

**MEETING OF MIDDLESBROUGH COUNCIL**

At the Meeting of Middlesbrough Council, lawfully convened, on 25 November 2020.

**PRESENT:** Councillors J Hobson (Chair), L Garvey (Vice-Chair), R Arundale, A Bell, D J Branson, C Cooke, B Cooper, D P Coupe, D Davison, S Dean, C Dodds, T Furness, J Goodchild, A Hellaoui, T Higgins, A High, S Hill, C Hobson, B A Hubbard, N Hussain, D Jones, L Lewis, L Mason, T Mawston, D McCabe, J Platt, E Polano, Mayor A Preston, G Purvis, J Rathmell, D Rooney, J Rostron, R M Sands, M Saunders, M L Smiles, M Storey, J Thompson, Z Uddin, J A Walker, S Walker, A Waters, G Wilson and C Wright

**OFFICERS:** C Benjamin, S Bonner, C Breheny, S Butcher, B Carr, R Horniman, S Lightwing, C Lunn, T Parkinson, A Perriman, S Reynolds, K Whitmore, I Wright

**APOLOGIES FOR ABSENCE** were submitted on behalf of Councillors C McIntyre, Councillor J McTigue, Councillor M Nugent, Councillor P Storey.

**DECLARATIONS OF INTERESTS**

None Declared

**1 MINUTES - COUNCIL - 14 OCTOBER 2020**

The minutes of the Council meeting held on 14 October 2020 were submitted and approved as a correct record

**2 ANNOUNCEMENTS/COMMUNICATIONS**

There were no formal Announcements for this meeting.

**3 QUESTIONS FROM MEMBERS OF THE PUBLIC**

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

The Chair invited the member of the public who had submitted Question1/2020 to put his question to the Executive Member for Regeneration. As there was some technical difficulties, the Chair read the question out on behalf of the member of the public.

The Executive Member advised that whilst Policy H23 stated that apartments would not be permitted, the development brief recognised that it may be appropriate to see their development in this specific location for two reasons. Firstly, it would help to increase the amount of affordable housing that could be delivered on this site. The original intention was to bring forward a high value, extra care scheme in this location in lieu of affordable housing. As that scheme was no longer coming forward, it was considered appropriate for an affordable housing scheme of sufficient value to be developed in its place. Secondly, the brief recognised that, as a prominent corner site, an apartment scheme might provide the most appropriate design solution. This did not mean that apartments would definitely be developed on the site, only that they might be acceptable if they were of sufficiently high quality design. Any proposal would be subject to a planning application where these matters would be considered in detail.

With regards to rejecting the adoption of the Hemlington North development brief, this was not something the Council could do now the call-in period had expired. In any case, he stated that he did not consider it necessary for the Council to do so and that he would not be seeking any amendments to the adopted brief. The Executive Member advised that the purpose of the consultation was to consider the detailed design and layout matters that would accompany the marketing of the site, and which the Council would take into account during the consideration of future planning applications, and not the principles of development.

Many of the comments received, however, related to the principle of development and, as

such, were beyond the scope of the development brief and the consultation exercise. In the case of Hemlington North, the principle had already been determined through a previous planning application that identified this site as being the location of the affordable housing to support the wider Hemlington Grange development. In the case of Hemlington Grange South, the site was allocated for development in the Housing Local Plan. He advised that he did not consider that the Council had failed to respond to the legitimate issues raised, and that the responses were appropriate when considered against the scope of the consultation.

The Chair invited the member of the public who had submitted Question 2/2020 to put his question to the Executive Member for Regeneration. As there was some technical difficulties, the Chair read the question out on behalf of the member of the public.

The Executive Member advised that without further information on which issues the Council was considered to have failed to respond, he stated the purpose of the consultation was to consider the detailed design and layout matters that would accompany the marketing of the site, and which the Council would take into account during the consideration of future planning applications, and not the principles of development.

