

COUNCIL

A meeting of the Council was held on Wednesday 26 January 2022.

PRESENT: Councillors J Hobson, A Bell (Vice-Chair), D Branson, C Cooke, B Cooper, D Coupe, C Dodds, L Garvey, A Hellaoui, T Higgins, S Hill, C Hobson, B Hubbard, N Hussain, L Mason, T Mawston, J McTigue, M Nugent, J Platt, E Polano, A Preston (The Mayor), J Rathmell, D Rooney, R Sands, M Saunders, M Smiles, M Storey, J Thompson, Z Uddin, S Walker, G Wilson and C Wright

OFFICERS: S Bonner, C Breheny, B Carr, D Johnson, T Parkinson, A Perriman, S Reynolds, K Whitmore and I Wright

APOLOGIES FOR ABSENCE: Councillors R Arundale, D Davison, S Dean, T Furness, A High, D Jones, L Lewis, D McCabe, C McIntyre, G Purvis, J Rostron, P Storey and J Walker

21/87 **DECLARATIONS OF INTEREST**

Councillor Coupe declared a non-pecuniary interest in Agenda Item 11 – Stainton and Thornton Neighbourhood Plan, as Councillor for the Stainton and Thornton Ward.

21/88 **MINUTES - EXTRAORDINARY MEETING OF COUNCIL - 17 NOVEMBER 2021 AND ORDINARY MEETING OF COUNCIL - 24 NOVEMBER 2021**

The minutes of the Extraordinary Council meeting held on 17 November 2021 and the Ordinary Council meeting held on 24 November 2021 were submitted and approved as a correct record.

21/89 **ANNOUNCEMENTS/COMMUNICATIONS**

The Chair congratulated Councillor Nicky Gascoigne on her election as Councillor for the North Ormesby Ward on 16 December 2021.

The Chair announced with sadness, the recent death of former Middlesbrough Councillor, Joe Michna who represented Park Ward from 1988 – 2015, first as a Liberal Democrat then as the Council's first Green Party councillor.

The Chair also announced the sad death of former County Councillor, John Garvey who represented the Park End Ward from 1985 until 1996 when Cleveland County was abolished.

The Chair asked members to join him in a minutes silence as a mark of respect.

21/90 **QUESTIONS FROM MEMBERS OF THE PUBLIC (IF ANY).**

The Chair announced that two questions had been received from members of the public. The details of the specific questions were included at Agenda Item 5.

The Chair invited the member of the public that had submitted Question 1/21 to read her question out. The Chair invited Councillor Smiles to respond.

The Executive Member thanked the member of the public for her question.

In response to the question, the Executive Member advised that the relevant service responsible for the issue was the Middlesbrough Sensory Teaching Advisory and Resource Service. The Executive Member advised that she had spoken to officers about the situation and had been advised that the Council would be able to assist families with any difficulties in accessing services. There was a dedicated Social Worker dealing with children with hearing difficulties. The officer concerned would be able to work with parents who had children with deaf or hearing impaired difficulties to assist them in applying for specific funding to meet the child's needs.

The Council also worked with a number of different charities, including the ESME Foundation and the Birkdale Trust and Family Fund. Middlesbrough College was also providing British Sign Language courses, free of charge, for any person who did not have a Level 3 qualification.

The Chair advised that the member of the public who submitted question 2/21 was unable to attend the meeting. The Chair read the question out and advised that a written response would be provided.

21/91

MAYOR'S STATEMENT AND REPORT

The Mayor stated that he wished to speak on the following issues:

Anti-social behaviour

The Mayor stated that anti-social behaviour was an issue across the whole of the country. Although progress had been made in some areas, anti-social behaviour was still too high in Middlesbrough.

The Mayor advised that there had been longstanding issues with anti-social behaviour in the Hemlington area. Many of the issues were mainly due to a small group of people who were committed to carrying out acts of anti-social behaviour. The police were unable to police the area 24 hours a day and there was a limit to what they were able to do.

The Council could spend more money on youth services, but more needed to be done. There needed to be consequences for bad behaviour. The Mayor urged people to continue to report anti-social behaviour and crime in the area, so that the police had enough data/evidence to prosecute the offenders. Twenty four new security cameras had been ordered, and were due to be installed throughout the Hemlington area. The delivery had been delayed due to Covid, but they were due to arrive in three weeks. It was anticipated that the cameras would deter crime and capture any incidents in the area. This would assist in any action being taken against the offenders. More resources would be allocated to Hemlington in the near future.

