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| <b>MIDDLESBROUGH COUNCIL</b> |  |
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| <b>Report of:</b> | Councillor L Young, Chair of Overview and Scrutiny Board and Charlotte Benjamin, Director of Legal and Governance Services (Monitoring Officer) |
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| <b>Relevant Executive Member:</b> | n/a |
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| <b>Submitted to:</b> | Council |
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| <b>Date:</b> | 26 November 2025 |
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| <b>Title:</b> | Update on Urgent Decisions |
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| <b>Report for:</b> | Information |
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| <b>Status:</b> | Public |
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| <b>Council Plan priority:</b> | Delivering Best Value |
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| <b>Key decision:</b> | No |
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| <b>Why:</b> | Report is for information only |
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| <b>Subject to call in?</b> | No |
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|             |                                                      |
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| <b>Why:</b> | Not applicable – Council Report for information only |
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| <b>Proposed decision(s)</b>                                                             |
| <p>That Council notes:</p> <p>the decision that has been taken under urgency rules.</p> |

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| <b>Executive summary</b>                                                                                                                   |
| <p>The Constitution requires the Council to be provided with regular updates with regard to any urgent decisions that have been taken.</p> |

## 1. Purpose of this report and its contribution to the achievement of the Council Plan ambitions

- 1.1 The report provides details of a decision that has been taken under the urgency rules.

## 1.2

| <b>Our ambitions</b>                   | <b>Summary of how this report will support delivery of these ambitions and the underpinning aims</b>                                                                                                                              |
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| <b>A successful and ambitious town</b> | In specific circumstances, it is necessary to make urgent decisions to facilitate the actions required to achieve our ambitions. To ensure openness and transparency, these decisions are documented and reported to the Council. |
| <b>A healthy Place</b>                 |                                                                                                                                                                                                                                   |
| <b>Safe and resilient communities</b>  |                                                                                                                                                                                                                                   |
| <b>Delivering best value</b>           | This report will contribute towards the Council Plan ambition to deliver best value by ensuring robust and effective corporate governance.                                                                                        |

## 2. Recommendation

## 2.1 That Council notes:

the decision that has been taken under urgency rules.

## 3. Rationale for the recommended decision(s)

## 3.1 The Constitution requires the Council to be provided with an update with regard to any urgent decisions that have been taken.

## 4. Background and relevant information

## 4.1 Urgent Decisions

An urgent decision is where the required statutory notice of the proposed decision can be given but due to urgent deadlines for implementing those decisions, the Scrutiny call-in procedure does not apply. Agreement is always sought from the Chair of Overview and Scrutiny Board or relevant Scrutiny Panel to exempt the proposed decision from the call-in process. The decision then becomes a public record. The information is also available on the Modern Gov system or via the Council website. There has been one urgent decision taken since the last report to Council on 9 July 2025.

|                           |                                                                                                                                                                  |
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| <b>Date:</b>              | 12 November 2025                                                                                                                                                 |
| <b>Decision Maker</b>     | Executive                                                                                                                                                        |
| <b>Decision</b>           | That Executive approved the request to extend the Public Space Protection Order (PSPO) that covers the TS1 area for a further 3 years from the 25 November 2025. |
| <b>Reason for Urgency</b> | The PSPO for the TS1 Area of Middlesbrough came into force for a period of three years on the 26 November 2019.                                                  |

|  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  | <p>The PSPO for the TS1 Area of Middlesbrough was varied and extended for three years on the 25 November 2022.</p> <p>If Executive approve the second Extension of the PSPO for the TS1 Area of Middlesbrough an Extension Order is required to be made prior to the previous Extension Order expiring.</p> <p>If the call-in procedure and steps to be taken under Paragraph 7.6.17 to 7.6.24 of the Constitution were to apply the time frame would result in the Extension Order expiring before a further Extension Order could be made.</p> <p>Therefore, the decision is required to be implemented as soon as practicable and call-in is therefore not possible. However, it should be noted that the notice requirements for the proposal to be publicised on the forward plan were complied with.</p> <p>The delay likely to be caused by a call-in process would seriously prejudice the Council's and the public's interest. The restrictions in that Order would no longer apply and would be likely to recur or increase in frequency and seriousness, which would leave the public unprotected.</p> <p>If the second extension order was not made prior to the expiration of the current Extension Order was in place, a new Public Spaces Protection Order would be required to be made, which would leave a significant period of time whereby no restrictions or protections to the public would be in place which is likely to have a detrimental effect on the community and the public.</p> |
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## **5. Ward Member Engagement if relevant and appropriate**

5.1 Not applicable.

## **6. Other potential alternative(s) and why these have not been recommended**

6.1 Do Nothing: That an update on urgent decisions is not provided to full Council. This would not comply with the requirements for details of any urgent decisions that have been taken and the reasons for urgency, to be reported to full Council.

## **7. Impact(s) of the recommended decision(s)**

| <b>Topic</b>                                       | <b>Impact</b>                                                                                                                                  |
|----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| Financial (including procurement and Social Value) | There are no financial implications or impact on any budgets or the Medium-Term Financial Plan (MTFP) arising from the content of this report. |

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| Legal                                                                 | The Constitution requires regular updates on urgent decisions that have been taken to be submitted to full Council for noting.                                                                                                                                                          |
| Risk                                                                  | Failure to adhere to Local Code of Corporate Governance and deliver governance improvements outlined in the Annual Governance Statement.<br><br>If updates on urgent decisions were not provided to Council, this would not be in accordance with the requirements of the Constitution. |
| Human Rights, Public Sector Equality Duty and Community Cohesion      | The subject of this report is not a policy, strategy, function or service that is new or being revised. It is considered that an equality impact assessment is not required.                                                                                                            |
| Reducing Poverty                                                      | The subject of this report is not a policy, strategy, function or service that is new or being revised.                                                                                                                                                                                 |
| Climate Change / Environmental                                        | The subject of this report is not a policy, strategy, function or service that is new or being revised.                                                                                                                                                                                 |
| Children and Young People Cared for by the Authority and Care Leavers | The subject of this report is not a policy, strategy, function or service that is new or being revised.                                                                                                                                                                                 |
| Data Protection                                                       | The subject of this report is not a policy, strategy, function or service that is new or being revised.                                                                                                                                                                                 |

### Actions to be taken to implement the recommended decision(s)

| Action             | Responsible Officer | Deadline |
|--------------------|---------------------|----------|
| No action required |                     |          |

### Appendices

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### Background papers

| Body      | Report title                              | Date             |
|-----------|-------------------------------------------|------------------|
| Executive | TS1 PSPO Extension – Consultation Results | 12 November 2025 |

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