

COUNCIL

A meeting of the Council was held on Wednesday 17 July 2024.

PRESENT: Councillors J Rostron, J Banks, I Blades, D Branson, E Clynych, C Cooke - Elected Mayor, J Cooke, C Cooper, J Ewan, T Furness, P Gavigan, TA Grainge, L Henman, D Jackson, L Lewis, T Livingstone, L Mason, D McCabe, J McTigue, I Morrish, J Nicholson, M Nugent, J Platt, S Platt, A Romaine, J Ryles, M Saunders, M Smiles, P Storey, J Thompson, S Tranter, Z Uddin, G Wilson and J Young and L Young

OFFICERS: C Benjamin, M Brown, G Field, C Heaphy, R Horniman, C Jones and S Lightwing

APOLOGIES FOR ABSENCE: were submitted on behalf of Councillors J Walker (Vice-Chair), D Coupe, D Davison, S Hill, B Hubbard, N Hussain, J Kabuye, M McClintock, J McConnell and N Walker

24/14 **WELCOME AND FIRE EVACUATION PROCEDURE**

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

24/15 **DECLARATIONS OF INTEREST**

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

24/16 **MINUTES - COUNCIL - 22 MAY 2024**

The minutes of the Council meeting held on 22 May 2024 were submitted and approved as a correct record.

24/17 **ANNOUNCEMENTS/COMMUNICATIONS**

On behalf of Middlesbrough Council, the Chair welcomed newly elected Councillors – Councillor Luke Henman (Acklam Ward) and Councillor Lewis Young (Central Ward) to their first meeting.

24/18 **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.

24/19 **TEES VALLEY COMBINED AUTHORITY (TVCA) - UPDATE**

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

The next meeting of the TVCA Board was scheduled to take place on 19 July 2024.

The Mayor highlighted that a consultation on the Gresham Project was currently ongoing with the Middlesbrough Development Corporation (MDC) and it was very important to ensure that both residents' and businesses' voices were heard.

The Prime Minister had tasked Combined Authority Mayors to work with Local Authorities on the production of Economic Growth Plans. The focus of the plans needed to be on ensuring people were more economically active throughout their lives rather than concentrating solely on capital projects and building. The aim was to ensure revenue resource was forthcoming and not just streams of government capital.

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

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

MAYOR'S STATEMENT AND REPORT

The Mayor referred to the recent Parliamentary Election as a result of which Labour had taken overall control. On behalf of the Council, the Mayor welcomed both Andy McDonald back to his Middlesbrough Constituency seat and Luke Myer, the new MP for Middlesbrough and South East Cleveland. The Mayor also welcomed the two successful by election candidates – Cllrs Henman and L Young to the Council. Thanks were extended to everyone who had taken part in the electoral process and acknowledged the huge impact not only on people's time but also on them personally.

With regard to an incident involving one of the candidates being in possession of a blade at the Count on 4 July 2024, the Mayor stated that the Council needed to work closely with the Police to ensure there was no repeat of such incidents. Violence against politicians was an incredibly serious topic and the Mayor welcomed a motion submitted by Councillor Morrish in this regard that would be submitted to the next Council meeting. A complaint had been submitted to Cleveland Police and the Mayor would keep Members updated.

Due to the recent Election, unfortunately some key decisions had been delayed. The Council was waiting to hear from the Government regarding the level of intervention on Children's Services, the status of Best Value Notice, and the transfer of assets to the Middlesbrough Development Corporation. The Mayor was hopeful that updates would be received within the next few weeks. Once these issues were resolved it was vital to move forward with plans to reset the Council and ensure that a balanced budget was in place, with spending on social care reduced to enable more investment in other services. Another key issue was recruitment to the Chief Executive and Section 151 positions on a permanent basis. The key date for all processes to be complete was March 2025.

A Member asked the Mayor whether the Charity Commission had reached a conclusion on their investigation in the Streets Ahead Community Charity. The Mayor explained that he had not been approached in connection with this investigation and had not been at that place of employment for some time. The Mayor agreed that he would pass on any information he received in respect of the investigation.

The Chair requested that Members note the statement.

ORDERED that the Mayor's statement be noted.