Many of the comments received, however, related to the principle of development and, as such, were beyond the scope of the development brief and the consultation exercise. In the case of Hemlington North, the principle had already been determined through a previous planning application that identified this site as being the location of the affordable housing to support the wider Hemlington Grange development. In the case of Hemlington Grange South, the site was allocated for development in the Housing Local Plan. He advised that he did not consider that the Council had failed to respond to the legitimate issues raised, and that the responses were appropriate when considered against the scope of the consultation.

In terms of the 'cut and paste approach', it was recognised that the Council had provided identical responses where the same issue had been raised by more than one consultee. This approach was taken primarily to ensure consistency. He stated that he was satisfied that all of the comments were properly considered with appropriate responses.

The Executive Member advised that he did agree with paragraph 1.10 of the Council's Statement of Community Involvement, and considered that the consultation on the Hemlington development briefs was undertaken properly in accordance with the spirit of the SCI. He stated that he also considered that the decision was made in the wider public interest.

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

The Mayor stated that he had ten things that he wished to discuss.

##### **1. Gresham**

Building of the first social housing to be built in Middlesbrough in decades is due to commence in 30 days in Gresham. Initially 145 houses were due to be built followed by another 90 houses, costing in the region of £30m. The Mayor stated that the population of the town had reduced by 20,000 over the past 40 years and the building of new social housing would attract people back to the town.

##### **2. Trees**

The Mayor stated that the town were on schedule to plant 14,000 trees but it hoped to increase that number to 25,000 to 35,000 trees. He encouraged any member of the public who wanted to be involved in the initiative to get in touch.

##### **3. CCTV**

The Mayor stated that CCTV deterred crime and assisted in capturing criminals. He advised that there was a new grants system which would assist residents wishing to install CCTV cameras in the front or back of their homes or back alleys.

#### **4. Boho X**

The Mayor announced that the planning application for the new BOHO X building was due to be considered by the Planning and Development Committee in three weeks' time. He stated that it was a fantastic landmark building with excellent facilities to host the digital sector and it was likely to be operational in 2 years' time.

#### **5. Captain Cook Square**

The Mayor referred to the Council's purchase of Captain Cook Square. He stated that it was initially up for sale for £30m but the Council had managed to purchase it for £8m. People would come from all over the town to use the leisure facilities that would be available.

#### **6. Street Wardens**

The Mayor stated that Street Wardens often carried out unseen work and he outlined some examples of the work that they did. He stated that they also worked with the police to gather intelligence to assist in detecting crime.

#### **7. Farm**

The Mayor announced that the Camphill Village Trust charity was building a new farm to the North and West of the old Town Hall and it would not be costing the Council anything. The farm would grow food and work with vulnerable people and it would also work with volunteers

#### **8. Green Strategy**

The Mayor stated that the Council aimed to set targets to make the town the greenest and cleanest in the whole of the Tees Valley.

#### **9. COVID-19**

The Mayor stated that he wanted to thank local businesses and residents for their assistance in bringing the number of COVID-19 cases down. The figures were now in the high to mid-200s. He stated that he was unsure as to which Tier the town would be placed in, but he suspected that it would likely be Tier 3.

He acknowledged the work that Council staff had done in terms of handing out leaflets, facilitating grants and delivering facemasks to every household in the town.

#### **10. Section 106 Agreements**

The Mayor advised that the Council had introduced a scheme whereby if the Council was disposing of a piece of land and they achieved the expected price or higher than the expected price, the Council would allocate 3% of the money received towards local community projects.

The Mayor stated that he was optimistic for the future in terms of jobs and prosperity.

The Chair invited Members to ask questions in relation to the Mayor's report.

Councillor Cooke indicated that he was concerned in case areas where there was a low incidence of reporting issues, might be overlooked when deciding which areas required CCTV cameras. He advised that the fly tipping in Aire Street was an issue and in some alleyways there had been incidents of drug dealing. He queried whether Council staff had a say in where the cameras would be located?

