

COUNCIL

A meeting of the Council was held on Wednesday 27 March 2024.

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, J Ewan, T Furness, P Gavigan, S Hill, L Hurst, N Hussain, D Jackson, D Jones, J Kabuye, L Lewis, T Livingstone, L Mason, M McClintock, J McTigue, I Morrish, J Nicholson, M Nugent, J Platt, S Platt, A Romaine, J Ryles, M Storey, P Storey, J Thompson, S Tranter, Z Uddin, N Walker, G Wilson and J Young

OFFICERS: S Bonner, S Lightwing, C Heaphy, C Benjamin, G Field, R Horniman, A Hoy and K Whitmore

APOLOGIES FOR ABSENCE: Councillors TA Grainge, B Hubbard, J McConnell, M Saunders and M Smiles

23/102 **DECLARATIONS OF INTEREST**

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

23/103 **MINUTES - COUNCIL - 17 JANUARY 2024**

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

23/104 **MINUTES - COUNCIL - 8 MARCH 2024**

The minutes of the Council meeting held on 8 March 2024 were submitted and approved as a correct record.

In relation to Minute Number 23/101 - Local Government Boundary Commission 2023/24 (Phase Two Council Proposal), the Monitoring Officer referred to the intervention by Councillor Morrish at the meeting, highlighting that there were some factual inaccuracies in the submitted report. Post-meeting, the report was amended to correct those factual inaccuracies prior to submission to the Local Government Boundary Commission. A copy of the final submission would be circulated to all Councillors.

NOTED

23/105 **ANNOUNCEMENTS/COMMUNICATIONS**

There were no Announcements or Communications for this meeting.

23/106 **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.

23/107 **SUSPENSION OF COUNCIL PROCEDURE RULE 4.13.2 - ORDER OF BUSINESS**

In accordance with Council Procedure Rule No. 4.57, it was **ORDERED** that Council vary the order of business to deal with the agenda items in the following order: Agenda Item 16, Agenda Item 17, Agenda Item 19, Agenda Item 18, Agenda Items 7-15.

23/108 **APPROACH TO TRANSFORMATION OF MIDDLESBROUGH COUNCIL**

A joint report of the Mayor and the Executive Member for Finance and Governance was presented to set out the proposed direction of travel in relation to the Council's Recover, Reset, Deliver transformation programme, with further and fuller detail to be provided to full Council on 24 April 2024. The report also reiterated the proposed funding arrangements associated with transformation, as well as seeking approval for the Flexible Use of Capital

Receipts Strategy 2024/25.

The Executive Member for Finance and Governance drew Members' attention to the request for approval of expenditure totalling £4.827m in respect of Phase 1 investment which included funding for estimated redundancy costs of approved savings (including Pension Strain), New Members' Enquiry System, Children's Charity – SHIFT 3-year Contract, programme costs to 30 April and consultancy resource – schemes (subject matter expertise).

ORDERED as follows that Council:

1. Noted that the transformation of Council services was critical to achieving service improvements from a lower cost base to recover the Council's financial position and achieve financial sustainability over the medium to long term.
2. Noted that officers continued to work on the development of transformation programme and business cases to enable full consideration of the proposed transformation portfolio to be considered by Council at a meeting on 24 April 2024.
3. Noted the total investment required over the next three years, (including expenditure of £4.827m), as approved within the MTFP for 2024/25 as set out at paragraph 2.3 of the submitted report.
4. Approved expenditure of £4.827m in respect of the items set out at paragraph 2.4 and the associated Flexible Use of Capital Receipts Strategy attached Appendix 2 to the submitted report, to fund this work.
5. Noted the Executive-approved governance and decision-making arrangements for the Transformation Portfolio, as approved by Executive and its programmes and projects to deliver cost savings, as detailed in the 2024/25 budget, attached at Appendix 1 to the submitted report.

23/109

PAY POLICY STATEMENT

A joint report of the Director of Legal and Governance and Executive Member for Finance and Governance was presented, the purpose of which was to set out the Pay Policy Statement 2024/2025 for consideration by full Council.

The Executive Member for Finance and Governance advised Members that Council was required to approve a Pay Policy annually in order to comply with the Localism Act 2011.

ORDERED that the Pay Policy Statement 2024/25 was approved.

23/110

MIDDLESBROUGH INDEPENDENT IMPROVEMENT ADVISORY BOARD: SECOND UPDATE REPORT

The second update report from the Middlesbrough Independent Improvement Advisory Board (IIAB) was presented by the Chair of the Board who set out the background to the Board's appointment, a summary of activity to date and a forward view on the future focus the Council should have in its improvement journey.