The Mayor stated that every Ward had some elements of anti-social behaviour/crime, but by continuing to report it, hopefully the perpetrators would be caught and prosecuted.

BOHO X

The Mayor advised that it was anticipated that BOHO X would be completed in the following ten months. The Council was currently in advanced discussions with those interested in occupying the site.

Tollesby Shops

The Mayor advised that Tollesby shops had been derelict and an eyesore for a number of years and the site had attracted anti-social behaviour and damaged people's mental health. Following the Council's acquisition of the Tollesby shops, there would be new apartments for retired people and shops for the community would be put in place of the old shops. The Mayor urged people to get in touch if they had any issues regarding sites that had become an eyesore and the Council would try and deal with the issue.

Cleveland Centre

The Mayor advised that the Council had purchased the Cleveland Centre for two reasons. The price of the centre had fallen from £100m to £12m and the rental that the Council received from the occupiers of the Centre, exceeded the cost of the loans and the interest that the Council had to pay. Doing nothing was not an option, and the centre needed to be looked after.

Captain Cook Square Shopping Centre

The Mayor advised that the builders were currently on site in the former T J Hughes store. A private company had taken over the premises. The plans for the site, included an indoor Go Carting/Golf/Bowling Centre which would be open from 10.00am until 2.00am. It was

anticipated that the facility would open in April 2022.

Executive Members

The Mayor advised that he had appointed two new Executive Members. Councillor Luke Mason had been appointed as Executive Member for Young Adults and Political Engagement, and Councillor Tony Grainge had been appointed as Executive Member for Neighbourhood Safety.

Holocaust Memorial Day

The Mayor reminded people that the following day was Holocaust Memorial Day. He urged members to think about the Holocaust and also to remember the people caught up in the conflict in Ukraine.

Jobs and the future

The Mayor stated that the television and the press were full of negative things. Utility bills were due to increase and this would hit the poorest people hardest and the Government and the Council needed to plan for that.

The Mayor advised that he had recently attended a jobs fair, and had been informed that there were difficulties in filling all of the vacancies. He advised that the opportunity to work had never been so vast.

Councillor M Storey stated that in respect of the Holocaust, everyone needs to reflect on the event. He advised that it was getting to the point that there would be nobody left alive who had suffered as a result of the event and lessons needed to be learned.

Anti-social behaviour was a major issue, and although the focus was currently on the Hemlington area, there needed to be a strategic policy on anti-social behaviour and crime to cover the whole of the town. The PSPO currently only covered the Central and Newport Wards and this was an issue as all Wards were experiencing anti-social behaviour and crime, which was why a strategic policy that covered the whole of the town was required.

Councillor Storey also stated that it was good that the Mayor was speaking about the lack of police officers. 500 police officers and 50 PCSOs had been lost. The Council had lost 40% of its budget from Central Government. The Mayor needed to speak out more about funding received from Central Government. The Mayor needed to understand community triggers,

Councillor Storey stated that he was pleased with the proposed developments at Tollesby shops and he congratulated Councillor Dean with regard to all her previous work in pushing for improvements at the site.

News about the Helepad was pleasing.

In terms of the Cleveland Centre, Councillor Storey stated that it was pleasing to see that the Cleveland Centre would be brought back into use.

Councillor Storey advised that in terms of the increase in utility bills, the Labour Party had a policy of scrapping VAT on bills.

Councillor Uddin referred to anti-social behaviour in the town and he stated that the family of the children committing anti-social behaviour needed supporting. He stated that prison was not the answer.

In response to the comments about anti-social behaviour, the Mayor advised that prison sentences did work as a deterrent to others. A prison sentence would take people off the streets, it would warn others that there were consequences and so would act as a deterrent in the future. There had been too little enforcement in the past.

Councillor Mawston advised that everyone should remember the Holocaust.

The referred to the Endeavour ship that was previously located in the Cleveland Centre.

In terms of anti-social behaviour, he advised that he and Councillor Davison reminded people to report anti-social behaviour and crime but many were afraid of retributions.

The Mayor stated that the he would be happy to discuss the Endeavour ship.

Councillor McTigue stated that more effort needed to be made to get the perpetrators of crime off the streets. The current Criminal Justice system needed to be scrapped. Parents should be fined for the actions of children committing anti-social behaviour and crime.