The Mayor advised that when deciding where to locate CCTV cameras, there would be input from the Police, Street Wardens and Neighbourhood Safety Officers. He urged residents to report fly-tipping, bin-rummaging or any other crime.

Councillor Storey stated that he welcomed many of the initiatives that they Mayor had outlined

in his report. In terms of the planting of 14,000 trees building up to 25,000 and he queried whether this would include whips and requested further information on how this initiative would work?

With regard to CCTV, Councillor Storey stated that the Ward Councillors had secured CCTV through the Members Small Scheme Allocation Fund but if additional funding was available, the Ward would welcome additional CCTV.

Councillor Storey stated that he was pleased that BOHO X was progressing as it would allow the digital to expand. In terms of Captain Cook Square, he queried regarding the viability of the initiative, how it would work in practice and what the rental income would be?

In relation to Street Wardens, Councillor Storey he stated that they did a fantastic job, he acknowledged that they were coping with additional responsibilities in relation to environmental issue and COVID-19. He queried with regard to the number of additional Street Wardens?

Councillor Storey stated that he welcomed the new farm in Middlehaven.

In terms of funding for COVID-19, the Council required adequate funding and support for businesses. Many members had been assisting during the pandemic by getting message across to residents, handing out food parcels and delivering leaflets.

In relation to the Section 106 Agreements funding, he stated that this money had always been used to fund community issues and he requested further detail on this issue.

The Mayor stated that the trees would be a mixture of 15ft older trees and new ones. With regard to CCTV, grants were available. With regard to the number of Street Wardens, the Head of Stronger Communities would be able to provide the exact number. In terms of Captain Cook Square, the Council had consulted experts and they had designed a really good scheme.

Councillor Uddin queried with regard to the working hours of the Street Wardens.

The Mayor advised that he was not certain about the exact timing although he knew some wardens worked until 9pm. The Mayor advised that the Head of Stronger Communities would be able to provide this information. He stated that the new Head of Service in this area would make a real difference.

Councillor Wright welcomed the Mayor's Green Plan and the planting of trees. He stated that he was resurrecting the Community Garden in Easterside and he invited the Mayor to visit it.

Councillor Wright also thanked the Mayor in respect of the CCTV initiative. He advised that he had supported many residents in accessing the private property CCTV which was innovative and would help in reducing anti-social behaviour and crime. Councillor Wright stated that it would cost in the region of £36k to repair CCTV in his Ward. The Head of Stronger Communities was looking at funding for this and he queried when the private CCTV would be in place.

The Mayor stated that he was pleased that the community garden was being resurrected and he suggested that every Ward should have one.

The Mayor stated that he would speak to the Head of Stronger Communities with regard to when funding would be in place.

Councillor Cooke referred to the ambition to become a hunger free town. He queried whether going forward, the Council was going to establish any further schemes to capture people that did not currently meet the finding criteria.

The Mayor advised that funding needed to be distributed fairly. The Council were the first Council to commit to provide free school meals when the Government did not agree to fund

them. The Council were working to find out how to fund people that did not meet the current criteria for assistance.

Councillor J Walker stated that in the Viewley Centre, they had been trying for years to have the CCTV linked to the main Bus Station CCTV. There had only been one additional camera sited on Dodford Estate. She also queried with regard to who qualified for the private CCTV.

The Mayor stated that Hemlington should qualify for more cameras. The grant scheme was innovative and new and was hugely over-subscribed which meant names had to be pulled out of a hat. The Mayor stated that he was not aware that the Viewley Centre was not connected to the Bus Station CCTV but this could be looked at in the future. The Mayor advised that he would provide whatever help he could in respect of the above issues.

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## **DEPUTY MAYOR AND EXECUTIVE MEMBER REPORTS**

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

The Chair advised that as 22 questions on Executive Member reports had been received, he would invite Councillors to put their questions until the allocated time for Executive Member questions had expired. Any remaining questions could be emailed by the member to the appropriate Executive Member.