It was highlighted that the Council had to continue to respond effectively and at pace to the deliver the improvements set out in both the Corporate Governance Improvement Plan and the Section 24 report in order to effectively address the concerns around its culture, governance and financial challenges. However, a real risk existed that the Government might decide not to issue a further extension to the Best Value Notice and more statutory intervention might be required. It was important for the Council to understand where it was in terms of the Notice and the short timeframe to July. It was emphasised that the work that the Council had been doing should continue, so that Government could be satisfied that there was no need to move to further intervention.

The Chair concluded the report presented a really positive insight into the progress the Council was making but also identified areas where efforts needed to continue to demonstrate to IIAB and to the Government that the conditions set out in the Best Value Notice were being met. The IIAB had experienced a lot of constructive working relationships with Members and

Officers and hoped that would continue.

ORDERED that the content of the Board's second report and the planned response of the Council was noted.

23/111

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 to set out the key activities and progress since an update was last provided to Council on 17 January 2024, in response to the Section 24 recommendations made by the Council's External Auditors and the Council's Corporate Governance Improvement Plan.

It was highlighted that 94% of planned activity had either been delivered or was on-track for delivery in relation to the Corporate Governance Improvement Plan, with six planned activities across the 10 workstreams measuring as off-track. 92% of activity in relation to the Section 24 delivery plan was on-track or had been delivered, with four activities showing as off-track.

ORDERED as follows that Council:

1. noted the progress against the Corporate Governance Improvement Plan and Section 24 Action Plan.
2. agreed the proposed changes to milestones and activity in relation to the Section 24 Action Plan as follows:
 - Detailed delivery milestone plans have been developed to underpin all workstream activities within the improvement plan.
 - Where slippage occurs to individual milestones but the overarching end date for the workstream activity is not impacted, no escalation or change control will be required and it can be assumed that any required mitigated will be put in play at an operational level.
 - Where there is impact on achieving the intended measure of success or overarching end date of workstream activity, a change control will be proposed for noting and transparency.
 - The change controls since last reported to Council detailed at paragraph 6.10 of the submitted report.

23/112

TEES VALLEY COMBINED AUTHORITY (TVCA) - UPDATE

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

Council was informed that a decision had been taken by the Government in relation to the transfer of assets to the Mayoral Development Corporation. A formula would be followed to calculate income losses and potential returns to the Council in relation to the transfer.

In relation to Adult Education Funding there had been no payments for some time, which had led to a deficit of approximately £200,000. The Mayor had asked the TVCA to reconsider the provision of this funding.

The Chair requested that Members note the Mayor's update.

ORDERED that the Tees Valley Combined Authority update from the Mayor be noted.

23/113

MAYOR'S STATEMENT AND REPORT

The Mayor commented that he was pleased that Councillors had voted to approve the report on the Approach to Transformation of Middlesbrough Council and the associated Flexible Use of Capital Receipts Strategy to fund this work. The next step would be to outline what the assurance board would look like and invited all Members to have an input to show that they

could work together for the good of the people of Middlesbrough. In addition the Finance Improvement Board would be set up to look at the budget going forward and this would also be cross party group.

The Council, along with partners, had recently been successful in securing Levelling-Up funding which would deliver some good projects for the Town. The most significant of these projects would be the Cleveland Centre which would have a focus on health, adult learning and employment-hub based services and also anti-social behaviour measures. This would be a massive boost for the town and hopefully improve footfall.

The Chair requested Members to note the statement.

ORDERED that the Mayor's statement be noted.

23/114

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).

Questions in relation to the report of the Deputy Mayor and Executive Member for Education and Culture

Councillor Clynych on improvements to literacy in Middlesbrough.

The Executive Member referred to the recent World Book Day and highlighted the work of Middlesbrough Literacy Trust led by Allison Potter. The Trust provided Middlesbrough children with books they could keep and share with their families. The Trust also supported the development of spoken word performance through Poetry Slam which allowed them to perform their own work in schools. The Executive Member placed on record her thanks to Allison Potter for her continued care, dedication and energy. Members' attention was drawn to the Big Boro Book Bash which would take place in July and would also expand children's reading.

Councillor Hurst withdrew his question.

Councillor Livingstone on the Orange Pip Market and the potential for exploration of alternative venues.

