

**COUNCIL**

A meeting of the Council was held on Wednesday 28 July 2021.

**PRESENT:** Councillors J Hobson (Chair) , R Arundale, D Branson, C Cooke, B Cooper, D Coupe, S Dean, C Dodds, A Hellaoui, T Higgins, S Hill, C Hobson, B Hubbard, N Hussain, D Jones, L Mason, T Mawston, D McCabe, C McIntyre, J McTigue, M Nugent, J Platt, E Polano, A Preston (The Mayor), D Rooney, J Rostron, R Sands, M Saunders, M Smiles, M Storey, P Storey, Z Uddin, S Walker, A Waters and G Wilson

**OFFICERS:** B Carr, C Benjamin, S Bonner, D Johnson, S Lightwing, A Perriman and T Parkinson

**APOLOGIES FOR ABSENCE:** Councillors L Garvey, A Bell (Vice-Chair), D Davison, T Furness, A High, L Lewis, G Purvis, J Rathmell, J Thompson, J Walker and C Wright

21/31 **DECLARATIONS OF INTEREST**

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

21/32 **MINUTES- COUNCIL - 7 JULY 2021**

The minutes of the Council meeting held on 7 July were submitted and approved as a correct record, subject to the correction of a minor typographical error under Executive Member questions.

21/33 **ANNOUNCEMENTS/COMMUNICATIONS**

The Chair announced with sadness, the death of former Councillor Peter Porley on 4<sup>th</sup> July 2021, aged 90.

Peter was elected as Councillor for Park End ward in 1999 and was a member of a number of different committees. He was Chair of the Licensing Committee. Peter also acted as Civic Mayor of Middlesbrough in 2003/04 and remained a Ward Councillor until 2011.

All present stood in silence as a mark of respect.

21/34 **QUESTIONS FROM MEMBERS OF THE PUBLIC (IF ANY).**

There were no valid questions submitted from members of the public for this meeting.

21/35 **MAYOR'S STATEMENT AND REPORT**

The Mayor stated that he would like to highlight the following five issues:-

Covid-19

The Mayor advised that Middlesbrough had the worst rate of infections across the Tees Valley. He stated that the connection between infection and hospitalisation had changed. He stated that it was really important that people were vaccinated. The numbers were high but they were coming down. Neil Ferguson, a respected scientist had indicated that infection rates should have lowered by October.

The Mayor urged people to continue to wear masks in shops and on public transport.

Affordable Housing

The Mayor stated that a lack of high quality affordable housing had a negative impact on families' mental health and on how well children performed at school and after school.

The Council was currently involved in the following schemes which involved the building of

affordable homes:

Tollesby shops – work had commenced on site.

Captain Cook site – high quality social housing was being built.

Gresham – Following a £21m investment from Thirteen (which was part of a £30m investment), housing would be delivered within a year.

#### Policing/behavior/crime

The Mayor stated that he was disappointed that the current Chief Constable, Richard Lewis was leaving his post as he had stabilised the force. The Mayor stated that he was optimistic for the force going forward. He stated that he hoped that whoever was appointed, would build upon the work of the current Chief Constable, and continue to drive the police force going forward.

#### Roads/Potholes

The Mayor stated that there was lots of anger about the state of the roads in Middlesbrough, particularly in relation to potholes. The Council had spent more money on potholes in the last year than it had over a period of years.

There had been a lack of spending on roads over the last 10 years and as a consequence, it would cost millions of pounds to repair the roads to an acceptable level.

Over the next two months, there would be a challenge for the Executive and Senior Officers, to look at how the funding would be found.

#### Middlesbrough Wild Flowers and Trees

The Mayor stated that the planting of trees and wild flowers in the town was cheering people in the town up and lifting spirits. In the next few days there would be floral displays placed throughout the town. The Mayor asked if anyone had any other ideas about improving the town that would not cost too much, to let him know.

Councillor M Storey stated that he was pleased to see the demolition of Tollesby shops and that work had commenced on the site. He thanked the Mayor and the Council for following through with the plans. He stated that Councillor Dean deserved some credit as she had worked hard on this issue for many years, together with previous labour Councillors and the MP for Middlesbrough.

In respect of the roads and potholes, the Mayor and Executive Members had initiated the pothole purge, and the expectations of residents had been raised to thinking that all potholes would be repaired. He stated that in future the Mayor and the Executive needed to be careful how things were worded. There needed to be a programme of repairs so that the public could see which potholes were included within that programme.