### **Questions to the Deputy Mayor and Lead Member for Children's Social Care**

Councillor Thompson regarding Youth Service In Middlesbrough.

Councillor Thompson stated that Linx was an excellent youth service that covered the areas of Hemlington, Coulby Newham, Breckon Hill, Netherfields, Ayresome, Newport and Central Wards. Councillor Thompson pointed out that only one East Middlesbrough Ward was covered by this provision. Councillor Thompson requested that any additional youth service provision be extended to cover the Brambles and Thorntree Ward.

The Executive Member stated that he would like to see the youth service covering every Ward. The programme that was being considered at the moment covered transition work, targeted and universal provision. The Executive Member had managed to secure 250k for the additional youth provision. The aim was for the service to be spread across the town fairly and evenly as possible. The Executive Member stated that there were a number of other good organisations providing youth services across the town. The Council was waiting for providers to come forward and it was anticipated that the best and appropriate providers would be selected. The Executive Member stated that he would continue to champion young people at every opportunity.

Councillor Mawston regarding Youth Service in Middlesbrough

Councillor Mawston stated that the only youth service in Marton for the past 19 years was a voluntary service provided by Councillor Davison He queried with regard to what response had been received from potential providers.

The Executive Member thanked the Marton West Ward Councillors and all of the voluntary organisations for their work in providing a youth service. He stated that the Council had received submissions from various providers across the town across all the different elements of the contract. The closing date for tenders was 23 November 2020. The services would be active from 1 April 2021. The Executive Member thanked the Council staff who had worked on the tendering process.

Councillor Uddin regarding Social Work Teams

Councillor Uddin referred to the use of agency workers and queried whether the Council could

employ agency workers on a long term basis for up to a year to two years.

The Executive Member advised that the reality was, that legally, the local authority were not allowed to take on agency staff on a long term basis as there were contractual arrangements in place that prevented this. The use of agency staff in children's services was a national problem. The level of agency staff employed by the Council was 21% which was quite low compared to other authorities in the same position as this Council. The Council would like to use as little agency staff as possible but they needed to be realistic to the current circumstances that the Council faced. The Council used managed services which was when they employed a full team of agency staff to carry out bespoke targeted work. The Council was launching a Strategic Workforce Programme in the near future which would have key work streams around recruitment and retention.

### **Questions to the Executive Member for Adult Social Care and Public Health**

Councillor Hellaoui regarding Local Authority Asylum Support Liaison Officers (LAASLOS) queried whether advice and communications to asylum seekers could be written in simple English.

The Executive Member clarified that a number of individuals were still waiting for a decision with regard to whether they would be allowed to stay in the country. Once the decision had been made, they would be provided with any necessary assistance required.

Councillor Higgins regarding Domestic Abuse/Sexual Violence

Councillor Higgins referred to the fact that the Government had provided guidance to Councils about providing safe accommodation to children. Councillor Higgins stated that it was an opportunity for Middlesbrough to join up with the IRIS Programme (Identification and Referral to Improve Safety). This could reduce the impact on the criminal justice system. Councillor Higgins queried whether the Council was prepared to match fund My Sisters Place.

The Executive Member advised that an update had been provided at paragraphs 9 and 10 of her Executive Member report. In terms of funding, the Executive Member advised that she was unable to provide any detail on proposed funding at this time, but she would provide the detail at a later date.

Councillor Branson regarding Walking and Cycling - Part of Covid-19 Health and Wellbeing Recovery

Councillor Branson stated that the Government had recently announced the Gear Change Programme. He queried with regard to what improvements the Council was making to cycle ways.

The Executive Member advised that she would forward a copy of the details received from the Government with regard to the Gear Change Programme. She stated that as it was a relatively new initiative, no decisions had yet been made. She stated that a meeting had been held earlier in the day and she stated that she would pass any relevant information on to the member concerned.

