpe	44	17		177	73	1	89	401
Longlands & Beechwood	253	55		408	89	13	314	1132
Marlon East	31	18		63	33	1	210	356
Marlon West	2	1		32	16	1	96	148
Newport	304	58	4	1037	159	12	572	2146
North Ormesby	93	25		328	42	11	791	1290
Nunthorpe	12	7		30	17		151	217
Park	139	24	1	623	131	5	273	1196
Park End & Beckfield	108	59		560	51	32	760	1570
Stainton & Thornton	23	8		57	11	1	217	317
Trimdon	30	7		43	24	4	163	271
Total	2583	575	60	6251	1222	222	8944	1985

Service Requests (NSO, Enviro & Street Wardens)										
Ward	VA1 ASB Issues	VA2 Noise, Animal, Stray dogs	VA3 PSPO	VA4 Littering / Rubbish/ Waste	VA5 Vehicle Issues	VA6 Criminal Issues	VA7 Tasking / Patrols	Total		
Acklam	3	1		3	7		14	28	-13	
Ayresome	15	1		13	5		10	44	-15	
Berwick Hills & Pallister	12	2		56	3	3	119	195	-34	
Brambles & Thorntree	3			27	6	2	37	75	-5	
Central	40	10	7	44	25	2	263	391	-21	
Coulby Newham	3	2		19	5	1	65	95	39	
Hemlington	3			30	3	1	202	239	-69	
Kader	8			3	1		3	15	6	
Ladgate	13	2		14	1	1	14	45	-4	
Linthorpe	1			7	7		12	27	-2	
Longlands & Beechwood	81	7		33	9	1	61	192	50	
Marton East	3			22	5		54	84	31	
Marton West							3	3	-22	
Newport	19	6	1	109	7		113	255	32	
North Ormesby	1			25	5	1	51	83	-47	
Nunthorpe		1		3			20	24	-15	
Park	4	1		30	15		33	83	-16	
Park End & Beckfield	6	4		31	7		35	83	-24	
Stainton & Thornton	9	3		6			23	41	28	
Trimdon	2	1		8		1	28	40	0	
Total	226	41	8	483	111	13	1160	2042	-101	

2.2. Safer Night Out Campaign for Girls And Women In Boro

A hard-hitting new campaign is driving home the message that violence towards women and girls will not be tolerated on nights out in Middlesbrough. The initiative is supported by The Office of the Police & Crime Commissioner (OPCC) for Cleveland.

Campaign posters are currently displayed in bars, town centre car parks, pedestrianised areas and the Bus Station. The message is ‘Girls just wanna have a safe night out’ and points to details of how to contact or visit the Safe Haven if females feel vulnerable.

Our Public Protection team works closely with bars, pubs and clubs across the town and has delivered training to help nighttime workers spot signs of harassment and abuse. According to recent data*, violent crime was the main type of crime committed in Middlesbrough from January 2024 – December 2024.

If anyone does feel unsafe, they can contact Safe Haven on 01642 727333 and the CIPHER Ambulance patrol car will come out to wherever they are to assist them or they can walk in to Safe Haven if they need a space to rest and recover. Safe Haven is located within Middlesbrough Bus Station and is open Friday evenings until 3.30am and Saturday evenings (and Bank Holidays) until 4.30am.

2.3. Ministry Of Housing, Communities And Local Government (MHCLG) Funding Update

Members will be aware that we were awarded £1.9m last year to tackle crime and anti-social behaviour. This funding has been utilised on many town wide capital projects including;

- Railings outside of Pallister Park Primary School to address illegal parking.
- 50 cardboard cut-out children & policemen provided to Primary Schools across the town to reduce traffic congestion and improve road safety.
- Installation of additional litter bins
- Portable football goals purchased to be utilised by our local Youth Providers to deter young people from crime and anti-social behaviour.
- Cameras installed in Newport and North Ormesby alleys to tackle fly-tipping
- Target hardening packs - these are currently being distributed to vulnerable, elderly, repeat victims of crime and domestic abuse. We are currently liaising with VCAS and the Shaw Trust as they are keen to assist with distribution and installation of the equipment. The packs contain video doorbells, security lights, alarms, TV simulators, timers, door restrictors, cactus strips, sash jammers, bolts and window vibration alarms.
- Kick rails/lego blocks to address off-road bikes – work is ongoing at 69 locations
- Galvanised gates will be installed at 3 locations in East Middlesbrough
- Additional CCTV to be installed in 13 hotspot areas across the town
- Lighting upgrade in Newport, North Ormesby & sub-ways ongoing
- Signage to be installed on alley gates in Newport, North Ormesby & Linthorpe to tackle fly-tipping
- Purchased mobile boxing gym
- Anti-graffiti coatings to be used in all subways & underpasses
- Upgrade of dual use communal bins in North Ormesby & Newport
- Upgrading of help points in council car parks
- Purchased 2 tail lift vehicles and 3 moss removal machines to assist with alley clean ups
- Purchased litter picking equipment & dog fouling signs
- Additional signage installed around Hemlington Lake

2.4. Community Newsletters

Neighbourhood Managers have recently introduced online newsletters to spread the word about their work. Last week we sent out our second newsletter from the South Neighbourhood Team to the email addresses of 10,014 residents in the area.

Of those, 4,667 have opened and read it so far (47%) which is a greater open rate than we'd normally achieve on most of our newsletters, and considerably higher than the industry standard which is about 25%. We've also had some positive early feedback from residents.

Our first edition, which was sent out to East Middlesbrough residents, now has a 55% open rate which is a massive amount. We're also starting work on a printed newsletter which will be delivered to every single household in Middlesbrough.

2.5. Clear, Hold, Build (Project Orme)

The official launch of Project Orme took place earlier this month. This multi-agency initiative is aimed at tackling organised crime and improving the lives of East Middlesbrough residents.



The project is named after the Orme Viking statue in Berwick Hills, a local landmark which was designed by schoolchildren. The approach follows the Home Office's 'Clear, Hold, Build' approach which sees organised criminals and associates cleared from an area, backed up by high visibility patrols and community support.

Clear, Hold, Build Surveys have been developed to establish how safe people feel living in East Middlesbrough. An online version of the survey is currently live until the end of March and officers on the ground have been completing surveys with local residents across the wards. The results will be analysed and shared with members and will help determine what the current priorities are for local residents. We will also use the survey results to identify current perception levels and establish a baseline for the evaluation of the project.

Our East locality team have submitted over 100 intelligence forms since the start of the year to support police colleagues. This information has undoubtedly attributed to some of the following results;

- A drugs warrant carried out at an address in Netherfields with a man charged with drugs offences and crack cocaine and cash recovered.
- Another man found with 22 wraps of cocaine who was charged with drugs offences.
- Following a stop search, a man arrested in connection with shop thefts.
- A van seized and the driver, a 30-year-old man, reported for summons for failing to stop for police, driving without insurance and driving whilst disqualified.
- A 21-year-old man was summonsed to court after he was found in possession of cannabis. His electric bike was seized.
- A man and woman were arrested after being stopped in a vehicle where officers searching them found suspected crack cocaine and cash. The vehicle was seized for no insurance and the driver was also arrested on suspicion of driving without a licence.
- A 38-year-old man was charged with possession with intent to supply Class A drugs after nearly 100 deals of suspected crack cocaine were recovered on Bournemouth Avenue on Friday 7th February. Known male was stopped in a vehicle on Premier Road and searched. Arrested for Possession with Intent to Supply and the vehicle was seized.
- A male has been sentenced to 2 years in HMP for his involvement in the riots last summer.

2.6. Hemlington Community Reassurance

Support is being offered to the Hemlington community following the sad death of a local resident. There is currently an ongoing police investigation, and several arrests have been made. Middlesbrough Council and partners are committed to working together and supporting all members of our communities.

We ran several drop-ins for residents who may have had concerns, questions and worries following recent events in the area. Middlesbrough Council, Cleveland Police, and partners were available to offer support, advice and guidance to any resident who needed it. Additionally, we held a Community Meeting on Friday 7th March to discuss any ongoing concerns regarding these matters. I was in attendance as well as the MP, our Elected Mayor, MBC staff, Partner Organisations and ward Councillors.

2.7. Cleveland Knife Crime Summit

I attended an extremely informative event at the Riverside Stadium on 12th March. The Cleveland wide knife crime summit was organised by the OPCC's CURV Team and was hosted by Matt Storey, Police and Crime Commissioner.

Cleveland is the 3rd highest force area in the country for knife crime with over 880 knife crime related incidents taking place last year. We heard from a range of speakers including Chief Constable Mark Webster, Policing Minister Dame Diana Johnson and Karen McCluskey, Chief Executive of Community Justice Scotland.

The most powerful and inspirational speakers included Pooja and Nikita Kanda from Wolverhampton who tragically lost their 16-year-old son/brother Ronan to knife crime in 2022. Ronan Kanda, an innocent boy was fatally stabbed by 2 fellow school pupils in a harrowing case of mistaken identity just metres from his home in broad daylight. Since losing Ronan, his mum and sister have been campaigning tirelessly for a ban on bladed articles. They are also campaigning to bring in licensing conditions for sellers.

We heard how agencies had failed to work together to share information which could have prevented Ronan's tragic death as his killer had previously tried to kill his intended target only 6 weeks earlier. The event included a workshop to enable agencies to identify areas of improvement which will help to develop a Cleveland wide action plan that will be linked to all 4 Community Safety Partnerships.



2.8. Community Hubs and Libraries

I carried out a site visit to see the amazing transformation taking place of our Central Library refurbishment. The new LED lights are now installed in the Reference Library and work will start on the ground floor tiered seating and lift shaft over the next few weeks.



Thorntree is the last Community Hub and Library to receive a prestigious refurbishment thanks to Libraries Improvement Funding. The entire IT Area has been redesigned into a modern, vibrant, 21st century fit-for-purpose space. A dedicated seating area is available for customers to bring their own devices into the Community Hub and Library and plug-in or charge-up using the USB connections available. Thorntree is one of four venues offering The Hublets, our easy-to-use self-service tablet solution which requires practically zero IT skills. Improvements to the WiFi throughout the Library to enable our customers to access the internet or send print jobs to the library printer via our WiFi Print Service. Thorntree CH&L is helping customers daily to print documents using both our WiFi Print Service and now Cloud Printing allowing registered customers to send print jobs to the Library Printer from home.



The investment from The Libraries Improvement Fund has given us an amazing opportunity to transform our digital offer including the fabric of the IT Areas in our Community Hubs and Libraries whilst providing both space and facilities to many of our customers want to use their equipment in our venues to connect to our free WiFi, be able to surf the internet, study and have the ability to print documents directly to our printers in the library.

2.9. International Women's Day 2025

I attended an International Women's Day event in Newport Hub on 5th March. Speakers from Teesside University attended to talk about their roles at the university and the period poverty campaign. Following this inspiring talk, children from Sacred Heart Primary delivered a talk about their roles as Power of Women Ambassadors in their school. This was then followed by children from Newport Primary School delivering a talk about women who inspire them.

The Livewell Centre, Middlesbrough Employment Hub and Thirteen Employability had stalls to talk to people about health issues and education/courses.



2.10. Commemoration of Three Years of War in Ukraine

I attended an event in the International Centre on 24th February which was organised to commemorate the three years of War in Ukraine. Over 100 people attended which was made up of Homes for Ukraine hosts and guest, professionals from various services and Organisations a wide range of other members of the community also attended the event. It was opened by a video showing before and after in Ukraine, and the welcoming people had received in the Northeast of England. This was followed by a prayer and moment of reflection, and then a musical performance by a Ukrainian opera singer.

2.11. Staff Awards

I would like to say a huge well done to our Newport Community Hub team and our Environmental Enforcement Team on receiving their well-deserved award on the 12th of March 2025.

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EXECUTIVE MEMBER REPORTS AND ADDITIONAL INFORMATION

SECTION 2 – DECISIONS TAKEN THAT HAVE BEEN THROUGH THE CALL-IN PERIOD

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
5 Feb 2025	Executive	Corporate Performance Q3 2024/25	The Mayor submitted a report for Executive's consideration. The purpose of the report was to advise Executive of corporate performance at the end of Quarter Three 2024/2025, and where appropriate sought approval of any changes, where those were within the authority of the Executive.	No
Deputy Mayor and Executive Member - Education and Culture				
26 Feb 2025	Deputy Mayor and Executive Member for Children's Services	Schools' Budget	Political Ratification of Authority Pro-Forma Tool submission for school budgets 2025-26	Yes
5 Mar 2025	Executive	SHiFT Progress Report	The purpose of the report was to update Executive on the three-year partnership with SHiFT, a national systems change charity working alongside Children's Services within the Council. SHiFT Middlesbrough had started work across the first of two, 18-month Programmes with children and young people caught up in, or at risk of, cycles of crime and exploitation.	No

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
Executive Member - Adult Social Care and Public Health				
5 Mar 2025	Executive	Auto-enrolment of Free School Meals and maximising Pupil Premium Funding Pilot across Middlesbrough	The purpose of the report was to seek approval for the Council to undertake the Free School Meal and Pupil Premium initiative on a longer-term basis.	Yes
Executive Member - Development				
5 Feb 2025	Executive Sub-Committee for Property	EXEMPT The Disposal of Land at Hemlington Grange South	The report sought Executive's consideration of the bids received by the Council and to approve the disposal of the site to the preferred bidder to conclude the process and remove the designation of associated land as Public Open Space.	No
5 Mar 2025	Executive	Review of the Statement of Community Involvement	The purpose of the report was to seek Executive approval for a revised Statement of Community Involvement.	No
Executive Member for Environment and Sustainability				
11 Mar 2025	Executive Member Environment and Sustainability	Glendale Road / Tollesby Road Traffic Calming	Middlesbrough Council are proposing to introduce a traffic calming scheme, extending to Glendale Road, Tollesby Road and Rievaulx Drive. Survey results showed high levels of speeding and through traffic in the area. This scheme would reduce these levels, improving the safety of the network for motorists, pedestrians and cyclists in the area. The purpose of the report is to detail the results of the public consultation exercise carried out for the proposed scheme and to seek Executive Member approval for the scheme to proceed to the implementation stage.	No
11 Mar 2025	Executive Member	Gunnergate Lane Traffic Calming	Middlesbrough Council are proposing to introduce a traffic calming scheme covering the length of Gunnergate Lane. Survey results	No

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
	Environment and Sustainability		showed high levels of speeding (up to 84% travelling above the 20mph speed limit) and through traffic (a third of all traffic) in the area. This scheme would reduce these levels, improving the safety of the network for motorists, pedestrians and cyclists in the area. The purpose of the report is to detail the results of the public consultation exercise and traffic regulation order carried out for the proposed scheme and to seek Executive Member approval for the scheme to proceed to the implementation stage.	
Executive Member - Finance				
5 Feb 2025	Executive	2024/25 Quarter 3 Revenue and Capital Monitoring and Forecast Outturn	<p>The report discharged the responsibilities of the Executive to manage and control the revenue budget, capital programme and overall balance sheet position of the Council.</p> <p>The Council's Scheme of Delegation gave Executive collective responsibility for corporate strategic performance and financial management, monitoring and control. Standing Orders and Financial Procedures required Executive's approval for major virements between revenue budgets, and in-year changes to the Council's Capital Programme within approved Council resources within the approved policy framework.</p> <p>The report enabled Executive to discharge its financial management responsibilities by setting out the Council's position at Quarter three.</p>	Yes
5 Feb 2025	Executive	2025/26 Budget and MTFP	<p>The report proposed a 2025/26 net revenue budget of £143.362m, and a Medium-Term Financial Plan (MTFP) for the period 2025/26 to 2028/29 following the issuing of the Provisional Local Government Finance Settlement (LGFS) and set out the financial planning assumptions applicable to the budget based upon the best information available at the time.</p>	Yes

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
5 Feb 2025	Executive	Council Tax Reduction scheme 2025/2026	<p>The Executive Member for Finance submitted a report for Executive consideration the purpose of which was for Executive to note the proposed Council Tax Reduction (CTR) scheme for 2025/26.</p>	Yes
5 Feb 2025	Executive	Capital and Treasury Management Strategy 2025/26 – 2028/29	<p>The report outlined the Council’s prudential indicators for the financial years 2025/26 – 2028/29 and set the framework and approved the limits within which the treasury management operations for this period would work. It fulfilled key legislative and guidance requirements as follows:</p> <ul style="list-style-type: none"> • The setting of the prudential indicators which set out the expected capital activities and treasury management prudential indicators (included as treasury indicators) in line with the Chartered Institute of Public Finance and Accountancy (CIPFA) Treasury Management Code of Practice. • The Treasury Management Strategy statement which set out how the Council’s treasury function would support capital decisions taken above, day to day treasury management activities on service delivery and any limitations on these, via the treasury prudential indicators. • The approval of the Council’s Minimum Revenue Provision (MRP) Policy, which set out how the Council would pay for historic capital debt for the financial year. 	Yes
5 Feb 2025	Executive	Customer Strategy	<p>To set out and seek approval of the proposed Customer Transformation programme which forms part of the Council’s Recover, Reset, Deliver Transformation Portfolio</p>	Yes

DATE	DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
21 Feb 2025	Executive Member Finance	Housing Benefit Local Scheme	Seek approval for the ongoing full disregard of war pensions as income in the calculation of Housing Benefit entitlement.	No
5 Mar 2025	Executive	Corporate Crisis Policy	The purpose of the report was to conduct a review of the Welfare Support Policy for Residents in Financial Crisis as part of the three-year review cycle, and to ensure that the current support provided to residents was keeping pace, reflected any changes in legislation, and included any necessary amendments or alterations.	Yes
5 Mar 2025	Executive	Tender Pipeline Report	The purpose of the report sought Executive approval of the Council's tender pipeline for 2025/26 and to agree delegation of the contract award to the relevant Director who would update their Executive Member.	Yes
Executive Member - Neighbourhoods				
8 Jan 2025	Executive	Community Recovery Fund	To examine the background and impact of the social unrest and identify projects that can build on social cohesion	Yes

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

DATE	PROPOSED DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
Executive Member – The Mayor				
25 Mar 2025	Executive Member - The Mayor	Out of Hours Registrars Offer	To update on a minor change to the policy	Yes

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SECTION 4 – DECISIONS TO BE TAKEN FOLLOWING THE COUNCIL MEETING

DATE	PROPOSED DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
2 Apr 2025	Executive	Neighbourhoods Model		Yes
30 Apr 2025	Executive	First Annual Review of the Social Value Charter	To provide an update to Executive on the first year of implementation of the charter	No
Executive Member – The Mayor				
2 Apr 2025	Executive Member - The Mayor	Impact Assessment Policy	The purpose is to conduct an interim review to propose inclusion of an additional grouping to enable the authority to assess the impact of its decision making on poverty.	No
Executive Member - Adult Social Care and Public Health				
30 Apr 2025	Executive	Director of Public Health Annual Report	Directors of Public Health have a statutory requirement to write an annual independent report on the health of their population. The report is to raise awareness and understanding of local health issues, highlight areas of specific concern, and make recommendations for change	No

DATE	PROPOSED DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
30 Apr 2025	Executive	Homelessness Reduction and Rough Sleeper Prevention Strategy 2024 – 2029	To inform Executive of the updates to previous strategy	Yes
Executive Member - Children's Services				
30 Apr 2025	Executive	Residential and Supported Accommodation for Children in Our Care and Care Leavers Update	To update Executive on the residential and supported accommodation for children in our care and care leavers	Yes
30 Apr 2025	Executive	Internal Residential Future Delivery Model	To update Executive on the internal residential future delivery model	Yes
30 Apr 2025	Executive	EXEMPT: Hollylodge Future Delivery Model	To update Executive on Hollylodge future delivery model	Yes
Executive Member - Development				
2 Apr 2025	Executive Sub-Committee for Property	The Disposal of Land and Assets at Gresham to Middlesbrough Development Corporation	To consider the transfer of land and assets owned by the Council at Gresham over to the Middlesbrough Development Corporation to facilitate a significant mixed use scheme	Yes
Executive Member for Environment and Sustainability				
30 Apr 2025	Executive	Scrutiny Review - Waste Management	To inform members of the review undertaken by the Environment Scrutiny Panel into Waste Management and set out the services proposed actions to address the recommendations from the report. Executive to approve these actions is requested	No

DATE	PROPOSED DECISION MAKER	ISSUE	PURPOSE OF REPORT	KEY DECISION
Executive Member - Finance				
30 Apr 2025	Executive	Interim Funding Agreement Policy	To agree the formal charging arrangements for residents requiring care but not able to enter into a deferred payment arrangement	No
30 Apr 2025	Executive	Middlesbrough Priorities Fund	This report provides Executive with details of the governance arrangements for the use of the £4.367m Middlesbrough Priorities Fund. The report sets out how the Council proposes to allocate the Middlesbrough Priorities Fund, and also sets out in Appendix 1 the initial list of initiatives proposed by the Mayor, and the process for identification and approval of future initiatives.	Yes

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MIDDLESBROUGH COUNCIL	
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Report of:	The Chair of Overview and Scrutiny Board and the Director of Legal and Governance Services
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Relevant Executive Member:	The Mayor
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Submitted to:	Council
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Date:	26 March 2025
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Title:	Scrutiny Progress Report
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Report for:	Information
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Status:	Public
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Council Plan priority:	Delivering Best Value
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Key decision:	No
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Why:	Not applicable
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Subject to call in?:	No
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Why:	Not Applicable
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Proposed decision(s)
That Council note the report.

Executive summary
To update the position in respect of the Council's Overview and Scrutiny Board and scrutiny panels. The current position regarding progress made by the Board and each of the panels is set out below.

1. Purpose

- 1.1 To update the position in respect of the Council's Overview and Scrutiny Board and scrutiny panels.

2. Recommendations

2.1 That Council note the report.

3. Rationale for the recommended decision(s)

3.1 The Constitution requires the Council to be provided with an update with regard to the work of the Overview and Scrutiny function.

4. Background and relevant information:

4.1 Overview and Scrutiny Board

4.2 The Overview and Scrutiny Board met on 22 January and 12 February 2025.

4.3 At the meeting held on 22 January 2025, the Board received a presentation from the Executive Member for Children's Services. The Executive Member provided an overview of the current key priorities and challenges within his portfolio.

4.4 The Board also received an update in relation to Levick Court and considered the Executive Forward Work Programme and updates from the Chairs of the Place and People Scrutiny Panels.

4.5 At its meeting on 12 February 2025, the Board received a presentation from the Executive Member for Environment and Sustainability, outlining key areas within his portfolio, including current and future key priorities and issues.

4.6 The Board also considered the Executive Forward Work Programme and updates from the Scrutiny Panel Chairs.

4.7 The Board's next meeting is scheduled for 19 March 2025.

5.0 Scrutiny Panel Updates

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

People Scrutiny Panel

5.2 At the 20 January 2025 meeting, the Panel continued its review of Children Missing Education (CME), with presentations from The Head of Virtual School and the Vice Principal of a Secondary School to discuss the impact of CME.

5.3 The Panel commenced its second review of the year with an overview of Homelessness from the Access and Change Together (ACT) Middlesbrough Lead Officer.

- 5.4 At the meeting on 17 February 2025 meeting, the Panel received further evidence in relation to its CME review. Members received a written statement from a representative of a Primary School, which detailed the impact of CME. Members also received further information from the Head of Access to Education and Alternative Provision. A draft final report would be prepared in advance of the next Panel meeting on 24 March 2025.
- 5.5 The Panel considered and approved the Terms of Reference for the Homelessness review.
- 5.6 **Place Scrutiny Panel**
- 5.7 At the meeting on 27 January 2025, the Panel received the following annual statutory updates:
- Flood Risk Management.
 - RIPA (Regulation of Investigatory Powers).
- 5.8 Continuing its review of Home to School Transport, the Panel also received an update from the Task and Finish Group.
- 5.9 At the meeting on 11 March 2025, the Panel considered and approved the Final Report on Home to School Transport.
- 5.10 The Panel commenced its third review of the year with an overview of Barriers to Regeneration from the Director of Regeneration.
- 6.0 Tees Valley Joint Health Scrutiny Committee**
- 6.1 The Tees Valley Joint Health Scrutiny Committee met on 13 March 2025. The following agenda items were discussed: North East Ambulance Service (NEAS) NHS Foundation Trust Quality Account for 2024/25, Tees Esk and Wear Valleys (TEWV) NHS Foundation Trust Quality Account priorities update 2024/25 and Crisis Screen, Triage and Assessment Overview – Durham and Tees Valley.
- 7.0 Scrutiny Reports Submitted to Executive**
- 7.1 Since the last update to Council, no Final Scrutiny reports have been submitted to Executive.
- 8.0 Other potential alternative(s) and why these have not been recommended**
- 8.1 That an update on the work of the scrutiny function is not provided to full Council. This would not comply with the requirements for updates on the scrutiny function, to be reported to full Council.

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

Topic	Impact						
Financial (including procurement and Social Value)	There are no financial implications because of this decision.						
Legal	The Constitution requires regular updates on the scrutiny function, to be submitted to full Council.						
Risk	<p>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.</p> <table border="1"> <thead> <tr> <th>Risk No</th> <th>Risk Description</th> <th>Impact</th> </tr> </thead> <tbody> <tr> <td>O8-054</td> <td>Failure to adhere to Local Code of Corporate Governance and deliver governance improvements outlined in the Annual Governance Statement.</td> <td>If updates on the work of the scrutiny function were not provided to Council, it would not be in accordance with the requirements of the Constitution.</td> </tr> </tbody> </table>	Risk No	Risk Description	Impact	O8-054	Failure to adhere to Local Code of Corporate Governance and deliver governance improvements outlined in the Annual Governance Statement.	If updates on the work of the scrutiny function were not provided to Council, it would not be in accordance with the requirements of the Constitution.
Risk No	Risk Description	Impact					
O8-054	Failure to adhere to Local Code of Corporate Governance and deliver governance improvements outlined in the Annual Governance Statement.	If updates on the work of the scrutiny function were not provided to Council, it would not be in accordance with the requirements of the Constitution.					
Human Rights, Public Sector Equality Duty and Community Cohesion	No protected groups are affected by the decision.						
Climate Change / Environmental	Not applicable.						
Children and Young People Cared for by the Authority and Care Leavers	Not applicable.						
Data Protection	Not applicable.						

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

Action	Responsible Officer	Deadline

Appendices

1	
2	

3	
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Background papers

Body	Report title	Date

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**COUNCIL MEETING – 26 March 2025
NOTICE OF MOTIONS 173 and 174**

COUNCIL PROCEDURE RULE NOS. 4.28 – 4.34

MOTION NO.	PROPOSER	SECONDER	MOTION
173	Councillor Branson	Councillor L Young	<p>Motion on the current state and future of bus services in Middlesbrough and the wider Tees Valley</p> <p>This council notes:</p> <ul style="list-style-type: none"> • Bus deregulation in England has led to a significant reduction in bus services, with research by Friends of the Earth highlighting that bus services in England (outside of London where they have remained regulated) have reduced by 48% in urban areas and 52% rural areas since 2008. • The Labour government’s commitment to empowering local communities to take back control of their bus services and the achievement of the Mayor of Greater Manchester, Andy Burnham, in successfully ending the deregulation of Greater Manchester’s bus network. • Research from the Office for National Statistics (ONS) highlights that, excluding London, the region with the greatest number of residents without private motor vehicle access in England is the North East. This means it is vital for our local economy that public transport options effectively serve our communities. • Buses account for up to 83% of all public transport journeys in the region and, excluding London, the North East has more residents without private motor vehicle access than any other region. • In Middlesbrough, bus journeys are often excessively long, timetables are seen as unreliable, some services are infrequent, and shelters at bus stops are inadequate. • According to a report by Transport for the North entitled Transport and Social Exclusion in the North (published in February 2024), 44% of respondents said that poor public transport was impacting on their ability to socialise and 29% reported that they were forced to spend money on a vehicle at the expense of other essentials.

			<ul style="list-style-type: none"> An end to deregulation of buses in the Tees Valley would empower local decision-makers accountable to local people to set routes, timetables and fares, which could help drive much-needed improvements to services in Middlesbrough and the Tees Valley as modelled in other parts of the country. <p>This Council resolves to:</p> <p>To write to the Mayor of the Tees Valley Combined Authority and the Secretary of State for Transport calling for an end to the deregulation of buses in the Tees Valley, allowing communities to take back control of their buses.</p>
174	Councillor Morrish	Councillor Storey	<p>“Middlesbrough Council resolve to establish a non politically balanced, cross party working group of five councillors. The purpose of which is to support the council’s events team with civic events and when and if funding is available, to expand on the civic events calendar. The committee will receive no remuneration and will have no dedicated budgets, seeking volunteers from elected members who wish to restore civic pride.”</p>

MIDDLESBROUGH COUNCIL

Report of:	Chief Executive
Relevant Executive Member:	Mayor
Submitted to:	Council
Date:	26 March 2025
Title:	Local Government Association Peer Review and Middlesbrough Independent Improvement Advisory Board reports and planned approach to Continuous Improvement – moving forward
Report for:	Decision
Status:	Public
Council Plan priority:	Delivery of actions in response to the LGA peer challenge and the recommendations of the Council's outgoing improvement board will positively impact on all four of the Council Plan ambitions
Key decision:	No
Why:	Not applicable
Subject to call in?	Not applicable
Why:	Not applicable

Proposed decision(s)

That Council:

- **APPROVE** the recommendations set out in the Local Government Association (LGA) Corporate Peer Challenge peer review letter and the final report of the Middlesbrough Independent Improvement Advisory Board.
- **AGREE** to formally thank the Middlesbrough Independent Improvement Advisory Board and the support of the LGA senior regional advisor, for their support and oversight during the Council's improvement journey.
- **AGREE** to formally thank the LGA Corporate Peer Challenge team for giving up time in their substantive roles as leaders in other local authorities, to support the Council in its continuous improvement journey.
- **AGREE** the Continuous Improvement plan.

- **AGREE** the planned reporting and assurance arrangements for the Council's continuous improvement activity.
- **NOTE** the Council's planned approach to continuous improvement going forward and the formal closure of the Corporate Governance Improvement Plan.

Executive summary

This report sets out the Council's planned response to two recently issued reports from the Local Government Association and the Council's Independent Improvement Advisory Board respectively. These reports are appended to this report. The purpose of this report is to ensure the Council continues to deliver continuous improvement activity that will strengthen and embed compliance with the Best Value Duty and maximise the Council's ability to deliver the 2024-2027 Council Plan.

Both reports are positive and identify the great strides the Council has made in the last 18 months in order to be in a position where it is able to continue on its improvement journey within a Council-led business as usual approach, supported by the regular oversight and challenge mechanisms provided by scrutiny, partners, the public, internal and External Auditors.

The report includes a Continuous Improvement Plan, attached at Appendix 3, which sets out the planned approach over the next 12 months.

1. Purpose of this report and its contribution to the achievement of the Council Plan ambitions

1.1 The purpose of this report is to set out the Council's planned responses to findings of a recent Local Government Association facilitated LGA Corporate Peer Challenge visit and the Continuous Improvement Plan being put in place in response to this and the final report of the Middlesbrough Independent Improvement Advisory Board.

1.2 The report proposes that all the recommendations of both the LGA Corporate Peer Challenge team and the Middlesbrough Independent Improvement Advisory Board (MIAB) are accepted. It also sets out the governance arrangements that will be put in place to provide Members, the public, partners and staff with assurance that the Council is maintaining its commitment to continuing to learn and improve its governance arrangements and internal controls, to maximise its ability to deliver the ambitions set out in the Council Plan:

Our ambitions	Summary of how this report will support delivery of these ambitions and the underpinning aims
A successful and ambitious town	Both the peer challenge team and the improvement board have recommended that the council works collaboratively with partners, communities and businesses to develop a vision for the town. Delivery of this will positively impact on the Council's ability to work with partners to deliver all the ambitions within the Council Plan.
A healthy Place	The peer challenge team have made a series of recommendations, which will impact positively on the Council's ambitions around being a healthy place. In particular they have endorsed the work which has begun to implement and improved emphasis on poverty reduction.
Safe and resilient communities	The response to the peer challenge team sets out the steps the Council will take to strengthen its approach to community engagement which will positively impact on this ambition. It sets out plans to expand community development capacity and develop the proposed Neighbourhoods Strategy with a strong focus on community engagement and co-production of solutions.
Delivering best value	Both the peer challenge team and the improvement board have recommended a number of actions which will positively impact on the Council's corporate governance arrangements by: <ul style="list-style-type: none"> ▪ improving partnership working ▪ further enhancing financial planning and management, ▪ resetting the Council's approach to transformation ▪ strengthening internal audit arrangements ▪ enhancing scrutiny ▪ better supporting members.

2. Recommendations

2.1 That Council:

- **APPROVE** the recommendations set out in the Local Government Association (LGA) Corporate Peer Challenge peer review letter and the final report of the Middlesbrough Independent Improvement Advisory Board
- **AGREE** to formally thank the Middlesbrough Independent Improvement Advisory Board and the support of the LGA senior regional advisor, for their support and oversight during the Council's improvement journey.
- **AGREE** to formally thank the LGA Corporate Peer Challenge team for giving up time in their substantive roles as leaders in other local authorities, to support the Council in its continuous improvement journey
- **AGREE** the Continuous Improvement plan
- **AGREE** the planned reporting and assurance arrangements for the Council's continuous improvement activity
- **NOTE** the Council's planned approach to continuous improvement going forward and the formal closure of the Corporate Governance Improvement Plan.

3. Rationale for the recommended decision(s)

3.1 Accepting the recommendations of bodies put in place to support councils and committing to a cycle of continuous improvement supports Council work to deliver the Council Plan within an approach that aligns with the Best Value duty.

4. Background and relevant information

4.1 In September 2023 the Council commenced the third phase of its improvement journey, which first started in 2022, taking steps to ensure it proactively responded to the statutory recommendations of its auditors.

4.2 Since that time the Council has delivered both a Corporate Governance Improvement Plan and an action plan to respond to the Section 24 Recommendations of its then External Auditors, EY. Progress against both plans has been regularly reported to Council and to Audit Committee.

4.3 Over the last 18 months, the Council has delivered all actions within the Section 24 Action plan which was formally closed by Council in January 2025. The Council has delivered all but three of the 99 actions within its improvement plan. It is anticipated that they will be delivered in the coming months and relevant actions have been captured within the proposed continuous improvement plan, appended to this report at Appendix 3.

4.4 The seriousness of the situation the Council was in was reflected within two Best Value Notices that were put in place by Government, first in January 2023 and then in January 2024 when Government renewed that notice. Since then, significant progress has been made by the Council to address the weaknesses in its corporate governance, finance and culture as identified by the Council itself, its External Auditors and

Government. This progress was reflected in Government's decision to cease the Best Value Notice in September 2024.

Middlesbrough Independent Improvement Advisory Board

4.5 As part of the steps the Council took to address its corporate governance, culture and finance weaknesses, it appointed an Independent Improvement Advisory Board to provide the Council with independent oversight, challenge and guidance on the Council's improvement journey. The Board has been in place since September 2023 and comprised of:

- Wallace Sampson OBE (Chair) who was a former Chief Executive
- Chris Buss and then Barry Scarr who were both experienced former Section 151 officers
- Suki Binjal, who was a very experienced former Monitoring Officer. Suki worked with the Council, providing it with invaluable support, until her sad passing in October 2024
- Ros Jones, Elected Mayor of Doncaster with 12 years in that role
- Caroline O'Neill, Local Government Association (LGA) Improvement Advisor and a former Director of Children's and Adults Services
- Mark Edgell, LGA Principle Regional Advisor.

4.6 The Independent Improvement Advisory Board has provided a series of reports to Council and Executive, setting out its view of the Council's progress in addressing weaknesses in its culture and corporate governance.

4.7 Over the last 18 months, the Board has met 14 times formally. This has been supplemented by further, informal meetings of the Board, and engagement with respective officers on areas of expertise.

4.8 The Board has provided regular reports to Council and Executive that set out in detail, the Board's view of the Council's position on its improvement journey. These progress reports have evidenced a positive direction of travel. The comments from the board's last report will be addressed through the Council's Continuous Improvement plan as part of its ongoing commitment to the principle of continuous improvement.

4.9 The Board's work has been invaluable. Without the support of the Board, the Council's progress would have undoubtedly been slower and Council are asked to acknowledge this and formally thank the Board for their work. The Board's final report, appended to this report at Appendix 1, states:

'It is now right that the MIIAB steps back as it recognises that, whilst the challenges ahead are still great, the Council is in a good position to meet them within a business-as-usual framework where the Council is responsible for its own improvement and where scrutiny is achieved through "normal" internal and external means.'

4.10 The additional capacity provided by the Local Government Association through the Board's designated support, Frances Marshall, LGA Senior Regional Advisor, has also

been a key factor in the Council's successful response to its governance and financial challenges.

Local Government Association (LGA) Corporate Peer Challenge

- 4.11 It was always the Council's intention that it would seek further independent assurance on the progress it has made and use the Local Government Association (LGA) Corporate Peer Challenge process to do this. Timing of the peer challenge was aligned with the planned timeline for completion of the work of the Independent Improvement Advisory Board and completion of delivery of the majority of actions contained in both the Section 24 action plan and the Corporate Governance Improvement Plan.
- 4.12 The peer challenge is an improvement and assurance tool and is something that is owned by the local government sector. Experts from other councils are invited by the Local Government Association to form a team of peers to deliver the review. Peers use their expertise, experiences and technical knowledge to assess the Council across five areas of focus. To support the team, they were provided with a self-assessment and a range of documents. The LGA Corporate Peer Challenge team were invited to visit the Council in January 2025 to complete their peer assessment.
- 4.13 The team comprised of:
- Lead Chief Executive Peer: Andrew Lewis, Chief Executive of Liverpool City Council
 - Elected Member Peer: Paul Dennett, Mayor, Salford City Council and Deputy Mayor of the Greater Manchester Combined Authority
 - Elected Member Peer: Cllr Anna Charles-Jones, leader of the Independent Ratepayers Group, Stockport Metropolitan Borough Council
 - Senior Finance Officer: Cecilie Booth, Executive Director of Corporate Services and Section 151 Officer at Peterborough City Council
 - Senior Governance Officer: Helen Edwards, Director of Law and Governance, West Midlands Combined Authority
 - Senior People Officer: Hilary Hall, Corporate Director Community Wellbeing, Herefordshire Council
 - LGA Senior Regional Adviser West Midlands: Sarah Sprung, LGA
 - LGA Challenge Manager: Frances Marshall, LGA.
- 4.14 The team looked at the following areas of focus during their visit:
- Local priorities and outcomes - Are priorities clear and suitable for Middlesbrough? Is it delivering on our priorities? Does the Council have a Council-wide approach to continuous improvement, with regular monitoring, reporting and performance management in place?
Organisational and place leadership – Does the Council provide effective local leadership for the town? Does it have strong and effective relationships with partner organisations and our communities?
 - Governance and culture – Does the Council have clear and robust governance arrangements? Is there a culture of openness, transparency, challenge and scrutiny?

- Financial planning and management – Does the Council have a clear understanding of its financial position? Does it have a strategy to address our challenges? How resilient is it for the future?
- Capacity for improvement - Can the Council improve in the way it needs to with the resources it has?

4.15 It also considered the Council's planned transition to permanence in its senior management arrangements.

4.16 As part of their time in Middlesbrough, the team met with a wide range of elected Members, officers and partners. Over 110 people, including all councillors, were given the opportunity to meet the team as part of this process.

4.17 Following their visit, a report was issued which is attached to this report at Appendix 2, and will be published on the Council's website. Key areas to highlight in the report for Members include:

- It praises the progress the Council has made since government intervention.
- It states that within the challenging context of corporate, culture and financial issues, the achievements the Council has made to pull back from a potential financial precipice is impressive, at the same time as delivering an internal improvement programme, though there is more to be done as its financial position remains relatively fragile.
- The report states that the Council has a good understanding of its strengths and areas for improvement.
- It acknowledges the progress that has been made within Member to Member and Member to Officer relationships but is clear that there is more to do.
- The report is clear that effective partnership working across the town and the Tees Valley is critical to improve the lives of our residents.

Responding to recommendations

4.18 In addition, the report highlights a number of areas where there could be further improvements made, and it made 12 formal recommendations to improve delivery of outcomes within the Council Plan 2024-2027. Actions to respond to these recommendations are included within the Continuous Improvement plan, set out at Appendix One of this report.

Oversight and governance

4.19 Hosting a peer challenge at this time has enabled the peer challenge team to assess the Council's current position and provide an independent set of recommendations that can be used to inform future priorities as the Council transitions into Business-As-Usual good governance arrangements that support the Council to be able to demonstrate compliance with the seven themes of the Best Value Duty:



- 4.20 The Council's Senior Management team have put in place a Continuous Improvement plan to respond to both the LGA Corporate Peer Challenge team recommendations and the commentary contained within the Independent Improvement Board's final report.
- 4.21 It is also committed to establishing a Continuous Improvement approach that will enable it to have one process to coordinate continuous improvement activity that can arise in response to reviews, inspections and other reports. It is anticipated that relevant activity to respond to the recent Care Quality Commission inspection and CIPFA local government finance reviews will be incorporated into the plan once considered responses to recommendations have been developed.
- 4.22 The Council is committed to delivering that plan and providing Members, the public and partners with regular assurance that is responding positively to the recommendations of the LGA Corporate Peer Challenge team and the Improvement Board.
- 4.23 Quarterly reports on progress against the Continuous Improvement Plan will be taken to both Executive and Overview and Scrutiny Board for consideration as well as being published on the Council's website. The Annual Governance Statement will also continue to be a key vehicle for assessing and addressing the health of the Council's corporate governance arrangements.
- 4.24 Council officers will also continue to engage regularly with LGA support, through regular meetings with regional advisors and participation in national improvement networks.
- 4.25 The Council is also committed to inviting as many of the peer challenge team back as possible for a progress visit within 12 months and anticipate that this will occur in late autumn 2025.

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

5.1 The Council could choose not to accept the recommendations of the Corporate Peer Challenge team and the Independent Improvement Advisory Board. This is not recommended because acceptance and an effective response to the recommendations will have a positive impact on the outcomes the Council's residents and improve the running of the Council.

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

Topic	Impact
Financial (including procurement and Social Value)	Responding to the recommendations fully that have been made by both the LGA Corporate Peer Challenge team and Independent Improvement Advisory Board as well as establishing an approach to capture all strategic continuous improvement activity will inevitably have financial implications for the Council. As detailed proposals were developed for responses, financial implications will be set out and appropriate authority sought to deliver an effective response to the recommendations.
Legal	While both the LGA peer challenge process and the Independent Improvement Advisory Board are discretionary exercises, the topics covered by both support the Council's compliance with its Best Value Duty. The approach will also ensure there is a systematic approach to continuous improvement that will provide future assurance to all stakeholders that the Council will respond effectively to any recommendations arising from inspections, reviews and other relevant reports.
Risk	If the Council failed to respond effectively to the recommendations, this could have a negative impact on potentially all of the Strategic Risk Register.
Human Rights, Public Sector Equality Duty and Community Cohesion	The proposed response includes actions that will impact positively on this theme, in particular there are planned actions to strengthen the Council's approach to equality, diversity and inclusion and community engagement.
Socio Economic impact	While not directly impacting on this theme, the LGA Corporate Peer Challenge acknowledged the Council's plans which are already underway to strengthen focus on the existing commitment within the Council Plan that tackling poverty should be at the heart of everything we do.
Climate Change / Environmental	Whilst not a formal recommendation, the Peer Challenge team have identified that further work is required to strengthen plans to deliver the Council's environmental ambitions, and this will be addressed during 2025. This will be taken forward by officers in response to the report.
Children and Young People Cared for by the Authority and Care Leavers	The content of this report is not directly relevant to these areas of impact, however continued implementation of improvement activity will ensure the Council is better able to deliver its Council Plan ambitions and compliance with good governance.
Data Protection	

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

Action	Responsible Officer	Deadline
Publish the LGA Corporate Peer Challenge team report	Head of Governance, Policy and Information	16 April 2025
Report progress on the delivery of the Management response to Executive and Overview and Scrutiny Board on a quarterly basis.	Head of Governance, Policy and Information	Quarterly
Incorporate relevant actions into the Continuous Improvement Plan from inspections and reviews as necessary to provide all stakeholders with assurance around the Council's commitment to continuous improvement	Chief Executive	Not applicable – ad hoc
Complete the progress review process with the LGA Corporate Peer Challenge team and publish the outcome.	Chief Executive	January 2026

Appendices

1	Middlesbrough Independent Improvement Advisory Board final report
2	Local Government Association Corporate Peer Challenge letter
3	Continuous Improvement Plan

Background papers

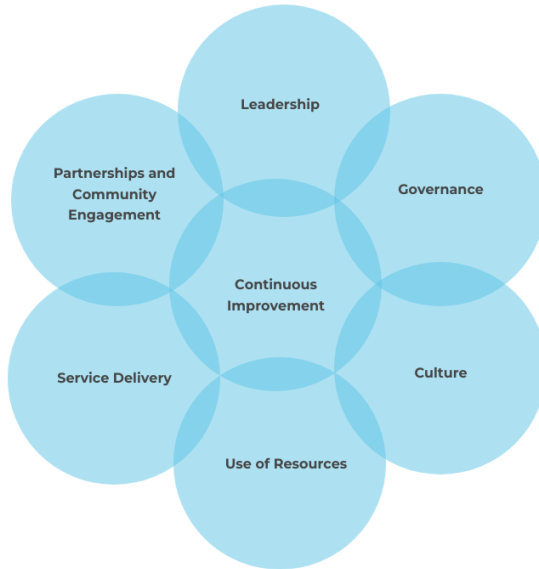
Reporting body	Report title	Date
Corporate Affairs and Audit Committee	Lessons Learnt: Best Value Inspection of Liverpool City Council	5 Aug 2021
Corporate Affairs and Audit Committee	Boho X: Draft findings from internal audit and proposed management response	6 Apr 2022
Corporate Affairs and Audit Committee	Audit Results Report 2020/21	22 Jul 2022
Corporate Affairs and Audit Committee	Statement of Accounts 2020/21	22 Jul 2022
Corporate Affairs and Audit Committee	Lessons learned: Best Value and external assurance within other councils.	22 Jul 2022
Corporate Affairs and Audit Committee	Commencing a corporate governance improvement journey	22 Jul 2022
Council	Corporate Governance Improvement Journey: CIPFA findings and next steps	19 Oct 2022
Council	Corporate Governance Improvement Plan and progress update	30 Nov 2022
Corporate Affairs and Audit Committee	External Audit: Value for Money Governance Update	5 Dec 2022
Council	Corporate Governance Improvement Plan and progress update	18 Jan 2023
Corporate Affairs and Audit Committee	Statement of Accounts 2020/2021	28 Apr 2023
Corporate Affairs and Audit Committee	Auditor's Annual Report – Year Ended 31 March 2021	29 Jun 2023
Council	Corporate Governance Improvement Next Steps	5 Jul 2023
Council	Section 24 Statutory EY recommendations	18 Sep 2023
Council	Corporate Governance Improvement Plan	18 Sep 2023

Corporate Affairs and Audit Committee	Lessons Learnt: Best Value Inspection of Liverpool City Council	5 Aug 2021
Audit Committee	Section 24 Report – Delivery and oversight arrangements	5 Oct 2023
Council	Corporate Governance Improvement Plan and Section 24 Action Plan progress report	25 Oct 2023
Council	Corporate Governance Improvement Plan and Section 24 Action Plan progress report	29 Nov 2023
Audit committee	Corporate Governance Improvement Plan and Section 24 Action Plan progress report	14 December 2023
Audit Committee	Corporate Governance Improvement Plan and Section 24 Action Plan progress report	1 February 2024
Audit Committee	Corporate Governance Improvement Plan and Section 24 Action Plan progress report	14 March 2024
Council	Corporate Governance Improvement Plan and Section 24 Action Plan progress report	27 March 2024
Council	Second Progress report of the Middlesbrough Independent Improvement Advisory Board	27 March 2024
Audit Committee	Corporate Governance Improvement Plan and Section 24 Action Plan progress report	25 July 2024
Audit Committee	Corporate Governance Improvement Plan and Section 24 Action Plan progress report	22 August 2024
Audit Committee	Best Value Notice – Status Update	22 August 2024
Audit Committee	Corporate Governance Improvement Plan and Section 24 Action Plan progress report	3 October 2024
Council	Corporate Governance Improvement Plan and Section 24 Action Plan progress report	16 October 2024
Audit Committee	Corporate Governance Improvement Plan and Section 24 Action Plan progress report	12 December 2024
Council	Corporate Governance Improvement Plan and Section 24 Action Plan progress report	27 November 2024
Council	Corporate Governance Improvement Plan and Section 24 Action Plan progress report	15 January 2025

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Continuous Improvement Plan

Delivery of the Council's Continuous Improvement Plan has a clear relationship with the Best Value Duty. Delivery of actions will ensure it has a robust approach across all the seven themes that comprise the Best Value Duty:



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This will ensure the Council is in a stronger position to deliver the four ambitions it has set out within the 2024 – 2027 Council Plan that Middlesbrough will:

- Be a successful and ambitious town
- Be a healthy place
- Have safe and resilient communities
- Deliver Best Value.

This plan addresses both the findings of the Local Government Association (LGA) Corporate Peer Challenge team and the last report of the Middlesbrough Independent Improvement Advisory Board (MIAB). Many of the recommendations are duplicated across both documents. Where this occurs, they have only been captured to avoid duplication.