Councillor Bell stated that he agreed with the comments about anti-social behaviour in Hemlington. Parents needed to be held responsible for the actions of their children. Detention centres needed to be brought back so that the parent and the child who had committed anti-social behaviour would have to attend at certain times of the day. Councillor Bell advised that the Neighbourhood Safety Officer was working with the Police and Thirteen were working together to tackle the issue.

Councillor Cooke stated that the root cause of many of the causes of anti-social behaviour was because of organised gangs. It was the leaders of these gangs that needed to be targeted.

The Mayor stated that the issue in Hemlington was different to that in Gresham. In Hemlington, it was a small number of 15 to 16 year olds that were causing the issues. If more cameras and wardens had been committed to the area four or five years ago, the situation might not be as bad as it was at the moment.

21/92 **AMENDMENT TO THE EXECUTIVE SCHEME OF DELEGATION**

As required by the Council's Constitution, a report was submitted setting out the revised membership of the Executive, appointed by the Mayor, together with details of the amended Executive Scheme of Delegation.

ORDERED that the report be noted.

21/93 **REPORT OF THE OVERVIEW AND SCRUTINY BOARD**

Council received and noted a report of the Chair of the Overview and Scrutiny Board outlining the work of the Board and Scrutiny Panels.

21/94 **CALCULATION OF COUNCIL TAX BASE FOR 2022/23**

The Director of Finance and the Executive Member for Environment, Finance and Governance submitted a report, the purpose of which was to set the council tax base for the financial year 2022/2023 by the statutory deadline of 31 January 2022.

The Executive Member for Environment, Finance and Governance presented the report.

The Council had a legal obligation to calculate a council tax base each financial year. The calculation of the council tax base was a part of the Council's budget strategy which formed part of the Council's Policy Framework, and as such must be agreed by Full Council.

The Deputy Monitoring Officer reminded Members that any Member who was more than 2 months in arrears with their Council Tax must make a Declaration of Interest under Section 106 of the Local Government Finance Act 1992 and must not take part in the voting.

The Deputy Monitoring Officer conducted a Recorded Vote. The result of the vote was as follows:

Votes For: (30)

Councillors Bell, Branson, Cooke, Cooper, Coupe, Dodds, Garvey, Hellaoui, Higgins, Hill, C Hobson, J Hobson, Hubbard, Hussain, Mason, Mawston, McTigue, Nugent, Platt, Polano, Rooney, Sands, Saunders, Smiles, M Storey, Thompson, Uddin, S Walker, Wilson, Wright

Against: Councillor J Rathmell (1)

Abstentions: Mr A Preston (1)

ORDERED as follows:

That the Council notes the contents of the report.

That the Council approves the council tax base for 2022/2023 as **35,228**.

That the Council approves **2,168** and **1,240** as the council tax bases for the parishes of Nunthorpe and Stainton & Thornton respectively for 2022/2023.

That the Council agrees to notify the Police and Crime Commissioner, the Cleveland Fire Authority and the Parish Councils of the 2022/2023 council tax base.

21/95

CORPORATE DEBT WRITE OFF POLICY

The Director of Finance and the Executive Member for Environment, Finance and Governance submitted a report the purpose of which was to seek approval of the Corporate Debt Write Off Policy.

The purpose of the new policy was to provide a corporate approach to the writing off of bad and irrecoverable debts in a fair and timely manner, whilst seeking to maximise the opportunity for collection thereby minimising the need for write off.

All service areas were required to follow this policy to allow the Council to operate a consistent approach to debt write off, whilst having due regard to the customer's ability to pay.

Whilst some parts of debt write off were governed by particular legislative requirements such as Council Tax, Business Rates, Adult Social Care Debt, etc., wherever possible the overall principle of debt write off should be efficient and effective, always giving consideration to the financial impact on the Council when debt was written off.

The policy would underpin any specific recovery strategies and would be applied across all directorates.

The new policy would also support cross directorate communication where a shared customer base existed. It was envisaged that the approach would work within Data Protection legislation, and should be considered at a corporate level to reduce multiple officer engagements across directorates with the same resident and or business base.

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

That

- a) the Corporate Debt Write Off Policy be approved.
- b) the Budget Policy Framework and the officer delegated scheme of delegation be amended
- c) delegated authority be given to the Section 151 Officer to approve any future modifications to the Corporate Debt Write Off Policy.