Councillor Mawston regarding Eco Shops Supporting Vulnerable People during the Pandemic

Councillor Mawston queried with regard to how successful the Eco Shops had been and what the figures for take-up were.

The Executive Member provided information with regard to the background to the Eco Shops and the services they had provided to date.

### **Questions to the Executive Member for Communities and Education**

Councillor Cooke regarding Events

Councillor Cooke stated that he was pleased to see so much community activity taking place in the town. He queried whether there was any scope to hold meetings to discuss what people wanted in the individual Wards.

The Executive Member acknowledged the work that Councillor Cooke and Councillor P Storey had done in encouraging community involvement. The Executive Member stated that she would like to meet with the member regarding the Winter Wonderland Trail.

### **Questions to the Executive Member for Environment**

Councillor Dodds regarding Wildflowers

Councillor Dodds queried with regard to where the wildflowers would be planted?

The Executive Member advised that the Council were looking to programme the sowing down of 30,000m<sup>2</sup> of flowers by spring 2021. He stated that he would send the member a full list of the areas to be planted.

Councillor M Storey regarding LOBNR

Councillor Storey stated that he was pleased to see that the new nature reserve to the Junction of North Ormesby/Shepherdson Way and the A66 was being taken forward. He queried whether the Ward Councillors for the area could be involved in any future meetings.

The Executive Member advised that the area would be removed from the Council's Asset Register. A report was due to be submitted to Executive with regard to the proposal. The Executive Member confirmed that the Ward Councillors would be advised of any progress and invited to any future meetings.

### **Questions to the Executive Member for Finance and Governance**

Councillor J Walker regarding Decisions (MTFP and Budget Savings Proposals 2021/2022) and Housing Benefit Performance

Councillor Walker queried whether more detail could be included in future Executive Member reports with regard to each decision taken. Councillor Walker stated that she also wanted to thank the Housing Benefits Team for all of their hard work during the Covid-19 pandemic.

The Executive Member advised that she would include more detail, in future reports, with regard to each decision taken. The Executive Member stated that she was delighted about the way in which the Revenues and Benefits Team had worked during the pandemic, managing to facilitate grants and benefits in a very short timescale. The Executive Member stated that she wanted to congratulate the staff for managing to maintain their day-to-day job, alongside the additional work required as a result of the new grants.

### **Questions to the Executive Member for Regeneration**

Councillor Furness regarding Infrastructure

Councillor Furness stated that he was pleased that his ward had secured a zebra crossing through the Members Small Scheme Allocation Fund. He queried whether the Council could roll out a programme for better crossings rather than having to bid for them through the above scheme.

The Executive Member stated that he would look into the above to see if it could be done in another way.

Councillor Branson regarding Infrastructure

Councillor Branson thanked the Executive for approving a crossing on Newham Way. He queried whether any action could be taken on HGVs using Newham Way.

The Executive Member stated that a meeting could be arranged with Councillor Branson and the Highways Department to discuss the issue.

6 **REPORT OF THE OVERVIEW AND SCRUTINY BOARD**

The Chair of the Overview and Scrutiny Board submitted a report that provided an update on the current position regarding progress made by the Overview and Scrutiny Board and each of the individual Scrutiny Panels.

**ORDERED** that the report be noted.

7 **NOTICE OF MOTIONS**

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

8 **NOTICE OF URGENT MOTIONS (IF ANY)**

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

9 **MEMBERS' QUESTION TIME**

The Chair announced that there were three questions from Members of the Council. The details of the specific questions were included at Agenda Item 12.

Question 8/20 - Councillor J Walker to Councillor McCabe - Regarding the decision to go ahead with the fortnightly waste collections.

In response to the above question, the Executive Member advised that the decision had been taken at the Executive on the 24 November and the vote for the proposals had been unanimous. The decision could not be implemented until the timescale for the call-in procedures had expired.

