

**COUNCIL**

A meeting of the Council was held on Wednesday 29 November 2023.

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

**OFFICERS:** S Bonner, C Heaphy, C Benjamin, G Field, R Horniman, A Hoy, S Lightwing, M Nath, A Perriman and J Weston

**APOLOGIES FOR ABSENCE:** Councillors J Ewan, TA Grainge, D Jones and P Storey

23/64 **DECLARATIONS OF INTEREST**

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

23/65 **MINUTES - COUNCIL - 25 OCTOBER 2023**

The minutes of the Council meeting held on 25 October 2023 were submitted and approved as a correct record.

23/66 **ANNOUNCEMENTS/COMMUNICATIONS**

The Chair advised Members that agenda item 12 had been withdrawn.

The Chair advised that agenda item 17 had been deferred because a Call In request had been received for a related Executive decision.

The Chair also advised Members to clearly raise their hands during and votes.

23/67 **QUESTIONS FROM MEMBERS OF THE PUBLIC (IF ANY).**

The Chair advised that a question from a member of the public had been received, details of which were included in agenda item 5.

The Chair invited Mr Odedeyi to ask his question to the Executive Member for Children's Services.

The Executive Member thanked Mr Odedeyi for his question. He responded that a review had been undertaken regarding transformation in Children's Care with several recommendations highlighted. It was also confirmed this was a pilot scheme with a small number of authorities taking part. However, Middlesbrough was currently not involved in the pilot and while there was potential for this in the future the Executive Member had no further information at this stage.

23/68 **TEES VALLEY COMBINED AUTHORITY (TVCA) - UPDATE**

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

Council was advised the TVCA cabinet had not yet met but was scheduled to do so at the end of the month. The MDC Board met on 29 November 2023 in both its Planning capacity and as a Board. The Central Library refurbishment plans had been approved and would be moving forward. The Mayor had urged the MDC to collaborate with the Council to ensure there was no overlap or deviation from the Town Centre Plan.

The next meeting was scheduled for 13 December 2023 which would be a planning meeting.

**NOTED**

23/69

**MAYOR'S STATEMENT AND REPORT**

The Chair invited the Mayor to make his statement.

Council was advised there were two pressing issues, namely the Council's vision and the budget. Members had been approached about what the strategic strapline should be, and approaches had been to group leaders about the budget. It was important to understand why the Council was in its current financial position. One of the main questions was how the Council could get its plans back on track. Members were also advised the Council's financial reserves were critically low and there was a need to transform services in order rescue the Council from its financial and governance issues. There was also a need to re-set what the Council did.

One of the more financially challenging issues was the Council was acting as a landlord with property maintenance fees exceeding £5 million. The Council could not maintain buildings it could no longer afford. There was a need to focus on properties such as Community Centres and Family Hubs.

There was a need to reduce demand in Children's Services and the appointment of a new Director of Children's Services was a sign of stability in that area. At the point Children's Services were operating within budget other Council Services would see the benefits of this.

A Member asked of peppercorn rents had been considered. The Mayor clarified that all rents had been reviewed as part of the fees and charges review. There had been some rent increases, but this would be managed on a gradual basis. Rents were largely on a consistent footing.

The Mayor responded to a question about consulting group leaders. The Mayor stated he would be prepared to do consult with group leaders on the budget. It was also clarified the budget setting process had included a categorisation process that made identifying savings and transformation programmes easier. There was also an opportunity to use any income from capital receipts to fund transformation and growth. A live update process had been created so any budget items disliked by groups could be withdrawn in real time. There was a need to move to a lower operating model, but the Council could not achieve this with its current levels of reserves.

A Member asked what progress had been made since May 2023 to open more children's homes in Middlesbrough. The Mayor clarified purchased two properties that could be adapted as children's homes, but they were not yet ready to open as children's homes. It was also clarified that demand in Children's Services needed to be reduced. It was hoped the Council would benefit from those homes by the end of 2024.