EXECUTIVE MEMBER REPORTS

The Chair drew Members' attention to Section 3 of the Executive Member Reports - Decisions To Be Taken Up Until the Council Meeting - and highlighted that the Single Executive Meeting for the decision on Community Safety Enforcement Powers had not taken place on 16 July 2024 and would be re-scheduled.

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 Mayor and Executive Member for Adult Social Care and Public Health.

Councillor Clynych in relation to the Council's new policy on auto enrolment for free school meals.

The Mayor confirmed that the new policy would save families approximately £400 per child, per year. One in ten young people nationally were not in receipt of free school meals, in Middlesbrough that statistic was one in six, which highlighted the need for the new policy.

Councillor L Young in relation to the Council's new policy on auto enrolment for free school meals.

The Mayor advised it was estimated that as many as 700 children or more would benefit from this change. As well as ensuring access to free school meals it would also unlock over £1

million for schools through the pupil premium.

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

Councillor Saunders in relation to residential, support accommodation, resource and care leavers.

The Executive Member for Children's Services confirmed that there were 491 children and young people in placements in total, 73 of whom were currently placed out of area.

Questions in relation to the Report of the Executive Member for Environment

Councillor Livingstone in relation to the Green Waste Service.

The Executive Member for Environment stated that there was no plan to provide proportional refunds to any residents in respect of the green waste service. The scheme was originally intended to run until the end of November but had now been extended until the end of December 2024.

Councillor Ewan in relation to Gullies.

The Executive Member for Environment explained that the Council was responsible for managing local flood risks and carried out a regular programme of work. A management system had been introduced to check on silt levels and provide regular maintenance town-wide. Gully cleaning was now carried out on an annual, biannual or three-yearly basis to minimise flood risk.

Councillor Saunders in relation to the Green Waste Service.

The Executive Member for Environment was not able to provide details of any additional costs incurred during the recent roll out of the Green Waste Service as he did not have that information to hand at the meeting. However, the Executive Member agreed to provide a response Councillor Saunders by the end of the week.

Questions in relation to the Report of the Executive Member for Regeneration.

Councillor L Young in relation to the Middlesbrough Development Corporation (MDC) Asset Transfer.

The Executive Member for Regeneration welcomed the investment that the MDC brought and commented that in fact the Council was well positioned to do that kind of investment itself. Examples of sites throughout the town that had been developed by Middlesbrough Council in partnership with the Tees Valley Combined Authority and others included TeesAmp, Boho X and the Digital Sector. The Executive Member was happy to work with the MDC on any proposals to enhance individual assets that had been transferred to them. With a new Government now in place, it was anticipated that further discussions would take place in relation to the MDC and asset transfer.

Councillor Henman in relation to the Local Plan.

The Executive Member for Regeneration agreed that the Local Plan was very important to direct housing and commercial, retail and industrial buildings to the appropriate areas of the town. It was a high priority for the current administration to have a new updated Local Plan in place and the planning team had worked hard on its development. Any additional Government funding that was available for planning would be much welcomed by the Council.

24/22

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.

24/23 **URGENT ITEMS**

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

24/24 **MEMBERS' QUESTION TIME**

There were no valid questions submitted from members of the public, within the required timescale for this meeting.

24/25 **NOTICE OF MOTIONS**

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

24/26 **NOTICE OF URGENT MOTIONS (IF ANY)**

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

24/27 **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 by the Mayor. The report set out the key activities, progress and impact of the Corporate Governance Improvement Plan and activity in response to the Section 24 recommendations made by the Council's External Auditors, since last reported to Council on 27 March 2024.

Members were asked to note the progress against the Corporate Governance Improvement Plan and Section 24 Action Plan and agree proposed changes to milestones and activity in relation to the Section 24 Action Plan as follows:

- Detailed delivery milestone plans had been developed to underpin all workstream activities within the improvement plan.
- Where slippage occurred to individual milestones but the overarching end date for the workstream activity was not impacted, no escalation or change control would be required and it could be assumed that any required mitigation would be put in play at an operational level.
- Where there was impact on achieving the intended measure of success or overarching end date of workstream activity, a change control would be proposed for noting and transparency.
- The change controls since last reported to Council were summarised at paragraph 6.10 of the submitted report.