The consultation had been conducted to ascertain the views of the residents of Middlesbrough. Many people that had responded to the consultation had indicated that they would require a bigger bin if the collections changed to fortnightly. In terms of those areas in Hemlington that were currently using black bin bags, they would be provided with bins.

In relation to the potential loss of 12 jobs, the Executive Member advised that there would be no compulsory redundancies at this time. Negotiations would take place with the unions and the employees.

Question 9/20 - Councillor Dean to Councillor Waters - Regarding a second consultation on the closure of Church Lane and St Marys Walk.

The Executive Member advised that the closure of Church Lane and St Mary's Walk had been an issue for some time. The outcome of the consultation resulted in a 50/50 split of opinions. The current closure was being conducted for a trial period to find out what effect the closure had.

Question 10/20 - Councillor Hellaoui to Councillor Smiles - Regarding the content of the Executive Member report and the support offered to schools and colleges.

The Executive Member advised that it was right for the Councillor to hold Executive Members to account in her role as Chair of Corporate Parenting Board. The Executive Member advised that the report to Council was not the place to put all of the initiatives that the Executive Member was involved in as there were too many to mention in a single report.

The Executive Member advised that two reports had recently been submitted to the Executive in respect of SEND - Invest to Save Proposal; Reducing High Cost Placements and Improving



Outcomes for Children in Care and Place Planning Strategy.

As part of her work promoting the Youth Service and Literacy, the Executive Member advised that she had been visiting schools and liaising with Head Teachers and staff and seeing children in an educational setting, which was vital and the schools had appreciated.

There was some concerns regarding remote learning and digital poverty and all of the feedback would be fed into a Recovery Strategy. The Executive Member advised that she was happy to discuss any of the above issues with members.

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#### **MEMBERS' SCHEME OF ALLOWANCES 2020/2021**

The Director of Legal and Governance Services submitted a report, the purpose of which was to request that Council consider the recommendations proposed by the Independent Panel on Members' Remuneration outlined in paragraph's 5-9 in respect of Members Allowances, and adopt the proposed Members Scheme of Allowances for 2020/21 (Appendix 1).

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

It was highlighted that the only change from the Scheme of Allowances approved at Council in October 2019 was an increase of one thousand pounds for the next two years in respect of the Special Responsibility Allowance for the Deputy Mayor and Lead Member for Children's Social Care portfolio in recognition of the additional responsibility for Children's Social Care.

Members were advised that there was an amendment to the report. There was an omission in the Financial section of the report, Paragraphs 13 - 15 to advise of the previously agreed Scheme of Allowances and the proposed amendment to the Deputy Mayor allowance which would be met from existing Members Allowances budgets.

Councillor M Storey stated that his group had concerns regarding the proposed increase in the Deputy Mayor portfolio Special Responsibility Allowance. The remit of each portfolio was within the gift of the Elected Mayor. Councillor Storey stated that the Remuneration Panel had taken a subjective view on the revised portfolio of the Deputy Mayor but there had been significant changes to the portfolio of Councillor Smile's portfolio which now encompassed Communities and Education. Councillor Storey stated that If the Remuneration Panel considered that there should be an increase in remuneration if there was an increase in responsibility, should there be a decrease in remuneration if there was a reduction in responsibility for a portfolio holder. The Deputy Mayor also already received a higher SRA than the other portfolio holders.

Councillor High advised that the process for members remuneration was carried out in isolation and he stated that he would like to reject the proposals and he requested that Councillors vote against the proposal to increase the Deputy Mayor and Lead Member for Children's Social Care Special Responsibility Allowance as it was not something that he would accept.

Councillor Rathmell stated that he echoed the sentiments of Councillor Storey and Councillor High, given that the Government were looking at freezing public sector pay and the issue of COVID-19 and all increases included in the report should be rejected.