The Mayor stated that the scale of the damage and neglect had not been appreciated. He stated that a lot of money needed to be spent. The Executive would come up with a solid proposal.

Councillor Cooke stated that in terms of Covid, 100 people had been vaccinated in Newport at the health mobile event and he praised the staff, the NHS and locality staff. There would two more vaccination mobile events, the first was the following day in Southfield Road Mosque between 11.30am and 2.30pm and on Friday at Albert Park at the same time.

In terms of Richard Lewis, he stated that he had previously had bad experiences with the police and thought he would find it hard to appreciate his work in the role. He found however that he was a very knowledgeable and caring man. He suggested that members should formalise their thanks by signing something to show their appreciation of Richard Lewis's work with the force, which would then be given to him when he left the force.

The Mayor stated that it was a good idea in respect of signing something to show the

Council's appreciation in respect of the Chief Constable. In respect of the work being carried out in Newport Ward in relation to vaccinations, the Mayor thanked Councillor Cooke and stated that he was doing a great job in the Ward, and that he was a role model and the Mayor thanked him.

Councillor Higgins stated that at a recent Children's Social Care and Services Scrutiny Panel meeting, she had praised the Council for their work with Covid. She stated that she had been shocked with regard to the number of children getting Covid. Although children were not getting really ill with Covid, they were still able to pass it on. She stated that she would like the Council to publicise it on the radio with regard to these facts. Councillor Higgins thanked the staff for all their work in relation to Covid.

The Mayor stated that children were getting Covid and passing it on to older relatives and it was right that this should be publicised.

Councillor C Hobson raised concerns regarding the quality of repairs of the potholes and she stated that this needed to be looked at.

The Mayor stated that an explanation needed to be obtained from the department with regard to current procedures for repairing potholes.

Councillor McTigue stated that members should have been asked if they wished to comment on the former councillor. The Chair stated that the councillor had been deceased for some time prior to the Council meeting, however he apologised for this omission.

Councillor Coupe stated that some families had contracted Covid from their children. One 30 year old was currently very ill, in hospital with Covid. This was likely to continue until everyone was vaccinated.

In relation to Richard Lewis, having sat on the Police and Crime Panel and being involved in the appointments of previous Chief Constables, he queried whether neighbourhood policing and having named contacts at the police could be made a priority.

The Mayor stated that the new Chief Constable would have great ambitions. Most forces faced the same issues because of the number of officers and the lack of resources. The Police needed more funding to appoint more officers.

Councillor McTigue stated that there was not necessarily a problem with the number of police officers, it was the judicial system. Prisons should be a place where criminals did not want to return to but most criminals were not afraid about returning to jail.

The Mayor stated that if a person was put into prison, it removed them from the streets and gave the victims a sense of justice. Prisoners needed to be re-educated to be given the chance to learn and build skills. The Courts were also too soft.

Councillor Arundale stated that some years ago he had submitted a proposal to the environment on how to repair and seal potholes. The majority of repairs to potholes had been repaired correctly.

Councillor Uddin queried whether the town could re-introduce facemasks, social distancing and the washing of hands.

The Mayor stated that people needed to be encouraged to wear masks on public transport and shops, wash hands and encourage social distancing. The Council could not enforce any of these measures, it could only provide guidance.

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

The Chair of the Overview and Scrutiny Board submitted 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.

**ORDERED** that the report be noted.

21/37 **URGENT ITEMS**

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

21/38 **NOTICE OF MOTIONS**

Consideration was given to Motion No. 147, moved by Councillor M Storey and seconded by Councillor Rooney of which notice had been given in accordance with Council Procedure Rules No. 53-60 as follows:

Motion: Freedom of the Borough

“That Council, in accordance with Procedure Rule 7(a) (ii) of the constitution of Middlesbrough Council agree a resolution to call an Extraordinary meeting of the Council for the purposes of awarding the Freedom of the Borough to Mr Gareth Southgate OBE.

After some of the most difficult and tragic 18 months this country has faced, this England football team led by Gareth Southgate has given everyone some much needed hope and joy. In difficult times, Gareth Southgate has united [England](#) with his unifying presence, leadership and quiet charisma. As a former Captain and manager of Middlesbrough Football Club, Gareth has a unique connection with our town. This Council believes it is fitting to award him the Freedom of the Borough.”