The Executive Member confirmed that whilst alternative venues had been considered they were not being pursued. The Orange Pip Market was established to improve footfall to the town and contribute to its regeneration. Thanks were recorded in relation to the Regeneration and Culture Team who had managed to reduce to the running costs of the Orange Pip Market by 80%. Sponsorship of future events was sought in the region of £1500 to cover the 20% gap in funding that remained and sponsorship packs were available for any businesses who were interested. The Orange Pip Market was fundamental to the town centre's regeneration and the Council aimed for it to continue.

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

Councillor Livingstone on the use of CCTV cameras as a deterrent to fly-tipping.

The Executive Member explained that the Council had a finite number of CCTV cameras available and areas requesting a camera were prioritised according to the available data in relation to fly-tipping and other incidents.

Councillor M Storey in relation to the Safe Haven Service.

The Executive Member agreed that the Safe Haven was a vital service to help people who became vulnerable through alcohol, substance misuse, violence, or underage or safeguarding, during the night-time economy period. The service was an important way of making visitors to town feel safe and encouraging the night-time economy and town to thrive. The Executive Member also highlighted that she had witnessed first-hand, the Safe Haven

staff working closely with the Police, Boro Angels, Women Street Watch, and licensed premises door staff during a Friday evening.

Councillor Ewan in relation to vehicle seizure for fly-tipping.

The Executive Member agreed that fly-tipping was an unacceptable blight on the town and the Council wanted to support residents who were affected. The Council had recently seized a van and would use it to remove fly-tipping from the streets and continue to find those responsible and prosecute them. Where appropriate, vehicles would be seized and repurposed to clean up fly-tips.

Question in relation to the Executive Member for Environment

Councillor Blades on suicide prevention parapets.

The Executive Member confirmed that the Council was committed to carrying out the work on the A174 Marton Interchange Overbridge which included installation of suicide prevention parapets to prevent future tragedies. The work would take approximately 3 months once approval had been obtained from Network Rail.

23/115 **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 invited members to note the report.

ORDERED that the report be noted.

23/116 **URGENT ITEMS**

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

23/117 **MEMBERS' QUESTION TIME**

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

23/118 **NOTICE OF MOTIONS**

Consideration was given to Motion No. 163, moved by Councillor M Storey, and seconded by Councillor Clynch of which notice had been given in accordance with Council Procedure Rules No. 4.28 – 4.34 as follows:

This Council notes:

- Middlesbrough Council and the people of Middlesbrough have a proud history of welcoming people seeking safety to Middlesbrough.
- Significant capacity problems in the UK asylum system are directly affecting residents in Middlesbrough with a record backlog of cases awaiting a decision from the Home Office. This is leaving many asylum seekers who have not yet had their claims decided in 'limbo' unable to legally work.
- Middlesbrough Council believes everyone has the right to seek safety and all asylum claims should all be treated fairly and equally.

Therefore, this Council resolves to:

- Not cooperate with any UK Government plans to build or repurpose facilities within Middlesbrough Council's local authority area for the purpose of detention or warehousing of people seeking safety, except where Middlesbrough Council is legally bound to do so.
- Defend the right to seek safety from war and persecution in the UK by signing up as a

Council to Refugee Action's Fight the Anti-Refugee Laws Pledge.

Fight the Anti-Refugee Laws Pledge

We believe that people seeking protection from war and persecution should be welcomed and that everyone's claim for asylum should be treated equally and fairly.

We believe that the UK should offer sanctuary to those who need it. That's why we're taking a stand against the anti-refugee laws.

We pledge to:

- Defend the right to seek safety from war and persecution in the UK.
- Speak out against attempts to criminalise and punish those who make their own way to safety.
- Challenge the anti-refugee laws which will risk the lives and well-being of people.
- Work towards a refugee protection system that treats all people with dignity and compassion.

Councillor M Storey spoke in support of the Motion.

Councillor Mason voiced his concern in relation to persons entering the UK illegally and detailed a recent high-profile case where a known offender was not deported and, having lived illegally in the UK for a number of years, was eventually granted asylum, and then committed a serious assault.

Councillors Gavigan, Kabuye and Clynych spoke in support of the Motion.

The Chair requested that the Monitoring Officer proceed to the vote on the Motion.

Following a vote, the motion was **CARRIED**.

23/119 **NOTICE OF URGENT MOTIONS (IF ANY)**

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

23/120 **UPDATE ON URGENT DECISIONS**

The Director of Legal and Governance Services and the Mayor submitted a joint report which provided Council with an update with regard to all urgent decisions that had been taken under the urgency rules.

ORDERED that the report be noted.