The Mayor stated that the Deputy Mayor had not had any involvement in the process for Members remuneration, it had been the Independent Remuneration Panel who had suggested the proposed increase to the Special Responsibility Allowance, given the increased responsibilities that the portfolio had assumed. The Mayor pointed out that all of the Executive Members worked really hard and he pointed out that he had reduced the number of members on his Executive which had resulted in a saving to the Members Allowances Scheme.

The Monitoring Officer queried whether Members would like to consider an amendment to the

report, given that members appeared to be only objecting to the part of the report in respect of the Special Responsibility Allowance for the Deputy Mayor portfolio.

Councillor Rathmell moved a recorded vote and proposed that the whole report be sent back to the Remuneration Panel. Councillor High proposed that the whole of the report be referred back to the Independent Remuneration Panel for further consideration. Councillor Storey stated that the report should be sent back in its entirety and a recorded vote be undertaken

The Monitoring Officer conducted a recorded vote.

Votes Against: (38)

Councillors Branson, Cooke, Cooper, Coupe, Davison, Dean, Dodds, Furness, Garvey, Goodchild, Hellaoui, Higgins, High, Hill, C Hobson, J Hobson, Hubbard, Hussain, Jones, Lewis, Mason, Mawston, McCabe, Polano, Purvis, Rathmell, Rooney, Rostron, Sands, Saunders, Smiles, M Storey, Thompson, J Walker, S Walker, Waters, Wilson, Wright

Votes to Abstain (4)

The Mayor (A Preston) Councillors Arundale, Bell and Platt

Following the vote, it was **ORDERED** that the report in respect of the Members Scheme of Allowances for 2020/21 be referred back to the Independent Panel on Members' Remuneration for reconsideration.

## 11 **BUSINESS REPORT OF THE DIRECTOR OF LEGAL AND GOVERNANCE SERVICES**

The Director of Legal and Governance Services submitted a report, the purpose of which was to request the following:

1. That the Council considers and endorses the proposed amendments to the following provisions within the Constitution:

- a) Make-up of the Overview and Scrutiny Board.
- b) Council's Filming / Livestreaming Protocol
- c) Chairing and Votes of No Confidence

2. That the Council approves the amendment to the Terms of Reference of the Chief Officer Appointments Committee

3. That the Council approves the amendment to Paragraph 4 of the Officer Employment Procedure Rules.

Councillor Rooney proposed that the report be accepted with the exception of recommendation 1 (c) and Appendix 3 to the report in relation to Chairing and Votes of No Confidence. Councillor Rooney requested further information with regard to what the research had revealed and how the proposal at point 3.6 would operate and in what circumstances a Vote of no confidence in a Chair would take place. Councillor Rooney also referred to the proposed removal of point 21 (f) and 57 (b) and advised that further information was required in respect of this proposal as there was no explanation in the report with regard to why these two paragraphs should be removed. It was proposed that the above elements of the report be referred back to the Constitution and Members' Development Committee for further consideration/clarification prior to submission to Full Council.

Councillor Rooney also referred to a debate that had taken place at a previous Council AGM meeting with regard to the voting powers of the Executive with regard to Committee appointments and it was proposed that this issue be considered by the Constitution and Members' Development Committee and brought back to Full Council.

The Director of Legal and Governance Services clarified whether Councillor Rooney was suggesting an amendment to the report. Councillor Rooney confirmed that she was proposing

an amendment. Councillor Garvey seconded the amendment.

The amendment was put to the vote.

On a vote being taken, the amendment was declared **CARRIED**

The substantive motion was then put to the meeting.

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

**ORDERED** as follows

1. That the report be approved with the exception of recommendation 1(c) and Appendix 3 in relation to Chairing and a Vote of no confidence in a Chair and the proposal to delete point 21 (f) and 57(b). These elements of the report would be referred back to the Constitution and Members' Development Committee for further consideration/clarification prior to submission to Full Council.

2. That the voting powers of the Executive with regard to Committee appointments be considered by the Constitution and Members' Development Committee and a report on the outcome be brought back to Full Council.