Council Plan Ambition	Best Value Theme	Recommendation	Action	Owner(s)	Target date for completion
All	Partnerships and Community Engagement	<p>Develop in co-production with communities, residents, partners and businesses a long-term vision for the town that is inclusive, practical and deliverable.</p> <p>By looking outwards and harnessing untapped potential to deliver its vision, this will enable everyone to understand and contribute to delivering shared ambitions for the benefit of Middlesbrough and its communities.</p>	<p>The Council is in the process of reestablishing a town wide engagement mechanism for Partners which will be called a Towns Board and will replicate the best parts of the defunct Local Strategic Partnership arrangements to ensure there is a regular meeting of key strategic public, private and VCS partners to set the strategic direction for the town and identify and deliver system wide change to improve outcomes for our residents. Once established, the first key task will be to co-produce a vision in a process that engages local communities and residents.</p>	Chief Executive	Board to be established by June 2025 and a co-produced vision will be developed during 2025/26.
All	Partnerships and Community Engagement	<p>Redefine Middlesbrough's strategic approach to partnership working based on principles of timely and meaningful collaboration, co-design and with common purpose to inspire and build a team beyond the council that are galvanised to deliver for the town.</p> <p>This will strengthen delivery of Middlesbrough's place shaping ambitions, maximise use of collective resources, and help shift the focus from organisational recovery to delivery of improved outcomes for residents.</p>	<p>The Council is committed to working with partners more effectively to co-produce a vision for the town, alongside a strategy, underpinned by agreed principles which will govern how we will work together to deliver improved outcomes for our residents. It is planned to use the reestablished Towns Board to co-produce an agreed strategic approach to partnership working.</p>	Chief Executive	March 2026
All	Partnerships and Community Engagement	<p>Develop and seek to strengthen relationships with the Tees Valley Combined Authority and Tees Valley councils.</p> <p>This will maximise the potential for Middlesbrough and the wider Tees Valley to realise the benefits from being at the forefront of devolution and drive economic development and growth which will be critical to all the council's ambitions.</p>	<p>Officers are continuing to engage with the TVCA officers to work positively with them and there are a range of officer working groups that are well established across the Tees Valley.</p> <p>The Council will seek formal engagement with the TVCA other Local Government members of the Combined Authority to outline a proposed revised engagement approach across matters of mutual interests to enable</p>	Mayor and Chief Executive	May 2025

Council Plan Ambition	Best Value Theme	Recommendation	Action	Owner(s)	Target date for completion
			improved outcomes for residents and businesses in the Tees Valley		
All	Partnerships and Community Engagement	<p>Seek to resolve the hiatus with the Middlesbrough Mayoral Development Corporation to achieve a shared plan for the town.</p> <p>This will unlock its potential as a powerful mechanism for effectively delivering economic development and growth and integrating the resources and assets of the council and TVCA.</p>	The Council will seek formal discussions with TVCA and government on options to address the hiatus in the best interests of the residents of Middlesbrough.	Chief Executive	May 2025
All	Culture	<p>Develop and embed a comprehensive approach to strengthening equality, diversity, and inclusion, including:</p> <ol style="list-style-type: none"> In organisational development, the workforce and democratic representation; Within strategy, policy, and service delivery; and Community engagement, ensuring it looks at this agenda strategically for Middlesborough as a whole, not only for the organisation and those elected or employed. <p>This will ensure EDI is at the heart of everything it does, that the council is representative of the communities it serves and delivers better decision-making by harnessing different perspectives</p>	We will raise the ambitions within the People Strategy and Member Development Strategy (expanding to include promotion of councillor roles to potential future councillors) to seize the opportunities that an improved approach to community engagement will bring as our residents increase their trust in the Council.	Head of HR and Head of Legal (People)	People Strategy annual review (April 2025) Member Development Strategy annual review (February 2026)
			We will review the Council's report formats, policy and strategy templates to strengthen the way the Council assesses the impact of its activities on equality, diversity and inclusion.	Head of Governance, Policy and Information	May 2025
			Over the next 12 months the Council plans to increase community development capacity as part of the emerging Neighbourhoods Strategy which will include actions to also reset its approach to community engagement to ensure it better understands and responds to the needs of its communities as well as reestablishing a proactive approach to decision making that focusses on coproduction where possible.	Director of Environment and Community Services	March 2026
Delivering Best Value	Use of Resources	Bring further rigour to financial planning and management to support savings delivery and financial resilience by:	Effects on the Medium-Term Financial Plan (MTFP) are going to be included within future quarterly budget outturn reports.	Section 151 Officer	To commence within the year-end report for 2024/25 (June 2025)

Council Plan Ambition	Best Value Theme	Recommendation	Action	Owner(s)	Target date for completion
		a. Reviewing the MTFP assumptions and updating them on a quarterly basis, with clear plans for managing demand and delivering savings reported in monthly budget reports.	The Council already has a cycle of monthly budget reporting and agreement of actions in response to issues raised by this process. These are then formally reported to Members/ appropriate member decision making and engagement is undertaken. This is included within the quarterly outturn reports		
		b. Supporting Executive Members to own and shape the financial position, within their portfolio areas and collectively, working with senior officers to challenge, monitor and hold each other to account.	Executive role - Further training will be provided to Executive Members on financial management disciplines. The Council already has in place Executive involvement in the budget clinic cycle, attending on a quarterly basis for all areas except Children's Services where they attend monthly.	Section 151 Officer	March 2026
		c. Embed understanding and ownership of the financial position with budget holders to ensure the on-going delivery of transformation, savings and efficiencies.	Regular monthly reports continue to be submitted to Leadership Team and Wider Leadership Management Team on the budget position. We have an ongoing training programme that we are committed to delivering to ensure we raise and maintain the financial skill sets of our budget holders. Additional support is targeted at new budget holders, on a risk-based approach, with the highest levels of support targeted at those managing the most volatile budgets.	Section 151 Officer	Monthly
		d. Ensuring that scrutiny and audit oversight is effective, transparent and supports understanding - beyond the council - with key partners and the public.	A proposal will be submitted to Audit Committee to recommend it completes a self-assessment against CIPFA Good Governance guidance in March. If agreed, it will be delivered during 2025/26.	Section 151 Officer	March 2025, with the review to be completed during 2025/26
		e. Reviewing pay scales to support recruitment and retention of key staff, linked to workforce and succession planning, with a focus on both bringing in external, as well as nurturing internal, talent.	Scrutiny - the Monitoring officer and S151 officer are working towards development of an integrated approach to reporting the quarterly outturn position to improve members understanding of the overall position of the Council financially and their understanding of the impact on delivery of Council plan priorities	Section 151 Officer and Monitoring Officer	June 2025 onwards

Council Plan Ambition	Best Value Theme	Recommendation	Action	Owner(s)	Target date for completion
			The Towns Board, once reestablished, will become the vehicle through which strategic discussions with our partners are held this will include sharing information about our spending power and priorities. The Board will be established during 2025.	Chief Executive	May 2025
			We are securing additional capacity within the HR team to be able to look at options around the Council's recruitment and retention of key staff as well as ongoing delivery of the People Strategy to ensure our staff have the skills and capabilities to be able to meet the needs of succession planning.	Head of HR	May 2025

Council Plan Ambition	Best Value Theme	Recommendation	Action	Owner(s)	Target date for completion
All	Use of Resources	<p>Reframe Middlesbrough's approach to transformation, shifting from tactical savings during a crisis, to long term financial sustainability and continuous improvement to deliver better outcomes, by:</p> <ul style="list-style-type: none"> a. Undertaking a cross-council reset and relaunch of its transformation priorities, alongside the council plan and council values, underpinned by strong leadership, a robust communications and engagement plan, and organisational development strategy. b. Creating a senior transformation officer role to lead, consolidate and prioritise the current programme, identify new areas for transformation, track progress and delivery of desired outcomes, and drive the organisational change and buy-in required to deliver successful transformation. c. Reviewing capacity to deliver Middlesbrough's transformation ambitions, including within corporate services and supporting data and analysis and performance management, to ensure that all relevant services are adequately resourced to support transformation outcomes. 	<p>Following successful delivery of a programme of projects which have been primarily focussed on putting the council on a sound financial footing.</p> <p>The Council is currently pausing slightly to ensure the next phase of its approach to transformation of services, using a refined set of projects and programmes that has an increased focus on delivery of improved outcomes for our residents to support delivery of the council plan vision and underpinning ambitions, within a sustainable cost envelope.</p> <p>A report on the revised approach and the plans to put in place the capacity to deliver it successfully will be presented to Executive shortly.</p>	Chief Executive and Section 151 officer	April 2025
Delivering Best Value	Continuous Improvement	<p>Establish a locally owned assurance and improvement approach for Middlesbrough once the voluntary improvement Board steps down.</p> <p>This will help embed and sustain continuous</p>	This Continuous Improvement plan and the regular reporting of it to Executive and Scrutiny will ensure there is a locally owned assurance and improvement plan in place.	Chief Executive	July 2026 onwards

Council Plan Ambition	Best Value Theme	Recommendation	Action	Owner(s)	Target date for completion
		improvement and support, providing oversight of the golden thread between the council's vision, corporate plan, performance and delivery of outcomes. By doing so, it will provide the council, its partners, and residents with assurance that the improvement journey is continuing at pace.			
Delivering Best Value	Use of Resources	Review and strengthen Middlesbrough's internal audit arrangements and provision. This will ensure they are fit for purpose and adequately support its continuous improvement and assurance journey, with internal audit a key tool when deployed strategically in the delivery of high-quality services, transformation and financial outcomes	Commission an external review of the current arrangements for internal audit to provide assurance to the Council as to whether they remain fit for purpose or require adjustment to better support the Council's continuous improvement and assurance journey.	Section 151 Officer	Review to be commissioned by September 2025 for deliver in 2025/26.
All	Governance	<p>Review and strengthen Middlesbrough's overview & scrutiny arrangements.</p> <p>This will ensure arrangements support robust and impactful scrutiny for the future, aligned with best practice.</p>	<p>A planned review is already underway to assess the impact and effectiveness of the current arrangements following 12 months of their implementation with a view to changing if needed. Guidance from the Centre for Governance and Scrutiny will be used and members will be fully engaged in the review.</p> <p>In addition, a pre-scrutiny protocol will be developed to establish a collaborative working relationship between Executive and Scrutiny Councillors to enhance decision-making in the organisation.</p>	Monitoring Officer	May 2026
All	Governance	Support councillors further in their roles through:	We are securing additional democratic support capacity to support the Executive team administration their roles.	Monitoring Officer	September 2025
		<ul style="list-style-type: none"> a. Providing the Executive with administrative support and training for their roles; b. Addressing issues with Councillor Gateway system; 	We are securing additional capacity to support the quality of responses to Members and to manage feedback from Members to establish a continuous improvement approach to both the system and the outcomes members are seeking.	Monitoring Officer	September 2025

Council Plan Ambition	Best Value Theme	Recommendation	Action	Owner(s)	Target date for completion
		<ul style="list-style-type: none"> c. Providing sufficient advanced notice for meetings, and at times that meet councillors' needs; and d. Promote and encourage good councillor conduct, including on digital platforms. 	<p>Ongoing discussions will continue to be held with Members to identify the issues with timings and options the Council could put in place to manage timings and support Members to attend.</p> <p>We have recently delivered further training to all Members on good conduct on social media and will regularly push out reminders on good practice on social media usage.</p>	<p>Monitoring Officer</p> <p>Monitoring Officer</p>	<p>May 2025 committee diary setting by Council and ongoing</p> <p>Ongoing</p>
All	Governance	<p>Continue to improve member and officer relationships with clear understanding of the respective roles, responsibilities and promoting good behaviours.</p> <p>This will continue to strengthen Middlesbrough's governance guardrails, promote conduct in line with the Nolan Principles, and avoid the risks which in the past have arisen from Middlesbrough's Mayoral model.</p>	<p>We are committed to an ongoing cycle of training and development of both officers and Members and will regularly take the temperature of the organisation through engagement and surveys to identify where more needs to be done.</p>	<p>Monitoring Officer</p>	<p>Ongoing regular surveys throughout the year</p>
Delivering Best Value	Use of Resources, Service delivery and Continuous Improvement	<p>Develop a medium-term plan, as organisational capacity improves, to integrate finance and performance reporting within the corporate governance framework.</p>	<p>Following successful growth bids to put in place the capacity within Finance, action is being taken to secure additional capacity to reestablish a more embedded performance management process as well. Action will initially be taken to recruit additional capacity, with a view to first working together to strengthen performance management and reporting and then jointly developing an integrated approach to reporting to improve the Council's ability to demonstrate alignment of its resources with Council priorities and the relationship between resourcing and performance across its priority areas.</p>	<p>Section 151 Officer and Monitoring Officer</p>	<p>Staff will be recruited into post by September 2025.</p>
Delivering Best Value	Use of Resources	<p>Focus on long term financial resilience and:</p> <ul style="list-style-type: none"> a. tight control on 2025/26, b. develop a balanced position for the 	<p>The Council has a robust budget management approach in place which it intends to maintain in 2025/26, including ongoing budget clinics, with Member involvement within them, as well</p>	<p>Section 151 Officer</p>	<p>Quarterly throughout 2025/26</p>

Council Plan Ambition	Best Value Theme	Recommendation	Action	Owner(s)	Target date for completion
		<p>medium term,</p> <p>c. have a planned approach to growth,</p> <p>d. do not fund ongoing expenditure from one off funding pots,</p> <p>e. focus on transformational opportunities.</p>	<p>as monthly budget reporting to inform these processes.</p> <p>Regular liaison with Executive will be undertaken as part of the quarterly review of the effects of decisions and expenditure on the MTFP. This will include medium term planning for growth.</p> <p>Not funding ongoing expenditure from one off pots of funding is a principle that is already robustly applied to Council budget setting processes. For example the proposed governance of the Middlesbrough Priorities fund includes such a principle.</p>		
Delivering Best Value	Use of Resources	Be prudent with extra money: top up reserves (to a level higher than currently suggesting), invest in contingency.	<p>This is another principle within the Council's budget setting process and there are a number of contingencies built into the budget including a risk fund to manage risks around non-delivery of savings.</p> <p>The Medium-Term Financial Plan includes plans to grow the reserves prudently while balancing against the level of demand arising from being a local authority in one of the country's most deprived areas.</p>	Section 151 Officer	n/a - Ongoing over the life of the Medium Term Financial Plan
All	All	Build organisational capacity to strengthen resilience in finance, HR, OD and transformation to support delivery of your corporate plan priorities.	The Council has already taken action to identify funding for growth in these areas and it will consider whether there are any further growth needs within its reset approach to transformation which will be considered by Executive in April 2025.	Chief Executive	May 2025
All	Leadership	Continue to focus on organisational development as an important part of your continuous improvement journey, with a particular focus on team development and	Executive and Leadership team development programme has been put in place and is resuming at pace, with external support and expertise. In addition, the Council is refreshing	Monitoring Officer	Ongoing

Council Plan Ambition	Best Value Theme	Recommendation	Action	Owner(s)	Target date for completion
		embedding stable, permanent leadership arrangements.	support for its wider Managers, reestablishing a management training gateway, along with a wide range of programmes to develop skills and capacity. This is being overseen within the delivery of the People Strategy		
All	All	Complete and implement your communications strategy and use it as an effective tool to bring the council vision to life and to ensure that both the internal and external environment understands the outcomes the council is trying to achieve.	Once the Council has reset its approach to transformation, a draft Communications Strategy will be developed to ensure that there is a plan in place, owned by senior leaders, that ensures the Council is clearly communicating its vision, priorities and actions to ensure Members, Staff, the public and partners understand and engage with the outcomes the council is trying to achieve.	Chief Executive	Draft Strategy June 2025, to be reviewed on a quarterly basis by Leadership team.

To note: This is a live document and as such actions may be amended, added to or edited where it is appropriate to do. For example, there are areas within both reports where no formal recommendation has been made but there are statements that warrant further consideration, and additional actions may be added. Where there are changes, these will be documented to ensure transparency. Also initial action within this plan may lead to a need for further actions to be undertaken and these will be captured as necessary.

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**Middlesbrough Council Independent Improvement Advisory Board:
Final Report
March 2025**

PURPOSE

1. This is the final report of Middlesbrough's Independent Improvement Advisory Board (MIIAB), to the Full Council

BACKGROUND

2. At the invitation of the Council, and in association with the Local Government Association, the MIIAB was established in October 2023. It is a non-statutory Board which brings together independent expertise from across the sector. It is part-funded by the UK Government as part of the LGA's sector improvement programme.
3. The Board was established to provide oversight, support and challenge to the Council's improvement and transformation journey. This included a focus on helping the Council ensure compliance with its Best Value Duty under the Local Government Act 1999; particularly around:
 - 3.1. Cultural and governance issues, including those identified through the previous Chartered Institute of Public Finance and Accountancy (CIPFA) review, progress towards implementing the actions arising from the Section 24 Statutory Recommendations of the External Auditor and any future external auditor reports.
 - 3.2. Financial sustainability, including a balanced medium-term financial strategy aligned to the Council's Corporate Plan.

OVERVIEW: THE COUNCIL'S IMPROVEMENT JOURNEY

4. At the time of MIIAB's creation, the then Department for Levelling Up Housing and Communities (DLUHC) had issued a formal 'Best Value Notice' to the Council. This was then extended, for 6 months, by DLUHC on 30 January 2024.
5. The external context for the Council is now very different. The Best Value Notice expired in July 2024 and was not renewed. The Council is now out of "intervention." This is a significant achievement for Middlesbrough Council and this Board is pleased to have been able to have played a part in supporting, challenging, and advising the Council during the last 18 months. The Council has undertaken much of the action it promised within its Improvement Plan. This corroborates the MIIAB's view that there are many hard-working elected members and officers dedicated to moving the Council forward on its improvement journey.
6. The term of the Board was extended by six months to, March 2025, support the Council as it transitioned into permanent senior officer leadership arrangements. It is now right that the MIIAB steps back as it recognises that, whilst the challenges ahead are still great, the Council is in a good position to meet them within a business-as-usual

framework where the Council is responsible for its own improvement and where scrutiny is achieved through “normal” internal and external means.

7. This final report is intended to provide an element of reflection of progress over the past 18 months, but mainly a focus on looking forward and the issues on which, we feel, the Council needs to most concentrate moving forward to support its continuous improvement journey.
8. As the Council has moved from “recovery” through to “reset” and now on to “delivery”, the MIIAB considers that there are 5 of those main issues:
 - 8.1. Culture change
 - 8.2. Governance
 - 8.3. Plans, priorities, and strategies
 - 8.4. Financial planning and management
 - 8.5. Organisational capacity
9. The remainder of this report is structured around those 5 themes.

THEME 1: CULTURE CHANGE

10. In its October 2024 report, MIIAB reported on good progress on this front. In particular, and in some cases since then, the evidence we have seen has been around: strong and visible leadership from The Mayor; the Council conducting a staff survey which, whilst having a low response rate, presented, generally, positive results and frequent communications to the organisation from the CEO, such as the CEO’s video to staff.
11. We have seen significantly improved relationships between members and officers.
12. We have also seen better member to member relationships. However, there is not consistency on this. There is still work for individuals, and the Council as a whole, to do, to embed better behaviour by (some) members. Indeed, there needs to be a coming together of politicians from across the political spectrum to work in the interests of the place and the organisation. There are still instances where member behaviour is not in this spirit.
13. We have seen a positive response to Erik Scollay’s appointment as the new permanent CEO. There are signs that the CMT is working in a more collective and cohesive manner.
14. The new management team and the political leadership of the Council need to continue to invest in themselves and their development, to help further progress the culture of the organisation.

THEME 2: GOVERNANCE

15. The Council has undertaken considerable activity in line with the Corporate Governance Improvement Plan. This has, understandably, meant that the Council has been particularly internally focussed. It now needs to transition into a “business as usual” model by, for example, looking outward more than it has been and developing more-

strategic relationships. It could build on the good work in children services in this area.

16. The Mayor has taken recent steps to strengthen the Executive. It is hoped that this will provide him with the capacity to focus, even more, on his strategic role as Mayor. For example, by playing an active and positive role within the Region, beyond as well as within TVCA.
17. There is a need to improve the organisation's approach to scrutiny, especially in performance management, scrutiny of priorities, and pre-policy formulation. There is a legitimate role for scrutiny to constructively hold the Executive to account on performance.
18. There is not yet an integrated approach to finance and performance reporting, although we have seen plans to make this happen in the medium term. We would advise that this needs to be done when there is better capacity within the organisation to support this change.
19. The Mayor has, undoubtedly, been a positive driving force for change within the Council. At times this meant a more 'hands on' approach to dealing with issues that should have been the responsibility of management. However, going forward there needs to be a greater clarity over roles of officers and roles of politicians to ensure the appropriate separation of responsibilities between the Mayor and CEO, so they (and their wider teams) can work efficiently, effectively, and jointly in taking the council further and faster forward. This is acknowledged by both the Mayor and CEO who are already working to reset the relationship.

THEME 3: PLANS, PRIORITIES AND STRATEGIES

20. There is now a greater focus for the Council; with its Corporate Plan having 4 high level priorities. But there still needs to be clarity on how these are being, and will be, translated into delivery. At present, it is only a work in progress in defining those 4 priorities in terms of outcome measures, which, in turn, inform the actions or interventions which are required to contribute towards generating the priority outcome.
21. It is important that good governance, the Transformation Programme and the Target Operating Model all come together to support, and indeed drive, delivery of the priority outcomes.
22. More specifically on the Transformation Programme, it would be fair to say there is a mixed picture on progress across the Boards. For example, in Children's Services the progress on the recruitment of permanent (as opposed to agency) staff is positive, and some significant savings have been delivered although there is of course a risk with the regional agency social work pay rate cap that the workforce may be depleted if workers move to councils nearby which are unaffected by the pay cap.
23. In Adult Services the situation is mixed. It is an unsettled time with senior staffing changes, and the disappointment of the very recent CQC judgement. There is uncertainty on the ability to deliver some of the identified savings. For example, delays in the review of direct payments, the re-provision use of Levick Court and the review of temporary accommodation may impact on the ability to achieve the planned savings.

24. There is a need for greater clarity, pace and consistency across the Boards. This is particularly the case with the Neighbourhoods Board. Across the Council the low hanging fruit have largely already been picked. It will now be harder to find the next solutions. The Target Operating Model work should bring dividends, but we feel it has been slow to get off the ground, is generally not well understood within the council and remains work in progress.
25. The Council's Customer Strategy is good, but it is missing the projects that will form the customer programme. You will need to ensure that the delivery model is based on a 'digital by design' approach if it is to maximise the benefits of digital technology to improve customer services whilst reducing costs. It is also unclear to us what the relationship is between Customer Strategy and the Neighbourhood Model.
26. Your Communications Strategy needs to be brought forward to completion and implementation. It needs to be used as a tool to bring the Council's vision to life. Progress on this will also ensure that the whole organisation (and partners) understand the Council's journey of improvement and the outcomes it is trying to achieve.

THEME 4: FINANCIAL PLANNING AND MANAGEMENT

27. The headline on this crucial area is that you are in a better position but are not yet out of the woods. As a reminder, the Best Value duty requires the council to achieve financial sustainability, including a balanced medium-term financial strategy aligned to the Council's Corporate Plan.
28. At the time of writing, you are projecting a small underspend during the current financial year. This will be a very good outcome and shows good progress in terms of financial management and control. Although of course this will have been achieved in the context of the Council receiving External Financial Support. You have also shifted some savings that have been undeliverable this year into 2025/26.
29. This year's Local Government Finance Settlement has benefitted the Council to some extent, and you have set a balanced budget for the coming year. However, it will require relentless management to deliver the 2025/26 budget. A tight control on the 2025/26 budget and coming in on balance this time next year, will help provide a stronger position for the medium term. Although, as with many other Councils, your DSG is a large risk.
30. You will also need to ensure an early and clear focus on proposals for 2026/27 onwards to ensure the Council has longer term resilience. Your MTFS is still unbalanced towards its final period. This means the Council still needs to develop robust medium-term plans.
31. Having mentioned the Local Government Finance Settlement, it is important for the MIIAB to impress on the Council the need to be prudent with "extra" money. There is a need to top up reserves (to a higher level than the Council has been suggesting). The Council needs to have a planned and pragmatic approach to growth. You will especially want to ensure that you do not fund ongoing expenditure from one-off funding pots and that you do focus on transformational opportunities.

THEME 5: ORGANISATIONAL CAPACITY

32. To some extent you are still in transition as an organisation, recognising that some of the senior team are now in different roles. There are permanent backfill arrangements still to be completed. These need to be done as a matter of urgency to allow stable leadership arrangements to be embedded and the team to develop.
33. There needs to be investment in strengthening leadership, both in terms of the senior officer team and the collective officers/lead politicians top team.
34. There is a need to address the resilience of the finance team. The Council has recognised this by strengthening the budget but quickly getting the right people into post is key. Limited capacity in HR, OD, and Transformation to support delivery remains an issue for you.

SUMMARY OF RECOMMENDATIONS

35. Overall, the Council has made good progress during the period in which the MIIAB has been in place. However, there is much still for the Council to do. But importantly, we are of the view that the Council now has the determination and has made positive progress towards meeting the challenges ahead. To give it the best chance to fulfil its potential, we would particularly recommend the following to the Council:
 - 35.1. Develop an ongoing programme of cultural improvement using existing strategies such as the Member Development Strategy. This should be owned jointly by the political and officer leadership.
 - 35.2. Complete the transition into an effective business-as-usual governance model with a particular focus on:
 - a. being more outwardly focused in outlook.
 - b. using the drive and energy of the Mayor in a more strategic, political-lead, way within and beyond the Council.
 - c. improving the role of scrutiny as an effective tool.
 - d. developing a medium-term plan, as organisational capacity improves, to integrate finance and performance reporting within the corporate governance framework.
 - 35.3. Bring clarity, as a matter of urgency, to the relationship between the four corporate priorities and outcome-based projects to be included in the Transformation Programme.
 - 35.4. Clarify, as a matter of urgency, how the Target Operating Model is to be used as a vehicle to support the delivery of organisational goals.

- 35.5. Ensure that all transformation programs are strategic in nature and have projects that can deliver corporate plans, strategies, and priorities.
- 35.6. Ensure that there is a consistent pace across all the transformation programmes to reflect the council's benefits realisation plans.
- 35.7. Focus on long term financial resilience and, in particular:
 - a. tight control on 2025/26,
 - b. develop a balanced position for the medium term,
 - c. have a planned approach to growth,
 - d. do not fund ongoing expenditure from one off funding pots,
 - e. focus on transformational opportunities.
- 35.8. Be prudent with extra money: top up reserves (to a level higher than currently suggesting), invest in contingency.
- 35.9. Build organisational capacity to strengthen resilience in finance, HR, OD and transformation to support delivery of your corporate plan priorities.
- 35.10. Continue to focus on organisational development as an important part of your continuous improvement journey, with a particular focus on team development and embedding stable, permanent leadership arrangements.
- 35.11. Complete and implement your communications strategy and use it as an effective tool to bring the council vision to life and to ensure that both the internal and external environment understands the outcomes the council is trying to achieve.

LGA Corporate Peer Challenge

Middlesbrough Council

13 – 16 January 2025

Feedback report



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1. Introduction

Corporate Peer Challenge (CPC) is a highly valued improvement and assurance tool that is delivered by the sector for the sector. It involves a team of senior local government councillors and officers undertaking a comprehensive review of key finance, performance and governance information and then spending four days at Middlesbrough Council to provide robust, strategic, and credible challenge and support.

CPC forms a key part of the improvement and assurance framework for local government. It is underpinned by the principles of Sector-led Improvement (SLI) put in place by councils and the Local Government Association (LGA) to support continuous improvement and assurance across the sector. These state that local authorities are: Responsible for their own performance, Accountable locally not nationally and have a collective responsibility for the performance of the sector.

CPC assists councils in meeting part of their Best Value duty, with the UK Government expecting all local authorities to have a CPC at least every five years.

Peers remain at the heart of the peer challenge process and provide a 'practitioner perspective' and 'critical friend' challenge.

This report outlines the key findings of the peer team and the recommendations that the council are required to action.

2. Executive summary

Middlesbrough Council (Middlesbrough) is emerging from a difficult period, characterised by corporate governance, culture, and financial failures, and during which it has been subject to government intervention. Within this challenging context, the council pulling back from the financial precipice in 2024 is impressive, and its internal improvement programme has had a demonstrably positive impact.

The council is not, however, 'out of the woods', remaining fragile and vulnerable to crosswinds that could yet send it off-course. The challenges of recent years, and the focus its improvement journey has necessitated, has left Middlesbrough internally

focused with a need to build capacity, harness the potential of partners and communities, and fully engage all the organisation to address the challenges facing the town and all those that have stake in it. There is no short-term fix.

The recently formed permanent political and officer leadership team marks a critical milestone, bringing opportunities and risks. The mayor and new chief executive's commitment to Middlesbrough, and the positive relationship between them, are widely recognised and contributing to increasing optimism amongst councillors, staff and many external partners. Building on this momentum, and the council's good understanding of its strengths and areas for improvement, it will be important to address apprehensions that changes could destabilise improvement and it could regress as a consequence. Upholding the distinct, yet complementary, roles of the mayor and chief executive, and ensuring consistent messaging and appropriate boundaries between them, will be important.

Middlesbrough places strong emphasis on promoting good governance, with improvements to governance, councillor-officer relationships, and organisational culture central to securing removal of its Best Value Inspection Notice (BVIN). Its qualified 2023/24 Value for Money audit opinion, and some remaining instances of challenging councillor conduct, reflects there is further work to do. Strengthening internal audit arrangements and enabling more robust and impactful scrutiny would support continuous improvement and assurance - as will a continual focus on understanding roles and responsibilities between councillors and officers, and encouraging good councillor conduct. Greater meaningful engagement between political groups on strategic issues for the benefit of Middlesbrough will be important, building on recent positive steps - led by the mayor - to foster constructive cross-party working. Recent efforts to enhance support to councillors should be bolstered by improving support to enable the executive councillors to be even more actively engaged and empowered, refining the councillor gateway system, and optimising meeting times for councillors.

Middlesbrough has been on a financial improvement journey over the past two years, with marked improvements in financial planning and management - from requiring exceptional financial support (EFS) in 2024/25, to putting forward balanced budgets

for 2025/26 and 2026/27 that include growth and replenish reserves. From the perilous position the council was in, this has been an impressive turn-around. The commendable progress must not, however, be construed as Middlesbrough's financial issues being "resolved". The council's financial position remains precarious and its recovery fragile, with £31.1m savings required over 2024/25 - 2028/29, acutely low reserve levels, and a transformation programme yet to deliver transformational savings. This is compounded by uncertainty – like all councils - with a one-year financial settlement and planned government review of local government financing in 2025/26.

A relentless focus must remain on achieving financial sustainability over the medium-term. This will necessitate resetting the council's transformation programme, greater financial planning and management rigour and strong focus on economic development and growth. Middlesbrough should more regularly review its MTFP assumptions, report on savings delivery, strengthen political oversight and scrutiny of its financial position, and further embed financial accountability and mutual accountability across all organisational levels.

The future viability of the council rests on it successfully shifting from tactical savings to delivering transformational change linked to the MTFP. Establishing a senior transformation lead officer and relaunching its transformation priorities alongside the council plan and values will help drive the organisational change and buy-in required to deliver successful transformation. As will harnessing resident, community, business and partner insight within coproduction of Middlesbrough's transformation agenda. With acute capacity challenges in certain areas, reappraising organisational capacity to ensure services are adequately resourced to support transformation outcomes, and reviewing staff pay scales to support recruitment and retention, will also be vital to success. A strengthened approach to equality, diversity, and inclusion is needed within its workforce and democratic composition, in community engagement, and within policies and delivery.

Middlesbrough sits at the heart of the Tees Valley, serving a population of 152,650 in a tightly bounded town that boasts significant local assets, but which has been impacted by post-industrial decline and austerity. It faces deep-rooted economic,

community, and environmental challenges. The question is understandably raised, and the council asks itself, whether it operates at sufficient scale to comprehensively address the extent of these challenges. Notwithstanding the scale of the challenge, Middlesbrough's renewed emphasis on poverty reduction is a powerful statement of its commitment to bring a distinctive community-centred approach to improve its residents' lives.

To achieve its transformation and place ambitions, Middlesbrough will need strong, ambitious, and long-term partnerships. It should redefine its strategic partnership approach and develop an inclusive, deliverable long-term vision for the town, based on co-design from the earliest opportunity with councillors, residents, communities, partners, and businesses. This will enable everyone to understand and contribute to delivering shared outcomes that are greater than the sum of their parts. In this context, it is particularly critical to improve relationships with the Tees Valley Combined Authority (TVCA), resolve the hiatus with the Middlesbrough Development Corporation (MDC), and strengthen relationships with other Tees Valley councils. Doing so can ensure the benefits from devolution, and opportunities for regeneration and growth, are fully realised for Middlesbrough and the wider Tees Valley, contributing to its financial sustainability.

Middlesbrough's next chapter will necessitate a shift from organisational recovery to delivery of improved outcomes for residents. The impetus for its improvement is no longer crisis recovery or external pressure, but for the people of Middlesbrough who deserve a council that aspires to be outstanding. It will need to maintain its continuous improvement momentum and benchmark against best practice, whilst building capacity and capability to deliver differently and with partners. Establishing a locally owned assurance and improvement approach will help do this and provide assurance to the council, its partners, and residents. The council's passionate and committed workforce – which has carried it through difficult times - can be the bedrock on which the future council is built.

3. Recommendations

There are several observations and suggestions within the main section of the report. The following are the peer team's key recommendations to the council:

3.1 Develop in co-production with communities, residents, partners and businesses a long-term vision for the town that is inclusive, practical and deliverable.

By looking outwards and harnessing untapped potential to deliver its vision, this will enable everyone to understand and contribute to delivering shared ambitions for the benefit of Middlesbrough and its communities.

3.2 Redefine Middlesbrough's strategic approach to partnership working based on principles of timely and meaningful collaboration, co-design and with common purpose to inspire and build a team beyond the council that are galvanised to deliver for the town.

This will strengthen delivery of Middlesbrough's place shaping ambitions, maximise use of collective resources, and help shift the focus from organisational recovery to delivery of improved outcomes for residents.

3.3 Develop and seek to strengthen relationships with the Tees Valley Combined Authority and Tees Valley councils.

This will maximise the potential for Middlesbrough and the wider Tees Valley to realise the benefits from being at the forefront of devolution and drive economic development and growth which will be critical to all the council's ambitions.

3.4 Seek to resolve the hiatus with the Middlesbrough Mayoral Development Corporation to achieve a shared plan for the town.

This will unlock its potential as a powerful mechanism for effectively delivering economic development and growth and integrating the resources and assets of the council and TVCA.

3.5 Develop and embed a comprehensive approach to strengthening equality, diversity, and inclusion, including:

- a. In organisational development, the workforce and democratic representation;
- b. Within strategy, policy, and service delivery; and
- c. Community engagement, ensuring it looks at this agenda strategically for Middlesbrough as a whole, not only for the organisation and those elected or employed.

This will ensure EDI is at the heart of everything it does, that the council is representative of the communities it serves and delivers better decision-making by harnessing different perspectives.

3.6 Bring further rigour to financial planning and management to support savings delivery and financial resilience by:

- a. Reviewing the MTFP assumptions and updating them on a quarterly basis, with clear plans for managing demand and delivering savings reported in monthly budget reports.
- b. Supporting Executive Members to own and shape the financial position, within their portfolio areas and collectively, working with senior officers to challenge, monitor and hold each other to account.
- c. Embedding understanding and ownership of the financial position with budget holders to ensure the on-going delivery of transformation, savings and efficiencies.
- d. Ensuring that scrutiny and audit oversight is effective, transparent and supports understanding - beyond the council - with key partners and the public.
- e. Reviewing pay scales to support recruitment and retention of key staff, linked to workforce and succession planning, with a focus on both bringing in external, as well as nurturing internal, talent.

3.7 Reframe Middlesbrough’s approach to transformation, shifting from tactical savings during a crisis, to long term financial sustainability and continuous improvement to deliver better outcomes, by:

- a. Undertaking a cross-council reset and relaunch of its transformation priorities, alongside the council plan and council values, underpinned by strong leadership, a robust communications and engagement plan, and organisational development strategy.
- b. Creating a senior transformation officer role to lead, consolidate and prioritise the current programme, identify new areas for transformation, track progress and delivery of desired outcomes, and drive the organisational change and buy-in required to deliver successful transformation.
- c. Reviewing capacity to deliver Middlesbrough’s transformation ambitions, including within corporate services and supporting data and analysis and performance management, to ensure that all relevant services are adequately resourced to support transformation outcomes.

3.8 Establish a locally owned assurance and improvement approach for Middlesbrough once the voluntary improvement Board steps down.

This will help embed and sustain continuous improvement and support, providing oversight of the golden thread between the council’s vision, corporate plan, performance and delivery of outcomes. By doing so, it will provide the council, its partners, and residents with assurance that the improvement journey is continuing at pace.

3.9 Review and strengthen Middlesbrough’s internal audit arrangements and provision.

This will ensure they are fit for purpose and adequately support its continuous improvement and assurance journey, with internal audit a key tool when deployed strategically in the delivery of high-quality services, transformation and financial outcomes

3.10 Review and strengthen Middlesbrough's overview & scrutiny arrangements.

This will ensure arrangements support robust and impactful scrutiny for the future, aligned with best practice.

3.11 Support councillors further in their roles through:

- a. Providing the Executive with administrative support and training for their roles;
- b. Addressing issues with the councillor gateway system;
- c. Providing sufficient advanced notice for meetings, and at times that meet councillors' needs; and
- d. Promote and encourage good councillor conduct, including on digital platforms.

This will ensure councillors are more fully supported in their local leadership roles.

3.12 Continue to improve member and officer relationships with clear understanding of the respective roles, responsibilities and promoting good behaviours.

This will continue to strengthen Middlesbrough's governance guardrails, promote conduct in line with the Nolan Principles, and avoid the risks which in the past have arisen from Middlesbrough's Mayoral model.

4. Summary of peer challenge approach

4.1 The peer team

Peer challenges are delivered by experienced elected member and officer peers. The make-up of the peer team reflected the focus of the peer challenge and peers were selected by the LGA based on their relevant expertise. The peers were:

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- Andrew Lewis, Chief Executive of Liverpool City Council
- Mayor Paul Dennett, Mayor of Salford and Deputy Mayor of Greater Manchester Combined Authority
- Cllr Anna Charles-Jones, Independent Ratepayers Group Leader, Stockport Metropolitan Borough Council
- Cecilie Booth, Executive Director of Corporate Services and S151 Officer at Peterborough City Council
- Helen Edwards, Director of Law, Governance, Audit (Monitoring Officer), West Midlands Combined Authority
- Hilary Hall, Corporate Director Community Wellbeing (DASS), Herefordshire Council
- Sarah Sprung, LGA Senior Regional Adviser
- Frances Marshall, LGA Senior Regional Adviser and Challenge Manager

4.2 Scope and focus

The peer team considered the following five themes which form the core components of all Corporate Peer Challenges. These areas are critical to councils' performance and improvement.

1. **Local priorities and outcomes** - are the council's priorities clear and informed by the local context? Is the council delivering effectively on its priorities? Is there an organisational-wide approach to continuous improvement, with frequent monitoring, reporting on and updating of performance and improvement plans?
2. **Organisational and place leadership** - does the council provide effective local leadership? Are there good relationships with partner organisations and local communities?
3. **Governance and culture** - Are there clear and robust governance arrangements? Is there a culture of challenge and scrutiny?
4. **Financial planning and management** - Does the council have a grip on its current financial position? Does the council have a strategy and a plan to address

its financial challenges? What is the relative financial resilience of the council like?

5. **Capacity for improvement** - Is the organisation able to bring about the improvements it needs, including delivering on locally identified priorities? Does the council have the capacity to improve?

As part of the five core elements outlined above, every Corporate Peer Challenge includes a strong focus on financial sustainability, performance, governance, and assurance.

In addition to these themes, the council asked the peer team to provide feedback on its transition to permanent leadership.

4.3 The peer challenge process

Peer challenges are improvement focused; it is important to stress that this was not an inspection. The process is not designed to provide an in-depth or technical assessment of plans and proposals. The peer team used their experience and knowledge of local government to reflect on the information presented to them by people they met, things they saw and material that they read.

The peer team prepared by reviewing a range of documents and information in order to ensure they were familiar with the council and the challenges it is facing. This included a position statement prepared by the council in advance of the peer team's time on site. This provided a clear steer to the peer team on the local context at Middlesbrough Council and what the peer team should focus on. It also included a comprehensive LGA Finance briefing (prepared using public reports from the council's website) and a LGA performance report outlining benchmarking data for the council across a range of metrics. The latter was produced using the LGA's local area benchmarking tool called LG Inform.

The peer team then spent four days onsite at Middlesbrough Council, during which they:

- Gathered evidence, information, and views from more than 40 meetings, in addition to further research and reading.
- Spoke to more than 110 people including a range of council staff together with members and external stakeholders.

This report provides a summary of the peer team's findings. In presenting feedback, they have done so as fellow local government officers and members.

5. Feedback

5.1 Local priorities and outcomes

Located in the heart of the Tees Valley, Middlesbrough serves a diverse 152,650 strong population within 35 square miles, making it the North East's most densely populated area. The compact town has a mixed economy, including regional anchor institutions, a growing innovative digital sector and an expanding advanced manufacturing industry. It has been impacted by post-industrial decline and austerity. Ranked fifth in the indices of multiple deprivation, it faces stark social and economic challenges, with high levels of deprivation, child poverty and deeply embedded health inequalities.

The council's strong understanding of its local context is reflected in its commitment to confront the levels of social and economic deprivation to improve residents' lives. It is also evident in Middlesbrough's passionate staff and councillors, many of whom are long serving, with detailed knowledge of their communities and the challenges they face. This strength of allegiance to Middlesbrough is a powerful basis for driving improved outcomes. The council has been inspired by the community response to the social disorder experienced in the summer of 2024, and is determined to address the underlying causes. Middlesbrough's renewed emphasis on poverty reduction as a central focus for the council and its partners is a powerful statement of intent. The recent public health led 'poverty sprint' has created enthusiasm internally for its potential to drive change.

Middlesbrough has rich multicultural communities, with an increasingly diverse population, from 11.7 per cent of residents in 2011 being from an ethnic minority, to 17.6 per cent in 2021. The council recognises its changing demographics, and is renewing its emphasis on equality, diversity and inclusion (EDI). This can be seen internally through its people strategy, and externally with development of its support for communities with an emerging neighbourhood model and customer strategy. There is further to go to strengthen its approach to EDI - beyond compliance with its legal duty - across everything the council does. The peer team recommend Middlesbrough do more to promote greater representation within its workforce and locally elected representatives, as well as in supporting communities and in embedding equalities further into strategy, policy, and service delivery, so it becomes everyone's responsibility. It will be important to look at this agenda strategically for Middlesbrough as a whole, not just for the organisation and those elected or employed,

Middlesbrough's council plan, agreed in April 2024, provides an important strategic framework from which to drive its aspirations for place. It is frequently referenced within the council and is starting to inform its choices and priorities. Some services that are key to delivering the council's priorities, such as housing and asset management, are fragmented across directorates. Middlesbrough should consider consolidating certain functions to provide a single point of service provision and corporate oversight to help drive delivery.

The focus on internal improvements, driven by governance and financial challenges in recent years, has impeded long-term planning. Building on the council plan, Middlesbrough must now update and extend its long-term strategic policies and plans to ensure coherence, drive change, and shift focus from organisational recovery to delivering outcomes for residents. Developing a long-term vision for the town – which is co-designed with communities, businesses and partners - needs to be a critical element of this. (See organisational place leadership paragraph).

The council is proud of having successfully delivered significant internal performance improvement – from a low base - over the past two years. The withdrawal of the statutory Best Value Improvement Notice (BVIN) by government marks an important

milestone in this progress. The voluntary Middlesbrough independent improvement and advisory board (MIAB) has further validated the council's progress thus far. Middlesbrough's position statement provided to the peer team reflects a good understanding of the council's strengths and areas for improvement, recognising there is further to go, with continuous improvement required. As Middlesbrough moves away from 'recovery' into 'business as usual', it should look to benchmark itself not against its previous position, but against what 'good' looks like elsewhere.

The journey of improvement in Children's Services has also demonstrated steady progress, including moving out of government intervention. With a 'requires improvement' Ofsted judgement in March 2023, there remains a need for continuous focus and service improvement. The council is expecting the outcome of the Care Quality Commission's (CQC) assurance judgment for adult social care imminently. It will not be subject a Social Housing Regulator inspection due to its minimal stock holdings.

Middlesbrough has a performance management framework, with regular systematic reporting of performance against the council plan, as well as detailed reporting against its corporate improvement programme. It makes effective use of performance management data through Business Intelligence solutions such as power BI dashboards, Pentana system and ward profiles. Middlesbrough recognises the need to strengthen the robustness of its performance framework to track metrics wider than the corporate plan and do more to embed a performance culture across the organisation. It should also take steps to make better use of the rich data, analytics and intelligence the council hold, to drive decisions and service improvement.

To understand Middlesbrough's performance, the peer team considered the council's latest key performance reports, resident satisfaction data and [LGInform report](#) which benchmarks Middlesbrough's performance against the Chartered Institute of Public Finance and Accountancy's (CIPFA) nearest neighbours. The peer team was impressed by some council services which have been recognised as good practice. Examples included welfare rights and debt advice, the use of the household support fund, auto-enrolment for free school meals, public health interventions on food

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quality, the 'mobile adapt and mend service', and the town's culture offer and ambitions. Conversely there are many areas where Middlesbrough's performance is below those of comparative authorities and service improvement is required. This includes waste performance including recycling rates, contamination and levels of residual waste; obesity levels; and meeting housing need.

The council has a clear commitment to rise to the challenge of climate change. Its green strategy action plan sets out ambitions to be net zero by 2029 for the council's operations, and for the town by 2039. This strategic intent is not, however, underpinned by well-developed credible plans that are communicated clearly across the organisation. Further work is required to ensure the council can deliver on its green ambitions, without which the timetable for delivery is likely to need review.

5.2 Organisational and place leadership

Middlesbrough has navigated significant organisational changes in recent years, including political and senior officer turnover, and interim appointments. In May 2023, the local elections returned a new mayor and saw the council change political control. Permanent appointments to the chief executive and director of finance and transformation roles have been in post since in late 2024.

The peer team heard overwhelmingly that the organisational leadership and council's improvement trajectory has positively changed over the past year. The visible role of the mayor in this is widely acknowledged. The outgoing interim chief executive and interim director of finance also played vital roles at a critical time, initiating the measures necessary to steer the council through a potentially "catastrophic" financial position. The council is now at an important milestone with the establishment of a new permanent officer leadership team. This inevitably brings opportunities and risks that will need to be managed.

The permanent chief executive appointment has been welcomed by the workforce and councillors generally, creating significant good-will from staff and those partners familiar with his health and care leadership. His commitment to Middlesbrough is widely recognised, and introduction of a weekly vlog valued. The newly constituted

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senior officer management team (LMT) are working increasingly collegiately, and there is a good relationship between the chief executive, monitoring officer, and section 151 officer; sometimes referred to as the 'golden triangle'. This new 'golden triangle' has started to meet regularly to discuss issues around governance, finance, and risk. There are nevertheless anxieties from some, particularly outside the council, that recent changes in officer leadership could destabilise the council's improvement journey.

As a mayoral authority, the mayor's personal leadership style matters critically to the council's success. The peer team heard consistently that Middlesbrough's mayor brings authentic and community-focused leadership, informed by a deep understanding of Middlesbrough and its communities. As the council shifts away from short-term recovery in the next phase of its improvement, it will be important for the mayor to translate his approach to drive strategic delivery of a long-term collectively owned vision for the borough.

There is a positive relationship between the mayor and chief executive which is widely recognised. They are perceived – both internally and externally - as engaging, proactive, and their strong pride in place is embodied across the council. Middlesbrough should capitalise on this positivity to build momentum. The relationship between the mayor and chief executive is critical to providing a resilient basis for the council going forward. They should continuously work to align their messaging and demonstrate shared commitment, while each developing their respective, distinctive and complementary contribution to the council and the borough.

On an operational and project basis, there are examples of good collaboration providing shared leadership and outcomes. Notable examples include joint working with Middlesbrough Football Club, shared NHS operations tackling health and social care pressures whilst enhancing efficiency, and the voluntary, community and social enterprise sector's (VCSE) integration into the council's emergency response structures following the summer unrest. The council, however, recognises that this enabling partnership approach is not consistent, nor fully replicated at a strategic level.

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Strong, ambitious, long-term partnerships will be needed to achieve Middlesbrough's aspirations to increase economic growth, tackle poverty and support long-term financial sustainability. The external perception of the council by partners is, however, mixed, with many expressing frustrations at the council's partnership approach. There is a strong desire from across the business, VCSE and public sectors, for improved, coordinated, collegiate and strategic engagement at a much earlier stage. Priority should be given to Middlesbrough's planned 'relationship reset' with partners. The peer team endorsed this, recommending it be based on the principles of timely, meaningful collaboration, co-design, and common purpose.

The development of a purposeful long-term vision for Middlesbrough will be an important tool in reinvigorating strategic partnership working. The peer team recommended developing this in co-production with communities, partners and businesses to enable everyone to understand and contribute to its delivery, whilst maximising resources to achieve shared ambitions. It will also help shift the focus from organisational recovery to the delivery of outcomes for residents. It is important that this vision is practical and deliverable, to address the cynicism created by undelivered ambitions of the past.

Ensuring this work is supported by a strategic and proactive communications approach, aligned to the corporate plan, will be needed to ensure success. Doing so will demonstrate - both internally and with partners and residents - how the council is delivering with and for them.

Middlesbrough's position as a member of the Tees Valley Combined Authority (TVCA) is a significant strength, enabling it to benefit from devolution and creating opportunities for regeneration and growth. It will be central to delivering Middlesbrough's economic growth aspirations, which in turn are important for its financial sustainability. Governance challenges and political differences across the TVCA and Middlesbrough have made it challenging to realise this shared ambition and collective responsibility to Tees Valley. The peer team emphasised the importance of strengthening relationships with the TVCA - and its constituent councils - to maximise the potential for Middlesbrough and the wider Tees Valley and be at the forefront of devolution.

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In principle, the mayoral development corporation (MDC) for Middlesbrough town centre presents an important opportunity to deliver an ambitious shared agenda for the town. However, this prospect is yet to be realised, with Middlesbrough insufficiently included in critical decisions about its establishment and operations. The current situation risks continuing an unhelpful hiatus. Without mutually agreeing a way forward, the MDC will continue to complicate rather than enhance the prospects of radical improvements to the town centre. This needs to be addressed as a matter of urgency by all partners, involving compromises on each side. The peer team recommended doing so to unlock its potential as a powerful mechanism for integrating the council and TVCA's resources and assets, and potentially from central government or through greater devolution, to achieve a shared plan and common purpose for the town. This will necessitate agreement to respective roles within the MDC. It would also be aided by drawing on parallel arrangements in Hartlepool, and the lessons learned from the governance of Teesworks.

5.3 Governance and culture

Strengthening governance is a key priority for Middlesbrough, the importance of which is understood by the political and officer leadership. Middlesbrough, and the mayor personally, recognises that, while the directly elected mayoral model has been part of its governance for 22 years, it has at times over that period been associated with tensions which have been damaging to its governance and reputation. Responding to this recognised risk, the external auditor's statutory recommendations, and BVIN, the council has undertaken significant work in recent years through its corporate governance improvement programme and the introduction of governance "guardrails." These have included, though not limited to, reviewing the constitution, training for councillors and officers, strengthening decision-making processes, reestablishing values and behaviours, and a joint leadership development programme between LMT and the executive. The current mayor is clear that these measures are designed to be sustained irrespective of the holder of his office. They are therefore intended to future-proof good governance, learn lessons from past experiences, and mitigate future risks. The positive impact of these efforts is becoming evident and is reflected in Middlesbrough's annual governance statement

which provides a robust view of its governance arrangements and relevant risks. While progress has been made, there is still work to do in strengthening and reinforcing governance, culture, and compliance.

This can be seen with the external auditor's 2023/24 Value for Money assessment issuing a qualified opinion and identifying weaknesses in financial sustainability, governance and improving economy, efficiency, and effectiveness. A qualified opinion across all three elements of the audit assessment is not common and signals significant concerns. The external auditors did, however, also recognise the council's positive direction of travel, acknowledging progress across all three areas of identified weakness. Addressing these should continue to be a priority in Middlesbrough's continuous improvement. The good relationship emerging between Middlesbrough and its new external auditors provides a solid base from which to do so.

Internal audit is a critical element of Middlesbrough's financial and governance recovery process, providing assurance through its independent appraisal of internal controls. It was not clear to the peer team if Middlesbrough's current internal audit provision is adequate for a council recovering from financial distress and governance challenges. The peer team recommended Middlesbrough should review and strengthen its internal audit arrangements and provision to ensure they are fit for purpose and adequately support – and provide assurance on - its continuous improvement journey. Establishing a locally owned assurance and improvement approach for Middlesbrough post MIIAB will also be important to sustain continuous improvement. (See Organisation and Place Leadership paragraph).

The peer team heard that Middlesbrough's audit committee provides robust challenge and is regarded as effective. Committee members are given support, including recent finance training that has been well received. The council has been seeking to recruit up to two co-opted independent persons to the committee's membership. The peer team would encourage Middlesbrough to deliver on this intention. This approach is in accordance with CIPFA guidance, reflects good practice, and will strengthen the audit committee further.

Middlesbrough's overview and scrutiny approach has undergone significant change

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in the past 12 months, following a review to enhance its effectiveness. The peer team heard widespread frustrations about the efficacy of the new arrangements, and the degree to which they enable effective and robust scrutiny. The planned review of the new arrangements in May 2025 will be important to strengthen the scrutiny function, ensure it is strategic, adds value and makes best use of resources. The peer team recommended the review consider if the current arrangements are sufficient to provide effective scrutiny of key service areas - such as finance, adults and children's - and other wider placed based responsibilities.

The peer team heard that councillor-officer relationships have improved significantly in recent times. Most relationships were described as respectful, with councillors and officers able to be open, honest and constructively challenge each other. This view was widely shared within the council, with a sense that improved working relationships were having a positive impact on organisational culture and delivery. Staff survey results go some way to support this, with 82 per cent of staff indicating a positive or neutral stance on there being improved councillor and officer relationships, however the response rate was not high.

Improvements in councillor conduct can also be seen with a significant reduction in the number of code of conduct complaints, from 59 in 2023, to 21 in 2024. Whilst reduced, the number of complaints remains significant, with several examples of councillor conduct not being within the spirit of the Nolan Principles. This is particularly related to the conduct of a minority of councillors on social media, including intemperate and inappropriate comments exchanged between councillors, which only serves to reduce the reputation of the democratic process overall. The peer team recommends that Middlesbrough continues its efforts to promote good councillor behaviours and improve councillor and officer relationships, with clear understandings of the respective roles, responsibilities and operational and strategic boundaries. It is positive that insight from complaint data is being utilised to understand areas for training and support.

Some councillors reported issues with reports for committees not being as “accessible” as they would like. Some reported that they needed printed copies of reports, due to disability-related needs, and this was difficult as they were provided

only with black and white printers at home, and the courier service for delivery of papers printed at the office was not always reliable. Issues were also reported with the way in which reports were written, an example shown was where a dark blue colour had been used to “highlight” black text, making it very difficult to read.

Concerted efforts to enhance support to councillors has been made as part of Middlesbrough’s cultural change programme. This has included establishment of a member development strategy to support continuous development, a refreshed member development programme, and a new induction programme. The new induction has received positive feedback, whilst views on the member development programme was more mixed. To further enhance support to councillors to fulfil their roles to best effect, the peer team recommended that Middlesbrough:

- provide support to portfolio holders in their Executive roles with administrative support and training so they can be further engaged and empowered around financial management, corporate plan delivery and the performance of their services;
- provide sufficient advanced notice for meetings, and hold them at times that meet councillors needs; and
- support transitioning to digital solutions and change, taking account of reasonable adjustments for disability-related reasons that may be necessary for a small number of individuals.

Investment has also been made in co-designing a ‘councillor gateway’ case work management approach. The peer team heard widespread concerns from councillors about its functionality, inability to track progress on casework, useability on mobile devices, and desire for further training support. Addressing this will be important to ensure the gateway meets councillors’ needs, and so the system is utilised and not circumvented.

Incremental steps have been taken to foster constructive cross-party working. Examples include holding political group leader meetings, cross-party working groups, and the sharing of vice-chair and the appeals committee chair roles across political groups. Whilst these steps are positive, distrust between councillors can at

times distract from moving the council forward. More should be done to develop relationships and communications between political groups on strategic issues for the benefit of the town. This will help drive better outcomes for residents, as well as support continuous governance improvement.

5.4 Financial planning and management

Middlesbrough has been on an impressive financial improvement journey, with its financial position improved significantly since March 2024. From requiring exceptional financial support (EFS) in 2024/25 with £13.4m approved, to only £4.7m now expected to be required, and balanced budgets being recommended to full council for 2025/26 and 2026/27. Middlesbrough is understandably proud that its 2025/26 budget includes headroom for investment in priority areas, a transformation contingency reserve, and growth in reserves to support financial resilience and delivery of outcomes. This is a remarkable financial turnaround in such a short space of time, particularly with Middlesbrough beginning the process of building back reserves at the same time as delivering savings.

This positive progress must not, however, be construed as Middlesbrough's financial challenges being "resolved". The council's overall financial position remains precarious, with £31.1m savings required over 2024/25 - 2028/29 to address the gap in its medium-term financial plan (MTFP). This fragility is exemplified by Middlesbrough's low reserves level compared with sector benchmarks. It is further compounded by uncertainty – like all councils - with a one-year financial settlement and planned government review of local government financing in 2025/26.

Middlesbrough's improved financial position has been achieved in large part due to revised bad debt provision and through concerted efforts to improve – from a low base – financial ownership and rigour across the council. Greater budget ownership at a senior level has made a significant difference to organisational financial grip, and it is imperative this is maintained. The peer team came across some examples where staff and councillors had an overly optimistic view of the financial challenges, believing that the issues were now completely resolved. The council will need to

guard against complacency over Middlesbrough's transformation journey, to avoid losing momentum towards long-term financial sustainability, or reducing the commitment to deliver on the necessary hard decisions which remain to be taken. The peer team recommended that there is significant work remaining to embed this shared understanding and collective ownership. To achieve this, financial systems could be better utilised to enable self-service for budget holders. This would support greater ownership and accountability for budget holders which would in turn strengthen on-going delivery of transformation, savings and efficiencies.

Similarly, improving scrutiny and audit committees' oversight will enable more effective monitoring of the council's financial position, strengthen transparency, and promote wider comprehension among key partners and the public. Supporting the Executive further to own and shape the overall financial position, with regular budget monitoring, will also be important. The Executive working with senior officers, and collectively, to challenge, monitor and hold each other to account as an Executive, as well as individual portfolio holders will help strengthen corporate grip.