A question was raised about closer monitoring requirements for the Council's charge card system. It was clarified the processes around this were being examined and improvements had been made.

A question was raised about asset sales and the income that could be generated from them. Reassurance was sought that the Council would not conduct a fire sale of assets. The Mayor stated that any income from capital receipts would be used for transformation projects, but that the Council was not currently providing a satisfactory service to residents. In terms of accusations surrounding a fire sale, there was a need to understand what the Council's priorities were and what assets it owned. There was little need in holding onto assets if this meant hindering progress for the Council.

The Member responded that even small assets could be community assets. It was also stated greater levels of communication and consultation should be wider on this issue. The Mayor responded the term used was asset review as there was a need to understand what assets the Council held.

A Member commented the Council delivered a good service to residents despite its challenging financial circumstances.

**ORDERED** that the Mayor's statement be noted.

23/70

## **EXECUTIVE MEMBER REPORTS**

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

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

### **Councillor Hurst in relation to budget over-spends**

The Executive Member stated the immediate priority was to reduce the projected overspend in Children's Social Care. Several savings had been identified which would deliver several savings in the financial year 2024/2025. All budget initiatives were being considered but these needed to be what was best for young people.

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

### **Councillor M Storey in relation to Neighbourhood Partnerships**

The Executive Member agreed that Neighbourhood Partnerships were beneficial as their intention was to share information and keep communities informed. There were Neighbourhood Partnerships in the North, South, East and West of the Town and all Councillors were encouraged to attend their respective Neighbourhood Partnership

### **Councillor Kabuye in relation to Teesside Park**

The Executive Member confirmed that the leisure part of Teesside Park remained within Middlesbrough's boundaries, and she had attended several meetings to discuss the Anti-Social Behaviour issues happening on Teesside Park.

### **Councillor McCabe in relation to Safer Streets**

The Executive Member clarified that criteria for selecting wards was dependent on crime figures and criminal activity mapping. Funding for Safer Streets came from the Home Office via the Police and Crime Commissioner. It was confirmed Safer Streets was currently in place in Longlands and Beechwood.

*Questions in relation to the report of the Executive Member for Environment*

### **Councillor Livingstone in relation to Transport Planning**

The Executive Member confirmed they would be happy to meet and discuss the parking issues around Green Lane. It was commented that Councillor Dean had undertaken significant amounts of work in relation to parking restrictions in this area.

### **Councillor Smiles in relation to the Transporter Bridge**

The Executive Member confirmed that while the issue had been ongoing for some time, a structural assessment was continuing. Costings were expected in early 2024.

*Questions in relation to the report of the Executive Member for Finance and Governance*

### **Councillor Branson in relation to Budget over-spends**

The Executive Member responded it was likely the Council would see a significant increase to social care budgets and while there had been lobbying for extra funding by the Local Government Association this had not been forthcoming. It was important that Middlesbrough avoided a Section 114 Notice and the Executive Member thanked all officers involved in this process.

### **Councillor Clynych in relation to Council reserves**

The Executive Member stated the levels of reserves were identified as critically low in February 2023 which was likely a result of the reserves being used but not replenished. It was important the Council's reserves were replenished as quickly as possible as they had been used to offset budget overspends.

**Councillor Morrish in relation to Budgetary Management and Control Measures**

*Question in relation to the report of the Executive Member for Regeneration*

It was clarified there was not going to be a fire sale of assets. However, in the event a Section 114 Notice was issued it was likely this would happen. Budget matters would be monitored via several mechanisms that aimed to strengthen the budget monitoring process.

**SUSPENSION OF COUNCIL PROCEDURE RULE NO. 4.13.2**

A Member proposed suspending Council procedure rules to ensure all questions for Executive Members could be asked.

**ORDERED** that time for the agenda item be extended.

**Councillor McClintock in relation to Asset Disposal**

The Executive Member responded that the Murrayfield site was not necessarily ear-marked for housing development. However, any intention to dispose of sites like this would result in consultation being carried out.