Councillor Rooney seconded the Motion and reserved the right to speak.

Councillor M Storey spoke in support of the Motion. He stated that he was delighted to propose the Motion. Gareth Southgate was the first Boro captain to lift a league trophy. By reaching the first major final for England in 55 years, Gareth Southgate had written his name into the national story. The England team were moulded in the image of Gareth Southgate. They were young talented, hard-working lads and provided role models for young people.

The stance of the manager and the team against anti-racism was to be applauded. The England team had given the people joy and he recommended that Gareth Southgate be given the Freedom of the Borough. .

Councillor Platt queried whether the honour should only be given to people brought up in the town. He provided a list of other successful sportsmen in the town, Councillor Platt pointed out that the award was awarded for eminent services to Middlesbrough. The award was bestowed on few people and only 17 had received it. He stated that Gareth Southgate was a genuine person but he queried whether people who did not live in the Borough should receive the award,

Councillor Mawston spoke in support of the Motion.

Councillor Higgins spoke in support of the Motion. She stated that Gareth Southgate was a role model for young people. He had influenced the young people of Middlesbrough,

Councillor McTigue queried whether Gareth Southgate was born or lived in Middlesbrough. It was confirmed that he was not born or did not live in the town. She stated that the award should be given to someone who was born and lived in the town.

Councillor Cooke spoke in support of the Motion. He stated that any of the people on the list that Councillor Platt had read out deserved the award. The young children looked up to the England team and the manager. People who aspired young people did not necessarily have to come from Middlesbrough.

Councillor Arundale stated that Gareth Southgate had done lots for the football team and the country however the award was normally for people who spent a lifetime of service in the town. Only 17 people had been awarded the honour and there was a reason for this.

Councillor Rooney spoke in support of the Motion. Councillor Rooney stated that the reason she was supporting the Motion was not so much about football, but about the leadership that had been shown by Gareth Southgate. The country had been through a horrendous 18 months and lots of people had lost relatives. The people of the town had got behind the

football matches. Middlesbrough was about football. The award was deserved for the way in which Gareth Southgate had showed leadership and his dignity in supporting players and responding to racism. He had connections with the town as manager of the football team.

The Mayor stated that from the responses to the motion so far, there appeared to be two sides. Whilst he acknowledged and understood some of the comments, he stated that in his view, Gareth Southgate should receive the award. Gareth Southgate had done something remarkable – he united people. His decency, honesty and integrity and the standards of behaviour imposed on the team meant they were role models for young people. The Mayor stated that the whole nation had got behind the team, and in his view, Gareth Southgate deserved the award.

Councillor Hellaoui spoke in support of the motion.

Councillor Hubbard spoke in support of the motion.

Councillor Cooke pointed out that there were other people on the Freedom of the Borough Award Board that were not born in Middlesbrough.

Councillor M Storey summed up the reasons why Gareth Southgate should be given the Freedom of the Borough.

Following a vote, it was moved seconded and **ORDERED** that a date be set for an Extraordinary meeting of the Council, as required by Section 249 (5) of the Local Government Act 1972, as amended by the Local Democracy, Economic Development and Construction Act 2009, in order to confer the Freedom of the Borough on Gareth Southgate.

Consideration was given to Motion No. 148, moved by Councillor Arundale and seconded by Councillor Waters of which notice had been given in accordance with Council Procedure Rules No. 53-60 as follows:

Motion: Planning Applications

“The MIG Group ask that this Council support the House of Commons cross party agreement in stating we believe planning works best when developers and the local community work together to shape local areas and deliver necessary new homes, and therefore call on the Government to protect the right of communities to object to individual planning applications”.

Councillor Waters seconded the Motion,

Councillor S Walker spoke in support of the Motion.

An amendment to the Motion was moved by Councillor Branson and seconded by Councillor Cooke as follows:

“This Council resolves to support the House of Commons cross party agreement. This Council believes planning works best when developers and the local community work together to shape local areas and deliver necessary new homes. Necessary new homes must mean homes of good quality and be affordable. This Council therefore calls on the Government to protect the right of communities to object to individual planning applications. ”

Councillor Branson spoke to the amendment to the Motion.

Councillor Arundale spoke against the amended Motion.

Councillor Mawston spoke against the amended Motion.