At the point of the peer challenge, Middlesbrough was reporting limited in-year service pressures, and was confident in delivering its £5m savings target, within the 2024/25 financial year. At a time when service demand is an extreme financial pressure for many councils, this effective management is noteworthy. However, with only £0.8m of the £5m savings target delivered by quarter two, peers questioned if delivery of savings in full by year end remained realistic. The peer team recommended Middlesbrough review its MTFP assumptions on a quarterly basis to ensure they are robust and not overly optimistic. This should be accompanied by monthly budget update reports to the Executive which include clear plans for managing demand and delivering savings. This will further strengthen financial grip, oversight and risk mitigation.

The council is at an early stage on its transformation journey. A transformation programme has been developed - supported by governance and programme management disciplines - to deliver Middlesbrough's ambitions for achieving financial sustainability over the medium-term and improving outcomes. The future viability of the council rests on this programme delivering. To date, outcomes have

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predominantly been service improvements and efficiencies, with genuine transformation benefits yet to flow through. The peer team welcomed Middlesbrough's planned refinements to distinguish management of savings from key transformation projects, which would be a necessary step in strengthening transformation delivery. Identifying transformation outcomes at the outset, and resulting savings being captured in the MTFP, will also be important to do so.

A reset of the council's approach to transformation is vital to shift away from tactical savings during a crisis, to long term financial sustainability and continuous improvement to deliver better outcomes. This is a stated priority of the new chief executive. To do so, the peer team recommended Middlesbrough undertake a cross-council reset and relaunch of its transformation priorities, alongside the council plan and council values. It will be imperative this is underpinned by strong leadership, a robust communications and engagement plan, and organisational development strategy to ensure that staff, councillors and partners are bought into this journey.

The peer team also recommended creating dedicated transformation leadership expertise at senior officer level – separate to the director of finance and transformation position - to ensure transformation is championed, collectively owned, delivered, and not derailed by potentially conflicting directorate objectives. This role will be needed to lead, consolidate and prioritise the current programme, identify new areas for transformation, and track progress and delivery of desired outcomes.

5.5 Capacity for improvement

Middlesbrough has a passionate, loyal workforce, committed to the residents they serve. They have carried the council through difficult times. The peer team heard from staff that the council has a supportive organisational culture, and there is a growing optimism about the future. This will stand Middlesbrough in good stead for dealing with current and future challenges, with staff being the bedrock on which the future council can be built.

To do so effectively it will be important to enable greater cross-organisational working to unlock productivity and collaboration benefits. The peer team heard consistently

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that silo working is impacting on efficiency, customer service and outcomes for the council, its communities, and partners. The transformation programme, people strategy and planned partnership strategy must be used to address this.

Middlesbrough's people strategy – approved in April 2024 – sets out its aspirations to provide an inclusive environment that allows its workforce to flourish and is representative of Middlesbrough's communities. There are well established staff networks for protected characteristics and shared interests, with staff given time off to attend them. These enable staff to influence the direction of travel and are beginning to inform policy development, such as around HR policies for example. There is however further to go to support EDI in the workforce. This is reflected in the fact with an increasingly diverse population, it is more important than ever to ensure the workforce is representative of the communities it serves. Currently there are equality gaps, such as lack of diversity at senior management level. Addressing this will be important to drive more inclusive and impactful decision-making and service delivery by harnessing different perspectives. (See local priorities and outcomes paragraph.)

The council's people strategy recognises the importance of its people in achieving its aspirations for sustainable culture change and delivering differently. With an ageing workforce, recruitment and retention are core planks within this, as workforce stability and capacity are critical to delivering Middlesbrough's priorities. Apprenticeships and professional development opportunities are valued by staff and contributing to workforce retention.

Recruitment, however, is a challenge, with higher levels of pay and competition from other authorities being contributory factors. This is particularly acute for certain roles – such as finance, legal and social care professionals – with skill and capacity gaps posing a significant organisational risk. The peer team recommended urgently undertaking a review of the competitiveness of recruitment in these key areas – benchmarked against other councils, and in partnership rather than competition with other Tees Valley councils - to support recruitment and retention of key roles. This should be linked to workforce and succession planning to mitigate risks and focus on both bringing in external, as well as nurturing internal, talent.

The council has a strong commitment to transformation, with three main cross cutting

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transformation priorities – customers, neighbourhoods and digital. Staff involved in developing these priorities are enthusiastic and passionate about the difference it will make to Middlesbrough. They recognise that delivering ‘genuine transformation’ will be critical to achieving financial and outcome benefits. There is appetite from some staff for Middlesbrough to be bolder in its transformation approach, with concerns that parts of the organisation feel that transformation has been ‘completed’. It will be critical to reset Middlesbrough’s transformation approach, with dedicated senior officer expertise to drive the organisational change and buy-in required to deliver successful transformation. (See financial planning and management paragraph).

The peer team heard concerns that services may not be adequately resourced to properly support organisational change and transformation. This included key services that are enablers to transformation, such as finance, human resources, ICT and internal audit. Addressing this will be vital to ensure the transformation programme delivers the savings and outcomes required to achieve financial sustainability. The peer team recommended Middlesbrough review its organisational capacity - including corporate services and supporting data and analysis - to ensure relevant services are adequately resourced to support transformation outcomes.

Many partners the peer team spoke with recognise the financial and capacity challenges the council faces. Middlesbrough should do more to leverage in place-based resources through earlier, more strategic collaboration and co-production with partners. Doing so can help drive sustained transformation and better outcomes for the council and its communities.

As Middlesbrough embarks on its next chapter post MIIAB, the impetus for its improvement is no longer crisis recovery or external pressure, but for the people of Middlesbrough who deserve a council that aspires to be outstanding. To do so, the peer team recommended establishing a system of assurance and improvement for Middlesbrough which is locally owned and understood. This will provide the council, partners and residents with assurance and support to embed and sustain continuous improvement and address apprehensions the council could regress. To succeed, it will need to maintain its continuous improvement momentum and benchmark against best practice, whilst building capacity and capability to deliver.

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6. Next steps

It is recognised that senior political and managerial leadership will want to consider, discuss and reflect on these findings. The LGA will continue to provide on-going support to the council. Following publication of CPC report you need to produce and publish an Action Plan within 5 months of the time on site. As part of the CPC, the council are also required to have a progress review and publish the findings from this within twelve months of the CPC. The LGA will also publish the progress review report on their website.

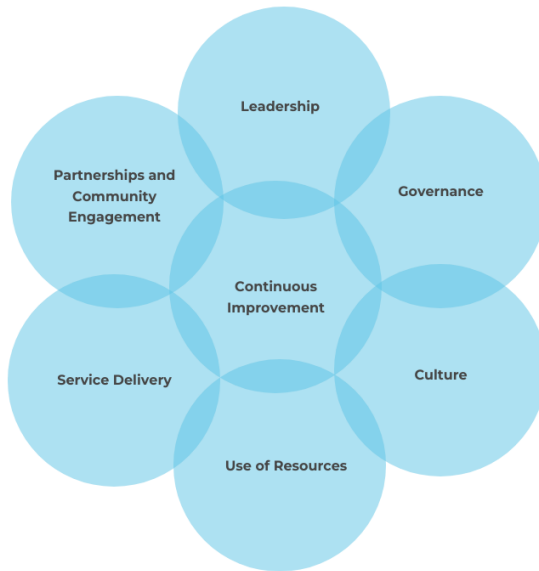
The progress review will provide space for a council's senior leadership to report to peers on the progress made against each of the CPC's recommendations, discuss early impact or learning and receive feedback on the implementation of the CPC action plan. The progress review will usually be delivered on-site over one day.

The date for the progress review at Middlesbrough Council will be before 16 January 2026.

In the meantime, Mark Edgell, Principal Adviser for North East, Yorkshire and Humber and East Midlands is the main contact between your authority and the Local Government Association. As outlined above, Mark Edgell is available to discuss any further support the council requires. Mark.Edgell@local.gov.uk.

Continuous Improvement Plan

Delivery of the Council's Continuous Improvement Plan has a clear relationship with the Best Value Duty. Delivery of actions will ensure it has a robust approach across all the seven themes that comprise the Best Value Duty:



This will ensure the Council is in a stronger position to deliver the four ambitions it has set out within the 2024 – 2027 Council Plan that Middlesbrough will:

- Be a successful and ambitious town
- Be a healthy place
- Have safe and resilient communities
- Deliver Best Value.

This plan addresses both the findings of the Local Government Association (LGA) Corporate Peer Challenge team and the last report of the Middlesbrough Independent Improvement Advisory Board (MIAB). Many of the recommendations are duplicated across both documents. Where this occurs, they have only been captured to avoid duplication.

Council Plan Ambition	Best Value Theme	Recommendation	Action	Owner(s)	Target date for completion
All	Partnerships and Community Engagement	<p>Develop in co-production with communities, residents, partners and businesses a long-term vision for the town that is inclusive, practical and deliverable.</p> <p>By looking outwards and harnessing untapped potential to deliver its vision, this will enable everyone to understand and contribute to delivering shared ambitions for the benefit of Middlesbrough and its communities.</p>	<p>The Council is in the process of reestablishing a town wide engagement mechanism for Partners which will be called a Towns Board and will replicate the best parts of the defunct Local Strategic Partnership arrangements to ensure there is a regular meeting of key strategic public, private and VCS partners to set the strategic direction for the town and identify and deliver system wide change to improve outcomes for our residents. Once established, the first key task will be to co-produce a vision in a process that engages local communities and residents.</p>	Chief Executive	Board to be established by June 2025 and a co-produced vision will be developed during 2025/26.
All	Partnerships and Community Engagement	<p>Redefine Middlesbrough's strategic approach to partnership working based on principles of timely and meaningful collaboration, co-design and with common purpose to inspire and build a team beyond the council that are galvanised to deliver for the town.</p> <p>This will strengthen delivery of Middlesbrough's place shaping ambitions, maximise use of collective resources, and help shift the focus from organisational recovery to delivery of improved outcomes for residents.</p>	<p>The Council is committed to working with partners more effectively to co-produce a vision for the town, alongside a strategy, underpinned by agreed principles which will govern how we will work together to deliver improved outcomes for our residents. It is planned to use the reestablished Towns Board to co-produce an agreed strategic approach to partnership working.</p>	Chief Executive	March 2026
All	Partnerships and Community Engagement	<p>Develop and seek to strengthen relationships with the Tees Valley Combined Authority and Tees Valley councils.</p> <p>This will maximise the potential for Middlesbrough and the wider Tees Valley to realise the benefits from being at the forefront of devolution and drive economic development and growth which will be critical to all the council's ambitions.</p>	<p>Officers are continuing to engage with the TVCA officers to work positively with them and there are a range of officer working groups that are well established across the Tees Valley.</p> <p>The Council will seek formal engagement with the TVCA other Local Government members of the Combined Authority to outline a proposed revised engagement approach across matters of mutual interests to enable</p>	Mayor and Chief Executive	May 2025

Council Plan Ambition	Best Value Theme	Recommendation	Action	Owner(s)	Target date for completion
			improved outcomes for residents and businesses in the Tees Valley		
All	Partnerships and Community Engagement	<p>Seek to resolve the hiatus with the Middlesbrough Mayoral Development Corporation to achieve a shared plan for the town.</p> <p>This will unlock its potential as a powerful mechanism for effectively delivering economic development and growth and integrating the resources and assets of the council and TVCA.</p>	The Council will seek formal discussions with TVCA and government on options to address the hiatus in the best interests of the residents of Middlesbrough.	Chief Executive	May 2025
All	Culture	<p>Develop and embed a comprehensive approach to strengthening equality, diversity, and inclusion, including:</p> <ol style="list-style-type: none"> In organisational development, the workforce and democratic representation; Within strategy, policy, and service delivery; and Community engagement, ensuring it looks at this agenda strategically for Middlesborough as a whole, not only for the organisation and those elected or employed. <p>This will ensure EDI is at the heart of everything it does, that the council is representative of the communities it serves and delivers better decision-making by harnessing different perspectives</p>	<p>We will raise the ambitions within the People Strategy and Member Development Strategy (expanding to include promotion of councillor roles to potential future councillors) to seize the opportunities that an improved approach to community engagement will bring as our residents increase their trust in the Council.</p>	Head of HR and Head of Legal (People)	<p>People Strategy annual review (April 2025)</p> <p>Member Development Strategy annual review (February 2026)</p>
			<p>We will review the Council's report formats, policy and strategy templates to strengthen the way the Council assesses the impact of its activities on equality, diversity and inclusion.</p>	Head of Governance, Policy and Information	May 2025
			<p>Over the next 12 months the Council plans to increase community development capacity as part of the emerging Neighbourhoods Strategy which will include actions to also reset its approach to community engagement to ensure it better understands and responds to the needs of its communities as well as reestablishing a proactive approach to decision making that focusses on coproduction where possible.</p>	Director of Environment and Community Services	March 2026
Delivering Best Value	Use of Resources	Bring further rigour to financial planning and management to support savings delivery and financial resilience by:	Effects on the Medium-Term Financial Plan (MTFP) are going to be included within future quarterly budget outturn reports.	Section 151 Officer	To commence within the year-end report for 2024/25 (June 2025)

Council Plan Ambition	Best Value Theme	Recommendation	Action	Owner(s)	Target date for completion
		a. Reviewing the MTFP assumptions and updating them on a quarterly basis, with clear plans for managing demand and delivering savings reported in monthly budget reports.	The Council already has a cycle of monthly budget reporting and agreement of actions in response to issues raised by this process. These are then formally reported to Members/ appropriate member decision making and engagement is undertaken. This is included within the quarterly outturn reports		
		b. Supporting Executive Members to own and shape the financial position, within their portfolio areas and collectively, working with senior officers to challenge, monitor and hold each other to account.	Executive role - Further training will be provided to Executive Members on financial management disciplines. The Council already has in place Executive involvement in the budget clinic cycle, attending on a quarterly basis for all areas except Children's Services where they attend monthly.	Section 151 Officer	March 2026
		c. Embed understanding and ownership of the financial position with budget holders to ensure the on-going delivery of transformation, savings and efficiencies.	Regular monthly reports continue to be submitted to Leadership Team and Wider Leadership Management Team on the budget position. We have an ongoing training programme that we are committed to delivering to ensure we raise and maintain the financial skill sets of our budget holders. Additional support is targeted at new budget holders, on a risk-based approach, with the highest levels of support targeted at those managing the most volatile budgets.	Section 151 Officer	Monthly
		d. Ensuring that scrutiny and audit oversight is effective, transparent and supports understanding - beyond the council - with key partners and the public.	A proposal will be submitted to Audit Committee to recommend it completes a self-assessment against CIPFA Good Governance guidance in March. If agreed, it will be delivered during 2025/26.	Section 151 Officer	March 2025, with the review to be completed during 2025/26
		e. Reviewing pay scales to support recruitment and retention of key staff, linked to workforce and succession planning, with a focus on both bringing in external, as well as nurturing internal, talent.	Scrutiny - the Monitoring officer and S151 officer are working towards development of an integrated approach to reporting the quarterly outturn position to improve members understanding of the overall position of the Council financially and their understanding of the impact on delivery of Council plan priorities	Section 151 Officer and Monitoring Officer	June 2025 onwards

Council Plan Ambition	Best Value Theme	Recommendation	Action	Owner(s)	Target date for completion
			The Towns Board, once reestablished, will become the vehicle through which strategic discussions with our partners are held this will include sharing information about our spending power and priorities. The Board will be established during 2025.	Chief Executive	May 2025
			We are securing additional capacity within the HR team to be able to look at options around the Council's recruitment and retention of key staff as well as ongoing delivery of the People Strategy to ensure our staff have the skills and capabilities to be able to meet the needs of succession planning.	Head of HR	May 2025

Council Plan Ambition	Best Value Theme	Recommendation	Action	Owner(s)	Target date for completion
All	Use of Resources	<p>Reframe Middlesbrough’s approach to transformation, shifting from tactical savings during a crisis, to long term financial sustainability and continuous improvement to deliver better outcomes, by:</p> <ul style="list-style-type: none"> a. Undertaking a cross-council reset and relaunch of its transformation priorities, alongside the council plan and council values, underpinned by strong leadership, a robust communications and engagement plan, and organisational development strategy. b. Creating a senior transformation officer role to lead, consolidate and prioritise the current programme, identify new areas for transformation, track progress and delivery of desired outcomes, and drive the organisational change and buy-in required to deliver successful transformation. c. Reviewing capacity to deliver Middlesbrough’s transformation ambitions, including within corporate services and supporting data and analysis and performance management, to ensure that all relevant services are adequately resourced to support transformation outcomes. 	<p>Following successful delivery of a programme of projects which have been primarily focussed on putting the council on a sound financial footing.</p> <p>The Council is currently pausing slightly to ensure the next phase of its approach to transformation of services, using a refined set of projects and programmes that has an increased focus on delivery of improved outcomes for our residents to support delivery of the council plan vision and underpinning ambitions, within a sustainable cost envelope.</p> <p>A report on the revised approach and the plans to put in place the capacity to deliver it successfully will be presented to Executive shortly.</p>	Chief Executive and Section 151 officer	April 2025
Delivering Best Value	Continuous Improvement	<p>Establish a locally owned assurance and improvement approach for Middlesbrough once the voluntary improvement Board steps down.</p> <p>This will help embed and sustain continuous</p>	<p>This Continuous Improvement plan and the regular reporting of it to Executive and Scrutiny will ensure there is a locally owned assurance and improvement plan in place.</p>	Chief Executive	July 2026 onwards

Council Plan Ambition	Best Value Theme	Recommendation	Action	Owner(s)	Target date for completion
		improvement and support, providing oversight of the golden thread between the council's vision, corporate plan, performance and delivery of outcomes. By doing so, it will provide the council, its partners, and residents with assurance that the improvement journey is continuing at pace.			
Delivering Best Value	Use of Resources	Review and strengthen Middlesbrough's internal audit arrangements and provision. This will ensure they are fit for purpose and adequately support its continuous improvement and assurance journey, with internal audit a key tool when deployed strategically in the delivery of high-quality services, transformation and financial outcomes	Commission an external review of the current arrangements for internal audit to provide assurance to the Council as to whether they remain fit for purpose or require adjustment to better support the Council's continuous improvement and assurance journey.	Section 151 Officer	Review to be commissioned by September 2025 for deliver in 2025/26.
All	Governance	<p>Review and strengthen Middlesbrough's overview & scrutiny arrangements.</p> <p>This will ensure arrangements support robust and impactful scrutiny for the future, aligned with best practice.</p>	<p>A planned review is already underway to assess the impact and effectiveness of the current arrangements following 12 months of their implementation with a view to changing if needed. Guidance from the Centre for Governance and Scrutiny will be used and members will be fully engaged in the review.</p> <p>In addition, a pre-scrutiny protocol will be developed to establish a collaborative working relationship between Executive and Scrutiny Councillors to enhance decision-making in the organisation.</p>	Monitoring Officer	May 2026
All	Governance	<p>Support councillors further in their roles through:</p> <ul style="list-style-type: none"> a. Providing the Executive with administrative support and training for their roles; b. Addressing issues with Councillor Gateway system; 	<p>We are securing additional democratic support capacity to support the Executive team administration their roles.</p> <p>We are securing additional capacity to support the quality of responses to Members and to manage feedback from Members to establish a continuous improvement approach to both the system and the outcomes members are seeking.</p>	Monitoring Officer	September 2025

Council Plan Ambition	Best Value Theme	Recommendation	Action	Owner(s)	Target date for completion
		<ul style="list-style-type: none"> c. Providing sufficient advanced notice for meetings, and at times that meet councillors' needs; and d. Promote and encourage good councillor conduct, including on digital platforms. 	<p>Ongoing discussions will continue to be held with Members to identify the issues with timings and options the Council could put in place to manage timings and support Members to attend.</p> <p>We have recently delivered further training to all Members on good conduct on social media and will regularly push out reminders on good practice on social media usage.</p>	<p>Monitoring Officer</p> <p>Monitoring Officer</p>	<p>May 2025 committee diary setting by Council and ongoing</p> <p>Ongoing</p>
All	Governance	<p>Continue to improve member and officer relationships with clear understanding of the respective roles, responsibilities and promoting good behaviours.</p> <p>This will continue to strengthen Middlesbrough's governance guardrails, promote conduct in line with the Nolan Principles, and avoid the risks which in the past have arisen from Middlesbrough's Mayoral model.</p>	<p>We are committed to an ongoing cycle of training and development of both officers and Members and will regularly take the temperature of the organisation through engagement and surveys to identify where more needs to be done.</p>	<p>Monitoring Officer</p>	<p>Ongoing regular surveys throughout the year</p>
Delivering Best Value	Use of Resources, Service delivery and Continuous Improvement	<p>Develop a medium-term plan, as organisational capacity improves, to integrate finance and performance reporting within the corporate governance framework.</p>	<p>Following successful growth bids to put in place the capacity within Finance, action is being taken to secure additional capacity to reestablish a more embedded performance management process as well. Action will initially be taken to recruit additional capacity, with a view to first working together to strengthen performance management and reporting and then jointly developing an integrated approach to reporting to improve the Council's ability to demonstrate alignment of its resources with Council priorities and the relationship between resourcing and performance across its priority areas.</p>	<p>Section 151 Officer and Monitoring Officer</p>	<p>Staff will be recruited into post by September 2025.</p>
Delivering Best Value	Use of Resources	<p>Focus on long term financial resilience and:</p> <ul style="list-style-type: none"> a. tight control on 2025/26, b. develop a balanced position for the 	<p>The Council has a robust budget management approach in place which it intends to maintain in 2025/26, including ongoing budget clinics, with Member involvement within them, as well</p>	<p>Section 151 Officer</p>	<p>Quarterly throughout 2025/26</p>

Council Plan Ambition	Best Value Theme	Recommendation	Action	Owner(s)	Target date for completion
		<p>medium term,</p> <p>c. have a planned approach to growth,</p> <p>d. do not fund ongoing expenditure from one off funding pots,</p> <p>e. focus on transformational opportunities.</p>	<p>as monthly budget reporting to inform these processes.</p> <p>Regular liaison with Executive will be undertaken as part of the quarterly review of the effects of decisions and expenditure on the MTFP. This will include medium term planning for growth.</p> <p>Not funding ongoing expenditure from one off pots of funding is a principle that is already robustly applied to Council budget setting processes. For example the proposed governance of the Middlesbrough Priorities fund includes such a principle.</p>		
Delivering Best Value	Use of Resources	Be prudent with extra money: top up reserves (to a level higher than currently suggesting), invest in contingency.	<p>This is another principle within the Council's budget setting process and there are a number of contingencies built into the budget including a risk fund to manage risks around non-delivery of savings.</p> <p>The Medium-Term Financial Plan includes plans to grow the reserves prudently while balancing against the level of demand arising from being a local authority in one of the country's most deprived areas.</p>	Section 151 Officer	n/a - Ongoing over the life of the Medium Term Financial Plan
All	All	Build organisational capacity to strengthen resilience in finance, HR, OD and transformation to support delivery of your corporate plan priorities.	The Council has already taken action to identify funding for growth in these areas and it will consider whether there are any further growth needs within its reset approach to transformation which will be considered by Executive in April 2025.	Chief Executive	May 2025
All	Leadership	Continue to focus on organisational development as an important part of your continuous improvement journey, with a particular focus on team development and	Executive and Leadership team development programme has been put in place and is resuming at pace, with external support and expertise. In addition, the Council is refreshing	Monitoring Officer	Ongoing

Council Plan Ambition	Best Value Theme	Recommendation	Action	Owner(s)	Target date for completion
		embedding stable, permanent leadership arrangements.	support for its wider Managers, reestablishing a management training gateway, along with a wide range of programmes to develop skills and capacity. This is being overseen within the delivery of the People Strategy		
All	All	Complete and implement your communications strategy and use it as an effective tool to bring the council vision to life and to ensure that both the internal and external environment understands the outcomes the council is trying to achieve.	Once the Council has reset its approach to transformation, a draft Communications Strategy will be developed to ensure that there is a plan in place, owned by senior leaders, that ensures the Council is clearly communicating its vision, priorities and actions to ensure Members, Staff, the public and partners understand and engage with the outcomes the council is trying to achieve.	Chief Executive	Draft Strategy June 2025, to be reviewed on a quarterly basis by Leadership team.

To note: This is a live document and as such actions may be amended, added to or edited where it is appropriate to do. For example, there are areas within both reports where no formal recommendation has been made but there are statements that warrant further consideration, and additional actions may be added. Where there are changes, these will be documented to ensure transparency. Also initial action within this plan may lead to a need for further actions to be undertaken and these will be captured as necessary.

MIDDLESBROUGH COUNCIL	
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Report of:	Director of Legal and Governance Services
Relevant Executive Member:	The Mayor
Submitted to:	Council
Date:	26 March 2025
Title:	Pay Policy Statement 2025/2026
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

Executive summary

The Pay Policy Statement sets out the Council's policies on remuneration of its staff in accordance with Section 38 of the Localism Act 2011.

This includes various employee policies relevant to the remuneration of Chief Officers in operation within the Council. The actual content of those policies included within the statement will continue to be determined by current mechanisms.

The Pay Policy Statement must be approved by full Council before publication on the Council's website and must be published before 31st March each year.

1. Purpose

1.1 To seek approval of the Pay Policy Statement 2025/2026 (Appendix 1).

2. Recommendations

2.1 That the Council

- Approve the Pay Policy Statement as set out in Appendix 1.

3. Rationale for the recommended decision(s)

3.1 It is a statutory requirement of the Localism Act 2011, that the Council produces an annual Pay Policy Statement.

3.2 The Policy must be approved by full Council.

4. Background and relevant information

4.1 The Pay Policy Statement sets out details on the Council’s policies including:

- Level of remuneration of Chief Officers
- Level of remuneration paid upon recruitment
- Payment of increments and increases in salary
- Enhanced / additional pension contributions
- Payment of bonuses, performance related pay and severance pay
- Awarding additional fees
- The creation of new posts with a salary package over £100,000 per annum
- Employment of individuals already in receipt of a local government pension
- Employment of ex-employees
- The Council’s approach to the pay of its lowest paid employees
- The pay multiple calculation

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

5.1 To not approve the Pay Policy Statement. This is not recommended because it would result in failure to comply with the Localism Act 2011.

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

Topic	Impact
Financial (including procurement and Social Value)	There are no direct financial implications arising from this report. It sets out financial detail but this is determined by the Council’s range of HR policies that are in place.
Legal	As set out above – it is a requirement of the Localism Act 2011 have and publish a Pay Policy Statement.
Risk	The policy positively impacts on the following risks within the Council’s Strategic Risk Register:

	- Corporate Governance is not fit for purpose
Human Rights, Public Sector Equality Duty and Community Cohesion	The statement sets out how the Council remunerates its employees and provides assurance that it is employing fair and transparent employment practices. All information is based on existing HR policies and procedures.
Climate Change / Environmental	There are no direct implications arising as a result of this report.
Children and Young People Cared for by the Authority and Care Leavers	There are no direct implications arising as a result of this report.
Data Protection	There are no direct implications arising as a result of this report.

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

Action	Responsible Officer	Deadline
To publish the Pay Policy Statement on the Council's website.	Nicola Finnegan	30 th April 2025.

Appendices

1	Pay Policy Statement 2025/2026
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Background papers

Body	Report title	Date
Council	Pay Policy Statement 2024/2025	March 2024

Contact: Nicola_finnegan@middlesbrough.gov.uk

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Pay Policy Statement 2025/2026

Introduction

1. This Pay Policy Statement sets out the Council's policies on remuneration of its staff in accordance with Section 38 of the Localism Act 2011. The policy must be approved by full Council and is subject to annual review. Any amendments during the year must also be considered by full Council. The Pay Policy Statement will be published on the Council's website as soon as reasonably practicable after approval or amendment.
2. Section 38 of The Localism Act 2011 does not require the Council to consider individual schools, or any individual employed by a third party contracted to work for the Authority. Therefore, the arrangements set out in this document do not extend to any staff employed within a school or individuals engaged via an agency.

Definitions

3. The Localism Act 2011 defines the following as Chief Officer posts:
 - Head of Paid Service designated under Section 4(1) of the Local Government and Housing Act 1989
 - Monitoring Officer designated under Section 5(1) of that Act
 - Any statutory Chief Officer mentioned in Section 2(6) of that Act
 - Any non-statutory Chief Officer mentioned in Section 2(7) of that Act
 - Any Deputy Chief Officer mentioned in Section 2(8) of that Act.
4. The following posts within the Council fall within the above definition:
 - Chief Executive
 - Executive Director
 - Strategic Directors
 - Directors
 - Monitoring Officer (Director of Legal and Governance Services)
5. At 31st December 2024 the lowest paid employee of the Council received £12.65 per hour. This is higher than The Real Living Wage rate for 2024/25, which increased to £12.60 with effect from 23rd October 2024.
6. Apprenticeships have been excluded as the salaries attributable to apprenticeships are largely in line with those set out within National Apprentice rates.
7. The median salary figure for the organisation is the middle value of all employees' salaries listed in numerical order. The median salary figure is then used to calculate the organisation's pay multiple and is calculated on a fixed date each year, on 31 December.

Content

8. To comply with the Localism Act 2011, the Council is required to approve a Pay Policy Statement setting out details of the Council's policies on the following:
- Level of remuneration of Chief Officers
 - Level of remuneration paid upon recruitment
 - Payment of increments
 - Enhanced / additional pension contributions
 - Payment of bonuses, performance related pay and severance pay for Chief Officers
 - Awarding additional fees for election work
 - The creation of new posts with a salary package over £100,000 per annum
 - Employment of individuals already in receipt of a local government pension
 - Employment of ex-employees as Chief Officers under a contract for services
9. The Pay Policy Statement also sets out:
- The Council's approach to the pay of its lowest paid employees
 - The relationship between Chief Officer / senior staff pay, and the Council's remaining employees as set out within the context of the pay multiple calculation
 - How this Pay Policy Statement will be publicised

Chief Officer Remuneration

10. The level of remuneration paid to Chief Officers is based on the Local Government Association Scheme and the policy on this was approved in December 2005 by the Mayor. The terms and conditions of Chief Officer Employment contracts incorporate nationally agreed Joint Negotiating Committee terms and conditions.

Post	Salary Band
Chief Executive	£166,435
Executive Director	£122,614 - £135,299
Strategic Director	£115,978
Joint Director of Public Health ¹	£97,860 - £103,849
Monitoring Officer ²	£115,978
Director Level 1	£97,860 - £103,849
Director Level 2	£85,881 - £91,872

Level of remuneration paid upon recruitment

11. The Council's policy on pay upon recruitment is set out within the Recruitment & Selection Policy Statement and Guide, which applies to all employees. The Starting Salaries Policy states that upon recruitment to a post, remuneration will begin at the bottom of the pay band unless agreed otherwise by the Director and the Head of Human Resources in exceptional circumstances. In the case of Chief Officers, the Chief Executive and the Director of Finance would be required to agree any variation to this policy.

¹ Director of Public Health has joint responsibility for Middlesbrough and Redcar & Cleveland

² Currently allocated to the Director of Legal and Governance Services

Payment of increments and increases in salary

12. The Council's policy on the payment of increments is that all employees with less than six months' service on the first of April will receive their first increment six months after appointment, promotion or re-grading. Otherwise, all employee increments are payable on an annual basis on the first of April. Other increases in pay for any employee will only occur where:

- There is a pay award agreed by way of national / local collective bargaining
- There is a significant change to a job role which results in a higher salary being appropriate which is confirmed by an appropriate job evaluation process
- Recruitment and Retention payments which, following consideration of the circumstances at the time, are deemed necessary and in the best interests of the Council and which are determined under the relevant policy relating to such payments.

Enhanced / additional pension contributions

13. The Council's policy on enhanced or additional contributions to pensions is set out within the Teesside Pension Fund Policy Statement and the Council's Statement of Policy regarding the application of the discretionary elements of the Local Government Pension Scheme regulation. These apply to all employees. These statements set out:

- Allocation of employee contribution bands
- Awarding extra benefits for early retirement situations
- Extending time limits for certain provisions
- Setting up a shared cost Additional Voluntary Contribution (AVC) scheme
- Waiving actuarial reductions for early / flexible retirements

Payment of bonuses, performance related pay and severance pay

14. The Council's policy is that it does not operate bonus or performance related pay for its employees.

15. The policy on severance and redundancy pay is set out within the Reviews, Consultation and Redundancy Policy, which applies to all employees. This states that calculation of any redundancy payment to an employee will be in accordance with the Council's policy in relation to Redundancy. Redundancy payments will be based on age and years' service in line with the Statutory Redundancy table up to a maximum of 30 weeks, however the Council retains the discretion under the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales Regulations) 2006 to offer discretionary payments. Such discretionary elements will be approved by the Chief Officer Appointments Committee as a Committee of full Council.

16. Corporate Affairs and Audit Committee previously approved a temporary enhancement of the Council's Voluntary Redundancy Scheme. This policy currently enables a multiplier of 1.25 to be applied to voluntary redundancies that arise either because of a review within a specific service area or from time to time within a Council wide scheme.

17. Where consideration to allow voluntary redundancy/early retirement to terminate a contract of employment any redundancy payment, pension strain costs and/or salary in

lieu of notice total amounts to a single payment of £100,000 or more, full Council or a committee thereof will be given an opportunity to vote before the package is approved.

18. Where an employee is contractually entitled to a payment in excess of £100,000 on the grounds of compulsory redundancy, failure to comply with this would place the Council in breach of contract and leave it exposed to litigation. Therefore, there is an exemption from the requirement to give Council an opportunity to vote on those cases where the payment of a severance package does not involve any discretion, this is because the Council is legally bound to comply with severance terms in any event.
19. In the absence of any exceptional circumstances which render it necessary in the best interests of the Council to do so, the Council will generally not re-engage any individual who has previously been employed by the Council and left that employment with the benefit of a severance, early retirement, or redundancy payment.

Awarding additional fees

20. The policy on the payment of additional fees is set out within the Council's Constitution and decision making is delegated to the Corporate Affairs and Audit Committee. The Council's policy on the payment of additional fees to officers within the scope of this statement is that fees for election duties for Chief Officers are not included in salaries. These are determined separately in consultation with the other Tees Valley Councils. For contested elections, the fees are based on an agreed sum for the first 1,000 electors and a further sum for each additional 1,000 electors or fraction thereof, and a set agreed sum for uncontested elections. This policy of payment is approved by the Council's Corporate Affairs Committee and is in line with national guidance and legislation.

Creation of new posts with a salary package over £100,000 per annum

21. In line with the requirements of the Localism Act 2011, Council will be given the opportunity to approve salary packages for any new posts that would come within the scope of this Pay Policy Statement, defined within the Act as posts over £100,000 per annum. This includes any additional fees, charges or allowances that would be routinely payable. The approach to be taken when creating a new post is set out within the Constitution. Where a Chief Officer post is created which is under £100,000 the usual processes will be followed as set out within the Recruitment and Selection Policy and the Pay Policy Statement will be amended accordingly.

Employment of individuals already in receipt of a local government pension

22. The approach to the employment of individuals already in receipt of a Local Government Pension is set by the administering authority for the pension. The Local Government, Teesside Pension Fund has resolved not to abate pensions on re-employment, having regard to the enactment of regulations introducing flexible retirement, unless an enhanced ill-health retirement has been awarded. Some pensioners have been awarded extra pensions by their former employers to compensate them for retiring early. When this happens, the extra pensions, called compensatory added years (CAYs), are paid along with the Fund's retirement pension. These extra pensions may be abated upon re-employment or upon subsequent retirement, in accordance with the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2000 (as amended).

Employment of ex-employees as Chief Officers under a contract for services

23. The Council's position is that this is generally discouraged, however there may be some specific circumstances where employment of an ex-employee under these terms, could be the most effective and efficient way of meeting the Council's needs. If this situation applies formal approval must be sought from the Chief Executive in their role as Head of Paid Service.

Chief Officers' Tax and National Insurance

24. The Council does not enter arrangements with individual employees to minimise their tax and national insurance contributions.

Remuneration of the lowest paid employees within the Council

Lowest paid employees

25. On 31st December 2024 the lowest FTE salary within the Council grading structure is £24,404.

The Council's approach to the pay of its lowest paid employees

26. The Council is committed to ensuring that pay and reward policies are fair and that the needs of the lowest paid employees are properly considered. The Council has completed the job evaluation process to ensure that all employees receive a fair and equal rate of pay for the work that they undertake. The Council is signed up to nationally negotiated pay agreements.

Relationship between the highest paid employee and other employees

27. The Council publishes its pay multiple in line with the Local Authorities (Data Transparency) Code 2015. The pay multiple is the ratio between the highest paid employee (£166,435) and the median earnings across the organisation (see paragraph 7 for information on the method used to calculate this). The current median salary earned within the Council is £29,093. The pay multiple is 5.72.

Publication of the Pay Policy Statement and transparency information

28. The Pay Policy Statement is published on the Council's website. Further information on the remuneration of Chief Officers can be found on the Open Data section of the Council's website in line with the Local Authorities (Data Transparency) Code 2015.

Potential future review

Recovery of Public Sector Exit Costs

29. The Government is seeking to introduce legislation to require senior officers in the public sector (those earning over £80,000) to repay termination payments if they return to the public sector within a prescribed period, which is currently proposed as 12 months. The enabling provisions are set out in the Enterprise Act which received Royal Assent in May 2016. However, there is still no clear timeline for the implementation of these provisions.

£95k Exit Cap on Public Sector Employees

30. The Restriction of Public Sector Exit Payments Regulations 2020 came into force on 4th November 2020. The government then dis-applied the regulations with effect from 12th February 2021 and they were formally revoked on 19th March 2021.
31. The Government has not confirmed when the exit cap or further reforms will be introduced, it is unlikely to happen in the immediate future given the time it will take to consult and make changes to legislation.
32. The Pay Policy Statement will be amended should there be any changes in regulation.

MIDDLESBROUGH COUNCIL	
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Report of:	Director of Environment & Commercial Services
Relevant Executive Member:	Executive Member for Neighbourhoods & Communities
Submitted to:	Council
Date:	26 March 2025
Title:	Approval of Statement of Licensing Policy 2025 – 2030 and Cumulative Impact Assessment 2025 – 2028
Report for:	Decision
Status:	Public
Council Plan priority:	Safe and resilient communities
Key decision:	No
Why:	Not applicable
Subject to call in?:	No
Why:	Decision made by Council

Executive summary	
To seek Council approval of the Statement of Licensing Policy 2025 – 2030 and Cumulative Impact Assessment 2025 – 2028.	

1. Purpose

- 1.1 This report is to seek Council's approval of the Statement of Licensing Policy 2025 - 2030 and Cumulative Impact Assessment 2025 – 2028.

2. Recommendations

- 2.1 That the Council approves the Statement of Licensing Policy 2025 – 2030; and
 2.2 That the Council approves the Cumulative Impact Assessment 2025 – 2028.

3. Rationale for the recommended decision(s)

3.1 The Statement of Licensing Policy and Cumulative Impact Assessment must be ratified by full Council in order to be fully adopted and implemented.

4. Background and relevant information

4.1 Section 5 of the Licensing Act 2003 (“the Act”) requires Licensing Authorities to prepare and publish a Statement of Licensing Policy that they propose to apply in exercising their functions under the Act. Such statements are to apply across a stated five-year period. Pursuant to the Act, the Council’s Statement of Licensing Policy must be approved by Council. During each five-year period the Council must keep its Licensing Policy under review and make such ‘revisions as it considers to be appropriate’. The Statement of Licensing Policy is considered when the Council exercises its functions under the Licensing Act.

4.2 The purpose of the Policy is to promote the four Licensing Objectives:

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance
- Public Safety
- The Protection of Children from Harm

4.3 The Council’s previous Statement of Licensing Policy took effect on 1 January 2017 and had application until 31 December 2022. Due to the impact of the Coronavirus pandemic it was not possible to review the Policy and Cumulative Impact Assessment at the appropriate time.

4.4 Since the introduction of the Licensing Act in 2005, the Council has implemented Cumulative Impact Policies for certain types of premises. The previous policy included cumulative impact policies for the following areas:-

On Licensed premises

Designated area of the Town Centre – see map in CIA at Appendix 3

Off Licensed premises only

Central
Newport
Park
Longlands & Beechwood
North Ormesby

4.5 These policies were implemented based on evidence in relation to:-

- Local crime and disorder statistics including statistics on specific types of crime and crime hotspots;
- Statistics on local anti-social behaviour offences;
- Health-related statistics such as alcohol-related emergency attendances and hospital admissions;
- The density of licensed premises; and
- Evidence obtained through local consultation

4.6 Since 6th April 2018, an amendment to the Licensing Act was introduced by the Policing and Crime Act 2017, that placed a duty on Licensing Authorities intending to implement a Cumulative Impact Policy to carry out a cumulative impact assessment to evidence the justification of such policy.

4.7 Section 5(a) of the Act states that a Licensing Authority may publish a Cumulative Impact Assessment (CIA) to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. This includes serious problems with disorder and nuisance. CIAs relate to applications for new premises licences and club premises certificates, and applications to vary existing premises licences and club premises certificates in a specified area. Where a Licensing Authority publishes a CIA, it must, before the end of a three-year period, consider whether it remains of the opinion set out in the assessment.

4.8 A Draft Statement of Licensing Policy and Cumulative Impact Assessment have been developed in accordance with the Act. Officers believe that the evidence provided in the cumulative impact assessment justifies the inclusion of three additional ward areas in the Off Licence Cumulative Impact Policy, which are:-

Park End & Beckfield

Brambles & Thorntree

Berwick Hills & Pallister

4.9 A consultation exercise has been carried out with statutory consultees and wider partners. The consultation ran for a period of 8 weeks from 1 July 2024 until 26 August 2024.

4.10 Following the consultation on the Draft Policy and CIA, 10 responses were received, including from Cleveland Police, the Office of the Cleveland Police and Crime Commissioner and the Council's Public Health/Licensing officers. Details of the consultation responses along with the Officers' responses are shown in the table attached at Appendix 1.

4.11 In consideration of the responses to the consultation a number of amendments have been made to the Statement of Licensing Policy including the following:-

- Drink and Needle spiking (Paragraph 5.5)
- Violence against women and girls (Paragraph 5.6)
- Counter Terrorism – Terrorism (Protection of Premises Bill), also known as “Martyn’s Law” (Paragraph 5.7)
- Public Space Protection Orders, including problems associated with street drinkers (Paragraph 5.1)
- The role of Public Health and its influence on licensing decisions (Paragraph 3.11)

In addition, amendments to the draft Policy have been made in relation to matters concerning Child Sexual Exploitation (Paragraph 8.1) and alcohol delivery services (Paragraph 9.6).

4.12 Minor amendments have also been made to the CIA. The revised draft policy and CIA are shown in Appendix 2 and 3 respectively. For ease of reference the amendments made to both documents have been highlighted in red and emboldened. A list of consultees is provided in the draft Policy document.

4.13 At its meeting held on 24 February 2025, the Licensing Committee received a report concerning approval of Statement of Licensing Policy 2025 - 2030 and Cumulative Impact Assessment 2025 – 2028. Following consideration of such report the Committee decided as follows:-

1. To approve the Statement of Licensing Policy 2025 – 2030 and Cumulative Impact Assessment 2025 – 2028; and
2. To recommend to Full Council that the Statement of Licensing Policy 2025 – 2030 and Cumulative Impact Assessment 2025 – 2028 be ratified.

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

5.1 There are no other alternative options, the Statement of Licensing Policy and Cumulative Impact Assessment must be ratified by full Council in order to be fully adopted.

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

Topic	Impact
Financial (including procurement and Social Value)	The annual fee levels paid by holders of premises licences are set by the Secretary of State and are intended to provide for full cost recovery of all licensing functions including the preparation and publication of the Statement of Licensing Policy and Cumulative Impact Assessment. The current fees produce income of £181,500. The annual fee levels have not been reviewed since the introduction of the Act in 2005 and they do not cover the cost of delivering the licensing functions. Annually, there is a £50,700 pressure on this budget.

Legal	The Council is under a legal duty to formally approve the adoption of its Statement of Licensing Policy and Cumulative Impact Assessment. The policy is required to be reviewed every 5 years and the Cumulative Impact Assessment every 3 years. A decision by full Council to approve a new policy will remedy the current position of being without a policy.
Risk	The Licensing Policy is a requirement of the Licensing Act 2023 to support the Council in assessing applications and other processes under this legislation.
Human Rights, Public Sector Equality Duty and Community Cohesion	An initial Impact Assessment has been carried out and no negative or adverse impacts have been identified.
Climate Change / Environmental	Not applicable.
Children and Young People Cared for by the Authority and Care Leavers	Not applicable.
Data Protection	Not applicable.

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

Action	Responsible Officer	Deadline
Implementation of Statement of Licensing Policy 2025- 2030 and Cumulative Impact Assessment 2025-2028	Judith Hedgley	1 st May 2025

Appendices

1	Table of Responses to consultation on Draft Statement of Licensing Policy and Cumulative Impact Assessment.
2	Final Draft Statement of Licensing Policy.
3	Final Draft Cumulative Impact Assessment.

Background papers

The following background papers were used in the preparation of this report:-

Guidance issued under Section 182 of the Licensing Act 2003.

Contact: Tim Hodgkinson

Email: Tim_Hodgkinson@middlesbrough.gov.uk

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SOLP and CIA Consultation Responses

Appendix 1

No.	Consultee/ Respondent	SOLP Response/Comments	CIA Response/comments	Other Comments	Officer response
1.	Resident	Licensing should be a break the rules you lose the licence, its upto the owners to get there staff to do there job correctly. if a staff member does not do there job right then they loose there licence todo the job too with a fine.			The LA has a statutory obligation to enforce the relevant legislation to ensure compliance across all licensing matters. All duties are exercised in a proportionate and consistent manner.
2.	Resident	As a resident I am often appalled that we have the worst crime rates in the country, the worst shoplifting rates and one of the highest knife crime rates. Drugs and alcohol fuel crime and there are already enough premises serving or selling alcohol especially in areas like Thorntree and Brambles Farm as well as the town centre.			The areas mentioned within this response are subject to the CIA and if approved will form part of the Cumulative Impact Policy along with other areas that have been identified as having high volume crime rates. This will provide greater control over licensing decisions on matters relating to premises located in such areas.
	Resident		A agree wholeheartedly with the Policies.		Comments noted.
4.	Portman Group	<p>Thank you for reaching out and inviting comment on your draft revised Statement of Licensing Policy.</p> <p>We very much appreciate the existing signposting in the document under provision 8.12 on 'advertising' commending the use of the 'Portman Group' Code of Practice on the naming, packaging and the promotion of alcoholic drinks in all licensed premises.</p> <p>In terms of extra builds to the draft, we would ask that you perhaps consider adding in a little extra context in the text concerning the Code of Practice and encouraging retailers in your area to abide by Retailer Alert Bulletins to remove irresponsible products and promotions.</p>			<p>Noted observations with regard to paragraph 8.13 within the draft policy document which has been amended to reflect the suggestions with regard to The Portman Groups revised guidance.</p> <p>Sect 182 guidance Naming, packing and promotion in retail premises 10.11 The Government acknowledges that the irresponsible naming, packing or promotion of alcoholic drinks may contribute to alcohol related harms. Where there is direct evidence of specific incidents of</p>

SOLP and CIA Consultation Responses

Appendix 1

Page 172		<p>We would suggest including something along the following lines:</p> <p><i>The Portman Group Code of Practice</i></p> <p><i>The Portman Group operates, on behalf of the alcohol industry, a Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks. The Code seeks to ensure that drinks sold in licensed premises are packaged and promoted in a socially responsible manner and only to those who are 18 years old or over. Complaints about products under the Code are considered by an Independent Complaints Panel and the Panel's decisions are published online. If a product's packaging or point-of-sale advertising is found to be in breach of the Code, the Portman Group may issue a Retailer Alert Bulletin to notify retailers of the decision and ask them not to replenish stocks of any such product or to display such point-of-sale material, until the decision has been complied with. We would encourage retailers to sign up to and abide by Retailer Alert Bulletins. The Secretary of State's Statutory Guidance under the Licensing Act 2003 states that licensing authorities should, in the exercise of their licensing functions consider whether it is appropriate to impose conditions on licences that require the licence holder to comply with the Portman Group's Retailer Alert Bulletins.</i></p> <p>We would also ask that you consider the comments from former UK Public Health Minister Andrea Leadsom in February 2024, who suggested that "licensing authorities should consider whether it is appropriate to impose</p>			<p>irresponsible naming, packing or promotion of alcoholic drinks linked to the undermining of one of the licensing objectives, licensing authorities should, in the exercise of their licensing functions (in particular, in relation to an application for the grant, variation or review of a premises licence), consider whether it is appropriate to impose conditions on licences that require the licence holder to comply with the Portman Group's Retailer Alert Bulletins. This condition should be considered on a case by case basis and in the context of the promotion of the licensing objectives.</p>
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SOLP and CIA Consultation Responses

Appendix 1

		<p>conditions on licences that require the licence holder to comply with the Portman Group’s Retailer Alert Bulletins” if there is evidence of irresponsible alcohol promotion undermining licensing objectives.</p> <p>If you have any questions or any of the above or how we can be of further assistance in your work, please just let me know.</p>			
5.	Public Health/Licensing	<p>SOLP response</p> <p>Public Health The Licensing Authority recognises there is no Public Health licensing objective and therefore is limited in its ability to conduct its licensing function to promote public health. The licensing function can only be carried out to promote the four licensing objectives as set out by the Licensing Act 2003. Nevertheless, the Licensing Authority recognises the potential impact of alcohol on the public health of the residents of Middlesbrough. This can have a big impact on the National Health Service and medical providers locally. Public Health are a Responsible Authority under the Licensing Act 2003 and can make representations on licence applications as well as calling for reviews on premises that undermine the licensing objectives. The Secretary of State’s Guidance states that health bodies can make representations based on any of the four licensing objectives. The Licensing Authority considers data:</p> <ul style="list-style-type: none"> • Around hospital admissions due to alcohol consumption, 			<p>New paragraph has been inserted in the revised draft policy to provide information to businesses and key stakeholders about the role of Public Health, and its influence on decisions relating to licensing matters. (Paragraph 3.11)</p>

SOLP and CIA Consultation Responses

Appendix 1

Page 174	<ul style="list-style-type: none"> • That shows a correlation between anti-social behaviour and excessive alcohol consumption in different localities, • That references violence related to alcohol or the night-time economy in general, • That links high alcohol consumption to a particular area, and • That undermines the physical, moral and psychological safety and welfare of children and vulnerable persons, to all be relevant to the promotion of the licensing objectives. <p>Any or all this evidence could provide grounds for Public Health in their role as a Responsible Authority to make a representation on the basis of any of the licensing objectives. Although public health is not a licensing objective, the Licensing Authority believe that this Statement of Licensing Policy needs to be placed in context with the alcohol-related harms that are apparent in Middlesbrough. The Licensing Authority takes the issue of public health extremely seriously and would expect applicants and licence holders to familiarise themselves with any local issues that may be detrimental to the public health of people living in, working in and visiting Middlesbrough.</p> <p>4.2 – to include licensed premises operating in the day and night time economy</p> <p>5.3 - Anti Spiking Spiking is a crime: Spiking is giving someone alcohol or drugs without them knowing or agreeing. For example, in their drink or with a needle.</p> <p>Spiking of any kind, whether it be by adding to a persons drink or an injection is an offence under</p>			<p>Noted and draft policy amended.</p> <p>It is recognised that anti-spiking is a high profile matter and that more awareness is needed around this subject. The observations and recommendations that have been made have been noted and amendments have been made in the draft policy. (Paragraph 5.5)</p>
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SOLP and CIA Consultation Responses

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Page 175		<p>the section 24 of the Offences Against the Person Act 1861 (administer poison or other noxious substance with the intent to injure, aggrieve or annoy a person). This offence is not limited to illicit drugs, the offence occurs if alcohol or other legal substances (e.g., sleeping tablets) is added to a person's drink. The Sexual Offences Act 2003 covers cases where someone spikes a victim to sexually assault them. Best Practice guidance:</p> <p>Operators are strongly encouraged to develop a harm-reduction policy for their business and ensure sufficient measures to protect and provide support to customers in spiking and vulnerability incidents.</p> <p>Spiking and vulnerability</p> <ul style="list-style-type: none"> – Physical and other measures to prevent the spiking of drinks at the premises, i.e. where drugs or alcohol are added to someone's drink without them knowing – Active bystander training for staff – How the venue will encourage an active bystander approach – Having designated, trained welfare staff – Mobile phone-charging facilities for customers – Providing a safe space for welfare or first aid while getting further help <p>The Night-Time Industries Association (NTIA) published an Industry Security Information Note. (highlight link) to support enhanced security efforts in the hospitality sector.</p> <p>The NTIA's information note contains some useful guidance to the hospitality sector about the risks of drink spiking.</p>		
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SOLP and CIA Consultation Responses

Appendix 1

Page 176		<p>Violence against women and girls</p> <p>The Licensing Authority are committed to ensuring Middlesbrough is a safe and welcoming place for everyone, regardless of their gender, ethnicity, sexuality, beliefs, or background. Drink spiking has been highlighted as being a risk, particularly in the night-time economy.</p> <p>This Policy aims to ensure that vulnerability and women's safety is an important consideration in decision-making in licensing matters. The Licensing Authority will ensure that guidance is sought from relevant authorities on the prevalence, prevention and reporting of sexual harassment and misconduct and gender-based violence.</p> <p>Operators are strongly encouraged to develop a Safeguarding and Vulnerability policy for their business and ensure that sufficient measures are in place to protect and provide support to customers.</p> <p>The Licensing Authority expect licensed premises to have appropriately trained staff, who are proactive and vigilant around women's safety at night. This includes a duty to capture information and report to the police where appropriate.</p> <p>Counter Terrorism</p> <p>The Terrorism (Protection of Premises) Bill, or Martyn's Law, is pending UK wide legislation that will place a requirement on those responsible for</p>			<p>The importance of raising awareness of VAWG is recognised. Relevant information regarding VAMG has been included in the draft policy. (Paragraph 5.6)</p> <p>It is recognised that Counter Terrorism is a high profile matter and that more awareness is needed around this</p>