Responding to a question as to whether Middlesbrough Council could deliver for local people, the Mayor welcomed the fact that the Action Plan was 96% either on track or delivered. Whilst there had been good progress this focus needed to continue and there could be no complacency to ensure that the necessary improvements were made. From a governance standpoint, significant improvements had been made and the Mayor thanked the Senior Management Team for their contributions.

A Member highlighted that in addressing the financial problems, Council Tax had been increased and the Council had also accepted Exceptional Financial Support from the Government. The Mayor stated that the Council's problems were not solely financial. There had been issues around governance and ensuring that Members and Officers worked collectively together. It was important to address all the issues, keep focus, and concentrate on providing a better place for the residents of the town.

The Mayor was asked whether he believed that engaging CIPFA to assist with the financial and other difficulties had been a worthwhile process. The Mayor explained that CIPFA were engaged as part of the process when the Government imposed the Best Value Notice on the

Council. There were various statutory recommendations and conditions that had to be met. The Mayor added that he valued the support received from CIPFA in helping the Council get to a better position within a year.

A Member asked whether he had ever overruled or been overruled by the Senior Management Team on any decision. The Mayor commented that the question demonstrated what the problem was. Members and Officers needed to work together and try to achieve better solutions in partnership. Examples of recent partnership working were the production of the Local Plan and the new Free School Meals Policy.

At this point in the meeting a Member asked for clarification on supplementary questions. The Chair advised that she had taken a decision that no supplementary questions would be permitted at this meeting.

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

1. progress against the Corporate Governance Improvement Plan and Section 24 Action Plan was noted.
2. the proposed changes to milestones and activity in relation to the Section 24 Action Plan as outlined at paragraphs 6.7 to 6.10 of the submitted report were agreed.
3. the departing Middlesbrough Independent Improvement Advisory Board Financial Lead, Chris Buss, was thanked for his support, advice and guidance on the Council's improvement journey to date.

24/28

VACANCIES ON COMMITTEES AND OUTSIDE BODIES 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:

People Scrutiny Panel

1 vacancy - Councillor Henman appointed.

Place Scrutiny Panel

1 vacancy – Councillor L Young appointed

Staff Appeals Committee

Chair – Councillor Henman appointed.

Standards Committee

Chair – Councillor Romaine appointed.

Corporate Health and Safety Steering Group

3 vacancies – Councillor Lewis appointed.

2 vacancies unfilled.

You Matter to Us – Corporate Parenting Board

2 vacancies – Councillor Henman appointed.

1 vacancy unfilled.

Live Well South Tees Board

3 vacancies - Councillors Gavigan, Ryles and Uddin appointed.

Outside Bodies Vacancies:

Durham Darlington Teesside Hambleton Richmondshire and Whitby STP Joint Committee

1 vacancy (Labour) - Councillor P Storey appointed.

Hartlepool Power Station Local Liaison Committee

1 vacancy – Councillor Uddin appointed.

North East Regional Joint Health Scrutiny Committee

1 vacancy – Councillor Banks appointed.

Standing Advisory Council on Religious Education (SACRE)

1 vacancy – Councillor L Young appointed.

Tees Heritage Trust Ltd (was Cleveland Building Preservation Trust)

1 vacancy – Councillor D Branson appointed.

24/29

COMMITTEE TERMS OF REFERENCE CHANGES

A report of the Director of Legal and Governance Services was presented to seek Council's approval to changes to the terms of reference for Works Council and Staff Appeals Committee.

Following advice from the Local Government Association (LGA) and in line with best practice, it was proposed to change the terms of reference for Works Council and Staff Appeals Committee to reflect that a Member could not sit on both Committees in order to ensure a clear separation of roles.

At a meeting of the Constitution and Member Development Committee held on 27 June 2024 it was agreed to recommend these changes to Council for approval.

On a vote being taken, it was **ORDERED** that Council approved amendments to the terms of reference for Works Council and Staff Appeals Committee as follows:

1. Works Council: Members of Works Council are prohibited from also being a member of the Staff Appeals Committee.
2. Staff Appeals Committee: Members of Staff Appeals Committee are prohibited from also being a member of Works Council.