The Chair of the Council explained the background to the Motion

Councillor Cooke spoke in support of the amended Motion

The Mayor spoke against the amended Motion.

Councillor McTigue spoke against the amended Motion

Councillor Rooney spoke in support of the amended Motion

The amendment was put to the vote.

On a vote being taken the amendment was declared **LOST**

The substantive motion was then put.

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

Consideration was given to Motion No. 149, moved by Councillor Mason and seconded by Councillor Coupe of which notice had been given in accordance with Council Procedure Rules No. 53-60 as follows:

Motion: Middlesbrough for City Status Motion:

As part of Her Majesty Queen Elizabeth II's Platinum Jubilee celebrations to mark her 70 years on the throne, local authorities are being given the opportunity to enter a competition to be granted official city status. This civic honors competition will grant local authorities this opportunity for the first time in 10 years.

Middlesbrough is a town with a long and colourful history, perhaps most famous for its world-renowned iron and steel industry which has contributed to many projects around the world. Gladstone famously referred to us as 'The Infant Hercules' and our motto is 'Erimus' meaning 'we shall be'. We should not only be immensely proud of this history and heritage but, like our motto indicates, do everything we can to build on it moving forward.

We have a world class hospital, respected university and educational establishments, proud football club with an international fan base and so very much more. We have also always been a place that is welcoming to all. As it stands, we are one of the biggest metropolitan areas in the country without a city at its heart – and one of the biggest towns in the country without city status.

By entering this competition to become a city, we have a chance to build on our legacy and open a new chapter. If Middlesbrough was to become a city it would almost certainly become a more attractive destination to future investors, encourage job creation and help share our town's story further still.

But regardless of our thoughts as Conservative councillors, the most important thing to consider is that there is clear support from residents in Middlesbrough to submit an application for city status. This was demonstrated by a recent poll held by the council where residents overwhelmingly backed making a submission. We think it's only right that we listen to the people and act on their behalf.

**This council therefore resolves:**

That a formal bid should be submitted by this Council on behalf of the people of Middlesbrough to be granted official city status.

Councillor Mason spoke to the Motion.

Councillor Coupe seconded the Motion.

Councillor McTigue spoke in support of the Motion but advised that she would like further information on the benefits of obtaining "City Status".

Councillor Mason explained that the bid for City Status should be made at least

three or four months before the Queen's Jubilee.

Councillor C Hobson spoke against the Motion.

Councillor Mawston commented on the Motion.

Councillor Cooke spoke in support of the Motion.

Councillor Higgins spoke in support of the Motion.

Councillor Branson spoke in support of the Motion.

Councillor M Storey spoke in support of the Motion.

The Mayor spoke in support of the Motion.

Councillor Coupe spoke in support of the Motion.

Councillor Rooney proposed an amendment to the Motion. She queried whether the reference to the Conservatives could be removed and whether full costings could be brought to the Council before making a decision.

Councillor M Storey seconded the amendment to the Motion.

Councillor Smiles advised that the deadline for the submission of the bid was December. Councillor Smiles advised members that she was confident that the bid would cost less than £10k.

Councillor Rooney advised that on the basis of the information provided by Councillor Smiles, that the amendment to the Motion was withdrawn.

The Monitoring Officer clarified that the part of the Motion that members would be voting on was as follows:

That a formal bid should be submitted by this Council on behalf of the people of Middlesbrough to be granted official city status.

The motion was then put.

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

21/39 **NOTICE OF URGENT MOTIONS (IF ANY)**

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

21/40 **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 11.

Question 1/21 - Councillor Branson to the Mayor regarding whether the creation of a Freeport at Teesport was likely to mean that businesses from Middlesbrough would relocate there and this would lead to a reduction in Council Tax Revenue.

The Mayor advised that he did have concerns that businesses would move from one part of the town and relocate to the Freeport but he did not think this would happen. He stated that the idea of the Freeport was about attracting international businesses to the town. The Freeport would be based upon people bringing jobs to the area. Part of Middlesbrough was in the Freeport such as Dawsons and other businesses were considering locating to the Freeport.

Question 2/21 - Councillor Cooke to Councillor Cooper regarding the repair of a crater on The Crescent/Meath Street junction and whether an audit could be done throughout the town to

ensure that this would not happen again.

Councillor Cooke acknowledged that one of the craters had been repaired but he advised that his question still applied because of the state of other roads in the town.