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Page 177	<p>certain publicly accessible locations to consider the threat from terrorism and implement appropriate and proportionate mitigation measures.</p> <p>Martyn's Law, if enacted will apply to anyone responsible for publicly accessible locations used for purposes such as entertainment and leisure, retail, food and drink, museums and galleries, sports grounds, public areas of local and central Government buildings (e.g., town halls), visitor attractions, temporary events, Places of Worship, health, and education. Many of these locations will have the benefit of a premises licence.</p> <p>The government have indicated that publicly accessible locations with a capacity of more than one hundred people will need to undertake simple yet effective activities to improve protective security and preparedness. Those activities will include completing free training, raising awareness and cascading information to staff. As well as completing a plan. Publicly accessible locations with a capacity greater than eight hundred people will also be required to produce a risk assessment and security plan, considered to a 'reasonably practicable' standard.</p> <p>If this Bill is enacted, it will become primary legislation that must be complied with whether a premises has a licence or not.</p> <p>Although no date has yet been set for the introduction of the legislation advance information, guidance and news about training resources can be found at:</p> <ul style="list-style-type: none"> • counter terrorism pages on GOV.UK • Protect UK website 			<p>subject. The observations and recommendations that have been made have been inserted into the draft policy. (Paragraph 5.7)</p>
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Page 178	<p>Local Counter Terrorism measures Having consulted Andy Shippey, Community Safety partnership officer, the following information has been provided which outlines the local approach to Counter Terrorism</p> <p>Deliver and promote the Protect strategy focusing on the priorities within, to reduce the threat from Terrorism in licensed premises, ensuring licensed premises are adequately prepared for and equipped to respond in the event of a terrorist incident.</p> <p>The licensing authority continues to provide free ACT (Action Counters Terrorism) Awareness training courses both E-Learning and in person (upon request*) delivered for licensed premises for venue operators, Designated Premises Supervisors, and those in managerial positions.</p> <p>We encourage licensed premises to incorporate the freely accessible ACT E-learning and the SCan for All eLearning resources as part of wider staff training packages. We also encourage licensed premises owners to make use of the information and guidance available on the Protect UK platform including use of the Protect UK App .</p> <p>The licensing authority also expects that</p> <ul style="list-style-type: none"> - Steps are taken to ensure all people employed at the premises whose job includes being alert to the terrorist threat are aware of: <ul style="list-style-type: none"> o the current terrorist threat level o what that level means in relation to the possibility of an attack. - Risk assessments for public entertainment venues include 			
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Page 179	<p>consideration of the risk of a terrorist attack and the different types of attack.</p> <ul style="list-style-type: none"> - All persons responsible for security are briefed at every event about the current threat level and risk of terrorist attack. - All public-facing staff must be clear about what to do if the public report suspicious activity or unusual behaviour to them. All suspicious behaviour by customers or members of the public close to the venue must be noted and be reported promptly so that investigations can be made, and action taken, if appropriate. - All public facing staff know the appropriate actions to take in the event of an incident which may include, but is not limited to, a marauding terrorist attack, unattended/suspicious items, vehicle borne attack. Advice and guidance available on Protect UK. <p>*Requests for in-person training can be submitted via email to communitysafety@middlesbrough.gov.uk .</p> <p>** Act Awareness and SCaN for All eLearning resources can also be requested from communitysafety@middlesbrough.gov.uk</p> <p>Para 5.6 – to amend the final 3 bullet points as follows:</p> <p>Considering the non-sale of certain alcohol products such as super-strength beer, lagers, ciders or perry products of 6.5% ABV (alcohol by volume) or above.</p> <p>Banning the sale of single cans or bottles of beer or cider.</p>			<p>Suggestions made have been accepted and draft policy at paragraph 5.6 has been amended.</p>
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		<p>Consideration of restricting the sales area at any one time for the sale, exposure or display of alcohol. (No more than (x)% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol) This is dependent on the size and nature of the business, e.g. alcohol sales in premises such as post offices, newsagents.</p> <p>Para 8.10 to include highlighted wording Consideration should be given to the use of SCANNET or similar devices which are used to detect false identification by those that seek unlawful entry to licensed premises.</p> <p>Para 8.13 to include: Premises Licence Holders should also give consideration to their pricing of soft drinks pricing so as not to discourage consumption of soft drinks.</p> <p>In licensed premises where the primary use is for children’s activities i.e. soft play/bowling, the advertising of alcohol should be restricted to the licensed areas where alcohol sales are made.</p> <p>Para 8.16 – to remove reference to CRB</p> <p>9.6 – to include</p>			<p>The comments relating to the restrictions on the areas for alcohol sales inside premises have been accepted and draft policy has been amended (para 5.6).</p> <p>Reference to the use of SCANNET or similar devices are accepted and the draft policy amended (para 8.10).</p> <p>Comments relating to the pricing of soft drinks has been accepted and the draft policy amended (para 8.13).</p> <p>Comments around the advertising of alcohol in and around soft play areas have been accepted and draft policy has been amended (para 8.13).</p> <p>Reference to CRB has been removed from the draft policy (para 8.16).</p>
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Page 181		<p>Alcohol Deliveries</p> <p>The Licensing Authority considers there are particular risks associated with delivery services for alcohol.</p> <p>An applicant seeking a licence that will enable them to provide alcohol as part of an alcohol delivery service should include in their operating schedule the procedures, they intend to implement to ensure that:</p> <ul style="list-style-type: none"> • The person they are selling alcohol to is at least 18 years of age. • The alcohol is delivered to a person who is at least 18 years of age. • A clear document trail of the order process from order, dispatch from the licensed premises and delivery to the customer is maintained (with times and signatures) and available for inspection by an authorised officer. • The time the alcohol is sold and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol. • Age verification procedures are implemented at both point of sale and delivery stages, with a Challenge 25 policy implemented at the point of delivery. • Retailers should ensure that delivery staff have been given appropriate training in procedures relating to requesting and identifying proof of age and implement these procedures as standard. 		<p>The concerns raised regarding the particular risks associated with delivery services for alcohol are acknowledged, and the draft policy has been amended to include the comments made. (Paragraph 9.6)</p>
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Page 182	<p>Para 10.5 – to remove reference to rebuttable presumption as this no longer applies.</p> <p>Para 11.3 – Link does not work, needs to be checked.</p> <p>Appendix 1 – Needs to be amended and list of consultees needs to be amended.</p> <p>Glossary Pg 67 – The meaning of Regulated Entertainment needs to be stated.</p> <p>Reference to Late Night Refreshment unnecessary duplication.</p> <p>Child Sexual Exploitation</p>		<p>It is acknowledged that the sentence stating that there will a “rebuttable presumption that an application for a premises licence within a Cumulative Impact area will be refused” no longer appears in the statutory guidance issued under the Licensing Act. Therefore, the relevant paragraph has been removed from the revised draft policy.</p> <p>The link relating to reviews at paragraph 11.3 in the draft policy needs to be checked whether still relevant.</p> <p>The list of consultees shown at Appendix 1 within the draft policy has been amended.</p> <p>The meaning of “Regulated Entertainment” contained within the Glossary of Terms has been corrected.</p> <p>The unnecessary duplication of reference to “Late Night Refreshment” within the Glossary of Terms has been removed.</p> <p>The comments made regarding Child Sexual Exploitation are considered to</p>
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Page 183		<p>There are a number of criminal offences associated with Child Sexual Exploitation (CSE) which could have damaging consequences for a hospitality business, including a possibility of prosecution, action being taken against a premises licence and reputational and/or financial damage. It is the responsibility of premises licence holders and their managers to make sure that suitable control measures are in place at licensed premises for the protection of children from harm. This is a legal requirement under the Licensing Act 2003 and there are legal implications if licenced premises do not have safeguards in place or fail to act if sexual exploitation of children occurs, or is believed to have occurred, on the premises. Hotels and hostels play an important role in protecting children from harm. These premises may sell alcohol either in a bar, restaurant, at an event on the premises or in rooms, either via room service or mini bar. Therefore, sufficient procedures and suitable training must be provided to staff on age restricted sales. These venues often have children staying at their premises who are accompanied by an adult. The licence holder and staff have an important part to play in safeguarding children and young people. Hotels are often used as a place to exploit and abuse victims of child sexual exploitation. The Police have powers to demand guest information in connection with child exploitation. All children must be safeguarded from harm and exploitation whatever their:</p> <ul style="list-style-type: none"> • Race, religion, first language or ethnicity. • Gender or sexuality. • Age, Health, ill-health or disability. 		<p>be extremely important and reference to this subject matter has been amended in the revised draft policy (Paragraph 8.1)</p>
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		<ul style="list-style-type: none"> • Location or placement (e.g. living alone in a hostel or residential unit, with family or a foster family; as a tourist in a hotel, etc). • Criminal or offensive behaviour, wealth or lack of it. • Political or immigration status <p>Public space protection orders</p> <p>The Council supports the use of Public Space Protection Orders as a tool to prevent alcohol related crime and disorder in the streets. The Council expects premises that operate in areas where Public Space Protection Orders have been implemented to have measures in place to ensure that their customers do not contribute to drink related anti-social behaviour.</p>	<p>CIA document</p> <p>Para 2.6 – impact is already being experienced in an area designated to be a CI area. to consider adding the word ‘further’ negative impact.</p> <p>Para 4.1 – Need to change in the reference to previous 5 years of data.</p>		<p>The comments made regarding Public Space Protection Orders are accepted and have been included in the revised draft policy. Reference to problems associated with street drinkers has also been included in the revised draft policy. (Paragraph 5.1).</p> <p>Comments made regarding the Cumulative Impact Assessment are noted and relevant amendments to the draft policy have been made.</p> <p>Paragraph 2.6 has been amended to state:- It is for the applicant to demonstrate, within their operating schedule, that they will not be adding to the cumulative impact. Applications in areas covered by a CIA should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives.</p>
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Page 185			<p>Para 10 – Needs to be deleted, not necessary as referred to in section 5.3.</p> <p>Summary and conclusion to be amended to para 10</p>		<p>The following paragraph has also been included in the draft CIA document (at paragraph 2.8) and in the Statement of Licensing Policy (paragraph 10.18)</p> <p>The council makes it clear in this policy that cumulative impact, in the absence of a specific ‘special’ policy, can still be raised in relevant representations and could form the basis for legitimate questions by members of the licensing sub- committee. i.e. the absence of a special policy does not prevent the issue of cumulative impact being properly raised, considered and acted upon in the interests of promoting the licensing objectives.</p>
	Cleveland Police	<p>Thank you for your contact with regards to the Consultation on the CIA and Policies this is really appreciated as you are aware Mr Webster faced some questions around this in a recent meeting – Steve kindly supported my knowledge.</p> <p>In terms of moving forward and taking a more collaborative and positive approach in order to make the streets safer for our communities to go into and enjoy both DTE and NTE, not with standing licensed shops, can we consider some key areas of nationally recognised issues which can be supported by licensed premises – this being Violence Against Women and Girls which as we know is Nationally driven and spoken about daily and I would hope isn’t seen as Police centric. Licensing can be instrumental in supporting Cleveland. Additionally spiking and the measures</p>			<p>The comments made by Cleveland Police are noted. The particular concerns raised in relation to Violence against Women and Girls, Spiking, Counter Terrorism and Public Space Protection Orders are accepted and have been included in the revised draft policy. (Paragraph 5.4)</p> <p>Reference to issues around the DTE (Day Time Economy) is noted and the draft policy has been amended to reflect that problems and concerns associated with both the night time and day time economy should be treated with equal importance. (Paragraph 4.2)</p>

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		<p>that have already been put into place to prevent this happening recognising it to be an issue.</p> <p>Aside from this is Counter Terrorism and the threat and mitigation measure in place.</p> <p>I understand there has also been discussions around Public Space Protection Orders – which could hopefully be considered appropriately to enhance safety of our customers/community.</p> <p>Happy to discuss and support moving forward.</p>			
7. Page 186	Police and Crime Commissioner for Cleveland	<p>Sections covering the Licensing Objectives provide numerous control measures which gives a clear overview of what is expected from venues. The council does provide a wealth of training through their E-learning site however this is not mentioned as good practice. The policy seems to focus on what occurs within premises; more considerations to the impact outside on the public highway would be welcomed. Further guidance is required on what ‘good’ CCTV looks like as this is subjective. Additional guidance in Section 5.7 needs to include lone working policies and safeguards to protect staff. In addition, more guidance on the proper management of drugs boxes is required. The document focuses largely on alcohol and the NTE, however more attention is needed on other age restricted products available and the DTE which overlaps. We would have expected further public safety measures to have been included such as Ask For Angela, and for public health drugs warning to be displayed.</p>		<p>The policy documents are comprehensive and as such the character limit on this survey has limited our ability to provide more meaningful feedback; we would welcome opportunities to discuss these with you further. We must note that the links between the NTE, drug consumption and VAWG, that we know are high, feel like key omissions. Furthermore, there is little or no reference to zero-</p>	<p>The points that have been made regarding control measures are noted. However, specific initiatives and resources should not be named and included as such may be subject to change and /or specific funding for retaining resources may not be available. A broader approach within the policy document will ensure that any future initiatives can be developed.</p> <p>The comments of the PCC regarding “more considerations to the impact outside on the highway would be welcome” are noted. However, the relevant guidance issued under the Licensing Act (paragraph 2.27) states – “Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly</p>

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Page 187				<p>tolerance approaches in weapon policies and spiking. The data justifies an NTE focus, but not enough focus is given to the DTE which is a contributor to NTE related offending. There is concern around the ability of RAG to enforce the policies set out. Point 2.6 identifies that from January 2017 to July 2023, there have been approximately 6 inspections carried out per month. This seems low considering the number of licensed premises. Section 11 highlights the reasons for enforcement visits, however, does not outline any engagement work with premises (e.g. Pubwatch) or proactive work (test purchasing).</p>	<p>reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.”</p> <p>The comments of the PCC regarding “Further guidance is required on what ‘good’ CCTV looks like as this is subjective” are noted. However, in consultation with Cleveland Police the Licensing Service has established a generic list of comprehensive conditions relating CCTV that will commonly apply to both ‘On’ and ‘Off’ licensed premises. The details of such conditions are also available to prospective applicants for premises licences upon request. It is regarded that the measures associated with these conditions satisfy the meaning of a ‘good’ CCTV system.</p> <p>The comments of the PCC – “Additional guidance in Section 5.7 needs to include lone working policies and safeguards to protect staff” are noted. Although it is regarded that responsibility for ensuring the safety and well-being of staff lies with the management of premises through the</p>
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Page 188					<p>implementation of relevant staff training and risk assessments. There are several references to staff training in the draft policy which is intended to ensure that high operational standards are maintained, whilst also protecting the safety and well-being of staff. All businesses are also under a legal duty to comply with the Health and Safety at Work Act 1974.</p> <p>The comments of the PCC – “more guidance on the proper management of drugs boxes is required” are noted. Although the draft policy (paragraph 5.5) makes reference to effective Policies and Procedures to support well managed licensed premises and includes “Drugs Policy to prevent the use or supply of illegal drugs and the and the installation of a drugs deposit box”. It is proposed that this paragraph within the draft policy be expanded to include – “A drugs policy, where applicable, should be implemented by the premises licence holder in consultation with Cleveland Police if required.”</p> <p>The comments of the PCC – “The document focuses largely on alcohol and the NTE, however more attention is needed on other age restricted products available and the DTE which overlaps” are noted.</p> <p>It is important to note that the licensing policy covers matters relating</p>
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Page 189				<p>to the supply of alcohol, regulated entertainment and late night refreshment. Licensing legislation does not cover other age restricted products. Enforcement into such matters is covered by other legislation that falls under the responsibility of other agencies.</p> <p>The comments of the PCC – “We would have expected further public safety measures to have been included such as Ask for Angela, and for public health drugs warning to be displayed” are noted. Reference to Ask for Angela has been included in the draft policy under violence against women and girls (Paragraph 5.6)</p> <p>The points that have been made regarding control measures are noted. It is recognised that the safety measures mentioned were not included in the first draft policy. Following responses to the consultation, matters in relation to spiking, violence against women and girls, safeguarding and counter terrorism will be included in the final policy document. (Paragraph 5.4).</p> <p>The comments of the PCC – “We must note that the links between the NTE, drug consumption and VAWG, that we know are high, feel like key omissions” are noted.</p>
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Page 190				<p>Although it is considered that the proposed amendments to the draft policy as outlined above, in response to the consultation replies, are sufficient to address these concerns raised.</p> <p>The comments of the PCC – “There is little or no reference to zero-tolerance approaches in weapons and spiking” are noted.</p> <p>There are several references to weapons within the draft policy, including at Paragraph 6.8 which includes – “The Licensing Authority also expects that licence holders will also take steps to prevent the presence of knives and other weapons on their premises and that a log be kept of all drug, knife and weapon incidents”</p> <p>It is proposed that the above sentence be amended in the final draft policy to include the words “take a zero tolerance approach” to prevent the presence of knives and other weapons.</p> <p>It is considered that the concerns of the PCC in relation to spiking have been adequately covered earlier in this Table.</p> <p>The comments of the PCC – “The data justifies an NTE focus, but not enough focus is given to the DTE which is a contributor to NTE offending” are noted.</p>
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Page 191			<p>CIA Comments</p> <p>The need for the use of a CIA is demonstrated in the data and we welcome the consideration around alcohol-related crime and impact on police resources. We largely agree with the assumptions made but would highlight some observations.</p>		<p>As stated above in this Table, the draft policy has been amended to reflect that problems and concerns associated with both the day time and night time economy should be treated with equal importance. (Paragraph 4.2)</p> <p>The comments of the PCC – “The policy documents are comprehensive and as such the character limit on this survey has limited our ability to provide more meaningful feedback; we would welcome opportunities to discuss these with you further” are noted. Officers have since held discussions with representatives of both the PCC and Cleveland Police regarding their submissions made on the policy and CIA consultation, and it has been established that the proposed additions/amendments set out in this Table satisfactorily address the concerns that have been raised.</p> <p>Data analysis has been collated across all 20 wards in Middlesbrough. CIP 1 relates to On licensed premises only. CIP 2 relates to Off licensed premises. Southfield Road is covered by both CIP1 and CIP2.</p> <p>The bulk of the data identifies that there is a high prevalence of alcohol</p>
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Page 192			<p>Firstly, there is anecdotal evidence that Southfield Road attracts underage drinkers, this concerns us in relation to safeguarding of young people. The bulk of the data is based in Newport and Central wards, but the majority of incidents occur outside of these areas. We are supportive of the Captain Cook's Square development, but there has been an increase in youth related ASB in this area, where targeting hardening measures are now being considered. We'd welcome a more proactive approach. No issues in relation to CIP area 1. CIP area 2 is a significantly large geographic area. What were the considerations taken in determining this? Further clarity on how the authority utilises this assessment as part of their decision-making processes would be welcomed.</p>		<p>related crime, disorder, anti social behaviour and health harms within both Central and Newport wards that relates to alcohol sales from both On/Off licensed premises. CIP 2 covers a larger geographical area showing that the majority of alcohol related issues occur from Off sales across several ward areas which have been named as been or becoming ward areas that will be covered by CIP 2 if approved.</p> <p>Cumulative Impact Policies do not restrict the application process or the granting of new premises licences within the named areas, it allows a process to be followed to establish whether a representation should be made against an application for the grant or variation of a premises licence within areas where it has been deemed that cumulative impact exists, and where there is concern that the granting of such will further impact on the area where the premises are situated and the licensing objectives.</p> <p>Subject to any representations made, a Licensing Sub-Committee meeting will be held to determine an application.</p>
	8.	Resident	<p>Drinking isn't a problem in Middlesbrough it's the big use of Cocaine that causing all the trouble in Middlesbrough. Every pub you go in people using the cubicles for anything other than doing a number 2.</p>		<p>Comments noted. In consultation with Cleveland Police the Licensing Service has established a generic list of comprehensive conditions relating to drugs that will</p>

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Page 193					<p>commonly apply to both 'On' and 'Off' licensed premises if and when the need arises.</p> <p>The details of such conditions include the provision for premises to have a written drugs policy that includes instruction around premises and person searches, a secure drugs storage cabinet and a register to record any drugs found on a person or premises. Such conditions are also available to prospective applicants for premises licences upon request. It is regarded that the measures associated with these conditions will assist in the prevention of drug misuse on licensed premises.</p>
	Resident	We do not need anymore takeaway places in Middlesbrough town. Linthorpe road stinks of takeaways.			<p>Comments noted, although under the Licensing Act, only food takeaway premises opening between 11.00pm and 5.00am are required to be licensed. Food takeaway premises operating outside these hours are not covered by the Licensing Act and are regulated by other primary legislation. (eg, Planning, food standards, noise & pollution).</p>
	10. British Beer & Pub Association	<p>Middlesbrough Council - Consultation on Statement of Licensing Policy and Cumulative Impact Policies About the BBPA</p> <p>The British Beer & Pub Association is the leading body representing Britain's brewers and pub companies. The Association is more than a</p>			<p>It is important to note that minimum unit pricing has been included in Middlesbrough's Statement of Licensing Policy since 2017.</p> <ul style="list-style-type: none"> • Localised pricing

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Page 194		<p>century old and was originally founded as the Brewers' Society in 1904. Our members account for around 20,000 of the nation's pubs and brew over 90 percent of beer sold in the UK. Member companies have many different ownership structures, including UK PLCs, privately-owned companies, independent family-owned brewers and UK divisions of international brewers.</p> <p>The brewing and pub industry in the UK makes a major contribution to the local and national economy. The sector generates £26 billion of economic value and supports over 900,000 jobs.</p> <p>Minimum Unit Pricing in England</p> <p>The beer and pub sector is committed to reducing the harmful use of alcohol. However, pricing and taxation are blunt instruments to achieve this, penalising those on low incomes and responsible drinkers.</p> <p>The BBPA supports a ban on below-cost selling and a tax system and policy measures that encourage the production and consumption of lower-alcohol drinks. Along with targeted interventions, local community partnerships, greater education and awareness and support for pubs where alcohol is consumed in a managed and safe environment, this is our preferred approach to fostering a culture of responsible drinking in the UK.</p> <p>The UK Government consulted on the introduction of an MUP in 2012 but in 2013 announced that they would instead introduce a ban on the selling of alcohol below 'cost' (defined as duty + VAT) to prevent retailers loss leading on alcohol. This effectively sets a 'minimum price' for each drink type, controlled by the excise duty rate. This came into effect on 28 May 2014 in England and Wales</p>		<p>The BBPA supports a ban on below-cost selling and a tax system and policy measures that encourage the production and consumption of lower-alcohol drinks. Along with targeted interventions, local community partnerships, greater education and awareness and support for pubs where alcohol is consumed in a managed and safe environment, this is our preferred approach to fostering a culture of responsible drinking in the UK.</p> <p>Section 182 of the guidance para 10.21 states - Fixed prices – Licensing authorities should not attach standardised blanket conditions relating to fixed prices for alcoholic drinks to premises licences or club licences or club premises certificates in an area. This may be unlawful under current law. However, it is important to note that the mandatory conditions made under sections 19A and 73B of the 2003 Act prohibit a number of types of drinks promotions including where they give rise to a significant risk to any one of the four licensing objectives; the mandatory conditions also prohibit the sale of alcohol below the permitted price, as defined in paragraph 10.56. 10.22 Where licensing authorities are asked by the police, other responsible authorities or other persons to impose restrictions on promotions in addition to those restricted by the mandatory conditions,</p>
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		<p>via the Licensing Act 2003 (Mandatory Conditions) Order 2014. In March 2020, the Government said there were “no plans for the introduction of MUP in England” although it would continue to monitor progress in Scotland and consider the evidence of its impact. To date, there is still no MUP in England and the Government has not signalled its intention to introduce it.</p> <p>Objection to introducing a local MUP requirement</p> <p>The BBPA confirms its objection to the inclusion of a provision for MUP in the new SoLP. Whilst we understand the intention to address alcohol-related harm, we believe that a local MUP policy is misguided and potentially harmful for a number of reasons.</p> <p>As the draft Statement of Licensing Policy already acknowledges, the Mandatory Licensing Conditions that were introduced in 2014 prevent licensed venues from offering irresponsible promotions of alcohol, and that would include for free or for a fixed or discounted fee if there is a significant risk that such provision would undermine a licensing objective. Licensing Authorities already have sufficient ability to address any such venues without the need to introduce a local MUP requirement.</p> <p>Introducing a local MUP not only runs counter to national Government policy, but also represents an unnecessary additional level of regulation. The following list sets out reasons why a local MUP should not be included in the SoLP:</p> <ul style="list-style-type: none"> • Lack of jurisdiction: Pricing policies for alcohol are typically set at a national level. A Local Authority that seeks to introduce (or “encourage”) its own MUP may be exceeding its legal powers and could face legal challenges. For example, 		<p>they should consider each application on its individual merits, tailoring any conditions carefully to cover only irresponsible promotions in the particular and individual circumstances of any premises where these are appropriate for the promotion of the licensing objectives. In addition, when considering any relevant representations which demonstrate a clear causal link between sales promotions or price discounting and levels of crime and disorder on or near the premises, it would be appropriate for the licensing authority to consider the imposition of a new condition prohibiting irresponsible sales promotions or the discounting of prices of alcoholic beverages at those premises. However, before pursuing any form of restrictions at all, licensing authorities should take their own legal advice.</p> <p>Middlesbrough draft policy paragraph 9.3, 9.4 & 9.5</p> <p>The Licensing Authority will encourage all licensed premises to apply a minimum unit price of 65p (increased from 50p as stated in previous policy) to all alcoholic products sold under their premises licence. (The unit pricing will be reviewed in line with national Guidance.)</p> <p>Where the premises are found to be selling alcohol below this price, and</p>
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Page 196	<p>implementing a local MUP could be a breach of competition law.</p> <ul style="list-style-type: none"> • Inconsistency and confusion: Implementing MUP at a local level could create a patchwork of different pricing policies across neighbouring areas, leading to confusion for both businesses and consumers. • Economic impact on local businesses: Local pubs, restaurants, and shops may suffer reduced sales and revenue, potentially leading to job losses and business closures. This could include venues within an immediate vicinity i.e. a high street or town centre but especially in locations that border the boundary of the SoLP, where customers can easily travel to nearby localities without MUP. • Displacement of drinking: Rather than reducing alcohol consumption, a local MUP may simply shift drinking to neighbouring areas or encourage bulk buying outside the area, undermining the aims of the policy. • Lack of evidence for localised effectiveness: While some studies have shown potential benefits of national MUP policies at a national level, there is little evidence to support the effectiveness of MUP when implemented at a local level. • Administrative burden: Implementing and enforcing a local MUP would create additional bureaucratic pressures on both the Council and local businesses. <p>Instead of pursuing a local MUP, we encourage the Council to consider alternative measures to address alcohol-related harm, such as:</p>		<p>problems associated with that premises are in breach of the licensing objectives, a responsible authority or interested party may bring a review. Following the review, the Licensing Committee may impose a condition in relation to the pricing of alcohol, in order to uphold the licensing objectives.</p> <p>There are local and national concerns about the potential for drunkenness and disorder by discounting the cost of alcoholic drinks and or other sales promotions which may encourage people to consume larger quantities of alcohol. The mandatory conditions brought in to force in April 2010, may address the issue of irresponsible drinks promotions in on licence premises where it is likely to adversely affect the licensing objectives. However, the Council is also aware of the impact of the availability of cheap alcohol sold through off licence premises, particularly products consumed by binge drinkers, problem and underage drinkers. The Licensing Authority will expect applicants to demonstrate in their operating schedule how the pricing of alcohol products on sale in their premises will not negatively impact on the licensing objectives.</p> <p>Comments received from the BBPA have been noted.</p>
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Page 197		<ul style="list-style-type: none"> • Supporting targeted education and awareness programs • Utilising existing licensing laws • Working with local businesses and stakeholders to promote responsible drinking initiative <p>As highlighted earlier, our comments on localised MUP do not seek to downplay our members commitment to tackling the harmful use of alcohol. For example, brewers are leading the way in investing in new low-alcohol and alcohol-free variants, providing greater consumer choice for those seeking these products and supporting public health goals.</p> <p>BBPA 23rd August 2024</p>			<p>The draft policy clearly reflects the national guidance. There is no mandatory minimum unit price adopted but retailers are encouraged to look at pricing to promote the licencing objectives and reduce the levels of associated alcohol related harm.</p>

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Appendix 2
Draft
Statement of Licensing
Policy 2025 - 2030
(February 2025)

Licensing Act 2003 - Statement of Licensing Policy 2024-2029

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Introduction

This Policy supports the Council's aim to position Middlesbrough's town centre as the primary retail, leisure and commercial centre of the Tees Valley, attracting visitors locally and farther afield, with a 24-hour economy and where people want to live, work and enjoy leisure.

The Council proposes to deliver policies in relation to the Licensing Act, promoting the licensing objectives, together with widening the choice and appeal of licensed premises, the development of culture and the protection of local residents.

This Policy recognises the huge contribution of licensed premises e.g. pubs/bars, restaurants, cinemas and theatres towards our evening economy. For these businesses to prosper, we aim to create an environment which is attractive to all customers, that licensed premises are safe and well run and that they add to both the local economy and vibrancy of the Town.

1.0 Main principles of the licensing policy

1.1 The Licensing Act 2003 (the Act) gives Middlesbrough Council responsibility for the grant and rejection of applications in relation to the sale of alcohol, the provision of entertainment and the provision of late-night refreshment. The Council is referred to as the Licensing Authority throughout this policy.

1.2 The purpose of this policy is to promote the four Licensing Objectives:

- The Prevention of Crime and Disorder
- The Prevention of Public Nuisance
- Public Safety
- The Protection of Children from Harm

These are known as the "Licensing Objectives". The Licensing Authority must have regard to these licensing objectives in carrying out its licensing functions under the Act.

1.3 The Licensing Authority must have regard to the Revised Guidance issued under section 182 of the Licensing Act 2003 (herein referred to as the Guidance) in the development of this Policy. If the Licensing Authority considers it appropriate to depart from the revised guidance, it will give justified reasons for doing so. It may also make exceptions to its own policy, where appropriate to do so in order to promote the licensing objectives and will give reasons for doing so. It will always consider the circumstances of each application. The Guidance can be found at:

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

1.4 This policy relates to the regulation of licensable activities defined in the Act and temporary events permitted within the terms of the Act. The licensable activities are:

- The sale by retail of alcohol.

- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.
- The provision of late-night refreshment (hot food and drink at any time between 11.00pm and 5.00am for consumption on or off the premises), and
- The provision of entertainment listed below (known as “regulated entertainment”) to the public, to club members or with a view to profit:
 - Film exhibitions
 - Performances of a play
 - Certain indoor sporting events
 - A boxing or wrestling entertainment
 - Certain performances of live music
 - Playing of recorded music
 - Certain performances of dance

Legislation has been introduced in recent years to deregulate certain types of entertainment licensing and applicants are advised to refer to the Licensing Team, or to the Guidance.

1.5 The authorisations considered by this Policy which are required to carry out the above licensable activities are as follows:

- The issuing of personal licences for individuals to authorise the retail sale of alcohol (a “Personal Licence”).
- The issuing of premises licenses for the retail sale of alcohol, the provision of regulated entertainment or late-night refreshment (a “Premises Licence”).
- The issuing of a club premises certificates for the supply of alcohol or the provision of regulated entertainment at certain clubs (a “Club Premises Certificate”).
- The authorisation of certain licensable activities on a temporary basis (a “Temporary Event Notice”).

The policy seeks to provide clarity and guidance on the approach adopted by the Licensing Authority and on those matters that will normally be taken into account, when making decisions on licensing applications. (Note: each application will be examined on an individual basis and according to the circumstances and merits of each individual case.)

1.6 **The purpose of this Policy is:**

- To inform residents and businesses of the parameters within which the Authority will make decisions, and how their needs will be considered.
- To reinforce and remind elected Members of the Licensing Committee and any Sub-Committee the boundaries and power of the Licensing Authority and to provide them with parameters within which they should make their decisions. The Committee should be able to test the application against criteria set out in the

policy and if it is appropriate to do so, add conditions to those set out in the Operating Schedule.

- To support decisions made by the Licensing Authority when these decisions are challenged in a Court of Law.

The Licensing Act requires every Licensing Authority to prepare and publish a licensing policy and to review it every five years. More frequent reviews may be undertaken, subject to full consultation and subsequent publication.

1.7 Consultation

In accordance with this Act, prior to the publication of this Policy, the Council has consulted with:

- Chief Officer of Police
- Fire and Rescue Authority
- Local Health Board
- Public Health

representatives of licence holders (including premises, personal licences and club premises certificates), persons and bodies representative of local businesses, persons and bodies representative of local residents

The Licensing Authority has consulted widely and given due consideration to the views of all those who responded to the consultation process. There are many organisations and people who have a stake in the leisure industry, including providers, customers, residents, statutory bodies, all of whom may have views and concerns which require consideration as part of the licensing function and promotion of the licensing objectives. The Licensing Authority also consulted with those responsible for its local strategies on crime prevention, planning, transport, culture, tourism and economic development. Appendix 1 provides details of the organisations and persons consulted in the process of determining this statement of policy.

- 1.8 The Licensing Authority, when publishing or revising this policy statement, will seek to achieve proper integration with policies affecting local crime prevention, community safety, planning, transport, tourism and consult widely.

This policy replaces the statement of Licensing Policy adopted by Middlesbrough Council in January 2017.

In adopting this Licensing Policy, the Licensing Authority recognises that residents need to live and work in a safe and healthy environment. Also, that it is important licensed premises are safe and well run and that they add to both the local economy and vibrancy of the Town. The Licensing Authority's aim is to facilitate well managed premises and to support licence holders displaying sensitivity to the impact of their premises on local residents.

- 1.9 The Licensing Authority wishes to encourage the provision of a wide range of diverse entertainment activities within Middlesbrough and to promote live music, dance, theatre,

circus and street arts etc. for the wider cultural benefit of the town centre and communities.

The Licensing Authority will not take into consideration, in its decision making, whether there is a need or demand for a particular type of licensed premises. The commercial demand for another pub, restaurant or hotel is a matter for the planning authority and the market, and it is not considered to be a matter for the Licensing Authority.

This Licensing Policy considers other shared Council priorities and plans, and key ambitions in terms of national, regional and local priorities.

All applications are considered on their individual merits and this Policy does not seek to undermine the right of any applicant, or any person making representations where they are permitted to do so under the Act.

The Licensing Authority will only depart from the Policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the Licensing Objectives.

In the development of this Policy the Licensing Authority has had regard to the provisions of relevant legislation including the Human Rights Act and Equality Act 2010.

The policy recognises the Equalities Act 2010, as amended by the Race Relations (Amendment) Act 2000, this places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different racial groups. The Licensing Authority, in determining applications, will have regard to this legislation to avoid any possible indirect discriminatory impact on particular ethnic groups.

1.10 Integrating strategies and avoiding duplication

There are many stakeholders involved, directly or indirectly, in the promotion of all the Licensing Objectives. Many of their strategies may include a link to the licensing function and the Licensing Authority will, wherever appropriate, work with partners to ensure proper integration of local issues and strategies into this Policy.

The Licensing Authority recognises the need to avoid as far as possible duplication with other regulatory regimes and it will avoid, where possible, attaching conditions that are duplicitous.

As well as requiring consideration and approval of the Licensing Authority, changes to how a premises is used or changes to the opening hours of a premises may also require planning approval, which is dealt with via separate legislation and by the Council's Development Control function. Licence holders and others should not assume that the granting of a licence is also a grant of planning permission, which may also be required for them to operate as intended. Early contact should, therefore, be made with the Local Planning Authority via the Council's website to discuss their proposals.

Whilst having regard to the Planning regime, the Licensing Authority recognises that there should be a clear separation of the Planning and Licensing regimes. Licensing applications should not be a re-run of the Planning application process. The granting of a

licence under the Licensing Act does not relieve the applicant of the need to apply for Planning Permission or Building Regulation approval, where appropriate.

1.11 Working together

There are many examples of best practice and opportunities where the licensed trade can work together with the Licensing Authority and other regulatory agencies such as the Police to improve the standard and management of licensed premises, tackle specific issues and improve the night-time economy. The Licensing Authority encourages partnership working and participation in schemes such as:

- Pubwatch
- “Best Bar None” initiative
- Mentoring schemes
- Child Protection Schemes
- Trade forums, e.g. on and off licence forum, area forums
- Training
- Publicity and Communication

2.0 Licensing and alcohol related issues in Middlesbrough

2.1 Profile of Middlesbrough

Middlesbrough sits at the heart of the Teesside/Tees Valley conurbation with an economy that is largely service based. The Town Centre is the sub regional shopping centre for the Tees Valley. The town has a culturally diverse population with the highest concentration of ethnic minorities in the North East.

Middlesbrough has a population of approximately 141,000, of which in excess of 55,000 are in the age groupings of 16-44. However, it serves a much larger, regional population in terms of the provision of leisure facilities. It is a cultural centre with a Championship Football Club, annual Mela and Christmas festivities programme, and attracts various other high profile cultural events throughout the year. Considerable investment has and is being made in Middlesbrough Town Centre:

- major investments in the retail and leisure offer - Baker/Bedford Street, Holiday Inn Express and Middlesbrough Town Hall.
- redevelopment of Captain Cook Shopping Centre to introduce leisure and evening entertainment, with the introduction of new food and beverage offers, proposals to offer an enhanced family-friendly offer, along with ancillary licensed premises. This will also include investment in the public realm, facades of the units, and the bus station.
- the Council has been successful in significant government contribution via the Future High Street Fund (£14.1m) and the Towns Fund, all of which has the town centre as the priority area.

- the expansion of the education sector - Teesside University and Middlesbrough College.
- further development of the Boho Zone and Middlehaven which has seen the rapid expansion of the digital sector which will see an additional 60,000 sq ft of premium office space targeted at the digital sector. The wider Boho/Middlehaven area will develop from a former industrial brownfield site to a thriving mixed-use community consisting of over 500 high quality urban houses, further premium office developments that will bring new employment opportunities to the town, a new 1000+ space secondary school, an urban farm and leisure developments that are complimentary to the Town Centre. There will also be investment in the key heritage assets: Old Town Hall and Captain Cook Pub to bring them back into a commercial use safeguarding their future for generations to come and allowing people to engage with the town's heritage, and
- the investment in arts and culture (Mima and the Tees Transporter Bridge Experience) have helped to create a growing confidence in Middlesbrough.

2.2 Middlesbrough Town Centre Strategy outlined the ambition for the future of the Town Centre over the following ten years within the context of the wider Tees Valley City Region. The strategy recognised the improvements that have been made to the town and the challenges that it faces. The aspiration is now for Middlesbrough to ensure that it continues to develop and expand to ensure there is a critical mass of economic, social, educational and cultural activity befitting of a successful 21st century urban centre.

The Council's aim is to position Middlesbrough town centre as a place where:

- It can strengthen its claim to being the primary retail, leisure and commercial centre of the
- Tees Valley
- It can address the major imbalance between demand and oversupply of retail via Council
- intervention to reduce retail space and repurpose to provide a viable future
- It has the ability to consolidate and grow a diverse mix of commercial and leisure activity
- Its commercial and visitor appeal is developed both locally and farther afield
- It has a 24-hour economy where people want to live, work and enjoy leisure
- It has a market which demonstrates a progressive, commercial mind set which actively
- meets the requirements of business and can respond swiftly and with flexibility to emerging
- opportunities.

2.3 It is recognised that there is a need to develop and diversify Middlesbrough as a cultural and leisure hub. To achieve this, a series of reviews and area-specific action and delivery plans are currently being programmed.

In developing this Licensing Policy, the Licensing Authority proposes to deliver policies in relation to the Licensing Act, particularly around the promotion of the licensing objectives, widening the choice and appeal of licensed premises, the development of culture and the protection of local residents. It aims to give priority to the development of

the range of entertainment and cultural activity on offer, and the age group attached to them, whilst also considering the health impact of alcohol. The Licensing Authority wishes to discourage drunkenness, and to encourage the provision of premises which serve alcohol for people to enjoy responsibly in diverse environments, to be able to order food by table service, and to have the choice of a range of entertainment, in place of the open bar space which caters for high volume vertical drinking establishments.

This Policy recognises the huge contribution of licensed premises e.g. pubs/bars, restaurants, cinemas and theatres in our evening economy. For these businesses to prosper, we aim to create an environment which is attractive to all customers.

2.4 Whilst it is estimated that the production, distribution and sale of alcohol may contribute as much as £65 million to the local economy, the costs of policing, accident and emergency services and street cleaning will be well over £50 million. Customer's negative perception of the town centre may deter them from visiting it, particularly if crimes, disorder and nuisance are not effectively dealt with. This policy aims to promote and encourage the development and growth of well-managed premises, and to give very clear messages to poorly managed premises which do not support the licensing objectives.

2.5 Profile of licensed premises in Middlesbrough

Table 1

The structure and types of licensed premises in Middlesbrough in June 2006, 2010, 2015 and 2023 are shown in the table below:

Type of Licensed Premises	No of Premises - 2006	No of Premises – 2010	No of Premises – 2015	No of Premises – 2023
Church Hall	6	8	8	8
Club	33	36	28	26
Community Centre	13	13	14	13
Educational Establishment	8	7	7	6
Hotel / Guest House	7	8	7	10
Off Licences	124 (94 in 2005)	125	141	144
Open Spaces	2	2	2	3
Other	16	17	17	22
Public House / Nightclub	125	108	109	126
Restaurant	39	41	46	58
Late Night Refreshment	92	98	99	100
Total	465	463	478	516

Table 2

The following table shows the terminal hour for licensed premises in Middlesbrough.

Terminal Hour	Number of Licensed Premises
Up to 11pm	242
Up to midnight	127

Up to 1am	58
Up to 2am	31
Up to 3am	26
Up to 4am	15
Up to 5am	8
Beyond 5am	1
24 hours	8

Table 3

The following table shows the distribution of licensed premises across the wards of Middlesbrough.

Ward	Number of Licensed Premises
Acklam	16
Ayresome	13
Berwick Hills & Pallister Park	18
Brambles Farm & Thorntree	16
Central	212
Coulby Newham	16
Hemlington	7
Kader	7
Ladgate	11
Linthorpe	20
Longlands & Beechwood	18
Marton East	9
Marton West	3
Newport	44
North Ormesby	24
Nunthorpe	6
Park	44
Park End & Beckfields	22
Stainton & Thornton	5
Trimdon	5

2.6 There are 76 (including restaurants) on-licensed premises located in the town centre area.

Between January 2017 to July 2023, the Licensing Authority has carried out 480 inspections of licensed premises to check compliance with the Licensing Act. In general, officers have found high levels of compliance with premises licence conditions, with only minor issues of non-compliance.

In some, cases it has been necessary for review proceedings to be instigated, applications to be refused or prosecutions taken where premises have not complied with the law or supported the licensing objectives. The Licensing Authority have used the legislation to good effect to ensure premises are operating within the law. In the period Jan 2017 – July 2023:

- 13 review applications were referred to the Licensing Committee resulting in 8 licence revocations, 4 suspension and 1 licence where additional conditions were added.
- 12 applications for premises licences/variations have been referred to the Licensing Committee of which 5 were refused.
- 3 cautions have been issued for the offence of breach of licence conditions.

3.0 The licensing process

3.1 Making an application and the decision-making process

It is the Licensing Authority's policy to provide an efficient and cost-effective service to all parties involved in the licensing process.

Applicants for premises licences should be aware of the Licensing Authority's and the responsible authorities' expectations in relation to the promotion of the licensing objectives. They will expect applicants to demonstrate their knowledge of the local area when setting down the steps they propose to take to promote the licensing objectives.

This policy seeks to provide advice to applicants about the approach they should take in making their applications and the view the Licensing Authority is likely to take on certain key issues where representations have been made.

Applicants should assess what issues, if any, need to be included within their operating schedule to address the licensing objectives.

3.2 Licensed premises vary considerably in terms of the offer made, size, occupancy, location, clientele etc. Venues may offer alcohol, regulated entertainment or late-night refreshment or any combination of these activities. Therefore, there is no definitive list of control measures that should be considered or introduced by all premises. The Licensing Authority will expect applicants to assess their application according to the activities they provide and the individual risks of each of the premises' activities.

Applicants should note that, whilst there is no obligation to meet the control measures contained within this Policy, it is more likely that responsible authorities and other parties will make representations if they do not.

If any application is lawfully made and no relevant representations are received, then the Licensing Authority must grant the application. Only if relevant representations are made, will the Licensing Authority's discretion be engaged.

3.3 Making an application

The procedures and documentation required for the various applications is set down in the Act. Further advice on how to make an application can be found on the Council's

website or on request from the Licensing Authority. A Glossary of Terms can be found at Appendix 3 to assist with applications.

Applicants should also have regard to government guidance issued under Section 182 of the Licensing Act 2003

Applicants are strongly advised to consult with officers from the Licensing Team before preparing and submitting their applications for licences and other authorisations.

Any application not properly made will be returned to the applicant and the timescales contained in the Act will not begin until a properly made application is received.

As mentioned at paragraph 1.10, separate permissions may be required in instances where either the hours of use, or the use of the premises are intended to be changed, and confirmation as to whether planning permission is required for such changes should be sought from the Local Planning Authority at the earliest possible point. Contact details are available on the Council's website.

- 3.4 The Licensing Authority is involved in a wide range of licensing decisions and functions, and these are carried out by the Licensing Committee, Licensing Sub-Committees or officers of the Local Authority in accordance with an approved scheme of delegation. Appendix 4 sets out how the Licensing Authority intends to delegate its various licensing functions.

With the exception of the approval and review of this Policy, decisions on licensing matters will be taken by a duly authorised Licensing Sub-Committee (3 councillors) or by one or more officers acting under delegated authority. The scheme of delegations is without prejudice to officers who may refer an application to a Sub-Committee, or a Sub-Committee to Full Committee, if it is considered appropriate to the circumstances of any particular case.

The Committee and Sub-Committees will determine each case on its merits. Blanket or standard conditions (other than mandatory conditions) will not be imposed under the Act. Conditions will not be attached to licences unless they have been either volunteered by the applicant or are determined by the Licensing Authority as appropriate following a licensing hearing. Although the Licensing Authority is required to have regard to the Guidance it may, if it considers it appropriate, deviate from the guidance where there are justifiable reasons.

3.5 The decision-making process

Where no relevant representations are received, providing the application has been correctly made and advertised (as required by the Act), the Licensing Authority must grant the application in line with the proposed operating schedule. The only conditions that can be imposed are the mandatory conditions and those conditions that are consistent with the operating schedule.

Apart from the mandatory conditions, there is no discretion under The Act to impose any other condition in cases where no relevant representations are received.

- 3.6 Where relevant representations are made the application will be determined by a Sub-Committee and this determination will take place at a hearing. The Sub-Committee in

such cases has full discretion to take such steps as it considers appropriate to promote the licensing objectives. These steps may include:

- Grant the licence subject to the operating schedule modified to such extent as the Sub-Committee considers necessary for the promotion of the licensing objectives, and subject to the relevant mandatory conditions
- Exclude from the scope of the licence any of the licensable activities to which the application relates
- To refuse to specify a person in the licence as the premises supervisor
- Reject the application.

In exercising its discretion, the Licensing Sub-Committee will have regard (amongst other things) to this Licensing Policy and to the Guidance.

3.7 If all parties state in writing that they consider a hearing can be dispensed with then the Sub-Committee has a discretion (which cannot lawfully be delegated to officers) to dispense with a hearing. In deciding whether or not to dispense with a hearing the Sub-Committee is exercising a licensing function. As such it is required to have regard to any relevant guidance as well as to this policy and it must act with a view to promoting the licensing objectives.

3.8 It does not follow from the above that an application that complies with the policy will necessarily be granted or that an application that does not comply with it will necessarily be refused. Where there have been relevant representations, the Licensing Authority will always consider the merits of the case and act within the statutory constraints.

3.9 Making representations

As well as Responsible Authorities, any individual, body or business are also entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises. In addition, these persons may themselves seek a review of a premises licence. (See Section 11, Licensing Enforcement and Reviews)

Any representations made by these persons must be 'relevant', in that the representation relates to one or more of the licensing objectives. It must also not be considered by the Licensing Authority to be frivolous or vexatious. In the case of applications for reviews, there is an additional requirement that the grounds for the review should not be considered by the licensing authority to be repetitious.

Whilst any of these persons may act in their own right, they may also request that a representative makes the representation to the Licensing Authority on their behalf. A representative may include a legal representative, a friend, a Member of Parliament, or a local ward or parish Councillor who can all act in such a capacity.

3.10 Representations must be submitted to the Licensing Authority within the prescribed period of time, as advertised in the application. The Licensing Authority will send copies of all representations to the applicant as part of the notification of hearing process. The

Licensing Authority recommends that Responsible Authorities also send a copy of any representation to the applicant at the same time it is made to the Licensing Authority.

Anonymous representations will not be accepted by the Licensing Authority. The Licensing Authority cannot withhold details of the person making the representation, unless there are exceptional circumstances. Any papers produced for a Licensing Committee hearing will include copies of representations and these are published on the Council's website. This means that names, addresses and contact details will be made public. Those making a representation should be aware that they will be invited to attend in person to a hearing should the licence application have to be determined by the Council's Licensing Sub-Committee. The representations will also be included in the papers presented to the committee and therefore will pass into the public domain. It is therefore possible that details of representations may be picked up by the press.

Further information on making a representation can be obtained at the following link.

<https://www.gov.uk/alcohol-licensing>

3.11 Public Health

The Licensing Authority recognises there is no Public Health licensing objective and therefore is limited in its ability to conduct its licensing function to promote public health. The licensing function can only be carried out to promote the four licensing objectives as set out by the Licensing Act 2003. Nevertheless, the Licensing Authority recognises the potential impact of alcohol on the public health of the residents of Middlesbrough. This can have a big impact on the National Health Service and medical providers locally. Public Health are a Responsible Authority under the Licensing Act 2003 and can make representations on licence applications as well as calling for reviews on premises that undermine the licensing objectives.

The Secretary of State's Guidance states that health bodies can make representations based on any of the four licensing objectives. The Licensing Authority considers data:

- Around hospital admissions due to alcohol consumption,**
- That shows a correlation between anti-social behaviour and excessive alcohol consumption in different localities,**
- That references violence related to alcohol or the night-time economy in general,**
- That links high alcohol consumption to a particular area, and**
- That undermines the physical, moral and psychological safety and welfare of children and vulnerable persons, to all be relevant to the promotion of the licensing objectives.**

Any or all this evidence could provide grounds for Public Health in their role as a Responsible Authority to make a representation on the basis of any of the licensing objectives. Although public health is not a licensing objective, the Licensing Authority believe that this Statement of Licensing Policy needs to be

placed in context with the alcohol-related harms that are apparent in Middlesbrough. The Licensing Authority takes the issue of public health extremely seriously and would expect applicants and licence holders to familiarise themselves with any local issues that may be detrimental to the public health of people living in, working in and visiting Middlesbrough.

3.12 Conditions

All applications for new licences or for variations of existing ones should be supported by an operating schedule. The schedule should specify (among other things) the steps the applicant proposes to promote each licensing objective.

Where no relevant representations are received, providing the application has been correctly made and advertised (as required by the Act), the Licensing Authority must grant the application in line with the proposed operating schedule. The only conditions that can be imposed are the mandatory conditions and those conditions that are consistent with the operating schedule.

Apart from the mandatory conditions there is no discretion under The Act to impose any other condition in cases where no relevant representations are received.

3.13 Any conditions attached to licences following relevant representations will focus on matters within the control of the premises licence holder or club management committees. They will be used to ensure the premises operate in such a manner to uphold the licensing objectives. They will address matters which have a direct impact on those living, working or engaged in normal activities in the vicinity.

Conditions will not be used as a means of attempting to attach responsibility to premises licence holders or club management committees for matters outside their reasonable control, such as anti- social behaviour once away from the premises or licensable activity, unless information to the contrary is available to the licensing authority.

Conditions on premises licences and club certificates are determined by:

- The measures put forward on the operating schedule
- Mandatory conditions within the Act
- Measures decided at a hearing by the Licensing Sub-Committee

3.14 Appeals

Any aggrieved party e.g. Applicant, Responsible Authority, Other Person may appeal any decision of the Licensing Committee to the Magistrates' Court.

3.15 Members of the Council

The Licensing Authority recognises that Councillors play an important role in the local community. The Licensing Authority will notify the Ward Councillor and Community Councils of any applications within their ward giving them the opportunity to make representations.

If specifically asked to do so, Councillors may make representations in writing and speak at the hearing on behalf of any other person such as a local resident or business. They can

also make representations in their own right if they have concerns about premises. They may also apply for a review of a licence/certificate.

- 3.16 Residents or businesses may wish to contact their local Councillor in respect of a licence/certificate application. Details of Councillors are published on the Council's website. When a resident or business seeks the assistance of a Councillor, it is useful if they can provide evidence that a particular premise is causing a problem or is likely to do so. It is also helpful for any resident or business making a representation to send a copy to the relevant Councillor.
- 3.17 Councillors may attend hearings of Licensing Sub-Committees considering applications and speak on behalf of local residents and businesses, in the following circumstances:
- They have made a personal representation
 - They have made a representation on behalf of local residents or business
 - They have been nominated by a person making a relevant representation who cannot attend the hearing or prefers to be represented at the hearing

3.18 Applications for community premises

Persons in control of premises such as church or chapel halls, village or parish halls, community halls and buildings of a similar nature may find the permitted annual number of Temporary Event Notices too restrictive. They should consider whether applying for a Premises Licence would be more beneficial, in the event that premises such as this do make an application for a Premises Licence they may, at the same time, make an application for the disapplication of the mandatory condition relating to Designated Premises Supervisors.

The Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls) Order 2009 created an exemption for the requirement for a Designated Premises Supervisor for community premises, who may make application to the Licensing Authority to apply the alternative mandatory condition to their licence.

The alternative Mandatory Condition is that every supply of alcohol under the Premises Licence must be made or authorized by the Management Committee.

- 3.19 Where there is doubt as to whether a premise is a community premise, the Licensing Authority will consider each case on its merits, with primary consideration being given as to how the premise is predominantly used.

The fact that a school or private hall is made available for hire by the community would not in itself be sufficient to qualify the premises as "community premises". Though this may be provision of a service to the community, the Licensing Authority will consider whether halls used largely for private hire by individuals or private entities are genuinely by their nature "community premises". The statutory test is directed at the nature of the premises themselves, as reflected in their predominant use and not only at the usefulness of the premises for members of the community for private purposes.

- 3.20 The Licensing Authority expects the management committee to be a formally constituted, transparent and accountable body. The committee should provide sufficient oversight of the premises to minimise any risk to the licensing objectives. This could include management committees, executive committees and boards of trustees. The application form requires the

applicants to provide the names of the management committee's key officers e.g. the Chair, Secretary, Treasurer.