21/96

STAINTON AND THORNTON NEIGHBOURHOOD PLAN

The Director of Regeneration and Culture and the Executive Member for Regeneration submitted a report, the purpose of which was to seek approval of the Stainton & Thornton Neighbourhood Plan, incorporating the recommendations of the Independent Examiner's Report.

The Executive Member for Regeneration presented the report.

Under the Planning and Compulsory Purchase Act 2004, parish councils and neighbourhood forums could prepare Plans that put in place a vision and planning policies for the

development, and use of land within their designated Neighbourhood Area.

Stainton & Thornton Parish Council had prepared its draft Neighbourhood Plan, which had been assessed by an Independent Examiner. The Independent Examiner had submitted his report to the Council, and recommended that a number of amendments, needed to be made before the Plan could proceed to the referendum stage of the Neighbourhood Planning process.

Officers had incorporated the necessary amendments to the Plan and the Parish Council had agreed that the Plan accorded with the Examiner's recommendations.

Approval was sought from the Council, for the Plan with the incorporated amendments to proceed to the referendum stage of the Neighbourhood Planning process. Once approved, a decision statement would be issued and placed on the Council's website outlining its decision that the Plan, should proceed to a referendum.

Following a successful outcome of the referendum, a further Council report would be prepared, in order for the Neighbourhood Plan to be formally adopted by the Council, as part of its Statutory Development Plan, against which future planning applications within the designated Neighbourhood Area would be determined.

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

That the Stainton & Thornton Neighbourhood Plan, incorporating the recommendations of the Independent Examiner's Report, be approved.

21/97 **URGENT ITEMS**

There were no urgent items submitted for this meeting.

21/98 **MEMBERS' QUESTION TIME**

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

21/99 **NOTICE OF MOTIONS**

21/100 **NOTICE OF URGENT MOTIONS (IF ANY)**

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

21/101 **UPDATE - COUNCIL CONSTITUTION**

The Monitoring Officer submitted a report which proposed the following amendments to the Council's Constitution:

- amendments to the Contract Procedure Rules, Financial Thresholds.
- an amendment to the wording for rules in relation to Ordinary Motions at Paragraph 76 of the Council Procedure Rules.
- an amendment to Page 8 – paragraph 3 of the Officer Employment Procedure Rules - Change of wording for the Appointment of Head of Paid Service to provide for the appointment to be made by Full Council or by recommendation from the Chief Officer Appointments Committee.
- insert Procedure and Guidance for Councillor Calls for Action into the Constitution.
- insert Political Balance Procedure Rules into the Constitution.
- amendment to the Standards Committee and Corporate Affairs and Audit Committee, Terms of Reference.

The report also sought approval of a Social Media Framework: Policy and Guidelines for Elected Members to be included in the Members' Handbook.

Following a vote, it was **ORDERED** that Council approve the following:

- (a) The proposed changes to the Constitution as detailed in the report and notes that the

Monitoring Officer will, under delegated powers, amend the Constitution accordingly.

- (b) The Social Media Framework: Policy and Guidelines for Elected Members for inclusion within the Members Handbook.
- (c) That the Monitoring Officer, under delegated powers be authorised to amend the Constitution and make any necessary minor textual changes or further adjustments to comply with any subsequent legislative changes, changes to reflect decisions taken by Council and/or Executive and changes which are of typographical/drafting error nature.

21/102

COUNCIL COMMITTEES - VACANCIES

The Monitoring Officer submitted a report, the purpose of which was to seek Members' approval to nominations for appointment, arising from vacancies, as a result of resignations from Committees.

The Deputy Monitoring Officer requested Council to agree appointments, arising from vacancies and resignations from the following Committees:

Children and Young People's Learning Scrutiny Panel

1 Vacancy – Open to Conservative Councillors initially

1 nomination: Councillor D Coupe – **Councillor Coupe appointed**

Vice-Chair of Children and Young People's Learning Scrutiny Panel

2 nominations: Councillor Hellaoui and Saunders

Following a vote, **Councillor Saunders was appointed.**

Corporate Health and Safety Steering Group

1 Vacancy – Open to all Councillors

1 nomination was received for Councillor Higgins – **Councillor Higgins appointed.**

Culture and Communities Scrutiny Panel

1 Vacancy – Open to Conservative Councillors initially

No nominations were received from the Conservative group

1 nomination was received from Councillor Nugent – **Councillor Nugent appointed.**