Councillor Cooper advised that an audit had been carried out in respect of all roads but this would be an ongoing process. He advised that a list of the roads that had been identified as in need of repair would be circulated and if any roads had been missed off the list, Councillors could notify him of any omissions.

Question 3/21 - Councillor Hellaoui to the Mayor regarding children living in poverty in Middlesbrough.

The Mayor advised that it was a complex problem. One of the reasons that the North East was suffering was because of the drop in population. The people that were leaving were those that had the financial means to do so. The Mayor stated that the Council needed to attract people to the town but we also need to help those that required help.

Changing poverty was about culture, education, ambition, good role models and money. The Mayor stated that the Council could make sure that nobody ever went hungry. The Mayor stated that the town also needed high quality housing. He stated that the improvement in Children's Services was good but it would still take some time to remedy.

21/41

## **COMMUNITY GOVERNANCE REVIEW**

Councillor Cooper presented a report, which sought agreement from the Council to conduct a 'Community Governance Review' for the whole of the Council's area to include Parish and Community Councils.

Councils were required to have regard to guidance issued by the Secretary of State and the Boundary Commission. Guidance suggested that it was good practice for a principal council to consider conducting a Community Governance Review every 10-15 years. It had been over fifteen years since a review was last undertaken in Middlesbrough.

A request had been made by Nunthorpe Parish Council to reconsider its current boundaries and therefore it was considered timely to conduct a review of the whole of the Council's area and that any decisions to make changes to parish arrangements would be implemented at the next full parish elections in 2023.

Community Council's operated on a less formal footing i.e. they were not democratically elected like Parish Councils were, however, they played an equally strong part in representing communities and acting as another mechanism for the Council to consult with communities at a local level. As a consequence, it was proposed to include Community Council's in the Community Governance Review consultation.

Following a vote it was **ORDERED** as follows:

1. That Council agree that a Community Governance Review be undertaken across the whole of the Council's area under the terms of Chapter 3 of Part 4 of the Local Government and Public Involvement and Health (LGPIH) Act 2007.
2. That Council approve the timetable for the review outlined in Appendix A of the report.
3. That Council delegate to the Corporate Affairs and Audit Committee, consideration and agreement of a Terms of Reference for the review and any consultation responses for the review with final recommendations referred back to Council for approval.

21/42

## **UPDATE TO THE CONSTITUTION**

The Director of Legal and Governance Services presented a report, the purpose of which was for Council to consider proposals to update the Constitution in respect of Motions of No Confidence, the timescales for submitting the different types of motions, the use of a Notice of Motions form and voting on Committee appointments. The proposals had been considered and endorsed at the Constitution and Members Development Committee on 26 February 2021.



Following a vote, it was **ORDERED** as follows:

That Council approve the following proposals to update the Constitution:

- I. Motions of No confidence (Appendix A) to the report to be added to the Constitution.
- II. Note that all Members of Council to vote on appointment of Committee Chairs and members.
- III. Change the timescale for submitting a Motion from 7 working days to 9 working days for Notice of Motions.
- IV. Agree the proposals to introduce the use a Notice of Motion form to gather additional information.
- V. Agree the proposal to submit amendments to ordinary motions, in writing, 2 working days before the Council meeting.
- VI. Agree the proposal to submit amendments to the Council Budget, in writing, 3 working days before the Council meeting.

21/43

#### **REVISED MEMBERS' CODE OF CONDUCT**

The Director of Legal and Governance Services presented a report, which sought the approval of Council to the revised edition of the Members Code of Conduct.

The Constitution and Member Development Committee had been consulted on the proposed revisions and proposed some minor amendments which had been incorporated into the revised version.

The revised code had also been considered and endorsed by the Standards Committee on 19 July 2021, with a recommendation that it be submitted to Council, for final approval.

The purpose of the revised Code of Conduct was as follows;

- To assist Members' in modelling their behaviours to the expected behaviour set out in the code, and to outline the type of conduct that could lead to action being taken against a member.
- To protect Members, the public, fellow councillors, local authority officers and the reputation of local government. The code set out general principles of conduct expected of all councillors and specific obligations in relation to standards of conduct.
- To reflect the recommendations on best practice resulting from the Local Government Ethical Standards Committee Review in relation to Standards in Public Life.

Following a vote, it was **ORDERED** that the revised edition of the Members' Code of Conduct be approved.