4.0 The licensing objectives and management standards

4.1 The Act requires that the Licensing Authority carries out its various licensing functions so as to promote the following four Licensing Objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

Each Objective is of equal importance. Throughout the decision-making processes, the promotion of the four objectives will be of paramount consideration at all times.

4.2 Licensing law is the key means of control, and it is an important part of a partnership approach to the management of **licensed premises operating in the day and night time economy**. The Licensing Authority will work in partnership with, amongst others, the Police and other Responsible Authorities, local businesses, local people and neighbouring local authorities in pursuit of the promotion of the Licensing Objectives.

The Policy does not seek to regulate matters which are provided for in other legislation e.g. Planning, Environmental Health, Health and Safety issues etc.

Throughout this Policy the wording will refer to applicants for licences. However, it should be noted that the principles set out within this Policy apply equally to new applications, applications for variations and consideration of any request to review a licence.

4.3 The following section is subdivided according to the four licensing objectives. It includes management standards, policies and procedures which may be included within operating schedules to demonstrate upholding the licensing objectives. Any such measure should be considered according to the:

- type
- size
- location
- hours
- characteristics, and
- activities taken place

Applicants are encouraged to read all four sections as there is clearly overlap between some of the information included.

5.0 The prevention of crime and disorder

5.1 Public space protection orders

The Council supports the use of Public Space Protection Orders as a tool to prevent alcohol related crime and disorder in the streets. The Council expects premises that operate in areas where Public Space Protection Orders have been implemented to have measures in place to ensure that their customers do not contribute to alcohol related anti-social behaviour.

Consumption of alcohol by street drinkers or people who are drunk can cause anti-social behaviour, disorder and be a nuisance to visitors, businesses, and residents. Licence holders can play an important part in minimising this by restricting street drinkers' access to alcohol such as:

- **Avoiding *stocking low-cost high strength alcohol such as white ciders and high strength lagers***
- **Restricting the sale of strong beer and cider above 6.5% ABV**
- **Preventing the sale of single cans or bottles of beer and cider**
- **Ensuring all staff are aware of their responsibilities under the Licensing Act 2003 not to serve alcohol to a person who is drunk**
- **Not offering irresponsible drinks promotions as outlined in the section above**
- **Keeping and using a refusals registers or refusals button on the electronic point of sale and ensuring this is completed each time a sale is refused to a person who is drunk. The log should show the date, time, description of customer, name of staff member who refused the sale and the reason it was refused. This should be made available to the Police or authorised Council officers on request and should be regularly reviewed to identify trends and patterns**
- **Taking part in community safety initiatives with Cleveland Police and sharing intelligence**
- **Ensuring that the premises operates in conjunction with any Public Space Protection Order**

5.2 Licensed premises, especially those offering late night /early morning entertainment, alcohol and refreshment may sometimes, if not properly managed, be able to become a source of crime and disorder and public nuisance problems.

The Licensing Authority will expect an applicant to be responsible for minimising the impact of crime, disorder and antisocial behaviour by their patrons both on and within the immediate vicinity of their premises. This includes locations such as pavement, beer garden or in an area used by smokers.

5.3 The Licensing Authority expects all applicants to demonstrate in their Operating Schedules that suitable and sufficient measures, ranging from the design and layout of the premises, through to the daily operation of the business, have been identified and will be implemented and maintained with the intention of preventing crime and disorder.

There are many steps that an applicant can take to prevent crime and disorder. The Licensing Authority will look to Police as the main source of advice on these matters, and in accordance with the Guidance, police views on matters of crime and disorder will be given considerable weight.

Prior to addressing this objective in the operating schedule, the applicant may wish to seek the views of the Police on appropriate measures to be implemented. Any proposals should take into account the size, type, location, and proposed hours and activities taking place at the premises. The Licensing Authority expects applicants to consider, amongst other things, the following:

5.4 On-Licence Premises

The provision of good quality, colour, digital CCTV. This can act both as a deterrent and as a useful tool in detecting crime and disorder. Access to CCTV should be readily available for viewing by Police and other Responsible Authorities and staff should be trained in its use. Footage should normally be retained for 31 days (or lesser period as agreed with the Police) and be capable of producing evidential quality footage in disc format for use in court. Consideration should also be given as to the location of CCTV cameras to ensure full coverage both inside the premises and external areas, particularly those covering entrances and exits to the premises.

Effective Queue Management. This can be achieved by the use of barriers with supervision by door supervisors. This can help maintain order from those patrons seeking to gain entry to the premises and assist door supervisors in identifying underage customers and those who may be unfit through drink or drugs.

Employment of licensed door supervisors and other appropriately trained staff. This ensures the promotion of the licensing objectives and to ensure all staff are trained in venue specific policies.

Metal detection and search facilities. The use of metal detectors and a policy of random searching of customers can act as a deterrent to patrons seeking to enter premises with weapons and drugs. Where possible, procedures should be in place to allow for female door supervisors to carry out searches of female customers.

Proof of Age Schemes. Whilst there is a mandatory requirement for a proof of age scheme to be operated, national schemes such as Challenge 21/25 have proved a success in preventing access to alcohol for under 18's.

Use of PubWatch Radio System/Ring Round Phone Systems. This can prove to be a useful tool, particularly for premises within the Town Centre and allows for instant communication between managers of licensed premises and the police and other licensed venues.

Regular glass collection and the use of shatter resistant/plastic glasses and bottles which can reduce the risk of crime and disorder and contribute to the public safety licensing objective. The use of plastic glasses and bottles may be appropriate as a permanent measure depending on style and nature of the venue or may be appropriate occasionally for specific high-risk events or after a certain time.

Security Patrols which can act as a deterrent and help identify hotspot areas within the premises.

Regular documented checks of toilet areas or the provision of a toilet attendant which can help deter and identify drug use within the premises.

A clear and effective Dispersal Policy. This should include a winding down period, information on access to taxi services and for larger venues, the gradual dispersal of customers by door supervisors. Such measures can reduce the risk of crime and disorder and contribute to the promotion of other licensing objectives.

Installation of non-retrievable bottles bins at exits and door supervisors which can ensure that customers do not leave the premises with glasses and bottles and can significantly reduce the risk of crime and disorder and promote public safety within and in the vicinity of licensed premises.

5.5 Drink and needle spiking

Drink spiking is when someone puts drugs or alcohol into a person's drink without their knowledge or consent. It can include putting alcohol into a non- alcoholic drink, adding extra alcohol to an alcoholic drink or slipping prescription or illegal drugs (such as tranquillisers, amphetamines or GHB—also called liquid ecstasy) into an alcoholic or non-alcoholic drink. It can be difficult to tell whether a drink has been spiked, as substances used for spiking usually have no taste, odour, or colour.

Needle spiking (sometimes referred to as injection spiking) is where someone surreptitiously injects, with a hypodermic needle, (or other form of administration e.g. combi-pen) a victim with a substance.

Spiking is a crime - Spiking of any kind, whether it be by adding to a person's drink or an injection is an offence under section 24 of the offences against the person act 1861 (administer poison or other noxious substance with the intent to injure, aggrieve or annoy a person).

Charity Stamp Out Spiking estimates 97% of people do not report spiking incidents to the police. Spiking can lead to secondary offences being committed - most commonly sexual offences when the victim is female, and theft when the victim is male.

Recommended actions for licensed premises – The Council understands that many licensed premises work incredibly hard to ensure that their customers can enjoy a night out safely and deter perpetrators. Nevertheless, we also consider that more could and should be done to prevent and report spiking incidents. We recommend that licence holders consider the production of a drugs (including Spiking) protocol or policy for their premises, which may include for example:

- **Education provided to staff to spot the signs of both potential vulnerable victims and those who are potentially suffering the effects of spiking**
- **Refusing entry to anyone who is showing signs of drug use and contacting the emergency services when appropriate**
- **Ensuring that staff are trained in drug awareness, so they know how to recognise the effects of drug use and know when medical attention is required**
- **Provide staff with awareness of forensic handling of evidence (securing any glasses and drinks used by potential victims and/or suspects) and securing other evidence, such as CCTV**
- **Consideration of offering anti drink spiking products to customers**
- **Reporting suspected or actual spiking incidents to the police immediately**
- **Regularly check CCTV to ensure it is in good working order and reliable.**

- Promote campaigns - particularly #Spikeaware through visual, well-placed posters and other literature within their premises with a clear zero tolerance approach
- Consider purchasing preventative tools, to highlight commitment to prevent incidents of drink spiking. For example – bottle top protectors, purchase and application of screening kits can be used to test drinks for key substances
- Review policies to ensure a safeguarding approach is taken in respect of all incidents related to spiking and embed a culture of “believe, reassure and request assistance” for those making reports
- Ensure people in the premises know how and where to report suspected spiking and unwanted sexual harassment
- Consider having a “safe zone” where potential vulnerable victims can be looked after by staff until alternative help or transport home can be provided
- Reporting of incidents to the police and working with local licensing teams to further help support reducing spiking risks. Supporting and protecting the victim It is important to remember the victim is a potential crime scene. Whilst the victim’s safety and security must be the primary consideration, thought should always be given to potential available evidence.

Key points to consider include:

- Injuries or puncture wounds as these areas may hold evidential forensic *opportunities*. Where possible avoid contact with these areas of the victim’s body and consider if the area can be protected by the victim’s clothing, prevent the victim washing or cleaning these areas if possible.
- Consensual contact areas – as above, if the likely perpetrator has been in contact with victim prior to the spiking, prevent washing or cleaning of these areas. (These are likely to be areas of exposed skin such as the face neck or hands.)
- Drink – if the victim is still in possession of their drink, keep it secure. Consider placing it in an unused, clean container (e.g. a sealable sandwich bag). Place the bag containing the glass in a secure location and prevent it from spilling. Where possible, wear latex gloves and handle the glass by the least obvious areas (e.g. the very bottom of the glass), this will assist in preventing contamination or loss of evidence.
- Where possible ask the victim to provide a urine specimen in a suitable sample pot.
- Do not ask the victim questions about the perpetrator. If a member of staff believes they can identify the perpetrator, make sure they tell the police at the time. Wherever possible, one member of staff should deal with the victim to ensure continuity of evidence and reassurance for the victim.
Perpetrator The perpetrator / Suspect Remember, every contact leaves a trace, therefore the perpetrator may have forensic evidence from the victim on their person and may still be in possession of articles used to spike the victim. If you believe you know who the perpetrator is and they are still in

the premises/area, do not confront them, but make sure the police are aware when you call.

- If you can identify the perpetrator; Consider securing any glass/bottle they may have used. (Only do this if the glass/bottle is no longer in the possession of the potential perpetrator.) As with the victim's glass, secure this in an unused, clean bag (a sealable sandwich bag is ideal). Do not mix the victim's and suspect's glasses, place them in separate bags. A different person should deal with each glass, and they should not come into contact with each other during the process.
 - Secure CCTV of the perpetrator entering/leaving the premises and any footage of the perpetrator and victim together within the premises.
 - Consider how the perpetrator has paid for entry or drinks. Is this via a credit/debit card? If so, can you identify times of payments made.
- National resources: Guidance issued by the Secretary of State under section 182 of the Licensing Act 2003. Middlesbrough Council's Statement of Licensing Policy, British Beer & Pub Association, Drugs & Pubs: A guide to keeping a drug free pub.

Even in the absence of a specific protocol or policy on spiking, all licensed premises should ensure all reports of spiking are acted upon and that all incidents of alleged spiking are recorded and reported to the police. It is important and helpful for the prevention and detection of spiking incidents if personnel at licensed premises can:

- Obtain full details of the affected person reporting the incident, including a description of what they are wearing as officers will want to track them on CCTV
- Provide as detailed a description of the suspected perpetrator as possible, if known, including clothing
- Provide an approximate time of the incident and the location within the premises where they believe it occurred
- Secure the drinking vessel(s) that is suspected as containing the 'drug' so this can be tested later
- Seize any drinking vessel that the suspect may have been using
- Ensure the health and safety of the customer, which could be by calling emergency services, ensuring they are with trusted friends who will look after them, offering assistance if needed, and providing a safe space for the customer
- Ensure appropriate training is provided to relevant members of staff
- Review searching procedures and amend as necessary, as well as reviewing how often toilets are inspected, where victims of spiking may be found
- Premises should also review the functionality of any CCTV and ensure it is not obscured
- Consider providing information (such as posters) regarding drink spiking in the premises

- Consider if it would be useful to provide anti-spiking bottle stoppers and protective drink covers. It may also be helpful to see if drug testing kits have been made available in your area by the police or council.

The Council also recommends that licence holders and authorised clubs take into consideration the Home Office report understanding and tackling spiking – published 19th December 2023 link below.

The Council will consider placing additional conditions on licences to safeguard patrons against spiking, noting that conditions placed on licences need to be both proportionate and enforceable. We will also use our powers to impose conditions or revoke premises licenses, where venues do not take sufficient measures to protect and provide support to customers in spiking incidents.

[Report: Understanding and tackling spiking \(accessible\) - GOV.UK](#)

5.6 Violence against women and girls

The Licensing Authority are committed to ensuring Middlesbrough is a safe and welcoming place for everyone, regardless of their gender, ethnicity, sexuality, beliefs or background.

This Policy aims to ensure that vulnerability and women's safety is an important consideration in decision-making in licensing matters. The Licensing Authority will ensure that guidance is sought from relevant authorities on the prevalence, prevention and reporting of sexual harassment and misconduct and gender-based violence.

Operators are strongly encouraged to develop a Safeguarding and Vulnerability policy for their business and ensure that sufficient measures are in place to protect and provide support to customers.

'Resident and visitor safety, especially the safety of those using the night-time economy, is an important factor that the Council, applicants, and licence holders must take into consideration. Violence against women and girls is an unacceptable, preventable issue which blights the lives of millions. Crimes of violence against women and girls are many and varied. They include rape and other sexual offences, stalking, domestic abuse, 'honour-based' abuse (including female genital mutilation and forced marriage and 'honour' killings), 'revenge porn' and 'upskirting', as well as many others. While different types of violence against women and girls have their own distinct causes and impacts on victims and survivors, what these crimes share is that they disproportionately affect women and girls.

These crimes are deeply harmful, not only because of the profound effect they can have on victims, survivors and their loved ones, but also because of the impact they can have on wider society, impacting on the freedom and equality we all should value and enjoy. These impacts can include day-to-day decision making, but also extend to the social and economic costs to the economy, society, and taxpayer. We know that the devastating impact of these crimes can include the loss of life, the destruction of homes, futures, and lives. Everyone in modern Britain should have the freedom to succeed and everyone deserves the right to public

safety and protection under the law. This is as true for women and girls as it is for anyone else.

Policy paper Tackling violence against women and girls' strategy Updated 18 November 2021 Home Office guidance.

Definition of Sexual Harassment - The definition of sexual harassment was created with a range of experts on the subject. The defining characteristics are that it is unwanted, persistent, and of a sexual nature. List of unacceptable behaviours are:

- Unwelcome sexual gestures or innuendos
- Groping, pinching, or smacking someone's body.
- Exposing yourself to someone
- Entering the toilet that does not best accommodate your gender.
- Derogatory comments based on someone's age, gender, race, orientation, or ability.

Examples of unacceptable behaviour include (but are not limited to):

- Unwelcome comments with a sexual overtone
- Unwelcome and/or irrelevant questions about your personal life (including sex, romance, and sexual orientation)
- Someone exposing their sexual organs to you without consent • Someone groping, pinching, or touching your body without consent

Procedures and policies for how to handle perpetrators of sexual harassment should be included in the operating schedule/conditions. These will of course differ from premises to premises but ensure that they reflect a zero-tolerance attitude towards harassment and discrimination.

Licence holders should ensure that there are clear guidelines on how to handle complaints made by targets of sexual harassment, a positive response involves believing them, responding sympathetically, and taking the incident seriously. Negative responses are characterised by not believing them or suggesting that the incident was their fault.

Guidelines and procedures should establish consequences for perpetrators of sexual harassment that reflect zero tolerance of those behaviours. These can range from removal from the premises to a ban from the premises for an extended period.

Example of a model policy for licensed premises to adopt.

- Premises shall enforce a strict Zero Tolerance policy to sexual harassment and discrimination
- The policy shall enforce zero tolerance to the following behaviours e.g. Unwelcome sexual gestures or innuendos
 - Groping, pinching, or smacking someone's body Exposing yourself to someone

- Entering the toilet that does not best accommodate your gender
- Derogatory comments based on someone's age, gender, race, orientation, or ability
- The policy is for all patrons and staff at the premises.

Training

- Management will ensure that all staff are trained and briefed adequately on the policy
- All casual staff shall receive a briefing on the policy and its operations during staff training
- Security shall be briefed and trained on the policy.

Reporting an incident

- When a customer needs to report an incident, they may do so by speaking to any member of security or staff.
- The staff or security who received the report shall pass it on to a manager or supervisor
- When a staff member needs to report an incident, they will pass it on to a manager or supervisor
- Reports of victims will be taken seriously, as well as the reports of others observing the incident (staff or other visitors) depending on the context of the situation.
- Reports will be dealt with in a manner that reflects zero tolerance of sexual harassment.

Dealing with a report / enforcement

- All perpetrators will be removed from the main space of the premises for discussion
- The manager or supervisor will, in consultation with others, decide if the perpetrator has violated the zero-tolerance policy
- If the policy has been violated, the perpetrator will be dealt with in a manner that correlates with zero tolerance of harassment.
- This should at minimum involve the perpetrator's presence no longer being allowed in the premises on the day of the offence.
- Visitors who break the policy on more than one occasion shall be dealt with in a more severe manner, including longer-term bans from the premises.

In addition, The Ask for Angela initiative aims to ensure that anyone who is feeling vulnerable or unsafe is able to get discreet support. This could be on a night out, on a date or meeting friends. The initiative works by training staff in vulnerability management and what to do when someone 'Asks for Angela'. The Council expects that when a trained member of staff hears the code-phrase they should understand that the person is in need of support and will be able to respond in an appropriate, discreet way. This could be offering them an alternative way out of the

venue, calling them a taxi or in a more serious situation, altering venue security and/or the Police. More information can be found here:

[Ask for Angela - Violence Reduction Alliance](#)

5.7 Counter Terrorism

The Terrorism (Protection of Premises) Bill, or Martyn's Law, is pending UK wide legislation that will place a requirement on those responsible for certain publicly accessible locations to consider the threat from terrorism and implement appropriate and proportionate mitigation measures.

Martyn's Law, if enacted will apply to anyone responsible for publicly accessible locations used for purposes such as entertainment and leisure, retail, food and drink, museums and galleries, sports grounds, public areas of local and central Government buildings (e.g., town halls), visitor attractions, temporary events, Places of Worship, health, and education. Many of these locations will have the benefit of a premises licence.

The government have indicated that publicly accessible locations with a capacity of more than one hundred people will need to undertake simple yet effective activities to improve protective security and preparedness. Those activities will include completing free training, raising awareness and cascading information to staff. As well as completing a preparedness plan. Publicly accessible locations with a capacity greater than eight hundred people will also be required to produce a risk assessment and security plan, considered to a 'reasonably practicable' standard.

If this Bill is enacted, it will become primary legislation that must be complied with whether a premises has a licence or not.

Although no date has yet been set for the introduction of the legislation advance information, guidance and news about training resources can be found at: • counter terrorism pages on GOV.UK • Protect UK website

Local Counter Terrorism measures

The local approach to Counter Terrorism is as follows:

Deliver and promote the Protect strategy focusing on the priorities within, to reduce the threat from Terrorism in licensed premises, ensuring licensed premises are adequately prepared for and equipped to respond in the event of a terrorist incident.

The licensing authority continues to provide free ACT (Action Counters Terrorism) Awareness training courses both E-Learning and in person (upon request*) delivered for licensed premises for venue operators, Designated Premises Supervisors, and those in managerial positions.

We encourage licensed premises to incorporate the freely accessible ACT E-learning and the SCan for All eLearning resources as part of wider staff training packages. We also encourage licensed premises owners to make use of the

information and guidance available on the Protect UK platform including use of the Protect UK App.

The licensing authority also expects that steps are taken to ensure all people employed at the premises whose job includes being alert to the terrorist threat are aware of:

- The current terrorist threat level
- What that level means in relation to the possibility of an attack.
- Risk assessments for public entertainment venues include consideration of the risk of a terrorist attack and the different types of attack.
- All persons responsible for security are briefed at every event about the current threat level and risk of terrorist attack.
- All public-facing staff must be clear about what to do if the public report suspicious activity or unusual behaviour to them. All suspicious behaviour by customers or members of the public close to the venue must be noted and be reported promptly so that investigations can be made, and action taken, if appropriate.
- All public facing staff know the appropriate actions to take in the event of an incident which may include, but is not limited to, a marauding terrorist attack, unattended/suspicious items, vehicle borne attack. Advice and guidance available on Protect UK.

Requests for in-person training can be submitted via email to communitysafety@middlesbrough.gov.uk .

Act Awareness and SCan for All eLearning resources can also be requested from communitysafety@middlesbrough.gov.uk

5.8 There are a number of areas where effective Policies and Procedures are essential to a well-managed licensed premises and demonstrate that management are committed to the promotion of the licensing objectives. These include: -

- Regular, documented and on-going staff training addressing alcohol sales, drunkenness, underage sales, proxy sales, crime prevention, thefts, disorder and conflict management.
- Maintenance of Incident Logs for recording incidents of crime and disorder and a Refusal Register
- **Drugs Policy, where applicable, should be implemented by the premises licence holder in consultation with Cleveland Police.**
- Procedures for assessing risk associated with special events
- Participation in the Middlesbrough Pub Watch Scheme, Middlesbrough Council
- Licensing Forums, Best Bar None and any other relevant schemes
- Policy to deal with the disposal of weapons
- Policy to promote the duty of care for dealing with patrons suffering adversely from the effects of alcohol/drugs and victims of disorder
- Anti-theft strategy
- Regular Security reviews and Policy to address issues of public security e.g. Anti-terrorism measures
- Lost Property Procedure

5.9 Off-Licence Premises

There has been a trend towards more alcohol being purchased from shops and consumed at home and less being purchased and consumed in traditional pubs, restaurants and night clubs than used to be the case in the past. This change has the potential to create specific problems and undermine the licensing objectives, which have been evidenced in some areas of the town. These include easier access to alcohol by children, thefts from off licence premises, increased incidence of street drinking, and increases in anti-social behaviour, crime and disorder and public nuisance. The availability of alcohol at cheaper prices through sales from off licence premises has supported the growing practice of “pre-loading” - people consuming alcohol before going out to an on licensed premises.

5.10 There are a number of ways in which Licensees can operate their premises to uphold the licensing objective of preventing crime and disorder and thereby addressing these concerns. Any proposals should take into account the size, type, location, and proposed hours at the premises. The Licensing Authority expects applicants to consider, amongst other things, the following:

- The location of alcohol stock. This should be detailed on a plan and located away from entry/exit points where it can be easily stolen, interfere with customer flow and, in larger premises, away from checkouts. The location of products which are considered high risk for dependent or underage drinkers. These should be displayed in a secure location or behind the counter.
- The provision of good quality, colour, digital CCTV can act both as a deterrent and as a useful tool in detecting crime and disorder. Access to CCTV should be readily available for viewing by Police and other Responsible Authorities and staff should be trained in its use. Footage should normally be retained for 31 days (or lesser period as agreed with the Police) and be capable of producing evidential quality footage in disc format for use in court. Consideration should also be given as to the location of CCTV cameras to ensure full coverage both inside the premises and external areas, particularly those covering entrances and exits to the premises.
- Considering the **non-sale** of certain alcohol products such as super-strength beer, lagers, ciders or **perry products** of 6.5% ABV (alcohol by volume) or above.
- Banning the sale of single cans or bottles of beer or cider.
- **Consideration of restricting the sales area at any one time for the sale, exposure or display of alcohol.** (No more than (x)% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol) This is dependent on the size and nature of the business, e.g. alcohol sales in premises such as post offices, newsagents.

5.11 There are a number of areas where effective Policies and Procedures are essential to a well-managed licensed premises and demonstrate that management are committed to the promotion of the licensing objectives. These include: -

- Regular, documented and on-going staff training addressing alcohol sales, drunkenness, underage sales, proxy sales, crime prevention, thefts, disorder and conflict management.
- Maintenance of Incident Logs for recording incidents of crime and disorder and a Refusal Register

- Participation in Middlesbrough Council Licensing Forums and any other relevant schemes
- Anti-theft strategy and Regular Security reviews

5.12 Designated Premises Supervisor

Any premises where alcohol is sold under a premises licence must have a designated premises supervisor (DPS). The DPS will be named in the premises licence, a summary of which must be displayed on the premises. A DPS must be a personal licence holder. Every sale of alcohol must be made or authorised by a person who holds a personal licence (or must be made or authorised by the management committee in the case of community premises).

The Licensing Act 2003 does not require a DPS or any other personal licence holder to be present on the premises at all times when alcohol is sold. However, the DPS and the premises licence holder remain responsible for the premises at all times.

5.13 The Licensing Authority will normally expect the DPS to have been given the day-to-day responsibility for running the premises and as such it is expected that the DPS would usually be present at the licensed premises on a regular basis. The Authority expects that this will be in excess of 50% of a 7-day week, and at the following times:

- Between 22:00 hours and closing time, when the premises is one that regularly opens after midnight for both regulated entertainment and the sale or supply of alcohol for consumption on the premises.
- At times where there is a substantial increase in customers i.e. for televised major sporting events, Christmas/New Year and other Public/Bank Holidays, any other special events.

The premises licence holder will be expected to ensure that the DPS has experience commensurate with the size, capacity, nature and style of the premises and licensable activities to be provided.

5.14 Within all licensed premises, whether or not alcohol is to be sold, the Licensing Authority will expect there to be proper management arrangements in place which will ensure that there is an appropriate number of responsible, trained/instructed persons at the premises to ensure the proper management of the premises and of the activities taking place, as well as adherence to all statutory duties and the terms and conditions of the premises' licence.

5.15 Authorisation by Personal Licence Holders.

The Licensing Authority will encourage personal licence holders to authorise members of staff to make sales of alcohol. The Licensing Authority strongly recommends this authorisation should be in writing in accordance with the Guidance issued under the Licensing Act 2003.

Whilst the DPS or personal licence holder may authorise other individuals to sell alcohol in their absence, they are responsible for any sales that may be made. Therefore, clear instructions and procedures must be in place. This would assist personal licence holders in demonstrating due diligence should enforcement issues arise and would protect employees if they themselves were challenged in respect of their authority to sell alcohol.

5.16 Door Supervisors

Whenever security operatives/door supervisors are employed at licensed premises to carry out security functions they must be licensed by the Security Industry Authority (SIA). If a licensee directly employs security operatives, they will need to be licensed by the SIA as a supervisor/manager.

The numbers of licensed door supervisors, both male and female, required at any premises will be dependent upon the nature of the activities licensed and the characteristics and capacity of the establishment and hours of trading.

6.0 Public safety

6.1 The Act covers a wide range of premises that require licensing. Each premises presents a mixture of risks, with many common to most premises, and others unique to specific operations.

It is essential that applicants understand these risks, that they are managed, that the premises are constructed or adapted and operated in such a way to safeguard the occupants. The Licensing Authority considers that when carrying out a risk assessment of the premises the applicant should also include the immediate vicinity.

6.2 It is expected that applicants will have addressed the requirements of the Health and Safety at Work Act, Fire Safety legislation and any appropriate technical standards. Applicants are advised to seek advice on such matters from the Council's Health and Safety Service, Health and Safety Executive, Cleveland Police and Cleveland Fire and Rescue Service.

6.3 The Licensing Authority will expect the operating schedule to detail how the premises will be maintained and managed to ensure public safety is maintained at all times. Risk assessments should be carried out and recorded to ensure that all reasonably foreseeable hazards are reduced or managed.

6.4 Consideration should be given to the following to ensure the safety of the public:

- First Aid Provision
- Public security
- Event control
- Polycarbonate Glass
- Fire Safety
- Electrical safety
- Building safety
- Transport
- Drink driving issues
- Provision of cooler, "Quiet" areas for customers
- Use of special effects such as pyrotechnics, smoke machines, lasers
- Special events such as foam parties, "silent" nights.

The use of special effects may require approval by the Fire Authority or Police and their advice should be sought prior to an event taking place.

6.5 The risk assessment should also determine the safe capacity of the premises. Consideration should be given to the following factors when establishing the safe capacity:

- the design and layout of the premises
- the location, availability and size of exits including emergency exits
- the nature of the premises or event
- the nature of the licensable activity being provided
- the provision or removal of such items as temporary structures, such as stage, or furniture
- the number of staff available to supervise customers both ordinarily and in the event of an emergency
- the age of the customers
 - the attendance by customers with disabilities, or whose first language is not English
 - availability of suitable and sufficient sanitary accommodation nature and provision of facilities for ventilation
 - the nature, layout, position and construction of dance floors and the segregation of dance floors from other areas
 - the provision of an adequate and appropriate supply of first aid equipment and materials and personnel.

The Licensing Authority will only impose a maximum number of people that can attend premises or an event where there is a clear and justifiable need in respect of that particular premises or event. Any such decision will be based on the nature and style of the operation. The Licensing Authority will consider information provided by the applicant and any other body, in particular the Council's Building Control Section, Environmental Health Section and the Cleveland Fire and Rescue Service before setting a maximum number. Applicants will be expected to detail the arrangements that would be put in place e.g. provision of door staff to ensure that the permitted number of people attending the premises or event will not be exceeded.

6.6 Toughened/Safety Glass Policy

Licensed venues that provide the sale or supply of alcohol for consumption on the premises should consider the introduction of toughened/safety glass. This policy expectation applies to those premises that would be considered as carrying a higher risk for potential crime and disorder. In particular it is expected in premises considered to be high volume vertical drinking establishments and those premises open beyond midnight in areas where there is a high concentration of venues (but not premises in those areas that are viewed as low risk in this context).

6.7 Drugs/Knives/Weapons

The Licensing Authority will expect licensees to take all reasonable steps to prevent the presence of drugs on licensed premises and to take appropriate steps to prevent drugs changing hands within the premises in order to prevent tragedies as a result of drug misuse.

6.8 The Licensing Authority also expects that premises licence holders will also **take a zero-tolerance** approach to prevent the presence of knives and other weapons on their premises and that a log be kept of all drugs, knife and weapon incidents. The Licensing Authority expects procedures to be in place for the detection of knives/weapons and

drugs such as search procedures, toilet checks, metal detectors (see Crime and Disorder Section). Licence holders should also consider arranging training for their staff in relation to these matters.

7.0 Prevention of public nuisance

- 7.1 Many parts of this section are directly relevant to the Licensing Objective on the Prevention of Crime and Disorder and should be cross-referenced accordingly.
- 7.2 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises.

Public Nuisance is not narrowly defined in the Licensing Act 2003 and can include low level nuisance affecting a few people living locally, as well as a major disturbance affecting a whole community.

The concerns relate, amongst other things, to noise nuisance resulting from music, human voices, ventilation equipment and vehicles, as well as light pollution, noxious smells and litter.

- 7.3 It should be noted that licensing law is not the primary mechanism for the general control of nuisance and anti-social behavior by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the licensee. The Licensing Authority considers that any conditions attached to the licence will seek to control the behavior of customers within the direct management of the licence holder. This includes reducing the impact of the behavior of customers entering or leaving the premises on people living or working near the premises. The Licensing Authority considers that patrons who are using external smoking shelters or areas that are there as a direct result of the licensed premises and is within the control of the licensee.

7.4 Location and Impact of Activity

In predominately residential areas the Licensing Authority will normally expect licensable activities to cease at 11pm, with premises to close no later than 11.30pm.

Hours of 12am and beyond will be more favorably considered for premises located:

- In predominantly commercial areas, such as the Town Centre (subject to the application of the cumulative impact policy); and
- Where there is a high level of accessibility to public transport services; and
- Where there is an appropriate amount of car parking, readily accessible to the premises; and
- Where the operating schedule demonstrates that the applicant has taken appropriate steps to comply with the licensing objective of preventing public nuisance, and which minimizes the impact of licensable activities on those living and working in the area.

- 7.5 The Licensing Authority will expect applicants to demonstrate that suitable and sufficient measures have been identified, and will be implemented and maintained, with the intention of preventing public nuisance relevant to the individual style, location and characteristics of the premises and events.

- 7.6 Where applicants are completing operating schedules the Licensing Authority encourages them to have regard to whether any proposals may have a disproportionate impact in residential areas or near other sensitive premises such as nursing homes, old people's accommodation, hospitals, schools or places of worship.
- 7.7 It is recommended that applicants consult with Environmental Health Officers prior to submitting applications for advice on measures that may need to be incorporated into an operating schedule. This may include, but is not limited to: -
- Whether noise control measures such as noise limiting devices, acoustic curtains, speaker mounts, double glazing are required.
 - Whether doors and windows can be kept closed whilst entertainment is taking place or after a particular time
 - A Dispersal Policy for patrons at the end of the evening, including signs being placed at exits to buildings encouraging patrons to be quiet until they leave the area, and to respect the rights of residents
 - The size, location and hours permitted for the use of outdoor drinking areas
 - The size and location of smoking areas which may encourage patrons to use external areas more extensively than for just smoking and returning to the inside of the premises
 - The display of contact details or a direct telephone link to a private hire/taxi firm
 - Provision of bins for cigarette litter
 - End of trading cleaning/clearing up procedures, in particular cigarette litter, empty glasses/bottles and other waste around the vicinity of the premises.
 - Effective waste collection arrangements to ensure that waste collections are not made at times which are likely to cause disturbance to nearby residents and businesses.
- 7.8 If relevant representations are made by Environmental Health or by local residents, the Council will consider whether issues relating to public nuisance can be effectively dealt with by the imposition of conditions to regulate activity and the behaviour of patrons on or in the vicinity of the premises. Any conditions attached will not seek to manage behavior of patrons once they are beyond the direct management of the licence holder but, they may seek to reduce the impact of their behaviour on people living or working near the premises.
- 7.9 The Council recognises that it is necessary to balance the rights of local residents, businesses and others with those wishing to provide licensable activities and of those who wish to use such facilities.

However, ultimately, if it is necessary for the promotion of this licensing objective, where conditions do not adequately address the issues, an application may be refused or the hours sought by the applicant reduced.

7.10 Takeaways and fast-food outlets

The Licensing Authority expects takeaways and late-night refreshment premises to take reasonable steps in clearing litter from outside their premises and along the pavement in either direction as necessary, whilst the premises are open and at the end of the working day. These premises should maintain clean, dirt or grease free frontages. Such premises should also provide notices advising patrons of the location of bins and that they should use the bins provided.

8.0 Protection of children from harm

8.1 The Licensing Act 2003 encourages a family friendly culture around alcohol and other licensable activities, and this must be achieved in such a way that child protection and safeguarding issues are not compromised. The Licensing Authority in carrying out its functions under the Licensing Act has a legal obligation to promote the protection of children from harm. The Licensing Authority also considers that Licence Holders have responsibility to ensure so far as possible that children and young people are protected from harm at their premises. While the Act does not prohibit children from having free access to any licensed premises, the Licensing Authority recognises that limitations may have to be considered where it appears necessary to protect children from harm and the effects of alcohol on parenting.

This licensing objective should be considered in relation to the safeguarding of children and young people in its widest sense. The protection of children from harm requires children and young people to be protected from physical, psychological and moral harm. This includes the issues of the risk of child sex exploitation, vulnerability and anti-social behaviour around a licensed premises. In many licensed premises such as hot food takeaways, restaurants, sports venues and off licences young people can enter without an adult, in some licensed premises young people can be employed and these factors and risks should be a considered in any application in order to ensure they are protected from any harm.

Child Sexual Exploitation.

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual. Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology.

There are a number of criminal offences associated with Child Sexual Exploitation (CSE) which could have damaging consequences for a hospitality business, including a possibility of prosecution, action being taken against a premises licence and reputational and/or financial damage.

It is the responsibility of premises licence holders and their managers to make sure that suitable control measures are in place at licensed premises for the protection of children from harm. This is a legal requirement under the Licensing Act 2003 and there are legal implications if licensed premises do not have safeguards in place or fail to act if sexual exploitation of children occurs, or is believed to have occurred, on the premises.

Hotels and hostels play an important role in protecting children from harm. These premises may sell alcohol either in a bar, restaurant, at an event on the premises or in rooms, either via room service or mini bar. Therefore, sufficient procedures and suitable training must be provided to staff on age restricted sales. These venues often have children staying at their premises who are accompanied by an adult. The licence holder and staff have an important part to play in safeguarding children

and young people. Hotels are often used as a place to exploit and abuse victims of child sexual exploitation. The Police have powers to demand guest information in connection with child exploitation.

- **All children must be safeguarded from harm and exploitation whatever their:
Race, religion, first language or ethnicity.**
- **Gender or sexuality.**
- **Age, Health, ill-health or disability.**
- **Location or placement (e.g. living alone in a hostel or residential unit, with family or a foster family; as a tourist in a hotel, etc.).**
- **Criminal or offensive behaviour, wealth or lack of it.**
- **Political or immigration status**

To play a positive role in preventing child sex exploitation and to ensure businesses are not vulnerable to being associated with child sexual exploitation applicants are expected to work with the authority and applicants should therefore refer to this section of the Licensing Policy.

8.2 Awareness raising, training and competency on safeguarding and child protection matters.

The Licensing Authority consider that a licence holder is responsible for ensuring that their staff are fully aware of their responsibilities regarding protecting and safeguarding children who use their licensed premises. The level of awareness and knowledge required will depend on the type of licensed premises, the level of engagement with young people and the risk associated with the premises.

A licence holder may ensure his awareness of safeguarding issues by:

Identifying and managing any risks at their premises by considering if young people have access to the premises and what is the purpose of that access,

Ensuring that staff are aware who and where to report concerns or suspicions

Provide awareness training to all members of staff on a six monthly or quarterly basis on safeguarding issues which may include:

- Being alert to the possibility of child abuse and neglect.
- Recognising suspicious, abusive or potentially abusive event or set of circumstances.
- Knowing who to raise concerns with – which staff member in the premises
- Being competent in taking the appropriate immediate or emergency action and
- Knowing how to make a referral to the appropriate organisation and/or the Police. (Contact details are: The First Contact Team tel no: 01642 726004 (office hours) or 08702402994 (out of hours) or by [email: firstcontact@middlesbrough.gcsx.gov.uk](mailto:firstcontact@middlesbrough.gcsx.gov.uk))

8.3 Applicants/licence holders should be familiar with guidance and information on safeguarding matters. Procedures and information are available at the Local Safeguarding Children Boards' website: www.teescpp.org.uk. A checklist is available which can be used to guide licensed premises on the operation of their business to

reduce the risk of child vulnerability and safeguarding concerns arising in their premises. The Licensing Authority encourages applicants and premises licence holder to regularly review their procedures and processes in relation to protecting children from harm. (see also paragraph 8.6) In some cases the Licensing Authority may consider that a written children and young people's risk assessment is carried out and this will be dependent on the risk associated with a premises. The risk will be considered on a case-by-case basis and will be determined by such factors as the type of premises, types of events held, local intelligence and any operational issue which may have arisen.

- 8.4 The Act makes it an offence for any child under the age of 16 who is not accompanied by an adult from being present:
- At any time on pub premises, or other premises being used exclusively or primarily for the supply of alcohol for consumption on those premises; or
 - Between the hours of midnight and 05:00 hours on restaurant premises or other premises that supply alcohol for consumption on the premises
- 8.5 The Licensing Authority will judge the merits of each separate application before deciding whether to impose conditions limiting the access of children to individual premises where it is necessary to prevent physical, moral or psychological harm. The Licensing Authority will expect applicants/licence holders to consider the potential risks of safeguarding or child protection issues associated with their premises and to indicate in their operating schedule how they intend to operate their business to uphold this objective.
- 8.6 Licensing Authorities and Responsible Authorities expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises. Conditions relating to the protection of children from harm can include:
- restrictions on the hours when children may be present.
 - restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place.
 - restrictions on the parts of the premises to which children may have access; age restrictions (below 18).
 - restrictions or exclusions when certain activities are taking place.
 - requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
 - full exclusion of people under 18 from the premises when any licensable activities are taking place.

Additional controls

- 8.7 The Licensing Authority may consider additional controls to be necessary in the following premises:
- Where there have been convictions for serving alcohol to minors
 - Where there is evidence of under-age drinking in the vicinity of the premises
 - Where there is a strong element of gambling on the premises
 - Where entertainment of an adult or sexual nature is provided.
 - Where the type of premises may present increased risk to the health and wellbeing of young people

Age verification schemes

- 8.8 The Licensing Authority will work closely with the Police and the Council's Trading Standards service to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children. Alcohol must not be served to persons under the age of 18, except in limited circumstances allowed by the law, and then only after verifying a person's proof of age e.g. 16- and 17-year-olds may drink beer, wine or cider with a table meal in relevant premises, where accompanied by an adult aged 18 years or over.
- 8.9 It is mandatory for premises which supply or sell alcohol to have an age verification scheme in place. However, the Licensing Authority expects applicants to operate a Challenge 21/25 scheme and when this is included in an operating schedule, appropriate weight will be given when the Licensing Authority determines the licence application.

The currently accepted verification for proof of age is a passport, a photo card driving licence or an accredited proof of age scheme bearing either a holographic mark or ultraviolet feature.

8.10 Guidance for door staff when checking ID.

(Please refer to Home Office "False ID Guidance", 2012 for more information) The fraudulent use of ID and fake ID allow young people to access licensed premises and make themselves vulnerable to the effects of the consumption of alcohol. The Licensing Authority recognise the importance of door staff at the front line of tackling the issue of false ID. Therefore, it is essential that they understand how to identify false ID and deal with it appropriately.

Consideration should be given to the use of SCANNET or similar devices which is used to detect false identification by those that seek unlawful entry to a licensed premises.

Whilst only certain categories of person (for example, a police officer) have legal powers to seize false ID, any member of staff presented with false ID may ask for it to be handed over. It is proposed that the following procedure should be followed in a licensed premises in relation to checking ID:

- Check the photograph. The area in which door staff operate should be well lit, or they should otherwise be provided with light sources to ensure that they can check ID sufficiently.
- Ask questions to carry out further checks on:
 - their date of birth
 - their post code
 - their age
 - their star sign, or
 - ask for another form of ID, e.g. student card,

When ID is found to be false:

- if an individual fails to hand over the false ID when requested, the Police may be called to investigate the possible commission of an offence relating to the use of the false ID.
- doorstaff should fill out the incident book to record when the ID came into their possession and that the details of the incident are not lost between shifts.
- A description of the person using the ID, and the time of the incident may also be useful to the police.
- The ID should be stored and locked away in a secure place until the Police are ready to collect it or a manager takes it to the police station with 72 hours of confiscation.

Signs placed at the entrances to premises can deter young people who intend to use false. An example of wording for these signs is below:

“These premises operate a Challenge 25 policy. You may be asked to show ID if you appear to be under 25. If the ID that you present is suspected to be false or belonging to someone else, you may be refused entry to these premises and you may be asked to hand over the ID so that it can be given to the police. If you fail to do so, the police may be called. Gaining entry to these premises using fake ID or ID that doesn’t belong to you may be a criminal offence.”

Underage and mixed age events

8.11 The Licensing Authority is aware of young persons’ vulnerability to alcohol. Events which are aimed at children under the age of 18 years on licensed premises often provide an incentive for children to consume alcohol off the premises (“pre-loading) or to “smuggle” alcohol into the premises during the event. Mixed age events also carry similar risks, with the additional consideration of proxy sales and the relevant management required. Such events are not supported by the Licensing Authority unless the applicant can demonstrate that appropriate policies and procedures are in place to ensure that the licensing objective will be upheld.

8.12 The Licensing Authority, Middlesbrough Police and the Local Authority Children’s Service support the application of a “Good Practice Guide” for events catering for under-18’s and for mixed events of under and over 18’s. This Guide is highly recommended by the Licensing Authority and should be adhered to by licence holders and event organisers. This document is attached as Appendix 5.8.13

8.13 Advertising

The Licensing Authority commends the use of the ‘Portman Group’ Code of Practice on the naming, packaging and the promotion of alcoholic drinks in all licensed premises and that they are targeted at persons only over 18 years of age.

Complaints about products under the Code are considered by an Independent Complaints Panel and the Panel’s decisions are published online. If a product’s packaging or point-of-sale advertising is found to be in breach of the Code, the Portman Group may issue a Retailer Alert Bulletin to notify retailers of the decision and ask them not to replenish stocks of any such product or to display such point-of-sale material, until the decision has been complied with.

We would encourage retailers to sign up to and abide by Retailer Alert Bulletins. The Secretary of State's Statutory Guidance under the Licensing Act 2003 states that licensing authorities should, in the exercise of their licensing functions consider whether it is appropriate to impose conditions on licences that require the licence holder to comply with the Portman Group's Retailer Alert Bulletins.

Premises Licence Holders should also give consideration to **their pricing of soft drinks** pricing so as not to discourage consumption of soft drinks.

In licensed premises where the primary use is for children's activities i.e. soft play/bowling, the advertising of alcohol should be restricted to the licensed areas where alcohol sales are made.

8.14 Licensed premises and their local environment supervision of children on licensed premises

Where entertainment requiring a licence is specifically presented for children, the Licensing Authority will normally expect the presence of at least one member of staff from the licensed premises for every 50 children present to ensure their safety and protection from harm and to control their access and egress from the premises. The Licensing Authority will require those caring for or supervising children to have undergone an appropriate Criminal Record check with the Disclosure and Barring Service.

- 8.15 With regard to this Licensing Objective, the Licensing Authority considers Middlesbrough Council Children's Service to be the competent authority for matters relating to the protection of children from harm.

Applicants are advised to seek advice from the Responsible Authority for the Protection of Children and incorporate any recommendations in their Operating Schedule before submitting their applications.

8.16 Adult entertainment (including nudity and stage hypnotism)

Applicants for premises licences or club premises certificates under the Licensing Act 2003, must state in the application whether any adult entertainment may be provided which may give rise to concern in respect of children. If such entertainment is to be provided the Licensing Authority will expect the applicant to have given particular consideration to the promotion of the licensing objectives in relation to the protection of children from harm.

- 8.17 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual/adult content after 8.00pm. The Licensing Authority expects applicants to be clear in their operating schedules about the activities and times at which the events will take place and to determine when it is appropriate for children to enter the premises. In relation to sexual entertainment, the applicant should also consider the proximity of their premises to schools and youth clubs and that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

9.0 General policies

The policies detailed below have a generic impact on upholding several of the licensing objectives.

9.1 Irresponsible drinks promotions, sales and pricing

There is a relationship between the pricing of alcoholic beverages, the consumption of alcoholic drinks and resultant issues associated with crime and disorder. When alcoholic drinks are offered and sold at low prices e.g. at or below cost prices from both 'on' and off'-trade premises, alcohol consumption can increase leading to adverse effects on all of the four licensing objectives.

Cheap and readily available alcohol can contribute significantly to antisocial behaviour, drunkenness, disorder and other criminal behaviours that can blight areas, damage communities and place people at risk of harm.

Central Government has a major role to play in dealing with alcohol pricing and its availability nationwide and Middlesbrough Council support action at a national level. At a local level, the Licensing Authority through this policy sets out its own role and responsibilities in relation to influencing and where appropriate, controlling the sale, promotion and availability of alcohol.

9.2 Promoting responsible retailing

The Licensing Authority's aim is to support and encourage responsibility in the sale, supply and consumption of alcohol within the borough. The Licensing Authority does not intend to impose general or blanket conditions across all licences.

However, where evidence exists that the licensing objectives are being compromised or are likely to be adversely affected in an area, consideration may be given to the imposition of appropriate licensing controls on specific premises e.g. alcoholic drinks promotions and other sales techniques to deal with localised problems. For example, controls could include evidenced based and tailored restrictions for specific premises on the sale of particular alcoholic drinks, as part of a number of control measures designed to deal effectively with any specific and identifiable problems.

9.3 Pricing of Alcohol

The Licensing Authority will encourage all licensed premises to apply a minimum unit price of **65p** to all alcoholic products sold under their Premises licence. (The unit pricing will be reviewed in line with national Guidance.)

9.4 Where the premises are found to be selling alcohol below this price, and problems associated with that premises are in breach of the licensing objectives, a responsible authority or interested party may bring a review. Following the review, the Licensing Committee may impose a condition in relation to the pricing of alcohol, in order to uphold the licensing objectives.

9.5 There are local and national concerns about the potential for drunkenness and disorder by discounting the cost of alcoholic drinks and or other sales promotions which may encourage people to consume larger quantities of alcohol. The mandatory conditions brought in to force in April 2010, may address the issue of irresponsible drinks

promotions in on licence premises where it is likely to adversely affect the licensing objectives. However, the Council is also aware of the impact of the availability of cheap alcohol sold through off licence premises, particularly products consumed by binge drinkers, problem and underage drinkers. The Licensing Authority will expect applicants to demonstrate in their operating schedule how the pricing of alcohol products on sale in their premises will not negatively impact on the licensing objectives.

9.6 Alcohol deliveries

The Licensing Authority considers there are particular risks associated with delivery services for alcohol.

An applicant seeking a licence that will enable them to provide alcohol as part of an alcohol delivery service should include in their operating schedule the procedures, they intend to implement to ensure that:

- The person they are selling alcohol to is at least 18 years of age. The alcohol is delivered to a person who is at least 18 years of age.
- A clear document trail of the order process from order, dispatch from the licensed premises and delivery to the customer is maintained (with times and signatures) and available for inspection by an authorised officer.
- The time the alcohol is sold and the time the alcohol is delivered is within the hours stated on the licence for the sale of alcohol.
- **Age verification procedures are implemented at both point of sale and delivery stages, with a Challenge 25 policy implemented at the point of delivery.**
- **Retailers should ensure that delivery staff, including third party delivery services, have been given appropriate training in procedures relating to requesting and identifying proof of age and implement these procedures as standard.**

9.7 Petrol stations

Under Section 176 of the Licensing Act 2003, no premises licence, club premises certificate or temporary event notice has effect to authorise the sale by retail or supply of alcohol on or from excluded premises. "Excluded premises" means a motorway or trunk road service area or premises used primarily as a garage or which form part of premises which are primarily so used.

9.8 The Licensing Authority will require information from the applicant regarding the primary use of the premises prior to the hearing. Trading figures can be used to determine the issue of primary use. If a premises licence is granted, the premises licence holder must ensure that alcohol is not sold or supplied at any time when the premises are used primarily as a garage.

9.9 Events organised by external promoters

Premises Licence holders, DPSs and Personal Licence holders remain responsible for activities taking place on premises when events organised by external promoters take place. In addition, the Licensing Authority will expect premises licence holders to have in place written agreements to ensure that when hiring out venues to promoters, the responsibility for the management of the premises is clear. The Promoter and its employees or agents shall comply in all respects with all conditions, requirements and regulations of the Local Authority, Licensing Authority, Police Authority and Fire Authority.

9.10 Takeaway food premises

The Licensing Authority considers that it will normally be inappropriate to grant a premises licence permitting the sale of alcohol at premises which are principally used for selling hot food for consumption off the premises (“takeaway” premises).

9.11 It is recognised that takeaway premises open late at night can be associated with disorder. They may be frequented by persons under the influence of alcohol having left, or in some cases being ejected from, late night venues. There are many steps that an applicant can take to prevent crime and disorder.

It is also recognised that takeaway premises can be a focal point for young people to meet, and sometimes for predatory activity by adults.

9.12 The applicant may wish to seek the views of the Police and Children’s Services on appropriate measures to be included in their operating schedule. Any proposals should take into account the size, type, location, and proposed hours and activities taking place at the premise. The Licensing Authority expects applicants to consider, amongst other things, the following:

Written policies for dealing with disorder and nuisance including the provision of Incident logs for recording incidents of crime and disorder.

The provision of good quality, colour, digital CCTV. Access to CCTV should be readily available for viewing by Police and other Responsible Authorities and staff should be trained in its use. Footage should normally be retained for 31 days (or lesser period as agreed with the Police) and be capable of producing evidential quality footage in disc format for use in court. Consideration should also be given as to the location of CCTV cameras to ensure full coverage both inside the premises and external areas, particularly those covering entrances and exits to the premises.

- Regular, documented and on-going staff training addressing the prevention of crime and disorder, antisocial behaviour, drunkenness, conflict management, and safeguarding and child sexual exploitation.
- Imposing a terminal hour when unaccompanied children (U18’s) are permitted on the premises (e.g. 11pm)
- Signs at exits to encourage customer to be quiet until they leave the area, and to respect the rights of residents.

9.13 Operators of takeaway premises (including mobile units) must have suitable arrangements in place for the containment and disposal of their waste in accordance with the Environmental Protection Act 1990 and subsidiary regulations. Operators of premises where food or drink is provided in disposable containers for consumption elsewhere than on the premises are expected to consider the potential for litter near their premises and take steps to actively reduce the amount of litter generated from their premises. Applicants are also asked to consider the type of packaging container, whether it is always necessary and whether it can be sourced from sustainable materials.

Operators of takeaways should have in place end of trading cleaning/clearing up procedures, in particular for litter, empty food containers and other waste around the vicinity of the premises.

Where the Licensing Authority considers it appropriate and necessary, it may impose conditions on a premises licence to require the operators of premises serving customers with hot food or drink to provide litter bins in the vicinity of the premises in order to prevent the accumulation of litter from its customers. It may require the proprietor to service those litter bins as part of their own waste management arrangements.

9.14 Pavement cafes and external areas

The provision of tables and chairs outside premises can enhance the attractiveness of a venue. The implementation of the smokefree legislation and impact of Covid 19, where legislative changes by Government made it easier for licensees to provide outside spaces for licensable activities, has resulted in an increase in the number of outdoor seating/smoking areas for customers. However, regard should be had to ensure that the use of such areas will not cause nuisance to the occupiers of other premises in the vicinity.

Specific guidance for the operation of pavement cafes is available from the Council's website, or on request from the Licensing Authority.

Very often external seating areas are provided as the designated location for smokers. If the area is provided for smoking, the licensee is expected to provide ash trays or wall mounted cigarette bins for patrons so as to minimise litter.

Licensees should also be aware of the possibility of breakages of drinking glasses and glass bottles in outside areas. Consideration should therefore be given to the use of toughened or 'plastic' drinking vessels and other management controls to avoid or lessen the likelihood of broken glass in these areas.

The Licensing Authority has a number of concerns with respect to the development of external areas to licensed premises and will consider imposing conditions to improve the management of the outside area or prohibiting or restricting access.