**Councillor J Platt in relation to the Asset Review**

The Executive Member responded that the asset review aimed to established if assets could be used differently as well as identifying assets for sale. Given its Financial position the Council was not in a position manage its assets in the same way.

**Councillor Jackson in relation to the Asset Review**

The Executive Member responded that some of the question did not relate to his report. However, any asset disposals raised capital receipts that would enable the Council to undertake transformation projects.

**Councillor Hubbard in relation to the Asset Review**

The Executive Member was not able to answer the question as it was not clear what artwork the Council owned.

**Councillor S Platt in relation to Commercial Property.**

The Executive Member clarified that while covenants could be broken, any sale of the Golf Club would include conditions to ensure it continued as a gold club.

23/71

**REPORT OF THE OVERVIEW AND SCRUTINY BOARD**

The Chair of the Overview and Scrutiny Board presented a report, the purpose of which was to provide an update on the current position regarding progress made by the Overview and Scrutiny Board and each of the individual Scrutiny Panels.

The Chair of the Overview and Scrutiny Board advised that the Executive Member for Finance and Governance had attended the previous meeting of the Overview and Scrutiny Board to provide an update on her portfolio. The update was well received with scrutiny members posing pertinent questions surrounding the budget.

The Chair of the Overview and Scrutiny Board also encouraged Members to get involved in the scrutiny process where possible.

The Chair invited members to note the report.

**ORDERED** that the report be noted.

23/72 **URGENT ITEMS**

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

23/73 **MEMBERS' QUESTION TIME**

The Chair invited Councillor McTigue to pose her question detailed at Agenda Item 11.

The Mayor responded he was frequently in touch with residents, with community council attendance cited as an example. However, the Mayor stated it was impossible to respond to all enquiries and comments placed in the local media. The Mayor was prepared to clearly set out what the Council's priorities were for a future meeting.

23/74 **NOTICE OF MOTIONS**

The Chair advised this item had been withdrawn.

23/75 **NOTICE OF URGENT MOTIONS (IF ANY)**

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

23/76 **CORPORATE GOVERNANCE IMPROVEMENT PLAN AND SECTION 24 ACTION PLAN PROGRESS REPORT**

The Chair invited the Mayor to present the report.

The report set out the key activities and progress since last reported to Council on 23 October 2023 on the Corporate Governance Improvement Plan as well as activity in response to the Section 24 recommendations made by the Council's External Auditors.

Alongside the activity that had been delivered, the report also set out the impact actions had on the measures of success that had been identified within the Corporate Governance Improvement Plan. Furthermore, the report set out a baseline of measures of success to be used to assess the impact of the Section 24 actions.

**ORDERED** that the report be noted.

23/77 **MEMBER DEVELOPMENT STRATEGY**

The Chair invited the Monitoring Officer to present the report.

The report described a key component of the Council's improvement journey and aimed to support Members with their continuous development journey. Supporting Members with their development needs was crucial. The purpose of the strategy was to create a clear framework for Members ongoing personal development.

The Constitution and Member Development Committee had considered the strategy and would have oversight of it.

Council was invited to note the report.

**ORDERED** that the report be noted.

23/78 **REVIEW OF THE TERMS OF REFERENCE AND MEMBERSHIP OF THE CORPORATE PARENTING BOARD**

The Chair invited the Mayor to present the updated Terms of Reference for the Corporate Parenting Board.

29 November 2023

Council was advised that the Board had changed slightly, and that young people involved in the Board had provided input into this change. The Board had also been reconstituted so that young people involved with the Board were treated as Co-Opted members giving them equal rights.

**ORDERED** that the reviewed Terms of Reference for the Corporate Parenting Board be approved.

23/79

**FLEXIBLE USE OF CAPITAL RECEIPTS STRATEGY REFRESH 2023-24**

This item was deferred due to a Call In request being received for a related Executive decision.