9.15 External areas used for smoking

Where there is no provision for a designated smoking area, customers may start to use the external areas of the premises, entrances and doorways for smoking. Some of these locations may be considered to be enclosed spaces, and if they do not comply with smokefree legislation premises licence holders are expected to take appropriate action to address this with their customers. Some of these "unofficial" locations may also have an impact on local residents in relation to noise disturbance.

Ideally, a designated, compliant location for smoking should be identified. Consideration should be given to the following:

- Prohibiting alcohol from being consumed in these areas
- Locating smokers' area away from noise sensitive premises
- Effective management of these locations to discourage prolonged periods of time spent by customers
- Effective cleaning and refuse storage arrangements should be in place to prevent the build of smoking refuse. End of trading clean up arrangements should also be in place.

9.16 Novel psychoactive substances (Nps)

Novel psychoactive substances (NPS) (previously known as legal highs) mimic the effects of illegal drugs (like cocaine, cannabis and ecstasy) while being designed to evade controls. There is evidence that such NPS products can cause harms, particularly if taken in combination with alcohol.

The Licensing Authority will at the time of any licensing application or during any review proceedings consider whether conditions are appropriate to prevent the sale of such products alongside the sale of alcohol at both on and off licensed premises in order to promote the licensing objectives of the prevention of crime and disorder, public safety and the protection of children from harm.

9.17 Drinking up time

The traditional 'drinking up time' for on licensed premises was not carried over into the Licensing Act 2003. However, in order to reduce the impact on the surrounding area and to assist with the gradual dispersal of customers, applicants will normally be expected to include a 30-minute drinking up time into their operating schedule.

9.18 Boxing (including MMA and other Combat Sports) Need to retype this content below and get rid of grey background

To ensure the safety of fighters and crowds attending the event and to reduce the risk of crime and disorder the Premises Licence Holder must ensure an Event Management Plan is submitted by the Event Organiser.

The Plan must set out (but is not limited to):

- Security Arrangements, including the use of SIA Registered Door Supervisors
- the measures that will be in place to ensure the safety and welfare of competitors; including medical facilities and qualified staff provision
- fighter details
- how fighters will be matched
- layout of the venue
- competition rules
- referee details including qualifications.

Premises Licence holders should notify Cleveland Police of boxing events to be held on their premises. We would expect premises licence holders to notify the Police at least 28 days in advance of such events.

Bare Knuckle Boxing

Bare knuckle boxing can be considered as 'boxing or wrestling entertainment' under the Licensing Act 2003. Professional boxing in the UK is licensed by the British Boxing Board of Control (BBBC). The BBBC does not condone or support bare knuckle boxing. In addition, the degree of violence and the likelihood of serious injury to the boxers are factors for a licensing authority to consider in assessing an application to carry out bare knuckle boxing. Also relevant are the licensing objectives in relation to preventing disorder and public nuisance. The crowds at boxing events have generally been considered more of a threat to these objectives than performances of other martial arts

(such as judo). For these reasons a policy decision has been made in order to promote the four licensing objectives under the licensable activity of boxing:

- No bare-knuckle boxing event will be permitted.
- No bare-knuckle combined fighting sport will be permitted.
- No event advertised or promoted as bare-knuckle boxing or bare-knuckle fighting will be permitted.

Bare knuckle boxing will be defined as:

- boxing without the use of gloves, and
- boxing with hand wraps only.

10.0 Cumulative impact policies (CIP)

10.1 Introduction

“Cumulative impact” means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area. The cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for a Licensing Authority to consider in developing its licensing policy statement. Cumulative impact policies (CIP) may relate to premises licensed to carry on any licensable activity, including the sale of alcohol for consumption on or off the premises, and the provision of late-night refreshment. This includes late-night fast-food outlets which are not licensed to sell alcohol.

10.2 A Licensing Authority may consider a Cumulative Impact Policy where they are satisfied that there is evidence that the high density of licensed premises in one area is having a detrimental effect on one or more of the licensing objectives. This can include serious problems with disorder and nuisance. Problems can occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport. Licensing authorities can also consider whether the late-night refreshment premises or off licences in an area contribute to these problems and may choose to include them in their cumulative impact policy.

10.3 In order to adopt a Cumulative Impact Policy a Licensing Authority must first carry out a Cumulative Impact Assessment (CIA) to determine whether there is sufficient evidence. The assessment must be reviewed every three years from the date it came into force. In Middlesbrough the assessment relates to the areas shown within the policy as a Cumulative Impact Policy Areas 1 & 2. This assessment applies to all grants and material variations of premises licences and club premises certificates. The Cumulative Impact Assessment is available on the Council website [\(to insert weblink\)](#).

10.4 In forming its Cumulative Impact Policy the Licensing Authority has considered the evidence contained in the Cumulative Impact Assessment which includes:

- local crime and disorder statistics, including statistics on specific types of crime and crime hotspots.
- statistics on local anti-social behaviour offences.
- health-related statistics such as alcohol-related emergency attendances and hospital admissions.

- evidence obtained through local consultation

The Licensing Authority has also considered trends in licensing applications since the review of the last Policy and the implementation of the new licensing regime in 2005.

- 10.5 Applicants should give consideration to potential cumulative impact issues when setting out the steps they will take to promote the licensing objectives in their application. Applications for premises located in the Area 1 CIP which do not impact negatively on the licensing objectives will be considered and applicants are encouraged to discuss their proposals at their formative stage with the Licensing Authority and Responsible Authorities.
- 10.6 A Cumulative Impact Policy does not relieve responsible authorities (or any other persons) of the need to make a relevant representation, which should refer to the reasons, information and evidence presented to the Licensing Authority when it developed its Statement of Licensing Policy, before a Licensing Authority may lawfully consider giving effect to its special policy. If there are no representations, the Licensing Authority will grant the application in terms which are consistent with their operating schedule.
- 10.7 Middlesbrough's Cumulative Impact Policies will be reviewed every 3 years, in line with statutory requirements, by carrying out a Cumulative Impact Assessment to assess whether they are needed or if those which are contained in the Statement of Licensing Policy should be amended.
- 10.8 **The Council makes it clear in this policy that cumulative impact, in the absence of a specific 'special' policy, can still be raised in relevant representations and could form the basis for legitimate questions by members of the Licensing Sub-Committee. i.e. the absence of a special policy does not prevent the issue of cumulative impact being properly raised, considered and acted upon in the interests of promoting the licensing objectives.**

10.9 Middlesbrough cumulative impact policies

10.10 Area 1 Cumulative impact policy

Having considered the evidence in the Cumulative Impact Assessment at Appendix 6 the Licensing Authority consider that the Area 1 Cumulative Impact Policy, for the town centre area should be in place as the density, number and type of licensed premises within this area are negatively impacting on crime and disorder, resulting in the high proportion of crime and anti-social behavior arising inside, outside or in close proximity to licensed premises. The Council is satisfied that there is good evidence that crime and disorder or nuisance are occurring in this location and are caused by the customers of the licensed premises, and that the cumulative impact of licensed premises in this location is evident.

- 10.11 The Area 1 CIP applies to a designated area of the town centre. The town centre area for the purposes of this policy is the area of land bound by Southfield Road, Woodlands Road, Victoria Road, Linthorpe Road, Princes Road, Diamond Road, Hartington Road, Wilson Street, Bridge Street West and Marton Road. This is shown in the map below:



In this area applications for the following licences, if they are likely to add to the existing cumulative impact, would normally be refused, if relevant representations are made:

- new premises licences for the sale of alcohol on the premises or club premises certificates
- material variations to existing on licence premises or club premises certificates
- applications for new premises, seeking to provide a licence for hot food between 11pm and 5am where the food is purchased to take away from the premises and variation to extend the hours of such sales

10.12 When the Licensing Act was first introduced in 2005, there was a predominance of large, vertical drinking, late night premises which were contributing to the crime and disorder issues in location of the Area 1 CIP. Since this time there has been some considerable changes in the location of the night- time economy hubs and the types of licensed premises in the town. Since the last review of the Statement of Licensing Policy licensing applications which have been considered not to have a negative impact on the licensing objectives have been granted in the Area 1 CIP. This can be evidenced by the development of the Baker/Bedford Street area where licences for a number of smaller licensed bars, restaurants and cafes with an earlier closing time have been granted.

10.13 **Area 2 Cumulative impact policy 2 –Off licence premises**

The Cumulative Impact Assessment shows that the wards of Central, Newport, Park, Longlands and Beechwood, North Ormesby, Park End and Beckfield, Berwick Hills and Pallister and Brambles and Thorntree have the highest level of crime and antisocial behaviour, the highest number of off licence premises and alcohol attributable hospital admissions.

10.14 The Licensing Authority considers that the density of off licence premises in these wards is having a negative impact on crime and disorder. Whilst maintaining public health is not a licensing objective, many of the hospital admissions arise from alcohol related crime and disorder.

10.15 The Area 2 Cumulative Impact Policy applies to the wards of Central, Newport, Park, Longlands and Beechwood, North Ormesby, Park End and Beckfield, Berwick Hills and Pallister and Brambles and Thorntree. These wards are shown in the map below:

Applications in these wards for the following licences, if they are likely to add to the existing cumulative impact, would normally be refused, if relevant representations are made:

- new premises licences for the sale of alcohol off the premises
- material variations to existing off licence premises.

10.16 The Licensing Authority considers that all applications will be considered on an individual basis and applications for off licences, or material variations to existing off licensed applications, which will not add to the cumulative impact will be granted.

10.17 It is noted that there is overlap between the areas covered by Area 1 Cumulative Impact Policy 1 in relation to on licence premises and late- night refreshment and Area 2 Cumulative Impact Policy 2 in relation to off licence premises.

11.0 Licensing enforcement and reviews

11.1 It is essential that licensed premises are managed, maintained and operated so as to ensure the continued promotion of the licensing objectives and compliance with the Act. To ensure that premises are being operated in accordance with their licence conditions and promoting the licensing objectives, appropriate monitoring visits will be made at licensed premises. Visits to licensed premises will be determined by:

- Risk. Priority will be given to higher risk premises
- Any history of poor compliance
- Intelligence
- Complaints

11.2 Where the Licensing Authority receives complaints regarding licensed premises, complainants will be advised, where appropriate, to raise their complaint directly with the licensee in order to resolve the matter. However, the Licensing Authority, recognises that it is not always possible or practical for the public to raise complaints directly with the licensed premises. Officers will assess the complaint and determine the best approach to address any concerns.

Officers will also investigate complaints and allegations of unlicensed activities and ensure that relevant conditions are complied with. They will work closely with Cleveland Police and other responsible authorities to ensure compliance with licensing legislation.

The Licensing Authority will act in accordance with the Public Protection Enforcement Policy and in accordance with the Regulators' Compliance Code.

11.3 Reviews

The Licensing Act provides a process for reviewing premises licences and club premises certificates where problems associated with premises undermine the licensing objectives. Any person or organisation considering a review of a premises licence should seek advice from the Licensing Authority. Guidance in relation to the review procedure is available on the Council's website, using the following link -

<http://www.middlesbrough.gov.uk/CHttpHandler.ashx?id=3002&p=0>

Link does not work – need to contact digital team

- 11.4 At any stage during the life of a premises licence or a club premises certificate, an application for a review can be made to the Licensing Authority by any responsible authority, elected Member or any other person. If an application for a review is considered to be frivolous, vexatious or repetitious or where an application for a review is considered not relevant to the licensing objectives, the Licensing Authority will reject it.
- 11.5 Frivolous representations would concern minor issues which the Licensing Authority could not reasonably be required to take any action to remedy. Representations may be considered vexatious if they appear to be intended to cause aggravation or annoyance without reasonable cause.
- 11.6 The proceedings for reviewing premises licences and club premises certificates represent a key protection for the community from the negative impact of licensed premises. Local residents can request that their licensing authority review a premises licence where activities at licensed premises are undermining one or more of the licensing objectives.
- 11.7 Prior to requesting a review of a licence, the following action should be considered, as appropriate:
- Talking to those who manage the premises to let them know about the problem and give them the opportunity to address the issues,
 - Asking the licensing department at your council to talk to those who manage the premises on your behalf, or
 - Talking to the relevant “responsible authority” (e.g. local authority exercising environmental health functions in relation to noise nuisance, or the police in relation to crime and disorder) about the problem.
- 11.8 On receipt of a relevant and correctly made application to review a licence, The licensing authority will advertise the fact that a request for review of the licence has been received and allow a period of 28 days for other persons to make representations to it (such representations can be for or against the activities at the premises in question).

The Licensing Authority will arrange a hearing within the prescribed timescales. The Licensing Authority can consider one, or several of the following steps to promote the licensing objectives:

- modification of conditions, and/or,
 - exclusion of licensable activities, and/or
 - removal of the designated premises supervisor,
 - suspension of the licence/certificate for up to 3 months, or
 - the revocation of the licence/certificate.
- 11.9 After the period for making representations has expired, the Licensing Authority will hold a hearing to consider the request unless the request for review has been withdrawn. The request will in most cases be considered by the Licensing Sub-Committee who will hear representations from all parties involved.

11.10 The Licensing Authority will invite you to attend the hearing and give the applicant for the review the opportunity to address the Licensing Sub-Committee in support of the request for review. They must then give the authority at least 5 working days' notice (prior to the start of the hearing), advising:

- If they will attend the hearing in person,
- Whether they will be represented by someone else (e.g. councillor / MP /lawyer / residents' association representative / friend),
- If they think that a hearing is unnecessary (if, for example, the parties have come to an agreement before the formal hearing), or
- They may also request permission for another person to attend the hearing, and must advise the licensing authority how that person may be able to assist the authority in relation to the request for review

11.11 Once the Sub- Committee has listened to and considered all views and evidence, it must decide what (if any) action is appropriate to promote the licensing objectives. Actions can include:

- No action,
- Modifying the conditions of the licence (change, add or remove conditions – including operating hours),
- Excluding a licensable activity from the licence,
- Removing the designated premises supervisor,
- Suspend the licence for a period (not exceeding 3 months), and
- Revoke the licence.

11.12 The Licensing Authority will not expect a premises licence to be reviewed more than once within any 12-month period on similar grounds, except in exceptional circumstances or where it arises following a Closure Order.

11.13 Appeals against the decisions of the licensing authority

11.14 There is a right of appeal for all parties concerned with the request for review (i.e. the applicant for the review, the premises licence holder or any other person who made relevant representations in relation to the application). This means that they can appeal to the magistrates' court if they are not happy with the decision of the licensing authority.

11.15 If there is an appeal against a Licensing Authority's decision, and you are unsuccessful, the magistrates' court can award costs against the appellant if it sees fit. This would mean that they would have to pay other parties' legal costs as well as your own. However, the Magistrates' Association and the Justices' Clerks Society has advised that awarding costs for a licensing appeal should be an **exception** and not a rule, and any resident with reasonable grounds for appeal should not be penalised.

11.16 If the licence holder appeals against the Licensing Authority's decision, the appeal will be heard by the magistrates' court. The Licensing Authority will be the respondent to the appeal and may call the person who brought the review (and any other person or

responsible authority) as a witness in support of its case. The decision of the Licensing Authority in relation to the review will be suspended until the appeal is determined.

- 11.17 An application to appeal the decision must be made within 21 days of the notice of decision.
- 11.18 In hearing an appeal against the Licensing Authority's decision, the court will have regard to this policy and the guidance issued under Section 182 of the Licensing Act 2003. However, the court would be entitled to depart from both of these documents if it considers it justified so to do.
- 11.19 In respect of personal licences, appeals must be made to the Magistrates' Court in the area where the licence was issued. Appeals in relation to all other authorisations must be made to the Magistrates' Court where the premises or event is situated.

11.20 Fees

The Act requires the Licensing Authority to suspend a premises licence or club premises certificate if the holder fails to pay the annual licence fee in accordance with the invoice. Where the licence/certificate holder fails to pay the annual fee when due the Licensing Authority will notify the licence/certificate holder in writing specifying the date on which the suspension takes effect. This date will be 7 days after the day the Licensing Authority has given the licence/certificate holder such notice.

The Licensing Authority will work with Cleveland Police and appropriate action will be taken where premises continues trading whilst suspended. Where the licence/certificate holder has paid the annual fee the Licensing Authority will lift the suspension and inform Cleveland Police accordingly.

Chief Constable, Cleveland Police
Chief Constable, British Transport Police
Chief Fire Officer
CAMRA
Licensing Solicitors & Consultants
Arriva Ltd
The Gazette
Arts Council England
Association of Convenience Stores
Cinema Exhibitors Association
Workingmen's Clubs and Institute Union Limited
James Cook University Hospital
Federation of Licensed Victuallers Association
Citizens Advice Bureau
Institute of Licensing (Executive Officer)
British Beer and Pub Association
British Board of Film Classification
British Institute of Innkeeping
British Retail Consortium
The Northern Echo
Portman Group
Association of Licensed Multiple Retailers
Local Government Association
Local Safeguarding Children's Board
Community Safety Partnership
Town Centre Strategic Partnership
Police and Crime Commissioner
North East Ambulance Service
Integrated Care Board
Middlesbrough PubWatch
Community Councils
Local MPs
SIA Security Companies

Premise Licence Holders

Mayor and Ward Councillors

Hackney Carriage Association

Private Hire Operators

Responsible Authorities

Middlesbrough Council Services

Chief Executive

A copy of this policy has been placed on Middlesbrough Council's web- site at:

www.middlesbrough.gov.uk

Appendix 2 - Alcohol related Issues in Middlesbrough

In determining this policy, it is the view of the Licensing Authority that it is necessary to consider wider issues and how the policy may impact on them. Such issues are always

considered within the context of the licensing objectives. In 2013, Health became a responsible authority under the Licensing Act, and although there is no public health licensing objective within the Act, local health data can be considered in relation to upholding the four existing licensing objectives.

Alcohol is more available and accessible than ever before and it is for this reason that the Licensing Authority consider the importance of their role to ensure it is retailed and sold responsibly, from well managed premises and within the remit of the licensing objectives.

Most alcohol is consumed sensibly and without risk to health, however, the misuse of alcohol is a significant national and local public health challenge. It affects thousands of individuals, families, and communities across the country. The following statistics demonstrate the national picture in relation to the impact of alcohol:

National statistics on alcohol

- More than 80 people die every day in the UK because of alcohol-related causes
- In the UK since 1987 alcohol has become 74% more affordable.
- UK household expenditure on alcohol has almost doubled to £20.0 billion in 2018, from £10.4 billion in 1987
- Alcohol misuse costs England approximately £21bn per year in healthcare, crime and lost productivity costs More than 9 million people in England drink more than the recommended daily limits
- It is estimated that 2.6 million children in the UK are living with parents who are drinking hazardously
- Men and women aged 55 to 64 usually drink over 14 units in a week with 38% being men and 19% of women.

Alcohol and health

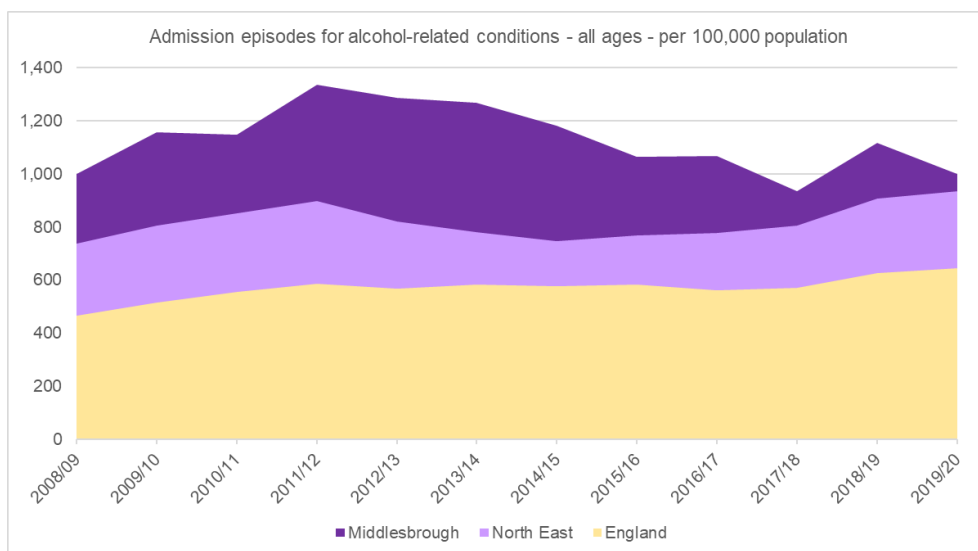
Alcohol is a causal factor in more than 60 medical conditions.

- Alcohol is a causal factor in more than 60 medical conditions, including: mouth, throat, stomach, liver and breast cancers; high blood pressure, cirrhosis of the liver; and depression
- In England in 2018/19, there were 1.26 million hospital admissions related to alcohol consumption (7.4% of all hospital admissions), 8% higher than the previous year. In the same period there were 358,000 admissions where the main reason was due to alcohol, 19% higher than ten years previously
- In the UK in 2018, alcohol-specific death rates were highest among 60–64-year-old females and 55–59-year-old males
- In 2018, the alcohol-specific death rate in the UK for males was 16.4 per 100,000 and 7.6 per 100,000 for females
- Alcohol-specific deaths made up 9.6% of all deaths in the 40-44 age group in the UK in 2018
- In the UK in 2018, the alcohol-specific mortality rate of men in the most disadvantaged socio-economic class was 3.9 times higher than for men in the least disadvantaged class, while for women the figure was 3.3 times higher

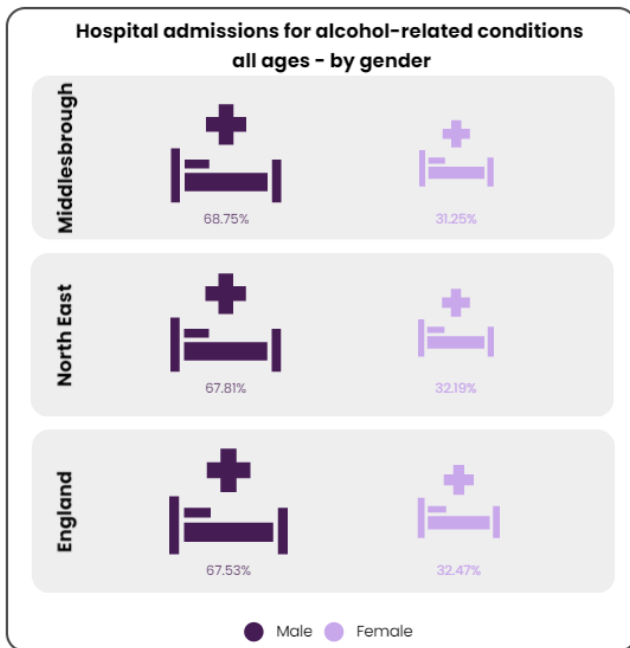
- In England and Wales, 63% of all deaths relating to the misuse of alcohol in 2016 were caused by alcohol liver disease
- The alcohol-related mortality rate in England in 2018 was 46.5/100,000, equivalent to 24,720 deaths
- In England in 2018, there were over 314,000 potential years of life lost related to alcohol consumption, the highest level since 2011
- Hospital admissions due to alcoholic liver disease in England have increased by 61% in the last 10 years
- The rate of older people over the age of 65 admitted to hospitals in England for alcohol-related conditions has risen by 14% since 2008/09, while the rate of alcohol-specific admissions for under-18s fell by 54% between 2008/09 and 2015/16

Alcohol related conditions

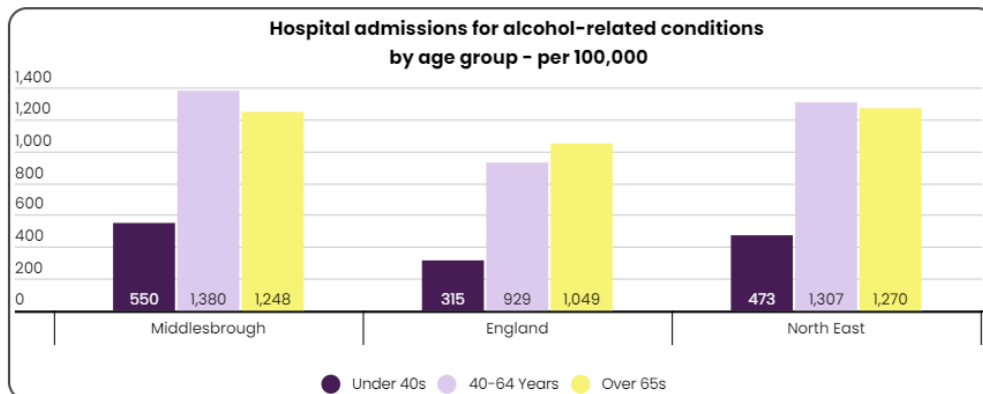
In 2019/20 Middlesbrough had a rate of 1,001 per 100,000 population in admissions for alcohol-related conditions, this was higher than the north east with 936 per 100,000 and England with 644 per 100,000. Middlesbrough has seen a changeable rate year on year in this measure, since 2008/09 however the most recent period matched the beginning rate of 1,000 per 100,000. This trend has not been seen in comparators, who have both overall seen an increase.



In 2019/20 the proportion of admissions for alcohol-related conditions was significantly higher for males than females, accounting for 68.75% in Middlesbrough, 67.81% in the north east and 67.53% in England.

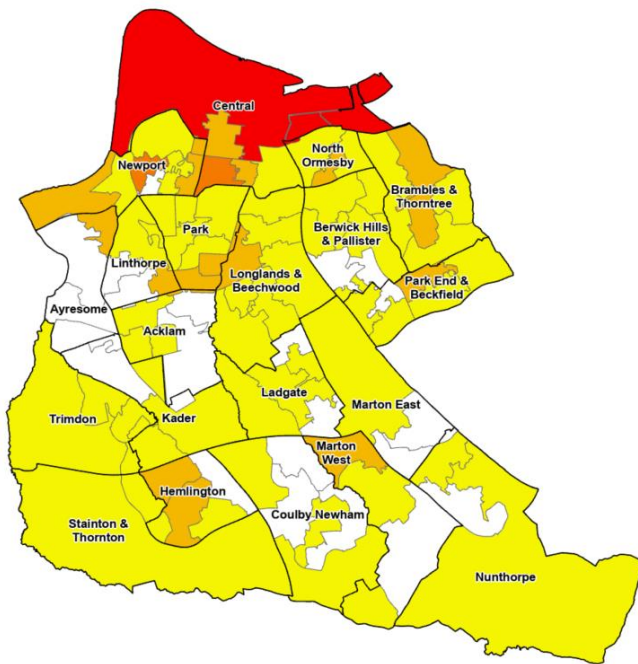


In 2018/19 the highest proportion of hospital admissions for alcohol-related conditions were in those aged 40-64 years in Middlesbrough with a rate of 1,380 per 100,000 population, this was higher than both the north east (1,307) and England with 929 per 100,000. The second highest proportion were in those aged 65 and over, this trend was also seen in England and the north east. Lastly those aged Under 40 years had a rate of 550 per 100,000 in Middlesbrough, 315 in England and 473 in the north east.



In conclusion, people in Middlesbrough are more likely to be admitted to hospital as a result of an alcohol-related condition than their regional and national counterparts, with men in the town more like than females and this is in line with their regional and national counterparts.

The map below illustrates the numbers of admissions to hospital from each ward area in Middlesbrough. Central ward had the highest number of admissions both in 2018/19.



The reasons for such attendances from each area are listed below.

	2018/19	2019/20	2020/21
Punch with fist	49.14%	52.75%	43.02%
Blow from blunt object [specify]	13.79%	12.40%	10.85%
Kick with foot	9.05%	6.32%	6.01%
Stabbed / cut with knife	6.03%	5.50%	8.14%
Stabbed / cut with other sharp object [specify]	6.03%	4.21%	2.71%
Blunt force / pushed	5.60%	11.35%	19.96%
Stabbed / cut with glass / bottle	3.45%	1.87%	1.94%
Injury from mammal - other [specify]	2.59%	0.58%	1.74%
Crushing injury	1.72%	2.11%	1.36%

Punch with fist accounts for the highest proportion of mechanism of injuries, with over 40% in all years. This is followed by Blow from blunt object, at much lower rates of between 10 and 14 percent, however the trend has been going downwards.

Stabbed/cut with knife and stabbed/cut with other sharp object jointly account for around another 12 percent per year.

Blunt force/pushed has seen an increase over these periods, making it the second highest in 2020/21

The Road/Pavement consistently accounts for the highest proportion of locations, with Living room being the second highest. It is suspected that the increase in the living room location in 2020/21 may be as a result of stay at home orders during the COVID-19 pandemic

	2018/19	2019/20	2020/21
Road / pavement	33.62%	37.78%	40.70%
Living room	29.31%	25.73%	35.27%
Workplace	7.33%	9.71%	6.59%
Recreational area	6.47%	4.91%	1.55%
Educational establishment	6.03%	4.44%	4.07%
Licensed premises e.g. bar cafe club	5.60%	1.52%	0.00%
Hallway	2.16%	0.58%	1.16%
Public building	2.16%	2.92%	0.78%
Kitchen	1.72%	1.75%	1.36%
Medical / clinical area	1.72%	0.70%	0.78%
Bedroom	1.29%	2.81%	2.13%
Garden	1.29%	1.64%	3.29%

Middlesbrough's Safe Haven

Middlesbrough has one of the highest binge drinking rates in the UK - the Balance 'Are we kidding ourselves' report, published in March 2019 advised that around 550,000 North East adults are drinking above the recommended guidelines of no more than 14 units a week. Over one in four NE adults (26%) are drinking above the Chief Medical Officer's low risk guidelines of 14 units a week compared to one in five (20%) across the UK.

Middlesbrough Safe haven alleviates problems such as potentially vulnerable/ intoxicated people in the town centre, substance-related crime, high rates of alcohol related hospital attendances and admissions and demand for emergency services.

The Safe Haven project has been part of the EDARA (Evaluating the Diversion of Alcohol-Related Attendances) study carried out by Sheffield University looking at Alcohol Intoxication Management Services (AIMS) effectiveness, cost-effectiveness, efficiency and acceptability to patients and staff in their goal of diverting and managing alcohol-related attendances. Early findings showed that:

- 63.7% of patients who were screened would have either called emergency services or attended A+E had Safe Haven not been there.
- 85% preferred to be treated at the centre rather than A+E.
- 31.8% of people would have felt unsafe if Safe Haven was not there.

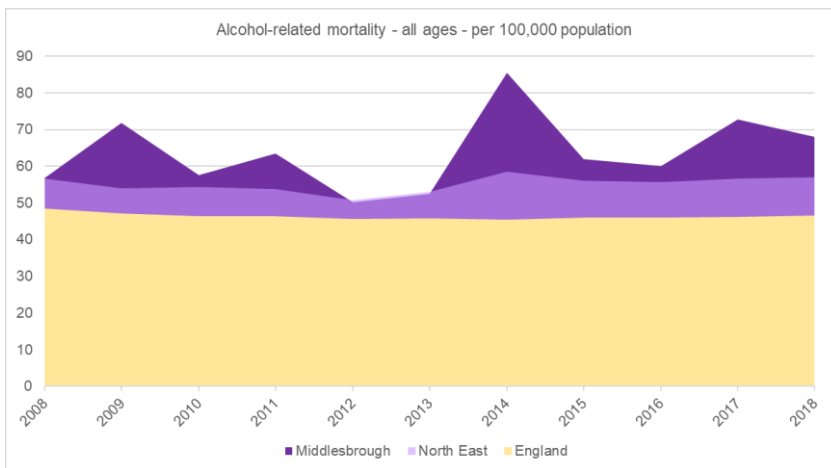
From April 2018 – March 2020 Middlesbrough Safe Haven supported 1532 people. Presenting issues ranged from falls related injury, head injury, laceration, intoxication and substance misuse. Intoxication only was the largest presenting issue recorded at 1010 people. Interventions undertaken by Middlesbrough Safe haven were as follows:

- Monitoring Patient Need 1197
- Minor Clinical Attention 263
- Urgent Clinical Attention 35
- Refused Treatment 32

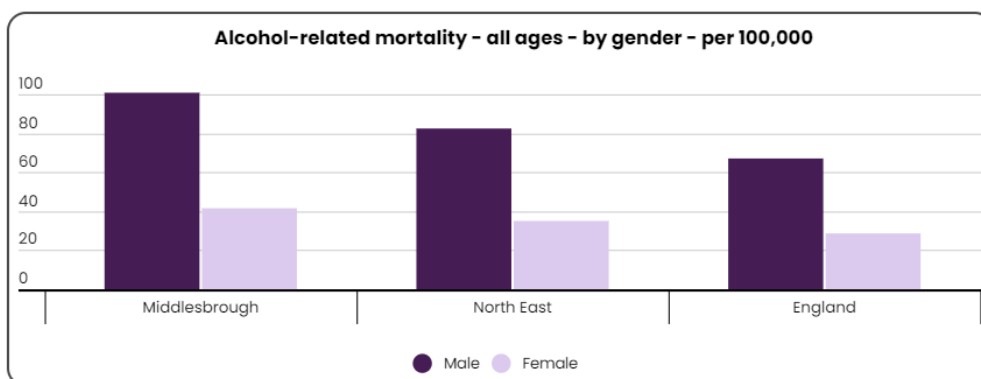
39 people were discharged to A&E for further treatment and 1155 people were given Information and Brief Advice (IBA) around safe drinking and minimising risks. 17 ambulances were cancelled due to the treatment provided at the Safe Haven.

Alcohol related mortality

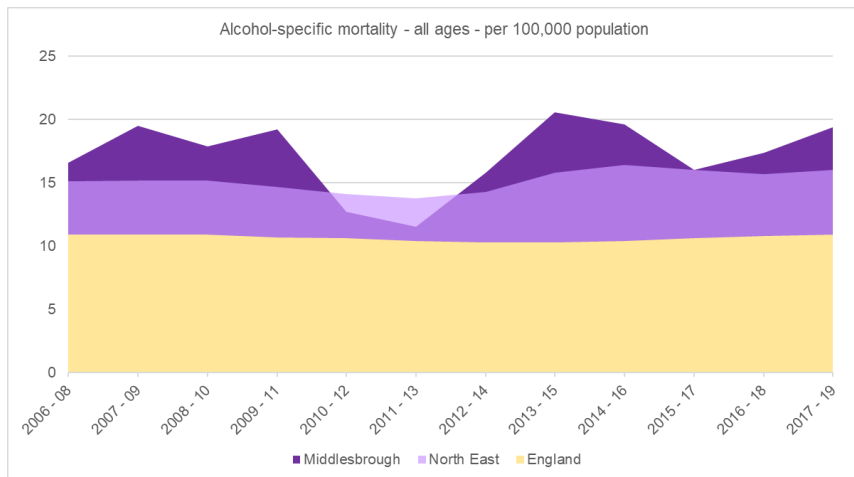
In 2018 Middlesbrough had a rate of 68.1 per 100,000 population in alcohol-related mortality, this was higher than the regional rate of 57.1 and the national rate of 46.5. This measure has seen large fluctuations in Middlesbrough, the highest peak being 85.5 per 100,000 in 2014, significantly higher than the north east 58.8 and England's 45.5 per 100,000. Comparators have seen some fluctuations of this rate also, though theirs far lower and marginal changes year on year.



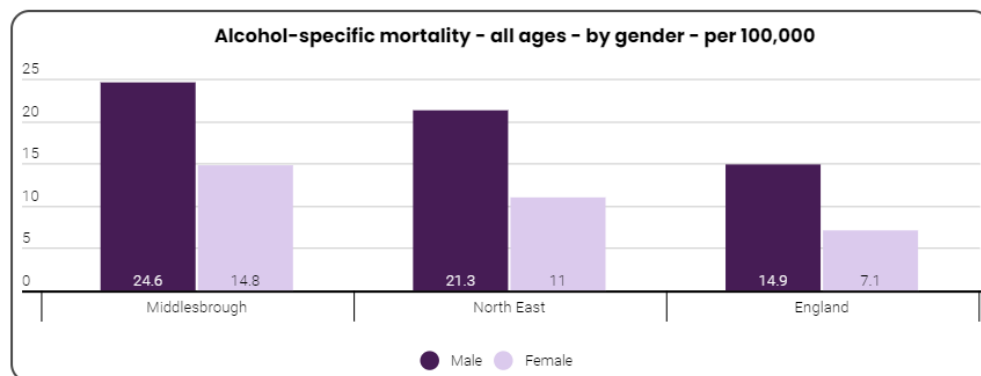
In 2018 the rate of alcohol-related mortality was over double in males at 101 per 100,000 population in Middlesbrough, this trend was also seen in the north east (82.6) and England (67.2).



Middlesbrough had a rate of 19.4 per 100,000 population in alcohol-specific mortality, this was higher than both the regional rate of 16 and the national rate of 10.9 per 100,000 in 2017-19. Middlesbrough has seen an increase in this rate since 2006-08, from 16.6 per 100,000 and this trend was not seen nationally, whilst the rate in the north east grew slightly over the period from 15.1 per 100,000.



In 2017-19 the rate of alcohol-specific mortality was significantly higher in males than in females, with a rate of 24.6 versus 14.8 per 100,000 in Middlesbrough. This trend was also seen in the north east 21.3 versus 11, and England 14.9 versus 7.1 per 100,000 population.



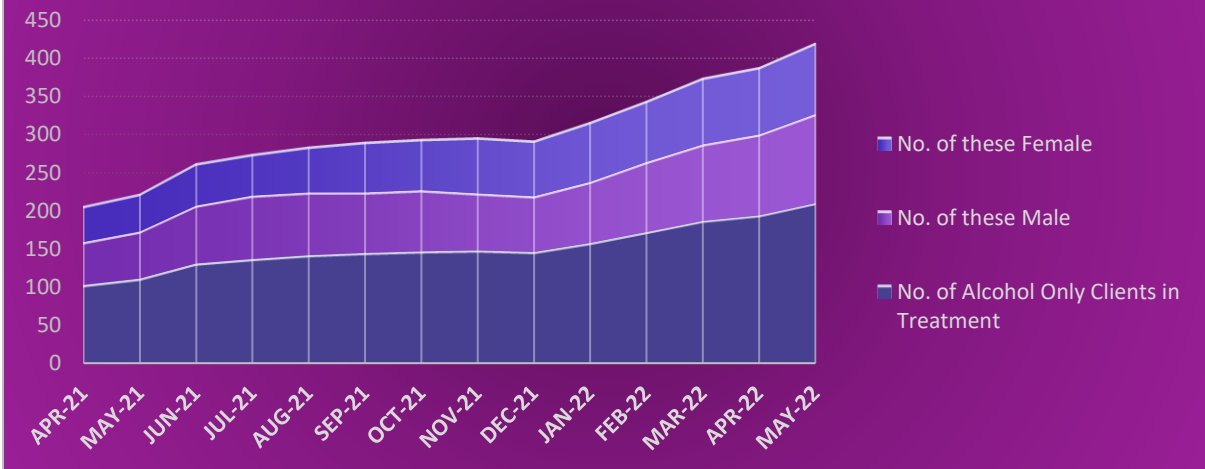
In conclusion, people in Middlesbrough are more likely to die of alcohol-related or specific reasons than their national and regional counterparts, with men in the town more likely to die as a result of alcohol than females.

Local alcohol profile for Middlesbrough

The LAPE (Local Alcohol Profiles for England) figures illustrate the extent to which alcohol related harm differs across the country and enable Middlesbrough to compare itself with other local authority areas. There are 22 Indicators split into mortality, admissions and crime and the tables are produced which shows the Middlesbrough, North East and England rates. It ranks how Middlesbrough performs against other LAs in England. On every indicator Middlesbrough performs worse when compared to England average & the North East for the majority.

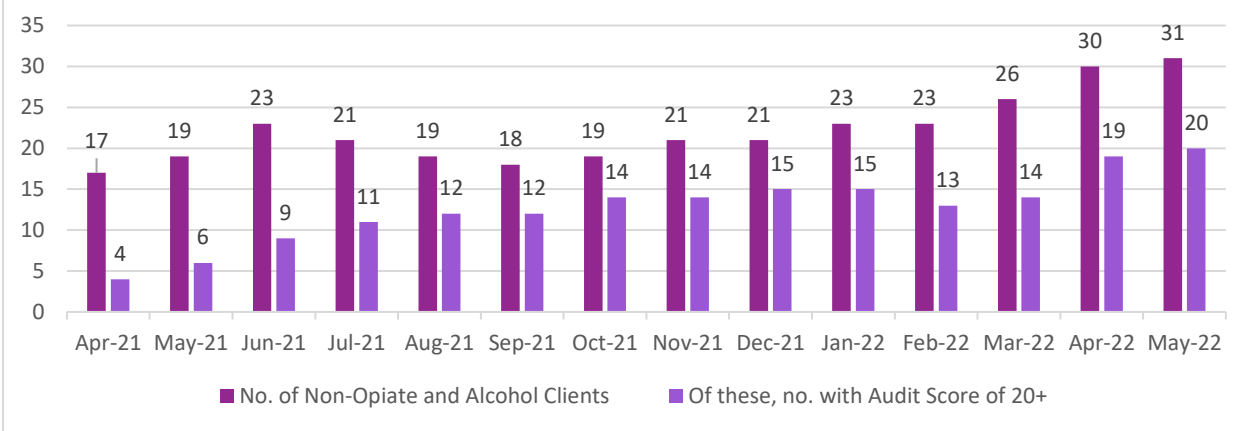
Middlesbrough – Data on those in alcohol treatment

No. of Alcohol Only clients in treatment between March 2021 - May 22



The number of Alcohol Only clients in Middlesbrough in April 21 was 103 with 54% of these being male and 46% female. In Dec 21 this was equal quantities. This caseload has now increased to 210 clients which is a 35% increase, with the ratio of male and female clients being similar to that in 2021.

No. of Non-Opiate and Alcohol Clients in relation to No. of those with Alcohol Audit of 20+



In April 21 there was 17 Alcohol and Non-Opiate clients in Middlesbrough, with only 4 of these having an Alcohol Audit score of 20+, which equates to 24%. In May 22, this has now increased, both in terms of the number of Non-Opiate and Alcohol clients and of those, with an Alcohol Audit score of 20+. This is now 65% of the caseload. More and more clients are coming into treatment with Alcohol related need

Appendix 3.

Glossary of Terms

Appeals – Appeals where the magistrates' court notified parties of its decision in the time period specified. This includes the number of appeals against application decision and separately appeals against the licence review decision.

Closure notice (premises licence) – Where a premises was prohibited from selling alcohol for not more than 48 hours following a notice under s.169A.

Club premises certificate – Authorising a qualifying club to carry out 'qualifying club activities' under the Licensing Act 2003. This includes time limited certificates.

Completed reviews – Reviews where the licensing authority notified parties of its decision in the time period specified. Excludes applications for a review that were withdrawn or did not go to a hearing. Includes completed reviews of premises licences, following an application for the review under s.51 of the Licensing Act 2003 or following an application for an expedited/summary review under s.53A (which is instigated by the police) and reviews following closure under s.161 (which would also be instigated by the police).

Cumulative impact area – Area that the licensing authority has identified in their licensing policy statement where there is a saturation of licensed premises and the 'cumulative impact' of any additional licensed premises could affect the licensing objectives. Further information on cumulative impact areas is available in the Amended Guidance issued under Section 182 of the Licensing Act 2003 on the Home Office website <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

Designated premises supervisor (DPS) – an individual, who must hold a valid personal licence and must ordinarily be nominated in the application for a premises licence that includes a request for permission to sell alcohol.

Expedited/summary review – A chief officer of police can apply for an expedited/summary review of a premises licence because of serious crime and/or serious disorder under s.53A of the Licensing Act 2003.

Fee bands – In determining the amount of the licence fee for applications for new premises licences and club premises certificates, and full variations to licences or certificates, each premises falls into a band based on its non-domestic rateable value. All premises licences and club premises certificates have a fee band, regardless of whether they pay a fee or not. For 2011/12, the application fees associated with each band for a new licence or certificate are as follows: Band A (£100); Band B (£190); Band C (£315); Band D [no multiplier] (£450); Band D with multiplier (£900); Band E [no multiplier] (£635); Band E with multiplier (£1,905). The subsequent annual fees associated with each licence or certificate are as follows: Band A (£70); Band B (£180); Band C (£295); Band D [no multiplier] (£320); Band D with multiplier (£640); Band E [no multiplier] (£350); Band E with multiplier (£1,050).

Forfeited (personal licence) – Suspension following a court order under s.129 of the Licensing Act 2003 specified (and where that order has not been suspended, pending an appeal under s.129 (4) or 130 of the Act).

Hearing – Used in the context of applications for a premises licence or club premises certificate that go to a hearing for determining applications for a premises licence, for

provisional statements, to vary a premises licence, for club premises certificates, and to vary club premises certificates. The hearings figures in this release exclude applications for a change to DPS, transfer of premises licence, review, or cancellation of interim authority notices following police objections that went to a hearing.

Judicial review – includes only those where the High Court notified parties of its decision in the time period specified.

Lapsed (club certificate) – Where a club premises certificate has lapsed because it had effect for a limited period, but that period has since expired.

Lapsed (premises licence) – Where a premises licence has lapsed due to the death, incapacity, insolvency etc. of the licence holder, as set out under s.27 of the Licensing Act 2003. Excludes instances where a premises licence was in effect for a limited period, but the period has since expired (e.g. one-off events).

Late night refreshment – The provision of hot food or drink to the public, for consumption on or off the premises, between 11pm and 5am or the supply of hot food or hot drink to any persons between those hours on or from premises to which the public has access.

Licensing Act 2003 – see Section 1.

Licensing authority – The licensing authority is responsible for the licensing of alcohol, regulated entertainment and late-night refreshment.

Licensing authority area – The geographical area where a licensing authority exercises its functions under the Licensing Act 2003.

Local authority (LA) type – There are six main LA types which share similar characteristics such as size and therefore they hold similar licensing statistics: Unitary Authorities; Metropolitan Districts; District Authorities; Welsh Unitary Authorities; London Boroughs and Unspecified (Inner Temple and Middle Temple within Greater London).

LPA – Local Policing Area

Minor variation (to licence or certificate) – Applications made under s.41A or s.86A of the Licensing Act 2003 to make low risk changes to the terms of a licence or club premises certificate. The fee for a minor variation is £89.

Multiplier – Multipliers are applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises under the authorisation of a premises licence (fee bands D and E only).

Off-sales – The sale by retail of alcohol for consumption off the premises.

On-sales – The sale by retail of alcohol and the supply of alcohol (by clubs) for consumption on the premises.

Personal licence – Authorising an individual to supply or authorise the supply of alcohol in accordance with a premises licence under the Licensing Act 2003. The application fee for a personal licence is £37.

Premises licence – Authorising a premises to be used for the sale or supply of alcohol, the provision of regulated entertainment or the provision of late-night refreshment, under the Licensing Act 2003. This includes time-limited premises licences. A premises licence fee is based on its non-domestic rateable value. Application fees vary from £100 (Band A) to £1,905 (Band E with multiplier); annual fees vary from £70 to £1,050.

Qualifying club – A number of criteria must be met to be considered a qualifying club for a club premises certificate. They are:

- that under the rules of the club, persons may not be admitted to membership or be admitted as candidates for membership, to any of the privileges of membership without an interval of at least two days between their nomination for membership and their admission.
- that the club is established & conducted in good faith as a club.
- that the club has at least 25 members; and
- that alcohol is not supplied to members on the premises otherwise than by or on behalf of the club.

Region – Licensing authority data, presented as a supplementary table to this release, are also grouped into regions. Formerly covered by the Government Office Regions until they closed on 31 March 2011, there are nine regions in England: North East; North West; Yorkshire and the Humber; East Midlands; West Midlands; East of England; London; South East; South West. The Welsh licensing authorities are not regionalised in the tables.

Regulated entertainment - The provision of regulated entertainment means the commercial or public provision of entertainment facilities or the commercial or public provision of any of the following sorts of entertainment:

- **The performance of a play**
- **An exhibition of a film**
- **An indoor sporting event**
- **Boxing or wrestling entertainment**
- **A performance of live music**
- **Any playing of recorded music**
- **A performance of dance**

Entertainment of a similar description to live music, recorded music, or dance. Schedule 1 of the Licensing Act 2003 contains further specific rules about where the definition of 'regulated entertainment' applies. These rules concern the intended audience and whether the regulated entertainment is for profit. Section 18 of the

Section 182 Guidance provides an overview of the circumstances in which entertainment is licensable and when it is exempt.

Revoked (personal licence) – If the holder of a personal licence is convicted of an offence during the application period for the licence, the licence may be revoked under s.124 of the Licensing Act 2003.

Surrender (of licence) – If the holder of a licence wishes to surrender it, it is done according to the provisions under section 28 (for a premises licence), section 81 (for a club certificate) and section 116 (for a personal licence).

Suspended by the court (premises licence) – A power under s.147 of the Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006) to suspend a license for the sale or supply of alcohol, following an offence of persistently selling to underage children.

Suspended by the court (personal licence) – Suspension following a court order under s.129 of the Licensing Act 2003 specified (and where that order has not been suspended, pending an appeal under s.129 (4) or 130 of the Act).

Temporary event notice (TEN) – A notice under s.100 of the Licensing Act 2003, used to authorise relatively small-scale licensable activities, subject to certain criteria and limits. Includes only notices that have been correctly and properly given in the time period specified, i.e. exclude notices that were sent back because of mistakes on the form. This also includes notices that were subsequently withdrawn. The fee for a TEN is £21.

Variation (to premises licence) – Applications made under s.34 of the Licensing Act 2003 to change the terms of a premises licence, for example the opening hours, the licensable activities or the conditions.

Variation (to club premises certificate) – Applications made under

s.84 of the Licensing Act 2003 to change the terms of a club premises certificate, for example the qualifying club activities or the conditions. The fee for a variation of DPS is £23.

Types of licence

Premises licences - A premises licence can be used for the sale or supply of alcohol, the provision of regulated entertainment or the provision of late-night refreshment or any combination of these activities. Its use for retail sale of alcohol is for consumption on the premises, off the premises, or both on and off the premises.

Club premises certificates - A club premises certificate authorises a 'qualifying club' to carry out 'qualifying club activities. This includes time-limited certificates. A qualifying club is established and conducted in good faith as a club; has at least 25 members; and does not supply alcohol to members on the premises otherwise than by or on behalf of the club. These qualifying clubs (such as the Royal British Legion, working men's clubs, cricket clubs) are generally organisations where members join together for a particular social, sporting or political purpose and then the club purchases alcohol in bulk for its members.

Personal licences - The personal licence is separate from the licence which authorises the premises to be used for the supply of alcohol. Sales of alcohol may not be made under

a premises licence (other than a community premises that has successfully applied to remove this requirement) unless there is a Designated Premises Supervisor in respect of the premises (who must hold a personal licence); and every sale must be made or authorised by a personal licence holder.

24-hour alcohol licences - The possession of a 24-hour licence does not necessarily mean that the premises will choose to open for 24 hours. Prior to the 2003 Act, hotels were often authorised to sell alcohol to residents and their private guests only outside of permitted licensing hours

Appendix 4

Table of Delegations

Matter to be dealt with	Full Licensing Committee	Licensing Sub Committee	Officers
Application for Personal Licence		If Police objection	If no objection
Application for Personal licence with unspent convictions		All cases	
Application for Premises Licence/Club Premises Certificate		If relevant representation	If no relevant representation
Application for Provisional Statement		If relevant representation	If no relevant representation
Application to vary Premises Licence/Certificate		If relevant representation	If no relevant representation
Application to vary Designated Premises Supervisor		If Police objection	If no Police objection
Request to be removed as Designated Premises Supervisor			All cases
Application for transfer of Premises Licence		If Police Objection	All other cases
Applications for Interim Authorities		If Police objection	All other cases
Application to review Premises Licence/Certificate		All cases	
Decision on frivolous/vexatious/ Repetitive/irrelevant representation		If referred by Officer	All other cases
Police objection to Temporary Event Notice		All cases	
Decision to object when Council is consultee, not relevant authority		All cases	

Appendix 5.

Guidance for the protection of young people under 18 years of age who attend events at licensed premises

The Protection of Children from Harm is one of the four licensing objectives that underpin the Licensing Act 2003. As such any events aimed at attracting

attendance by young people under 18, even though alcohol may not be available at the event, could involve some risk.

Mixed age events (where alcohol is available for sale to persons over 18 and those under 18 may also be in attendance at the event) significantly increase this potential risk.

Clear management plans should be in place demonstrating how the licence holder intends to control and mitigate the potential harm to individuals under 18 years of age attending these events, irrespective of whether alcohol is available or not.

Whilst every event should be assessed on its own merits the Licensing Authority, Police and Local Authority Children's Service strongly recommend that a code of conduct/policy for these events is adopted to ensure that the four licensing objectives are complied with, in particular the Protection of Children from Harm. Measures expected to be considered include:

Under 18 Only Events

1. The Police Licensing Officer, Licensing Authority and Local Authority Children's Service is to be notified of any under 18 events at least 28 days in advance of the event. Such notification should be from the Premise Licence Holders or Designated Premise Supervisor, as they would be held accountable should the event undermine any of the licensing objectives.
2. The premises to be covered by good quality, colour, digital CCTV which meets the requirements and expectations of the Licensing Authority and Police. The equipment to record whilst the event is being held on the premise, all recordings to be retained for a minimum period of 31 days and to be made available upon request to the Police or Licensing Authority within a period of 7 days.
3. The operator to ensure that the premises have sufficient numbers of SIA registered security staff and ensuring that they are employed in the following minimum ratio: 2 for the first 100 customers, one of which being female, 2 for the second 100 customers and 1 for every 100 customers thereafter. At least one member of security staff being employed as a floorwalker and constantly monitoring patrons for evidence of alcohol or drugs and also protecting patrons from unwanted attention or harassment.
4. Ensure efficient entry and dispersal procedures are in place so that young people are not left in a vulnerable position outside of the premises.
5. Where there is normally a bar, ensuring that alcohol is not on display and is locked away.
6. Ensuring that there is at least 1 hour between the conclusion of the youth event and the venue opening for the commencement of any adult entertainment.

7. Searches on entry, to include all bags, to prevent alcohol and other illegal substances being brought onto the premises.
8. Where alcohol is seized from persons aged under 18, the details to be recorded in a register.
9. Any prior marketing of the event (internet, flyers, posters etc.) to make it clear that no alcohol will be sold to under 18's, nobody who appears to be drunk will be allowed admission to the event and searches will take place to ensure that no alcohol is brought into the venue. Permissible ages for attendance at the event to be printed in prominent writing on any tickets issued for the event.
10. Ensure a policy is in place for dealing with under 18's who appear to be under the influence of drugs or alcohol which incorporates the level of duty of care expected to be provided.
11. Toilet checks being carried out at regular intervals and records of such checks retained.
12. First aid provision to be available at the premises.
13. Ensure a policy is in place to prevent under aged persons leaving and returning to the premises in order to consume alcohol outside.
14. For events held on a Thursday, Friday or Saturday evening a terminal hour of no later than 11.00pm.
15. An area should be designated as a safe space, whereby ill or intoxicated persons, including minors, can be taken to a place of safety for medical treatment or in the case of minors until reunited with a parent, guardian or responsible adult.

Additional Measures expected to be considered for Mixed Age Events

1. All patrons to be given a secure wristband of different colours, differentiating over 18's from under 18's.
2. Only one alcoholic drink to be purchased at any one time by an individual aged over 18 years of age.
3. At least 2 SIA registered security staff acting as floorwalkers to constantly monitor patrons aged under 18 years of age for evidence of alcohol or drugs and also to protect patrons from unwanted attention or harassment and to be vigilant of adults accompanying young people to guard against exploitation,
4. Children under 16 years of age should not be permitted to attend the event unless accompanied by a responsible adult. Each responsible adult should not be responsible for more than 4 such children.
5. All drinks to be served in plastic or polycarbonate glasses.

It must be stressed that the above measures are not considered to be an exhaustive list, and licensees are encouraged to discuss the management of any such events in detail with the responsible authorities as part of their risk management process

DRAFT CUMULATIVE IMPACT ASSESSMENT AND POLICIES 2025-2028

February 2025

Appendix 3

Middlesbrough's cumulative impact assessment and policies

1.0 Legislative Framework

1.1 Under the Licensing Act 2003, responsibility for alcohol licensing in England and Wales rests with local authorities. This includes the issuing of premises licences and club premises certificates.

The Licensing Act 2003 has four licensing objectives:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance;
- The protection of children from harm.

1.2 Section 5 of the Act requires a Licensing Authority to publish a statement of its licensing policy at least every five years. This policy must take into account any cumulative impact assessment (CIA) a Local Authority has published under section 5A of the Act before determining whether to introduce a Cumulative Impact Policy (CIP). The Licensing Authority must review a CIA within three years.

2.0 Introduction to cumulative impact assessment/cumulative impact policies

2.1. The aim of a CIP is to limit the growth of licensed premises where the promotion of the licensing objectives is being compromised. CIPs strengthen the ability of Local Authorities to control the availability of alcohol and to reduce alcohol-related crime and disorder. The Cumulative Impact Assessment provide the industry with greater clarity about how the CIPs are used and provide transparency over the evidence used to implement CIPs.

2.2. A CIP may be published by a Local Authority to help it to limit the number or type of applications granted in areas where there is evidence to show that the number or density of licensed premises in an area is having a cumulative impact which are leading to problems which are undermining the licensing objectives. This can include serious problems with disorder and nuisance.

2.3 When considering cumulative impact, the guidance under 182 of the Licensing Act 2003 suggests that Councils should consider a broad range of data sources including data held by Responsible Authorities such as Police and Environmental Health. Public Health data can also be relevant, although public health is not a licensing objectives.

2.4 CIPs did not have a statutory basis until 6 April 2018 when section 141 of the Policing and Crime Act 2017 came into force and amended the 2003 Act. Until that date, "cumulative impact" and cumulative impact policies (CIPs) were only described in Home Office guidance on the Licensing Act. The change in legislation requires that once a cumulative impact policy is introduced there is a statutory requirement to review the Cumulative Impact Assessment every 3 years.

2.5 Whilst the evidence underpinning the publication of a cumulative impact policy should generally be the basis for a decision to refuse an application or impose conditions, it does not change the way that decisions are made under the Licensing Act 2003. If no representations are received, the licensing authority must grant the application subject to terms that are consistent with the operating schedule submitted by the Applicant. If relevant representations are received, each decision still needs to be made on a case-by-case basis with a view to promoting the licensing objectives.

2.6 It is for the applicant to demonstrate, within their operating schedule, that **they will not be adding to the Cumulative Impact. Applications in areas covered by the CIA should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives.**

2.7 The Licensing Authority recognises that the cumulative impact policy is not absolute, and that any application will continue to be considered on its own merits. The Licensing Authority will give consideration to the contents of the applicants operating schedule, any relevant representations and whether the imposition of appropriate conditions would be effective in preventing problems.

2.8 **The council makes it clear in this policy that cumulative impact, in the absence of a specific 'special' policy, can still be raised in relevant representations and could form the basis for legitimate questions by members of the Licensing Sub-Committee. i.e. the absence of a special policy does not prevent the issue of cumulative impact being properly raised, considered and acted upon in the interests of promoting the licensing objectives.**

3.0 Cumulative Impact Policies in Middlesbrough

3.1. There are two Cumulative Impact policies in Middlesbrough that relate to two different geographical areas and the types of licensed premises affected. There are areas within Central and Newport wards where both policies apply.

3.2. Area 1 Cumulative impact policy.

The Area 1 CIP covers the area detailed in paragraph 4.2. In this designated area applications for the following licences, if they are likely to add to the existing cumulative impact, would normally be refused, if relevant representations are made:

- new premises licences for the sale of alcohol on the premises or club premises certificates
- material variations to existing on licence premises or club premises certificates
- Applications for new premises, seeking to provide a licence for hot food between 11pm and 5am where the food is purchased to take away from the premises and variation to extend the hours of such sales.

3.3. This Area 1 Cumulative Impact Policy (CIP1) was introduced in the Council's first Licensing Policy implemented under the Licensing Act 2003 in 2005. It was amended as part of the 2011 policy review to cover late night refreshment premises and material

variations and as a result of this Cumulative Impact assessment there has been an amendment to the boundary.

3.4 Area 2 Cumulative impact policy.

The Area 2 CIP covers the area shown in paragraph 7.1 and comprises of the following wards:

- Central,
- Newport,
- Park,
- Longlands and Beechwood,
- North Ormesby.
- Park End and Beckfield.
- Brambles and Thorntree
- Berwick Hills and Pallister

In these designated wards applications for the following licences, if they are likely to add to the existing cumulative impact, would normally be refused, if relevant representations are made:

- new premises licences for the sale of alcohol off the premises
- material variations to existing off licence premises

3.5. As part of the review of the Statement of Licensing Policy in 2016 the Licensing Authority introduced this Area 2 CIP for the wards of Central, Newport, Park, Longlands, and Beechwood, North Ormesby. As a result of this Area 2 Cumulative Impact Assessment the following wards have been added to the Area 2 CIP: Park End and Beckfield, Brambles and Thorntree and Berwick Hills and Pallister.

3.6. It is the view of the Licensing Authority that the Cumulative Impact Policies have helped shape the nighttime economy in Middlesbrough over recent years, to encourage the development of responsible licensed premises and those which do not negatively impact on the licensing objectives. Applications for premises which demonstrated no negative impact have been successful and it is considered that the Cumulative Impact Policies have encouraged a higher standard of premises, management, greater utilisation of a wide range of licence conditions and, in relation to the night time economy, a diversification in the type of premises with a different “offer”. This can be evidenced by the development of the Baker/Bedford Street area of the Town Centre, where a number of licensed bars, micro pubs, restaurants, and cafes have opened in recent years. In addition, the Captain Cook’s Square development offers a diverse range of entertainment for different audiences.

3.7. The Licensing Authority, in determining the need for the Cumulative Impact Policies, in order to promote the Licensing objectives, has had regard to the following:

- Evidence provided by Cleveland Police
- Evidence provided by Public Health
- Evidence provided by Responsible Authorities

- Consultation Responses (these will be included after the period of consultation on the CIP policies)

The evidence presented below summarises the data and presents the Assessment to support the Cumulative Impact Policies.

4.0. Evidence for the cumulative impact policies.

4.1. For the purposes of Cumulative Impact Assessment, the data from five years is presented (18/19, 19/20, 20/21, 21/22 22/23). The data comprises all Middlesbrough crimes and incidents (including antisocial behaviour) reported to Cleveland Police over this five-year period. All crime and antisocial behavior data has been used in addition to alcohol related crime and anti-social behavior to ensure accurate situational representation. There is a significant proportion of crimes and anti-social behaviour incidents recorded with an “unknown” status in relation to whether it is alcohol related. The impact of the covid pandemic should also be considered when looking at the data for 20/21. During this year on-licensed premises had restricted trading. It should also be noted that in March 2020 there was an uptick in the number of all ASB incidents due to inclusion of Covid-19 infractions.

4.2. Assessment for the area 1 Cumulative impact policy.

This CIP applies to a designated area of the town centre which is shown in the map below. (The town centre area for the purposes of this policy is the area of land bound by Southfield Road, Woodlands Road, Victoria Road, Linthorpe Road, Princes Road, Diamond Road, Hartington Road, Wilson Street, Bridge Street West, and Marton Road). The shaded area on the map below shows to Area 1 CIP. This is a relatively compact area of the town which includes parts of the Newport and Central and wards. It encompasses the main entertainment and leisure areas and the central nighttime economy.

Map showing the Area 1 CIP.



4.3. The Cumulative Impact Policy has been applied to this designated area due to the number, type and density of the premises selling alcohol for consumption on the premises

and the provision of late-night refreshment. The Licensing Authority is satisfied that there is good evidence that crime and disorder or nuisance occurring in this location is being caused by the customers of on license premises and late-night refreshment, and that the cumulative impact of off licensed premises in this location is evident.

When the Licensing Act was introduced in 2005, there had been a predominance of applications for large, vertical drinking, late night premises which were contributing to the crime and disorder issues in the designated town center locations. There have been some significant changes to the Town Centre Night -Time Economy since 2005.

4.4. Types of premises

Over the last 10-15 years there has been a reduction in the number of large “night club” style premises in the Area 1 CIP, however, there has been an increase in the number of “pub” type premises with extended hours.

There has been an increase in a smaller, “niche” type licensed premises – “micro” pubs or more specialist premises offering a range of seated entertainment and specialist alcoholic products.

4.5. Development of the night- time economy

Historically, and over the life of the Cumulative Impact Policy there has been positive developments in the structure and location of licensed premises in the town centre. In 2005, the Albert Road/Wilson Street locations were considered to be the night- time hubs. Since this time, several additional night-time hubs have developed:

- Southfield Road.
The development of the University campus, pedestrianisation of Southfield Road, and development of restaurants has led to this location becoming increasingly popular. Anecdotally, this area appears to attract an older clientele and is popular with the student population.
- Baker Street/Bedford Street
There has been a drive to develop a combination of micro pubs, cafes, and retail units as well as commercial and retail premises in this location. The applications for licensed premises in this location were not subject to representations as applicants demonstrated in their application that there would be no negative impact on the licensing objectives.
- Captain Cooks Square –
With the recent purchase of Captain Cooks Square by Middlesbrough Council the plan is to develop a leisure offer within this area incorporating a wider range of entertainment.

4.6. Table 1 shows the breakdown of the number of licensed premises located inside the Area 1 CIP since the introduction of the Licensing Act in 2005. It is evident that 34% of all takeaways and 44% of all pubs/clubs are concentrated in CIP Area 1.

Table 1 – Number of licensed premises in -Area 1 CIP.

Premises Type	Cumulative Impact Area 2005	Cumulative Impact Area 2015	Proposed New Cumulative Impact Area 2023	Total Premises in Middlesbrough (July 2023)	% of licensed premises in CIP Area 1
Restaurants	16	20	25	58	43.1%
Late Night Refreshment	24	27	36	100	36.0%
Hotels	2	3	4	10	40.0%
Pubs/Nightclubs	50	33	58	126	46%
Off Licences	18	18	14	144	9.7%

4.7. Nineteen new premises licenses have been granted in the Area 1 CIP throughout the five years of the 2017-2022 policy. These premises have been able to demonstrate, as required through the Cumulative Impact Policy application process, that they will not negatively impact on the licensing objectives. Licences have been issued to the following types of premises:

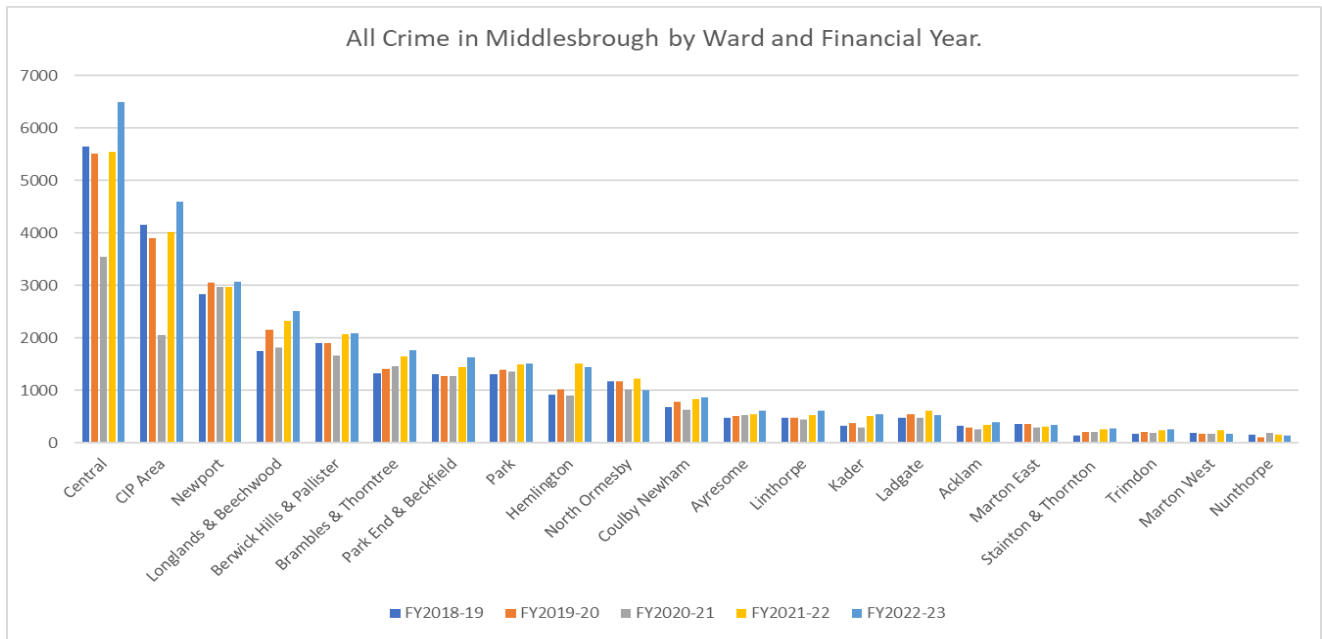
- Bowling alley
- E-gaming
- Micro pubs
- Restaurants
- Adventure Golf

4.8. During the period of the last Licensing Policy there has been the following changes in numbers of off sales premises in the Area 1 CIP:

- 6 premises licences in the Area 1 CIP were surrendered. These licences were for retail premises where the sale of alcohol was very much ancillary to the sale of other products, with low volumes of alcohol being sold, for example large town centre retailers such as BHS, Debenhams, Boots and TJ Hughes, a Florist and a small newsagent.
- Three off licence had new premises licence granted.
- One off licence premises licence was revoked.

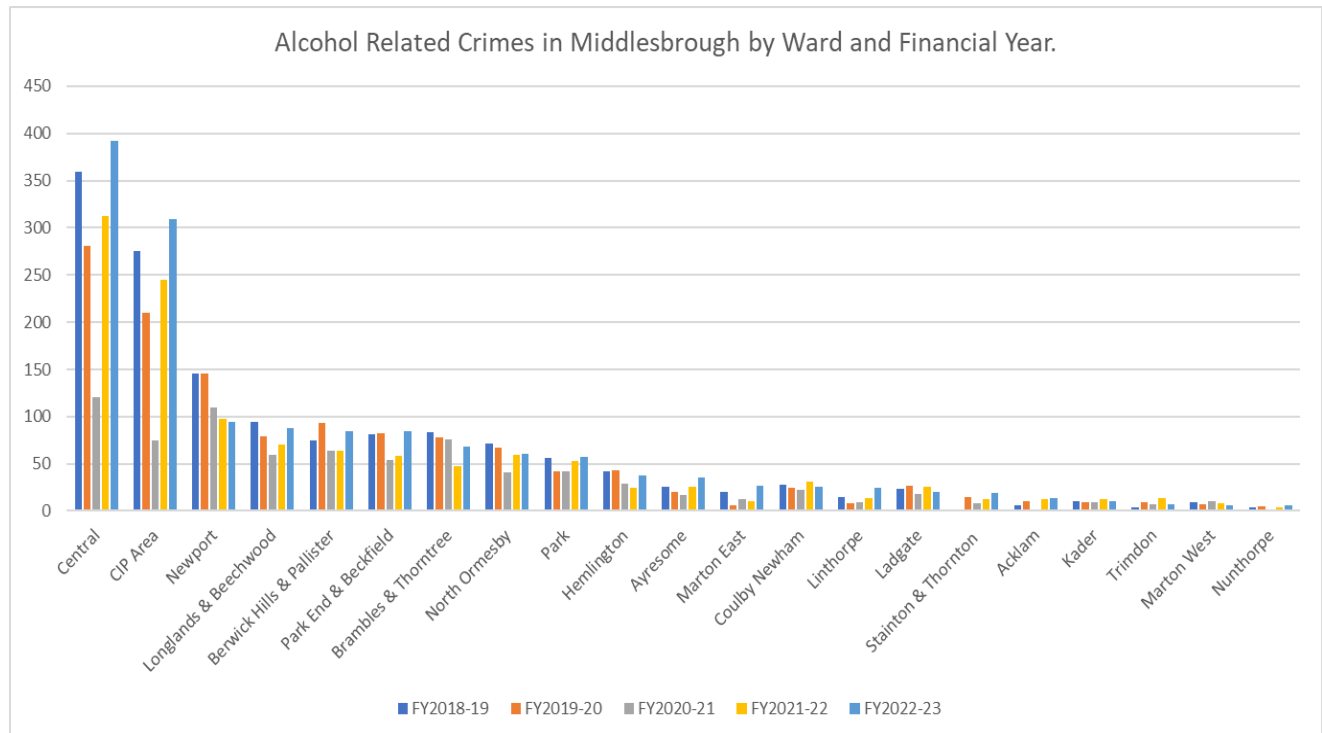
4.9. Graph 1 shows all incidents of crime recorded across Middlesbrough wards, and for the CIP Area 1 over a 5-year period (18/19, 19/20, 20/21, 21/22, and 22/23). In the relatively compact CIP area, which is comprised of the main town centre area of Central, and the immediate streets surrounding from the Newport ward 16% or more of all crime incidents were consistently recorded in this area across all 5 years.

Graph 1.



4.10. Graph 2 shows Middlesbrough wards and the CIP area with the reported number of alcohol related crimes. In 2022-23, 4.43% of all crimes were recorded as alcohol related (1163 offences), and 26.57% of these (309) were recorded in the CIP area.

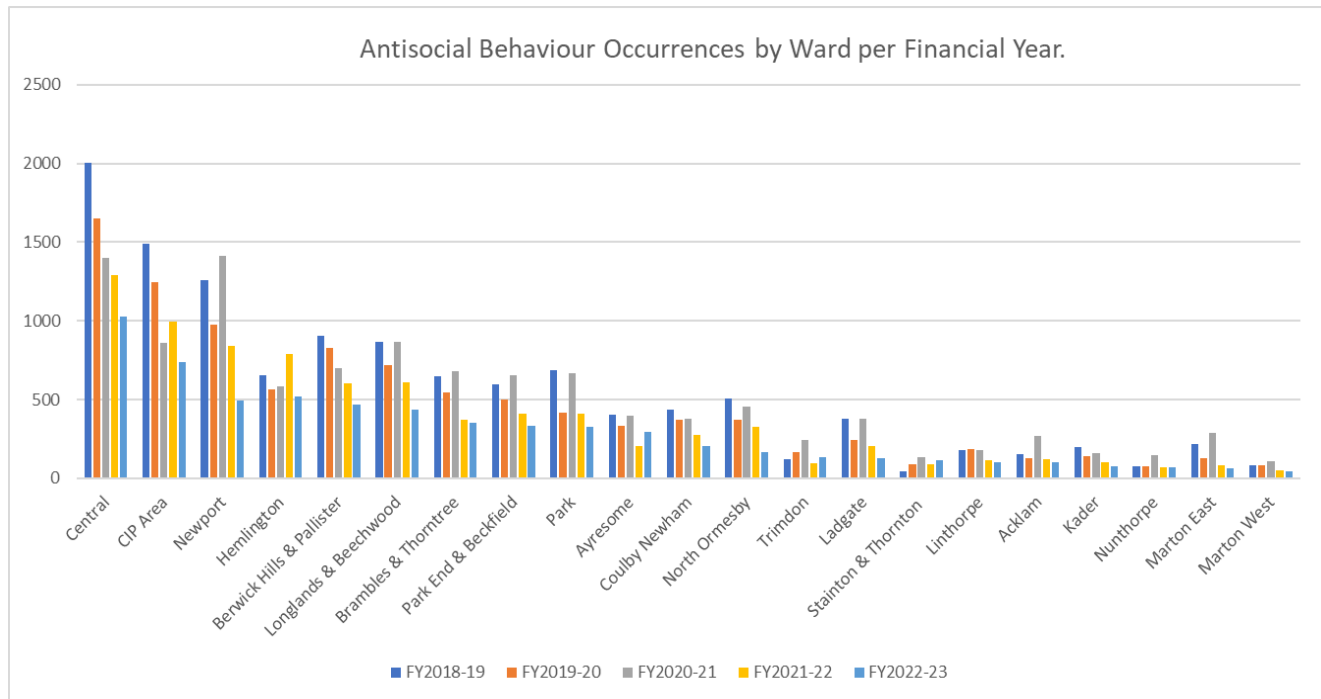
Graph 2.



4.11. Graph 3 shows the wards in Middlesbrough with the highest recorded levels of antisocial behaviour incidents. Whilst ASB across all of Middlesbrough has been on a

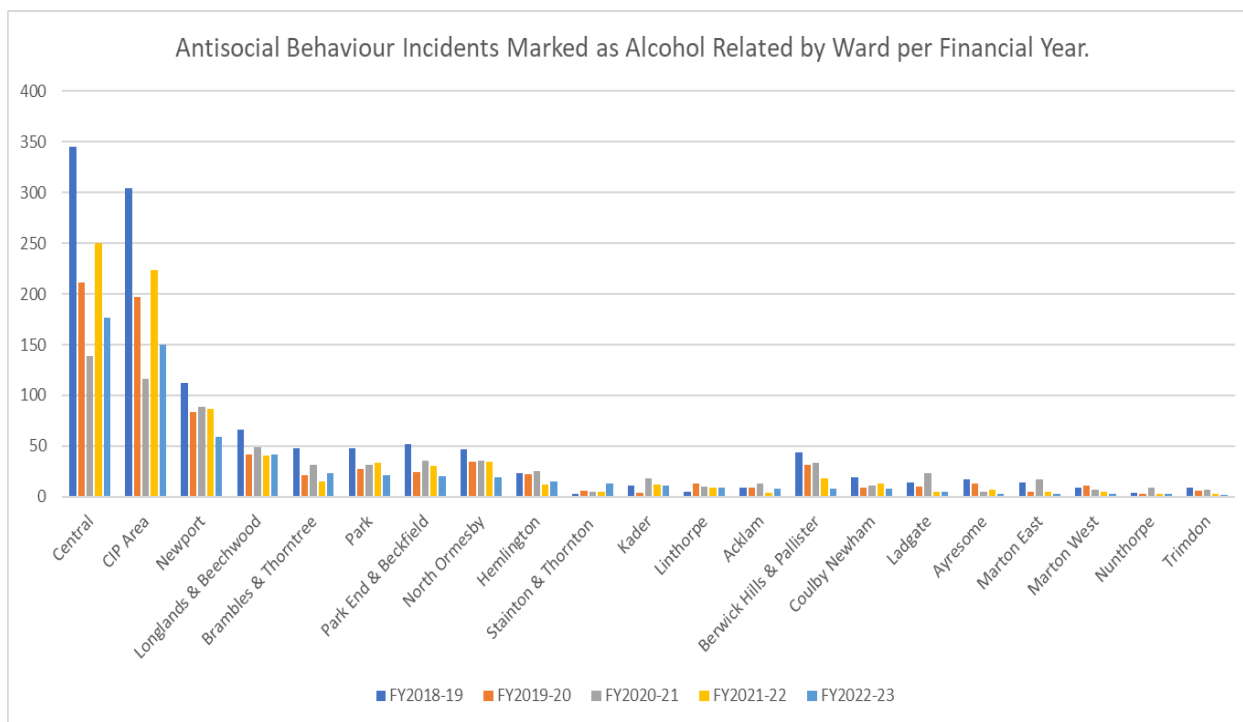
decreasing trend, the CIP area remains one of the most concentrated areas accounting for 13.6% of all ASB occurrences within 2022-23.

Graph 3.



4.12. Graph 4 shows the Middlesbrough wards and the CIP area with the reported number of alcohol related ASB incidents. In 2022-23, 8.31% of all ASB incidents were recorded as alcohol related (452 offences), and 33.19% of these (150) were recorded in the CIP area.

Graph 4.



4.13. Table 2 shows the streets in the Area 1 CIP (2022/2023) where the highest number of recorded crimes and ASB were reported, the top 10 remain somewhat similar when expanding to all of Middlesbrough as some streets cut through the CIP.

Crimes per Street	4331	75.34%	ASB per Street	740	75.68%
Ward	FY2022-23	% Incidents	Ward	FY2022-23	% Incidents
Linthorpe Road	956	22.07%	Linthorpe Road	115	15.54%
Albert Road	409	9.44%	Albert Road	86	11.62%
Corporation Road	408	9.42%	Corporation Road	63	8.51%
Wilson Street	263	6.07%	Borough Road	59	7.97%
Borough Road	225	5.20%	Middlesbrough Bus Station	36	4.86%
Captain Cook Square	222	5.13%	Marton Road	29	3.92%
Newport Road	153	3.53%	Central Mews	26	3.51%
Southfield Road	108	2.49%	Wilson Street	26	3.51%
Marton Road	85	1.96%	Junctions	25	3.38%
Cleveland Centre, Linthorpe Road	78	1.80%	Zetland Road	23	3.11%
Zetland Road	77	1.78%	Grange Road	15	2.03%
Grange Road	76	1.75%	Rutland Close	15	2.03%
Middlesbrough Bus Station	72	1.66%	Southfield Road	15	2.03%
Central Mews	71	1.64%	Westward Close	14	1.89%
Gilkes Street	60	1.39%	Boswell Street	13	1.76%

4.14. Table 3 shows a breakdown of the recorded public order offences and violence offences (with and without injury) crimes in CIP Area 1, with the most recent 5-year average provided.

Table 3.

Zones	Time Period	Public Order Offences	Violence With Injury	Violence Without Injury	All Crime
All MBC	2018-19	1514	1891	2688	22013
	2019-20	2179	1936	3072	23069
	2020-21	2180	1731	2901	19772
	2021-22	2894	2248	3602	25126
	2022-23	3130	2543	3707	26506
	5 Year	2379.4	2069.8	3194	23297.2
CIP Area	2018-19	268	394	394	4038
	2019-20	366	354	451	3736
	2020-21	202	168	218	1911
	2021-22	465	394	545	3699
	2022-23	594	499	579	4331
	5 Year	379	361.8	437.4	3543
Percentage in CIP Zone	5 Year	15.93%	17.48%	13.69%	15.21%

4.15. The tables below breakdown the incidents of All Crime and ASB (left) and Alcohol related Crime and ASB (right) that were marked as alcohol related by hour and day of the week, within the CIP Area 1 over the 5-year period.

Table 4. All Crime and ASB Incidents **Table 5. Alcohol Related Crime and ASB Incidents**

Time	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
00:00 - 00:59	113	104	101	92	102	230	267	1009
01:00 - 00:59	87	78	98	77	114	206	281	941
02:00 - 02:59	70	60	88	68	89	241	303	919
03:00 - 03:59	58	46	68	72	99	193	252	788
04:00 - 04:59	21	26	33	34	54	85	127	380
05:00 - 05:59	19	23	16	23	32	59	55	227
06:00 - 06:59	17	21	19	15	15	24	32	143
07:00 - 07:59	15	23	16	23	24	28	23	152
08:00 - 08:59	37	48	70	53	46	33	22	309
09:00 - 09:59	99	91	88	97	94	58	36	563
10:00 - 10:59	84	111	97	118	109	88	67	674
11:00 - 11:59	133	137	157	127	137	113	90	894
12:00 - 12:59	148	156	153	156	168	184	107	1072
13:00 - 13:59	158	161	163	172	169	170	118	1111
14:00 - 14:59	157	203	187	204	203	216	142	1312
15:00 - 15:59	195	223	224	197	232	209	149	1429
16:00 - 16:59	208	208	192	182	202	212	136	1340
17:00 - 17:59	182	192	168	183	182	166	111	1184
18:00 - 18:59	137	99	123	141	134	150	107	891
19:00 - 19:59	141	118	123	135	161	132	132	942
20:00 - 20:59	117	138	117	117	141	164	111	905
21:00 - 21:59	105	121	109	110	145	150	113	853
22:00 - 22:59	97	111	122	97	121	171	97	816
23:00 - 23:59	101	86	91	115	152	219	103	867
Total	2499	2584	2623	2608	2925	3501	2981	19721

Time	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
00:00 - 00:59	17	19	16	12	14	50	59	187
01:00 - 00:59	20	9	23	22	20	56	72	222
02:00 - 02:59	17	6	19	10	22	56	69	199
03:00 - 03:59	12	6	14	12	19	37	62	162
04:00 - 04:59	3	4	5	6	9	18	38	83
05:00 - 05:59	3	3	0	2	5	9	13	35
06:00 - 06:59	2	1	4	1	0	6	5	19
07:00 - 07:59	2	2	2	1	0	2	2	11
08:00 - 08:59	0	3	2	1	1	4	2	13
09:00 - 09:59	2	2	0	3	3	3	1	14
10:00 - 10:59	1	4	1	1	4	1	4	16
11:00 - 11:59	5	4	3	5	2	6	1	26
12:00 - 12:59	3	6	5	5	2	9	3	33
13:00 - 13:59	10	4	9	6	9	4	4	46
14:00 - 14:59	2	6	5	4	8	6	5	36
15:00 - 15:59	2	4	4	9	13	8	7	47
16:00 - 16:59	8	8	10	8	7	16	7	64
17:00 - 17:59	12	12	7	10	13	16	7	77
18:00 - 18:59	9	5	3	15	12	19	6	69
19:00 - 19:59	15	8	12	12	23	13	9	92
20:00 - 20:59	15	10	12	6	15	21	12	91
21:00 - 21:59	15	10	14	13	28	22	15	117
22:00 - 22:59	16	22	13	16	23	32	23	145
23:00 - 23:59	21	8	24	22	34	65	22	196
Total	212	166	207	202	286	479	448	2000

4.16. Table 4 shows that all crime and ASB within the CIP area is highly concentrated between 12:00-16:59hrs Monday to Saturday with a significant spike between 23:00-03:59hrs on a Saturday and Sunday.

In relation to the Alcohol Related Crime and Disorder incidents (Table 5) it becomes clear that between the hours of 23:00-03:59hrs the incidents are likely to be related to NTE activities as these are the only premises types open during these hours.

The incidents which are recorded in the early afternoon-evening are more likely to be related to other types of premises and crimes within the area e.g. retail crime, shop lifting, burglary.

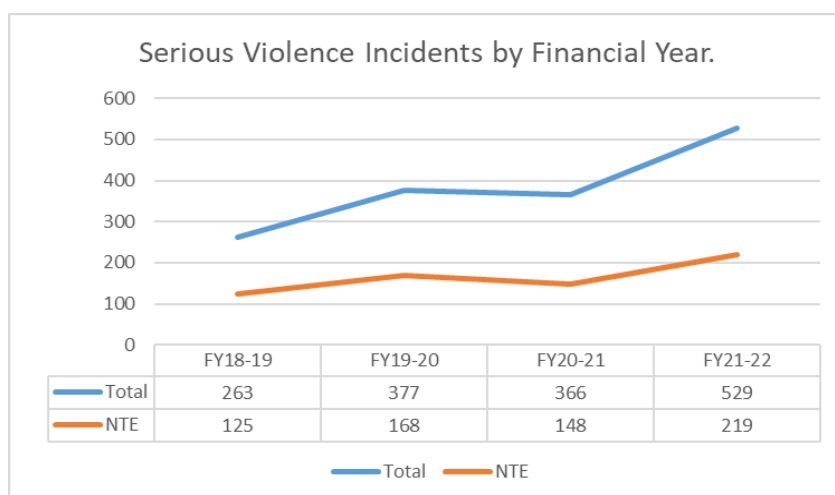
In addition, these tables show that the number of offences reduce after 4am which is the latest closing time for the majority late night venues. The incidents occurring late at night/early hours of the morning particularly on a Friday, Saturday and Sunday are likely to be arising from activities around licensed premises and the consumption of alcohol.

4.17. The hospital admission data provided in Table 7 (page 25) demonstrates that Central ward and Newport ward (areas of these wards form the Area 1 CIP) have the highest level of alcohol attributable admissions.

5.0. Serious Violent (SV) Crime Hotspots

5.1. The Middlesbrough Serious Violence Problem Profile 2023 identifies the night-time economy (NTE) as one of the biggest drivers behind a vast majority of the serious violence incidents in Middlesbrough. Night-time economy for the purposes of this report has been defined as the hours between 20:00-05:59 and domestic related incidents are not included. Whilst the number of serious violent crimes has been increasing overall, the NTE related incidents since FY18-19 have risen by 75.2%. Figure.9 shows the number of serious violence (SV) incidents over the NTE period for each financial year.

Figure 9.



Both the total SV incidents and NTE SV incidents have followed the same increasing trend over the last 3 years (with a decrease during the COVID pandemic).

5.2. Figure 10 shows the number of SV incidents reported during the NTE period broken down into hourly intervals over the last 4 years.

1hr Time Period	FY18-19	FY19-20	FY20-21	FY21-22
20:00-20:59	15	20	28	24
21:00-21:59	16	21	22	32
22:00-22:59	12	17	18	20
23:00-23:59	16	22	14	26
00:00-00:59	23	25	20	24
01:00-01:59	14	18	12	26
02:00-02:59	9	16	11	22
03:00-03:59	9	16	14	12
04:00-04:59	6	5	6	24
05:00-05:59	5	8	3	9
Total	125	168	148	219
Before 00:00	47.20%	47.62%	55.41%	46.58%
After 00:00	52.80%	52.38%	44.59%	53.42%

This shows the concentration of incidents at specific time periods and the trends. The percentage of serious violent incidents before and after midnight (including covid) remain consistent for the last 4 years, the most significant variation being in 20-21. However, there are some significant increases in the number of incidents and at specific time periods over the four years.

5.3. Wards affected by serious violence incidents.

Figure 11 shows the profile of SV incidents across the Middlesbrough wards over a four-year period and the variance between 21-22 and 20-21.

Serious Violence incidents during the night-time economy increased in 12 wards, remained the same in 5 wards, and decreased in 3.

Central ward has the highest level of serious violence, closely followed by Newport. Both these wards are where NTE activities are concentrated and where the Area 1 CIP is located.

Figure 11

Ward	FY18/19	FY19/20	FY20/21	FY21/22	VAR Between FY21-22 & FY20-21
Acklam	<5	<5	<5	<5	0
Ayresome	<5	<5	<5	<5	1
Berwick Hills & Pallister	13	8	8	7	-1
Brambles & Thorntree	<5	<5	9	7	-2
Central	38	55	29	68	39
Coulby Newham	<5	<5	6	6	0
Hemlington	<5	11	9	11	2
Kader	<5	<5	<5	<5	1
Ladgate	<5	<5	<5	6	6
Linthorpe	<5	<5	<5	<5	2
Longlands & Beechwood	12	15	13	18	5
Marton East	<5	<5	<5	<5	2
Marton West	<5	<5	<5	<5	0
Newport	26	40	46	52	6
North Ormesby	12	<5	7	11	4
Nunthorpe	<5	<5	<5	<5	0
Park	6	7	6	13	7
Park End & Beckfield	<5	8	7	8	1
Stainton & Thornton	<5	<5	<5	<5	0
Trimdon	<5	<5	<5	<5	-2
Total	125	168	148	219	86

Central Ward

In 21-22 there were 68 incidents of serious violence in Central ward. The number of incidents has been steadily increasing (excluding the Covid year 20/21). The number of incidents in 21-22 is 78.9% higher than 18-19

Newport Ward

In 21-22 there were 52 incidents of serious violent in Newport ward. The number of incidents has been steadily increasing over the four-year period. The number of incidents in 21-22 increased a 100% than those in 18-19 (26 reports).

Longlands and Beechwood ward.

In Longlands & Beechwood the levels of SV have remained relatively lower and consistent across the last 3 years, however in 21-22 the numbers increased to the highest levels observed.

Park ward.

Park ward has also seen similar increases with relatively consistently low levels for three years and a 116% increase in 21-22.

5.4. Types of serious violence in the NTE₂

Figure 12 shows the types of serious violence that has occurred within the NTE over the last 4 years, with the variance shown between 21-22 and 20-21.

Offence	FY18-19	FY19-20	FY20-21	FY21-22	VAR Between FY21-22 & FY20-21
Wounding with intent to do GBH	18	34	46	64	18
Inflicting GBH without intent	37	40	27	39	12
Robbery Personal	28	27	25	35	10
Assault occasioning ABH	14	27	20	19	-1
Arson Endangering Life	7	11	8	22	14
Aggravated Burglary Residential	7	13	11	10	-1
Robbery Business	<5	7	<5	<5	3
Assault with Injury on an Emergency worker	<5	<5	<5	6	4
Assault with intent to rob - Personal	<5	<5	<5	<5	3
Attempted Murder	<5	<5	<5	<5	1
False Impirsonment	<5	<5	<5	<5	1
Murder	<5	<5	<5	<5	2
Assault With Injury on a Constable	<5	<5	<5	<5	1
Kidnapping	<5	<5	<5	<5	2
Causing Serious injury by Dangerous driving	<5	<5	<5	<5	1
Adminstering poison with intent to injure or annoy	<5	<5	<5	<5	5
Aggravated Burglary Business &/or Commercial	<5	<5	<5	<5	0
Sec 20 Assault with inury on a constable	<5	<5	<5	<5	-1
Threats to Kill	<5	<5	<5	<5	-1
Manslaughter	<5	<5	<5	<5	-1
Person in charge allowing dog to be dangerous	<5	<5	<5	<5	0
Theft from the person	<5	<5	<5	<5	0
Hijacking	<5	<5	<5	<5	-1
Total	125	168	148	219	71

The top five categories of offences remain the same across the last 4 years with some changes in the rankings per financial year.

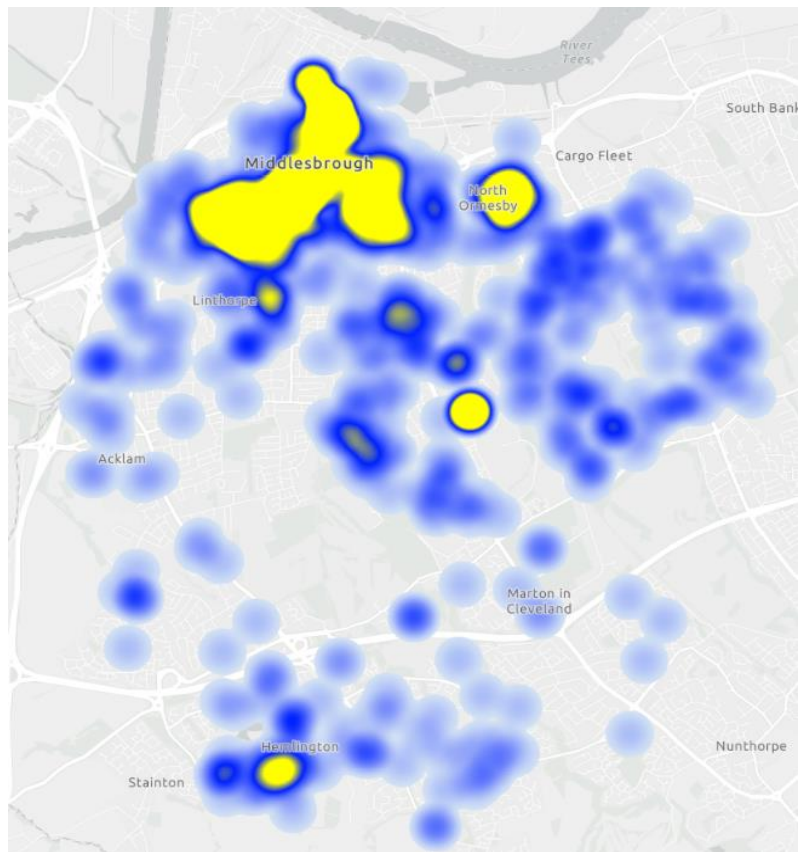
In the above figure offences are sorted in descending order based on FY21-22.

The following concerns are noted:

- The most prevalent crime type was “Wounding with intent to do GBH”, there were 64 recorded incidents which is an increase in 18 from 20-21.
- There was an additional 12 “Inflicting GBH without intent” in 21-22 and the 39 incidents is consistent with the number of incidents in 19-20 and 18-19.
- “Robbery Personal”, the number of offences decreased to 25 reports in 20-21 and then rose to 35 in 21-22 which is higher than in 19-20 and 18-19.
- In the category “Arson endangering life” the highest number of incidents was recorded in FY21-22, which is significantly higher than numbers in the previous years.

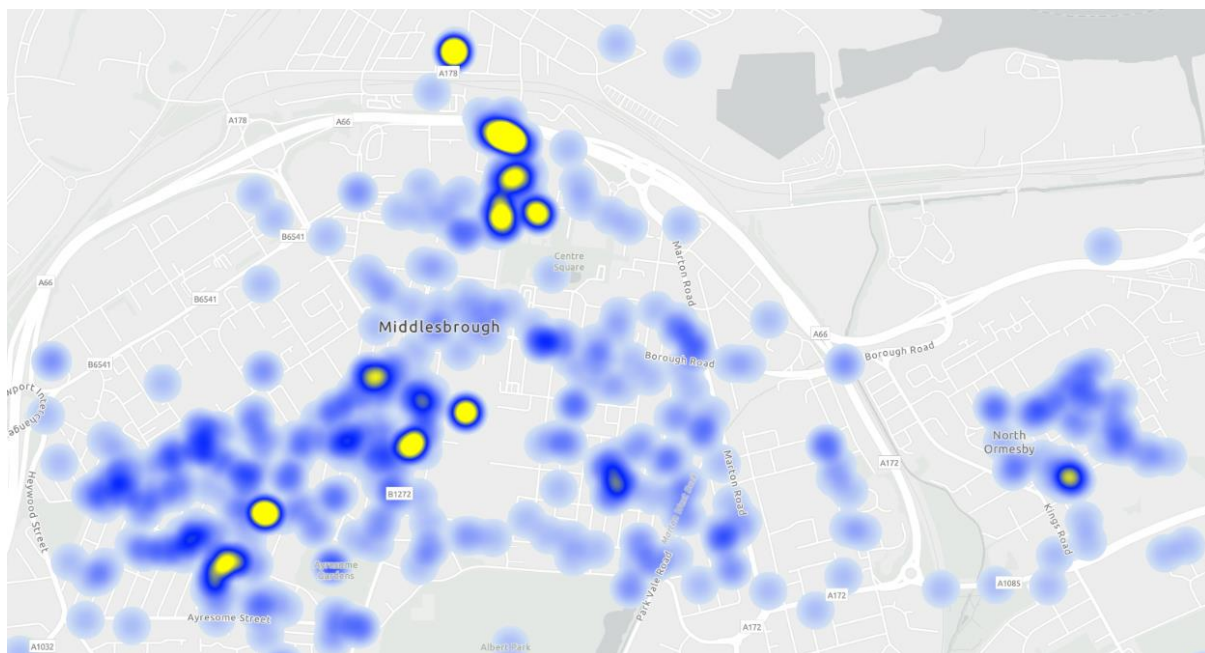
5.5. Figure.13 shows a heat map of NTE SV incidents over the four-year period 18-19 to 21-22. Further analysis was carried out to identify where the NTE SV is centred during the NTE period.

Figure 13.



5.6. Figure 14 focuses on the areas which have the most NTE premises and shows the concentration and spread of SV incidents in these wards which helps to determine the local issues. The areas focused on figure.14 are the Central and Newport wards which attract the most footfall during the NTE period and have the highest numbers of licensed premises.

Figure 14.



5.7. In Central ward the main hot spots areas of NTE SV incidents are in and around Corporation Road, Albert Road, and Linthorpe Road where most of the NTE business are located.

The clustering in other residential areas such as Park Vale Road, Victoria Road, Roscoe Street, and Park Lane may be linked to other illegal activities.

The hotspot in North Ormesby is around Beaumont Road, and Thornton Street, where there are several takeaway premises in this area and there are known issues during the NTE period.

In Newport the areas of concern around Parliament Road, Meath Street, Outram Street, and Costa Street relate to a wide range of factors which not linked to the night-time economy activity.

5.8. In 2023 Cleveland Unit for the Reduction of Violence (CURV) commissioned Crest Advisory to produce “Problem profile: Defining and understanding violence in the night- time economy in Cleveland.”

The aim of the problem profile is to:

- Create a shared definition of the night-time economy, identifying the types of violence that occur, where and when they occur, and who is most affected.
- Identify the greatest risks that need to be reduced to improve NTE activity.
- Develop a baseline understanding of perceptions of fear and safety.
- Develop a baseline understanding of the harm caused and economic impact of NTE violence.
- Create a more rounded picture of NTE activity through sustainable data sharing across partners.

It is intended to be used to inform further commissioning and support the development of targeted interventions aimed at reducing serious violence related to the night-time economy. The problem profile has been used to inform the Cumulative Impact Assessment, in particular the boundary change for the Area 1 CIP.

6.0. Middlesbrough’s Safe Haven.

6.1. Middlesbrough Safe Haven operates within the Area 1 CIP. It is a night-time support service which aims to alleviate the problems associated with potentially vulnerable/ intoxicated people in the town centre, substance-related crime, high rates of alcohol related hospital attendances and admissions and demand for emergency services. Due to the high density of licensed premises in the town centre the Safe Haven service was introduced to divert the demand on local hospital services, to early identify potential anti-social behaviour and disorder issues and provide a presence with the night-time economy.

6.2. During the period April 2018 – March 2020 Middlesbrough Safe Haven supported 1532 people. Presenting issues ranged from falls related injury, head injury, laceration, intoxication, and substance misuse. Intoxication only was the largest presenting issue

recorded at 1010 people. Interventions undertaken by Middlesbrough Safe Haven were as follows:

- Monitoring Patient Need 1197
- Minor Clinical Attention 263
- Urgent Clinical Attention 35
- Refused Treatment 32

39 people were discharged to A&E for further treatment and 1155 people were given Information and Brief Advice (IBA) around safe drinking and minimising risks. 17 ambulances were cancelled due to the treatment provided at the Safe Haven.

7.0. Summary and conclusion.

7.1. The licensing authority considers that the number of premises licences and/or club premises certificates in one or more parts of the area described is such that it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives. The Licensing Authority consider that the Area 1 Cumulative Impact Policy is necessary as the density, number and type of licensed premises within this area are negatively impacting on crime and disorder, resulting in the high proportion of crime and anti-social behaviour. The Council is satisfied that there is good evidence that crime and disorder or nuisance are occurring in this location and are caused by the customers of the licensed premises, and that the cumulative impact of licensed premises in this location is evident.

8.0 Assessment for Area 2 Cumulative impact policy.

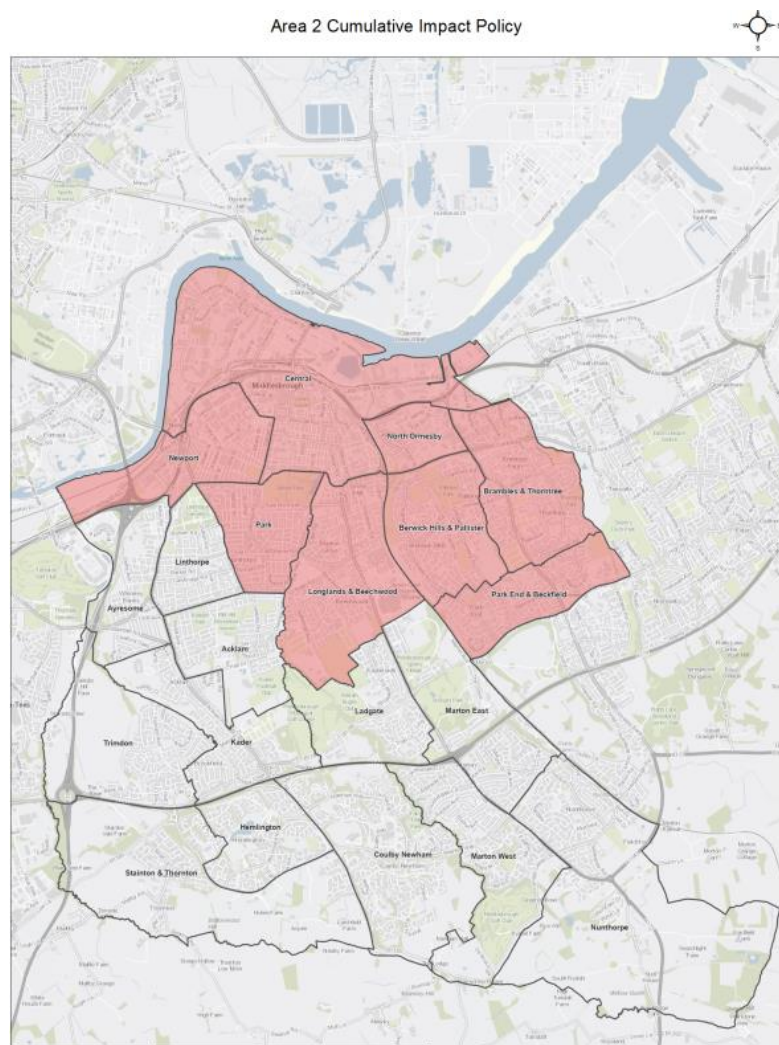
8.1. The Licensing Authority consider that a Cumulative Impact Policy in relation to off licence premises should be applied to the designated area covering the following eight wards:

- Central,
- Newport,
- Park,
- Longlands and Beechwood,
- North Ormesby.
- Park End and Beckfield.
- Brambles and Thorntree
- Berwick Hills and Pallister

In 2022-23 these 8 wards accounted for:

- 76.6% of all Crime and disorder
- 79.9% of all alcohol related crime and disorder
- 66.2% of all antisocial behaviour
- 81.6% of all alcohol related antisocial behaviour across Middlesbrough.

The map below shows the wards designated for Area 2 CIP.



8.2. In these designated ward areas applications for the following licences, if they are likely to add to the existing cumulative impact, would normally be refused, if relevant representations are made:

- new premises licences for the sale of alcohol off the premises
- Material variations to existing off licence premises.

8.3. The Cumulative Impact Policy has been applied to these designated ward areas due to the number, type and density of the premises selling alcohol for consumption off the premises. The Licensing Authority is satisfied that there is good evidence that crime and disorder or nuisance occurring in this location is being caused by the customers of off licence premises, and that the cumulative impact of off licensed premises in this location is evident.

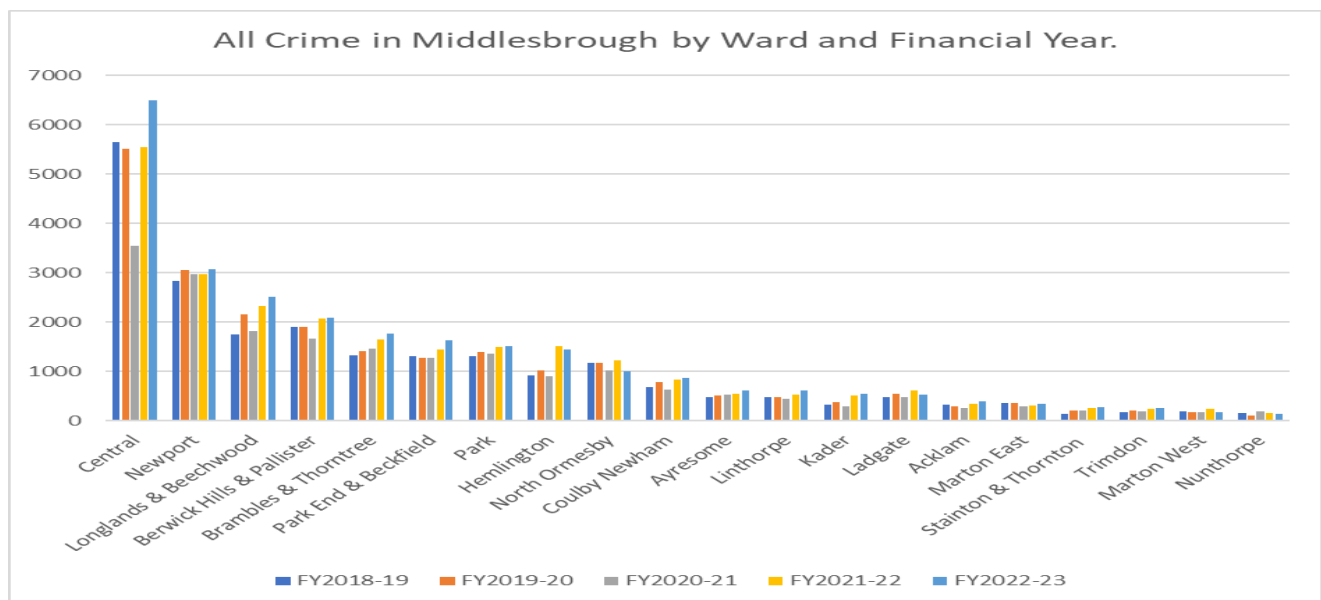
8.4. The introduction of the Licensing Act in 2005 resulted in a significant increase in off licence premises in Middlesbrough as a whole. In 2005 there were 94 off licence premises, in November 2015 there were 141, in November 2021 there were 138* and in July 2023 there were 144. It is evident that small retail premises, with a very different primary retail offer, e.g. Post Offices and newsagents have extended their remit to selling alcohol.

8.5. 71% of all off licence premises are located in the eight wards in the Area 2 CIP. Alcohol sold from off licences can be considerably cheaper than on licence sales. Survey work carried out in Middlesbrough 2015/16 found that alcohol was being sold as cheaply as 13p/unit. A more recent survey completed in 2021/22 shows a slight increase in the cost of the cheapest alcohol to 18p/unit. This increase can be accredited to a number of factors relating to licensing controls including;

- the introduction of the cumulative impact policy in 2016 for off licensed premises,
- working alongside retailers to promote responsible retailing
- imposing or agreeing conditions that help to limit the sales of cheap, strong alcohol products especially in areas that suffer from high levels of alcohol related crime and disorder, anti-social behaviour and health harms.

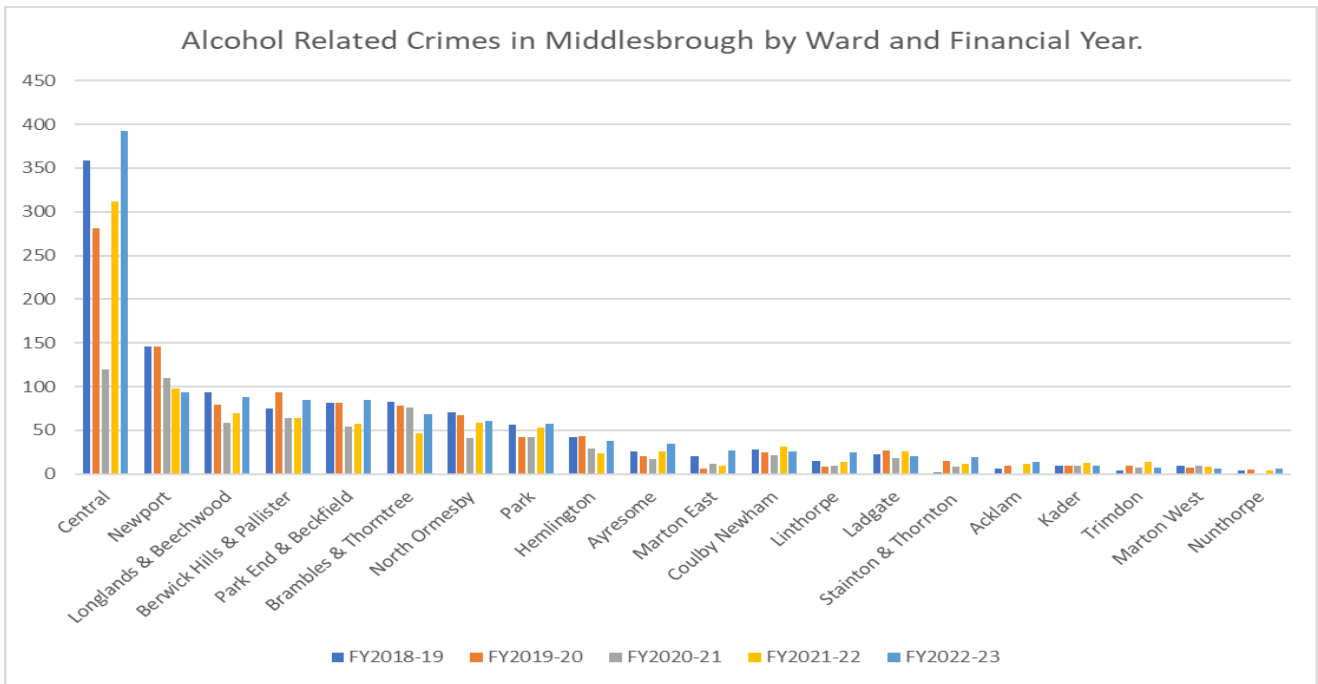
8.6. Graph 5 shows all recorded crimes over the five-year period broken down by ward. The eight wards designated for the CIP Area 2 have the highest number of recorded crimes in Middlesbrough. (Hemlington is not included in the Area 2 CIP as it does not have a high density of licensed premises)

Graph 5.



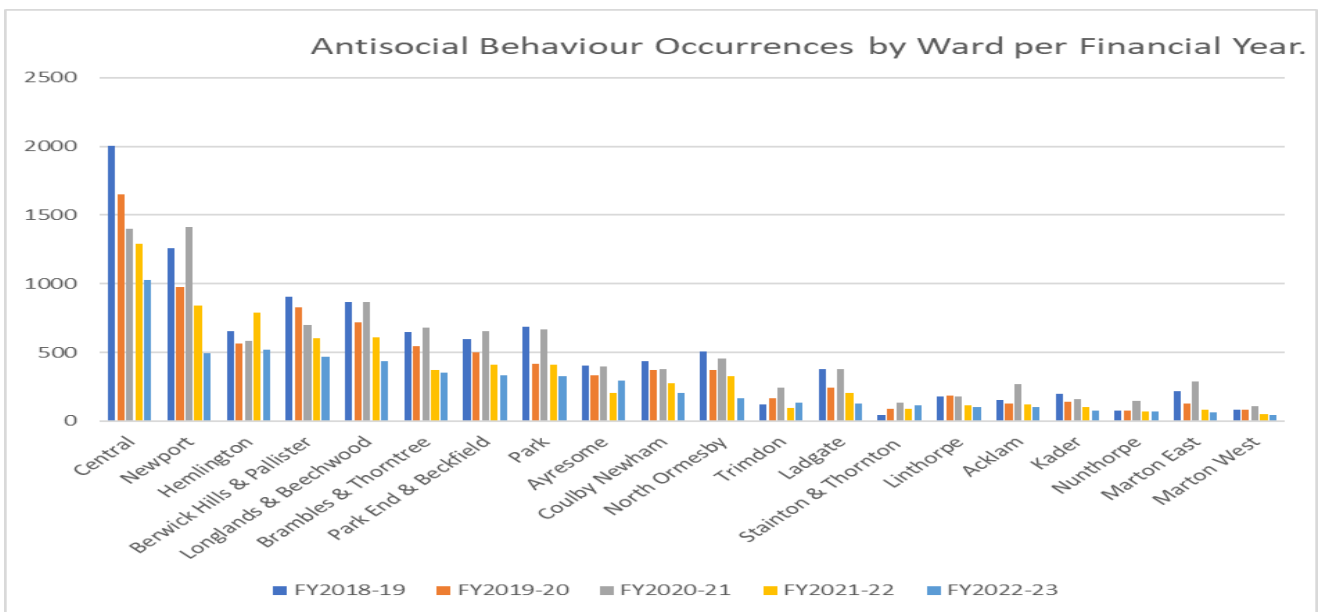
8.7. Graph 6 shows the number of alcohol related crimes recorded over the five-year period broken down by ward. Each of the eight wards in the designated CIP Area 2 have the highest number of alcohol related crimes in Middlesbrough.

Graph 6.



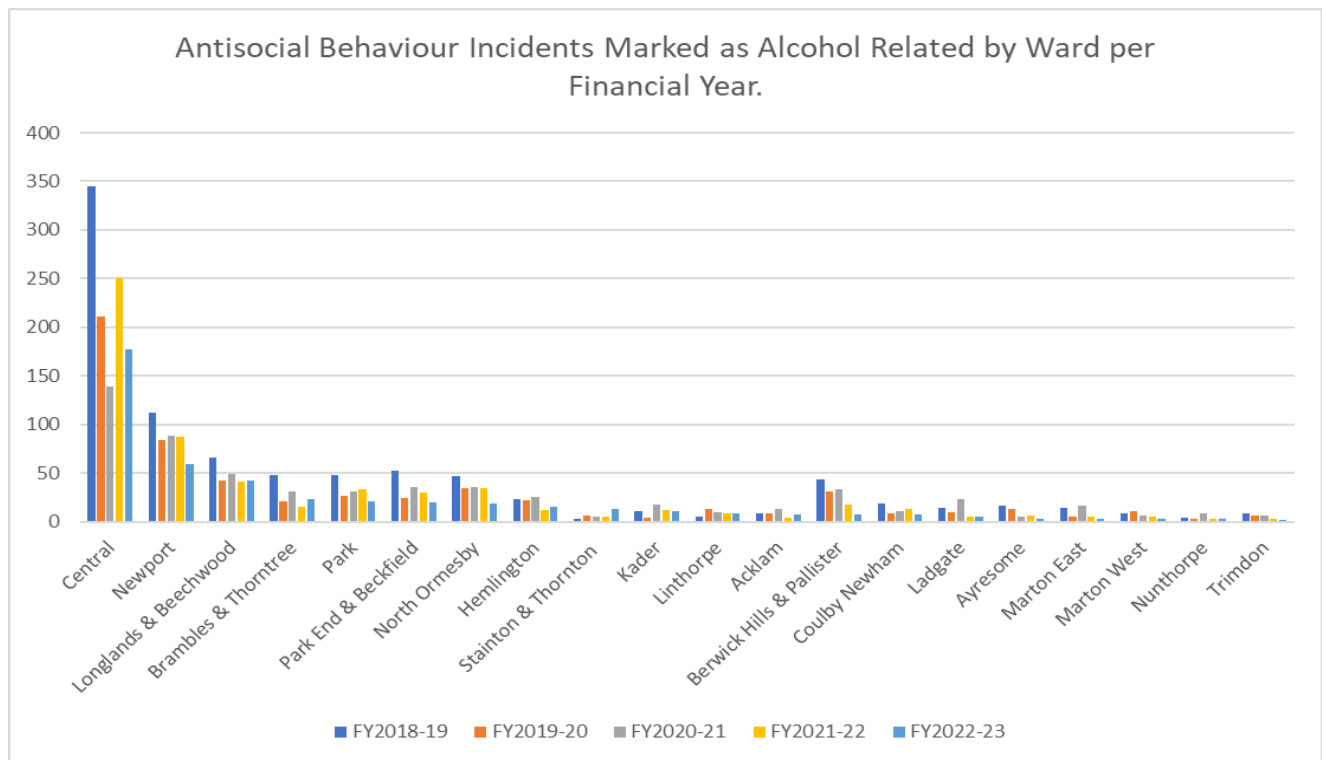
8.8. Graph 7 shows that the eight wards included in the Area 2 CIP have the highest number of reported incidents of antisocial behaviour in Middlesbrough.

Graph7.



8.9. Graph 8 shows the eight wards designated for the Area 2 CIP exhibit some of the highest number of reported incidents of alcohol related antisocial behaviour in Middlesbrough.

Graph 8



8.10. Table 6 shows number of off licence premises in each Middlesbrough ward and their rank according to the Indices of Multiple Deprivation (2019). Seven of the eight wards designated for the Area 2 CIP are in the 3% most deprived wards nationally.

Table 6.

Ward	IMD Rank 2019*	No. of Off Licensed Premises 2023
North Ormesby	3	8
Brambles and Thorntree	5	7
Berwick Hills and Pallister	20	8
Newport	36	19
Park End and Beckfield	69	10
Longlands and Beechwood	70	9
Central	89	29
Hemlington	156	3
Ayresome	722	4
Park	990	12
Ladgate	1,012	4
Coulby Newham	1,290	6
Stainton and Thornton	1,790	1
Linthorpe	2,578	7
Kader	4,703	5
Trimdon	4,790	3
Marton East	4,976	2
Acklam	5,320	4
Marton West	6,075	1
Nunthorpe	6,761	2

Top 1% most deprived nationally

Top 3% most deprived nationally

* out of total 7,180 wards in England

8.11. Table 6 shows the breakdown of alcohol attributable admissions to James Cook University Hospital in 2011 by MSOA area (Middle Layer Super Output area.) The eight wards covered by the Area 2 CIP (closely matched to the MSOA highlighted in green) have some of the highest rates of hospital admissions in Middlesbrough and significantly exceed the England rate.

Table 7.

MSOA Name	Hospital stays for alcohol related harm (Broad definition)	Hospital stays for alcohol related harm (Narrow definition)
Middlesbrough Central	232.1	201.5
North Ormesby & Brambles	239.6	220.8
Ayresome	230.5	222.6
Berwick Hills	185.7	177.5

Linthorpe East & Albert Park	175.6	162.1
Park Vale	199.6	174.2
Thorntree	199.3	187.9
Newport & Maze Park	153.3	135.4
Linthorpe West	106.4	84.2
Park End	176.7	186.2
Beechwood & James Cook	213.8	238.1
Acklam	101	97.8
Kader	90.7	75.8
Easterside	133.4	140.8
Trimdon	100.9	80.4
Marton West	99.8	87.2
Stainton & Hemlington	146.5	127.2
Coulby Newham	135	133.1
Nunthorpe & Marton East	100.1	83.6

Source: Local Health - Public Health England

Standardised Admission Ratio (SMR) MSOA. England = 100

9.0. Complaints about underage and proxy Sales

9.1. Middlesbrough Trading Standards Service do not receive a large number of complaints about underage and proxy sales. Those that were received over the five year time period 2018 – 2023(to date) relate to off licence premises in a total of twelve wards which include Newport, North Ormesby, Central, Longlands and Beechwood, Berwick Hills and Pallister and Park wards.

10.0. Summary and conclusion.

10.1. This assessment shows that the wards of Central, Newport, Park, Longlands and Beechwood, North Ormesby, Park End and Beckfield, Brambles and Thorntree and Berwick Hills and Pallister have:

- high levels of crime and antisocial behaviour,
- a high number of off licence premises,

- a high rate of alcohol attributable hospital admissions, which are some of the highest 46 in Middlesbrough and exceed the England average.
- They are also some of the most deprived wards in Middlesbrough and nationally.

10.2. These eight wards account for:

- 76.6% of all Crime and disorder
- 79.9% of all alcohol related crime and disorder
- 66.2% of all antisocial behaviour
- 81.6% of all alcohol related antisocial behaviour across Middlesbrough.
- 71% of off licence premises.

10.3. The Licensing Authority considers that the density of off licence premises in these eight wards is having a negative impact on crime and disorder. Whilst maintaining public health is not a licensing objective, many of the hospital admissions arise from alcohol related crime and disorder.

10.4. The Licensing Authority consider that a Cumulative Impact Policy in relation to off licence premises should be applied to the eight wards of Central, Newport, Park, Longlands and Beechwood, North Ormesby, Park End and Beckfield, Brambles and Thorntree and Berwick Hills and Pallister.

The Licensing Authority considers that the number of off licences in the area described is such that it is likely that granting further licences would be inconsistent with the authority's duty to promote the licensing objectives.

The Cumulative Impact Policy has been applied to these designated wards due to the number, type and density of the premises selling alcohol for consumption off the premises.

10.5. The Licensing Authority is satisfied that there is good evidence that crime and disorder or nuisance occurring in this location is being caused by the customers of off licence premises, and that the cumulative impact of off licensed premises in these locations is evident.

10.6. It should be noted that there is overlap between the area covered by Cumulative Impact Policy Area 1 in relation to on licence premises and late-night refreshment and Cumulative Impact Policy 2 in relation to off licence premises.

Number of all Licensed premises on a ward basis

Ward	Number of Licensed Premises
Acklam	16
Ayresome	13
Berwick Hills & Pallister Park	18
Brambles Farm & Thorntree	16
Central	212
Coulby Newham	16
Hemlington	7
Kader	7
adgate	11
Linthorpe	20
Longlands & Beechwood	18
Marion East	9
Marion West	3
Newport	44
North Ormesby	24
Nunthorpe	6
Park	44
Park End & Beckfields	22
Stainton & Thornton	5
Trimdon	5

Template for Impact Assessment Level 1: Initial screening assessment

x

Subject of assessment:	Statement of Licensing Policy 2025-2030 & Cumulative Impact Assessment 2025-2028			
Coverage:	State the extent or scope e.g. overarching/crosscutting or service-specific. Regulation of Licensed premises			
This is a decision relating to:	<input type="checkbox"/> Strategy	<input checked="" type="checkbox"/> Policy	<input type="checkbox"/> Service	<input checked="" type="checkbox"/> Function
	<input type="checkbox"/> Process/procedure	<input type="checkbox"/> Programme	<input type="checkbox"/> Project	<input checked="" type="checkbox"/> Review
	<input type="checkbox"/> Organisational change	<input type="checkbox"/> Other (please state)		
It is a:	New approach:	<input type="checkbox"/>	Revision of an existing approach:	<input checked="" type="checkbox"/>
It is driven by:	Legislation:	<input checked="" type="checkbox"/>	Local or corporate requirements:	<input type="checkbox"/>

<p>Description:</p>	<p>Insert short description, using the following as sub-headings:</p> <ul style="list-style-type: none"> • Key aims, objectives and activities <p>Section 5 of the Licensing Act 2003 requires a licensing authority to prepare and publish a Statement of Licensing Policy that they propose to apply in exercising their functions under the Act. Such Statements apply across a stated five-year period. Pursuant to the Act, the Policy must be approved by Council. During each five-year period the Council must keep its Licensing Policy under review and make such 'revisions as it considers appropriate.'</p> <ul style="list-style-type: none"> • Statutory drivers (set out exact reference) <p>The Policy Statement acts as the main vehicle for setting out the Licensing Authority's approach to regulation. It aims to control operators of licensed premises within the local area to help protect the community, and to guide those operators as to how the Council wishes them to run their premises.</p> <p>The Licensing Objectives as set out in the Act are:</p> <ul style="list-style-type: none"> • The Prevention of Crime and Disorder • Public Safety • The Prevention of Public Nuisance • The Protection of Children from Harm <ul style="list-style-type: none"> • Differences from any previous approach <p>The work carried out in the preparation of and consultation on the draft Statement of Licensing Policy is consistent with the approach taken on previous policy reviews, as the Licensing Authority is bound to follow a statutory procedure under Section 5 of the Act. However, certain changes have been made to the revised Policy in view of amendments made to the Statutory Guidance issued under the Act and in response to the outcome of the consultation process.</p> <ul style="list-style-type: none"> • Key stakeholders and intended beneficiaries (internal and external as appropriate) <p>Internal: Public Protection Service - Licensing, Environmental Health, Trading Standards, Public Health. Planning & Building Control and Regeneration.</p> <p>External: Licensed operators, applicants for licences, Members of the Public (and their representatives, eg, Ward Councillors), Police, Fire Service, Home Office Immigration Enforcement.</p> <ul style="list-style-type: none"> • Intended outcomes. <p>The Licensing Policy sets out how the Council will exercise its functions under the Licensing Act. The Policy also provides guidance to licensed operators and new applicants on the expectations of the Council in its duty to promote the Statutory Licensing Objectives.</p>
<p>Live date:</p>	<p>When will this be implemented?</p> <p>1st May 2025</p>

Lifespan:	Between which dates will this apply? 1 st May 2025 until 30 th April 2030.
Date of next review:	When will the next review be undertaken? State any triggers for early review. A review of the Statement of Licensing Policy will be undertaken throughout 2029 in preparation for the implementation of a revised Policy in 2030. Although the Policy may be reviewed prior to that time to take account of any legislative changes and/or updates to the Statutory Guidance.

Screening questions	Response			Evidence
	No	Yes	Uncertain	
Human Rights Could the decision impact negatively on individual Human Rights as enshrined in UK legislation?*	X	<input type="checkbox"/>	<input type="checkbox"/>	The implementation of the Statement of Licensing Policy will not impact on the duties performed by the Licensing Service and its partners and will not impact on individual Human Rights as defined in the UK legislation.
Equality Could the decision result in adverse differential impacts on groups or individuals with characteristics protected in UK equality law? Could the decision impact differently on other commonly disadvantaged groups?*	X	<input type="checkbox"/>	<input type="checkbox"/>	The Policy must be consistent with the Licensing Act 2003, and it does not override the primary legislation or the Equality Act 2010. The Equality Act requires that the Council must have due regard to the need to: <ul style="list-style-type: none"> • Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act. • Advance equality of opportunity between people who share a protected characteristic and those who do not. • Foster good relations between people who share a protected characteristic and those who do not. Any licensing application will be considered on its relative merits having regard to the promotion of the Licensing Objectives and other relevant policy considerations, including equality, diversity and inclusion. The Licensing Policy recognises that no policy is absolute and where necessary it may depart from its policy, where there is justification to do so.
Community cohesion Could the decision impact negatively on relationships between different groups, communities of interest or neighbourhoods within the town?*	X	<input type="checkbox"/>	<input type="checkbox"/>	The process to apply for a premises licence or to vary an existing licence is prescribed in legislation. The Licensing Authority's discretion and decision making role is only engaged following a relevant representation being lodged in respect of an application. Any decisions taken by the Licensing Authority must be to address the four statutory Licensing Objectives. The Statement of Licensing Policy is transparent, and clearly identifies the need to promote the Licensing Objectives, which is intended to protect local communities. There is no negative impact on community cohesion.

* Consult the Impact Assessment further guidance for details on the issues covered by each of these broad questions prior to completion.

Screening questions	Response			Evidence	
<p>Armed Forces Could the decision impact negatively on those who are currently members of the armed forces of former members in the areas of Council delivered healthcare, compulsory education and housing policies?*</p>	X	<input type="checkbox"/>	<input type="checkbox"/>	The process to apply for a premises licence or to vary an existing licence is prescribed in legislation. The Licensing Authority’s discretion and decision making role is only engaged following a relevant representation being lodged in respect of an application. Any decisions taken by the Licensing Authority must be to address the four statutory Licensing Objectives. The Statement of Licensing Policy is transparent, and clearly identifies the need to promote the Licensing Objectives. There is no negative impact on Armed Forces.	
<p>Care leavers Could the decision impact negatively on those who are care experienced?*</p>	X	<input type="checkbox"/>	<input type="checkbox"/>	The process to apply for a premises licence or to vary an existing licence is prescribed in legislation. The Licensing Authority’s discretion and decision making role is only engaged following a relevant representation being lodged in respect of an application. Any decisions taken by the Licensing Authority must be to address the four statutory Licensing Objectives. The Statement of Licensing Policy is transparent, and clearly identifies the need to promote the Licensing Objectives. There is no negative impact on Care leavers.	
<p>Next steps:</p> <ul style="list-style-type: none"> ➡ If the answer to all of the above screening questions is No then the process is completed. ➡ If the answer of any of the questions is Yes or Uncertain, then a Level 2 Full Impact Assessment must be completed. 					
<p>Assessment completed by:</p>	Steve Wearing, Principal Licensing Officer			<p>Head of Service:</p>	
<p>Date:</p>	22 January 2025			<p>Date:</p>	

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MIDDLESBROUGH COUNCIL	
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Report of:	Director of Finance and Transformation (s151 Officer)
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Relevant Executive Member:	Executive Member for Finance
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Submitted to:	Council
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Date:	26 March 2025
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Title:	Flexible Use of Capital Receipts (FUoCR) Strategy – 2025/26
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Report for:	Decision
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Status:	Public
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Council Plan priority:	All
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Key decision:	Yes
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Why:	Decision(s) will incur expenditure or savings above £250,000
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Subject to call in?:	No
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Why:	Council decision
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Executive summary	
<p>Local authorities are ordinarily only able to utilise capital receipts from the sale of fixed assets for specific purposes, and this precludes the financing of revenue expenditure under s15(1) of the Local Government Act 2003 (as amended).</p> <p>However, from 2016/17 statutory regulations have allowed capital receipts to be used to finance eligible revenue expenditure in specific circumstances and subject to certain conditions. This is achieved through the adoption of a Flexible Use of Capital Receipts (FUoCR) Strategy that is required to be approved by Full Council and is overseen (but not approved) by the Ministry of Housing, Communities and Local Government (MHCLG).</p>	

Eligible expenditure under the regulations relates to revenue expenditure which:

- is designed to generate ongoing expenditure savings, income generation, and/or more efficient delivery of services, and/or
- transforms service delivery to reduce costs/ reduce demand; and/or
- improves the quality-of-service delivery in future years.

The Council is required to deliver transformational change of its service delivery models to achieve financial sustainability over the period of the Medium-Term Financial Plan (MTFP) from 2025/26 to 2028/29, and the Council's Transformation Programme is an integral part of the Council's MTFP.

The transformation expenditure can only be financed by capital receipts given the low level of revenue reserves held by the Council. The FUoCR strategy therefore provides the funding solution for the revenue costs of transformation work to be funded from capital receipts generated from the review of assets as approved by the Executive in November 2023.

The FUoCR Strategy for 2025/26 sets out plans for up to £7.5m of expenditure linked to the Council's Transformation Programme to be incurred during 2025/26 to be funded by capital receipts in accordance with statutory regulations.

The Council is not permitted to apply flexible capital receipts to fund expenditure more than the sum set out in the approved FUoCR Strategy. However, the regulations enable the revision of the FUoCR strategy during the financial year to reflect an increase in the plan if it is approved by Full Council and notified to MHCLG.

The implications of the recommendations have been considered by the appropriate officers of the Council and are set out in the main body of the report.

1. Purpose

- 1.1 This report proposes a Flexible Use of Capital Receipts (FUoCR) Strategy for the Council for 2025/26 that is subject to approval by Full Council and details the proposed individual projects which are planned to be funded from the flexible use of capital receipts in 2025/26 in accordance with the statutory regulations and guidance.
- 1.2 The report enables a range of transformation and efficiency plans to be progressed within the 2025/26 financial year to be funded from Usable Capital Receipts which are the primary source of funding available given the Council's usable revenue reserves are low.
- 1.3 The report sets out the approach that will be taken to optimise the FUoCR during 2025/26 in accordance with Statutory Guidance within the context of the Council realising a pipeline of cash receipts from the disposal of capital assets which was approved by Executive on 21 November 2023 as part of the recommendations of the Asset Review report.

2. Recommendations

That Full Council

- Approve the proposed Flexible Use of Capital Receipts (FUoCR) Strategy for 2025/26

3. Rationale for the recommended decision(s)

3.1 The FUoCR strategy is critical to enable the progression of Transformation Plans to deliver cost reduction and/or income generation that will contribute to reducing the spend and achieving financial sustainability over the period of the Council's Medium Term Financial Plan (MTFP) from 2025/26 to 2028/29.

4. Background and relevant information

- 4.1 The Council is required to deliver transformational change of its service delivery models to achieve financial sustainability over the period of the Council's MTFP from 2025/26 to 2028/29. The Council's Transformation Programme is an integral part of the MTFP, and necessary not only to deliver change but to reduce the overall cost of service delivery by providing financially sustainable services all within the cost envelope.
- 4.2 In the absence of sufficient revenue reserves to fund investment in transformation, the only source of funding available to the Council is the use of capital receipts from asset sales.
- 4.3 Local authorities are ordinarily only able to utilise capital receipts from the sale of fixed assets for specific purposes, mainly funding capital expenditure or repaying debt. This precludes the financing of revenue expenditure under s15(1) of the Local Government Act 2003.
- 4.4 However, from 2016/17 statutory regulations have allowed capital receipts to be used to finance revenue expenditure for specific purposes as detailed in Section 2 of Appendix 1 and subject to certain conditions. The current statutory direction applies to financial years from 1 April 2022 up to and including 31 March 2025. However the Government announced as part of the [Local government finance policy statement 2025 to 2026](#) that they would extend the flexible use of capital receipts to 31 March 2030. The Government also removed the restriction with respect to redundancy costs, imposed from April 2022, which limited the use of the flexibility to statutory redundancy costs only. This will support authorities in taking forward transformation and invest-to-save projects.
- 4.5 This is achieved through the adoption of a FUoCR Strategy which sets out any plans for eligible revenue expenditure to be incurred during the financial year to be funded by capital receipts in accordance with statutory regulations. The proposed FUoCR Strategy for 2025/26 is attached at Appendix 1 which includes details of the legislative framework, the use of flexible capital receipts in previous years, details of

monitoring of the Strategy and the impact on the prudential indicators from implementing the proposed Strategy as required by the statutory guidance.

- 4.6 The annual FUoCR Strategy is required to be approved by full Council as part of the budget and policy framework. A copy of the FUoCR Strategy, once approved by full Council is required to be shared with the Ministry of Housing, Communities and Local Government (MHCLG) to enable review and oversight (but not approval).
- 4.7 The Council can only apply capital receipts to fund eligible expenditure in accordance with the plans set out in the FUoCR strategy and cannot exceed the level of planned expenditure without formally reviewing and approving a revised strategy. Revisions can be made during the financial year subject to Full Council approval and are required to be notified to MHCLG.
- 4.8 The FUoCR strategy is critical to enable the development and implementation of Transformation plans that seek to improve the efficiency and effectiveness of services to the community and deliver the cost reduction and/or income generation that is required to achieve financial sustainability for the Council over the medium to longer term. The 2025/26 FUoCR Strategy sets out an estimate of investment requirements together with forecast savings over the period of the MTFP, that will be further updated as the Transformation Programme develops.
- 4.9 Work to develop business cases for service redesign in areas that will deliver further savings from 2025/26 onwards has been progressing and will continue to progress during 2025/26 and in future years and will be further reported to Executive on 30 April 2025 and at intervals throughout 2025/26 financial year to consider and recommend to Full Council approval of any revisions to the FUoCR Strategy as required by regulations.
- 4.10 Most of the transformation expenditure in 2025/26 is planned to be met from capital receipts under the FUoCR Strategy, given that the Council’s low revenue reserves are insufficient to fund the investment required. Limited expenditure that does not qualify for capitalisation under the Strategy will be met from the Council’s Change Fund.

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

- 5.1 If the revised FUoCR Strategy is not approved, then projects and initiatives to deliver cost reduction and income growth will either not be able to progress at all or will be constrained by limited revenue resources in the Change Fund.

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

Topic	Impact
Financial (including procurement and Social Value)	The Flexible Use of Capital Receipts (FUoCR) Strategy is a core element of the Council’s budget and policy framework that is approved by Council annually. The ability to capitalise eligible revenue expenditure in accordance with the regulations set out in the main body of the report, provides a

	<p>mechanism through which the Council can invest in transformation and efficiency initiatives to achieve financial recovery and resilience over the short to medium term</p> <p>The adoption of the proposed FUoCR Strategy for 2025/26 will enable the Council to use up to £7.5m of capital receipts in 2025/26 to contribute towards the cost of transformation within the Council.</p>
<p>Legal</p>	<p>Local authorities are ordinarily only able to utilise capital receipts from the sale of fixed assets for specific purposes which is normally restricted to either funding capital expenditure or repaying debt, and these are set out in Regulation 23 of the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 made under Section 11 of the Local Government Act 2003. The receipts cannot usually be used to fund revenue expenditure under s15(1) of the Local Government Act 2003 (as amended).</p> <p>The Secretary of State however is empowered to issue Directions allowing revenue expenditure incurred by local authorities to be treated as capital expenditure and therefore funded by capital receipts. From 2016/17 the Ministry of Housing, Communities and Local Government (MHCLG) implemented a time limited relaxation to the regulations under the Local Government Act 2003 Sections 16(2)(b) and 20: Treatment of Costs as Capital Expenditure. This allows capital receipts to be used to finance revenue expenditure in specific circumstances and subject to certain conditions. The current statutory direction applies to financial years from 1 April 2022 up to and including 31 March 2025.</p> <p>However the Government announced as part of the Local government finance policy statement 2025 to 2026 that they would extend the flexible use of capital receipts to 31 March 2030. The Government also removed the restriction with respect to redundancy costs, imposed from April 2022, which limited the use of the flexibility to statutory redundancy costs only.</p> <p>As this is a budget and policy framework matter, it is for Full Council to approve it in accordance with s.18.9(a) Financial Procedure Rules of the Council's Constitution.</p>
<p>Risk</p>	<p>This report forms an element of the Council's budget and policy framework which underpins the priority to deliver a legally balanced budget and sustainable medium term financial plan.</p>

Human Rights, Public Sector Equality Duty and Community Cohesion	There are no applicable issues to consider within this report.
Climate Change / Environmental	There are no applicable issues to consider within this report.
Children and Young People Cared for by the Authority and Care Leavers	There are no applicable issues to consider within this report.
Data Protection	There are no applicable issues to consider within this report.

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

Action	Responsible Officer	Deadline
If approved by Council on 26 March 2025 the Flexible Use of Capital Receipts Strategy for 2025/26 will be adopted and notified to MHCLG	Director of Finance and Transformation (s151 Officer)	31/3/25
Regular monitoring of the Flexible Use of Capital Receipts Strategy for 2025/26 will take place throughout 2025/26 as part of the current quarterly budget monitoring reports to Executive, with any amendments required to the plans contained in the Strategy as proposals are developed and expenditure is incurred being reported to Executive and approved by Council and notified to MHCLG as appropriate.	Director of Finance and Transformation (s151 Officer)	30/6/26

Appendices

1	Flexible Use of Capital Receipts Strategy 2025/26
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Background papers

Body	Report title	Date
Department for Levelling Up, Housing & Communities (DLUHC)	Flexible use of capital receipts direction: local authorities Direction - Flexible use of capital assets (publishing.service.gov.uk)	2/8/22
Department for Levelling Up, Housing & Communities (DLUHC)	Statutory Guidance on the Flexible Use of Capital Receipts (updated August 2022) Guidance on the flexible use of capital receipts (updated August 2022) - GOV.UK (www.gov.uk)	2/8/22

Council	Flexible Use of Capital Receipts Strategy 2021/22	20/10/21
Council	Revenue Budget, Council Tax, Medium Term Financial Plan and Capital Strategy 2022/23	23/2/22
Executive	Revenue and Capital Budget – Year-End Outturn position 2021/22 report	14/6/22
Council	Flexible Use of Capital Receipts Strategy 2022/23	7/9/22
Executive	Children’s Services Financial Improvement Plan	14/2/23
Council	Revenue Budget, Council Tax, Medium Term Financial Plan and Capital Strategy 2023/24	27/2/23
Executive	Revenue and Capital Budget – Year-End Outturn position 2022/23 report	20/6/23
Executive	Asset Review	21/11/23
Executive	Flexible Use of Capital Receipts Strategy – 2023/24 Refresh	21/11/23
Council	2024/25 Revenue Budget, Medium Term Financial Plan, Council Tax setting, and Treasury Management Strategy 2024/25	8/3/24
Council	Approach to Transformation of Middlesbrough Council	27/3/24
Council	Transformation of Middlesbrough Council	24/4/24
Executive	2023/24 Revenue and Capital Outturn and development of MTFP	26/6/24
Executive	Customer Strategy	5/2/25
Council	2025/26 Revenue Budget, Medium Term Financial Plan, and Council Tax setting	19/2/25
Council	Prudential Indicators and Treasury Management Strategy Report – 2025/26	19/2/25

Contact: Andrew Humble – Director of Finance & Transformation (s151 Officer)
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Appendix 1

FLEXIBLE USE OF CAPITAL RECEIPTS STRATEGY 2025/26

1. Summary

- 1.1 The Council is required to deliver transformational change of its service delivery models in order to achieve financial sustainability over the period of the Council's Medium Term Financial Plan (MTFP) from 2025/26 to 2028/29. The Council's Transformation Programme is an integral part of the MTFP, and necessary not only to deliver change but to reduce the overall cost of service delivery by providing financially sustainable services all within the cost envelope.
- 1.2 In the absence of sufficient revenue reserves to fund investment in transformation, the only source of funding available to the Council is the use of capital receipts from asset sales.
- 1.3 Local authorities are ordinarily only able to utilise capital receipts from the sale of fixed assets for specific purposes, mainly funding capital expenditure or repaying debt. This precludes the financing of revenue expenditure under s15(1) of the Local Government Act 2003.
- 1.4 However from 2026/17 statutory regulations have allowed capital receipts to be used to finance revenue expenditure for specific purposes as detailed in Section 2 and subject to certain conditions. The current statutory direction applies to financial years from 1 April 2022 up to and including 31 March 2025. However, the Government announced as part of the [Local government finance policy statement 2025 to 2026](#) that they would extend the flexible use of capital receipts to 31 March 2030. The Government also removed the restriction with respect to redundancy costs, imposed from April 2022, which limited the use of the flexibility to statutory redundancy costs only. This will support authorities in taking forward transformation and invest-to-save projects.
- 1.5 This is achieved through the adoption of a Flexible Use of Capital Receipts (FUoCR) Strategy which sets out any plans for eligible revenue expenditure to be incurred during the financial year to be funded by capital receipts in accordance with statutory regulations.
- 1.6 The annual FUoCR Strategy is required to be approved by Full Council as part of the budget and policy framework. A copy of the FUoCR Strategy, once approved by Full Council is required to be shared with the Ministry of Housing, Communities and Local Government (MHCLG) to enable review and oversight (but not approval).
- 1.7 The Council can only apply capital receipts to fund eligible expenditure in accordance with the plans set out in the FUoCR strategy and cannot exceed the level of planned expenditure without formally reviewing and approving a revised strategy. Revisions can be made during the financial year subject to Full Council approval and are required to be notified to MHCLG.

- 1.8 The FUoCR strategy is critical to enable the development and implementation of Transformation plans that seek to improve the efficiency and effectiveness of services to the community and deliver the cost reduction and/or income generation that is required in order to achieve financial sustainability for the Council over the medium to longer term. The 2025/26 FUoCR Strategy sets out an estimate of investment requirements together with forecast savings over the period of the MTFP, that will be further updated as the Transformation Programme develops.
- 1.9 Work to develop business cases for service redesign in areas that will deliver further savings from 2025/26 onwards has been progressing and will continue to progress during 2025/26 and future years and will be further reported to Executive on 30 April 2025 and at intervals throughout 2025/26 financial year in order to consider and recommend to Full Council approval of any revisions to the FUoCR Strategy as required by the regulations.
- 1.10 The majority of transformation expenditure in 2025/26 is planned to be met from capital receipts under the FUoCR Strategy, given that the Council's low revenue reserves are insufficient to fund the investment required. Limited expenditure that does not qualify for capitalisation under the Strategy will be met from the Change Fund.

2. Legislative framework

- 2.1 Local authorities are ordinarily only able to utilise capital receipts from the sale of fixed assets for specific purposes which is normally restricted to either funding capital expenditure or repaying debt, and these are set out in Regulation 23 of the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 made under Section 11 of the Local Government Act 2003. The receipts cannot usually be used to fund revenue expenditure under s15(1) of the Local Government Act 2003 (as amended).
- 2.2 The Secretary of State however is empowered to issue Directions allowing revenue expenditure incurred by local authorities to be treated as capital expenditure and therefore funded by capital receipts.
- 2.3 The Secretary of State for Communities and Local Government issued a Direction in March 2016 providing a time limited relaxation to the regulations under the Local Government Act 2003 Sections 16(2)(b) and 20: Treatment of Costs as Capital Expenditure. This gave local authorities greater freedoms to use capital receipts to finance expenditure, initially up until 2018/19. This allowed local authorities to treat qualifying expenditure on transformation projects as capital expenditure and to fund it from capital receipts received after April 2016.
- 2.4 The direction allows authorities to use the proceeds from asset sales to fund the revenue costs in specific circumstances where projects:
- will reduce costs, and/or
 - increase revenue income, and/or
 - support a more efficient provision of services.

- 2.5 Local authorities are only permitted to use the flexible use of capital receipts concession from a 'qualifying disposal' of property, plant and equipment assets received in the years in which this flexibility is offered under the direction.
- 2.6 'Qualifying expenditure' is defined as 'expenditure on any project that is designed to generate ongoing revenue savings in the delivery of public services and/or transform service delivery to reduce costs and/or transform service delivery in a way that reduces costs or demand for services in future years for any of the public sector delivery partners. The Statutory Guidance provides some examples of qualifying expenditure.
- 2.7 There have been number of extensions to the scheme since 2018/19 by revised statutory directions and in 2022 new restrictions were introduced as follows :
- a. that capital receipts obtained must be from disposals by the local authority to an entity outside the local authority's group structure. The intent of this condition is that capital receipts which are to be used by authorities under the flexibilities afforded by the direction, should be from genuine disposals of assets by the authority. Where an authority retains some control of the assets, directly or indirectly, and retains exposure to the risks and rewards from those assets, the disposal does not give rise to a capital receipt that can be used in accordance with the direction.
 - b. authorities were also restricted from funding discretionary redundancy payments, i.e., those not necessarily incurred under statute. Statutory payments that can be claimed through the flexible use of capital receipts were statutory redundancy pay (based on the capped weekly wage for statutory payments of £643 and a maximum 30 weeks as per the statutory guidance) and pension strain costs – not including any discretions, added years etc.
- 2.8 The [Local government finance policy statement 2025 to 2026](#) published by MHCLG in November 2024 extended the flexible use of capital receipts to 2030. The government also removed the restriction with respect to redundancy costs imposed from April 2022 (as detailed in 2.7 b. above), which limited the use of the flexibility to statutory redundancy costs only. This will support authorities in taking forward transformation and invest-to-save projects.
- 2.9 Authorities wishing to take advantage of the flexibility are required to annually prepare a "Flexible Use of Capital Receipts" (FUoCR) Strategy to be approved by Full Council. This requirement can be satisfied by including relevant documents within the Annual Budget documents or as a separate report. As a minimum, the Strategy should list each project for which it is proposed to make use of the capital receipts flexibility and that on a project-by-project basis, details of the expected savings/service transformation are provided. The Strategy should report the impact on the local authority's Prudential Indicators for the forthcoming year and subsequent years.
- 2.10 Since 2022/23 local authorities must send details setting out their planned use of the flexibility in advance of use for each financial year to MHCLG by submitting via

the MHCLG Delta system. This condition can be met by sending the authority's own strategy documents, provided they contain the detail asked for in the direction. This is not an approval process, but the information must be sent to ensure transparency and allow proper monitoring by central government.

- 2.11 Since 2022/23 the Strategy is required to contain details on projects approved in previous years, including a commentary on whether the planned savings or service transformation have been/are being realised in line with the initial analysis.
- 2.12 The Statutory Guidance allows local authorities to update their Strategy during the year and must notify MHCLG to enable central Government to keep track of planned and actual use of the flexibility. Full Council must approve the revised plan.
- 2.13 The amount of expenditure capitalised in the financial year must not exceed the amount set out in the plan, including any updated plans, provided to the MHCLG. This is to allow central Government to keep track of planned use of the flexibility for national accounts purposes.

3. Use of Flexible Capital Receipts in previous years

- 3.1 It is a requirement of the FUoCR guidance, that authorities must include details on projects approved in previous years, including a commentary on whether the planned savings or service transformation have been/are being realised in line with the initial analysis.

Middlesbrough Council implemented a FUoCR Strategy for the first time in 2021/22 and a report was approved by Full Council on 20 October 2021.

2021/22

- 3.2 The FUoCR Strategy for 2021/22 approved by Full Council on 20 October 2021 included proposed projects along with estimated costs and potential savings. Progress against the approved Strategy for 2021/22 was monitored throughout the financial year as part of regular budget monitoring arrangements and reported accordingly as part of the current quarterly budget monitoring reports to Executive, along with any updates to the Strategy as proposals were developed and expenditure was incurred. The final statement of expenditure on projects to transform services that were funded through flexible use of capital receipts for 2021/22 and the associated estimated annual revenue savings or future cost avoidance, was reported as part of the Revenue and Capital Budget – Year-End Outturn position 2021/22 report to Executive on 14 June 2022, and was also shown in the Strategy for 2022/23.
- 3.3 Entries were made in the Council's accounts in 2021/22 for these having due regard to the Local Authority Accounting Code of Practice, including the effect on the Council's Investment Strategy.

2022/23

- 3.4 The Strategy for 2022/23 was approved by Full Council on 7 September 2022. The report summarised the projects intended to transform services and proposed to be funded through the flexible use of capital receipts for 2022/23. These totalled approximately £2.7m along with estimated projected costs and associated estimated

annual revenue savings or future cost avoidance. In some cases, there is a clear link between a project and the realisable financial benefit. In other cases, that link is less clear and the project or additional resource contributes to enabling savings or costs avoidance in other areas or provides a wider benefit, which would not otherwise be realised.

- 3.5 Delivery against the 2022/23 Strategy was reported through quarterly monitoring reports and the final year-end position against the Strategy was reported as part of the Revenue and Capital Budget – Year-End Outturn position 2022/23 report to Executive on 20 June 2023.
- 3.6 Entries were made in the Council's accounts for these having due regard to the Local Authority Accounting Code of Practice, including the effect on the Council's Investment Strategy.

2023/24

- 3.7 The planned use of flexible capital receipts in 2023/24 was set out in the budget and MTFP report approved by Council on 27 February 2023. The plan incorporated £3m of expenditure on transformation and other eligible expenditure within an overall MTFP strategy that forecast flexible receipts in year in excess of £9m, the balance of receipts assumed to be used to finance the capital programme.
- 3.8 The main emphasis of the FUoCR Strategy in 2023/24 was associated with expenditure within the Children's Financial Improvement Plan targeted to realise savings in expenditure and cost avoidance arising from a range of projects.
- 3.9 The estimates of transformational expenditure were made on a prudent basis, and it was noted that there may be a need to review and revise the original plan dependent upon whether the initial planned projects were delivered given the significant transformation work required within Children's Services which presented the single biggest risk to the Council's financial sustainability.
- 3.10 It was noted that if it was necessary to increase the use of capital receipts on a flexible basis during 2023/24 above that contained in the Strategy, that an amended plan and strategy would be submitted for approval by Full Council and notified to DLUHC (now MHCLG) as required by the FUoCR guidance.
- 3.11 A number of schemes within the original plan for 2023/24 for £3m approved by Full Council in February 2023 did not progress as originally intended and a number of new projects were added for which the expenditure qualifies under the regulations for flexible use of capital receipts funding.
- 3.12 In order to reduce the forecast overspend, it was necessary for the Council to develop implement a further range of transformational and efficiency plans to secure cost reduction and income growth within 2023/24 and into 2024/25 and future years, and therefore a revised FUoCR strategy for 2024/25 was approved by Full Council on 17 January 2024 which increased the potential eligible expenditure to £4.3m subject to the realisation of sufficient capital receipts at 31 March 2024.
- 3.13 Progress against the 2023/24 Strategy was reported in the quarterly budget monitoring reports to Executive, and the final position was reported in paragraph 4.40

of the 2023/24 Revenue and Capital Outturn and development of MTFP report to Executive on 26 June 2024. This showed a reduced level of capital receipts totalling £2.399m being sold and cash received by the Council at 31 March 2024. Therefore, in accordance with the approved Council policy, £2.399m of eligible revenue expenditure was funded by FUoCR and included in the capital programme, therefore reducing total revenue expenditure. Table 9 of the report summarised this with the detailed analysis of the application of FUoCR set out in Appendix 5.

- 3.14 Entries were made in the Council's accounts in 2023/24 for these having due regard to the Local Authority Accounting Code of Practice, including the effect on the Council's Capital Programme.

2024/25

- 3.15 The 2024/25 budget, MTFP, Capital Programme and Treasury Management Policy approved on 8 March 2024 set out the estimated investment required to deliver transformation and to meet the estimated cost of redundancies over the 3 year period of the MTFP. The total cost was estimated to be up to £26.7m over the period of which £13.7m related to 2024/25. The approved funding source was capital receipts in accordance with an approved FUoCR Strategy.
- 3.16 The FUoCR Strategy for 2024/25 was done in two phases with Phase 1 being approved by Full Council on 27 March 2024 as part of The Approach to Transformation of Middlesbrough Council report. This approved £4.827m of expenditure.
- 3.17 The FUoCR Strategy was revised as part of the Transformation of Middlesbrough Council report to Full Council on 24 April 2024. This report approved Phase 2 for the balance of the budget allocation of £8.873m with further programme investment expenditure of £4.256m, redundancy budget of £2.900m and the contingency budget of £1.717m.
- 3.18 Progress against the 2024/25 Strategy has been reported in the quarterly budget monitoring reports to Executive. The Revenue and Capital Budget – Forecast Year-end Outturn position at Quarter Three 2024/25 report to Executive on 5 February 2025 highlighted that it is forecast that only £5.150m of the £13.7m planned expenditure would be incurred in relation to the Transformation Programme in 2024/25 and that £5.150m of eligible revenue expenditure is forecast to be funded by FUoCR in 2024/25.
- 3.19 The final year-end position against the Strategy will be reported as part of the Revenue and Capital Budget – Year-End Outturn position 2024/25 report to Executive in June 2025.

4. 2025/26 Transformation and FUoCR Strategy

- 4.1 The 2025/26 Revenue Budget, Medium Term Financial Plan, and Council Tax setting report approved on 19 February 2025 set out the estimated investment required to deliver transformation and to meet the estimated cost of redundancies over the 4 year period of the MTFP from 2025/26 to 2028/29. The total cost is estimated to be up to £21.550m over the period of which £7.500m relates to 2025/26. This is in addition

the £5.150m forecast expenditure in 2024/25 making a total of £26.700m for the period 2024/25 to 2028/29 for the Transformation Programme. The approved funding source is capital receipts in accordance with an approved FUoCR Strategy

- 4.2 **Table 1** below summarises the forecast expenditure from 2025/26 to 2028/29 and shows that it is anticipated that the amount of transformation expenditure in 2025/26 will be up to £5.000m (including ICT), with an estimate for redundancy costs of up to £1.750m, and a contingency budget of £0.750m, making a total of £7.500m in 2025/26.

Table 1 : Transformation Programme – to be funded by FUoCR Strategy

	Forecast Expenditure				
	2025/26	2026/27	2027/28	2028/29	TOTAL
Transformation Programme	£m	£m	£m	£m	£m
Transformation	3.500	3.500	3.000	0.750	10.750
ICT	1.500	1.500	1.500	-	4.500
Redundancy	1.750	1.000	1.000	-	3.750
Contingency	0.750	0.750	0.750	0.300	2.550
Total Transformation	7.500	6.750	6.250	1.050	21.550

- 4.3 **Table 2** below summarises planned transformation expenditure totalling £7.500m in 2025/26 to be funded from the 2025/26 FUoCR Strategy with further details being provided in **Annex 1**.

Table 2 : Planned transformation expenditure in 2025/26 to be funded by FUoCR

	FUoCR 2025/26 £m
Programme Costs: Adult Social Care	0.644
Programme Costs: Children's Social Care	1.311
Programme Costs: Customer	0.733
Programme Costs: Target Operating Model / Enabling Services	0.499
Programme Costs: Further Planned Expenditure	2.563
Redundancy Costs	1.750
Total Planned Transformation Expenditure 2025/26 funded by FUoCR	7.500

- 4.4 In some cases there is a direct link between a project and the realisable financial benefit, however in others it is difficult to quantify and the project contributes to enabling savings or costs avoidance in other areas or provide a wider benefit, which would not otherwise be realised; for example some enabling services and expenditure.
- 4.5 A number of transformation projects are in development. The Customer Strategy was approved by Executive on 5 February 2025 and a further report updating progress on the Transformation Programme and the Neighbourhoods Model will be presented to Executive on 30 April 2025.
- 4.6 It may be necessary for further revisions to the FUoCR Strategy to be submitted to Full Council throughout the 2025/26 financial year for approval of further allocations of this budget as business cases are developed.

- 4.7 The estimates of transformational expenditure have been made on a prudent basis, and it should be noted that there will be potentially other expenditure which will be incurred due to the significant transformation work that will be required within the Council that will be reflected in further phases of the FUoCR Strategy to be considered by Full Council during 2025/26.
- 4.8 Any increase in the use of capital receipts on a flexible basis during 2025/26 above that contained in this Strategy, will as per the Statutory Guidance, require an amended plan and strategy to be made and approved by Full Council, and notified to MHCLG.

Monitoring the Strategy

- 4.9 Delivery against the Strategy will be monitored throughout the financial year as part of the Transformation Programme governance arrangements and reflected in regular corporate budget monitoring arrangements and be reported quarterly to Executive including the realisation of cashable capital receipts. It should be noted that the final financing position on the Strategy will be determined as part of the accounts closure process at 31 March 2026.
- 4.10 The legitimacy of the use of the Strategy has been determined by the Council's s151 Officer to be in accordance with the statutory regulations.

The Prudential Code

- 4.11 The Council will have due regard to the requirements of the Prudential Code and the impact on its prudential indicators from implementing the proposed Strategy. The capital expenditure prudential indicators will be amended and approved as appropriate.
- 4.12 The indicators that will be impacted by this Strategy are set out in the Prudential Indicators and Treasury Management Strategy Report - 2025/26 approved by Council on 19 February 2025.

Appendix 1 - Annex 1: Planned Transformation Expenditure 2025/26 funded via FUoCR

Theme	Transformation expenditure	FUoCR Criteria	FUoCR 2025/26 £m	Link to savings where applicable
Adult Social Care	Transformation Programme Lead & Coordinator (across all ASC initiatives)	Savings/Enabling /Service Improvement	0.309	All ASC
	Strategic Review of ACT – focussing on Homelessness services	Savings / Demand Management	0.102	ASC02 Temporary Accommodation and support review
	Social Worker / Occupational Therapist	Savings / Demand Management	0.233	Various ASC
Total Adult Social Care			0.644	
Children's Services	Transformation Lead (across all Children's Services Initiatives)	Savings/Enabling /Service Improvement	0.237	All Children's Services
	SHIFT Project	Savings	0.135	CC06 SHIFT Project
	Placements Review Lead	Savings / Demand Management	0.149	CC02 Review of Placements
	Edge of Care Team	Savings / Demand Management	0.399	CC10 Edge of Care Team
	Modernising Fostercare	Savings / Demand Management	0.391	CC08 Modernising Fostercare
Total Children's Services			1.311	
Customer	Detailed in Customer Resource Plan (Customer Strategy Executive report 5/2/25 - Appendix 2)	Savings / Service Improvement	0.733	Current estimated savings Year 1 (25/26) £0, Year 2 (26/7) £1m, Year 3 (27/28) £0.5m - £1m. These will be quantified as Programme develops
Total Customer			0.733	
Target Operating Model and Enabling Services	Transformation Finance Lead	Enabling	0.064	
	Children's Services Transformation Finance Lead	Enabling	0.064	
	Contract Review Support	Savings	0.077	FIN07 Reduction in contractual spend
	Legal & Governance	Enabling	0.033	
	ICT Transformation Resource	Enabling / Service Improvement	0.128	
	Marketing & Communications	Enabling	0.088	
	Bid Writer	Savings / Enabling	0.045	Corporate - including CC05 Maximising Grants
Total Target Operating Model and Enabling Services			0.499	
Further planned expenditure	Transformation projects in development - expenditure still required to be finalised		2.563	
Total Further planned expenditure			2.563	
Redundancy Costs	Cost estimate of redundancy to support staff reductions	Savings	1.750	
Total Redundancy Costs			1.750	
TOTAL PLANNED TRANSFORMATION EXPENDITURE 2025/26 FUNDED BY FUoCR			7.500	

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